

**COUNCIL ACTION FORM**

**SUBJECT: LAND USE POLICY PLAN MAP DESIGNATION  
FOLLOWING ANNEXATION**

**BACKGROUND INFORMATION:**

Prior to the adoption of the Ames Urban Fringe Plan, the City's Land Use Policy Plan had land use designations within the City that were the same as outside the City. For instance, outside the City an area would be designated Village/Suburban Residential. After the land was annexed, it would retain that LUPP designation.

With adoption of the Ames Urban Fringe Plan in 2007, a new designation was created for areas outside the city limits intended for residential development. This designation of Urban Residential is similar to Village/Suburban Residential, although the different terminology does not allow for the retention of the LUPP designation after annexation.

Following the Rose Prairie annexation in 2011, it was discovered that no LUPP designation had been assigned to that land. That land remains even now as a blank spot on the LUPP map. Since the City has now been presented with two more annexation requests, in order to avoid creating another blank spot, staff has asked the applicants to also submit an application for LUPP map amendments. The intent, at this point, is to process the annexation requests for the Athen and Quarry Estates properties, as well as the respective LUPP map amendments, so that the Planning & Zoning Commission and the City Council can take action on them simultaneously.

However, there are several issues to consider with this process. One is that the processes of annexation and of LUPP map amendment are different in terms of notifications, hearings, etc. Assuring that the public hearings on both occur at the same Council meeting cannot always be guaranteed.

A second issue is that, at least in the case of the Athen request, the property recently went through a long process for an Urban Fringe Area LUPP map amendment (from Priority Transitional Residential to Urban Residential). Initiating an additional amendment process could lead to confusion among the neighbors who participated in the recent amendment process. For Quarry Estates, that land was designated as Urban Residential on the Fringe Area map in 2010.

**The LUPP notes that "New Lands" are intended to include those areas designated as Urban Services Area in the Urban Fringe Plan (see LUPP, p. 53). These "New Lands" are intended to be developed as villages or as suburban residential. These development types are accomplished with the LUPP designation of Village/Suburban**

**Residential. Therefore, implicit in the Urban Services area is the expectation that it would become Village/Suburban Residential.**

Under current policy, the assigning of an LUPP designation is **not automatic**, but requires a deliberate action by the City Council. In contrast, however, upon annexation *zoning is automatic*. Section 29.302 of the Zoning Code assigns an *Agricultural* zoning classification when a tract of land is annexed. The City Council would thereafter change it to the appropriate zoning designation through the specified process for a zoning map amendment.

**Using the language of the zoning ordinance as a model, language is proposed for the LUPP that would *automatically* allow for the designation of newly-annexed property consistent with the LUPP.** Since the Urban Fringe Plan allows for annexation only of land designated Urban Services, it would be possible to assure LUPP designations that correlate directly with the Urban Fringe designations. Urban Residential would become Village/Suburban Residential. The other Urban Fringe Plan designations of Planned Industrial, Community Commercial Node and Convenience Commercial Node would also automatically carry over into the LUPP map.

In addition, language in the LUPP is proposed to designate Natural Areas in the Urban Fringe Plan as Environmentally Sensitive Areas in the LUPP. The descriptions of these land uses are similar and are intended to designate areas of steep slopes, flood plains, and areas of natural vegetation.

The proposed language also allows the City Council, at the time it considers an annexation petition, to direct the applicant to seek a different LUPP designation. This would occur if the City Council felt that the automatic designation is not the most appropriate land use due to changing circumstances or development patterns.

By adopting changes that assign LUPP designations automatically upon annexation, the City can be more responsive to customer timetables. Staff, City Council, and the customer's time can be used more efficiently and multiple similar (but different) processes for a single tract of land can be avoided.

If this change is ultimately adopted by Council, it would apply to the pending Athen and Quarry Estates annexation requests.

The following is intended to be incorporated into Appendix C of the Land Use Policy Plan:

## VII. LUPP DESIGNATION UPON ANNEXATION

To ensure consistency of the Land Use Policy Plan with the Ames Urban Fringe Plan, the Urban Fringe Plan's Urban Services Area and adjacent Natural Areas designations shall be retained upon annexation with the exceptions noted below, unless the City Council, at the time of initial receipt of an annexation petition, shall require that the applicant seek an LUPP map amendment to a different category:

1. Areas designated as Urban Residential in the Urban Fringe Plan shall be designated as Village/Suburban Residential upon annexation.
2. Areas designated as Natural Area in the Urban Fringe Plan shall be designated as Environmentally Sensitive Lands upon annexation.

**Recommendation of the Planning & Zoning Commission.** At its meeting of February 6, 2012, by a vote of 7-0, the Planning and Zoning Commission recommended approval of this amendment to the Land Use Policy Plan.

**ALTERNATIVES:**

1. The City Council can approve the changes to Appendix C of the Land Use Policy Plan as presented above.
2. The City Council can deny the proposed changes to the Land Use Policy Plan.
3. The City Council can defer action and seek additional information from staff.

**MANAGER'S RECOMMENDED ACTION:**

The proposed amendment to the Land Use Policy Plan will streamline processes by eliminating one step in the annexation and development of land in the Urban Services area. Staff resources and customers' time will be more effectively used and development timetables can be better met, while the public will still receive notification and have opportunities for input.

Even though the existing LUPP language implicitly anticipates that Urban Residential land will become Village/Suburban Residential, action is not automatic and requires a number of procedural steps and explicit City Council action. The proposed amendment will allow for that automatic designation while also allowing the City Council to direct the applicant to a different designation if appropriate.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1 as described above, adopting the proposed changes to the City's Land Use Policy Plan.