

## MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

MARCH 21, 2023

The Special Meeting of the Ames City Council was called to order by Mayor Pro Tem Gloria Betcher at 6:00 p.m. on the 21<sup>st</sup> day of March, 2023, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Bronwyn Beatty-Hansen, Tim Gartin, Rachel Junck, and *ex officio* Member Tabitha Etten. Council Member Anita Rollins participated electronically. Mayor John Haila and Council Member Amber Corrieri were absent.

**WORKSHOP ON INFILL DESIGN:** Planning and Housing Director Kelly Diekmann began the presentation with a review of the infill policy in Ames Plan 2040 (Plan 2040), highlighting the differences between that policy and current zoning laws. Plan 2040 recognized the importance of both outward growth and infill, endorsing infill as a value while recognizing its difficulty. Opportunities for infill exist both with smaller scale City-wide policies and with larger scale intensification involving reinvestment districts. Plan 2040 emphasizes the importance of infill compatibility with existing neighborhood character. Director Diekmann observed that one way Plan 2040 addressed planned intensification areas was through Land Use Map designations and Redirection Areas. Other avenues include focusing on specific types of structures, like Accessory Dwelling Units (ADUs), duplexes, or townhomes.

Director Diekmann addressed a number of areas in the City which had previously been discussed as opportunities for increasing density, noting mixed feedback from some neighborhoods in question. He pointed out that the Lincoln Way Corridor Plan identifies several areas for further development, but current zoning does not allow the implementation. Additionally, a number of Redirection Areas were identified for further study, which will involve case-by-case review of the candidates. The only Redirection Area considered by the City Council to date was downzoned, meaning its zoning moved away from increased density. Director Diekmann shared sketches developed by RDG Planning & Design during the Plan 2040 process to illustrate possibilities for increasing density in Redirection Areas south of Campustown, west of campus, East Lincoln Way, and west of Main Street.

To provide background on the City's zoning laws, Director Diekmann explained that historically the City had multiple zoning districts that permitted duplexes. In 1983, zoning laws changed to limit new duplex development. For a period of time, there were significant challenges in enforcement of building code and zoning compliance. The City offered retroactive conversion permits to allow around 300 properties which had been illegally split into multiple units to come into compliance with the rental code. In 2000, a new zoning ordinance established the current rule that no new two-family units would be allowed in single-family low density zones; construction of this kind of unit is only permitted in medium- and high-density zones. Director Diekmann also noted that no single-family lot could have more than one dwelling unit, noting that this currently disallows ADUs. Single-family attached dwellings are allowed in FS-RL, but require individual lots. In contrast to current zoning, Plan 2040 encourages adding one to two units on existing lots citywide and planning for small redevelopment projects where opportunities arise. Thus, current zoning needs modifications to allow Plan 2040 to be implemented.

Planner Eloise Sahlstrom surveyed examples of different types of infill housing representing a range of options in what is called the “missing middle” of housing between detached single-family homes and mid-rise, larger scale apartments. Types of housing discussed included ADUs, duplexes, townhomes, pocket or cottage neighborhoods, and three- and four-plex units.

First, Planner Sahlstrom explained that ADUs can take a number of forms, including detached, attached, interior (upper level), interior (lower level), above garage, and garage conversion. Director Diekmann clarified for Mayor Pro Tem Betcher that a dwelling unit must have a place for sleeping, living, eating, cooking, and sanitation, as well as a separate entrance to the unit. Currently, if a property is limited to a single-family unit, an owner would not be able to obtain permits that could qualify a space as a separate dwelling unit, like adding an exterior door, because such use would not match zoning. It was also clarified for Council Member Gartin that owner-occupied units are allowed to have one roomer without registering as a rental unit, but staff had no way of tracking how common this practice is.

Second, Planner Sahlstrom stated that duplexes are described as two-family dwellings in the zoning ordinance. This means there are two living units on one lot, and the units are not able to be sold separately. Two parking spaces are required for each unit. Most duplexes are fully rented out, but a handful are owner-occupied in one of the units with the second unit rented.

Third, Planner Sahlstrom observed that “townhome” is not a term in the current zoning ordinance. Current zoning only allows apartments, where one parking space per bedroom is required, or single-family attached units on individual lots, where only two parking spaces are required. Townhomes do appear in the building code under residential properties, unlike apartments, which are categorized as commercial. Commonly considered compatible with most residential building types, townhomes often include a look of individual units. Director Diekmann discussed the goal of avoiding slot houses, where the side relief rather than unit entrances are oriented to the street. Adding townhomes to the *Municipal Code* would likely involve writing a design-based designation for townhomes rather than a use-based designation, and the City Council would need to consider what parking standards would be desirable for townhomes.

Moved by Gartin, seconded by Beatty-Hansen, to ask staff to return with options for adding townhomes to the *Municipal Code*.

Vote on Motion: 5-0. Motion declared carried unanimously.

Planner Sahlstrom referenced the Delaware Townhomes as a successful “pilot project” for infill. This development, currently under construction, adds six townhomes to a previously vacant lot that was rezoned from RL to RM. Challenges for the project included fire access lane length, parking, and privacy along side lot lines. Director Diekmann noted that the City does not have many vacant lots of this size to allow for similar projects. It can be difficult to compare infill options in Ames with other cities, because Ames has less blight and fewer vacant lots.

Fourth, Planner Sahlstrom introduced the concept of pocket or cottage neighborhoods, which are communities with nine to 12 small homes facing a shared garden or common area. She presented an example where unit footprints were 650 square feet with a 200 square foot loft above. Parking can be accomplished in parking lots or through alley access to the back of each unit. Pocket

neighborhoods usually have a small number of units on a small acreage, and are sold as condominiums because they are all on one lot. Director Diekmann explained that there is not currently a way to permit this kind of project in the current zoning. He expressed support for this model as a great way to add more units to a site in a style that matches residential areas, while noting that developers might see it as risky because there are not examples in the area. Director Diekmann clarified for Mayor Pro Tem Betcher that the Domani subdivision, which has reduced setbacks, differs from this model in not being organized around common space. Council Member Betcher expressed support for pocket neighborhoods as a model to promote communal and mixed-generation living.

Moved by Gartin, seconded by Beatty-Hansen, to ask staff to return with options for allowing pocket or cottage neighborhoods in the *Municipal Code*.  
Vote on Motion: 5-0. Motion declared carried unanimously.

Lastly, Planner Sahlstrom discussed three- and four-plex housing examples. Often, the end of the building faces the street, but different orientations are possible. Mayor Pro Tem Betcher shared that the Twin Cities have many examples of units of this size that fit on a single lot and are not end-loaded.

On the topic of the attributes of good infill design, Planner Sahlstrom pointed out that infill development often introduces new and bigger buildings and different architectural styles into an existing area. It is crucial to have policies that emphasize context, including how a block or neighborhood is set up, scale of the surrounding buildings, and types of architectural features present. Good infill design minimizes the conflicts that these changes can sometimes create with adjacent properties. The particular context helps determine the best way to minimize conflicts at these transitions. Director Diekmann noted that problems can arise when cost efficiency drives design, but the problems can be mitigated by proactively addressing design issues like front setback pattern, building orientation, “green” street frontage, rhythm of development, roof massing, height, and parking or access.

Director Diekmann observed that many neighborhoods in Ames have fairly uniform setbacks, and maintaining consistency with those patterns is important to incorporate into infill design standards. The orientation of the entry is another key factor that would enhance compatibility if it were required to match. Director Diekmann also suggested disallowing protruding garages where there are not already protruding garages present.

Next, Director Diekmann discussed the importance of green street frontage. Policies to promote this design value could address vegetated frontage, minimal curb cuts, limiting parking to the side or rear, and maintaining City driveway limitations.

Another feature to avoid was identified by Director Diekmann as monolithic massing. The pattern of structures in a neighborhood can be disrupted by a large structure or mass of structures. Keeping the rhythm of development compatible with the character of the surroundings helps maintain neighborhood integrity. Director Diekmann also noted that height of new developments can become a concern, as new construction tends to be taller than older homes. Infill can lead to privacy complaints, which can be exacerbated by large height differences between structures. Roof

configuration can greatly impact the perceived height of a structure. Step backs for second or third stories and roof massing guidelines related to roof profiles and divided roof lines can mitigate these concerns.

Parking causes challenges for development, and Director Diekmann focused on the priorities of minimizing curb cuts and encouraging shared parking. Currently, a detached single-family house is required to have two parking spaces. One way to promote compatibility of newly constructed parking would be to require replication of existing driveway locations in the surrounding neighborhood or block. Staff requested more guidance in April on the goals of the City Council in order to provide concrete options for parking. Director Diekmann concluded the discussion of infill design attributes by showing the City Council a number of images to illustrate different levels of compatibility of new developments within existing neighborhoods.

To open discussion about ADUs, Director Diekmann explained that merely allowing ADUs could look very different from encouraging them. Either approach would require some changes to current zoning, but the former would result in very few available sites. Encouraging ADUs would require more extensive changes. Council Member Beatty-Hansen suggested making the changes to allow ADUs as a first step, and then gradually shift toward encouraging them and reducing barriers over time. Director Diekmann noted that this approach could allay resident anxieties about new infill as well.

Planner Sahlstrom shared her research on how Bloomington, Indiana incorporated ADUs. According to their planning staff, the city started with a conditional use permit to allow ADUs, but shifted gears from allowing to encouraging after only 30 ADUs were permitted in five years. Bloomington also saw property values for lots that added ADUs go up significantly. A property that may have been affordable as a starter home might become out of reach for first time buyers if an ADU is added; however, the potential for owner-occupied supplemental income from the ADU could outweigh that negative. Council Member Beatty-Hansen observed that any home improvement would cause property values to go up, and the byproduct of increased price is not generally a reason to discourage improvements.

In response to Council Member Gartin, Director Diekmann clarified that there were no state-level restrictions on ADUs, so the City could adopt a policy of allowing ADUs in designated zones rather than a blanket policy. One challenge for infill development is that some of the areas best suited for increased density have neighborhoods with residents strongly against increased density. Director Diekmann also clarified that most newer subdivisions from the 1990s and on have covenants which would not allow for ADUs, so many areas will not have the option even if the City allows it. The biggest questions that are likely to arise in public outreach will be about the size, parking regulations, and overall density associated with ADUs. It is up to the City Council to decide what should be permitted.

Discussion ensued about the relationship of ADUs to rental properties, with Council Member Gartin observing that there is a greater incentive to add ADUs to existing single-family rentals than there is for owner-occupied properties. He referenced past discussions with owner-occupied residents in neighborhoods south of campus and noted their concerns about increased density changing the character of the neighborhood. Council Member Beatty-Hansen suggested that ADUs

could be allowed first in areas where it would be less likely to damage the character of the surrounding neighborhood. Council Member Rollins pointed out that some cities with ADUs have implemented a requirement that one of the units must be owner-occupied, posing this a potential solution to concerns about rental density. Planner Sahlstrom confirmed that it is a common practice to require one unit to be owner-occupied, although in a few cases state-level legislation prohibits that level of regulation. Director Diekmann clarified for Council Member Gartin that if the intention was to require one unit to be owner-occupied, a covenant could be added to the property to ensure that it would not be converted into a rental property when the current owner sold it. He also clarified that the specific logistics involved in achieving that kind of limitation would require more research and consultation with the Legal Department to see what the options would be.

Director Diekmann noted that typical residential lot configurations in Ames allow a maximum of 35% building coverage for the lot, a maximum site coverage of 60%, and maximum rear yard coverage with accessory buildings of 25%. Lot coverage limits curtail construction of ADUs more than any other single factor. Council Member Beatty-Hansen inquired whether adding a green roof to a structure would allow that square footage to be considered pervious. Director Diekmann was unsure, but observed that it was more common to replace a concrete driveway with pavers to make that space pervious. Mayor Pro Tem Betcher stated that she would not support expanding the amount of impervious surface allowed.

Planner Sahlstrom described common standards for allowing ADUs. Usually, only one ADU per lot is permitted. Generally, the maximum size for a detached ADU is 800 square feet, and the maximum for an attached ADU is 50% of house size. ADUs must meet zoning development standards like setbacks. Often only one additional parking space is required. As noted earlier, it is common to require owner occupancy of one of the units on the property. While these standards are common, they might result in fewer ADUs being constructed. Planner Sahlstrom also observed that an initial impetus for developing ADUs was a growing demand for multigenerational housing. While these policies are common for allowing ADUs, a different set of policies would be more suited to actively encouraging ADUs. Such policies would include allowing nonconforming lots to participate, increasing the maximum lot coverage allowed, providing preapproved ADU designs, not requiring a separate utility connection, not requiring additional parking, and not requiring owner occupancy.

The City Council expressed interest in several pieces of information to further inform their decisions about ADUs when the topic returns in April. Council Member Beatty-Hansen noted that it would be useful to have a sense of how many lots could potentially accommodate ADUs. Planner Sahlstrom explained that staff would need more guidance on square footage and parking to be able to evaluate that question. Council Member Junck inquired about finding out which subdivisions within the City have covenants that allow or prohibit ADUs. Director Diekmann explained that the City does not keep those covenants on file, but staff would be able to further investigate. Mayor Pro Tem Betcher asked if staff could easily identify areas that have a high percentage of rentals which are currently zoned RL to identify potential candidates for zoning changes for intensification. Director Diekmann stated that he would provide a map of single-family rental properties with zoning overlayed. Council Member Beatty-Hansen inquired whether staff could easily obtain information about the number of ADUs that would be possible with current lot coverage standards. Director Diekmann stated that he would consult with Geographic Information

System (GIS) staff to see if good estimates could be obtained without excessive staff time.

Director Diekmann walked through the next steps for the City Council to move forward with ADUs, duplexes, and residential zoning updates. He noted that staff would return to the City Council in April with further information to seek specific direction on 1) whether to allow ADUs citywide or only in designated zones; 2) whether to allow for new construction of ADUs and/or conversions; 3) what types of zoning standards to change, if any; 4) types of community outreach for any proposed standards; 5) creating design guidelines for infill housing and redevelopment sites; and 6) any priorities for sub-area planning at this time. Director Diekmann emphasized that design guidelines for infill and redevelopment should be the starting point to provide a working understanding as a basis for decision-making on topics like duplexes, ADUs, and townhomes. He also noted that state-level legislation under consideration may change local authority over design guidelines. Director Diekmann raised a referral request from Kurt Friedrich regarding a vacant property on Jewel Drive. A preexisting duplex on the property was demolished ten years ago, and Friedrich is not allowed to rebuild the duplex because it has been gone for more than one year. Director Diekmann noted several options for resolving this situation, encouraging further discussion after design guidelines and policy on duplexes and zoning emerged.

Council Member Gartin stated that ADUs will not be sufficient to achieve the goal of increasing density and expressed interest in focusing on zoning changes along the Lincoln Way Corridor. Council Member Beatty-Hansen agreed that redevelopment can have a fast and more substantial impact, but clarified that she also wants to pursue ADUs.

Moved by Gartin, seconded by Beatty-Hansen, to ask staff to return with recommendations of areas where zoning could be changed to increase density.

Vote on Motion: 5-0. Motion declared carried unanimously.

In response to a query from Council Member Gartin, Director Diekmann explained that the Story County Board of Supervisors had not responded to the City with a formal letter regarding the 28E Agreement for the Urban Fringe Plan. He expected a response by the end of March so that the process could be finalized by the end of April, when the current agreement will expire.

To conclude, Director Diekmann encouraged the City Council to reflect on what kind of community outreach should be implemented for ADU policy. He recognized the extensive research done by Planner Sahlstrom, and reiterated his intention to gather as much information as possible to inform the decisions of the City Council when the topic comes back in April.

**DISPOSITION OF COMMUNICATIONS TO COUNCIL:** There were no dispositions to the City Council.

**COUNCIL COMMENTS:** Mayor Pro Tem Betcher welcomed Iowa State University students back from break, hoping that everyone felt refreshed.

**ADJOURNMENT:** Moved by Beatty-Hansen, seconded by Junck, to adjourn the meeting at 8:32 p.m.

Vote on Motion: 5-0. Motion declared carried unanimously.

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Jeramy Neefus, Principal Clerk

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John A. Haila, Mayor

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Renee Hall, City Clerk