

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING NEW SUBSECTIONS 29.201(14), 29.201(18.1), 29.201(19.1), 29.201(92.1) AND 29.201(235.1) AND AMENDING CHAPTER 29 THEREOF, FOR THE PURPOSE OF HARMONIZING CHAPTER 29 WITH CHAPTER 35, GUEST LODGING CODE; 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 enacting new subsections 29.201(14), 29.201(18.1), 29.201(19.1), 29.201(92.1), and 29.201(235.1) and by amending Chapter 29 as follows:

“Sec. 29.201. DEFINITIONS.

Except as otherwise defined in this Ordinance or unless the context may otherwise require, the following words are defined for the purpose of this Ordinance as follows:

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(14) **Apartment Dwelling** means a dwelling building containing three or more residential units. The term includes what is commonly known as an apartment building, but does not include community residential facilities or single-family attached dwellings. Apartment dwellings may be occupied by families only, or by a group of unrelated persons limited to five or less per residential unit.

~~*** Basement. See subsection 250.~~

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(18.1) **Basement.** That floor level of a building between the upper surface of a floor and the ceiling or floor joists next above, which has at least 50% of the total area of its perimeter of foundational walls located below natural and finished grade.

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(19.1) **Bed & Breakfast Establishment** means the Guest Lodging of a portion of a dwelling unit that is the primary residence of the property owner, where the property owner provides lodging and may provide breakfast for overnight guests. A Bed & Breakfast Establishment is a short-term lodging use and is a category of Guest Lodging licensed under Chapter 35.

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(92.1) **Guest Lodging** means the advertising, offering, or otherwise making available use of a dwelling unit for overnight lodging for a period of thirty-one (31) consecutive days or less in exchange for money, goods, labor or service. Guest Lodging types include Apartment Shares, Home Shares, Hosted Home Shares, Bed & Breakfast Establishments, and Vacation Lodging as licensed under Chapter 35. Guest Lodging does not include any hotel or motel facility.

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(235.1) Vacation Lodging means the Guest Lodging of an entire dwelling unit, which is not required to be the owner's primary residence and which is commonly, but not exclusively, made available for occupancy through an online marketplace or website as a form of Guest Lodging.

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~~(250) Basement. That floor level of a building between the upper surface of a floor and the ceiling or floor joists next above, which has at least 50% of the total area of its perimeter of foundational walls located below natural and finished grade.~~

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Sec. 29.501. CLASSIFICATION OF USES.

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(3) **Accessory Uses.** Unless otherwise stated in this Ordinance or otherwise indicated in the Use Tables for each zone:

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(e) Accessory Uses: are incidental and customary to and commonly associated with the operation of the Principal Use;

i. Are ~~Is~~ clearly incidental and customary to and commonly associated with the operation of the Principal Use;

ii. Are ~~Is~~ operated and maintained under the same ownership or by lessees or concessionaires of the owner, and on the same zone lot as the Principal Use;

iii. Do ~~Does~~ not include structures or structural features inconsistent with the Principal Use;

iv. May include the Guest Lodging of all or a portion of a dwelling unit that is the primary residence of the property owner. May also include the use of apartment dwelling units for Guest Lodging, consistent with the licensing requirements of Chapter 35, when apartment dwellings are permitted in the base zone;

v. ~~iv. Does~~ Do not include residential occupancy in conjunction with uses other than other than hotels, motels, tourist homes and similar uses offering transient housing accommodations, which is also not permitted except by owners and employees employed on the premises and of the immediate families of such owners and employees; and

vi. ~~v. Has~~ Have a gross floor area that, in combination with all other uses accessory to Principal Uses located in the same structure or on the same lot, does not exceed 25% of the gross floor area utilized by all Principal Uses. This The 25% floor area limitation, however, shall does not apply to off-street parking. Guest Lodging is exempt from the 25% floor area limitation.

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

Household Living

Accessory Uses

Home Share

Hosted Home Share

Short-Term Lodging

Definition. Facilities offering ~~transient~~ lodging accommodations to the general public, where the ~~average~~ length of stay is ~~less than 60~~ 31 days or less. Short-term lodging is subject to State of Iowa definitions, permits, and rules, including remittance of hotel and motel tax.

Uses Included

~~Boarding, rooming or lodging houses and single room occupancy (SRO) hotels, where the average length of stay is less than 60 days.~~

~~Bed and breakfasts~~ Bed & Breakfast Establishment

~~Hotels~~ Hotel

~~Motels~~ Motel

~~Recreational Vehicle Parks~~ Recreational Vehicle Park

~~Vacation Lodging~~

Accessory Uses

Coffee shops and dining areas primarily for use by guests or residents of the facility.

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Sec. 29.600. "A" AGRICULTURAL.

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**Table 29.600(2)
Agricultural (A) Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			
Group Living	N		
<u>Household Living</u>			

Apartment Dwelling (6 units and over)	N	-	-
Household Living Accessory Uses			
Accessory Apartment	N		
Home Office	Y	HO	ZBA/Staff
Home Occupation <u>Home Business</u>	Y	HO	ZBA/Staff
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
Short-term Lodgings <u>Short-Term Lodging</u>	N		
Bed & Breakfast Establishment	<u>Y</u>	<u>SP</u>	<u>ZBA</u>
Vacation Lodging	<u>Y, but only within single and two family dwellings</u>	<u>SP</u>	<u>ZBA</u>

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Sec. 29.701. "RL" RESIDENTIAL LOW DENSITY.

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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 Accessory Uses			
Clubhouse	N		
Home Office	Y	HO	ZBA/Staff
Home Occupation Home Business	Y	HO	ZBA/Staff
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
Short-term Lodgings Short-Term Lodging	N, except Bed and Breakfast permitted as a Home Occupation.	HO	ZBA/Staff
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>ZBA</u>
<u>Vacation Lodging</u>	<u>Y, but only within single and two family dwellings</u>	<u>SP</u>	<u>ZBA</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 Accessory Uses			
Clubhouse	N		
Home Office	Y	HO	ZBA/Staff
Home Occupation Home Business	Y	HO	ZBA/Staff
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
Short-term Lodgings Short-Term Lodging	N, except Bed and Breakfast permitted as a Home Occupation.	HO	ZBA/Staff
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>ZBA</u>
<u>Vacation Lodging</u>	<u>Y</u>	<u>SP/ZP</u>	<u>ZBA/ZEO</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 Accessory Uses			
Clubhouse	N		
Home Office	Y	HO	ZBA/Staff
Home Occupation Home Business	Y	HO	ZBA/Staff
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
Short-term Lodgings Short-Term Lodging	N, except Bed and Breakfast permitted as a Home Occupation	HO	ZBA/Staff
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>ZBA</u>
<u>Vacation Lodging</u>	<u>Y</u>	<u>SP</u>	<u>ZBA</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 Accessory Uses			
Clubhouse	Y	SDP Minor	Staff
Home Office	Y	HO	ZBA/Staff
Home Occupation Home Business	Y	HO	ZBA/Staff
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
Short-term Lodgings Short-Term Lodging	N, except Bed and Breakfast permitted as a Home Occupation	HO	ZBA/Staff
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>ZBA</u>
<u>Vacation Lodging</u>	<u>Y</u>	<u>SP/ZP</u>	<u>ZBA/ZEO</u>

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Sec. 29.705. "RLP" RESIDENTIAL LOW DENSITY PARK ZONE.

Table 29.705(4)
Residential Low Density Park (RLP) Zone Uses

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living	Y	SDP Major	City Council. Single-Family Manufactured Home and accessory uses listed in Table 29.500 only. Home Office and Home Business allowed as necessary uses.
<u>Manufactured Housing</u>	<u>Y</u>	<u>SDP Major</u>	<u>City Council</u>
<u>Household Living Accessory Uses</u>	-	-	-
<u>Accessory Uses Specific to Manufactured Housing</u>	<u>Y, see Table 29.501(4)-1</u>	<u>SDP Major</u>	<u>City Council</u>
<u>Home Occupation</u>	<u>Y</u>	<u>HO</u>	<u>ZBA/Staff</u>
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
Short-term Lodgings <u>Short-Term Lodging</u>	N	=	

- Y = Yes; permitted as indicated by required approval
- N = No; prohibited
- SP = Special Use Permit required; See Section 29.1503
- ZP = Building/Zoning Permit required; See Section 29.1501
- SDP Minor = Site Development Plan Minor; See Section 19.1502(3)
- SDP Major = Site Development Plan Major; See Section 19.1502(4)
- HO = Home Occupation
- ZBA = Zoning Board of Adjustment
- ZEO = Zoning Enforcement Officer

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Sec. 29.801. “NC” NEIGHBORHOOD COMMERCIAL ZONING STANDARDS.

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**Table 29.801(2)
Neighborhood Commercial (NC) Zone Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living Accessory Uses	-	-	-
<u>Home Occupation</u>	<u>Y</u>	<u>HO</u>	<u>ZBA/Staff</u>
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
Short term Lodgings <u>Short-Term Lodging</u>	<u>N</u>	-	
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>ZBA</u>
<u>Vacation Lodging</u>	<u>Y</u>	<u>SP/ZP</u>	<u>ZBA/ZEO</u>

- Y = Yes; permitted as indicated by required approval
- N = No; prohibited
- SP = Special Use Permit required; See Section 29.1503
- ZP = Building/Zoning Permit required; See Section 29.1501
- SDP Minor = Site Development Plan Minor; See Section 19.1502(3)
- SDP Major = Site Development Plan Major; See Section 19.1502(4)
- ZBA = Zoning Board of Adjustment
- ZEO = Zoning Enforcement Officer

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Sec. 29.802. “CCN” COMMUNITY COMMERCIAL NODE.

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**Table 29.802(2)
Community Commercial Node (CCN) Zone Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living	N		
Short term Lodgings <u>Short-Term Lodging</u>	<u>Y, except Bed & Breakfast Establishment, Vacation Lodging</u>	SDP Minor	Staff

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Sec. 29.804. "HOC" HIGHWAY-ORIENTED COMMERCIAL.

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Table 29.804(2)
Highway-Oriented Commercial (HOC) Zone Uses

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

<u>Short term Lodgings</u> <u>Short-Term Lodging</u>	Y, except Bed & Breakfast Establishment, <u>Vacation Lodging</u>	SDP Minor	Staff

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29.805. "PRC" PLANNED REGIONAL COMMERCIAL.

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Table 29.805(2)
Planned Regional Commercial (PRC) Zone Uses

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

<u>Short term Lodgings</u> <u>Short-Term Lodging</u>	Y, except Bed & Breakfast Establishment, <u>Vacation Lodging</u>	SDP Minor	Staff
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Sec. 29.806. "CCR" COMMUNITY COMMERCIAL/RESIDENTIAL NODE.

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Table 29.806(2)
Community Commercial/Residential Node (CCR) Zone Uses

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

<u>Household Living Accessory Uses</u>	-	-	-
<u>Home Occupation</u>	<u>Y</u>	<u>HO</u>	<u>ZBA/Staff</u>
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Short term Lodgings</u> <u>Short-Term Lodging</u>	Y, except Bed & Breakfast Establishment	SDP Minor	Staff
<u>Vacation Lodging</u>	<u>Y</u>	<u>SP/ZP</u>	<u>ZBA/ZEO</u>

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Sec. 29.808. "DSC" DOWNTOWN SERVICE CENTER.

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

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

<u>Household Living Accessory Uses</u>	-	-	-
<u>Home Occupation</u>	<u>Y</u>	<u>HO</u>	<u>ZBA/Staff</u>
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Short term Lodgings Short-Term Lodging</u>	<u>Y, except Bed & Breakfast Establishment</u>	SDP Minor	Staff
<u>Vacation Lodging</u>	<u>Y</u>	<u>SP/ZP</u>	<u>ZBA/ZEO</u>

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Sec. 29.809. "CSC" CAMPUSTOWN SERVICE CENTER.

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Table 29.809(2)
Campustown Service Center (CSC) Zone Uses

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

<u>Household Living Accessory Uses</u>	-	-	-
<u>Home Occupation</u>	<u>Y</u>	<u>HO</u>	<u>ZBA/Staff</u>
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Short term Lodgings Short-Term Lodging</u>	<u>Y, except Bed & Breakfast Establishment</u>	SDP Minor	Staff
<u>Vacation Lodging</u>	<u>Y</u>	<u>SP/ZP</u>	<u>ZBA/ZEO</u>

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Sec. 29.903. ~~Research Park Innovation District (RI)~~ “RI” RESEARCH PARK INNOVATION DISTRICT.

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**Table 29.903(2)
RI Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Short term Lodgings <u>Short-Term Lodging</u>	Y, except <u>Bed & Breakfast Establishment, Vacation Lodging</u>	SDP Minor	Staff

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Sec. 29.1003. “S-SMD” SOUTH LINCOLN SUB AREA MIXED-USE DISTRICT.

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**Table 29.1003(2)
South Lincoln Sub Area (S-SMD) Mixed-Use District**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living Accessory Uses			
— Home Office	Y	HO	ZBA/Staff
— Home Occupation Home Business	Y	HO	ZBA/Staff
— Home Share	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
— Hosted Home Share	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
Short term Lodgings <u>Short-Term Lodging</u>	N, except <u>Bed and Breakfast permitted as a Home Occupation</u>	HO	<u>ZBA/Staff</u>
— Bed & Breakfast Establishment	<u>Y</u>	<u>SP</u>	<u>ZBA</u>
— Vacation Lodging	<u>Y</u>	<u>SP/ZP</u>	<u>ZBA/ZEO</u>

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Sec. 29.1004. "DGC" DOWNTOWN GATEWAY COMMERCIAL.

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**Table 29.1004(2)
Downtown Gateway Commercial Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

<u>Household Living Accessory Uses</u>	-	-	-
<u>Home Occupation</u>	<u>Y</u>	<u>HO</u>	<u>ZBA/Staff</u>
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
Short term Lodging <u>Short-Term Lodging</u> (stand alone or mixed use)	<u>Y, except Bed & Breakfast Establishment</u>	SDP Major	Staff
<u>Vacation Lodging</u>	<u>Y</u>	<u>SP/ZP</u>	<u>ZBA/ZEO</u>

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Sec. 29.1101. "O-SFC" SINGLE FAMILY CONSERVATION OVERLAY.

(4) Permitted Uses.

(a) Subject to the Building/Zoning Permit requirements of Section 29.1501, land, buildings and structures may be used for the following purposes in an O-SFC Zone without City Council approval, in accordance with standards and regulations of the Base Zone:

- (i) Dwelling - Single-Family
- (ii) Dwelling – Two Family
- (iii) Bed & Breakfast Establishment (Special Use Permit required: See Section 29.1503)
- (iv) Vacation Lodging (Special Use Permit required: See Section 29.1503)

(b) All uses and structures conforming to the Base Regulations and all lawfully vested nonconforming uses and structures that exist in the O-SFC on the effective date of the amendment of the official zoning map to show the O-SFC are hereby deemed to be conforming with the terms of this Section. The O-SFC shall not be deemed to create a nonconforming use or structure within the scope of Section 29.307.

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Sec. 29.1113. "O-LMU" LINCOLN WAY MIXED USE OVERLAY DISTRICT.

- (2) **Permitted Uses.** Subject to the requirements of Sec. 29.1502 for Site Development Plan Review, and in accordance with the requirements of this Sec. 29.1113 and the Zone Development Standards of the HOC base zone, Apartment Dwellings (and their Accessory Uses) and Vacation Lodging may be permitted in combination with HOC permitted uses classified as Office Uses; Retail Sales and Services Uses; Entertainment, Restaurant, and Recreation; and miscellaneous use of childcare. Stand alone Apartment Dwellings ~~buildings~~ are not a permitted use in the Overlay Zone.

Sec. 29.1201. “F-VR” VILLAGE RESIDENTIAL DISTRICT.

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Table 29.1201(5)
Village Residential (F-VR) Floating Zone Uses

USE CATEGORY	NEIGHBORHOOD CENTER	NEIGHBORHOOD GENERAL	NEIGHBORHOOD EDGE

OTHER USES			

Essential Public Services	Y	Y	Y
<u>Household Accessory Uses</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
<u>Vacation Lodging, subject to the standards of Section 29.1302</u>	<u>Y</u>	<u>Y</u>	<u>Y</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 Accessory Uses			
Clubhouse	N		
Home Office	Y	HO	ZBA/Staff
Home Occupation Home Business	Y	HO	ZBA/Staff
Home Share	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
Hosted Home Share	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
Short-term Lodgings Short-Term Lodging	N, except Bed and Breakfast permitted as a Home Occupation	-HO	-ZBA/Staff
Bed & Breakfast Establishment	<u>Y</u>	<u>SP</u>	<u>ZBA</u>
Vacation Lodging	<u>Y</u>	<u>SP</u>	<u>ZBA</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 Accessory Uses			
Clubhouse	Y	SDP Major	City Council
Home Office	Y	HO	ZBA/Staff
<u>Home Occupation</u> Home Business	Y	HO	ZBA/Staff
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
Short-term Lodgings <u>Short-Term Lodging</u>	N, except Bed and Breakfast permitted as a Home Occupation	HO	ZBA/Staff
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>ZBA</u>
<u>Vacation Lodging</u>	<u>Y</u>	<u>SP/ZP</u>	<u>ZBA/ZEO</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 Principle Uses	Permitted Accessory Uses
***	<p>Accessory uses of the Household Living category provided for in <u>Table 29.501(4)-1</u> Section 29.500 of this ordinance.</p> <p>Garages</p> <p>Open space uses</p> <p>Home occupations subject to standards of Section 29.1304 of this ordinance</p> <p>Home Day Care subject to the standards of Section 29.1304</p> <p>Office and Trade use where the property owner can demonstrate through a written Market Study that the Office and Trade use can be supported by the residents of the Planned Residence District Project</p> <p>Rental services offices not to exceed 5,000 square feet</p> <p>Assisted Living, for the residents of the PRD</p>
<u>Vacation Lodging subject to the standards of Section 29.1302</u>	

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Sec. 29.1302. GUEST LODGING REQUIREMENTS, BED & BREAKFAST ESTABLISHMENTS.

- (1) **Non-Conforming Uses.** Any Apartment Dwelling that is a non-conforming use within its zoning district shall not be approved as Vacation Lodging.
- (2) **Special Use Permit.**
 - (a) Bed & Breakfast Establishments and Vacation Lodging must obtain a Special Use Permit from the Zoning Board of Adjustment prior to receiving a Guest Lodging license.
 - (b) Exemptions. Apartment dwellings located in certain zoning districts are exempt from the Special Use Permit requirement. These zoning districts include: F-PRD, F-VR, RM, RH, FS-RM, NC, CCR, DSC, CSC, O-LMU and DGC. This exemption does not apply to apartment dwellings located in zoning district RM / O-SFC.
 - (c) Properties requiring a Letter of Compliance (LOC) must have registered for their LOC and have completed their initial LOC inspection, prior to applying for a Special Use Permit.
 - (d) The Special Use Permit is not transferable to a subsequent owner or to another property.
 - (e) The Special Use Permit shall be deemed expired and void after a one year period of disuse of the dwelling unit for guest lodging purposes or upon nonrenewal of a guest lodging license.
- (3) **Additional Vacation Lodging Restrictions.**
 - (a) Vacation Lodging is not permitted as a second principal use on a site with a single-family dwelling.
 - (b) Only one Vacation Lodging unit may be established for a property with a two-family dwelling.
 - (c) No Vacation Lodging use may be established on the ground floor of a commercial building or mixed use building.
- (4) **Guest Rooms.**
 - (a) Bed & Breakfast Establishments may have no more than five approved guest bedrooms. The Zoning Board of Adjustment will determine the number of bedrooms specific to the dwelling unit.
 - (b) Vacation Lodging must be consistent with the occupancy limitations of the Ames Municipal Code Section 13.503. No Vacation Lodging shall exceed a total of five adults per dwelling unit.
- (5) **Off-Street Parking Requirements.**
 - (a) Bed & Breakfast Establishments must have one reserved space per guest room, plus one space for the owner.
 - (b) Vacation Lodging must provide one parking space per guest bedroom, with a maximum of five spaces required; an apartment dwelling in a zoning district with less parking required is not subject to this standard.
 - (c) The parking spaces shall meet standards established by Section 29.406 of this ordinance.
- (6) **Local and State Regulations.** The Guest Lodging establishment must comply with local and state regulations regarding all applicable permits and licenses including, but not limited to fire, health, food service, hotel, liquor, revenue, building/zoning permits and licenses.

~~To obtain a Special Use Permit for a Bed & Breakfast Establishment, all criteria in "Home Occupations," set forth in Section 29.1304, must be met, in addition to the following:~~

- ~~(1) **Guest Rooms.** A maximum of 5 per structure in the RM and RH Zones and a maximum of 2 per structure in the RL Zone. The Zoning Board of Adjustment may restrict the number of guest rooms to a lesser number.~~
- ~~(2) **Breakfast shall be the only meal served.** This service must occur before 11:00 a.m. Only guests residing in the structure or persons living in the premises may be served. The structure shall not be remodeled into a commercial kitchen unless required by Environmental Health rules and regulations established pursuant to Municipal Code Chapter 11.~~
- ~~(3) **Off-Street Parking Requirements.** One space per guest room, plus one space for the owner. The parking spaces shall meet standards established by Section 29.406 of this ordinance.~~
- ~~(4) **Guests shall register** upon arrival, stating their names, current residence address and the license plate number of the vehicle that is being used by the guest. The registration form shall be kept by the owner for a period of 3 years and shall be made available for examination by a representative of the City upon one day's notice.~~
- ~~(5) **Guest stays** shall be limited to 2 weeks.~~
- ~~(6) **The Special Use Permit** is not transferable to a subsequent owner or to another property.~~

~~(7) The establishment must comply with local and state regulations regarding all applicable permits and licenses including, but not limited to fire, health, food service, hotel, liquor, revenue, building/zoning permits and licenses.~~

...

Sec. 29.1304. HOME OCCUPATIONS.

...

(1) Permitted, Special and Prohibited Home Occupations.

...

~~(viii) Bed and breakfast operations;~~

....”

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out in Ames Municipal Code Chapter 29.

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 December 1, 2019, and after its passage and publication as required by law. Enforcement of this ordinance shall begin on March 1, 2020.

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

John A. Haila, Mayor