

Staff Report

**UPDATE ON SOCIAL SERVICE PROVIDERS TEXT AMENDMENT
FOR UNINCORPORATED STORY COUNTY**

November 22, 2016

BACKGROUND:

The Ames Urban Fringe Plan was adopted in 2007 and a 28E intergovernmental agreement for its implementation was adopted 2011. The Fringe Plan identifies goals and policies for development within two miles of the City, identifying areas reserved for agricultural preservation (with limited residential potential), areas that would allow lower density residential uses with the expectation that they may someday be annexed into the City, and areas in which development will not occur until full city services are provided and the land is annexed. The implementation agreement expands upon how to administer the Plan and jurisdictional roles for development review with the boundaries of the Fringe Plan.

When it comes to zoning issues within the County, the implementation agreement states that zoning in the unincorporated area remains the sole domain of the County and that the City's jurisdiction is limited to subdivision review. However, it was anticipated that the County would maintain zoning districts and standards that would be consistent with purposes of the Fringe Plan to support agricultural uses and limit development in most areas in the Fringe Plan.

Story County has notified the City's planning staff that it will soon be considering a text amendment to allow Social Service Providers in the A-1 zoning district, subject to the approval of a conditional use permit issued by the Story County Board of Adjustment. **The request for the text amendment was spurred by Youth and Shelter Services' interest in a number of properties near Ames, but specifically one of the McCay properties located at 5500 240th Street in the Southwest Growth Area.** Much of the Southwest Growth Area is zoned A-1, but is designated in the Ames Urban Fringe Plan as an Urban Service Area for future annexation and development within the City.

County A-1 zoning currently allows for agriculture uses, single-family dwellings, cemeteries, stables and riding academies, and parks by right. A-1 zoning also includes a very broad list of conditional uses, but is silent on social service providers. It should be noted that under current County zoning, the list of allowed conditional uses in the A-1 zoning district include such diverse uses as private airports, gun clubs, power plants, drag strips and race courses, mining, concrete plants, construction and demolition landfills, and composting operations. The proposed amendment would add social service providers to the list of uses allowed by conditional use permits. The proposed amendment would apply throughout the County, not just to areas within the Ames Urban Fringe Plan.

STAFF COMMENTS:

No specific action is required from the City Council for Story County to proceed with consideration of the proposed text amendment. However, as emphasized in the Fringe Area Plan, the Urban Service Areas should be protected from any form of development that would constrain the efficient growth of the communities.

If it desires, the City Council could choose to direct staff to prepare a formal response on the proposed amendment. The 28E implementation agreement anticipated that amendments would be made to the County zoning regulations and required the County to provide notice to the City to provide comment. **In this case, staff wants the City Council to understand the implications of the amendment is that individual sites could be approved with a conditional use permit in the Fringe Area that are not likely to be urban scale developments. This may or may not impede future annexation and urbanization. For example, the McCay property is situated in the area that the Council has directed staff to develop a master plan to support future development in the City of Ames. Whatever is built in this area in the immediate future could impact the City's future plan for development in the Southwest Growth Area.**

While the City would hold no formal role in the review of a County conditional use permit, City staff could provide comments about any concerns for a specific site and its consistency with the Fringe Plan. The City would only have direct authority over a proposal if subdivision was requested as part of a project.

OPTIONS:

In the event that the City Council decides to weigh in on the proposed text amendment to allow a social service provider in the County A-1 zoning district, there are two types of comments that would be relevant:

Option 1:

If the City Council believes that allowing a social service provider in the A-1 zoning district is incompatible with the intent of the Urban Fringe Plan, it can direct staff to develop and provide comments to the County.

Option 2:

If the City Council believes that allowing a social service provider in the A-1 zoning district is not incompatible with the intent of the Plan, but wishes to ensure that City development standards are met or that a mechanism is in place to require annexation of the property at some future time, it can direct staff to prepare a recommended list of conditions to be presented to the Board of Supervisors. Those conditions could be incorporated into the County's Conditional Use standards or be presented to the County Zoning Board of Adjustment as conditions of approval of a conditional use permit if the project moves forward.

Attachment-Excerpt of the Fringe Plan

As the Southwest Growth Area lies within the Urban Services area of the Fringe Plan, the following is intended to remind the City Council of the Urban Services Area intent [emphasis added].

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“The Urban Service Area contains the lands into which Ames and Gilbert may expand its municipal boundaries as development occurs. This area is adjacent to city limits and should be planned for urban development, with urban development standards, such as centralized water and wastewater services. **These areas should be protected from any form of development that would constrain the efficient growth of the communities.** Inappropriate development includes low-density residential lots served by on-site wastewater treatment systems and other forms of rural development. This will enable Ames and Gilbert to grow in unison with the growth in the Ames Urban Fringe, in an orderly manner where there is coordination of annexation with the timely and efficient extension of public facilities and services.”

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And

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“This area is intended to be urban in character and become part of a municipal jurisdiction as it develops. **Urban services and development standards are required for development within this area.** Typically, lands within this area are annexed as they are developed.”

USA Policy 1: Require land uses and the intensity of development within identified growth areas to be consistent with the Ames Urban Fringe Plan.

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Also, there are specific policies for development in the Urban Residential Areas (a subset of the Urban Services Areas).

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“UR Policy 1: 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.

“UR Policy 2: Require annexation by the city before land is developed or further subdivided.

“UR Policy 3: 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.

“UR Policy 4: Require land development agreements with the city before land is developed or further subdivided.

“UR Policy 5: Mitigate and manage stormwater run-off, soil erosion, and wastewater discharge according to IDNR and city standards.”