

**COUNCIL ACTION FORM**

**SUBJECT: CHAPTER 23 (SUBDIVISIONS) TEXT AMENDMENTS**

**BACKGROUND:**

At the April 13, 2020 meeting, City Council directed staff to move forward with staff recommended changes to Chapter 23 (Subdivisions) of the *Municipal Code* and to coordinate preparation of ordinance changes with the City Attorney's office. Staff requested initiating changes to provide clarification on and updates to application and notification requirements.

The addendum and attached strike through and underline ordinance provide a detailed description of the proposed changes. The changes address a broad range of issues, including:

1. Conveyance parcel review steps and approval by staff
2. Overall application submittal requirements, including allowances for online application submittals
3. Staff approval of boundary line adjustments and conveyance parcels
4. Public hearing requirements for Preliminary Plats with the Planning and Zoning Commission
5. Updates to the Integrated Site Development Subdivision standards.

**PLANNING & ZONING COMMISSION RECOMMENDATION:**

At a regular meeting of the Planning & Zoning Commission held on June 2, 2021, the Commission voted unanimously 5-0 to recommend that the City Council adopt the proposed text amendments to Chapter 23 (Subdivisions).

Discussion was held on the current processes in place for approval of conforming and non-conforming conveyance parcels, and ways to allow staff approval as opposed to approval by the City Council.

**ALTERNATIVES:**

1. The City Council can approve on first reading the proposed text amendments to Chapter 23 (Subdivisions).

***Staff requests the City Council waive the rules and complete three readings of the ordinance on June 22, 2021. Staff is aware of a handful of customers awaiting approval of the proposed changes related to the plat of survey, integrated***

***subdivision, or conveyance parcel review to proceed with their individual projects and they would be able to proceed in one week instead of a month.***

2. The City Council can direct staff to prepare alternative language to the proposed text amendments.
3. The City Council can request additional information and defer making a decision.

**CITY MANAGER’S RECOMMENDED ACTION:**

The proposed text amendments clarify requirements and expectations within Chapter 23. This will provide property owners with a better understanding of the subdivision requirements and the approval process. Expediting the review and approval process for plats of survey that involve conveyance parcel review and boundary line adjustments would benefit property owners, developers, City Council and City staff where little to no discretion is applied to the reviews.

Staff recommends that the City Council proceed with all three readings on June 22, 2021 to approve the ordinance. A handful of customers have made inquiries about projects that would benefit with saved time and effort related to the proposed changes and they would like to start immediately if possible. The changes are principally related to administration and application requirements and do not create new limitations or process for applicants that would normally benefit from additional time for review over the course of three City Council meetings.

**Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1, approving the ordinance on first reading and waiving the rules to approve on second and third reading.**

## ADDENDUM

The proposed Chapter 23 (Subdivisions) amendments specifically address the following primary topics: *(City staff comments are in italics).*

### **1. Update conveyance parcel categories.**

*Conveyance parcel review applies to properties that are not a platted lot in a subdivision and typically are required to be reviewed for conformance to City standards and have a plat of survey prepared to legally define property boundaries. Code requires this to occur prior to issuance of a building permit to verify lot standards and structure setbacks.*

*Staff proposes to combine conforming and non-conforming conveyance parcels into a single category. Conforming conveyance parcels are those that conform to the minimum size, area and width requirements specified in Ames Municipal Code Chapter 29 at the time that a determination is made under the provisions of Section 23.307(4). Non-conforming conveyance parcels are those lots that do not conform to the minimum area and width requirements or contain structures that do not conform to minimum setback requirements, specified in Ames Municipal Code Chapter 29 at the time that a determination is made under the provisions of Section 23.307(4).*

*With the change, it would eliminate ZBA review of conditions related to existing structures and lots. However, if the lot was legally established and went through conveyance review all new development is required to comply with current zoning requirements, regardless of the nonconforming status of the lot or existing structures. This change would remove a review step that appears to be unnecessary concerning existing conditions of a lot and structure by the ZBA. Often these properties were created and structures were built decades ago under different codes. This change is not intended to legitimize illegally created parcels.*

### **2. Allow staff to approve conveyance parcel reviews and boundary line adjustments without action required by the City Council. Allow for a referral to City Council by the applicant if desired.**

*Conveyance Parcels and Boundary line adjustments are currently considered by the City Council as Plats of Survey, these are very often routine with minimal to no discretion. Approval by staff without action by the City Council would expedite the approval process for the applicant. There are times that the applicant is waiting for staff approval of a Minor Site Development Plan until the City Council has acted on the Plat of Survey, prior to recording the Plat with Story or Boone County.*

3. **Require a deed with the Final Plat and Plats of Survey** submittals that dedicate land to the City for public street right-of-way.
4. **Add notification requirement for consideration of Preliminary Plats by the Planning & Zoning Commission.** *By practice the Commission has held noticed public hearings for the review of Preliminary Plats. However, there are no Municipal Code or State law requirements for such as hearing. The proposed changes reflect current practice and make notice mandatory.*
5. **Correct and clarify certain amendment procedures for Integrated Site Plan Subdivisions.** *Adds allowance for shared building coverage standards along with shared landscaping percentages for the overall site.*

*Clarify that a new plat is not needed if not re-subdividing and only making site plan changes. Creates new amendment allowance for minor changes to boundary lines as a Minor Subdivision, rather than requiring a new Major Subdivision.*

6. **Update Subdivision application requirements, including allowing for digital submittals.**
7. **Clarifications and corrections of typographical errors.** *Staff has proposed to clarify the limitations on conveyance parcels and building and zoning permits related to Principal Buildings, not to all types of permits. This means accessory and detached structure are not subject to conveyance parcel review process. The remaining changes in this category primarily address cross referencing errors.*

**ORDINANCE NO.**

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY AMENDING SECTIONS 23.102(4), 23.103(2)(a), 23.105(1), 23.301(2)(b), 23.302(1)(a)(ii)(iii), (2)(a),(3)(a)(b)(c),(8)(b)(ii)(iii)(iv)(v)(vi),(9)(a)(c), 23.303(1)(b)(i)(ii)(iii)(iv)(v),(2), 23.305(2)(a), 23.307(1)(2)(3)(4)(a)(b)(c)(d),(5)(b)(c)(e),(6)(7), 23.308(2)(b)(c)(e),(3)(a)(iii)(iv)(v)(vi)(vii)(viii)(ix), (4)(a)(b)(c)(i)(d),(5),(6)(a)(7), 23.309(3), 23.501(7)(8), 23.503(3)(g)(h)(i), 23.504 (2)(p)(q), 23.704(3)(b)(c), 23.706(1)(2) THEREOF, FOR THE PURPOSE OF AMENDMENTS TO CHAPTER 23 SUBDIVISIONS 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 as follows:

**DIVISION I  
GENERAL PROVISIONS**

**Sec. 23.102. PURPOSE, APPLICATION, AND WAIVER/MODIFICATION.**

(4) Such area of land shall be platted or reviewed in accordance with these regulations, prior to issuance of zoning and/or building permits for ~~development~~ a principal building or change in use of that area of land. A zoning permit and/or building permit shall not be issued with respect to an area of land that is within the scope of 3(a) or 3(b) above until such area of land has been platted, in accordance with these Regulations, or otherwise determined to be a legalized lot as defined in this Chapter. *(Ord. No. 4061,4-26-11)*

**Sec. 23.103. WAIVER/MODIFICATION**

...

(2) The requirements of the Regulations for the platting of a Minor Subdivision may be waived by city staff when it is determined by city staff that:

(a) A clear and accurate description of the area of land will be provided by means of a plat of survey to be procured by the property owner, and in compliance with Section 23.307308.

...

**Sec. 23.105. ENFORCEMENT AND PENALTIES**

(1) Enforcement: It shall be the duty of the Planning and Housing Director to administer the provision of this Chapter. The Public Works Director has sole authority for the administration and inspection of public improvements required by this Chapter. ~~Building Official/Zoning Enforcement Officer to enforce provisions of the Regulations and to bring to the attention of the City Council any violations or lack of compliance.~~

...

## DIVISION III PROCEDURE

### 23.301. PRE-APPLICATION CONFERENCE.

...

(2) Procedure:

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(b) The Applicant shall complete a Sketch Plan application and submit seven copies of a Sketch Plan or a City approved portable document format (PDF) for the area of land proposed to be subdivided at least five days prior to the Pre-Application Conference. The date of the Pre-application conference shall be set by the Planning and Housing Director.

*(Ord. No. 4095, 01-10-12)*

...

### Sec. 23.302. MAJOR SUBDIVISIONS.

(1) Major Subdivision Preliminary Plat Procedure: The Applicant shall file a complete Application for Preliminary Plat Approval of a Major Subdivision with the Department of Planning and Housing at least 15 days prior to a regular meeting of the Planning and Zoning Commission and no later than ~~90~~ 180 days after issuance of the classification as major subdivision.

(a) An Application for Preliminary Plat Approval of a Major Subdivision shall include:

...

(ii) ~~sixteen~~ twelve paper copies no larger than 24"X 36" and one black line copy no larger than 11" x 17" of a Preliminary Plat prepared in accordance with subsection 23.501. The Planning and Housing Director may allow for electronic submittals of Preliminary Plat documents in lieu of all or some of the required paper copies;

(iii) ~~a computer diskette containing a Computer Aided Design Drawing of the Preliminary Plat, which shall be provided in a format meeting the hardware and software specifications of the City of Ames, Iowa~~ an electronic format portable document file (PDF) as approved by the City and a CAD drawing to City specifications if requested; and

...

(2) Staff and Agency Review of Preliminary Plat; Concurrent Review by County:

(a) The Department of Planning and Housing shall ~~file one copy of the Application Form and the Preliminary Plat with the City Clerk and~~ shall distribute a copy of the Preliminary Plat to the Department of Public Works and such other departments, persons, and utility companies as it determines may be necessary or appropriate for their review, comments, and recommendations. City staff may request additional information from the applicant to address the project's consistency with the City standards and ordinances. The Department of Planning and Housing shall assemble, review, and report on any comments or recommendations submitted to it for consideration by the Planning and Zoning Commission.

...

(3) Planning and Zoning Commission Review:

(a) Public Hearing Required. The Planning and Zoning Commission shall consider the proposed Preliminary Plat at a public hearing conducted as part of a regularly scheduled meeting. Notice of the public hearing shall be made by mail, as provided for by Section 29.1500(2)(d)(i), by posted notice, as provided for by Section 29.1500(2)(d)(iii), and as may be required by Chapter 21 of the Iowa Code.

(b) The Planning and Zoning Commission shall examine the Preliminary Plat, any comments, recommendations, or reports assembled or made by the Department of Planning and Housing, and such other information as it deems necessary or desirable to consider.

~~(c)~~ Based upon such examination, the Planning and Zoning Commission shall ascertain whether the Preliminary Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan, and to the City's other duly adopted plans.

...

(8) Major Subdivision Final Plat Process:

...

(b) An Application for Final Plat Approval of a Major Subdivision shall include:

...

(ii) ~~sixteen~~ twelve paper copies and one reproducible blackline copy no larger than 11"X 17" of a Final Plat prepared in accordance with subsection 23.503. The Planning and Housing Director may allow for electronic submittals of Plat documents in lieu of all or some of the required paper copies;

(iii) an electronic format portable document file (PDF) as approved by the City;

~~(iii)(iv) a computer diskette containing a~~ An electronic file of a Computer Aided Design Drawing of the Final Plat ~~which shall be provided in a format meeting the hardware and software specifications of the City;~~ to City specifications, as may be required by the Public Works Director.

~~(iv)(v) any Improvement Guarantee, as necessary, in a form consistent with the requirements of Section 23.409 of the Regulations; and~~

~~(v)(vi) any filing fee established by the City Council.~~

(9) Staff and Agency Review of Final Plat for Major Subdivision:

(a) ~~The Department of Planning and Housing shall file one copy of the Application Form and the Final Plat with the City Clerk and shall distribute a copy of the Application Form and the~~ distribute Final Plat to such other departments, persons, and utility companies as it determines may be necessary or appropriate for their review, comments and recommendations.

...

(c) The Department of Planning and Housing shall forward the Final Plat to the City Council for its review within 30 days after the Applicant has filed a complete Application for Final Plat Approval if the Department finds and reports in writing that the Final Plat substantially conforms to the approved Preliminary Plat and Final Plat requirements. An Application for Final Plat Approval of a Major Subdivision shall be "complete" for the purpose of commencing time periods within which action by the City Council is required when so certified by the Department of Planning and Housing. *(Ord. No. 3545, 1-11-00)*

...

**Sec. 23.303. MINOR SUBDIVISIONS FINAL PLAT.**

(1) Minor Subdivision Procedure:

...

(b) An Application for Final Plat Approval of a Minor Subdivision shall include:

(i) a completed Application Form (entitled "Application for Final Plat Approval of a Minor Subdivision") available from the Department of Planning and Housing;

(ii) sixteen paper copies no larger than 24"x 36" and one blackline copy no larger than 11"X17" of a Final Plat prepared in accordance with subsection 23.504. The Planning and Housing Director may allow for electronic submittals of Plat documents in lieu of all or some of the required paper copies;

(iii) an electronic format portable document file (PDF) as approved by the City;

~~(iii)(iv) An electronic file of a Computer Aided Design Drawing of the Final Plat to City specifications, if required by the Public Works Director. a computer diskette containing a Computer Aided Design Drawing of the Final Plat, which shall be provided in a format meeting the hardware and software specifications of the City, if practical. Where an applicant is unable to submit the Final Plat of a Minor Subdivision in a Computer Assisted Design Drawing, a paper copy may be submitted as an alternative, along with a payment of fees equal to 150% of the fee normally charged by resolution of the City Council; and~~

~~(iv)(v) any filing fee established by the City Council.~~

(2) Staff and Agency Review of Final Plat Approval for Minor Subdivision: The Department of Planning and Housing shall ~~file one copy of the Application Form and the Final Plat with the City Clerk and shall~~ distribute a copy of the Application Form and the Final Plat to the Department of Public Works

and such other departments, persons, and utility companies as it determines may be necessary or appropriate for their review, comments, and recommendations. The Department of Planning and Housing shall assemble, review, and report on any comments or recommendations submitted to it for consideration by the City Council.

...

### Sec. 23.305 APPROVAL, RECORDATION AND APPEAL.

...

(2) Appeal of Decision.

(a) Conveyance Parcels. Decisions of the Planning & Housing Director pertaining to the determination of a Conveyance Parcels classification may be appealed by the owner thereof to the Zoning Board of Adjustment within 20 days of the date of the decision. The appeal shall state the specific reasons for the appeal and explain how the Director erred in the decision.

...

### Section 23.307. REVIEW PROCEDURES FOR CONVEYANCE PARCELS.

(1) Purpose:

The purpose of this Section is to provide a review process to determine if Conveyance Parcels as defined in Section 23.201(~~4320~~) are to be recognized as independent developable parcels based upon the time of their creation or based upon their conformance to applicable development standards. It is further intended to define a process by which building, or zoning permits can be issued for conveyance parcels.

(2) Applicability

This Section applies to all parcels or divisions defined as Conveyance Parcels in Section 23.201(~~4320~~).

(3) Application for Review of Conveyance Parcel

Application for review of Conveyance Parcels shall be per forms approved by the Planning and Housing Director and include all of the following:

...

(4) Review Procedures

The Planning & Housing Director (or designee) shall review the application and determine if the Conveyance Parcel conforms to one of the following:

(a) Conformance to development standards. If the parcel was created by, or resulted from a conveyance occurring ~~after-prior to July 1, 1990 or prior to August 4, 2009 and prior to August 4, 2009, and also conforms to all setback, area, and width requirements and was legally established at that time in conformance with zoning standards or conforms to current lot frontage, width, and area requirements~~ the Director shall issue a written determination that the lot is a *conforming Conveyance Parcel* and is subject to the review provisions of Section 23.307(5).

~~(b) Nonconformance to development standards. If the parcel was created by, or resulted from, a conveyance occurring after July 1, 1990 and prior to August 4, 2009, but does not conform to all setback, size and width requirements, the Director shall issue a written determination that the parcel is a non-conforming conveyance parcel and may only be developed under the provisions of Section 23.307(6); or~~

~~(b)~~ Creation by plat of survey. If it can be verified that a plat of survey for the conveyance parcel was recorded prior to August 4, 2009, it shall be considered a *pre-platted Conveyance Parcel*; or

~~(c)~~ Creation by deed or contract. If it can be determined that the Conveyance Parcel was created by deed or contract and also surveyed prior to July 1, 1990, it shall be considered a *pre-established Conveyance Parcel*.

~~(d)~~ Unauthorized parcel. If the conveyance parcel is not deemed by the Director to be a *pre-platted* or *pre-established Conveyance Parcel*, or has not otherwise been deemed a valid parcel for permitting purposes under the provisions of this Chapter, the Director shall issue a written determination that the parcel is not an authorized division or subdivision of land under the City's subdivision standards, and that it is not recognized by the City as a valid parcel for permitting purposes. The determination shall be forwarded to the applicant, and also to the county Recorder's Office, the County Auditor's Office, and the City Assessor's Office.

(Ord. No. 4061, 4-26-11)



(5) Conforming Conveyance Parcel

Conforming conveyance parcels are those that conform to the minimum size, area and width requirements specified in Ames Municipal Code Chapter 29 at the time that a determination is made under the provisions of Section 23.3067(4). Conforming Conveyance Parcels are subject to the following requirements:

...

(b) Conveyance Parcels approved under this Section shall be described and recorded by plat of survey as allowed under the provisions of Section 23.103(2), (as opposed to a final subdivision plat). The property so described by the plat of survey shall be staked with official survey monuments as specified in Section 23.401(35) prior to the recording of the plat of survey and prior to issuance of zoning or building permits.

(c) All dedications and public improvements otherwise applicable to subdivisions as required by the City's Design and Improvement Standards specified in Ames Municipal Code Chapter 23, Division IV, shall be Installed prior to creation and recording of the plat of survey and prior to issuance of zoning or building permits. ~~These requirements do not apply to pre-platted conveyance parcels as described in Section 23.3067(7).~~

...

(e) Provisions of subsections 23.3067(5)(C) and 23.3067(5)(D) do not apply to conveyance parcels created by boundary line adjustments, except that the requirement for a recorded plat of survey shall be complied with prior to zoning or building permit issuance.

...

~~(6) Non-conforming Conveyance Parcel~~

~~Non-conforming conveyance parcels are those lots that do not conform to the minimum area and width requirements, or contain structures that do not conform to minimum setback requirements, specified in Ames Municipal Code Chapter 29 at the time that a determination is made under the provisions of Section 23.3067(4). Permits shall not be issued on non-conforming conveyance parcels except under the following provisions:~~

~~(a) The Zoning Board of Adjustment makes a determination that the public interest will not be adversely affected by the granting of a permit on the lot. In making this determination, the Board shall consider:~~

~~(i) Whether the lot can be developed in a manner that reflects surrounding development patterns and setbacks and does not need variances for new construction;~~

~~(ii) Whether existing development on the lot either conforms to current setback requirements as measured from the conveyance parcel lines or conform to all adopted building code, fire code, and fire separation requirements, and~~

~~(iii) Whether, in the opinion of the City Engineer, the lot conforms to all applicable engineering and public improvement standards.~~

~~(iv) Whether, in the opinion of the Fire Inspector, the lot conforms to all fire codes applicable at the time any structures on the site were built, and conforms to any current fire codes pertaining to setbacks from property lines that have been moved closer to any structures after they were built.~~

~~(b) If the Planning & Housing Director determines that a non-conforming conveyance parcel qualifies for legal lot status under the provisions of this Section, building and zoning permits shall not be issued for the lot unless all conditions required for conforming conveyance parcels in Section 23.306(5) are met.~~

~~(7)(6) Pre-platted and Pre-established Conveyance Parcels.~~

Any lot deemed to be a *pre-platted* or *pre-established Conveyance Parcel* under the provisions of Section 23.3067(4) shall be recognized as a valid lot of record. Permits may be issued subject to conformance with all development standards as adopted, and subject to the presence of survey monuments to facilitate verification of setback compliance.

(Ord. No. 4061, 4-26-11)

~~(8)(7)~~ Appeals.

Decisions of the Planning & Housing Director under the provisions of this Section 23.306~~7~~ are appealable to the Zoning Board of Adjustment under the provisions of Section 23.305(2)(A~~a~~).  
(Ord. No. 3998, 7-28-09)

**Sec. 23.308. REVIEW PROCEDURES FOR PLATS OF SURVEY.**

...

(2) Applicability:

...

(b) Replats to correct errors as provided in Section 23.310~~1~~.

(c) Auditor's plats as provided in Code of Iowa Section 354.15~~3~~.

(Ord. No. 4255, 4-26-16)

...

(e) Minor Subdivisions in areas of the Ames Urban Fringe designated as Agricultural & Farm Service or Rural Residential, including required covenants described in (g).

...

(3) Application for Review of Plats of Survey.

(a) The applicant shall file an Application for a Plat of Survey with the Department of Planning and Housing. Planning and Housing Director may allow for electronic submittals in lieu of all or some of the required paper copies; The application shall contain the following information:

...

(iii) A legal description of the lot, tract or parcel to be divided or adjusted,  
~~(iii)(iv)~~ A dedication to the public, or other conveyance document in a format acceptable to the City, of all lands as may be determined necessary for public use,

~~(iv)(v)~~ Six paper copies and an electronic format portable document file (PDF) as approved by the City of a scaled graphic illustration (map) of the existing lot, tract or parcel, identifying lot area, dimensions and reference to established survey monuments, abutting streets and rights of way, any easements on or serving the site, and any existing structures on the site and within 10 feet of the site,

~~(v)(vi)~~ Six paper copies and an electronic format portable document file (PDF) as approved by the City of a map (graphic illustration) of the proposed plat of survey (not an official or signed plat of survey), which includes the proposed name of the plat of survey, references established survey monuments, includes all dimensions of lot or parcel lines, states the area of the lot or parcel by square footage, and which shows all easements on or serving the parcels contained within the proposed plat of survey. The format of the proposed plat of survey shall be in substantially the same form and format as an official plat of survey and shall include signature blocks for the City of Ames Planning & Housing Director, and for the surveyor who prepared the map, except that it shall be submitted unsigned by the surveyor.

~~(vi)(vii)~~ Identification of any contiguous or abutting lots or parcels under the same ownership as the subject site.

~~(vii)(viii)~~ The names and signatures of the owners of each lot or parcel that the proposed plat of survey encompasses.

~~(viii)(ix)~~ Any filing fee established by the City Council.

(4) Staff and Agency Review of Proposed Plat of Survey.

...

(a) Review for Completeness. The Department of Planning and Housing shall review the application to determine if it contains all information required under Section 23.307~~8~~(3).

(b) Distribution. Upon determination of completeness, the Department of Planning and Housing shall ~~file one copy of a complete application (less fees) with the City Clerk and shall also~~ distribute copies to the Office of the City Assessor, the Department of Public Works, the applicable County Planning Department and County Auditor's Office, and such other departments, persons, and utility companies as it determines may be necessary or appropriate for their review, comments and recommendations.

(c) Review Procedures – Preliminary Decision.

...

(i) The dedication and installation of improvements necessary to comply with all Design and Improvement Standards contained in Division IV of this Chapter, and with all other adopted codes and regulations applicable to the division of land.

...

(d) Decisions of Denial.

If the Planning & Housing Department finds that the proposed plat of survey does not comply with all standards defined in Subsection 23.3078(43)(e), the Director shall render a written decision of denial. The decision shall state how the proposed plat of survey does not conform to all adopted codes and standards. Decisions of denial may be appealed to the City Council pursuant to Section 23.305(2).

(5) ~~City Council Review~~— Final Decision.

Once a preliminary decision of approval has been rendered by the Planning & Housing Director for a Plat of Survey, excepting Boundary Line Adjustments and Conveyance Parcels, the decision shall be forwarded to the City Council for final review and decision. If the City Council agrees with the Planning & Housing Director's preliminary decision, the Council shall render final approval of the proposed plat of survey. The City Council's decision to approve the proposed plat of survey shall be by resolution, and the resolution shall be certified pursuant to Code of Iowa Section 354.8. For Boundary Line Adjustments and Conveyance Parcels the Planning and Housing Director is authorized to make a final decision of approval in writing, including with conditions, for preparing the Official Plat of Survey.

(6) Installation of Required Improvements.

(a) All public improvements as required by this chapter shall be installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits. These requirements do not apply to pre-platted conveyance parcels as described in Section 23.3067(54)(c), or to boundary line adjustments unless improvements are otherwise required under the provisions of Section 23.309(e3).

...

(7) Preparation of Official Plat of Survey.

Once a proposed plat of survey has been approved by the City Council by certified resolution or, the Planning and Housing Director, and once all conditions of approval pertaining to installation of public improvements have been met, the official plat of survey may be prepared for signature by a licensed surveyor in compliance with all conditions of approval. The prepared plat of survey shall in all respects reflect the graphic illustration of the proposed plat of survey ~~reviewed and approved by the City Council~~, except that it shall reflect any and all conditions of approval pertaining to the format or content of the map.

...

**Sec. 23.309. REVIEW PROCEDURES FOR BOUNDARY LINE ADJUSTMENTS.**

Boundary line adjustments are subject to the following provisions:

...

(3) No public improvements shall be required in association with a boundary line adjustment unless subject to the Conveyance Parcel review or unless the adjustment increases the street frontage of the original lot or parcel that currently has frontage improvements, in which case existing frontage improvements, which may include curbs, gutters, sidewalks, paths, street trees and/or street lights, shall be extended across the entire frontage of the adjusted lots or parcels prior to preparation of the official plat of survey, or prior to minor plat subdivision approval. Section 23.306 (8) for installation of improvements applies to this section.

*(Ord. No. 3999; 7-28-09)*

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**DIVISION V  
SUBMISSION REQUIREMENTS**

**Sec. 23.501. SKETCH PLAN CONTENTS.**

...

(7) the location, width and character of all existing or proposed utility easements on or abutting the area of land proposed to be subdivided.

~~(7)~~(8) The Planning and Housing Director may waive requirements for identification of existing infrastructure locations if no changes are proposed to the infrastructure or other requirements regarding unique conditions of the site.

*(Ord. No. 3524, 5-25-99)*

...

**Sec. 23.503. FINAL PLAT (MAJOR SUBDIVISION).**

...

(3) Major Subdivision Final Plat Attachments. The following shall be attached to and accompany any Final Plat for a Major Subdivision:

...

~~(g)~~ a dedication to the public of all lands within the plat that are designated for streets, alleys, parks, open areas, school property, or other public use, if the dedication is approved by the governing body; and

~~(g)~~(h) a resolution from the City Council accompanied by an as-built certification from the Municipal Engineer accepting and approving any required improvements that have been made or installed along with any required maintenance bond for such improvements; and

~~(h)~~(i) a resolution for approval by the City Council describing the area of land proposed to be subdivided and stating that the plat depicting the proposed subdivision has been submitted to and reviewed by the Planning and Zoning Commission and/or the City Council, that the owner has complied with all relevant provisions of the code of the City of Ames and the laws of the State of Iowa, that the City has accepted any areas dedicated for public use, that the plat is hereby approved, and that the Mayor and the City Clerk are hereby directed to certify the resolution.

*(Ord. No. 3524, 5-25-99)*

**Sec. 23.504. FINAL PLAT (MINOR SUBDIVISION).**

...

(2) Features. A Final Plat shall show, at a minimum, the following information:

...

~~(p)~~ two monuments on the boundary of the proposed subdivision shall be noted as being in accordance with the City's requirements relative to the established State Plane Coordinate System as defined in Chapter 355 Code of Iowa.

~~(p)~~(q) a deed for land to be dedicated to the City as public street right-of-way, if required.

...

**DIVISION VII  
INTEGRATED SITE PLANS**

...

**23.704. REQUIREMENTS FOR INTEGRATED SITE PLAN SUBDIVISION.**

...

(3) Building and Structures. ~~Setbacks.~~ All buildings and structures contained in the Integrated Site Plan Subdivision are subject to the following setback provisions:

...

(b) Setbacks are not required from interior property lines within the Integrated Site Plan Subdivision. However, property lines may not bisect buildings unless a firewall is located along said property line.

~~(b)(c)~~ Building Coverage and Floor Area Ratio (FAR). Shared maximum building coverage and floor area ratio standards may be approved for the overall site.

(4) Landscaping. The landscaping standards of the underlying zone apply to each lot within the subdivision, except as follows:

(a) Minimum area landscaping calculations and landscaping percentages may be based on the area of landscaping in the entire subdivision rather than the area of landscaping on individual lots within the subdivision subject to conformance with phasing provisions in Section 23.705.

...

### **23.706. AMENDMENT, MODIFICATION AND VACATION.**

(1) Amendments or modifications to an Integrated Site Plan Subdivision are processed as both an amendment to the subdivision plat and the associated Integrated Site Plan, being processed simultaneously and under the same review criteria and procedures specified for an initial application for an Integrated Site Plan Subdivision (per Section 23.703), except for Site Plan Amendments. Site Plan Amendments do not require a new Preliminary Plat.

(a) Site Plan Amendments include the following:

i. Minor Subdivision Plat for a boundary line adjustment of a lot(s) within the Integrated Site Plan.

ii. Site Development Plan changes to site improvements, such as parking, landscaping, building design, stormwater treatment measures that do not affect lot dimensions and infrastructure capacity.

iii. Amendments qualified as a Major Amendment per 23.306 are not Site Plan Amendments

(2) The following types of amendments require the consent of all owners within the subdivision:

(a) Major amendments as defined in Section 23.306.

(b) Amendments that are not consistent with recorded covenants and maintenance agreements.

(3) Amendments pertaining to the layout or improvements on individual lot(s), and that do not otherwise fall under the provisions of subsection 1 above, require only the consent of the individual affected lot owners.

(4) If a portion of an Integrated Site Plan Subdivision is vacated, the property subject to the vacated portion shall constitute one lot unless the property is subsequently divided by an approved subdivision. Development of the vacated lot is subject to an amendment to the Integrated Site Plan Subdivision and associated Integrated Site Plan.

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

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John A. Haila, Mayor