

**Draft Ordinance for Public Hearing**

**September 8, 2022 Planning Commission Meeting**

Ordinance 2022 - (4)

**An Ordinance Regulating Fire Protection in Subdivisions**

**WHEREAS**, the Boulder Town Council wishes to provide greater clarity on the requirements for fire hydrants in new subdivisions, and

**WHEREAS**, the safety of persons and property is a town concern,

**WHEREAS**, the Boulder Town General Plan has the objectives of promoting farming, ranching and the conservation of open lands to support agricultural endeavors and of maintaining diverse community structure by creating housing opportunities for seasonal workers and low to moderate income individuals, and

**WHEREAS**, the requirements for fire access roads, fire-flow, and hydrant spacing in the 2018 International Fire Code for one and two-family dwellings do not consider the circumstances of 5-acre or larger lots which may be used in part for agriculture, and

**WHEREAS**, the Utah Wildland – Urban Interface code requires a water supply within 1000 feet of a dwelling, and

**WHEREAS**, the location of all future buildings is not known at the time of subdivision, and

**WHEREAS**, the applicable codes provide for the fire authority to make certain site-specific interpretations of the requirements,

**NOW THEREFORE**, be it ordained by the Boulder Town Council:

Add to Section 152.041 (G) (3) "Fire protection and suppression requirements the following and renumber as needed:

(a) All new subdivision lots shall be within 400 feet of a fire hydrant connected to a water supply meeting applicable fire code requirements.

(b) The fire authority may increase the allowable distance in (3)(a) from a hydrant to the lot line based on unbuildable sensitive lands and any legally binding building restrictions indicated on the plat. The fire authority may allow alternative fire-flow and storage where exceptions in nationally recognized fire codes are applicable. Economic hardship shall not be considered in determining fire protection requirements in new subdivisions.

(c) The distance requirement in (3) (a) may be waived in the case of subdivisions not requiring construction of new streets, served only by private driveways or existing streets, and creating no more than one additional lot.

Replace the current wording in Standards for All Proposed Streets, Fire Hydrants as follows:

Delete: ~~Where feasible, all lots shall be located within 400 feet of a fire hydrant, located within the street right of way or easement(s), as approved by the town's Fire Marshal~~

Add: Where feasible the water supply and fire hydrants shall be located within the street right-of-way. Alternative routing may be approved by the fire authority provided the necessary easement is recorded as part of the plat.

**EFFECTIVE DATE:** The provisions of this ordinance shall become effective upon passage, after any required posting and/or publication has been accomplished according to law.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2022

By: \_\_\_\_\_  
Judy Drain, Mayor

Attest:

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
END OF DRAFT ORDINANCE TEXT  
\_\_\_\_\_

## **AREAS WHERE PUBLIC COMMENT IS SPECIFICALLY REQUESTED**

The following narrative is included in the document presented for public hearing to include potential substantive additions and deletions within the scope of the public hearing. Presenting these alternatives for hearing will allow possible adjustment of the ordinance by the Planning Commission or Town Council.

**Distance to Hydrant** Distances between 250 feet and 600 feet appear reasonable based on ordinances in other Utah jurisdictions. Given that a typical 5 acre lot is 330 by 660 feet a hydrant 400 feet from the front of the lot could be about 1000 feet from a building at the rear of the lot. A hydrant spacing of up to 800 feet along a street is required by some jurisdictions but, may be excessive for 10 acre or larger lots.

**Exceptions for non-residential areas** Section (3)(b) of the hearing draft allows for reducing hydrant requirements in situations where future buildings on the lot are restricted by unbuildable sensitive lands or by open space, agricultural, or conservation easements. The draft wording of (3)(b) also allows the fire authority to consider options in nationally recognized fire codes such as private fire-water storage systems and allowing reduced fire-flow for fully sprinklered buildings.

**Exceptions for a single additional lot** Section (3)(c) This addresses a contradiction between the current inclusion of hydrants in street standards and the recent ordinance change allowing private driveways. Also it addresses the inconsistency of allowing a house and an ADU on an existing lot, but requiring a hydrant if the lot is split into two properties, These exceptions would allow continuing the past Boulder practice of allowing more flexibility for small subdivisions. This flexibility is consistent with the General Plan goals of affordable housing and preserving the rural feel of the town by avoiding "suburban-type" subdivisions.