

ITEM #:	32
DATE:	12-19-23
DEPT:	P&H

COUNCIL ACTION FORM

SUBJECT: **ZONING TEXT AMENDMENT TO PAVING STANDARDS FOR BASIC UTILITY USES AND OTHER SIMILAR USES**

BACKGROUND:

Alliant Energy provides electric and natural gas services to eastern and southern portions of the City. Alliant is an economic development partner with the City of Ames for the Prairie View Industrial Center located east of I-35. Alliant plans to construct a new substation to provide service for large industrial uses in this area. Upon review of preliminary plans for the substation, a location set back away from Lincoln Way was determined to be a better location than one near the street. Alliant expressed concerns about the need and cost of a paved driveway for their low volume use of the substation as it related to the length of the driveway to serve the planned substation.

Alliant requested City Council consider a text amendment to allow for a waiver of the paving requirements. The City Council authorized Alliant Energy to apply for a text amendment to Section 29.406(11). (See Attachment A). Accordingly, Alliant Energy has applied for a text amendment that Basic Utility uses, such as electrical substations, be permitted to request a waiver from paving standards due to low volume traffic related to such sites.

Currently, Electrical Substations as well as other Basic Utility type uses (water towers, pump stations, etc), are required to fully pave to City standards all maneuvering areas including driveways, where vehicular traffic will circulate or use for maneuvering and parking, regardless of frequency. The standard has been applied to the driveway leading up to the fenced perimeter of the equipment, within the fenced area paving is not typically required.

The current standards for improvement of new off-street parking and maneuvering areas are defined as the following in Section 29.406(11)(a)(i)(ii):

(a) Surface Material Standards.

(i) Materials. All vehicular parking and maneuvering areas, including driveways, and front yard parking areas described in Section 29.406(7), must be paved with Portland Cement Concrete, Asphaltic Cement Concrete, or an equivalent as determined by the City Engineer.

(ii) Material Thickness. All vehicle areas, including front yard parking areas described in Section 29.406(7), must be paved with an approved material no less than five inches thick. Use of bricks or pavers with a supporting base that provides for durability equal to that of five inches of paved thickness may be approved by the City Engineer. Greater thickness may be required by subsurface conditions or the type of vehicles using the parking area. In all off-street parking areas where access will be provided for heavy trucks and transit vehicles, the pavement thickness shall be adequate to accommodate such vehicles, as determined by the City Engineer. When it is anticipated that transit service will be extended to sites not presently served, pavement thickness shall be adequate to accommodate transit vehicles, as determined by the City Engineer.

Paving of maneuvering areas on all sites has been a standard requirement for some time in Ames. The

intent is to provide for improved hard surface areas that create usable and convenient maneuvering and parking areas. This allows for higher quality site development, protects against excess dust and noise being created, and for safe, defined areas for travel with control of improvements to avoid other types of encroachments. Generally, this principle is most noticeable on higher volume commercial, industrial and residential sites where traffic is present on a daily or regular basis and lack of paving would result in the unpaved surface being damaged significantly over time. This can even lead to issues or topographic change with regular grading being needed.

Basic Utility are a defined principal use within the Zoning Ordinance. Basic Utility uses include sites that contain such things as electrical substations, pipelines and pumping stations. These uses can be seen having a lower volume of traffic as compared to other uses because they are typically unoccupied. These uses can often have very low levels of traffic, sometimes only amounting to maybe a few visits a month. Basic Utility and similar types of uses are currently permitted through various means in all zones across the City. In some cases, these uses are subject to a Special Use Permit approval and in some areas they are subject to Site Development Plan approval.

Staff has developed two options for addressing paving waivers on Basic Utility and other similar use sites that staff believes can be reasonably addressed in the Zoning Ordinance as requested by Alliant.

The first option would be to allow for a reduction of paving requirements on sites with Basic Utility uses and other similar uses within any Zoning District in the City subject to approval by the Planning & Housing Director. This option would amend the language in Section 29.406(11) by adding language that gives the Planning & Housing Director the discretion to reduce the requirement to pave some or all of the maneuvering areas on a Basic Utility or similar use site in all zones across the City. Paving would always be required for the approach to and into the right-of-way. This would allow Basic Utility uses and similar other uses on any site in the City to request a reduction of the extent of paving requirements by the Planning & Housing Director. (See Attachment B- Proposed New Language)

The Second option would be to allow for waiver of paving requirements on sites with Basic Utility uses and other similar uses within only Industrial Zones subject to approval by the Planning & Housing Director. This option would amend the language in Section 29.406(11) for paving some or all of the maneuvering areas on a Basic Utility or similar use site in Industrial zones such as Intensive Industrial and General Industrial only. This would require that Basic Utility uses and similar other uses in all other zones in the city would be required to adhere to full paving requirements. City utilities within the Special Purpose District of Government Airport would have case by case review of the applicable requirements.

With either option, the paving reduction is for access needs to low volume uses. This means that if a Basic Utility or similar use triggered a parking requirement due to square footage of building area like an office, those sites would still be required to pave parking stalls, driveways and other areas for maneuvering or circulation of vehicles in accordance with required parking ratio identified in the parking table and associated building classification in Section 29.406(2).

In all cases, Basic Utility uses and other similar use sites would be required to pave all approaches within rights-of-way and additional area on site to control for access and other nuisances related to accessing roadways. Th Planning Director also will be able to consider compatibility with on and off site improvements, such as adjacent residential uses, in determining the extent of the required paving.

Basic Utilities and other similar use in Residential zones, as well as most Commercial Zones, are generally permitted by either a Major Site Development Plan by City Council approval or a Special Use Permit approval from the Zoning Board of Adjustment. This is also true in the Research and Innovation Industrial zone. However, within industrial zones such as Intensive Industrial, Basic Utilities and other similar uses are permitted through a Minor Site Development Plan approved by Staff. In light of the current permitting requirements, most situations involving Basic Utility and other similar uses would receive City Council or Zoning Board of Adjustment oversight and approval where neighboring residential or commercial uses are present.

PLANNING AND ZONING COMMISSION:

The Commission reviewed the proposed text amendment at a recent meeting. The Commission believed that allowing for the reduction in all zones within the City with the stated compatibility controls was acceptable and voted unanimously to recommend approval of the change for all zoning districts.

ALTERNATIVES:

1. Amend the standards in Section 29.406(11) of the Municipal Code by adding language that developers of sites with Basic Utility uses or other similar uses on sites within all Zones across the City can request a reduction in paving of maneuvering areas subject to Planning & Housing Director discretion.
2. Amend the standards in Section 29.406(11) of the Municipal Code by adding language that developers of sites with Basic Utility uses or other similar uses on sites within only Industrial Zones can request a reduction in paving of maneuvering areas subject to Planning & Housing Director discretion.
3. Recommend that City Council take no action.

CITY MANAGER'S RECOMMENDED ACTION:

Allowing Basic Utility uses and other similar uses with no required parking to not pave driveways or maneuvering areas is reasonable given the low volume of regular traffic related to the sites. When no parking is required, daily or even regular trips are not anticipated and this greatly reduces the chance of the unpaved surfaces being degraded and torn up creating excess dust or creating topographic issues due to the shifting of the ground over time and spreading of unimproved surfaces.

In all cases, Basic Utility uses and other similar use sites would be required to pave all approaches within rights-of-way and additional area on site to control for access and other nuisances related to accessing roadways. The Planning Director also will be able to consider compatibility with on and off site improvements, such as adjacent residential uses, in determining the extent of the required paving.

Staff considered the location of the utility facilities and believes that the option to reduce paving can applied to all areas of the city. There are safeguards in the review process to address instances in residential areas or commercial areas where a defined paved driveway is needed or continues to be desirable. Therefore, it is the recommendation of the City Manager that the City Council approve Alternative 1.

ATTACHMENT(S):

[Ordinance ZTA Paving Waiver .pdf](#)