

Conditional Use Permit in the Floodway Overlay District

Application Packet

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

The “Application Packet” for a *Conditional Use Permit in the Floodway Overlay District* includes the following:

- Application Form
 - Supporting Information
 - Site Plan Checklist
 - Adjoining Property Owner Statement (*Completion of this form is optional*)
2. **Board Meetings** *The Zoning Board of Adjustment considers the facts presented by the applicant in the application and testimony given under oath at the public hearing 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 from April through October.*
 3. **Filing Deadline/Fee** *Applications must be filed at least three (3) weeks prior to the desired meeting date. A final decision or schedule will be determined as part of the City’s review. All required information and materials must be filed at:*

Department of Planning and Housing
City of Ames
515 Clark Avenue, Room 214
Ames, Iowa 50010
E-mail: planning@cityofames.org

The filing fee of \$165.00 is required at the time the application is submitted.

4. **Conditional Uses** *The following uses which involve structures (temporary or permanent), fill, or storage of materials or equipment may be permitted only upon issuance of a Conditional Use Permit by the Zoning Board of Adjustment as provided for in Sec. 9.7. Such uses must also meet the applicable provisions of the Floodway Overlay District Performance Standards.*
 - (a) *Uses or structures accessory to open-space uses*
 - (b) *Circuses, carnivals, and similar transient amusement enterprises*
 - (c) *Drive-in theaters, new and used car lots, roadside stands, signs, and billboards*
 - (d) *Extraction of sand, gravel, and other materials*
 - (e) *Marinas, boat rentals, docks, piers, wharves*
 - (f) *Utility transmission lines, underground pipelines*

(g) Other uses similar in nature to uses described as permitted uses or listed conditional uses, which are consistent with the performance standards of Subsection 9.4(3) of the *Municipal Code* and the general spirit and purpose of this ordinance

5. **Site Plan** The applicant shall submit a *Site Plan*, drawn to scale, that clearly shows the subject property for which the Conditional Use Permit is being sought. If a *Major or Minor Site Development Plan* was submitted as part of the development approval process for the subject property, then that *Major or Minor Site Development Plan* should also be submitted with the Conditional Use Permit application.

The Site Plan shall include at a minimum the following information:

- Description of the land on which the proposed work is to be done (i.e., lot, block, tract, street address, or similar description) that will readily identify and locate the work to be done
 - Identification of the use or occupancy for which the proposed work is intended
 - The base flood elevation (BFE)
 - Elevation (in relation to National Geodetic Vertical Datum NGVD29) of the lowest floor (including basement) of buildings or of the level to which a building is to be flood-proofed
 - For buildings being improved or rebuilt, the estimated cost of improvement and the market value of the building prior to the improvements
 - Such other information as the Administrator deems reasonably necessary for the purpose of this ordinance, including:
 - Dimensioned property lines
 - Abutting streets and alleys
 - Location and size of all existing and proposed buildings and structures (include distances to all property lines and distances between buildings and structures)
 - Required setbacks
 - Driveways and parking areas, fully dimensioned
 - Other pertinent information necessary to fully understand the need for a Conditional Use Permit (e.g., significant change in topography, location and size of mature trees, etc.)
6. **Photos and Exhibits** Materials submitted with the application or presented as evidence during the public hearing ***will not be returned*** and must be kept as part of the public record.
7. **Notification** The City will mail a notice to all property owners within 200 feet of the property that the application for a *Conditional Use Permit in the Floodway Overlay District* has been filed. This notification is done so that concerned individuals will have an opportunity to learn about what is being proposed and can present information on this matter to the Zoning Board of Adjustment.

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

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

Conditional Use Permit in the Floodway Overlay District *Application Form*

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

1. **Property Address** for this Conditional Use Permit Application: _____

2. **Legal Description (attach if lengthy):** _____

3. *I (We) the undersigned, do hereby respectfully apply to the Ames Zoning Board of Adjustment to grant a "Conditional Use Permit in the Floodway Overlay District" to authorize:*

4. **Property Owner:** _____

Business: _____

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

Phone Number: _____ E-mail: _____

5. **Applicant:** _____

Business: _____

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

Phone Number: _____ E-mail: _____

6. **Contact Person:** _____

Business: _____

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

Phone Number: _____ E-mail: _____

The Zoning Board of Adjustment may grant a Conditional Use Permit in the Floodway Overlay District, provided the Board members can make a finding that the “Performance Standards” in Section 9.4(3) are met.

Approval of the Conditional Use Permit by the Zoning Board of Adjustment in no way absolves the applicant from subsequently obtaining the necessary building permits or other permits from the City of Ames or from other applicable agencies.

I (We) certify that I (we) have submitted all the required information to apply for a Conditional Use Permit in the Floodway Overlay District, and that said information is factual.

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

Print Name

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

Conditional Use Permit in the Floodway Overlay District

Supporting Information

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

The Zoning Board of Adjustment can grant a Conditional Use Permit in the Floodway Overlay District, only if all of the following “Performance Standards” are satisfied. In order to facilitate review of this application for a Conditional Use Permit in the Floodway Overlay District, the applicant must address each of the “Performance Standards” set forth in Section 9.4(3) of the *Municipal Code*, which are listed below.

(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.)

Performance Standards The Zoning Board of Adjustment shall review each application for the purpose of determining that the “Performance Standards” are satisfied. Pursuant to the *Municipal Code*, a Conditional Use Permit in the Floodway (Overlay) District shall be granted only if the following performance standards are satisfied:

- (a) No use shall be permitted in the Floodway Overlay District that would result in any increase in the base flood elevation level. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands. Evidence required will be a hydraulic study performed by a registered professional engineer for the area of drainage involved.**

Explain how the request meets this performance standard:

(b) All uses within the Floodway Overlay District shall:

- (i) Be consistent with the need to minimize flood damage;**
- (ii) Use construction methods and practices that will minimize and resist flood damage; and**
- (iii) Use construction materials and utility equipment that are resistant to flood damage.**

Explain how the request meets this performance standard:

(c) No use shall affect the capacity or conveyance of the channel or floodway or any tributary to the main stream, drainage ditch, or any other drainage facility or system.

Explain how the request meets this performance standard:

(d) Structures, buildings, and sanitary and utility systems, if permitted, shall meet the applicable performance standards of the Floodway Fringe Overlay District and shall be constructed or aligned to present the minimum possible resistance to flood flows.

Explain how the request meets this performance standard:

- (e) Buildings, if permitted, shall have a low flood damage potential and shall not be for human habitation.**

Explain how the request meets this performance standard:

- (f) Storage of materials or equipment that are buoyant, flammable, explosive or injurious to human, animal, or plant life is prohibited. Storage of other materials may be allowed if readily removable from the Floodway Overlay District within the time available after a flood warning.**

Explain how the request meets this performance standard:

- (g) Watercourse alterations or relocations (channel changes and modifications) must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Department of Natural Resources.**

Explain how the request meets this performance standard:

- (h) Any fill allowed in the floodway must be shown to have some public beneficial purpose and shall be limited to the minimum amount necessary.**

Explain how the request meets this performance standard:

- (i) Pipeline river or stream crossings shall be buried in the streambed and banks or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering or due to the action of flood flows.**

Explain how the request meets this performance standard:

- (j) It shall be the responsibility of adjacent property owners to maintain the location and carrying capacity of the floodway adjacent to their property.**

Explain how the request meets this performance standard:

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Site Plan Checklist

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Adjoining Property Owner Statement

(Completion of this form by the applicant is optional.)

To Whom It May Concern:

We, the undersigned, own property adjoining _____ Ames, Iowa.

It is our understanding that _____ has filed an Application for a Conditional Use Permit in the Floodway Overlay District with the Zoning Board of Adjustment to allow _____

As adjoining property owners, we would have no objections to the issuance of this building permit for the purposes stated above.

NAME	ADDRESS	DATE