

ITEM # 31
DATE: 11-14-17

COUNCIL ACTION FORM

SUBJECT: ZONING TEXT AMENDMENTS TO ALLOW THE USE OF DOG GROOMING WITHIN VILLAGE ZONING

BACKGROUND:

The City Council referred a request to allow for Dog Grooming within the Somerset commercial area. Somerset is subject to the Village Zoning District standards and allowed uses. Somerset is intended to provide for office, retail, and service uses, but in a more selective manner than larger scale commercial areas. Animal Grooming Salons is a listed use in Article V of the Zoning Ordinance as a Retail Personal, Business, and Repair Services and is not included by reference as a permitted use within Village zoning.

The proposed Amendment will add Animal Grooming Salon to the allowable uses within the Village Zoning district for a Commercial Shop Front building. Similar uses for pets and services are already permitted within the zoning district for small animal veterinarian services and indoor kennels. Adding the proposed use to Commercial Shop Front building types is consistent with these uses.

The Planning and Zoning Commission reviewed the amendment at its October 18th meeting and voted 6-0 in support of the change.

ALTERNATIVES:

1. The City Council can adopt on first reading proposed amendments to permit Animal Groom Salon as a permitted use in Village Zoning District.
2. The Planning & Zoning Commission can recommend the City Council decline to adopt the proposed amendments.
3. The Planning & Zoning Commission can recommend alternative language for the proposed amendments.

CITY MANAGER'S RECOMMENDED ACTION:

The proposed change is minor in scope and will allow for a use that is consistent with the intent of Village Zoning to provide for neighborhood scale and convenience commercial uses.

Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1.

List of Existing Uses for Village Zoning

(5) **Permitted Uses.** The uses permitted in the F-VR Zone are set forth in Table 29.1201(5) below:

**Table 29.1201(5)
Village Residential (F-VR) Floating Zone Uses**

USE CATEGORY	NEIGHBORHOOD CENTER	NEIGHBORHOOD GENERAL	NEIGHBORHOOD EDGE
RESIDENTIAL			
Country House	N	N	Y
Village House	N	Y	Y
Village Cottage	Y	Y	N
Single Family Attached (Side-yard House)	Y	Y	N
Single Family Attached (Row-house)	Y	Y	N
Village Apartment	Y	N	N
Garden Apartments, if previously approved	N	Y	N
Assisted Living	N	Y	Y
COMMERCIAL			
Apothecary Shop	Y	N	N
Artist Studio and accessory gallery	Y	N	N
Banks	Y	N	N
Barber Shops	Y	N	N
Beauty Shops	Y	N	N
Car Wash	Y	N	N
Convenience store with gas	Y	N	N
Dance Studio	Y	N	N
Dry Cleaner	Y	N	N
Dwellings above the first floor	Y	N	N
Hardware store	Y	N	N
Kennels (indoor only)	Y	N	N
Grocery, bakery, delicatessen or similar retail stores	Y	N	N
Office Uses	Y	N	N
Pottery Shops	Y	N	N
Retail sales as defined in Section 29.502 of this ordinance	Y	N	N
Restaurants, excluding drive through service	Y	N	N
Veterinary Offices-small animal exclusive	Y	N	N
OTHER USES			
Child Day Care Facilities	Y	Y	N
Community Facilities, except vocational training for handicapped	Y	N	N
Essential Public Services	Y	N	N
Religious Institutions	Y	Y	N
Schools, limited to public and private day schools	N	Y	Y

Y = permitted
 N = prohibited
 (Ord. No. 3595, 10-24-00; Ord. No. 4066, 5-24-11)

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SECTION 29.1201(5) AND 29.1201(7)-8 AND ENACTING A NEW SECTION 29.1201(5) AND 29.1201(7)-8 THEREOF, FOR THE PURPOSE OF ALLOWING THE USE OF DOG GROOMING WITHIN VILLAGE ZONING; 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 repealing Section 29.1201(5) and Section 29.1201(7)-8 and enacting a new Section 29.1201(5) and Section 29.1201(7)-8 as follows:

“Sec. 29.1201. “F-VR” VILLAGE RESIDENTIAL DISTRICT.

...
(5) **Permitted Uses.** The uses permitted in the F-VR Zone are set forth in Table 29.1201(5) below:

**Table 29.1201(5)
Village Residential (F-VR) Floating Zone Uses**

USE CATEGORY	NEIGHBORHOOD CENTER	NEIGHBORHOOD GENERAL	NEIGHBORHOOD EDGE
RESIDENTIAL			
Country House	N	N	Y
Village House	N	Y	Y
Village Cottage	Y	Y	N
Single Family Attached (Side-yard House)	Y	Y	N
Single Family Attached (Row-house)	Y	Y	N
Village Apartment	Y	N	N
Garden Apartments, if previously approved	N	Y	N
Assisted Living	N	Y	Y
COMMERCIAL			
Apothecary Shop	Y	N	N
Artist Studio and accessory gallery	Y	N	N
Banks	Y	N	N
Barber Shops	Y	N	N
Beauty Shops	Y	N	N
Car Wash	Y	N	N
Convenience store with gas	Y	N	N
Dance Studio	Y	N	N
Dog Grooming Salons	Y	N	N
Dry Cleaner	Y	N	N
Dwellings above the first floor	Y	N	N
Hardware store	Y	N	N
Kennels (indoor only)	Y	N	N
Grocery, bakery, delicatessen or similar retail stores	Y	N	N
Office Uses	Y	N	N
Pottery Shops	Y	N	N
Retail sales as defined in Section 29.501(4)-3 of this ordinance	Y	N	N

USE CATEGORY	NEIGHBORHOOD CENTER	NEIGHBORHOOD GENERAL	NEIGHBORHOOD EDGE
Restaurants, excluding drive through service	Y	N	N
Veterinary Offices-small animal exclusive	Y	N	N
OTHER USES			
Child Day Care Facilities	Y	Y	N
Community Facilities, except vocational training for handicapped	Y	N	N
Essential Public Services	Y	N	N
Religious Institutions	Y	Y	N
Schools, limited to public and private day schools	N	Y	Y

Y = permitted

N = prohibited

(Ord. No. 3595, 10-24-00; Ord. No. 4066, 5-24-11)

...

**Table 29.1201(7)-8
Village Residential (F-VR) Floating Zone Urban Regulations
Commercial/Shop Front**

URBAN REGULATIONS	F-VR ZONE	
General Requirements	All design shall be submitted to and approved by the Village. Architect Commercial/Shop Front structures shall be permitted in the Neighborhood Center only. Commercial/Shop Front structures shall be permitted on lots that are between 24 and 48 feet wide.	
Building Placement	There shall be a mandatory build-to-line of 6 feet. Vehicle access to all Commercial/Shop Front lots shall be from an alley only. Commercial/Shop Front structures shall be constructed with no side yard setback on interior side yard lines. There shall be a 6-foot side yard setback on the side yard in a corner condition. The front facade of Commercial/Shop Front structures shall extend along 100% of the frontage and 50% along the side lot line in a corner condition. Commercial/Shop Front structures shall be arranged where the building placement along a street creates a traditional "Main Street" effect. Commercial/Shop Front structures shall be arranged where a mid-block pedestrian pathway or paseo of 8 feet in width is constructed to enable pedestrian mobility through the Neighborhood Center. Where no building wall exists, a garden wall shall be constructed on the property line, except in the instance of a Convenience Store with gas.	
Design Elements	The area between the build-to-line and the front property line and the area between the structure and side lot line in a corner condition shall be paved similar to the adjacent sidewalk. Balconies, awnings and roof overhangs may encroach into the area between the build-to-line and the front property line and the area between the side yard setback line and the side yard line. An awning or second story balcony is required for a minimum of 50% of the street frontage or the distance adjacent to a path. Balconies shall be 3 feet deep and awning shall be 6 feet deep adjacent to street frontage. Awning adjacent to a path shall be 3 feet deep. All exterior building walls facing adjacent streets shall be glazed along a minimum of 40% of the wall length with clear glass at eye level. Setback areas for entrance doors to Commercial/Shop Front structures shall not exceed 75 square feet. Commercial/Shop Front structures shall not exceed 10,000 square feet of floor area in any single structure, except for Health Clubs/Fitness Centers which shall not exceed 23,000 sq. ft. on any single story.	
Use Requirements	Apothecary Shop Bait and Tackle Shop Barber Shops Cabinet Shops Convenience Store With Gas Dry Cleaner	Artists Studios and Accessory Gallery Banks Beauty Shops Car Wash Dance Studio Dwelling Units Located Above the First Floor

URBAN REGULATIONS	F-VR ZONE	
	Hardware Store	Office Buildings
	Grocery, Bakery, Delicatessen or Similar Retail Sales	Pottery Shops
	Photography Labs	Retail Sales as Defined in Section 29.501(4)-3 of this Ordinance
	Printing Shops	Second Hand Stores
	Restaurants, Excluding Drive Through Service	Health Club/Fitness Center
	Dog Grooming Salons	Kennels (indoor only)
	Veterinary Offices-small animal exclusive	
Height Restrictions	<p>Commercial/Shop Front structures shall be a maximum of three stories in height</p> <p>Single Story Commercial/Shop Front structures facing adjacent street shall be a minimum of 16 feet in height.</p> <p>Garden walls shall not exceed 6 feet in height when located along the side lot line and shall not exceed 3 feet in height when located between the build-to-line and the front property line.</p> <p>Awnings shall be constructed at a height of between 9 and 12 feet above the walk.</p>	
Parking Requirements	<p>Parking is allowed on Commercial/Shop Front lots behind the structure only.</p> <p>One parking space shall be provided for each 250 square feet of gross floor area.</p> <p>Required parking includes all parking on the Commercial/Shop Front lots plus all parking on and off the street within 300' of the Commercial/Shop Front lot.</p> <p>Trash container and loading areas shall be located behind the Commercial/Shop Front structure.</p>	

(Ord. No. 3591, 10-10-00; Ord. No. 3775, 6-22-04; Ord. No. 4066, 5-24-11)."

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out by law.

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

Ann H. Campbell, Mayor