

The Board of Supervisors met on 10/26/21 at 10:00 a.m. in the Story County Administration Building. Lisa Heddens, Latifah Faisal, and Linda Murken, with Heddens presiding. (all audio of meetings available at storycountyiowa.gov).
SPECIAL NOTE TO THE PUBLIC: this meeting is also being offered via Zoom.

ADOPTION OF AGENDA: Heddens directed the members of the public accessing the meeting via Zoom to use the raise hand function; a moderator will track the chat function during the public forums and hearings. Heddens made a change to signature lines on the proclamation to be considered. Faisal moved, Murken seconded adopting the agenda with noted change. Motion carried unanimously (MCU) on a roll call vote.

PROCLAMATION OF OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH IN STORY COUNTY: The Board read the proclamation in full. Murken moved, Faisal seconded the approval of the Proclamation of October as Domestic Violence Awareness Month in Story County. Roll call vote. (MCU). County Attorney Tim Meals thanked the Board via Zoom chat.

MINUTES: 10/19/21 Minutes – Faisal moved, Murken Faisal seconded the approval of 10/19/21 Minutes. Roll call vote. (MCU)

PERSONNEL ACTIONS: 1) pay adjustment, effective 10/24/21, in a) Recorder's Office for Nicole Wilson @ \$20.97/hr. Murken moved, Faisal seconded the approval of Personnel Actions as listed. Roll call vote. (MCU)

CLAIMS: 10/28/21 Claims of \$952,741.21 (run date 10/22/21, 40 pages, on file in the Auditor's Office) and authorize the Auditor to issue checks in payments of these claims and payment requests from Central Iowa Drug Task Force (473.50), BooSt School Ready (\$3,934.97), Emergency Management (\$1,452.04), E911 (\$324.85), County Assessor (\$1,310.91), Ames City Assessor (\$1,532.28), and Central Iowa Community Services (\$248,368.05). Faisal moved, Murken seconded the approval of Claims as presented. Roll call vote. (MCU)

Murken moved, Faisal seconded the approval of Consent Agenda.

1. Contract for Highway Right-of-Way with Birchmier Family Revocable Trust for the purchase of permanent easement for \$883.46(FM-C085(167)--55-85)
2. Contract for Highway Right-of-Way with John H Stewart, Martin Stewart, James Stewart, and Lawrence W. Stewart for the purchase of permanent easement for \$750.04 (L-W24—73-85)
3. Contract for Highway Right-of-Way with Timothy A. and Denise M. Meier for the purchase of permanent easement for \$405.13 (FM-C085(C7)—55-85)
4. 2022 Holiday Calendar
5. Iowa Public Employees' Retirement System (IPERS) Section 125 Plan Certification for 1/1/22-12/31/22
6. Service Agreement between Alpha Delta Pi Sorority and Story County. effective 10/29/21, for \$65.00 an hour for a minimum of two hours per deputy
7. Final Design Plans for RCB Culvert Replacement-Single Box on 290th Street, over Rock Creek, in NW Quarter of Section 7-82-21 (Collins Township) (FM-C085(168)—55-85)
8. Final Design Plans for RCB Culvert Replacement-Single Box on 290th Street, over Ruppel Creek in Section 11-82-22 (Indian Creek Township) (FM-C085(167)—55-85)
9. Road Closure Resolutions: #22-19, #22-20
10. Utility Permit: #22-5976

Roll call vote. (MCU)

SECOND CONSIDERATION OF ORDINANCE NO. 297, AMENDING CHAPTER 86 – DISTRICT REQUIREMENTS, AND CHAPTER 85.08 – DEFINITIONS, OF THE STORY COUNTY LAND DEVELOPMENT REGULATIONS, OF THE STORY COUNTY CODE OF ORDINANCES: Andrea Wagner, County Planner, reported on the previous meeting, No additional comments were received. She recommends alternative #1, and approval on Second Consideration and waiving Third Consideration. Heddens opened the public hearing at 10:09 a.m., and, hearing none, she closed the public hearing at 10:10 a.m. Faisal moved, Murken seconded approval of Second Consideration of Ordinance No. 297, Amending Chapter 86-District Requirements, and Chapter 85.08-Definitions, of the Story County Land Development Regulations, of the Story County Code of Ordinances and Waive Third Consideration. Roll call vote. (MCU)

PLANNING AND DEVELOPMENT QUARTERLY REPORT: Amelia Schoeneman reported on permits, permits by type, development cases, and other activities. She reviewed high priority work program items, and remarked upon the hire of two new interns.

UPCOMING AGENDA ITEMS: Heddens stated the American Rescue Plan Act (ARPA) matrix will be on a future agenda. Faisal reported on the forthcoming Story County Economic Development Commission housing study.

PUBLIC FORUM #2: Stacey Herridge, Recorder, announced an upcoming agenda item regarding the statewide Iowa Land Records portal.

LIAISON ASSIGNMENTS, COMMITTEE MEETINGS UPDATES, AND ANNOUNCEMENTS FROM THE SUPERVISORS: The Board members reported on upcoming meetings.

CLOSED SESSION PURSUANT TO CODE OF IOWA §21.5 (1)j: Murken moved, Faisal seconded to go into closed session at 10:35 a.m. Roll call vote (MCU)

Heddens reconvened the Board in open session at 12:02 p.m.

THE DIRECTOR OF EXTERNAL OPERATIONS AND COUNTY SERVICES ANNUAL PERFORMANCE

REVIEW: Faisal moved, Murken seconded approval of evaluation as discussed in closed session. Roll call vote. (MCU)
Murken moved, Faisal seconded to adjourn at 12:03 p.m. Roll call vote. (MCU)

Story County Board of Supervisors
Meeting Agenda
Administration Building
900 6th St., Nevada, IA
10/26/21

1. SPECIAL NOTE TO THE PUBLIC: This Meeting Is Also Being Offered Via Zoom.
Members of the public can participate by using the information below:

To join the zoom meeting by computer, tablet, smartphone:

Visit [HTTPS://WWW.ZOOM.US/](https://www.zoom.us/)

Click on "Join A Meeting" and use the Zoom Meeting ID 981 7092 0243 and Password 446094

To join the meeting by telephone:

Dial (312) 626-6799, then enter Webinar ID 981 7092 0243, Password 446094

Please visit WWW.STORYCOUNTYIOWA.GOV/92/BOARD-OF-SUPERVISORS

for more information on how to participate in meetings of the Story County Board of Supervisors.

2. CALL TO ORDER: 10:00 A.M.
3. PLEDGE OF ALLEGIANCE:
4. ADOPTION OF AGENDA:
5. PUBLIC COMMENT #1:
This comment period is for the public to address topics on today's agenda
6. Consideration Of Proclamation Of October As Domestic Violence Awareness Month In Story County

Department Submitting Story County Attorney

Documents:

PROCLAMATION.PDF

7. AGENCY REPORTS:
8. CONSIDERATION OF MINUTES:
 - I. 10/19/21 Minutes

Department Submitting Auditor

9. CONSIDERATION OF PERSONNEL ACTIONS:

I. Action Forms

- 1) pay adjustment, effective 10/24/21, in a) Recorder's Office for Nicole Wilson @ \$20.97/hr.

Department Submitting HR

10. CONSIDERATION OF CLAIMS:

I. 10/28/21 Claims

Department Submitting Auditor

Documents:

CLAIMS 102821.PDF

11. CONSENT AGENDA:

(All items listed under the consent agenda will be enacted by one motion. There will be no separate discussion of these items unless a request is made prior to the time the Board votes on the motion.)

I. Consideration Of Contract For Highway Right Of Way With Birchmier Family Revocable Trust For The Purchase Of Permanent Easement For \$883.46(FM-C085(167)--55-85)

Department Submitting Engineer

Documents:

ROW CTR BIRTCHMIER.PDF

II. Consideration Of Contract For Highway Right Of Way With John H Stewart, Martin Stewart, James Stewart, And Lawrence W Stewart For The Purchase Of Permanent Easement For \$750.04 (L-W24—73-85)

Department Submitting Engineer

Documents:

ROW CTR STEWART.PDF

III. Consideration Of Contract For Highway Right Of Way With Timothy A & Denise M Meier For The Purchase Of Permanent Easement For \$405.13 (FM-C085(C7)—55-85)

Department Submitting Engineer

Documents:

ROW CTR MEIER.PDF

IV. Consideration Of 2022 Holiday Calendar

Department Submitting Human Resources

Documents:

2022 HOLIDAY CALENDAR.PDF

V. Consideration Of IPERS Section 125 Plan Certification For 1/1/22 - 12/31/22

Department Submitting Human Resources

Documents:

IPERS 125 PLAN CERTIFICATION 2022.PDF

VI. Consideration Of Service Agreement Between Alpha Delta Pi Sorority And Story County Effective 10/29/2021 For \$65/Hour For A Minimum Of Two Hours Per Deputy

Department Submitting Sheriff

Documents:

ALPHA DELTA PI SERVICE AGREEMENT.PDF

VII. Consideration Of Final Design Plans For RCB Culvert Replacement-Single Box On 290th, Over Rock Creek, In NW ¼ Of Section 7-82-21 (FM-C085(168)—55-85)

Department Submitting Engineer

Documents:

FP FM RCB CULVERT ROCK CREEK.PDF

VIII. Consideration Of Final Design Plans For RCB Culvert Replacement-Single Box On 290th, Over Ruppel Creek; Section 11-82-22 (FM-C085(167)—55-85)

Department Submitting Engineer

Documents:

FP FM RCB CULVERT RUPPLE CREEK.PDF

IX. Consideration Of Road Closure Resolution(S): #22-19, 22-20

Department Submitting Engineer

Documents:

RC 22 19.PDF
RC 22 20.PDF

X. Consideration Of Utility Permit(S): #22-5976

Department Submitting Engineer

Documents:

UT 22 5976.PDF

12. PUBLIC HEARING ITEMS:

- I. Second Consideration Of Ordinance #297, Amending Chapter 86 – District Requirements, And Chapter 85.08 – Definitions, Of The Story County Land Development Regulations, Of The Story County Code Of Ordinances – Andrea Wagner

Department Submitting Planning and Development

Documents:

STAFF MEMO.PDF
ORDINANCE NO 297.PDF

13. ADDITIONAL ITEMS:

14. DEPARTMENTAL REPORTS:

- I. Planning & Development Quarterly Report - Amelia Schoeneman

Department Submitting Auditor

Documents:

Q3.PDF

15. OTHER REPORTS:

16. UPCOMING AGENDA ITEMS:

17. PUBLIC FORUM #2:

Comments from the Public on Items not on this Agenda. The Board may not take any Action on the Comments due to the Requirements of the Open Meetings Law, but May Do So In the Future.

18. LIAISON ASSIGNMENTS, COMMITTEE MEETINGS UPDATES, AND ANNOUNCEMENTS FROM THE SUPERVISORS:

19. Closed Session Pursuant To Iowa Code Section 21.5 (1)l - Alissa Wignall, Director Of Internal Operations And Human Resources

To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.

Department Submitting Human Resources

20. Consideration Of The Director Of External Operations And County Services Annual Performance Review

Department Submitting Human Resources

21. ADJOURNMENT:

Story County strives to ensure that its programs and activities do not discriminate on the basis of race, color, national origin, sex, age or disability. Persons requiring assistance, auxiliary aids or

services, or accommodation because of a disability may contact the county's ADA coordinator at (515) 382-7204.

STORY COUNTY, IOWA
PROCLAMATION OF THE BOARD OF SUPERVISORS

Proclamation of October as Domestic Violence Awareness Month in Story County

WHEREAS, Home should be a place of warmth, unconditional love, tranquility, and security, and for most of us, home and family can indeed be counted among our greatest blessings. Tragically, for many Americans, these are blessings that are tarnished by violence and fear; and

WHEREAS, Every 9 seconds a woman in the United States is assaulted by an intimate partner; and

WHEREAS, An average of 3 women are murdered by intimate partners in the United States every day and a person experiencing strangulation in a relationship is 7 times more likely to be murdered by their partner and, according to the American Psychological Association, the presence of a gun in a domestic violence situation increases the risk of homicide by 500%; and

WHEREAS, According to the Bureau of Justice Statistics Crime Data Brief, Intimate Partner Violence, women accounted for 85% of the victims of intimate partner violence, men for approximately 15%; and

WHEREAS, Women and men are not the only targets; children, the elderly, family pets and responding law enforcement officers are counted among the victims and,

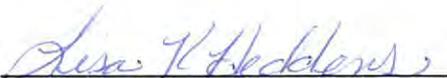
WHEREAS, According to a study by Break the Silence, 2006, witnessing violence is the strongest risk factor in transmitting violent behavior from one generation to the next; and

WHEREAS, According to the National Resource Center on Domestic Violence, approximately 23% of LGBTQ men and 50% of LGBTQ women experience abuse at the hands of their intimate partners; and

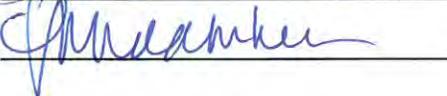
WHEREAS, Domestic Violence costs an estimated \$8.3 billion annually in medical care, mental health services, and lost productivity on the job. Women, men and children living with domestic violence suffer higher rates of physical injuries, chronic health problems, depression, PTSD, attempted suicide, substance abuse, behavior problems for children, and homelessness.

NOW, THEREFORE, BE IT RESOLVED That the Story County Board of Supervisors, proclaim the month of October as Domestic Violence Awareness Month in Story County and urge our citizens to observe this month by becoming aware of the tragedy of domestic violence and supporting those who are working toward its end.

Dated this 26th day of October 2021.

Board of Supervisors 

Board of Supervisors 

Board of Supervisors 

**STORY COUNTY SHERIFF
SERVICE AGREEMENT
21-03**

The following agreement is intended to be the sole and only agreement between the parties and supersedes all other agreements. All terms and conditions are in their customary usage and any additional definitions of terms or conditions are stated in this agreement.

Definitions:

The Agreement is this four page agreement identified by the numerical designation and any and all attachments reference.

Story County Sheriff, hereinafter (the "Service Provider") agrees to provide the services as listed in this agreement.

The Alpha Delta Pi, hereinafter (the "Contractor") agrees to employ the Service Provider as set forth by the terms listed in this agreement.

The Parties, refers to the "Service Provider" and the "Contractor".

Additional Terms, if none then state "none":

None _____

Terms

Service Provider:
Story County Sheriff's Office
1315 South B Avenue
Nevada, IA 50201
515-382-7457

Contractor Address:
Alpha Delta Pi Sorority
2125 Greeley St
Ames, IA 50014
815-519-6634

I Description of Services

The Service Provider shall provide the services of law enforcement during the times and days specified at the location(s) indicated. These services include, but are not limited to, armed deputies in marked patrol vehicles and dispatch services including 911 emergency. Specific instructions for services shall be included in division II for "Additional Services". This agreement should be considered as in addition to the law enforcement responsibilities of the Story County Sheriff for geographic area of Story County. However, this agreement shall not supplant or subordinate the law enforcement and public safety duties and responsibilities of the Story County Sheriff's Office and this agreement shall at all times remain subordinate to the duties, responsibilities and discretion of the Sheriff, his deputies, agents and employees under all circumstances.

II Additional Services

List the specific additional services requested by the Contractor. Include any specific instructions to the Service Provider from the Contractor which are to be made a part of this agreement. (Refer to attachments here and staple attachments to back.)

I. 3 Full-Time or Reserve Deputy Sheriff(s) present at a sorority event

III Times and location(s)

The Contractor requires the services of the Service Provider at the following location: (For more than one location list in section C and make attachments as necessary.)

Location: **Prairie Moon Winery**
Address: **3801 W 190th St**
City/rural: **Ames, IA 50014**
Time: **1900 – 2200hrs**

A. If the services is to continue for an indefinite period complete this section only.

State date of service: _____ Day _____ Month _____ Year

B. If the service is to be for a single date complete this section only.

Date of service: **29th** **October** **2021**
Day Month Year

C. If the service is for more than one date or is to continue on different dates at different locations use the chart below.

Start date of service: _____ Day _____ Month _____ Year

Chart

Days	Times
Monday _____	_____ a.m. to _____ p.m. and _____ p.m. to _____ a.m.
Tuesday _____	_____ a.m. to _____ a.m. and _____ p.m. to _____ a.m.
Wednesday _____	_____ a.m. to _____ p.m. and _____ p.m. to _____ a.m.
Thursday _____	_____ a.m. to _____ p.m. and _____ p.m. to _____ a.m.
Friday _____	_____ a.m. to _____ p.m. and _____ p.m. to _____ a.m.
Saturday _____	_____ a.m. to _____ p.m. and _____ p.m. to _____ a.m.
Sunday _____	_____ a.m. to _____ p.m. and _____ p.m. to _____ a.m.

Additional Locations:

Address:
City/rural:

(If necessary attach additional descriptions)

IV Duration of Agreement

This agreement shall be in effect for the period(s) stated in section III. For continuing agreements it shall remain in effect until terminated in accordance with the section VII of this agreement.

V Fees

The Contractor agrees to pay:

Sixty five dollars (\$65.00) per hour for a minimum of two (2) hours for the Story County Sheriff, and each Story County Deputy Sheriff, Senior Reserve Deputy, Dispatcher, Detention Officer, Diver (dive team members are required to work in a team of four) and civilian employees.

Thirty two dollars and 50 cents (\$32.50) per hours for a minimum of two (2) hours/for each Story County Sheriff's Reserve (Reserves are required to work in pairs unless authorized by the Sheriff or designee).

VI Payment

Contractor agrees to pay for one time/or multiple event in advance; or pay on a XX as invoiced by the Story County Sheriff. (Check which payment)

VII Changes or Termination during the Agreement

The parties recognize that the business of law enforcement and private interest may change. The Contractor understands that public protection or economic demands may require the Service Provider to focus resources in other areas. The Service Provider recognizes that private business may develop other needs or demands. This understanding is to ensure both parties have the ability to amend or terminate the agreement before the expiration date. The parties may amend the agreement only in writing signed by both the Contractor and the Service Provider. Termination of the agreement shall be written notice. An agreement for single or multiple events where payment has been made in advance requires ___ days notice for a full refund. All other agreements require thirty (30) days notice. During the thirty day period the parties agree to perform their respective obligations unless otherwise agreed in writing. The foregoing requirements for amendment or termination shall not apply when, in the sole discretion of the Sheriff, his deputies, agents and employees; the duties and responsibilities of the Sheriff's Office to protect and promote public safety and law enforcement require that the resources and personnel for the Sheriff's Office be redirected away from Contractor's event or venue to respond to emergency or urgent calls for assistance by any person or entity other than the Contractor. In the event that personnel or resources of the Sheriff's Office are redirected to respond to an emergency or urgent call away from Contractor's venue, or if circumstances require additional resources/personnel to maintain order and safety at the venue covered by this agreement, the parties will later endeavor to negotiate a fair and reasonable accommodation which may include but is not necessarily limited to refund of any prepaid services not delivered by the Service Provider, or additional payment from the contractor.

VIII Confidentiality

It is necessary that the Contractor understand when contracting with a public entity that The contract is public information and will be produced when requested as required by law. The Contractor should be mindful of the public's right to know.

IX Liability

The Parties shall maintain insurance during this agreement. Each party will be Responsible for their respective acts. The Service Provider, its employees or Agents shall not be responsible for any special, incidental or consequential Damages to the Contractor while acting in performance of this agreement.

X Acts of God and Acts of Others

The Service Provider is not responsible in the event of a natural disasters, or acts of civil unrest, or acts of Contractors employees, agents or third persons which prevent Service Provider from performing as expected or originally intended under this agreement.

XI Hazards

Contractor shall have a duty to inform the Service Provider of any known hazards, either natural or manmade, which may pose a danger to an employee or agent of the Service Provider, that exist upon or appurtenant to any property owned or leased by the Contractor. This shall be a continuing duty for the Contractor.

XII Inconsistent Terms

The Contractor by this agreement has attempted to reduce the chance for misunderstanding by the inclusion of all terms. The Contractor and the Service Provider agree to resolve any dispute in a manner using common English usage of the term(s) in dispute.

XIII Representative

The Contractor designates Olivia Makeever as their representative and contact for this agreement with the following address and phone numbers listed below. The Service Provider requires twenty-four (24 hr(s) contact information from the Contractor and agrees to supply the same twenty-four (24 hr(s) contact to the Contractor.

Service Provider Representative

Contractor Representative

Lt. Gary Backous
515-382-7457

Olivia Makeever
815-519-6634

Address:

Story County Sheriff
1315 South B Avenue
Nevada, IA 50201
515-382-7457
gbackous@storycountyiowa.gov

Alpha Delta Pi Sorority
3801 W 190th St
Ames, IA 50014
815-519-6634
livmakaadpi@gmail.com

Billing Address:

Contact Person: Same as above.
Contractor Billing Address: Same as above

Make payment payable to: **Story County Treasurer**

Mail Payments to: **Story County Sheriff's Office
1315 South B Avenue
Nevada, IA 50201**

Service Agreement Signatures

Service Provider

Lt. Doug [Signature]
Authorized Representative

Lieutenant, Support Services
Title

10 / 20 / 2021
Date

Contractor

Alina D. Makeever
Authorized Representative

Chapter President
Title

10 / 18 / 2021
Date

The Service Provider representative has the authority to enter this agreement as authorized by the Story County Board of Supervisors. The date of this agreement by the Board of Supervisors is 10 / 26 / 21

[Signature]
Board of Supervisors

[Signature]
Attest: Story County Auditor

(Staple attachments to back)

Prepared by: Darren R. Moon, Story County Engineer's Office, 837 N Ave., Nevada, IA 50201 515-382-7355

CONTRACT FOR HIGHWAY RIGHT OF WAY

PARCEL No: 15-11-100-200
 PROJECT No: FM-C085(167)-55-85
 ROAD No: (290th St.)

THIS AGREEMENT made and entered into this 14th day of OCTOBER, A.D. 2021 by and between
BIRCHMIER FAMILY REVOCABLE TRUST

Seller, and the Story County Secondary Roads Department, acting for the County of Story, Buyer.

1.a SELLER AGREES to sell and Buyer agrees to buy the following real estate, hereinafter referred to as the premises, situated in parts of the following (1/4 1/4 Sec./Twp./Rge.):

The South 27.00 feet of the North 60.00 feet of the East 100.00 feet of the West 1937.50 feet of the NW $\frac{1}{4}$ in Section 11, Township 82 North, Range 22 West of the 5th P.M., Story County, Iowa. Easement contains 0.14 acres of which 0.08 acres is existing R.O.W.

County of Story, State of Iowa, and more particularly described on Page 3 and which include the following buildings, improvements and other property:

See attached graphical representation

1.b SELLER ALSO GRANTS to Buyer a temporary easement as shown on the Temporary Easement Plot attached as Page -, and as shown on the project plans for said highway improvement. Said temporary easement shall terminate upon completion of this highway project.

1.c The premises also include all estates, rights, title and interests, including all easements, and all advertising devices and the rights to erect such devices as are located thereon. SELLER CONSENTS to any change of grade of the highway and accepts payment under this contract for any and all damages arising therefrom. SELLER ACKNOWLEDGES full settlement and payment from the Buyer for all claims per the terms of this contract and discharges the Buyer from liability because of this contract and the construction of this public improvement project.

2. Possession of the premises is the essence of this contract and Buyer may enter and assume full use and enjoyment of the premises per the terms of this contract. Buyer may take immediate possession of premises upon the execution of the contract by both Seller and Buyer.

3. Buyer agrees to pay and SELLER AGREES to grant the right of possession, convey title, and to surrender physical possession of the premises as shown:

	Payment Amount	Agreed Performance
\$	<u>883.46</u>	on right of possession
\$		on conveyance of title
\$		on surrender of possession
\$		on possession and conveyance
\$	<u>883.46</u>	TOTAL LUMP SUM

BREAKDOWN:		ac.=acres	sq.ft.=square feet			
Land by Fee Title			ac./sq.ft.	\$	Buildings & Improvements	\$
Underlying Fee Title			ac./sq.ft.	\$	Fence <u> </u> rods woven	\$
Permanent Easement	<u>0.06</u>		ac./sq.ft.	\$ <u>328.26</u>	Fence <u>9.33</u> rods barb	\$ <u>280.20</u>
Temporary Easement			ac./sq.ft.	\$		
Damages for:						\$
					2 Corner post sets = \$250.00	
					Future Abstract Entry in the amount of \$25.00	

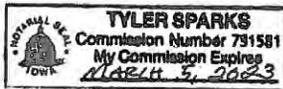
4. The Seller is responsible for any and all matters relating to any tenant on the land and hereby releases the Buyer from all tenant liabilities.

SELLER'S SIGNATURE AND CLAIMANT'S CERTIFICATION: Upon due approval and execution by the Buyer, we the undersigned claimants certify the total lump sum payment shown herein is just and unpaid.

x Stephen J. Birchmier
Jeanie Birchmier

- 5. Each page and each attachment is by this reference made part hereof and the entire agreement consists of 3 pages.
- 6. In the event that said premises is burdened by the lien of a mortgage, judgement or other encumbrance, Sellers agree to fully cooperate with Buyer in securing a release of such lien from said premises, and if necessary and proper, Sellers agree that any part of the sum owing to them under this contract may be paid to the holder of such lien for such release.
- 7. Buyer agrees that any drain tile that is located within the premises and is damaged by highway construction shall be repaired at no expense to Seller. Where Buyer specifically agrees to construct and maintain fence, the fence shall be constructed and maintained for vehicle access control purposes only at no expense to the Seller. Buyer shall have the right of entry upon Sellers remaining property along the right of way line, if necessary, for the purpose of connecting said drain tile and constructing and maintaining said fence. Seller may pasture against said fence at his own risk. Buyer will not be liable for fencing private property of maintaining the same to restrain livestock.
- 8. If the Seller holds title to the premises in joint tenancy with full rights of survivorship and not as tenants in common at the time of this contract, Buyer will pay any remaining proceeds to the survivor of that joint tenancy and will accept title solely from that survivor, provided the joint tenancy has not been destroyed by operation of law or acts of the Seller.
- 9. These premises are being acquired for public purposes and this transfer is exempt from the requirements for the filing of a Declaration of Value by the Code of Iowa.
- 10. Seller states and warrants that , to the best of Seller's knowledge, there are no burial site, well, solid waste disposal site, hazardous substance, nor underground storage tank on the premises described and sought herein except,
- 11. This Written contract constitutes the entire agreement between Buyer and Seller and there is no agreement to do or not to do any act or deed except as specifically provided for herein.

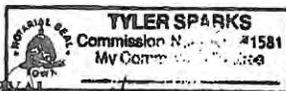
Additional Right of Way Agreements:



SELLER'S ACKNOWLEDGMENT

STATE OF IOWA: ss On this 14th day of October, 2021, before me, the undersigned, personally appeared Jeanie and Steve Birchmier AKA. Stephen Birchmier

Known to me to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.



Tyler Sparks
Notary Public in and for the State of IOWA

BUYER'S APPROVAL

[Signature] 10-14-21

Recommended by: Darren Moon P.E., Story County Engineer (Date)

[Signature] 10-26-21

Approved by: Chairperson, Story County Board of Supervisors (Date)

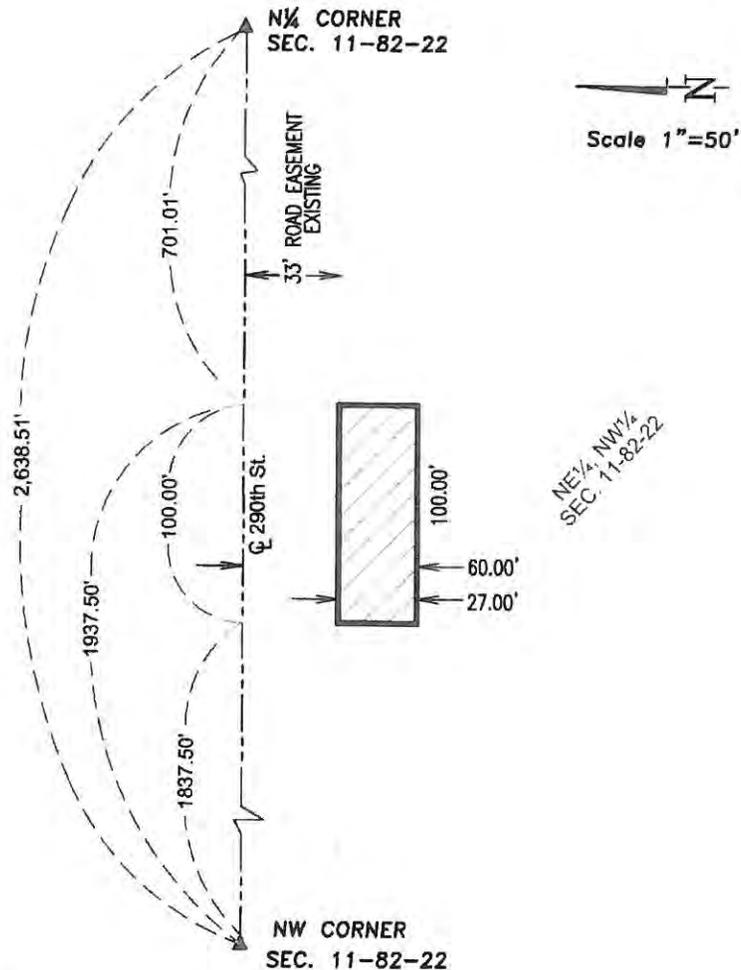
"Exhibit A"

STORY COUNTY SECONDARY ROADS EASEMENT ACQUISITION

PROJECT NO. FM-C085(167)--55-85 PARCEL NO. 15-11-100-200
SECTION 11, TOWNSHIP 82N, RANGE 22W, OF THE 5TH P.M., STORY COUNTY, IOWA.
ACQUIRED FROM BIRCHMIER FAMILY REVOCABLE TRUST

EXISTING R.O.W. 0.08 ACRES NEW R.O.W. 0.06 ACRES TOTAL R.O.W. 0.14 ACRES

The South 27.00 feet of the North 60.00 feet of the East 100.00 feet of the West 1937.50 feet of the NW $\frac{1}{4}$ in Section 11, Township 82 North, Range 22 West of the 5th P.M., Story County, Iowa. Easement contains 0.14 acres of which 0.08 acres is existing R.O.W.



DATE DRAWN 6/9/2021

Prepared by: Darren R. Moon, Story County Engineer's Office, 837 N Ave., Nevada, IA 50201 515-382-7355

CONTRACT FOR HIGHWAY RIGHT OF WAY

PARCEL No: 09-23-400-215
 PROJECT No: L-W24--73-85
 ROAD No: (550th Ave.)

THIS AGREEMENT made and entered into this 14th day of October, A.D. 2021 by and between

JOHN H. STEWART, MARTIN STEWART, JAMES STEWART, AND LAWRENCE W. STEWART

Seller, and the Story County Secondary Roads Department, acting for the County of Story, Buyer.

1.a SELLER AGREES to sell and Buyer agrees to buy the following real estate, hereinafter referred to as the premises, situated in parts of the following (1/4 1/4 Sec./Twp./Rge.):

The West 17.00 feet of the East 50.00 feet of the North 100.00 feet of the South 1662.50 feet of the SE $\frac{1}{4}$ in Section 23, Township 83 North, Range 24 West of the 5th P.M., Story County, Iowa. Easement contains 0.12 acres of which 0.08 acres is existing R.O.W.

County of Story, State of Iowa, and more particularly described on Page 6 and which include the following buildings, improvements and other property:

See attached graphical representation

1.b SELLER ALSO GRANTS to Buyer a temporary easement as shown on the Temporary Easement Plot attached as Page , and as shown on the project plans for said highway improvement. Said temporary easement shall terminate upon completion of this highway project.

1.c The premises also include all estates, rights, title and interests, including all easements, and all advertising devices and the rights to erect such devices as are located thereon. SELLER CONSENTS to any change of grade of the highway and accepts payment under this contract for any and all damages arising therefrom. SELLER ACKNOWLEDGES full settlement and payment from the Buyer for all claims per the terms of this contract and discharges the Buyer from liability because of this contract and the construction of this public improvement project.

2. Possession of the premises is the essence of this contract and Buyer may enter and assume full use and enjoyment of the premises per the terms of this contract. Buyer may take immediate possession of premises upon the execution of the contract by both Seller and Buyer.

3. Buyer agrees to pay and SELLER AGREES to grant the right of possession, convey title, and to surrender physical possession of the premises as shown:

	Payment Amount	Agreed Performance
\$	<u>750.04</u>	on right of possession
\$		on conveyance of title
\$		on surrender of possession
\$		on possession and conveyance
\$	<u>750.04</u>	TOTAL LUMP SUM

BREAKDOWN:	ac.=acres	sq.ft.=square feet			
Land by Fee Title		ac./sq.ft.	\$	Buildings & Improvements	\$
Underlying Fee Title		ac./sq.ft.	\$	Fence <u> </u> rods woven	\$
Permanent Easement	<u>0.04</u>	ac./sq.ft.	\$ <u>218.84</u>	Fence <u>6.1</u> rods barb	\$ <u>183.00</u>
Temporary Easement		ac./sq.ft.	\$		
Damages for:		Corner Sets = \$250.00			\$
		Temp. Fence = \$73.20			
		<u>Future Abstract Entry in the amount of \$25.00</u>			

4. The Seller is responsible for any and all matters relating to any tenant on the land and hereby releases the Buyer from all tenant liabilities.

SELLER'S SIGNATURE AND CLAIMANT'S CERTIFICATION: Upon due approval and execution by the Buyer, we the undersigned claimants certify the total lump sum payment shown herein is just and unpaid.

X [Signature] X _____
X _____
X _____

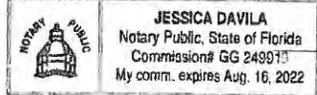
- 5. Each page and each attachment is by this reference made part hereof and the entire agreement consists of 6 pages.
- 6. In the event that said premises is burdened by the lien of a mortgage, judgement or other encumbrance, Sellers agree to fully cooperate with Buyer in securing a release of such lien from said premises, and if necessary and proper, Sellers agree that any part of the sum owing to them under this contract may be paid to the holder of such lien for such release.
- 7. Buyer agrees that any drain tile that is located within the premises and is damaged by highway construction shall be repaired at no expense to Seller. Where Buyer specifically agrees to construct and maintain fence, the fence shall be constructed and maintained for vehicle access control purposes only at no expense to the Seller. Buyer shall have the right of entry upon Sellers remaining property along the right of way line, if necessary, for the purpose of connecting said drain tile and constructing and maintaining said fence. Seller may pasture against said fence at his own risk. Buyer will not be liable for fencing private property of maintaining the same to restrain livestock.
- 8. If the Seller holds title to the premises in joint tenancy with full rights of survivorship and not as tenants in common at the time of this contract, Buyer will pay any remaining proceeds to the survivor of that joint tenancy and will accept title solely from that survivor, provided the joint tenancy has not been destroyed by operation of law or acts of the Seller.
- 9. These premises are being acquired for public purposes and this transfer is exempt from the requirements for the filing of a Declaration of Value by the Code of Iowa.
- 10. Seller states and warrants that , to the best of Seller's knowledge, there are no burial site, well, solid waste disposal site, hazardous substance, nor underground storage tank on the premises described and sought herein except,
- 11. This Written contract constitutes the entire agreement between Buyer and Seller and there is no agreement to do or not to do any act or deed except as specifically provided for herein.

Additional Right of Way Agreements:

**FLORIDA
SELLER'S ACKNOWLEDGMENT**

STATE OF ~~DELAWARE~~ ss On this 29th day of JULY, 2021, before me, the undersigned, personally appeared JOHN HUGH STEWART.

Known to me to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.



[Signature]
Notary Public in and for the State of FLORIDA.

BUYER'S APPROVAL

[Signature] 10-18-21
Recommended by: Darren Moon P.E., Story County Engineer (Date)

[Signature] 10-26-21
Approved by: Chairperson, Story County Board of Supervisors (Date)

SELLER'S SIGNATURE AND CLAIMANT'S CERTIFICATION: Upon due approval and execution by the Buyer, we the undersigned claimants certify the total lump sum payment shown herein is just and unpaid.

X *[Signature]* X _____
X _____
X _____

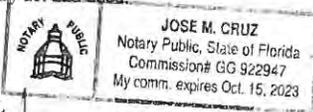
- 5. Each page and each attachment is by this reference made part hereof and the entire agreement consists of 6 pages.
- 6. In the event that said premises is burdened by the lien of a mortgage, judgement or other encumbrance, Sellers agree to fully cooperate with Buyer in securing a release of such lien from said premises, and if necessary and proper, Sellers agree that any part of the sum owing to them under this contract may be paid to the holder of such lien for such release.
- 7. Buyer agrees that any drain tile that is located within the premises and is damaged by highway construction shall be repaired at no expense to Seller. Where Buyer specifically agrees to construct and maintain fence, the fence shall be constructed and maintained for vehicle access control purposes only at no expense to the Seller. Buyer shall have the right of entry upon Sellers remaining property along the right of way line, if necessary, for the purpose of connecting said drain tile and constructing and maintaining said fence. Seller may pasture against said fence at his own risk. Buyer will not be liable for fencing private property of maintaining the same to restrain livestock.
- 8. If the Seller holds title to the premises in joint tenancy with full rights of survivorship and not as tenants in common at the time of this contract, Buyer will pay any remaining proceeds to the survivor of that joint tenancy and will accept title solely from that survivor, provided the joint tenancy has not been destroyed by operation of law or acts of the Seller.
- 9. These premises are being acquired for public purposes and this transfer is exempt from the requirements for the filing of a Declaration of Value by the Code of Iowa.
- 10. Seller states and warrants that, to the best of Seller's knowledge, there are no burial site, well, solid waste disposal site, hazardous substance, nor underground storage tank on the premises described and sought herein except,
- 11. This Written contract constitutes the entire agreement between Buyer and Seller and there is no agreement to do or not to do any act or deed except as specifically provided for herein.

Additional Right of Way Agreements:

SELLER'S ACKNOWLEDGMENT

STATE OF IOWA: ss On this 27 day of July, 2021, before me, the undersigned, personally appeared *Martin Stewart*

Known to me to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.



[Signature]
Notary Public in and for the State of IA

BUYER'S APPROVAL

[Signature] 10-18-21

Recommended by: Darren Moon P.E., Story County Engineer (Date)

[Signature] 10-26-21

Approved by: Chairperson, Story County Board of Supervisors (Date)

SELLER'S SIGNATURE AND CLAIMANT'S CERTIFICATION: Upon due approval and execution by the Buyer, we the undersigned claimants certify the total lump sum payment shown herein is just and unpaid.

X James Stewart X
X _____
X _____

- 5. Each page and each attachment is by this reference made part hereof and the entire agreement consists of 6 pages.
- 6. In the event that said premises is burdened by the lien of a mortgage, judgement or other encumbrance, Sellers agree to fully cooperate with Buyer in securing a release of such lien from said premises, and if necessary and proper, Sellers agree that any part of the sum owing to them under this contract may be paid to the holder of such lien for such release.
- 7. Buyer agrees that any drain tile that is located within the premises and is damaged by highway construction shall be repaired at no expense to Seller. Where Buyer specifically agrees to construct and maintain fence, the fence shall be constructed and maintained for vehicle access control purposes only at no expense to the Seller. Buyer shall have the right of entry upon Sellers remaining property along the right of way line, if necessary, for the purpose of connecting said drain tile and constructing and maintaining said fence. Seller may pasture against said fence at his own risk. Buyer will not be liable for fencing private property of maintaining the same to restrain livestock.
- 8. If the Seller holds title to the premises in joint tenancy with full rights of survivorship and not as tenants in common at the time of this contract, Buyer will pay any remaining proceeds to the survivor of that joint tenancy and will accept title solely from that survivor, provided the joint tenancy has not been destroyed by operation of law or acts of the Seller.
- 9. These premises are being acquired for public purposes and this transfer is exempt from the requirements for the filing of a Declaration of Value by the Code of Iowa.
- 10. Seller states and warrants that, to the best of Seller's knowledge, there are no burial site, well, solid waste disposal site, hazardous substance, nor underground storage tank on the premises described and sought herein except,
- 11. This Written contract constitutes the entire agreement between Buyer and Seller and there is no agreement to do or not to do any act or deed except as specifically provided for herein.

Additional Right of Way Agreements:

SELLER'S ACKNOWLEDGMENT

STATE OF IOWA: ss On this 14th day of October, 2021, before me, the undersigned, personally appeared James Stewart

Known to me to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.



Tyler Sparks
Notary Public in and for the State of _____

BUYER'S APPROVAL

Darren Moon 10-18-21
Recommended by: Darren Moon P.E., Story County Engineer (Date)

Don K. Walker 10-26-21
Approved by: Chairperson, Story County Board of Supervisors (Date)

SELLER'S SIGNATURE AND CLAIMANT'S CERTIFICATION: Upon due approval and execution by the Buyer, we the undersigned claimants certify the total lump sum payment shown herein is just and unpaid.

X Lawrence H Stewart X _____
X _____
X _____

- 5. Each page and each attachment is by this reference made part hereof and the entire agreement consists of 6 pages.
- 6. In the event that said premises is burdened by the lien of a mortgage, judgement or other encumbrance, Sellers agree to fully cooperate with Buyer in securing a release of such lien from said premises, and if necessary and proper, Sellers agree that any part of the sum owing to them under this contract may be paid to the holder of such lien for such release.
- 7. Buyer agrees that any drain tile that is located within the premises and is damaged by highway construction shall be repaired at no expense to Seller. Where Buyer specifically agrees to construct and maintain fence, the fence shall be constructed and maintained for vehicle access control purposes only at no expense to the Seller. Buyer shall have the right of entry upon Sellers remaining property along the right of way line, if necessary, for the purpose of connecting said drain tile and constructing and maintaining said fence. Seller may pasture against said fence at his own risk. Buyer will not be liable for fencing private property of maintaining the same to restrain livestock.
- 8. If the Seller holds title to the premises in joint tenancy with full rights of survivorship and not as tenants in common at the time of this contract, Buyer will pay any remaining proceeds to the survivor of that joint tenancy and will accept title solely from that survivor, provided the joint tenancy has not been destroyed by operation of law or acts of the Seller.
- 9. These premises are being acquired for public purposes and this transfer is exempt from the requirements for the filing of a Declaration of Value by the Code of Iowa.
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- 11. This Written contract constitutes the entire agreement between Buyer and Seller and there is no agreement to do or not to do any act or deed except as specifically provided for herein.

Additional Right of Way Agreements:

SELLER'S ACKNOWLEDGMENT

STATE OF IOWA: ss On this 27 day of July, 2021, before me, the undersigned, personally appeared Lawrence Stewart

Known to me to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Amanda Beller
Notary Public in and for the State of TN

BUYER'S APPROVAL

Darren Moon 10-8-21
Recommended by: Darren Moon P.E., Story County Engineer (Date)



Chris L Hadden 10-26-21
Approved by: Chairperson, Story County Board of Supervisors (Date)

My Commission Expires: 12-31-2029

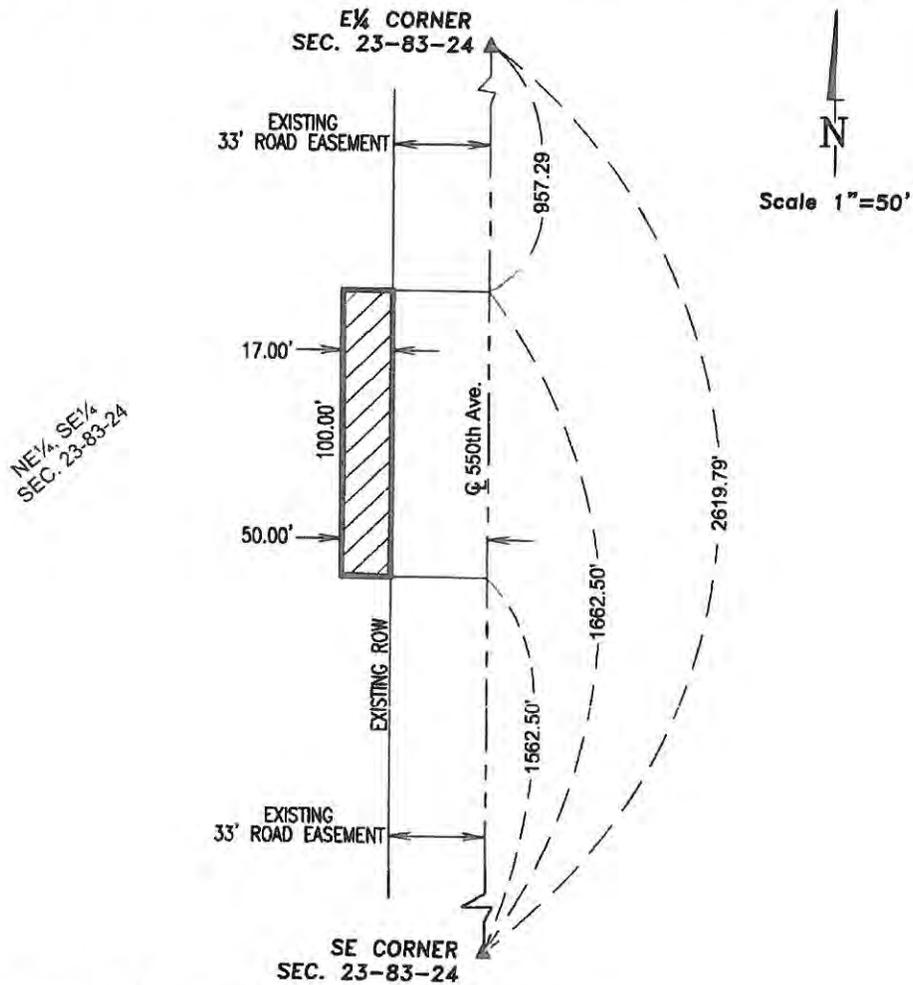
"Exhibit A"

STORY COUNTY SECONDARY ROADS EASEMENT ACQUISITION

PROJECT NO. L-W24--73-55 PARCEL NO. 09-23-400-215
SECTION 23, TOWNSHIP 83N, RANGE 24W, OF THE 5TH P.M., STORY COUNTY, IOWA.
ACQUIRED FROM JOHN H. STEWART, MARTIN STEWART, JAMES STEWART, AND LAWRENCE W. STEWART

EXISTING R.O.W. 0.08 ACRES NEW R.O.W. 0.04 ACRES TOTAL R.O.W. 0.12 ACRES

The West 17.00 feet of the East 50.00 feet of the North 100.00 feet of the South 1662.50 feet of the SE $\frac{1}{4}$ in Section 23, Township 83 North, Range 24 West of the 5th P.M., Story County, Iowa. Easement contains 0.12 acres of which 0.08 acres is existing R.O.W.



DATE DRAWN 6/18/2021

Prepared by: Darren R. Moon, Story County Engineer's Office, 837 N Ave., Nevada, IA 50201 515-382-7355

CONTRACT FOR HIGHWAY RIGHT OF WAY

PARCEL No: 16-06-300-455
 PROJECT No: FM-C085(C7)--55-85
 ROAD No: (290th St.)

THIS AGREEMENT made and entered into this 14th day of October, A.D. 2021 by and between
TIMOTHY A. & DENISE M. MEIER

Seller, and the Story County Secondary Roads Department, acting for the County of Story, Buyer.

1.a SELLER AGREES to sell and Buyer agrees to buy the following real estate, hereinafter referred to as the premises, situated in parts of the following (1/4 1/4 Sec./Twp./Rge.):

The North 12.00 feet of the South 45.00 feet of the West 118.47 feet in the SE¼, SW¼ of Section 6, Township 82 North, Range 21 West of the 5th P.M., Story County, Iowa. Easement contains 0.12 acres of which 0.09 acres is existing R.O.W.

County of Story, State of Iowa, and more particularly described on Page 3 and which include the following buildings, improvements and other property:

See attached graphical representation

1.b SELLER ALSO GRANTS to Buyer a temporary easement as shown on the Temporary Easement Plot attached as Page 2, and as shown on the project plans for said highway improvement. Said temporary easement shall terminate upon completion of this highway project.

1.c The premises also include all estates, rights, title and interests, including all easements, and all advertising devices and the rights to erect such devices as are located thereon. SELLER CONSENTS to any change of grade of the highway and accepts payment under this contract for any and all damages arising therefrom. SELLER ACKNOWLEDGES full settlement and payment from the Buyer for all claims per the terms of this contract and discharges the Buyer from liability because of this contract and the construction of this public improvement project.

2. Possession of the premises is the essence of this contract and Buyer may enter and assume full use and enjoyment of the premises per the terms of this contract. Buyer may take immediate possession of premises upon the execution of the contract by both Seller and Buyer.

3. Buyer agrees to pay and SELLER AGREES to grant the right of possession, convey title, and to surrender physical possession of the premises as shown:

	Payment Amount	Agreed Performance
\$	<u>405.13</u>	on right of possession
\$		on conveyance of title
\$		on surrender of possession
\$		on possession and conveyance
\$	<u>405.13</u>	TOTAL LUMP SUM

BREAKDOWN:		ac.=acres	sq.ft.=square feet		
Land by Fee Title			ac./sq.ft.	\$	
Underlying Fee Title			ac./sq.ft.	\$	Buildings & Improvements \$
Permanent Easement	<u>0.03</u>		ac./sq.ft.	\$ <u>164.13</u>	Fence <u> </u> rods woven \$
Temporary Easement			ac./sq.ft.	\$	Fence <u>7.2</u> rods barb \$ <u>216.00</u>
Damages for:					\$
				<u>Future Abstract Entry in the amount of \$25.00</u>	

4. The Seller is responsible for any and all matters relating to any tenant on the land and hereby releases the Buyer from all tenant liabilities.

SELLER'S SIGNATURE AND CLAIMANT'S CERTIFICATION: Upon due approval and execution by the Buyer, we the undersigned claimants certify the total lump sum payment shown herein is just and unpaid.

X Denise M. Meier
X Timothy A. Meier

5. Each page and each attachment is by this reference made part hereof and the entire agreement consists of 3 pages.

6. In the event that said premises is burdened by the lien of a mortgage, judgement or other encumbrance, Sellers agree to fully cooperate with Buyer in securing a release of such lien from said premises, and if necessary and proper, Sellers agree that any part of the sum owing to them under this contract may be paid to the holder of such lien for such release.

7. Buyer agrees that any drain tile that is located within the premises and is damaged by highway construction shall be repaired at no expense to Seller. Where Buyer specifically agrees to construct and maintain fence, the fence shall be constructed and maintained for vehicle access control purposes only at no expense to the Seller. Buyer shall have the right of entry upon Sellers remaining property along the right of way line, if necessary, for the purpose of connecting said drain tile and constructing and maintaining said fence. Seller may pasture against said fence at his own risk. Buyer will not be liable for fencing private property of maintaining the same to restrain livestock.

8. If the Seller holds title to the premises in joint tenancy with full rights of survivorship and not as tenants in common at the time of this contract, Buyer will pay any remaining proceeds to the survivor of that joint tenancy and will accept title solely from that survivor, provided the joint tenancy has not been destroyed by operation of law or acts of the Seller.

9. These premises are being acquired for public purposes and this transfer is exempt from the requirements for the filing of a Declaration of Value by the Code of Iowa.

10. Seller states and warrants that, to the best of Seller's knowledge, there are no burial site, well, solid waste disposal site, hazardous substance, nor underground storage tank on the premises described and sought herein except,

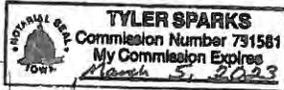
11. This Written contract constitutes the entire agreement between Buyer and Seller and there is no agreement to do or not to do any act or deed except as specifically provided for herein.

Additional Right of Way Agreements:

SELLER'S ACKNOWLEDGMENT

STATE OF IOWA: ss On this 14th day of October, 2021, before me, the undersigned, personally appeared Timothy A. Meier and Denise M. Meier

Known to me to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.



Tyler Sparks
Notary Public in and for the State of IOWA

BUYER'S APPROVAL

Denise M. Meier

10-18-21

Recommended by: Darren Moon P.E., Story County Engineer

(Date)

Ken K. Holden

10-26-21

Approved by: Chairperson, Story County Board of Supervisors

(Date)

SELLER'S SIGNATURE AND CLAIMANT'S CERTIFICATION: Upon due approval and execution by the Buyer, we the undersigned claimants certify the total lump sum payment shown herein is just and unpaid.

x Timothy Oliver Mead
x Nicole Michele Meier

- 5. Each page and each attachment is by this reference made part hereof and the entire agreement consists of 3 pages.
- 6. In the event that said premises is burdened by the lien of a mortgage, judgement or other encumbrance, Sellers agree to fully cooperate with Buyer in securing a release of such lien from said premises, and if necessary and proper, Sellers agree that any part of the sum owing to them under this contract may be paid to the holder of such lien for such release.
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- 10. Seller states and warrants that, to the best of Seller's knowledge, there are no burial site, well, solid waste disposal site, hazardous substance, nor underground storage tank on the premises described and sought herein except,
- 11. This Written contract constitutes the entire agreement between Buyer and Seller and there is no agreement to do or not to do any act or deed except as specifically provided for herein.

Additional Right of Way Agreements:

SELLER'S ACKNOWLEDGMENT

STATE OF IOWA: ss On this _____ day of _____, 20____, before me, the undersigned, personally appeared _____

Known to me to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Notary Public in and for the State of _____

BUYER'S APPROVAL

Recommended by: Darren Moon P.E., Story County Engineer (Date)

Kim K. Habber 10-26-21

Approved by: Chairperson, Story County Board of Supervisors (Date)

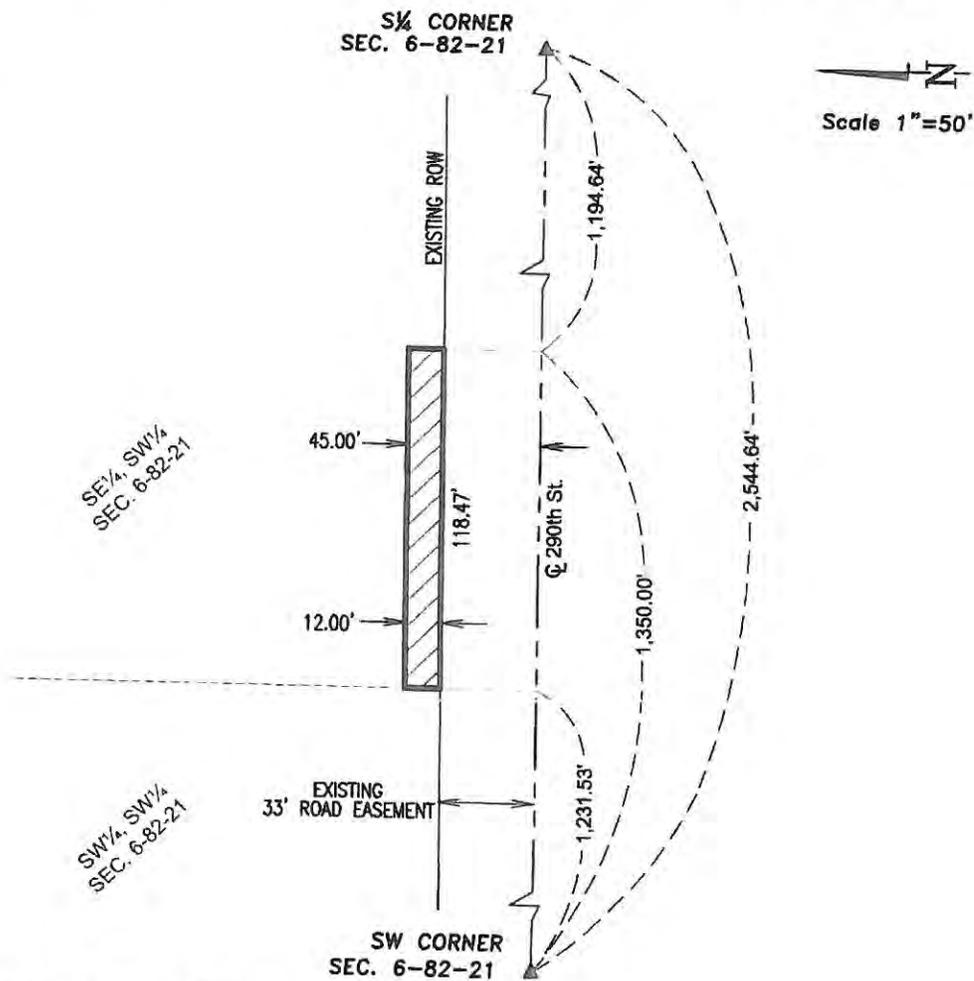
"Exhibit A"

STORY COUNTY SECONDARY ROADS EASEMENT ACQUISITION

PROJECT NO. FM-C085(C7)--55-85 PARCEL NO. 16-08-300-455
 SECTION 6, TOWNSHIP 82N, RANGE 21W, OF THE 5TH P.M., STORY COUNTY, IOWA.
 ACQUIRED FROM TIMOTHY A. & DENISE M. MEIER

EXISTING R.O.W. 0.09 ACRES NEW R.O.W. 0.03 ACRES TOTAL R.O.W. 0.12 ACRES

The North 12.00 feet of the South 45.00 feet of the West 118.47 feet in the SE $\frac{1}{4}$, SW $\frac{1}{4}$ of Section 6, Township 82 North, Range 21 West of the 5th P.M., Story County, Iowa. Easement contains 0.12 acres of which 0.09 acres is existing R.O.W.



DATE DRAWN 6/3/2021

2022 HOLIDAY CALENDAR
(Story County Personnel Policies)
(PPME Labor Agreements)

New Year's Day	Friday, December 31, 2021
President's Day	Monday, February 21, 2022
Memorial Day	Monday, May 30, 2022
Independence Day	Monday, July 4, 2022
Labor Day	Monday, September 5, 2022
Veteran's Day	Friday, November 11, 2022
Thanksgiving Day	Thursday, November 24, 2022
Friday after Thanksgiving	Friday, November 25, 2022
Two days at Christmas	Friday, December 23, 2022 Monday, December 26, 2022

APPROVED **DENIED**
Board Member Initials: AKH
Meeting Date: 10-26-21
Follow-up action: _____

Section 125 Plan Annual Certification



Employer ID: 85201
Employer Name: Story County
Certification Period: January 1 to December 31, 2022

Effective January 1, 2017, IPERS-covered employers that offer elective *employer* contributions to Section 125 plans whereby some of the contributions may be received by their employees as cash, must certify annually that certain conditions are met in compliance with IPERS administrative rules and the Internal Revenue Code. Only employer contributions to fringe benefit programs that meet the requirements for coverage in Iowa Code 97B and qualify under Internal Revenue Code (IRC) Section 125 may be treated as IPERS-covered wages.

According to the IRS, a qualified Section 125 plan must be written and offer at least one permitted taxable benefit and at least one qualified benefit. Your plan must include **all** of the following:

- Description of benefits available
- Plan rules governing participation
- Requirement that participants be employees
- Procedures governing employees' elections, including periods that elections may be made; and periods during which elections are effective, provided that elections are irrevocable
- The manner in which contributions may be made (for example, through salary reductions)
- Maximum amount of employer contributions available through the plan
- Plan year
- If paid time off, required ordering rules for non-elective and elective paid time off
- If flexible spending arrangements, provisions for complying with requirements
- If grace period, provisions for complying
- If distributions from health Flexible Spending Arrangements to employees' Health Savings Accounts, provisions for complying

I have legal and binding authority for the employer named above and I am authorized to complete this form. I certify that this employer is making employer contributions to a qualified plan under IRC Section 125. I acknowledge my organization's failure to comply with Iowa Code § 97B.58 and/or Iowa Administrative Code 495 relieves IPERS of all liability to any member or beneficiary.

Authorized signature: *Lisa Heddens* Date: 10-26-21
Your name: Lisa Heddens Title: Board of Supervisors, Chair
Phone: 515-382-7200 Email: lheddens@storycountyiowa.gov

Please sign and return to IPERS by December 31.

EMAIL: employerrelations@ipers.org FAX: 515-281-0053

MAIL: IPERS, P.O. Box 9117, Des Moines, IA 50306-9117

Section 125 Plan Annual Certification



A Q & A for Employers

What is a cafeteria plan?

According to the Internal Revenue Service, a cafeteria plan is a separate written plan maintained by an employer for employees that meets the specific requirements and regulations of Section 125 of the Internal Revenue Code.

Why does IPERS require employers to certify their Section 125 plans?

Effective January 1, 2017, employers, not IPERS, are responsible to certify that their Section 125 plan complies with all requirements in IRC Section 125. Elective employer contributions to certified Section 125 plans are eligible for IPERS coverage if they meet the requirements listed in Iowa Code 97B. If the plan is not certified as a Section 125 plan, the contributions to it cannot be covered under IPERS.

How does Iowa Code (IC) 97B apply?

IC 97B lists additional requirements that must be met in order for Section 125 plan employer contributions to be IPERS-covered. The employer contributions must be uniformly available. IC 97B.1A(26)“a”(1)“b” states that elective employer contributions shall be treated as covered wages only if made uniformly available and not limited to highly compensated employees.

How do we determine if our Section 125 plan is qualified?

Check with your CPA, tax advisor or legal counsel to determine whether your plan meets the definition of a Section 125 plan. Review the qualifications listed on the certification form.

What if we don't have a qualified plan?

If you do not have a Section 125 plan, there is no need to certify with IPERS. In this case, employer cash payments paid to members in lieu of benefits (outside of regular wages), will not be considered as IPERS-covered wages.

When is the form due?

The annual certification must be submitted by December 31 each year. If plan certification is not provided, wage adjustments may be necessary.

Uniform treatment example

An organization has two types of employees covered under its Section 125 plan – teaching staff and support staff. The two groups have different collective bargaining agreements, so the benefit allowances are \$3,000 for teaching staff, and \$2,500 for support staff. Both groups are still required to purchase, at a minimum, single employee medical coverage for \$1,000.

For the teachers, \$2,000 of the allowance is IPERS-covered (the \$3,000 allowance minus the mandatory medical coverage costing \$1,000). For the support staff, \$1,500 is IPERS-covered (the \$2,500 allowance minus the mandatory medical coverage costing \$1,000).

For teaching staff:

\$3,000	benefit allowance
<u>- 1,000</u>	mandatory medical coverage
\$2,000	IPERS-covered amount

For support staff:

\$2,500	benefit allowance
<u>- 1,000</u>	mandatory medical coverage
\$1,500	IPERS-covered amount

A variation in covered wages is permitted when the reason for it is consistently applied to all members of each employee group. Thus, in this case, you would report different IPERS-covered amounts for the members of the two groups.

Proceed with caution

The rules governing Section 125 plans are complex. If you are unsure which wages should be covered, submit your plan documents to IPERS for review.

For more information, visit

<https://www.ipers.org/employers/section-125-plan-certification>.

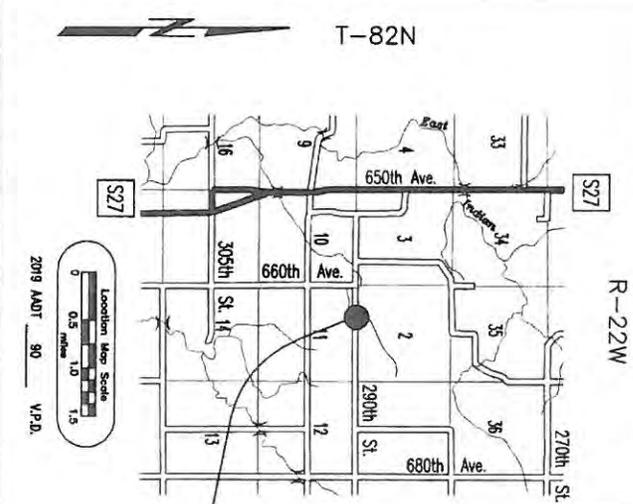
STORY COUNTY

Letting Date **Feb. 15, 2022**

RCB CULVERT NEW-SINGLE BOX Proj. No. FM-C085(167)--55-85

PROJECT TRAFFIC CONTROL PLAN
THIS ROAD WILL BE CLOSED TO THROUGH TRAFFIC DURING CONSTRUCTION. FOR IN ARTICLE 1107.06 OF THE CURRENT STANDARD SPECIFICATIONS TRAFFIC CONTROL DEVICES, PROCEDURE, LAYOUTS, SIGNALS, AND PAVERS TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FROM THE IOWA ADMINISTRATIVE CODE (IAC) CHAPTER 150.
ALL TRAFFIC CONTROL DEVICES SHALL BE FURNISHED, ERECTED, AND MAINTAINED BY THE CONTRACTOR.

UTILITIES INFORMATION
UTILITY COMPANIES WHOSE FACILITIES ARE SHOWN ON THESE PLANS OR WHOSE FACILITIES MAY BE AFFECTED BY THE PROPOSED WORK SHALL BE THE CONTRACTOR OF THE CONSTRUCTION STARTING DATE AND SUCCEEDING WORK IN THE AREA.
IOWA REGIONAL UTILITY ASSN.:
HEATHER LOSHWAR: 641-792-7011
WINOOSTREAM
LOCATE DESK: 800-289-1901
CONSUMERS ENERGY:
JIM KIDD: 641-754-1642



PROJECT LOCATION
STA. 18+74.40: ON 290TH ST.;
OVER RUPPLE CREEK;
SECTION 11-82-22.

DESIGN FOR:
SINGLE 10'x4'x3.4'
REINFORCED CONCRETE
BOX CULVERT ON 0° SKEW

IOWA ONE CALL
1-800-292-8989
www.iowatonecall.com

SEND SHOP DRAWINGS TO:
STORY COUNTY ENGINEER
837 N. AVE.
NEVADA, IOWA 50201
515-382-7355



I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer in the State of Iowa.
Date: 10-21-21
Signature: Tyler Sparks
Title: Professional Engineer

Accepted by:
Story County Engineer
Date: 10-22-21
Signature: [Signature]
Approved Story County
Board of Supervisors
Signature: [Signature]

CORPS OF ENGINEERS PERMIT
CONSULT THE PROJECT ACCORDING TO THE REQUIREMENTS OF U.S. ARMY CORPS OF ENGINEERS. THE U.S. ARMY CORPS OF ENGINEERS RESERVES THE RIGHT TO VISIT THE SITE WITHOUT PRIOR NOTICE. (MTRP://WWW.ENRINTERS.PERMITTING.OVA/)

Refer to Proposal Form for a list of applicable specifications.
Scales: As Noted

IOWA DEPARTMENT OF TRANSPORTATION Highway Division PLANS OF PROPOSED IMPROVEMENT ON THE FARM-TO-MARKET SYSTEM STORY COUNTY RCB CULVERT NEW-SINGLE BOX On 290th St.; over Ruppel Creek; Section 11-82-22

Project No. FM-C085(167)--55-85

INDEX OF SHEETS

No.	Description
A-01	TITLE SHEET
B-01	TYPICAL SECTIONS SHEET
C-01	QUANTITY INFORMATION SHEET
C-02	GENERAL NOTES SHEET
C-03	TERRAIN SHEET
C-04	CULVERT DETAIL SHEET
D-01	PLAN AND PROFILE SHEET
W-01	CROSS SECTIONS
W-02	CROSS SECTIONS
W-03	CROSS SECTIONS

MILEAGE SUMMARY

Div.	Location	Ln. Ft.	Miles
1	STA. 18+00.00 TO STA. 18+90.00	150.00	0.28
Total		150.00	0.28

STANDARD ROAD PLANS

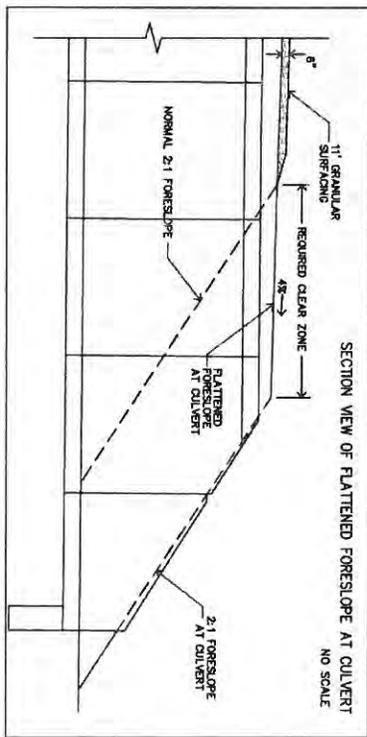
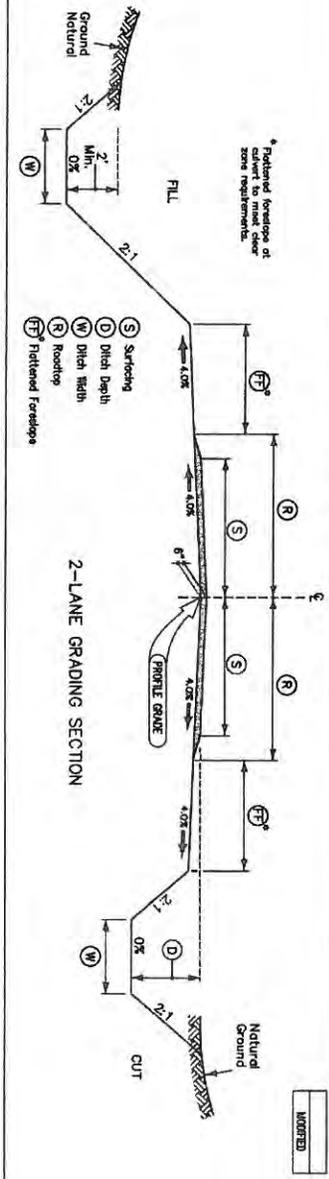
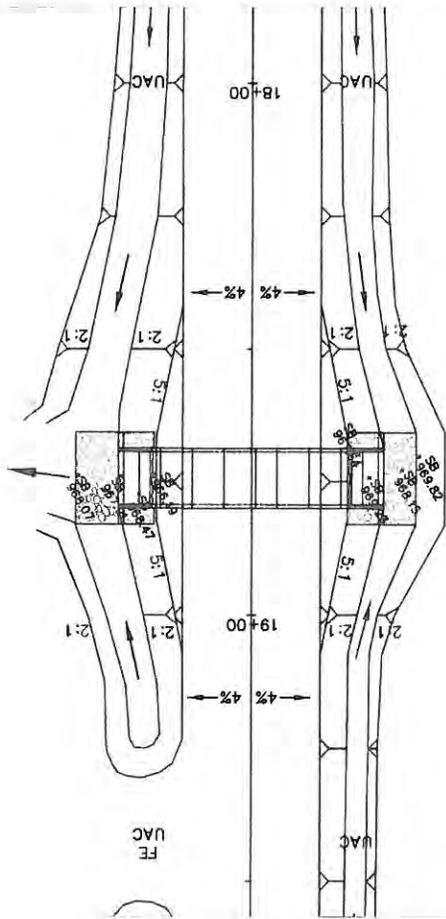
Number	Date	Title
DR-302	10-20-13	SUBGRANULAR STANDARD (FARM TILE REPLACEMENT)
EC-301	10-18-16	ROCK EROSION CONTROL (REC)
EM-101	10-17-17	EMBANKMENT AND REBUILDING EMBANKMENTS
EM-102	10-20-15	ALLOWABLE PLACEMENT OF UNSUITABLE SOILS IN EMBANKMENTS
EM-501	10-20-15	RURAL ENTRANCES
SM-512	04-21-20	CIRCULAR AREA INTAKES
SM-604	04-21-20	CASTINGS FOR AREA INTAKES
TC-252	04-21-20	ROUTES CLOSED TO TRAFFIC

Normal section shown may be modified
opportunistically in areas of supercritical
flow or other locations specifically
approved by the Engineer.

See Plans & Profile sheets
and cross sections for
additional details of
ditches and roadways.

ROAD IDENTIFICATION	SIDE	STATION TO STATION	DIMENSIONS				
			FT ²	(D)	(W)	(R)	(S)
			Feet	Feet	Feet	Feet	Feet
290th St.	LT	18+00.0	0	6	6	13	11
290th St.	LT	18+41.7	0	6	6	13	11
290th St.	LT	18+83.4	0	6	6	13	11
290th St.	LT	18+25.0	0	6	6	13	11
290th St.	LT	18+07.1	0	6	6	13	11
290th St.	RT	18+00.0	0	6	6	13	11
290th St.	RT	18+41.7	0	6	6	13	11
290th St.	RT	18+83.4	0	6	6	13	11
290th St.	RT	18+25.0	0	6	6	13	11
290th St.	RT	18+07.1	0	6	6	13	11

PLAN VIEW OF FLATTENED FORESLOPE AT CULVERT
NO SCALE



ESTIMATED PROJECT QUANTITIES OF QUANTITIES
(1 DIVISION PROJECT)

100-1A
07-15-97

ITEM	ITEM CODE	ITEM	UNIT	TOTAL
1	2101-0850001	CLEARING AND GRUBBING	ACRE	0.3
2	2102-2710070	EXCAVATION, CL 10, ROADWAY AND BORROW	CY	93.4
3	2104-2710020	EXCAVATION, CLASS 10, CHANNEL	CY	34.5
4	2105-8425015	TOPSOIL, STRIP, SALVAGE AND SPREAD	CY	26.6
5	2110-3825010	GRANULAR MATERIAL	TON	26.0
6	2401-6745650	REMOVAL OF EXISTING STRUCTURE	LS	1.0
7	2402-2720000	EXCAVATION, CLASS 20	CY	57.3
8	2415-2111004	PRECAST CONCRETE BOX CULVERT, 10 FT. X 4 FT.	LF	34.0
9	2415-2201004	PRECAST CONCRETE BOX CULVERT END SECTION, 10 FT. X 4 FT.	EACH	2.0
10	2435-0251218	INTAKE, SW-512, 18 IN.	EACH	1.0
11	2502-8212112	SUBBRAIN, PLASTIC PIPE, 12 IN.	LF	14.0
12	2507-3250005	ENGINEERING FABRIC	SY	82.5
13	2507-6800061	REMOVEMENT, CLASS E	TON	39.8
14	2510-6750600	REMOVAL OF INTKES AND UTILITY ACCESSSES	EACH	1.0
15	2528-2518000	SAFETY CLOSURE	EACH	4.0
16	2528-8445110	TRAFFIC CONTROL	LS	1.0
17	2533-4980005	MOBILIZATION	LS	1.0
18	2599-9999003	RETIEMENT, REMOVE STOCKPILE AND DISPOSE	CY	7.4

GENERAL NOTES

Story County to stake culvert control and right-of-way, maintain detour signing, furnish and place granular surfacing on roadway, apply seeding and mulching, and place erosion control measures.

ESTIMATE REFERENCE INFORMATION

ITEM NO.	DESCRIPTION
1.	The entire project shall be cleared and grubbed from BOP to EOP and from ROW line to ROW line.
2.	Pion quantity is based on approximately 21.9 CY of fill (50% shrink factor) and 93.4 CY of cut and 71.5 CY of waste. Excess material can be wasted on slopes. Type A compaction required. No payment for overfill will be made. Finished grades on all slopes and ditches, shall be left low to accept topsoil thickness. See Cross Section sheets for station-by-station dirt quantities.
3.	Item for excavating a 17'x6'x2' rock splash basin at the outlet, a 17'x6'x2' ditch basin at the inlet, wing armoring locations, and matching the inlet channel. Quantity includes 10.1 cy for the outlet splash basin, 9.6 cy for the inlet ditch basin, and 2.1 for each of the four wing armoring locations. Suitable excavated material may be used as fill for any channel relocation or drained and wasted on roadway foreslopes with the approval from the Engineer.
4.	Contractor shall meet requirements for topsoil conservation practices. Topsoil to be spread smooth to a minimum of 4" on all disturbed areas from catch points to edge of shoulder within project limits. Slopes to be mulched smooth to allow for seeding. See tabulation on Sheet C.03 for quantity estimates and locations.
5.	Approximately 256 tons of 1" rock is required under the box for bedding.
6.	Materials from the old structure shall become the property of the Contractor according to article 1104.08 of the Standard Specifications, and removed from site. The existing structure is a 6'x4'x24' concrete box culvert, plus a treated timber extension with timber piling, backwalls, and wingwalls on the inlet. No cobbles was found in the bridge.
7.	Item for excavation for culvert placement. Suitable material may be used to backfill culvert and supplement Class 10 roadway quantity with approval from the Engineer.
8-9.	Precast RCB culvert shall be a single 10'x4'x34' box with straight end sections on the outlet and inlet. The culvert shall be supplied by the Contractor as per plan, which includes dropwalls. See tabulation on Sheet C.03 and notes on Sheet C.02 for details. All joints shall be tied flush with the box.
10-11.	Items for relocation of the intake; may also be used for the relocation of existing road ties. Road ties are common design features and are usually encountered during construction. Existing road ties that are found during the preliminary survey are identified on these plans; however, occasionally, existing road ties may not be found during the survey and only discovered during construction activities.
12-13.	Items for the construction of a rock splash basin at the outlet, ditch basin at the inlet, and wing armoring at all four points. See tabulation on Sheet C.03 for stationing and quantities, and Standard Road Plan EC-301 for details.
15.	See tabulation on Sheet C.03 for stationing and quantities.
16.	See Standard Road Plan TC-252 for details.
18.	Item for the removal, stockpiling, and disposal of existing broken concrete. All stockpiled material shall be removed from site. Preliminary survey shows several pieces of broken concrete lying under the bridge and on the inlet backslope. Quantity is an estimate only. Contractor shall be paid actual quantity by measuring the stockpile and computing its volume. Basis of Payment shall be in cubic yards as computed by measurements.

GENERAL NOTES

GENERAL NOTES:

Contractor to construct a single 10'x4'x34' pre-cast concrete box culvert on a 0' skew, on 290th St. over Ruppel Creek, and grade approaches.

It shall be the contractor's responsibility to provide waste areas or disposal sites for excess material (excavated material or broken concrete) which is not desirable to be incorporated into the work involved on this project. These areas shall not impact wetlands or "Waters Of The U.S." No payment for overhaul will be allowed for material hauled to these sites. No material shall be placed within the right-of-way, unless specifically stated in the plans.

Construction activities, equipment, and materials shall be kept out of the streams, wetlands, or other bodies of water to the maximum extent practicable.

CONTRACTOR'S WORK AREA:

The Contractor's work and material storage area shall be defined by the Contractor and noted to the Engineer. Any area outside the Contractor's work and material storage area that is disturbed by the Contractor shall be repaired to its original condition by the Contractor and no additional payment shall be made for this work.

UTILITY NOTES:

The Contractor shall call One Call at least 48 hours prior to beginning work. Utility companies found to be located within the construction area are listed on the title sheet of these plans. See Section 1107.15 of the current Iowa DOT Standard Specifications For Highway And Bridge Construction, regarding utility related responsibilities.

SHOP DRAWING NOTES:

Working drawings and calculations shall be furnished by the Contractor and certified by a licensed engineer in the State of Iowa, and shall be submitted to the Story County Engineer for review and approval. Refer to Section 1105.05 for additional information.

EMERALD ASH BORER NOTE:

Dispose of all wood material generated as a result of clearing and/or grubbing according to the Iowa Department of Agriculture and Land Stewardship's Emerald Ash Borer (EAB) Quarantine Order. For more information refer to http://www.iowadeprecasts.com/leap_regulations.html.

INDIANA BAT HABITAT:

See Iowa DOT Specification Section 2101.01 for tree removal.

PRE-CAST CULVERT NOTES

INSTALLATION NOTES:

Precast concrete box culvert sections shall be laid with the groove end of each section up—grade, and the sections shall be tightly joined. Joint openings between sections should be as tight as practicable and limited to a maximum of 1/8 inch openings. The joint on the bottom of the culvert shall be sealed with a flexible water tight 1 inch burl rope gasket as per Material L.M. 491.08. On the top of the culvert sections, the manufacturer and shall extend vertically 6 inches above the bottom flange. All joints shall be sealed with the recommended sealant of the manufacturer and shall extend 2 feet wide piece of engineering fabric around the top and sides of each precast joint. The fabric shall be centered with respect to each side of the joint. The fabric shall be attached to the walls and top of each section to prevent the fabric from slipping off the joint during backfilling operations. Attachment methods shall be approved by the engineer.

All costs including material, equipment, and labor necessary for installing the culvert as detailed herein, shall be included in the bid item Precast Concrete Box Culvert. The engineering fabric shall meet the material requirements as set forth in 4196.01C of the Iowa Department of Transportation Specifications. During backfilling the composition adjacent to the bottom corner root shall be accomplished with a mechanical hand tamper. The contractor shall be responsible for providing the plugs for each section. Urtling hoses shall be plugged with a precast concrete plug, sealed and covered with mastic or mortar.

DESIGN REQUIREMENTS:

The precast culvert sections shall meet the minimum requirements of ASTM C 1577, Table 1 sections that are designed for a combined earth load and AASHTO HL-93 live load conditions. Any precast box culvert designs submitted that vary from the ASTM C 1577 standard, shall be designed and sealed by a professional engineer, currently registered in the State of Iowa. Minimum length of precast sections shall be 4.0 feet. Minimum culvert wall thickness shall be 8 inches.

PRE-CONSTRUCTION NOTES:

The Contractor shall submit details of the proposed precast box sections to the Story County engineer's office for approval. These details shall include a situation plan, culvert barrel cross sections showing steel, and end section details. The length in linear feet of precast concrete box culvert will be based on the plan quantity.

For the number of linear feet plan on the plan, the Contractor will be paid the contract unit price per linear foot. The payment shall be full compensation for furnishing all material, labor and equipment necessary to complete the work except for items in end sections and Class 20 Excavation.

For each precast box culvert end section installed the Contractor will be paid the contract price for each. The payment shall be full compensation for furnishing all material (including dropwells), labor and equipment necessary to complete the work except for items in precast concrete box culvert and Class 20 Excavation.

Dropwells shall be precast.

The Contractor shall furnish culvert ties for all joints. The main section joints will have one tie on each side of the barrel and the last barrel section will be attached to the end sections with two ties per side. Culvert ties shall be included in the cost for precast concrete box culvert. The ties will be 1 inch in diameter steel and shall meet requirements of ASTM A 706 grade 36 or equal. Culvert tie assemblies shall be galvanized or painted according to 2408.30 of the Iowa DOT Standard Specifications. Acrylic topcoat not required.

DRAINAGE STRUCTURES BY CULVERT CONTRACTOR

Location	Size	Type	Length of Culvert Approx	Flow Line Elevation			Dimensions - Lin. Ft.			By Road Contractor			Remarks			
				Left	Right	Other	Total	Extension	Stew Ahead	Ditch	Top	Comp.		Floodable	Flooded	
18+74.40	10x4	Single RCB	34.0	966.65	966.35		16.8	17.2								
													REMARKS			
													57.3 cy Class 20 Excav.			

LIST OF SUBDRAIN WORK

Station to Station	Location	Type of Installation	Pipe	Aprons	Outlets		Connected Pipe	Trench	Grout	Percussive	Class "A"	Remarks
					Left	Right						
18+74.4 RL	18+74.4 RL	DR-301, DR-302, DR-303	Concrete C.M.P. C.M.P. Corrod. or Plastic	DR-201, DR-203, DR-204	DR-305	DR-121	Trench Ditch	Grout Bucket	Percussive Bucket	Class "A" Crushed Stone		Title Inlet relocation.

ROCK DITCH CHECK/DITCHES/FLLUMES/SPLASH BASINS/SLOPE PROTECTION

Road Identification	Station	Side	Mandatory Location (yes or no)	Rock Ditch Check	Rock Ditch	Rock Fume	Rock Splash Basin	Rock Slope Protection	Type	Erosion Stone	Class E Revestment	Eng. Fabric	Remarks
290th St.	18+74.4	RL	yes				X		(L)	17.0	17.0	28.0	Splash Basin at RCB outlet.
290th St.	18+74.4	Rh	yes					X	(W)	5.0	5.0	15.6	Wing Armoring at RCB outlet.
290th St.	18+74.4	Lt	yes					X	(W)	5.0	5.0	15.6	Wing Armoring at RCB Inlet.
290th St.	18+74.4	Lt	yes		X				(W)	12.8	12.8	23.3	Ditch Basin at RCB Inlet.

TABLATION OF SAFETY CLOSURES

STATION	CLOSURE TYPE		REMARKS
	ROAD QTY.	HAZARD QTY.	
17+58.0	1		
18+58.0	1		
18+58.0	1		
20+06.0	1		
	2	2	TOTAL = 4.00

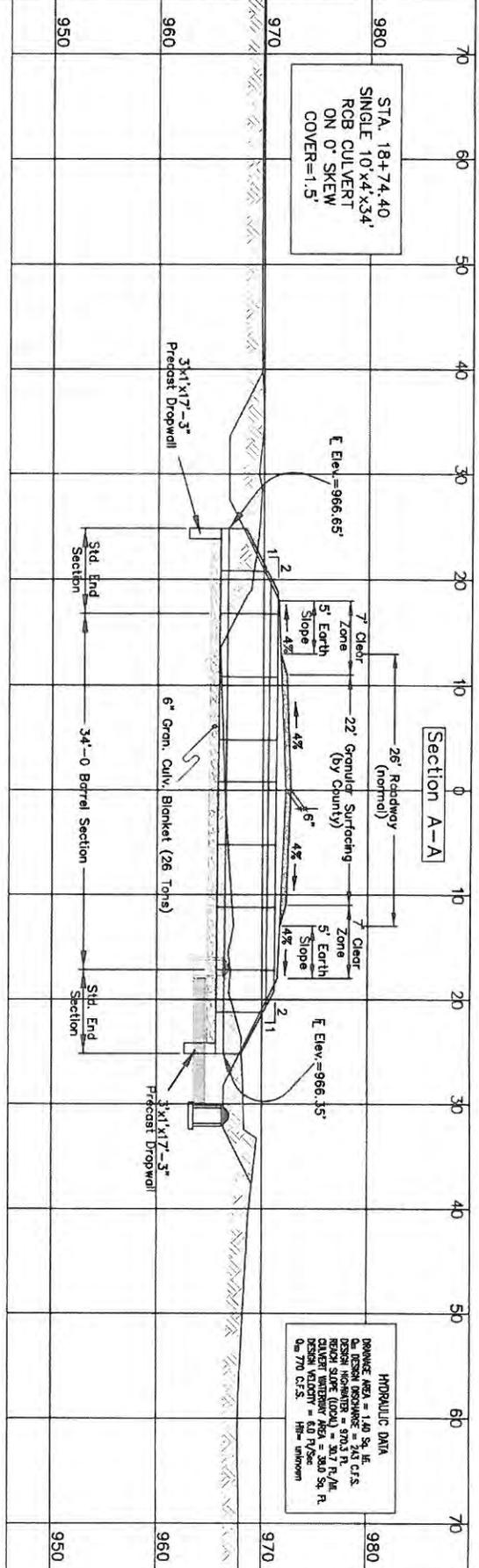
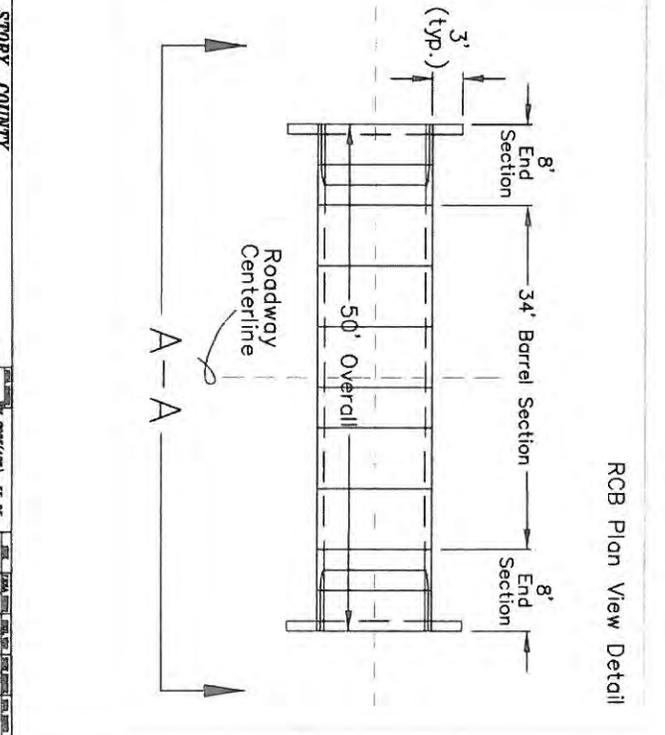
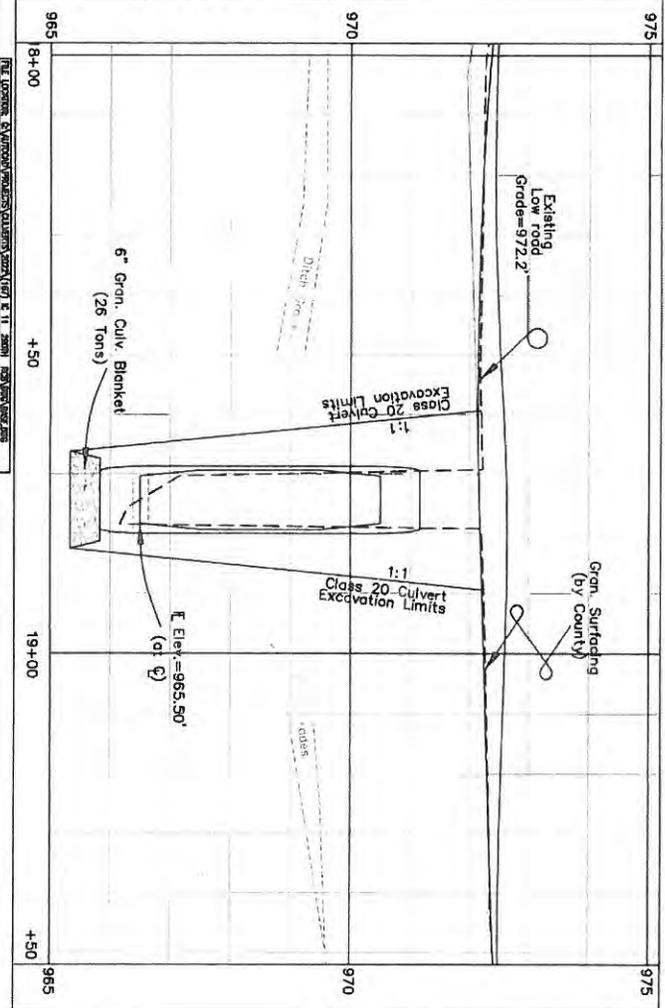
SPREADING TOPSOIL

Perform this work according to specifications. Topsoil to be spread on any existing fill, newly placed fill, or on the original ground to the extent of 3 inches. Appropriate adjustments have been made to the placement of topsoil on bottom of ditch bottom as detailed herein.

Area	Quantity	Location		Side	Slope	Remarks	Amount Reserved		Station to Station	Remarks
		Station to Station	L. or R.				CY	ft.		
1	14.4	18+00	18+85	L	B, F, D	NW Quadrant	14.4	18+00	18+85	From Stockpile
2	13.3	18+00	18+83	R	B, F, D	SW Quadrant	13.3	18+00	18+83	From Stockpile
3	14.7	18+84	19+50	L	B, F, D	NE Quadrant	14.7	18+84	19+50	From Stockpile
4	14.3	18+82	19+50	R	B, F, D	SE Quadrant	14.3	18+82	19+50	From Stockpile

CULVERT DETAIL SHEET

PROJ No. FM-C085(167)-55-85



HYDRAULIC DATA

CHANNEL AREA = 140 Sq. Ft.

DESIGN DISCHARGE = 343 C.F.S.

DESIGN HEADWATER = 570.3 Ft.

DESIGN TAILWATER = 561.7 Ft. R/L

DESIGN VELOCITY = 6.0 Ft./Sec.

DESIGN FLOW = 770 C.F.S.

DESIGNER: Unknown

CROSS SECTIONS SHEET

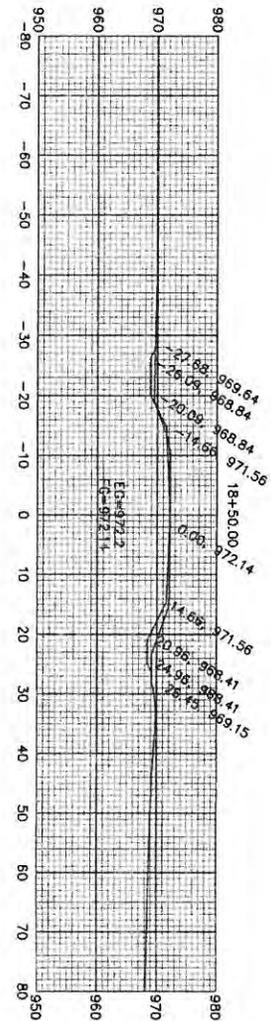
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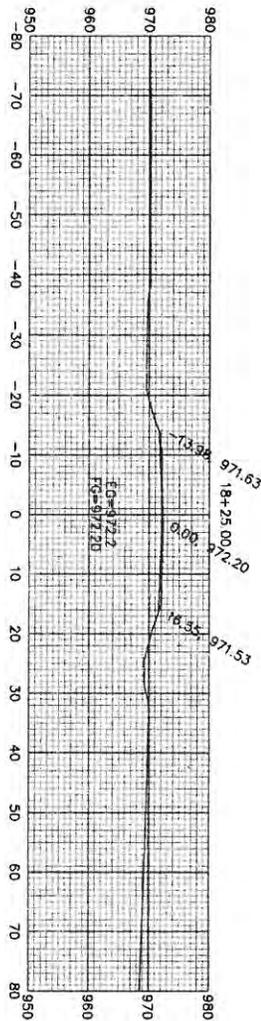
STORY COUNTY

DATE: 7/1/00

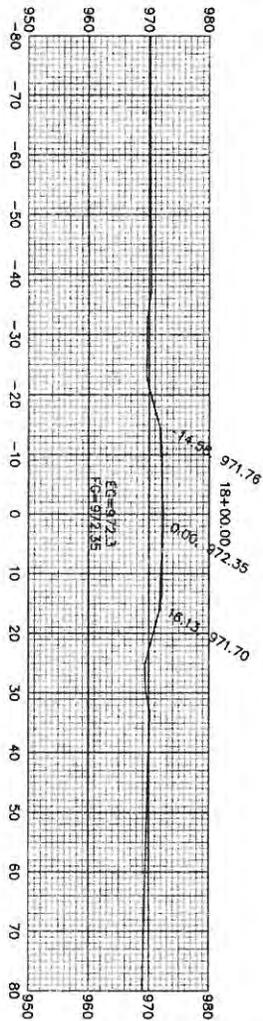
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Fill Area	1.22
Cut Vol	13.98
Fill Vol	0.73



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Cut Area	6.56
Fill Area	0.00
Cut Vol	4.89
Fill Vol	0.11

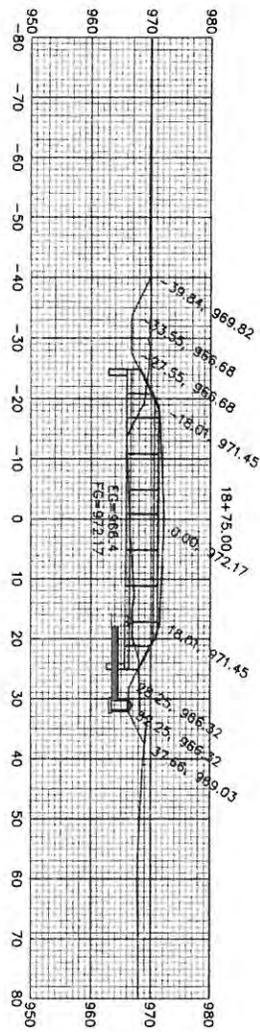
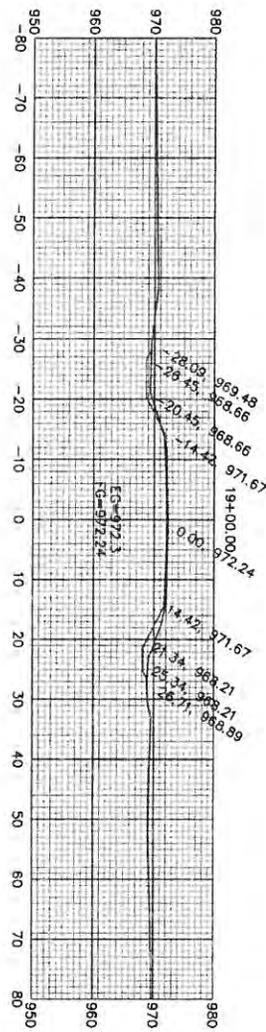
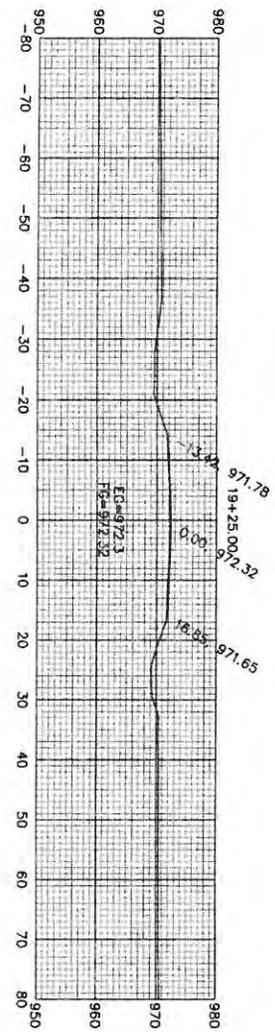


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Fill Area	0.18
Cut Vol	1.85
Fill Vol	0.11

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STORY COUNTY

DATE: 2024/05/16 11:00 AM 167-C085(167)-55-85



CROSS SECTIONS SHEET

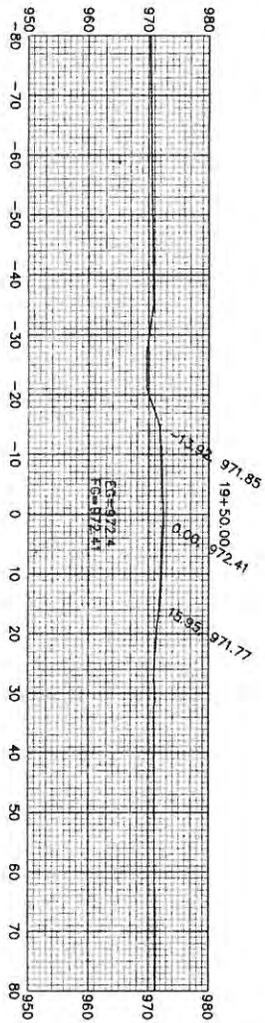
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STORY COUNTY

DATE: 7/1-08/51/87-55-85

SCALE: 1"=40'



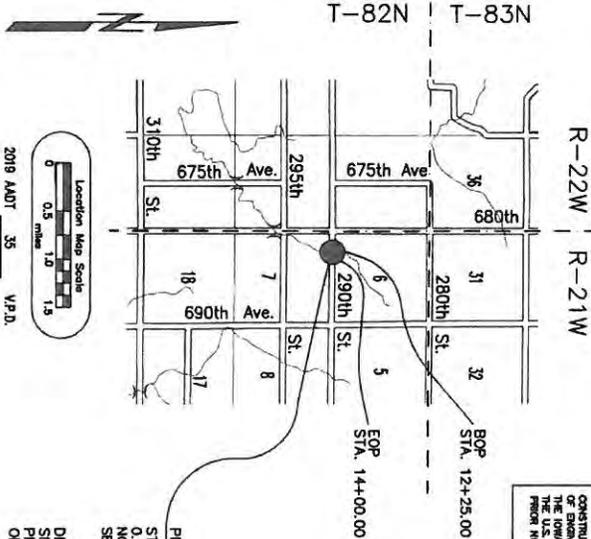
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Cut Area	2.79
Fill Area	0.00
Cut Vol	3.22
Fill Vol	0.00

STORY COUNTY

RCB CULVERT REPLACEMENT - SINGLE BOX Proj. No. FM-C085(168)--55-85

Letting Date **Feb. 15, 2022**

SEE LISTING OF AGENCIES/ORGANIZATIONS/AGENCIES TO BE NOTIFIED FOR CONSTRUCTION PERMITS AND TRAFFIC CONTROL PLAN



PROJECT LOCATION
STA. 13+10.00- ON 290TH ST.;
0.24 MILES EAST OF THE
NORTHWEST CORNER OF
SECTION 7-82-21.

DESIGN FOR:
SINGLE 10'x6'x40' CONCRETE
PRE-CAST BOX CULVERT
ON 0° SKEW

SEND SHOP DRAWINGS TO:
STORY COUNTY ENGINEER
837 N AVE.
NEVADA, IOWA 50201
515-382-7355



CORPS OF ENGINEERS PERMIT
CONSTRUCT THIS PROJECT ACCORDING TO THE REQUIREMENTS OF U.S. ARMY CORPS
OF ENGINEERS' Miscellaneous Permit No. 14. A COPY OF THIS PERMIT IS AVAILABLE FROM
THE U.S. ARMY CORPS OF ENGINEERS' www.milwaukeeltd.com/USACE/permits/Iowa/permits
FROM IOWA.

Scales: As Noted

Refer to Proposal Form for a list of applicable specifications.

IOWA DEPARTMENT OF TRANSPORTATION Highway Division PLANS OF PROPOSED IMPROVEMENT ON THE FARM-TO-MARKET SYSTEM STORY COUNTY RCB CULVERT REPLACEMENT - SINGLE BOX On 290th St.; over Rock Creek, in NW¼ of Section 7-82-21.

Project No. FM-C085(168)--55-85

PROJECT TRAFFIC CONTROL PLAN
THIS ROAD WILL BE CLOSED TO THROUGH TRAFFIC DURING CONSTRUCTION.
TRAFFIC CONTROL DEVICES, PROCEDURES, LAYOUTS, SIGNALS, AND PLACEMENT
TO THE MAXIMUM ON HIGHWAY TRAFFIC CONTROL PLAN FOR THE STATE AND
ADMINISTRATIVE CODE (IAC) CHAPTER 15A.
ALL TRAFFIC CONTROL DEVICES SHALL BE FURNISHED, ERECTED, AND
MAINTAINED BY THE CONTRACTOR.

UTILITIES INFORMATION:
UTILITY COMPANIES WHOSE FACILITIES ARE SHOWN ON THE PLANS
ARE REQUESTED TO VERIFY THE CONSTRUCTION LIMITS SHALL BE
NOTIFIED FOR CONSTRUCTION OF THE PROJECT AND TO ADVISE THE
DATE AND SUBSEQUENT WORK IN THE AREA.
IOWA REGIONAL UTILITY ASSN.
MEANTER LUSHAN: 541-792-7011
COLO TELEPHONE:
LARRY SPRINGER: 841-377-2202
CONSUMERS ENERGY:
JIM KIDD: 841-754-1642

INDEX OF SHEETS

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D01	PLAN AND PROFILE SHEET
W01	CROSS SECTIONS
W02	

MILEAGE SUMMARY

Div.	Location	Ln. Ft.	Miles
1	STA. 12+25.00 TO STA. 14+00.00	175.00	0.333
	Total	175.00	0.333

STANDARD ROAD PLANS

Number	Date	Title
BR-302	10-20-15	SUBURBAN STANDARD (PART THE REPLACEMENT)
BR-305	04-17-18	SUBURBAN OUTLETS (STANDARD SUBURBAN, PRESSURE RELEASE AND SPECIAL)
EC-304	10-19-21	PEDESTAL, SLOPE AND DITCH CHECK SEGMENT CONTROL DEVICES
EC-301	10-18-18	ROCK EROSION CONTROL (REC)
ER-107	10-17-17	ENHANCED AND RESTRICTION ENHANCEMENTS
EM-102	10-20-15	ALLOWABLE PLACEMENT OF UNSATURATE SOILS IN ENHANCEMENTS
TC-252	04-21-20	ROUTES CLOSED TO TRAFFIC



I hereby certify that this engineering document was prepared by me or
under my direct supervision and that I am a duly Licensed
Professional Engineer under the laws of the State of Iowa.
Signature: *Taylor Sparks* Date: *10-21-21*

Accepted by
Laura Wilson Story County Engineer Date: *02-21*

[Signature]
Approved Story County
Board of Supervisors

Story County

Project Number: FM-C085(168)--55-85

Sheet No. A.01

GENERAL NOTES

GENERAL NOTES:

Contractor to construct a single 10'x5'x40' pre-cast concrete box culvert on a 0' skew, on 280th St. over Rock Creek, and grade approaches.

It shall be the contractor's responsibility to provide water areas or disposal sites for excess material (excavated material or broken concrete) which is not desirable to be incorporated into the work involved on this project. These areas shall not impact wetlands or Wetlands Of The U.S. No payment will be allowed for material hauled to these sites. No material shall be placed within the right-of-way, unless specifically stated in the plans. Construction activities, equipment, and materials shall be kept out of the streams, wetlands, or other bodies of water to the maximum extent practicable.

CONTRACTOR'S WORK AREA:

The Contractor's work and material storage area shall be defined by the Contractor and noted to the Engineer. Any area outside the Contractor's work and material storage area that is disturbed by the Contractor shall be repaired to its original condition by the Contractor and no additional payment shall be made for this work.

UTILITY NOTES:

The Contractor shall call One Call at least 48 hours prior to beginning work. Utility companies found to be located within the construction area are listed on the title sheet of these plans. See the Iowa DOT Standard Specifications for Highway And Bridge Construction, regarding utility related responsibilities. Contractor responsible for utility coordination and reconnection after the contract is signed.

HAZARDOUS MATERIALS NOTES:

It is presumed that there is no asbestos at this site. However, should the occasion arise that asbestos is discovered during bridge demolition, then demolition shall cease and the County will contract with a licensed asbestos contractor to remove any asbestos.

EMERALD ASH BORER NOTE:

Any living, dead, cut or fallen material of the ash (Fragaria spp.) including trees, nursery stock, logs, firewood, stumps, roots, branches, and composted or uncomposted ash chips can be freely moved within the yellow areas of the most recent Federal EAB Quarantine & Authorization Transit.

https://www.aphis.usda.gov/plant_health/plant_pests/alerts/emerald_ash_borer/downloads/eab_quarantine_map.pdf.

Obtain appropriate Compliance Agreements from USDA APHIS PPD prior to moving any of the above listed ash articles to areas outside the yellow zone on the map.

For questions, concerns, and general assistance, contact:

USDA APHIS PPD, Iowa office, 515-414-3295

or

Iowa Department of Agriculture & Land Stewardship
515-725-1470
Entomology@iowadnr.gov

INDIANA BAT HABITAT:

See Iowa DOT Specifications.

PRE-CAST CULVERT NOTES

INSTALLATION NOTES:

Pre-cast concrete box culvert sections shall be laid with the groove end of each section up-grade, and the sections shall be tightly joined. Joint openings between sections should be on light as practicable and limited to a maximum of 1/8 inch openings. The joint on the bottom of the culvert shall be sealed with a flexible water tight 1 inch bury rope gasket on per Materials L.M. 481.08. On the bottom of the culvert shall be sealed with the recommendations of the manufacturer and shall extend vertically 8 inches above the bottom flange. All joints shall be sealed with the recommendations of the manufacturer and shall extend vertically 8 foot wide piece of engineering fabric around the top and sides of each precast joint. The fabric shall be applied in pieces of 2 foot wide strips. The fabric shall be attached to the walls and top of each section to prevent the fabric from slipping off the joint during backfilling operations. Attachment methods shall be approved by the engineer.

All costs including material, equipment, and labor necessary for installing the culvert as detailed herein, shall be included in the bid item Pre-cast Concrete Box Culvert. The engineering fabric shall meet the material requirements as set forth in 4198.01C of the Iowa Department of Transportation. During backfilling the compaction equipment to the bottom corner joint shall be accomplished with a mechanical hand tamper. The bottom corner joint shall be sealed with a mechanical hand tamper. The bottom corner joint shall be plugged with a precast concrete plug, sealed and covered with mortar or mastic.

DESIGN REQUIREMENTS:

The precast culvert sections shall meet the minimum requirements of ASTM C 1577, Table 1 sections that are designed for combined earth dead load and AASHTO HL-83 live load conditions. Any precast box culvert designs submitted that vary from the ASTM C 1577 standard, shall be designed and sealed by a professional engineer, currently registered in the State of Iowa. Minimum length of precast sections shall be 4.0 feet. Minimum culvert wall thickness shall be 8 inches.

PRE-CONSTRUCTION NOTES:

The Contractor shall submit details of the proposed precast box sections to the Story County engineer office for approval. These details shall include a situation plan, culvert barrel cross sections showing steel, and end section details. The length in linear feet of precast concrete box culvert will be based on the plan quantity.

For the number of linear feet given on the plan, the Contractor will be paid the contract unit price per linear foot. The payment shall be full compensation for furnishing all materials, labor and equipment necessary to complete the work except for items in and sections and Class 20 Excavation.

For each precast box culvert and section installed the Contractor will be paid the contract price for each. The payment shall be full compensation for furnishing all materials (including progress and drainage), labor and equipment necessary to complete the work except for items in precast concrete box culvert and Class 20 Excavation.

Drop walls shall be precast.

The Contractor shall furnish culvert ties for all joints. The main section joints will have one tie on each side of the barrel and the last joint section will be attached to the end sections with two ties per side. Culvert ties shall be included in the cost for precast concrete box culvert. The ties shall be furnished by the Contractor and shall meet the requirements of ASTM A 709 grade 58 or equal. Culvert tie assemblies shall be galvanized or painted according to 2408.30 of the Iowa DOT Standard Specifications. Acrylic topcoat not required.

ACCESS NOTE:

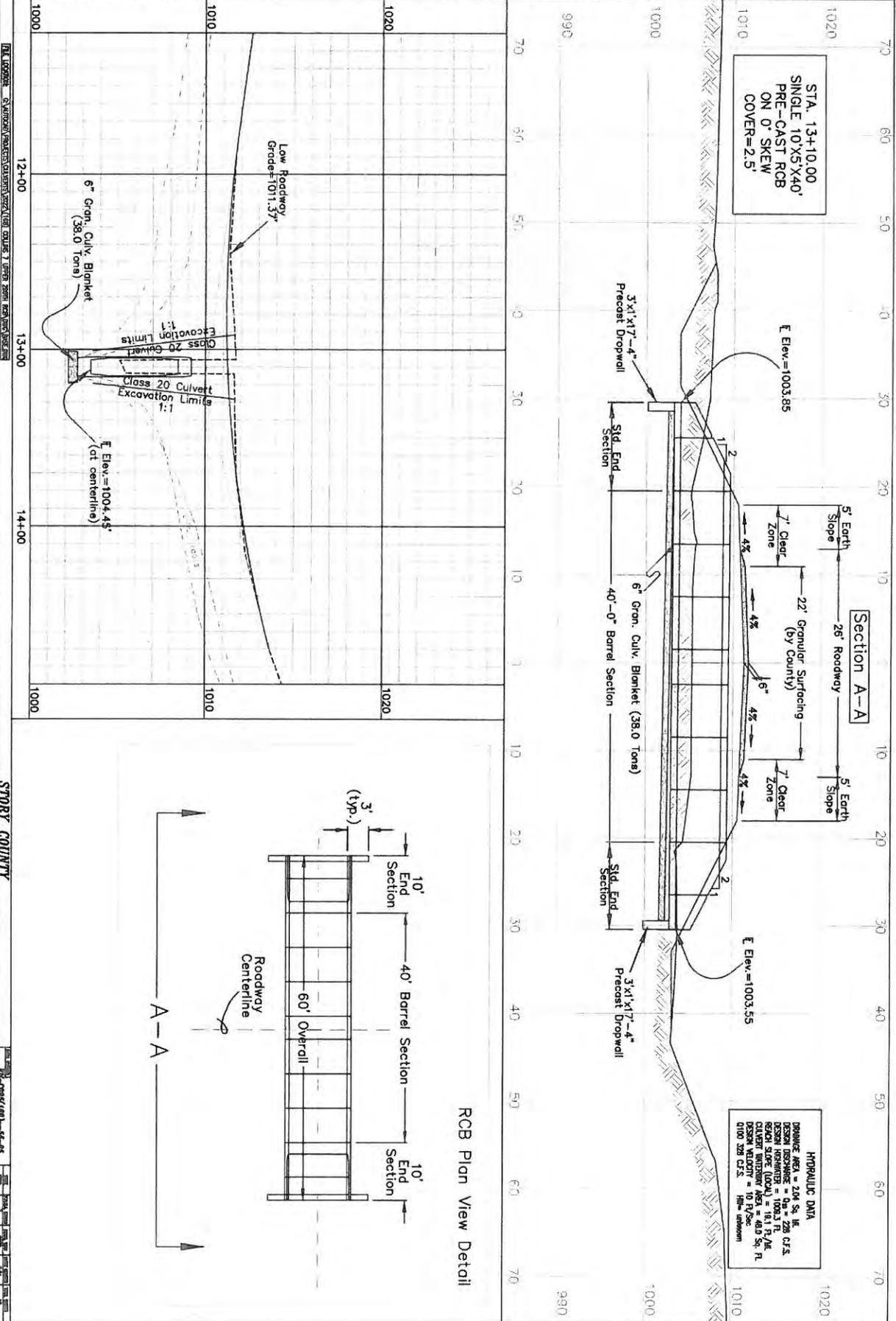
Contractor shall maintain access to individual properties during construction per Iowa DOT Standard Specification for Highway and Bridge Construction.

SHOP DRAWING NOTES:

Working drawings and calculations shall be furnished by the Contractor and certified by a licensed engineer in the State of Iowa, and shall be submitted to the Story County Engineer for review and approval. Refer to Section 1105.03 for additional information.

CULVERT DETAIL SHEET

PROJ No. **FM-C085(168)-55-85**



STA. 13+10.00
SINGLE 10'X5'X4'
PRE-CAST RCB
ON 0° SKEW
COVER=2.5'

HYDRAULIC DATA
DISCHARGE AREA = 204 Sq. Ft.
DESIGN DISCHARGE = 1000 CFS
DESIGN VELOCITY = 10 F/Sec
DESIGN SLOPE (LOCAL) = 18.1 F/100 Ft.
CULVERT WETTED AREA = 469 Sq. Ft.
DESIGN VELOCITY = 10 F/Sec

RCB Plan View Detail

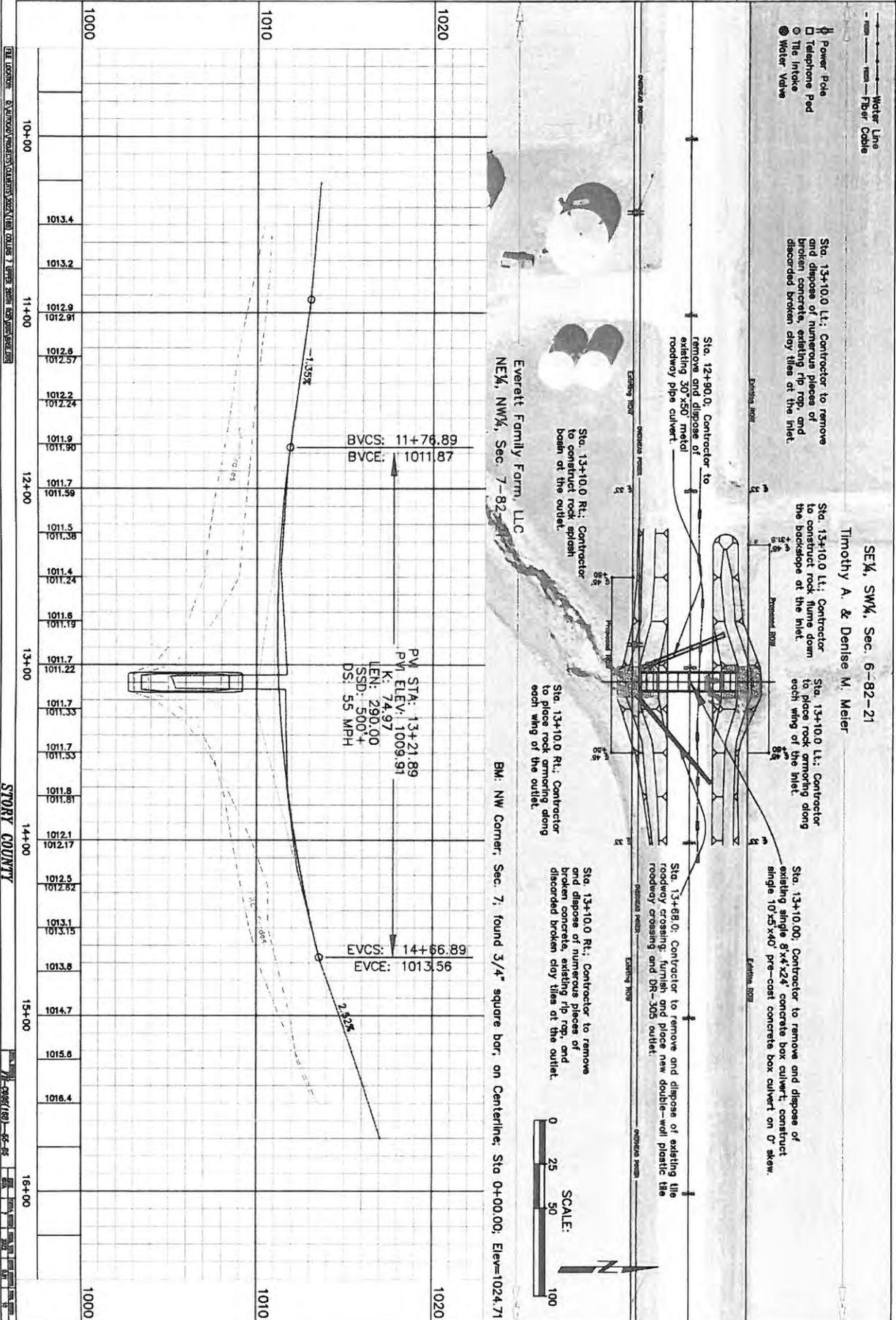
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STORY COUNTY

FM-C085(168)-55-85

PLAN AND PROFILE SHEET

PROJ No. FM-C085(168)--55-85



Water Line
Fiber Cable

- Power Pole
- Telephone Ped
- Tile Inlet
- Water Valve

Sta. 13+10.0 Lt.: Contractor to remove and dispose of numerous pieces of broken concrete, existing rip rap, and discarded broken clay tiles at the inlet.

Sta. 12+90.0: Contractor to remove and dispose of existing 30"x50" metal roadway pipe culvert.

Sta. 13+10.0 Rt.: Contractor to construct rock splash to basin of the outlet.

Sta. 13+10.0 Lt.: Contractor to construct rock flume down the backslope at the inlet.

Sta. 13+10.0 Lt.: Contractor to place rock armor along each wing of the inlet.

Sta. 13+10.0 Rt.: Contractor to place rock armor along each wing of the outlet.

Sta. 13+10.00: Contractor to remove and dispose of existing single 8"x24" concrete box culvert, construct single 10"x25"x40" pre-cast concrete box culvert on 0° skew.

Sta. 13+88.0: Contractor to remove and dispose of existing life roadway crossing, furnish and place new double-well plastic the roadway crossing and DR-305 outlet.

Sta. 13+10.0 Rt.: Contractor to remove and dispose of numerous pieces of broken concrete, existing rip rap, and discarded broken clay tiles at the outlet.

BM: NW Corner, Sec. 7; found 3/4" square bar, on Centerline; Sta 0+00.00; Elev=1024.71



BVCS: 11+76.89
BVCE: 1011.87

PV STA: 13+21.89
PV Elev: 1009.91
K: 74.97
LEN: 290.00
SSD: 500'+
DS: 55 MPH

EVCS: 14+66.89
EVCE: 1013.56

10+00 1013.4 1013.2 1012.9 1012.91 1012.6 1012.57 1012.2 1012.24 1011.9 1011.90 1011.7 1011.59 1011.5 1011.38 1011.4 1011.24 1011.6 1011.19 1011.7 1011.22 1011.7 1011.33 1011.7 1011.53 1011.8 1011.81 1012.1 1012.17 1012.5 1012.62 1013.1 1013.15 1013.6 1014.7 1015.6 1016.4 16+00

12+00

13+00

14+00

15+00

16+00

1000

1010

1020

1000

1010

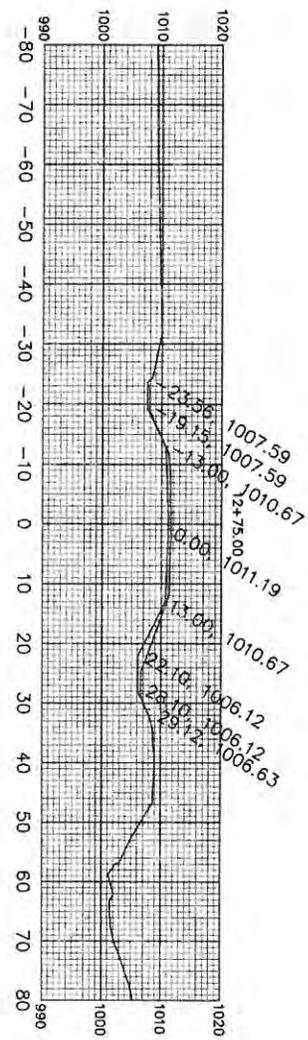
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STORY COUNTY

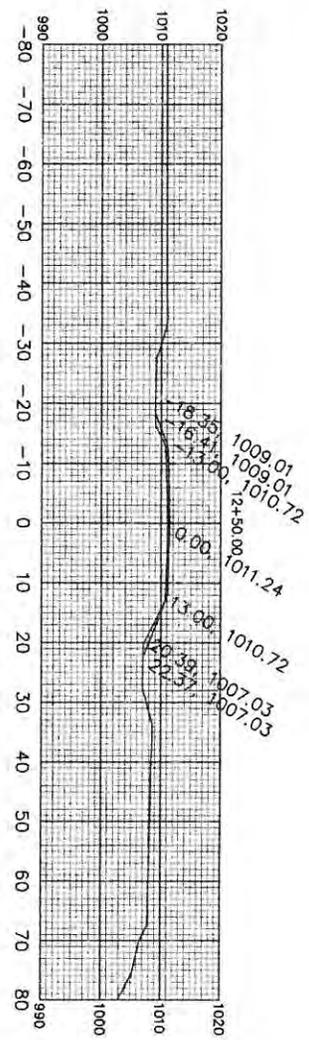
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STORY COUNTY

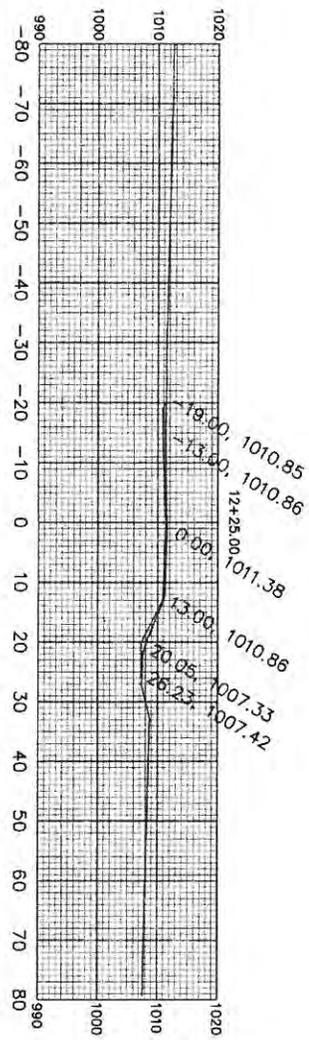
DATE: 7/1/98 11:00 AM 11



Sta. 12+75.00	
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Cut Vol	19.06
Fill Vol	0.03



Sta. 12+50.00	
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Fill Area	0.00
Cut Vol	13.34
Fill Vol	0.00



Sta. 12+25.00	
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CROSS SECTIONS SHEET

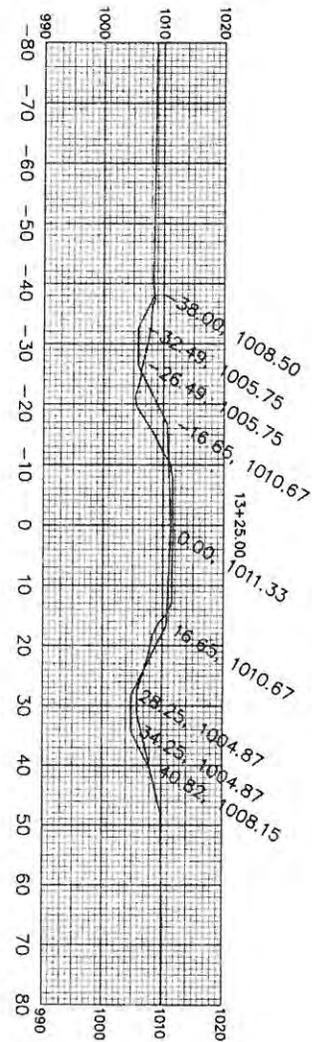
PROJ No. FM-C085(168)--55-85

THE ENGINEER: S. VANDERKAM/PROJECTS/CALVERTS/2024/1089/SHALING 7 SPREADS/SECTION 1625/1625/1625/1625

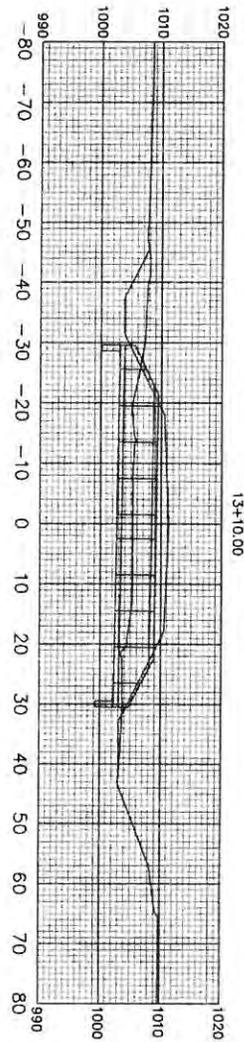
STORY COUNTY

DATE: 11/21/24 1625-C085(168)-55-85

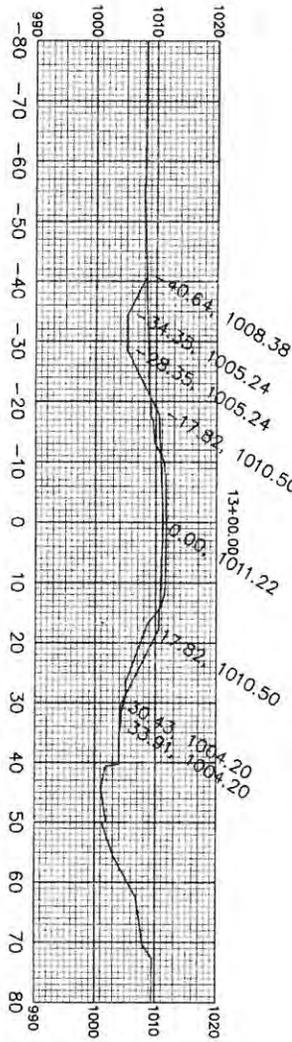
SCALE: 1"=40'



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Fill Vol	35.27



Sta. 13+10.00	
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Cut Vol	0.00
Fill Vol	0.00



Sta. 13+00.00	
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Cut Vol	40.39
Fill Vol	16.16

CROSS SECTIONS SHEET

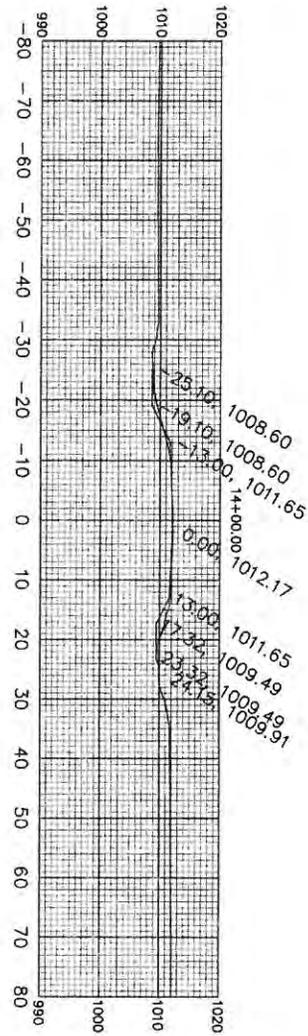
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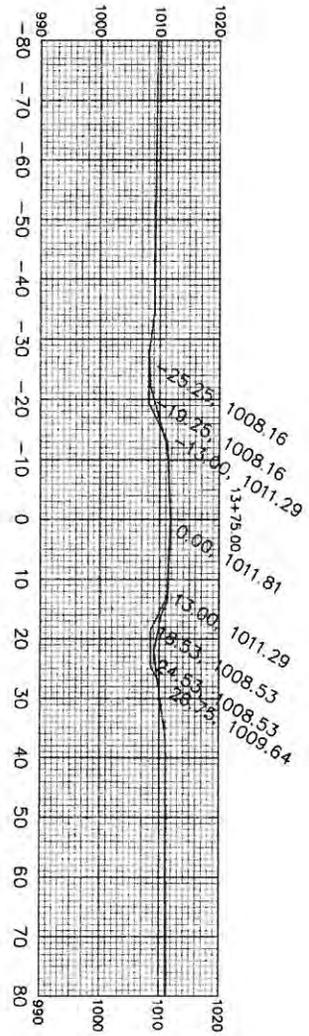
STORY COUNTY

DATE: 7/1/05 (168) 05-85

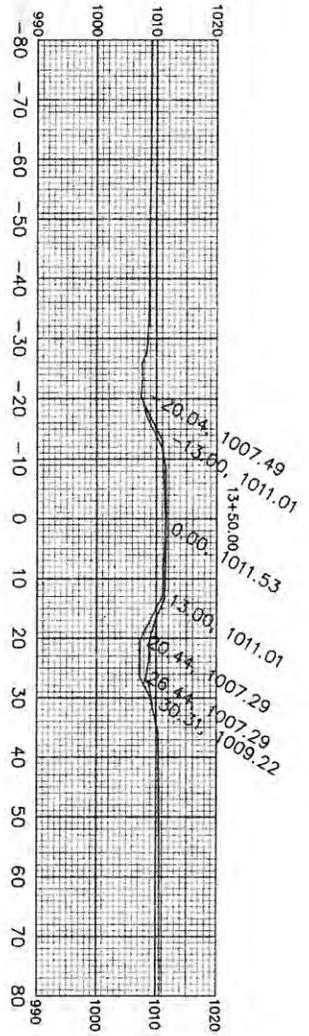
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Cut Vol	12.93
Fill Vol	1.47



Sta. 13+75.00	
Cut Area	15.77
Fill Area	0.61
Cut Vol	18.54
Fill Vol	2.47



Sta. 13+50.00	
Cut Area	24.29
Fill Area	3.50
Cut Vol	30.18
Fill Vol	25.34

Closure No. 22-19

Date October 18, 2021

Resolution

BE IT RESOLVED

By the Board of Supervisors of Story County, Iowa, to approve the road Closure(s) for the purpose of Construction in section 8 & 9 Grant Twp on

580th Ave is closed between Lincoln Highway and U.S. Highway 30



Chair, Board of Supervisors

Attest: 

County Auditor

ROLL CALL	Latifah Faisal	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>
FOR ALLOWANCE	Lisa Heddens	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>
	Linda Murken	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>

ALLOWED BY VOTE
OF THE BOARD

Yea 3 Nay 0 Absent 0



CHAIRPERSON

Above tabulation made by 

Closure No. 22-20

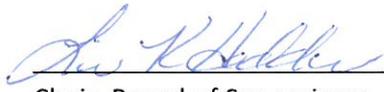
Date October 20, 2021

Resolution

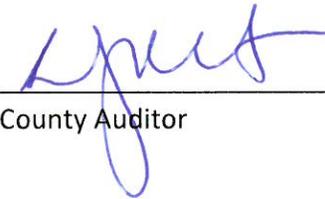
BE IT RESOLVED

By the Board of Supervisors of Story County, Iowa, to approve the road Closure(s) for the purpose of Construction in section 2 & 11 Collins Twp on

290th St is closed between 720th Ave and 730th Ave



Chair, Board of Supervisors

Attest: 

County Auditor

ROLL CALL	Latifah Faisal	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
FOR ALLOWANCE	Lisa Heddens	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
	Linda Murken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>

ALLOWED BY VOTE OF THE BOARD	Yea <u>3</u>	Nay <u>0</u>	Absent <u>0</u>
---------------------------------	--------------	--------------	-----------------



CHAIRPERSON

Above tabulation made by 

STORY COUNTY UTILITY PERMIT

Date 10/19/2021

To the Board of Supervisors, Story County, Iowa:

The Iowa Regional Utilities Association Company, incorporated under the laws of Iowa authorize to do business within the State of Iowa, with its principal place of business at 1351 Iowa Speedway Drive, Newton, Iowa 50208, does hereby make application requesting permission to occupy certain portions of public right-of-way and that the County Engineer be directed to establish the location of lines of transmission of Potable Water on secondary route 640th Ave., from East ROW Line to West ROW Line to 28103 640th Avenue, a distance of 130 L.F. ~~miles~~

Agreements: The utility company, corporation, applicant, permittee, or licensee, (hereinafter referred to as the permittee) agrees that the following stipulations shall govern under this permit.

1. The Permittee will file a plat setting out the location of proposed line on the secondary route and that the description of the proposed installation including type, height, and spacing of poles, maximum voltage, lengths of cross arms, minimum clearance and number of wires, type, size and capacity of underground cables, conduits, tile lines, and pipe lines, maximum working pressures for pipe lines carrying gas or flammable petroleum products are described as follows: Directional boring from East ROW line to West ROW line under 640th Avenue, installing a 1" PVC Service Line in Section 5, in Indian Creek Township, a minimum of 5 feet deep. See attached Plan Sheet.
2. The installation shall meet the requirements of county, state, and federal laws, franchise rules, and of the Iowa State Commerce Commission Regulations and Directives, Utilities Division, the Iowa State Department of Health, and any other laws or regulations applicable.
3. The Permittee shall be fully responsible for any future adjustments of its facilities within the established highway right-of-way caused by highway construction or maintenance operations.
4. Story County assumes no responsibility for damages to the Permittee's property occasioned by any construction or maintenance operations on said highways.
5. The Permittee shall take all reasonable precautions during the construction and maintenance of said installation to protect and safeguard the lives and property of the traveling public and adjacent property owners.
6. The Permittee, and its contractors, shall carry on the construction or repair of the accommodated utility with serious regard to the safety of the public. Traffic protection shall be in accordance with Part VI of the current Iowa Department of Transportation Manual on Uniform Control Devices for Streets and Highways.
7. The Permittee shall be responsible for any damage resulting to said highways because of the construction operation, or maintenance of said utility, and shall reimburse Story County for any expenditure the County may have to make on said highways because of said permittee's utility having been constructed, operated, and maintained thereon.
8. The Permittee shall indemnify and save harmless Story County from any and all causes of action, suits at law or in equity, or losses, damages, claims, or demands, and from any and all

liability and expense of whatsoever nature for, on account of or due to the acts or omissions of said Permittee's officers, members, agents, representatives, contractors, employees or assigns arising out of or in connection with its (or their) use or occupancy of the public highway under this permit.

9. Noncompliance with any of the terms of permit, or agreement, may be considered cause for shut down of utility construction operations, or revocation of the permit.

10. The following special requirements, if applicable, shall apply to this permit:

Whenever the route of the proposed cable line runs along a paved secondary highway, the location of said cable shall be constructed on top of the road shoulder so as to be within approximately two-feet of the pavement edge.

Whenever the route of the proposed cable line runs along a dirt or gravel surfaced highway, the location of said cable shall be constructed on top of the road surface and as near possible to the shoulder line

Whenever a cross road culvert or bridge is encountered along the route of the proposed cable lines, said cable shall be constructed around the ends of said cross road culvert or bridge even though this looping is not designated on the situation plans attached hereto.

The crossing of the cable line from one side of the highway to the other shall be accomplished at a near right angle rather than diagonally so as to disturb the roadbed of the traveled way as little as possible.

Whenever the route of the proposed cable line is to cross a paved highway, such crossing shall be in a bored hole rather than open cut trench.

Date 10-18-2021

Iowa Regional Utilities Association

Name of Company (Applicant - Permittee)

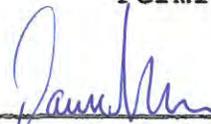


by Gayla E. Hannagan,
Permit Manager

Phone no. 641-792-7011

Recommended for Approval:

Date 10-19-21



County Engineer

515-382-7355

Phone no.

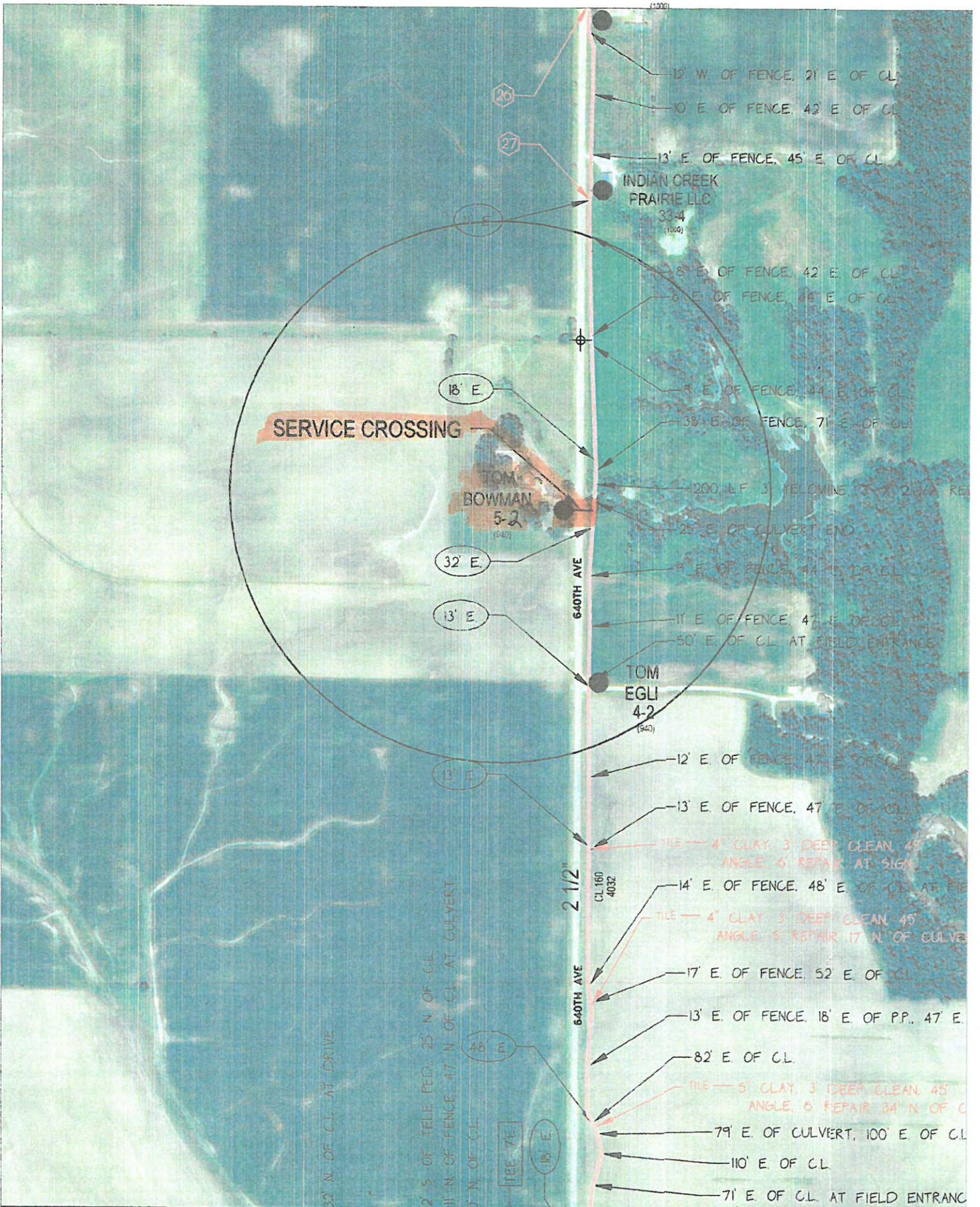
Approved:

Date 10-26-21



Chair, Board of Supervisors
Story County, Iowa

Three (3) copies of this form will be required for each installation. A plat shall be attached to each copy submitted.



SHEET
 234
 PARTIAL
 REVISED BY
 C.L.G.
 XX/KX/2009
 DRAWN BY
 G.M.K.
 7/19/2018

IOWA REGIONAL UTILITIES ASSOCIATION
 3801 IOWA SPEEDWAY DRIVE, NEWTON, IOWA 50208-8245
 (641) 792-7011

STORY COUNTY

1" = 500'
 N



Story County Planning and Development
Administration Building
900 6th Street, Nevada, Iowa 50201

Ph. 515-382-7245 Fax 515-382-7294
www.storycountyiaowa.gov

MEMORANDUM

TO: Story County Board of Supervisors
FROM: Andrea Wagner, Planner
RE: Proposed amendments to the Story County Land Development Regulations Chapter 86—
District Requirement, and Chapter 85—General Provisions and Definitions
MEETING: October 19, 2021

Introduction and Motivation for Ordinance Amendments

As part of the comprehensive review and update of the Story County Land Development Regulations assigned to the Planning and Development Department for the 2021 Work Program, staff has completed proposed changes to Chapter 86—District Requirements and related changes to Chapter 85—General Provisions and Definitions.

The proposed amendments were informed by recent site plans and development inquiries that have made it clear that an update to the requirements of zoning districts is needed, as well as clarification of certain allowed uses and bulk standard requirements. Major changes include standards for asphalt plants and shipping containers as permitted accessory uses, requiring that new R-1 and R-2 zoning districts be located in Urban Expansion or Rural Village Areas, and amending the width requirement for a dwelling to an area requirement.

The proposed amendments were presented to the Planning and Zoning Commission at their April 7, 2021, and October 6, 2021, meetings. The Commission did not have any suggestions for changes and recommended that the amendments be approved by the Board of Supervisors.

In this memo, staff will summarize the proposed amendments and provide appendices with sample language from various zoning districts.

Summary of Proposed Amendments

- Clarifying when temporary structures are allowed as a permitted accessory use in applicable zoning districts (Appendix A).
- Adding shipping containers as a permitted accessory use, when either temporary or permanent, in the A-1, A-2, CLI, and HI districts if found to adhere to standards for screening and safety, location, setbacks and height. Shipping containers are not allowed as a principal use (dwelling, principal commercial structure) (Appendix B).



- Adding standards for asphalt plants as temporary structures, clarifying how long they can be on a property and what other types of permits/plans must be submitted (air quality, stormwater, etc.) (Appendix B).
- Amending the statements of intent for the R-1 and R-2 districts to include that these zoning districts should be located in Urban Expansion or Rural Village Areas as shown on the C2C Plan, as well as the Urban Service or Rural/Urban Transition Area as shown on the Ames Urban Fringe Plan (Appendix C).
- Removing the hours of operation restriction on childcare centers in the CLI, Commercial/Light Industrial, zoning district.
- Revising the current definition of “Structure, temporary” in 85.08 to include ready mix concrete plants, asphalt paving plants, and shipping containers under the definition (Appendix D).
- For all districts, providing clarification on tower height and setback requirements for non-commercial towers and non-commercial wind energy conversion systems (Appendix E).
- Adding childcare homes as accessory uses to all districts where dwellings are permitted as a principal use.
- Placing the qualifications for a historic farmstead in the district standards when referenced rather than just in the Chapter 85 Definition.
- Amending the minimum width requirement for a dwelling to a minimum area requirement. The minimum width requirement effectively disallows smaller manufactured homes. These serve as affordable housing options and are different than mobile homes. They are required to meet HUD codes, do not have a hitch and are permanently placed on a site. The minimum area suggested of 400 square feet is larger than a “tiny home.”
- Adding identical general site planning, permit requirement, and conditions on permits sections to each district (Appendix F).
- Editing the allowance of a caretaker residence as an accessory use in the A-2 Agribusiness District to match the allowance for a dwelling as an accessory use in the Commercial/Light Industrial District.
- Placing the bulk standards for the Residential Manufactured Home District in a table format and added standards for common facility buildings. Increased the required amount for common open space.
- Correcting a scrivener’s error in the minimum lot size for a two-family dwelling in the R-2 District. The standard now matches the standard in the R-M Overlay District (10,000 square feet per unit).
- Adding all permitted uses in the bulk standards table for the R-M Overlay District to the permitted uses section.
- Revising the Streets Improvements requirement in the RMH District to specify that construction work and materials incorporated in an approved development shall follow the SUDAS Design Manual.



Interagency Review Team

The proposed Ordinance was also routed to the Interagency Review Team and County Attorney for review.

The Engineer's office provided clarification on what language to use regarding requirements for street improvements in the RMH, Residential Manufactured Housing District. The proposed amendment removes the reference to the Iowa DOT specifications and replaces it with a requirement that improvements follow the Iowa Statewide Urban Design and Specifications (SUDAS). Engineering staff stated that "SUDAS is for more urban design and probably the most common spec. used by cities and urban areas in Iowa. It likely fits a county development closer than the DOT specifications [that were required before]..."

The Environmental Health department stated that they would not recommend a lot size of less than 20,000 square feet for two-family dwellings in the R-2 district, given a need to be on septic systems in unincorporated areas of the county. The proposed ordinance is also requiring that R-2 districts be located in areas that are more likely to be annexed into cities.

No other comments were received.

April and October 2021 Planning and Zoning Commission Meetings

At the April 7, 2021, Planning and Zoning Commission meeting, Commissioners had general questions about the existing farmstead exception to the 35 net-acre minimum lot size in the A-1 District. Staff clarified that the farmstead exception is not changing—the qualifications to be considered a farmstead have been repeated in the A-1 district standards so that they are easier to find. No suggestions for changes were provided at the April 7th meeting, and none of the five Commissioners present at that meeting objected to the proposed amendments.

During the October 6, 2021, Planning and Zoning Commission meeting, staff provided the Commission with an update on additional proposed amendments. Again, none of the six Commissioners present at that meeting objected to the proposed amendments, nor were there suggestions for edits. Commissioner Schneider inquired about existing shipping containers being considered legal nonconforming. Staff stated that if the shipping containers have been previously permitted, they would be, and staff clarified that the new standards are for shipping containers as accessory uses, not as a principal permitted use. Commissioner Moss asked if "pods" used for moving purposes would be regulated by the standards for shipping containers, and staff stated they would not be. Staff clarified that the proposed ordinance amendment does not limit individuals who wish to convert shipping containers into other uses or use them as a foundation for a structure.

The Commission took action to recommend adoption of the ordinance (vote 6-0).



Recommendation

The Planning and Zoning Commission recommended approval of the ordinance, Ordinance 297 (alternative 1).

1. **The Story County Board of Supervisors approves Ordinance 297, amending Chapter 86—District Requirements and Chapter 85.08—Definitions, of the Story County Land Development Regulations, of the Story County Code of Ordinances, on first consideration and sets second consideration for Tuesday, October 26, 2021.**
2. The Story County Board of Supervisors denies Ordinance 297, amending Chapter 86—District Requirements and Chapter 85.08—Definitions, of the Story County Land Development Regulations, of the Story County Code of Ordinances, on first consideration and sets second consideration for Tuesday, October 26, 2021.
3. The Story County Board of Supervisors remands Ordinance 297, amending Chapter 86—District Requirements and Chapter 85.08—Definitions, of the Story County Land Development Regulations, of the Story County Code of Ordinances, back to staff for additional information, and directs staff to set first consideration for Tuesday, November 9, 2021.

Appendix A

Example wording from the A-R, Agricultural Residential District:

PLEASE RECYCLE



C. Temporary buildings in the following circumstances:
Construction trailers for use incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work. ~~Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.~~

Appendix B

Example wording from the A-1, Agricultural District:

PLEASE RECYCLE



C. Temporary buildings in the following circumstances for use incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.

(1) Asphalt plants (road work) and construction trailers for use incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.

a. Asphalt plants are subject to the following standards:

- i. Shall meet bulk requirement for other permitted uses.
- ii. Shall submit a truck routing plan for review and approval by County Engineer as necessary.
- iii. Shall be required to restore the area to its original state at the end of the use, including removal of any gravel.
- iv. Shall be limited in duration to the completion of road or other construction project. The plant shall be removed within 30 days of project end. In total, the plant shall not be located on a parcel for more than six (6) months. A three (3) month extension may be granted
Shall submit an air quality permit, NPDES permit, Emergency Spill Plan, and a list of equipment to be stored on site.

(2) Shipping containers, including on a permanent basis, meeting the following requirements:

a. Screening and safety:

- i. Shipping containers shall be screened from view by a screening fence or landscaping.
- ii. Shipping containers shall be anchored and placed on a hard-surfaced area.
- iii. The color of the shipping container shall be a non-reflective, unobtrusive color that blends in with the surrounding environment. Further, the shipping containers shall not include branding.

b. Location. Shipping containers shall be located behind the principal building.

c. Setbacks and Height. Shipping containers shall comply with the setback and height requirements for accessory structures in their applicable zoning district. Shipping containers shall not be stacked unless plans are stamped by a Principal Engineer.

Appendix C

Example wording from the R-1, Transitional Residential District:

PLEASE RECYCLE



1. Statement of Intent. The R-1 Transitional Residential District is designed to provide a district for single-family detached dwellings between a rural and urban density. Subdivisions created within the R-1 district may also include community facilities and open space uses, with special provisions to protect the residential character of the District. This District is not intended to permit isolated rural dwellings incompatible with surrounding land uses and not in conformance with the Cornerstone to Capstone (C2C) Comprehensive Plan. The R-1 Transitional Residential District shall be located in the Urban Expansion Area or Rural Villages as shown on the C2C Plan, as well as the Urban Service Area and Rural/Urban Transitional Area as shown on the Ames Urban Fringe Plan.

Appendix D

PLEASE RECYCLE



256. “Structure, temporary” means a structure used temporarily without any foundation or footings used for the storage of construction materials and equipment incidental and necessary to on-site permitted construction of utilities, or other community facilities, or used temporarily in conjunction with the sale of property within a subdivision under construction, and that is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased. This definition also includes ready mix concrete plants and asphalt paving mixture plants in conjunction with road or other construction projects, meeting the requirements of the Ordinance. Shipping containers shall also be considered temporary structures when meeting the requirements of the Ordinance.

Appendix E

PLEASE RECYCLE



Example wording from the A-1, Agricultural District:

(1) Setback. The base of the small wind energy tower shall be set back from all property lines, public rights-of-way, and above ground public utility lines at a distance no less than 115 percent of the total height of the tower. ~~Towers shall be allowed closer to a property line if the following condition is met.~~

- a. The base of a tower shall be allowed closer to a property line if the applicant and abutting property owners grant permission, via recorded easement when required setbacks cross property lines, which restricts new development within the easements. At no time shall a tower be placed closer to a property line if existing structures on adjacent affected properties are within 100 percent of the total height of the tower.

Appendix F

PLEASE RECYCLE



Example wording from the A-1, Agricultural District:

6. General Site Planning Standards. General site planning standards in accordance with Chapter 88, General Site Planning Standards, shall be met.

7. Permit Requirements. Permit requirements shall be in accordance with Section 92.11, Required Permits.

8. Required Conditions. No use shall be permitted to be established or maintained which by reason of its nature or manner of operation is or may become hazardous, obnoxious, or offensive owing to the emission of odor, dust, smoke, cinders, gas, fumes, noise, and vibrations, refuse matter or water-carried waste. All facilities required for the discharge, collection and treatment of liquid, solid or gaseous wastes shall be designed, constructed, and operated in accordance with all statutes and regulations of the State of Iowa and Story County. Conditions addressing such impacts shall be determined at the time of review of required permit and as administered by the Planning and Development Department, noted on the face of the permit. Such permit shall be filed in the office of the Story County Planning and Development Department.





Story County Planning and Development
Administration Building
900 6th Street, Nevada, Iowa 50201

Ph. 515-382-7245 Fax 515-382-7294
www.storycountyiowa.gov

MEMORANDUM

TO: Story County Board of Supervisors
FROM: Andrea Wagner, Planner
RE: Discussion of Ordinance 297, amending Chapter 86 – District Requirements, and Chapter 85.08 – Definitions, of the Story County Land Development Regulations, of the Story County Code of Ordinances
MEETING: October 26, 2021

At the October 19, 2021 meeting, the Board of Supervisors held first consideration of Ordinance 297. There were no comments received at the public hearing and no changes were recommended. The Board approved the ordinance on first consideration and set second consideration for October 26, 2021. Staff has not received any comments from members of the public as of posting this memo. It is typical when no additional comments are received to waive third consideration. The Board of Supervisors may consider the following alternatives:

- 1. The Story County Board of Supervisors approves Ordinance 297, amending Chapter 86 – District Requirements, and Chapter 85.08 – Definitions, of the Story County Land Development Regulations, of the Story County Code of Ordinances, on second consideration and waives third consideration.**
2. The Story County Board of Supervisors approves Ordinance 297, amending Chapter 86 – District Requirements, and Chapter 85.08 – Definitions, of the Story County Land Development Regulations, of the Story County Code of Ordinances, on second consideration and sets third consideration for Tuesday, November 2, 2021.
3. The Story County Board of Supervisors denies Ordinance 297, amending Chapter 86 – District Requirements, and Chapter 85.08 – Definitions, of the Story County Land Development Regulations, of the Story County Code of Ordinances, on second consideration and sets third consideration for Tuesday, November 2, 2021.
4. The Story County Board of Supervisors remands Ordinance 297, amending Chapter 86 – District Requirements, and Chapter 85.08 – Definitions, of the Story County Land Development Regulations, of the Story County Code of Ordinances, back to staff for additional information, and directs staff to set second consideration for Tuesday, November 2, 2021.



DO NOT WRITE IN THE SPACE ABOVE, RESERVED FOR RECORDER

Prepared By: Andrea Wagner, Story County Planning and Development, 900 6th Street, Nevada, IA 50201 (515) 382-7245

**Please return to:
Planning & Development**

**STORY COUNTY IOWA
ORDINANCE NO. 297
AN ORDINANCE AMENDING CHAPTER 86 – DISTRICT REQUIREMENTS, AND CHAPTER
85.08 – DEFINITIONS, OF THE STORY LAND DEVELOPMENT REGULATIONS OF THE
STORY COUNTY CODE OF ORDINANCES.**

BE IT ENACTED by the Board of Supervisors of Story County, Iowa:

Section 1. Purpose. An Ordinance amending Chapter 86 – District Requirements, and Chapter 85.08 – Definitions, of the Story County Land Development Regulations, as follows, to update the requirements of zoning districts located within the unincorporated areas of Story County and to clarify certain allowed uses and bulk standard requirements.

Section 2. Proposed Amendments. The amendments are as shown in Attachment A of this ordinance and are summarized below.

85.08, Definitions:

- Revising the definition of “Structure, temporary” to include asphalt plants, ready mix concrete plants, and shipping containers when these uses meet the requirements of the Ordinance.

86, District Requirements:

- For all districts, providing clarification on tower height and setback requirements for non-commercial towers and non-commercial wind energy conversion systems.
- Adding childcare homes as accessory uses to all districts where dwellings are permitted as a principal use.
- Placing the qualifications for a historic farmstead in the district standards when referenced rather than just in the Chapter 85 Definition.

- Amending the minimum width requirement for a dwelling to a minimum area requirement of 400 square feet.
- Adding identical general site planning, permit requirement, and conditions on permits sections to each district.
- Editing the allowance of a caretaker residence as an accessory use in the A-2 Agribusiness District to match the allowance for a dwelling as an accessory use in the Commercial/Light Industrial District.
- Placing the bulk standards for the Residential Manufactured Home District in a table format and adding standards for common facility buildings. Increasing the required amount for common open space.
- Correcting the minimum lot size for a two-family dwelling in the R-2 District. The standard now matches the standard in the R-M Overlay District (10,000 square feet).
- Adding all permitted uses in the bulk standards table for the R-M Overlay District to the permitted uses section.
- Clarifying when temporary structures are allowed as a permitted accessory use in applicable zoning districts.
- Adding shipping containers as a permitted accessory use, when either temporary or permanent, in the A-1, A-2, CLI, and HI districts if found to adhere to standards for screening and safety, location, setbacks and height. Shipping containers are not allowed as a principal use (dwelling, principal commercial structure).
- Adding standards for asphalt plants as temporary structures, clarifying how long they can be on a property and what other types of permits/plans must be submitted (air quality, stormwater, etc.).
- Amending the statements of intent for the R-1 and R-2 districts to include that these zoning districts should be located in Urban Expansion or Rural Village Areas as shown on the C2C Plan, as well as the Urban Service or Rural/Urban Transition Area as shown on the Ames Urban Fringe Plan.
- Removing the hours of operation restriction on childcare centers in the CLI, Commercial/Light Industrial, zoning district.
- Revising the Streets Improvements requirement in the RMH District to specify that construction work and materials incorporated in an approved development shall follow the SUDAS Design Manual.

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

Section 4. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 5. Effective Date. This ordinance shall be effective after its final passage, approval and publication of the ordinance or a summary thereof, as provided by law.

Action upon FIRST Consideration: Approval
DATE: October 19, 2021

Moved by: Murken
Seconded by: Faisal
Voting Aye: Murken, Faisal, Heddens
Voting Nay: None
Not Voting: None
Absent: None

Action upon SECOND Consideration: Approval
DATE: October 26, 2021

Moved by: Faisal
Seconded by: Murken
Voting Aye: Faisal, Murken, Heddens
Voting Nay: None
Not Voting: None
Absent: None

Action upon THIRD Consideration: Waived
DATE: November 2, 2021

Moved by: _____
Seconded by: _____
Voting Aye: _____
Voting Nay: _____
Not Voting: _____
Absent: _____

ADOPTED THIS 26 day of October, 2021.

Attest:

[Signature]
County Auditor

[Signature]
Chairperson, Board of Supervisors

ROLL CALL	Latifah Faisal	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
FOR ALLOWANCE	Lisa Heddens	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
	Linda Murken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>

ALLOWED BY VOTE
OF BOARD

Yea 3 Nay 0 Absent 0

[Signature]
CHAIRPERSON

Above tabulation made by [Signature]

ATTACHMENT "A"

Definitions— to be revised in Chapter 85.08 of the Story County Land Development Regulations

"Structure, temporary" means a structure used temporarily without any foundation or footings used for the storage of construction materials and equipment incidental and necessary to on-site permitted construction of utilities, or other community facilities, or used temporarily in conjunction with the sale of property within a subdivision under construction, and that is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased. This definition also includes ready mix concrete plants and asphalt paving mixture plants in conjunction with road or other construction projects, meeting the requirements of the Ordinance. Shipping containers shall also be considered temporary structures when meeting the requirements of the Ordinance.

Amendments to Chapter 86 of the Story County Land Development Regulations for District Requirements

86 DISTRICT REQUIREMENTS.

86.01 ESTABLISHMENT OF DISTRICTS.

1. In order to carry out the purpose and intent of the Ordinance, the unincorporated area of Story County, Iowa, is hereby divided into the following base district classifications:

- A-1 Agricultural District
- A-2 Agribusiness District
- A-R Agricultural/Residential District
- R-1 Transitional Residential District
- R-2 Urban Residential District
- RMH Residential Manufactured Housing District
- C-LI Commercial/Light Industrial District
- HI Heavy Industrial
- GB-C Greenbelt-Conservation District

2. In addition to the base districts identified above, the following overlay districts are established.

R-M Residential/Mixed-Use (Overlay) District

R-C Residential/Conservation Design (Overlay) District

86.02 BOUNDARIES AND OFFICIAL MAP.

1. The boundaries of these districts are indicated upon the Official Zoning Map of Story County, Iowa, which map is made a part of the Ordinance by reference hereto. The Official Zoning Map and all the notations, references, and other matters shown thereon shall be as much a part of the Ordinance as if the notations, references, and other matters set forth by said map were all fully described herein. The Official Zoning Map shall be on file, physically and digitally, in the office of the Story County Planning and Development Director and shall bear the signature of the Chairperson of the Board of Supervisors attested by the County Auditor, under the certification that this is the Official Zoning Map of Story County, Iowa.

(Ordinance No. 160) (Ordinance No. 208)

2. The Board of Supervisors may ~~from time to time~~ adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map; in the event that the Official Zoning Map becomes damaged or destroyed; or for purposes of clarity due to a number of boundary changes, or to correct drafting errors or omissions; provided, however, any such adoption shall not have the effect of amending the Ordinance or any subsequent amendment thereof.

3. Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

A. Boundaries indicated as approximately following the centerlines of streets, highways, alleys, or road rights-of-way and/or easements shall be construed to follow such centerlines.

B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

C. Boundaries indicated as approximately following section lines, quarter-section lines, or quarter-quarter section lines shall be construed as following such lines.

D. Boundaries indicated as approximately following corporate limits shall be construed as following corporate limits.

E. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.

F. Boundaries indicated as approximately following the centerlines of rivers, streams, creeks, or other waterways shall be construed to follow such centerlines.

G. Boundaries not capable of being determined in the previous paragraphs shall be as dimensioned on the Official Zoning Map, or if not dimensioned, shall be determined by the scale shown on the map.

4. Where one parcel of property is divided into two or more portions by reason of different zoning district classifications, each of these portions shall be used independently of the others in its respective zoning classification for the determination of permitted uses and application of bulk standards. ~~and for the determination of yard and density requirements.~~

(Ordinance No. 192)

86.03 BASE ZONE DISTRICTS.

The following base zone districts are established as applicable to the unincorporated areas of Story County, Iowa: A-1 Agricultural, A-2 Agribusiness, A-R Agricultural-Residential, R-1 Transitional Residential, R-2 Urban Residential, RMH Residential Manufactured Housing, C-LI Commercial/Light Industrial, GB-C Greenbelt-Conservation, HI Heavy Industrial. It is the further intent of these regulations to protect the groundwater resources to the maximum extent practical through proper management of sources and routes of contamination within each District.

(Ordinance No. 184)

86.04 A-1 AGRICULTURAL DISTRICT.

1. Statement of Intent. The A-1 District is intended and designed to accommodate land uses compatible with agriculture and to protect agricultural land from encroachment of urban land uses. The Cornerstone to Capstone (C2C) Comprehensive Plan designates priority agricultural land as Agricultural Conservation Areas. These areas are intended to preserve rural character by limiting the development of most new non-farm dwellings to large lots. In some instances, the A-1 District permits non-farm residential development on smaller lots in furtherance of the Cornerstone to Capstone (C2C) Comprehensive Plan goals and objectives.

(Ordinance No. 250)

2. Principal Permitted Uses. Only the use of structures and/or land listed in this section shall be permitted in the A-1 Agricultural District.

(Ordinance No. 184) (Ordinance No. 192)

- A. Agriculture-crop and/or livestock production.
- B. Single-family dwellings.
- C. Cemeteries, including mausoleums.
- D. Public or private stables and riding academies and clubs.
- E. Parks and forest preserves.

3. Permitted Accessory Uses. The following are permitted accessory uses in the A-1 Agricultural District:

(Ordinance No. 184) (Ordinance No. 192)

- A. Accessory buildings.
- B. Home business within a dwelling residential structure or an accessory building.
- C. Temporary buildings in the following circumstances ~~for use incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.~~

(1) Asphalt plants (road work) and construction trailers for use incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.

- a. Asphalt plants are subject to the following standards:
 - i. Shall meet bulk requirement for other permitted uses.
 - ii. Shall submit a truck routing plan for review and approval by County Engineer as necessary.
 - iii. Shall be required to restore the area to its original state at the end of the use, including removal of any gravel.
 - iv. Shall be limited in duration to the completion of road or other construction project. The plant shall be removed within 30 days of project end. In total, the plant shall not be located on a parcel for more than six (6) months. A three (3) month extension may be granted. Shall submit an air quality permit, NPDES permit, Emergency Spill Plan, and a list of equipment to be stored on site.

(2) Shipping containers, including on a permanent basis, meeting the following requirements:

- a. Screening and safety:
 - i. Shipping containers shall be screened from view by a screening fence or landscaping.
 - ii. Shipping containers shall be anchored and placed on a hard-surfaced area.
 - iii. The color of the shipping container shall be a non-reflective, unobtrusive color that blends in with the surrounding environment. Further, the shipping containers shall not include branding.
- b. Location. Shipping containers shall be located behind the principal building.
- c. Setbacks and Height. Shipping containers shall comply with the setback and height requirements for accessory structures in their applicable zoning district. Shipping containers shall not be stacked unless plans are stamped by a Principal Engineer.

D. Mobile homes or manufactured homes as a temporary residence while construction of a residence is ongoing. A zoning permit is required and shall be for a period of one year. A one-year extension of the permit may be granted by the Planning and Development Director

upon a finding that conditions are such that the original one year is unreasonable.

E. Non-commercial WECS Wind Energy Conversion Systems (WECS), subject to the following standards:

(1) Tower Height. ~~For property sizes between one-half acre and one acre, the tower height shall be limited to 80 feet. For property sizes of one acre or more, there is no limitation on tower height, except as imposed by FAA regulations.~~

- a. For property sizes ~~between one-half acre and~~ under one acre, the tower height shall be limited to 80 feet unless it is necessary to increase the height of the tower to the minimum height necessary so that the bottom of the turbine rotor will clear a wind obstacle within a 500-foot radius by 30 feet.
- b. For property sizes of one acre or more, there is no limitation on tower height, except as imposed by FAA regulations.

(Ordinance No. 184)

(2) Setback. The base of the small wind energy tower shall be set back from all property lines, public rights-of-way, and above ground public utility lines at a distance no less than 115 percent of the total height of the tower. ~~Towers shall be allowed closer to a property line if the following condition is met:~~

- a. The base of a tower shall be allowed closer to a property line if the applicant and abutting property owners grant permission, via recorded easement when required setbacks cross property lines, which restricts new development within the easements. At no time shall a tower be placed closer to a property line if existing structures on adjacent affected properties are within 100 percent of the total height of the tower.

~~a. It is necessary to increase the height of the tower so that the bottom of the turbine rotor will clear a wind obstacle within a 500-foot radius by 30 feet.~~

~~b. The applicant and abutting property owners grant permission, via recorded easement when required setbacks cross property lines, which restrict new development within the easements.~~

~~e. At no time shall a tower be placed within 100 percent of the total height of the tower of existing adjacent properties' structures.~~

(3) Noise. Non-commercial WECS shall not exceed 60 dBA, as measured at the closest neighboring dwelling. The level, however, may be exceeded during short-term events such as utility outages and/or severe wind storms.

(Ordinance No. 184)

(4) Engineer Certification. A non-commercial WECS, or a small wind energy system mounted on a structure other than a free-standing tower, shall not be erected unless the plans and specifications for the system have received the stamped approval of an Iowa registered engineer. For non-commercial WECS less than 20 kW mounted on a free-standing tower, a manufacturer may submit its standard plans and specifications, including its soils study and foundation plans for such a system, for a one-time review and stamped approval by an Iowa registered engineer as suitable for construction in any soil condition that exists in the State of Iowa. If such one-time stamped approval is obtained, that manufacturer may thereafter construct such small wind energy systems, utilizing the approved soils study and foundation plans, without obtaining and presenting the stamped approval of an Iowa registered engineer for each such installation.

(5) Compliance with FAA Regulations. Non-commercial WECS must comply with applicable FAA regulations, including any necessary approvals for installations in the Airport Protection Area as shown on the *Ames Urban Fringe Plan*.

(6) Compliance with *National Electric Code*. Applications for non-commercial WECS shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the *National Electrical Code*. This information is frequently supplied by the manufacturer.

(7) Utility Notification. No non-commercial WECS shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator, under an agreement approved by and subject to the regulations adopted by the Iowa Utilities Board. Off-grid systems shall be exempt from this requirement.

(Ordinance No. 152)

(8) Insurance. A certificate of insurance shall be provided, showing general liability insurance coverage for the installation and operation of the system under a standard homeowner's or standard business owner's insurance policy, separate and distinct from any insurance requirements of a public utility.

(9) Screening and Safety.

- a. On-site vegetation shall be preserved to the maximum extent practical.
- b. Any climbing foot pegs or rungs below 12 feet of a freestanding tower shall be removed to prevent unauthorized climbing.
- c. For lattice or guyed towers, sheets of metal or wood may be fastened to the bottom tower section such that it cannot readily be climbed.
- d. The color of the turbine shall either be stock color from the manufacturer or painted with a non-reflective, unobtrusive color that blends in with the surrounding environment.

(10) Signage. No signs, other than appropriate warning signs, or standard manufacturer's or installer's identification signage, shall be displayed on a wind generator, tower, building, or other structure associated with a small wind energy system, subject to Section 89.02 of this Code of Ordinances, as applicable.

(11) Lighting. No illumination of the turbine or tower shall be allowed unless required by the FAA.

(Ordinance No. 219)

F. Non-commercial ~~SES~~ Solar Energy Systems, subject to the following standards:

(1) Height. Building or roof-mounted non-commercial solar energy systems, whether mounted on the principal building or accessory building, may not exceed the maximum principal use height or accessory use height specified for the use type in the underlying zoning district. In no instance shall any part of the solar energy system extend beyond the edge of the roof. A ground-mounted system shall not exceed the maximum building height for accessory uses.

(2) Setback. In no instance shall any part of the solar energy system extend beyond the required setbacks for accessory uses listed in Table 86-2.

(3) Solar Panels. Solar panels shall be placed such that concentrated solar radiation or glare is not directed onto nearby properties or roadways.

(4) Compliance with FAA Regulations. Non-commercial SES must comply with applicable FAA regulations, including any necessary approvals for installations in the Airport Protection Area as shown on the *Ames Urban Fringe Plan*.

(5) Compliance with *National Electric Code*. Applications for non-commercial SES shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the *National Electric Code*. This information is frequently supplied by the manufacturer.

(6) Utility Notification. A non-commercial SES shall not be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

(Ordinance No. 219)

G. Antenna co-location on communication towers/facilities constructed prior to April 20, 2001, subject to the zoning permit process outlined in Section 92.10, Required Permits.

(Ordinance No. 152) (Ordinance No. 192)

H. ~~H.~~ Caretaker residence associated with a public or private stable.

(Ordinance No. 155)

I. ~~I.~~ Within the A-1 District, a mobile home conforming to the anchor tie-down requirements as specified herein, and provided with septic and water facilities and conforming to the regulations for an accessory building, shall be allowed adjacent but not closer than ten ~~10~~ feet to an established dwelling residential structure for the purposes of providing care for, or receiving care from, individuals residing in the primary structure:

- (1) A zoning permit shall be required for the above-stated mobile home use within the A-1 District.
- (2) This permit shall be valid for only one year and may be renewed by re-application for one year increments thereafter.
- (3) This permit shall expire upon the death or relocation of the occupant to another place of residency.

(Ordinance No. 184) (Ordinance No. 192)

J. ~~J.~~ Non-commercial towers, subject to the following standards:

(1) Tower Height. For property sizes under ~~between one-half acre and~~ one acre, the tower height shall be limited to 80 feet. For property sizes of one acre or more, there is no limitation on tower height except as imposed by FAA regulations.

(2) Setback. The base of the tower shall be set back from all property lines, public rights-of-way, and above ground public utility lines at a distance no less than 115 percent of the total height of the tower. ~~Towers shall be allowed closer to a property line if the following condition is met.~~

b. The base of a tower shall be allowed closer to a property line if the applicant and abutting property owners grant permission, via recorded easement when required setbacks cross property lines, which restrict new development within the easements. At no time shall a tower be placed closer to a property line if existing structures on adjacent affected properties are within 100 percent of the total height of the tower.

~~a. It is necessary to increase the height of the tower so that the bottom of the turbine rotor will clear a wind obstacle within a 500-foot radius by 30 feet.~~

~~b. The applicant and abutting property owners grant permission, via recorded easement when required setbacks cross property lines, which restrict new development within the easements.~~

~~e. At no time shall a tower be placed within 100 percent of the total height of the tower of existing adjacent properties' structures.~~

(3) Engineer Certification. A tower shall not be erected unless the plans and specifications for the system have received the stamped approval of an Iowa registered engineer. However, a manufacturer may submit its standard plans and specifications, including its soils study, and foundation plans for such a tower, for a one-time review and stamped approval by an Iowa

registered engineer as suitable for construction in any soil condition that exists in the State of Iowa. If such one-time stamped approval is obtained, that manufacturer may thereafter construct such tower, utilizing the approved soils study and foundation plans, without obtaining and presenting the stamped approval of an Iowa registered engineer for each such installation.

(4) Compliance with FAA Regulations. Non-commercial towers must comply with applicable FAA regulations, including any necessary approvals for installations in the Airport Protection Area as shown on the Ames Urban Fringe Plan.

(5) Insurance. A certificate of insurance shall be provided, showing general liability insurance coverage for the installation and operation of the tower under a standard homeowner's or standard business owner's insurance policy.

(6) Screening and Safety.

a. On-site vegetation shall be preserved to the maximum extent practical.

b. Any climbing foot pegs or rungs below 12 feet of a freestanding tower shall be removed to prevent unauthorized climbing.

c. For lattice or guyed towers, sheets of metal or wood may be fastened to the bottom tower section such that it cannot readily be climbed.

d. The color of the tower shall either be stock color from the manufacturer or painted with a non-reflective, unobtrusive color that blends in with the surrounding environment.

(7) Signage. No signs, other than appropriate warning signs, or standard manufacturer's or installer's identification signage, shall be displayed on a tower, building, or other structure associated with a tower, subject to Section 89.02 of this Code of Ordinances, as applicable.

(8) Lighting. No illumination of the tower shall be allowed unless required by the FAA.

J. Child care home.

4. Conditional Uses. See Chapter 90.

(Ordinance No. 184)

5. Bulk Requirements.

A. Net Lot Area. The minimum lot size (net acreage) for the construction of a dwelling shall be 35 acres, subject to the following exceptions:

(1) If the parcel is considered a legally established lot-of-record, it may be built upon regardless of size in accordance with the provisions of Chapter 91.01.

(Ordinance No. 192)

(2) If the parcel contains a farmstead ~~and is legally divisible from the remainder of the farm land, the requirement is a minimum of one acre (net)~~ a minimum lot size of one acre (net) is applicable. To qualify as an existing farmstead the following minimum criteria must all be met:

- (1) The farm dwelling shall have been constructed prior to June 30, 1977.
- (2) The farmstead shall not have been converted to crop production.
- (3) Minimum evidence of the farmstead's existence shall include:
 - a. Previous tax records establishing existence of the farm dwelling; or
 - b. Existence of 75 percent of the farm dwelling's foundation; or
 - c. Conclusive evidence from aerial photographs of the dwellings existence.

(3) If the parcel is evaluated by the L.E.S.A. system and identified as being low-to-moderate value agricultural land by being within both the ranges for the Site Assessment (SA) and Land Evaluation and Site Assessment (LESA) scores in Table 86-1, a minimum lot size of one acre (net) is applicable, ~~as defined in Table 86-1~~. (When property is located within the Ames Fringe Area Plan, this exception only applies if the property is designated Agricultural and Farm Service).

(Ordinance No. 184) (Ordinance No. 250)

(4) If the parcel has been created through a residential parcel subdivision, a minimum lot size of one acre (net) is applicable.

(Ordinance No. 215)

Table 86-1 – LESA Scores

SA SCORE	LESA SCORE	MINIMUM LOT AREA
0-172	0-266	one acre (net)

B. Table of Bulk Requirements. The minimum bulk requirements listed in Table 86-2 apply to all development within the A-1 Agricultural District.

(Ordinance No. 184)

Table 86-2 – Bulk Requirements – A-1 District

Permitted Uses	Minimum Lot Area (Net)	Front Setback (Min.)	Side Setback (Min.)	Side Setback Corner Lot (Min.)	Flag Yard Setback (Min.)	Rear Setback (Min.)	Lot Width (Min.)	Structure Area Width (Min.)	Maximum Structure Height
Single- Family Dwelling	35 acres	50 feet	10 feet	37½ feet	20 feet	40 feet	100 feet	<u>400 square</u> 20	40 feet

								feet	
Single- Family Dwelling – LESA Exception <u>3.5-acre exception met</u>	1 acre	50 feet	10 feet	37½ feet	20 feet	40 feet	100 feet	<u>400 square feet</u> 20 feet	40 feet
Farmstead Severed from Farm	1 acre	50 feet	10 feet	37½ feet	20 feet	40 feet	100 feet	20 feet	40 feet
Other Permitted Uses	No minimum **	50 feet	50 feet	50 feet	50 feet	50 feet	100 feet	No minimum	40 feet
Accessory Structures	No minimum	50 feet	10 feet	37½ feet	20 feet	2 feet*	No minimum	No minimum	40 feet
* 5 feet from alley lines ** may be specified through a conditional use permit									

~~6. Off Street Parking and Loading. Space for off street parking and loading shall be provided in accordance with the provisions of Section 88.08, Parking and Circulation.~~

~~(Ordinance No. 184)~~

6. General Site Planning Standards. General site planning standards in accordance with Chapter 88, General Site Planning Standards, shall be met.

7. Permit Requirements. Permit requirements shall be in accordance with Section 92.11, Required Permits.

8. Required Conditions. No use shall be permitted to be established or maintained which by reason of its nature or manner of operation is or may become hazardous, obnoxious, or offensive owing to the emission of odor, dust, smoke, cinders, gas, fumes, noise, and vibrations, refuse matter or water-carried waste. All facilities required for the discharge, collection and treatment of liquid, solid or gaseous wastes shall be designed, constructed, and operated in accordance with all statutes and regulations of the State of Iowa and Story County. Conditions addressing such impacts shall be determined at the time of review of required permit and as administered by the Planning and Development Department, noted on the face of the permit. Such permit shall be filed in the

86.05 A-2 AGRIBUSINESS DISTRICT.

1. Statement of Intent. The A-2 District is intended and designed to provide for those activities strongly interrelated with agricultural uses and must therefore be located in agricultural areas. It may be necessary to locate such uses on land scoring 267-300 points based on the Land Evaluation and Site Assessment (LESA) System, although this shall be avoided where possible. It is also intended that, to the degree possible, all A-2 Districts shall be entirely surrounded by the A-1 District.

(Ordinance No. 184)

2. Principal Permitted Uses. Only the use of structures and/or land listed in this section shall be permitted in the A-2 Agribusiness District.

(Ordinance No. 184) (Ordinance No. 192)

A. Agriculture – crop and/or livestock production.

(Ordinance No. 184)

B. Farmstead.

C. Cemeteries, including mausoleums.

D. Public or private stables and riding academies and clubs.

E. Parks and forest preserves.

F. Animal hospitals, and veterinary clinics, provided however, that such uses not be permitted on parcels where the LESA score is 267-300.

G. Anhydrous ammonia storage and/or pumping facilities.

H. Fertilizer and agricultural chemical and seed sales.

I. Grain elevators.

J. Livestock feed and grain sales providing dust is effectively controlled.

K. Seed research facility including lab facilities, storage and refrigeration.

L. Liquid propane storage tanks (2,000 gallons or greater) with intent to distribute.

M. Storage, retail or wholesale marketing, or processing of agricultural products into a value-added agricultural product.

(Ordinance No. 155) (Ordinance No. 192)

~~3. Conditional Uses. See Chapter 90.~~

~~*(Ordinance No. 184)*~~

3. Permitted Accessory Uses. The following are permitted accessory uses in the A-2 Agribusiness District.

(Ordinance No. 184)

A. Accessory buildings.

B. Home business within a ~~dwelling residential structure~~ or in an accessory building.

C. Temporary buildings in the following circumstances:

(1) Asphalt plants (road work) and construction trailers for use incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.

a. Asphalt plants are subject to the following standards:

i. Shall meet bulk requirement for other permitted uses.

ii. Shall submit a truck routing plan for review and approval by County Engineer as necessary.

iii. Shall be required to restore the area to its original state at the end of the use, including removal of any gravel.

iv. Shall be limited in duration to the completion of road or other construction project. The plant shall be removed within 30 days of project end. In total, the plant shall not be located on a parcel for more than six (6) months. A three (3) month extension may be granted

v. Shall submit an air quality permit, NPDES permit, Emergency Spill Plan, and a list of equipment to be stored on site.

(2) Shipping containers, including on a permanent basis, meeting the following requirements:

a. Screening and safety:

i. Shipping containers shall be screened from view by a screening fence or landscaping.

ii. Shipping containers shall be anchored and placed on a hard-surfaced area.

iii. The color of the shipping container shall be a non-reflective, unobtrusive color that blends in with the surrounding environment. Further, the shipping containers shall not include branding.

b. Location. Shipping containers shall be located behind the principal building.

c. Setbacks and Height. Shipping containers shall comply with the setback and height requirements for accessory structures in their applicable zoning district. Shipping containers shall not be stacked unless plans are stamped

by a Principal Engineer.

~~Temporary buildings for use incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.~~

D. Non-commercial WECS, subject to the following standards:

(1) Tower Height. ~~For property sizes between one half acre and one acre, the tower height shall be limited to 80 feet. For property sizes of one acre or more, there is no limitation on tower height, except as imposed by FAA regulations.~~

- a. For property sizes under ~~between one half acre and~~ one acre, the tower height shall be limited to 80 feet unless it is necessary to increase the height of the tower to the minimum height necessary so that the bottom of the turbine rotor will clear a wind obstacle within a 500-foot radius by 30 feet.
- b. For property sizes of one acre or more, there is no limitation on tower height, except as imposed by FAA regulations.

(Ordinance No. 184)

(2) Setback. The base of the small wind energy tower shall be set back from all property lines, public rights-of-way, and above ground public utility lines at a distance no less than 115 percent of the total height of the tower. ~~Towers shall be allowed closer to a property line if the following condition is met.~~

a. The base of a tower shall be allowed closer to a property line if the applicant and abutting property owners grant permission, via recorded easement when required setbacks cross property lines, which restrict new development within the easements. At no time shall a tower be placed closer to a property line if existing structures on adjacent affected properties are within 100 percent of the total height of the tower.

~~a. It is necessary to increase the height of the tower so that the bottom of the turbine rotor will clear a wind obstacle within a 500-foot radius by 30 feet.~~

~~b. The applicant and abutting property owners grant permission, via recorded easement when required setbacks cross property lines, which restrict new development within the easements.~~

~~e. At no time shall a tower be placed within 100 percent of the total height of the tower of existing adjacent properties' structures.~~

(3) Noise. Non-commercial WECS shall not exceed 60 dBA, as measured at the closest neighboring dwelling. The level, however, may be exceeded during short-term events such as utility outages and/or severe wind storms.

(Ordinance No. 184)

(4) Engineer Certification. A non-commercial WECS, or a small wind energy system

mounted on a structure other than a free-standing tower, shall not be erected unless the plans and specifications for the system have received the stamped approval of an Iowa registered engineer. For non-commercial WECS less than 20 kW mounted on a free-standing tower, a manufacturer may submit its standard plans and specifications, including its soils study and foundation plans for such a system, for a one-time review and stamped approval by an Iowa registered engineer as suitable for construction in any soil condition that exists in the State of Iowa. If such one-time stamped approval is obtained, that manufacturer may thereafter construct such small wind energy systems, utilizing the approved soils study and foundation plans, without obtaining and presenting the stamped approval of an Iowa registered engineer for each such installation.

(5) Compliance with FAA Regulations. Non-commercial WECS must comply with applicable FAA regulations, including any necessary approvals for installations in the Airport Protection Area as shown on the *Ames Urban Fringe Plan*.

(6) Compliance with *National Electric Code*. Applications for non-commercial WECS shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the *National Electrical Code*. This information is frequently supplied by the manufacturer.

(7) Utility Notification. No non-commercial WECS shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator, under an agreement approved by and subject to the regulations adopted by the Iowa Utilities Board. Off-grid systems shall be exempt from this requirement.

(Ordinance No. 152)

(8) Insurance. A certificate of insurance shall be provided, showing general liability insurance coverage for the installation and operation of the system under a standard homeowner's or standard business owner's insurance policy, separate and distinct from any insurance requirements of a public utility.

(9) Screening and Safety.

a. On-site vegetation shall be preserved to the maximum extent practical.

b. Any climbing foot pegs or rungs below 12 feet of a freestanding tower shall be removed to prevent unauthorized climbing.

c. For lattice or guyed towers, sheets of metal or wood may be fastened to the bottom tower section such that it cannot readily be climbed.

d. The color of the turbine shall either be stock color from the manufacturer or painted with a non-reflective, unobtrusive color that blends in with the surrounding environment.

(10) Signage. No signs, other than appropriate warning signs, or standard manufacturer's or

installer's identification signage, shall be displayed on a wind generator, tower, building, or other structure associated with a small wind energy system, subject to Section 89.02 of this Code of Ordinances, as applicable.

(11) Lighting. No illumination of the turbine or tower shall be allowed unless required by the FAA.

(Ordinance No. 219)

E. Non-commercial SES, subject to the following standards:

(1) Height. Building or roof-mounted non-commercial solar energy systems, whether mounted on the principal building or accessory building, may not exceed the maximum principal use height or accessory use height specified for the use type in the underlying zoning district. In no instance shall any part of the solar energy system extend beyond the edge of the roof. A ground-mounted system shall not exceed the maximum building height for accessory uses.

(2) Setback. In no instance shall any part of the solar energy system extend beyond the required setbacks for accessory uses listed in Table 86-3.

(3) Solar Panels. Solar panels shall be placed such that concentrated solar radiation or glare is not directed onto nearby properties or roadways.

(4) Compliance with FAA Regulations. Non-commercial SES must comply with applicable FAA regulations, including any necessary approvals for installations in the Airport Protection Area as shown on the *Ames Urban Fringe Plan*.

(5) Compliance with *National Electric Code*. Applications for non-commercial SES shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the *National Electrical Code*. This information is frequently supplied by the manufacturer.

(6) Utility Notification. A non-commercial SES shall not be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

(Ordinance No. 219)

F. Antenna co-location on communication towers/facilities constructed prior to April 20, 2001, subject to the zoning permit process outlined in Section 92.10, Required Permits.

(Ordinance No. 152) (Ordinance No. 192)

~~F. G. Caretaker residence associated with a public or private stable. Single-family dwelling or a maximum of 50 percent of the gross floor area of a commercial structure may be used for residential purposes.~~

(Ordinance No. 155)

G. ~~H.~~ Non-commercial towers, subject to the following standards:

(1) Tower Height. For property sizes under ~~between one-half acre and~~ one acre, the tower height shall be limited to 80 feet. For property sizes of one acre or more, there is no limitation on tower height, except as imposed by FAA regulations.

(2) Setback. The base of the tower shall be set back from all property lines, public rights-of-way, and above ground public utility lines at a distance no less than 115 percent of the total height of the tower. ~~Towers shall be allowed closer to a property line if the following condition is met:~~

- a. Towers shall be allowed closer to a property line if the applicant and abutting property owners grant permission, via recorded easement when required setbacks cross property lines, which restrict new development within the easements. At no time shall a tower be placed closer to a property line if existing structures on adjacent affected properties are within 100 percent of the total height of the tower.

(3) Engineer Certification. A tower shall not be erected unless the plans and specifications for the system have received the stamped approval of an Iowa registered engineer. However, a manufacturer may submit its standard plans and specifications, including its soils study and foundation plans for such a tower, for a one-time review and stamped approval by an Iowa registered engineer as suitable for construction in any soil condition that exists in the State of Iowa. If such one-time stamped approval is obtained, that manufacturer may thereafter construct such tower, utilizing the approved soils study and foundation plans, without obtaining and presenting the stamped approval of an Iowa registered engineer for each such installation.

(4) Compliance with FAA Regulations. Non-commercial towers must comply with applicable FAA regulations, including any necessary approvals for installations in the Airport Protection Area as shown on the Ames Urban Fringe Plan.

(5) Insurance. A certificate of insurance shall be provided, showing general liability insurance coverage for the installation, and operation of the tower under a standard homeowner's or standard business owner's insurance policy.

(6) Screening and Safety.

- a. On-site vegetation shall be preserved to the maximum extent practical.
- b. Any climbing foot pegs or rungs below 12 feet of a freestanding tower shall be removed to prevent unauthorized climbing.
- c. For lattice or guyed towers, sheets of metal or wood may be fastened to the bottom tower section such that it cannot readily be climbed.
- d. The color of the tower shall either be stock color from the manufacturer or painted with a non-reflective, unobtrusive color that blends in with the surrounding environment.

(7) Signage. No signs, other than appropriate warning signs, or standard manufacturer's or installer's identification signage, shall be displayed on a tower, building, or other structure associated with a tower, subject to Section 89.02 of this Code of Ordinances, as applicable.

(8) Lighting. No illumination of the tower shall be allowed unless required by the FAA.

H. Child care home.

4. Conditional Uses. See Chapter 90.

5. Bulk Requirements. The bulk requirements listed in Table 86-3 shall apply to all development within the A-2 Agribusiness District.

(Ordinance No. 184)

Table 86-3 – Bulk Requirements – A-2 District

Permitted Uses	Minimum Lot Area (Net)	Front Setback (Min.)	Side Setback (Min.)	Side Setback Corner Lot (Min.)	Flag Yard Setback (Min.)	Rear Setback (Min.)	Lot Width (Min.)	Structure Area <u>Width</u> (Min.)	Maximum Structure Height
Farmstead <u>or Single-Family Dwelling permitted as accessory use Severed from Farm</u>	1 acre	50 feet	10 feet	37½ feet	20 feet	40 feet	100 feet	<u>400 square feet</u> 20 feet	40 feet
Other Permitted Uses	No minimum **	50 feet	50 feet	50 feet	50 feet	50 feet	100 feet	No minimum	NA
Accessory Structures	No minimum	50 feet	10 feet	37½ feet	20 feet	2 feet*	No minimum	No minimum	NA
* 5 feet from alley lines ** may be specified through a conditional use permit									

6. General Site Planning Standards. General site planning standards in accordance with Chapter 88, General Site Planning Standards, shall be met. ~~Off Street Parking and Loading. Space for off street parking and loading shall be provided in accordance with the provisions of Section 88.08, Parking and Circulation.~~

7. Permit Requirements. ~~Site plan~~ Permit requirements shall be in accordance with Section

92.11 ~~92.10~~, Required Permits.

8. Required Conditions. No use shall be permitted to be established or maintained which by reason of its nature or manner of operation is or may become hazardous, obnoxious, or offensive owing to the emission of odor, dust, smoke, cinders, gas, fumes, noise, and vibrations, refuse matter or water-carried waste. All facilities required for the discharge, collection and treatment of liquid, solid or gaseous wastes shall be designed, constructed, and operated in accordance with all statutes and regulations of the State of Iowa and Story County. Conditions addressing such impacts shall be determined at the time of review of required permit and as administered by the Planning and Development Department, noted on the face of the permit. Such permit shall be filed in the office of the Story County Planning and Development Department.

(Ordinance No. 155) (Ordinance No. 184)

86.06 A-R AGRICULTURAL RESIDENTIAL DISTRICT.

1. Statement of Intent. The A-R Agricultural Residential District is designed to provide for single-family detached dwellings with limited activities interrelated with agricultural uses at a rural density. Community facilities and open-space uses that serve the residents may also be included in the layout of subdivisions within this district with special provisions to protect the rural residential character of the District. This District is not intended to permit isolated rural dwellings incompatible with surrounding land uses and not in conformance with the Cornerstone to Capstone (C2C) Comprehensive Plan.

(Ordinance No. 184) (Ordinance No. 250)

2. Principal Permitted Uses. Only the use of structures and/or land listed in this section shall be permitted in the A-R Agricultural Residential District.

(Ordinance No. 184)

- A. Single-family dwellings.
- B. Parks.
- C. Cemeteries adjacent to or an extension of existing cemeteries.
- D. Stables, private and public and riding academies and clubs.
- E. Family home.

3. Permitted Accessory Uses. The following are permitted accessory uses in the A-R Agricultural Residential District:

(Ordinance No. 184)

- A. Accessory buildings.
- B. Home business within a dwelling residential structure or in an accessory building structure.
- C. Temporary buildings in the following circumstances:

(1) Construction trailers for use incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.

~~Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.~~

D. Temporary use of a dwelling structure within a new subdivision as a job office and real estate office for the subject subdivision, which shall terminate upon completion or abandonment of the project.

E. Non-commercial WECS, subject to the following standards:

(1) Tower Height. ~~For property sizes between one half acre and one acre, the tower height shall be limited to 80 feet. For property sizes of one acre or more, there is no limitation on tower height, except as imposed by FAA regulations.~~

a. For property sizes under between one half acre and one acre, the tower height shall be limited to 80 feet unless it is necessary to increase the height of the tower to the minimum height necessary so that the bottom of the turbine rotor will clear a wind obstacle within a 500-foot radius by 30 feet.

b. For property sizes of one acre or more, there is no limitation on tower height, except as imposed by FAA regulations.

(Ordinance No. 184)

(2) Setback. The base of the small wind energy tower shall be set back from all property lines, public rights-of-way, and above ground public utility lines at a distance no less than 115 percent of the total height of the tower. ~~Towers shall be allowed closer to a property line if the following condition is met:~~

a. The base of a tower shall be allowed closer to a property line if the applicant and abutting property owners grant permission, via recorded easement when required setbacks cross property lines, which restrict new development within the easements. At no time shall a tower be placed closer to a property line if existing structures on adjacent affected properties are within 100 percent of the total height of the tower.

~~a. It is necessary to increase the height of the tower so that the bottom of the turbine rotor will clear a wind obstacle within a 500-foot radius by 30 feet.~~

~~b. The applicant and abutting property owners grant permission, via recorded easement when required setbacks cross property lines, which restrict new development within the easements.~~

~~e. At no time shall a tower be placed within 100 percent of the total height of the tower of existing adjacent properties' structures.~~

(3) Noise. Non-commercial WECS shall not exceed 60 dBA, as measured at the closest neighboring dwelling. The level, however, may be exceeded during short-term events such as

utility outages and/or severe wind storms.

(Ordinance No. 184)

(4) **Engineer Certification.** A non-commercial WECS, or a small wind energy system mounted on a structure other than a free-standing tower, shall not be erected unless the plans and specifications for the system have received the stamped approval of an Iowa registered engineer. For non-commercial WECS less than 20 kW mounted on a free-standing tower, a manufacturer may submit its standard plans and specifications, including its soils study and foundation plans for such a system, for a one-time review and stamped approval by an Iowa registered engineer as suitable for construction in any soil condition that exists in the State of Iowa. If such one-time stamped approval is obtained, that manufacturer may thereafter construct such small wind energy systems, utilizing the approved soils study and foundation plans, without obtaining and presenting the stamped approval of an Iowa registered engineer for each such installation.

(5) **Compliance with FAA Regulations.** Non-commercial WECS must comply with applicable FAA regulations, including any necessary approvals for installations in the Airport Protection Area as shown on the *Ames Urban Fringe Plan*.

(6) **Compliance with *National Electric Code*.** Applications for non-commercial WECS shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the *National Electrical Code*. This information is frequently supplied by the manufacturer.

(7) **Utility Notification.** No Non-commercial WECS shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator, under an agreement approved by and subject to the regulations adopted by the Iowa Utilities Board. Off-grid systems shall be exempt from this requirement.

(Ordinance No. 152)

(8) **Insurance.** A certificate of insurance shall be provided, showing general liability insurance coverage for the installation and operation of the system under a standard homeowner's or standard business owner's insurance policy, separate and distinct from any insurance requirements of a public utility.

(9) **Screening and Safety.**

- a. On-site vegetation shall be preserved to the maximum extent practical.
- b. Any climbing foot pegs or rungs below 12 feet of a freestanding tower shall be removed to prevent unauthorized climbing.
- c. For lattice or guyed towers, sheets of metal or wood may be fastened to the bottom

tower section such that it cannot readily be climbed.

d. The color of the turbine shall either be stock color from the manufacturer or painted with a non-reflective, unobtrusive color that blends in with the surrounding environment.

(10) Signage. No signs, other than appropriate warning signs, or standard manufacturer's or installer's identification signage, shall be displayed on a wind generator, tower, building, or other structure associated with a small wind energy system, subject to Section 89.02 of this Code of Ordinances, as applicable.

(11) Lighting. No illumination of the turbine or tower shall be allowed unless required by the FAA.

(Ordinance No. 219)

F. Non-commercial SES, subject to the following standards:

(1) Height. Building or roof-mounted non-commercial solar energy systems, whether mounted on the principal building or accessory building, may not exceed the maximum principal use height or accessory use height specified for the use type in the underlying zoning district. In no instance shall any part of the solar energy system extend beyond the edge of the roof. A ground-mounted system shall not exceed the maximum building height for accessory uses.

(2) Setback. In no instance shall any part of the solar energy system extend beyond the required setbacks for accessory uses listed in Table 86-4.

(3) Solar Panels. Solar panels shall be placed such that concentrated solar radiation or glare is not directed onto nearby properties or roadways.

(4) Compliance with FAA Regulations. Non-commercial SES must comply with applicable FAA regulations, including any necessary approvals for installations in the Airport Protection Area as shown on the *Ames Urban Fringe Plan*.

(5) Compliance with *National Electric Code*. Applications for non-commercial SES shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the *National Electrical Code*. This information is frequently supplied by the manufacturer.

(6) Utility Notification. A non-commercial SES shall not be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

(Ordinance No. 219)

G. Antenna co-location on communication towers/facilities constructed prior to April 20, 2001, subject to the zoning permit process outlined in Section 92.10, Required Permits.

(Ordinance No. 152) (Ordinance No. 164)

G. ~~H.~~ Non-commercial towers, subject to the following standards:

(1) Tower Height. For property sizes under ~~between one half acre and~~ one acre, the tower height shall be limited to 80 feet. For property sizes of one acre or more, there is no limitation on tower height, except as imposed by FAA regulations.

(2) Setback. The base of the tower shall be set back from all property lines, public rights-of-way, and above ground public utility lines at a distance no less than 115 percent of the total height of the tower. ~~Towers shall be allowed closer to a property line if the following condition is met.~~

- a. Towers shall be allowed closer to a property line if the applicant and abutting property owners grant permission, via recorded easement when required setbacks cross property lines, which restrict new development within the easements. At no time shall a tower be placed closer to a property line if existing structures on adjacent affected properties are within 100 percent of the total height of the tower.

(3) Engineer Certification. A tower shall not be erected unless the plans and specifications for the system have received the stamped approval of an Iowa registered engineer. However, a manufacturer may submit its standard plans and specifications, including its soils study and foundation plans for such a tower, for a one-time review and stamped approval by an Iowa registered engineer as suitable for construction in any soil condition that exists in the State of Iowa. If such one-time, stamped approval is obtained, that manufacturer may thereafter construct such tower, utilizing the approved soils study and foundation plans, without obtaining and presenting the stamped approval of an Iowa registered engineer for each such installation.

(4) Compliance with FAA Regulations. Non-commercial towers must comply with applicable FAA regulations, including any necessary approvals for installations in the Airport Protection Area as shown on the Ames Urban Fringe Plan.

(5) Insurance. A certificate of insurance shall be provided, showing general liability insurance coverage for the installation and operation of the tower under a standard homeowner's or standard business owner's insurance policy.

(6) Screening and Safety.

- a. On-site vegetation shall be preserved to the maximum extent practical.
- b. Any climbing foot pegs or rungs below 12 feet of a freestanding tower shall be removed to prevent unauthorized climbing.
- c. For lattice or guyed towers, sheets of metal or wood may be fastened to the bottom tower section such that it cannot readily be climbed.
- d. The color of the tower shall either be stock color from the manufacturer or painted with a non-reflective, unobtrusive color that blends in with the surrounding environment.

(7) Signage. No signs, other than appropriate warning signs, or standard manufacturer's or installer's identification signage, shall be displayed on a tower, building, or other structure

associated with a tower, subject to Section 89.02 of this Code of Ordinances, as applicable.

(8) Lighting. No illumination of the tower shall be allowed unless required by the FAA.

H. Child care home.

4. Conditional Uses. See Chapter 90.

(Ordinance No. 184)

5. Bulk Requirements. The bulk requirements listed in Table 86-4 shall apply to all development within the A-R Agricultural Residential District.

(Ordinance No. 184)

Table 86-4 – Bulk Requirements – A-R District

Permitted Uses	Minimum Lot Area (Net)	Front Setback (Min.)	Side Setback (Min.)	Side Setback Corner Lot (Min.)	Flag Yard Setback (Min.)	Rear Setback (Min.)	Lot Width (Min.)	Structure Area Width (Min.)	Maximum Structure Height
Single-Family Dwelling	1 acre	50 feet	10 feet	37½ feet	20 feet	40 feet	100 feet	400 20 square feet	40 feet
Other Permitted Uses	No minimum* *	50 feet	50 feet	50 feet	50 feet	50 feet	100 feet	No minimum	40 feet
Accessory Structures	No minimum	50 feet	10 feet	37½ feet	20 feet	2 feet*	100 feet	No minimum	25 feet
* 5 feet from alley lines ** may be specified through a conditional use permit									

~~6. Off Street Parking and Loading. Space for off street parking and loading shall be provided in accordance with the provisions of Section 88.08, Parking and Circulation.~~

6. General Site Planning Standards. General site planning standards in accordance with Chapter 88, General Site Planning Standards, shall be met.

7. Permit Requirements. Permit requirements shall be in accordance with Section 92.11, Required Permits.

8. Required Conditions. No use shall be permitted to be established or maintained which by reason of its nature or manner of operation is or may become hazardous, obnoxious, or offensive owing to the emission of odor, dust, smoke, cinders, gas, fumes, noise, and vibrations, refuse matter or water-carried waste. All facilities required for the discharge, collection and treatment of liquid, solid or gaseous wastes shall be designed, constructed, and operated in accordance with all statutes and regulations of the State of Iowa and Story County. Conditions addressing such impacts shall be determined at the time of review of required permit and as administered by the Planning and Development Department, noted on the face of the permit. Such permit shall be filed in the office of the Story County Planning and Development Department.

86.07 R-1 TRANSITIONAL RESIDENTIAL DISTRICT.

1. Statement of Intent. The R-1 Transitional Residential District is designed to provide a district for single-family detached dwellings between a rural and urban density. Subdivisions created within the R-1 district may also include community facilities and open space uses, with special provisions to protect the residential character of the District. This District is not intended to permit isolated rural dwellings incompatible with surrounding land uses and not in conformance with the Cornerstone to Capstone (C2C) Comprehensive Plan. The R-1 Transitional Residential District shall be located in the Urban Expansion Area or Rural Villages as shown on the C2C Plan, as well as the Urban Service Area and Rural/Urban Transitional Area as shown on the Ames Urban Fringe Plan.

(Ordinance No. 184) (Ordinance No. 250)

2. Principal Permitted Uses. Only the use of structures and/or land listed in this section shall be permitted in the R-1 Transitional Residential District.

(Ordinance No. 184)

- A. Single-family dwellings.
- B. Parks.
- C. Cemeteries adjacent to or as an extension of existing cemeteries.
- D. Family home.

3. Permitted Accessory Uses. The following are permitted accessory uses in the R-1 Transitional Residential District:

(Ordinance No. 184)

- A. Accessory buildings.
- B. Home business in a dwelling.

(Ordinance No. 184)

C. Temporary buildings in the following circumstances:

(1) Construction trailers for use incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work. ~~Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.~~

D. Temporary use of a dwelling within a new subdivision as a job office and real estate office for the subject subdivision, which shall terminate upon completion or abandonment of the project.

(Ordinance No. 184)

E. Non-commercial WECS, subject to the following standards:

(1) Tower Height. ~~For property sizes between one half acre and one acre, the tower height shall be limited to 80 feet. For property sizes of one acre or more, there is no limitation on tower height, except as imposed by FAA regulations.~~

- a. For property sizes under ~~between one half acre and~~ one acre, the tower height shall be limited to 80 feet unless it is necessary to increase the height of the tower to the minimum height necessary so that the bottom of the turbine rotor will clear a wind obstacle within a 500-foot radius by 30 feet.
- b. For property sizes of one acre or more, there is no limitation on tower height, except as imposed by FAA regulations.

(Ordinance No. 184)

(2) Setback. The base of the small wind energy tower shall be set back from all property lines, public rights-of-way, and above ground public utility lines at a distance no less than 115 percent of the total height of the tower. ~~Towers shall be allowed closer to a property line if the following condition is met.~~

- a. The base of a tower shall be allowed closer to a property line if the applicant and abutting property owners grant permission, via recorded easement when required setbacks cross property lines, which restrict new development within the easements. At no time shall a tower be placed closer to a property line if existing structures on adjacent affected properties are within 100 percent of the total height of the tower.
- ~~a. It is necessary to increase the height of the tower so that the bottom of the turbine rotor will clear a wind obstacle within a 500 foot radius by 30 feet.~~
- ~~b. The applicant and abutting property owners grant permission, via recorded easement when required setbacks cross property lines, which restrict new development within the easements.~~
- e. At no time shall a tower be placed within 100 percent of the total height of the tower of

~~existing adjacent properties' structures.~~

(3) Noise. Non-commercial WECS shall not exceed 60 dBA, as measured at the closest neighboring dwelling. The level, however, may be exceeded during short-term events such as utility outages and/or severe wind storms.

(Ordinance No. 184)

(4) Engineer Certification. A non-commercial WECS, or a small wind energy system mounted on a structure other than a free-standing tower, shall not be erected unless the plans and specifications for the system have received the stamped approval of an Iowa registered engineer. For non-commercial WECS less than 20 kW mounted on a free-standing tower, a manufacturer may submit its standard plans and specifications, including its soils study and foundation plans for such a system, for a one-time review and stamped approval by an Iowa registered engineer as suitable for construction in any soil condition that exists in the State of Iowa. If such one-time stamped approval is obtained, that manufacturer may thereafter construct such small wind energy systems, utilizing the approved soils study and foundation plans, without obtaining and presenting the stamped approval of an Iowa registered engineer for each such installation.

(5) Compliance with FAA Regulations. Non-commercial WECS must comply with applicable FAA regulations, including any necessary approvals for installations in the Airport Protection Area as shown on the *Ames Urban Fringe Plan*.

(6) Compliance with *National Electric Code*. Applications for non-commercial WECS shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the *National Electrical Code*. This information is frequently supplied by the manufacturer.

(7) Utility Notification. No non-commercial WECS shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator, under an agreement approved by and subject to the regulations adopted by the Iowa Utilities Board. Off-grid systems shall be exempt from this requirement.

(8) Insurance. A certificate of insurance shall be provided, showing general liability insurance coverage for the installation and operation of the system under a standard homeowner's or standard business owner's insurance policy, separate and distinct from any insurance requirements of a public utility.

(9) Screening and Safety.

a. On-site vegetation shall be preserved to the maximum extent practical.

b. Any climbing foot pegs or rungs below 12 feet of a freestanding tower shall be removed to prevent unauthorized climbing.

c. For lattice or guyed towers, sheets of metal or wood may be fastened to the bottom tower section such that it cannot readily be climbed.

d. The color of the turbine shall either be stock color from the manufacturer or painted with a non-reflective, unobtrusive color that blends in with the surrounding environment.

(10) Signage. No signs, other than appropriate warning signs, or standard manufacturer's or installer's identification signage, shall be displayed on a wind generator, tower, building, or other structure associated with a small wind energy system, subject to Section 89.02 of this Code of Ordinances, as applicable.

(11) Lighting. No illumination of the turbine or tower shall be allowed unless required by the FAA.

(Ordinance No. 219)

F. Non-commercial SES, subject to the following standards:

(1) Height. Building or roof-mounted non-commercial solar energy systems, whether mounted on the principal building or accessory building, may not exceed the maximum principal use height or accessory use height specified for the use type in the underlying zoning district. In no instance shall any part of the solar energy system extend beyond the edge of the roof. A ground-mounted system shall not exceed the maximum building height for accessory uses.

(2) Setback. In no instance shall any part of the solar energy system extend beyond the required setbacks for accessory uses listed in Table 86-5.

(3) Solar Panels. Solar panels shall be placed such that concentrated solar radiation or glare is not directed onto nearby properties or roadways.

(4) Compliance with FAA Regulations. Non-commercial SES must comply with applicable FAA regulations, including any necessary approvals for installations in the Airport Protection Area as shown on the *Ames Urban Fringe Plan*.

(5) Compliance with *National Electric Code*. Applications for non-commercial SES shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the *National Electrical Code*. This information is frequently supplied by the manufacturer.

(6) Utility Notification. A non-commercial SES shall not be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

(Ordinance No. 219)

G. Non-commercial towers, subject to the following standards:

(1) Tower Height. For property sizes under ~~between one-half acre and~~ one acre, the tower

height shall be limited to 80 feet. For property sizes of one acre or more, there is no limitation on tower height, except as imposed by FAA regulations.

(2) Setback. The base of the tower shall be set back from all property lines, public rights-of-way, and above ground public utility lines at a distance no less than 115 percent of the total height of the tower. ~~Towers shall be allowed closer to a property line if the following condition is met.~~

- a. Towers shall be allowed closer to a property line if the applicant and abutting property owners grant permission, via recorded easement when required setbacks cross property lines, which restrict new development within the easements. At no time shall a tower be placed closer to a property line if existing structures on adjacent affected properties are within 100 percent of the total height of the tower.

(3) Engineer Certification. A tower shall not be erected unless the plans and specifications for the system have received the stamped approval of an Iowa registered engineer. However, a manufacturer may submit its standard plans and specifications, including its soils study and foundation plans for such a tower, for a one-time review and stamped approval by an Iowa registered engineer as suitable for construction in any soil condition that exists in the State of Iowa. If such one-time stamped approval is obtained, that manufacturer may thereafter construct such tower, utilizing the approved soils study and foundation plans, without obtaining and presenting the stamped approval of an Iowa registered engineer for each such installation.

(4) Compliance with FAA Regulations. Non-commercial towers must comply with applicable FAA regulations, including any necessary approvals for installations in the Airport Protection Area as shown on the *Ames Urban Fringe Plan*.

(5) Insurance. A certificate of insurance shall be provided, showing general liability insurance coverage for the installation and operation of the tower under a standard homeowner's or standard business owner's insurance policy.

(6) Screening and Safety.

- a. On-site vegetation shall be preserved to the maximum extent practical.
- b. Any climbing foot pegs or rungs below 12 feet of a freestanding tower shall be removed to prevent unauthorized climbing.
- c. For lattice or guyed towers, sheets of metal or wood may be fastened to the bottom tower section such that it cannot readily be climbed.
- d. The color of the tower shall either be stock color from the manufacturer or painted with a non-reflective, unobtrusive color that blends in with the surrounding environment.

(7) Signage. No signs, other than appropriate warning signs or standard manufacturer's or installer's identification signage, shall be displayed on a tower, building, or other structure associated with a tower, subject to Section 89.02 of this Code of Ordinances, as applicable.

(8) Lighting. No illumination of the tower shall be allowed unless rewired by the FAA.

H. Child care home.

4. Conditional Uses. See Chapter 90.

(Ordinance No. 184)

5. Bulk Requirements. The bulk requirements listed in Table 86-5 shall apply to all development within the R-1 Transitional Residential District.

(Ordinance No. 184)

Table 86-5 – Bulk Requirements – R-1 District

Permitted Uses	Minimum Lot Area (Net)	Front Setback (Min.)	Side Setback (Min.)	Side Setback Corner Lot (Min.)	Flag Yard Setback (Min.)	Rear Setback (Min.)	Lot Width (Min.)	Structure Width ^{Area} (Min.)	Maximum Structure Height
Single-Family Dwelling:									
Private Systems	25,000 square feet	40 feet	10 feet	25 feet	20 feet	35 feet	90 feet	400 ²⁰ square feet	40 feet
Common Systems	10,000 square feet	30 feet	10 feet	25 feet	20 feet	35 feet	80 feet	400 ²⁰ square feet	40 feet
Other Permitted Uses:									
Private Systems	no minimum	40 feet	35 feet	25 feet	35 feet	35 feet	90 feet	no minimum	<u>40 feet</u>
Common Systems	no minimum	30 feet	35 feet	25 feet	35 feet	35 feet	80 feet	no minimum	<u>40 feet</u>
<u>Accessory Structures:</u>									
Accessory Structures	no minimum	same as required front	same as required side	25 feet	same as required flag	2 feet*	no minimum	no minimum	25 feet

* 5 feet from alley lines

~~6. Off Street Parking and Loading. Space for off street parking and loading shall be provided in accordance with the provisions of Section 88.08, Parking and Circulation.~~

6. General Site Planning Standards. General site planning standards in accordance with Chapter 88, General Site Planning Standards, shall be met.

7. Permit Requirements. Permit requirements shall be in accordance with Section 92.11, Required Permits.

8. Required Conditions. No use shall be permitted to be established or maintained which by reason of its nature or manner of operation is or may become hazardous, obnoxious, or offensive owing to the emission of odor, dust, smoke, cinders, gas, fumes, noise, and vibrations, refuse matter or water-carried waste. All facilities required for the discharge, collection and treatment of liquid, solid or gaseous wastes shall be designed, constructed, and operated in accordance with all statutes and regulations of the State of Iowa and Story County. Conditions addressing such impacts shall be determined at the time of review of the required permit and as administered by the Planning and Development Department, noted on the face of the permit. Such permit shall be filed in the office of the Story County Planning and Development Department.

86.08 R-2 URBAN RESIDENTIAL DISTRICT.

1. Statement of Intent. The R-2 Urban Residential District is designed to provide a district for single-family detached dwellings and two-family attached dwellings at an urban density where common water and wastewater treatment facilities are utilized. The R-2 Urban Residential District shall be located in the Urban Expansion Area or Rural Villages as shown on the C2C Plan, as well as the Urban Service Area and Rural/Urban Transitional Area as shown on the Ames Urban Fringe Plan.

2. Principal Permitted Uses. Only the use of structures and/or land listed in this section shall be permitted in the R-2 Urban Residential District.

(Ordinance No. 184)

- A. Single-family and two-family dwellings.
 - B. Parks.
 - C. Cemeteries adjacent to or as an extension of existing cemeteries.
 - D. Family homes.
3. Permitted Accessory Uses. The following are permitted accessory uses in the R-2 Urban

Residential District.

(Ordinance No. 184)

- A. Accessory buildings.
- B. Home business in a dwelling.

(Ordinance No. 184)

C. Temporary buildings in the following circumstances:

(1) Construction trailers for use incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.

D. Temporary use of a dwelling within a new subdivision as a job office and real estate office for the subject subdivision, which shall terminate upon completion or abandonment of the project.

(Ordinance No. 184)

E. Non-commercial WECS, subject to the following standards:

(1) Tower Height. ~~For property sizes between one half acre and one acre, the tower height shall be limited to 80 feet. For property sizes of one acre or more, there is no limitation on tower height, except as imposed by FAA regulations.~~

- a. For property sizes under ~~between one half acre and~~ one acre, the tower height shall be limited to 80 feet unless it is necessary to increase the height of the tower to the minimum height necessary so that the bottom of the turbine rotor will clear a wind obstacle within a 500-foot radius by 30 feet.
- b. For property sizes of one acre or more, there is no limitation on tower height, except as imposed by FAA regulations.

(Ordinance No. 184)

(2) Setback. The base of the small wind energy tower shall be set back from all property lines, public rights-of-way, and above ground public utility lines at a distance no less than 115 percent of the total height of the tower. ~~Towers shall be allowed closer to a property line if the following condition is met.~~

- a. The base of a tower shall be allowed closer to a property line if the applicant and abutting property owners grant permission, via recorded easement when required setbacks cross property lines, which restrict new development within the easements. At no time shall a tower be placed closer to a property line if existing structures on adjacent affected properties are within 100 percent of the total height of the tower.

~~a. It is necessary to increase the height of the tower so that the bottom of the turbine rotor will clear a wind obstacle within a 500-foot radius by 30 feet.~~

~~b. The applicant and abutting property owners grant permission, via recorded easement when required setbacks cross property lines, which restrict new development within the easements.~~

~~e. At no time shall a tower be placed within 100 percent of the total height of the tower of existing adjacent properties' structures.~~

(3) Noise. Non-commercial WECS shall not exceed 60 dBA, as measured at the closest neighboring dwelling. The level, however, may be exceeded during short-term events such as utility outages and/or severe wind storms.

(Ordinance No. 184)

(4) Engineer Certification. A non-commercial WECS, or a small wind energy system mounted on a structure other than a free-standing tower, shall not be erected unless the plans and specifications for the system have received the stamped approval of an Iowa registered engineer. For non-commercial WECS less than 20 kW mounted on a free-standing tower, a manufacturer may submit its standard plans and specifications, including its soils study and foundation plans for such a system, for a one-time review and stamped approval by an Iowa registered engineer as suitable for construction in any soil condition that exists in the State of Iowa. If such one-time stamped approval is obtained, that manufacturer may thereafter construct such small wind energy systems, utilizing the approved soils study and foundation plans, without obtaining and presenting the stamped approval of an Iowa registered engineer for each such installation.

(5) Compliance with FAA Regulations. Non-commercial WECS must comply with applicable FAA regulations, including any necessary approvals for installations in the Airport Protection Area as shown on the *Ames Urban Fringe Plan*.

(6) Compliance with *National Electric Code*. Applications for non-commercial WECS shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the *National Electrical Code*. This information is frequently supplied by the manufacturer.

(7) Utility Notification. No non-commercial WECS shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator, under an agreement approved by and subject to the regulations adopted by the Iowa Utilities Board. Off-grid systems shall be exempt from this requirement.

(8) Insurance. A certificate of insurance shall be provided, showing general liability insurance coverage for the installation and operation of the system under a standard homeowner's or standard business owner's insurance policy, separate and distinct from any insurance

requirements of a public utility.

(9) Screening and Safety.

a. On-site vegetation shall be preserved to the maximum extent practical.

b. Any climbing foot pegs or rungs below 12 feet of a freestanding tower shall be removed to prevent unauthorized climbing.

c. For lattice or guyed towers, sheets of metal or wood may be fastened to the bottom tower section such that it cannot readily be climbed.

d. The color of the turbine shall either be stock color from the manufacturer or painted with a non-reflective, unobtrusive color that blends in with the surrounding environment.

(10) Signage. No signs, other than appropriate warning signs, or standard manufacturer's or installer's identification signage, shall be displayed on a wind generator, tower, building, or other structure associated with a small wind energy system, subject to Section 89.02 of this Code of Ordinances, as applicable.

(11) Lighting. No illumination of the turbine or tower shall be allowed unless required by the FAA.

(Ordinance No. 219)

F. Non-commercial SES, subject to the following standards:

(1) Height. Building or roof-mounted non-commercial solar energy systems, whether mounted on the principal building or accessory building, may not exceed the maximum principal use height or accessory use height specified for the use type in the underlying zoning district. In no instance shall any part of the solar energy system extend beyond the edge of the roof. A ground-mounted system shall not exceed the maximum building height for accessory uses.

(2) Setback. In no instance shall any part of the solar energy system extend beyond the required setbacks for accessory uses listed in Table 86-6.

(3) Solar Panels. Solar panels shall be placed such that concentrated solar radiation or glare is not directed onto nearby properties or roadways.

(4) Compliance with FAA Regulations. Non-commercial SES must comply with applicable FAA regulations, including any necessary approvals for installations in the Airport Protection Area as shown on the *Ames Urban Fringe Plan*.

(5) Compliance with *National Electric Code*. Applications for non-commercial SES shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the *National Electrical Code*. This information is frequently supplied by the manufacturer.

(6) Utility Notification. A non-commercial SES shall not be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this

requirement.

(Ordinance No. 219)

G. Non-commercial towers, subject to the following standards:

(1) Tower Height. For property sizes ~~under between one half acre and~~ one acre, the tower height shall be limited to 80 feet. For property sizes of one acre or more, there is no limitation on tower height, except as imposed by FAA regulations.

(2) Setback. The base of the tower shall be set back from all property lines, public rights-of-way, and above ground public utility lines at a distance no less than 115 percent of the total height of the tower. ~~Towers shall be allowed closer to a property line if the following condition is met.~~

- a. Towers shall be allowed closer to a property line if the applicant and abutting property owners grant permission, via recorded easement when required setbacks cross property lines, which restrict new development within the easements. At no time shall a tower be placed closer to a property line if existing structures on adjacent affected are within 100 percent of the total height of the tower.

(3) Engineer Certification. A tower shall not be erected unless the plans and specifications for the system have received the stamped approval of an Iowa registered engineer. However, a manufacturer may submit its standard plans and specifications, including its soils study and foundation plans for such a tower, for a one-time review and stamped approval by an Iowa registered engineer as suitable for construction in any soil condition that exists in the State of Iowa. If such one-time stamped approval is obtained, that manufacturer may thereafter construct such tower, utilizing the approved soils study and foundation plans, without obtaining and presenting the stamped approval of an Iowa registered engineer for each such installation.

(4) Compliance with FAA Regulations. Non-commercial towers must comply with applicable FAA regulations, including any necessary approvals for installations in the Airport Protection Area as shown on the *Ames Urban Fringe Plan*.

(5) Insurance. A certificate of insurance shall be provided, showing general liability insurance coverage for the installation and operation of the tower under a standard homeowner's or standard business owner's insurance policy.

(6) Screening and Safety.

- a. On-site vegetation shall be preserved to the maximum extent practical.
- b. Any climbing foot pegs or rungs below 12 feet of a freestanding tower shall be removed to prevent unauthorized climbing.
- c. For lattice or guyed towers, sheets of metal or wood may be fastened to the bottom tower section such that it cannot readily be climbed.
- d. The color of the tower shall either be stock color from the manufacturer or painted with

a non-reflective, unobtrusive color that blends in with the surrounding environment.

(7) Signage. No signs, other than appropriate warning signs, or standard manufacturer's or installer's identification signage, shall be displayed on a tower, building, or other structure associated with a tower, subject to Section 89.02 of this Code of Ordinances, as applicable.

(8) Lighting. No illumination of the tower shall be allowed unless required by the FAA.

H. Child care home.

4. Conditional Uses. See Chapter 90.

(Ordinance No. 184)

5. Bulk Requirements. The bulk requirements listed in Table 86-6 shall apply to all development within the R-2 Urban Residential District.

(Ordinance No. 184)

Table 86-6 – Bulk Requirements – R-2 District

Permitted Uses	Minimum Lot Area (Net)	Front Setback (Min.)	Side Setback (Min.)	Side Setback Corner Lot (Min.)	Flag Yard Setback (Min.)	Rear Setback (Min.)	Lot Width (Min.)	Structure Area Width (Min.)	Maximum Structure Height
Single-Family Dwelling	8,000 square feet	30 feet	6 feet	25 feet	12 feet	35 feet	60 feet	400 20 square feet	40 feet
Two-Family Dwelling	103 10,000 square feet (per unit)	30 feet	6 feet	25 feet	12 feet	35 feet	80 feet	no minimum	40 feet
Other Permitted Uses	no minimum	30 feet	6 feet	25 feet	12 feet	35 feet	80 feet	no minimum	40 feet
Accessory Structures	no minimum	30 feet	same as required side	25 feet	same as required flag	2 feet*	no minimum	no minimum	15 feet

* 5 feet from alley lines

~~6. Off Street Parking and Loading. Space for off street parking and loading shall be provided in accordance with the provisions of Section 88.08, Parking and Circulation.~~

6. General Site Planning Standards. General site planning standards in accordance with Chapter 88, General Site Planning Standards, shall be met.

7. Permit Requirements. Permit requirements shall be in accordance with Section 92.11, Required Permits.

8. Required Conditions. No use shall be permitted to be established or maintained which by reason of its nature or manner of operation is or may become hazardous, obnoxious, or offensive owing to the emission of odor, dust, smoke, cinders, gas, fumes, noise, and vibrations, refuse matter or water-carried waste. All facilities required for the discharge, collection and treatment of liquid, solid or gaseous wastes shall be designed, constructed, and operated in accordance with all statutes and regulations of the State of Iowa and Story County. Conditions addressing such impacts shall be determined at the time of review of required permit and as administered by the Planning and Development Department, noted on the face of the permit. Such permit shall be filed in the office of the Story County Planning and Development Department

86.09 RMH RESIDENTIAL MANUFACTURED HOUSING DISTRICT.

1. Statement of Intent. The RMH District is intended and designed to provide for planned manufactured housing developments, including related recreational, commercial, and other service facilities. The RMH District standards are intended to encourage quality manufactured housing developments while promoting affordable housing and to integrate these developments into the surrounding area. Manufactured housing developments shall be in accordance with the provisions of this section, the regulations of the Story County Board of Health, and applicable State statutes. The RMH District is not intended to allow nonresidential uses such as manufactured housing sales and display areas except such uses that are required for the direct servicing and well-being of its residents and for the management and maintenance of the development. This shall in no way prohibit the sale by the owner of a manufactured home located on a stand and connected to the pertinent utilities.

2. Principal Permitted Uses. Only the use of structures or land listed in this section shall be permitted in the RMH Residential Manufactured Housing District.

(Ordinance No. 184)

A. Manufactured housing developments. For the purposes of this section, whenever the term “manufactured home” is used it includes “mobile home,” as defined in Chapter 85.

(Ordinance No. 184)

~~3. Conditional Uses. See Chapter 90.~~

3. Permitted Accessory Uses. The following are permitted accessory uses:

A. Subordinate buildings or structures that are in addition to or supplement the facilities provided by a manufactured home, such as awnings, cabanas, storage structures, garages, carports, and porches.

B. Common facility service buildings or community buildings intended exclusively for the use of the manufactured housing development's residents, including recreational vehicle and boat storage area, laundry facilities, sanitary facilities, recreational facilities, storm shelter facilities, or non-automotive commercial uses supplying essential goods or services.

C. Management buildings, maintenance buildings, one dwelling unit to be occupied by the owner or administrator of the development, and other uses similar in nature.

D. Home business in a dwelling residential structure.

E. Temporary buildings in the following circumstances:

(1) Construction trailers for use incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.

F. Child care homes.

4. Conditional Uses. See Chapter 90. Conditional uses shall meet applicable external separation standard requirements in Section 86 and yard requirements in Table 86-7, unless otherwise specified by the Board of Adjustment.

~~5. Area and Yard Requirements.~~

~~A. Minimum Area. The minimum area for a manufactured housing development shall be five acres.~~

~~B. Lot Area. Minimum requirements are:~~

~~(1) Single wide unit — 5,000 square feet.~~

~~(2) Double wide unit (exceeding 19 feet wide) — 6,000 square feet.~~

~~C. Front Yard.~~

~~(1) Each lot shall have a front yard setback of not less than 10 feet in depth measured from the front edge of the interior street to the closest point of the lower face of the manufactured home, excluding hitch or tongue.~~

~~(2) The minimum front setback for detached garages and accessory buildings shall be 24 feet measured from the front edge of the interior street.~~

~~D. Rear Yard.~~

~~(1) Each lot shall have a rear yard of not less than 10 feet in depth.~~

~~— (2) An accessory building may be placed in the rear yard provided it has a setback of not less than three feet in depth from the rear lot line.~~

~~— E. Separation Standards.~~

~~— (1) No part of any manufactured home or other structure shall be located within 30 feet of any public road right-of-way or within 15 feet of any exterior boundary of the development.~~

~~— (2) A minimum separation of 20 feet between homes shall be required.~~

~~— (3) A minimum separation of six feet between an accessory building and a home on an adjacent lot shall be required.~~

~~— F. Lot Coverage. The maximum lot area to be covered by all structures shall not exceed 50 percent.~~

~~— G. Maximum Height. No manufactured home or accessory building shall exceed 18 feet in height.~~

5. Area Requirements and External Separation Standards.

A. Minimum Area. The minimum area for a manufactured housing development shall be five acres.

B. Separation Standards.

(1) No part of any manufactured home or other structure shall be located within 30 feet of any public road right-of-way or within 15 feet of any exterior boundary of the development.

6. Bulk Requirements.

A. The maximum lot area to be covered by all structures shall not exceed 50 percent.

B. The bulk requirements listed in Table 86-7 shall apply to all development within the Residential Manufactured Housing District.

Table 86-7– Lot Area and Yard Requirements– RMH District

<u>Use</u>	<u>Minimum Lot Area (Net)</u>	<u>Front Setback (Min.) For manufactured homes and their accessory structures, measured from the front edge of the interior street to the closest point of the lower face of the manufactured home, excluding hitch or tongue.</u>	<u>Separation From Homes (Min.)</u>	<u>Rear Setback (Min.)</u>	<u>Maximum Structure Height</u>

<u>Single wide unit</u>	<u>5,000 square feet</u>	<u>10 feet</u>	<u>20 feet</u>	<u>10 feet</u>	<u>18 feet</u>
<u>Double wide unit (exceeding 20 feet wide)</u>	<u>6,000 square feet</u>	<u>10 feet</u>	<u>20 feet</u>	<u>10 feet</u>	<u>18 feet</u>
<u>Accessory Structures</u>	<u>no minimum</u>	<u>24 feet</u>	<u>6 feet</u>	<u>3 feet</u>	<u>18 feet</u>
<u>Common facility service buildings or community buildings</u>	<u>no minimum</u>	<u>30 feet</u>	<u>20 feet</u>	<u>3 feet</u>	<u>40 feet</u>

7. ~~6.~~ Off-Street Parking and Loading. ~~Spaces for off street parking and loading shall be provided in accordance with the provisions of Section 88.08, Parking and Circulation Standards.~~ Parking spaces shall be **paved** ~~provided with a smooth, hard, dust free and dense surface approved by the Story County Engineer and which shall be~~ durable and well drained under normal use and weather conditions. No part of any parking stall shall be closer than five feet to any interior street line.

(Ordinance No. 184)

8. ~~7.~~ Visitor Parking. Visitor parking shall be provided in the amount of one space per four manufactured home lots, and located so as to be easily accessible to all homes within the development.

9. ~~8.~~ Manufactured Housing Development Standards. The following are the minimum requirements for manufactured housing developments:

A. Common Open Space. A minimum of ~~300~~ **500** square feet for each **single wide lot area** and a minimum of **600 square feet for each double wide lot area** shall be provided for one or more common open space areas that shall be easily accessible to all residents. The required area shall be computed in addition to the minimum lot area specified herein. At least 50 percent of the common open space shall be of a character suitable for active recreation and shall provide recreational equipment and facilities. Recreational equipment and facilities may include playgrounds, ball fields, indoor recreation areas, swimming pools, hobby shops, and similar uses.

B. On-Site Wastewater Treatment and Water Utilities. On-site wastewater treatment and water facilities shall be provided for each home in accordance with all applicable State statutes and regulations. No manufactured home shall be occupied unless it is served by common on-site

wastewater treatment and water supply. Any waste treatment lagoon or other common treatment facility constructed in conjunction with the development shall be located not less than 75 feet from any public road, interior street, or lot line. In the case of a lagoon, this distance shall be measured from the outside toe of the levee slope and be at least 250 feet from the nearest unit, structure, or open space area.

C. Home Site and Installations. Each home shall be installed on a site in accordance with the support and anchoring systems as prescribed by State statutes.

D. Utility Lines. The Planning and Zoning Commission and Board of Supervisors may require that all electric, telephone, and cable TV lines be installed underground. If overhead utility lines or wires are permitted, they shall be placed in easements provided in the rear of the lots. In their determination on whether or not to require underground utilities, the Commission or Board may consider that soil, topographical or other conditions make such installation within the development unreasonable or impractical.

(Ordinance No. 184)

E. Skirting. Skirting of a permanent type material and construction shall be installed within 60 days of installation of the manufactured home to enclose the open space between the bottom of the home floor and the grade level. This skirting shall be maintained in an attractive manner consistent with the exterior of the home and to preserve the appearance of the development.

F. Walkways. Provision and maintenance of a common walkway system may be required between locations where pedestrian traffic is concentrated and where pedestrian and vehicular traffic might interfere with one another. Such common walks shall ~~have a minimum width of three and one-half feet~~ meet Americans with Disabilities Act standards.

G. Streets.

(1) Pavement widths shall meet the following requirements:

- a. Two-way with no on-street parking: 20 feet minimum.
- b. Two-way with on-street parking one side: 28 feet minimum.
- c. Two-way with on-street parking both sides: 36 feet minimum.

(2) Street Improvements. All streets shall be designed to the following standards:

- a. Portland Cement Concrete: six inches;
- b. Asphaltic Cement Concrete: four and one-half-inch base course with a one and one-half-inch surface course.
- c. All construction work and materials incorporated into an approved development shall meet all requirements of the Iowa Statewide Urban Design and Specifications (SUDAS) Design Manual and Standards Manual ~~the current Standard Specifications for Highway and Bridge Construction, Iowa Department of Transportation, and supplements thereto.~~

(3) Relation to Adjoining Street Systems. As appropriate, a new manufactured home

development, or any expansion to an existing development, shall make provision for the continuation of existing streets in the adjoining area.

H. Lighting. Adequate lighting shall be provided for all streets, walkways, buildings, and other facilities subject to night-time use. Lighting shall comply with the requirements of Section 88.09, Site Lighting.

(Ordinance No. 184)

I. Fire Protection Access. Access for fire protection services shall be such as to permit fire apparatus to approach within at least 100 feet of each manufactured home or as determined by the applicable Fire Chief.

J. Storm Shelter Requirements. Every manufactured/mobile home community of 10 or more manufactured/mobile home spaces shall be provided with above- or below-grade storm shelters which shall:

(1) Have a minimum floor area of seven square feet for each manufactured/mobile home space in said manufactured/mobile home housing community.

(2) Be designed by a structural engineer or architect licensed in the State of Iowa.

(Ordinance No. 184)

~~(3) Be designed and constructed to meet all applicable requirements of the *Americans with Disabilities Act (ADA)*.~~

(4) Be located no further than 1,320 linear feet from the furthest manufactured/mobile home space in the manufactured/mobile home community or so that all manufactured housing development's residents may reach the shelter within a maximum time of five minutes, whichever is more restrictive.

(Ordinance No. 184)

(5) Include a restroom.

K. Any common facility service buildings, community buildings, or other amenities available for all manufactured housing development's residents shall meet all applicable requirements of the *Americans with Disabilities Act*.

10. ~~9.~~ Site Development Plan. Prior to the issuance of a permit for the construction or expansion of a manufactured housing development, a comprehensive site plan shall be submitted for review and approval of the Board of Supervisors after review and recommendation of the Planning and Zoning Commission. The Board of Supervisors may approve the plan or require such changes as are deemed necessary to carry out the spirit and intent of the Ordinance. The site plan shall be at a scale of not more than 100 feet to the inch, and shall show at a minimum the following:

A. Name and address of the owner and developer and the title under which the proposed development is to be known. Also, north point, scale, date, name and address of the surveyor and engineer, as appropriate.

B. The complete legal description, including area, of the property to be developed.

C. A vicinity sketch at a scale of not more than 500 feet to the inch shall be shown on or accompany the site development plan. This sketch shall show how streets in the proposed development may connect with existing and proposed streets and roads in the surrounding area, and shall show the location of any nearby parks, schools, or other public facilities.

D. The location of property lines and boundary dimensions of the tract of land and all such surface and subsurface features as may affect the development of the land.

E. The number, location, and dimensions of all manufactured/mobile home lots, stands, and parking areas.

F. The location and width of streets and walkways and proposed names for all streets in the development.

G. The location of recreation areas and facilities, including community buildings, playgrounds, ball fields, indoor recreation areas, swimming pools, hobby shops, and similar uses;

H. The location of storm shelter facilities.

I. The location and manner of lighting to be provided for all streets, walkways, buildings and other facilities subject to common use.

(Ordinance No. 184)

J. The location and size of existing and proposed water, sewer, gas, electric, cable TV, telephone and other utility lines and facilities.

K. Approval by appropriate agencies of the plans for and specifications of the water supply and wastewater treatment facilities.

(Ordinance No. 184)

L. Existing contours shown at intervals of not more than five feet, provided, however that a minimum of two contours shall be shown. Contour intervals of less than five feet may be required at the County Engineer's discretion.

M. Landscape plan showing the location, size, and description of all proposed and existing plant materials, existing plant materials to be removed, and existing plant materials to be retained. The landscape plan shall define how the following are achieved:

- (1) Define private outdoor living and recreation space;
- (2) Screen undesirable views;
- (3) Reduce adverse effects upon the subject property and adjacent and nearby property;
- (4) Buffer noise and objectionable light;
- (5) Provide for shade, protection from elements and the comfort convenience of residents;

- (6) Lighting; and
- (7) Fencing.

(Ordinance No. 184)

N. For areas to be phased in at a later date, the site development plan shall show a conceptual layout illustrating general street and lot arrangements, location of open space areas, etc. All required plans, specifications, and approvals must be received prior to development of each subsequent phase. The minimum size for any construction phase within an approved manufactured home development shall be as follows:

(1) Phase 1 shall include a minimum of 25 percent of the number of manufactured/mobile home spaces indicated in the total plan approved, but in no event less than 10 spaces, and shall be completed within one calendar year from the date of commencement of construction.

(2) Each subsequent construction phase shall contain a minimum of 15 percent of the total number of manufactured/mobile home spaces shown on the approved plan.

(3) Proportionate open space areas as required by the Ordinance shall be met for each construction phase.

O. General site planning standards in accordance with Chapter 88, General Site Planning Standards, shall be met.

P. Other information as identified by the Director for a complete analysis of the proposed application.

(Ordinance No. 184)

11. ~~10.~~—Waivers. Whenever the tract proposed to be developed is of such unusual size, character, or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in the Ordinance would result in substantial hardships or injustices, the Board of Supervisors upon recommendation of the Commission may waive requirements to the end that the developer is allowed to develop the property in a reasonable manner; provided, however, all such waivers granted hereunder shall be in harmony with the intended spirit of the Ordinance and granted with the view toward protecting the public interest and welfare. Application for such waiver to the requirements of the Ordinance shall be made in writing by the developer at the time of filing of the site development plan, and shall specifically state the requirements and the sections of the Ordinance to be considered. In deciding whether to grant a waiver, the Board of Supervisors shall consider all legal principles outlined in Section 92.03(4) of this Code of Ordinances.

(Ordinance No. 184)

A. In no case shall any waiver be more than a minimum easing of the requirements. In no case shall it have the effect of reducing the traffic capacity of any street or be in conflict with any

ordinance.

B. Recommendation by the Commission for approval of such waiver must be the affirmative vote of the majority of the Commission membership.

C. In recommending waivers, the Commission may require such conditions as will, in its judgment, secure substantially the objectives of the requirements so waived.

11. Modifications. Minor modifications to the approved site development plan are permissible upon authorization by the Director.

A. A modification is minor if it has no substantial impact on neighboring properties, the general public, or those intended to use or occupy the proposed development.

B. All other requests for modifications to the approved site development plan will be processed as new applications. New conditions may be imposed by the Board of Supervisors, but the applicant retains the right to reject such new conditions by withdrawing the request for modifications and proceeding under the terms and conditions of the original permit.

C. The permit holder requesting approval of modifications shall submit a written request (including plans as necessary) to the Director, and the request shall specifically identify the modifications. The Director shall determine whether the proposed modification is minor.

C. Approval of all modifications must be given in writing.

12. Permit Requirements. Permit requirements shall be in accordance with Section 92.11, Required Permits.

13. Required Conditions. No use shall be permitted to be established or maintained which by reason of its nature or manner of operation is or may become hazardous, obnoxious, or offensive owing to the emission of odor, dust, smoke, cinders, gas, fumes, noise, and vibrations, refuse matter or water-carried waste. All facilities required for the discharge, collection and treatment of liquid, solid or gaseous wastes shall be designed, constructed, and operated in accordance with all statutes and regulations of the State of Iowa and Story County. Conditions addressing such impacts shall be determined at the time of review of required permit and as administered by the Planning and Development Department, noted on the face of the permit. Such permit shall be filed in the office of the Story County Planning and Development Department.

86.10 C-LI COMMERCIAL/LIGHT INDUSTRIAL DISTRICT.

1. Statement of Intent. This district is intended to accommodate the full range of retail commercial services and products, wholesaling and warehousing, as well as light industrial, laboratory, manufacturing, fabricating and institutional activities in industrial locations. The intended uses are generally characterized by a minimum of obnoxious characteristics which might

adversely affect surrounding development. It is intended that the C-LI Commercial/Light Industrial District shall be located in the Urban Expansion Area or Commercial-Industrial Area as shown on the C2C Plan as well as the Urban Service Area as shown on the Ames Urban Fringe Plan.

2. Principal Permitted Uses. Only the use of structures and/or land listed in this section shall be permitted in the C-LI Commercial/Light Industrial District.

A. All uses involving retailing, commercial services and products, professional services to the general public, wholesaling, and warehousing.

B. All uses involving light industrial, laboratory, manufacturing and fabricating activities, excluding uses specifically permitted and listed in the HI District.

C. Child care centers ~~operating between the hours of 6:00 a.m. and 10:00 p.m.~~

3. Permitted Accessory Uses. The following are permitted accessory uses in the C-LI Commercial District:

A. Accessory buildings.

B. Single-family dwellings or a maximum of 50 percent of the gross floor area of a commercial structure may be used for residential purposes.

C. Temporary buildings in the following circumstances:

(1) Asphalt plants (road work) and construction trailers for use incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.

a. Asphalt plants are subject to the following standards:

i. Shall meet bulk requirement for other permitted uses.

ii. Shall submit a truck routing plan for review and approval by County Engineer as necessary.

iii. Shall be required to restore the area to its original state at the end of the use, including removal of any gravel.

iv. Shall be limited in duration to the completion of road or other construction project. The plant shall be removed within 30 days of project end. In total, the plant shall not be located on a parcel for more than six (6) months. A three (3) month extension may be granted

v. Shall submit an air quality permit, NPDES permit, Emergency Spill Plan, and a list of equipment to be stored on site.

(2) Shipping containers, including on a permanent basis, meeting the following requirements:

a. Screening and safety:

i. Shipping containers shall be screened from view by a screening fence or landscaping.

ii. Shipping containers shall be anchored and placed on a hard-surfaced area.

iii. The color of the shipping container shall be a non-reflective, unobtrusive color that blends in with the surrounding environment. Further, the shipping containers shall not include branding.

b. Location. Shipping containers shall be located behind the principal building.

c. Setbacks and Height. Shipping containers shall comply with the setback and height requirements for accessory structures in their applicable zoning district. Shipping containers shall not be stacked unless plans are stamped by a Principal Engineer. ~~Temporary buildings for use incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.~~

~~—D. Single family residence.~~

(Ordinance No. 160)

E. Non-commercial WECS, subject to the following standards:

(1) Tower Height. ~~For property sizes between one half acre and one acre, the tower height shall be limited to 80 feet. For property sizes of one acre or more, there is no limitation on tower height, except as imposed by FAA regulations.~~

a. For property sizes under ~~between one half acre and~~ one acre, the tower height shall be limited to 80 feet unless it is necessary to increase the height of the tower to the minimum height necessary so that the bottom of the turbine rotor will clear a wind obstacle within a 500-foot radius by 30 feet.

b. For property sizes of one acre or more, there is no limitation on tower height, except as imposed by FAA regulations.

(Ordinance No. 184)

(2) Setback. The base of the small wind energy tower shall be set back from all property lines, public rights-of-way, and above ground public utility lines at a distance no less than 115 percent of the total height of the tower. ~~Towers shall be allowed closer to a property line if the following condition is met.~~

a. The base of a tower shall be allowed closer to a property line if the applicant and abutting property owners grant permission, via recorded easement when required setbacks cross property lines, which restrict new development within the easements. At no time shall a tower be placed closer to a property line if existing structures on adjacent affected properties are within 100 percent of the total height of the tower.

~~a. It is necessary to increase the height of the tower so that the bottom of the turbine rotor will clear a wind obstacle within a 500-foot radius by 30 feet.~~

~~—b. The applicant and abutting property owners grant permission, via recorded easement~~

~~when required setbacks cross property lines, which restrict new development within the easements.~~

~~e. At no time shall a tower be placed within 100 percent of the total height of the tower of existing adjacent properties' structures.~~

(3) Noise. Non-commercial WECS shall not exceed 60 dBA, as measured at the closest neighboring dwelling. The level, however, may be exceeded during short-term events such as utility outages and/or severe wind storms.

(Ordinance No. 184)

(4) Engineer Certification. A non-commercial WECS, or a small wind energy system mounted on a structure other than a free-standing tower, shall not be erected unless the plans and specifications for the system have received the stamped approval of an Iowa registered engineer. For non-commercial WECS less than 20 kW mounted on a free-standing tower, a manufacturer may submit its standard plans and specifications, including its soils study and foundation plans for such a system, for a one-time review and stamped approval by an Iowa registered engineer as suitable for construction in any soil condition that exists in the State of Iowa. If such one-time stamped approval is obtained, that manufacturer may thereafter construct such small wind energy systems, utilizing the approved soils study and foundation plans, without obtaining and presenting the stamped approval of an Iowa registered engineer for each such installation.

(5) Compliance with FAA Regulations. Non-commercial WECS must comply with applicable FAA regulations, including any necessary approvals for installations in the Airport Protection Area as shown on the *Ames Urban Fringe Plan*.

(6) Compliance with *National Electric Code*. Applications for non-commercial WECS shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the *National Electrical Code*. This information is frequently supplied by the manufacturer.

(7) Utility Notification. No non-commercial WECS shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator, under an agreement approved by and subject to the regulations adopted by the Iowa Utilities Board. Off-grid systems shall be exempt from this requirement.

(8) Insurance. A certificate of insurance shall be provided, showing general liability insurance coverage for the installation and operation of the system under a standard homeowner's or standard business owner's insurance policy, separate and distinct from any insurance requirements of a public utility.

(9) Screening and Safety.

a. On-site vegetation shall be preserved to the maximum extent practical.

b. Any climbing foot pegs or rungs below 12 feet of a freestanding tower shall be removed to prevent unauthorized climbing.

c. For lattice or guyed towers, sheets of metal or wood may be fastened to the bottom tower section such that it cannot readily be climbed.

d. The color of the turbine shall either be stock color from the manufacturer or painted with a non-reflective, unobtrusive color that blends in with the surrounding environment.

(10) Signage. No signs, other than appropriate warning signs, or standard manufacturer's or installer's identification signage, shall be displayed on a wind generator, tower, building, or other structure associated with a small wind energy system, subject to Section 89.02 of this Code of Ordinances, as applicable.

(11) Lighting. No illumination of the turbine or tower shall be allowed unless required by the FAA.

(Ordinance No. 219)

F. Non-commercial SES, subject to the following standards:

(1) Height. Building or roof-mounted non-commercial solar energy systems, whether mounted on the principal building or accessory building, may not exceed the maximum principal use height or accessory use height specified for the use type in the underlying zoning district. In no instance shall any part of the solar energy system extend beyond the edge of the roof. A ground-mounted system shall not exceed the maximum building height for accessory uses.

(2) Setback. In no instance shall any part of the solar energy system extend beyond the required setbacks for accessory uses listed in Table 86-7.

(3) Solar Panels. Solar panels shall be placed such that concentrated solar radiation or glare is not directed onto nearby properties or roadways.

(4) Compliance with FAA Regulations. Non-commercial SES must comply with applicable FAA regulations, including any necessary approvals for installations in the Airport Protection Area as shown on the *Ames Urban Fringe Plan*.

(5) Compliance with *National Electric Code*. Applications for non-commercial SES shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the *National Electrical Code*. This information is frequently supplied by the manufacturer.

(6) Utility Notification. A non-commercial SES shall not be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

(Ordinance No. 219)

G. Non-commercial towers, subject to the following standards:

(1) Tower Height. For property sizes ~~under between one half acre and~~ one acre, the tower height shall be limited to 80 feet. For property sizes of one acre or more, there is no limitation on tower height, except as imposed by FAA regulations.

(2) Setback. The base of the tower shall be set back from all property lines, public rights-of-way, and above ground public utility lines at a distance no less than 115 percent of the total height of the tower. ~~Towers shall be allowed closer to a property line if the following condition is met.~~

- a. Towers shall be allowed closer to a property line if the applicant and abutting property owners grant permission, via recorded easement when required setbacks cross property lines, which restrict new development within the easements. At no time shall a tower be placed closer to a property line if existing structures on adjacent affected properties are within 100 percent of the total height of the tower.

(3) Engineer Certification. A tower shall not be erected unless the plans and specifications for the system, have received the stamped approval of an Iowa registered engineer. However, a manufacturer may submit its standard plans and specifications, including its soils study and foundation plans for such a tower for a one-time review and stamped approval by an Iowa registered engineer as suitable for construction in any soil condition that exists in the State of Iowa. If such one-time stamped approval is obtained, that manufacturer may thereafter construct such tower, utilizing the approved soils study and foundation plans, without obtaining and presenting the stamped approval of an Iowa registered engineer for each such installation.

(4) Compliance with FAA Regulations. Non-commercial towers must comply with applicable FAA regulations, including any necessary approvals for installations in the Airport Protection Area, as shown on the *Ames Urban Fringe Plan*.

(5) Insurance. A certificate of insurance shall be provided, showing general liability insurance coverage for the installation and operation of the tower under a standard homeowner's or standard business owner's insurance policy.

(6) Screening and Safety.

- a. On-site vegetation shall be preserved to the maximum extent practical.
- b. Any climbing foot pegs or rungs below 12 feet of a freestanding tower shall be removed to prevent unauthorized climbing.
- c. For lattice or guyed towers, sheets of metal or wood may be fastened to the bottom tower section such that it cannot readily be climbed.
- d. The color of the tower shall either be stock color from the manufacturer or painted with a non-reflective, unobtrusive color that blends in with the surrounding environment.

(7) Signage. No signs, other than appropriate warning signs, or standard manufacturer's or installer's identification signage, shall be displayed on a tower, building, or other structure

associated with a tower, subject to Section 89.02 of this Code of Ordinances, as applicable.

(8) Lighting. No illumination of the tower shall be allowed unless required by the FAA.

4. Conditional Uses. See Chapter 90.

5. Bulk Requirements. The bulk requirements listed in Table 86-7 shall apply to all development within the C-LI Commercial/Light Industrial District.

(Ordinance No. 184)

Table 86-7-8 – Bulk Requirements – C-LI District

Permitted Uses	Minimum Lot Area (Net)	Front Setback (Min.)	Side Setback (Min.)	Side Setback Corner Lot (Min.)	Flag Yard Setback (Min.)	Rear Setback (Min.)	Lot Width (Min.)	Maximum Structure Height
All uses	no minimum**	50 feet	no minimum*	40 feet	20 feet	20 feet	no minimum	45 feet
<p>* Except when adjoining any residential district or use, in which case 15 feet shall be required.</p> <p>** May be specified through a conditional use permit.</p>								

6. General Site Planning Standards. General site planning standards in accordance with Chapter 88, General Site Planning Standards, shall be met. ~~Off Street Parking and Loading. Space for off street parking and loading shall be provided in accordance with the provisions of Section 88.08, Parking and Circulation.~~

7. Permit Requirements. ~~Site plan~~ Permit requirements shall be in accordance with Section 92.11 ~~92.10~~, Required Permits.

(Ordinance No. 192)

8. Required Conditions. No use shall be permitted to be established or maintained which by reason of its nature or manner of operation is or may become hazardous, obnoxious, or offensive owing to the emission of odor, dust, smoke, cinders, gas, fumes, noise, and vibrations, refuse matter or water-carried waste. All facilities required for the discharge, collection and treatment of liquid, solid or gaseous wastes shall be designed, constructed, and operated in accordance with all statutes and regulations of the State of Iowa and Story County. Conditions addressing such impacts shall be determined at the time of review of required permit and as administered by the Planning and Development Department, noted on the face of the permit. Such permit shall be filed

in the office of the Story County Planning and Development Department.

(Ordinance No. 155) (Ordinance No. 184)

86.11 HI HEAVY INDUSTRIAL DISTRICT.

1. Statement of Intent. The HI Heavy Industrial District is intended and designed to accommodate uses of a heavy industrial nature. The purpose of this District is to permit the normal operation of industry subject to regulation of those nuisance factors which may be detrimental to adjacent properties. This district should be located only in sound industrial locations with direct access to highways and other needed transportation facilities and utilities. No residences shall be permitted in this District.

2. Principal Permitted Uses. Only the use of structures and/or land listed in this section shall be permitted in the HI Heavy Industrial District.

(Ordinance No. 184)

- A. Bulk storage of petroleum products.
- B. Cement, hydrated lime, gypsum, and other similar materials manufacture.
- C. Concrete mixing, concrete products manufacture.
- D. Fat rendering, fertilizer, or glue manufacture.
- E. Garbage, offal, or dead animal reduction.
- F. Grain elevators and/or feed mills.
- G. Petroleum or its products, refining or wholesale storage of, and asphalt plants.
- H. Salvage yards, and/or junk yards, including auto wrecking and salvage, used parts sales, and junk, iron, rags, or paper storage or baling. No part of the front yard is to be used for the conduct of business in any manner except for parking of customer or employee vehicles. Any premises on which such activities are conducted shall be wholly enclosed with a building or by a wall or fence, reasonably maintained, not less than six feet in height, and in which the openings or cracks are less than 15 percent of the area.

- I. Slaughter houses, meat packing and processing plants, and stockyards.

- J. Hide-trading.

3. Permitted Accessory Uses.

- A. Uses of land and/or structures customarily incidental and subordinate to a principal use.

- B. Temporary buildings in the following circumstances:

- (1) Asphalt plants (road work) and construction trailers for use incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.

- a. Asphalt plants are subject to the following standards:

- i. Shall meet bulk requirement for other permitted uses.

- ii. Shall submit a truck routing plan for review and approval by County Engineer as necessary.
 - iii. Shall be required to restore the area to its original state at the end of the use, including removal of any gravel.
 - iv. Shall be limited in duration to the completion of road or other construction project. The plant shall be removed within 30 days of project end. In total, the plant shall not be located on a parcel for more than six (6) months. A three (3) month extension may be granted
 - v. Shall submit an air quality permit, NPDES permit, Emergency Spill Plan, and a list of equipment to be stored on site.
- (2) Shipping containers, including on a permanent basis, meeting the following requirements:
- a. Screening and safety:
 - i. Shipping containers shall be screened from view by a screening fence or landscaping.
 - ii. Shipping containers shall be anchored and placed on a hard-surfaced area.
 - iii. The color of the shipping container shall be a non-reflective, unobtrusive color that blends in with the surrounding environment. Further, the shipping containers shall not include branding.
 - b. Location. Shipping containers shall be located behind the principal building.
 - c. Setbacks and Height. Shipping containers shall comply with the setback and height requirements for accessory structures in their applicable zoning district. Shipping containers shall not be stacked unless plans are stamped by a Principal Engineer.
- B. Non-commercial WECS, subject to the following standards:
- (1) Tower Height. ~~For property sizes between one half acre and one acre, the tower height shall be limited to 80 feet. For property sizes of one acre or more, there is no limitation on tower height, except as imposed by FAA regulations.~~
- a. For property sizes under ~~between one half acre and~~ one acre, the tower height shall be limited to 80 feet unless it is necessary to increase the height of the tower to the minimum height necessary so that the bottom of the turbine rotor will clear a wind obstacle within a 500-foot radius by 30 feet.
 - b. For property sizes of one acre or more, there is no limitation on tower height, except as imposed by FAA regulations.
- (Ordinance No. 184)*
- (2) Setback. The base of the small wind energy tower shall be set back from all property lines, public rights-of-way, and above ground public utility lines at a distance no less than 115

percent of the total height of the tower. ~~Towers shall be allowed closer to a property line if the following condition is met.~~

a. The base of a tower shall be allowed closer to a property line if the applicant and abutting property owners grant permission, via recorded easement when required setbacks cross property lines, which restrict new development within the easements. At no time shall a tower be placed closer to a property line if existing structures on adjacent affected properties are within 100 percent of the total height of the tower.

~~a. It is necessary to increase the height of the tower so that the bottom of the turbine rotor will clear a wind obstacle within a 500-foot radius by 30 feet.~~

~~b. The applicant and abutting property owners grant permission, via recorded easement when required setbacks cross property lines, which restrict new development within the easements.~~

~~e. At no time shall a tower be placed within 100 percent of the total height of the tower of existing adjacent properties' structures.~~

(3) Noise. Non-commercial WECS shall not exceed 60 dBA, as measured at the closest neighboring dwelling. The level, however, may be exceeded during short-term events such as utility outages and/or severe wind storms.

(Ordinance No. 184)

(4) Engineer Certification. A non-commercial WECS, or a small wind energy system mounted on a structure other than a free-standing tower, shall not be erected unless the plans and specifications for the system have received the stamped approval of an Iowa registered engineer. For non-commercial WECS less than 20 kW mounted on a free-standing tower, a manufacturer may submit its standard plans and specifications, including its soils study and foundation plans for such a system, for a one-time review and stamped approval by an Iowa registered engineer as suitable for construction in any soil condition that exists in the State of Iowa. If such one-time stamped approval is obtained, that manufacturer may thereafter construct such small wind energy systems, utilizing the approved soils study and foundation plans, without obtaining and presenting the stamped approval of an Iowa registered engineer for each such installation.

(5) Compliance with FAA Regulations. Non-commercial WECS must comply with applicable FAA regulations, including any necessary approvals for installations in the Airport Protection Area as shown on the *Ames Urban Fringe Plan*.

(6) Compliance with *National Electric Code*. Applications for non-commercial WECS shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the *National Electrical Code*. This information is frequently supplied by the manufacturer.

(7) Utility Notification. No non-commercial WECS shall be installed until evidence has

been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator, under an agreement approved by and subject to the regulations adopted by the Iowa Utilities Board. Off-grid systems shall be exempt from this requirement.

(8) Insurance. A certificate of insurance shall be provided, showing general liability insurance coverage for the installation and operation of the system under a standard homeowner's or standard business owner's insurance policy, separate and distinct from any insurance requirements of a public utility.

(9) Screening and Safety.

a. On-site vegetation shall be preserved to the maximum extent practical.

b. Any climbing foot pegs or rungs below 12 feet of a freestanding tower shall be removed to prevent unauthorized climbing.

c. For lattice or guyed towers, sheets of metal or wood may be fastened to the bottom tower section such that it cannot readily be climbed.

d. The color of the turbine shall either be stock color from the manufacturer or painted with a non-reflective, unobtrusive color that blends in with the surrounding environment.

(10) Signage. No signs, other than appropriate warning signs, or standard manufacturer's or installer's identification signage, shall be displayed on a wind generator, tower, building, or other structure associated with a small wind energy system, subject to Section 89.02 of this Code of Ordinances, as applicable.

(11) Lighting. No illumination of the turbine or tower shall be allowed unless required by the FAA.

(Ordinance No. 219)

C. Non-commercial SES, subject to the following standards:

(1) Height. Building or roof-mounted non-commercial solar energy systems, whether mounted on the principal building or accessory building, may not exceed the maximum principal use height or accessory use height specified for the use type in the underlying zoning district. In no instance shall any part of the solar energy system extend beyond the edge of the roof. A ground-mounted system shall not exceed the maximum building height for accessory uses.

(2) Setback. In no instance shall any part of the solar energy system extend beyond the required setbacks for accessory uses listed in Table 86-8.

(3) Solar Panels. Solar panels shall be placed such that concentrated solar radiation or glare is not directed onto nearby properties or roadways.

(4) Compliance with FAA Regulations. Non-commercial SES must comply with applicable FAA regulations, including any necessary approvals for installations in the Airport Protection Area as shown on the *Ames Urban Fringe Plan*.

(5) Compliance with *National Electric Code*. Applications for non-commercial SES shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the *National Electrical Code*. This information is frequently supplied by the manufacturer.

(6) Utility Notification. A non-commercial SES shall not be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

(Ordinance No. 219)

D. Non-commercial towers, subject to the following standards:

(1) Tower Height. For property sizes ~~under between one half acre and~~ one acre the tower height shall be limited to 80 feet. For property sizes of one acre or more, there is no limitation on tower height, except as imposed by FAA regulations.

(2) Setback. The base of the tower shall be set back from all property lines, public rights-of-way, and above ground public utility lines at a distance no less than 115 percent of the total height of the tower. ~~Towers shall be allowed closer to a property line if the following condition is met.~~

- a. Towers shall be allowed closer to a property line if the applicant and abutting property owners grant permission, via recorded easement when required setbacks cross property lines, which restrict new development within the easements. At no time shall a tower be placed closer to a property line if existing structures on adjacent affected properties are within 100 percent of the total height of the tower.

(3) Engineer Certification. A tower shall not be erected unless the plans and specifications for the system have received the stamped approval of an Iowa registered engineer. However, a manufacturer may submit its standard plans and specifications, including its soils study and foundation plans for such a tower, for a one-time review and stamped approval by an Iowa registered engineer as suitable for construction in any soil condition that exists in the State of Iowa. If such one-time stamped approval is obtained, that manufacturer may thereafter construct such tower utilizing the approved soils study and foundation plans, without obtaining and presenting the stamped approval of an Iowa registered engineer for each such installation.

(4) Compliance with FAA Regulations. Non-commercial towers must comply with applicable FAA regulations, including any necessary approvals for installations in the Airport Protection Area as shown on the *Ames Urban Fringe Plan*.

(5) Insurance. A certificate of insurance shall be provided, showing general liability insurance coverage for the installation and operation of the tower under a standard homeowner's or standard business owner's insurance policy.

- (6) Screening and Safety.
 - a. On-site vegetation shall be preserved to the maximum extent practical.
 - b. Any climbing foot pegs or rungs below 12 feet of a freestanding tower shall be removed to prevent unauthorized climbing.
 - c. For lattice or guyed towers, sheets of metal or wood may be fastened to the bottom tower section such that it cannot readily be climbed.
 - d. The color of the tower shall either be stock color from the manufacturer or painted with a non-reflective, unobtrusive color that blends in with the surrounding environment.
- (7) Signage. No signs, other than appropriate warning signs, or standard manufacturer's or installer's identification signage, shall be displayed on a tower, building, or other structure associated with a tower, subject to Section 89.02 of this Code of Ordinances, as applicable.
- (8) Lighting. No illumination of the tower shall be allowed unless required by the FAA.

- 4. Conditional Uses. See Chapter 90.
- 5. Bulk Requirements. The bulk requirements listed in Table 86-8 shall apply to all development within the HI Heavy Industrial District.

(Ordinance No. 184)

Table 86-8 9– Bulk Requirements – HI District

Permitted Uses	Minimum Lot Area (Net)	Front Setback (Min.)	Side Setback (Min.)	Side Setback Corner Lot (Min.)	Flag Yard Setback (Min.)	Rear Setback (Min.)	Lot Width (Min.)	Maximum Structure Height
All uses	no minimum**	50 feet*	no minimum*	40 feet*	20 feet*	40 feet*	no minimum	no limitation
<p>* Except when adjacent to a residential district boundary or an existing residence, a front, side, flag, or rear yard setback of 300 feet shall be required.</p> <p>** May be specified through a conditional use permit.</p>								

6. General Site Planning Standards. General site planning standards in accordance with Chapter 88, General Site Planning Standards, shall be met. ~~Off Street Parking and Loading. Space for off street parking and loading shall be provided in accordance with the provisions of Section 88.08, Parking and Circulation.~~

7. Permit Requirements. ~~Site plan~~ Permit requirements shall be in accordance with Section

92.11 ~~92.10~~, Required Permits.

(Ordinance No. 192)

8. Required Conditions. No use shall be permitted to be established or maintained which by reason of its nature or manner of operation is or may become hazardous, obnoxious, or offensive owing to the emission of odor, dust, smoke, cinders, gas, fumes, noise, and vibration, refuse matter or water-carried waste. All facilities required for the discharge, collection and treatment of liquid, solid or gaseous wastes shall be designed, constructed, and operated in accordance with all statutes and regulations of the State of Iowa and Story County. Conditions addressing such impacts shall be determined at the time of review of the applicable regulations and permit process and noted on the face of the permit, and such permit shall be filed in the office of the Story County Planning and Development Department.

(Ordinance No. 184) (Ordinance No. 192)

86.12 GB-C GREENBELT-CONSERVATION DISTRICT.

1. Statement of Intent. The Greenbelt-Conservation District is intended to provide special regulations for resource conservation of lands containing sensitive environmental conditions. These regulations permit reasonable economic use of property and at the same time protect the natural resources and recreational assets of the area. This District is designated to promote water quality and conservation, to protect aquifers, alluvial soils and slopes; and to protect areas which possess outstanding scenic, vegetation, wildlife habitat, and travel corridors, geological, historic or recreational values. Structures inconsistent with the permitted uses shall not be allowed in the Greenbelt-Conservation District.

(Ordinance No. 208)

2. Principal Permitted Uses. Only the uses of land listed in this section shall be permitted in the Greenbelt-Conservation District.

(Ordinance No. 184)

- A. Agriculture, but not including clear cutting of naturally occurring tree cover.
- B. Truck gardening, nurseries, orchards, apiaries, tree farms, and other similar uses, provided that retail sales are of a seasonal nature only and that parking is adequate to keep all public rights-of-way clear.
- C. Livestock grazing, but not including feedlots and poultry farms.
- D. Sustained yield forestry.
- E. Wildlife preserves.
- F. Soil and water conservation.
- G. Drainage and water retention, water measurement, and water control facilities.

(Ordinance No. 184)

H. Recreational uses such as canoeing access, boat launching ramps, swimming areas, primitive camping, hiking, horseback riding trails and similar open space uses.

I. Parking in conjunction with permitted uses.

J. Cultural/historic restoration.

~~3. Conditional Uses. See Chapter 90.~~

~~3. Permitted Accessory Uses. The following are permitted accessory uses: uses of land customarily incidental and subordinate to one of the permitted principal uses, unless otherwise excluded.~~

~~A. Uses of land customarily incidental and subordinate to one of the permitted principal uses, unless otherwise excluded.~~

~~4. Conditional Uses. See Chapter 90.~~

~~5. General Site Planning Standards. General site planning standards in accordance with Chapter 88, General Site Planning Standards, shall be met.~~

~~7. Permit Requirements. Permit requirements shall be in accordance with Section 92.11, Required Permits.~~

~~8. Required Conditions. No use shall be permitted to be established or maintained which by reason of its nature or manner of operation is or may become hazardous, obnoxious, or offensive owing to the emission of odor, dust, smoke, cinders, gas, fumes, noise, and vibration, refuse matter or water-carried waste. All facilities required for the discharge, collection and treatment of liquid, solid or gaseous wastes shall be designed, constructed, and operated in accordance with all statutes and regulations of the State of Iowa and Story County. Conditions addressing such impacts shall be determined at the time of review of the applicable regulations and permit process and noted on the face of the permit, and such permit shall be filed in the office of the Story County Planning and Development Department.~~

86.13 APPLICABILITY OF OVERLAY ZONE DISTRICTS.

The following overlay zone districts are established as applicable to the unincorporated areas of Story County, Iowa: R-M Residential Mixed Use (Overlay) District and R-C Residential Conservation Design (Overlay) District. It is the intent of these regulations to protect the groundwater resources to the maximum extent practical through proper management of sources and routes of contamination within each District.

(Ordinance No. 184)

86.14 R-M RESIDENTIAL MIXED USE (OVERLAY) DISTRICT.

1. Statement of Intent. The purpose of the Residential Mixed Use (Overlay) District is to recognize existing patterns of development that provide valued and established services and opportunities and to cultivate the opportunities to improve or stabilize these areas. The Residential Mixed Use (Overlay) District is characterized by a variety of land uses, often concentrated at more “urban” densities in limited areas.

2. Applicable Base Districts. The provisions of this section may apply upon rezoning to residential development within the following districts: R-1, Transitional Residential and R-2, Urban Residential and when property is designated on the Cornerstone to Capstone (C2C) Comprehensive Plan as Rural Village Area.

(Ordinance No. 184) (Ordinance No. 250)

3. Principal Permitted Uses. ~~Those uses as permitted in the R-1 Transitional Residential and R-2 Urban Residential District and neighborhood-scale commercial uses such as stores, shops, grocery stores, and convenience stores.~~

- A. Those uses as permitted in the R-1 Transitional Residential and R-2 Urban Residential District.
- B. Multi-family dwellings.
- C. Neighborhood-scale commercial uses such as stores, shops, grocery stores, and convenience stores.

4. Permitted Accessory Uses. Those uses as permitted in the R-1 Transitional Residential and R-2 Urban Residential Districts.

5. Conditional Uses. See Chapter 90.

6. Bulk Requirements. The bulk requirements listed in Table 86-9 shall apply to all development within the R-M District.

(Ordinance No. 184)

Table 86-9 – Bulk Requirements – R-M District

Permitted Uses	Minimum Lot Area (Net)	Front Setback (Min.)	Side Setback (Min.)	Side Setback Corner Lot (Min.)	Flag Yard Setback (Min.)	Rear Setback (Min.)	Lot Width (Min.)	Structure Area <u>Width</u> (Min.)	Maximum Structure Height
Single-Family Dwelling	8,000 square feet	30 feet	6 feet	25 feet	12 feet	35 feet	60 feet	400 sq <u>400</u> square <u>square</u> feet	40 feet

Two-Family Dwelling	10,000 square feet per unit	30 feet	6 feet	25 feet	12 feet	35 feet	80 feet	no minimum	40 feet
Multi-Family Dwelling	3,000 square feet per unit	30 feet	6 feet	25 feet	12 feet	35 feet	80 feet	no minimum	40 feet
Accessory Buildings	no minimum	30 feet	same as required side	25 feet	same as required flag	2 feet*	80 feet	no minimum	15 feet
Other Permitted Uses	no minimum	30 feet	same as required side	25 feet	same as required flag	35 feet	80 feet	no minimum	40 feet
* 5 feet from alley lines									

~~7. General site planning standards in accordance with Chapter 88, General Site Planning Standards, shall be met. Off Street Parking and Loading. Spaces for off street parking and loading shall be provided in accordance with the provisions of Section 88.08, Parking and Circulation Standards.~~

8. Permit Requirements. ~~Site plan~~ Permit requirements shall be in accordance with Section ~~92.11~~ 92.10, Required Permits.

(Ordinance No. 192)

9. General site planning standards in accordance with Chapter 88, General Site Planning Standards, shall be met.

10. Required Conditions. No use shall be permitted to be established or maintained which by reason of its nature or manner of operation is or may become hazardous, obnoxious, or offensive owing to the emission of odor, dust, smoke, cinders, gas, fumes, noise, and vibrations, refuse matter or water-carried waste. All facilities required for the discharge, collection and treatment of liquid, solid or gaseous wastes shall be designed, constructed, and operated in accordance with all statutes and regulations of the State of Iowa. Conditions addressing such impacts shall be determined at the time of review of required permit and as administered by the Planning and Development Department, noted on the face of the permit. Such permit shall be filed in the office of the Story County Planning and Development Department.

86.15 R-C RESIDENTIAL CONSERVATION DESIGN (OVERLAY) DISTRICT.

1. Statement of Intent. The purpose of the Residential Conservation Design (Overlay) District is to establish housing developments in a rural setting characterized by compact lots and common open space where the natural features of land are maintained to the greatest extent possible. The intent is to establish rural housing in a way that respects and conserves the rural character, maintains natural ~~naturally occurring~~ resources, and protects environmental amenities.

(Ordinance No. 184)

2. Applicable Base Districts. The provisions of this section may apply to residential development within the following districts: A-R, Agricultural Residential, R-1, Transitional Residential, and R-2, Urban Residential.

(Ordinance No. 184)

3. Subdivision Application Procedure and Approval Process. Applications to develop land within the R-C Residential Conservation Design (Overlay) District are subject to the process defined in this section.

(Ordinance No. 184)

A. Conceptual Review. Before submitting an application for a subdivision located within the Residential Conservation Design (Overlay) District, the subdivider shall schedule a conceptual review meeting with the members of the Interagency Review Team to discuss the procedure for approval of a subdivision, including submittal requirements and design standards.

B. Subdivision Plat Review. After the conceptual review meeting, a subdivision plat may be submitted for review by the Planning and Zoning Commission and Board of Supervisors. If the applicant so chooses, application to rezone with the R-C Residential Conservation Design (Overlay) District and application for subdivision may be processed concurrently.

(Ordinance No. 184)

4. Design and Improvement Requirements.

A. Land Suitability. No land shall be developed which is held to be unsuitable for any proposed use if identified as being environmentally sensitive. Areas identified as being environmentally sensitive include:

(1) All wetlands and hydric soils by the Natural Resource Conservation Service or Story County Conservation, including a 50-foot buffer around all such identified wetlands.

(Ordinance No. 184) (Ordinance No. 192)

(2) Native prairie remnants.

- (3) Significant trees and cover.
- (4) All areas having slopes greater than 14 percent.

(Ordinance No. 184)

- (5) Areas that provide habitat for rare, threatened or endangered species.
- (6) Burial sites and Native American mounds.

(Ordinance No. 184)

(7) Drainage ways that contain running water during spring runoff, during storm events or when it rains. A 30-foot buffer along each side of the drainage way shall be included. Areas determined to be environmentally sensitive may be included as common open space in a conservation subdivision but shall not be included in the development yield analysis in paragraph B of this subsection. These lands shall be identified as an outlot or other designation indicating land is not available for development.

(Ordinance No. 184)

B. Development Yield. The number of dwellings for a parcel shall be determined in accordance with the following:

(Ordinance No. 184)

- (1) The development yield analysis shall establish the base development yield for the parcel.
- (2) The base development yield may be increased if the development complies with one or more of the following standards. Each standard provides a development yield bonus of five percent in addition to the maximum number of dwellings allowed in the base development yield. By adjusting the average lot size (net) accordingly, the maximum bonus permitted is 20 percent.

(Ordinance No. 184)

a. Creating an endowment where the principal would generate sufficient annual interest to cover the conservation easement holder's yearly costs (taxes, insurance, maintenance, enforcement, etc.).

b. Providing for access by the general public to trails, parks, or other recreational facilities, excluding golf courses.

c. Providing affordable housing, to include a minimum of 25 percent of all units that would be affordable to moderate-income households and below, as defined by the U.S. Department of Housing and Urban Development.

d. Reusing historical buildings and structures, including those sites inventoried by the Iowa State Historic Preservation Office or the National Register of Historic Places. The U.S.

Secretary of the Interior’s Standards for Rehabilitation of Historic Properties shall apply.

e. Planting and incorporating native vegetation.

(Ordinance No. 184)

f. Providing for alternative forms of energy.

(Ordinance No. 184)

g. Creating constructed wetlands.

(Ordinance No. 184)

5. Bulk Requirements. The bulk requirements listed in Table 86-10 shall apply to all development within the R-C Residential Conservation (Overlay) District.

(Ordinance No. 184) (Ordinance No. 192)

Table 86-10 – Bulk Requirements – R-C Overlay District

Permitted Uses	Front Setback (Min.)	Side Setback (Min.)	Side Setback Corner Lot (Min.)	Flag Yard Setback (Min.)	Rear Setback (Min.)	Lot Width (Min.)	Structure Area Width (Min.)	Maximum Height
Single-Family Dwelling:								
Private Systems	30 feet	6 feet	25 feet	20 feet	20 feet	60 feet	400 20 square feet	40 feet
Common Systems	30 feet	6 feet	25 feet	20 feet	20 feet	60 feet	400 20 square feet	40 feet
Other Permitted Uses:								
Private Systems	40 feet	25 feet	25 feet	35 feet	20 feet	60 feet	400 20 square feet	40 feet
Common Systems	40 feet	25 feet	25 feet	35 feet	20 feet	60 feet	400 20 square feet	40 feet
Accessory Buildings	same as required front	same as required side	same as required side corner	same as required flag	2 feet*	no minimum	no minimum	dependent on base district
* 5 feet from alley lines								

6. Design Standards.

A. The residential lot shall be large enough to accommodate a house and two-car garage. The average minimum lot size (net) is dependent on base zone district requirements, unless development yield bonus as defined in subsection 4, paragraph B of this section is applied.

(Ordinance No. 184)

B. Residential lots shall be configured to minimize the amount of impervious surfaces. Maximum percentage of impervious surface allowable for each lot (excluding impervious surface within the established right-of-way) is 35 percent (includes buildings and other impervious surfaces).

(Ordinance No. 184)

C. Residential lots shall be configured to minimize the amount of road length required for the subdivision.

(Ordinance No. 184)

D. Development envelopes shall be configured to minimize loss of woodlands.

(Ordinance No. 184)

E. If agricultural uses are being maintained, residential lots shall be configured in a manner that maximizes the usable area remaining for such agricultural uses.

(Ordinance No. 184)

F. The subdivision shall be designed to include a minimum of 50 percent solar oriented lots to maximize solar gain in the winter months.

(Ordinance No. 184)

G. A 30-foot native vegetation buffer shall be maintained around open water areas, unless a specific common beach or grassed area is identified.

H. The use of the following storm water management practices are required:

- (1) Minimize the use of curb and gutter and maximize the use of open swales.
- (2) Drain roof down spouts to porous surfaces.
- (3) Peak discharges during the two- and ten-year storm events shall be no more than pre-developed conditions.
- (4) Capture 80 percent of the sediments/pollutants from the one-year storm event.
- (5) Use landscape plantings to increase infiltration and decrease runoff.
- (6) Preserve and enhance natural open drainage systems.
- (7) Incorporate rain gardens.

(Ordinance No. 184)

7. Street Standards.

A. Neighborhood streets may take the form of a two-way street, a pair of one-way streets on either side of a landscaped median, or a one-way loop street around a small neighborhood green. Streets shall be developed according to the following standards that promote road safety, assure adequate access for fire and rescue vehicles, and promote adequate vehicular circulation.

B. The applicant must demonstrate that access to the development has the capacity to handle traffic generated by the proposed project and will not endanger the safety of the general public.

C. The right-of-way width for each road shall be wide enough to provide for all public services, including roadway drainage, sidewalks, trails, and walkways, utilities, and snow storage. The maximum right-of-way shall be provided in accordance with the following:

(Ordinance No. 184)

Table 86-11 – Right-of-Way Requirements – R-C Overlay District

Right-of-Way ADT Less Than 250	ADT Over 250
One-way roadway – 20 feet	One-way roadway – 30 feet
Two-way roadway – 40 feet	Two-way roadway – 50 feet

D. Travel lane widths for local roads shall be determined by the expected average daily traffic (ADT) and shall be within the following ranges:

Table 86-12 – Lane Width Specifications – R-C Overlay District

Travel Lanes ADT Less Than 100	Travel Lanes ADT 100 – 250	Travel Lanes ADT Over 250
Two-way roadway* 18 to 24 feet	Two-way roadway* 20 to 26 feet	Two-way roadway* 22 to 28 feet
One-way roadway* 11 to 13 feet	One-way roadway* 11 to 13 feet	One-way roadway* 11 to 14 feet
(Curbed sections**) 13 feet		
Shoulder or gutter pan width 2 to 4 feet		
*Does not include shoulder or gutter pan		

E. Additional Standards.

- (1) Design Speed: maximum 25 miles per hour.
- (2) Vertical Curves: minimum 50 feet (when grade difference less than one percent, no curve is needed).
- (3) Horizontal Curves: minimum radius of 125 feet.
- (4) Road Grades: maximum grade eight percent.
- (5) Super-elevation: maximum $e = 0.04$ feet/feet.
- (6) Pavement Strength: 7-ton minimum.
- (7) Clear Zones:
 - a. Shoulder sections: 10 feet from edge of travel lane.
 - b. Curbed sections: 2 feet from face of curb.

F. Culs-de-sacs should be designed as semi-circular and circular loop roads. Minimum 30-foot outside radius around a landscaped island with a minimum 10-foot radius.

G. Sidewalks, trails, and other walkways shall have maximum five-foot width, constructed of pervious pavement or non-paved surfaces unless determined at the time of Interagency Review Team that impermeable paving is necessary to prevent erosion.

(Ordinance No. 184)

H. Shade trees shall be planted on both sides of the street.

(Ordinance No. 192)

I. Street connections to adjacent parcels shall be provided, where appropriate, in logical locations to avoid creating landlocked parcels and provide for connecting street patterns.

J. Street names shall be determined in conformance with Section 88.02(2)(E).

(Ordinance No. 192)

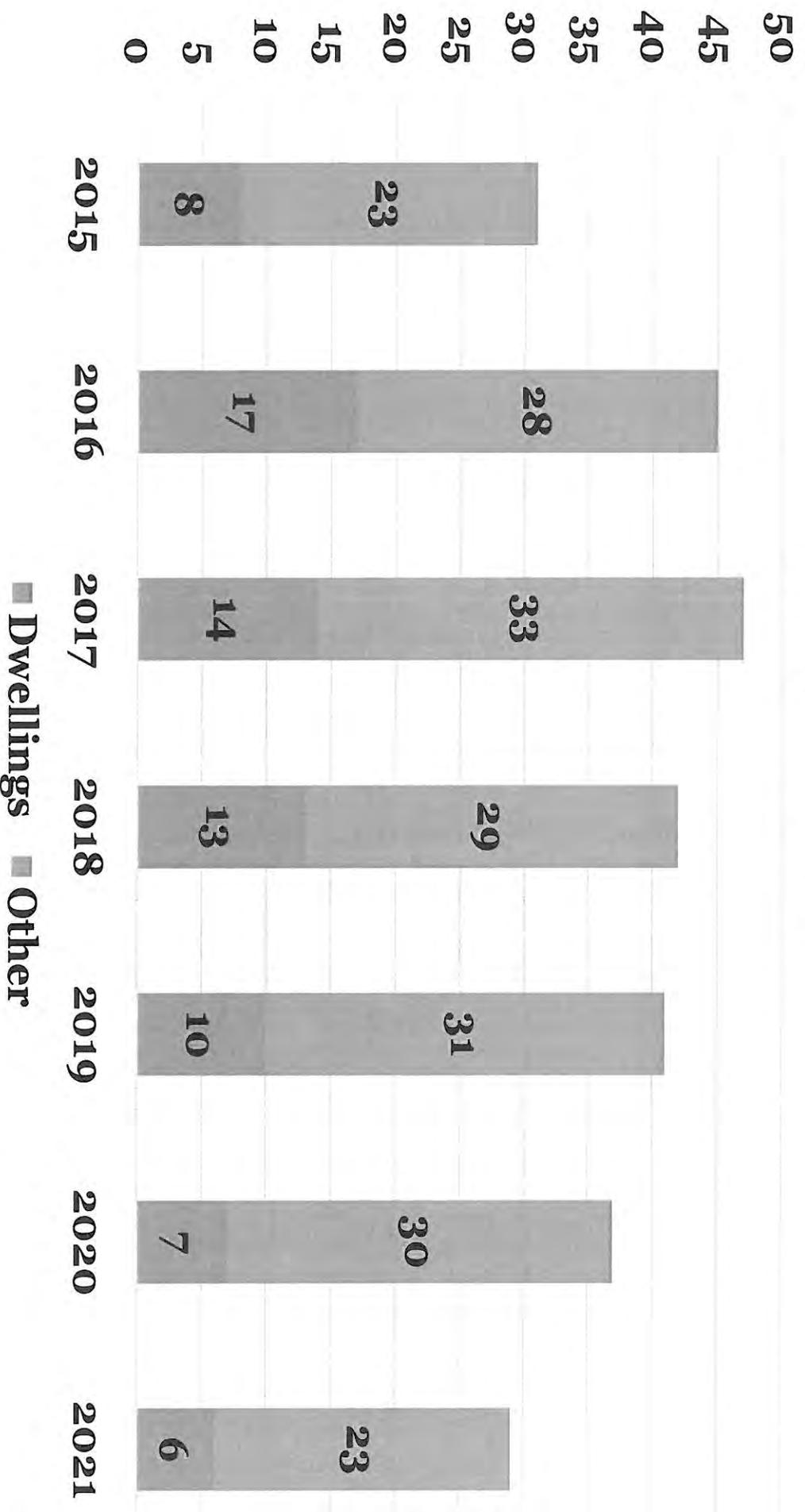


Board of Supervisors

**Planning and Development Department
Quarterly Report—Third Quarter 2021**

Tuesday, October 26, 2021

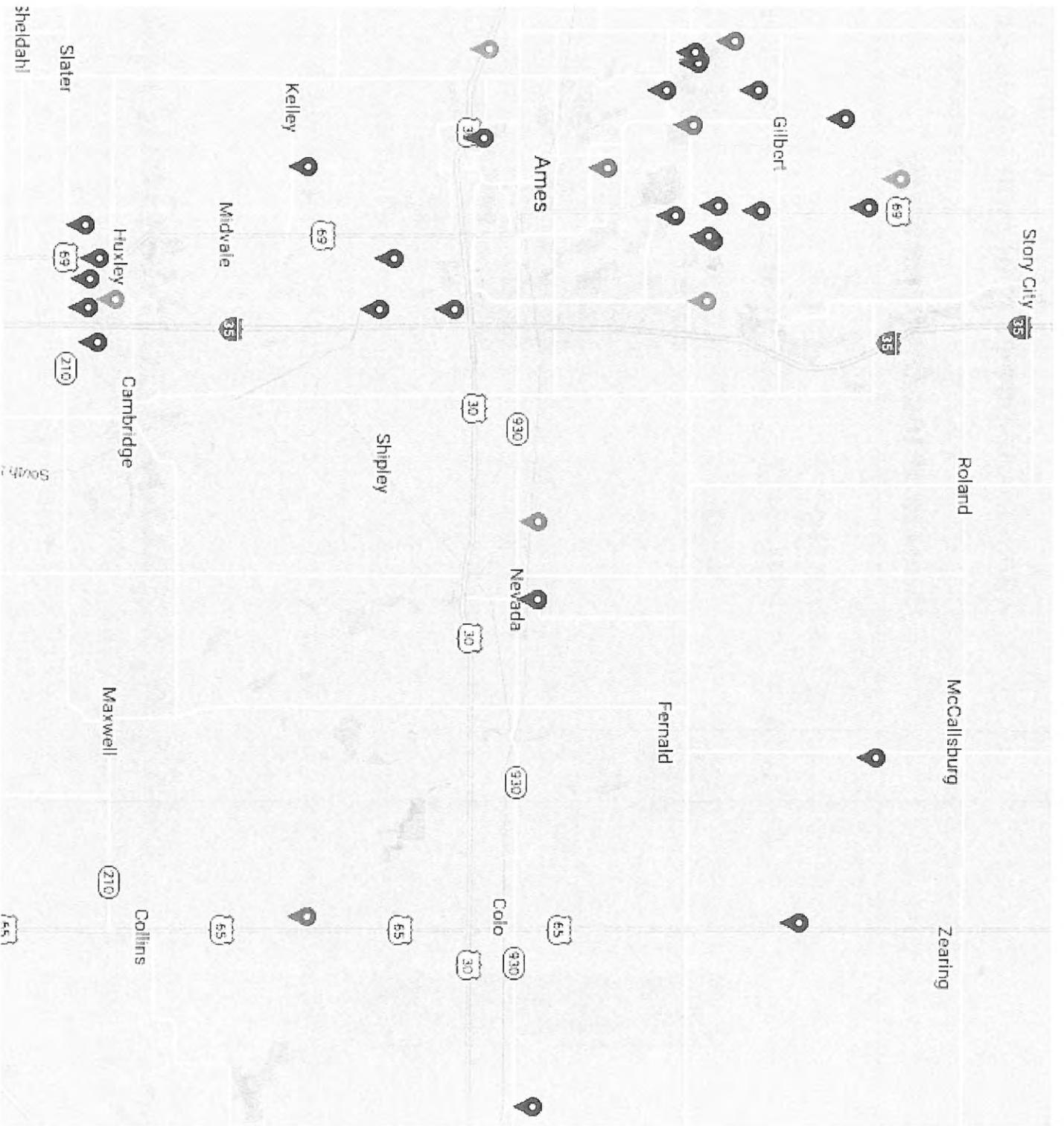
Third Quarter Preliminary Zoning Permits Compared by Year



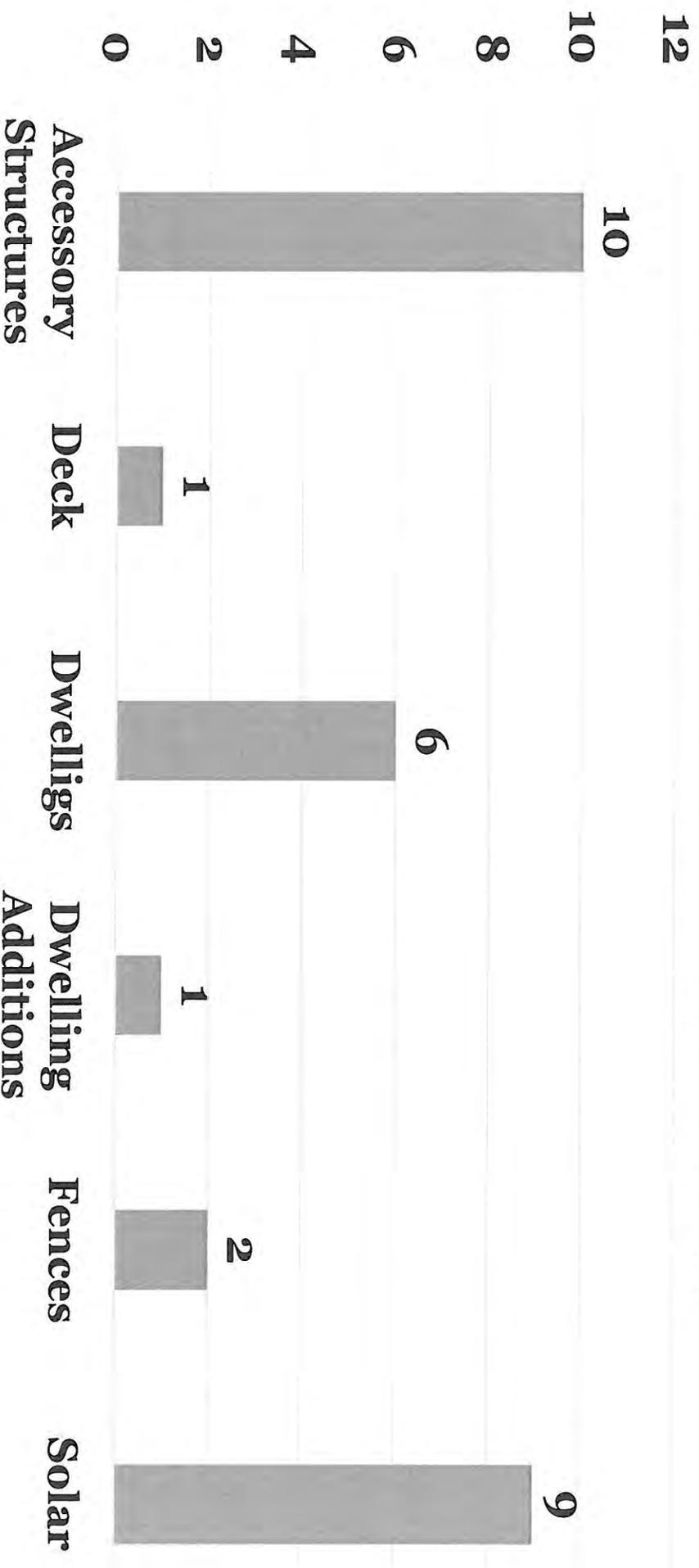
- With previous two quarters, we have had 27 new dwellings in 2021. On average over the past four years there have been 33.5 dwellings in the first three quarters.
- Dwellings were higher value—highest third quarter dwelling value was in 2020 (\$280,288). 2021 third quarter average dwelling value was \$346,496.67.

Map of Third Quarter Permits Issued

-  Non-Residential (Commercial)
-  Grading Permit
-  Agricultural Exemption
-  911 Permit
-  Demolition
-  All Others
-  Residential



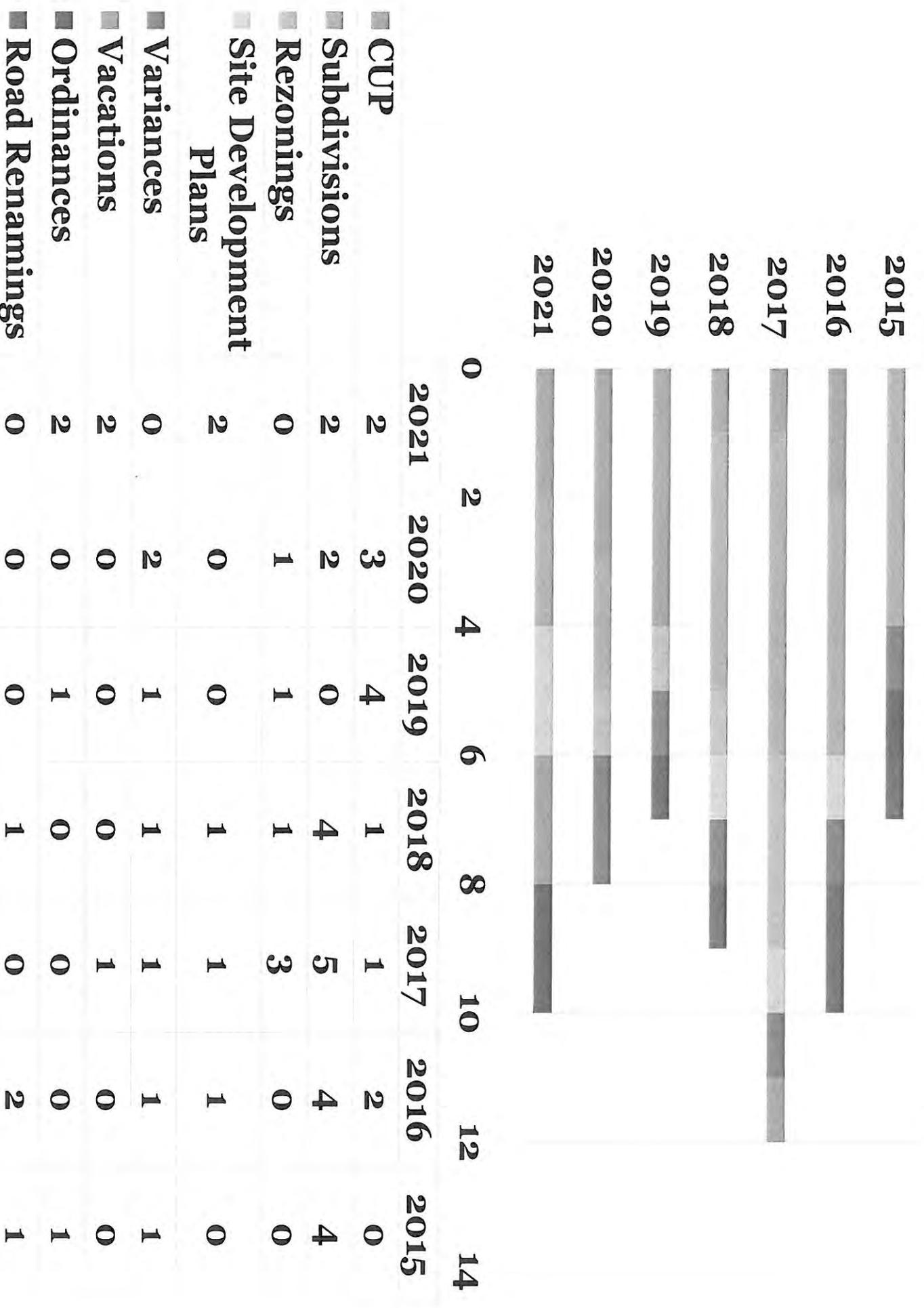
Third Quarter 2021 Permits by Type



Why so many solar arrays?

- Price reduction in materials
- 3-4 national companies are now in area and advertising
- Iowa SES Tax Credit expiring

Development Activities: Third Quarter Compared



Other Activities

- **Development cases included a conditional use permit for a daycare and an asphalt plant; home business and addressing chapter amendments**
- **One special event application**
- **One annexation**
- **Property Research: three in third quarter 2021, five in 2020, ten in 2019, eight in 2018**
- **Conceptual Review: seven in third quarter 2021, four in 2020, two in 2019, and four in 2018**

High Priority Work Program Items Update

- **Ames Urban Fringe Plan**
- Meeting with Ames to determine process, bringing Story County priorities back before supervisors
- **Construction and Demolition Landfill Siting Only**
- Interested property owner on Highway 30 and new interchange—working with DOT and DNR on any site constraints and facilities management on potential for use for county storage.
- **Review of Land Development Regulations**
- Chapters 32, 86, 69 completed; 85, 87, 88, and 90, 91, 92 are only remaining with major changes and hobby farm amendment. 87, 91, 92 to be completed by end of year. 88 (general site planning) may wait so that natural resources amendments can be included. 85 will be last to incorporate all definitions.

High Priority Work Program Items Update

- **Natural Resource Areas Mapping**
- Done—need to do outreach
- **Minimum Levels of Service**
- New intern undertaking
- **Conservation Design Standards**
- Bringing to the conservation board and PZC
- **Public Outreach Toolkit**
- New intern undertaking
- **Accessory Dwelling Units**
- Need to delay