



PLANNING AND ZONING COMMISSION
STAFF REPORT
COUNTY DEVELOPMENT PLAN AMENDMENT

DATE OF MEETING:

July 2, 2012

SUBJECT:

AMD01-12: Athen County Development Plan Amendment Request

APPLICANT:

Hunziker Land Development Company LLC

STAFF PROJECT MANAGER:

Charlie E. Dissell, AICP

PROPERTY INFORMATION

PROPERTY OWNER

Athen Revocable Trust

GENERAL PROPERTY LOCATION

An area of land in the Northeast Quarter of Section 29, Franklin Township, which is on the west side of George W. Carver Avenue and on the east side of Squaw Creek, beginning approximately ½ mile south of Cameron School Road and continuing ½ mile south.

PARCEL IDENTIFICATION NUMBERS

05-29-200-210
05-29-200-305
05-29-200-340
05-29-200-460

SIZE OF AREA

106.3 Gross Acres

CURRENT ZONING

A-1 Agricultural

CURRENT LAND USE

The property is classified as an agricultural use as it is used as agricultural-crop production ground.

LAND USE FRAMEWORK MAP DESIGNATION

The *Ames Urban Fringe Plan*, a component of the *Story County Development Plan* designates this property as Priority Transitional Residential, a sub-category of the Rural/Urban Transition Area, and Environmentally Sensitive Areas, a sub-category of Natural Areas.

PROPOSED LAND USE FRAMEWORK MAP DESIGNATION

Urban Residential, a sub-category of the Urban Services Area

CITIES WITHIN TWO MILES

Ames

ANALYSIS

The *Ames Urban Fringe Plan*, a component of the *Story County Development Plan*, is intended to serve as a guide for public and private development and land use decisions. The intent of the *Ames Urban Fringe Plan* is for each jurisdiction to adopt a mutually accepted formal amendment process that will be codified in each jurisdiction's development regulations. Future map changes are anticipated as growth occurs, boundaries are modified, environmental conditions change, and market conditions fluctuate. Nevertheless, the strategic focus and overriding policies adopted in this Plan shall take precedent over an amendment decision. Each jurisdiction should discourage and/or limit changes to the *Ames Urban Fringe Plan* and Land Use Framework Map to reduce the potential for incremental land use changes that could result in unintended policy shifts. Such shifts could greatly compromise the shared vision and policy for the Urban Fringe. The process for amending the *Ames Urban Fringe Plan* was adopted with the implementation of the 28E agreement, and is attached to this report.

This proposed land-use change is not only proposing a change in land use designations, but also in land use classes. The current land use class, Rural/Urban Transition Area, has the following goals:

- Provide for strategically located development in portions of the Urban Fringe that will not be served by the City of Ames or City of Gilbert in the time horizon of the Ames Urban Fringe Plan.
- To prepare non-agricultural development for efficient rural-to-urban transition.
- To ensure that new development has safe and adequate water and wastewater service and other adequate facilities and that there is sufficient space for these facilities to be improved so that they may become public facilities.
- To maintain the rural character of the surrounding countryside.
- To maintain the county road system and effectively incorporate new subdivision roads and other system expansions in the existing and planned road system.

Rural/Urban Transition Area has the following policies:

- Rural-type services and development standards are often acceptable in the Rural/Urban Transition Area, but urban services and standards may be required in certain critical locations or in response to certain intensities of development.
- At the discretion of the cities, annexation agreements and other tools may be utilized to ensure that new development is prepared for potential annexation in the future.
- Ames, Gilbert, Story County and Boone County seek to accommodate public preferences by permitting an expanded range of rural development options that allow orderly and efficient future transition between urban and rural land uses.
- Permit interim development to occur in a manner that will support long-term urbanization of the Ames Urban Fringe.
- Limit development in areas that would create a need for the upgrade of roads before they are scheduled in the appropriate jurisdiction's capital improvements program. Where proposed development will potentially increase the traffic volumes in excess of the current road capacity, provide for the cost of road improvements at the time of development.

For comparison, the Urban Services Area, which is the proposed land use class, has the following goals:

- Ensure that development and improvements in the Urban Fringe are consistent with Ames Urban Fringe Plan.
- Ensure that new development has adequate public facilities.
- Require new development to fund the cost of new improvements and services required by new development.
- Coordinate infrastructure development and provision of services with applicable entities.

Urban Services Area has the following policies:

- Require land uses and the intensity of development within identified growth areas to be consistent with the Ames Urban Fringe Plan.

- Require all urban development to provide improvements consistent with the improvement standards, building codes, and service requirements adopted by the City of Ames to ensure adequate public facilities and building safety.
- Ensure that annexation is coordinated with the timely and efficient provision of adequate public facilities and services.
- Require developments to provide adequate street, right-of-way, and drainage, bicycle, pedestrian and connected open space improvements. Such improvements should allow for adequate emergency access and ability to connect to municipal street networks in the future.
- At the time of development provide secure funding sources for the cost of new improvements and services required by new development.
- Ensure that development for which services may change from rural systems to urban infrastructure when available has guaranteed the costs for installation and connection to future urban infrastructure in an acceptable manner before recording final plats for development.
- Coordinate street and drainage improvement projects with other service providers to meet the demands from planned development more efficiently. Prior to constructing improvements, ensure that needed utility improvements are coordinated so new pavement will not need to be disturbed for planned upgrades.
- Promote coordination and cooperation among all fire prevention, emergency medical services, and law enforcement agencies.
- Support the provision for responsive, high-quality fire suppression and emergency medical services. Require that development have adequate access to emergency services. Coordinate the design, location, and construction of standpipes and fire hydrants with fire districts and the City of Ames Fire Department as needed to protect new development.
- Establish a process to enable the City of Ames to negotiate with the owners of property planned for park and recreation purposes prior to the approval of rezoning or subdivision applications.

The current land use designation, Priority Transitional Residential, which is a sub-category of the Rural/Urban Transition Area, has the following policies:

- This land use designation includes all single-family residential land uses/developments that involve minimum average net densities of 3.75 units per acre.
- Strategically locate Priority Transitional Residential land uses in targeted areas adjacent existing municipal limits or Urban Service Areas.
- Encourage clustering of residential sites within these land areas, in order to limit the short-term and long-term costs associated with infrastructure improvements and the distribution of public services.
- Require urban infrastructure and subdivision standards, including urban right-of-way standards, urban street construction and urban sanitary and potable water systems. If the City does not require these improvements to be installed at the time of subdivision, require infrastructure assessment agreements.
- Require well water and common treatment systems, but these shall be abandoned upon annexation. If rural water systems are incorporated into a development, require agreements that upon annexation the land developer and/or landowner shall be responsible for the full cost of abandoning the system and connecting to urban infrastructure. Common treatment systems, potable water systems, and supporting infrastructure must meet IDNR, county, and city standards.
- Make provisions to protect environmental resources, environmentally sensitive areas and adjacent Natural Areas.
- Mitigate and manage stormwater run-off, soil erosion, and wastewater discharge according to IDNR, county and city standards.
- Require annexation and development agreements to guide future transition of the subdivision/development into the City of Ames or City of Gilbert.

For comparison, the Urban Services Area, which is the proposed land use class, has the following policies:

- This land use designation includes residential use in "traditional" Village Residential Development with minimum average net density of 8 units per acre. It also includes conventional single-family/suburban residential development with minimum average net residential densities of 3.75 units per acre and conventional suburban/medium density residential development with minimum average net residential densities of 10 units per acre. When combined in a development or area, conventional suburban single-

family and conventional suburban medium density residential developments should not exceed 5 dwelling units per net acre.

- Require annexation by the city before land is developed or further subdivided.
- Require urban infrastructure and subdivision standards, including urban right-of-way standards, urban street construction, urban sanitary and potable water systems and urban storm water management systems.
- Require land development agreements with the city before land is developed or further subdivided.
- Mitigate and manage stormwater run-off, soil erosion, and wastewater discharge according to IDNR and city standards.

Furthermore, the Natural Areas have the following polices:

- Natural Areas are composed of the following features and locales that intermingle with each other.
 - **Environmentally Sensitive Areas** – flood-prone areas, wetlands, water bodies, areas of steep slopes and sensitive soil conditions, and other designated areas that should be protected from detrimental impacts from other land uses.
 - **Significant Natural Habitat** -- areas surveyed and evaluated based on vegetation type and condition in the “Norris Study.” These Significant Natural Habitat Areas may also occur outside of the designated Natural Areas. In such locations, the underlying land use designation applies.
 - **Parks and Open Spaces** – facilities, land, and/or structured programs for a variety of public recreational opportunities. The term "Open Space" refers to primarily undeveloped areas; such areas are typically maintained and managed as natural areas for passive recreational uses.
 - **Future Parks** -- general areas where future parks are anticipated.
 - **Greenways** -- stream ways, parks, improved and unimproved trail systems, and open spaces that provide linkages that in effect create a continuous "greenway" or recreational system. Greenways provide recreational and open space linkages in both rural and urban areas.
- Particular features and locales in the Natural Areas often are appropriately described by more than one of the above labels. This is a reflection of the multiple benefits of, and the diversity of landscapes represented in the areas designated Natural Areas. Regardless of type, Natural Areas are protected from negative land use impacts.
- Prevent subdivisions for new non-farm residential development. However, Natural Areas may include farm and non-farm residences existing at the time of this Plan or remaining scattered building sites where farmstead homes once existed or homes on very large parcels of ground typical of the agricultural setting.
- Mitigate negative impacts to Natural Areas, including, but not limited to: agricultural chemical application, animal confinement and feeding, agricultural irrigation, miscellaneous agricultural activities like manure and fuel storage, outdated and non-functioning on-site wastewater systems, underground storage tanks, and nutrient-loaded urban stormwater run-off.

Staff Analysis

Ultimately, this amendment request is being proposed by the applicant in order to have the land annexed into the City of Ames, so the development, which is being proposed at this time, can take advantage of full municipal services, such as utilities, EMS, etc. The applicant’s proposal of a senior housing project would fit into the Rural/Urban Services land use class and the Priority Transitional Residential land use designation, however, that land use class and designation does not allow for the land to be annexed, and if there was no change, the development would be placed on traditional rural services such as rural water, septic systems, and rural fire department. Furthermore, Story County does not have a zoning district which would apply to the current proposal; however, such a district could be created and adopted, or a conditional use could be created and adopted.

While the Ames Urban Fringe Plan is oriented towards the growth of the City of Ames, the Ames Urban Fringe Plan is a shared land use plan cooperatively developed by Boone County, Story County, the City of Ames and the City of Gilbert, and each have some level of interest in how the land in the “fringe area” develops. As the Commission is aware, Story County’s first and foremost land use goal is the preservation of valuable farm ground, while allowing enough land for growth in and around the edges of current municipal boundaries. While this land is currently being used as agricultural, the Ames Urban Fringe Plan already sets this area up for non-

agricultural development. Again, the main request being reviewed is allowing this development to be done within the corporate city limits of Ames.

The request being proposed would include changing the Natural Areas to Urban Services Area. The natural areas under this designation are mainly floodplain of Squaw Creek, but also include some woodland with a 7-8% slope. The Natural Area does extend into areas with no known natural features, merely creating a buffer of those known natural features. As there was nothing submitted as to why this designation should be removed, Staff's opinion is that, if the proposed is ultimately approved, the known natural areas be protected and unchanged.

As previously mentioned, the applicant's proposal of a senior housing project would fit into the Rural/Urban Services land use class and the Priority Transitional Residential land use designation, however, that land use class and designation does not allow for the land to be annexed. The Ames Urban Fringe Plan, at its time of implementation, placed enough land in the Urban Services Area to match a forecasted growth expectation up until year 2030. The Urban Services Areas were meant to be the areas of the Plan that, on top of providing enough land for future growth, were the most cost effective to grow into. To fully understand if this area would be a cost effective area into which to grow, the City of Ames is looking at a few studies. The existing sanitary sewer line appears to be sufficient to serve the area for which it was designed, which is most of Northridge Heights located directly east of this site. At some point during the construction of Northridge Heights, the developer placed a sanitary sewer extension under GW Carver Avenue with the hopes that it could be used to serve the area west of GW Carver Avenue in the future. However, there is concern that the sanitary sewer system downstream from Northridge Heights is reaching its capacity and that no additional areas beyond the original design area should be served. At the developer's request, the City installed flow meters to measure how much of the system is being used in order to better calibrate the model. The final report will determine whether the model predicts that there is excess capacity or, if not, what changes to the system could be made to increase capacity to serve the proposed area. The City of Ames is also concerned with emergency response time. City staff presented a report to the City Council about possible changes to emergency response criteria. Rather than a policy, the City Council will likely look to establish performance measures based on frequency of calls. This approach may require the City Council to determine whether uses that typically have a high volume of calls (senior living, for example) should be placed along the perimeter of the City. Those studies are ongoing and will undoubtedly be finalized when the City reviews this application.

Since its adoption in 2005, there has been one similar amendment application. In that particular request, the Story County Board of Supervisors ultimately waived their review of the map change, however, placed a timeframe on which action needed to occur before the Board could potentially revisit the request. The Board of Supervisors at that time agreed that allowing the area to be annexed was probably a policy decision that was best done by the City of Ames and that if Ames was comfortable in allowing growth into that area, that the County would have no objection. The same decision could be made in this request. In the previous request, the City of Ames ultimately approved the change of nearly 400 acres of Priority Transitional Residential to Urban Residential, and subsequently has annexed nearly 200 acres of that area. That area, as well as this subject area, is considered to be in the "North growth area" of the City of Ames, and the Ames Urban Fringe Plan did not designate the "North growth area" as a high-priority growth area. This area included about 650 acres of Priority Transitional Residential lands, 400 of which has already been changed to Urban Residential.

- It is Staff's opinion that this particular request brings in the greater question of should the "North growth area", particularly those areas that were designated as Priority Transitional Residential, be placed in the Urban Services Area?
- If so, have growth projections increased enough to warrant this additional amount of land in the Urban Services Area, or do we need to shift lands currently in the Urban Services Area into the Rural/Urban Transition Areas?

If this request is ultimately approved, these are questions that should be looked into and answered.

COMMENTARY

The following comments are part of the official record of the proposed **Athen County Development Plan Amendment Request, Case Number AMD01-12**. If the Commission finds it necessary, conditions of approval may be formulated based off these comments.

Comments from the Interagency Review Team:

The proposal underwent the usual Interagency Review. The following were comments documented by the Interagency Review Team:

David Swanson, Story County Assessor's Office

Land will be assessed for five years under the current platting law at below market value or until developed. Once developed, the land and buildings would be assessed at market value. All vacant lots after the five year period will then be assessed at market value.

Scott Wall, Story County Auditor's Department:

No comments at this point. A subdivision would be required which is being proposed.

Mike Cox, Story County Conservation Director:

No comments.

Keith Morgan, Story County Emergency Management Coordinator

No comments.

Darren Moon, Story County Engineer:

No comments.

Margaret C. Jaynes, Story County Environmental Health:

No comments.

Floodplain Management Program Comments:

The property is located in a Special Flood Hazard Area as defined by FEMA. As such, requirements of the Floodplain Management Ordinance are applicable for the period of time in which lands lie in the unincorporated area of Story County. If annexed, all development shall conform to the City of Ames floodplain regulations.

Comments from the General Public:

Letters were mailed to surrounding property owners on June 20, 2012, regarding the subject hearing on the request. Legal Notices were published in the Ames Tribune, Nevada Journal, and Tri-County Times on June 21, 2012, regarding the subject hearing on the request.

No public commentary was received or recorded at the time this report was published.

ALTERNATIVES

The Story County Planning and Zoning Commission may consider the following four alternatives:

- 1) The Story County Planning and Zoning Commission recommends waiving review of the Athen County Development Plan, put forth in case AMD01-12, with conditions, to the Story County Board of Supervisors, and directs staff to place the case on the July 31, 2012, Board of Supervisors agenda.
- 2) The Story County Planning and Zoning Commission recommends approval of the Athen County Development Plan, put forth in case AMD01-12, as submitted, to the Story County Board of Supervisors, and directs staff to place the case on the July 31, 2012, Board of Supervisors agenda.
- 3) The Story County Planning and Zoning Commission recommends approval of the Athen County Development Plan, put forth in case AMD01-12, with conditions, to the Story County Board of Supervisors, and directs staff to place the case on the July 31, 2012, Board of Supervisors agenda.

- 4) The Story County Planning and Zoning Commission recommends denial of the Athen County Development Plan, put forth in case AMD01-12, as submitted, to the Story County Board of Supervisors, and directs staff to place the case on the July 31, 2012, Board of Supervisors agenda.
- 5) The Story County Planning and Zoning Commission tables the Athen County Development Plan, put forth in case AMD01-12, back to the applicant for further review and/or modifications, furthermore requiring that copies of any new item to be reviewed be submitted no less than twenty-one (21) days before the desired Planning and Zoning Commission meeting.

Attachment C

Ames Urban Fringe Plan Amendment Procedures

