

To: Mayor and City Council

From: Kelly Diekmann, Planning & Housing Director

Date: February 8, 2022

Subject: Request for a Text Amendment to Sec. 29.401(c) Flag Lots.

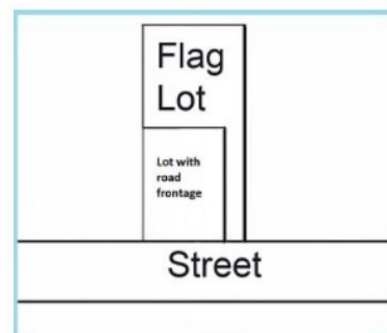
Background:

William Fedeler of H&B Properties, LLC is interested in dividing his property at 2108 East Lincoln Way into two General Industrial lots. The site is already developed with an equipment rental facility and this limits the ability to divide the site and meet zoning standards.

On January 11, 2022, his request was referred to staff for a staff memo. As described in his letter (see Attachment A, Letter to Council), he wishes to divide his property into a front and rear lot with the rear lot configured such that a narrow access corridor extends from the point of frontage along E. Lincoln Way to a larger portion of the lot (the "rear lot"). This is typically known as a "flag lot."

A flag lot is defined in the Zoning Ordinance as "any lot having less frontage on a public way than is typical for the block in which the lot is proposed and is configured such that a narrow access corridor extends from the point of frontage to a larger portion of the lot (the "rear lot")."

The description of flag lots and associated requirements are included in Sec. 29.401(c) Flag Lots. Flag lots have a specified orientation for applying front and rear setbacks. They also allow for a minimum requirement of 35 feet of street frontage, regardless of minimum lot width requirements of the base zone.



Flag Lot Diagram

The General Industrial zoning district is unique in that the minimum street frontage requirement is only 25 feet, which is less than the flag lot street frontage requirement. The lot width requirements have been in place since

2000, where prior to 2000 there was not lot width standard for GI zoning. In this case, applying the flag lot width standard results in a greater amount of lot width for the access flag than required for a standard lot within this zone. Narrow minimum lot width requirements typically come into play with cul-de-sac lots meeting minimum frontage requirement, lots with alley access, or potentially for attached (zero-lot line buildings). Flag lots are normally an exception to minimum street frontage requirements that are greater for normal lots.

Staff is not in favor of substantially reducing the 35-foot minimum width of a flag lot due to practical constraints for most lots of meeting driveway, utility, fire access, and landscaping standards. A 25-foot wide flag lot could accommodate a typical driveway with a 24 foot width, as long as no sidewalk access is required. Sites used for storage that do not have a primary building would not require a sidewalk and could conform to minimum access requirements. Otherwise, a sidewalk connection is required by the Zoning Ordinance from the street to the main entrance of the primary building and this would not typically fit within the 25-foot minimum width requirement.

Options:

The applicant is requesting that the City initiate a Text Amendment to allow a 25-foot flag access within the General Industrial zoning district, so that he can divide his property with the rear lot configured such that the access corridor is only 25-feet wide. There are currently five other General Industrial zoned properties having a 25-foot wide access corridor and five other flag lots that meet or exceed 35 feet.

Option 1: Reduce street frontage requirement for Flag Lots in the General Industrial zoning district (Applicant request)

The City Council can allow the applicant to proceed with application for a text amendment to Sec. 29.401(c) Flag Lots, to reduce the minimum width requirement for the access strip for flag lots within the 'GI' General Industrial zoning district. The text amendment would allow the street frontage for flag lots within the General Industrial zoning district to be reduced from 35 feet to 25 feet, aligning with the minimum frontage requirement in Table 29.901(3) General Industrial (GI) Zone Development Standards]:

Sec. 29.401(c) Flag Lots

(ii) The "Rear Lot" shall include an "access strip" ~~no less than 35 feet wide~~ for its entire length, providing access to and from a public street. The width of the access strip shall be no less than 35 feet in all zones, except General Industrial which shall be no less than 25 feet, which is the minimum frontage requirement within that zone.

Reducing the street frontage requirement for flag lots to 25 feet would standardize lot width minimums for both standard lots and flag lots in the General Industrial zoning district. Currently, there are a variety of widths for flag lots within the General Industrial zoning district of which a handful of existing flag lots have only 25 feet.

The change would be applicable city-wide to all lots within the General Industrial zoning district. Additionally, the text change would not create any non-conforming lots and would allow Mr. Fedeler to proceed with dividing the property at 2108 E. Lincoln Way.

Option 2: Amend Sec. 29.401(c), Flag Lots to Exempt Properties Within Zoning Districts That Request Less Than 35 Feet of Street Frontage

Staff reviewed other base zone requirements and it appears in addition to GI zoning allowing for less than 25 feet of frontage, both DSC and CSC zoning have no frontage requirement.

Rather than reduce the flag access width standard for only GI (as described in Option1), this option would eliminate the width requirement for all zoning districts that have limited or no frontage requirements. Although the issues of lot width and flag lots have not come up before to staff's knowledge, this change would affect a wider range of properties. DSC and CSC also have reduced setbacks compared to other zones, but they include minimum building floor are requirements as well. It is hard to predict if this change would be beneficial for redevelopment purposes in DSC or CSC zoning.

The text amendment would be applicable citywide to all lots within the DSC, CSC, and GI zones. The text amendment would not create any non-conforming lots and would allow Mr. Fedeler to proceed with dividing the property at 2108 E. Lincoln Way.

Option 3: Not Make Any Changes To the Flag Width Requirement

Given the fact that this has not been a persistent issue with past redevelopments, the City Council will have to decide whether or not to not this change in response to this one request.

STAFF COMMENTS:

Overall, this is fairly minor issue in that it affects a handful of properties across the City and the change primarily facilitates use of land that does not include buildings due to the constraints of a narrow lot width allowing for compliance to access requirements. In some cases it may help with infill when a property can benefit from some form of shared access and not solely rely upon minimum lot width.

If City Council chooses to take up either Option 1 or Option 2 and authorize the applicant to apply for a text amendment, the change is very straight forward to make to the Code and would take a minimal amount of time. Staff would also consider including an adjustment to the definition of flag lot with any other change to potentially create greater clarity as well.

December 20, 2021

City of Ames City Council
515 Clark Avenue
Ames, IA 50010

Honorable John A. Haila and Ames City Council:

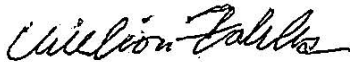
I would like to subdivide the property I own at 2108 East Lincoln Way from one 5.85-Acre General Industrial lot into two General Industrial lots. All existing improvements on the lot would be located on one parcel consisting of 2.39 Acres (Parcel A) and the remaining 3.46 Acres of undeveloped land would be located on a new flag lot (Parcel B). Both of the parcels will meet the current City of Ames General Industrial Zoning Standards. Parcel B will have the minimum 25' frontage on the access strip and the existing building located on Parcel A will have a 14.32' side yard setback along the access strip compared to the minimum 12' setback required in the General Industrial code. There are no plans to place a building on the flag lot and it is intended to be used as material storage only at this time.

Article 4 Development Standards, Section 29.401(1)(c)(ii), requirements of a flag lot, states *"The "Rear lot" shall include an "access strip" no less than 35 feet wide for its entire length, providing access to and from a public street."* In this situation, when the 35' requirement is applied to the access strip, instead of the 25' GI requirement, the existing building on Parcel A will no longer meet the required 12' setback.

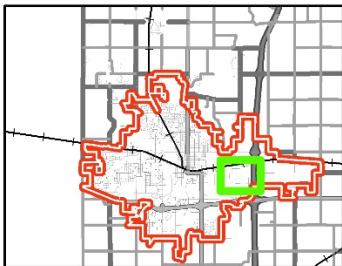
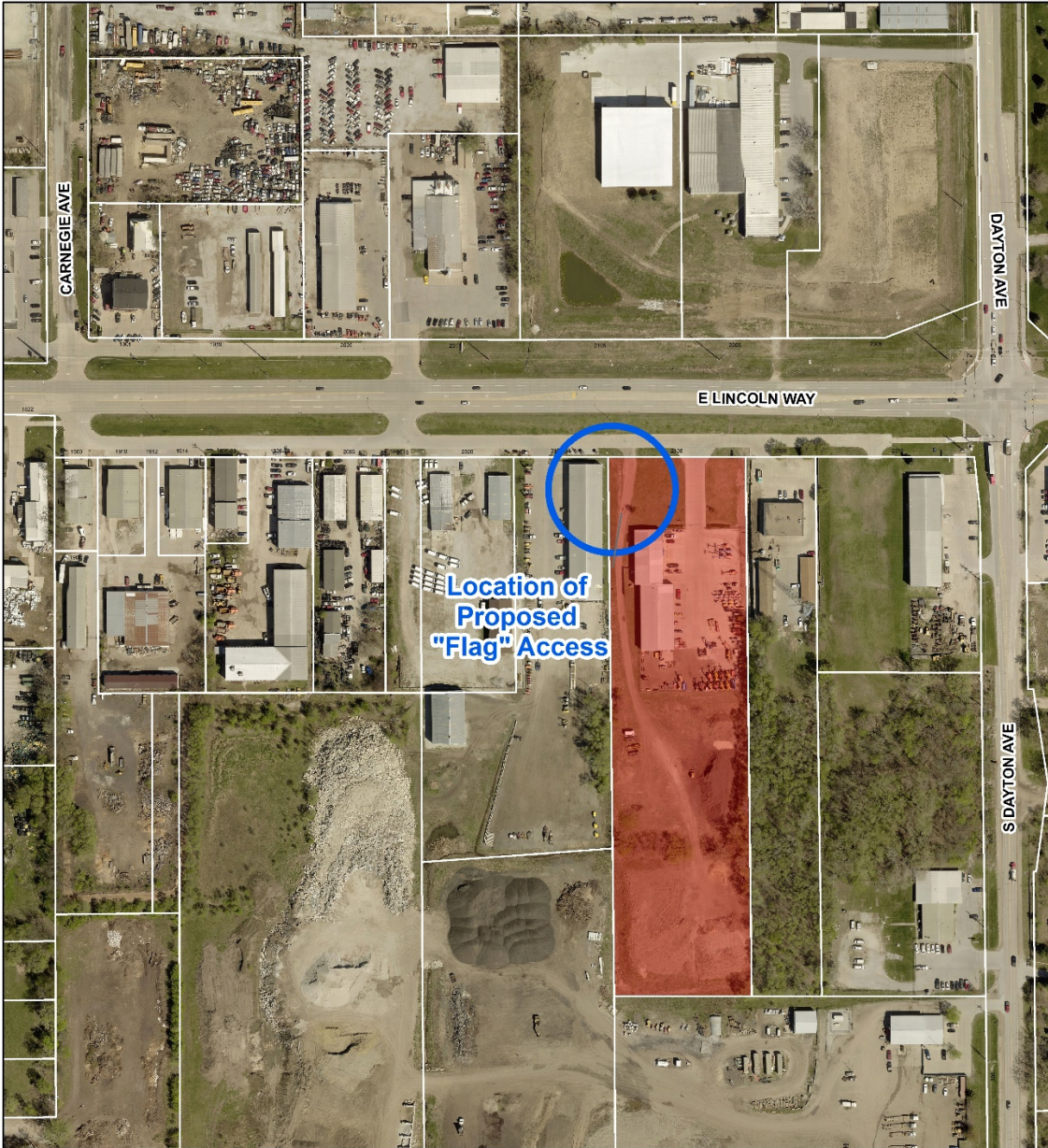
I would like the Ames City Council to consider the following Zoning Text Amendment to Article 4 Development Standards, Section 29.401(1)(c)(ii), requirements of a flag lot: **"The "Rear lot" shall include an "access strip" no less than 35 feet wide for its entire length, providing access to and from a public street, with the exception of lots located in the General Industrial Zone which shall be 25 feet wide."**

I appreciate your consideration of this text amendment and look forward to moving forward with this proposed subdivision.

Sincerely,



William Fedeler
H & B Properties, LLC.
5817 Oak Crest Circle
Ames, IA 50010



LOCATION MAP
2108 E. Lincoln Way

0 150 300 600 Feet

