



To: Mayor and City Council

From: Kelly Diekmann, Planning & Housing Director

Date: May 23, 2023

Subject: Request for a waiver to subdivide land in Boone County within the Ames Urban Fringe

BACKGROUND:

Dan Sansgaard, executor of LVS Farms, LLC in Boone County, recently contacted Mayor Haila and the Council Members regarding his desire to subdivide the LVS farmland into numerous parcels smaller than 35 acres (Attachment A). Any division of land within 2 miles of Ames is subject to City review for conformance to the City's subdivision code or for consideration of a waiver of city standards. The purpose of splitting up the farmland is to make it ready to divide ownership between several siblings. They are amenable to plat restrictions limiting future development.

The properties, eight parcels totaling approximately 241 acres, are west of the City and just over a mile from the Ames city limits on Ontario Street (Attachment B). The land falls within the two-mile Ames Urban Fringe and is mostly within the Boone County Urban Reserve classification. LVS has additional acreage in Boone County outside of the Ames Urban Fringe.

This is the first request for a division within the Urban Reserve Overlay. Ames Plan 2040, the City's comprehensive plan, states that the minimum lot size within the Urban Fringe is 35 acres (UF3-1 and UF4-3). Existing farmsteads, however, are allowed to break off into parcels smaller than 35 acres. Restricting the size of parcels serves to facilitate future growth by ensuring that property lines and ownership do not become so fractured that development and annexation are inhibited. It is easier to develop a large acreage than to develop, in a piecemeal fashion, many small parcels.

A portion of the property lies within the Fringe Land Use Natural Area designation (Attachment C).

PLAN 2040 GUIDING PRINCIPLES FOR THE URBAN FRINGE:

AGRICULTURE AND NATURAL AREAS

UF3-1: Agricultural Preservation.

Agricultural areas are designated to preserve appropriate land for farming and limit the encroachment of residential and other uses into these areas. Land divisions are permissible only to allow for splitting off an existing homesite or farmstead from a farm area. Minimum lot sizes are proposed at 35 acres matching Story County A-1 zoning standard.

URBAN RESERVE AREAS

UF4-3: Lot Subdivision.

Land divisions are permissible only to allow for splitting off an existing homesite or farmstead from a farm area. Divisions should not create parcels that can limit future annexation options. Land Divisions within the Urban Reserve Area shall meet a minimum lot size of 35 acres.

OPTIONS:

Mr. Sansgaard is requesting to have the City grant a waiver to the minimum parcel size within the Urban Fringe and to development requirements. **He has stated that his intention is for the ground to remain farmland and is amenable to having a note placed on the plat restricting the subdivided land to agricultural purposes only.**

Option 1: Place on an Agenda to Consider Approving a Waiver Request For All Parcels

This option would place the item on a future agenda to consider approving the request. If the waiver request is approved on a future agenda, staff would work with the applicant to create a subdivision layout with parcels smaller than 35 acres as they desire, but with a plat note prohibiting the property for being used for any use other than agriculture. With a waiver of subdivision standards the applicant may proceed with submitting either a plat of survey for City approval or a Final Plat for City approval depending on the final determinations on configurations. This option is contingent on the use restrictions in order for it to be found to conform to City policies.

Option2: Place on an Agenda to Consider Waiving Subdivision Requirements for Only the Parcel with a Farmstead

This option is more limited in only considering changes to one property configuration to facilitate splitting off the one existing farmstead and leaving the other properties as they are currently configured. Splitting off a farmstead is consistent with policies of Ames Plan 2040 within the Urban Reserve Overlay. This option would leave all other parcels as is and not create any parcels smaller than 35 acres except for the parcel related to the farmstead.

Option 3: Decline the Request

The City Council can decline the request and maintain the parcels in their current configuration or proceed in a manner that meets all City subdivision requirements for lot size and improvements.

STAFF COMMENTS:

The Urban Reserve is a relatively new classification and we have not reviewed a proposal of this type previously. Ames has a policy of only subdividing land in the Urban Fringe into parcels that are at least 35 acres for areas seen as Agricultural and Farm Service classifications and within the Urban Reserve Overlay. **Subdivisions that intensify use near the City and do not include urban development standards can be counter to the City's plans for growth and expansion.**

Mr. Sansgaard has communicated to staff his desire to subdivide his family's farmland in Boone County in order to facilitate division of the property among a group of heirs. Staff has reviewed a rough draft of the proposed subdivision and finds that the owners' intent can be accomplished while complying with Ames Plan 2040 with no new developable lots. **If there is a plat restriction allowing for agricultural uses only, City Council could find that the proposed parcels that would be smaller than 35 acres will not inhibit orderly growth of the City into Boone County.**

If City Council believes the proposal for lots less than 35 acres without new development is consistent with the intent of the City for management of the Urban Fringe area, Option 1 would allow for the property owner to proceed with preparing a plat of survey or final plat as appropriate.

If Council finds that creating numerous smaller lots unrelated to splitting off farmsteads is not in keeping with the Urban Reserve Overlay policies, it would consider Option 2.

Attachment A Letter to Council

May 1, 2023

John Haila, Mayor
Gloria J. Betcher, Ward One Representative
Tim Gartin, Ward Two Representative
Anita Rollins, Ward Three Representative
Rachel Junck, Ward Four Representative
Bronwyn Beatty-Hansen, At-Large Representative
Amber Corrieri, At-Large Representative
Tabitha Etten, Ex-Officio

Dear Mayor Haila and City of Ames Council Members:

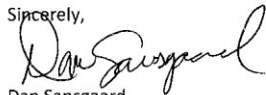
This letter is to request that our property, LVS Farms, located in Boone County, within the Ames Urban Fringe, be permitted to subdivide. Our family is looking to divide our land between several siblings with the intention of farming all of it.

Ames Plan 2040 calls for land within 2 miles of the City Limits to be subdivided into parcels no smaller than 35 acres. After discussion with staff, we understand that the City's policy is intended to facilitate future development. We are amenable to having a restriction placed on our property that will restrict the use to only farming.

At the direction of City staff, we are requesting that our subdivision be referred to staff for a waiver of subdivision requirements to be initiated.

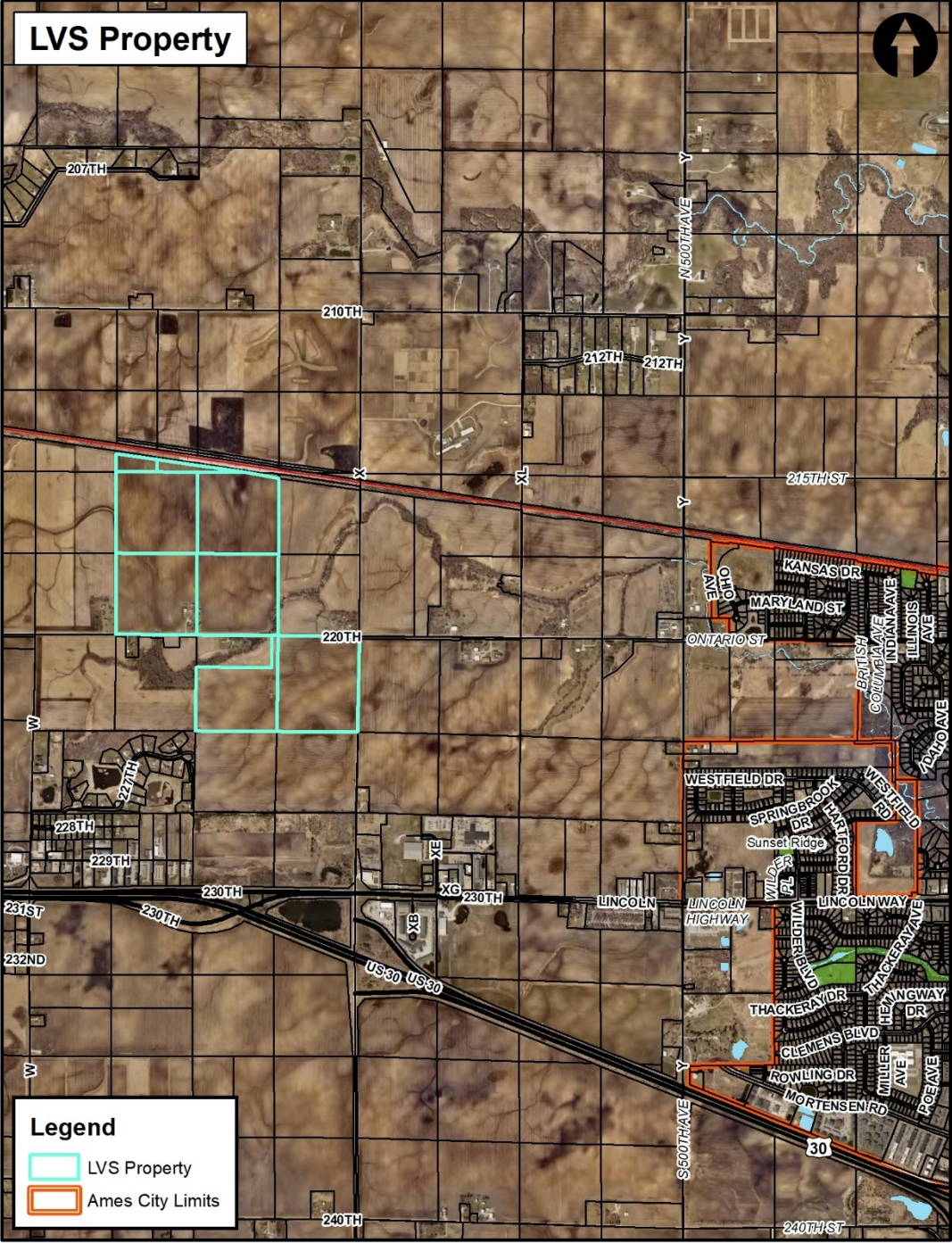
Thank you for your consideration of this request.

Sincerely,

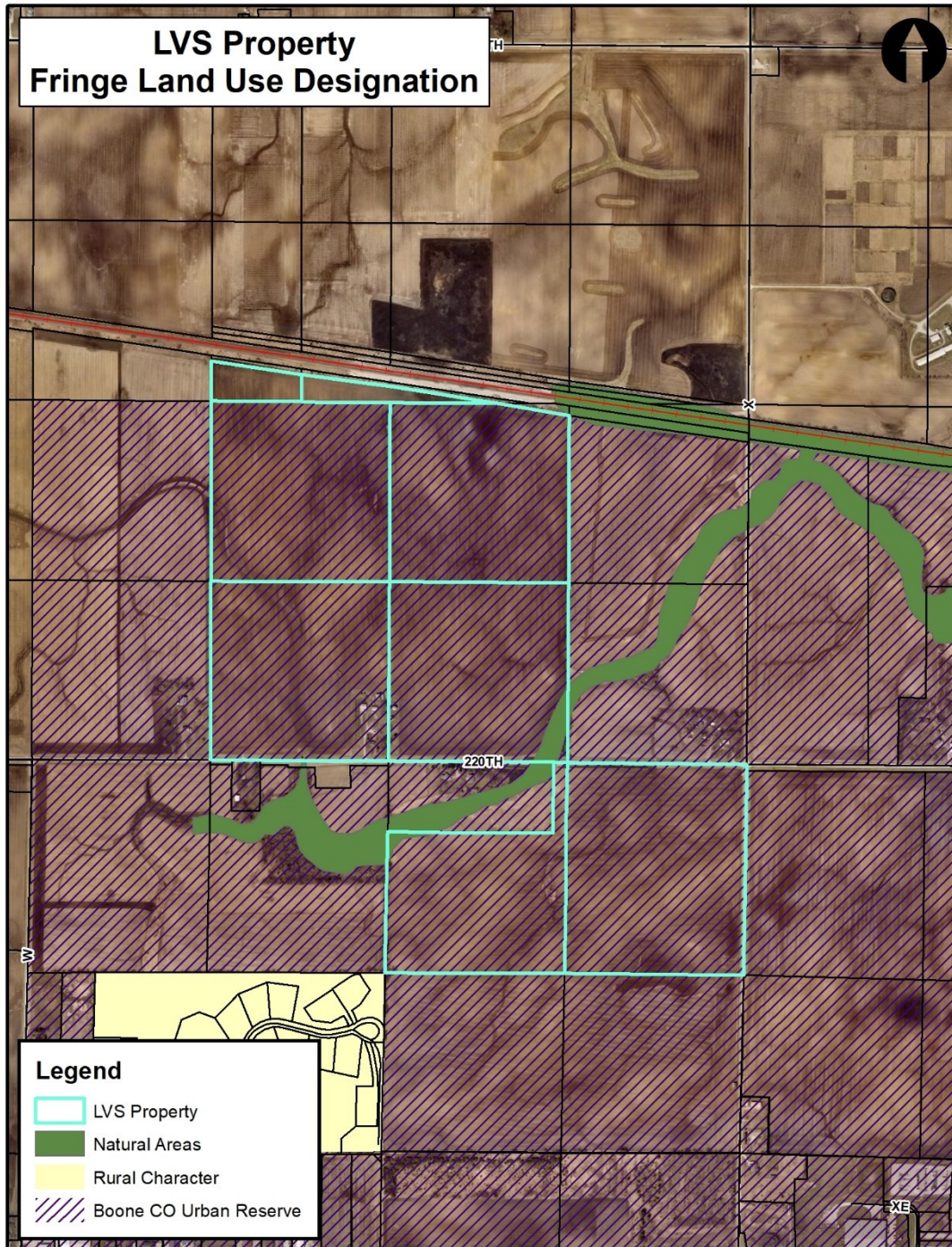


Dan Sansgaard
Executor of LVS Farms, LLC
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Ames, IA 50014
(515) 249-7855
dsansgaard@hotmail.com

Attachment B
LVS Property Location



Attachment C
LVS Property Location with Fringe Land Use Designation



Attachment C

LVS Property Proposed Subdivision

