

ITEM #: 7  
DATE: 04-07-10

## COMMISSION ACTION FORM

**DATE PREPARED:** April 1, 2010

**REQUEST:** Land Use Policy Plan (LUPP) Land Use Framework Map Amendment to change the land use designation of a portion of the Urban Fringe Plan from Priority Transitional Residential.

**GENERAL LOCATION:** North of Ames, South of 190<sup>th</sup> Street, East of the Union Pacific Railroad Tracks, and West of H.P. Jensen's Subdivision.

### **BACKGROUND INFORMATION:**

The City Council referred to staff the request from Story County Land, L.C. to amend the Land Use Policy Plan designation for Story County Land, L.C.'s property. The request initially was to change the property from Priority Transitional Residential to Urban Residential to accommodate the proposed Rose Prairie Development. The Planning and Zoning Commission unanimously recommended this change at its regular meeting of March 3, 2010.

Since that recommendation was made, the owner has amended his request. There is an 11-acre tract of land, identified as Canterbrooke that lies at the northwest edge of the Story County Land, LC's property. It is east of and adjacent to the cell tower site on 190<sup>th</sup> Street. The owner of the Rose Prairie land entered into an agreement to sell this tract containing a horse barn. The owner wishes to submit a subdivision plat to sever this tract from Rose Prairie. Furthermore, the proposed owner does not wish to be annexed when Rose Prairie is developed.

Under the current policies of the Ames Urban Fringe Plan, a tract of land with the designation of Priority Transitional Residential would require the installation of utilities to the site at the time it is subdivided, although the land would not need to be annexed. Under the designation of Urban Residential (that was recommended by the Commission last month), a subdivision would need to the installation of utilities and would need to be preceded by annexation. The proposed owner would like to avoid either of these requirements. The current owner, accordingly, has asked that the original request (that this land be redesignated to Urban Residential) be amended to Agriculture/Farm Service.

### **APPLICABLE LAW / POLICY:**

**AMES URBAN FRINGE PLAN INTENTIONS.** In reviewing the proposed changes within the Ames Urban Fringe (AUF) Area as they pertain to Canterbrooke, staff has examined the intention statements and specific policies for the two options.

***Rural Transitional Residential [the recommended designation]*** Areas designated Rural Transitional Residential are located in areas where urban infrastructure may not be in place for a time period beyond the Ames Urban Fringe Plan planning horizon. Rural Transitional Residential development is designed to transition seamlessly into adjacent rural residential and agricultural land use, providing buffers where necessary to separate residences from particularly intense or noxious agricultural activities. Residential densities with this designation are between rural densities and urban densities (p.29 of the AUF).

***Agriculture and Farm Service [the requested designation]*** The designation encompasses large areas of highly valuable farmland, with farming and agricultural production as the primary activity. This designation also includes areas where the landowner has chosen not to use the land for agricultural production. The vegetative cover of this land may be native (either original or re-established) or introduced, but not part of the Natural Areas land use designation (p. 28 of the AUF).

The specific policies for each of the two areas are summarized here:

***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.

***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.

**Staff Comments:** Rose Prairie has started on a path to annex and develop its 210 acres. Other property owners in the area have joined the effort and the Commission has recommended amending the Plan to designate these 400-plus acres as Urban Residential. Subsequent to that recommendation, however, the future owners of Canterbrooke have indicated a desire to opt out of annexation and development. If the original recommendation to designate the entire subject area, including Canterbrooke, is maintained, then the development of Rose Prairie would necessitate the annexation of Canterbrooke and include the installation of full City services.

However, staff recognizes and is sensitive to the desires of the proposed owners of Canterbrooke to maintain the horse operations within the unincorporated areas of Story County. Yet, the goal of the City through the Urban Fringe Plan has been to designate areas for growth and development while preserving agricultural land and reserving areas not considered appropriate for annexation. The City has designated all land (except for the identified natural and recreation areas) south of 190<sup>th</sup> Street, between Squaw Creek and the Skunk River, as suitable for development—either as Urban Residential, Priority Transitional Residential, or Rural Transitional Residential. The Urban Fringe Plan expects that these areas will be annexed and developed, albeit within different time frames. The City has reserved all the Agriculture/Farm Service areas for north of 190<sup>th</sup> Street.

In order to preserve the long term goals of the plan, staff believes that Rural Transitional residential for the Canterbrooke property is more appropriate than the requested Agriculture/Farm Service. The land lying west of the Union Pacific railroad tracks and north and west of the Ames Golf and Country Club is Rural Transitional Residential. This designation could be extended to Canterbrooke and would serve the interests of both the City and Canterbrooke. There would be no appreciable impacts on Canterbrooke whether it is designated Rural Transitional Residential or Agriculture/Farm Service.

The City would be served by recognizing that this area remains within the growth area of the fringe, although annexation may not occur until after the time frame of the Ames Urban Fringe Plan (2030). Agreements that are typical with subdivision in the Rural Transitional Residential include covenants that the owner will annex when requested by the City, that the owner will agree to assessments necessary to install City services, and the owner will be responsible for buying out any rural water service.

All subdivisions within our two-mile fringe require the installation of City services. However, the proposed owner of Canterbrooke could request a waiver of this requirement from the City Council. Such waivers in the Rural Transitional Residential areas are generally supported by staff. This waiver would allow the division of land without installing City infrastructure. The division of land could also occur without immediate annexation into the City limits (as prescribed by the Ames Urban Fringe Plan). The three covenants described in the preceding paragraph, however, would be required.

### **ALTERNATIVES:**

1. The Planning & Zoning Commission can amend its initial recommendation to the City Council and designate the Canterbrooke tract as Rural Transitional Residential. The original recommendation of the remainder of the subject area would remain as Urban Residential.

This alternative would serve the interests of Canterbrooke, in that they could avoid annexation and the installation of utilities at the time the lot is severed from Rose Prairie. The City would be served by recognizing that, in the long term, this area is still intended for future development. The impact on Canterbrooke would be no different than if it were Agriculture/Farm Service.

2. The Planning and Zoning Commission can amend its initial recommendation to the City Council and designate the Canterbrooke tract as Agriculture/ Farm Service. The original recommendation of the remainder of the subject area would remain as Urban Residential.

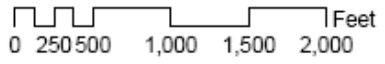
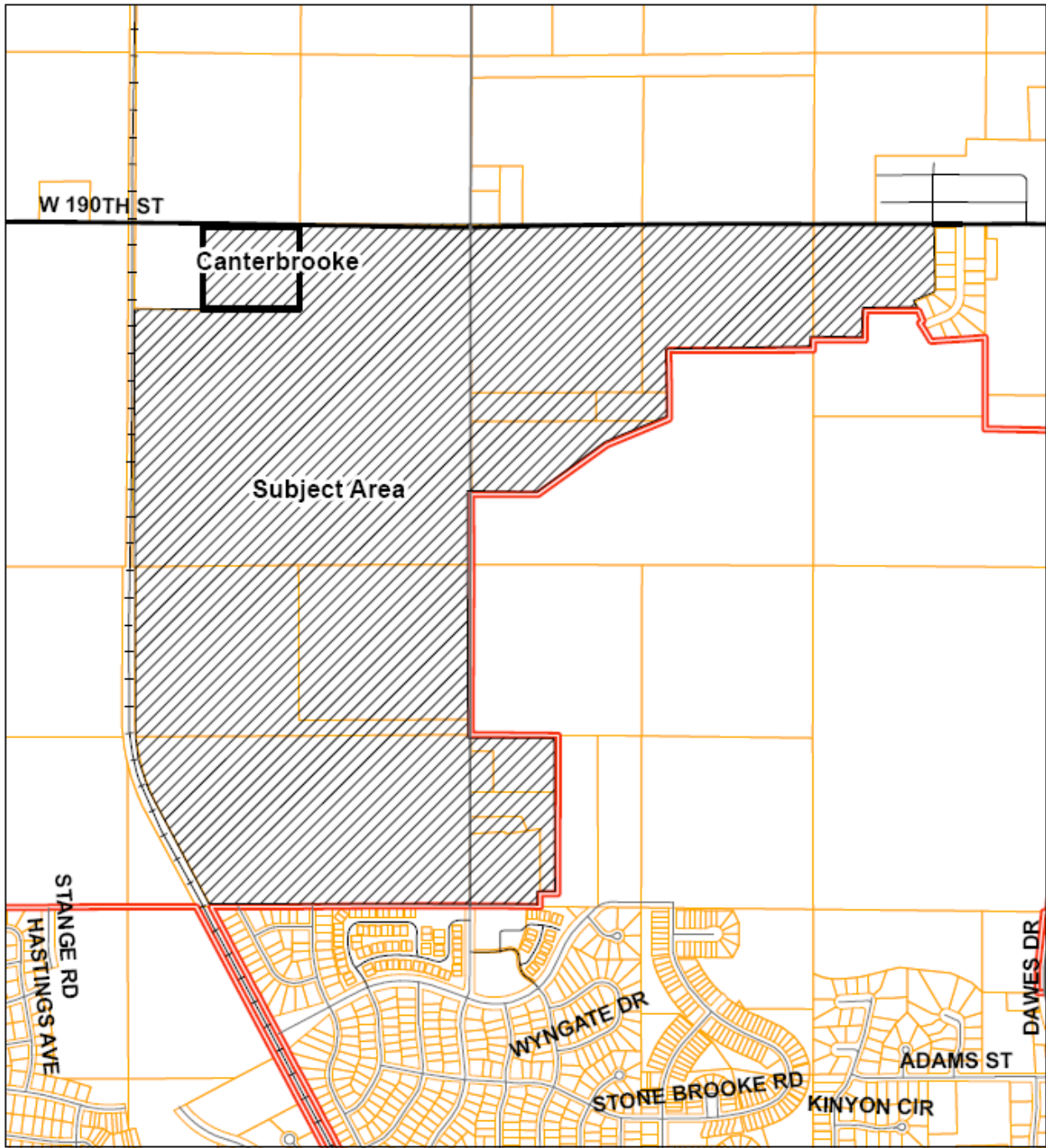
This alternative would allow Canterbrooke to avoid annexation and the installation of utilities. The City, however, would be acknowledging that it has no intent in developing this area now or in the long-term future. This is inconsistent with the current Urban Fringe Plan which now anticipates development up to 190<sup>th</sup> Street.

3. The Planning and Zoning Commission can retain its original recommendation to the City Council to designate the entire subject area, including Canterbrooke, as Urban Residential.

This alternative would require Canterbrooke to annex at the same time that Rose Prairie is annexed and that full City infrastructure be provided. Upon annexation, Canterbrooke would be given the Agriculture zoning designation. The horse operations would likely be allowed as a permitted use in that designation. If the City assessor would assess the use as agriculture, the property tax burden would be reduced (the City's ag levy is less than the County's ag levy).

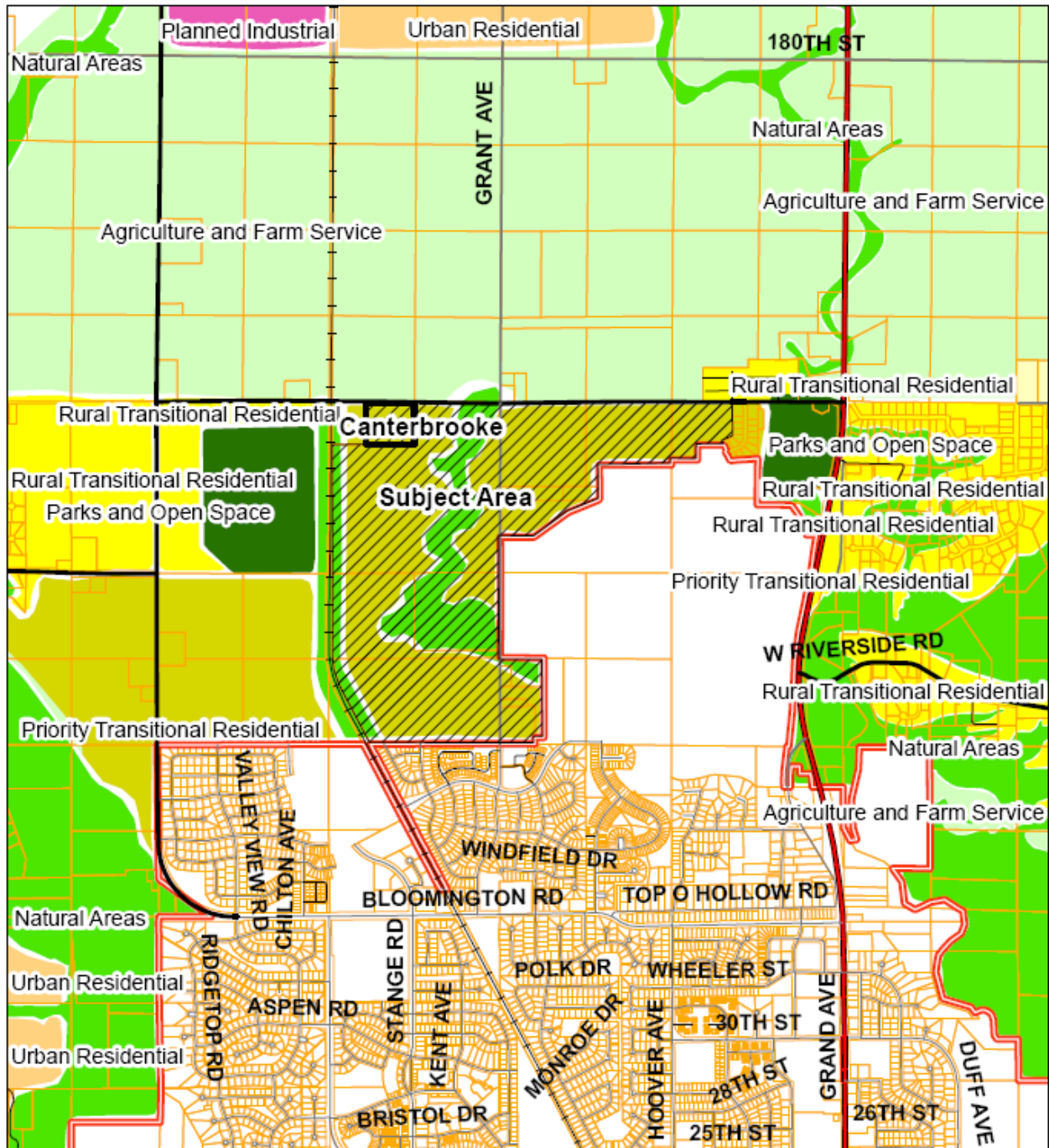
**RECOMMENDED ACTION:**

If the Planning and Zoning Commission wishes to accommodate the request of Canterbrooke not to be included in the Urban Residential designation, staff believes that the Rural Transitional Residential designation is more appropriate than the requested Agriculture/Farm Service. The Ames Urban Fringe Plan supports development up to 190<sup>th</sup> Street and has, therefore, designated it all as either Urban Residential, Priority Transitional Residential, or Rural Transitional Residential. As Rural Transitional Residential, Canterbrooke can avoid the immediate development and annexation—which is their desire—but the long-term interests of the City, even if beyond the planning horizon of the plan in 2030, are that development can be expected up to 190<sup>th</sup> Street.

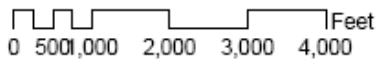


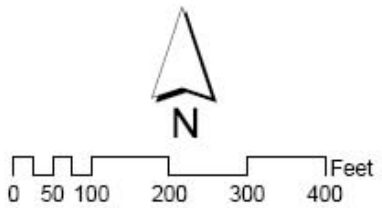
# General Location Map





## General Location Map





## Aerial Photo (2008) of Canterbrooke

