

**COUNCIL ACTION FORM**

**SUBJECT: ZONING TEXT AMENDMENTS RELATED TO THE RESIDENTIAL LOW DENSITY PARK ZONE MINIMUM BUILDING SETBACK AT AN EXTERIOR BOUNDARY LINE**

**BACKGROUND:**

The public hearing for the proposed text amendment was continued by the City Council at the request of the applicant from May 10<sup>th</sup> to June 14<sup>th</sup>.

Flummerfelt's Shady Grove M.H.C., LLC is requesting a text amendment to the minimum building setback regulations of manufactured home park exterior boundary lines. The City Council received a letter requesting a text amendment referral at its February meeting and allowed the applicant to initiate an amendment. **The applicant's request is to reduce the perimeter setback from 30 feet to 10 feet.** The exterior boundary along a street would remain at 30 feet. The current setback regulations for mobile homes have existed as part of the previous R-5 zoning prior to 2000 and were carried over to the Residential Low Density Park (RLP) zoning district when the City adopted a new zoning ordinance in 2000.

Flummerfelt's Shady Grove M.H.C., LLC own multiple manufactured home parks across the community, but is currently concerned about the park at 1002 Dayton. **The applicant states that the most marketable and desirable mobile home at this time is a 76-foot long single modular width home. This specific home type is unable to be placed in the buildable area of the perimeter boundary lots of the mobile home park located at 1002 Dayton Avenue under the current RLP development regulations.** The current buildable area on the perimeter lots is 60 feet in depth. To accommodate a 76-foot long mobile home, a minimum of 16 additional feet of buildable area would need to be added to the perimeter lots. The resulting home placement would be 14 feet from the perimeter property line with the 76-foot home.

Many of the single-wide homes in the park located at 1002 Dayton, as well as other similar styled mobile home parks in the community, range in length from 60 to 78 feet. Many of the existing mobile home parks are at or near capacity in terms of number of homes. Any text amendment affects three separate RLP zoned areas of the community that contain mobile homes. This includes the Dayton area as well as two additional areas are located just off of South Duff at Southeast 16th street and on the south side of south 16th street and north of Highway 30.

Parks are laid out in a manner that simulates lotting, but they are not necessarily subdivided into individual lots. One key element of RLP zoning and a Major Site

Development Plan is that the design of the park includes common open space and amenities in addition to specifying the manufactured home spaces and layout of the park. The Site Plan approval for the Dayton Park sited lots at this location that are 10 feet less in depth than the interior lots despite the greater setback requirement. The current setbacks have a 30-foot rear perimeter building setback along the exterior lot line of the boundary lots in mobile home parks and a 15 foot interior street side setback. Since most mobile home parks do not have individual lots with a rear property line, the RLP standards also include a 20-foot building to building separation requirement.

The applicant has stated he has limited choices of how to place home on the current lots and wants to expand the range of options. The applicant has described that the current lots allow for placement of used double wide manufactured homes. **New build manufactured homes from his suppliers do not fit in the buildable area of the perimeter lots at 1002 Dayton.** Newly built homes are typically a minimum of 64 feet in length for double wide homes, smaller single wide homes are 66-72 feet, and the developer's desired single-wide home model of 76 feet. The applicant described cost differences between these homes as used homes being available for under \$40,000, new single wide 76-foot long homes priced below \$60,000, and new double wide homes priced around \$90,000. To place any of the newly built homes on the perimeter lots, some adjustment to the 30-foot setback standard would be needed.

**In staff's opinion, the key consideration of allowing a change to setback requirements is potential incompatibility and transition to neighboring uses. The existing manufactured home parks have a variety of adjacent uses that include residential, commercial uses, and industrial uses.** Changing the rear setbacks at an exterior boundary line will allow for the manufactured homes to come within a much closer distance to potential future industrial uses neighboring the 1002 Dayton Avenue site.

The General Industrial zone, which abuts a large portion of the property in question at the Dayton location allows for the potential of large scale industrial buildings within 20 feet of residentially zoned property. The combination of GI setbacks and RLP setbacks would create a 50-foot separation of buildings with a landscape buffer yard along the property line and installed by the industrial user. With the proposed change, an industrial building could be as close as 30 feet from a manufactured home with an intervening buffer.

At its April 20th meeting, the Planning & Zoning Commission discussed the text amendment proposal, why such a specific change was needed, and how it would affect the intended character and development in RLP zoning districts. Ultimately the Commission voted to recommend the City Council adopt the applicant's proposal in an effort to support expanded affordable housing opportunities within the City.

Staff believes the 30-foot setback has merit in attempting to help mitigate compatibility and transition to dissimilar uses at the perimeter of a manufactured home park. When considering options with the Planning and Zoning Commission, staff believed that

maintaining the setback was important due to the variety of adjacent uses to manufactured home parks and trying to ensure a more desirable living environment. Staff also considered an option for a 20-foot setback as more desirable than the proposed 10-foot setback. The 20-foot distance would match the minimum rear yard expectation of single-family homes in standard residential zoning districts. If the 20-foot option was adopted, it would allow the applicant to place either used manufactured homes as he can do now or new homes under 70 feet in length on the perimeter lots. It would not allow for the largest homes that are 76 feet in length to be placed upon the perimeter lots. Changing to 20 feet would only partially meet the applicant's interest.

If the developer is not successful with a zoning text amendment request, they may choose to pursue a setback variance for the north perimeter lots within the Dayton park based on the limitation of the lot size related to the specifications of newly constructed manufactured homes and hope to demonstrate to the Zoning Board of Adjustment they meet the criteria for a variance.

### **ALTERNATIVES:**

1. The City Council can decline to adopt the proposed amendments and maintain a 30-foot perimeter setback requirement.
2. The City Council can on first reading approve the ordinance allowing for a 10-foot setback at exterior boundary lines when not abutting a public right of way in RLP zoning districts as shown in the attached draft ordinance.
3. The City Council can approve alternative language for reduced setbacks and adopt an ordinance on first reading.

### **MANAGERS RECOMMENDATION:**

The proposed changes reduce the required distance manufactured homes must be from exterior boundary lines that do not abut a public right-of-way. The main question concerning this text amendment consists of what is an appropriate transition to adjacent properties and if increasing the range of house types that may be placed on exterior lots is warranted. The rear setback requirement is not intended to provide for active open space as that need is met through the side yards and common open space requirements within the park. Its purpose is to provide for transition and buffering of adjacent uses as an important component of quality living environments.

While there are only five parks within the City, there are a wide variety of uses adjacent to manufactured home parks that are not typical of most residential areas of the City. When touring the older areas of mobile home parks there a distinct difference in how little separation there is from other homes compared to the newer parks. The primary mitigating factor of the reduced setback is the buffering that the General Industrial properties are required to meet with building separation, wall, and landscaping

requirements. For the Dayton property, all of the abutting industrial lots are required to provide this buffering as they develop.

The new mobile homes at the Dayton site would likely be placed prior to the completion of adjacent development. Other existing parks adjacent to commercial areas are already non-conforming in their perimeter setbacks and would likely not be affected by the change. Any new RLP zoned property could mitigate issues of adjacency through the site plan approval process where site specific standards could be imposed. **With the belief that the existing parks will likely be minimally affected by the change and that the abutting General Industrial buffering and setbacks will help address transition areas, reducing the setback can be supported to promote a wider range of housing choices.**

**Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #2, which is to approve the proposed text amendment allowing a 10 foot setback at an exterior boundary line.**

## Attachment A-Applicant Requested Changes

Table 29.705(5)

### Residential Low Density Park (RLP) Zone Development Standards

DEVELOPMENT STANDARDS	RLP ZONE
Minimum Parcel Size for a Manufactured Home Park	10 acres
Maximum Density of Manufactured Home Spaces	7/gross acre
Minimum Area of Manufactured Home Space	To be determined by the size of the manufactured homes, separation requirements and occupied lot area ratios
Maximum Area of Detached Garage	600 sf.
Minimum Lot Frontage	35 ft., only in a Manufactured Home Subdivision.
Minimum Building Setback, Manufactured Homes  Interior Street Line Exterior Street Line <u>Exterior Non Street Boundary Line</u> Between Manufactured Homes Including Structural Additions	15 ft. 30 ft. <u>10 ft.</u> 20ft.
Minimum Building Setbacks, Detached Garages Interior Street Line <u>From Exterior Non Street Boundary</u> <u>Exterior Street Line</u> Between Detached Garages and Manufactured Homes	20 ft. <u>10 ft.</u> <u>20 ft.</u> 6ft.
Minimum Recreation Area	8%
Maximum Height	15 ft. or 1 story, whichever is lower
Parking Allowed Between Buildings and Streets	No
Drive-Through Facilities Permitted	No
Outdoor Display Permitted	No
Outdoor Storage Permitted	No
Trucks and Equipment Permitted	No

## Attachment B

### TEXT AMENDMENT TO THE ZONING ORDINANCE TABLE 29.705(5) “RLP” RESIDENTIAL LOW DENSITY PARK ZONE

- A. Explanation of Reasons for the Zoning Text Amendment. In the quest for affordable housing, manufactured homes have become a significant option, as the construction and structures have become more and more similar to stick-built residences as time has progressed. Manufactured homes are no longer metal-sided disposable temporary housing as was common in the past, but have become structures with fully-insulated walls, insulated windows, and pleasant looking exteriors. As the progress in appearance, the efficiency and comfort of living has progressed over the years, the model most attractive to consumers has trended to 76 feet in length. 76 foot manufactured homes would typically have around 1,000 square feet of living area with amenities found in stick-built residences of comparable size. The size and the amenities have attracted consumers to the 76' model, and manufacturers have developed processes that make the 76' model the “best buy” for cost per square foot and living comfort. Unfortunately, major site development plans of the past have not necessarily considered this length of manufactured home when establishing exterior boundaries. In order to accommodate the demand for this popular and livable model of manufactured home, Flummerfelt Four Seasons M.H.C. LLC is seeking a Text Amendment to Table 29.705(5), amending minimum building setback, manufactured home park exterior boundary line to ten feet (10').

The purpose of the zoning amendment is to enhance the living experience for those seeking affordable housing in Ames by allowing them to buy the best value-priced home and while having affordable housing, live in the same comfort as those in stick-built residential districts. As shown by the attached Plat, without the Text Amendment, as many as thirty future owners of affordable homes would be deprived of the opportunity to receive the best value and larger square footage available in the 76' model.

For safety and aesthetics, the thirty foot (30') setback would remain in place for exterior boundaries that abut public roadways and other exterior boundaries would be amended to ten feet (10'). The Text Amendment would have no effect on clearance between structures or interior setbacks for the development.

- B. Description of the Property, Zones, and/or Areas Affected. The zoning for Four Seasons Park major site development plan is RLP; it's location on South Dayton Avenue is surrounded by commercial zoning. The major site development plan is attached showing the description of the development and amenities of the development. Also attached is the GSI map showing a view of the area.

## Attachment B Continued

- C. Explanation of Consistency of Text Amendment with Land Use Policy. The preface to the Land Use Policy has been critical of the density of housing in the City of Ames in the past. A manufactured home village assists the City in achieving greater density with less land consumption, and a facility like Four Seasons Park provides amenities to the homeowner that are typically only available in dramatically more expensive neighborhoods.

The 2030 housing projection in the Land Use Policy shows substantial need for additional single-family housing, and certainly mentions that housing should be affordable. Part of affordable housing is having the best features available in that affordable housing, and because of the manufacturing methods of the 76' model manufactured home, the features like countertops, cabinets, and sinks, are roughly equivalent to what one would find in those stick-built in the 1,000 to 1,200 square foot size. Having single-family housing available with competitive features that is affordable is in complete harmony with the Land Use Policy.

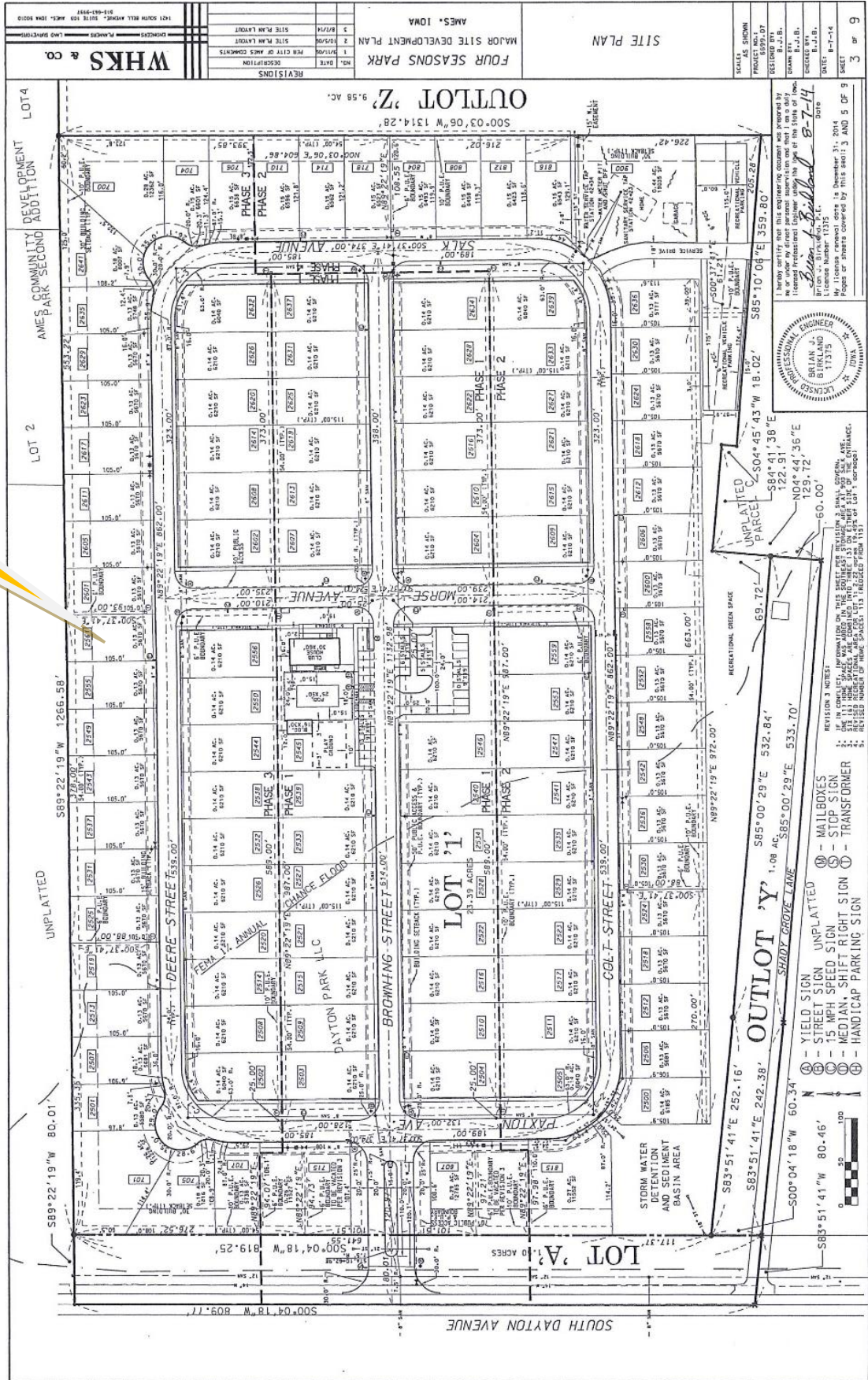
Chapter 2 of the Land Use Policy shows that of 2,834 acres to be put into future use, 2,291 of those acres are for one and two family housing, 336 acres to multiple family housing, and only 75 acres dedicated to other alternatives for housing. Since the future amount dedicated to residential low-density park zones is so small in comparison to other forms of housing, it is important that we strive to allow those homeowners to have the most affordable per square foot and attractively-sized units as possible.

Finally, because RLP areas are generally surrounded by multi-family or commercial zoning, there is no impact from this proposed Text Amendment on the Land Use Policy.

- D. Existing Ordinance. The existing language is found in Table 29.705(5), the title is Minimum Building Setback, Manufactured Home Park Exterior Boundary Line. The requirement then states thirty feet (30') except for awnings and raised open decks that may extend ten feet (10') into this setback. A photocopy of Chapter 29, Article 7, Pages 9 and 10, are attached hereto for full context.
- E. Proposed Ordinance Language. The development standard side of the Table would remain unchanged; the proposed text change under "RLP Zone" would read as follows:

"Thirty feet (30') for exterior boundary abutting public roadways, except for awnings and raised open decks that may extend ten feet (10') into this setback; exterior boundaries not abutting public roadways, ten feet (10')."

# Attachment C



North Perimeter

NO.	DATE	DESCRIPTION
1	07/17/08	PRELIMINARY LAYOUT
2	07/27/08	SITE PLAN LAYOUT
3	07/27/08	SITE PLAN LAYOUT

REVISIONS

FOUR SEASONS PARK  
MAJOR SITE DEVELOPMENT PLAN  
AMES, IOWA

SCALE: AS SHOWN	PROJECT NO.: 0599.07
DESIGNER: B.J.B.	DRAWN BY: B.J.B.
CHECKED BY: B.J.B.	DATE: 07-14-08
SHEET: 3 OF 9	

I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed professional engineer in the State of Iowa.

**Brian J. Ball**  
Professional Engineer  
Iowa License Number: 13335  
Project # prepared by: 0599.07

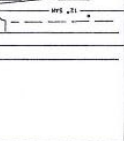


UNPLATTED PARCEL C: 504°45'43" W 18.02'  
S85°10'08" E 359.80'  
S89°41'38" E  
S22°31'36" E  
129.72'  
60.00'

RECREATIONAL GREEN SPACE

REVISION 3 NOTES:  
1. IN THE CORNER OF THE UNPLATTED PARCEL, THE SIGN SHALL BE A 5' X 5' SIGN.  
2. THE SIGN SHALL BE A 5' X 5' SIGN.  
3. THE SIGN SHALL BE A 5' X 5' SIGN.  
4. THE SIGN SHALL BE A 5' X 5' SIGN.  
5. THE SIGN SHALL BE A 5' X 5' SIGN.

- ⊙ - YIELD SIGN
- ⊙ - STREET SIGN
- ⊙ - 5 MPH SPEED SIGN
- ⊙ - STOP SIGN
- ⊙ - MEDIUM SHIELD RIGHT SIGN
- ⊙ - TRANSFORMER
- ⊙ - HANDICAP PARKING SIGN
- ⊙ - MAILBOXES





**ORDINANCE NO.**

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SECTION 29.705(5) TABLE AND ENACTING A NEW SECTION 29.705(5) TABLE THEREOF, FOR THE PURPOSE OF AMENDING THE RESIDENTIAL LOW DENSITY PARK ZONE MINIMUM BUILDING SETBACK AT AN EXTERIOR BOUNDARY LINE; 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 Section 29.705(5) Table and enacting a new Section 29.705(5) Table as follows:

“(5) **Zone Development Standards.** The zone development standards for the RLP Zone are set forth in Table 29.705(5) below:

**Table 29.705(5)  
Residential Low Density Park (RLP) Zone Development Standards**

DEVELOPMENT STANDARDS	RLP ZONE
Minimum Parcel Size for a Manufactured Home Park	10 acres
Maximum Density of Manufactured Home Spaces	7/gross acre
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Minimum Lot Frontage	35 ft., only in a Manufactured Home Subdivision.
Minimum Building Setback, Manufactured Homes Interior Street Line Exterior Street Line Exterior Non Street Boundary Line Between Manufactured Homes, including structural additions	15 ft. 30 ft. 10 ft., 20 ft.
Minimum Building Setbacks, Detached Garages Interior Street Line From Exterior Non Street Boundary Exterior Street Line Between Detached Garages and Manufactured Homes	20 ft. 10 ft., 20 ft. 6 ft.
Minimum Recreation Area	8%
Maximum Height	15 ft. or 1 story, whichever is lower
Parking Allowed Between Buildings and Streets	No
Drive-Through Facilities Permitted	No
Outdoor Display Permitted	No
Outdoor Storage Permitted	No
Trucks and Equipment Permitted	No

”

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

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