

## Staff Report

**INITIATION OF TEXT AMENDMENT FOR TRANSITIONAL HOUSING  
USE IN RESIDENTIAL ZONING DISTRICTS**

June 14, 2016

**BACKGROUND:**

The City Council received a request (see attached letter) on April 20th for Council to consider initiating a Zoning Text Amendment, to create a “transitional housing” use option for residential zoning districts. The applicant’s desire is to initiate this amendment to allow for a broader range of choices for meeting “transitional living” needs within a single-family dwelling type. **They would like to acquire facilities for youth or adults needing transitional housing with live-in support. However, in conversations with service providers, staff anticipates that such facilities would exceed the maximum occupancies of a “family” as defined by the Zoning Code and would only be allowed within a limited number of zoning districts and areas.**

If a use does not meet the definition of “Family”, the Zoning Ordinance currently has two use types under which similar housing options could be allowed based on interpretation of such uses; Group Living or Social Service Providers. Group Living and Social Service Providers are defined by the zoning code as follows:

Group Living is the “*Residential occupancy of a structure by a group of people who do not meet the Household Living definition. Size is larger than the average household size. Average length of stay is 60 days or longer. Structures generally have a common eating area for residents. Residents may receive any combination of care, training, or treatment, or none of these as long as they also reside at the site.*” **This use listing would include transitional living facilities, such as halfway houses for former offenders, as well as residences for persons with physical or mental disabilities.**

Social Service Providers are “*uses primarily engaged in provided on-site counseling, meals or shelter beds for free or at significantly below market rates.*” **These uses would include drug and counseling centers, rescue missions, shelters, temporary or permanent, and soup kitchens and food distributions centers.**

Generally, the Zoning Ordinance allows Group Living for transitional living facilities in the Residential High Density zone and the South Lincoln Mixed Use zone. Social Service providers are permitted in a broader range of zones within the City, however, the uses permitted under a social service provider category is limited to shelter services (temporary or permanent) or counseling centers which does not appear to fit the needs of housing being requested by YSS and other similar agencies. **At this time, staff**

**believes the described use of supervised group home would fit under Transitional Living Facility.**

The following table has been assembled to identify zones where Group Living or Social Service Provider uses can currently be permitted and by what approval authority.

Zones	Residential Use	Residential Use	Institutional Use
	Group Living	Group Living	Social Service Providers
	Transitional Living Facilities	Residences for physically or mentally disabled *	
A	-	-	SP
RL	-	SP	SP- if Pre-existing
RM	-	-	SP
UCRM	-	SP	SP- if Pre-existing
RH	SDP-Minor	SDP-Minor	SP
FS-RL	-	-	-
FS-RM	-	-	SP
F-PRD	SDP-Major, If Pre-Existing	SDP-Major, If Pre-Existing	-
S-SMD	SDP-Minor	SDP-Minor	SDP-Minor
NC	-	-	SDP-Minor
CCN	-	-	SDP-Minor
HOC	SP	-	SP
PRC	-	-	SP
CCR	-	-	SDP-Minor
CVCN	-	-	SDP-Minor
DSC	-	-	SP
CSC	-	-	SP
CGS	-	-	SDP-Minor

\* This use classification considers a residence of more than 8 individuals. Residences of 8 or fewer occupants are classified as a "Family" and qualify as a Household living use in many zones.

SDP-Minor = Minor Site Development Plan (Administrative Approval)

SDP-Major = Major Site Plan (City Council Approval)

SP = Special Use Permit (Zoning Board of Adjustment Approval)

Based on the social service provider's interest in using one and two-family home structures for Group Living, staff has analyzed potential sites for such uses. Within the RH and S-SMD zoning district, there are approximately 170 properties that are one or two-family structures that could be reused as Transitional Living Facilities. When factoring in the use classification of Social Service Providers, there are approximately 490 properties with one or two-family homes that would meet the described interest. There are a few additional HOC zoned properties that could also be approved for Group Living or Social Service Provider, but this does not significantly expand the opportunities. (See Attached Map)

**POLICY ISSUES TO BE CONSIDERED:**

The request from the social service providers raises the following two policy questions for the City Council to consider.

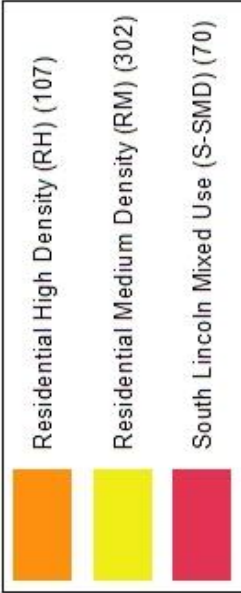
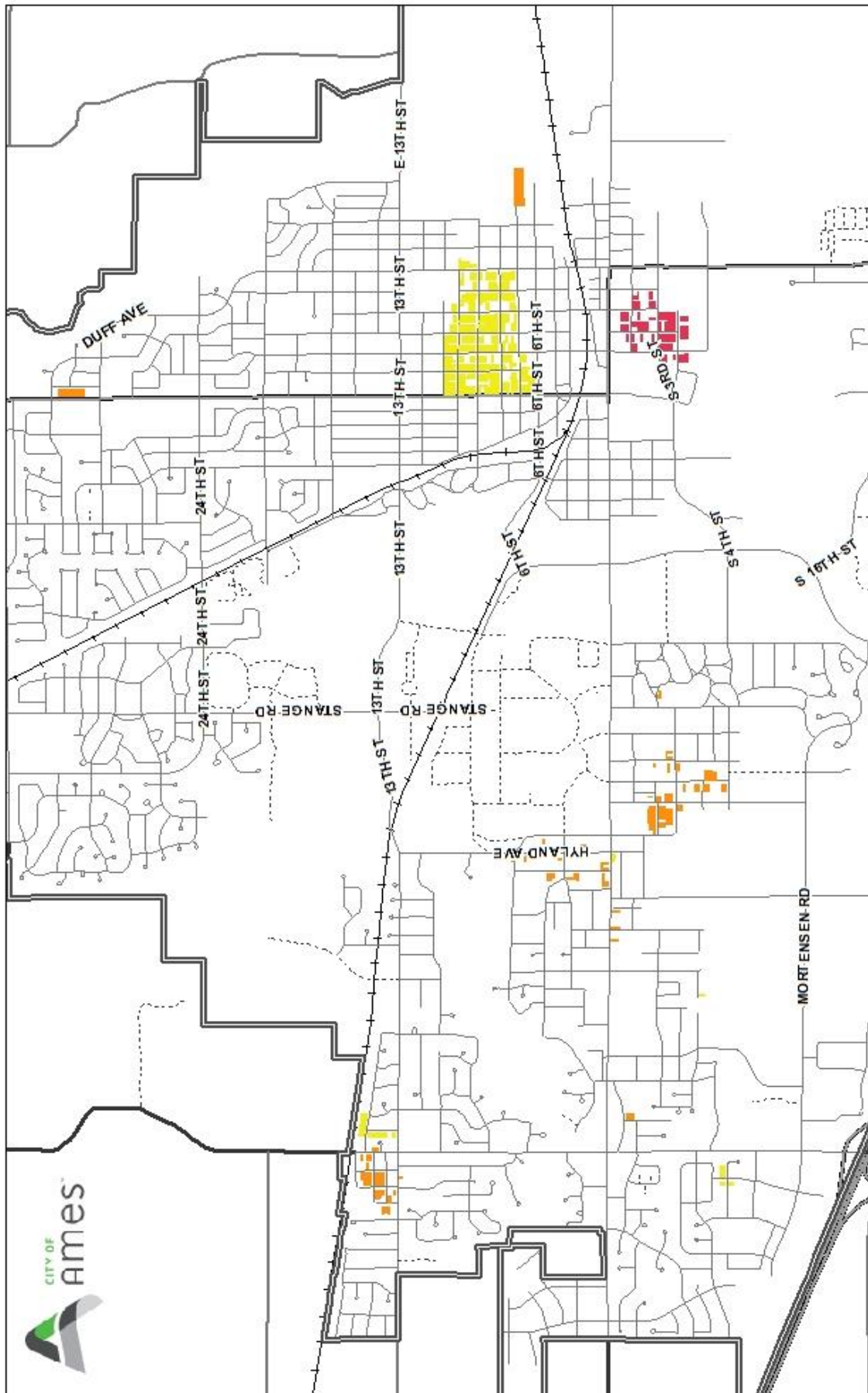
- 1) The first is whether the City Council believes that under current zoning there are enough properties in which a Transitional Living or Social Service Provider use could be established and, if not, should these uses be allowed in additional zoning districts?
- 2) Secondly, are the current definitions appropriate to support the human service agencies' interests or should a new classification for a small group living facility as a "supervised transitional home" be created and allowed within more zoning districts throughout the City?

### **STAFF COMMENTS:**

If City Council determines that the current ordinances of the City do not efficiently or accurately address the needs of the human services agencies, Council should provide direction to staff for initiating a text amendment. An amendment could adjust either the existing definitions within the Zoning Ordinance, permitting process, and or the locational limits of where such uses can be developed or occupying existing structures.

**Initiating such a text amendment would be a Council Referral for the Planning Division Work Plan and would need to be defined in scope and prioritized. Creating a new use classification would require a nominal amount of effort to coordinate internally within the Zoning Ordinance definitions for other uses.**

**The potential greatest amount of time involved in such a change would be if Council believes this is a sensitive issue for neighborhood residents and, therefore, outreach is needed before proceeding with an ordinance for a text amendment. Preparing for and holding meetings would substantially increase the amount of time for such a referral and would need to be included the scope of such a referral.**



**Single Family and Two-Family Properties  
in the  
RM, RH and S-SMD Zoning Districts.**

# Applicant Letter

CITY MANAGER'S OFFICE

APR 21 2016

April 20<sup>th</sup>, 2016

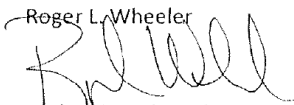
CITY OF AMES, IOWA

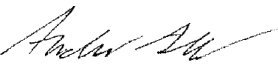
To the honorable Mayor and City Council of Ames, Iowa.

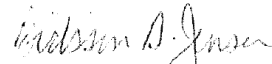
We would like the City of Ames to consider initiating a text amendment that would create a "transitional housing" type of use permitted within residential zoning districts. There is a need to create such a use since most residential zoning districts restrict Group Living and Social Service Provider uses from facilities in single-family home areas and there are very few medium or high density residential zoned properties that can meet the needs of local and incoming social service providers.


Our group is currently working to provide necessary services to the community that provide transitional living arrangements to youth and adults who are fighting addiction and seeking recovery from life trauma that has left them homeless or in need of housing. All of the facilities that we are promoting have live-in supervision and would have reasonable maximum occupancies and lengths of stay.


Please let me know if you have any questions. I will make myself and anyone from our group completely available to council and staff as the need arises.

Roger L. Wheeler  
  
Broker Associate, Century 21 SRE

Andrew Allen  
  
CEO, Youth & Shelter Services

Dickson Jensen  
  
President, Jensen Group

Mike Easton  
  
Cornerstone Church

Tim Day  
  
Professor, ISU