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TO: Ames City Council and Mayor

FROM: Kelly Diekmann, Planning and Housing Director

DATE: July 27, 2021

SUBJECT: Request by the property owner (Cackler) at 4909 W 190th Street in Story County to amend the Ames Urban Fringe Land Use Map to reclassify portions of the property currently classified as Natural Area.

BACKGROUND

The owner of property located at 4909 West 190th Street (Attachment A & B) in Story County north of Ames is requesting a change to the land use classification for portions of their property. The properties are within two miles of the current City boundaries and subject to the polices of the Ames Urban Fringe Plan and accompanying 28-E agreement. The Council has received lengthy correspondence from the owner and their attorney about their interest.

The properties are currently designated as Natural Area. The request comes as a result of the owner wanting to construct 2 new homes on their property, which is currently made up of 3 parcels. **According to Story County zoning regulations two of the three current parcels are not large enough to allow construction of new homes on them.** The owner wishes to enlarge the two lots to accommodate the new homes through a boundary line adjustment within the County.

Story County has indicated to the property owner that they would deny the enlargement of the two parcels on the basis that enlarging the them would violate Natural Area Policy #2 which states that new non-farm subdivisions be prevented. (Attachment C). Story County views the adjustment of boundary lines as facilitating the construction of new non-farm homes in the Natural Area. Adjusting the boundary lines under County subdivision rules requires a residential subdivision plat to be approved by Story County. Notably, any subdivision or plat of survey in the Natural Area would also require City Council approval per the terms of the 28-E agreement for the Fringe Plan for changes in the Natural Area.

City staff agrees with the position of Story County that the Natural Area designation does not permit boundary line adjustments that facilitate new buildable lots for the construction of new homes in the Natural Area. It is not clear what land use classification the property owner

is requesting for the designation to be changed to in order to allow them to construct additional homes. Much of the land area is in the flood plain and wooded, which is the basis of the Natural Area designation.

OPTIONS

1. The City Council can decline to do anything and maintain current policies of the Plan and designation. If City Council chooses to take no action, the property owner could still choose to submit a plat of survey/subdivision for review and approval by Story County and the City of Ames. However, new lots would likely be inconsistent with the Natural Area land classification policies and be unapprovable.
2. The City Council can initiate an Ames Urban Fringe Plan amendment for a change in land use classification to allow for new lots. This action would result in eliminating the Natural Area designations for these parcels. Before City Council would choose this option, it should be placed on a future agenda for further discussions and direction.

Attachment C- Natural Area Policy

Natural Areas (NA)

Natural Areas are vital to the region. They provide habitat for wildlife, minimize storm water run-off, stabilize soils, modify climactic effects, provide for visual attractiveness, and serve some recreational purposes. This designation seeks to conserve such natural resources. This designation is intended to prevent development encroachment and encourage greater mitigation standards. A buffer or other mitigation device may be necessary to fully protect Natural Areas.

NA Policy 1: Natural Areas are composed of the following features and locales that intermingle with each other.

Environmentally Sensitive Areas – flood-prone areas, wetlands, water bodies, areas of steep slopes and sensitive soil conditions, and other designated areas that should be protected from detrimental impacts from other land uses.

Significant Natural Habitat – areas surveyed and evaluated based on vegetation type and condition in the "Norris Study." These Significant Natural Habitat Areas may also occur outside of the designated Natural Areas. In such locations, the underlying land use designation applies.

Parks and Open Spaces – facilities, land, and/or structured programs for a variety of public recreational opportunities. The term "Open Space" refers to primarily undeveloped areas; such areas are typically maintained and managed as natural areas for passive recreational uses.

Future Parks -- general areas where future parks are anticipated.

Greenways -- stream ways, parks, improved and unimproved trail systems, and open spaces that provide linkages that in effect create a continuous "greenway" or recreational system. Greenways provide recreational and open space linkages in both rural and urban areas.

Particular features and locales in the Natural Areas often are appropriately described by more than one of the above labels. This is a reflection of the multiple benefits of, and the diversity of landscapes represented in the areas designated Natural Areas. Regardless of type, Natural Areas are protected from negative land use impacts.

NA Policy 2: Prevent subdivisions for new non-farm residential development. However, Natural Areas may include farm and non-farm residences existing at the time of this Plan or remaining scattered building sites where farmstead homes once existed or homes on very large parcels of ground typical of the agricultural setting.

NA Policy 3: Mitigate negative impacts to Natural Areas, including, but not limited to: agricultural chemical application, animal confinement and feeding, agricultural irrigation, miscellaneous agricultural activities like manure and fuel storage, outdated and non-functioning on-site wastewater systems, underground storage tanks, and nutrient-loaded urban stormwater run-off.