

COUNCIL ACTION FORM

**SUBJECT: TEXT AMENDMENT TO ALLOW REMOTE PARKING IN THE
NEIGHBORHOOD COMMERCIAL ZONING DISTRICT**

BACKGROUND:

At the August 8th City Council meeting the City Council initiated a text amendment to allow remote parking in Neighborhood Commercial (NC) zones. The text amendment was initiated at the request of Fareway Stores Inc. in response to their desire to accommodate required parking during the planned reconstruction of their downtown store. Fareway intends to keep their current store open while building a new store on the same site, but would not be able to provide all required employee and customer parking on site during the process.

Parking is a general development standard of Article IV of the Zoning Ordinance. Required parking is mandated to be on the same lot as the site it serves unless authorized as remote parking by the City Council. Remote parking is limited to certain commercial and mixed-use zones such as Highway-Oriented Commercial (HOC), Downtown Service Center (DSC), Campustown Service Center (CSC), Convenience Commercial Nodes (CCN), Community Commercial/Residential (CCR), Planned Regional Commercial (PRC), Hospital Medical(S-HM) and the South Lincoln Sub Area Mixed Use District (S-SMD). For remote parking to be approved it must be available exclusively for the assigned use and cannot displace other required parking. The remote parking location is limited to a distance of no more than 300 feet away from the lot where the use is located. Downtown Gateway zoning has its own unique remote parking options separate from Article IV.

The process of approving remote parking requires an agreement between property owners to be reviewed and approved by the City Council and recorded with the County Recorder.

One of the few commercial zones that does not permit remote parking is the Neighborhood Commercial (NC) zone. This is due to the intent of the district to accommodate small scale commercial uses near residential areas and the generally isolated nature of properties zoned NC from other commercial properties. The NC zone has traditionally been viewed as not needing remote parking due to the low intensity scale commercial uses permitted. In some areas medium or high intensity uses exist in Neighborhood Commercial zones as non-conformities or on larger lots previously zoned as such. Examples of locations of NC zoning include Reliable Street, 24th & Grand Avenue, Grand and 6th Street, Hazel & Lincoln Way, West Street & Campus Avenue, and the area between 6th and 7th Street adjacent to Downtown, the location of the downtown Fareway.

Based on the direction of the City Council staff has proposed an amendment to the remote parking standards found in Section 29.406(18) that would allow for uses within the Neighborhood Commercial zoning district to utilize remote parking to meet parking requirements either permanently or for temporary periods based on site constraints or needs. The Neighborhood Commercial zone would be added to the list of permitted zones in Section 29.406(18)(a). The Neighborhood Commercial development standards table in Section 29.801(2) will also be updated to reflect that commercial parking is allowed but only as an accessory use for remote parking. This maintains a prohibition on standalone commercial parking lots. The draft ordinance is attached.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission reviewed the requested amendment at its September 5th, 2018 meeting. The Commission reviewed the need for the changes and consistency with the requirements of the zoning district. The Commission discussed the appropriateness of allowing the use near residential homes and to ensure that parking could not occur on residential properties. The Commission then voted 6-0 to recommend approval of the text amendment to allow remote parking in the Neighborhood Commercial zone as proposed by staff.

ALTERNATIVES:

1. The City Council can approve the first reading of the proposed ordinance related to allow remote parking as an accessory use in the Neighborhood Commercial (NC) Zone.
2. The City Council can recommend alternative language for the proposed text amendment.
3. The City Council can request additional information and defer taking action.

CITY MANAGER'S RECOMMENDED ACTION:

The proposed change would treat a Neighborhood Commercial zoned site the same as other commercial properties for considering remote parking. Although the impetus behind the request by Fareway will be for a temporary use, the change accommodates both permanent and temporary situations with City Council approval. The change would allow for remote parking for a use in the NC zoning district and for the location of the remote parking to be in another commercial zone, such as DSC. Remote parking for both permanent and temporary conditions will required City Council approval.

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1 which is to adopt new language adding the Neighborhood Commercial (NC) zoning district to the permitted zones for remote parking in Section 29.406(18)(a) and 29.801(2).

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING CHAPTER 29, SECTION 29.406 (18)(a) AND CHAPTER 29, SECTION 29.801(2) TABLE, AND ENACTING A NEW CHAPTER 29, SECTION 29.406 (18)(a) AND NEW CHAPTER 29, SECTION 29.801(2) TABLE THEREOF, FOR THE PURPOSE OF ADDING NEIGHBORHOOD COMMERCIAL (NC) ZONING DISTRICT TO THE PERMITTED ZONES FOR REMOTE PARKING. REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; 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 Chapter 29, Section 29.406(18)(a) and Chapter 29, Section 29.801(2) Table, and enacting a new Chapter 29, Section 29.406 (18)(a) and Chapter 29, Section 29.801(2) Table as follows:

“Sec. 29.406. OFF-STREET PARKING.

...

(18) **Remote Parking.** All parking spaces required by this ordinance shall be located on the same lot as the use served, except as noted below:

...

(a) Parking spaces required for principal uses permitted in the DSC, CSC, HOC, CCN, CCR, NC, S-HM and S-SMD zoning districts may be located on the same lot as the principal building or on a lot within 300 feet of the lot on which the principal building is located.”

...

Sec. 29.801. NEIGHBORHOOD COMMERCIAL ZONING STANDARDS.

(2) **Permitted Uses.** The uses permitted in the NC Zone are set forth in Table 29.801(2) below:

**Table 29.801(2)
Neighborhood Commercial (NC) Zone Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			
Group Living	N	--	--
Household Living	Y	SDP Minor	Staff
Short-term Lodgings	N	--	--
OFFICE USES	Y	SDP Minor	Staff
TRADE USES			
Retail Sales and Services - General	Y	SDP Minor	Staff

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
Retail Trade - Automotive, etc.	N	--	--
Entertainment, Restaurant and Recreation Trade	Y	SDP Minor	Staff
Wholesale Trade	N	--	--
INDUSTRIAL USES			
Industrial Service - Low Impact	N	--	--
INSTITUTIONAL USES			
Colleges and Universities	N	--	--
Community Facilities	Y	SDP Minor	Staff
Social Service Providers	Y	SDP Minor	Staff
Medical Centers	N	--	--
Parks and Open Areas	N	--	--
Religious Institutions	Y	SDP Minor	Staff
Schools	N	--	--
TRANSPORTATION, COMMUNICATIONS AND UTILITY USES			
Passenger Terminals	N	—	—
Basic Utilities	Y	SDP Minor	Staff
Commercial Parking	<u>Y, only as an accessory use for remote parking pursuant to Section 29.406(18)</u>	SDP Minor	Staff
Personal Wireless Communication Facilities	Y	SP	ZBA
Radio and TV Broadcast Facilities	N	--	--
Rail Line and Utility Corridors	N	--	--
Railroad Yards	N	--	--
MISCELLANEOUS USES			
Commercial Outdoor Recreation	N	--	--
Child Day Care Facilities	Y	SDP Minor	Staff
Detention Facilities	N	--	--
Major Event Entertainment	N	--	--

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
Vehicle Service Facilities	N, except convenience stores in combination with gasoline service and car wash, by Special Use Permit.	SP	ZBA

- Y = Yes: permitted as indicated by required approval.
- N = No: prohibited
- SP = Special Use Permit: See Section 29.1503
- SDP Major = Site Development Plan Major: See Section 29.1502(4)
- ZBA = Zoning Board of Adjustment

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

Section Three. 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