

ITEM #:	23
DATE:	12-10-24
DEPT:	P&H

COUNCIL ACTION FORM

**SUBJECT: ZONING TEXT AMENDMENT TO ALLOW SOCIAL SERVICE PROVIDERS
IN THE SINGLE-FAMILY CONSERVATION OVERLAY (O-SFC) ZONING
DISTRICT WITH APPROVAL OF SPECIAL USE PERMIT FOR CERTAIN
PROPERTIES ABUTTING COMMERCIAL ZONING.**

BACKGROUND:

City Council held a public hearing on October 8 to consider a zoning text amendment application from the Romero House to allow for Social Service Providers via approval of a Special Use Permit within the Single-Family Conservation Overlay (O-SFC). At the conclusion of the Public Hearing, City Council directed staff to evaluate four alternatives for a text amendment and to hold a public meeting to gather additional public input about the proposal. The public meeting was held on November 19. Staff provided a summary of the meeting and updated alternatives to City Council on November 26. [The November 26 report is available online at this link.](#) **At the conclusion of the meeting, City Council voted 4-2 to proceed with crafting updated ordinance language based upon Alternative 2, which was to allow for establishment of one additional social service provider use by approval of a special use permit within the area of the 600 block of Clark Avenue and the 100, 200, 300, 400 blocks of 7th Street.**

Staff proposes the following language as a change to the O-SFC for Social Service Providers:

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

...

(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 (See Section 29.1302)
- (iv) Vacation Lodging

(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.

(c) Social Service Providers require a Special Use Permit to establish a new facility. A Special Use Permit to establish a new facility may only be approved for a property that abuts commercial zoning along the 600 Block of Clark Avenue, 100,200, 300 and 400 Blocks of 7th Street with a limitation of only one additional property being approved for a social service provider within this area after

January 1, 2025.

As proposed, this language would allow for only one additional property to be approved for the use after January 1, 2025. **It does not allow for any other changes of locations or establishment of additional social service provider uses once one additional property has been approved. This means that if an existing social services provider in the zoning district was to cease operating and be replaced by a permitted use that is not a social services provider, no new social service provider could be approved in the allowed area.** Essentially this means that a maximum of four could be located in this area (because there are three existing providers plus the one additional allowance described in the ordinance). However, if any of the existing or future social service providers is replaced by a non-social service provider use, the total number of properties with the social service provider use will decrease within this area and cannot be reestablished anywhere within the area.

The date was chosen as January 1, 2025 to be clear about when to measure the number of existing providers against the "additional" provider. The proposed Ordinance may or may not be effective by that date, but that does not matter in relation to the proposed date.

ALTERNATIVES:

1. Approve the first reading of the ordinance amending Section 29.1101 (c) of the Ames Municipal Code to allow Social Service Providers by Special Use Permit on certain properties abutting commercial zoning as stated in the attached draft ordinance.
2. Approve on first reading with modified language.
3. Deny the proposed text amendment.

CITY MANAGER'S RECOMMENDED ACTION:

The proposed language is the most limiting option of allowing for one additional social service provider in the specified area per the original direction of Alternative 2 from November 26. If approved, 702 Clark would be eligible for a Special Use Permit Application by the original applicant for the text amendment, Romero House. The first special use permit approved for a property after January 1, 2025 would be the only additional property allowed to have the use in the O-SFC.

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative No. 1, as described above.

ATTACHMENT(S):

[Original Applicant Letter](#)

[Attachment B Zoning Map O-SFC](#)

[Area Abutting Commercial Zoning.pdf](#)

[Ordinance ZTA O-SFC Social Service Providers.PDF](#)