

COUNCIL ACTION FORM

SUBJECT: SUBDIVISION ORDINANCE TEXT AMENDMENTS RELATED TO FIRE TRUCK TURNAROUNDS AND AMENDMENTS TO PLATS

BACKGROUND:

This item pertains to **required turnarounds for fire trucks**. It was originally placed on the Council's November 10, 2009 agenda, but was pulled at the request of staff to allow additional input from the development community. Staff then scheduled a follow-up meeting with the development community to facilitate further discussion (addressed below).

Fire truck turnaround provisions are addressed in both the Fire Code and in the Subdivision Code. The amendments proposed in this report pertain solely to the subdivision code. Current provisions for turnarounds in the subdivision code are brief but significant. They state that (a) dead-end streets shall be no longer than 150 feet, and (b) if the street is planned to continue a temporary turnarounds shall be provided in the public right-of-way. (See Municipal Code Section 23.403(7).

Turnarounds are required to facilitate ready movement of fire apparatus, including situations where apparatus needs to quickly leave one scene to respond to a call in another location. Turnarounds in rights-of-way are often achieved by the use of cul-de-sacs, which are a common means of terminating dead-end streets. 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 back to private ownership.

As stated above, a dead-end road is allowed only if it does not exceed 150 feet. The Fire Code also provides for discretion by the local fire authority to increase the length if the intent of the code can be met. However, the subdivision code provision is more restrictive and would therefore prevail, meaning that a dead-end street may not be longer than 150 feet even if it has a turnaround or otherwise meets Fire Code alternative provisions. Accordingly, staff has drafted amendments that would allow a road exceeding 150 feet when it is planned to continue in the future phase or abutting site, provided that a turnaround is provided or otherwise complies with the Fire Code.

The amendments provide various alternatives for meeting the turnaround requirements. They also 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.

Staff distributed to the development community the draft ordinance originally scheduled for Council action on November 10, 2009, and then held a follow-up meeting with the developers to receive their input. Comments pertained to the location of turnaround easements on phased subdivisions and the timing of the creation of easements for the turnarounds. There were some good suggestions regarding the timing of creating easements within the bounds of the plat (allowing that to occur at the final plat rather than preliminary plat stage), and staff amended the draft ordinance accordingly. There were also suggestions that the City not require easements on property owned by the developer. City legal staff suggested that these suggestions not be incorporated into the amended draft, since the process of land development often stretches over several years and land ownership can change during that time. **The City's objective is to assure that a fire truck turnaround is available regardless of time and ownership. That objective is achieved by City ownership of an easement across the land where the turnaround is located.**

One other suggestion from the public meeting related to the vacation of easements that are no longer needed for turnarounds. Staff had proposed language indicating that these easements come to an end when a new plat is approved extending the street beyond the location of the turnaround. Attendees suggested that their attorneys may still want to take formal action to vacate the easements. While the proposed attached language retains the sunset clause, individual developers will still have the option to seek more formal vacation if they desire.

The attached text reflects the proposal with the above changes. Most of the text is new. In summary, this proposal would:

- 1) Define where the 150-foot street length is to be measured from.
- 2). Allow streets to exceed 150 feet if they are planned extensions of the development, and if turnarounds or other means of meeting fire codes are provided.
- 3) Eliminate the requirement for turnarounds to be located in public rights-of-way if they are located in fire apparatus access easements.
- 4). Define how and when the easements are to be provided in the platting process.

Recommendation of the Planning & Zoning Commission. At its meeting of October 21, 2009, with a vote of 6-0, the Planning and Zoning Commission recommended approval of the subdivision ordinance text amendments related to turnarounds for fire trucks. There was no public comment on this item at that meeting. The Planning & Zoning Commission has not seen the changes described above, but staff believes the ordinance is within the scope of what the P&Z reviewed.

ALTERNATIVES:

1. The City Council can approve the subdivision ordinance text amendments as proposed.
2. The City Council can approve the subdivision ordinance text amendments as proposed with modifications.
3. The City Council can deny the proposed subdivision ordinance text amendments.
4. The City Council can refer this issue back to staff for further information.

MANAGER'S RECOMMENDED ACTION:

The proposed amendments pertaining to turnarounds would provide greater flexibility in meeting fire code turnaround requirements when laying out a phased subdivision.

Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1, which is to approve the subdivision ordinance as proposed.

**PROPOSED AMENDMENTS
DEAD-END STREETS AND FIRE TRUCK TURNAROUNDS**

Section 23.403(7) - Dead end streets / fire truck turnarounds

(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 is planned to continue and ultimately to provide access to a future adjacent phase of the subdivision. In this case, a temporary turnaround shall be provided in compliance with all fire code requirements. The preferred location for this turnaround is in public right-of-way; however, a fire apparatus access easement may be provided for the turnaround outside of the public right-of-way, if in conformance with all of the following:

(i) When the easement will be on land owned by the owner of the land being platted, a notation shall be made on the preliminary plat indicating that a fire apparatus turnaround will be provided outside the public right-of-way and the notation will specifically indicate whether the easement will be within the area being platted or outside the area shown on the plat, and the location of easement shall be marked and identified on the final plat and a separate instrument creating the easement shall be recorded contemporaneously with final plat approval; or

(ii) If the easement is to be located on land outside the bounds of the area being platted and the planned location is not owned by the owner of the land being platted, then a separate instrument creating the easement shall be recorded prior to preliminary plat approval;

and

(iii) The City of Ames shall be a named grantee in the easement, and the easement language shall provide that the easement will expire upon final plat approval of a plat that extends said road into a future phase or abutting subdivision.

(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.

All required turnarounds for fire apparatus vehicles shall be posted “No Parking - Fire Lane” unless the turnaround is wide enough to accommodate both curb parking and fire apparatus access.