

ITEM #: 23  
DATE: 02-28-23  
DEPT: P&H

**COUNCIL ACTION FORM**

**SUBJECT: SECOND AMENDMENT TO CONTRACT REZONING AGREEMENT FOR AN AMENDED MASTER PLAN AT 798 N 500TH AVENUE (NORTH SUNSET RIDGE)**

**BACKGROUND:**

Hunziker Development Group, the owner of 28.58 acres of property located at 798 North 500<sup>th</sup> Avenue, has applied to amend the previously approved Rezoning Master Plan for the North Sunset Ridge development. The site is located to the north of the existing Sunset Ridge Subdivision (Attachment A - Location Map). The property is located on land annexed to the City in February 2022. The current zoning of Floating Suburban Residential Low-Density (FS-RL) and Master Plan was approved by the City Council on August 9, 2022 (Attachment C - Zoning Map excerpt; Attachment D – Existing Master Plan).

On January 24, 2023, a First Amendment to the Contract Rezoning Agreement was approved by the City Council, which allowed the applicant to provide a Letter of Credit in lieu of cash for its contribution to the construction of an oversized sewer line.

**Due to some changes in the proposed development, the Master Plan needs to be amended to allow for the developer to proceed with a preliminary plat application. The amended Master Plan includes revisions to the connection points to the north and future development of land on the west (Attachment E – Amended Master Plan). The current FS-RL zoning will remain the same, but the number of allowed units has increased by 10 units to account for proposed developable land at the west side of the site.**

The initial Master Plan identified five road connection points. The amended Master Plan includes four connection points. The proposed northerly street extension to the east of Wilder Avenue has been removed at the request of City staff. **Staff recommends this change as the City is in the process of acquiring the land to the north for a community park.** The proposed extension was eliminated due to potential conflicts with a future layout for the park. The lack of planned extension north does create a long dead end cul-de-sac street to the east, which are typically avoided by the City. The unique issues of compatibility with a future park and lack of other extension options to the south or east create this condition.

Additionally, a street on the west side of the property that would extend north at the neighboring Hall's property is moved further to the west. Purchase of the Hall property has not been finalized and some of the details of this connection are still to be determined. Relocation of this access point is intended to represent a general location with the precise

alignment of the north extension included in an eventual subdivision proposal. Staff would not support a final street alignment during subdivision review that would require removal of a substantial building that is not under the control of the developer.

Land at the west edge of the site is now identified as “future development.” The future development is intended to indicate it may be a second phase. No future amendment to the Master Plan is needed to develop it with single-family homes as it is included as developable area on the Plan and accounted for with the unit count. Previously, much of this land was identified as open space; however, it is the intent of the developer that this land be merged with the Hall property for future development. Reconfiguration of the northern access point as proposed and acquisition of an additional property to the north would allow for single family lots to be laid in a future subdivision of this area.

The developer proposes to construct between 60-75 new single-family detached homes on 14-18 acres. The net density will be in the range of 3.75-4.81 which meets or exceeds the minimum required density of 3.75 in FS zoned districts. A portion of this development is indicated as “future development” on the amended Master Plan. **With the new proposed developable area, the maximum number of units would increase from 65 units to 75 units for the entire site.**

Open space and storm water detention will account for 4.5-10.0 acres of the 28.58-acre property. This exceeds the minimum 10% required open space in the FS zone standards. A Preliminary Plat and Final Plat must be approved before construction of homes can begin and to determine final lot layouts, utilities, and configurations of open space. The Preliminary and Final Plats will ensure that the requirements of the Master Plan are met.

Floodplain is located on small area on the far eastern side of the property. The floodplain area will be contained in proposed open space. Developed lots will be located outside of flood prone areas.

#### **PLANNING & ZONING COMMISSION RECOMMENDATION:**

On February 1, 2023, the Planning & Zoning Commission voted 6-0 to recommend approval of the amended Master Plan.

#### **ALTERNATIVES:**

1. Approve the amended Master Plan for 28.58 acres at 798 N. 500th Avenue as the Second Amendment to the Contract Rezoning Agreement of August 9, 2022.
2. Deny the amended Master Plan for 28.58 acres at 798 N. 500<sup>th</sup> Avenue, along with Second Amendment to the Contract Rezoning Agreement, with a finding that the Master Plan is not consistent with the policies of Ames Plan 2040 and the RN3 land use designation.
3. Refer this matter back to staff or the applicant for more information.

**CITY MANAGER’S RECOMMENDED ACTION:**

The request for the Master Plan Amendment is consistent with the adopted Ames Plan 2040 as described in the addendum. Utilization of infrastructure and City services for this parcel is consistent with what has been anticipated for development in this area. **The current zoning of the property will remain the same, but the extent of development and total number of units are adjusted with the proposed amendment. The amended Master Plan will restrict the maximum number of units on this property to no more than 75 with all dwellings as single-family detached homes.**

**Consideration of a future City park to the north has led to change for the east side of the site that creates a long dead-end block. Although this condition is typically avoided, the designated length is within the approvable limits of the Subdivision Code of ¼ mile length. Final design details of the street and lot layouts will be part of the preliminary plat review process.** Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, as described above.

## ADDENDUM

### REZONING BACKGROUND:

**Existing Uses of Land.** Land uses that occupy the subject property and other surrounding properties are described in the following table.

<b>Direction from Subject Property</b>	<b>Existing Primary Land Uses</b>
Subject Property	Undeveloped / Row-crop
North	Undeveloped / Row-crop
East	Wooded floodplain / Single-Family Residential further east
South	Single-Family Residential
West	Existing farmsteads and Row-crop

### **Ames Plan 2040**

The project area has a RN3 land use designation. The RN3 characteristics are supported further by Ames Plan 2040 Comprehensive Plan Principles related to Growth principles in (G1-6) as well as Neighborhoods and Housing (H3) which are contained below in Attachments F and G. These sections include guiding principles for creating appropriate urban fabric, housing considerations, and maintaining community character.

The sections relating to Land Use Designation, Neighborhood Characteristics, Growth Goals and Development Guidelines are shown below from the RN3 section of the Ames 2040 Comprehensive Plan as a reference. Not all elements allowed in each section pertain to the current proposal but also are not found to conflict with the proposal for this property. A brief analysis of Complete Streets typology is also included.

Staff finds that the elements stated in the principles below are met in relation to the low-density residential development in the RN3 Land Use Category as reflected within the proposed Master Plan.

#### Land Use Designation

The Future Land Use Map designates the land as “Residential Neighborhood 3” (RN3). Open Space/Greenway designation applies in part to the site as well. The RN-3 designation supports an average density of five units per acre as the city develops and expands. This is a goal over a broad area that is designed to encourage of mix of housing types and efficient use of land; however, it does not necessarily apply to each project that is proposed. Various zoning districts are used to implement this designation. The Open Space/Greenway was part of the original evaluation of the area and the need for public park space. The public park will be to the north of this land and there no other open space areas that need to be preserved.

RN3 areas will typically have zoning of FS-RL, FS-RM, F-PRD (Planned Residence District), PUD (Planned Unit Development) or RLP (Manufactured home park). This site is already zoned FS-RL, there is no change with this amendment.

Attachment F includes the excerpt of Plan 2040 for the RN3 designation that is discussed below. Each land use designation in Plan 2040 describes its context and potential issues to be addressed or guidance for projects as they occur during the next 20 years. The existing FS-RL zoning along with the proposed Master Plan amendment aligns with the RN3 land use designation.

### Neighborhood Characteristics

The RN3 designation is oriented around contemporary but diverse development options in planned expansion areas of the city, typically known as FS zoned areas. These areas were originally envisioned in the 1997 Land Use Policy Plan as villages.

Ames Plan 2040 further describes RN3 neighborhoods as being designed with conventional suburban type development patterns involving single-family homes at low or medium density. Curvilinear streets, loop streets with minimal cul-de-sacs will be common street characteristics. Such neighborhoods will commonly be automobile oriented. Transit service is likely limited or non-existent. Neighborhoods will have access to private green space involving internal paths and trails. Stormwater detention features will be incorporated into design. In general, some small commercial nodes will be located within or in nearby areas of RN3.

### Growth Goals

The goals of RN3 involve creating a variety of housing types and price points that can be attainably priced and owner occupied. This involves neighborhood design through zoning tools such as the Planned Development of neighborhood cores containing higher density with links to single-family areas and nearby neighborhood services. The use of Complete Streets concepts is expected with elements to include active transportation linkages and providing safe access for all neighborhood cores and activity areas.

### Development Guidelines

The neighborhoods in RN3 designated areas will incorporate flexible lot sizes to accommodate diverse housing types with regard for architectural character, environmental and open space factors in design decisions. Generally, higher density residential will be encouraged along avenues, boulevards and mixed-use avenues and other streets with significant bicycle and potential transit routes and within master planned projects. Street, sidewalks, and trails will have full connectivity. New developments will require neighborhood and community parks nearby in relation to the City's open space and park planning. Typically, developments should be within ½ mile of a park.

### Open Space and Parks

A City neighborhood park currently exists approximately 1/4 of a mile to the south of this property in the Sunset Ridge neighborhood. This meets the Land Use goal of the proposed neighborhood being within a ½ mile of a city park. Additionally, the Ames 2040 Comprehensive Plan does have a general conceptual plan for acquisition of park space for a larger community park immediately north of this property. With the existing park and

planned park to the north, no additional public park land is planned with this development.

The Future Land Use Map Open Space/Greenway designation at the east edge of the site continues to be shown on the amended Master Plan as open space. The Future Land Use Map also shows a green swath of open space adjacent to Wilder Avenue. This was intended to convey the conceptual location of a future public park. The actual location of the park will be north of this development. The extension of Wilder Avenue will continue extension of the shared use path. The shared use path will eventually provide connection to the future park.

### Complete Streets Typology

The proposed street extensions into this area are classified in the Ames 2040 Plan Complete Streets typology as Neighborhood Streets which are designed to be low traffic with separated walkways and some on-street parking. The technical functional classification is 'local street'.

These types of streets are intended in new expansion areas with low density zoning such as this development. One of the connecting streets, Wilder Avenue, is designated as a 'residential collector street'. This street type is intended as a connector to local streets in low density residential areas. The street typology is not affected by the requested master plan amendment.

### Public Actions

Plan 2040 includes actions to guide City plans for infrastructure. It relies primarily on using the Capital Improvements Program (CIP) to plan for extension of major roads, water and sewer infrastructure while considering development agreements, connection districts and assessments to help facilitate extensions. The need for sanitary sewer trunk line extension is within the CIP and is supported by the contract rezoning agreement.

### **Existing Zoning**

The existing zoning is "FS-RL" (Attachment C – Zoning Map, excerpt). No changes to the existing zoning are proposed. The property was rezoned on August 9, 2022, from "A" (Agricultural) to "FS-RL" (Floating Suburban Residential Low-Density) with a Master Plan.

The properties to the north are outside the city in Story County and currently row cropped as well as existing farmsteads and row crop land along and across North 500<sup>th</sup> to the west. The property to the east in floodplain along Clear Creek with some wooded residential lots are zoned RL (Residential Low-Density). Properties immediately to the south are zoned "FS-RL" (Floating Suburban Residential Low-Density) in the existing Sunset Ridge Subdivision which contain single-family detached homes.

### **Proposed Master Plan**

The amended Master Plan (Attachment E) will govern density with a range of 60-75 units allowed on the site. The net density will be in the range of 3.75-4.81 units per net acre.

The net acreage of developable area will be 14-18 acres of the total 28.57 acres. Open space and storm water detention will include 4.5-10.0 acres. The original plan allowed for a maximum of 65 units.

The Preliminary Plat and subsequent Final Plat(s) will ensure that the number of units align with the Master Plan.

The Master Plan is required based on Section 29.1507(3): when *“an application is made for amending the zoning map to designate any property as FS-RL, FS-RM, or PUD, the applicant must either prepare a Master Plan or request that the City Council determine whether it will be required.”*

The Master Plan dictates the general street layout, general buildable area in location and acres and number of units as well as net density. The plan also guides the layout of utilities to serve the site. The final configurations of lots and open space is determined during preliminary plat review.

### **Infrastructure**

Impacts on infrastructure and City services for this parcel are consistent with what is already anticipated for residential use of the property. Public utilities such as water and sewer serving this parcel are located immediately south in the Sunset Ridge development and can be easily extended to this site. Electricity is also available to serve the site.

A large Sanitary Sewer trunk main is required through the site from east to west to accommodate planned future growth to the north and west of this site. A contract zoning agreement was finalized with the developer on August 9, 2022, at time of rezoning to ensure financing and construction of the main. The main is required for future growth beyond this site and as such must be installed with this subdivision. An amended rezoning agreement is required due to the amended Master Plan; however, the terms of the cost-sharing are not changing.

Wilder Avenue and Ellston Avenue will extend into the development from the south connecting into the Sunset Ridge Subdivision’s network of streets and to Lincoln Way. An east to west street will bisect the site to serve the remainder of the area. Sidewalks will be provided throughout the site and an existing shared use path to the south in Sunset Ridge will be extended through the neighborhood along Wilder Avenue. All the connections and proposed streets are adequate to serve the anticipated traffic generated by this site.

**Findings of Fact.** Based upon an analysis of the proposed rezoning and laws pertinent to the proposed map amendment, staff makes the following findings of fact:

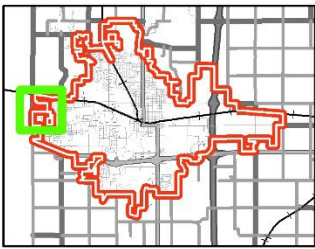
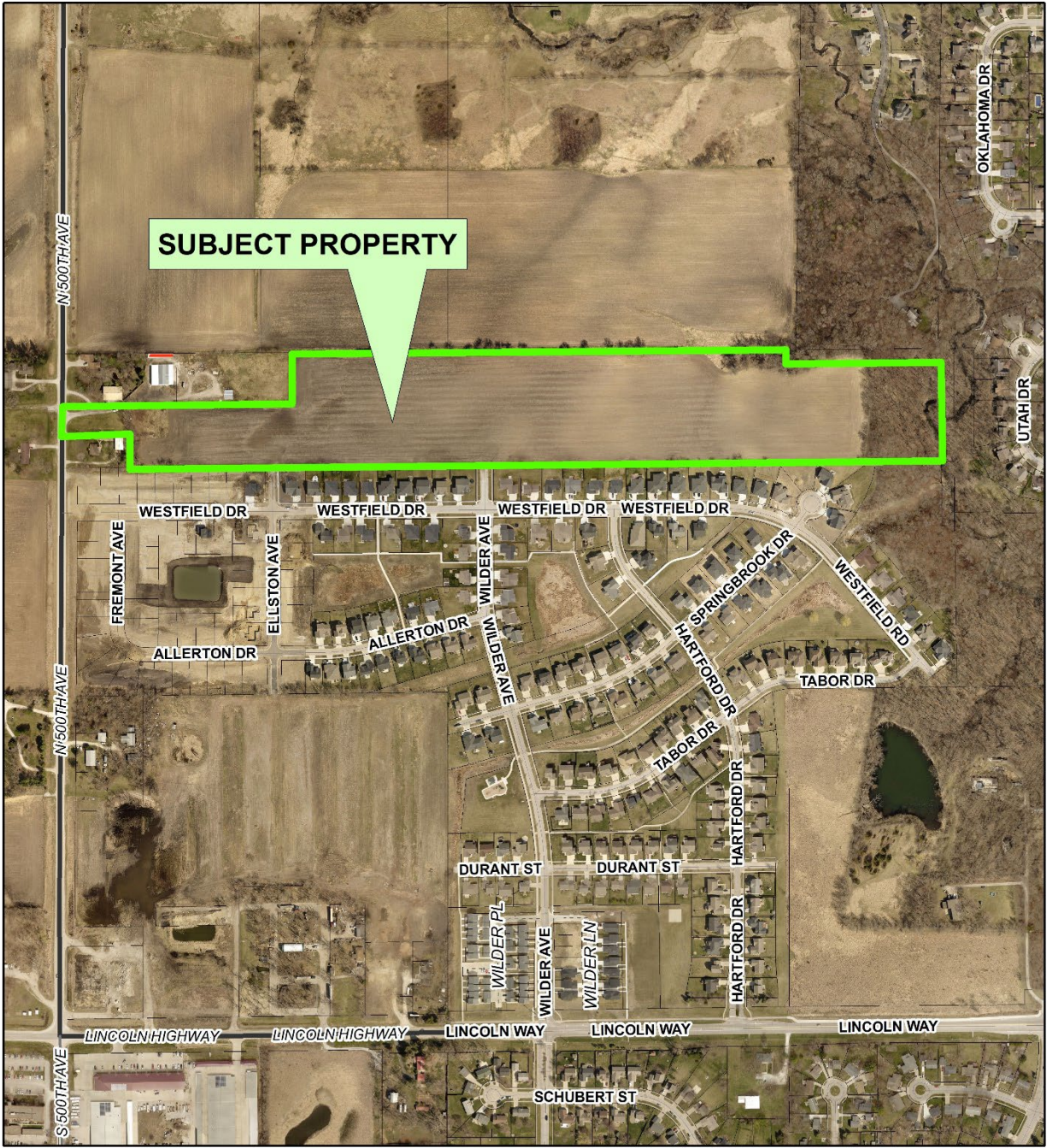
1. The subject property is owned by Hunziker Development Group.
2. The existing zoning is consistent with the “Residential Neighborhood 3 (RN3)” identified on the Ames Plan 2040 Future Land Use Map.

3. Development in the “FS-RL” zoning district requires a Master Plan and subsequent Platting review process to assure that such development and intensity of use assures a safe, functional, efficient, and environmentally sound operation.
4. Ames Municipal Code Section 29.1507(4) describes the process for submitting a Master Plan.
5. Impacts on infrastructure and City services for this parcel is consistent with what is already anticipated for the area.

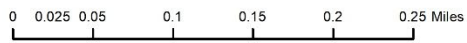
**Public Notice.** The City provided mailed notice to all property owners within 200 feet of the subject property and two signs were placed on the property prior to the City Council meeting in accordance with the notification requirements of Chapter 29.



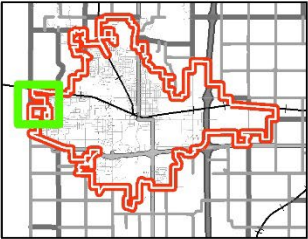
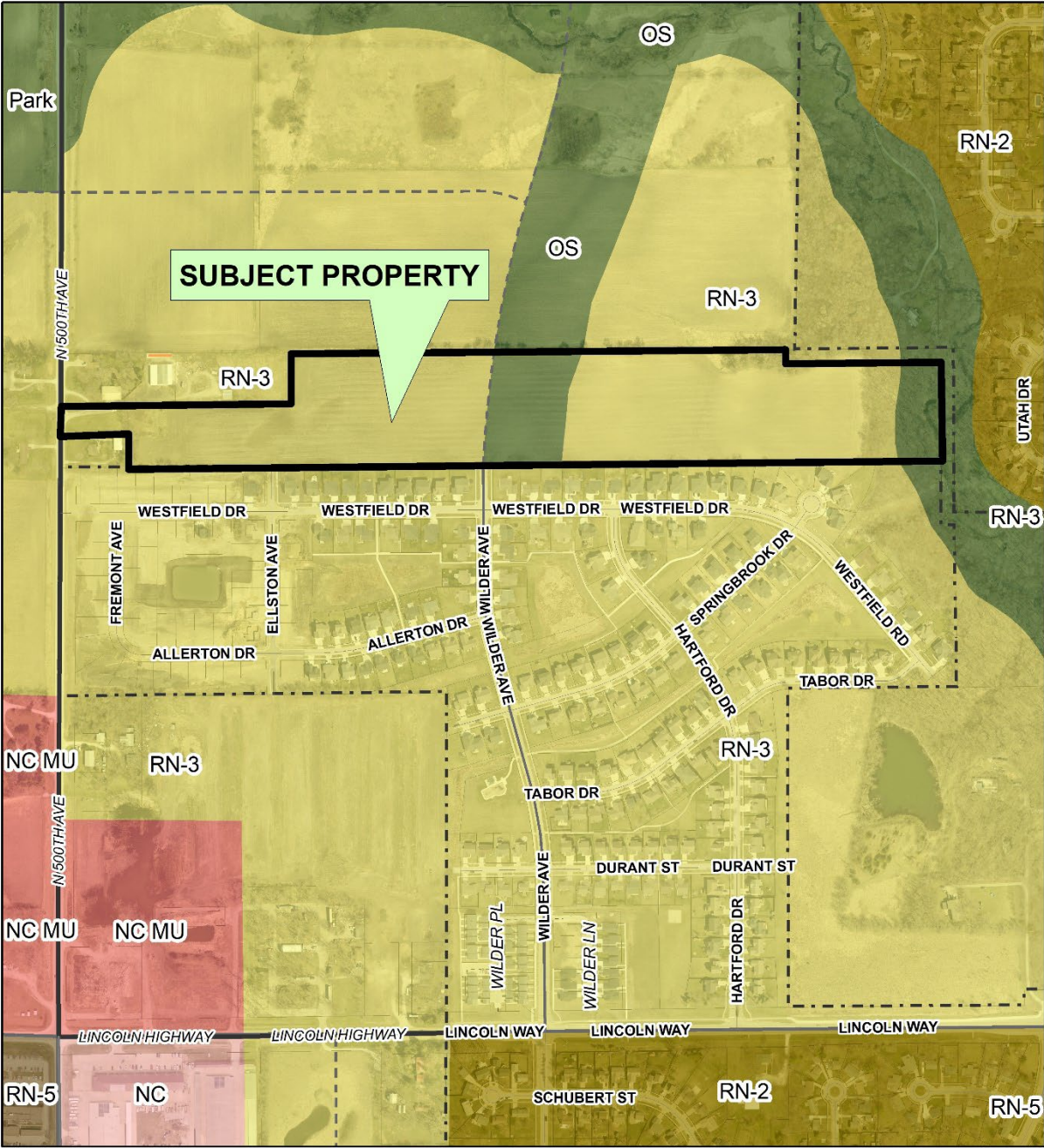
Attachment A - Location Map



**798 N 500th Avenue**  
**LOCATION MAP**



Attachment B – Future Land Use Map, excerpt

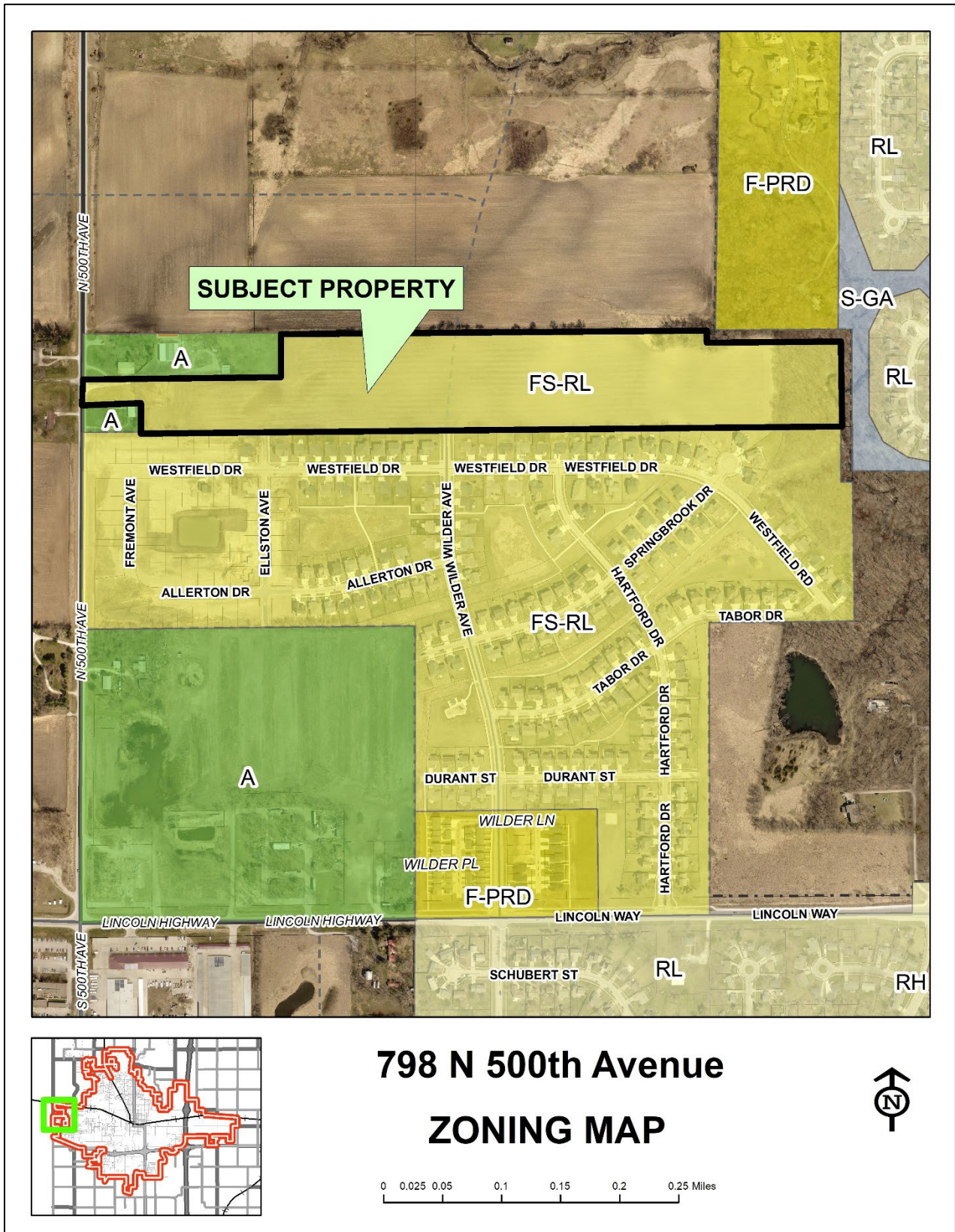


**798 N 500th Avenue**  
**AMES PLAN 2040**  
**Future Land Use Map**



0 0.025 0.05 0.1 0.15 0.2 0.25 Miles

Attachment C – Zoning Map, excerpt



# Attachment D - Existing Master Plan



**LEGEND**

COLOR	USE	ZONING	NET AREA EXCLUDING ROW	DWELLING UNITS	DENSITY
Orange	DEVELOPABLE ACRES SINGLE FAMILY DETACHED	F5-RL	13.27 AC	55-65	4.14 - 4.80
Green	OPEN SPACE DETENTION AND BUFFERS	F5-RL	11.30 AC	NA	NA

**LEGAL DESCRIPTION**  
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**PREPARED BY:**  
 HUNZLER DEVELOPMENT GROUP  
 105 S. 16TH ST.  
 AMES, IA 50010

**APPLICANT:**  
 HUNZLER  
 105 S. 16TH ST.  
 AMES, IA 50010

**SUBMITTAL DATE:**  
 MARCH, 2022

**EXISTING ZONING:** "A" (AGRICULTURAL ZONE)  
**PROPOSED:** "F5-RL" (SUBURBAN RESIDENTIAL ZONE RESIDENTIAL LOW DENSITY)

**TOTAL AREA:** 28.57 ACRES  
**OPEN SPACE:** 11.30 ACRES  
**PROPOSED ROW:** 4.00 ACRES  
**NET AREA:** 13.27 ACRES





# Attachment F- RN3 Characteristics

## Residential Neighborhood 3 (RN-3: Expansion)

### CHARACTERISTICS

- » Contemporary but diverse development options in planned expansion areas of the City, known as FS zoned areas. Originally envisioned in the 1997 LUPP as “villages” and residential subdivisions.
- » Primarily residential and largely single-family at low and medium densities. Some medium-density apartment developments.
- » Conventional suburban lot sizes in subdivisions.
- » Limited or no transit access.
- » Access to private green space, internal paths, and trails is often included in development design. Includes storm water detention features within developments.
- » Curvilinear street networks, minimizing cul-de-sacs, but somewhat limited connectivity at times.
- » Common pattern of automobile-oriented design with front-loaded garages.
- » Includes small commercial nodes.

### APPLICABLE EXISTING ZONING CATEGORIES

- » FS-RL Suburban Residential Low-Density
- » FS-RM Suburban Residential Medium-Density
- » F-PRD Planned Residence District
- » PUD Planned Unit Development Overlay District
- » RLP Residential Low-Density Park

### GOALS

- » Wide range of housing types and price points, need to incorporate attainably priced owner occupied housing.
- » Planned development of neighborhood cores, with higher density, linkages to single-family areas, and neighborhood services.
- » High level of internal connectivity and planned street linkages to surrounding developments.
- » Use Complete Street concepts with development. Include active transportation linkages. Provide safe access for all to neighborhood cores and activity areas.
- » Target minimum gross density in major new development areas of 6 units per acre.

### DEVELOPMENT GUIDELINES

- » Flexible lot size design standards for diverse housing types, including architectural character, environmental, and open space factors in design decisions.
- » Higher residential densities (attached, townhomes, small multi-unit buildings) on avenues, boulevards, and mixed use avenues, and other streets with significant bicycle and potential transit routes; and within master planned projects.
- » Street, sidewalk, and trail connectivity.
- » New development requires neighborhood and community parks. See also Parks and Recreation Chapter.
- » Plan to accommodate transit extensions into developing areas by design and density levels.
- » Allow common accessory functions, places of worship, and parks.
- » Apply minimum density standards to new development, single-family 3.75 du/A, medium-density minimum density 10.0 du/A, cores and high-density areas have higher intensity and densities than medium-density.

### PUBLIC ACTIONS

- » Review and modify zoning and subdivision regulations to address intended range of uses and design standards.
- » Permit accessory dwelling units with lot size and design standards.
- » Extend trail network into growth areas.
- » Support transit extensions to serviceable areas.
- » Use the Capital Improvements Program to plan for extension of major road, water, sewer infrastructure. Consider use of development agreements, connection districts, and assessments to help facilitate extensions.



## Attachment G- Growth Principles

### GROWTH: GUIDING PRINCIPLES



#### Guiding Principles of Growth

**G1: Sustainable Growth.** The vision is for new growth to be both economically and environmentally sustainable. This encompasses housing densities that minimize the footprint of growth and reduce service cost per unit; maximum use of existing infrastructure; new investments that have citywide benefits; and preservation of environmental assets.

**G2: Contiguous Greenfield Development.**

Ames will accommodate much of its projected population growth in areas contiguous to the existing built-up city. During the Plan 2040 process, the City identified alternative contiguous Tier 1 and Tier 2 areas as most readily able to serve the projected growth in population and employment. Providing multiple opportunity areas creates choices that support a variety of needs of a growing community.

**G3: Infill that Enhances Urban Fabric.** Ames will take advantage of existing infill sites within the existing urbanized area to increase both the efficiency and quality of its urban environment. Infill development may change the types and intensities of land use and introduce new building forms. Larger areas planned for change are described as redirection or redevelopment areas. As such, it requires an assessment of community needs and character of the surrounding area to guide planning and policy decisions on specific changes.

**G4: Quality Urban Experience.** The City endeavors to provide urban and suburban experiences that suit a variety of interests. All new development areas will be supportive of a healthy and safe urban environment to be enjoyed by all residents. New growth will include a planned diverse mix of housing and include or provide good access to trails, public parks and open space, services, and commercial development. Quality of design, including building architecture and relationships to its surrounding, along with improvements to the

public realm, are key components of an urban experience and a attractiveness of suburban locations.

**G5: Review and Approval Process.** The ongoing land use planning process defines priorities and policies, while development review affirms consistency with specific standards that implement these policies. Decisions will be made through a transparent, collaborative process that includes stakeholders, and moves toward solutions that are compatible with long-term community goals. This process should be viewed by all parties as fair and reliable.

**G6: Planning for Equity.** Ames will continue to grow in diversity of its people and jobs during the next twenty years. Equity with growth requires consideration of the needs of a diverse population. This includes adding affordable housing, multiple housing types, and market-based price points, supporting economic growth, expanding transportation choice, providing accessible institutions and services, and maintaining a variety of amenities.