

City of Fayetteville Staff Review Form

2019-0359

Legistar File ID

7/16/2019

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Garner Stoll

4/9/2019

DEVELOPMENT SERVICES (620)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

19-6724 Administrative Item (Amend UDC chapter 166.08: Access Management): Submitted by the Development Services Department for revisions to UDC Chapter 166. The proposed code changes would modify the applicability, access management, and nonconforming access features subsections.

Budget Impact:

| | |
|--|--|
| Account Number | Fund |
| Project Number | Project Title |
| Budgeted Item? <u>NA</u> | Current Budget \$ - |
| | Funds Obligated \$ - |
| | Current Balance \$ - |
| Does item have a cost? <u>No</u> | Item Cost |
| Budget Adjustment Attached? <u>NA</u> | Budget Adjustment |
| | Remaining Budget \$ - |

V20180321

Purchase Order Number: _____

Previous Ordinance or Resolution # _____

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF JULY 16, 2019

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff

FROM: Garner Stoll, Development Services Director
Andrew Garner, City Planning Director

DATE: June 10, 2018

SUBJECT: **19-6724 Administrative Item (Amend UDC chapter 166.08: Access Management):** Submitted by the Development Services Department for revisions to UDC Chapter 166. The proposed code changes would modify the applicability, access management, and nonconforming access features subsections.

RECOMMENDATION:

Staff recommends approval of a text amendment to 166.08 (Access Management) of the Unified Development Code to modify the applicability, access management, and nonconforming access features subsections.

BACKGROUND:

Over the last several years, the City has heard from property owners, developers, staff, Planning Commission, and City Council, that the access management portion of the Unified Development Code is too strict and discourages renovation and improvements to existing structures. The code is written such that existing curb cuts that cannot be brought into compliance must go through a Planning Commission variance process. This results in unnecessary delays in many cases because there is no feasible alternative to the existing curb cuts, and the variance must be approved because of a legal right of a property to access adjacent streets. In the last year, the Planning Commission has started putting most of the access management variances on their consent agenda.

DISCUSSION:

The City Planning Division has drafted code changes to clarify that the access management code applies to new primary structures and expansions to existing structures; it does not apply to renovations. The proposed code changes also allow the City Engineer to approve a curb cut separation of less than the minimum, provided that joint access driveways and cross access easements are provided wherever feasible, and that the curb cut is at the safest functional location. This technical determination is most appropriately made by the City Engineer and avoids the delay of a Planning Commission variance that must be approved to allow a property owner access rights to an adjacent public street. This proposed code change has not been presented to the Planning Commission or other appointed body.

Request: Staff requests that the City Council amend Fayetteville Unified Development Code Chapter 166.08 Access Management. The code changes are generally described above and shown in the attached strikeout-highlight and clean versions of the code.

BUDGET/STAFF IMPACT:

None

Attachments:

- Proposed code changes shown in strikeout and clean version

166.08 - Street Design And Access Management Standards

- (A) *Intent.* These standards are intended to ensure that development is designed to be inherently safe, walkable, and efficient for the facilitation of traffic and pedestrian movements.
- (B) *Fitness for Development.* Based on topographic maps, soil surveys prepared by the Department of Agriculture and drainage information from the Future Land Use Plan and the Hillside/Hilltop Overlay District, the Planning Commission may require that steep grades, unstable soil and flood plains be set aside and not subdivided until corrections are made to protect life, health, and property.
- (C) *Applicability.* The standards set forth herein shall apply to land which is proposed to be developed with new primary structures or redeveloped and all other development where the creation of public streets are required, or proposed, or in which new or existing access is created or modified; or developments or expansions containing non-conforming access features which meet the thresholds set forth in subsection (G).
- (D) *Street Design Principles.*
 - (1) Extensions. All street extensions shall be constructed to minimum street standards. Street extension stub-outs to adjacent properties are required to meet block layout/connectivity standards unless existing development or physical barriers prohibit such.
 - (2) Substandard Widths. Developments that adjoin existing streets shall dedicate additional right-of-way to meet the Master Street Plan.
 - (3) Street Names. Names of streets shall be consistent with natural alignment and extensions of existing streets, and new street names shall not duplicate or be similar to existing street names. Developers shall coordinate the naming of new streets through the GIS Office during the plat review process.
 - (4) Pedestrian. Pedestrian-vehicular conflict points should be controlled through signalized intersections and

proven traffic calming design principles.

- (5) Street Standards. All street requirements shall be met as set forth in the City of Fayetteville Master Street Plan and adopted minimum street standards.
- (E) *Block Layout/Connectivity.*
 - (1) Block Length. Block lengths and street intersections are directly tied to the functional hierarchy of the street pattern that exists or is proposed.
 - (a) Principal and Minor Arterial Streets. Signalized intersections should be located at a minimum of one every 2,640 feet (half a mile) along principal and minor arterials and should be based on traffic warrants.
 - (b) Collectors. Intersections should be located at a minimum of one every 1,320 feet (quarter of a mile) along collector streets.
 - (c) Local and Residential. Intersections shall occur at a minimum of one every 660 feet.
 - (d) Variances. Block length standards may be varied by the Planning Commission when terrain, topographical features, existing barriers or streets, size or shape of the lot, or other unusual conditions justify a departure.
 - (2) With the exception of corner lots, double-street frontage lots are prohibited except where such lots front on access restricted or discouraged roadways such as expressways or arterials. Alleys are not considered as frontage. Double frontage lots may also be permitted by the Planning Commission for topographical problems, feasibility issues relating to the parcel's dimensions, or other good cause which must be established and proven by the developer. The Planning Commission may impose additional landscape requirements along the back of such double-frontage lots.
 - (3) Connectivity. Wherever a proposed development abuts undeveloped land,

street stub-outs shall be provided as deemed necessary by the Planning Commission to abutting properties or to logically extend the street system.

- (4) Topography. Local streets should be designed to relate to the existing topography and minimize the disturbance zone.
 - (5) Dead-End Streets. Dead end streets are discouraged and should only be used in situations where they are needed for design and development efficiency, reduction of necessary street paving, or where proximity to floodplains, creeks, difficult topography or existing barriers warrant their use. All dead end streets shall end in a cul-de-sac with a radius of 50 feet, or an alternative design approved by the city and the Fire Department. The maximum length of a dead end street (without a street stub-out) shall be 500 feet.
- (F) *Access Management.* Safe and adequate vehicular, bicycle, and pedestrian access shall be provided to all parcels. Local streets and driveways shall not detract from the safety and efficiency of bordering arterial routes. Property that fronts onto more than one public street shall place a higher priority on accessing the street with the lowest functional classification, ex. local and collector. In a case where the streets have the same classification, access shall be from the lower volume street, or as determined by the City Engineer.
- (1) Curb Cut Separation. For purposes of determining curb cut or street access separation, the separation distance shall be measured along the curb line from the edge of curb cut to the edge of curb cut/intersection. The measurement begins at the point where the curb cut and intersecting street create a right angle, i.e., the intersection of lines drawn from the face-of-curb to face-of-curb. The measurement ends at the point along the street where the closest curb cut or street intersection occurs; again, measured to the point where the curb cut or intersecting streets create a right angle at the intersection of face-of-curb. In all cases curb cuts shall be

a minimum of 5 feet from the adjoining property line, unless shared.

- (2) Separation for two (2) family, three (3) family, multi-family and nonresidential development.
 - (a) Principal and Minor Arterial Streets. Where a street with a lower functional classification exists that can be accessed, curb cuts shall access onto those streets. When necessary, curb cuts along arterial streets shall be shared between two (2) or more lots. Where a curb cut must access the arterial street, it shall be located a minimum of 250 feet from an intersection or driveway.
 - (b) Collector Streets. Curb cuts shall be located a minimum of 100 feet from an intersection or driveway. When necessary, curb cuts along collector streets shall be shared between two or more lots.
 - (c) Local and Residential Streets. Curb cuts shall be located a minimum of 50 feet from an intersection or driveway. In no case shall a curb cut be located within the radius return of an adjacent curb cut or intersection.
- (3) Separation for Single-Family Homes.
 - (a) For all street classifications, curb cuts shall be located a minimum of 10 feet from another driveway. Driveways serving corner lots shall be located as far from the street intersection as possible while still meeting a 5-foot separation from an adjoining property line. In no case shall a curb cut be located within the radius of an adjacent curb cut or street intersection.
 - (b) Arterial and Collector Streets. Individual curb cuts for along arterial and collector streets shall be discouraged. When necessary, curb cuts along arterial and collector streets shall be shared between two (2) or more lots.
- (4) **Variance Reduction in separation distance.** In order to protect the

~~ingress and egress access rights to a street of an abutting property owner, the City Engineer may reduce the separation distance of existing and proposed access points where strict compliance proves impractical, provided that joint access driveways and cross access easements are provided wherever feasible, and the ingress/egress curb cut is placed at the safest functional location along the property. a variance to the curb cut minimums shall be granted by the Planning Commission to allow an ingress/egress curb cut at the safest functional location along the property. Such a curb cut may be required to be shared with an adjoining parcel if feasible. If a parcel on the corner of an arterial or collector street provides such short frontage along a major street that there is no safe ingress/egress functional location on that street, the Planning Commission may deny the curb cut or may limit such curb cut to ingress or egress only.~~

to provide for utility lines and drainage. The Planning Commission may require larger easements for major utility lines, unusual terrain or drainage problems.

- (5) Speed. All streets should be designed to discourage excessive speeds.

(G) Non-Conforming Access Features.

- (1) Existing. Permitted access connections in place on the date of the adoption of this ordinance that do not conform with the standards herein shall be designated as nonconforming features and shall be brought into compliance with the applicable standards under the following conditions:

- (a) When new access connection permits are requested;
- (b) Upon expansion ~~of~~ improvements greater than 50% of the property's appraised or market value as established by the Washington County Assessor.
- (c) As roadway improvements allow;
- (d) With development of a new primary structure on the property.

- (H) *Easements.* Utility and drainage easements shall be located along lot lines and/or street right-of-way where necessary

166.08 - Street Design And Access Management Standards

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(B) *Fitness for Development.* Based on topographic maps, soil surveys prepared by the Department of Agriculture and drainage information from the Future Land Use Plan and the Hillside/Hilltop Overlay District, the Planning Commission may require that steep grades, unstable soil and flood plains be set aside and not subdivided until corrections are made to protect life, health, and property.

(C) *Applicability.* The standards set forth herein shall apply to land which is proposed to be developed with new primary structures and all other development where the creation of public streets are required, or proposed, or in which new or existing access is created or modified; or developments or expansions containing non-conforming access features which meet the thresholds set forth in subsection (G).

(D) *Street Design Principles.*

(1) *Extensions.* All street extensions shall be constructed to minimum street standards. Street extension stub-outs to adjacent properties are required to meet block layout/connectivity standards unless existing development or physical barriers prohibit such.

(2) *Substandard Widths.* Developments that adjoin existing streets shall dedicate additional right-of-way to meet the Master Street Plan.

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