

COMMISSION ACTION FORM

REQUEST: **PRELIMINARY PLAT FOR THE IRONS SUBDIVISION**

BACKGROUND:

The Ames Golf and Country Club is located in the area of the Ames Urban Fringe Plan (AUF) identified as Rural Transitional Residential and within the Watershed Protection Area of Ada Hayden Heritage Park. It also lies within the Allowable North Growth Area of the Land Use Policy Plan (LUPP). Bella Homes, LLC, as developer for the Ames Golf and Country Club, is proposing a residential development along the north and west perimeter of the golf course on approximately 20 acres of their 155 acre property. The proposed preliminary plat would allow for development of a total of 34 homes. A location map is included as Attachment A, and an AUF Map excerpt is Attachment B.

The AUF 28-E agreement subjects the subdivision to joint review between Ames and Story County as a development within the Rural Transitional Residential Designation. The City's Land Use Policy Plan and Zoning Ordinances do not apply to a rural development, only the City's subdivision standards and policies of the AUF. Development is reviewed first by the City of Ames and then subsequently by Story County.

In May, 2014, the AGCC requested that the Ames City Council grant certain waivers to the City's subdivision standards so that they could pursue a rural subdivision that did not meet all urban standards of the City of Ames. In return for granting waivers, the owner signed and submitted the three required covenants that bind current and future owners to:

- 1) apply for annexation at the time the City requests,
- 2) waive objections to assessments that may be imposed in the future if public improvements are brought to the site as an assessment project, and
- 3) pay any fees associated with the buy-out of rural water service territory.

The City Council granted conditional waivers to proceed with the rural subdivision application and to allow for the subdivision to meet the density standards of the Rural Transitional Residential designation of the AUF of between 1.00 and 3.75 dwelling units per acre.

Because of its location within the Ada Hayden Watershed, the development is subject to the Conservation Subdivision standards of the Ames Subdivision Regulations. **The intent of the standards is to protect the quality of water in Ada Hayden Lake, protect existing surface drainage systems, promote interconnected greenways, provide commonly-owned open space and conservation areas, and protect such areas in perpetuity.** The conservation standards are in addition to the City's typical street, lot, and infrastructure requirements.

Lots

The proposed Preliminary Plat includes 18 lots for single-family detached homes and 16 lots for twin homes. Lot 35 of the Preliminary Plat encompasses all of the golf course and associated buildings, tennis courts, and swimming pool.

Lot sizes for detached single-family homes range from 12,904 up to 37,326 square feet. The lots for the twin-homes are approximately 7,400 square feet for each lot. The density is consistent with the Rural Transitional Residential designation of between 1.00 and 3.75 units per acre at a density of approximately 1.7 units per acre of development area.

Of the 18 single-family detached homes, 14 are proposed around a cul-de-sac at the southwest corner of the site and there are three single-family detached lots along 190th Street at the north edge of the site. The western cul-de-sac homes will be through lots between George Washington Carver and the new cul-de-sac street with the remaining lots backing up to the AGCC. Through lots are permissible along arterial streets in the Subdivision Code. The northern homes have direct access to 190th Street with two homes sharing a driveway and one home with an independent driveway from 190th Street. The attached single-family homes are divided between areas north and south of the AGCC driveway from GW Carver Avenue. Another single family home is found at the north end of Irons Way.

The three northern lots are rather isolated from the rest of the development and are not likely to ever be served by utilities once annexed as the City believes that services to this area of North Growth are mostly likely to come from the south rather than from the east. As discussed below, all of the development will initially be served by rural water and septic systems but the waivers granted by the property owner require the homes to eventually hook up to City utilities upon annexation when they are available. Due to the three northern lots location, developer has requested an additional waiver of the sidewalk construction for these new homes along the south side of 190th Street. The other frontages of the development include sidewalks.

Streets

The preliminary plat includes an extension of Stange Road east of George Washington Carver Avenue. The extension is two lanes for a distance of about 350 feet east. This portion will be built as a two-lane, two-way road. When the property to the south (Borgmeyer) eventually develops, that development will complete an additional lane on the south half of the road and extend Stange Road south to connect to Northridge Heights. Stange Road will, at full build out, have three lanes at the intersection with George Washington Carver Avenue, tapering to a two-lane cross section east of the intersection of the Irons Court. This road will be a public street, built to city standards, and dedicated to the County while the property remains in the County. Maintenance will be the responsibility of the owners of the adjacent homes until the property is annexed into Ames, as is the policy of the County.

Irons Court will be a 540-foot long cul-de-sac, 26 feet wide pavement within a 60-foot right-of-way. There are 14 single-family lots along this road. Lots on the west side will

be through lots, backing up against George Washington Carver Avenue. This road, too, will be a public street, built to city standards, and dedicated to the County. Maintenance will be the responsibility of the owners of the adjacent homes until the property is annexed into Ames.

The current driveway into the Ames Golf and Country Club will provide access to Irons Way, a 24-foot wide private street. Irons Way to the south will have six twin homes and Irons Way to the north will have 10 twin homes and one detached home. Ownership and maintenance will be private. The private streets will not be dedicated for public use and will be maintained as public streets even upon annexation to the City in the future.

An existing access point north of the club house driveway will be eliminated. It currently serves the maintenance building which will be relocated once other improvements to the golf course are made.

Water

The golf course is currently served by Xenia Rural Water Association and the entire golf course property is within the Xenia service territory. An agreement with Xenia needs to be finalized that allows the new development to be served by Xenia but ensures future transition of customers to the City. Upon annexation and when City water is brought to the site, the homes will then become customers of the Ames water service and these properties will no longer be in the Xenia service territory. The golf course, since it is an existing Xenia customer, can remain a Xenia customer after annexation. Hydrants to serve the development, including the existing club house, will be installed to City specifications to ensure that fire protection will meet City standards.

Sewer

The new homes will be serviced by an advanced septic treatment system known as Advantex. Each on-site system will serve two homes and discharge into sub-surface drainage fields. Upon annexation and after City sanitary sewer infrastructure is brought to the site, the Advantex systems will be abandoned and each home will connect to the City system at the homeowners cost. This requirement is included within the covenants agreed to for granting of waivers for meeting urban sanitary sewer service requirements. The club house will remain on its own mound system, which will be rehabilitated as part of the golf course renovations.

Sidewalks and Trails

The City's subdivision standards require sidewalks along the frontage of residential lots. The Conservation Subdivision standards require interconnected trails and allow for one sidewalk to be built when there is access to a trail from an abutting lot.

Sidewalks and shared-use paths will be installed in the following locations:

- A 5-foot sidewalk on the north side of Stange Road extension.
- A 8-foot shared use path on the east side of George Washington Carver Avenue.
- A 5-foot sidewalk on the east side of Irons Court.
- A 5-foot sidewalk along one side of Irons Way private street.

- A sidewalk connection from Irons Court to Irons Way and to George Washington Carver Avenue.

As noted above, the developer does not wish to construct sidewalks along 190th Street and requests a waiver of the requirement to construct approximately ½ mile of sidewalk along this north frontage of the golf course to serve the three homes.

There will be a golf cart path between Lots 9 and 10 on Irons Court to the golf course.

Some of these sidewalks are not yet shown on the preliminary plat as described above. Staff has included a recommended condition that they be included prior to presentation to the Ames City Council.

Electric Service and Street Lights

This area is served by Midland Power Cooperative. Street lights will be installed at intersections with George Washington Carver Avenue and along the internal streets. The City would require placement of lights at intersections, but ownership and maintenance of lights would remain with the power company.

Conservation Standards

Prior to submitting a preliminary plat, an applicant must prepare a resource inventory to identify natural areas for preservation. Impact7G prepared an inventory and mapping of natural resources and a vegetative cover map for the proposed development. The study did not identify any wetlands, flood plains, threatened and endangered species, or designated historic and cultural resources. The southwest corner of the site is a low area that at times can be wet, but it was not found to be a natural resource. Based on the inventory, no natural resources requiring protection were found. The inventory recognized that much of the property has already been developed with a golf course and ancillary facilities.

The Conservation Standards include elements of layout and design for streets, lot patterns, and protection areas. The design and layout meets the specific standards for residential development in a conservation subdivision. Specifically:

- Homes are in clusters.
- Lots take access from interior roads except for the three lots on 190th Street.
- There is a 25-foot conservation buffer that will be planted with natural vegetation between homes and existing streets, except for the three lots on 190th Street.
- More than 80 percent of the lots abut a conservation area or open space(including the golf course).
- Home locations have resulted in the loss of some trees, but, where possible, trees will be relocated on site and additional trees planted.

The applicant requests waivers of the design requirements as they relate to the northern 190th street frontage of the golf course and proposed three homes.

Storm Water Management

One of the principles of the Conservation Subdivision is to take the approach of Low Impact Development to design the project. This means the arrangement of lots and streets minimizes mass grading of the site, minimizes impervious areas, and maximizes use of natural stormwater treatment measures.

The relatively large lots of the single-family homes allow for on-site infiltration. The water that makes it to the street will flow into collection pipes that will drain to the existing and proposed ponds of the golf course. The water in the ponds will be reused as irrigation for the golf course fairways and greens. The Public Works Department has accepted the storm water design as meeting the standards of the City and, additionally, the City has required that the site be subject to a COSESCO permit during construction. The property owners association will have long term maintenance responsibilities, along with AGCC, of the storm water treatment measures.

Phosphorous Reduction

Since this property lies within the Ada Hayden Lake watershed, water quality is an important consideration for the City in allow for development. This is especially important to the Water and Pollution Control Department of Ames which uses Ada Hayden Lake as a backup water source. Phosphorus is a critical nutrient to avoid as it can lead to undesirable vegetation within Ada Hayden Lake. The City Council, in approving specific waivers to the subdivision ordinance in 2014, mandated that the Ames Golf and Country Club prepare a plan to reduce phosphorus releases (including from any new residential development) by 60 percent of current releases.

The general manager of the AGCC has prepared a plan describing how their current application of 974 pounds of phosphorous fertilizer will be reduced to about 60 pounds a year. The plan is based upon a redesign of the golf course grasses. AGCC will no longer have a sod farm on the property (eliminating 100 pounds of application a year). The plan also notes that the bluegrass fairways will be replaced with a mix of bent and low mow bluegrass. This, along with an improved irrigation system, should reduce fairway application from 660 pounds to 0.

City staff from the Parks and Recreation Department has reviewed the plan and proposed application rates and finds them realistic and attainable. AGCC will make their inventory and application logs available to the City upon request for inspection to ensure compliance with the agreement to reduce phosphorus in the watershed. The phosphorus reduction would begin within one year of the project's approval.

Staff from the Water and Pollution Control Department estimates the proposed 34 homes will release about 153 pounds of phosphorus per year with their Advantex septic systems. The discharge into subsurface soil will allow some effluent (including phosphorus) to migrate to the ponds (downstream from the drainage fields) where it can be picked up by the irrigation system and potentially recycled onto the turf.

With the reduction of phosphorus fertilizer from 974 pounds to 60 pounds and the additional 153 pounds from homes, AGCC will release 213 pounds of phosphorus, a reduction of 78 percent.

Proposed Waivers

The City Council granted certain specific waivers to Division IV Design and Improvement Standards of Chapter 23 Subdivision Regulations. Those waivers were conditional and expired six months after they were granted in May, 2014. However, staff evaluated this preliminary plat keeping those waivers in mind and identifying other waivers that might be needed for the City Council to approve the plat.

Below are the waivers without which the plat cannot be approved due to not meeting the applicable standards of the subdivision regulations.

1. A waiver to allow Xenia to provide water service rather than require connection to the City water supply. Council approved this waiver in 2014 and staff supports it now provided an agreement with Xenia for a buyout and transfer of territory at no cost to the City is found satisfactory prior to approval by the City Council.
2. A waiver to allow private septic systems rather than require connection to the City sanitary sewer system. Council approved this waiver in 2014 and staff supports it now provided a development agreement pertaining to sanitary sewer installation at the property owners cost in the future is found satisfactory prior to approval by the City Council.
3. A waiver of the sidewalk requirement along 190th Street. This was not granted in 2014 and staff does not support it now. If residential lots were not proposed, staff would consider a waiver appropriate as there would be no residential use.
4. A waiver of the requirement that lots take access from interior roads. This is a requirement of Section 23.603 Conservation Ordinance and is not met by the three lots on 190th Street. This was not addressed in 2014 and staff does not recommend waiving it due the intended separation of homes from roadways in conservation areas.
5. A waiver of the requirement that residential lots have a buffer from existing streets. This is a requirement of Section 23.603(1)(c) and is not met by the three lots on 190th Street. This was not addressed in 2014 and staff does not recommend waiving it. If there were no homes, staff believes it would not be needed for the golf course frontage as it is an open space, even though it is not predominately native plantings.
6. A waiver of the requirement that all lots have access to sidewalks or shared use paths. This is also a requirement of Section 23.603 and is not met by the three lots on 190th Street. This was not addressed in 2014 and staff does not recommend waiving it.

Conditions that were included with the waiver request approved in 2014 and that staff would still recommend are:

1. All public improvements will be treated as if this were in the City, requiring city review of improvement plans, on-site installation inspections, and inspection billing to the developer.
2. The developer must apply for and obtain City COSESCO permit and be subject to City fees and inspections.

Public Notice. Notice was mailed to property owners within 200 feet of the subject site and a sign was posted on the subject property. As of this writing, no comments have been received.

ALTERNATIVES:

1. The Planning and Zoning Commission can recommend that City Council approve the Preliminary Plat for The Irons at 5752 George Washington Carver Avenue with the following conditions:
 - A. Update the plat to show a five-foot sidewalk connecting the north end of Irons Court with the south end of Irons Way and out to George Washington Carver Avenue.
 - B. Update the plat to show a sidewalk along one side of Irons Way with connections to George Washington Carver Avenue at the driveway to the golf course and at the north end of Irons Way.
 - C. Update the sanitary sewer system to show just one method of septic sewer drainage (the drainage field system rather than the piping to the ponds).
 - D. Update the plat to remove the three lots on 190th Street. If the Commission wishes to allow them (provided the City Council grant the appropriate waivers), then the Commission can remove this condition.
 - E. All public improvements will be treated as if this were in the City, requiring city review of improvement plans, on-site installation inspections, and inspection billing to the developer.
 - F. The developer must apply for and obtain a City COSESCO permit and be subject to City fees and inspections.
 - G. Completion of the Xenia Water territory buyout and territory transfer agreement prior to final plat approval.
 - H. Complete an agreement for the phosphorus removal plan prior to final plat.
2. The Planning and Zoning Commission can recommend that City Council approve the Preliminary Plat for The Irons at 5752 George Washington Carver Avenue with modified, alternative, or additional conditions.
3. The Planning and Zoning Commission can recommend that the City Council deny the Preliminary Plat for The Irons at 5752 George Washington Carver Avenue, by finding that the preliminary plat does not meet the requirements of Section 23.302(3)(b) or Section 23.603 of the Ames Municipal Code and by setting forth its reasons to disprove or modify the proposed preliminary plat as required by Section 23.302(4) of the Ames Municipal Code. Code sections are found in Attachment C.

4. The Planning and Zoning Commission can defer action on this request to no later than the May 18 regular meeting and refer it back to City staff and/or the applicant for additional information.

RECOMMENDED ACTION:

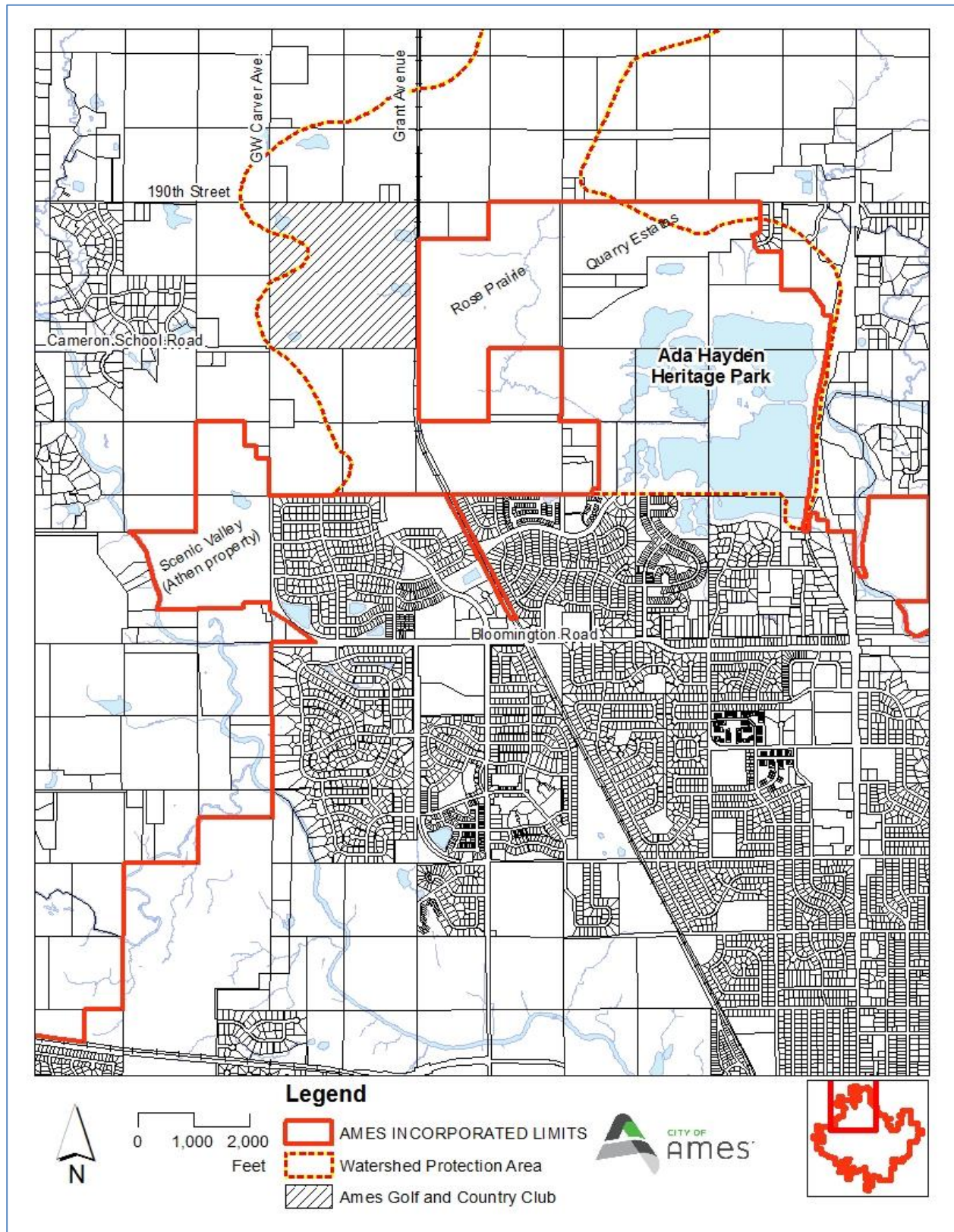
The Irons subdivision is unique in that it is the first conservation subdivision outside the City limits in the Ames Urban Fringe. It is also unique in that the City is not waiving its entire subdivisions standards since it is anticipated that the development will ultimately be annexed in to the City. Although a Rural Transitional Residential area in the AUF, it also abuts the City limits to the east and is within the Allowable North Growth Area of the Land Use Policy Plan. Recognizing this unique situation, the City Council granted only limited waivers to the subdivision design standards and allowed a density consistent with the rural designation.

Staff has spent considerable time over the past two years with the applicant working through layout and lotting issues, design of streets, and how to meet infrastructure requirements. The preliminary plat for The Irons meets the requirements of Chapter 23, including the conservation standards, with the approval of the proposed waivers and the conditions noted in Alternative 1. Staff does not believe the waivers for the three lots on 190th Street are appropriate as residential lots and staff would require these lots to meet all the standards or be removed. If the three lots are removed, staff believes it may be appropriate to waive the requirement for a 5-foot sidewalk along 190th Street as a half-mile of sidewalk would be a hardship to the golf course and would serve no residential lots.

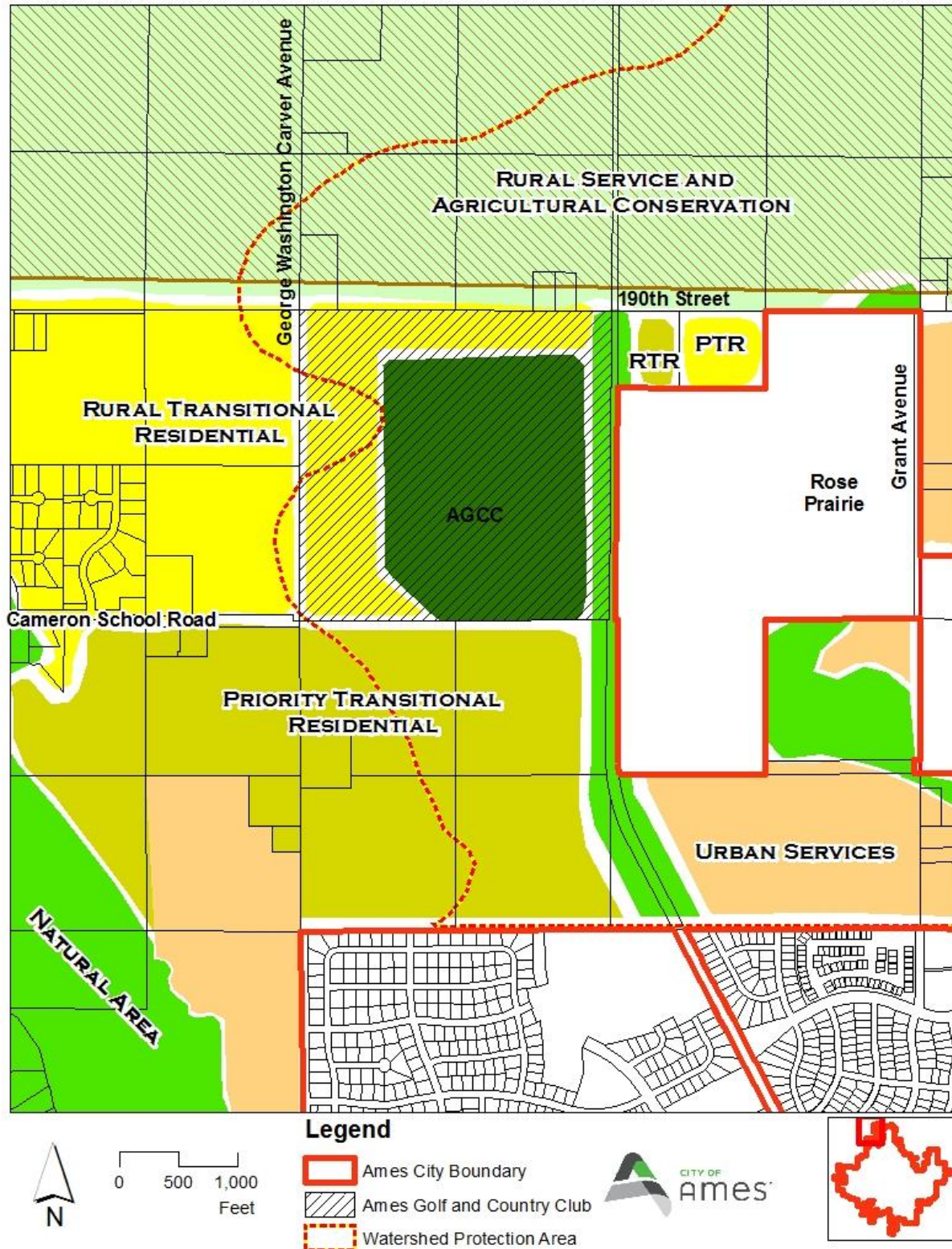
Noting the non-compliance of the three lots on 190th Street with the subdivision regulations, it is the recommendation of the Department of Planning and Housing that the Planning and Zoning Commission act in accordance with Alternative #1 recommending approval to the City Council with conditions A through I.

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ATTACHMENT A: LOCATION MAP-1



ATTACHMENT B: AMES URBAN FRINGE PLAN MAP [EXCERPT]



ATTACHMENT C: APPLICABLE SUBDIVISION LAW

The laws applicable to this Preliminary Plat Subdivision include, but are not limited to, the following: (verbatim language is shown in *italics*, other references are paraphrased):

Code of Iowa Chapter 354, Section 8 requires that the governing body shall determine whether the subdivision conforms to its Land Use Policy Plan.

Ames Municipal Code Chapter 23, Subdivisions, Division I, outlines the general provisions for subdivisions within the City limits and within two miles of the City limits of Ames.

Ames Municipal Code Section 23.302(3):

(3) Planning and Zoning Commission Review:

- (a) The Planning and Zoning Commission shall examine the Preliminary Plat, any comments, recommendations or reports assembled or made by the Department of Planning and Housing, and such other information as it deems necessary or desirable to consider.*
- (b) Based upon such examination, the Planning and Zoning Commission shall ascertain whether the Preliminary Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan, and to the City's other duly adopted Plans.*

Ames Municipal Code Section 23.302(4):

- (4) Planning and Zoning Commission Recommendation: Following such examination and within 30 days of the regular meeting of the Planning and Zoning Commission at which a complete Application is first formally received for consideration, the Planning and Zoning Commission shall forward a report including its recommendation to the City Council. The Planning and Zoning Commission shall set forth its reasons for any recommendation to disapprove or to modify any Preliminary Plat in its report to the City Council and shall provide a written copy of such reasons to the developer.*

DIVISION VI CONSERVATION SUBDIVISIONS

23.600. CONSERVATION DEVELOPMENT FOR SUBDIVISIONS

23.601. APPLICABILITY.

Conservation Design Development is an alternative set of design objectives and standards for residential subdivision development. These objectives and standards can be used as an alternative to common residential subdivision development in Ames. However, they shall apply to all residential subdivision development in the undeveloped areas of Ada Hayden Watershed north of Bloomington Road.

(Ord No. 4042, 8-10-10)

23.602. INTENT.

The intent of Conservation Design Development is to preserve the existing natural features of the site, to preserve the natural drainage features and hydrologic characteristics of the landscape, and to reduce the impacts of development on the landscape; and

- (1) To maintain and protect in perpetuity Ames area natural character by preserving these important landscape elements including but not limited to those areas containing unique and environmentally sensitive natural features as prairie, woodlands, stream buffers and corridors, drainageways, wetlands, floodplains, ridgetops, steep slopes, critical species habitat, and by setting them aside from development;
- (2) To promote interconnected greenways and environmental corridors throughout Ames;
- (3) To provide commonly-owned open space and conservation areas for passive and/or active recreational use by residents of the development and, where specified, the larger community;
- (4) To permit various means for owning conservation areas, preserved landscape elements, and to protect such areas from development in perpetuity;
- (5) To provide greater flexibility in site dwellings and other development features than would be permitted by the application of standard use regulations in order to minimize the disturbance of natural landscape elements and sensitive areas, scenic quality, and overall aesthetic value of the landscape;
- (6) To protect and restore environmentally sensitive areas and biological diversity, minimize disturbance to existing soils, vegetation, and maintain environmental corridors, and
- (7) To preserve significant archaeological sites, historic buildings and their settings.

(Ord No. 4042, 8-10-10)

23.603. GENERAL REQUIREMENTS.

- (1) Design and Standards for Residential Lot Layout
 - (a) All residential units should be in cluster groups unless the site has been designed to preserve sensitive areas and maintain a stormwater treatment train.
 - (b) All lots shall take access from interior roads.
 - (c) All separation areas for residential lots along existing roads shall be landscaped in accordance with the conservation area landscaping requirements in Section 23.603(2)(f).
 - (d) Eighty percent (80%) of residential lots shall abut a conservation area or open space to the front or rear. Open space and conservation area across a road shall qualify for this requirement.
 - (e) Cluster groups shall be located to avoid or mitigate directly disturbing existing native prairie, woodlands, wetlands and other natural features identified in the site inventory of natural resources.
- (2) Site Requirements
 - (a) Open water areas - A 50-foot native vegetative buffer shall be maintained around open water areas such as ponds and lakes unless a specific common use area is identified.
 - (b) Stream buffers - Stream buffers with native vegetation shall be maintained along stream areas using the following requirements based on stream order:
 - (i) Streams exceeding 3rd order and above, the City requires sketches, maps, studies, engineering reports, tests, profiles, cross-sections, construction plans and specifications to determine adequate buffer widths.
 - (ii) Perennial streams (1st and 2nd order). The total required stream buffer width is one hundred (100) feet on each side perpendicular to the waterway measured from the outer wet edge of the channel during base flows.
 - (iii) Intermittent streams. The total required stream buffer width is fifty (50) feet on each side perpendicular to the water way measured from the centerline of the channel.
 - (iv) Waterways and/or dry channels that have a contributing drainage area of fifty (50) acres or greater. The total required stream buffer width is thirty (30) feet on each side perpendicular to the waterway measured from the centerline of the waterway.
 - (v) Waterways and/or dry channels with a contributing drainage area of less than 50 acres. The total required stream buffer width is twenty (20) feet on each side perpendicular to the waterway measured from the centerline of the waterway.
 - (c) Stormwater management
 - (i) Minimize the use of storm sewer piping and maximize the use of swales.
 - (ii) Use curb cuts in lieu of storm sewer intakes when appropriate to divert street water to a stormwater conveyance or treatment system.
 - (iii) Sump pump discharge can be discharged into a stormwater conveyance or treatment system.
 - (iv) On-site treatment and storage of stormwater generated by the development shall occur in conservation area if it is consistent with the environmental functions of the conservation area. Individual lot on-site stormwater management may also be used in conservation subdivisions in conjunction with open space and conservation area management of stormwater.
 - (v) Include detailed design information for the stormwater management practices following the design information provided in the Iowa Stormwater Management Manual. The stormwater treatment train approach shall be used where appropriate to capture, treat and release stormwater.
 - (d) Shared use paths, sidewalks, and driveways
 - (i) An accessible and interconnected shared use path system shall be developed to connect residential areas with open space/conservation areas within or adjacent to the site.
 - (ii) Sidewalks shall only be required on one side of streets; however, all lots shall have direct access to sidewalks or the pathway system.
 - (iii) Typical driveway approach sections, Chapter 7 of SUDAS specifications, shall be used.
 - (e) Conservation Area Requirements
 - (i) The conservation area shall be designated as a Conservation Easement as detailed in the definition section of this ordinance.
 - (ii) Applicants must provide an explanation of the conservation area objectives

achieved with their proposed development and identify the percentage of the total development area that this area occupies.

(iii) All conservation areas shall be part of a larger continuous and integrated system except for conservation areas that are naturally isolated from other conservation areas on or near the site. For the purposes of this section, continuous shall be defined as either physically touching or located across a public right-of-way, for example, on opposite sides of an internal road.

(iv) Conservation areas, in accordance with the Conservation Area Management and Ownership outlined in Section 23.605, shall protect site features identified in the site natural resources inventory Section 23.604 (1) and analysis as having particular value in preserving and/or restoring the natural character and conserving natural resources in compliance with the intent of this ordinance and consistent with the goals and objectives of this ordinance.

(v) Healthy natural features such as woodlands, prairie, wetlands, and streambanks shall generally be maintained in their natural condition. If recommended by a professional with pertinent qualifications, the Municipal Engineer may authorize a modification to improve the natural features' appearance or restore the overall condition and natural processes, in compliance with an approved management plan, as described in Section 23.605.

(vi) All wetlands, floodways, and/or identified wildlife habitat areas shall be contained in conservation areas.

(vii) Conservation areas and open space shall be distributed throughout the development and combined shall comprise at least twenty-five (25) percent of the total area of the subdivision. An area comprised of conservation areas and open space greater than twenty-five percent of the total area of the subdivision may be required if necessary to maintain health features such as woodlands, prairie, wetlands and streambanks in their natural condition as provided in 23.603(2)(v).

(viii) Safe and convenient pedestrian access and access easements sufficient for maintenance vehicles shall be provided to conservation areas.

(f) Landscaping for Conservation Subdivisions - A landscaping plan shall be prepared that identifies all proposed landscaping and conforms to the following:

(i) The preservation of existing native, non-invasive vegetation as identified in the natural resources inventory Section 23.604(1) as being in good condition and of good quality shall generally be preferred to the installation of new plant material.

(ii) Mass grading of sites shall be minimized in order to preserve the natural features of the site.

(iii) Within all required separation areas between residential lots and external roads and site boundaries, existing woodlands with desirable tree species shall be retained.

(iv) All new landscaping in conservation areas to be installed and existing native vegetation to be preserved shall be protected through conservation easement. Native landscaping shall be installed according to the guidelines provided in the Iowa Stormwater Management Manual Section 2E-6.

(v) Trees of native species as indicated by the Iowa Department of Natural Resources and approved by the City shall be planted along internal roads within cluster groups in a total amount equivalent to the standard subdivision requirements. Trees may be planted, but are not required, along internal roads passing through conservation areas.

(vi) Informal, irregular, or natural arrangement is required for newly planted trees to avoid the urban appearance that regular spacing may evoke.

(vii) Trees shall be located so as not to interfere with the installation and maintenance of utilities, shared use paths, or sidewalks that may parallel the road.

(viii) Within all conservation areas, separation between external roads and residential lots, a vegetated buffer area at least 25 feet in width shall be maintained or established. Where no natural trees and/or shrubs exist, native plant materials shall be planted.

(ix) Conservation areas required to meet Section 23.603(1)(d), shall be planted using native species to enhance privacy and a natural appearance.

(x) Required buffers around wetlands, all water bodies and drainageways must be naturally vegetated or planted with native plant species appropriate to the surrounding landscape.

(xi) Buffers consisting of an informal, irregular or natural arrangement of native plant species, combined with infrequent or prescriptive mowing are required to create a low-maintenance, naturalized landscape.

(xii) In addition to the above, land management practices minimizing the impact of

nutrients shall be used and demonstrated in Ada Hayden Watershed; minimal fertilization of lawns including the use of phosphorus-free fertilizers is recommended.

(Ord No. 4042, 8-10-10)

23.604. APPLICATION PROCEDURE.

In addition to the standard subdivision application requirements, an inventory and mapping of natural resources shall be conducted prior to the initial submittal.

(1) Inventory and Mapping of Natural Resources. An inventory of natural resources of the proposed development site shall be conducted by experts in the field such as biologists, ecologists, soil scientists, hydrologists, geologists or those credentialed in a manner acceptable to the Municipal Engineer and must be submitted with the conservation subdivision application. The inventory must include, but is not limited to the following information mapped at a scale of no less than one inch equals 50 feet:

- (a) Topographic contours at 2-foot intervals.
- (b) United States Department of Agriculture, Natural Resource Conservation Service soil type locations and identification of soil type characteristics such as percolation rates, suitability for infiltration-based stormwater management practices, hydric soils, depth to water table, and suitability for wastewater disposal systems if applicable.
- (c) Hydrologic characteristics, including surface water bodies, floodplains, groundwater recharge and discharge areas, wetlands, natural swales, drainage ways, and slopes 10% or greater.
- (d) Land cover on the site including but not limited to prairie, woodland, forest, wetland and general cover type (pasture, woodland, etc.), and stand-alone trees with a caliper of more than [24] inches measured four feet off the ground. The inventory shall include comments on the health and condition of the natural resources.
- (e) Known critical habitat areas for rare, threatened or endangered species using existing documented inventories.
- (f) Cultural resources shall be identified by a brief description of historic character of buildings and structures, historically important landscapes, and archeological features using a review of existing, documented inventories.

(2) Education and Outreach Plan for the Development. An educational plan shall be developed and distributed to all perspective lot owners that describes the characteristics of the conservation subdivision including the development concept, conservation areas management practices that will be used to manage these areas, and benefits of the natural features. They shall also include information on lawn care strategies that reduce nutrient and pesticide inputs and pollution to local water bodies. Lot owners shall be made aware of the wildlife aspects of a conservation subdivision. Deer, birds, and other animals and insects will be attracted to the natural areas.

(Ord. No. 4042, 8-10-10)

23.605. CONSERVATION AREA MANAGEMENT AND OWNERSHIP.

(1) Conservation Area Management Plan. Every conservation subdivision must include a plan that provides evidence of a means to properly manage the conservation areas and open space areas in perpetuity through a conservation easement for conservation areas or common ownership for open space areas and evidence of the long-term means to properly manage and maintain all common facilities, including any stormwater facilities. The plan shall be approved by the Municipal Engineer prior to plat approval.

(a) A conservation area management plan shall be submitted with the following components during the following approval stages:

(2) Preliminary Plat:

(a) Include a conservation area management plan specifically focusing on the long-term management of conservation areas. The conservation area management plan shall include a narrative, based on the site analysis required in Section 23.604(1), describing:

- (i) Existing conditions including all natural, cultural, historic, and scenic elements in the landscape.
- (ii) The proposed completed condition for each conservation area; and the measures proposed for achieving the end state.
- (iii) Proposed restoration measures, including: measures for correcting increasingly destructive conditions, such as erosion, and measures for restoring habitats, ecosystems, and historic features.

- (3) Final Plat:
- (a) The conservation area management plan shall include the following items for final plat approval:
- (i) Provide a copy of the conservation easement.
 - (ii) Designate the ownership of the conservation area and common facilities.
 - (iii) Establish necessary regular and periodic operation and maintenance responsibilities.
 - (iv) Estimate staffing needs, insurance requirements, and other associated costs and define the means for funding the same on an on-going basis.
 - (v) The operations needed for maintaining the stability of the resources, including: mowing schedules; native vegetation burns; weed control; planting schedules; clearing and cleanup; the applicant shall be required to provide financial security in a form acceptable to the city for the maintenance and operation costs of conservation areas for a two-year period of time at time of the plat.
- (b) In the event that the organization established to own and maintain the conservation areas, or any successor organization, fails to maintain all or any portion of the conservation areas in reasonable order and condition, such notice shall set forth by the Municipal Engineer listing the nature of corrections required and the time within which the corrections shall be made. Upon failure to comply within the time specified, the organization, or any successor organization, shall be considered in violation of this ordinance. In such case the security, if any, may be forfeited, and any permits may be revoked or suspended. The city may enter the premises and take corrective action.
- (i) The costs of corrective action by the City that exceeds the security shall be assessed against the properties that have the right of benefit of the conservation areas and shall become a lien on said properties.
- (c) Management plans can be amended by the owner identified under Section 23.605(6) with the approval of the Municipal Engineer.
- (4) Ownership Alternatives. The designated conservation areas shall be placed in Conservation Easement and may be owned and managed by one or a combination of the following:
- (a) A homeowners association shall be established if the conservation area is proposed to be owned by a homeowners association. Membership in the association is mandatory for all purchasers of homes in the development and their successors.
 - (b) A non-profit or for-profit conservation organization that specializes in Iowa native plant management.
 - (c) Other entity as approved by City Council.
- (5) Ownership & Maintenance Responsibilities. The bylaws, guaranteeing continuing maintenance of the conservation area and the declaration of covenants, conditions and restrictions of the homeowners association shall be submitted for approval to the City of Ames as part of the information required for the final plat. The bylaws or the declaration of covenants, conditions and restrictions of the homeowner's association shall contain the following information:
- (a) The legal description of the conservation area;
 - (b) The restrictions placed upon the use and enjoyment of the conservation areas or facilities;
 - (c) The homeowners association or third party assigned by the homeowners association entitled to enforce the restrictions;
 - (d) A mechanism to assess and enforce the common expenses for the land or facilities including upkeep and maintenance;
 - (e) The conditions and timing of the transfer of ownership and control of land facilities to the association.
- (6) A For-Profit or Non-profit Conservation Organization. If the conservation area is to be held by a for-profit or non-profit conservation organization, the organization must be acceptable to the City. The conveyance to the non-profit or for-profit conservation organization must contain appropriate provisions for reversion in the event that the organization becomes unwilling or unable to uphold the terms of the conveyance.
- (Ord No. 4042, 8-10-10)*