

Enlargement of a Nonconforming Use

Special Use Permit Application Packet

for a Site in a Commercial Zone

1. **Application Packet.** The “Application Packet” for a Special Use Permit to allow “*Enlargement of a Nonconforming Use in a Commercial Zone*” includes the following:
 - Application Form (*This form must be completed for all applications.*);
 - Supporting Information (*Each standard listed must be addressed.*);
 - Site Development Plan Checklist (*Use this checklist to prepare the Site Development Plan*); and,
 - Permission to Place a “Zoning Action Pending” Sign on Private Property (*This form must be signed by the property owner.*).

Be sure to complete and submit all the required materials that are part of this Application Packet. Failure to do so will result in a delay in accepting your application until it is complete.

2. **Zoning Board of Adjustment Meetings.** Within three days after the application is received, staff will determine if the application is complete and notify the applicant. Once staff has determined it is complete, staff will contact the applicant to discuss the application, including possible timelines for Board consideration. The *Zoning Board of Adjustment* conducts a public hearing, considers the recommendation of the *Planning and Housing staff* and makes the final decision, based on the standards in the Ordinance. **The Board meets on the second Wednesday of the month at 6:00 p.m. in the City Council Chambers.** Additional meetings may be held on the fourth Wednesday of the month, April through October. The *Board* must approve, deny, or modify the Special Use Permit application within 60 days of the public hearing. For more information about the review process and schedule, please see the Development Review Information page on the City web site at www.cityofames.org.
3. **Submittal and Filing Fee.** The complete application and filing fee must be submitted to the Department of Planning and Housing. All required information and materials must be filed with the:
Department of Planning and Housing
Room 214, City Hall
515 Clark Avenue
Ames, Iowa 50010

The filing fee is required at the time the application is submitted. The amount of the filing fee is available from the Department of Planning and Housing.

4. **Site Development Plan and Architectural Elevations.** The applicant shall submit seven (7) copies of the *Site Development Plan* and *Architectural Elevations*, and one set of reduced copies of the *Site Development Plan* and *Architectural Elevations*, no larger than 11” x 17”.

**IF YOU HAVE QUESTIONS WHILE COMPLETING THIS APPLICATION,
PLEASE CONTACT THE DEPARTMENT OF PLANNING AND HOUSING.**

Phone: 515-239-5400
FAX: 515-239-5404
E-mail: planning@cityofames.org

Enlargement of a Nonconforming Use
Special Use Permit Application Form
for a Site in a Commercial Zone

(This form must be filled out completely before your application will be accepted.)

1. **Property Address** for this Special Use Permit: _____

2. *I (We) the undersigned, do hereby respectfully request the Ames Zoning Board of Adjustment to grant a Special Use Permit for "Enlargement of a Nonconforming Use in a Commercial Zone" at the property address listed above.*

3. **Legal Description** (attach, if lengthy): _____

4. **Property Owner:** _____

Business: _____

Address: _____
(Street) (City) (State) (Zip)

Telephone: _____
(Home) (Business) (Fax)

5. **Applicant:** _____

Business: _____

Address: _____
(Street) (City) (State) (Zip)

Telephone: _____
(Home) (Business) (Fax)

6. **Contact Person:** _____

Business: _____

Address: _____
(Street) (City) (State) (Zip)

Telephone: _____
(Home) (Business) (Fax)

E-mail address: _____

This Special Use Permit will not be granted unless sufficient facts are presented with the application, and at the Zoning Board of Adjustment meeting, to support a finding that all the general and specific standards for granting a Special Use Permit have been met.

Obtaining this Special Use Permit does not absolve the applicant from obtaining all other applicable permits, such as Building Permits, IDOT access permits, et cetera.

I (We) certify that I (we) have submitted all the required information to apply for a Special Use Permit and that the information is factual.

Signed by: _____ **Date:** _____
Property Owner(s)

Print Name

(Note: No other signature may be substituted for the Property Owner's Signature.)

Enlargement of a Nonconforming Use

Special Use Permit Supporting Information

for a Site in a Commercial Zone

(This form must be filled out completely before your application will be accepted.)

The Zoning Board of Adjustment cannot approve a Special Use Permit unless all of the “General Standards” and “Commercial Zone Standards” are met. In order to facilitate review of this application for a Special Use Permit, the applicant must address each of the “General Standards” set forth in Section 29.1503, and in addition, the “Commercial Zone Standards” set forth in Section 29.1503(4)(c) of the Zoning Ordinance.

(Note: The applicant’s explanation of how the request meets each standard may be attached on a separate sheet if sufficient space is not provided.)

1. **General Standards.** The Zoning Board of Adjustment shall review each application for the purpose of determining that each proposed use meets the following “General Standards” set forth in 29.1503(4)(a), and in addition, shall find adequate evidence that each use in its proposed location will:

(a) ***Be harmonious with and in accordance with the general principles and proposals of the Land Use Policy Plan (LUPP).***

Explain how the request meets this standard.

(b) ***Be designed, constructed, operated, and maintained so as to be harmonious in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the area in which it is proposed.***

Explain how the request meets this standard.

- (c) ***Not be hazardous or disturbing to existing or future uses in the same general vicinity.***

Explain how the request meets this standard.

- (d) ***Be served adequately by essential public facilities and services such as highways, streets, police, fire protection, drainage structure, refuse disposal, water and sewage facilities, and/or schools.***

Explain how the request meets this standard.

- (e) ***Not create excessive additional requirements at public cost for public facilities and services.***

Explain how the request meets this standard.

- (f) ***Not involve uses, activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.***

Explain how the request meets this standard.

- (g) ***Be consistent with the intent and purpose of the Zone in which it is proposed to locate such use.***

Explain how the request meets this standard.

2. **Commercial Zone Standards.** The Zoning Board of Adjustment shall review each application for the purpose of determining that each proposed use in a Commercial Zone meets the “*Commercial Zone Standards*” set forth in 29.1503(4)(c), which are listed below, and shall find adequate evidence that each use in its proposed location will:

(a) ***Be compatible with the potential commercial development and use of property planned to occur in the area.***

Explain how the request meets this standard.

(b) ***Represent the sufficiently desirable need for the entire community that the loss of commercial land is justifiable in relation to the benefit.***

Explain how the request meets this standard.

(c) ***Be consistent with all other applicable standards in the zone.***

Explain how the request meets this standard.

Enlargement of a Nonconforming Use

Special Use Permit Site Development Plan Checklist

for a Site in a Commercial Zone

(This form must be filled out completely before your application will be accepted.)

The applicant shall provide seven (7) copies of a Site Development Plan which includes the information described below, as set forth in Section 29.1502 of the Zoning Ordinance.

- Seven (7) copies of a Site Development Plan, drawn to scale on a sheet not to exceed 24" x 36", and one (1) reduced copy no larger than 11"x17".
- The Site Development Plan must be prepared by a Civil Engineer, a Land Surveyor, a Landscape Architect, or an Architect. The site plan must be certified as "substantially correct" by a Professional Engineer, a Land Surveyor, a Landscape Architect, or an Architect, licensed by the State of Iowa, ***showing the following information as of the date of the application.***

Note: With approval by City staff prior to submitting the Site Development Plan, it may be possible to exclude some of the following items from the Site Development Plan. Please place a check mark in the box in front of each item that is included as part of the application materials submitted for approval.

- Name(s) and address(es) of the applicant(s).
- Name(s) and address(es) of the owner(s) of record of the property.
- Name and address of the person or firm preparing the site plan.
- Property address(es).
- Date of preparation.
- North Arrow.
- Scale: The scale shall not be less than 1"=10', and no greater than 1"=60', unless an alternate scale is approved by the Director of the Department of Planning and Housing.
- Legal Description.
- Dimensions of the present lot and lot area, to the nearest tenth of a foot.

- Size and location of all existing and proposed buildings, additions, structures and uses, including:
 - Setback distance to property lines;
 - Exact exterior dimensions of each building;
 - Location of entrances;
 - Number of dwelling units; and,
 - Square footage of each type of use.
- Zoning designation of the property.
- Proposed use of the property in sufficient detail to determine code compliance.
- Existing and proposed location and size of sanitary sewer mains and service lines, or septic tank and leaching field.
- Existing and proposed location and size of water mains, service lines and hydrants, and/or water well.
- Existing and proposed location and size of electrical service (electrical riser diagram) and the location of high pressure gas lines, high tension transmission lines, and telephone lines.
- Existing and proposed location and size of storm drainage facilities on the property and adjacent to the property.
- Location, grade, and dimensions of all existing paved surfaces and of all abutting streets.
- Existing and proposed location and dimensions of parking areas, individual parking spaces and drive aisles, driveways, curb cuts, easements and rights-of-way, walkways, transit stops, bicycle parking areas, loading areas, dividers, curbs, islands, and other parking and drive improvements.

If the project is located along U.S. Highway 69, access to U.S. 69 shall be reviewed by the I.D.O.T. and a meeting shall be held that includes I.D.O.T. staff, the City traffic engineer, other appropriate City staff, the developer, and the developer's plan preparer to agree on access prior to the submittal of the site plan.
- Existing and proposed contours at 2-foot intervals, based on City datum, when an application pertains to any new permanent detached building or structure (principal or accessory).
- Location of existing and proposed outdoor trash and dumpster areas and methods for screening such areas.
- Location and type of all existing and proposed signs.

- Evidence that the proposed work or activity will comply with the Outdoor Lighting Code. Specifically, the application shall include:
 - Plans indicating the location on the premises, and the type of illuminating devices, fixtures, lamps, supports, reflectors, and other devices;
 - A detailed description of the illuminating devices, fixtures, lamps, supports, reflectors, and other devices. The description shall include manufacturer's catalog cuts and drawings, including sections when requested; and,
 - Photometric data, such as that furnished by manufacturers, showing the angle of cut off or light emissions.
- Location of waterbodies, watercourses, swamps, and flood-prone areas with delineated channel encroachment lines, wetland boundary lines, 100-year flood plain boundary line, and floodway boundary line.
- When an application is located in a flood-prone area include existing and proposed site grades, contours and elevations, base flood elevation data, top-of-foundation elevations, finished floor elevations, and any proposed watercourse relocation.
- When an application for development involves 0.5 acres, or more, of cumulative disturbed area(s), a Sediment Erosion Control Plan shall be submitted. However, such a Plan may be required for applications with disturbed land of less than 0.5 acres, if deemed necessary by the Planning Director.
- Location of natural features including: existing trees, rock outcrops, and landslide areas.
- Storm water management plan, including storm water calculations supporting the design. Such plan shall show grades and/or elevations, direction of surface flow, detention and/or retention areas, outlet control structures, and devices.
- A landscape plan showing:
 - The location of plants.
 - A plant list that includes:
 - The plant species;
 - The quantity of each type of plant; and,
 - The size of each plant at the time of planting.
 - The location of fences and walls.
- Traffic impact studies, soil tests, utility capacity analysis, and other similar information if deemed necessary by the Department of Planning and Housing to determine the feasibility of the proposed development.

- Two (2) copies of architectural drawings of all new buildings or structures, or alterations, at a scale not to exceed 1"=8', showing the following information:
 - Name(s) of the applicant(s) and the owner(s) of record;
 - Legal description and street address of the property;
 - Numerical scale and date;
 - All exterior wall elevations, indicating floor heights, overall building height, and fenestration; and,
 - Building floor plans indicating existing and proposed usage, interior floor area and/or patron floor area.
- For Village Residential projects, Suburban Residential projects, or Planned Residence District projects that are to develop in phases, the applicant shall provide a phasing plan indicating areas to be developed in each phase and the time frame for the development of each phase.
- A note to be placed on all site plans to read as follows: "All construction materials, dumpsters, detached trailers, or similar items are prohibited on public streets or within the public right-of-way."
- Size of electrical service and one line drawing of the metering and electrical service.
- Number of meters at each location.
- Preferred voltage required for the building.
- Preferred location of the electrical service.

In addition to Minor or Major Site Development Plan submittals, a Use Analysis Report shall be prepared by the applicant, for all properties located in a G-I (General Industrial) or in a P-I (Planned Industrial) zoning district, that shows the following:

- Approximate number of employees;
- Approximate utility needs and effect upon existing systems, e.g., projected water demand (GPM/GPD), waste water generation (GPD + COD/BOD), electricity demand (KW), storm water increase (CFS), solid waste generation (tons); and
- Possible nuisance factors and means for alleviating those factors, such as noise, odor, smoke, dust, fumes, vibration, or heat.

Enlargement of a Nonconforming Use
(Special Use Permit for a Site in a Commercial Zone)
Permission to Place a “Zoning Action Pending” Sign
on Private Property

(This form must be filled out completely before your application will be accepted.)

Section 29.1500(2)(d)(iii) of the Zoning Ordinance, requires that **notice shall be posted by the City on the subject property.** One notice sign shall be posted for each property. Required signs shall be posted along the perimeter of the subject property in locations that are highly visible from adjacent public streets **prior to the public hearing.**

The owner of property at _____ hereby grants the City of Ames permission to place “Zoning Action Pending” signs on the property for the purpose of informing interested persons of the request for action by the City of Ames.

I understand that the signs will be placed on the property several days prior to action on the request by the Planning and Zoning Commission, Zoning Board of Adjustment, or the City Council, and may remain on the property until the request has been approved or denied by the City.

Signed by: _____ **Date:** _____
Property Owner

Print Name

(Note: No other signature may be substituted for the Property Owner’s Signature.)