

COMMISSION ACTION FORM

SUBJECT: ZONING TEXT AMENDMENTS TO CREATE A MINOR AMENDMENT PROCESS FOR MAJOR SITE DEVELOPMENT PLANS (M-SDP) AND SPECIAL USE PERMITS

The City Council initiated a Zoning Text Amendment on July 12th in response to a request to create a minor amendment process for Major Site Development Plans (M-SDP) that would be the same process as allowed for Planned Residential Developments (PRD). The PRD process includes a noticed public hearing for rezoning with site plan approval, but allows for minor changes by staff (see excerpt below for Section 29.1203(9)). The M-SDP process applies to project approvals beyond those of a PRD, for example apartments within FS-RM zoning. Although both M-SDPs and PRDs are reviewed by the Planning and Zoning Commission and approved by the City Council, there is no option for a minor amendment to a M-SDP to be approved by staff when separate from a PRD.

M-SDPs are most frequently an approval process listed as part of the FS-RM zoning district approvals for apartments. There are instances for other uses to trigger a Major Site Development Plan, e.g. Lincoln Way Mixed Use developments, Residential High density with commercial uses exceeding 5,000 square feet, development within the Environmentally Sensitive Area Overlay (floodway). There are only a handful of M-SDPs approved each year compared to the dozens of administratively approve Minor Site Development Plan applications.

The PRD zoning district does allow for minor amendments to be approved by the Planning and Housing staff if they fall within the defined minor changes listed in Ames Municipal Code Section 29.1203 (9):

- (a) Do not constitute a change in the land use of the project; or the overall layout and design;*
- (b) Do not increase the density or intensity of use, and the number of buildings or a change in dwelling unit types;*
- (c) Does not change the overall landscape design of the F-PRD project; or*
- (d) Change the height or placement of buildings, or other major site features.*

A minor amendment process for M-SDPs would allow staff to approve small changes that do not significantly alter the approved plan, do not change required landscaping, or do not allow building designs that are inconsistent with the approved design. The intent is to allow small modifications to that will not change the intent of the overall project. It would also allow for changes or additions that do not conflict with the Code and do not substantially impact neighboring properties. Minor changes are not meant to diminish the interest or quality of the project overall. Minor changes also allow for features and details to be added to a project.

A site development plan is also included as part of the submittal and approval process for a Special Use Permit, Section 29.1503, that is subject to noticed hearing and approval by the Zoning Board of Adjustment. In this situation, the site development plan does not go before Council for approval, but is approved by a separate public board. Currently, if there is a change to a site plan approved as part of a Special Use Permit, the change must go back before the Zoning Board of Adjustment for approval. An insertion of text in the Special Use Permit section could reference back to this proposed text amendment in Section 29.1502 and allow minor changes to be approved by staff under the same set of criteria as Major Site Development Plans and Planned Residential Developments.

ALTERNATIVES:

1. The Planning & Zoning Commission can recommend that the City Council adopt the proposed amendment to allow a minor amendment process for Major Site Development Plans (M-SDP) and site plans approved with Special Use Permits that is the same process as allowed in Section 29.1203(9)
2. The Planning and Zoning Commission can recommend that the City Council decline to adopt the proposed amendment.
3. The Planning & Zoning Commission can recommend alternative language for the proposed amendments regarding minor amendments to Major Site Development Plans.

RECOMMENDED ACTION:

The proposed change will allow for a shorter timeline and more streamlined review and approval of minor changes to Major Site Development Plans. Minor changes approved by Staff will be limited in nature. Staff would only deem changes as minor that are in substantial conformance with the approved site plan and be limited to non-substantial items, such as parking lot layout changes, building alterations that are consistent with approved design, color, and materials. No change in use or density would be deemed minor. The current language is somewhat vague in how to detail with architectural details in terms of design elements of facades and features of buildings, but staff would interpret the intent of the process to be that an approved project cannot have its quality diluted through revisions to the design after its public hearing approval.

Therefore, the Planning and Housing Department recommends the Planning and Zoning Commission support Alternative 1.