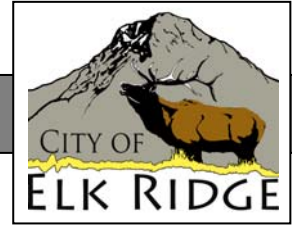


## Memo – Secondary Access Code



24 June 2010  
Planning Commission  
Public Hearing

Applicant – Krisel Travis

### **Background**

This issue was discussed by the planning commission and the city council last year. Currently, the HR-1 Zone allows 16 homes per access. This code was adopted based on the Fitzgerald proposal of the Fairway Heights C subdivision at the end of Fairway DR in 2007. This subdivision had 16 lots and the council reasoned that 16 lots were appropriate. They neglected to add in the other homes already located on Fairway DR and Hillside DR that currently have a single access point. This would have required 24 lots to be allowed.

In 2009 the applicant requested that the code be changed to follow the International Fire Code (IFC), which would allow 30 lots per single road access point and also gives an allowance of additional lots approved by the planning commission/fire chief if fire sprinklers are required. When last reviewed by the planning commission, they recommended that 25 homes per single access be allowed. When the city council took up this issue, other issues on the agenda for the meeting were contentious (chickens, preliminary plat extension of Elk Haven plats A-D). The applicant feels that she did not have a fair review of her proposal because of these issues.

### **Difference Between Our Codes**

Currently there are three codes that contradict. One states that, as an exception, you can have a single access point with the recommendation of the fire chief and approval by the city council; one states 16 lots is the maximum lots allowed; and one states that we have adopted the IFC which allows 30 lots per access point with additional lots allowed with the approval of the fire chief and planning commission.

### **Current Code**

#### **9-3-4: ROADS (Urban Interface Code):**

*A. Access: All developments in the urban/wildland interface area shall have more than one access route which provides simultaneous access for emergency equipment and civilian evacuation. The design of access routes shall take into consideration traffic circulation and provide for looping of roads as required to ensure at least two (2) access points. Looped roads with a single access are not allowed.*

*B. Exceptions: Where terrain features or other physical obstacles make provision of a second access impractical, a single access may be approved by the city council after obtaining the recommendation of the fire chief and the planning commission.*

*C. Specifications: All roads shall conform with the city development code, subsection 10-15C-2A of this code, streets and roads. (Ord. 96-12-10-10, 12-10-1996)*

**10-9A-13-11: SECONDARY ACCESS (Hillside Residential Zone):**

Any development over sixteen (16) building lots must have a secondary public access street.  
(Ord. 08-4, 2-26-2008)

**9-1-2: CODES ADOPTED:**

B. Fire Code: The international fire code (IFC), as adopted by the state, is hereby adopted as the official fire code for the city, subject to section 9-1-3 of this chapter.

**IFC D107.1 One- or two-family dwelling residential developments.**

Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.

*Exceptions:*

1. Where there are 30 or fewer dwelling units on a single public or private access way and all dwelling units are protected by approved residential sprinkler systems, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the code official.

*D104.3 Remoteness.*

Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

**Proposed Code**

Applicants proposal.

Secondary Access: Any development ~~over 16~~ with exceeds the number of allowable building lots as permitted by current international Fire Code Section D107.1 must have a secondary public access road ~~street~~. In developments that will have a connection to future roadways that will provide secondary means of egress as determined by the city engineer and planning department the final number allowable building lots shall be determined by planning commission.

Staff proposal. Staff would also like to see language that requires road connectivity in an area with a single access point with more than 30 homes so that snow plows can function better and school buses can serve the area.

Secondary Access: Any development over ~~16~~ 30 lots must have a secondary public access road ~~street~~. The planning commission, with the recommendation of the fire chief, can allow additional lots in a development if the city planner and city engineer determine that future roadways will provide secondary means of egress. Any single access with over 30 lots must be designed with a loop road or other grid road type system to allow for better access of public services.

**Staff Recommendation**

Seth Waite, Fire Chief, has reviewed the different codes and agrees that the International Fire Code is appropriate. He feels that since we require fire sprinklers coupled with the vegetation setbacks in the Wildland Interface area, that there is no reason to not use the IFC requirements in our code. Of course he would like dual access for all homes but concedes that in a hillside area this is not realistic. Corbett Stephens, Public Works, and Shawn Eliot, Planner, also agree that having the three codes contradict does not work and that the IFC requirements are reasonable.

## **Proposed Concept and Betterments**

One reason the applicant has proposed this change to the code is staff approached the applicant to see if some betterments could be constructed by them within and outside their development. To do this they need adjoining land owners to participate in these betterments who in return requested that the access code be modified to allow for their future plans. These betterments include:

- A new gravel access road to the upper water tank
- A new water line connection through their development to the upper water tank (they would pay for an 8 inch; the city would pay the difference for a 10 inch line).
- Reclaim and re-vegetate the current upper water tank access road
- Full road improvements to Hillside DR between Oak LN and the Lower Water Tank access road.

The concept plan (for Elk Haven E) has been reviewed by the commission in the past. The planning commission can give recommendations to changes of the concept plan, but they do not approve it.

## **Public Hearing**

Comments from the public should be taken on the proposed new code.

## **Planning Commission Discussion**

1. Is the city and developers better served by having one uniform code in the hillside areas?
2. Should the new access code be applied citywide?
3. Should 9-3-4 Urban Interface Road code be also placed in the development code rather than the building code and merged with the new proposed code?
4. Incorporation of any comments by the public.

## **Proposed Commission Motion**

The commission can make recommendation to the city council to approve the code, make changes and approve it, deny it, or table it for further information and work.

**Draft motion:** I move that the planning commission recommend approval of the Secondary Access Code which shall read "...". The commission finds that the current three codes are contradicting and do not serve the city or developers well. The commission also finds that the HR-1 code requirement of 16 units was arbitrary and incorrect and that using the requirements of the International Fire Code coupled with our Wildland Interface code is reasonable in a hillside environment.

## Memo – Oak Brush Estates Subdivision



Planning Commission – 24 June 2010

Applicant – Garrett Holman

### **Background**

The applicant is requesting that the lot line between his property and his neighbors, Matt Cahoon and Daniel Steele, be adjusted to add more land to his property to facilitate handling a drainage problem behind his home. Since his lot and the others are in two separate subdivisions, they are proposing to vacate their lots out these subdivisions and create a new subdivision addressing the change. Essentially, the only physical change is the adjustment of the rear lot line between the three neighbors. The applicant already approached the planning commission in December 2009, at which time a public hearing was held. There were no comments from the public received and the applicant asked that the proposed subdivision be tabled in order to work out some changes requested by the other two applicants.

### **Proposal**

The applicant is proposing to amend the Greenview Estates Subdivision and the Fairway Heights Subdivision by vacating Greenview Estates Lot 5 and of Fairway Heights Lots 2 & 3. The applicant is then proposing to create a new subdivision called Oak Brush Estates. The new subdivision will contain the same 3 lots that were vacated only with an adjustment of the rear property line between the 3 properties.

### **Staff Findings**

All three property owners are in agreement with the change. If all the lots were in the same subdivision, this change would be simpler with just a Lot Line Adjustment with no public hearing. Amending the current subdivisions and creating a new subdivision makes this a cleaner process for the city, county, and the title companies, but also requires a public hearing.

### **Draft Commission Motion**

I move that the planning commission approve the amendment to the two subdivisions by vacating Greenview Estates Subdivision Lot 5 and Fairway Estates Subdivision Lots 2 & 3 and creating the Oak Brush Cove Subdivision. The commission also recommends to the city council the same. The commission finds that the proposed changes fit city code, has no negative impacts to the home owners in the neighborhood, and will have a positive effect for the property owners involved.