



PLANNING AND ZONING COMMISSION
STAFF REPORT
COUNTY DEVELOPMENT PLAN AMENDMENT

DATE OF MEETING

July 2, 2012

SUBJECT

AMD02-12: Oaks County Development Plan Amendment Request

APPLICANT

Hunziker Land Development Company LLC

STAFF PROJECT MANAGER

Charlie E. Dissell, AICP

PROPERTY INFORMATION

PROPERTY OWNER

Oaks Development Group LLC

GENERAL PROPERTY LOCATION

An area of land in the Northeast Quarter of Section 22, Franklin Township, which is at the southwest corner of US Highway 69 and West 190th Street.

PARCEL IDENTIFICATION NUMBER

05-22-200-205

05-22-200-405

05-22-200-440

SIZE OF PARCEL

41.43 Gross Acres

CURRENT ZONING

A-1 Agricultural

I-2 Heavy Industrial

CURRENT LAND USE

The property is classified as a commercial use as it is used as golf course.

LAND USE FRAMEWORK MAP DESIGNATION

The *Ames Urban Fringe Plan*, a component of the *Story County Development Plan* designates this property as Parks and Recreation Areas, a sub-category of the Rural Services and Agricultural Conservation Area, and Environmentally Sensitive Areas, a sub-category of Natural Areas. The property is also located in the Gateway Protection Area and the Watershed Protection Area.

PROPOSED LAND USE FRAMEWORK MAP DESIGNATION

Rural Residential, a sub-category of the Rural Services and Agricultural Conservation Area

CITIES WITHIN TWO MILES:

Ames

Gilbert

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 only proposing a change in land use designations, both located in the Rural Service and Agricultural Conservation Areas. The Rural Service and Agricultural Conservation Areas land use class has the following goals:

- To maintain the rural character of the countryside.
- To maintain the county road systems in areas designated to remain rural to minimize long-term costs while providing adequate access.
- To protect and preserve sensitive natural resources, including floodplains, woodland areas, wetlands, and other sensitive natural areas.
- To secure a connected system of public and private open spaces throughout the Ames Urban Fringe that serves as a visual and recreational amenity
- To prevent premature development and preserve the most productive farmland.
- To ensure that all areas have safe and adequate water and wastewater service.
- To maintain the identities of both Gilbert and Ames as separate and distinct communities.

The Rural Service and Agricultural Conservation Areas land use class has the following policies:

- Maintain farming and agricultural production as the predominant characteristic of the Rural Service and Agricultural Conservation (RSACA) Area.
- Prohibit urban-scale growth and development in the Rural Service and Agricultural Conservation Area.
- Within the Rural Service and Agricultural Conservation Area, minimize conflicts between agricultural and non-agricultural land uses by educating residents and potential residents on the realities of rural living and by requiring adequate buffers between land uses.
- Permit agricultural/farmstead and strategically located rural residential development (areas at a large distance from municipal services) to use well water or other water systems in conformance with the standards of the Iowa Department of Natural Resources and respective County Boards of Health.
- Permit agricultural/farmstead and strategically located rural residential development (areas at a large distance from municipal services) to use on-site wastewater treatment systems where soils provide adequate drainage and filtration in conformance with the standards of the Iowa Department of Natural Resources and respective County Boards of Health.
- 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.

The current land use designation, Parks and Recreation Area, which is a sub-category of the Rural Service and Agricultural Conservation Areas, has the following policies:

- Include in this designation recreation, conservation and closely related uses.
- Uses in this designation are highly intensive and limited in duration.
- Locate these areas to utilize as much as possible existing adequate access, road capacity and other public facilities.

- Full urban infrastructure standards are not required. Decentralized wastewater treatment facilities and wells shall meet IDNR, county, and city standards.
- Make provisions to protect environmental resources, environmentally sensitive areas and adjacent Natural Areas.
- Development of parks and recreational areas should not interfere with agricultural-related activities. Minimize the impact of non-agriculture development in rural areas on existing agricultural operations.

For comparison, the Rural Residential Area, which is the proposed land use designation, has the following polices:

- This land use designation includes all single-family residential land uses/developments that involve maximum average net densities of one unit per acre.
- Full urban infrastructure standards are not required.
- Decentralized wastewater treatment facilities and wells shall meet IDNR, county, and city standards.
- Encourage clustering of residential sites within these land areas to limit the short-term and long-term costs associated with infrastructure improvements and the distribution of public services.
- Make provisions to protect environmental resources, environmentally sensitive areas and adjacent Natural Areas.
- Mitigate and manage stormwater run-off, soil erosion, and wastewater discharge from Rural Residential land uses according to IDNR and county standards.
- Protect the rural character of the Rural Service and Agricultural Conservation Area through residential density requirements, buffering requirements between conflicting land uses and other appropriate transitions from urban to rural areas.
- Limit rural residential development on prime agricultural land. Assure that the development on prime agricultural land is farm-related and has adequate access to road systems and potable water. Development should not interfere with agricultural-related activities
- Minimize the impact of non-agriculture development in rural areas on existing agricultural operations.

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.

The Gateway Protection Area has the following polices:

- Gateway Protection designation applies to entrances into the City of Ames from major transportation corridors (Highway 30 and Interstate 35).
- Require distinctive design characteristics and other standards more specific than in other land use designations, including, but not limited to, more restrictive signage regulation, higher landscape standards, building placement standards, limited ingress and egress, limited parking in front of uses, and compatibility standards that promote the continuation and preservation of distinctive design elements associated with the entrance area.

The Watershed Protection Area has the following polices:

- This designation applies to watershed areas of Ada Hayden Lake and other important water resources particularly sensitive to negative impacts of stormwater run-off.
- Construct mitigation facilities at nodal locations where they can protect effectively the water resources within the watershed. Develop mitigation facilities or Best Management Practices according to city standards.
- Accommodate or provide Best Management Practices within all development within Watershed Protection Areas.
- Name Watershed Protection Areas named according to the waterway, water body, or aquifer they are designated to protect.

Staff Analysis

This amendment request proposes changing from one land use designation to another (Parks and Recreation to Rural Residential), within the same land use class (Rural Service and Agricultural Conservation Areas). That particular land use class does not allow, nor does it plan, for annexation inside the Cities at any time frame of the Plan, which is through 2030. At the current time, the property is being used as a nine-hole golf course, and the applicant intends to develop it into residential estate lots. The current land use designation was placed on this land with the implementation of the Ames Urban Fringe Plan to mirror the land use in place on the property. There is only one zoning district, other than A-1, Agricultural, that would conform to the proposed land use designation, and that is the A-R, Agricultural Residential Zoning District.

The request being proposed would include changing the Natural Area to Rural Service and Agricultural Conservation Area. The Natural Area is on approximately the south 300' of this property and meant to serve as a buffer between from Ada Hayden Park and the subject property. The request also includes land located in the Gateway Protection Area and Watershed Protection Area. The Gateway Protection Area is designated around the larger transportation corridors at the entrances to the City of Ames. The Watershed Protection Area applies to the watershed area of Ada Hayden Lake. As there was nothing submitted as to why these designations should be removed, Staff's opinion is that if the proposed is ultimately approved, these designations be protected and unchanged.

What is ultimately being reviewed here is if this area should be opened up for residential development, or if it should be left in a park and recreation use. This land is not eligible, nor is it being requested, to be annexed within the City of Ames, so typical rural services would be available with any development. With this area's adjacency to Ada Hayden Park, a great deal of emphasis should be placed on the protection of the park from surface and ground water pollution/contamination, as well as other nuisances which could take away from the park's value. Furthermore, there is a stream that runs through this property in its northeast corner. This particular stream empties into the Skunk River southeast of the property approximately one mile downstream. This stream is surrounded by floodplain (a little more than two acres), which the Ames Urban Fringe Plan attempted to protect from development by using a land use designation of Environmentally Sensitive Areas. As this property was placed in the Parks and Recreation Area, it was not figured the floodplain area around the stream would be opened to development. To continue to protect the stream and subsequent floodplain, it may be necessary to place the land use designation of Environmentally Sensitive Areas over the area of this property which is located inside the floodplain.

COMMENTARY

The following comments are part of the official record of the proposed **Oaks County Development Plan Amendment Request, Case Number AMD02-12**. 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 under the current platting law which will be assessed under market value for 5 years or until developed. Once developed, the land and improvements will be assessed at market value. All vacant lots after 5 years will be assessed at market value.

Scott Wall, Story County Auditor's Department:

Will require a subdivision which is what is being proposed.

Mike Cox, Story County Conservation Director:

Development must be consistent with the Story County Land Development Regulations Section 7.50. Consideration to significant trees and stream easement is required. A natural vegetation buffer at the south of the parcel is an important feature for the park, soil protection and nutrient buffer.

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.

Comments from the General Public:

A Public Notice Sign for development was not placed on the property. 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 approval of the Oaks County Development Plan, put forth in case AMD02-12, 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.
- 2) The Story County Planning and Zoning Commission recommends approval of the Oaks County Development Plan, put forth in case AMD02-12, 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.

- 3) The Story County Planning and Zoning Commission recommends denial of the Oaks County Development Plan, put forth in case AMD02-12, 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.
- 4) The Story County Planning and Zoning Commission tables the Oaks County Development Plan, put forth in case AMD02-12, 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

