

ITEM #: 47
DATE: 05-26-20

COUNCIL ACTION FORM

SUBJECT: MINOR AMENDMENT TO THE AMES URBAN FRINGE PLAN LAND USE FRAMEWORK MAP FOR LAND ADDRESSED AS 831 E. RIVERSIDE ROAD

BACKGROUND:

Representatives of the Martin Marietta Ames Mine at 831 E. Riverside Road have filed a plat of survey with the City and County to move a boundary line. The plat is intended to locate the existing scale house onto a parcel used for mine purposes and have the other parcel as vacant land. (*Attachment B*). In accordance with the Ames Urban Fringe Joint and Cooperative Agreement (28-E), the Story County Planning and Development Department requested that the applicant apply to the Ames City Council to amend the Ames Urban Fringe Plan to allow for the proposed boundary to match Fringe Plan designations.

The current land use designation for the scale house is Rural Transitional Residential (RTS); the requested designation is General Industrial (GI). The proposed change in designation, encompassing approximately 15 acres, will match the proposed parcel lines. The GI designation is intended for land used in mineral extraction. No changes are proposed for how the land will be used compared to its current condition. The scale house existed at the time of the adoption of the Fringe Plan, but the boundary followed the property line rather than the existing extent of the use.

The City Council referred to staff a letter from Brad Stumbo, with FOX Engineering Associates, representing property owner David Bishop, of Bishop Farms, asking to initiate a Minor Amendment to the Land Use Policy Plan for property at 831 E. Riverside Road. The site currently has mining operations and a farm field. The designation change request covers approximately 15 acres. The parcel to the east (which is proposed to absorb the subject land) contains 111 acres; the parcel containing the scale house (and which currently includes the 15-acre subject property) is approximately 48 acres. (*Attachment B*). City Council determined on April 15, 2020, that the developer could proceed with an application for a Minor LUPP Amendment.

On May 5, 2020, the Story County Board of Supervisors also determined that the developer could proceed with the application. This approval by both the Council and the Board of Supervisors was in accordance with the Ames Urban Fringe Joint and Cooperative Agreement. Once two of the three government entities have agreed to initiate a change it can be reviewed as an amendment. Ultimately, all three entities must approve the change.

LAND USE ANALYSIS AND CAPACITY:

Analysis of the request contemplates the suitability of the specific site for the proposed use as well as the Goals and Policies of the LUPP (*Attachment B*).

In any proposed change to the Land Use Policy Plan Future Land Use Map, the City examines the suitability of infrastructure, such as sewer and water capacity, storm drainage, and general circulation needs. **In this instance, no changes in infrastructure or use are planned. The property is currently operating as a mine and has done so for decades. No surrounding properties or uses should be affected by the proposed change as the two sites are currently in related ownership.**

In determining LUPP map changes, it is important to consider the interface between adjacent uses. In this case, however, the change is bringing the map in line with the existing land use. **The subject 15 acres functions today as if it were General Industrial. The proposed change will align the use with the map.**

A proposed change in designation away from residential and to industrial should consider the reduction of land available for future dwellings. **Staff considers it unlikely that these 15 acres will develop into a residential use due to the proximity of substantial operations of the mine and because of the considerable work needed to alter the property for homes.** As the subject property is over a mile (by road) from the nearest city limit at Ada Hayden Heritage Park, it is unlikely to be annexed. **The City has no specific interest or policy on the preservation of rural areas for residential development that would warrant retaining the designation on this property. Expansion of the designation to include existing mining operations can be found consistent with the AUPP.**

PLANNING AND ZONING COMMISSION:

The Planning and Zoning Commission reviewed this request on May 20, 2020, and voted 6-0 to recommend that the City Council approve the request to amend the Ames Urban Fringe Plan Land Use Map for approximately 15 acres of land located at 831 E. Riverside Road, from Rural Transitional Residential to General Industrial, as depicted in *Attachment B*.

ALTERNATIVES:

1. Approve an amendment to the Ames Urban Fringe Plan Land Use Framework Map land use designation of approximately 15 acres of land located at 831 E. Riverside Road, from Rural Transitional Residential to General Industrial, as depicted in *Attachment B*.
2. Deny the proposed amendment to the Ames Urban Fringe Plan Land Use Framework Map land use designation of approximately 15 acres of land located

at 831 E. Riverside Road, from Rural Transitional Residential to General Industrial, as depicted in *Attachment B*.

3. Refer this request back to staff or the applicant for more information.

CITY MANAGER’S RECOMMENDED ACTION:

The proposed change to the AUFP will result in the mapped use aligning with the existing use. No changes are proposed to the property and the map change will match existing conditions. There are no policies indicating a need to preserve rural residential opportunities in this area at the expense of accommodating the existing mining operations.

Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1, which is to approve an amendment to the Ames Urban Fringe Plan Land Use Framework Map land use designation of approximately 15 acres of land located at 831 E. Riverside Road, from Rural Transitional Residential to General Industrial, as depicted in *Attachment B*.

ADDENDUM

The AUPF designation of the property is currently Rural Transitional Residential. The existing use is scale house. The RTS designation is designed “to transition seamlessly into adjacent rural residential and agricultural land uses.” This designation is shared by the land to the west and south.

The proposed AUPF designation is General Industrial, described as applying “to the existing surface operation that supports... subsurface mineral extraction.” The Martin Marietta mine is the only land in the AUPF designated General Industrial.

The applicant submitted a brief statement outlining the request. (*Attachment C*)

Ames Urban Fringe Plan Goals and Objectives:

Staff finds that the proposed amendment meets the following policies found in the AUPF:

General Industrial Policy 1: Locate this use designation in the area that can best support the extraction of the existing mineral resource and has access to roads and highways needed to transport its products. The extent of the area accommodates the needs of the operation and the need to limit negative impacts on other surrounding established uses.

Staff Comments: The subject property is already supporting the mineral extraction. No change in use is proposed by the applicant.

Goal 1.3 (Additional Policies for All Areas): To provide adequate opportunities for commercial and industrial development.

Policy 1.3.2: Ensure an adequate supply of industrial land resources. Locate agricultural-based industrial services in unincorporated areas that provide the most economical and efficient access to the agricultural industry. Locate large industrial services/land uses strategically within the communities or in commercial areas designated in the Framework Map.

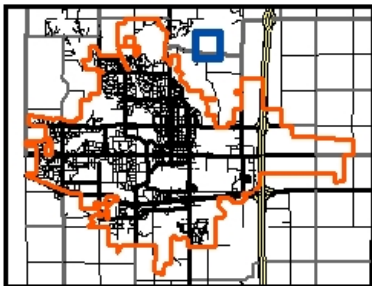
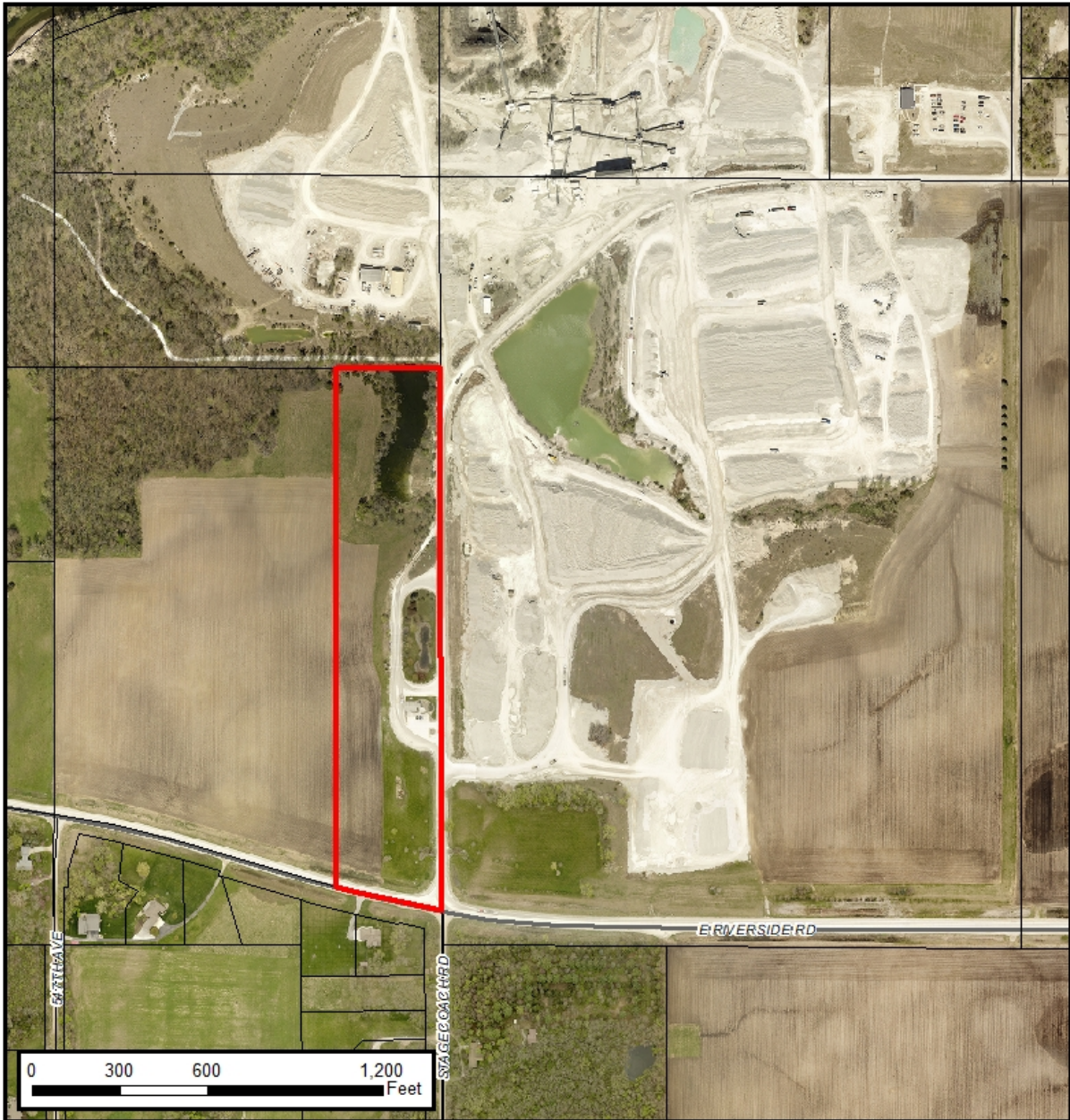
Staff Comments: The change will ensure that the existing industrial use continues. The likelihood of this land being used for residential purposes is very small. Staff is not concerned about a loss of future residential land in the urban fringe.

Additional Considerations:


In reviewing the application, staff finds it logical to amend the mapped use to meet the current use. The possibility of the land being used for residences is remote, as extensive work would need to be done to prepare the site for such construction. Staff also does not think it likely that the loss of 15 acres of residentially designated land adjacent to mining operations will adversely affect the orderly planning and expansion of the City of Ames into its urban fringe. This area is not part of an expansion area for Ames Plan 2040.

The site has utilities and road access, and no investment from the City is required.

Attachment A: Location Map

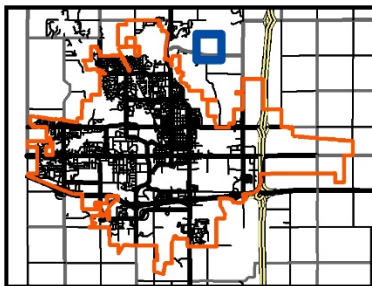
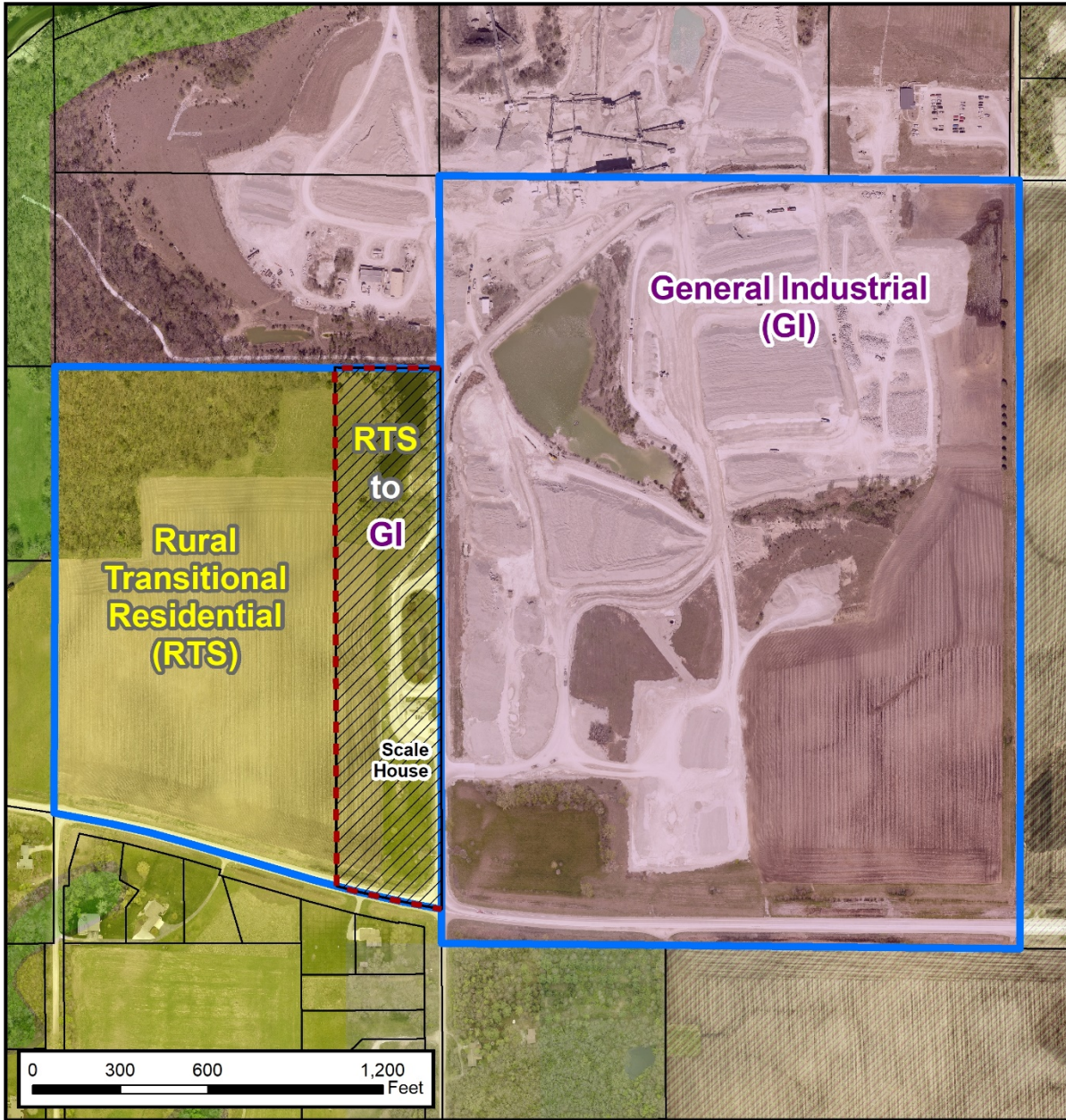


831 E. Riverside Road




 Requested Land Use Designation Change



Attachment B: Designation Change Exhibit



Land Use Designations for 831 E. Riverside Road

-  Existing Parcels
-  Proposed Parcel Boundary
-  Requested Land Use Designation Change



Attachment C: Applicant Statement

Request for LUPP Map Change

Property Owner: Bishop Farms

Property Location: Part of the E1/2, SE1/4 Section 23-84-24, Story County, Iowa

Parcel ID: 0523400255

Current LUPP Map Designation: Rural Transitional Residential

Proposed LUPP Map Designation: General Industrial (East 15.06 acres only)

1. Explain the consistency of this proposal with the goals and policies set forth in the Land Use Policy Plan:

This map adjustment would serve to bring the current use of the subject property into compliance with the current plan. The site contains a building and facilities that are used in the daily operation of a mining company. This request is being made to satisfy a requirement by Ames Planning staff related to a property boundary line adjustment survey.

2. Demonstrate why the LUPP Map designation for this property should be changed. Explain why the site cannot be reasonably developed under the current designation.

City Planning staff is requiring a change of the LUPP map designation in order to approve the adjustment of a property boundary line since the current use of the property is not consistent with the current map designation. The current use was in place prior to the establishment of the current map boundaries. There are no plans to develop any part of this property.

3. Determine if there is a lack of developable property in the City, which has the same designation as that proposed. If not, explain the need for expanding the amount of land included in the designation proposed for this property.

This request is not for the purpose of changing use for development.

4. As a result of this action, will there be an adverse impact upon:

a. Other undeveloped property in the designation proposed for this site

No impact on remaining undeveloped property

b. Other developed property in the designation proposed for this site, which may be subject to redevelopment/rehabilitation.

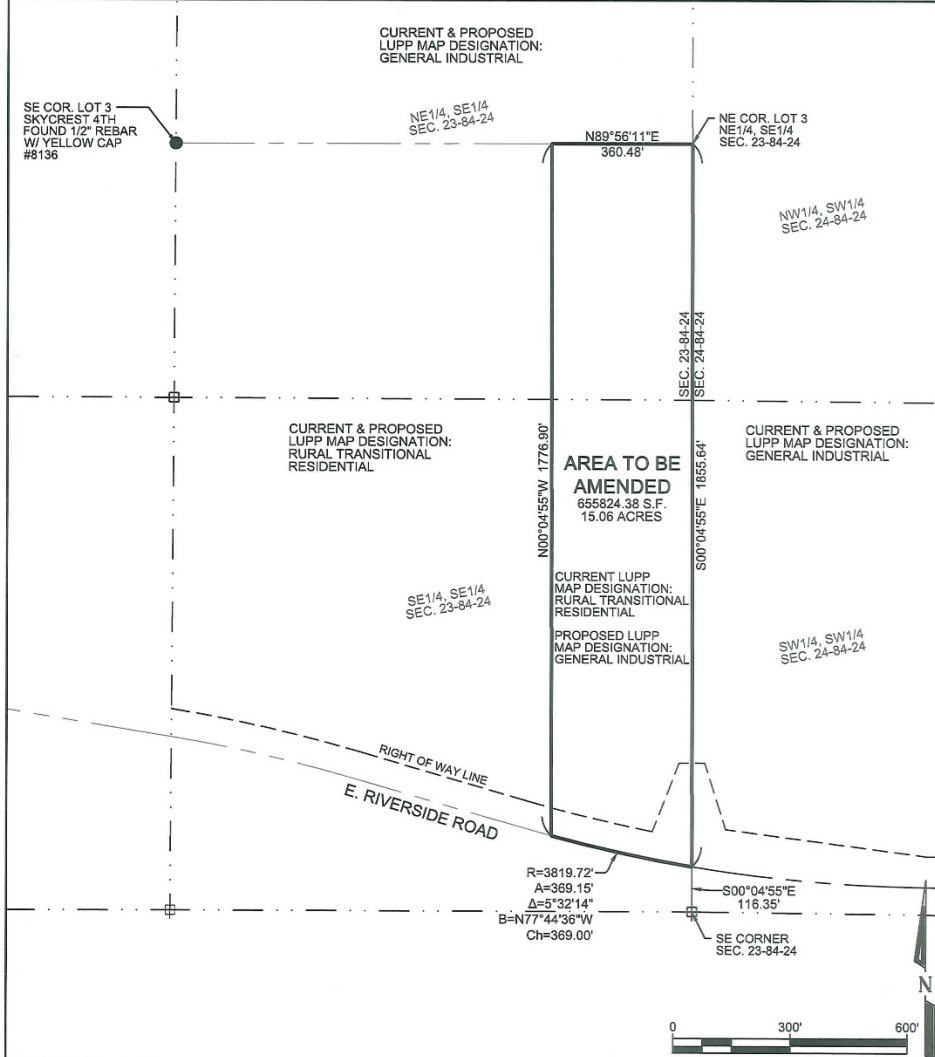
No impact on the developed property in this proposed designation



5. Demonstrate that the new designation of the site would be in the public interest. What is the public need or community benefit?

City staff is requiring this map designation change.

Attachment D: Survey

LAND USE MAP CHANGE		<h2 style="margin: 0;">RECEIVED</h2> <p style="margin: 0;">MAY 04 2020</p> <p style="margin: 0;">CITY OF AMES IA DEPT. OF PLANNING AND HOUSING</p>
LOCATION:	IN PT OF THE E1/2, SE1/4 SEC. 23-84-24 STORY COUNTY, IOWA	
PROPRIETOR:	BISHOP FARMS	
REQUESTED BY:	DAVID BISHOP	
SURVEYOR:	R. BRADLEY STUMBO, PLS #17161 FOX ENGINEERING ASSOCIATES, INC. AMES, IA 50010 515-233-0000	



 <p style="font-size: small;">FOX Engineering Associates, Inc. 414 South 17th Street, Suite 107 Ames, Iowa 50010 Phone: (515) 233-0000 FAX: (515) 233-0103</p>	<p>I hereby certify that this land surveying document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.</p> <p style="text-align: center;"><i>R. Bradley Stumbo</i> 5/1/2020</p> <p>R. BRADLEY STUMBO, PLS DATE License number 17161 My license renewal date is December 31, 2021.</p>	
JOB# 14129-19A DATE: 4/30/20 PAGE 1 OF 1		

Attachment E: Common Goals for the Urban Fringe
(Excerpt from the Ames Urban Fringe Plan)

Common Goals for the Urban Fringe

The six principles discussed in the first section of this report guide the cooperation to plan and manage land uses in the Ames Urban Fringe, including intergovernmental coordination, prime agricultural land preservation, targeted growth, growth management, transitional land uses, and environmental protection. These principles are embodied in the following goals for the Urban Fringe.

Common Goal 1.1

To provide a balanced mix of land uses that is arranged to avoid conflicts and to maximize efficient delivery of municipal and county services and facilities.

Common Goal 1.2

To prevent premature development and preserve the most high value farmland in appropriate locations.

Common Goal 1.3

To provide a variety of housing opportunities in the Ames Urban Fringe in appropriate locations.

Common Goal 1.4

To provide adequate opportunities for commercial and industrial development in appropriate locations.

Common Goal 1.5

To coordinate development decisions with the efficient provision of public facilities and services.

Common Goal 1.6

To protect and preserve sensitive natural resources, including floodplains, woodland areas, wetlands, and other sensitive natural areas.

Common Goal 1.7

To secure a system of public and private open spaces throughout the Ames Urban Fringe that serves as a visual and recreational amenity.

Attachment F: Rural/Urban Transition Area
Key Issues and Goals
(Excerpt from the Ames Urban Fringe Plan)

Rural/Urban Transition Area

The Rural/Urban Transition Area is to accommodate rural development that can also be accommodated within municipal jurisdiction at some time, perhaps beyond the life of the Plan. This area coordinates public preferences for broad choices in rural development with orderly and efficient future transition between land uses within municipal limits and unincorporated areas. These areas are not necessarily expected to be developed under sole municipal jurisdiction during the life of the Plan, but because of their proximity and/or juxtaposition in relation to city limits, development of these areas must be carefully orchestrated to be compatible with city development patterns.

Key Issues and Goals for Rural/Urban Transition Area

The Rural/Urban Transition Area represents a critical intersection of county and city land use policies. It is here that the greatest potential for conflict among cooperating communities exists, and also where the greatest potential for public frustration over a non-unified planning approach exists.

Lands in the Rural/Urban Transition Area, if developed appropriately, can contribute to efficiently meeting the needs of the City of Ames and City of Gilbert to grow, while also helping to meet the market demand for larger residential lots in a rural setting. Lands identified for future industrial or commercial use are also included in the Rural/Urban Transition Area, but not all of this land will be utilized this way in the near future. Until such time that conversion of these land resources is justified, land in the Rural/Urban Transition Area designated for industrial or commercial uses is best maintained for agricultural production.

Because of the dual role of land in the area, the Rural/Urban Transition Area becomes the center stage for cooperative planning among the City of Ames, City of Gilbert, Story County, and Boone County. All have strong interests in the land use of the area, and may therefore seek to apply differing policies at different times, depending on the location of proposed development. Therefore, a clear outline of split jurisdictional responsibilities, shared goals, and clear expectations are needed.

Land Use

The Rural/Urban Transition Area is intended to create as smooth a transition as possible between rural and urban areas. Residential land uses occur, in some cases, at a density more typical of rural areas, while in other areas where city expansion is more likely in the near future, residential density is more typical of an urban area. Likewise, urban infrastructure standards may be applied in certain critical areas, while other areas are subject only to the minimum urban standards necessary to smooth potential transition into city limits in the distant future.

Water and Wastewater

The provision of water and wastewater services in the Rural/Urban Transition Area will need to be carefully orchestrated to ensure that the needs of all cooperating communities are met, while unnecessary expenditures on urban-type services are eliminated where urban expansion is not anticipated in the near future. In certain areas, the installation of dry sewer and water services may be necessary to ease the future rural-to-urban transition of development. Annexation and development agreements may also be necessary.

Transportation

The existing county road systems that include dirt, gravel, and hard-surfaced roads, will continue to be utilized within the Rural/Urban Transition Area. Boone and Story County shall have a limited paving program and generally will not pave roads or add new roads in this area unless and until traffic volume increases indicate the need to improve the system in order to provide safe roads. However, developer-funded additions to the road system are probable in keeping with city and county subdivision improvement standards. System expansions must be done within the fiscal means of the county and should provide flexibility to evolve as needs and technology change. The location and design of new facilities should be compatible with the Cities of Ames and Gilbert street networks and transportation plans. Street systems shall protect the character of existing areas. Transportation system planning is an on-going process that should be flexible, but comprehensive, open to public participation, and long-term focused.

Public Facilities and Services

Development within the Rural/Urban Transition Area should not expect the same level of public facilities and services as the urban growth areas of the City of Ames and City of Gilbert. New public facilities and services are likely to be built and provided in the urban growth areas as the cities develop. Services shall be provided as the density of population increases, making the provision for services efficient and cost-effective. In rural areas, the affected county will maintain its existing levels of law enforcement and emergency services.

In addition to the goals stated above for all areas, the following goals guide planning and management of land use in the Rural/Urban Transition Area.

RUTA Goal 3.1

Provide for strategically located development in portions of the Urban Fringe that will not be served by the City of Ames or City of Gilbert in the time horizon of the Ames Urban Fringe Plan.

RUTA Goal 3.2

To prepare non-agricultural development for efficient rural-to-urban transition.

RUTA Goal 3.3

To ensure that new development has safe and adequate water and wastewater service and other adequate facilities and that there is sufficient space for these facilities to be improved so that they may become public facilities.

RUTA Goal 3.4

To maintain the rural character of the surrounding countryside.

RUTA Goal 3.5

To maintain the county road system and effectively incorporate new subdivision roads and other system expansions in the existing and planned road system.

Attachment G: Rural Transitional Residential & General Industrial Key Policies

Rural Transitional Residential (RTR)

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.

RTR Policy 1: This land use designation includes all single-family and two-family residential land uses/developments that involve average net densities between one unit per acre and 3.75 units per acre. (Relates to RUTA Goal 3.2)

RTR Policy 2: Strategically locate Rural Transitional Residential land uses in areas where they can provide for an orderly and efficient future transition between land uses within the likely future extent of municipal limits and the unincorporated area. (Relates to RUTA Goal 3.2)

RTR Policy 3: Encourage clustering of residential sites within these land areas to limit the short-term and long-term costs associated with infrastructure improvements and the distribution of public services. (Relates to RUTA Goal 3.2, 3.4)

RTR Policy 4: Depending on location, density of units, size of lots, timing of development, development design, clustering of proposed sites, or other considerations, require full urban infrastructure standards. If the City does not require these improvements to be installed at the time of subdivision, require infrastructure assessment agreements. (Relates to RUTA Goal 3.2, 3.3, 3.5)

RTR Policy 5: Any decentralized wastewater treatment facilities, wells and supporting infrastructure shall meet IDNR, county, and city standards. Other rural development standards may be acceptable on a case-by-case basis. Require agreements that if and when the property is annexed to a city, the land developer and/or landowner shall be responsible for the full cost of abandoning the rural systems and connecting to urban infrastructure. (Relates to RUTA Goal 3.2, 3.3)

RTR Policy 6: Make provisions to protect environmental resources, environmentally sensitive areas and adjacent Natural Areas. (Relates to RUTA Goal 3.4)

RTR Policy 7: Require annexation agreements and developer agreements in instances of new development that is particularly intense, or that occurs in certain critical locations. (Relates to RUTA Goal 3.2)

RTR Policy 8: Mitigate and manage stormwater run-off, soil erosion, and wastewater discharge according to IDNR and city standards. (Relates to RUTA Goal 3.4)

General Industrial (GI)

This designation applies to the existing surface operation that supports the subsurface mineral extraction in the Agricultural/Subsurface Mining land use designation.

GI Policy 1: Locate this use designation in the area that can best support the extraction of the existing mineral resource and has access to roads and highways needed to transport its products. The extent of the area accommodates the needs of the operation and the need to limit negative impacts on other surrounding established uses.

GI Policy 2: Water, wastewater systems and other infrastructure meet IDNR and county standards. At the time that surface activities for mineral resource extraction need to be expanded, required appropriate permits and rezoning may be to regulate these surface operations.