

COUNCIL ACTION FORM

SUBJECT: ZONING TEXT AMENDMENT TO REMOVE EXCEPTION FOR MORE THAN ONE SINGLE-FAMILY OR TWO-FAMILY RESIDENTIAL STRUCTURE ON A LOT LARGER THAN ONE ACRE

BACKGROUND:

At its July 9 and August 13 meetings, the City Council discussed potential changes to the Zoning Code regarding development of multiple detached homes on a single lot greater than one acre. The discussion was a review of the existing zoning and subdivision regulations focusing on large residential development sites compared to traditional low-density subdivisions. A focus of the discussion was the current code provision that allows for multiple single and two-family structures on lots larger than one acre and what would be typical subdivision improvement requirements to develop multiple homes on individual lots. **At the August 13th City Council meeting, staff was directed to draft a text amendment to eliminate the provision for more than one single-family or two-family structure on a lot greater than one acre for all zoning districts.**

The proposed amendment will directly require an individual lot for each single-family or two-family structure. This results in the requirement for a future development to go through the City's subdivision review process in order to build multiple homes. The subdivision process then allows the City to consider the design and layout of a project in relation to on-site and off-site improvements standards and criteria. It will also typically affect the potential development pattern of property by requiring more spacing between homes to satisfy individual lot development standards of underlying zoning districts.

The Planning and Zoning Commission considered the draft zoning text amendment at its August 21 and September 4 meetings. The Commission received public testimony concerning the text amendment and discussed issues related to the background and purpose of the amendment, potential nonconformities, limits in housing options, and applicability to low density zoning as well as medium and high density. The Commission ultimately voted 7-0 in support of the proposed text amendment.

PROPOSED AMENDMENT:

The following text amendment has been prepared for consideration by the City Council. Subsection (c) of Section 29.401(5) would be modified as shown below:

(5) Multiple Buildings on Single Lots.

- (a) More than one commercial, industrial, hospital, institutional or public principal building may be erected on a lot, where such uses are permitted, provided that all setbacks from the property line otherwise required for a single principal

building are observed. The distances between substructures shall be determined by the provisions of the City Building Code.

(b) More than one apartment dwelling is permitted on a single lot, provided that all area and setback requirements are calculated as if each structure were on its own individual lot.

~~(c) More than one Single Family or Two-Family residential structure on the same lot of one acre or less is prohibited.~~

Zoning Analysis:

In looking at the City's low-density zoning regulations (RL and FS-RL), the intended design/character is embodied in the purpose statement of the RL zone which reads,

"This zone is intended to accommodate primarily single-family dwellings, while accommodating certain existing two-family dwellings and other uses customarily found in low-density residential areas." In the FS zones, the design principles establish a desire for "economic and efficient subdivision design with respect to the provision of streets, utilities and community facilities; development patterns that ensure compatibility in the design of buildings with respect to placement along the street; and spacing and height of buildings and provides for spaciousness, and effective vehicular and pedestrian circulation."

The principles of the FS zone go on to ensure "a development pattern that is compatible with surrounding neighborhoods and is consistent with the Goals and Objectives of the Land Use Policy Plan." Section 29.1202(1) contains a complete list of Development Principles for the Suburban Residential Zones.

Traditional low-density development results in a pattern whereby a structure is situated upon an individual lot with a minimum amount of land area and with frontage on a public street. Two parking spaces are required for a home and are provided on the same lot as the home. Creation of individual lots for each home triggers subdivision requirements and improvements, such as street improvements, sidewalks, street trees, and utility services for each lot. A low-density development pattern or a subdivision does not control the type of household occupant, as both renters and owners are allowed, as well as related and unrelated persons.

Currently, the General Development Standards found in Section 29.401(5)(c) of the Municipal Code allow for development with an unlimited number of single and two-family buildings on a lot that is greater than one acre, provided it is within the required density range. This exception applies to all zoning districts where the use is allowed.

While recognizing that large lots may have space to accommodate more than one structure, at best this current provision allows for flexibility in home design, but also has potential to cause design integration issues with neighbors. At its worst level on a larger scale, it has the ability to thwart the purpose of the underlying low-density zoning district due to the non-traditional layout and scale of development. This type of development pattern on a large scale is not customarily found in low-density residential areas and does not fit with the purpose and principles identified for the low-density developments.

Alternatives to requiring subdivision for individual lots of detached single and two-family structures include adding development standards to each zone, limiting the number of structures on a lot, or creating a different development review process for multiple buildings.

Nonconforming Properties:

In an attempt to provide an order of magnitude of potential nonconformities related to the proposed zoning text amendment, staff researched the City's residentially zoned parcels greater than one acre in size for multiple one and two-family structures. Staff compared aerial photography against zoning to identify the number of buildings on a property. When considering the base zones of Residential Low, Medium, and High Density and Floating Zone Suburban Residential Low and Medium Density, **staff was only able to identify one property greater than one acre that was developed with multiple two-family (duplex) structures. There were no identified single-family home nonconformities identified in the research.** This research demonstrated that larger properties did not generally have multiple buildings and that higher density properties were developed with apartment buildings (3 or more attached units) and not smaller detached buildings. Apartment buildings would not be affected by the proposed zoning text amendment.

Land Use Policy Plan:

Goal No. 2 identifies the need to assure there are adequate lands available to meet population and employment growth projections and to consider new development compatibility. This is further articulated within the Objectives as a combination of considerations about providing for new lands to be annexed, limited intensification of existing areas, sufficient land supply to alleviate market constraints, and a development review process that achieves greater compatibility among new and existing uses. (See Attachment 1). The proposed text amendment relates to the development review process in an attempt to balance the Objectives of Goal 2.

ALTERNATIVES:

1. The City Council can adopt the zoning text amendment eliminating the provision for more than one single-family or two-family structure on a lot greater than one acre for all zoning districts.
2. The City Council can approve the draft amendment language with modifications.
3. The City Council can deny the proposed text amendment
4. The City Council can refer this issue back to staff for further information.
5. The City Council can direct staff to prepare an alternative draft text amendment for design standards or permitting process related to large site development.

MANAGER'S RECOMMENDATION:

Based upon the stated interests of Council in preserving traditional development patterns with clear and uniform standards and as the simplest approach, **Alternative 1 is the most direct means of limiting large site development.** This alternative would eliminate the opportunity for large site development of one and two-family homes in all zoning districts. This would require residential properties larger than one acre to be subdivided into individual lots prior to development or to develop other allowed uses such as attached single family or apartment buildings. The proposed text amendment would provide a process that has each home on its own lot with frontage on a street, public utilities, yard area, and off-street parking. It would also allow for the integration of development into the fabric of the adjoining neighborhoods and the community through the subdivision process.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting the zoning text amendment to eliminate the provision for more than one single-family or two-family structure on a lot greater than one acre for all zoning districts.

Attachment 1

Land Use Policy Plan Excerpt

19



Ames Industrial Park near I-35

Goal No. 2. In preparing for the target population and employment growth, it is the goal of Ames to assure the adequate provision and availability of developable land. It is the further goal of the community to guide the character, location, and compatibility of growth with the area's natural resources and rural areas.

Objectives. In assuring and guiding areas for growth, Ames seeks the following objectives.

- 2.A. Ames seeks to provide at least 600 to 2,500 acres of additional developable land within the present City and Planning Area by the year 2030. Since the potential demand exceeds the supply within the current corporate limits, alternate sources shall be sought by the community through limited intensification of existing areas while concentrating on the annexation and development of new areas. The use of existing and new areas should be selective rather than general.
- 2.B. Ames seeks to assure the availability of sufficient suitable land resources to accommodate the range of land uses that are planned to meet growth. Sufficient land resources shall be sought to eliminate market constraints.
- 2.C. Ames seeks a development process that achieves greater compatibility among new and existing development.
- 2.D. Ames seeks a development process that achieves greater conservation of natural resources and compatibility between development and the environment.
- 2.E. Ames seeks to integrate its planning with that of Story County and surrounding counties in assuring an efficient and compatible development pattern, and in assuring that there are adequate agricultural resources to serve the region.