

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY AMENDING CHAPTER 29, ZONING, FOR THE PURPOSE OF ALLOWING TWO-FAMILY (DUPLEX) DWELLINGS IN RESIDENTIAL DISTRICTS; 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 Chapter 29, Zoning, as follows:

“CHAPTER 29, ZONING

* * *

Sec. 29.201. DEFINITIONS.

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~~(104) If **Preexisting** means having been established pursuant to a City of Ames Zoning permit of record prior to the effective date of this Ordinance.~~

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(XXX) Near Campus Neighborhoods means certain neighborhoods near Iowa State University, as designated by a Resolution adopted by the City Council.

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Sec. 29.406 OFF-STREET PARKING.

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(10) Driveways.

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(b) Additional driveways.

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(iii) New construction of a Two-Family Dwelling may have a second driveway approved by the Planning and Housing Director subject to size and appearances standards of Sec. 29.410 and all other specifications and spacing requirements, including conformance with all driveways design specifications including but not limited to widths, flares, sidewalk slope, and separation from other driveways (e.g. five feet) and property lines in accordance with the Driveway Manual.

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Sec. 29.410. SIZE AND APPEARANCE ~~DETACHED~~ OF DWELLINGS.

(1) Detached Dwellings.

All non-attached dwelling structures of any kind located outside the RLP Zone, shall meet the following minimum standards:

- (a) ~~(1)~~ The principal portion or main body of the principal structure shall have a width and length of not less than 20 feet.
- (b) ~~(2)~~ The siding of any dwelling unit shall consist of wood, simulated wood siding (to include horizontal lapped steel, vinyl, or aluminum siding), brick, stone, stucco or concrete and, furthermore, shall not have an appearance or condition incompatible with conserving the market value and beneficial use and enjoyment of adjacent buildings, as determined by the person responsible for zoning administration. Any person aggrieved by that determination may appeal to the Zoning Board of Adjustment ~~as by law provided.~~

(2) Two-Family (Duplex) Dwellings.

- (a) **Where Permitted.** Pre-existing Two-Family Dwellings are a defined use within zoning district use tables. Remodeling and additions to Pre-existing Two-Family Dwellings are not subject to the requirements of this section. New construction of a Two-family Dwelling is permitted within specified zoning districts subject to compliance with the zoning standards and compatibility criteria of this section. New construction is for a wholly new Two-Family Dwelling and does not allow for the conversion of, or addition to, an existing single-family dwelling to create two units.

- (b) **Near Campus Neighborhoods.** The minimum lot size for new construction of a two-family dwelling is 10,000 square feet. See also Chapter 13, Rental Code, limitations for occupancy of newly constructed dwellings based upon bedroom room counts established in 2018.

(c) Parking.

- (i) A minimum of one garage parking space shall be provided per unit. A total of two parking spaces per unit is required.
- (ii) If creating a parking lot of more than four spaces, landscape buffering is required [see Sec. 29.403(2)(h)].

(d) Entrances, Design, and Orientation.

- (i) The primary entrance for at least one of the units shall be on the primary façade or on a recessed façade that is not substantially set back from the primary facade, e.g. by no more than 12 feet.
- (ii) When both entrances face the street on the primary façade, the Two-Family Dwelling shall be designed to have the appearance of two identifiable separate units in terms of materials and architectural elements.
- (iii) Dwelling units may be located side-by-side, in tandem (second unit behind front unit), or stacked.

- (e) **Windows and Transparency.** The principal and recessed facade calculated together shall include a minimum solid to void ratio of 15%.

- (f) **Building Materials.** Requirements of Section 1(b) above apply.

(g) Neighborhood Compatibility.

Approval of a Two-Family Dwelling requires a determination that the architectural design and layout of the site are designed to be compatible with the surrounding neighborhood's design

character for height, orientation, and architectural design elements. Compatible means designed in a similar manner to the representative style of the area or includes features of the representative style and layout to be harmonious with the character of the block face.

In established neighborhoods, compatibility of new construction is achieved by incorporating a prevalent architectural style and/or incorporating prevalent features currently existing on the block face. The compatibility determination begins by first evaluating the block face to determine if a uniform architectural style is present among the single-family homes and/or if prevalent styles exist in the treatment of garage placement, roof design, primary entries, and windows. The block face includes all properties facing one side of a street in a block. For short blocks with few examples, relevant homes for evaluation may also include properties adjacent to the site that are not on the block face.

Neighborhood “style” varies among neighborhoods depending upon the year of construction. For developing neighborhoods where a style has not been established, any combination of compatible elements may be approved for a new Two-Family Dwelling.

- (i) Orientation of Garage and Driveway Placement. Within established neighborhoods, there are three typical garage/driveway patterns that may emerge and be applied to a project:
 - a) A flush or nearly flush front-loaded garage accompanied by a driveway width that typically does not exceed 20 feet (most predominant pattern). For this pattern, garages that protrude from the front façade are not allowed, unless it can be documented that this pattern is existing and prevalent on the street block. A street-facing garage door(s) shall not exceed 50 percent of the total front façade width.
 - b) An attached or detached garage located at the rear of the house or in the rear yard accompanied by a driveway usually along one side of the house. For this pattern, locate the garage at the rear of the Two-Family Dwelling or as a detached garage in the rear yard. Alternatively, the garage may be located a minimum of 18 feet from the front façade of the Two-Family Dwelling.
 - c) An attached or detached garage located at the rear of the house or in the rear yard accessed from an alley. For this pattern, garages shall be located either at the rear of the Two-Family Dwelling or as a detached garage in the rear yard. Any new driveway shall be constructed with access only from the alley.

In all areas, side loading and rear placed garages are allowed, as long as other required standards are met. Additionally, detached garages shall comply with the accessory building regulations described in Sec. 29.408(7), for allowable setbacks, maximum size, driveways, and maximum building height.

- (ii) Roof Design. Incorporate prevalent roof forms from the block face evaluation that represent compatible features, such as hipped roofs, gables, and dormers.
- (iii) Entrances. Incorporate prevalent entrance features from the block face evaluation that represent compatible features, such as porches, stoops, sidelights.
- (iv) Windows and Transparency. Incorporate window styles and proportions from the block face evaluation, if a predominate style is evident.

(h) Overlay Zone.

If the property is in an overlay zone, it may be subject to additional design standards. In the event of conflict between overlay regulations and the regulations included herein, the overlay regulations shall control.

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Sec. 29.501. CLASSIFICATIONS OF USES.

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**Table 29.501 (4)-1
RESIDENTIAL USE CATEGORIES**

* * *
<u>Household Living</u>
* * *
Subcategories of Uses
Single Family <u>Dwelling House</u> : A detached structure containing one Residential Unit
Two-Family <u>Dwelling House</u> : A single structure containing 2 Residential Units

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Sec. 29.701. "RL" RESIDENTIAL LOW DENSITY.

- (1) **Purpose.** This zone is intended to accommodate primarily single-family dwellings, while accommodating ~~certain existing~~ compatible two-family dwellings and other uses customarily found in low-density residential areas.

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**Table 29.701(2)
Residential Low Density (RL) Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			
* * *			
Household Living			
* * *			
Two-Family Dwelling	Y, if pre-existing <u>Y, new construction is subject to Section 29.410(2)</u>	ZP	ZEO/ <u>P&H Dir.</u>

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Table 29.701(3)
Residential Low Density (RL) Zone Development Standards

DEVELOPMENT STANDARDS	SINGLE FAMILY	TWO FAMILY DWELLING
Minimum Lot Area	6,000 sf	7,000 sf; <u>10,000 sf in Near Campus Neighborhoods</u>

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Sec. 29.702. "RM" RESIDENTIAL MEDIUM DENSITY.

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Table 29.702(2)
Residential Medium Density (RM) Zone Uses

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			
* * *			
Household Living			
* * *			
Two-Family Dwelling	Y, if <u>pre-existing</u> Y, <u>new construction is subject to Section 29.410(2)</u>	ZP	ZEO/ <u>P&H Dir.</u>

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Table 29.702(3)
Residential Medium Density (RM) Zone Development Standards

DEVELOPMENT STANDARDS	RM ZONE
Minimum Lot Area *** Two-Family Dwelling	7,000 sf; <u>10,000 sf in Near Campus Neighborhoods</u>

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Sec. 29.703. "UCRM" URBAN CORE RESIDENTIAL MEDIUM DENSITY ZONE.

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Table 29.703(2)
Urban Core Residential Medium Density (UCRM) Zone Uses

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			
* * *			
Household Living			
* * *			
Two-Family Dwelling	Y, if pre-existing <u>Y, new construction is subject to Section 29.410(2)</u>	ZP	ZEO/ <u>P&H Dir.</u>

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Table 29.702(3)
Urban Core Residential Medium Density (UCRM) Zone Development Standards

DEVELOPMENT STANDARDS	UCRM ZONE
Minimum Lot Area *** Two-Family Dwelling	7,000 sf; <u>10,000 sf in Near Campus Neighborhoods</u>

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Sec. 29.704. "RH" RESIDENTIAL HIGH DENSITY.

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Table 29.704(2)
Residential High Density (RH) Zone Uses

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			
* * *			
Household Living			
* * *			
Two-Family Dwelling	Y, if pre-existing <u>Y, new construction is subject to Section 29.410(2)</u>	ZP	ZEO/ <u>P&H Dir.</u>

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Table 29.702(3)
Residential High Density (RH) Zone Development Standards

DEVELOPMENT STANDARDS	RH ZONE
Minimum Lot Area *** Two-Family Dwelling	7,000 sf, <u>10,000 sf in Near Campus Neighborhoods</u>

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Sec. 29.1202. "F-S" SUBURBAN RESIDENTIAL ZONE.

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Table 29.1202(4)-1
Suburban Residential Floating Zoning
Residential Low Density (FS-RL) Uses

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			
* * *			
Household Living			
* * *			
Two-Family Dwelling	Y, if pre-existing <u>Y, new construction is subject to Section 29.410(2)</u>	ZP	ZEO/ <u>P&H Dir.</u>

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Table 29.1202(4)-2
Suburban Residential Floating Zoning
Residential Medium Density (FS-RM) Uses

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living			

Two-Family Dwelling	Y, if pre-existing <u>Y, new construction is subject to Section 29.410(2)</u>	ZP	ZEO/ <u>P&H Dir.</u>

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Sec. 29.1203. “F-PRD” PLANNED RESIDENCE DISTRICT

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**Table 29.1203(4)
Planned Residence District (F-PRD) Floating Zone Uses**

Permitted Principal Uses	Permitted Accessory Uses
Single Family House Dwelling Two-Family House Dwelling * * *	* * *

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Sec. 29.1501. BUILDING/ZONING PERMIT.

(1) Permit Required.

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- (e) Zoning Permits for new construction of Two-Family Dwellings require approval by the Planning and Housing Director prior to issuance of a building/zoning permit. Modification or remodeling of a pre-existing Two-Family Dwelling is subject to only a building/zoning permit review. Approval of a zoning permit requires a determination that the project complies with all zoning standards and the architectural design is compatible with the surroundings as defined within 29.410(b). Applications for a Two-Family Zoning Permit shall include information required by the Planning and Housing Director to identify the prevalent style and features incorporated into the design to meet the neighborhood compatibility requirements.”

Section Two. Violation of any provision 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 designations are subject to change during the codification process.

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 _____.

Renee Hall, City Clerk

John A. Haila, Mayor