CITY OF STORM LAKE
PLANNING AND ZONING
ACCESS TO THE OFFICIAL MEETING CAN
BE DONE THROUGH THE FOLLOWING
WAYS: IN PERSON AT CITY HALL BY

TELEPHONE: DIAL: 1-312-626-6799 OR TOLL-

FREE: 1-888-475-4499 WEBINAR ID: 825 5453

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MAY 12, 2022

5:15 PM



City of Storm Lake PO Box 1086 Storm Lake, IA 50588 p (712) 732-8000 f (712) 732-4114

AGENDA

- 1. Motion to Review and Approve The Minutes From The April 28, 2022 Planning & Zoning Meeting
- 2. A Public Hearing On A Proposed Text Amendment to the Storm Lake Zoning Ordinance To Permit Servicing of Non-Commercial Lawn and Garden Equipment as a Home Occupation.
- 3. Proposed Text Amendment to the Storm Lake Zoning Ordinance To Permit Servicing of Non-Commercial Lawn and Garden Equipment as a Home Occupation
- 4. Adjourn



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Staff Summary

5/12/2022 Agenda Item#1.



City of Storm Lake PO Box 1086 Storm Lake, IA 50588 p (712) 732-8000 f (712) 732-4114

REPORT TO: Planning & Zoning Commission

FROM: Scott Olesen, Building & Code Compliance Director

SUBJECT: Motion to Review and Approve The Minutes From The April

28, 2022 Planning & Zoning Meeting

BACKGROUND:

COMPREHENSIVE PLAN RELATIONSHIP:

FISCAL IMPACT:

RECOMMENDATION: Approve Minutes

ATTACHMENTS:

Description Type
Minutes Minutes

PLANNING AND ZONING COMMISSION, April 28, 2022, 5:15, P.M. City Hall Council Chambers and Teleconference

MEMBERS PRESENT: David Walker, Andriette Wickstrom, Tim Steffen, Duane Miller, Ruth Whitmore, Tony Statz

ABSENT: Miavan Feliciano

OTHERS PRESENT: Scott Olesen (Building Official), Colette Baker (Code Enforcement Officer), Chris Chambers (Building Inspector), Janice and Cecil Breyfogle (Residents), Felicia and Robert Bruno (Interested Parties), Curt Carlson (Resident)

Chairman Walker called the meeting to order at 4:07 p.m.

Item 1: Approval of Minutes from the February 18, 2022, P & Z Meeting

Moved by Vice Chair Wickstrom to approve the minutes from the February 18, 2022, meeting. Second by Commissioner Miller.

Roll Call Vote: All Ayes with Commissioner Feliciano absent. Motion carried.

Item 2: Public Hearing On A Proposed Text Amendment to the Storm Lake Zoning Ordinance To Permit Kennels in the GI Zoning District

Chairman Walker opens public hearing.

Scott Olesen: There has been a request by Brent Mangold to allow Kennels to be a permitted use in the GI, General Industrial Zoning District. Currently, this is not an allowable use in this Zoning District. The proposed Kennel use type would appear to be compatible with the uses which are currently permitted in the GI, General Industrial Zoning District. The plan is for a mixed use to have a kennel and a moving business. A kennel is currently only allowed in Light Industrial Zoning District.

Chairman Walker clarifies that this is not a conditional use but a change to the Zoning Ordinance.

Public Comments

Robert Bruno explains the business will be for domestic animals only. They plan to add soundproofing to the building. Animals will not be left outside or in the building unsupervised. There would be 1-2 at a time outside in a fenced in area. In addition to the kennel there will be grooming, and pet care items for sale. The moving company would only involve parking moving trucks on site. The traffic would be for people dropping off and picking up pets. The max number of animals would be sixteen.

Commissioner Wickstrom questions if there are other locations available. They looked at a location in the Light Industrial District but were unable to acquire it.

Resident Curt Carlson speaks of his concern about the noise of all the dogs but feels that his concerns have been answered with the explanation from Bruno.

Chairman Walker clarifies that this is a blanket change to the ordinance and although this owner has a plan to be responsible, we must consider what this will look like for future use.

Scott Olesen reads from the City Code Chapter 8-7 on Excessive Noise

Section 8-7-2 (C) Animals and Fowl: The keeping of, upon any premises, owned occupied or controlled by any person, any animal or fowl otherwise permitted to be kept which, by any sound, barking or cry, shall cause annoyance or discomfort to a reasonable person of normal sensibilities.

This would be a way of keeping the noise in check for current or future kennels.

Chairman Walker and Scott Olesen explain that this is step one in a process and that the Storm Lake City Council will also hold a Public Hearing and have three readings beginning on May 2, 2022.

Brent Mangold will retain ownership of one building on the property with Bruno's having first option to buy if he should decide to sell.

A map was provided to clarify what building will house the kennel. The building is in a favorable location and will not be as close to the residential area as first thought.

Hearing no further comments Chairman Walker closed the Public Hearing.

Item 3: Recommendation For Proposed Text Amendment to the Storm Lake Zoning Ordinance To Permit Kennels in the GI Zoning District.

Chairman Walker ask for any further discussion or comments from the commission. Hearing none he calls for a motion.

Commissioner Miller makes a motion:

I Duane Miller hereby move that that the Storm Lake Planning and Zoning Commission approve the application submitted by Brent Mangold for a text amendment to the Storm Lake Zoning Ordinance that would allow for a Kennel to be a permitted use in the GI General Industrial Zoning District. We have reviewed the submitted application, held a public hearing, and have found that it is in compliance with the Storm Lake Comprehensive Plan. We therefore are recommending to the Storm Lake City Council to approve application 2022-2.

Second by Vice Chair Wickstrom

Roll Call Vote: All ayes with Commissioner Feliciano absent. Motion carried.

Item 4: Adjourn

Chairman Walker asks if there is any other business and hearing none calls for a motion to adjourn. Commissioner Steffen makes a motion to adjourn. All Ayes with Commissioner Feliciano absent motion carried adjourn at 4:40 p.m.

Staff Summary

5/12/2022 Agenda Item # 2.



City of Storm Lake PO Box 1086 Storm Lake, IA 50588 p (712) 732-8000 f (712) 732-4114

REPORT TO: Planning & Zoning Commission

FROM: Scott Olesen, Building & Code Compliance Director

SUBJECT: A Public Hearing On A Proposed Text Amendment to the

Storm Lake Zoning Ordinance To Permit Servicing of Non-

Commercial Lawn and Garden Equipment as a Home

Occupation.

BACKGROUND: There has been interest in the potential for servicing of non-

commercial lawn and garden equipment as a Home Occupation in the Residential Zoning Districts. Currently, this is not an allowable

Home Occupation use.

This use type would provide for the servicing of non-commercial lawn and garden equipment such as lawnmowers, snow blowers, and garden tillers, and similar non-licensed equipment intended for use by homeowners. The extent of work would be limited to tune ups and oil changes. It would not include engine rebuilding, welding of any kind, or painting. The lawn and garden equipment is to be brought to the building by the occupant of the dwelling, no deliveries by the equipment owner would be permitted and work must be performed inside of a garage. No external storage is permitted.

The home occupation may only operate between the hours of 8:00 a.m. and 8:00 p.m.

I have attached the proposed text amendment for your review.

Before a text amendment may be approved by the City Council, a written recommendation must be provided by the Planning and Zoning Commission.

COMPREHENSIVE PLAN RELATIONSHIP:

The Storm Lake Comprehensive Plan on page 6-6, lists "Economic Goals And Policies". Goal 2 is to attract new

businesses that will diversify the tax base and supply jobs within

Storm Lake.

This text amendment will allow for and additional home occupation

use in the Residential Zoning Districts.

FISCAL IMPACT: Cost of public notices and legal fees estimated at \$200.00.

RECOMMENDATION: Open the Public Hearing

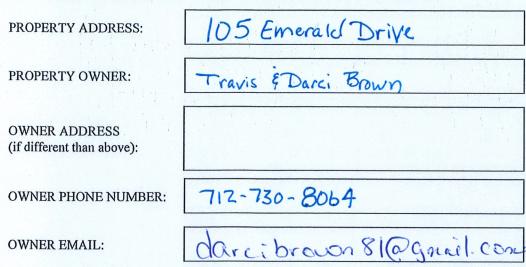
Receive Public Input
Close The Public Hearing

ATTACHMENTS:

DescriptionType□ ApplicationApplication□ MapMap□ OrdinanceOrdinance□ Public NoticeBackup Material

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL





City of Storm Lake PO Box 1086 Storm Lake, IA 50588 p (712) 732-8000 f (712) 732-4114



The City of Storm Lake Zoning Ordinance Article 12 Section 1204 establishes the amendment procedure for the Zoning Ordinance and requires the property owner to submit the following information, which must accompany this application before it can be considered by the Planning and Zoning Commission and the City Council.

The legal description and local address of the property.

The present zoning classification and the requested zoning classification.

The existing use of the property and the proposed use of the property.

A statement of the reasons why the applicant feels the present zoning classification is no longer valid.

Attach a plat showing the locations, dimensions and use of the applicant's property and all property within three hundred (300') feet including streets, alleys, railroads, and other physical features.

The request for a rezoning request will be heard by the Planning and Zoning Commission and the City Council at separate meetings.

The City of Storm Lake will notify all property owners within three hundred (300') feet of the applicant's property notifying them of the upcoming hearing.

The City of Storm Lake will notify the applicant of the hearing date.

The City of Storm Lake will publish a public hearing notice in a locally circulated newspaper not less than 7 and no more than 20 days prior to the meeting.

A non refundable application fee of \$200.00 is required at time of the application. The fee will not be refunded if the request is denied by the Planning and Zoning Commission or the City Council.

CITY OF STORM LAKE

PLANNING AND ZONING CC	OMMISSION and C	CITY COUNCIL	Omrib trighto to
Text Amendment to the Zoni	ing Ordinance		City of Storm Lal
☐ Zoning Map Amendment to	the Zoning Ordinan	ice	PO Box 108
			Storm Lake, IA 5058 p (712) 732-800
CURRENT ZONING ORDINANCE:			f (712) 732-411
TEXT AMENDEMENT REQUEST:			rcial Laun & gorden equipmen
ADDRESS OF THE PROPERTY:		occupation use.	
LEGAL DESCRIPTION OF THE PROPERTY:	Lot 4, Block 3 Brach, & the So North 37.58	3, Sturm Lake Corp., south 10' of Lots 5	Hayes Whitney Pierce and le : Lot 7, Ex. the
PRESENT ZONING DISTRICT:	R-2		
REQUESTED ZONING DISTRICT:	R-2		
WHY PRESENT ZONING IS NO LONGE	ER VALID: N/A		
EXISTING USE OF PROPERTY:	Single	family duelling	
PROPOSED USE OF PROPERTY			
Signature of Property Owner:	Lian	a Brown	Date: 4-27-22
City of Storm Lake Use			
Meeting Date:		Appeal No.:	
Application Fee Paid:		Date Paid:	



ORDINANCE NO.

ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF STORM LAKE, A PART OF THE STORM LAKE MUNICIPAL CODE, TO ALLOW FOR SERVICING OF NON-COMMERCIAL LAWN AND GARDEN EQUIPMENT AS A HOME OCCUPATION BUSINESSES

WHEREAS, the City Staff has received a petition for changes in the text of the Storm Lake Zoning Ordinance and Subdivision Regulations to allow for servicing of noncommercial lawn and garden equipment as a home occupation

WHEREAS, the City's Planning and Zoning Commission has reviewed and recommended approval of the proposed changes in the text of the Zoning Ordinance that will allow for such additional use of real property in a Residential Zoning District; and

WHEREAS, the proposed changes in the text of such Zoning Ordinance are consistent and in accordance with the comprehensive plan adopted by the City in Resolution No. 94-R-2012-2013 on February 18, 2013;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Storm Lake, Iowa, as follows:

<u>Section 1</u>. <u>AMENDMENTS</u>. The Zoning Ordinance of the City of Storm Lake is amended as follows:

a. In "Article Three-Use Types", insert the following new subsection "c(6)." in Section 307 immediately after subsection "c(5)." of Section 307:

6. Non-Commercial Lawn and Garden Equipment Repair

A home based business that provides oil changes, engine tune ups, and general maintenance of non-commercial lawn & garden equipment such as lawnmowers, snow blowers, garden tilling, and similar unlicensed, non-recreational equipment, intended for use by urban homeowners. This use does not permit the rebuilding of small engines, painting, or welding of any kind. Uses are limited to dwelling garages and no work or storage outside of the garage is permitted. No customer drop offs are permitted and the business may only operate between the hours of 8:00 am and 8:00 pm.

b. In "Article Six-Supplemental Use Regulations", add the following to the end of Section 610, subsection (a)6(d) after "uses":

",except for Non-Commercial Lawn and Garden Equipment Repair, as defined in Article Three, Section 307, subsection c(6)."

<u>Section 2</u>. <u>REPEALER</u>. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 3. EFFECTIVE DATE. This after its passage and publication as pro-	ordinance shall be in full force and effect from and vided by law.
PASSED AND APPROVED th	is, 2022.
ATTEST:	Michael Porsch, Mayor
Mayra A. Martinez, City Clerk	

PLANNING AND ZONING AND CITY COUNCIL CITY OF STORM LAKE

File number: **2022-3**

Date: May 3, 2022

A petition for a Text Amendment to the Storm Lake Zoning Ordinance to allow servicing of non-commercial lawn and garden equipment as a permitted Home Occupation use in Residential Zoning Districts has been filed by Travis and Darci Brown.



City of Storm Lake PO Box 1086 Storm Lake, IA 50588

p (712) 732-8000 f (712) 732-4114

The petition requests approval to allow for servicing of non-commercial lawn and garden equipment as a permitted Home Occupation use in the Residential Zoning Districts. As follows:

A home-based business that provides oil changes, engine tune ups, and general maintenance of non-commercial lawn & garden equipment such as lawnmowers, snow blowers, garden tilling, and similar unlicensed, non-recreational equipment, intended for use by urban homeowners. This use does not permit the rebuilding of small engines, painting, or welding of any kind. Uses are limited to dwelling garages and no work or storage outside of the garage is permitted. No customer drop offs are permitted and the business may only operate between the hours of 8:00 am and 8:00 pm.

A public hearing will be held by the Planning and Zoning Commission on May 12, 2022, at 5:15 P.M. at which time you may appear if you so desire, either in person or by agent or attorney, in opposition to or support of the proposed ordinance to permit servicing of non-commercial lawn and garden equipment as a Home Occupation in the Residential Zoning Districts. You may attend in person at City Hall, by Telephone: Dial: 1-312-626-6799 or tollfree: 1-888-475-4499 – Zoom Meeting ID: 825 5453 3554, or by Computer: https://us06web.zoom.us/j/82554533554

Following the hearing the board will make a recommendation to the City Council relative to the application. **The City Council will meet Monday, May 16, 2022, at 5:00 P.M.** You may attend in person at City Hall, By Telephone Dial: 1-312-626-6799 or toll-free: 1-888-475-4499 Zoom Meeting ID: 933-2006-3301, or By Computer: https://zoom.us/j/93320063301

Respectfully submitted,

Scott Olesen Zoning Administrator

Staff Summary

5/12/2022 Agenda Item # 3.



City of Storm Lake PO Box 1086 Storm Lake, IA 50588 p (712) 732-8000 f (712) 732-4114

REPORT TO: Planning & Zoning Commission

Scott Olesen, Building & Code Compliance Director FROM:

SUBJECT: **Proposed Text Amendment to the Storm Lake Zoning**

Ordinance To Permit Servicing of Non-Commercial Lawn

and Garden Equipment as a Home Occupation

BACKGROUND: There has been interest in the potential for servicing of non-

> commercial lawn and garden equipment as a Home Occupation in the Residential Zoning Districts. Currently, this is not an allowable

Home Occupation use.

This use type would provide for the servicing of non-commercial lawn and garden equipment such as lawnmowers, snow blowers, and garden tillers, and similar non-licensed equipment intended for use by homeowners. The extent of work would be limited to tune ups and oil changes. It would not include engine rebuilding, welding of any kind, or painting. The lawn and garden equipment is to be brought to the building by the occupant of the dwelling, no deliveries by the equipment owner would be permitted and work must be performed inside of a garage. No external storage is permitted.

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I have attached the proposed text amendment for your review.

Before a text amendment may be approved by the City Council, a written recommendation must be provided by the Planning and Zoning Commission.

COMPREHENSIVE he Storm Lake Comprehensive Plan on page 6-6, lists PLAN RELATIONSHIP: "Economic Goals And Policies". Goal 2 is to attract new

businesses that will diversify the tax base and supply jobs within

Storm Lake.

This text amendment will allow for and additional home occupation

use in the Residential Zoning Districts.

FISCAL IMPACT: Cost of public notices and legal fees estimated at \$200.00.

RECOMMENDATION: Review and approve the proposed text amendment attached to

this staff summary and provide the required written approval on the form provided to the Chairman of the Planning and Zoning

Commission.

ATTACHMENTS:

 Description
 Type

 □ Application
 Application

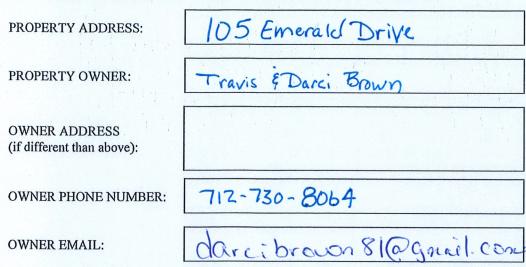
 □ Ordinance
 Ordinance

 □ Notice to the Public
 Backup Material

 □ Map
 Map

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL





City of Storm Lake PO Box 1086 Storm Lake, IA 50588 p (712) 732-8000 f (712) 732-4114



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CITY OF STORM LAKE

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REQUESTED ZONING DISTRICT:	R-2		
WHY PRESENT ZONING IS NO LONGE	ER VALID: N/A		
EXISTING USE OF PROPERTY:	Single	family duelling	
PROPOSED USE OF PROPERTY			
Signature of Property Owner:	Lian	a Brown	Date: 4-27-22
City of Storm Lake Use			
Meeting Date:		Appeal No.:	
Application Fee Paid:		Date Paid:	

ORDINANCE NO.

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Section 3. EFFECTIVE DATE. This or after its passage and publication as provi	rdinance shall be in full force and effect from and ded by law.
PASSED AND APPROVED this	s, 2022.
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Mayra A. Martinez, City Clerk	_

PLANNING AND ZONING AND CITY COUNCIL CITY OF STORM LAKE

File number: **2022-3**

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Respectfully submitted,

Scott Olesen Zoning Administrator

