

MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

FEBRUARY 20, 2007

The Ames City Council met in special session at 7:00 p.m. on the 20th day of February, 2007, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor Ann Campbell presiding and the following Council members present: Doll, Goodman, Larson, Mahayni, Popken, and Rice. *Ex officio* Member Buske was absent.

WORKSHOP ON GOVERNMENT/ENVIRONMENTALLY SENSITIVE LANDS: Planning and Housing Director Steve Osguthorpe said that the purpose of this workshop was to present a proposed process that will ultimately give staff direction on Environmentally Sensitive and Government lands should they ever be developed by private individuals. City Manager Schainker explained that no changes are expected to be made by the City Council at this meeting; however, if there are changes that the members feel strongly about, they should raise those issues tonight.

Mr. Osguthorpe explained that the City's Land Use Policy Plan (LUPP) Map identifies lands owned by government agencies under the categories of "Government/Airport" and "University Affiliated," and the City's Zoning Map identifies these areas as "Government/Airport District." These are areas where the land is owned by a federal, state, county, school district, or municipal government authority, and as such, are not subject to the City's local zoning regulations except for flood regulations and height limitations in the vicinity of the airport. This is the only designation based solely upon ownership as opposed to allowable land uses.

The Council was told that, when properties within the Government/Airport district are sold, it results in an inconsistency between the ownership of the land and the designation of the district, and in turn, prompts consideration of an appropriate land use and zoning district designation for the property. In these cases, the new owner has no way of knowing what land use is consistent with City policies because the LUPP and Zoning Maps assume that the land will remain under government ownership. Also, the new owners may have expended considerable time and money on their development plans, and the City Council might feel pressured to support the private proposal. That may not facilitate an analysis of the broader public good that effective long-range planning demands. Mr. Osguthorpe pointed out that this is also inconsistent with the stated goals of the City's LUPP, specifically, Goal 2, which is to "guide the character, location, and compatibility of growth with the area's natural resources and rural areas," and to "seek a development process that achieves greater compatibility among new and existing development."

Mr. Osguthorpe said that Environmentally Sensitive lands in the City are also at risk of incremental zoning proposals. Currently, these lands are designated "Agricultural" because that is the use that will be least affected by the environmental constraints of the property. That designation has also been applied more as a "holding zone." Permanent zones for those lands are determined only as individual development proposals are filed, which also leaves owners without guidance. Maps were shown that depicted lands currently designated Government and Environmentally Sensitive.

Mr. Osguthorpe explained the process being suggested by staff for receiving public input on the

potential map changes, as follows:

1. Draft LUPP Map that includes both existing land uses and proposed land uses for all Government/Environmentally Sensitive lands and Environmentally Sensitive Lands Overlay Map will be presented.
2. The Maps will be presented to the University and the School District for their input and comments (to occur in March).
3. Workshop with the Planning & Zoning Commission for comments, suggestions, and refinements (to occur in April).
4. Hold an “Open House” for the present maps to the public (Fall 2007).
5. Follow-up workshop with City Council to discuss results of the open house, finalize language, and move towards adoption of changes.

Mr. Osguthorpe reviewed the proposed land use designations for the current Government/Environmentally Sensitive lands. He said that, as a part of this process, staff hopes to develop language in the LUPP that gives the criteria for the designation of land use.

Council Member Larson asked to know, other than Government lands, what other changes on privately held lands had occurred. Planner Benson stated that the designations for the private lands had not changed, and it was not the intention of this process to cause a massive number of private-property rezonings. Council Member Mahayni pointed out that the land use would not change until the parcels in question change hands, and at that time, the zoning and land use would be closely analyzed.

Mr. Benson advised that, in the Urban Fringe Plan, four different designations comprise “Natural Areas;” that is not the case on the LUPP Map. He reminded the Council that the Urban Fringe Plan addresses lands outside the City limits.

Council Member Popken asked to know the definition of Environmentally Sensitive land. Mr. Benson said that the Land Use Policy Plan contains the definition; it is based on land characteristics. Council Member Larson pointed out that it is very important for the designation to be clearly defined so that future land owners know exactly what the criteria are for that land. Council Member Doll read the definition, as listed in the LUPP.

Terry Lewis, 2216 North Dakota, Ames, asked to know the difference between the Greenway designation and the Environmentally Sensitive designation, specifically alluding to the north and south sides of Onion Creek. In Mr. Lewis’ opinion, both sides of the Creek should bear the same designation. Mr. Osguthorpe pointed out that the designations being depicted on the maps being shown were taken directly from the City’s current LUPP. According to Planner Benson, the Greenway designation carries different standards.

Council Member Popken indicated that Government lands can also be designated as Environmentally Sensitive. On the current maps, there are lands that are owned by a governmental entity that don't reflect an Environmentally Sensitive designation. Planner Benson stated that policies needed to be developed for Environmentally Sensitive land.

Mayor Campbell announced that she had contacted the School District President in an attempt to ascertain available dates for a joint meeting. She suggested that the workshop on March 20 be used for this purpose.

Council Member Goodman recommended that the area near the old Middle School be zoned High-Density Residential, rather than Highway-Oriented Commercial, as he believed it was a priority of the City Council to limit strip development. Mayor Campbell suggested that that type of discussion wait until the Council's joint meeting with the School District, since it owns the land in question.

Moved by Goodman, seconded by Popken, to designate the small area east of Wendy's Restaurant over to Wilmoth Avenue as High-Density Residential, rather than Highway-Oriented Commercial. Vote on Motion: 3-3. Voting aye: Doll, Goodman, Popken. Voting nay: Larson, Mahayni, Rice. Mayor voted nay to break the tie. Motion failed.

Moved by Popken, seconded by Goodman, to direct staff to make recommendations for Governmental lands that should be designated as Environmentally Sensitive. Vote on Motion: 5-1. Voting aye: Doll, Goodman, Mahayni, Popken, Rice. Moving nay: Larson. Motion declared carried.

Moved by Rice, seconded by Doll, to support the process proposed by the staff to gain input on the draft map changes. Vote on Motion: 6-0. Motion declared carried unanimously.

COMMENTS: Moved by Mahayni, seconded by Doll, to refer to staff the letter from Bette H. King dated February 11, 2007, regarding snow removal from circular areas. Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Larson, seconded by Rice, to refer to staff a letter from Civil Design Advantage dated February 1, 2007, requesting revision to the CCR Zone Development Standards related to building height. Vote on Motion: 6-0. Motion declared carried unanimously.

ADJOURNMENT: Moved by Larson, seconded by Popken, to adjourn the meeting at 8:26 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor