

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SECTION 29.201(159), AMENDING SECTION 29.1100(2) ENACTING NEW SECTION 29.1114 AND TABLE 29.1114(5), AMENDING SECTION 29.1507(3) AND ENACTING A NEW SECTION 29.403(16) THEREOF; FOR THE PURPOSE OF ALLOWING VARIABILITY IN ZONING STANDARDS AND HOUSING TYPES; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; 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 Sections 29.1114 and 29.403(16) and amending Sections 29.1100(2), 29.1507(3) as follows:

Sec. 29.201. DEFINITIONS.

...

(159) RESERVED.

Sec. 29.1100. OVERLAY ZONES.

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(2) Establishment. The Overlay Zones established by this Ordinance are:

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- (l) "PUD" Planned Unit Development Overlay

Sec. 29.1114 "PUD" PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT

(1) Purpose. The Planned Unit Development (PUD) Overlay zone is intended to allow flexibility in Zoning District and General Standards where design flexibility helps further the goals of the Comprehensive Plan and is compatible with its surroundings. The PUD zone is intended to:

- (a) Provide for innovative and imaginative development through flexibility in the design, placement of buildings, clustering of housing types, use of open space, and related site and architectural design considerations;
- (b) Increase the stock of diverse housing types for a variety of income levels;
- (c) Promote efficient land use and infrastructure construction, while maintaining high-quality living environments for privacy, architectural interest, streetscape, walkability, and open spaces for private and common use;
- (d) Provide for a variety of private and common open space areas corresponding to smaller lot sizes along with additional amenities for larger developments;
- (e) Encourage and preserve opportunities for energy efficient development; and
- (f) Encourage context-sensitive infill development.

(2) Pre-Application Conference. Prior to submittal of an application to rezone property to Planned Unit Development Overlay, a pre-application conference shall be held with the developer and Department of Planning and Housing staff to review the application. Neither the developer nor the City shall be bound by any comments, determination, or decisions of City staff offered or made during the pre-application conference. The following information shall be submitted with the application:

- (a) Name of the applicant and name of the owner of record.
- (b) Tax parcel identification number.

- (c) North arrow, graphic scale, and date.
- (d) Existing conditions within the proposed zoning boundary and within 200 feet of the proposed zoning boundary: Project boundary; all internal property boundaries; public rights-of-way on and adjacent to the site; utilities; easements; existing structures; topography (contours at two-foot intervals); areas of different vegetation types; designated wetlands; floodplain and floodway boundaries; and other designated environmentally sensitive areas.
- (e) Conceptual infrastructure extensions, open space, and stormwater treatment areas.
- (f) A summary table describing all uses of the total site area, including the number of units per net acre for each unit type and each zoning area.
- (g) Conceptual building design character and any planned deviations from Zoning District standards.

(3) **Establishment.** The PUD Overlay zone applies to all lands that are zoned PUD on the Zoning Map. A Zoning Map Amendment may be approved provided the City Council makes the following findings:

- (a) The Zoning District and Overlay are consistent with the comprehensive plan.
- (b) The property on which the PUD is requested has a residential zoning of RL, RM, UCRM, RH, FS-RL, FS-RM, S-SMD, or is concurrently proposed to be changed to one of these Zoning Districts.
- (c) The existing and proposed infrastructure is sufficient in design and capacity to support the project with water, sanitary sewer, storm drainage, streets and other transportation related facilities.
- (d) The PUD Master Plan includes interconnected pedestrian and bicycle circulation routes to the surrounding areas and within the development.
- (e) The proposed PUD Master Plan is consistent with the requirements of this ordinance and all deviations, exceptions, and limitations stated on the Master Plan are clear, identifiable, and necessary in support of the design concept and the purpose statements of the overlay.
- (f) The proposed PUD Master Plan is in harmony with the purpose of the overlay.
- (g) Findings for approval of a Master Plan with a PUD Overlay rezoning may be deferred, when the City Council initiates a property rezoning.

(4) **Effects of Approval.**

- (a) **Master Plan.** Subsequent development must be consistent with the approved Master Plan. Subsequent development is subject to a Major Site Development Plan approval for any and all uses, unless specifically delegated by the City Council to the Planning and Housing Director as part of the Master Plan approval. The City Council may also require a design description or illustrated design guidelines to convey the intended character of the development and to administer subsequent permitting within the PUD for such things as landscape features, signage, and structures.
- (b) **Permitted Uses.** Land, buildings, and structures may be used only for the purposes identified within the Zoning District use regulations, unless limited or authorized as additional uses (including accessory dwelling units) by the PUD Master Plan.
- (c) **Building / Zoning Permits.** Subsequent to the PUD Overlay approval, development of the property is subject to all provisions of the Ames Municipal Code, including, but not limited to, requirements to proceed with preparation of Preliminary and Final Plats, Zoning Permits, Site Development Plans, Special Use Permits, Building Permits, and other types of permits required by local, state, or federal law for the improvement or development of the land.
- (d) **Phasing.** Development of the site may occur in phases, as approved by the City Council with a Major Subdivision or as indicated on the approved Major Site Development Plan. Any change to the approved Phasing Plan must be approved by the City Council.

(5) **Supplemental Development Standards.** Property that is zoned PUD shall be developed in accordance with the Zone Supplemental Development Standards listed in Table 29.1114(5) below:

Table 29.1114 (5)
Planned Unit Development Overlay District (PUD)
Supplemental Development Standards

SUPPLEMENTAL DEVELOPMENT STANDARDS	PUD ZONE
Area Requirement	Minimum area of two acres or more, except when environmentally sensitive areas, natural features, or scenic assets are being preserved.
Density	<p>Zoning district density requirements shall apply.</p> <p>Where a development encompasses more than one zoning district, each area of the PUD development shall comply with the density requirements that are set by the zone for that area. Density transfer is not permitted.</p> <p>Developments with a minimum of 10% affordable housing units made available for sale or rent to moderate or low-income households as defined by the Federal Housing and Urban Development Department (HUD) for the City of Ames, may include a density bonus of 15% rounding up to the next whole unit, or one (1) dwelling unit, whichever is greater. An affordable housing plan and binding agreement for maintaining affordability must accompany the PUD application.</p>
Minimum Lot Area / Width / Frontage:	Individual lot area, width, and street frontage may be reduced from the Zoning District and General Standards as long as the lots are sized to accommodate the required development standards of this chapter and comply with the compatibility standards of Section 29.1114(6). All lots must have approved access to a public way or a private street.
Minimum Principal & Accessory Building Setbacks and Lot Coverage	<p>Minimum setbacks and maximum coverage may be modified from the underlying zoning district requirement if the compatibility conditions of Section 29.1114(6) are met. Setbacks at the perimeter of the Overlay may not be reduced along an abutting lot without a finding there are physical circumstances justifying a reduction. Reduced setbacks must be identified on the Master Plan.</p> <p>Setback encroachments and exceptions will not apply to reduced yards unless authorized by the PUD.</p> <p>Garage access shall be a minimum setback of 20 feet when accessed from a public street. Reduced setbacks may be permitted along private streets and alleys.</p>
Street Trees and Minimum Landscaped Area	Landscaping and screening shall conform to requirements of this Chapter, unless approved as an Alternative Design. Each development shall include space for the planting and subsequent maturity of street trees. Reduced setbacks shall not encroach upon these defined locations for street trees and other landscape trees. A street tree plan illustrating the location of trees along with proposed building footprint and driveway areas must be approved with the project.
Maximum Height-Principal Building	Zoning District height requirements shall apply to a building within 100 feet of an abutting lot of a different residential zone or residential land use designation.

Parking Requirements	Parking spaces shall be provided as prescribed by this chapter; however, required parking locations may be approved by the City Council in common areas or on a street within the boundaries of the PUD. Affordable housing for low- and moderate-income households may have parking reduced to a maximum of two parking spaces for apartment buildings.
Street/Infrastructure Improvements	Street improvements, water, sanitary sewer, storm sewer improvements, park dedication, and electric facilities shall be installed in compliance with the subdivision regulations of the City and shall meet the construction specifications of the City. Private streets (if included) must comply with provisions of the Subdivision Code.
Common Open Space and Amenities	<p>Minimum of 10% of the gross area shall be devoted to common open space. The intended purpose of the proposed open space must be set forth in the plan. The land provided for common open space must be improved for its intended purpose, and readily accessible to residents. Provide for the ownership and maintenance of the common open space. Phasing of improvements shall be clearly described in the development plans and may be required to be set forth in a legally binding instrument.</p> <p>Clubhouse, roof deck patios, and similar community amenities may be credited toward the open space requirement.</p> <p>Developments exceeding 50 dwelling units shall provide for usable open space and amenities to serve the residents of the development which may include a combination of common area and private usable yard areas located outside front yard setbacks.</p> <p>Development of medium and high-density developments may be exempt from providing common open space area when recreational amenities, such as clubhouses, pools, or sport courts, are sufficiently provided for as an alternative.</p>
Block Design	<p>Layout and design shall create an interconnected network of streets with block faces that do not exceed 660 feet within the development. Where practicable, block lengths are encouraged to be 500 feet or less. Block faces may exceed 660 feet where physical or environmental conditions preclude a more interconnected street network. Use of cul-de-sacs and dead-end streets shall also be limited to these situations.</p> <p>When blocks exceed 600 feet, the PUD shall accommodate pedestrian crossings, walkway connections through a block, or other means of enhancing the pedestrian circulation system for interconnectedness.</p> <p>Use of alleys, off-site parking, or other shared access means is desirable to maintain a consistent street frontage with minimal interruptions by driveways to street trees, lighting, on-street parking, and sidewalks as well as providing opportunities for alternative housing options such as cottage courts.</p>

(6) **Compatibility Standards.** Minimum lot area, lot width, lot frontage, setback, and maximum site coverage requirements may be reduced to provide for a variety of dwelling types. Any such modification to the Zoning District requirements must be noted on the Master Plan.

Due to the concentration of dwelling units that will occur if these dimensional requirements are reduced, the following compatibility standards are required:

(a) **Garages and Driveways.** Garages and off-street parking areas must be located so that they do not define the front façade of the dwelling. This standard is met when a garage does not protrude forward from the front façade.

The development must include adequate right-of-way and driveway spacing to accommodate parking and street trees. The width of driveways may need to be reduced and garages setback an adequate distance to accommodate these elements. Shared driveways are encouraged to address street design goals. Alley or private rear lane access is also an option.

(b) **Entrances.** Main entrances to dwelling units must be clearly identifiable and accessible to the owner and visitors. The main entrance must be demarcated by one of the following: covered porch or stoop; sidelight windows; or other

significant architectural treatment that emphasizes main entrances. Main entrances shall be directly connected to the pedestrian circulation system of the development.

(c) **Massing.** Multi-family buildings proposed abutting single-family and or two-family buildings should be of a scale, massing, window proportions, and architectural style that is compatible with abutting lower density residential development.

(7) **Other Conditions.** Other conditions may be imposed if found necessary for health, safety, and general welfare. Such conditions include, but are not limited to, the following:

(a) **Future Development.** Provide for future development in a manner that does not impede the continued use or development of surrounding properties for uses permitted within the Zoning District or planned for in the comprehensive plan;

(b) **Existing Trees.** The preservation of existing trees shall be considered when siting buildings, underground services, and paved areas;

(c) **Landscape Buffering.** Landscape buffering may be required to maintain privacy or reduce unusual impacts of noise, light, or height on adjoining properties; and

(d) **Infill Compatibility.** The design of the PUD is compatible with its surroundings and/or complementary to adjacent development.

(8) **Minor Changes.** Minor changes to the approved Master Plan and subsequent Site Development Plan may occur after a determination by the Department of Planning and Housing staff that the proposed changes are minor in nature, and revised plans have been provided for purposes of keeping the Site Development Plan Major current. However, the Planning Director may refer any change to the City Council for approval. A minor change is defined as a change that satisfies all of the following criteria:

(a) Does not constitute a change in the land use of the project;

(b) Does not change the overall general layout and design of buildings, open spaces, landscaping, parking, and circulation;

(c) Does not change the number of buildings or the number of dwelling types by more than 10%;

(d) Does not increase the density of units in the project or the intensity of use as related to parking requirements, i.e., floor area of use and bedroom counts, by more than three parking spaces;

(e) Does not allow an increase in the height of a building or grading of the site by more than two feet in total. Any height increase must not allow additional stories;

(f) Does not exceed the allowed deviation or exception to zoning standards; and

(g) Does not remove or reduce the quality of architectural character, design features, or use of high-quality building and roofing materials at the time of initial construction.

Sec. 29.1507. ZONING TEXT AND MAP AMENDMENTS

(3) **Master Plan Determination.** Before an application is made for amending the zoning map to designate any property as F-S RL, FS-RM, or PUD, the applicant must either prepare a Master Plan or request that the City Council determine whether it will be required. When City Council first considers an application for amending the zoning map to any other zoning district, the City Council may require a master plan be submitted prior to taking action on the rezoning request. The procedural requirements for this determination shall be as follows:

SUBDIVISION ORDINANCE

23.403 STREETS.

...

(16) Private Streets and Alleys. City Council may approve private streets and alleys as part of a Subdivision. Private streets and alleys are subject to the following requirements:

(a) The proposed private street serves as access to a cluster or small group of housing units and is not intended for use by through traffic. Private streets and alleys may also serve as access to townhouse-style developments.

(b) The proposed private street or alley is designed and constructed such that it meets or exceeds Iowa Statewide Urban Design and Specifications (SUDAS) standards and the City of Ames supplement design standard requirements regarding, pavement profile, base, and drainage. The typical private street and alley will have a minimum design life of 30-years.

(c) Verification of finished construction according to approved plans by the engineer-of-record or other qualified engineer.

(d) Responsibilities for maintenance, upkeep, and snow removal, are established through a legally binding instrument.

(e) A permanent easement for shared access and emergency vehicle access is recorded.

(f) The design and layout of the private streets and alley shall address the following:

(i) Street width to allow for two-way traffic.

(ii) Fire access and turnaround requirements as required by the Ames Fire Code.

(iii) For developments of six or more single-family detached or attached dwellings along a block face, provides on-street parking spaces similar to the spacing included on a public street or provides for guest parking bays within common area.

(iv) Sidewalks along the street or other pedestrian circulation system improvements connecting to front doors of homes.

(v) Street tree planting plan.

(vi) Lighting plan.

The City Council may modify the private street requirements when the street serves non-residential development or apartment dwellings; however, Section 23.403(16)(d) shall still apply.”

Section Two. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Three. 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

John A. Haila, Mayor