

COUNCIL ACTION FORM

SUBJECT: SUBDIVISION ORDINANCE TEXT AMENDMENTS RELATED TO FIRE TRUCK TURNAROUNDS AND AMENDMENTS TO PLATS

BACKGROUND:

These two subjects both pertain to amending the City's subdivision code. They are being processed simultaneously but are being shown as two separate ordinances.

The first pertains to **required turnarounds for fire trucks**. These turnarounds are required to facilitate ready movement of fire apparatus, including situations where apparatus needs to quickly leave one scene to respond to a call in another location. Currently, the Municipal Code specifies that turnarounds be located in the public right-of-way. This is often achieved by the use of cul-de-sacs, which is a common means of terminating dead-end streets and meets this requirement. It can also be achieved by means of hammerhead or "Y" turnarounds, which may be allowed in the right-of-way, but are less common designs for public roads.

There are situations where neither a public cul-de-sac nor a public hammerhead is desirable, particularly when a road is expected to continue into a future phase of the subdivision or onto an abutting property. Turnarounds in these situations are usually temporary, so requiring that they be placed in the right-of-way either consumes land that would otherwise be used for a continued row of lots, or requires a later vacation of the right-of-way back to private ownership.

A fire turnaround is required to meet fire code requirements when a road exceeds 150 feet in length. A dead-end road without a turnaround is allowed if it does not exceed this length. The code also provides for discretion by the local fire authority to increase the length if the intent of the code can be met. Accordingly, staff has drafted amendments that provide various alternatives for meeting the turnaround requirement when a road is planned to extend to a future phase or abutting site. These provisions address the associated requirement for easements if turnarounds are not located in public right-of-way, and how the creation and recordation of easements are to be coordinated with the platting process.

A strike-out/underline version of these proposed text changes is attached, along with the same changes formatted in ordinance form for adoption.

The second proposed subdivision code change pertains to **amendments to subdivision plats**. There are currently no provisions in the code that describe plat amendment procedures, or that provide any other means for amending a plat than the

same procedures for approving an entirely new plat. That may be appropriate for major changes, but can be burdensome and expensive to the developer when the amendment is minor in nature. The proposed amendments include new definitions describing both major and minor plat amendments and lay out procedures for these amendments. The text of these proposed amendments is attached in ordinance form.

Recommendation of the Planning & Zoning Commission. At its meeting of October 21, 2009, with a vote of 6-0, the Planning and Zoning Commission recommended approval of the subdivision ordinance text amendments related to turnarounds for fire trucks and related amendments to plats. There was no public comment on this item at that meeting.

ALTERNATIVES:

1. The City Council can:
 - (a) Approve the proposed subdivision ordinance text amendment pertaining to fire truck turnarounds, and
 - (b) Approve the subdivision ordinance text amendment pertaining to amendments to plats.
2. The City Council can approve the subdivision ordinance text amendments as proposed with modifications.
3. The City Council can deny the proposed subdivision ordinance text amendments.
4. The City Council can refer this issue to staff for further information.

MANAGER'S RECOMMENDED ACTION:

The proposed amendments pertaining to turnarounds would provide greater flexibility in meeting fire code turnaround requirements when laying out a phased subdivision. The proposed ordinance pertaining to plat amendments would simplify and speed up the amendment process for developers, and would provide needed clarity on the procedures for amending plats.

Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1, which is to:

- (a) Approve the proposed subdivision ordinance text amendment pertaining to fire truck turnarounds, and
- (b) Approve the proposed subdivision ordinance text amendment pertaining to amendments to plats.

Strike-out/underline version of the proposed text changes to Section 23.403(7) of the Ames *Municipal Code*:

(7) ~~Dead End Streets: Dead-end streets shall not be permitted to be longer than 150 feet~~ (as measured from the closest edge of the perpendicular street's driving lane) without a turnaround complying with minimum fire code and SUDAS standards, except under the following circumstances:

(a) The dead-end street ultimately extends to a future phase of the subdivision. In this case, a temporary turnaround must be provided in compliance with all fire-code requirements. A fire apparatus access easement shall be provided for the turnaround if it is not located in public right-of-way, which easement shall be identified on the preliminary and final plat. If the turnaround is located outside the bounds of the current plat, then a separate instrument creating the easement shall be recorded prior to preliminary plat approval, or prior to final plat approval if the turn-around is within the plat but outside the bounds of the current phase of said plat; or

(b) The dead-end street is an anticipated extension beyond the bounds of the subdivision plat. In this case, there shall be no structures fronting on the dead-end street, and there shall be no lots having primary access on the dead-end street, beyond the first 150 feet of the street; or

(c) Alternative methods of compliance are approved by the fire code official as authorized under Section 503 of the *International Fire Code*.

(d) Required turnarounds for fire apparatus vehicles shall be posted "No Parking – Fire Lane", unless the turn-around is wide enough to accommodate both curb parking and fire apparatus access.

(e) If required turnarounds are located in easements, the following requirements apply:

(i) Required easements proposed within the bounds of the plat shall be identified on both the preliminary plat and final plat.

(ii) If easements are located outside the bounds of the plat, or located within the plat but outside the bounds of the current phase of said plat, then a separate instrument creating the easement shall be recorded prior to preliminary plat approval.

(iii) The City of Ames shall be a named party in the easement, and the easement language shall specify that the easement will expire upon final plat approval of a plat that extends said road into a future phase or abutting subdivision.

~~However, when the street is planned to continue and ultimately provide access to future adjacent subdivisions, then a temporary turnaround shall be provided in the public right-of-way.~~

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SUBSECTION 23.403(7) AND ENACTING A NEW SUBSECTION 23.407(7), THEREOF, FOR THE PURPOSE OF REQUIRING TURNAROUNDS OR ALTERNATIVE METHODS OF COMPLIANCE WITH THE FIRE CODE; 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 repealing Section 23.403(7) and enacting a new Section 23.403(7) as follows:

“Section 23.403(7)

(7) Dead End Streets: Dead-end streets shall not be permitted to be longer than 150 feet (as measured from the closest edge of the perpendicular street’s driving lane) without a turnaround complying with minimum fire code and SUDAS standards, except under the following circumstances:

(a) The dead-end street ultimately extends to a future phase of the subdivision. In this case, a temporary turnaround must be provided in compliance with all fire-code requirements. A fire apparatus access easement shall be provided for the turnaround if it is not located in public right-of-way, which easement shall be identified on the preliminary and final plat. If the turnaround is located outside the bounds of the current plat, then a separate instrument creating the easement shall be recorded prior to preliminary plat approval, or prior to final plat approval if the turnaround is within the plat but outside the bounds of the current phase of said plat; or

(b) The dead-end street is an anticipated extension beyond the bounds of the subdivision plat. In this case, there shall be no structures fronting on the dead-end street, and there shall be no lots having primary access on the dead-end street, beyond the first 150 feet of the street; or

(c) Alternative methods of compliance are approved by the fire code official as authorized under Section 503 of the *International Fire Code*.

(d) Required turnarounds for fire apparatus vehicles shall be posted “No Parking – Fire Lane”, unless the turn-around is wide enough to accommodate both curb parking and fire apparatus access.

(e) If required turnarounds are located in easements, the following requirements apply:

(i) Required easements proposed within the bounds of the plat shall be identified on both the preliminary plat and final plat.

(ii) If easements are located outside the bounds of the plat, or located within the plat but outside the bounds of the current phase of said plat, then a separate instrument creating the easement shall be recorded prior to preliminary plat approval.

(iii) The City of Ames shall be a named party in the easement, and the easement language shall specify that the easement will expire upon final plat approval of a plat that extends said road into a future phase or abutting subdivision.”

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
O01033

Ann H. Campbell, Mayor

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW SECTION 23.306, THEREOF, FOR THE PURPOSE OF PROVIDING FOR MAJOR AND MINOR PLAT AMENDMENTS; 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 a new Section 23.306 as follows:

“Section 23.306. Amendments.

(1) Any changes to the design, layout, configuration, circulation pattern, access, or dimensions of a preliminary or final plat shall be considered as either a major or minor amendment to the plat, as follows:

- (a) Minor Amendments. Minor amendments are those that:
- i. Do not result in any more than one additional lot, net;
 - ii. Do not result in any fewer lots than allowed by minimum density standards applicable to the subdivision;
 - iii. Do not change the category of the originally approved subdivision from a minor subdivision to a major subdivision
 - iv. Do not change the dimensions of any lots that do not otherwise comply with adopted lot dimensional standards, or which otherwise results in a non-conforming lot;
 - v. Do not change the general layout of utilities, drainage patterns, storm water facilities, streets, alleys and/or easements;
 - vi. Are not inconsistent with an approved master plan associated with the subdivision; and
 - vii. Make only minor adjustments in the alignment or dimensions of streets, lots, alleys, and/or easements as otherwise allowed by adopted standards as opposed to deletions, additions or relocations of said streets, lots, alleys, and/or access easements.
- (b) Major Amendments. Major amendments are those that:
- i. Eliminate any access easements or rights-of-way identified on the preliminary or final plat;
 - ii. Eliminate or revise any plat conditions, restrictions or covenants on or associated with the plat, and
 - iii. Are not otherwise defined as a minor amendment under the provisions of this Section.

(2) Amendment Process. Amendments shall be processed as follows:

(a) Minor amendments to a preliminary plat may be made at the time of final plat approval. Minor amendments to a final plat may be processed as a minor subdivision, under the provisions of Section 23.303.

(b) Major amendments shall be processed as an amendment to the original preliminary plat. An application for a major amendment shall include all information required for a preliminary plat application, except that information pertaining to ownership, and information pertaining to existing physical features or structures, shall be required only for those areas of the plat affected by the amendment. (Note: Plat conditions/restrictions, easements, and other rights or forms of ownership defined by geographic area may have claim by property owners beyond the defined area. All persons or entities whose ownership or other legal rights are affected by the proposed amendment shall be a party to the amendment application).”

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
O01034

Ann H. Campbell, Mayor