

**MINUTES  
CITY OF AMES  
PLANNING AND ZONING COMMISSION**

Date: January 16, 2019	*Matt Converse, Chairperson	2020
	Carlton Basmajian, Vice Chairperson	2020
Call to Order: 7:00 PM	Anuprit Minhas	2019
	Doug Ragaller	2019
Place: Ames City Hall Council Chambers		
	Jon Emery	2021
Adjournment: 9:26 PM	Carol Spencer	2021
	[*Absent]	

**MAJOR TOPICS DISCUSSED:**

1. Zoning Text Amendment Regarding Short Term Rentals for Multi-Family Apartment Bldgs.
2. Discussion of Comprehensive Plan Kick-Off

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**CALL TO ORDER:** In the absence of Chairperson, Matt Converse, Vice-Chairperson, Carlton Basmajian called the meeting to order at 7:00 PM.

**APPROVAL OF AGENDA:**

MOTION: (Ragaller/Spencer) to approve the Agenda for the meeting of January 16, 2019.

MOTION PASSED: 5-0.

**APPROVAL OF THE MINUTES OF THE MEETING OF OCTOBER 17, 2018:**

MOTION: (Emery/Ragaller) to approve the Minutes of the meeting of October 17, 2018.

Commission members, Carlton Basmajian, Anuprit Minhas, and Carol Spencer abstained due to being absent from the October 17, 2018 meeting.

MOTION PASSED: 2-0. 3 abstain: Basmajian, Minhas, Spencer

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**PUBLIC FORUM:** none

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**ZONING TEXT AMENDMENT REGARDING SHORT TERM RENTALS FOR MULTI-FAMILY APARTMENT BUILDINGS**

City Planner, Eloise Sahlstrom noted that on September 19 a draft ordinance was brought before the Commission regarding short-term rentals in single-family dwellings. The Commission requested that two-family dwellings be included. At its' November 13, 2018 meeting, the City Council directed that short-term rentals in multi-family apartment units be included, which was a substantive change. Ms. Sahlstrom explained the different categories for the proposed apartment short-term rentals and what would be allowed based on different

zoning designations. The following staff recommendations were presented by Planner Sahlstrom:

1. Home Share as an accessory use permitted with no license.
2. Vacation Rental as a primary use restricted to no more than 30% of the units in building/project.
3. Special Use Permit required for Vacation Rental in non-high density or commercial areas.

Ms. Spencer questioned how Staff came to 30% under recommendation number 2. Ms. Sahlstrom stated that an accessory use has to be less than 50% but staff decided on 30% because it met the criteria for the main purpose of household living. The Commission ultimately would determine that figure. Ms. Spencer commented that in the larger complexes, 30% would be a very high number of units. Mr. Emery added that this could be competing with the hotels. He also questioned if the 30% was based on any research. Ms. Sahlstrom answered that there was not a prototypical community to use as a comparison. Ms. Spencer questioned if the percentages could be stair-stepped. She is concerned about the volume for the large properties.

Mr. Diekmann shared that the staff's concern was to maintain the primary use. Short Term Rentals are not lodging. Staff didn't feel 49 – 51% would be a good split; therefore they went down to 30% because they think there should be a limit to maintain housing stock.

Mr. Emery questioned why apartments are being discussed. Mr. Diekmann stated it was under a directive from City Council to permit STRs in apartments. One of the alternatives is to allow them and not have the City involved at all. It was asked what the duration is for a STR. He explained that short term rental lodging is based on hotel/motel tax with a defined use of less than 31 days; that is the language used for single/two-family homes.

In Mr. Emery's opinion, 30% much too high, 10% is much more realistic and would help fill-up the empty apartments. Ms. Spencer questioned if data could be collected for 12-18 months to justify the 30% being used as the top limit. Mr. Basmajian questioned the monitoring of the 30% limit. Ms. Sahlstrom stated the City doesn't currently allow STRs, so it is unclear.

The Commission discussed the differences between monitoring by building or by property boundaries. The percentage decision needs to be determined either by the building or by the development. Staff's suggestion is a percentage based on the development. The HOAs can have control over the property. A lot of apartments are condos for tax purposes. Ms. Minhas stated that there is an impact issue based on the number of units not whether the units are individually owned or an apartment complex owned by a single property owner.

Mr. Diekmann stated that the staff recommended that the license be based on property boundaries and not buildings.

Director Diekmann added that STR licenses would be valid for a year. The City can change the parameters at the end of a year and the property owner would not get a new license if there had been issues.

Discussion continued on each of the three staff recommendations.

Mr. Diekmann stated that specifically regarding specifically recommendation number three, the reason Staff recommended a SUP for single-family is for the unique conditions of a single-family block because there isn't a short term rental concentration standard. The issues of nuisances and noise have been embedded into the licensing process. The SUP has a little different level of entitlement to it. Most apartment complexes are not going to have the same special circumstances unless they are in lower density zones.

At the inquiry of Mr. Basmajian, Mr. Diekmann explained the process for obtaining a SUP. Mr. Basmajian questioned the process for apartment parcels. Mr. Diekmann stated the difference is that all apartments have Rental Code certificates already.

Discussion continued about the purpose for a SUP regarding neighborhoods that abut single-family homes. It was noted because most single-family neighborhoods are not in high-density areas, the recommendation is that the lower-density zones get treated differently, as there is no concentration/separation standard.

Ms. Minhas asked if the licensing process addresses how properties are maintained. Mr. Diekmann stated that would fall under the Rental Code; there is no property maintenance that goes along with the licensing. In a single-family home if you had been issued nuisance citations, the City could pull that license.

Director Diekmann clarified F-VR (Village zoning) is unique and regulates building types as part of a Master Plan.

MOTION: (Minhas/Spencer) to recommend option 2:

The Planning and Zoning Commission can recommend a zoning text amendment allowing the expansion of STR's into apartments in all residential zoning districts, with the following modifications to the licensing requirements:

- a. Home Share as an accessory use permitted with no license, oversight compliance would be the responsibility of the landlord.
- b. Vacation Rental as a primary use restricted to no more than 10% of the units in building/project or one unit.
- c. An exemption from a SUP would be applied by zoning district:
  - i. Exempt: RM, RH, FS-RM, NC, CCR, DSC, CSG AND DGC.
  - ii. Non-exempt: A, RM / O-SFC, UCRM, RLP, F-VR, FS-RL, F-PRD, AND S-SMD.
- d. No vacation rentals to be allowed in apartment units located in the RL district.

MOTION PASSED: 5-0.

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## DISCUSSION OF COMPREHENSIVE PLAN KICK-OFF

Director Diekmann gave a Power Point on the purpose and process to be used by the City to update the Comprehensive Plan.

Comprehensive Plan Purpose. Needed to have for zoning. There are best practices but there are not requirements, it's to be a community driven plan. 1997 was the last plan. Council decided to create a new plan and not modify the existing plan. Process will take

approximately 18 months. Schedule put together by RDG to help people understand the process.

February 5 will be the first kick-off meeting to be held at the Public Library. There will be a Website and other open house opportunities scheduled in the future, to provide community involvement. Also in February meetings of focus groups that have a specialty or special interests, e.g. small businesses, neighborhood associations, and health & wellness.

April 2 is a very important date, it is the next City Council workshop. Initial conditions are due to the Council in April. Look at different areas of change but that is a big step, to occur after the April 2 workshop. At this point there will be different online survey tools, and information online for people to track it and know how to participate.

Mr. Diekmann stated that a summary of the information is on the website now, [cityofames.org/complan](http://cityofames.org/complan), posted as a link on that page. If the Commission chooses, it can vote to have things on an agenda for discussion. Any information conveyed back to Council must be on behalf of the entire Commission.

Discussion continued regarding opportunities for infill development. Ms. Minhas stated that the challenge is not having a complete picture backed by data about housing and the questions of future demand. Mr. Emery commented on the problems with demolition in the middle of town, similar to the Lincoln Way corridor. Mr. Diekmann stated focus areas of change will be carried forward for likely scenarios for infill development in the next comprehensive plan.

Mr. Basmajian offered that the Plan should address more sustained engagement between students and permanent residents.

There was discussion regarding transportation within and around the City with the state and federal highways, railroad, bike paths, etc.

Mr. Diekmann stated that the Council is also looking at assessing the carbon footprint for the City as a whole.

Mr. Regailer questioned if mental health would fall under Health and Wellness as one of the challenges.

Urban Fringe Management implementation needs to be addressed to either continue or make a new plan. Mr. Basmajian asked if there was any discussion for urban design as an issue. Mr. Diekmann stated that can be addressed during the public engagement step or as a Commission. The Commission could look at late February or beginning of March to consider recommendations to the Council for the Plan.

Mr. Diekmann stated the Council serves as the steering committee and can change or re-direct the process as it continues.

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COMMISSION COMMENTS:

Mr. Emery commented that there were a lot of acronyms in the material. He asked to have a glossary of the acronyms regarding the discussion items.

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STAFF COMMENTS: Staff reviewed the tentative agenda for the meeting of February 6, 2019.

Mr. Diekmann stated that the meeting on February 6 would be in Conference Room 135.

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MOTION TO ADJOURN:

MOTION: (Minhas/Basmajian) to adjourn the meeting.

MOTION PASSED: 5-0.

The meeting adjourned at **9:26 PM**.



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Carlton Basmajian, Vice-Chairperson  
Planning & Zoning Commission



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Natalie Rekemeyer, Recording Secretary  
Department of Planning & Housing