

Conditional Use Permit in the General Flood Plain 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 General Flood Plain 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** Any use which involves placement of structures, factory-built homes, fill or other obstructions; the storage of materials or equipment; excavation; or alteration of a watercourse may be allowed only upon issuance of a Conditional Use Permit by the Zoning Board of Adjustment as provided in Section 9.7(3). All such uses shall be reviewed by the Department of Natural Resources to determine:
 - a. whether the land involved is either wholly or partly within the floodway or floodway fringe; and,
 - b. the base flood elevation level. The applicant shall be responsible for providing the Department of Natural Resources with sufficient technical information to make the determination.

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 an application for a *Conditional Use Permit in the General Flood Plain 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 General Flood Plain 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 General Flood Plain (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 General Flood Plain Overlay District, provided the Board members can make a finding that the required “Performance Standards” 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 General Flood Plain (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 General Flood Plain Overlay District

Supporting Information

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

In order to facilitate review of this application for a Conditional Use Permit in the General Flood Plain Overlay District, the applicant must provide to the Department of Natural Resources sufficient technical information to make the determination of the base flood elevation and whether the land involved is either wholly or partly within the Floodway or Floodway Fringe.

The Zoning Board of Adjustment can grant a Conditional Use Permit in the General Flood Plain Overlay District, only if all of the appropriate performance standards are satisfied; the applicant must address each of the “Performance Standards” set forth in Section 9.4(3) of the *Municipal Code* (if the project is determined to be in the Floodway), or Section 9.5(2) of the *Municipal Code*, (if the project is determined to be in the Floodway Fringe).

(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. 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 General Flood Plain Overlay District shall be granted only if the following performance standards are satisfied:

(a) *All conditional uses, or portions thereof, to be located in the floodway as determined by the Department of Natural Resources shall meet the applicable provisions and standards of the Floodway Overlay District.*

(b) *All conditional uses, or portions thereof, to be located in the floodway fringe as determined by the Department of Natural Resources shall meet the applicable standards of the Floodway Fringe Overlay District.*

2. Performance Standards for the Floodway Overlay District, See Section 9.4(3).

All Floodway Overlay District uses allowed as a Permitted or Conditional Use shall meet the flowing standards:

(a) **No use shall be permitted in the Floodway 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 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.**
- (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 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 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 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:

3. Performance Standards for the Floodway Fringe Overlay District, See Section 9.5(2).

All uses must be consistent with the need to minimize flood damage and shall meet the following applicable performance standards.

- (a) All structures shall:**

- (i) be adequately anchored to prevent flotation, collapse or lateral movement of the structure;**
- (ii) be constructed with materials and utility equipment resistant to flood damage; and,**
- (iii) be constructed by methods and practices that minimize flood damage.**

Explain how the request meets this performance standard:

- (b) Residential buildings. All new or substantially improved residential structures shall have the lowest floor, including basements, elevated a minimum of three (3) feet above the base flood elevation level. Construction shall be upon compacted fill which shall, at all points, be no lower than three (3) feet above the base flood elevation level and extend at such elevation at least 18 feet beyond the limits of any structure erected thereon. Alternate methods of elevating (such as piers) may be allowed, subject to favorable consideration by the Zoning Board of Adjustment and issuance of a Conditional Use Permit, where existing topography, street grades, or other factors preclude elevating by fill. In such cases, the methods used must be adequate to support the structure as well as withstand the various forces and hazards associated with flooding.**

All new residential buildings shall be provided with a means of access which will be passable by wheeled vehicles during the base flood elevation.

Explain how the request meets this performance standard:

- (c) Non-residential buildings. All new and substantially improved non-residential buildings shall have the first floor (including basement) elevated a minimum of three (3) feet above the base flood elevation level, or together with attendant utility and sanitary systems, be flood proofed to such a level. When flood proofing is utilized, a professional engineer registered in the State of Iowa shall certify that the flood proofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood elevation level, and that the structure, below the base flood elevation level, is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to National Geodetic Vertical Datum NGVD29) to which any structures are flood proofed shall be maintained by the Flood Plain Administrator.**

Explain how the request meets this performance standard:

(d) Factory-built homes:

- (i) Factory-built homes including those placed in existing factory-built home parks or subdivisions shall be anchored to resist flotation, collapse, or lateral movement.**
- (ii) Factory-built homes including those placed in existing factory-built home parks or subdivisions shall be elevated such that the permanent foundation of the structure is a minimum of three (3) feet above the base flood elevation.**

Explain how the request meets this performance standard:

(e) Utility and Sanitary Systems:

- (i) All new and replacement sanitary sewage systems shall be designed to minimize and eliminate infiltration of flood waters into the system as well as the discharge of effluent into flood waters. Wastewater treatment facilities shall be provided with a level of flood protection equal to or greater than three (3) feet above the base flood elevation.**
- (ii) On-site waste disposal systems shall be located or designed to avoid impairment to the system or contamination from the system during flooding.**
- (iii) New or replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system. Water supply treatment facilities shall be provided with a level of protection equal to or greater than three (3) feet above the base flood elevation.**
- (iv) Utilities such as gas or electrical systems shall be located and constructed to minimize or eliminate flood damage to the system and the risk associated with such flood damaged or impaired systems.**

Explain how the request meets this performance standard:

- (f) Storage of materials and equipment that are flammable, explosive, or injurious to human, animal, or plant life is prohibited unless elevated a minimum of three (3) feet above the base flood elevation level. Other materials and equipment must either be similarly elevated or:**

(i) Not be subject to major flood damage and be anchored to prevent movement due to flood waters, or

(ii) Be readily removable from the area within the time available after flood warning.

Explain how the request meets this performance standard:

- (g) Flood control structural works such as levees and flood walls, shall provide, at a minimum, protection from a base flood elevation with a minimum of three (3) feet of design freeboard and shall provide for adequate interior drainage. In addition, structural flood control works shall be approved by the Department of Natural Resources.**

Explain how the request meets this performance standard:

- (h) No use shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch, or other drainage facility or system. In addition, the Department of Natural Resources must approve any alteration or relocation of any stream.**

Explain how the request meets this performance standard:

- (i) Subdivisions (including factory-built home parks and subdivisions) shall be consistent with the need to minimize flood damages and shall have adequate drainage provided to reduce exposure to flood damage. Development associated with subdivision proposals shall meet the applicable performance standards. Subdivision proposals intended for residential development shall provide all lots with a means of vehicular access that will remain dry during occurrence of the base flood.**

Explain how the request meets this performance standard:

- (j) The exemption of detached garages, sheds, and similar structures from the current requirements for elevation may result in increased premium rates for insurance coverage of the structure and contents, however, said detached garages, sheds, and similar accessory type structures are exempt from the current requirements for elevation when:**

- (i) The structure shall not be used for human habitation.**
- (ii) The structure shall be designed to have low flood damage potential.**
- (iii) The structure shall be constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters.**
- (iv) Structures shall be firmly anchored to prevent flotation which may result in damage to other structures.**
- (v) The structure's service facilities such as electrical and heating equipment shall be elevated or flood proofed to at least three (3) feet above the base flood elevation level.**

Explain how the request meets this performance standard:

(k) For all new and substantially improved structures:

- (i) Fully enclosed areas below the “lowest floor” (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the following minimum criteria:**
 - a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.**
 - b. The bottom of all openings shall be no higher than one foot above grade.**
 - c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters. Such areas shall be used solely for parking of vehicles, building access, and low damage potential storage.**
- (ii) New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.**
- (iii) New and substantially improved structures must be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.**

Explain how the request meets this performance standard:

(l) Recreational vehicles placed on sites within the Floodway Fringe Overlay District shall:

(i) Be on the site for fewer than 180 consecutive days and

(ii) Be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by disconnect type utilities and security devices, and has no permanent attached additions. Recreational vehicles that are located on the site for more than 180 consecutive days or are not ready for highway use must satisfy requirements of Section 9.5(d) of the ordinance regarding anchoring and elevation of factory-built homes.

Explain how the request meets this performance standard:

Conditional Use Permit in the General Flood Plain Overlay District

Site Plan Checklist

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.)

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 General Flood Plain 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 |
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