

Staff Report  
**INFILL DESIGN FOLLOW UP**

April 25, 2023

**BACKGROUND:**

City Council held a workshop on March 21<sup>st</sup> to review issues related to infill design. The report addressed priorities identified within the City's comprehensive plan, Ames Plan 2040, for infill housing options. The workshop reviewed a broad range of issues related to general design requirements, specific issues for Accessory Dwelling Units (ADU) and duplexes, and larger areas planned for intensification and redevelopment. The [Staff report from March 21<sup>st</sup> is at this link](#) and the [PowerPoint presentation is at this link](#).

At that meeting, the City Council provided direction on specific issues and requested more information related to infill opportunities for neighborhoods across the City. **City Council passed motions to have staff provide options for zoning standards for Townhomes separate from apartments, zoning standards for pocket or cottage neighborhood developments, and for staff to identify areas to prioritize for implementation of infill policies related to intensification. Finally, City Council asked for staff to provide more information regarding feasibility of allowing for ADUs and duplexes within existing single-family areas by mapping of neighborhoods related to covenant restrictions, impervious area, and single-family rental properties as they relate to the concept of allowing for ADUs or duplexes.**

**While staff has not yet completed reports that responds to all of the Council's motions, this report focuses on addressing the requested mapping information.** City Council requested this information based upon the issues staff identified with the reports and presentation, related to what degree to facilitate vs. accommodate allowing for second units on a property. For example, staff discussed that from experiences with other cities, the impervious area coverage standard may preclude the addition of more impervious area, despite a city's intent to promote ADUs.

Staff noted at the workshop that guidance will be needed, in order to focus on Council priorities for infill. Staff listed at the workshop the following as issues that would need to be addressed as we move forward. **This report focuses on Issues #1, #2, #3.**

1. Allowing for ADU and duplexes city-wide or only in designated areas
2. Allowing for new construction of ADUs or Duplexes and/or Single Family Conversions
3. Formulating standards for ADUs, such as owner/rental options, size, parking, lot coverage, setbacks, design features, ownership, flexibility, etc.
4. Creating design guidelines for infill housing types and redevelopment sites
5. Prioritizing areas for sub-area planning and intensification based upon Plan 2040 land use designations
6. Identifying scope of public outreach for changes related to ADUs or duplexes.

**ADDITIONAL INFORMATION:**

**Covenants**

Staff identified that private covenants may restrict the addition of a second dwelling of any type within many single-family neighborhoods, primarily those developed since the 1990s. This question is pertinent to the potential distribution of units across the City.

Staff was able to review initial covenants that were filed with the City at time of the original subdivision review. Some of the initial covenants have not been renewed and expired after 21 years. Staff generated a map (Attachment A) using best available information to estimate what areas of the City would not currently allow for any type of second unit on a property. **Staff estimates that 2,337 single-family properties currently have a covenant limiting second units. This is approximately 23.3% of all single-family homes in the city.**

### **Impervious Coverage**

Staff utilized impervious coverage as a proxy for estimating viability of adding new paving or structures to a lot. Most single-family zones allow for a maximum of 60% of the lot area to be covered by paving or a structure. Staff utilized a GIS layer of impervious cover used for stormwater calculation to estimate actual conditions across the city. Attachment B is a map that identifies properties that exceed the 60% standard, lots between 40-60% of coverage, and those below 40% of coverage. Those over 60% could not add a new structure or paving. Properties between 40-60% may be able to add a small structure and parking. Lots below 40% should generally be able to accommodate adding a second unit and paving with minimal issues or size restrictions. **Ultimately, staff concluded that most properties across the City are well under the 60% threshold and most properties could add an additional structure or paving.**

Impervious Coverage for Properties without Covenants	Count	% of Total
Over 60%	20	0.3
40-60	681	8.9
Less than 40%	6981	90.9

Although the impervious coverage is a reasonable estimate of initial feasibility, there will be a numerous site factors that will apply to siting a new structure related to setbacks, parking and paving, rear yard encroachments, building code separation between dwellings, utility services, etc.

If conversion of units is allowed, zoning standards would likely only apply to additional paving or parking requirements, if a site is already in compliance with zoning standards. **However, there will be Building Code and Rental Code issues to be resolved related to creating separate units within one residential structure, such as but not limited to: splitting mechanical and ventilation systems, no connections between units, and fire separation of walls/floors between units.**

### **Rental Concentration**

City Council previously established rental concentration limits of 25% of the units within defined areas; however, these are no longer in affect based on changes in state law. The City still has a Near Campus Neighborhood overlay limiting increases in residential occupancies of rental properties based upon existing bedroom counts as of 2018.

City Council asked to see a map of registered rental properties in single-family areas in relation to whether allowing for duplexes or ADUs would potentially result in even higher concentration of rental properties in some neighborhoods. **Staff also notes that one outstanding issue is whether ADUs could be rented and result in having two rental dwellings on a property, or if they are only going to be associated with owner-occupied properties.**

**Registered rental properties as of April 2023 properties are shown on Attachment C.**

**A composite map, Attachment D, shows single-family properties that are not believed to be restricted by covenants and are estimated to be below 60% impervious coverage. Based upon this map, there are 7662 properties identified, or 76% of the total, that could take advantage of allowing for second units on a property.**

### **OPTIONS:**

The workshop on March 21<sup>st</sup> was based upon the idea of design requirements supporting infill compatibility. Design compatibility included a review of a wide range of aesthetic, orientation, and size issues. Additionally, staff identified 13 topics that are commonly addressed for ADUs as part of a comparison of other city ordinances. The key issues at this time for moving forward regarding second units are addressing allowable types, locations, rental status, size, parking, and flexibility regarding Council's intent to either accommodate or strongly facilitate the creation of additional units with flexible standards.

Once staff has an understanding of City Council priorities, staff can draft standards and receive feedback from City Council and the public about specific requirements or allowances. As discussed during the March workshop, there are a diverse set of interrelated issues for second units and whether the City is intending to not only allow for such uses but also whether to relax standards to encourage or facilitate second units.

### **#1 Allowing for ADUs and/or Duplexes**

The first question to resolve is whether to create an option for ADUs or to have a new duplexes within our RN-1, RN-2, and RN-3 designated residential areas that include primarily single-family homes.

## #2 City-wide or Designated Areas

If City Council wants to create an option for either or both housing types, the Zoning Ordinance would need to be amended to allow for such uses. If the allowance was city-wide, it would apply to R-L, R-M, UCRM, FS-RL, FS-RM, and F-PRD zoning districts.

If City Council prefers to allow for second units in a more limited fashion, it would need to identify what areas of the city or what criteria should shape where second units may be permitted.

A tangential issue to this discussion is the individual request of Kurt Friedrich regarding a former duplex property on Jewell Drive. If City Council moves to allow for two units city-wide it can address Mr. Friedrich's request as part of the city-wide initiative. If City Council does not choose to move forward city-wide or include the Jewell area for such a use, City Council can direct staff to return with specific options regarding the single Friedrich property on Jewell, which was a former duplex property.

## #3 Allowing for New Construction of ADUs or Duplexes and/or Allow for Conversions of Existing Structures

If City Council determines it desires to allow for either type of housing unit, a key question will be whether to allow for conversions of existing structures. Prior zoning rules before 2000, had a mix of standards at different times allowing for conversions of structure compared to building new units. All of these allowances were removed with the adoption of the 2000 zoning ordinance.

If City Council focuses on new construction, it would maintain the integrity of an existing home which was designed and built to function as one dwelling, but then allow for an owner to add a wholly separate and independent unit. This approach would be consistent with the City's experience that it is difficult to return prior conversions back to a traditional single-family homes desired for owner-occupied homes.

However, requiring new construction for a second unit would likely be more costly than converting an existing dwelling unit, thus making it less likely for new units to be created. Note that conversion of an existing home would still require changes to meet Building Code and Rental Code. It would not be an option to double the occupancy in an existing structure by simply labeling it an existing home with two units.

## #4. Ownership or Rental

If the City allows for second units, City Council could allow for units to be rented consistent with the Rental Code or have rental limitations related to owner occupied properties.

Within Iowa, the City's authority regulating rental of property is limited by Iowa Code 414.1.d, which states a City cannot cap the number of single-family or duplex rentals. Staff does not believe that a duplex could be restricted to owner-occupied, it is unclear how exactly this law would apply to a single-family property with an ADU as ADUs not addressed by this law. It appears rental of an ADU could be restricted. Previously staff

identified possible standard of allowing for one of the two units on site to be eligible for being rented.

If City Council establishes a limit that an ADU could not be rented, such an allowance would mean that some units would get constructed likely for the benefit of existing homeowners that wanted extended living space or accessory space, rather than as a financial investment to generate rental income or truly create additional housing choices. If there are no rental limitations for an ADU, this would likely encourage the greatest number of second units to be built.

If rental of ADUs is permissible, staff notes that clarification in the Rental Code will be needed for how to treat these units as separate dwellings or in relation to the other home on the property. Additionally, the City would have to address how the language of the Near Campus Neighborhood Overlay applies to ADUs, meaning are they separate units for occupancy calculations or not.

#### #5. Size and Bedroom Limits

ADUs are commonly limited in size due to the notion of them being secondary or accessory to the primary dwelling. Size is commonly defined by square footage and/or bedroom count. Allowing for one-bedroom units would meet the general intent for an ADU. Currently the City of Ames limits accessory buildings, such as detached garages, to 900 square feet. If an ADU is limited to one bedroom, the next question would be if it is allowed to utilize the 900 square foot allowance or should it be smaller in size to reflect its accessory nature.

Duplexes are not commonly restricted in floor area or bedrooms. Historically, a duplex was likely a two- or three-bedroom unit. Staff notes that due to student rental influence there could be a push to maximize investments by increasing the bedroom count to five bedrooms to have the greatest number of occupants allowed under the Rental Code. If there are concerns about size or bedroom counts for duplexes, staff can explore options to manage duplex unit size and configurations.

#### #6. Parking

The number one zoning development that would likely impact creation of second units would be the parking standard. The basic question of whether to require parking or how many spaces must be answered to move forward. Staff identified that most commonly one parking space or no parking spaces are required for an ADU, based upon the assumption the unit is relatively small in size, or has one bedroom. If a higher rate of parking is required, staff believes it would be unlikely for ADUs to be built.

The City already has a two-family home/duplex parking standard of two spaces per unit, regardless of unit size or bedroom count. This matches the two spaces per dwelling requirement of a single-family home.

Once the parking standard is established, there may still be sites that cannot meet the parking requirement for total spaces on a property or where to locate additional parking. Staff would also like to explore from a design standpoint if covered parking in a garage

should be required of a duplex as an infill project to match conditions of surrounding single family homes.

#### #7. Design and Flexibility

The March Workshop emphasized that a City's perspective on promoting second units often shapes the actual standards. This issue is more of philosophy of how to approach creating the standards described above and how existing standards may apply to the units.

There are two perspectives regarding second units. They may be treated the same as other types of buildings on a site, which may or may not allow for them to exist on every lot in the City, especially lots with existing homes. Staff would categorize this approach as accommodating the use but within the existing zoning standards requirements.

The alternative approach would be to strongly encourage or facilitate second units with standards crafted around the use itself, rather than treating all lots the same. This would allow for flexible consistency with coverage limitations or other site standards. This could occur possibly through a ZBA exception process depending on the degree of flexibility afforded to ADUs.

As a first step towards allowing for this new use, it is not uncommon to incrementally allow for change versus promoting the change. City Council would need to direct staff on the approach to help guide preparation of relevant zoning standards needed for amendments to the Zoning Ordinance and potentially the Rental Code.

Staff would also propose design guidelines to accompany final standards for ADUs or duplexes to help ensure compatibility. This issue related to the overall infill design policy, but can be applied at this level as well.

#### **STAFF COMMENTS:**

Presuming City Council wants to create an allowance for second units, staff believes that the following list would be a good framework to draft standards and receive public feedback as an incremental approach to allowing for additional units:

- Allow for ADUs and Duplexes as new construction only, city-wide.
- Allow properties with ADUs to have only one rental Letter of Compliance (LOC)
- Within Near Campus Neighborhoods treat ADUs as accessory only, not a new unit
- Allow for ADUs to have a maximum of one bedroom, meaning no dens, office, or extra rooms that would qualify as a bedroom.
- Require 1 parking space per ADU and require the property overall to comply with total required parking for the home and ADU, meaning three parking spaces.
- Apply design standards to duplexes for single-family compatibility.
- Apply standards ADUS uniformly for all buildings rather than create exceptions uniquely for ADUs.



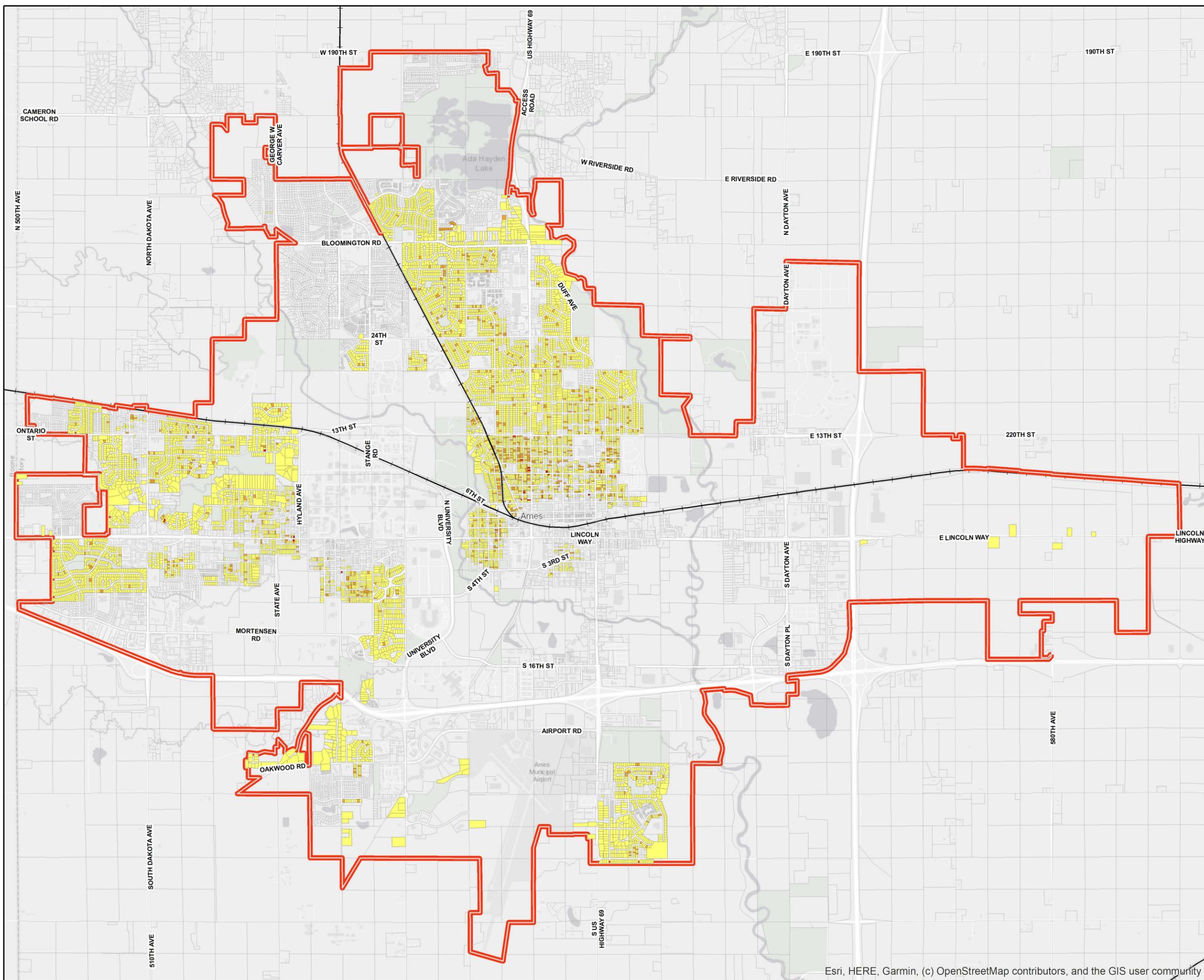
# ATTACHMENT 'B'

## Impervious Coverage

### Legend

% Impervious Coverage  
(Single-Family Parcels  
without Restrictive  
Covenants)

- 0 - 40% Impervious
- 41 - 60% Impervious
- 61 - 100% Impervious



Note: This map may contain errors. It is based upon best available data at the time it was created. It should be considered only for conceptual planning purposes.

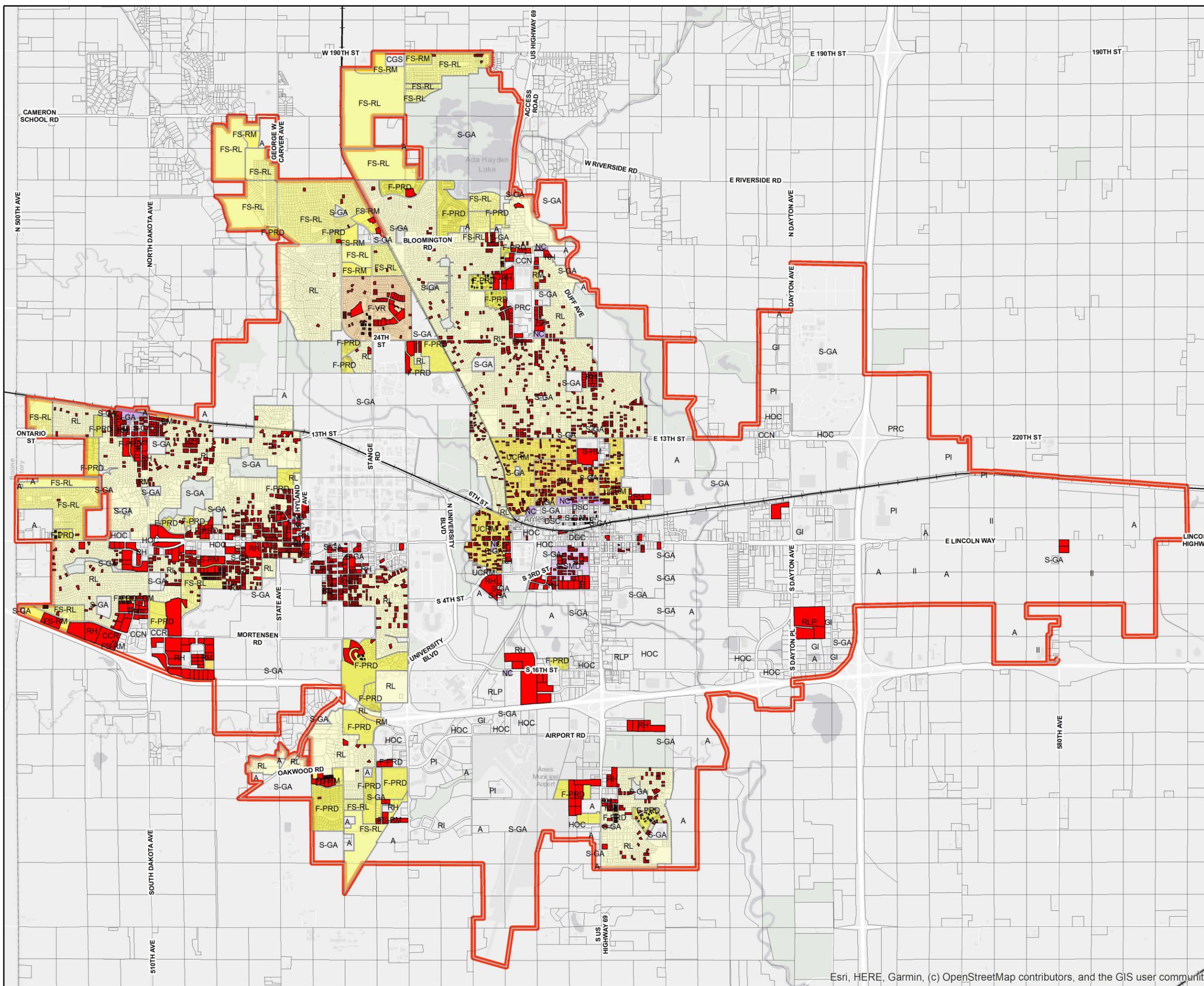
Prepared by Ames Planning & GIS Staff, April 2023

# ATTACHMENT 'C'

## Rental Concentration

### Legend

- Registered Rentals (All Zoning Districts)
- Residential Low Density Zone "RL"
- Residential Medium Density Zone "RM"
- Urban Core Residential Medium Density Zone "UCRM"
- Suburban Residential Zone Residential Low Density "FS-RL"
- Suburban Residential Zone Residential Medium Density "FS-RM"
- Planned Residence District "F-PRD"
- Village Residential District "F-VR"
- South Lincoln Mixed-Use District
- Neighborhood Commercial Zone "NC"



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Prepared by Ames Planning & GIS Staff, April 2023

