

**COUNCIL ACTION FORM**

**SUBJECT: ZONING TEXT AMENDMENT RELATING TO STACKED PARKING FOR ONE AND TWO FAMILY DWELLINGS**

**BACKGROUND:**

On November 12, 2019 the City Council adopted ordinances regulating Guest Lodging. Guest Lodging is a type of use within a Single Family or Two Family dwelling. Guest Lodging standards include requirements for off-street parking spaces. Availability of off-street parking on a property may directly impact the permitted occupancy of the Guest Lodging use. During the review of Rental Code standards and Guest Lodging over the past year, a discrepancy in parking standards became evident for stacked parking (tandem parking of one car in front of the other) for a single-family home. **The proposed text amendment is intended to clarify that stacked parking for a single-family owner occupied homes and rental property is also acceptable for Guest Lodging within a dwelling. This proposed change does not create new options to expand front yard parking or to receive an exception to front yard parking limitations of the Zoning Ordinance. This issue is most relevant to older homes that have only a single-car wide driveway or single-car garage.**

Parking requirements are a combination of a minimum number of spaces required for a use as well as locational requirements that are summarized below:

- A single-family dwelling requires two parking spaces, covered or uncovered.
- Front yard parking is prohibited, except upon a driveway that leads to parking in a garage or parking behind the front façade of a house.
- Parking spaces are required to be individually accessible to count as required parking, *with an exception that for single-family homes stacked parking is allowed in some cases for “owner occupied” homes.*
- The Rental Code allows for stacked parking for both single-family and two-family homes.
- Although Guest Lodging can occur in a single-family dwelling, it is not a single-family residential use that meets the current zoning standard for allowing stacked parking.

The proposed change not only allows for Guest Lodging to take advantage of stacked parking, it will resolve the following Rental Code discrepancies with the Zoning Ordinance.

- Chapter 13 (Rental Code) applies the exception to both single family and two family dwellings; Chapter 29 (Zoning Ordinance) applies it to only single family.
- Chapter 13 applies the exception to residential “rental” properties; Chapter 29 applies it to “owner occupied”.

**Chapter 13 off-street parking requirements were updated in 2018 by the City Council with the intent of aligning with the Zoning Ordinance, but the issue of the Zoning Ordinance language for stacked parking was not addressed.** Stacked parking was clearly understood to be acceptable at the time of the Chapter 13 updates due the lengthy discussions on parking requirements related to occupancy levels. Staff believes the proposed amendment is consistent with the prior discussions for rental properties and for Guest Lodging.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

The Planning and Zoning Commission reviewed the requested amendment at its November 20, 2019 meeting. The Commission voted 5-0 to recommend approval of the text amendment to the City Council, as proposed by staff.

**ALTERNATIVES:**

1. The City Council can approve on first reading the proposed Zoning Ordinance Amendment regarding stacked driveway parking for both single-family and two-family dwellings.
2. The City Council can approve alternative language for the proposed Zoning Ordinance Amendment that allows stacked parking only for single-family dwellings.
3. The City Council can request additional information and defer making a recommendation.

**CITY MANAGER'S RECOMMENDED ACTION:**

The proposed change will expand opportunities for stacked parking compared to existing regulations related only to single-family owner occupied homes. **With the proposed change, it would allow for stacking of vehicles in tandem on single-car width driveways with no limit on the number of spaces on the driveway to meet required parking.** This allows older homes with long driveways to more readily meet the parking requirement than to limit the number of stacked spaces to two as currently written. It also allows for stacked parking across the full width of a driveway, such as with the configuration of a three-car garage.

The proposed amendment clarifies how to apply the stacked parking for one and two family dwellings regulations. This change will ease requirements for establishing a Guest Lodging use by having the same requirements for single-family dwellings and two-family dwellings.

**Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1 as described above.**

**ATTACHMENT A**  
**Proposed Text Amendments**

Staff has prepared the following text amendments to address this issue.

**Sec. 29.406. OFF-STREET PARKING.**

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**(7) Locating Parking Spaces in Front Yard.**

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*(a) Surface Parking Lot Striping and Landscape Plan (Note-this is a typographical error correction)*

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**(8) Stacked Parking.** Stacked or valet parking is allowed by Special Use Permit if an attendant is present to move vehicles. If stacked parking is to be used for required parking spaces, a covenant must be filed on the City land records obligating the property owner to have an attendant available at all times that the lot is in operation. ~~The requirements for minimum spaces and all parking area development standards continue to apply for stacked parking.~~

a. Exception. Stacked parking ~~of two parking spaces~~ is permitted ~~as of-~~by right for single-family and two-family dwellings. ~~owner occupied land use.~~

b. The requirements for minimum spaces and all parking area development standards continue to apply for stacked parking.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY AMENDING SECTION 29.406, FOR THE PURPOSE OF CORRECTING A TYPOGRAPHICAL ERROR AND FOR ALLOWING STACKED PARKING FOR GUEST LODGING SINGLE FAMILY AND TWO-FAMILY USES; 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 amending Section 29.406 as follows:

“Sec. 29.406. OFF-STREET PARKING.

(7) Locating Parking Spaces in Front Yard.

(a) Surface Parking Lot Striping and Landscape Plan

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(8) **Stacked Parking.** Stacked or valet parking is allowed by Special Use Permit if an attendant is present to move vehicles. If stacked parking is to be used for required parking spaces, a covenant must be filed on the City land records obligating the property owner to have an attendant available at all times that the lot is in operation. ~~The requirements for minimum spaces and all parking area development standards continue to apply for stacked parking.~~

(a) Exception. Stacked parking of ~~two parking spaces~~ is permitted as of by right for single-family and two-family dwellings. ~~owner occupied land use.~~

(b) The requirements for minimum spaces and all parking area development standards continue to apply for stacked parking.”

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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 \_\_\_\_\_, \_\_\_\_\_.

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Diane R. Voss, City Clerk

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John A. Haila, Mayor