

**COUNCIL ACTION FORM**

**SUBJECT: SUBDIVISION ORDINANCE TEXT AMENDMENT REGARDING PROHIBITIONS ON DOUBLE-FRONTAGE LOTS**

**BACKGROUND:**

The Ames *Subdivision Ordinance*, Section 23.401(3)(b) regulates lots with more than one frontage, as follows:

23.401(3)(b) A lot with double frontage or reverse frontage shall not be permitted, except where essential to provide separation of residential development from arterial streets or to overcome specific disadvantages of topography and orientation.

This regulation was probably intended to address potential problems associated with double-frontage lots (i.e., “through-lots”) located in residential areas in order to ensure that such lots do not result in inconsistent setbacks and access points along residential streets. However, double-frontage lots are fairly common in commercial, business, and industrial areas (e.g., the North Grand Mall property), and in many cases facilitate more efficient means of access to non-residential lots.

The City Council referred this item to staff for a possible *Subdivision Ordinance* text amendment to allow double-frontage lots in non-residential zones. Staff has drafted the following amendment (emphasis added):

23.401(3)(b) A lot with double frontage or reverse frontage shall not be permitted in residential zones, except where essential to provide separation of residential development from arterial streets or to overcome specific disadvantages of topography and orientation.

**Recommendation of the Planning & Zoning Commission.** At its meeting of October 5, 2011, with a vote of 5-0, the Planning and Zoning Commission recommended approval of the proposed amendment to the Subdivision Ordinance. No one from the audience spoke for or against the proposed amendment.

**ALTERNATIVES:**

1. The City Council can amend Section 23.401(3)(b) of the *Municipal Code* to limit double-frontage lot restrictions to residential zoning districts only.
2. The City Council choose to not amend this code section, thereby retaining the restriction of double-frontage lots in all zoning districts.

3. The City Council can refer the request to amend the zoning ordinance back to staff for further information or for further options.

**MANAGER'S RECOMMENDED ACTION:**

Staff believes that the double-frontage restriction is appropriate in residential areas, and that the provision was likely adopted with residential areas in mind. However, the restriction does not reflect the reality of how non-residential lots are typically platted and developed, and may in fact result in layouts that are less efficient in terms of circulation and access.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the attached text amendment to the Subdivision Ordinance pertaining to double-frontage lots.

It should be noted that there are currently two plat of survey applications under review that are affected by the double-frontage lot restrictions (i.e., Webfilings and the McFarland Clinic office building). The applicants for both projects have requested waivers of the double-frontage lot restriction, as is allowed in the subdivision code. If the waivers are not granted, the plats could nonetheless be approved if Council later approves the proposed text amendment pertaining to double-frontage lots. However, the ordinance approving the amendment requires three readings, meaning that it would not be passed until November 24. This would delay building construction by both applicants at a time of year when it is crucial for earthwork to be done and for footings and foundations to be poured before the weather changes and the ground freezes. Therefore, approval of the waivers is the recommended action for both the Webfilings and McFarland Clinic applications.

**ORDINANCE NO.**

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SECTION 23.401(3)(b) AND ENACTING A NEW SECTION 23.401(3)(b) THEREOF, FOR THE PURPOSE OF ALLOWING DOUBLE FRONTAGE LOTS IN NON-RESIDENTIAL ZONES; 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 repealing Section 23.401(3)(b) and enacting a new Section 23.401(3)(b) as follows:

**“Sec. 23.401. SITE DESIGN STANDARDS.**

(3) Lots: Any lot created by subdivision shall be appropriate for the type of development and use contemplated and shall meet any applicable zoning requirements and the following additional standards:

...

(b) A lot with double frontage or reverse frontage shall not be permitted in residential zones, except where essential to provide separation of residential development from arterial streets or to overcome specific disadvantages of topography and orientation;”

...

Section Two. Violation of the provisions 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 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 \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor