

**COUNCIL ACTION FORM**

**SUBJECT: CLUBHOUSE WITHIN FS-RM ZONING DISTRICT**

**BACKGROUND:**

The City Council recently approved an amendment to the Zoning Ordinance to allow for clubhouses as an accessory use with the FS-RM zoning district. Council completed the first reading of the ordinance on August 9<sup>th</sup> and the third reading on September 13<sup>th</sup> and the ordinance was subsequently published.

After publication and printing of the ordinance, staff discovered that the wrong table of uses was included in the adopted ordinance. The FS-RL table of uses was used inadvertently, and it now includes the change which had been meant for the FS-RM table. A change just to the FS-RM was what had been intended. The following change was the intended amendment and was what was approved by the City Council based upon the recommendation in the Council Action Form:

**Chapter 29 FS-RM Table 29.1202(4)-2**

Household Living Accessory Use	Status	Approval Required	Approval Authority
Clubhouse	<del>N</del> Y	-- SDP Major	--City Council

**ALTERNATIVES:**

1. The City Council can approve on first reading ordinances to correct this scrivener's error, and to amend the Zoning Ordinance to allow a clubhouse as an accessory use within the FS-RM zoning district subject to approval of a Major Site Development Plan. **Staff also requests second and third reading for approval of the ordinance.**
2. The City Council can decide not to approve on first reading an these ordinances to correct this scrivener's error. However, this decision will elongate the amendment process requiring the restarting of the whole approval process.

**MANAGER'S RECOMMENDED ACTION:**

The proposed ordinance corrects an unintended error in the previous ordinance. Due to City Council's pervious review of this item and direction to make the amendment to the FS-RM zoning district, it is important to correct the scrivener's error to allow for projects to proceed in conformance to the Zoning Ordinance.

**Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the text amendment allowing for clubhouses within FS-RM zoning and passing the ordinance on all three readings.**

**ORDINANCE NO.**

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SECTION 29 TABLE 1202(4)-2 AND ENACTING A NEW SECTION 29 TABLE 1202(4)-2 THEREOF, FOR THE PURPOSE OF ALLOWING FOR CLUBHOUSES WITHIN FS-RM ZONING; 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 repealing Section 29 Table 1202(4)-2 and enacting a new Section 29 Table 1202(4)-2 as follows:

**“Table 29.1202(4)-2  
Suburban Residential Floating Zoning  
Residential Medium Density (FS-RM) Uses**

<b>USE CATEGORIES</b>	<b>STATUS</b>	<b>APPROVAL REQUIRED</b>	<b>APPROVAL AUTHORITY</b>
<b>RESIDENTIAL USES</b>			
<b>Group Living</b>	N, except Hospices, Assisted Living, and Nursing Homes, permitted by Special Permit.	SP	ZBA
<b>Household Living</b>			
Single Family Dwelling	Y	ZP	ZEO
Two Family Dwelling	Y	ZP	ZEO
Single Family Attached Dwelling. Front Driveway Access (5 units or less)	Y	SDP Minor	Staff
Single Family Attached Dwelling. Rear Driveway Access (12 units or less)	Y	SDP Minor	Staff
Apartment Dwelling (12 units or less)	Y	SDP Major	City Council
Family Home	Y	ZP	ZEO
Independent Senior Living Facility (unlimited number of units)	Y	SP	ZBA
<b>Household Living Accessory Uses</b>			
Home Office	Y	HO	ZBA/Staff
Home Business	Y	HO	ZBA/Staff
Clubhouse	Y	SDP Major	City Council
<b>Short Term Lodging</b>	N, except Bed and Breakfast permitted as a Home Occupation.	HO	ZBA
<b>OFFICE USES</b>	N	--	--
<b>TRADE USES</b>			
Retail Sales and Services General	N	--	--
Entertainment, Restaurant and Recreation Trade	N	--	--
<b>INSTITUTIONAL USES</b>			
Colleges & Universities	Y	SP	ZBA
Community Facilities	Y	SP	ZBA
Funeral Facilities	Y	SP	ZBA
Child Day Care Facilities	Y	HO or SP	Staff/ZBA

		(depending on size)	
Medical Centers	N	--	--
Religious Institutions	Y	SP	ZBA
Schools	Y	SP	ZBA
Social Service Providers	Y	SP	ZBA
<b>TRANSPORTATION, COMMUNICATIONS &amp; UTILITY USES</b>			
Basic Utilities	Y	SDP Major	City Council
Essential Public Services	Y	SP	ZBA
Radio & TV Broadcast Facilities	N	---	---
Parks & Open Areas	Y	SDP Minor	Staff
Personal Wireless Communication Facilities	Y	SP	ZBA

Y = Yes: permitted as indicated by required approval.  
N = No: prohibited  
SP = Special Use Permit required: See Section 29.1503  
ZP = Building/Zoning Permit required: See Section 29.1501  
SDP Minor = Site Development Plan Minor: See Section 29.1502(3)  
SDP Major = Site Development Plan Major: See Section 29.1502(4)  
HO = Home Occupation  
ZBA = Zoning Board of Adjustment  
ZEO = Zoning Enforcement Officer  
*(Ord. No. 3825, 03-22-05; Ord. No. 4188, 7-22-14.)*”

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

\_\_\_\_\_  
Ann H. Campbell, Mayor

**ORDINANCE NO.**

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SECTION 29 TABLE 1202(4)-1 THEREOF, AND ENACTING SECTION 29 TABLE 1202(4)-1 FOR THE PURPOSE OF CORRECTION OF ORDINANCE 4269; 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 repealing Section 29 Table 1202(4)-1 and enacting a new Section 29 Table 1202(4)-1 as follows:

**Table 29.1202(4)-1  
Suburban Residential Floating Zoning  
Residential Low Density (FS-RL) Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
<b>RESIDENTIAL USES</b>			
<b>Group Living</b>	N	--	--
<b>Household Living</b>			
Single Family Dwelling	Y	ZP	ZEO
Two Family Dwelling	Y, if pre-existing	ZP	ZEO
Single Family Attached Dwelling, Front Driveway Access (5 units or less)	Y	SDP Minor	Staff
Single Family Attached Dwelling, Rear Driveway Access (12 units or less)	Y	SDP Minor	Staff
Apartment Dwelling (12 units or less)	N	--	--
Family Home	Y	ZP	ZEO
<b>Household Living Accessory Uses</b>			
Home Office	Y	HO	ZBA/Staff
Home Business	Y	HO	ZBA/Staff
Clubhouse	N	--	--
<b>Short-term Lodging</b>	N, except Bed and Breakfast permitted as a Home Occupation.	HO	ZBA/Staff
<b>OFFICE USES</b>	N	--	--
<b>TRADE USES</b>			
Retail Sales and Services General	N	--	--
Entertainment, Restaurant and Recreation Trade	N	--	--
<b>INSTITUTIONAL USES</b>			
Colleges & Universities	Y	SP	ZBA
Child Day Care Facilities	Y	SP	ZBA
Community Facilities	Y	SP	ZBA
Medical Centers	N	--	--
Religious Institutions	Y	SP	ZBA
Schools	Y	SP	ZBA
Social Service Providers	N	--	--
<b>TRANSPORTATION, COMMUNICATIONS &amp; UTILITY USES</b>			

Basic Utilities	Y	SDP Major	City Council
Radio & TV Broadcast Facilities	N	---	---
Parks & Open Areas	Y	SDP Minor	Staff
Essential Public Services	Y	SP	ZBA
Personal Wireless Service Facilities	Y	SP	ZBA

Y = Yes: permitted as indicated by required approval.

N = No: prohibited

SP = Special Use Permit required: See Section 29.1503

ZP = Building/Zoning Permit required: See Section 29.1501

SDP Minor = Site Development Plan Minor: See Section 29.1502(3)

SDP Major = Site Development Plan Major: See Section 29.1502(4)

HO = Home Occupation

ZBA = Zoning Board of Adjustment

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(Ord. No. 3825, 03-22-05; Ord. No. 4188, 7-22-14).”

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Passed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor