

**COUNCIL ACTION FORM**

**SUBJECT: ZONING ORDINANCE TEXT AMENDMENT TO REMOVE MINIMUM FLOOR AREA RATIO (FAR) REQUIREMENTS FOR OFFICE USES IN THE GENERAL INDUSTRIAL (GI) ZONING DISTRICT**

**BACKGROUND:**

A priority of the City Council and of the Planning and Housing Department is to address the issue of the minimum Floor Area Ratio (FAR) in the General Industrial (GI) Zone as it applies to Office Uses. The FAR standard is found in Table 29.901(3) General Industrial Zone Development Standards of the Ames Municipal Code and was adopted during the general rewrite of the Zoning Ordinance in 2000. It sets a minimum Floor Area Ratio for office uses in the General Industrial Zoning District at 0.35.

Current Ordinance

Table 29.901(3)

General Industrial (GI) Zone Development Standards

DEVELOPMENT STANDARDS	GI ZONE
...	
Minimum FAR	.35 for Office Use Only Buildings approved for exclusive office use constructed in accordance with either a site plan approved or a building permit issued prior to November 15, 2006 are exempt from this requirement.
...	

A number of developments have been built since 2000 in the General Industrial district. Some of these developments were of office-type uses in the Ames Community Development Park and were approved despite not meeting the 0.35 minimum FAR. In 2006, permits for two further developments on South Bell Avenue were held up, as they did not meet the required FAR standard. The City Council, at that time, approved an ordinance change that grandfathered in any structure approved prior to November 15, 2006 that did not meet the FAR.

Another office use in the GI zone is now seeking approval. This is an expansion of the Hawkeye Renewables building at 224 South Bell Avenue. Coincidentally, this is one of the two developments that sparked the discussion in 2006. To address this issue, City staff asked the City Council for direction at the August 26, 2008 Council meeting. A number of alternatives were presented. The City Council directed staff to prepare a text amendment that removed the minimum Floor Area Ratio requirements for office uses in the General Industrial zoning district. The Council also asked staff to investigate ways

that could be adopted to encourage density of development within the General Industrial zone.

**Recommendation of the Planning & Zoning Commission.** At its meeting of September 17, 2008, with a vote of 5-1, the Planning and Zoning Commission recommended Alternative 1. There was one comment from the public during the public input period. Scott Renaud, 1601 Golden Aspen Drive, spoke about his insistence since 2000 that a minimum Floor Area Ratio in the industrial zone would have unintended consequences. He supported the proposed text amendment that would eliminate the minimum FAR in the GI zone.

One Commissioner voted against the recommendation of Alternative 1. His concern is that non-industrial uses locating in industrial zones would make it more difficult for heavy manufacturing to locate there.

**ALTERNATIVES:**

There are several alternatives that could be explored to address the minimum Floor Area Ratio in the General Industrial district. All would have varying degrees of impacts on planned, existing and previous developments.

1. One option is to drop the FAR requirement entirely for the General Industrial zone. Density of development of the site would be governed by the current requirements for front, side, and rear setbacks; maximum building coverage; and minimum landscaping. The application of minimum FAR to only office uses does not achieve desired densities for other, non-industrial uses. This option would not create any non-conforming structures, as there would be neither a minimum nor a maximum Floor Area Ratio standard. This option would result in the following changes to Table 29.901(3) General Industrial (GI) Zone Development Standards.

Table 29.901(3)  
General Industrial (GI) Zone Development Standards

DEVELOPMENT STANDARDS	GI ZONE
...	
Minimum FAR	.35 for Office Use Only Buildings approved for exclusive office use constructed in accordance with either a site plan approved or a building permit issued prior to November 15, 2006 are exempt from this requirement.
...	

2. A second option is to remove offices and/or other non-industrial uses from the General Industrial district. This option helps to preserve the limited amounts of GI zoned land for purely industrial uses. Corporate offices and other exclusive office uses would be channeled to commercial districts or the Planned Industrial district. Since there are a number of such offices and non-industrial uses already in the GI district, this option would create a number of non-conformities.
3. A third option is to grant another reprieve to the proposed project. This would be similar to the action taken in September 2006, which exempted office uses for which a building permit was issued or a site plan approved prior to November 15, 2006 from FAR requirement. This would be just a stopgap measure and would cause the issue to be reexamined again at some future moment in time.
4. A fourth option is to apply the Floor Area Ratio to all non-industrial uses in the General Industrial district. If the purpose of the minimum FAR is to ensure dense development in the GI zone, it would be more effective if applied to all non-industrial uses.
5. Do nothing. This would require any new construction or expansion to meet the current minimum 0.35 Floor Area Ratio.

**MANAGER'S RECOMMENDED ACTION:**

Staff took these alternatives first to the City Council for direction at its August 26, 2008 regular meeting. The Planning and Housing staff and the City Manager recognized the limitations that a minimum Floor Area Ratio has on defining densities of development and the ineffectiveness of applying such a standard solely to one type of use. At the 2006 Council meeting, several property owners, business owners, engineers, and architects supported the deletion of the Floor Area Ratio requirement in the GI district. At the August 2008 meeting, there was again support from the public for deleting the requirement. The City Council directed staff to draft an amendment implementing Alternative 1, removing the minimum Floor Area Ratio requirement from Table 29.901(3) from Section 29.901 of the Ames Municipal Code. These alternatives were presented to the Planning and Zoning at their meeting on September 17. Their recommendation is to adopt Alternative 1.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative 1 by dropping the Floor Area Ratio requirement entirely. The Floor Area Ratio does not accomplish what many consider its intended purpose to be—to restrict non-industrial uses from depleting the City's limited amounts of industrially-zoned land because it applies only to one of several non-industrial uses permitted in the GI district. Staff believes there are better tools to control density of a site, such as the application of setbacks, maximum building coverage, and minimum landscaping requirements. A minimum Floor Area Ratio would be appropriate in some districts where the City desires high density, such as in the Downtown and the Campustown areas. A maximum Floor

Area Ratio would be appropriate where the City wants less dense development—low-density residential districts, or a Class A office park.

The City Council also directed staff to identify and provide options to the City Council that would promote maximum density in this zone. Staff is bringing forward this text amendment now and will work to identify options with the assistance of the Commission, developers, architects, engineers, and business owners for later presentation to the City Council.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REVISION TO SUBSECTION 29.901(3) THEREOF, FOR THE PURPOSE OF REMOVING MINIMUM FLOOR AREA RATIO (FAR) REQUIREMENTS OF OFFICE USES IN THE GENERAL INDUSTRIAL (GI) ZONING DISTRICT; 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 revision to Subsection 29.901(3) as follows:

**Table 29.901(3)  
General Industrial (GI) Zone Development Standards**

DEVELOPMENT STANDARD	GI ZONE
Minimum Lot Area	No limit
Minimum Frontage	25 ft
Minimum Building Setbacks	
Front Lot Line	10 ft.; 40 ft. if abutting an arterial street, except for a fuel pump canopy, which shall maintain a 10 ft. setback from an arterial street, measured from the front edge of the canopy
Side and Rear Lot Lines	12 ft.; 40 ft. if abutting an arterial street except for a fuel pump canopy, which shall maintain a 10 ft. setback from an arterial street, measured from the front edge of the canopy
Lot line abutting a Residentially Zoned Lot	20 ft.
Landscaping in Setbacks Abutting a Residentially-Zoned Lot	10 ft. @ L4. See Section 29.403
Maximum Building Coverage	85%
Minimum Landscaped Area	15%
Maximum Height	100 ft. or 9 stories
Parking Allowed Between Building and Streets	Yes
Drive-Through Facilities Permitted	Yes. See Section 29.1303
Outdoor Display Permitted	Yes. See Section 29.405
Outdoor Storage Permitted	Yes. See Section 29.405
Trucks and Equipment Permitted	Yes

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable by a penalty of \$500 for a first violation and \$750 for each repeat violation.

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  
O0986

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Ann H. Campbell, Mayor