

Staff Report

**REQUEST TO INITIATE ZONING TEXT AMENDMENT TO ALLOW SOCIAL SERVICE USES WITHIN O-SFC (SINGLE FAMILY CONSERVATION OVERLAY) ZONING DISTRICT**

July 9, 2024

**BACKGROUND:**

City Council received a request from Matt Mitchell, Founder and Board Member of the Ames Romero House (see Attachment A – Letter to City Council). **The request is to have the City Council initiate a zoning text amendment to the “O-SFC” (Single Family Conservation Overlay District) to facilitate allowing by Special Use Permit establishment of new Social Service uses that are currently not permitted within the Overlay. This request is principally for the purpose of expanding the Romero House to a second property at 702 Clark Avenue.**

Ames Romero House has been operating as a non-profit organization at 709 Clark Avenue since September 2020. In 2021 there was correspondence with staff about use of the single-family home at 709 Clark and its limitations of use related to the rental code and household living for a single-family dwelling. **At that time, the use was not defined as a social service provider based upon staff understanding of the activities and nature of the use for overnight stays.**

**Based upon recent conversations with the Romero House representatives and a review of their onsite activities, the use aligns with the description of a Social Service Provider more than a Household Living use.** The operator of the Romero House now describes the operations of their existing site and desired expansion to 702 Clark as follows:

*The property at 709 Clark Avenue houses five men as the live-in staff for the Ames Romero House. The property at 702 Clark Avenue is proposed as the new location where the hospitality services would be provided and relocated from 709 Clark Avenue.*

**The Romero House offers hospitality services to those who seek assistance in Ames. The services include daytime hospitality through the provision of food, a shower, winter clothes, and laundry facilities between the hours of 1:00 pm and 4:00 pm, Monday through Friday, and from 10:30 am to 4:00 pm on Sundays. They have in the past also had religious services or larger gatherings at 709 Clark, which is not proposed to occur in the future.**

**Upon review of the Romero House’s current activities and their planned use of 702 Clark, staff indicated that their operations were not typical household living use, including the definition of a family for occupancy limits, and that they would be classified as a Social Service, which is not permitted in the O-SFC. Thus, the request by the Romero House for a zoning text amendment.**

**ZONING LIMITATION:**

Both the current site and proposed site are zoned as “RM” (Residential Medium Density) with two

zoning overlays. **One overlay zone is the “O-SFC” (Single Family Conservation Overlay Zone), which includes use limitations and design requirements for all structures. The other is the “O-H” (Historic Preservation Overlay Zone), which addresses architectural compatibility but not uses.**

The limiting factor of use for social services is the O-SFC, which allows only the following types of uses:

- Dwelling – Single Family;
- Dwelling – Two Family;
- Bed & Breakfast Establishment; and,
- Vacation Lodging.

**Apartment dwellings are permitted upon a determination by the City Council that certain standards have been satisfied by the proposed apartment dwelling.**

**It is important to note that the O-SFC was established in the 1990s in response to the erosion of the neighborhood to primarily non- one- and two-family homes and to include single family design features with new construction. Existing social service providers in this area, such as YSS, are considered legal nonconforming uses because they were established prior to the current zoning limitations.**

#### **OPTIONS:**

**As currently written, the Zoning Ordinance does not allow non-residential uses in the “O-SFC” Overlay Zone. The regulations do not accommodate Romero House, or any of the other Social Service Providers as allowed uses.**

#### **OPTION 1 - SPECIAL USE PERMIT PROCESS**

After discussion with Romero House representatives and review of the zoning requirements, staff believes there is a single preferred option for amending the Zoning Ordinance to address the request by the Ames Romero House, if City Council wants to consider accommodating their request.

Due to the unique nature of social service providers and the mix of residential uses in the area, it would be difficult to craft specific standards to monitor or regulate this type of use. **Therefore, consideration of approval of a Special Use Permit (SUP) by the Zoning Board of Adjustment (ZBA) would allow for a case-by-case assessment of a specific site, use, and unique compatibility concerns.**

#### **OPTION 2 - SITING STANDARDS**

City Council could consider establishing siting criteria for social service uses in addition to, or in lieu of, the suggested Special Use Permit process. As mentioned above, staff would need to understand priorities for social service uses to craft appropriate standards.

This approach removes some subjectivity of the Special Use Permit process and would have some established expectations that are more defined than a Special Use Permit and its criteria.

It should be remembered that any type of zoning text amendment would apply to other Social Service Providers that are, or would like to be, located in the “O-SFC,” as well.

**STAFF COMMENTS:**

The request is for a unique use to be accommodated in the Old Town area where the O-SFC exists. The use would be allowed in standards RM, RH, or other commercial zones.

The Special Use Permit process would allow a case-by-case assessment of site conditions and neighborhood compatibility, including parking, hours of operation, etc., but it does have limitations on clear standards related to concerns of concentration which was one of the historical reasons the O-SFC was created.

If concentration issues are not a concern for the use, the Special Use Permit is an appropriate zoning tool for siting of social service uses in residential areas.

If Council proceeds with the request (Option 1) and allows the applicant to apply for a text amendment, the change to a Special Use process is straightforward and would not require prioritization in the Planning Department's work plan.

**Should the Council choose to consider request, staff will reach out to the Old Town Neighborhood Association to alert them of the proposed change so they may provide comments during the review process.**

**ATTACHMENT(S):**

[Attachment A Letter.pdf](#)

[Attachment B Map of O-SFC.pdf](#)