

Item No 39

TO: City Council

FROM: Department of Planning and Housing

DATE: July 12, 2019

SUBJECT: Zoning Text amendment Related to Multiple Principal Buildings on Single Lots

At the July 9, 2019 meeting, Council approved First Reading of the text amendment to Sec. 29.401.(5)., Multiple Principal Buildings on Single Lots.

A concern was raised regarding the implications of the text amendment upon the “S-HM” Hospital-Medical District for multiple single-family dwellings on a lot. As a result, City Council gave direction to modify the proposed ordinance prior to second reading to include an exception for S-HM zoning that was consistent with the South Lincoln Mixed Use District limitations.

Subsequently, staff reviewed the permitted uses within the “S-HM” Hospital-Medical District in the context of the concerns expressed on June 9th. The concern for permitting additional single-family dwellings was unfounded as **Residential Uses as a principal use are not allowed in the zoning district (Table 29.1001). Therefore, it is not permissible to add an additional building for the use to a lot regardless of the allowance for multiple buildings.**

Because of this limitation on use, the three private residential properties and dwellings located within S-HM clustered at 11th St. & Carroll Avenue are nonconforming uses and would not have the ability to add an additional dwelling unit as an expansion of the use.

With the review of the circumstances, staff does not recommend adding the language as directed by Council on the 9th. Therefore, staff will bring back the ordinance for second reading without any changes beyond the scrivener’s error correction. If City Council has concerns about the ordinance language, it can direct staff how to proceed at the time of the second reading on July 23rd.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY AMENDING SECTION 29.401(5) THEREOF, FOR THE PURPOSE OF ALLOWING MULTIPLE PRINCIPLE BUILDINGS ON A SINGLE LOT; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by amending Section 29.401(5) as follows:

“Sec. 29.401(5) Multiple Principal Buildings on Single Lots.

- (a) ~~More than one commercial, industrial, hospital, institutional or public principal building may be erected on a lot in an agricultural, commercial, industrial or special purpose zoning district, where such uses are permitted,~~ provided that all setbacks from the exterior property lines otherwise required for a single principal building are observed. The distances between buildings internal to the site shall be determined by the provisions of the City Building and Fire Codes.
 - (i) Exception. Within an Agricultural zone, only one single-family dwelling is permitted on a lot with or without additional principal buildings for permitted uses within the zone.
 - (ii) Exception. In the South Lincoln Mixed-Use District (S-SMD), no more than one single-family [or two-family] home is permitted on a lot and no other principal buildings are permitted on that lot.
- (b) Within a residential zoning district, only one principal building is permitted on a lot except as authorized in this section.
 - (i) ~~(b)~~ More than one apartment building is permitted on a lot, provided that all area and setback requirements are calculated as if each structure were on its own individual lot.
 - (ii) A principal use of Group Living within multiple buildings on a site may occur within medium and high density residential zoning districts, provided that all area and setback requirements are calculated and applied to each building.
 - (iii) Institutional uses may include multiple buildings provided that all area and setback requirements are calculated and applied to each building.
 - (iv) A mixed-use building with Office or Trade uses and apartment dwellings shall be permitted to have multiple buildings on a lot subject to the standards of apartment buildings.
 - (v) A combination of principal uses within multiple buildings is permitted for uses described above, subject to the standards described for area and setbacks requirements.
 - (vi) Within a F-PRD zoning district, multiple principal buildings are permitted subject to approval of a Major Site Development Plan.
- (c) In cases where a Residential Use, as categorized within this ordinance, exists as a non-conforming use on a lot, additional principal buildings for a permitted use are not allowed.”

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out by law.

Section Three. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Four. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

John A. Haila, Mayor