

COUNCIL ACTION FORM

SUBJECT: ESTABLISHING A NEW INTENSIVE INDUSTRIAL ZONING (II) DISTRICT FOR THE EAST INDUSTRIAL PRAIRIE VIEW INDUSTRIAL CENTER

BACKGROUND:

At the September 22, 2020 City Council meeting the Council referred to staff a letter from the Ames Economic Development Commission (AEDC) to designate industrial zoning on land that is referred to as the Prairie View Industrial Center. The area was annexed in 2016 and contains 1,300 acres east of I-35 and on both sides of East Lincoln Way (Attachment A). The land has been zoned Agricultural since its annexation. The AEDC is now requesting an industrial zoning designation on portions of the land to facilitate recruitment and development of large-scale industrial businesses.

The City's intent at the time of annexation was to create development opportunities with large tracts of land to help diversify the employment base in Ames and contribute to the continued economic growth of the community. The vision for the Prairie View Industrial Center is to provide land for large general industrial uses, such as manufacturing, and to take advantage of rail access for properties along the north side of Lincoln Way.

The current Land Use Policy Plan (LUPP) designation for the area is Planned Industrial. Ames Plan 2040 also identifies Prairie View as an industrial employment area. Currently there are three industrial zoning classifications within the Zoning Ordinance: General Industrial (GI), Planned Industrial (PI), and Research Park Innovation District (RI). However, the Planned Industrial LUPP designation relates specifically to PI and RI zoning districts. General Industrial is its own separate category. Staff has determined that the current zoning choices do not completely match the desired outcomes for the Prairie View area. As a result, City Council initiated a text amendment to create a zoning district. **This report is for the creation of the zoning standards for a new industrial zoning district, it does not include rezoning of specific properties at this time.**

Staff's understanding for the area is to allow for the siting of large uses, similar in scale to Barilla. Staff believes that the new standards should contain design allowances similar to PI zoning in terms of generous setbacks while allowing for many of the industrial uses permitted similar to GI. Staff proposes that the front setbacks be greater (similar to PI) to ensure that potentially large uses are pushed back to allow adequate space for landscaping and screening. Staff also proposes a larger minimum lot of size and minimum frontage that matches PI compared to GI to ensure that lots can more easily accommodate all required elements of a site plan and to allow for adequate space for access points for heavy truck traffic.

Staff proposes that several of the main industrial uses allowed in either PI or GI be permitted in the proposed new industrial Zone, while excluding some other uses allowed in other industrial zones. Creating a new zoning district would allow a broad range of manufacturing, production, R&D, warehouse, and distribution uses that are not currently permissible in these combinations individually in either GI or PI.

The new proposed industrial zone permits a wide range of primary industrial classifications but restricts commercial uses as well as salvage yards, miscellaneous uses, Institutional Uses and vehicle service facilities. This is intended to facilitate industrial business development designed for large scale industrial uses. The addendum to this report below goes into more specific discussion of the proposed design and use standards.

Staff is not proposing to include any architectural design elements or site orientation requirements as part of the new zoning district. Neither GI or PI zoning has design standards or guidelines. Only the RI zoning district includes architectural design requirements.

AMES ECONOMIC DEVELOPMENT COMMISSION INPUT:

Staff reached out to the AEDC representatives to discuss how the new standards fit within the planned economic development goals for the area. Staff discussed the process for approval and the range of uses in correspondence with AEDC. AEDC is supportive of the proposed standards as allowing for a wide range of industrial uses, standards designed for large site development, and an approval process that matches other industrial zones. The increased height allowances and range of uses directly address the economic development goals for the area. The commenters noted that 15% landscaping/open space requirement could be substantial on a large site and lose site efficiency. Staff maintained the 15% requirement consistent with other zones due to the likely need for space to address stormwater, setbacks, front yard landscaping, and parking lot landscaping.

PLANNING & ZONING COMMISSION RECOMMENDATION:

The Planning & Zoning Commission reviewed the proposed standards at its December 16th meeting. The Commission asked staff questions regarding how the presence of heavy industry in this area and its relationship to the surrounding, including the east growth scenario discussed with Ames Plan 2040. Ames Plan 2040 included the Prairie View industrial area south of the railroad as a substantial employment center and outlined development options north of the railroad with commercial centers and potential residential. **Commission members expressed concern about potential nuisance factors and impacts to planned residential to the north.** Planning Director Kelly Diekmann described the planned sequence of development in the area and that if the uses in Prairie View occur first as intended, then the City would have to revisit some of the planning assumptions for East Growth. The East Growth was not viewed as the primary source of housing for Plan 2040 and other growth areas could pick up future long-term demand if needed.

Commission members also asked if Ames has an “odor board” to govern odors that may arise from industry. An example from Des Moines was discussed by the Commission. Commission members expressed some concern that future industries here may produce odors that may be difficult to control. Members also expressed concern over particulates which may be expelled from industrial processes with damaging effects on surrounding property. Staff discussed how the zoning process evaluates nuisance factors to minimize impacts if possible, including the requirements for a Use Analysis report as part of Site Plan review. **The Planning & Zoning commission felt it was important for Council to have these concerns in mind when moving forward with approval of this new industrial zone.**

The Planning & Zoning Commission voted 6-0 to recommend to the City Council approval of the Intensive Industrial Zone.

ALTERNATIVES:

1. The City Council can adopt on first reading a new industrial zoning district for the Prairie View Industrial Center based upon the proposed draft standards.
2. The City Council can approve on first reading a zoning text amendment with different draft standards.
3. The City Council can defer approval on first reading and request more information from City Staff.

CITY MANAGER’S RECOMMENDED ACTION:

Staff believes the proposed standards for this new zone are appropriate for the Prairie View Industrial Center given the intent to allow for “heavy” or traditional industrial uses. Staff believes the proposed zoning district and its standards will achieve the right mix of uses that make this area of the community distinct from other industrial areas. Planning for accessory and support service uses can be addressed at a later time when the patterns of development and character of the area is better understood.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, as described above.

ADDENDUM

Permitted Uses

The permitted uses in this district include Manufacturing, Processing, Resource Production and Extraction, Warehousing and Freight Storage and Industrial Services with the exception of Salvage Yards. This range of activities includes R&D uses, commercial manufacturing, food processing, fuel refineries, packing plants, and chemical production as some of the more intense options that are not easily sited within the City currently. Office uses when combined with Industrial uses will be permitted, however standalone office uses will not be permitted. Rail yards are prohibited as is the case in other industrial zones, the use of the land for a rail yard does not match the City's investment in infrastructure to support substantial employment opportunities. However, transload freight facilities and rail lines serving businesses will be permitted.

Restricted Uses

Retail, Entertainment and standalone Offices uses will be restricted as will wholesale trade uses. This will restrict restaurants, gas stations, retail outlets, movie theaters and all other commercial based operations along with wholesale trade businesses such as contractor businesses, rental facilities, parts repair and Agricultural equipment dealers. Institutional Uses, Miscellaneous Uses, and Vehicle Service Facilities will be restricted as well. Examples of these are universities, vocational and technical schools, daycares, auto repair businesses, auto dealerships, prisons and adult entertainment businesses. Salvage yards will not be permitted. Manufacturing and processing facilities are allowed to conduct retail activities on site as an accessory use per the allowances of the Zoning Ordinance.

Lot size and Frontage

Minimum lot sizes are proposed at 1 acre. This is the same as the PI zone which is intended to provide a minimum size lot to accommodate larger operations. A minimum of 200 feet for required street frontage will ensure access points for large trucks can be accommodated and meet spacing requirements from other nearby access points.

Height

Staff is proposing a maximum height limit in this new district of 150 feet compared to 100 feet in other industrial zones. This is more than any district currently allows in the zoning ordinance. Staff believes allowing heights of 150 feet in this zone reflect the larger scale of uses that may locate here and their related appurtenances. The height allowance is based upon the intended scale of large or traditional industrial uses, large amounts of land and space for separation in this area, and potential for new technologies or future uses to need concentrated areas of height increases. For example of scale, the Barilla plant has grain facilities that are 150 feet in height approved through a variance in the 1990s.

Examples of taller features for a large industrial use would be structures such as cooling towers, exhaust stacks, and testing or production areas that must extend higher to achieve a certain design interests of the user. **Staff is proposing to allow these taller features to extend up to 50 feet beyond the height limit of the zone with Planning Director approval. This will only apply to related features and not buildings.**

Setbacks

Setbacks are proposed to be similar to those of the PI zone. This allows for adequate space between buildings and streets to allow for landscaping and screening along with requiring that larger scale buildings be setback to reduce the appearance of the mass of an industrial operation from abutting streets. The proposed setbacks are 40 feet for front and street side setbacks with 20 feet for rear and interior side setbacks. A new feature to setbacks is that rear setbacks for uses abutting rail lines will be zero.

Building Coverage and Landscaped Area

The minimum required landscaped area and maximum building coverage are proposed to be the same as those in the GI zone. This will allow maximum building coverage of 85% with a minimum landscaped area of 15%. These allowances and requirements are viewed as allowing enough space to maximize building size for large scale industrial operations while requiring enough landscaping for front yard, parking lot and any potential perimeter/buffer yard landscaping.

Landscaping & Screening

Staff is proposing that in addition to the base landscape standards found in Section 29.403, additional screening be provided when external processing, storage and equipment is visible from abutting streets. This screening may be in the form of high shrubs or trees when necessary to minimize the negative appearance of unenclosed elements of a facility. This standard does not require full screening, only additional or denser landscaping plantings to minimize the appearance from streets.

Attachment B- Proposed New Zoning Table

Sec. 29.904. "II" INTENSIVE INDUSTRIAL ZONE.

(1) **Purpose.** The Intensive Industrial Zone is designed to accommodate large and varied industrial business development in the area east of Interstate 35. The standards of this zone are intended to provide for an environment that permits large scale industrial development benefitting from development of large tracts of land adjacent to highways and rail lines. A site plan review process is required in order to assure such development and intensity of use occurs in a way that assures safe, functional, efficient and environmentally sound operations.

(2) **Permitted Uses.** The uses permitted in the II Zone are set forth in Table 29.904(2) below:

**Table 29.904(1)
Intensive Industrial (II) Zone Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES	N	--	--
OFFICE USES	Y when in combination with a permitted Industrial use on the same lot or parcel	SDP Minor	Staff
TRADE USES	N		
Entertainment, Restaurant and Recreation - General	N	--	--
Wholesale Trade	N	-	-
INDUSTRIAL USES			
Manufacturing/Processing	Y	SDP Minor	Staff
Resource Production/Extraction	Y	SDP Minor	Staff
Animal/Livestock	N		
Warehousing/ Freight Storage	Y	SDP Minor	Staff

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
Industrial Service (except Salvage Yards)	Y	SDP Minor	Staff
Waste-Processing and Transfer	Y	SP	ZBA
INSTITUTIONAL USES			
Child Day Care Facilities and Vocational/ Technical High Schools	N	-	-
Colleges and Universities	N		
TRANSPORTATION, COMMUNICATIONS, AND ESSENTIAL SERVICES			
Rail Yards	N	-	-
Rail Lines	Y	SDP Minor	Staff
Personal Wireless Communication Facilities	Y	SP	ZBA
MISCELLANEOUS USES			
Adult Entertainment Facilities	N	--	--
Commercial Outdoor Recreation	N	--	--
Detention Facilities	N		
Major Event			
Entertainment	N	--	--
Vehicle Servicing Facilities	N		

Y = Yes: permitted as indicated by required approval. N= No: prohibited

SP = Special Use Permit required: See Section 29.1503

SDP Minor = Site Development Plan Minor: See Section 29.1502(3)
SDP Major = Site Development Plan Major: See Section 29.1502(4)

ZBA = Zoning Board of Adjustment

(3) **Zone Development Standards.** The zone development standards applicable in the II Zone are set forth in Table 29.901(3) below:

Table 29.904(2)
Intensive Industrial (II) Zone Development Standards

DEVELOPMENT STANDARD	II ZONE
Minimum Lot Area	1 acre
Minimum Frontage	200 ft. if located along a collector or arterial street -or- 100 feet with approved shared access. Local street frontage minimum of 100 feet.
Minimum Building Setbacks	
Front and Street Side Lot Line	40 ft.
Side and Rear Lot Lines	20 ft.
Rear setback abutting rail lines	0
Maximum Building Coverage	85%
Minimum Landscaped Area	15%
Landscaping	See Section 29.403
Additional Screening required	Through Site Development Plan review the Planning Director may require additional dense and/or enhanced landscaping for uses with external processes, storage, and equipment visible from abutting streets.

Maximum Height	150 ft. (200 ft. for related appurtenances with Planning Director approval.)
Parking Allowed Between Building and Streets	Yes
Drive-Through Facilities Permitted	N
Outdoor Display Permitted	Yes. See Section 29.405
Outdoor Storage Permitted	Yes. See Section 29.405
Trucks and Equipment Permitted	Yes

(4) **Site Development Plan Requirements.**

(a) In addition to Minor or Major Site Development Plan submittals, a Use Analysis Report shall be prepared by the applicant that shows the following:

- (i) approximate number of employees;
- (ii) approximate utility needs and effect upon existing systems, e.g., projected water demand (Gallons Per Minute or Gallons Per Day), waste water generation (Gallons per Day + Chemical Oxygen Demand or Biochemical Oxygen Demand) electricity demand (Kilowatts), storm water increase (Cubic Feet Per Second), solid waste generation (tons); and...

(iii) possible nuisance factors and means for alleviating those factors, such as noise, odor, smoke, dust, or fumes, vibration, heat.

(b) No Site Development Plan approval will be issued for any use in the II District if the determination is made by the approving authority exercising independent judgment, that there is reason to believe that the proposed use or structure, as presented by the application, will create a nuisance in terms of diminished air quality, smoke, noise, toxic matter, odor, vibration, glare, sewage waste, water quality, street system capacity, heat or other condition detrimental to the public health and safety or reasonable use, enjoyment and value of other properties; or diminish the quality or quantity of any utility service presently provided by the City. Furthermore, no approval or permit shall be issued unless there is compliance with all other applicable City, state and federal regulations.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW SECTION 29.904 THEREOF, FOR THE PURPOSE OF ESTABLISHING A NEW INTENSIVE INDUSTRIAL ZONING (II) DISTRICT FOR THE EAST INDUSTRIAL PRAIRIE VIEW INDUSTRIAL CENTER; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting a new Section 29.904 as follows:

“Sec. 29.904. "II" INTENSIVE INDUSTRIAL ZONE.

(1) **Purpose.** The Intensive Industrial Zone is designed to accommodate large and varied industrial business development in the area east of Interstate 35. The standards of this zone are intended to provide for an environment that permits large scale industrial development upon large tracts of land adjacent to highways and rail lines. A site plan review process is required in order to assure such development and intensity of use occurs in a way that assures safe, functional, efficient and environmentally sound operations.

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Colleges and Universities	N		
TRANSPORTATION, COMMUNICATIONS, AND ESSENTIAL SERVICES			
Rail Yards	N	-	-
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Personal Wireless Communication Facilities	Y	SP	ZBA
MISCELLANEOUS USES			
Adult Entertainment Facilities	N	--	--
Commercial Outdoor Recreation	N	--	--
Detention Facilities	N		
Major Event Entertainment	N	--	--
Vehicle Servicing Facilities	N		

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(3) **Zone Development Standards.** The zone development standards applicable in the II Zone are set forth in Table 29.901(2) below:

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(iii) possible nuisance factors and means for alleviating those factors, such as noise, odor, smoke, dust, or fumes, vibration, heat.

(b) No Site Development Plan approval will be issued for any use in the II District if the determination is made by the approving authority exercising independent judgment, that there is reason to believe that the proposed use or structure, as presented by the application, will create a nuisance in terms of diminished air quality, smoke, noise, toxic matter, odor, vibration, glare, sewage waste, water quality, street system capacity, heat or other condition detrimental to the public health and safety or reasonable use, enjoyment and value of other properties; or diminish the quality or quantity of any utility service presently provided by the City. Furthermore, no approval or permit shall be issued unless there is compliance with all other applicable City, state and federal regulations.”

Section Two. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Three. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

John A. Haila, Mayor