

Staff Report

Requirements for Right-of-Way Infrastructure Improvements at Time of Building Construction

February 24, 2015

BACKGROUND

The City Council directed staff, at their January 28, 2014 meeting, to “**research and prepare amendments to the Ames Municipal Code to require the installation of missing infrastructure at the time of site plan review and approval.**” Amendments were directed to address only commercial, industrial, medium- and high-density residential development. Single-family home properties are not part of this assessment.

The range of infrastructure improvements that may be required of new development, include: sidewalks, shared use paths, street lights, curb and gutter, road paving, street trees, bus stops, etc. Attachment 5 is a summary of basic subdivision infrastructure requirements by type of use. As part of the evaluation of requiring infrastructure improvements, staff has also identified related issues with the current standards for sidewalks and street lights in the Chapter 23 Subdivision Code. A discussion of these subdivision issues is also included in this report.

The City of Ames requires infrastructure to be installed at the time of subdivision approval. The City may grant allowances for posting of financial security for uninstalled infrastructure and for deferral agreements of sidewalks. However, for many older properties and subdivisions there is a lack of modern infrastructure improvements (inadequate sizing or condition) or a gap in improvements. The most common example has been the lack of sidewalk improvements on infill lots. The City typically has no other mechanism, other than subdivision regulations, to require the installation of public sidewalks. The Minor Site Plan review process does not expressly require all infrastructure to be complete and relies upon a case-by-base assessment of impacts related to a specific development. This at times this results in newly developed or redeveloped sites that don't subdivide and then would not meet community expectations for accompanying improvements.

Staff identified approximately 3,200 properties of all types that lack sidewalk infrastructure in the City. Of the 3,200 properties, there are about 400 individual properties in commercial, industrial, and high-density residential districts which are lacking sidewalks. Staff used this basis of 400 property owners for a mailing inviting participation in an outreach meeting on February 5, 2015. The meeting had 24 members of the public present. Staff explained the Council direction given last year and addressed questions. A number of questions arose about the need for sidewalks in locations that are remote, have no pedestrian traffic, or have open ditches that would preclude sidewalks. Some supported sidewalks in all zoning districts, including single family. Some voiced concern about the increased costs of development. (See

Attachment 6 for estimated cost range). Staff has also posted background information on the Department's webpage.

As part of the research on infrastructure needs, staff has identified areas that lack some infrastructure:

Attachment 1 identifies those lots without sidewalks that were the basis of the property owner outreach mailing.

Attachment 2 is the current map of shared use paths, including on-street and off-street. This would be used to identify where the gaps in the system are and to identify installation needs.

Attachment 3 shows arterial streets that are under lit. As can be seen, most are older thoroughfares. Some have development on both sides, while some are adjacent to land yet to be developed (e.g., SE 16th Street). The Electric Department and Public Works seek direction Council interest to reduce under lit streets in developed areas.

Attachment 4 is an inventory of unpaved streets done by the Public Works Department in 2014. Since then, Site No. 2 portions of Aplin Road and Beedle Drive have been paved.

In addition to creating background information, staff researched how various other communities ensure the installation of infrastructure outside of new subdivisions. A sampling of communities that require at least sidewalk improvements with development included: Sioux City, West Des Moines, Ankeney, Davenport, Urbandale.

Most cities that address the issue do it either through requirements at the building permit stage or through property assessments. However, individual communities use different thresholds that trigger the installation requirements. Some require it for any new commercial or residential structure. Others trigger infrastructure improvements for new construction or when repairs or remodeling costs equal 50 percent of the value of the structure.

Options:

Staff is seeking direction on three issues to begin preparation of text amendments:

- What type of deficient infrastructure should be installed at the time of development by the developer?
- What level of development or redevelopment should trigger the installation of right-of-way improvements?
- What additional changes to standards for infrastructure of sidewalks, shared use paths, street lights, should be implemented to improve subdivision regulations and ensure appropriate infrastructure installation?

Issue 1: What deficient infrastructure should be installed?

- Option 1: All deficient infrastructure identified within the Chapter 23 Subdivision Code. This would include street paving, curb and gutter, sanitary sewer, water, storm sewer, sidewalks, street trees, street lights.
- Option 2: Sidewalks and shared use paths only.
- Option 3: Dedication of needed right-of-way or easements, no construction.
- Option 4: Some other combination of improvements.

Issue 2: What should trigger the installation of ROW improvements?

- Option 1: New construction or redevelopment of a principle building
- Option 2: Substantial building addition in square footage or valuation.
- Option 3: New construction of accessory buildings.
- Option 4: Change of a non-conforming use, building, or site.
- Option 5: Target specific improvements to different triggers, i.e. full improvements with new development, sidewalks with new site improvements.

Issue 3: Update of Infrastructure Standards.

- Option 1: Amend Municipal code to:
 - Require sidewalks on both sides of streets in all zoning districts.
 - Require street trees in all zoning districts. Currently only residential districts require street trees.
 - Require sidewalks in right-of-way to be 5 feet in width. Currently only a 4-foot walk is required.
 - Require a shared use path to be 10 feet in width. Currently, the minimum requirement is 8 feet.
 - Require street lights on arterial street frontages of a development site.
 - Require new street lights to be LED.
- Option 2: Changes to some or none of the above.

STAFF COMMENTS:

Issue 1-Type of Improvements:

Staff believes it is appropriate to require the same level of infrastructure for development that is required with a subdivision plat. In most instances, the missing infrastructure will be only the sidewalk or shared use path. In some instances, there may be a need for street lights or street trees. These can be installed on a single development site and completed in logical manner.

However, there may be limited occurrences where there is no street paving or storm sewer. These types of improvements are difficult to install on a single development site as they are more of an “area wide” improvement for them to be fully effective. In this

case of these major street improvements, there would be a likely combination of mandatory improvements and potentially deferral agreements with financial security.

Staff has concerns about implementation and administration of deferred improvements if it becomes the common instrument of meeting the standards. Requirements for improvements should be expected to occur reasonably along with development, it should not be viewed as means of collecting future obligations and having property owners incur costs of indefinitely maintaining financial security and staff tracking the status of agreements. There would at times be exceptions where deferral or cash in lieu payment would be appropriate.

With the consideration that improvements would occur at the time of development, staff supports a text amendment that incorporates Option 1 of Issue 1 for full improvements with new development.

Issue 2-Trigger for Improvements:

The second issue addresses what should trigger the requirement. There is a need to balance triggers of improvements with the cost of a project. A small remodeling of a building would appear to be onerous if there are large infrastructure costs also attached to it and there is no significant change in the use of a site.

However, when a new principle building is constructed on a lot or when there is a substantial improvement to an existing structure, the value of the necessary infrastructure becomes a less significant component of the total cost. One example of “substantial improvement” is the definition in the Chapter 9 Flood Plain Regulations (defined as a 25 percent increase in floor area or improvements valued at 50 percent of the value of the structure) that trigger compliance with elevation or floodproofing requirements.

Staff supports a text amendment that incorporates Option 1 and Option 2 for Issue 2 for both new development and substantial additions.

Issue 3-Changes to Standards:

The third issue addresses changes that are of interest independent of whether development is part of a new subdivision or on an existing lot. These issues are interests that staff has identified through the Development Review Committee or in response to individual city department service objectives. If there is an interest in changing some of these specifications, it may be convenient to include them with text amendments that require installation of new infrastructure.

The City’s subdivision regulations require sidewalks to be installed on both sides of streets in commercial and residential zoning districts. An exception is made for industrial zoning districts, which require sidewalks only on one side of the street. There are two concerns with limited expectations in industrial areas. Staff believes there is value to a more inclusive approach to transportation modes that would benefit by having sidewalks on both sides of the street, this would further an effort for more “complete streets.” This would provide better safety of pedestrian circulation, convenience of access to nearby business and services, and for access to transit.

Secondly, administering ADA compliance requirements based upon the 2010 standards for accessible design that went into effect in 2012 has been challenging. Zoning requirements to connect buildings entrances to the street with a walkway and a requirement for there to be an accessible route in the right-of-way or to cross the street have made it confusing for applicants and for staff management of right-of-way.

Street trees provide benefits that include aesthetic value, shade, reduction of heat islands, and carbon absorption. The City's subdivision regulations require street trees only in residential zones in recognition of these values on residential quality of life. With promotion of sustainability, water management, and street character it would be appropriate to include requirements for street trees in all zoning districts of the City.

The City's subdivision regulations require public sidewalks in the right-of-way to be 4 feet in width. Yet the Zoning Ordinance requires private sidewalks to the main entrance of a building to be 5 feet. Staff has found that in some instances, due to ADA requirements, a 5-foot public sidewalk is needed for some locations. A 5-foot walk meets all ADA width requirements without the need for turn out areas. A 5-foot walk width also provides more pedestrian comfort when walking with other people or passing other people.

Shared use paths are specified in the Subdivision Code to meet an 8-foot width that meets the minimum specification. In many instances, a preferred width of 10-feet would be desirable based upon levels of use and the surrounding context of the area. A 10-foot width would bring the City in line with recommend practices for shared use paths.

The City practice has always been to require street lights on the internal streets of a new subdivision. When a new subdivision abuts an existing arterial street, street lights have often not been required which sometimes result in later installation at city costs in response to demands by new occupants of an area. Staff believes that strengthening the language on when street lights are required will clarify the expectations that new development that causes the need for lighting along the perimeter of a subdivision will provide the infrastructure the same as within a subdivision. This change would apply to all types of subdivisions, including single-family residential.

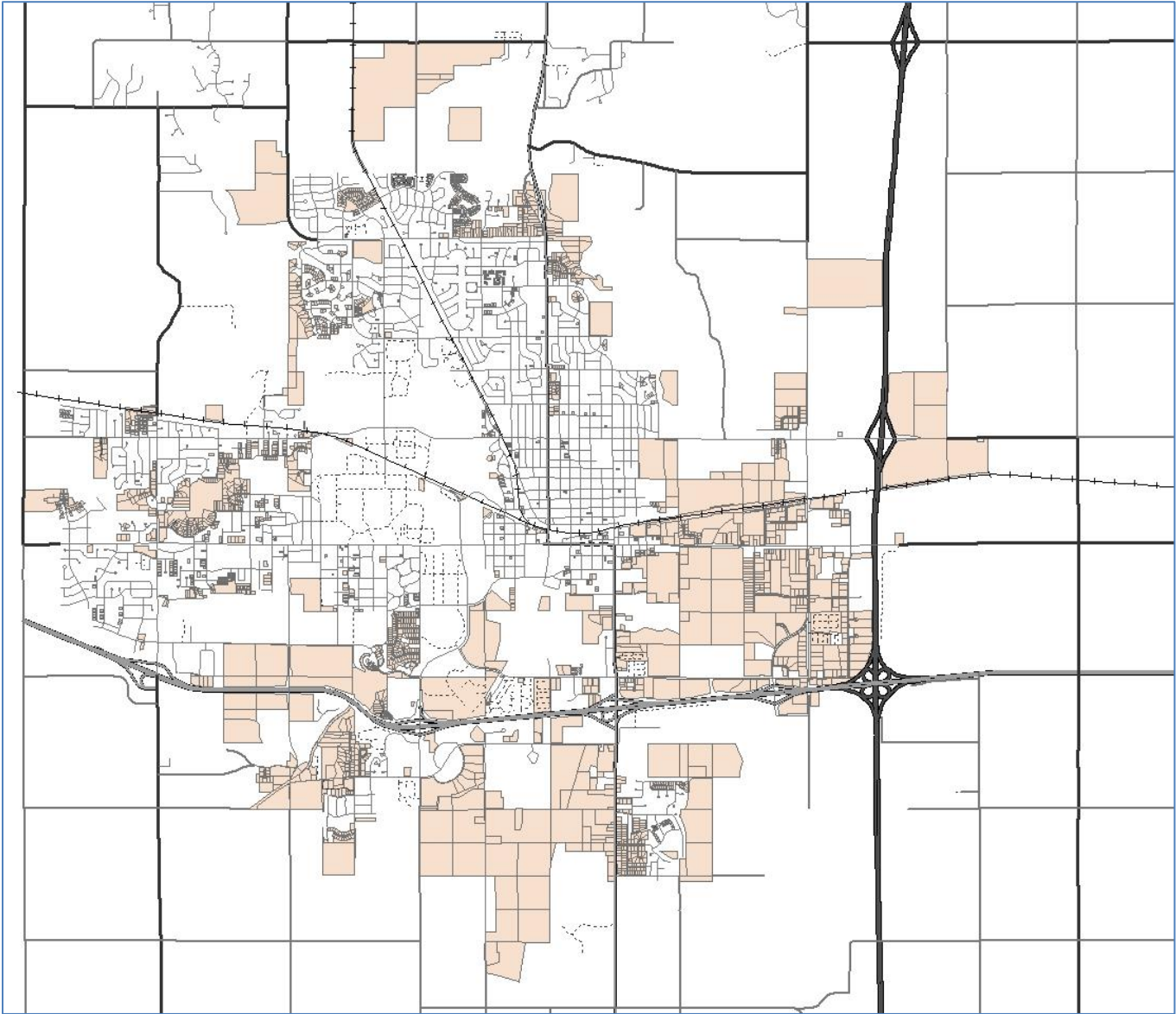
The Electric Department has begun to maintain streetlights in their service territory by replacing older fixtures with more efficient LEDs. The Electric Department is interested in updating the specification for a new street light installation to be the LED type of lighting that they use as a replacement for existing street lights.

NEXT STEPS

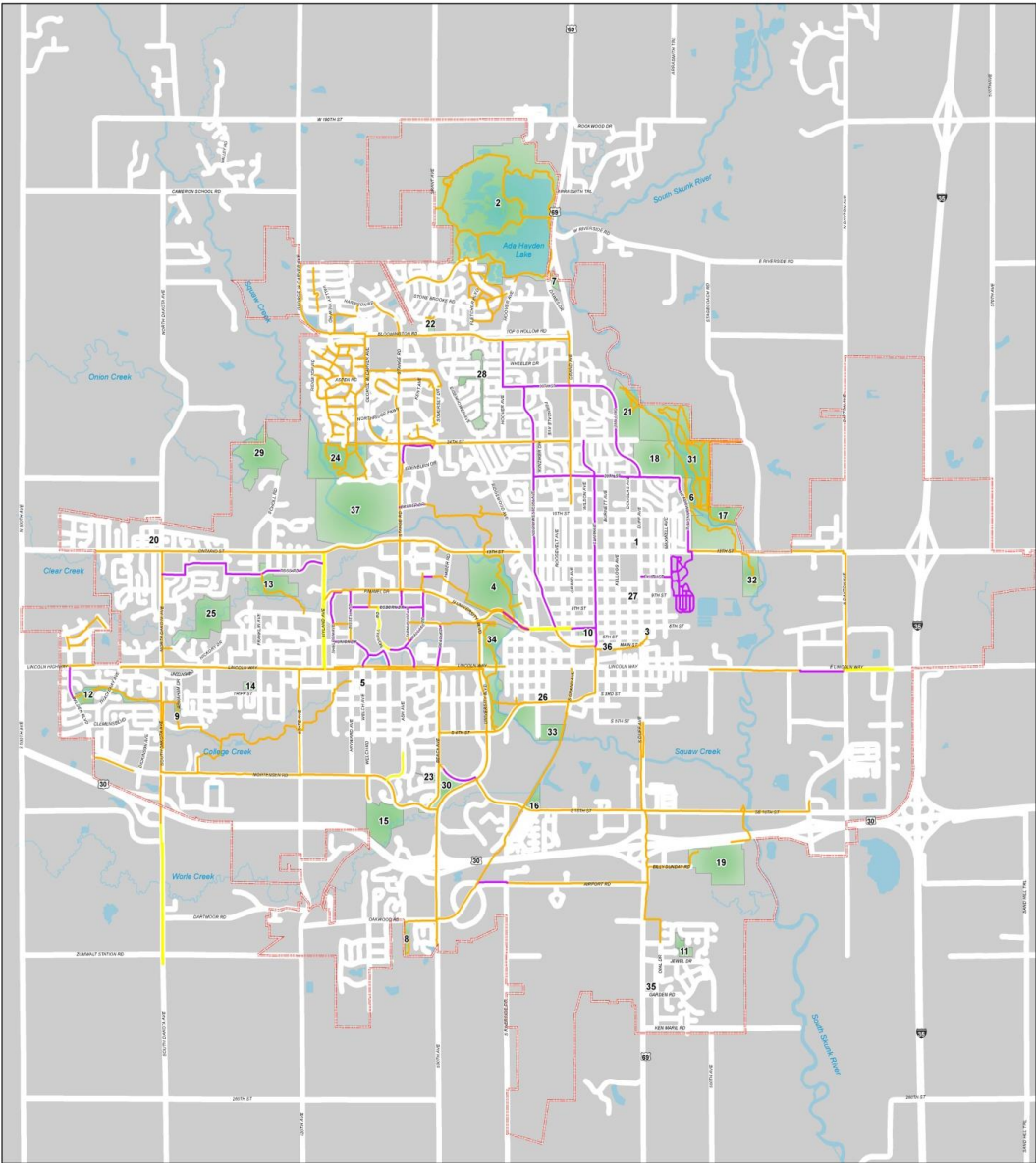
With Council direction, staff will proceed with drafting of text amendments and set public hearing dates. Staff would anticipate returning to Council in April for a first reading on an ordinance. To accomplish this schedule, Council needs to indicate what the preferred changes are to be included in a text amendment to draft precise language for an ordinance.

Staff has conducted one outreach meeting to hear comments on the above concepts. It is fair to say that there was some hesitation about extent of new requirements and potential costs. It is unlikely that property owners would be supportive of all of the described improvements. In the next steps staff would not hold a formal outreach meeting, but would make a draft document available for public review prior to Council review. This approach would allow for time to hear specific concerns about how to implement any requirements and attempt to adjust language if appropriate prior to Council review.

ATTACHMENT 1: EXISTING LOTS WITHOUT SIDEWALKS



ATTACHMENT 2: SHARED USE PATH INVENTORY



City of Ames
Shared Use Paths

Type of Path

- Shared Use Path
- On-street Bike Lane
- Bicycle Friendly Street
- Parks

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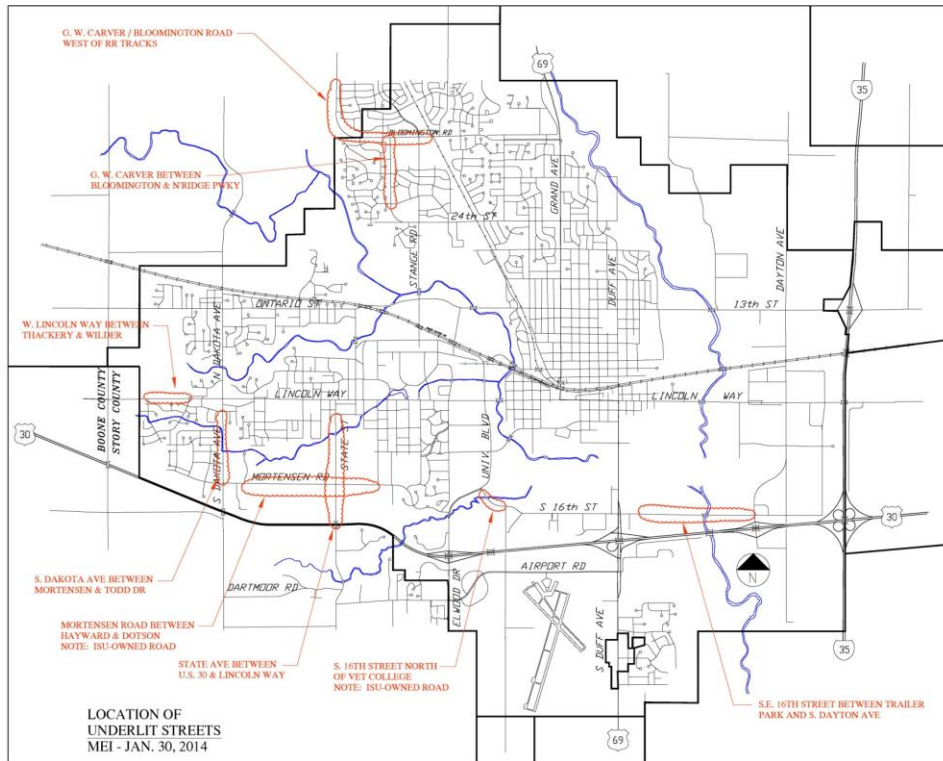
June 2014

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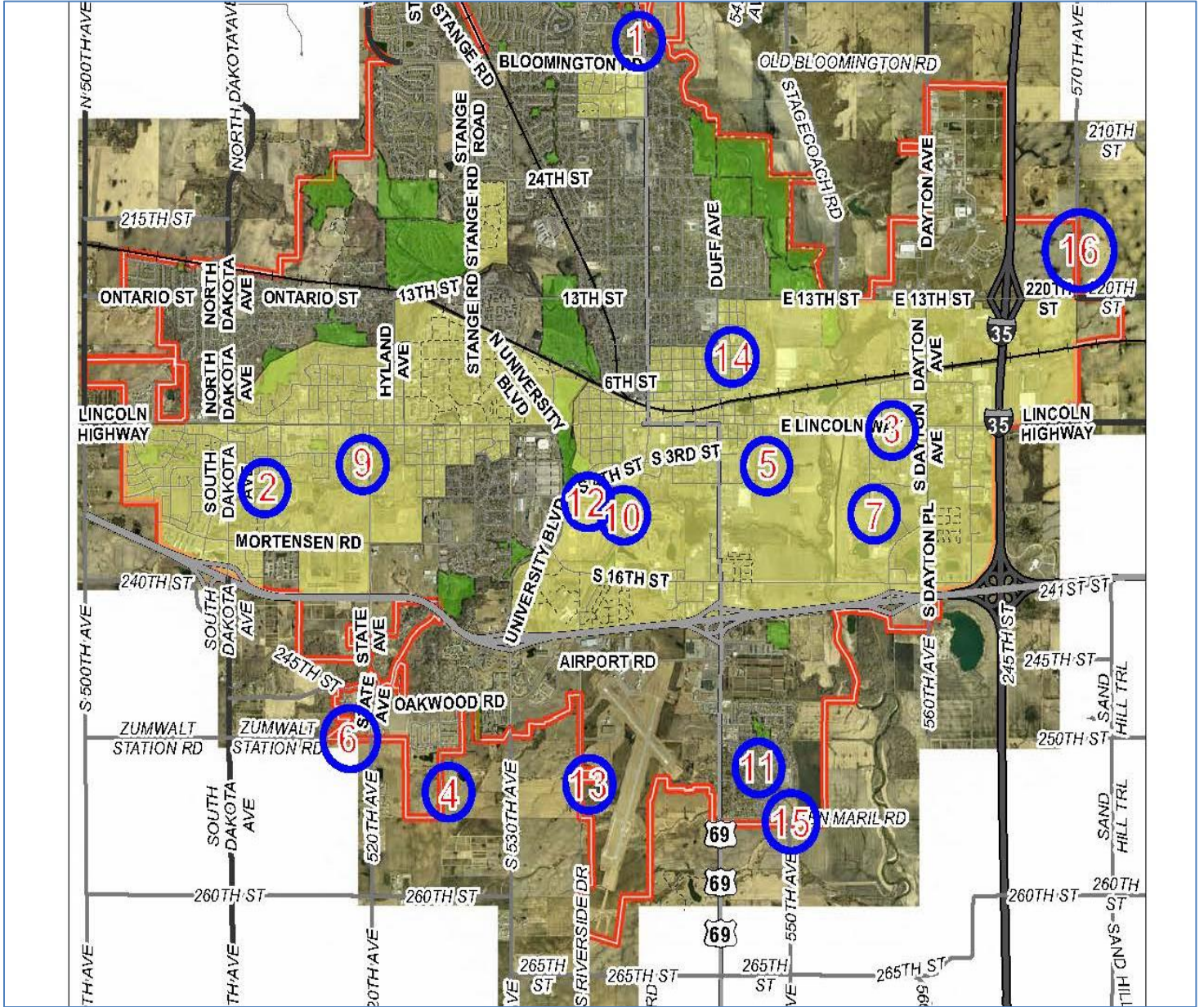
Location	Park Names
1	14th and Duff Avenue
2	Ada Hayden Heritage Park
3	Bandshell
4	Brookside
5	Campus Town Court
6	Carr Pool and Park
7	Charles Calhoun Memorial Park
8	Christofferson Park
9	Christopher Gartner Park
10	Community Center (City Hall)
11	Country Gables
12	Daley Park & Greenbelt
13	Emma McCarthy Lee Memorial
14	Franklin
15	Gateway
16	Greenbriar
17	Gunder/Nutty Woods
18	Homewood Golf Course
19	Hunziker Youth Sports Complex
20	Hutchison
21	Inis Grove
22	Lloyd Kurtz
23	Moore
24	Moore Memorial
25	Munn Woods
26	O'Neil
27	Old Town
28	Parkview
29	Reactor Woods
30	Reiman Gardens
31	River Valley
32	South River Valley
33	Squaw Creek
34	Stuart Smith
35	Teagarden
36	Tom Evans Plaza
37	Veenker Golf Course

Document Path: C:\Users\jgordon\Documents\Ames\GIS\Projects\GIS\2014\2014_SUMMER\2014_SUMMER_06_24_14\2014_SUMMER\2014_SUMMER_Paths_191_Update_Look.mxd

ATTACHMENT 3: UNDERLIT ARTERIAL STREETS JANUARY 2014



ATTACHMENT 4: UNPAVED STREET



Attachment 5
Summary of Infrastructure Requirements with Subdivision

	Sidewalks	Street Trees	Bike/Shared Use Path*	Bike Lanes	Street Lights	Street Capacity/Access	Bus Stop	Water/Sewer/ Drainage
Residential	Yes	Yes	If shown on adopted plan of LRTP	None	Internal to development (no arterials)	Yes	No	Yes
Commercial	Yes	No	If shown on adopted plan of LRTP	None	Internal to development (no arterials)	Yes	No	Yes
Industrial	One side of street	No	If shown on adopted plan of LRTP	None	Internal to development (no arterials)	Yes	No	Yes

*References to bike facilities are inconsistent with current terminology and includes references to an adopted bicycle plan that is no longer in place, making requirements ambiguous at times.

ATTACHMENT 6: INFRASTRUCTURE COST ESTIMATE RANGE

Item	Private cost	City cost
4' sidewalk per linear foot	\$25	\$40
8' asphalt shared use path per linear foot	\$25	\$50
Street tree	\$200	same
Standard street light	\$2,000	same
LED street light	\$2,500	same
35 sq ft bus stop pad	\$200	\$400
30" curb and gutter	\$15	\$30
One lane of pavement per linear foot (HMA)	\$65	\$100
Sidewalk detectable warning per square foot	\$25	\$40