



Agenda Item:

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COUNCIL COMMUNICATION City Manager's Office

GENERAL INFORMATION

Agenda Date: 11/22/04
04-588

Communication No.:

Agenda Item Type: Resolution
No.:

Roll Call

Submitted by: Larry Hulse, Community Development Director

SUBJECT—

Ordinance amending Section 26-42 of the Building Code regarding required separation between buildings to permit the entire width of a public street or alley to be counted towards the required separation. Staff requests waiver of three readings.

SYNOPSIS—

Building and Fire Codes control the spread of fire between structures by establishing separation of buildings through physical distance or by construction of fire rated barriers. Item (a) of this action amends section 26-42 of the Building Code to allow the entire width of the public right of way to be used for fire separation distance, when City Council declares intent to permanently maintain this right of way. Further, item (b) utilizes these provisions to enable the Science Center of Iowa parking garage to be constructed in accordance with the approved conceptual plan.

FISCAL IMPACT—

None

RECOMMENDATION—

Approval

BACKGROUND—

Under current code, buildings facing public rights of way (ROW) are permitted to utilize one-half the width of the right of way to establish physical separation for fire control purposes. Conveyance of unneeded right of way to adjacent property owners is common in most communities. Codes have historically recognized this fact, by allowing the centerline of the ROW to be used for fire separation purposes. There are instances where this dimension is inadequate due to the width of portions of right of way, and it is impractical to increase the setback or construct a fire rated barrier. Item (a) of this action provides an alternative to those standards by creating conditions where the public right of way is permanently protected by specific resolution. Item (b) utilizes these provisions to enable the Science Center of Iowa parking garage to be constructed without relocating the building, or establishment of a fire rated wall. The Community Development and Fire Departments have reviewed this amendment, and find that it meets the intent of the code.