

ITEM#: 6  
DATE: 07-16-25

### **COMMISSION ACTION FORM**

**SUBJECT: REQUEST FOR TEXT AMENDMENT TO AMEND THE PUD OVERLAY  
OPEN SPACE STANDARD FOR INFILL SITES**

#### **BACKGROUND:**

The applicant for the S. 4<sup>th</sup> Street Commons PUD project that includes 16 dwellings configured as attached single-family units on individual lots requested that City Council amend the 10% open space set-aside requirement for infill sites (less than 2 acres). The council reviewed the request at its June 24<sup>th</sup> meeting and the history of the PUD Overlays before determining the applicant could propose a text amendment applicable only to infill single-family attached dwelling developments that eliminates the 10% mandatory common area set-aside. If the request is approved, each project would be subject to case-by-case review of the PUD criteria to determine if adequate private or common open space exists, but no mandatory set aside would be required. The current PUD text is attached.

#### **PUD Overlay**

The City established the PUD Overlay originally to facilitate more variety of housing types targeted to the growth areas of the City for sites exceeding two acres. Last year Council made changes to allow for PUDs on infill sites that are under two acres to facilitate more housing options on infill sites. Since that time the PUD process has been applied to the Dakota Townes infill site on North Dakota and the Commission is reviewing on the same agenda the S. 4<sup>th</sup> Commons project.

When the PUD was initially created it was likely to only apply in FS base zoning districts that already had a 10% usable open space standard and the Overlay included a requirement for a 10% open space set-aside. The PUD added to the open space requirement stating that 50+ unit projects would require more specific types of common amenities. However, infill sites have non-FS base zoning districts, which do not have open space set-aside requirements creating a potential conflicting interest of open space and interests in housing variety, specifically concerning townhome designs with individual lots.

The rationale for requiring open space was to mitigate some of the tradeoffs in reduced lot sizes, setbacks, coverage, etc. that often occur with PUDs to ensure that livable areas with quality open spaces similar to how developments in FS areas would otherwise occur. Having tradeoffs for PUD flexibility is common. However, growth areas and infill sites could be viewed differently because of zoning differences and different neighborhood development patterns where existing areas may already have park and open space area.

From the review of the S 4th PUD concept and the recent Dakota Townes project, the effect of the open space expectation does have significant influence on small projects

and the layout or total units situated on a site. Specifically, facilitating townhome type development has issues of balancing common space with individual lot configurations. While having common open space on site could be beneficial to residents, the balancing of development types, space allocation, and resident maintenance costs on smaller projects is a reasonable question to be addressed to help guide infill projects in the future.

#### Text Amendment

**The proposed change is to exempt infill projects with single-family attached units from the mandatory 10% set-aside requirement.** The rationale for this approach is that by creating lot lines with townhomes it automatically removes common area from a project that otherwise could be counted if it was an apartment building type. PUDs with townhomes is a primary opportunity for adding housing and there is an interest in promoting this type of housing that otherwise would be difficult to create on an infill site.

The focus of the issue is prioritizing individual units over common area, which may or may not always be preferred depending on the type of PUD design and layout. Townhome projects will always have deviations because of lot size and setbacks that are not tailored to the building type compared to apartments or structures on larger lots. The individual review will determine if the mix of units, layout, and space accomplishes the goals of the PUD.

Other options initially considered were to credit private usable area towards the 10% open area standard and whether creating a private space standard of yard area or deck/patio with defined minimum dimensions should be allowed as a substitute for common area. Due to an interest in being flexible with case-by-case reviews of each future PUD layout, the Council allowed for the applicant to proceed with the proposed amendment to remove the requirement rather than create a new open space standard.

The applicant supports removing the 10% standard in its entirety as they believe the benefits of fully utilizing the site with individually platted single-family attached units is more desirable than reducing units and creating a small open space for residents that the HOA would maintain.

#### **ALTERNATIVES:**

1. Recommend that City Council eliminate the PUD Overlay 10% common open space requirement for infill projects with Single Family Attached Dwellings.
2. Recommend that City Council amend the PUD Overlay with a different open space standard.
3. Recommend that City Council take no action and retain the 10% common open space standard.

### **PLANNING AND HOUSING DEPARTMENT RECOMMENDATION:**

Staff supports the concept of supporting townhome development on individual lots with changes to the open space standard. Staff believes that small projects do not necessitate set asides in all cases because projects may not otherwise include open space requirements with typical infill base zones, common area can be a burden to small HOAs, and in some cases other open space or parks are available for use nearby compared to development on the periphery of the city.

It should be noted that the approval process of the PUD would still require findings of support related to the PUD purpose and have to address providing appropriate combinations of private and common open space on a case-by-case basis.

**Therefore, the Planning and Housing Department recommends Alternative #1.**

## Attachment-Existing PUD Overlay Text

### Sec. 29.1114 “PUD” PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT

(1) **Purpose.** The Planned Unit Development (PUD) Overlay zone is intended to allow flexibility in Zoning District and General Standards where design flexibility helps further the goals of the Comprehensive Plan and is compatible with its surroundings. The PUD zone is intended to:

(a) Provide for innovative and imaginative development through flexibility in the design, placement of buildings, clustering of housing types, use of open space, and related site and architectural design considerations;

(b) Increase the stock of diverse housing types for a variety of income levels;

(c) Promote efficient land use and infrastructure construction, while maintaining high-quality living environments for privacy, architectural interest, streetscape, walkability, and open spaces for private and common use;

(d) Provide for a variety of private and common open space areas corresponding to smaller lot sizes along with additional amenities for larger developments;

(e) Encourage and preserve opportunities for energy efficient development; and

(f) Encourage context-sensitive infill development.

(2) **Pre-Application Conference.** Prior to submittal of an application to rezone property to Planned Unit Development Overlay, a pre-application conference shall be held with the developer and Department of Planning and Housing staff to review the application. Neither the developer nor the City shall be bound by any comments, determination, or decisions of City staff offered or made during the pre-application conference. The following information shall be submitted with the application:

(a) Name of the applicant and name of the owner of record.

(b) Tax parcel identification number.

(c) North arrow, graphic scale, and date.

(d) Existing conditions within the proposed zoning boundary and within 200 feet of the proposed zoning boundary: Project boundary; all internal property boundaries; public rights-of-way on and adjacent to the site; utilities; easements; existing structures; topography (contours at two-foot intervals); areas of different vegetation types; designated wetlands; floodplain and floodway boundaries; and other designated environmentally sensitive areas.

- (e) Conceptual infrastructure extensions, open space, and stormwater treatment areas.
- (f) A summary table describing all uses of the total site area, including the number of units per net acre for each unit type and each zoning area.
- (g) Conceptual building design character and any planned deviations from Zoning District standards.

(3) **Establishment.** The PUD Overlay zone applies to all lands that are zoned PUD on the Zoning Map. A Zoning Map Amendment may be approved provided the City Council makes the following findings:

- (a) The Zoning District and Overlay are consistent with the comprehensive plan.
- (b) The property on which the PUD is requested has a residential zoning of RL, RM, UCRM, RH, FS-RL, FS-RM, S-SMD, or is concurrently proposed to be changed to one of these Zoning Districts.
- (c) The design of the commercial area is compatible with the overall PUD design concept and integrated into the development.
- (d) The existing and proposed infrastructure is sufficient in design and capacity to support the project with water, sanitary sewer, storm drainage, streets and other transportation related facilities.
- (e) The PUD Master Plan includes interconnected pedestrian and bicycle circulation routes to the surrounding areas and within the development.
- (f) The proposed PUD Master Plan is consistent with the requirements of this ordinance and all deviations, exceptions, and limitations stated on the Master Plan are clear, identifiable, and necessary in support of the design concept and the purpose statements of the overlay.
- (g) The proposed PUD Master Plan is in harmony with the purpose of the overlay.
- (h) Findings for approval of a Master Plan with a PUD Overlay rezoning may be deferred, when the City Council initiates a property rezoning.

(Ord. No. 4458, 2-22-22)

(4) **Effects of Approval.**

(a) **Master Plan.** Subsequent development must be consistent with the approved Master Plan. Subsequent development is subject to a Major Site Development Plan approval for any and all uses, unless specifically delegated by the City Council to the Planning and Housing Director as part of the Master Plan approval. The City Council may also require a design description or illustrated design guidelines to convey the intended character of the development and to administer subsequent permitting within the PUD for such things as landscape features, signage, and structures.

(b) **Permitted Uses.** Land, buildings, and structures may be used only for the purposes identified within the Zoning District use regulations, unless limited or authorized as additional uses (including accessory dwelling units and commercial uses) by the PUD Master Plan.

(c) **Building / Zoning Permits.** Subsequent to the PUD Overlay approval, development of the property is subject to all provisions of the Ames Municipal Code, including, but not limited to, requirements to proceed with preparation of Preliminary and Final Plats, Zoning Permits, Site Development Plans, Special Use Permits, Building Permits, and other types of permits required by local, state, or federal law for the improvement or development of the land.

(d) **Phasing.** Development of the site may occur in phases, as approved by the City Council with a Major Subdivision, or as indicated on the approved Major Site Development Plan. Any change to the approved Phasing Plan must be approved by the City Council.

(Ord. No. 4458; 2-22-22)

(5) **Supplemental Development Standards.** Property that is zoned PUD shall be developed in accordance with the Zone Supplemental Development Standards listed in Table 29.1114(5) below, except Alternative Design approvals of 29.1502(7) or Pocket Neighborhood compatibility standards have priority over Development Standards if there is a conflict:

**Table 29.1114 (5)**  
**Planned Unit Development Overlay District (PUD)**  
**Supplemental Development Standards**

<b>SUPPLEMENTAL DEVELOPMENT STANDARDS</b>	<b>PUD ZONE</b>
Area Requirement	Minimum area of two acres or more. Exceptions include City Council initiated rezoning; sites with environmentally sensitive areas, preservation of natural areas, or scenic locations; and infill development sites.
Density	<p>Zoning district density requirements shall apply subject to the allowances of this section.</p> <p>Where a development encompasses more than one zoning district, each area of the PUD development shall comply with the density requirements that are set by the zone for that area. Density transfer is not permitted.</p> <p>Developments with a minimum of 10% affordable housing units made available for sale or rent to moderate or low-income households as defined by the Federal Housing and Urban Development Department (HUD) for the City of Ames, may include a density bonus of 15% rounding up to the next whole unit, or one (1) dwelling unit, whichever is greater. An affordable housing plan and binding agreement for maintaining affordability must accompany the PUD application.</p> <p>Infill development sites may be approved for one additional dwelling unit that exceeds the stated maximum density calculation of units per acre of the base zoning district.</p>
Commercial Use	<p>A PUD may have a commercial component that complies with the following:</p> <ol style="list-style-type: none"> <li>1. A maximum of 35,000 square feet of floor area; and</li> <li>2. Allowable uses listed in: <ol style="list-style-type: none"> <li>a. Table 29.501(4)-2: Office Use Categories; and/or</li> <li>b. Table 29.501(4)-3: Trade Use Categories</li> </ol> Entertainment, Restaurant, and Recreational Trade; and/or  Retail Sales and Services – General </li> </ol>
Minimum Lot Area / Width / Frontage:	Individual lot area, width, and street frontage may be reduced from the Zoning District and General Standards as long as the lots are sized to accommodate the required development standards of this chapter and comply with the compatibility standards of Section 29.1114(6). All lots must have approved access to a public way or a private street.
Minimum Principal & Accessory Building Setbacks and Lot Coverage	<p>Minimum setbacks and maximum coverage may be modified from the underlying zoning district requirement if the compatibility conditions of Section 29.1114(6) are met. Setbacks at the perimeter of the Overlay may not be reduced along an abutting lot without a finding there are physical circumstances justifying a reduction. Reduced setbacks must be identified on the Master Plan.</p> <p>Setback encroachments and exceptions will not apply to reduced yards unless authorized by the PUD.</p> <p>Garage access shall be a minimum setback of 20 feet when accessed from a public street. Reduced setbacks may be permitted along private streets and alleys.</p>



SUPPLEMENTAL DEVELOPMENT STANDARDS	PUD ZONE
Street Trees and Minimum Landscaped Area	Landscaping and screening shall conform to requirements of this Chapter, unless approved as an Alternative Design. Each development shall include space for the planting and subsequent maturity of street trees. Reduced setbacks shall not encroach upon these defined locations for street trees and other landscape trees. A street tree plan illustrating the location of trees along with proposed building footprint and driveway areas must be approved with the project.
Maximum Height- Principal Building	Zoning District height requirements shall apply to a building within 100 feet of an abutting lot of a different residential zone or residential land use designation.
Parking Requirements	Parking spaces shall be provided as prescribed by this chapter; however, required parking locations may be approved by the City Council in common areas or on a street within the boundaries of the PUD. Affordable housing for low- and moderate-income households may have parking reduced so that an apartment dwelling unit only requires a maximum of two parking spaces regardless of bedroom count per unit.
Street/Infrastructure Improvements	Street improvements, water, sanitary sewer, storm sewer improvements, park dedication, and electric facilities shall be installed in compliance with the subdivision regulations of the City and shall meet the construction specifications of the City. Private streets (if included) must comply with provisions of the Subdivision Code.
Common Open Space and Amenities	<p>Minimum of 10% of the gross area shall be devoted to common open space. The intended purpose of the proposed open space must be set forth in the plan. The land provided for common open space must be improved for its intended purpose, and readily accessible to residents. Provide for the ownership and maintenance of the common open space. Phasing of improvements shall be clearly described in the development plans and may be required to be set forth in a legally binding instrument.</p> <p>Clubhouse, roof deck patios, and similar community amenities may be credited toward the open space requirement.</p> <p>Developments exceeding 50 dwelling units shall provide for usable open space and amenities to serve the residents of the development which may include a combination of common area and private usable yard areas located outside front yard setbacks.</p> <p>Development of medium and high-density developments may be exempt from providing common open space area when recreational amenities, such as clubhouses, pools, or sport courts, are sufficiently provided for as an alternative.</p>
Block Design	<p>Layout and design shall create an interconnected network of streets with block faces that do not exceed 660 feet within the development. Where practicable, block lengths are encouraged to be 500 feet or less. Block faces may exceed 660 feet where physical or environmental conditions preclude a more interconnected street network. Use of cul-de-sacs and dead-end streets shall also be limited to these situations.</p> <p>When blocks exceed 600 feet, the PUD shall accommodate pedestrian crossings, walkway connections through a block, or other means of enhancing the pedestrian circulation system for interconnectedness.</p> <p>Use of alleys, off-site parking, or other shared access means is desirable to maintain a consistent street frontage with minimal interruptions by driveways to street trees, lighting, on-street parking, and sidewalks as well as providing opportunities for alternative housing</p>

(6) **Compatibility Standards.** Minimum lot area, lot width, lot frontage, setback, and maximum site coverage requirements may be reduced to provide for a variety of dwelling types. Any such modification to the Zoning District requirements must be noted on the Master Plan.

Due to the concentration of dwelling units that will occur if these dimensional requirements are reduced, the following compatibility standards are required:

(a) **Garages and Driveways.** Garages and off-street parking areas must be located so that they do not define the front façade of the dwelling. This standard is met when a garage does not protrude forward from the front façade or the front entry is setback typically no more than 12 feet to the front door and includes the required entrance design requirements. City Council may approve a development on through-lots without meeting this standard when it is determined to be impracticable for the home design and street types.

The development must include adequate right-of-way and driveway spacing to accommodate parking and street trees. The width of driveways may need to be reduced and garages setback an adequate distance to accommodate these elements. Shared driveways are encouraged to address street design goals. Alley or private rear lane access is also an option.

(b) **Entrances.** Main entrances to dwelling units must be clearly identifiable and accessible to the owner and visitors. The main entrance must be demarcated by one of the following: covered porch or stoop; sidelight windows; or other significant architectural treatment that emphasizes main entrances. Main entrances shall be directly connected to the pedestrian circulation system of the development.

(c) **Massing.** Multi-family buildings proposed abutting single-family and or two-family buildings should be of a scale, massing, window proportions, and architectural style that is compatible with abutting lower density residential development.

(d) **Commercial.** Commercial buildings shall have main entrances that are clearly identifiable and accessible. The buildings will be oriented towards the street or towards a pedestrian/bicycle corridor.

(e) **Pocket Neighborhood.** Pocket Neighborhoods are a specific housing development type of small homes clustered around a common open space as a shared front yard of the homes. The common open space is a defining organizing element of the site layout. Typical home clusters would range in size from 4-12 units to maintain the intent of a small, clustered development concept. The cluster design shall not have the effect of walling off the development from the public street with rear facades of homes, this means the common open space should visually and physically connect with the public sidewalk along the street frontage when possible, or for the abutting home along the street to include front façade type features along the street or incorporate side or corner entries that tie to both the street and open space.

Pocket Neighborhoods are permitted to have no minimum lot size, setbacks, or coverage limitations for the individual homes. Frontage requirements for vehicle access are not required. Parking may be provided on the lot of the home or within the development area. Up to 50% of the homes may have a parking reduction of one required space.

The home design shall include front entryway patios or porches to help define the private lot and home area from the common open space at the front of the homes. Walkways shall extend from the front door to the and through the common open space. The compact and close-knit design nature of the pocket neighborhood shall include an emphasis on architectural design features related to window placement, visual interest, massing, and landscaping to support privacy and architectural compatibility.

*(Ord. No. 4541, 10-08-2024)*

(7) **Other Conditions.** Other conditions may be imposed if found necessary for health, safety, and general welfare. Such conditions include, but are not limited to, the following:

(a) **Future Development.** Provide for future development in a manner that does not impede the continued use or development of surrounding properties for uses permitted within the Zoning District or planned for in the comprehensive plan;

(b) **Existing Trees.** The preservation of existing trees shall be considered when siting buildings, underground services, and paved areas;

(c) **Landscape Buffering.** Landscape buffering may be required to maintain privacy or reduce unusual impacts of noise, light, or height on adjoining properties; and

(d) **Infill Compatibility.** The design of the PUD is compatible with its surroundings and/or complementary to adjacent development.