

COUNCIL ACTION FORM

SUBJECT: ZONING ORDINANCE TEXT AMENDMENT PERTAINING TO GARAGE PARKING MAXIMUMS FOR SINGLE AND TWO FAMILY DWELLINGS

BACKGROUND:

This issue pertains to proposed amendments to residential garage regulations. The amendments were initiated by staff for purposes of clarifying existing language, and for providing greater flexibility in achieving what staff assumes to be the intent of existing language. Although not a frequent problem, this amendment will clarify the City's standard during plan review for proposed new garages and garage additions.

Section 29.408(7)(a)(iii)(c) of the Ames *Municipal Code* outlines the zoning regulations for the size of garages and accessory buildings as follows:

“In any Agricultural or Residential district the number of parking spaces within a detached or attached garage shall not exceed 3 for a Single Family Dwelling or 2 per dwelling unit for a Two Family Dwelling.”

The three parking stall maximum has been in the *Municipal Code* since at least 1966. The original intent or purpose for that specific standard is not explicit from available records and files. However, a limitation on garage size is not an uncommon regulation. It is often adopted as a means of minimizing the visual dominance of garages in single family neighborhoods as the sizes of residential garages have become increasingly larger over the past several decades. This is likely the reason the City of Ames adopted more stringent standards for garages in Somerset and in the Single Family Conservation Overlay. Specifically, the Somerset regulations require that the garage be no closer to the street than the rest of the facade. Regulations for the Single Family Conservation Overlay (which is the area between Grand and Duff Avenues, and 7th and 11th Streets) require that the garage be set back at least 18 feet from the rest of the facade.

The City's Inspection Division has found that the interpretation of the garage parking stall limit in the Zoning Code has been problematic and inconsistent because garages can have other uses besides the parking of motor vehicles. Parking stalls are often built larger than the minimum stall dimensions to accommodate storage or workshop space. The current policy allows a property owner to build an unlimited number of separate garages, as long as each individual garage has no more than three parking spaces inside. This is not a common approach, but there are a few examples where a builder placed one attached garage on the front of the house, and one on the side or rear of the house. Alternatively, builders may install an interior barrier such as a fire wall to separate one garage area from another. In this manner, they technically meet the

“separate garage requirement.” For those that simply want space within the garage for other uses, some may rely upon half-walls or even paint striping to designate the expanded area of the garage for non-parking uses. However, since most builders choose to limit the size of garages to three parking stalls, there has been little opposition to this existing standard.

The existing standard is effective at minimizing the visual dominance of garages. However, it limits the ability to have more than three parking stalls in a garage even if the enlarged garage was not visually obvious. For example, a garage with tandem parking would result in a deeper garage, but would not increase the visual façade width of the garage.

Therefore, staff is proposing language that would regulate garages based upon cumulative door width, rather than the number of garage parking stalls within the garage. Staff believes this would achieve the aesthetic intent of the existing standard, but would provide more flexibility to the builder in meeting market demands for larger garages. The proposal further clarifies that the standard pertains to the entire property, and that when there are multiple garages on a single lot, they are not regulated separately.

The original language developed by staff to address this issue, and which was presented to the Planning & Zoning Commission, read as follows:

In any Agricultural or Residential district the ~~cumulative garage door width~~ ~~number of parking spaces within a detached or attached garage~~ shall not exceed three (3) equivalent widths for a Single Family Dwelling or two (2) equivalent widths per dwelling unit for a Two Family Dwelling. An equivalent width shall mean nine (9) feet. Doors less than eight feet in width, such as for lawn and garden equipment, are exempt.

Subsequent to the Planning & Zoning Commission’s review and recommendation for the above language, Staff determined that a more straight forward way of wording the proposed regulation would be to eliminate reference to the “equivalent garage door width” and to simply state the total width allowed. Staff is therefore submitting for the Council’s consideration the following revised proposal, as reflected on the attached ordinance:

In any Agricultural or Residential district the ~~cumulative garage door width~~ ~~number of parking spaces within a detached or attached~~ shall not exceed 3 twenty-seven (27) feet for a Single Family Dwelling or 2 eighteen (18) feet per dwelling unit for a Two Family Dwelling. Doors less than eight feet in width, such as for lawn and garden equipment, are exempt.

The above language would exempt garage doors less than 8 feet in width, such as a 6-foot “roll-up” door. This would facilitate the use of smaller roll-up doors for workshop access, or for smaller equipment storage such as golf carts or lawn and garden

equipment. These would be allowed in addition to standard garage doors, and could be used on either attached storage areas, or on detached outbuildings. An 8-foot door is also a standard garage door size available from suppliers, but is much less common than a nine foot door.

There may be a small number of non-conformities created with this amendment. Those cases would be where separate garages add up to more than the cumulative total allowed. Those cases would be “grandfathered” in as legal nonconforming structures and uses, requiring no action by the owner or the City to rectify or document.

Planning & Zoning Commission. At its meeting of March 3, 2010, by a vote of 7-0, the Commission recommended approval of the originally proposed language as described above. Public input was received from one member of the audience (a local developer), who spoke in favor of the proposed language.

The text originally proposed by the Staff to the Commission was slightly more complex than the proposed revisions described above, and would have required the reader to compute the cumulative door width based on a definition of “cumulative door width”. The final text proposed herein removed the definition, making the computation obvious. This was not a substantive change and does not require another review by the Commission. The following alternatives are therefore provided.

ALTERNATIVES:

1. The City Council can revise the standard as described above and per the attached ordinance to regulate garage sizes based upon the cumulative width of garage doors rather than the number of parking spaces within the garage.
2. The City Council can revise the standard according to its own determinations and conclusions.
3. The City Council can decide not to amend this section of the *Municipal Code* in any way, thereby maintaining the status quo.

MANAGER’S RECOMMENDED ACTION:

City staff met with members of the local development community to discuss these changes and to get their input. While there was some discussion about the initial purpose of the regulation, there was no opposition to the proposed changes expressed.

Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1, which is to approve the attached ordinance revising the standard as described above to regulate garage sizes based upon the cumulative width of garage doors rather than the number of parking spaces within the garage.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SECTION 29.408(7)(a)(iii)(c) AND ENACTING A NEW SECTION 29.408(7)(a)(iii)(c) THEREOF, FOR THE PURPOSE OF CLARIFYING EXISTING LANGUAGE; 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 enacting a new Section 29.408(7)(a)(iii)(c) as follows:

Sec. 29.408. OTHER GENERAL DEVELOPMENT STANDARDS.

(7) Requirements for Private Garages and Other Accessory Buildings

(iii)

(c) In any Agricultural or Residential district the cumulative garage door width shall not exceed twenty-seven (27) feet for a Single Family Dwelling or eighteen (18) feet per dwelling unit for a Two Family Dwelling. Doors less than eight feet in width, such as for lawn and garden equipment, are exempt.”

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
O1217

Ann H. Campbell, Mayor