

COMMISSION ACTION FORM

SUBJECT: SUBDIVISION ORDINANCE TEXT AMENDMENT RELATED TO TURNAROUNDS FOR FIRE TRUCKS AND RELATED AMENDMENTS TO PLATS

BACKGROUND:

There are two subjects under this proposal that both pertain to amending the City's subdivision code. They are therefore being processed simultaneously under this report. The first item pertains to required turnarounds for fire trucks. Currently, the City's code specifies that required turnarounds shall 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.

The turnaround is required to meet fire code requirements when a road exceeds 150 feet in length. A dead-end road without a turnaround is therefore allowed if it doesn't exceed this length. The code also provides some 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. The 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.

Other proposed subdivision code amendments pertain 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 rather burdensome when the amendment is minor in nature. The proposed amendments therefore include new definitions describing both major and minor plat amendments, and describe the procedures for said amendments. The following amendments are therefore proposed:

Section 23.403(7) of the Ames Municipal Code would be amended to read as follows:

(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.~~

A new Section 23.30__ of the Ames *Municipal Code*, titled “Amendments” would be adopted to read as follows:

Section 23.30__ 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 Amendment. 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).

ALTERNATIVES:

1. The Planning and Zoning Commission can recommend that the City Council approve the subdivision ordinance text amendments as proposed above.
2. The Planning and Zoning Commission can recommend that the City Council approve the subdivision ordinance text amendments as proposed, with modifications.
3. The Planning and Zoning Commission can recommend that the City Council not approve the proposed subdivision ordinance text amendments.
4. The Planning and Zoning Commission can refer this issue to staff for further information.

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 amendments pertaining to plat amendments would provide needed clarity on the procedures for amending plats. Staff therefore recommends that the Commission act in accordance with Alternative #1, which is to recommend to the City Council approval of the proposed amendments.