

COUNCIL ACTION FORM

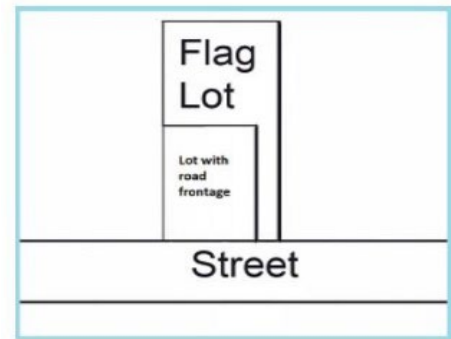
SUBJECT: TEXT AMENDMENT TO THE STANDARDS FOR FLAG LOTS

BACKGROUND:

William Fedeler of H&B Properties, LLC, is seeking to subdivide his single "General Industrial" lot at 2108 East Lincoln Way into two "General Industrial" lots, one being at the rear of the property, as described in his request (*see Attachment A, Applicant's Request*).

The property owner requested a text amendment to allow for a flag lot with a 25-foot wide "access strip" for GI zoned properties where currently the standard requires a minimum of 35-feet. City Council authorized the property owner to apply for such a text amendment.

The owner requests the change due to the location of an existing building on the lot and the related building setbacks that preclude him from meeting the 35-foot standard. The proposed rear lot would meet the minimum "General Industrial" Zone Development Standards included in *Table 29.901(3)* with a 25-foot frontage, but would not meet *Section 29.401(c) Flag Lots*, that states a flag lot "access strip" shall be no less than 35-feet in width.



Flag Lot Diagram

The City's standards apply to all types of lots regardless of zoning, even though lot width and street frontage requirements do vary within base zoning districts.

A flag lot is defined in *Section 29.201(119)* 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 *Section 29.401(c) Flag Lots*. Notably, only one flag lot can be created from a lot of record.

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. **Narrow minimum lot width requirements typically come into play with cul-de-sac lots, lots with alley access, or attached (zero-lot line buildings).** The lot width requirements have been in place since 2000, where prior to 2000 there was not a 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. This is the opposite of what is typical. Usually, flag lots have a reduced width from the standard lot requirement. Within the General Industrial zoning district, there are currently 10 properties

configured as flag lots: five properties have a 25-foot access corridor and the other five have a 35-foot access corridor. The majority of these were developed prior to 2000.

Lot frontage and width requirements are designed to create minimum spacing of lots and allow for minimal functional requirements. A 25-foot lot width and street frontage width creates potential conflicts with other development standards for access and landscaping that may not allow for full use of a property if it cannot meet City Codes. When a site's sole point of access is only a 25-foot width, it may not meet standards. For example, a two-way driveway would require a minimum of 24 feet of width, which would not allow for adequate area for landscaping or sidewalk access if it was required. When sites have shared access or alternatives access points the lot width requirement may not be a concern.

Reducing the street frontage requirement for all flag lots within the General Industrial zoning district to 25-feet would standardize lot width minimums for both standard lots and flag lots in the General Industrial zoning district. **However, staff is concerned that a blanket allowance of 25-foot width for all flag lots within the General Industrial zoning district would preclude required pedestrian access along with other site improvement requirements.** 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 outdoor 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 *Section 29.404* from the street to the main entrance of the primary building which would not typically fit within the 25-foot minimum width requirement.

PROPOSED TEXT AMENDMENT:

Mr Fedler proposes a simple change to the standard to except GI zoned lots from the 35-foot access strip requirement. In response to this proposed change, staff has included changes to the definition of a flag lot to improve its clarity. This change would apply city-wide, not just to GI lots.

However, staff recommends language to conditionally allow for the reduced width only when easements are included that are necessary to meet sidewalk and other access requirements.

Proposed text changes included in *Attachment C* include staff's recommendation for conditional reductions of flag lot access strip width in GI zoning districts. The definition of flag lots is also amended to provide better clarity regarding typical widths of a lot.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission met on April 6, 2022, to consider the proposed text amendment. The Commission voted 6-0 in favor of recommending the reduction of the flag lot access width in the General Industrial Zoning District as recommended by staff and represented by *Attachment C*.

ALTERNATIVES:

1. Approve on First Reading a text amendment to reduce the minimum flag lot access width with conditional easement requirements in the General Industrial zoning district, as included in *Attachment C*.
2. Approve on First Reading a text amendment with language that reduces the minimum flag lot access width in the General Industrial zoning district to 25 feet with no conditional easement language, as proposed by the applicant in *Attachment A*.
3. Direct staff to prepare modifications to the proposed text amendment and return for Council consideration at a later date.
4. Do not approve the proposed text amendment.

CITY MANAGER RECOMMENDED ACTION:

The proposed text amendments clarify requirements and expectations of the flag lot requirements. Although the proposed text amendment is expected to have minimal impact and affect only a handful of properties across the City that are zoned General Industrial, the amendment will further enable taking “advantage of infill sites within the existing urbanized area to increase both the efficiency and quality of the urban environment,” a principle of the Growth & Land Use chapter in the Ames Plan 2040. In some cases, the text amendment may help with infill when a property can benefit from some form of shared access and not solely rely upon minimum lot width.

The change primarily facilitates the use of land that does not include buildings due to the constraints of a narrow lot width in being able to comply with access requirements. The text amendment would continue to require all other zones with flag lots to have a minimum 35-foot-wide access strip. Staff has also included an adjustment to the definition of flag lot to create greater clarity as well.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1.

Attachment A – Applicant’s Request

Text Amendment to the Zoning Ordinance
Checklist Items for 2108 E Lincoln Way
March 15, 2022

A written explanation of the reasons for the zoning text amendment. Mr. Fedeler is seeking to subdivide his single “General Industrial” lot at 2108 East Lincoln Way into two “General Industrial” lots, one being at the rear of the property. The rear lot will be a flag lot in order to provide frontage on East Lincoln Way. The flag lot will include a 25-foot wide “access strip” from East Lincoln Way due to the location of an existing building on the lot. The rear lot will meet the minimum “General Industrial” Zone Development Standards with a 25-foot frontage, but will not meet the General Development Standards that state a flag lot “access strip” shall be no less than 35 feet in width. The newly created lots will meet all zoning standards, including building setbacks for the existing structure on the site, with the exception of Section 29.401 of the existing zoning code.

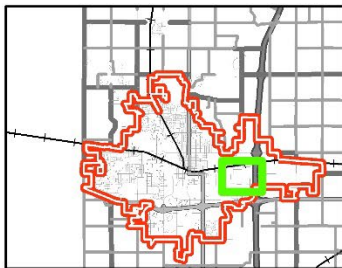
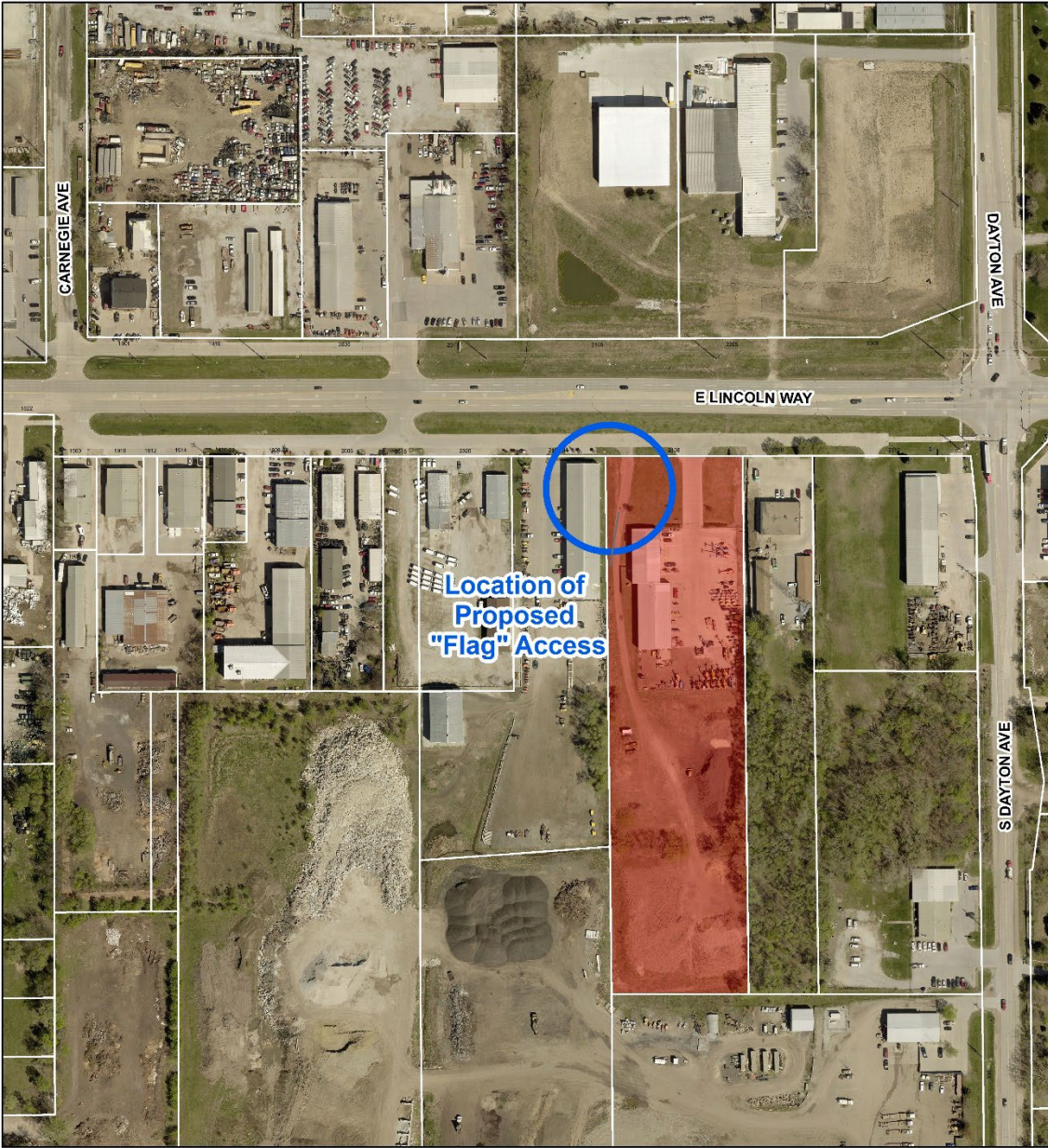
A general description of the property(ies), zones, and/or areas that will be affected by the zoning text amendment. Article 4, Development Standards, of the current code requires a Flag lot to include an “access strip” no less than 35 feet wide for its entire length from a public street. This section of the code applies to all zones. All zones, with the exception of the General Industrial (GI) Zone, have a minimum lot frontage of 35 feet or more. Therefore, the current code requires flag lots in the General Industrial zone to be wider than standard lots in the same zone. The reduction of the minimum width of an “access strip” from 35 feet to 25 feet in Article 4 for the General Industrial zone would eliminate the discrepancy between these two code sections. The text amendment would require all other zones with Flag lots to have a minimum 35 feet wide access strip, which aligns with the minimum dimensional standards set forth in their respective code sections.

A written explanation of the consistency of this zoning text amendment with the Land Use Policy Plan. The Land Use Policy Plan states that the General Industrial areas shall involve sitting in designated areas where overall use and appearance requirements are less restrictive. This text amendment would allow lots in the General Industrial zone to have less restrictive “access strips” compared to other zones in the city.

Existing ordinance language for consideration. Section 29.401(c)(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.

Proposed ordinance language for consideration. Section 29.401(c)(ii) The “Rear Lot” shall include an “access strip” 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.

Attachment B – Location Map



LOCATION MAP 2108 E. Lincoln Way

0 150 300 600 Feet



Attachment C
Zoning Code:
Proposed Text Changes for Flag Lots

Staff proposes the following changes to the Zoning Ordinance. Text to be removed is shown with ~~strike-through~~; text to be added is underlined.

Sec. 29.201 Definitions

(119) **Lot, Flag** means 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") where the width of access strip is less than the required width of a lot.

Sec. 29.401(c) Flag Lots. Flag lots may be created only if they are in accordance with the following requirements:

- (i) Only one flag lot, consisting of a "front lot" and a "rear lot," may be created from a lot of record.
- (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. However, within General Industrial, the width of the access strip may be reduced to 25-feet if easements are provided to allow for necessary vehicular and pedestrian access.
- (iii) For flag lots that are proposed to be created in residential zones, both the "front lot" and the "rear lot" that are created after the effective date of this ordinance shall have an area that is equal to 10,000 square feet or 150% of the lot area for the zone in which the flag lots are proposed to be created, whichever is greater. In all other zoning districts both the "front lot" and the "rear lot" shall conform to all minimum lot area and other dimensional standards applicable to the zone in which the lots are located provided, however, that the "access strip" serving the rear lot shall not be included in computing the minimum lot area for the "front" and "rear" lot.
- (iv) (iv) The front property line of the rear lot is deemed coincident with the rear property line of the front lot. (v) The front setback of the "rear lot" and the rear setback of the "front lot" for flag lots created in residential zones shall be 1½ times the distance of the setbacks that are established for all other lots in the same residential zoning district.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY AMENDING SECTIONS 29.201(119) AND 29.401(c)(ii) THEREOF, FOR THE PURPOSE OF ALLOWING REDUCED ACCESS STRIPS IN GENERAL INDUSTRIAL ZONES; 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 amending sections 29.201(119) and 29.401(c)(ii) as follows:

“Sec. 29.201 Definitions

(119) **Lot, Flag** means 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") where the width of the access strip is less than the required width of the lot.

Sec. 29.401. LOT CONFIGURATION, BUILDING COVERAGE, FLOOR AREA RATIOS, AND HEIGHT EXCEPTIONS.

(1) Lot Configuration.

...

(c) **Flag Lots.** Flag lots may be created only if they are in accordance with the following requirements:

...

(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. However, within any General Industrial (GI) zone, the width of the access strip may be reduced to 25-feet if easements are provided to allow for necessary vehicular and pedestrian access.

...”

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

John A. Haila, Mayor