

COUNCIL ACTION FORM

SUBJECT: **DRAFT LAND USE DESIGNATIONS
FOR AMES URBAN FRINGE PLAN UPDATE.**

BACKGROUND:

The current [Ames Urban Fringe Plan \(AUFPP\)](#) provides policies for understanding and predicting future land uses within two miles outside the boundary of the City of Ames. While this is the area under state code where cities have extraterritorial subdivision review authority, it is also the area where land-use decisions have direct impacts on the ability of cities to grow efficiently, and where rural development can accelerate the loss of farmland, natural areas, and the rural character of the area.

The AUFPP includes principles for various land use designations, as shown on a corresponding Land Use Class and Framework Map (Attachments A and B). The land use designations also fall under either the jurisdiction of the city, county, or both for review of subdivision requests. In some land use designations, annexation is required prior to development. In others, development is intentionally limited to protect the county's rural character while allowing for orderly and efficient city growth.

In conjunction with the AUFPP, the City works cooperatively with Gilbert and Story County through a 28-E agreement to streamline subdivision review in the County based upon the Plan. (Attachment C) The City has no 28-E agreement with Boone County and, therefore, reviews all divisions that occur in Boone County within 2-miles of the City.

The current Ames Urban Fringe Plan was developed in 2006 after multiple years of public outreach and coordination with Story County and Gilbert. The basis of the Plan was the City's 1997 Land Use Policy Plan along with interests of Story County and Gilbert. Ultimately, the Plan along with a 28-E agreement was approved in 2011. The 28E agreement was for an initial five-year period with an automatic five-year extension, for a total of ten years. The Plan was extended cooperatively by all parties in 2021 until July 2022.

Ames Plan 2040 has replaced the 1997 LUPP and is the impetus for updating the AUFPP. Ames Plan 2040 Growth and Land Use Chapter included basic growth management policies for the Fringe. (Attachments D and E) On February 15th, City Council directed staff to work in conjunction with Story County staff to proceed with an update to the Plan. Priority issues of both Ames and Story County Board of Supervisors are included in the addendum to this report. These priorities helped guide staff in preparation of the draft land use designations.

DRAFT FRINGE PLAN LAND USE DESIGNATIONS:

Story County staff has taken the lead on preparing the AUPF update in collaboration with City staff. The process to update the Fringe Plan is designed to build off of the prior plans' general concepts and incorporate new elements of Plan 2040 and other priorities of Story County and Gilbert.

The initial step for the update is to prepare land use designations and apply these draft designations to property within the Fringe. The draft materials are being presented concurrently during the last two weeks of April to the Story County, Gilbert, and Ames Board and Commissions, before starting a public comment period in May.

City and County staff have created four new base land designations and three overlays to replace the current AUPF designations. The basic intent is to describe areas intended for growth, those with rural existing development, a designation for potential rural residential expansion, and those areas set aside for agriculture and farm services. Additionally, overlays are included for Environmentally Sensitive areas, Urban Reserve for long term City expansion potential, and Mineral Extraction. Attachment F describes each designation in more detail.

Each of the designations can be found on the [interactive, draft Land Use Frame Work Map](#). This tool allows someone to explore site specific information. A draft map is also included in Appendix A to the attachment.

Within each designation it describes intended uses, minimum subdivision requirements (lot size), jurisdiction over subdivision review, and intent for annexation. This approach follows the concepts of the current Fringe Plan.

CITY GROWTH AREA AND URBAN RESERVE:

The City of Ames would retain subdivision jurisdiction for the City's Growth Area designations and the Urban Reserve Overlays. These Growth Areas are consistent with land use planning of Plan 2040 where the City would primarily annex land for growth. The Urban Reserve is consistent with the preliminary scenario analysis efforts used as part of Plan 2040 to formulate the adopted Growth Area and are additional areas that can be served by the City with additional infrastructure extension that could occur during the life of Plan 2040 or beyond.

Growth Areas are intended for annexation with policies that support annexation by the City prior to allowing for development. The Urban Reserve designation also intends for annexation, but as drafted has some guidance on appropriate timing to support annexation into the City based upon proximity and availability of infrastructure to support future development.

Although the draft designations include a discussion about compatible uses and Conditional Use, details concerning implementation of the conditional uses limitations still need to be addressed. The Plan itself does not supersede County zoning or impact previously approved Conditional Use Permits. However, upon adoption it will be part of their Comprehensive Plan and will be relevant to consideration of future conditional use permits. Authority to approve or disapprove Conditional Use Permits will not be delegated to the City.

OTHER DESIGNATIONS:

The remaining designations (Agricultural and Farm Services and Existing Rural Residential) would waive most or all of the City's subdivision and land use policies. Story County would retain jurisdiction and apply their zoning and subdivision policies, including the policies of a mutually adopted new Fringe Plan.

Notably, the County does not foresee a need to create large area for additional rural residential development outside of previously subdivided area in the Fringe. Story County projects a need for 60 additional rural lots. **This approach is somewhat different than the current Fringe Plan that included significant areas for rural residential expansion.** The proposed Rural Residential Expansion designation is unmapped in the draft plan. It has been written to be applied at a later date as an amendment to the Plan. The draft includes siting criteria based upon Story County interests about growth patterns related to serving rural development and agricultural compatibility.

PUBLIC COMMENT:

Upon City Council, Gilbert, and Story County's Board of Supervisors review of the draft land use designations, a public draft will be prepared for public review. Story County staff anticipate notifying property owners in the Fringe of the public review period, having outreach meetings, and having an online interactive comment tool. City of Ames will also participate in the outreach process. At the conclusion of the public comment period, next steps will be determined on how to proceed with a final draft and public hearings for adoption of the Plan this summer.

Staff notes that during the development of the Plan 2040 there was input generally given regarding growth areas and some of the natural areas in the Fringe Area. A large number of comments came from the southwest area between State Avenue and South Dakota Avenue, south of HWY 30. Comments from the fall of 2021 are still posted on the City's website for Plan 2040. The southwest area is a mix of Growth Area and Urban Reserve designations in the draft Plan, reflecting decisions made with Plan 2040 about potentially developable areas during the life of Plan 2040 and beyond.

Comments received last fall during the creation of the Plan 2040 included opposition to urbanization of the southwest area and annexation to the City. Owners were also

concerned about Fringe Plan policies that would limit their ability to subdivide their properties in the County without annexing to the City. These same comments were expressed to the Story County at their P&Z meeting on April 13th.

ALTERNATIVES:

1. City Council may direct staff to proceed with staff members from Story County to complete the draft Fringe Plan Update by initiating a public outreach effort. This effort will include in-person meetings and on-line commenting tools.
2. The City Council may direct modifications to the Plan for staff to incorporate into the draft.
3. The City Council may refer action on this item and request more information from staff.

CITY MANAGER’S RECOMMENDED ACTION:

City of Ames staff working in conjunction with Story County staff have prepared draft land use designations and a draft Land Use Map for the Fringe Plan Update. The draft designations describe the intent for uses within each designation and the subdivision approval authority within each designation. Additional policies and elements of a complete plan will be drafted by staff to accompany the proposed land use designation and map as the project proceeds to a public outreach phase.

Staff believes the draft designations are in alignment with Plan 2040 and City Council direction for the update. Primarily, the City will have authority over the City’s designated growth areas and have waived its subdivision authority for the other designations. This approach focuses the City’s policies for development to specific areas where we are most likely to grow as a city. The City’s ability to annex properties within Urban Growth and Urban Reserve Areas are maintained with the proposed designations.

Rural development or annexation of lands that are not shown on the draft map would require future amendments to the Plan. Future amendments would be subject to approval by cooperators of the Plan. Issues related to conditional uses will continue to be discussed with the County in relation to their zoning standards and review processes.

Staff believes appropriate safeguards are built into the land use designations to accomplish the City goals for planning in the Fringe Area and supports Story County’s policies as well. Therefore, the City Manager recommends Alternative #1.

Addendum
Priority Issues for Fringe Update

City of Ames Fringe Plan Update Priorities

In addition to the policies of Ames Plan 2040 for management of the Urban Fringe Area in the Growth and Land Use Element, considering the following:

- Minimizing new areas for rural subdivisions adjacent to Ames,
- Limiting the minor subdivision process called Residential Parcel Subdivisions that can create in effect multiple housing sites where only one was originally anticipated within an ag and a farm service class areas,
- Addressing compatibility of conditional uses in the County within Urban Reserve areas,
- Siting of Wind Energy Conversion (WEC) systems,
- Planning for airport expansion,
- Updating Natural Area and resource mapping with updates of related development policies, and
- Enhancing integration of rural parks, open space, and trails into the land use plan.




Story County has also identified issues that they have an interest in seeing addressed with an updated Fringe Plan. The County's stated interests in some ways reinforce the City's perspective on the benefits of urban growth over rural growth while also highlighting desires for coordinated management of the Fringe. Summary of Story County principles:

- Focus housing growth within existing municipal boundaries or in newly annexed areas where development of a variety of housing types is possible.
- Development in Urban Growth Areas should be required to be annexed and meet full city standards.
- Map the Ames' Urban Reserve, including the Story County Study Area, as Agriculture and Farm Service to preserve the area.
- Reassess existing residential developments that the city does not foresee annexing and the amount of undeveloped rural residential-designated area. This includes siting or allowing intensification of rural residential areas based on Minimum Levels of Service (MLS) requirements to ensure that adequate public facilities and services are available, or can be provided, including access to paved roads, fire service, rural water, common wastewater treatment, and broadband. Also, encourage clustering of development and conservation design standards to protect prime agricultural land and natural areas.
- Establish density maximums for rural residential development and development in Agriculture and Farm Service-designated areas.

- Locate new commercial and industrial uses within existing municipal boundaries or in newly annexed areas except for those activities strongly interrelated with agricultural uses. Consider if policies to limit the intensity of current rural commercial and industrial uses are needed.
- Continue to limit the intensity of certain agribusiness uses.
- Assess the compatibility of certain conditional uses with the various AUFPP land use designations.
- Discourage development in the floodplain and natural areas.

Attachment A 2006 Land Use Class Map Excerpt

It is clear from the research and projections that change is taking place in the Ames Urban Fringe. It contains both rural and urban conditions and areas where one condition is changing to another. By its nature, it accommodates fundamentally different types of land use. Reflecting this, and to balance the issues, land uses and policies for the Ames Urban Fringe are grouped into three separate classes:

-  - Rural Service and Agricultural Conservation Area;
-  - Rural/Urban Transition Area; and
-  - Urban Service Area.



Summary Text from Ames Urban Fringe Plan

Land Use Designations for Rural Service and Agricultural Conservation Area

Agriculture and Farm Service – Farming and agricultural production; industry and commerce that need to be close to agriculture; farmsteads, farmstead sites and pre-existing homes.

Rural Residential – Single-family residences at one unit per acre or lower density, with rural services and decentralized systems; protect agricultural operations and environment.

Parks and Recreation Areas – privately owned recreation, conservations and related uses, with rural services and decentralized systems.

Land Use Designations for Rural/Urban Transition Area

Rural Transitional Residential – Single- and two-family residences at densities from one unit per acre to 3.75 units per acre, preferably in clusters, with rural services and decentralized systems; in some cases, urban services for future use or assessment waivers and other agreements about future costs and annexation.

Priority Transitional Residential – Single-family residences at densities above 3.75 units per acre, preferably in clusters, with rural services and common systems; urban services for future use or assessment waivers and other agreements about future costs; development agreements; annexation agreements.

Highway-Oriented Commercial – Commercial uses most compatible with rural areas, located on high-traffic roads and preferably in clusters; urban services; in some cases, rural services and decentralized systems with assessment waivers, other agreements on future costs and annexation.

Industrial Reserve/Research Park – Agricultural uses; future expansion of ISU Research Park with innovative technology companies supported by proximity to ISU; before development, change to Planned Industrial land use designation.

Agriculture/Subsurface Mining – Farming and agricultural production; farmsteads, farmstead sites and pre-existing homes; with limestone resources suitable for subsurface mining.

Agriculture/Long-Term Industrial Reserve – Farming and agricultural production; farmsteads, farmstead sites and pre-existing homes; future large-scale industrial uses; before development, change to Planned Industrial land use designation.

General Industrial – Surface portion of existing subsurface mining operation.

Natural Areas – Environmentally sensitive areas; significant natural habitat; public parks and open space; future parks; greenways; farmsteads, farmstead sites and pre-existing homes.

Gateway Protection – Land uses and design that defines, accentuates and enhances entrance areas to community.

Watershed Protection Area – Watersheds for wetlands and with vegetation that protects or improves water quality; mitigation facilities; Best Management Practices.

Airport Protection Area – Land close to airport; development characteristic that protects life and maintains integrity of aviation operations.

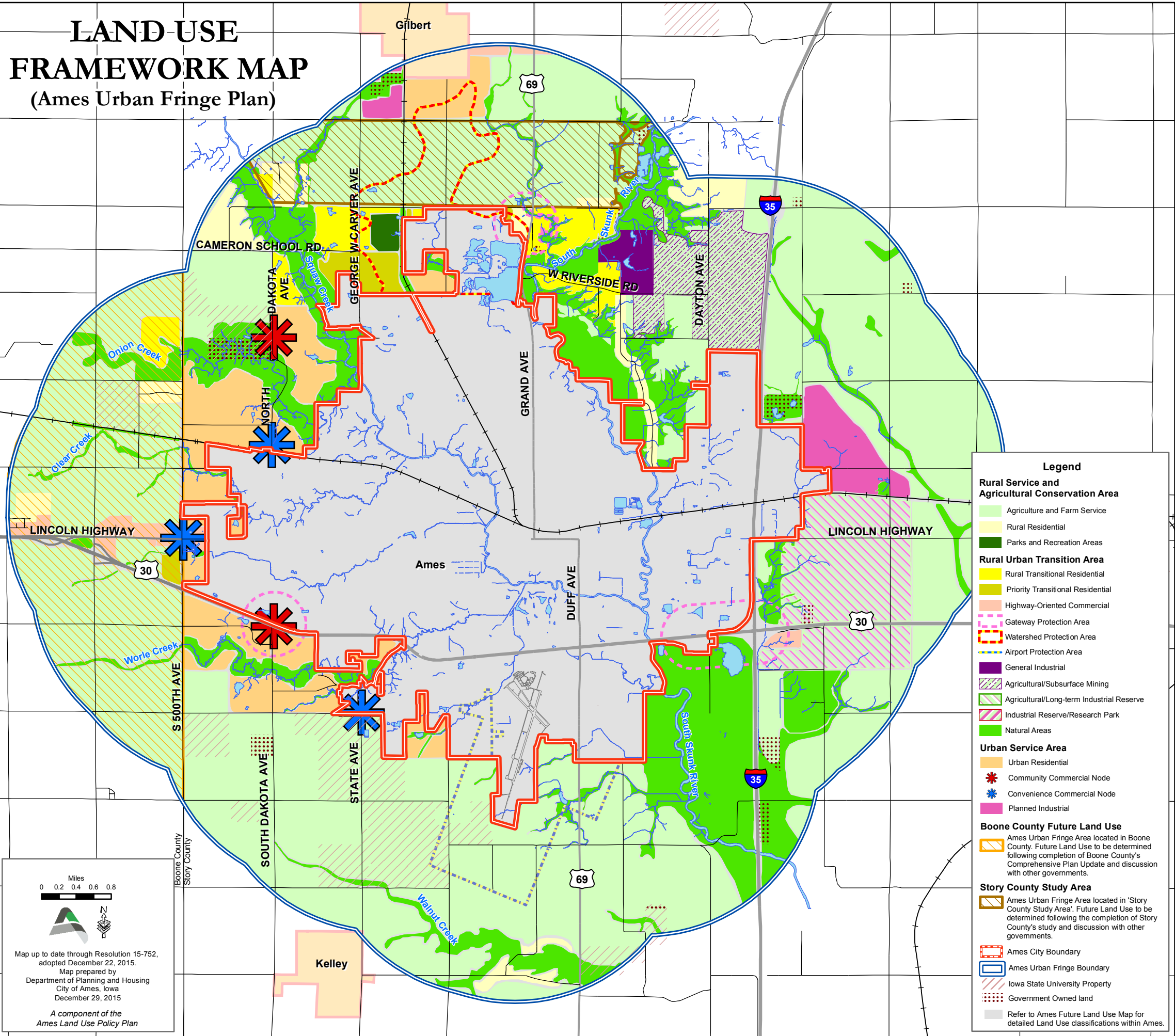
Land Use Designations for Urban Service Area

Urban Residential – Village residential developments at densities above 8 units per acre; suburban/single-family residential developments at densities above 3.75 units per acre; suburban/medium density residential development at densities above 10 units per acre; annexation; urban services: development agreements.

Community Commercial Node – Clustered commercial uses up to 800,000 square feet per cluster; annexation; urban services: development agreements.

Planned Industrial – Large-scale industrial uses clustered in industrial parks; annexation; urban services: development agreements.

Convenience Commercial Node – Clustered commercial uses that serve convenience and localized neighborhood needs; up to 100,000 square feet per cluster; annexation; urban services: development agreements.



Legend

Rural Service and Agricultural Conservation Area

- Agriculture and Farm Service
- Rural Residential
- Parks and Recreation Areas

Rural Urban Transition Area

- Rural Transitional Residential
- Priority Transitional Residential
- Highway-Oriented Commercial
- Gateway Protection Area
- Watershed Protection Area
- Airport Protection Area
- General Industrial
- Agriculture/Subsurface Mining
- Agriculture/Long-term Industrial Reserve
- Industrial Reserve/Research Park
- Natural Areas

Urban Service Area

- Urban Residential
- Community Commercial Node
- Convenience Commercial Node
- Planned Industrial

Boone County Future Land Use

- Ames Urban Fringe Area located in Boone County. Future Land Use to be determined following completion of Boone County's Comprehensive Plan Update and discussion with other governments.

Story County Study Area

- Ames Urban Fringe Area located in 'Story County Study Area'. Future Land Use to be determined following the completion of Story County's study and discussion with other governments.

- Ames City Boundary
- Ames Urban Fringe Boundary
- Iowa State University Property
- Government Owned land
- Refer to Ames Future Land Use Map for detailed Land Use classifications within Ames.

Miles
0 0.2 0.4 0.6 0.8

Map up to date through Resolution 15-752, adopted December 22, 2015.
Map prepared by
Department of Planning and Housing
City of Ames, Iowa
December 29, 2015

A component of the
Ames Land Use Policy Plan

Attachment C

AM
M
D
G
R

Instrument: 2011- 00006589
Date: Jul 15, 2011 11:05:01A
Rec Fee: 60.00 E-Com Fee: 1.00
Aud Fee: .00 Trans Tax: .00
Rec Management Fee: 1.00
Non-Standard Page Fee: .00
Filed for record in Story County, Iowa
Susan L. Vande Kamp, County Recorder

Prepared by Doug Marek, City of Ames, 515 Clark Avenue, Ames, IA 50011 (515-239-5146)
Return to Diane Voss, City of Ames, 515 Clark Avenue, Ames, IA 50011 -0811

(env)

**AMES URBAN FRINGE
JOINT AND COOPERATIVE AGREEMENT
[Pursuant to Code of Iowa, Chapter 28E]**

This Joint and Cooperative Agreement (hereinafter referred to as the "Agreement") is entered into pursuant to the authority of the *Code of Iowa*, Chapter 28E on this 11 day of July, 2011 by and between Story County, Iowa, (hereinafter referred to as "County"); the City of Ames, Iowa (hereinafter referred to as "Ames"); and the City of Gilbert, Iowa (hereinafter referred to as "Gilbert"). The two cities shall be referred to hereinafter collectively as "Cities", and all three entities collectively as the "Cooperators".

WHEREAS, continued growth and development within the two mile extraterritorial jurisdiction area of Ames requires increased coordination among the Cooperators to achieve better land use management and control of development within the area; and

WHEREAS, the two mile extraterritorial jurisdiction area of Gilbert overlaps into significant portions of the Fringe Area; and

WHEREAS, the councils of Cities have previously asserted the two mile extraterritorial jurisdiction over land divisions available to them pursuant to the *Code of Iowa*, Chapter 354; and

WHEREAS, the long range, comprehensive planning documents of each Cooperator establish goals and policies that promote the rational and efficient development of land in furtherance of the social and economic well-being of its respective citizens; and

WHEREAS, the governing bodies of Cooperators have determined that the best method for achieving such rational and efficient development is through a coordinated program of inter-jurisdictional land use planning; and

WHEREAS, the provisions of the *Code of Iowa*, Chapter 28E were adopted to facilitate such inter-jurisdictional cooperative efforts; and

WHEREAS, the Cooperators have heretofore developed and approved in July of 2006, pursuant to public notice, hearing and decision, a document entitled "Ames Urban Fringe Plan" (hereinafter referred to as "Plan") that sets forth specific understandings, goals and policies to guide and control the future development of the fringe area; and

WHEREAS, the Cooperators now seek to provide a legal mechanism for the implementation of the Plan through the adoption of this Agreement; and

WHEREAS, each Cooperator has determined, and deems, that it is in the best interests of the Cooperator and the most efficient use of the Cooperator's power and authority with respect to land use planning within the Fringe Area, that the County and Cities enter into this Agreement pursuant to the provisions of the *Code of Iowa*, Chapter 28E.

NOW, THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:

Section 1. Compliance with the Plan

The Cooperators agree to observe, follow, and comply with all policies for development in the Fringe Area as set forth in the Plan, and its approved attachments, including the Land Use Classes Map and the Land Use Framework Map, in establishing and amending land use regulations within the territory of the Fringe Area.

Section 2. Reference to Planning Documents

The Plan and its accompanying maps, approved July, 2006, and as subsequently amended, are hereby adopted as the guiding documents for development in the Fringe Area.

Section 3. Protecting Agricultural Operations

It is agreed and understood by the Cooperators that neither this Agreement, nor any policy set forth in the Plan, shall interfere with the agricultural exemption as provided by *Code of Iowa*, Section 335.2.

Section 4. Fringe Area Boundary

The area within which this Agreement shall be known as the Ames Urban Fringe as specifically established by the Plan. It may also be known as the Fringe Area or Planning Area.

Section 5. Administration of the Plan

It is the purpose of this Agreement to provide for an alternative, and more efficient, method for the regulation and processing of development within the Fringe Area. To achieve this purpose, Cities and County agree that each will waive the exercise of some portion of its otherwise existing land use authority in order to facilitate the operation of this Agreement in the manner hereinafter set forth in this Section 5. Where an existing land use authority is not specifically referenced in this Section 5, it shall continue to be normally exercised unless it would render one or more of the following subsections inoperative, in which case it shall be deemed to be waived to the extent necessary to give effect to any subsection hereof. In any instance when a Cooperator seeks to exercise its land use authority, including but not limited to Conceptual Reviews,

Annexations, Change of Zone, and Sketch Plans, in the Fringe Area, it shall notify the other Cooperators within ten (10) days of submittal of an application for such action.

5.1 County Zoning Regulations:

5.1.1 Story County Land Development Regulations. Zoning regulations for unincorporated Story County are under the authority of Story County through the adoption of the *Story County Land Development Regulations* and the provisions of *Code of Iowa*, Chapter 335.

5.1.1.1 Nothing in this Agreement shall be construed or applied to limit the County's legislative authority or discretion in adopting or amending its land use regulations.

5.1.1.2 The A-2, Agribusiness Zoning District, defined in the *Story County Land Development Regulations*, is intended and designed to provide for those activities strongly interrelated with agricultural uses and must therefore be located in agricultural areas. While the Plan recognizes that there are industrial and commercial land uses which are dependent on proximity to local agricultural land uses and which are essential to the continued feasibility of farming in the County, it furthermore seeks to strategically locate such uses. With the growth of the agri-business and agri-technology industries, the Cooperators agree that the intensities of uses allowed in the A-2 Zoning District could escalate beyond what each of the Cooperators may have individually envisioned or intended for identified agricultural areas. Further, the Plan creates Planned Industrial and Industrial Reserve areas in which the Cooperators will invest or have invested in infrastructure to accommodate more intense uses. Some uses in the A-2 Zoning District are incompatible with the Agriculture and Farm Services designation in the Plan. Therefore, the County agrees to limit the intensity of uses allowed within the A-2 Zoning District outside of said Planned Industrial and Industrial Reserve areas through Conditional Rezoning Agreements that allow all permitted uses in the A-2 Zoning District except the storage, retail or wholesale marketing, or processing of agricultural products into a value added agricultural product.

5.1.2 Official Zoning Map of Story County, Iowa. Amendments to the Official Zoning Map of Story County, Iowa within the Fringe Area shall conform to the goals and policies set forth in the Plan and the Land Use Framework Map.

5.1.2.1 All applications for amending the Official Zoning Map of Story County, Iowa will be processed in accordance with the requirements set forth in the *Story County Land Development Regulations*.

5.1.2.2 County shall not take action on any request to amend the Official Zoning Map of Story County, Iowa, within the Fringe Area when such request is accompanied by a request to amend the Plan.

5.1.2.2.1 Such request to amend the Plan shall be acted upon by all Cooperators as provided for in Section 6.2 of this Agreement prior to action by the County on an amendment to the Official Zoning Map of Story County, Iowa.

5.1.3 Non-conforming Properties. Properties zoned a classification inconsistent with this Agreement or the Plan as determined by the Cooperators, as of the date this Agreement is executed, shall not be deemed to be in violation of this Agreement or the Plan, as long as such zoning remains in effect on the property.

5.2 Subdivision Regulations:

- 5.2.1 **Rural Service and Agricultural Conservation Area Designation.** In areas designated Rural Service and Agricultural Conservation Area in the Plan, Cities agree to waive the exercise of their extra-territorial subdivision authority and application of their respective related design and improvement standards.
- 5.2.2 **Rural/Urban Transition Area Designation.** In areas designated Rural/Urban Transition Area in the Plan, Cooperators shall apply Subdivision Review Procedures as described in Attachment A. However, Agricultural Subdivisions in the Rural/Urban Transitional Area shall be processed solely by the County.
- 5.2.3 **Urban Service Areas Designation.** In areas designated Urban Services Area in the Plan, County agrees to waive the exercise of its subdivision authority.

5.3 Annexation:

- 5.3.1 **Planning Area Boundary.** In consideration of the fact that annexation has the effect of extending the two-mile extraterritorial subdivision plat review area as defined by the Code of Iowa beyond the Planning Area Boundary defined in the Plan, Cooperators understand and agree that Cities shall waive their extra-territorial jurisdiction in such extended area, and that County shall approve pursuant to such waiver and within such extended area, only those subdivisions meeting the definition of Agricultural Subdivisions, which shall be so designated on the face of each Final Plat. Alternatively, a property owner may request the Cooperators to amend the Plan to extend the Planning Area. Such request shall be processed as provided for in Section 6 of this Agreement.
- 5.3.2 **Annexation in Accordance with Plan.** Cities agree to annex territory in accordance with the goals and policy statements set forth in the Plan.
- 5.3.3 **Annexation of Property within the Rural Service and Agricultural Conservation Areas.** In areas designated Rural Service and Agricultural Conservation Area in the Plan, Cities shall not review annexation requests until such time the Plan has been amended to designate such property as Urban Service Area and then such annexation processed in accordance with this Agreement.
- 5.3.4 **Annexation of Property within the Rural/Urban Transition Areas** In areas designated Rural/Urban Transition Area in the Plan, Cities shall not review annexation requests until such time the Plan has been amended to designate such property as Urban Service Area and then such annexation processed in accordance with this Agreement.
- 5.3.5 **Annexation of Property within the Urban Service Area.** It is the Cooperators' intent that Cities will annex all property within the Urban Service Area. Such annexation will occur only after Cities gives full consideration to comprehensive plan policies, degree of contiguity to the City limits, proximity to existing City services, the cost of extending City services, the fiscal impact and funding sources for providing City services, and the development needs of the City.

- 5.3.6 **Annexation of Right-of-Way.** When undertaking any annexation of land within the Fringe Area, Cities shall annex the entire width of public rights-of-way located within and immediately adjacent to such lands.

Section 6. Plan Review and Amendment

6.1 Plan Review

At any time during the term of this Agreement, either the Chair of the County Board of Supervisors or a Mayor of either of the Cities may initiate a review of the Plan by providing a notice in writing of the intent to so review.

6.2 Amending the Ames Urban Fringe Plan

- 6.2.1 The Plan may be amended at any time following a review pursuant to Section 6.1 above, or upon petition by a Property Owner. As the Ames Urban Fringe Plan shall be adopted by each of the Cooperators as a part of their respective comprehensive plans, the procedures of adopting an amendment to the comprehensive plan is unique to each Cooperator, subject to meeting the notification requirements of Code of Iowa. Each Cooperator shall process an amendment to the Plan as an amendment to their comprehensive plan.
- 6.2.2 Upon the approval of a proposed amendment by the governing body of all Cooperators, notice shall be made to all other cooperators within twenty (20) business days. The amendment shall be effective upon receipt by the other Cooperators of all such notices.
- 6.2.3 Outside its two-mile extra-territorial zone, Gilbert shall have the right to participate in the approval process only of those Plan amendments where there is reasonable expectation of significant cumulative impact on Gilbert resulting from the amendment. In assessing the potential impact, both the magnitude of possible impact, as well as the geographic proximity to Gilbert of the possible impact, shall be considered.
- 6.2.4 Cooperators have agreed to an administrative process for the consideration of Plan amendments, which process is set forth on Attachment C, Plan Amendment Process, and incorporated herein for all purposes.
- 6.2.5 It is understood and agreed that the provisions of Attachment C may be revised from time to time by an affirmative vote of the governing body of each Cooperator.

Section 7. Amendment of Agreement

- 7.1 This Agreement may be amended at any time by an affirmative vote of the governing body of all Cooperators. Any Cooperator desiring an amendment to this Agreement shall notify the other Cooperators of its desire, and the reasons for the request.
- 7.2 Such request shall be in writing to the other Cooperators, and shall be considered without unreasonable delay and within no more than ninety (90) days of receipt.
- 7.3 If the request is agreed to by the other Cooperators, each Cooperator shall prepare and submit to the others a certified resolution confirming the affirmative vote of the Cooperator's governing body.

7.4 The amendment shall take effect ten (10) days following receipt of the last such resolution by the other Cooperators. Amendments shall be filed and recorded as required by Section 14 hereof.

Section 8. Termination of Agreement.

- 8.1 It is the intent of this Section to provide the sole and exclusive method for termination of the mutual rights and obligations of Cooperators pursuant to this Agreement.
- 8.2 The governing body of any Cooperator may terminate this Agreement at any time, and for any reason, by approving a resolution of notice of intent to terminate to the other Cooperators, such termination shall not be effective for one hundred twenty (120) days following receipt by the other Cooperators.
- 8.3 If, at the time of the giving of such notice, a Cooperator is in breach of this Agreement, it is understood and agreed that the actions of Cooperator giving rise to such breach shall be null, void and of no force or effect whatsoever, ab initio, and that for such actions to be effective will have to be repeated following termination of this Agreement pursuant to this Section 8.
- 8.4 During these one hundred twenty days, Cooperators shall seek to resolve issues, if any, that gave rise to the notice of intent to terminate through direct meetings of governing bodies, mediation, or other means to which all parties shall agree.
- 8.5 During these one hundred twenty days no waiver of governmental power established by this agreement shall be effective.
- 8.6 If resolution is not achieved after one hundred twenty days, the governing body of the Cooperator who initiated the notice of intent to terminate the agreement may approve a resolution terminating the agreement effective thirty (30) days following receipt of a certified resolution by the other Cooperators.

Section 9. Effective Period.

This Agreement shall become effective as of the date first set forth above, following acceptance and execution by the parties, and shall be in effect for five (5) years after such date, unless earlier terminated pursuant to Section 8 above. This Agreement shall be automatically renewed for an additional five years unless any Cooperator objects in writing to such renewal no less than one hundred fifty (150) days prior to the termination date.

Section 10. No Separate Legal/Administrative Entity Created.

It is the intention of this Agreement that there be no new or additional legal or administrative entity created by this Agreement, nor that the inherent governmental powers of any Cooperator be affected in any way beyond the terms of this Agreement. It is further agreed and understood by the parties hereto that no financial obligations upon any Cooperator are intended to be created hereby.

Section 11. Entire Agreement.

This Agreement represents the entire understanding between the Cooperators and no Cooperator is relying on any representation or understanding which may have been made by another Cooperator and which is not included in this Agreement.

Section 12. Severability/Invalidity

If any term, provision or condition of this Agreement shall be determined to be invalid by a court of law, such invalidity shall in no way effect the validity of any other term, provision or condition of this Agreement, and the remainder of the Agreement shall survive in full force and effect unless to do so would substantially impair the rights and obligations of the parties to this Agreement or substantially frustrate the attainment of the purposes of this Agreement.

Section 13. Notices.

Notices under this Agreement shall be in writing and delivered to the representative of the party to receive notice (identified below) at the address of the party designated to receive notice for each Cooperator as set forth in this Agreement. The effective date for any notice under this Agreement shall be the date of actual delivery of such notice and not the date of dispatch. The preferred means of notice shall be either actual hand delivery, certified US Mail, return receipt requested with postage prepaid thereon, or by recognized overnight delivery service, such as FedEx or UPS.

Notices shall be delivered to the following persons at each Cooperator:

County: Chairperson, Story County Board of Supervisors
 Story County Administration
 900 6th Street
 Nevada, Iowa 50201

Ames: Mayor, City of Ames
 City Hall
 515 Clark Avenue
 Ames, IA 50010

Gilbert Mayor, City of Gilbert
 City Hall
 119 Main Street
 Gilbert, IA 50105

Section 14. Recordation

This Agreement shall be recorded pursuant to the requirements of *Code of Iowa*, Chapter 28E.

Section 15. Entire Agreement.

This Agreement and attachments attached hereto constitute the entire Agreement, among the Cooperators and supersedes or replaces any prior agreements among the Cooperators relating to its subject matter.

Section 16. No Waiver.

The waiver or acceptance by any Cooperator of a breach or violation of any provisions of this Agreement by another Cooperator shall not operate as, or be construed to be, a waiver of any subsequent breach.

Section 17. No Assignment or Delegation.

Neither this Agreement, nor any right or obligation under it, may be assigned, transferred or delegated in whole or in part to any outside party without the prior written consent of all the Cooperators.

Section 18. Authority and Authorization.

Each party to this Agreement represents and warrants to the other that it has the right, power and authority to enter into and perform its obligations under this Agreement; and that it has taken all requisite actions necessary to approve the execution, delivery and performance of this Agreement, and that this Agreement constitutes a legal, valid and binding obligation upon itself in accordance with the terms of the Agreement.

Section 19. Headings and Captions.

The paragraph headings and captions set forth in this Agreement are for identification purposes only and do not limit or construe the contents of the paragraphs.

Section 20. Counterparts.

The Cooperators agree that this Agreement has been or may be executed in several counterparts, each of which shall be deemed an original and all such counterparts shall together constitute one and the same instrument.

[Signature page follows]

STORY COUNTY

Dated this 5 day of July, 2011.

By: Wayne E. Clinton
Wayne Clinton, Chairperson, Board of Supervisors

Attest: Lucinda Martin
Lucinda Martin, County Auditor

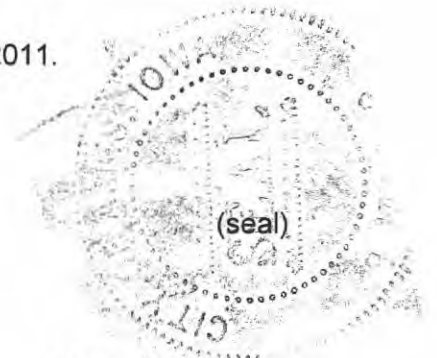


CITY OF AMES

Dated this 28th day of June, 2011.

By: Ann Campbell
Ann Campbell, Mayor

Attest: Jill Ripperger
Jill Ripperger, Deputy City Clerk



APPROVED AS TO FORM
BY Douglas R. Marek
DOUGLAS R. MAREK
CITY ATTORNEY

CITY OF GILBERT

Dated this 11 day of July, 2011.

By: Jonathan C. Popp
Jonathan Popp, Mayor

Attest: Susan Gens
Susan Gens, City Clerk



ATTACHMENTS:

Attachment A

Subdivision Review Procedures – Rural/Urban Transition Area Land Use Class

The Cities and County all have established subdivision review and approval and, for the Cities, have extended that review and approval outside its boundaries in accordance with Code of Iowa 354.9 and as amended. In establishing a process for subdivision review in the Rural/Urban Transitional Area Land Use Class, the three jurisdictions acknowledge the primacy of the Cities' interests in regulating development in areas that the Cities may, at some future moment, annex. Therefore, the Cities are tasked with giving primary review and, if appropriate, approval of any proposed division of land, except for Agricultural Subdivisions, which shall remain the sole province of the County.

As noted in Section 5.2.1 of this agreement, Cities agree to waive their subdivision review authority in areas designated Rural Service and Agricultural Conservation Area in the Plan. And as noted in Section 5.2.3 of this agreement, County agrees to waive its subdivision review authority in areas designated Urban Services Area in the Plan.

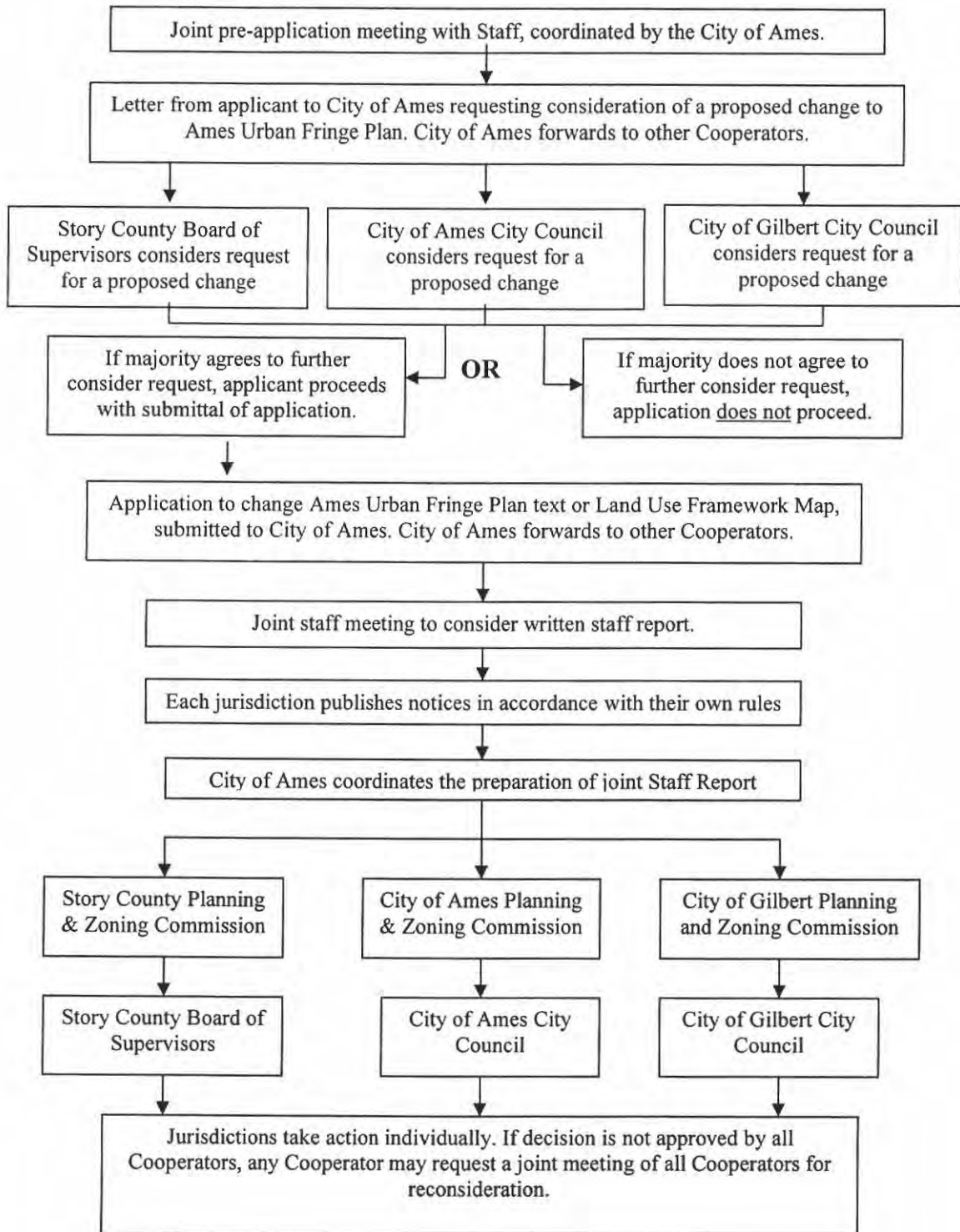
1. City Sketch Plan application form submitted to the closer City.
2. Sketch Plan review by City and County staff and determination as to whether the proposed division is a Major, Minor, or Agricultural Plat or whether the division can be allowed by Plat of Survey.
3. If a Major Subdivision Plat, follow City's Preliminary Plat process through to City Council decision. Plat is then forwarded to the County for action. Final Plat follows City's Major Final Plat process through to City Council decision. Plat is then forwarded to the County for action.
4. If a Minor Subdivision Plat, follow City's Minor Final Plat process through to City Council decision. Plat is then forwarded to the County for action.
5. If an Agricultural Plat, follow County's Agricultural Plat process through to Board of Supervisor's decision. No action by the City is required.
6. If a Plat of Survey, follow City's Plat of Survey process through to City Council decision. Plat is then forwarded to the County for action.

Attachment B

Reserved

Attachment C

Ames Urban Fringe Plan Amendment Procedures



LAND USE: FUTURE

Land Use Categories

The Future Land Use Map, with its designations of various land use categories, expresses the development vision for Ames and establishes the basis for land use policy, public and private decision making, and future development and infrastructure investments and initiatives. It incorporates the growth scenario analysis and priorities described earlier in this chapter, with land use designations that also reflect the character of the built-up city of 2020.

The land development categories used here differ in important ways from districts used in the city's earlier Land Use Policy Plan (1997) or single use categories used in conventional land use and zoning maps:

- » Development categories recognize historic periods and patterns of development and neighborhood character, as well as specific land uses.
- » Development categories employ a range of development densities and intensities, rather than one specific building type or density category. As such, they may contain a number of different zoning districts. Issues of compatibility of different land uses within development categories are addressed in the compatibility standards.
- » The Future Land Use Map was built on the street framework identified by Ames Complete Streets Plan. This plan identified to both the function and context of streets. Within a single development category, different use intensities may be appropriate along different types of streets.

Limited Development

Open Space. Areas of publicly or privately owned land intended to remain undeveloped and natural in character or in permanent open space uses. These areas include environmentally sensitive areas, environmental preserves, lands with conservation easements, and passive public space. They typically do not include high activity city parks.

Urban Reserve. Areas within the Ames Urban Service Area and the growth regions that should be reserved for future urban development, but are unlikely to be developed within this plan's 2040 horizon. These include all tiers of the five projected growth areas including the southeast and other parts of the Ames jurisdiction that can be feasibly provided by urban services. Policies related to Urban Reserve areas are discussed in the Fringe Policy section of this chapter.

Rural Character. Areas within the Ames jurisdiction where urban infrastructure such as water or sewer service is unlikely or not feasible. Development may include large-lot residential, low-impact agriculture, and non-residential uses appropriate to rural areas. Policies related to Rural Character areas are discussed in the Fringe Policy section of this chapter.

Residential Neighborhoods

RN-1 (Traditional). Neighborhoods initially developed in the 19th and first half of the 20th centuries, with a variety of residential development forms and developed on a traditional urban street grid.

RN-2 (Established). Fully built-up neighborhoods, typically built in the second half of the 20th century to the present. Largely single-family, with some attached and duplex structures. Layout of neighborhoods often has larger blocks and curvilinear local street patterns.

RN-3 (Expansion). Neighborhoods principally developed as expansion of the City since 2000 at low and medium densities. This designation

includes current areas of building and subdivision activity or proposed for predominately residential development within the 2040 planning period. Includes growth areas identified on page 42. These areas include a variety of residential types and neighborhood services. The layout of neighborhoods generally followed suburban form principles with distinct areas for various uses.

RN-4 (Walkable Urban). Mixed use, mixed density neighborhoods with a high degree of connectedness and an orientation to pedestrian and bicycle scale. Typically includes a distinct, mixed use activity nucleus. May include comprehensively planned developments or urban districts that evolved organically.

RN-5 (Multifamily). Neighborhoods that are largely multifamily in character, and include large groupings of apartments, townhomes, and other attached housing forms. May include supporting commercial services. Multifamily development may be integrated on compatible sites into other RN areas and is not limited to RN-5 designations.

Commercial Centers

Neighborhood Core. Centers that serve local commercial and service needs for a neighborhood or cluster of neighborhoods.

Neighborhood Core - Mixed Use. A special subset of Neighborhood Core usually associated with walkable urban neighborhoods. May be somewhat larger in scale and include residential uses, with high connectivity to the commercial area.

Community Commercial/Retail. Generally single purpose centers that serve citywide and even regional commercial and service needs, originally designed for primary automobile access with large parking areas.

General Commercial. Areas with a wide variety of commercial, small business, automotive, trade services, and light industrial uses, some with outdoor storage.

LAND USE: CATEGORIES

Urban Reserve (UR: See Urban Fringe Map)

CHARACTERISTICS

- » Generally open or sparsely developed rural or open land.
- » Growth area Tiers 1 and 2 and other lands intended for near and mid-term development.
- » Includes growth areas in Tiers 2, 3, and 4 that are likely to be developed after this plan's 2040 planning horizon. See also Urban Fringe policies.
- » Government
- » Agriculture
- » Potential conservation or fringe overlays in areas where residential uses might be existing or permitted.

GOALS

- » Preserve long-term development options for efficient growth with full urban services.
- » Avoid impediments to future land annexation supporting urban and contiguous development.
- » Allow reasonable interim use of land consistent with agricultural and adjacent land uses.



DEVELOPMENT GUIDELINES

- » Require a minimum lot size large enough to prevent or discourage development of rural subdivisions and maintain a rural agricultural character.
- » Permit a variety of rural land uses and low-impact agriculture, excludes livestock and animal confinement operations and other high intensity uses.

PUBLIC ACTIONS

- » Coordinate park and open space planning with counties.
 - » Use Urban Fringe Plan Policies to guide specific use allowances and joint administration of extra-territorial area.
- Prioritize Policies for:
- » Specific underlying land use designations for interim use or for guiding incorporation of commercial use into the City.
 - » Large residential and agricultural minimum lot sizes.
 - » Limits on high intensity agricultural and extraction uses.
 - » Limits on special uses, such as religious facilities, wind generators, campgrounds, and other uses that may not meet urban design and infrastructure needs.
 - » Limit agribusiness facilities that do not meet urban design and infrastructure needs.

LAND USE: CATEGORIES

Rural Character (RC: See Urban Fringe Map)

CHARACTERISTICS

- » Existing large lot and acreage development, generally lacking urban infrastructure or services.
- » Areas within the subdivision jurisdiction of Ames but outside the urban reserve, where extensions of urban infrastructure are not expected.
- » Rural commercial, limited agriculture, or limited industrial/workshop uses that do not degrade rural residential character.
- » Potential conservation or fringe overlays in areas where residential uses might be existing or permitted.

GOALS

- » Provide locations to accommodate demand for low-density residential development that do not limit the City's logical long-term urban growth.
- » Promote sustainable development within or near the City where landforms and environment make urban development impossible.



DEVELOPMENT GUIDELINES

- » Develop land plans and building concepts that maintain rural or open character.
- » Design developments that protect landforms such as steep slopes and natural drainage patterns.
- » Encourage use of community wastewater systems for rural development, including green infrastructure, with relatively small rural lots.
- » Integrate regional transportation path systems into development designs.
- » Promote use of conservation subdivision techniques adjacent to natural areas.

PUBLIC ACTIONS

- » Use Urban Fringe Plan Policies to guide specific use allowances and joint administration of extra-territorial area.
- » Establish subdivision waiver standards appropriate to very low-density rural residential developments.
- » Consider cumulative impacts of similar development and planned development in the general area.

URBAN FRINGE: ANNEXATION AND FRINGE AREA

Growth at the Edge

The previous sections of this chapter focused on a Growth & Land Use Vision for the Ames urbanized area of 2040. The growth section established basic principles and identified the planned growth areas necessary to meet the emerging needs for the next twenty plus years, accommodating population growth of about 15,000 people. The land use section presented basic guiding principles and a future land use plan for 2040, based largely on character and function-based development categories, along with goals, policies, and actions for each category.

Much of the land area covered by the land use plan is built up and within the corporate limits, but realization of the growth plan will require significant annexations to expand the urbanized area of Ames. In addition to annexation policies, Ames maintains a two-mile extraterritorial subdivision jurisdiction and cooperative planning area, consisting largely of open space and agricultural uses, with some built up rural development areas, such as northeast of Ames. This “Urban Fringe” area was the subject of a cooperative planning effort completed in 2006 that involved the cities of Ames and Gilbert and Boone and Story Counties. This section is intended to address annexation of growth areas and provide an updated policy framework to the 2006 document.

Growth Areas and Annexation

In review, the Ames Plan 2040 process focused on four growth directions: north, south, east, and west/southwest. A northwest growth option, previously proposed by the City’s *Land Use Policy Plan* of 1997, was removed from consideration because of the extensiveness and cost of infrastructure improvements. In addition, a southeast growth area, south of Highway 30 and east of I-35, is not in the line of probable development during the planning period but holds long-term promise that could be unlocked by a new trunk line sanitary sewer and a south interchange, described elsewhere in Plan 2040.

The Future Land Use Map depicts the general layout of uses and infrastructure for the four primary growth areas and sets expectations for types and intensities of uses to meet the community needs and use resources efficiently. The precise delineation of uses will occur through the application of zoning districts that address more detailed information on specific uses and development patterns. The Future Land Use Map guides decision making for zoning and is in and of itself not considered to establish a right to a specific zone or use.

The projected growth areas were then divided into four development tiers, based on infrastructure availability. Tiers 1 and 2 incorporate areas served by incremental extensions of existing lines, while Tiers 3 and 4 build on that base to achieve full maturity. The criteria for annexation do not dictate a precise order for development, but instead outline factors that will affect the timing and desirability of annexation in the future.

The City’s capital improvement planning is based largely upon growth within these four growth areas and their development tiers. Extensions of water, sanitary sewer, parks, and roads are all needed for full build-out of each of these growth areas. This informs the Capital Improvement Plan (CIP) programming, but it does not in and of itself commit the City to the extension or timing of specific infrastructure at the City’s cost. Indeed, much of the infrastructure and improvements identified within a growth area will be the obligation of a property owner or developer and in some instances in coordination with the City.

Each of the planned expansion areas includes a detailed discussion of needed infrastructure and desired outcomes. At the time of annexation the City will identify the relationship of the annexation to the scenario analysis and consider developer proposals for infrastructure extensions. The City will ensure that the extensions are logical and beneficial to overall goals for the area and not just for the convenience of one development project.

The City’s priority for development is incremental growth that builds upon prior improvements and improvements funded through developer-based construction. In some circumstances, the City may find an investment in “up-sizing” or completing critical connections is vital to the long-term success of the City and its expansion through partnering with developers or moving forward with pioneer infrastructure. This Plan does not specify timing or investment obligations by the City as it will be addressed through the City’s CIP. The City will include an infrastructure extension program in

URBAN FRINGE: ANNEXATION AND FRINGE AREA

the CIP to plan for coordinated improvements, but funding and timing will be an annual decision with the CIP budget approval.

Pioneer infrastructure and oversizing interests will be addressed by the City based upon general benefit to the City and its expansion into a defined area. Timing is a critical component to having the City participate in extensions of infrastructure. City participation may include the use of development agreements for offsetting projects, connection districts, street assessments, or financial incentives based upon City policy. If a desired project is not within the 5-yr CIP a developer would need to request changes in timing or begin the project as a developer project.

The City is not conferring a development right to property owners or obligation upon the City to make infrastructure available at any specific time or cost during the planning horizon of the Plan. This means that only upon rezoning and subdivision approval, when infrastructure adequacy and specific uses are evaluated, is there certainty in how to proceed with development.

Annexation of Lands Other than Growth Areas

In addition to the larger Growth Area Scenario analysis, there may be instances where individual properties abutting the City will also be appropriate to be annexed, to meet the needs of a growing City. These properties should be viewed in the light of their immediate serviceability or development potential compared to long-term prospects coordinated within the planned growth areas. Large areas of annexation, for example exceeding a quarter

section, will require a determination of timing consistency with planned infrastructure and the vitality of the planned and emerging growth areas, meaning the areas should not directly undermine planned growth areas viability for build-out in a predictable or sustainable economic manner. Annexation of other areas may be justified due to readily available infrastructure, a large master planned community approach with a development partner, or a lack of investment or development in targeted areas and need for additional land development options.

Fringe Area Policies

Ames has subdivision authority based upon state law for areas within two miles of its municipal limits, referred to as the Urban Fringe. Effective management of the Fringe is essential to planning future growth options and ensure that non-urban development practices do not negatively affect the City of Ames. In addition, preservation of natural areas and development practices compatible with agricultural needs is critical to the general well-being and welfare of the City of Ames and Story and Boone Counties.

Ames, Gilbert, and Story County have coordinated the management of the Fringe since 2011. The current agreement is based upon a 2006 Ames Urban Fringe Plan that identified policies for various issues that included agricultural preservation, natural areas, rural residential development, and the expansion of Ames and Gilbert through annexation. City policy is to continue to plan for the Fringe area, to work in this cooperative planning effort with Story County, and to look to expand the

joint planning and subdivision review authority coordination with Boone County as well.

The City's primary interests are planning for areas around the City as Urban Reserve based upon future opportunities for growth and urban services. Limited expansion of growth in the Fringe helps to meet other goals for managing natural resources and county infrastructure capacity as well. An agreement with the Counties helps to streamline policy and project review for the Fringe to help focus on City priorities in the Fringe and add design requirements that address future compatibility and service needs related to rural development.

URBAN FRINGE: POLICY FRAMEWORK

Guiding Principles for the Urban Fringe

The following policies can form the foundation for a new and more detailed Fringe Area Plan as Part of Plan 2040 and helps coordinate multi-jurisdictional land use and subdivision planning and administration in the Ames jurisdiction.

MULTI-JURISDICTIONAL PLANNING

UF1-1: Designated Limited Area for Rural Development. Designate areas of existing rural development and limited areas for new rural development as they relate to future potential expansion for the City. A fundamental objective is for new development to occur within an urbanized area, limiting impacts to rural uses and providing urban infrastructure and services that support a compact and efficient development pattern for urban services.

UF1-2: Regional Partnerships. Work on regional partnerships for mutually beneficial planning of recreational uses, conservation areas, and watershed management.

RURAL DEVELOPMENT AREAS

UF2-1: Existing Development. An Existing Development designation applies to previously developed areas of varying density below three dwelling units per acre. These areas were primarily developed through rural subdivisions and lack urban infrastructure. They are subject to county zoning for limited levels of residential development. Only limited development of existing lots or minor subdivisions of existing lots with existing zoning are anticipated during the life of this Plan. Minimum lot sizes should reflect the rural character of the area and limited infrastructure capacity to support development intensification. Annexation of these areas is undesirable due to the low-density of development and minimal infrastructure improvements. These developments fall under the Rural Character category of the land use plan.

UF2-2: New Rural Residential. Rural Development Areas reflect county planning interests and are limited to areas that are well beyond the potential Urban Reserve areas and City limits. Designation of this land use should consider impacts to infrastructure, adjacent agricultural uses and natural areas; changes to storm water runoff and drainage basins; and cumulative effects of development near other cities on county and state highways. The low suitability of the site for agricultural uses due to a CSR score or a LESA score does not alone justify change of use to rural development. County zoning will vary for density and use, typically a rural subdivision would be limited to a minimum of 1 unit per net acre and a maximum density of 2.5 units per net acre and are to be developed as a subdivision plat. The City will review infrastructure needs for rural development and consider case by case waivers of urban infrastructure standards.

UF2-3: Rural Non-Residential Development. Certain areas adjacent to the City but in the county may include activities such as mining that are not desirable as an urban use or typically compatible with surrounding uses. In addition, limited areas of pre-existing commercial or light industrial uses occur within two miles of the City. The largest such areas are within Boone County. The Fringe Area recognizes these existing uses. However, further expansion of these non-residential uses is undesirable, especially within the growth areas where they can impact the future plans for City expansion. Further development in these existing areas will be limited by current infrastructure improvements. The City will review infrastructure needs for rural development and consider case by case waivers of urban infrastructure standards.

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.

UF3-2: Natural Area Conservation. Natural areas include sensitive areas of natural habitat, steep slopes, and waterways. Natural area designations are informational based upon the Environment Chapter and the 2006 AUPF. Creation of new parcels within these areas for new development is prohibited. Property divisions for land conservation purposes is permissible with City approval.

URBAN RESERVE AREAS

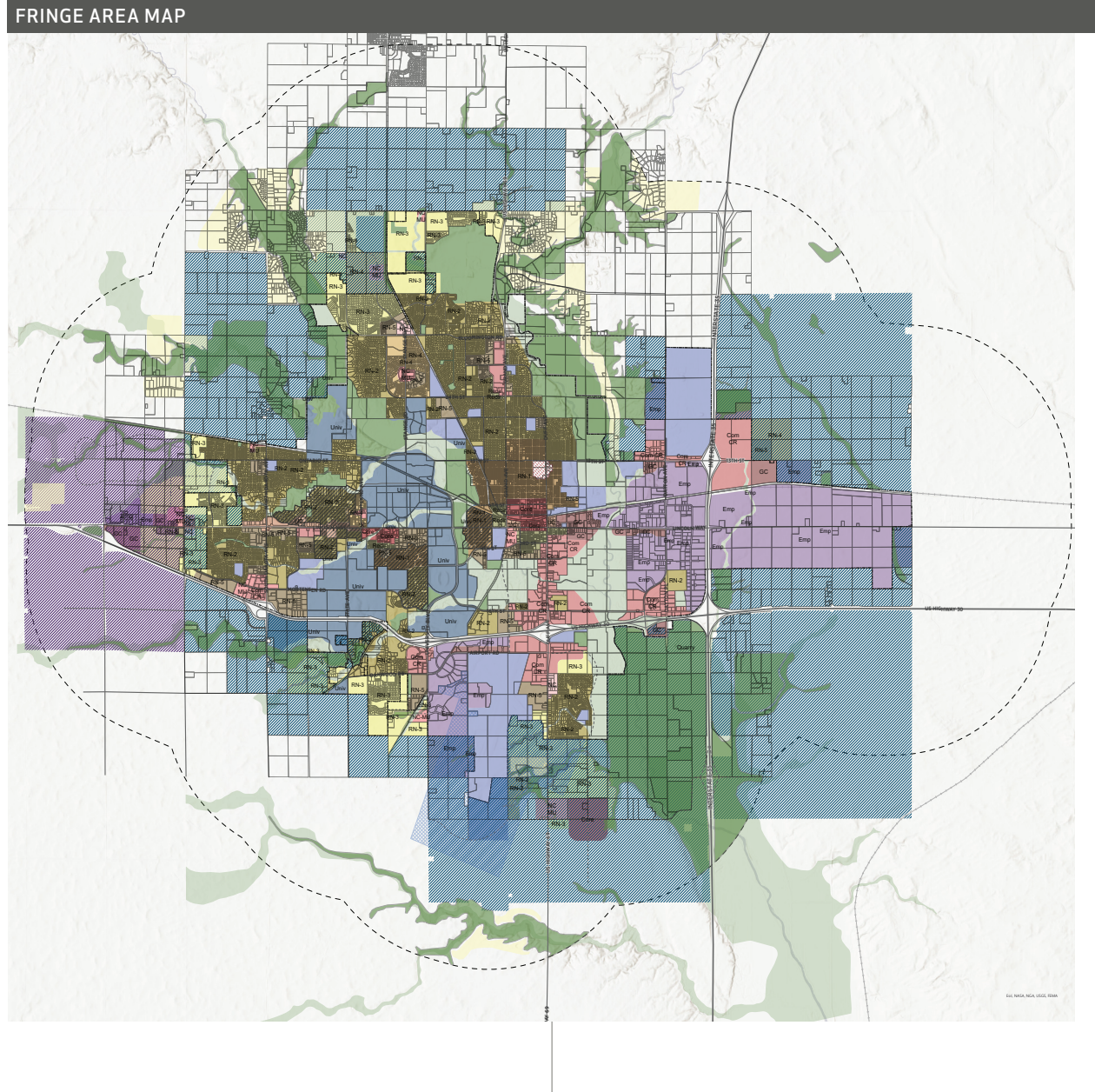
UF4-1: Urban Reserve District. Create an Urban Reserve area for the short- and long-term expansion of the City. These areas fall within the urban service area where municipal services, most notably sanitary sewer, can be feasibly extended. Only subdivisions that meet full urban development subdivision and improvement standards would be allowed.

UF4-2: Annexation. Urban Reserve Areas are appropriate for annexation to the City to meet future growth needs of the City. Areas are planned for residential, commercial, and industrial expansion based upon the scenario and Tiers analysis of this Plan. A precise determination of use will be determined upon annexation.

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.

UF4-4: Infrastructure. All developments are subject to urban infrastructure standards unless a conditional waiver is granted by the City Council.

URBAN FRINGE: ANNEXATION AND FRINGE AREA



Fringe Land Use Designations

- Natural Areas
- Rural Character
- Boone County Urban Reserve
- Story County Urban Reserve

FUTURE LAND USE

- Residential Neighborhood 1 - Traditional (RN-1)
- Residential Neighborhood 2 - Established (RN-2)
- Residential Neighborhood 3 - Expansion (RN-3)
- Residential Neighborhood 4 - Village (RN-4)
- Residential Neighborhood 5 - Multifamily (RN-5)
- Neighborhood Core (NC)
- Neighborhood Core - Mixed Use (NC MU)
- Community Commercial /Retail (Com-CR)
- General Commercial (GC)
- Core
- Redirection (Redir)
- Urban Corridor
- Employment
- Quarry
- Park / Recreation
- Open Space
- Civic
- Civic - University
- Hospital /Medical Special Area
- Near Campus Overlay
- Airport Protection Area
- City Limits

DRAFT LAND USE DESIGNATIONS

Detail of the proposed designations, which cooperators have review jurisdiction, what uses are permitted, and other standards are described on the following pages. A brief summary of the designations and how they differ from the current AUPF is included below:

Staff is proposing four base designations - Urban Growth, Rural Residential - Existing, Rural Residential - Expansion, and Agriculture and Farm Service.

The **Urban Growth** designation encompasses the designations that were previously under the Urban Service Area Land Use Class, including Urban Residential, Commercial Nodes, and Planned Industrial. These are areas where city growth is planned and can be supported in the short term. Instead of differentiating between these urban land uses, staff instead made one designation. Annexation is required prior to development and the city retains review jurisdiction in these areas. Specific, planned future land use types can be found in Ames Plan 2040.

The **Rural Residential—Existing** designation is a new designation that applies to existing residential developments in the county. It allows existing lots in the county to be divided once into two buildable parcels if zoning and other standards are met. These types of divisions are currently allowed in the AUPF; however, the City of Ames or Gilbert currently may have joint review authority with the county and there are additional density requirements. Since the designation applies to existing, built-out developments, these types of divisions are not common. An increase in these types of divisions is not anticipated. Story County is proposing to have sole review authority over these areas.

The **Rural Residential—Expansion** designation would allow new, rural residential development in the county. It is similar to the existing county rural residential designation in that a one-acre minimum lot size or equivalent density is required and the county has review jurisdiction over the area. However, staff has intentionally chosen not to map any area in this designation and instead provide standards for where and when the expansion of rural residential development may be appropriate.

The **Agriculture and Farm Service** designation is largely the same as the current designation in the AUPF. The county has review authority over the area. Most areas are zoned A-1 Agricultural and 35-acres are required to construct a dwelling. In the current AUPF, only farmsteads may be divided from the remaining farmland onto a parcel one net-acre or greater in size. Staff has relaxed this standard in the proposed designation to allow parcels meeting LESA to be divided or a one-lot residential parcel subdivision to occur if a density of one unit per 35-acres is maintained. The remaining land is not considered buildable for a second dwelling. This allows smaller lot sizes but does not affect the density of the area.

Staff is also proposing several overlay designations that may apply further restrictions or standards to the base designations.

The **Urban Reserve Overlay** is a new designation designed to ensure efficient and orderly city growth beyond the AUPF's planning horizon and prevent premature rural development. This designation applies to certain land in the Agriculture and Farm Services designation where a city could provide future city infrastructure, including waste treatment by gravity flow. Given that the area may support long-term urban growth and significant rural development pressure may occur without certain safeguards, there are additional restrictions applied by the overlay.

The **Environmentally Sensitive Overlay** is similar to the current Natural Areas designation. It indicates where environmentally sensitive areas are located in the county and applies certain related restrictions on developments.

The **Subsurface Mining Overlay and Airport Protection Overlay** are also similar to those existing designations in the AAFP. These overlays assist in indicating locations where existing activities may present conflicts with certain proposed land uses.

URBAN GROWTH

Description

These are areas identified by cities as where urban growth can be supported in the immediate, short-term. City infrastructure, street, and trail connections are available, or achievable with low-cost, incremental extensions. They are contiguous to existing urban development. While these areas may include readily serviceable tiers of larger growth areas, which may not be fully developed during the life of the plan, there may also be instances where individual properties abutting a city are included. These individual properties are considered appropriate to be annexed due to their immediate serviceability and to meet the needs of a growing city, compared to long-term prospects coordinated within larger planned growth areas.

Annexations

Require annexation before land is developed or further divided.

The annexation of individual properties not part of identified growth areas in a city's comprehensive plan, and exceeding 40 acres in size, shall be weighed against the growth areas, planned infrastructure investments in the areas, and their viability. Annexation may be justified due to readily available infrastructure, a large master-planned community approach with a development partner, or a lack of investment or development in identified growth areas and need for additional land development options.

Divisions

In these areas, the county agrees to waive the exercise of its review authority for divisions for new development lots.

Compatible Zoning Districts

Specific land uses planned for this area can be found in Ames Plan 2040 (or in the case of other cities, in their applicable city comprehensive plan.) Annexation is required prior to development.

Permitted Uses and Other Standards

Specific land uses planned for this area can be found in Ames Plan 2040 (or in the case of other cities, in their applicable city comprehensive plan.)

Development in the Urban Growth Area must provide infrastructure consistent with road, water, and sanitary sewer improvements required of development within the applicable city. This includes development with fire protection with water suppression systems and access requirements. It may also be required to meet city design standards, including landscaping.

Where a base zoning district allows for a conditional use, Story County will consider the appropriateness of the use, recognizing the area is planned for urban densities and uses. Most conditional uses that are permissible in the county, due to their distance and isolation from other uses, will be presumed not to be compatible with

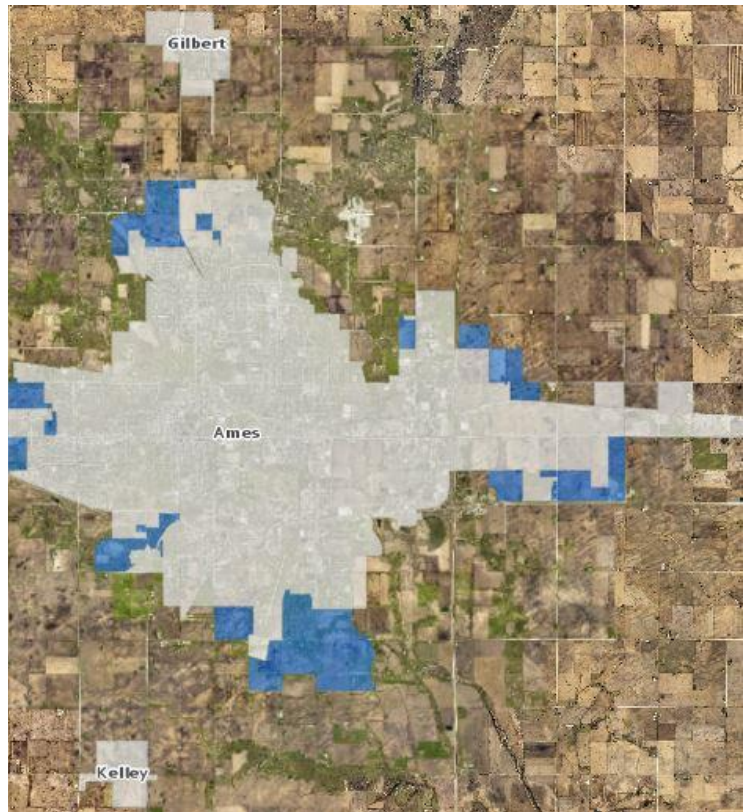


Figure 3: Draft Map of Urban Growth Areas

planned urban development within a growth area. For example, shooting ranges, campgrounds, energy systems, etc.

Where conditional uses may be compatible with future urban land uses due to the particular nature of the use or its location in the growth area, additional site development considerations shall be made, including a use's location on a site, lighting, buffering, landscaping, and setbacks. Conditions related to these considerations shall be applied to address future compatibility of the use with planned urban development. In some situations, it may be appropriate to have a limited duration of approval for such a use.

The following conditional uses are not considered compatible with the Urban Growth Area:

- Shooting ranges
- Campgrounds and RV parks, except as part of a county park
- Lodges and fraternal organizations
- Power plants and substations
- Drag strips and other similar courses or tracks
- Salvage yards
- Yard waste composting
- Agricultural lime storage and processing operations
- Bed and breakfasts
- Landfills
- Commercial Wind Energy Conversion Systems or Solar Energy Conversion Systems
- Adult uses
- Surface mineral extraction and processing
- Indoor recreational facilities

The following conditional uses may be considered compatible with the Urban Growth Area, with review by the applicable city:

- Communication towers and facilities
- Commercial nurseries and greenhouses, including retail sales
- Golf courses
- Human service uses
- Home businesses
- Childcare centers
- Public buildings, water supply, and sewage treatment facilities
- Houses of worship and other similar uses
- Home businesses
- Adaptive reuse

RURAL RESIDENTIAL - EXISTING

Description

These areas may include existing rural subdivisions or clusters of dwellings with lots between one-half and five acres in size, which are zoned residential. They are typically located on privately maintained roads or access easements.

Annexations

Cities shall not review annexation requests in this area until such times the AUFPP has been amended to designate the property as an Urban Growth Area or Urban Reserve Overlay.

Divisions

In these areas, cities agree to waive the exercise of their extra-territorial subdivision authority.

In the case that county zoning and subdivision requirements, including standards for roads and dwellings off access easements, can be met, a division for the creation of one additional buildable lot may be permitted. For lots already platted as part of a subdivision, this shall only be allowed, if not otherwise prohibited by conditions on the platting.

Compatible Zoning Districts

These areas may include parcels in the A-R Agricultural Residential, R-1 Transitional Residential, and R-2 Urban Residential Zoning Districts.

Other Standards

A dwelling may be built on an undeveloped lot in an area designated as Rural Residential if county zoning standards and standards for roads or dwellings off access easements are met.

Individual wastewater systems and wells are permitted.

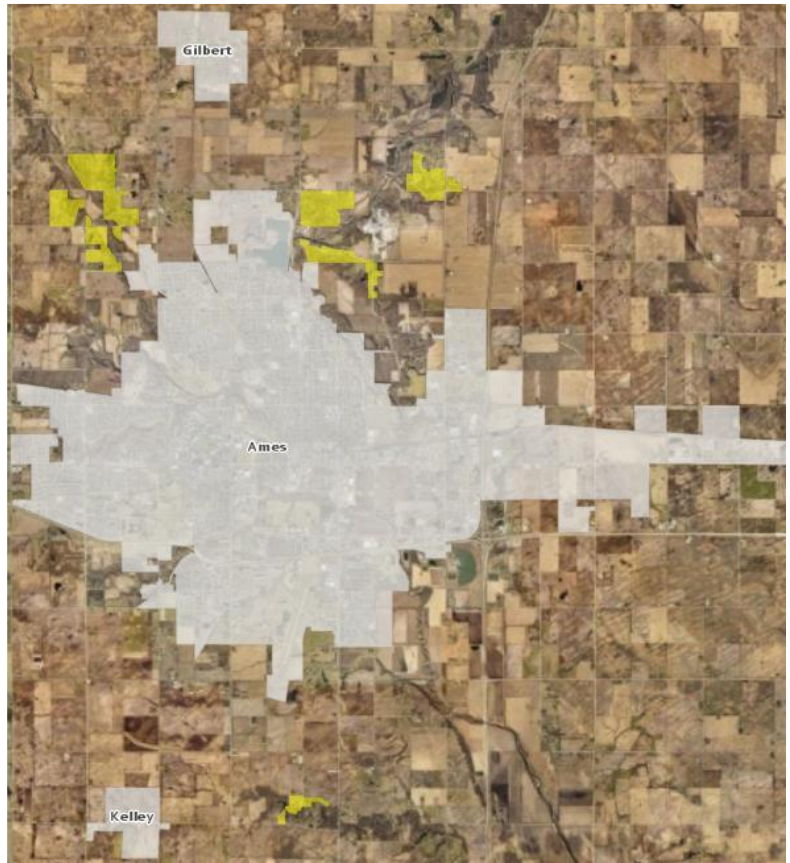


Figure 2: Draft Map of Existing Rural Residential Areas

RURAL RESIDENTIAL – EXPANSION DESCRIPTION

Description

These areas may permit new rural residential subdivisions; however, they are to be located on a case-by-case basis through an Ames Urban Fringe Plan amendment process. While it is recognized that there is demand for rural housing market choices, the amount of land in this designation shall be purposefully limited in order to focus housing growth within existing municipal boundaries or in newly annexed areas. It is estimated that approximately 60 new dwellings are needed in this designation over the next 20 years. To this end, the number of lots in a proposed development may be limited. Further, developers may be required to install required public road improvements or other infrastructure at their own expense.

Standards for Amendment

The following standards shall be met, in order for an Ames Urban Fringe Plan amendment application to the Rural Residential Expansion Area to be accepted for further consideration. *Satisfaction of the following standards does not guarantee approval of the request.*

- The area is adjacent to a rural residential area or rural residential expansion area developed after the adoption of the Ames Urban Fringe Plan.
- The area is currently designated Agriculture and Farm Service and not located in an Urban Growth Area or Urban Reserve Overlay.
- No more than 40 acres of land in agricultural production may be requested to be amended to this designation as part of an amendment request.
- The area is located on a paved road(s). If an area is within a quarter-mile of a paved road, it may be considered; however, the developer may be required to pave to the development's access at their expense.
- The amount of previously approved Rural Residential Expansion area shall be considered when granting an amendment, as well as the primacy of a proposed location versus the existence of other areas that exceed the above standards.

Annexations

Cities shall not review annexation requests until such times the plan has been amended to designate the property as an Urban Growth Area or Urban Reserve Overlay.

Divisions

In these areas, cities generally agree to waive the exercise of their extra-territorial subdivision authority. However, in certain critical areas, urban services and standards may be applied.

Compatible Zoning Districts

The A-R Agricultural Residential District may be considered compatible with the Rural Residential Expansion Area designation.

Permitted Uses and Other Standards

This designation allows for dwellings at a maximum average net density of one unit per acre.

All environmentally sensitive areas should be preserved as part of the subdivision platting process.

A density bonus may be awarded when 50% or more of the agricultural lands proposed for development are preserved in outlots or through easements or other restrictions. The preserved agricultural land shall also remain in the Agriculture and Farm Service designation or be amended to the Agriculture and Farm Service designation as part of the subdivision platting process. The preserved area shall provide a buffer to adjacent agricultural areas. The density bonus shall be awarded so that the development yield is equivalent to the maximum average net density of one unit per acre prior to the preservation of agricultural

lands. Lot sizes may be reduced to a minimum of 10,000 square feet. A maximum density bonus of 20% of the number of lots permitted by the development yield, in addition to those allowed by the development yield, is allowed.

Following Iowa Department of Natural Resources requirements, minimum separation distances for dwellings and wells from open feedlots and confined animal feeding operations shall be maintained from existing operations. Appropriate buffers from other agricultural uses shall also be maintained.

At the discretion of the applicable city, annexation agreements and other tools may be utilized to ensure that new development is prepared for potential annexation in the future.

Urban infrastructure and subdivision standards, including streets, wastewater treatment, and potable water distribution of sufficient size to support emergency services, may be required.

Common wastewater treatment systems meeting Iowa Department of Natural Resources standards are required, unless a development is required to meet urban infrastructure standards at the time of development.

An agreement shall also be required that when a property is annexed to a city, the land developer and/or landowner shall be responsible for the full cost of abandoning the rural well and wastewater systems and connecting to urban infrastructure.

AGRICULTURE AND FARM SERVICE DESCRIPTION

Description

These areas encompass large areas of highly valuable farmland, with farming and agricultural production as the primary activity. They may also include other large, undeveloped tracts of land. Existing dwellings on previously created parcels under 35-acres in size may be included in this designation. Dwellings in this designation are limited to existing homes, new dwellings built on legally established lots of record, or to areas where a maximum density of one unit per 35 net acres can be achieved.

Annexation

Cities shall not review annexation requests in this area until such time that the AUFPP has been amended to designate the area to be annexed as an Urban Growth Area or Urban Reserve Overlay.

Divisions

In these areas, cities agree to waive the exercise of their extra-territorial subdivision authority.

Divisions for the creation of new development lots are not permitted. Parcels 35 net acres or greater in size may be divided once for the purpose of constructing a dwelling on a parcel between one and five net acres if permitted by county zoning requirements (e.g., through farmstead, LESA, or residential parcel subdivision exceptions). The remaining land shall not be considered buildable for a dwelling and is to be preserved as an outlot through a deed or by other restriction.

Divisions reconfiguring agricultural lands or other undeveloped tracts of land for natural resource preservation are permitted.

Compatible Zoning Districts

The A-1 Agricultural and A-2 Agribusiness Districts may be considered compatible with the Agriculture and Farm Service designation. However, agribusiness uses shall be strategically located in order to:

- Utilize existing adequate access and road capacity and otherwise assure the existence of adequate public facilities;
- Protect productive soils and environmental resources; and
- Support the continued use of these areas for farming and agricultural production.

Further, the county shall limit the intensity of the storage, retail, wholesale marketing, or processing of agricultural productions into value-added agricultural products through conditional rezoning agreements as these uses may be more appropriate located in commercial or industrial areas inside city boundaries with other similar manufacturing and processing uses.

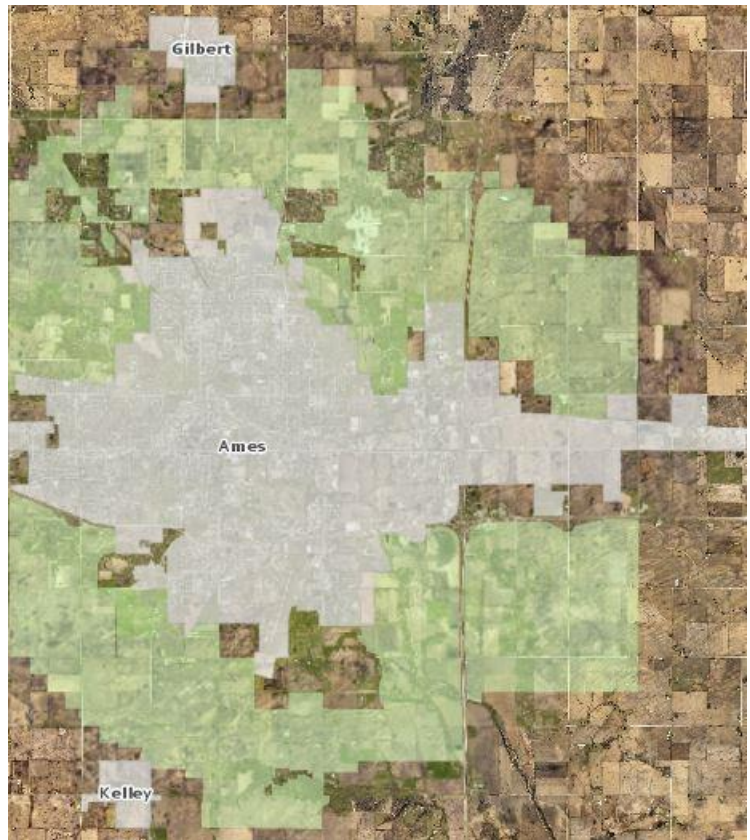


Figure 1: Draft Map of Agriculture and Farm Service Areas

URBAN RESERVE OVERLAY

Description

These are areas within a city's urban service area, where municipal services, most notably sanitary sewer, can be feasibly extended. They may be portions of larger urban growth areas or other areas where city growth may occur in the long-term, past the planning horizon of the Ames Urban Fringe Plan. However, the areas do not currently have city infrastructure available and are not priorities for urban growth. To ensure orderly, efficient city growth in the long-term, the Urban Reserve Overlay prevents premature development of rural residential subdivisions, rural commercial development, or other uses that may impede urban growth due to lot sizes, rural infrastructure, or the nature of a use. If infrastructure becomes available during the life of the plan, these areas may be annexed.

Annexations

Require annexation by the city before land is developed or further subdivided.

Ensure that annexation is coordinated with the timely and efficient provision of adequate public facilities and services. Annexation shall be permitted in the following situations:

- Infrastructure is available or available with extensions of existing lines under ½ mile or shall be committed to be extended through the city's Capital Improvement Plan or through developer committed funds.
- Infrastructure extensions should be logical and beneficial to overall goals for the growth of an area and not just for the convenience of one development project.
- Existing street network or spine trails shall be accessible or available through extensions.

Divisions

Divisions for the creation of new development lots are not permitted.

In these areas, cities agree to waive the exercise of their extra-territorial subdivision authority. The allowance for divisions of 35 net-acre parcels in the Agriculture and Farm Service designation does not apply. Dwellings in this designation are limited to existing homes, new dwellings built on legally established lots of record or parcels 35 net acres or greater in size.

Compatible Zoning Districts

The A-2 Agribusiness District is not considered compatible with the Agriculture and Farm Service designation. Further, annexation is required prior to development.

Permitted Uses and Other Standards

Development in the Urban Reserve Overlay may be required to include provision of infrastructure consistent with road, water, and sanitary sewer improvements required of development within the applicable city. This includes development with fire protection with water suppression systems and access requirements. It may also be required to meet city design standards, including landscaping and streets.

When the applicable city does not require urban standards, then the development may be required to include temporary common wastewater collection systems that meet Iowa Department of Natural Resources and city specifications, and temporary common water distribution systems, such as wells or rural water services. An agreement shall also be required that when a property is annexed to a city, the land developer and/or landowner shall be responsible for the full cost of abandoning the rural well and wastewater systems and connecting to urban infrastructure.

Where a base zoning district allows for a conditional use, Story County will consider the long-term appropriateness of the use recognizing the area is planned for urban densities and uses. Most conditional uses that are permissible in the County, due to their distance and isolation from other uses, will be

presumed to not be compatible with planned urban development within a growth area. For example, shooting ranges, campgrounds, energy systems, etc.

Where conditional uses may be compatible with future urban land uses due to the particular nature of the use or its location in the growth area, additional site development considerations shall be made, including a use's location on a site, lighting, buffering, landscaping, and setbacks. Conditions related to these considerations shall be applied to address future compatibility of the use with planned urban development. In some situations, it may be appropriate to have a limited duration of approval for such a use.

The following conditional uses are not considered compatible with the Urban Reserve Overlay:

- Shooting ranges
- Campgrounds and RV parks, except as part of a county park
- Lodges and fraternal organizations
- Power plants and substations
- Drag strips and other similar courses or tracks
- Salvage yards
- Yard waste composting
- Agricultural lime storage and processing operations
- Bed and breakfasts
- Landfills
- Commercial Wind Energy Conversion Systems or Solar Energy Conversion Systems
- Adult uses
- Surface mineral extraction and processing
- Indoor recreational facilities

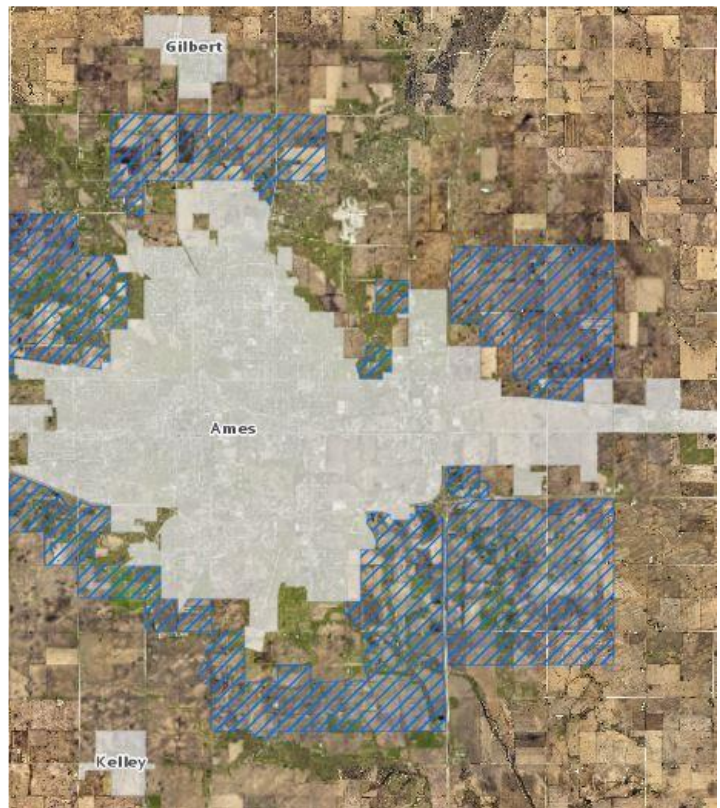


Figure 4: Draft Map of the Urban Reserve Overlay

The following conditional uses may be considered compatible with the Urban Reserve Overlay Growth Area, with review by the applicable city:

- Communication towers and facilities
- Commercial nurseries and greenhouses, including retail sales
- Golf courses
- Human service uses
- Home businesses
- Childcare centers
- Public buildings, water supply, and sewage treatment facilities
- Houses of worship and other similar uses
- Home businesses
- Adaptive reuse

ENVIRONMENTALLY SENSITIVE OVERLAY

Description

These areas include floodplains, steep slopes, wetlands, stream and river corridors, waterbodies, and other environmentally sensitive areas including prairies, savannas, and wildlife corridors. The mapped designation also reflects larger features or areas that were identified through use of GIS data sets and visual inspection of aerial photography. They may include existing development within the sensitive areas. Not all environmentally sensitive areas are mapped and individual developments will need to consider site-specific characteristics of any sensitive areas, regardless of whether the overlay applies to the site.

Annexations

The standards of the underlying designation shall apply.

Divisions

The subdivision authority of the respective jurisdictions will be the same as the underlying land use designation. However, divisions for the creation of new developments lots are not permitted unless the division, if permitted by the underlying designation, separates and/or otherwise protects the environmentally sensitive area from the development. Divisions that create lots that can only be accessed through environmentally sensitive areas are not permitted.

Compatible Zoning Districts

The standards of the underlying designation shall apply.

Permitted Uses and Other Standards

Further development is discouraged unless it enhances the environmentally sensitive area's function through restoration and/or preservation.

Any permitted development shall meet Story County's standards for mitigating impacts to environmentally sensitive areas.

Impacts of development contiguous to the Environmentally Sensitive Overlay should be considered as part of a development application and mitigated with the development.

Conditional uses shall follow the standards of the underlying designation.

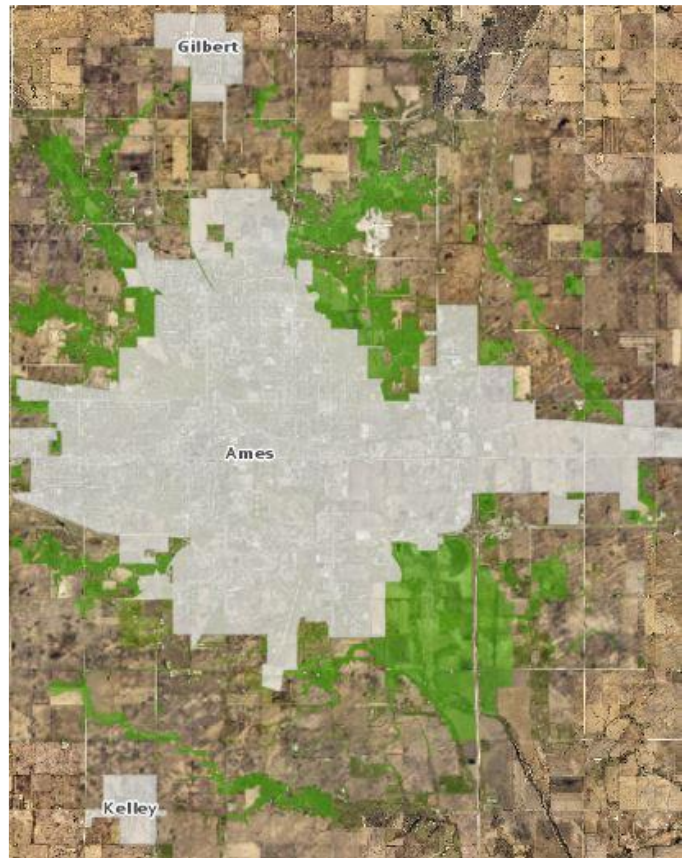


Figure 5: Draft Map of the Environmentally Sensitive Overlay

SUBSURFACE MINING OVERLAY

Description

This overlay includes areas where underground mining operations, including ancillary surface operations, are occurring.

Annexations

The standards of the underlying designation shall apply.

Divisions

The subdivision authority of the underlying jurisdiction will be the same as the underlying land use designation.

Compatible Zoning Districts

The standards of the underlying designation shall apply.

Permitted Uses and Other Standards

Consider and mitigate the impacts of noise, dust, vibration, and traffic of mining operations when considering development applications in the vicinity.

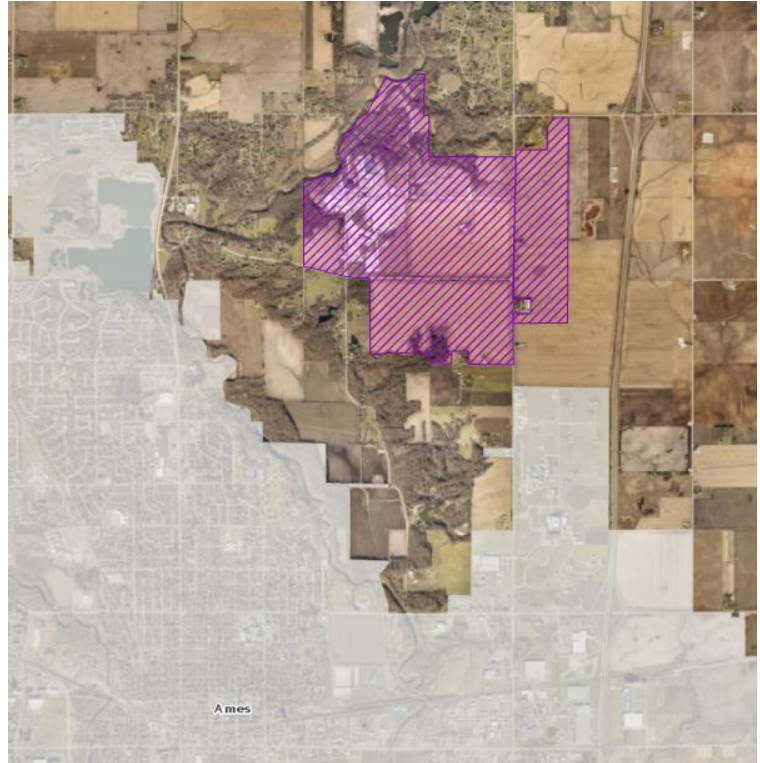


Figure 5: Draft Map of the Subsurface Mining Overlay

AIRPORT PROTECTION OVERLAY

Description

This land use designation is intended to reduce risk, increase safety and promote land use compatibility between the airport and adjacent land uses. It includes the airport clear zone and planned airport expansion areas.

Annexations

The standards of the underlying designation shall apply.

Divisions

The City of Ames retains jurisdiction of subdivisions within the overlay, regardless of the underlying designation.

Compatible Zoning Districts

The standards of the underlying designation shall apply.

Permitted Uses and Other Standards

Consider the compatibility of airport operations with new development applications.

Story County agrees in this designation to route any permitting applications to the City of Ames Public Works Department and require FAA Determination of “No Hazard” prior to issuing permits.













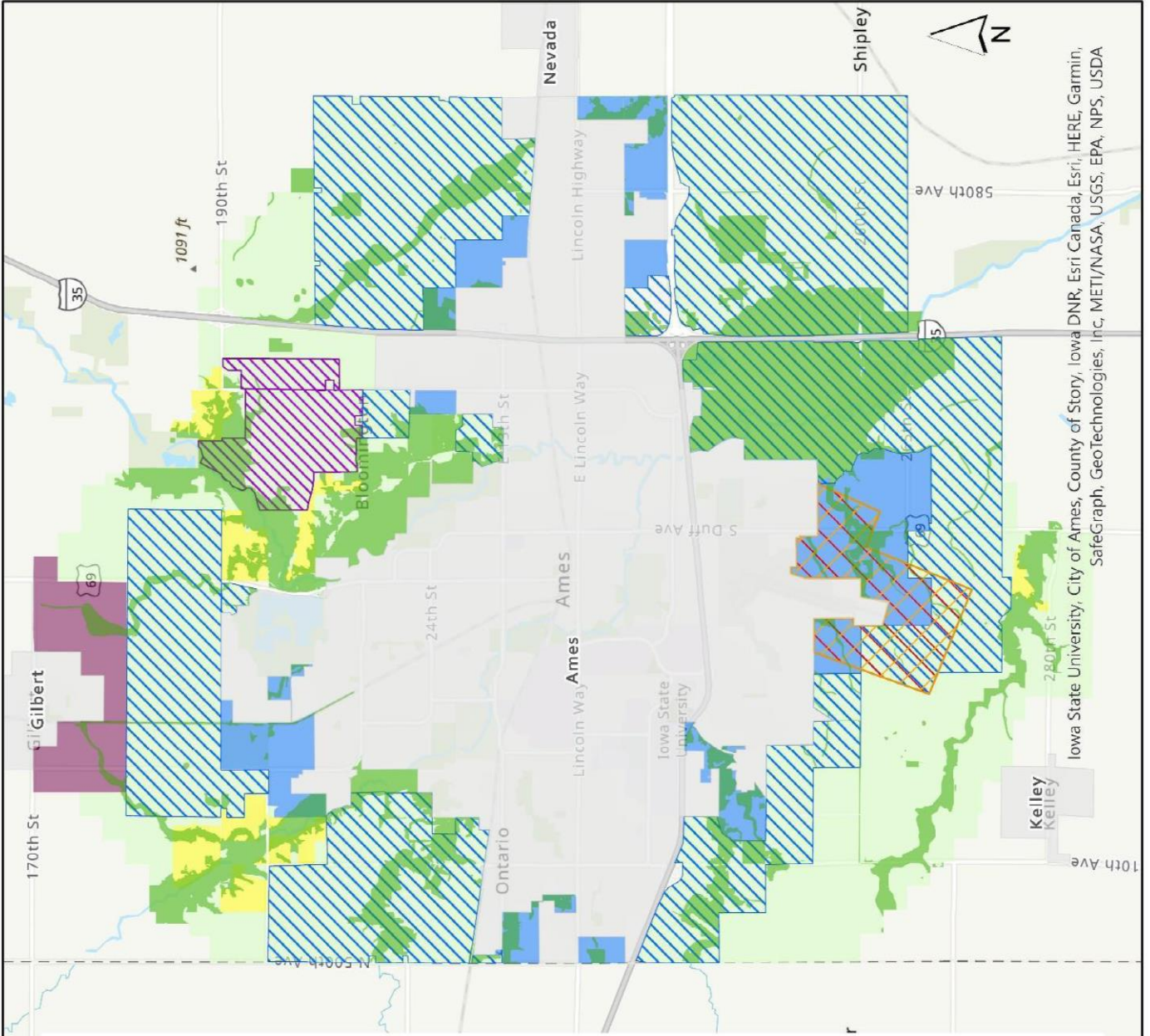
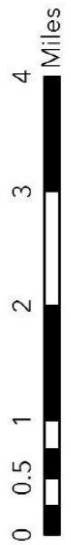
Figure 6: Draft Map of Airport Protection Overlay

APPENDIX A

Ames Urban Fringe Plan Draft Land Use Framework Map

Legend

-  City Limits
-  Environmentally Sensitive Overlay
-  Airport Protection Overlay
-  Urban Reserve Overlay
-  Subsurface Mining Overlay
-  Rural Residential--Expansion
-  Rural Residential--Existing
-  Agriculture and Farm Service
-  Urban Growth
-  Gilbert Urban Growth and Reserve Areas TBD



Iowa State University, City of Ames, County of Story, Iowa DNR, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA