

COMMISSION ACTION FORM

SUBJECT: **ZONING ORDINANCE TEXT AMENDMENT TO DOWNTOWN SERVICE CENTER USE TABLE**

BACKGROUND:

On October 9, 2012, Ordinance 4125 was enacted amending the Use Table for the Downtown Service Center Zoning District to permit Household Living in the first story of a building. In that ordinance, all of the information in the Approval Required and Approval Authority columns below Household Living was unintentionally shifted down one row.

In the following segment of this table, "Retail Sales and Service-General" has "Y" in the STATUS column, yet the APPROVAL REQUIRED and APPROVAL AUTHORITY columns are blank. The row below has "N" in the STATUS column, but does have information in the APPROVAL REQUIRED and APPROVAL AUTHORITY columns. The "Entertainment, Restaurant and Recreation Trade" row has "Y" in the STATUS column, but has "—" in the APPROVAL REQUIRED and APPROVAL AUTHORITY columns, which belong in the row directly below. These errors continue throughout the rest of this use table.

Table 29.808(2)

Downtown Service Center (DSC) Zone Uses

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			
Group Living	N	--	--
Household Living	N, except in combination with permitted non-residential use or uses, in which case 75% Household Living shall be located above the first story, and at least the front 50% of the first story must be maintained for non-residential use.	SDP Minor	Staff
Short-term Lodgings	Y	SDP MINOR	STAFF
OFFICE USES	Y	SDP MINOR	STAFF
TRADE USES		SDP MINOR	STAFF
Retail Sales and Services - General	Y		
Retail Trade - Automotive, etc.	N	SDP MINOR	STAFF
Entertainment, Restaurant and Recreation Trade	Y	--	--
Wholesale Trade	N	SDP MINOR	STAFF

Since this affects regulation of all uses in this commercial zoning district, it is important to correct the table as quickly as possible. A draft text amendment is attached

ALTERNATIVES:

1. The Planning and Zoning Commission can recommend that the City Council approve the zoning text amendment to Table 29.808(2) to correct the Downtown Service Center Use Table.
2. The Planning and Zoning Commission can recommend that the City Council not approve the zoning text amendment to Table 29.808(2) to correct the Downtown Service Center Use Table.
3. The Planning and Zoning Commission can refer the proposed zoning text amendments back to staff for further information.

RECOMMENDED ACTION:

Neither the Commission Action Form or the Whereas section of Ordinance No. 4125 referred to these changes in the Downtown Service Center Use Table. These changes created unintentional and major changes in this zoning district, which are currently in effect. Therefore, the Planning and Housing Department recommends that the Commission act in accordance with Alternative #1 and recommend that the City Council approve the attached zoning text amendment to Table 29.808(2) to correct the Downtown Service Center Use Table.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING TABLE 29.808(2), AND ADOPTING NEW TABLE 29.808(2) FOR THE PURPOSE OF TEXT AMENDMENTS; 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 Table 29.808(2), and adopting a new Table 29.808(2), to read as follows:

“

Table 29.808(2)
Downtown Service Center (DSC) Zone Uses

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			
Group Living	N		
Household Living	N, except in combination with permitted non-residential use or uses, in which case 75% Household Living shall be located above the first story, and at least the front 50% of the first story must be maintained for non-residential use.	SDP Minor	Staff
Short-term Lodgings	Y	SDP MINOR	STAFF
OFFICE USES			
TRADE USES			
Retail Sales and Services - General	Y	SDP MINOR	STAFF
Retail Trade - Automotive, etc.	N		
Entertainment, Restaurant and Recreation Trade	Y	SDP MINOR	STAFF
Wholesale Trade	N		
INDUSTRIAL USES			
Industrial Service	N		
INSTITUTIONAL USES			
Colleges and Universities	Y	SP	ZBA
Community Facilities	Y	SDP MINOR	STAFF
Social Service Providers	Y	SP	ZBA
Medical Centers	N		

Parks and Open Areas	Y	SDP MINOR	STAFF
Religious Institutions	Y	SP	ZBA
Schools	N		
TRANSPORTATION, COMMUNICATIONS AND UTILITY USES			
Passenger Terminals	Y	SDP MINOR	STAFF
Basic Utilities	Y	SDP MAJOR	CITY COUNCIL
Commercial Parking	Y	SDP MINOR	STAFF
Radio and TV Broadcast Facilities	Y	SP	ZBA
Rail Line and Utility Corridors	Y	SP	ZBA
Railroad Yards	N		
MISCELLANEOUS USES			
Commercial Outdoor Recreation	N		
Child Day Care Facilities	Y	SP	ZBA
Detention Facilities	N		
Major Event Entertainment	Y	SP	ZBA
Vehicle Service Facilities	N		
Adult Entertainment Business	Y	SDP MINOR	STAFF

Y = Yes: permitted as indicated by required approval.
N = No: prohibited
SP = Special Use Permit required: See Section 29.1503
SDP MINOR = Site Development Plan Minor: See Section 29.1502(3)
SDP MAJOR = Site Development Plan Major: See Section 29.1502(4)
ZBA = Zoning Board of Adjustment
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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 _____, _____.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor