

CEDAR CITY PLANNING COMMISSION
MINUTES – May 5, 2026

The Cedar City Planning Commission held a meeting on Tuesday, May 5, 2026, at 5:15 p.m., in the City Council Chambers, 10 North Main, Cedar City, Utah.

Members in attendance: John Webster, Jace Burgess, Jennifer Davis, Jim Lunt, Wayne Decker, Tom Jett, Steven Hitz

Members absent: Steven Hitz

Staff in attendance: Kent Fugal – City Engineer, Randall McUne – City Attorney, Donald Boudreau – City Planner, Eve Bolhuis – Executive Assistant

Others in attendance: Ann Clark, Dallas Buckner

<u>ITEM/REQUESTED MOTION</u>	<u>LOCATION/PROJECT</u>	<u>APPLICANT/PRESENTER</u>
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- Pledge of Allegiance – the pledge was led by Donald Boudreau.

I. REGULAR ITEMS

1. Approval of Minutes Dated April 21, 2026
(Approval)

Davis motions to approve the minutes from the April 21st meeting; Webster seconds; all in favor for a unanimous vote. Lunt, Jett absent for vote.

2. PUBLIC HEARING

Engineering Standard Revision
(Recommendation)

Section 5 (Standard Details)
Concrete Curb and Gutter, and Driveways

Kent Fugal

Kent: What we have before you tonight are some proposed amendments to our engineering standards. I am going to explain both of these to you but I am going to ask you to not act on one of them. I'll tell you why as I go through it. What we are looking at on this are some changes to our standards for some of our concrete details, for curb and gutter and some of our driveways. So first lets talk about curb and gutter. This is actually the one I am going to ask you not to take action on. This is our existing standard drawing with just a couple modifications, we added a couple of notes on this. What we are wanting to do is specify, instead of this being our standard curb and gutter type with our 7 inch high curb, and everything that we have going on here. We were going to recommend instead that instead this detail out of the Utah APWA standard drawings be our standard curb and gutter. It gets us to a 6 inch high curb which makes it a lot easier to make drive approaches and ADA access work, than with the taller 7 inch curb. We would still have taller curb available in our standards where we need it. If we have a location where we need to carry a lot of drainage water, for instance. We could still put a taller curb, but this was what we're proposing as our standard curb. What our intent here was, the standard curb would be Utah APWA

Standard Plan 205 Type A Curb and Gutter 30 inch. We were saying other curb types, including the ones in our current standard drawings, sheet C1 and C1A of our standard details, would be available for use, if approved by the city engineer because they're all curbs that there can be circumstances that's our best solution. We didn't want to just get rid of everything else, we wanted to say that no, those require special approval. A good example would be if we're filling in a piece of curb and gutter between two existing portions of curb and gutter that were built to one of our old standard details, of course, we want to fill that in with the same curb and gutter rather than transition and transition right back. We would keep everything that we have, but we were going to specify this. Now here is the reason I am going to ask you not to take action on this curb detail. I had a contractor come in and talk to me about this, he's familiar with this detail from work in other cities, and he was telling me that the problem with this is that there ends up being a lot more concrete in this curb and gutter. The way that this has been drawn, where the front of this ends up being 9 1/2 in thick. You are down to 6 inches by the time you get to the flow line of the gutter but out at the lip it's 9 1/2 in thick. It ends up taking a lot of concrete. The contractor that I was talking to had concerns about that. He was recommending that we go with more of this type of curb, this type HB30-7, that's another type that is in the APWA standard plans. That has the 7 in high curb to be able to handle more water when needed. He was saying if we could develop more like a 6 in high curb version of this drawing, he said it would save a considerable amount of money for the developers. Not requiring so much extra concrete that really doesn't serve that much of a purpose.

Jett – 20%? 50?

Kent – I don't remember the exact number, but it was enough that it was going add quite a bit of cost. When you look at a subdivision that might have a couple thousand feet of curb and gutter it was substantial, what it would add. It would add quite a bit of cost. We're proposing to come back to you with a revised version of this. But we are not ready to present that here tonight.

Jett – When you say a revised version that 7 in you will bring it down to 6 in, that's your idea of the revised version.

Kent – Yes, So that's the deal with the curb. We do still want to adopt the new curb section with the one we are using now, if we modify adopt the new curb section from the one we're using now with the 7 in high curb. If we modify this to the 6 in height, it gets us the height of curb we want. We still get the full 6 in of thickness underneath the flow line, that the other plan provided that we were intending to go to. It resolves the issue of requiring a lot more concrete.

Jett- May I ask a question? In the last 20 years we've come out with different additives of concrete such as fiber meshes and then long fiber meshes. If we reduce the amount of concrete thickness, but we reinforced it with a type of fiber mesh type material, would that potentially allow us a cost savings in concrete but a more strengthened concrete.

Kent – That is a good question. The challenge with that, you've got two ways to reinforce it. One is rebar, which gets rather expensive. The other option you can do is to use the fiber mesh. There are issues with the fiber mesh. It's much, much more difficult to work with and finish. It can be a challenge to get that mixed uniformly, and so it's successfully used in a lot of places. I am a little bit wary of it. I am not sure that it would really be doing anyone any favors by adopting a standard that used the fiber.

Jett – It's just turned into like Bitcoin and gold. I mean, concrete has gotten so expensive.

Kent – And that's why we want to come up with a different option than what I showed you. Initially, with this right here, with that really thick concrete on the front. Cause concrete has gotten quite expensive. It makes sense that we try to come up with a section that works better for us. This one that's here is actually based on what UDOT has. It's a lot of concrete. So we'll come back to you again with updates. We're going to come back through again with updates to our corner pedestrian ramps for ADA,

and we can bring this curb section back to you again with that when we come back through. So that's where I'd like to go with that.

The other item that we had on this with the standard details is our standard detail is our standard detail C3 for driveways. The challenge we run into with this one, our standard detail, this detail for how you build a drive approach with the sidewalk coming through is completely out of compliance with ADA. And has been for many many years. For some reason, it's still in our standards. So we have standards that really require construction that is non ADA compliant. Obviously, that needs to be fixed. We're proposing instead is our Standard detail C3 would just include the notes of what to use for drive approaches, and we've pointed out 3 of the plans in the Utah APWA standard plans; plans 215, 221, and 222, that would be acceptable for use, at any location on driveways. Then there are some additional ones that are part of the standard plans that could be approved for a specific purpose. This is what we're proposing. This would be one of the standard plans that would be acceptable, that is ADA compliant. The difference between this and our standard plan is the entire width of the sidewalk gets ramped down. Then you go through the drive approach, and then it ramps back up at the other side. We keep the cross slope on the sidewalk here through the drive approach, ADA compliant. We keep that to 2% or less. So that we don't have an ADA violation there at those drive approaches. Just anecdotally, As I go out and walk around my neighborhood to stretch my legs and get a few steps in. I won't walk on the sidewalk because those drive approaches are too hard for me to walk through. Getting on that slope, me being a little unstable on my feet, with my cane, I have a hard time walking on it. So I will walk on the asphalt, the entire time that I am out taking my walk around the neighborhood. Rather than try to get on the sidewalk, off the sidewalk, on the sidewalk, off the sidewalk, because it's too hard to walk through the drive approaches that are non ADA.

Jett – Some of them are scary

Kent – Yeah. Well, all the details in here meet ADA, but this is one we think is a good option. They do show on here a curb that could be put in if necessary. There's an option, if you build this type that you either just bring your grading down to match the concrete as it comes around here, or if you want the grading on the lot to match the sidewalk here and the driveway back here. You can put a curb in there to retain that slope. So this is an optional thing that can be built if necessary. So this is an option that gets you that ADA compliance without requiring any additional right of way. It all happens within the right of way. The right of way line would still be just behind the sidewalk here. This whole sidewalk stays within the right of way. That's one option, if we go to standard plan 221, this is showing us what the drive approach would look like if we have a planter strip, right? We do have some planter strips in some parts of town, in some of the older neighborhoods. That's something that we are considering for new developments in the future is planter strips at least as an option. This is how you achieve that, you put in your driveway apron in the planter strip, the sidewalk can just stay at the same elevation, same cross slope, going straight through. Doesn't cause any problems, so that's a good solution to get ADA compliance. Then the third one that is a good solution is you build the drive apron there in the approach, the same as what we do now, but the difference is that there's no longer the sidewalk coming through here, the sidewalk you route around behind the drive apron.

Jett – On to the people's driveway?

Kent: You route it back out in this case it would be outside of the right of way, yes, so then you have a couple things that can be done. If someone were to choose to use this option, then there would need to be an easement granted for that public sidewalk. To encroach onto their lot. This is something that we could very easily make a standard part of our subdivision plats. We have a front public utility easement. We could have that easement also include, public sidewalk easement. So that anywhere that the sidewalk

needed to encroach into that, it could, and the easement would be there for that. But if someone wanted to implement this solution, if they felt like this worked better for their home build. Then ramping the entire width of the sidewalk down and back up, then they could do it. We just need to have an easement for it.

Jett: My only struggle with this one is driveways are 25 foot long and everyone is driving 35 foot trucks.

Kent: That is a concern, you're absolutely right on that. But this would be an acceptable type based on that comment, Tom, are you of the opinion that this should be more of an optional one where we have the space?

Jett: I don't think we should offer it.

Kent: If there's plenty of room between the right-of-way line and the front of the garage for parking without getting too close to it. This could certainly be moved to the list of ones that require specific approval for their project. If you're more comfortable with that.

Don: An increased front setback.

Kent: Or the other option is we increase front setbacks.

Jett: That's not a good option

Kent: That has its challenges. If you would like to make that part of your recommendation to city council, that this goes on the approval list and not the already approved list that certainly would be a reasonable recommendation to make to city council. The other drive approach types that are in the Utah APWA standard drawings. This one here is really looking at a retro fit situation where you have a planter strip, it can certainly be used, it is ADA compliant. It's very similar to the second drawing I showed you. We just put this on the list where it can be approved, where it makes sense, where it's needed. The other one that's on that list is this one right here. This one is similar to what we have with our low-profile curb, except it's not low-profile. It's a similar shape, but it's not low profile. These are a little bit difficult to drive through. There's a pretty good bump there. They are mountable, a vehicle can make it through. This is if anyone was here for the city council discussions, we had about a drive approach over in the Fiddler's Canyon area. The neighbors were looking for some relief. This would be similar to that. That one was serving a private road, so you have a lot of traffic having to go through it. For a single drive approach coming into your driveway, this certainly workable. There may be locations where this is the best option. We wanted to still include that as something that we could approve on a case-by-case basis. This also meets ADA because the sidewalk is just a normal sidewalk running through. The sidewalk doesn't vary other than that it needs to be thickened through the drive approach. Other than that, it looks just like all the rest of the sidewalk on the street. Then there's this other option that could be approved where it makes sense, that is to actually put a curb return where you have a planter strip. You have this as an option that could potentially be utilized if there is a reason for it. Where instead of just a flare, you actually put in a curb return on both sides coming into the drive approach. It certainly meets ADA, if there's a project that's the best solution we could give them the go ahead to use this option. There's still some other ones too, we have some of this in our current standard drawings where you're actually bridging over the flow line of the gutter this is not something we would typically do, but there are two occasions where this can be extremely helpful. One is if we have a really deep gutter that's carrying irrigation water, which we have a number of those in the older part of town. The bridge is a good solution for that. The other application where this can make some sense is if we've got a lot someone is trying to build on and the steepness of that lot is such that it is really hard to position the house, to get it at an elevation that works and get the driveway workable to be able to get up to the garage. If we did a bridge like this, that helps. Get you started a little higher before you start heading up that driveway. This is something we do want to have as that can be considered on a case by case basis. If there's a reason why it should be considered it can. So this would be part of our standards, and then this is just a different

version of the same thing. Those are ones that would require approval for their use. We would just have the other first three I showed you that would be the automatic already approved that they can just use at their option. Except that we're talking about this one here that this one here would be one that would require approval. That approval can consider how far back is the garage, do we have adequate depth that this is workable without people having to park on the sidewalk. So that's my presentation on that, are there any questions I can answer for you?

Davis: If we're doing a motion eventually, how do we identify the different ones? You know because there is the one that we all are agreeing that we should say that it requires approval.

Kent: I'm asking you to not take action on the first one, on the revisions to what would basically be our existing standard detail on C1 and C1A, we'll just leave that alone for now. But then on C3, if you wanted to do that plan let me scroll back to just make sure I am remembering that correctly

Jett: So while we're doing this, Dallas, if I may impose, you are a developer designer, you do a lot of subdivisions and so for, so you guys do this all day long

Dallas: I was going to say if you put this in front of my items, then I'm obligated to comment on it. So, the curb changed specifically on the six inch to seven inch, I think the reason the city is proposing it is to help with ADA compliance and the height. The con to it is the stormwater capacity in the road. So, if you go from the seven inch to the six inch, what you have, with the current seven inches on a road cross section on a standard 45 foot right of way. You can get the storm water to overtop the crown, which increases the cross-sectional area of what you can carry on the road. So the hesitation that I would have in changing it from seven to six, specifically, if we're going to adopt additional driveways that can be compliant in other configurations is just that if you change it to six, and you remove the capacity in the road. Then you're going to introduce more storm drain that's required because your road capacity is reduced. That's going to translate to increased cost of storm drain. Then, depending on where most of the development nowadays is heading into the valley, where it's flat with not a lot of slope. As soon as you introduce storm drains at very flat slopes. Those pipes don't have a lot of capacity, and so when you don't have a lot of capacity, you then have to go to a bigger pipe, and then as soon as you get the deeper you go the harder it is to get that to discharge. It just kind of cascades into it if you reduce the road capacity. Then you're going to introduce storm drain, and then to carry that increased capacity, you're going to have to go to bigger storm drain pipes, which is just going to push you deeper. Which then pushes your basins down further, and then in a lot of the valley scenarios that we're seeing today there is no storm drain outfall lines to discharge, and so you are just making deeper and deeper basins, and that's the concern with changing the detail is if there's a way to make the driveways compliant and preserve the capacity in the roads then I would be more in favor of adopting the driveway and keeping the curb to preserve just because of storm drains expense. Then in the flat areas to really carry any water, you have to go bigger than the city's minimum and then on the driveway side I think that so the mechanics of what the city's changed as far as sidewalks, so now the sidewalks can be deferred for the, I haven't done a project with the new ones, but it can be deferred for 12 months? Eighteen months?

Kent: Up to two years

Dallas: Up to two years and so, I think that with these changes and the options, I think you almost have to unilaterally say PUEs, because when we do a subdivision we're going to lay out lots. Then we're going to put the curbs in, and then we're going to show a sidewalk. As far as which one of these driveway approaches is going to be adopted. I have no idea, no one has any idea, especially if you are a developer and then you are selling lots to somebody. I think the PUE slash public sidewalk easement has to be mandatory because otherwise it's enforced on the building permit and the you are granting easements on a per. I think that's a great addition to give the flexibility with the different driveways. I don't know if the

APWA, I've only really worked with APWA recently in Parowan, but I am not very familiar with the standards overall, like I am with the Cedar City details. I believe that most of the APWA is all based on six inch curbs.

Kent: Yeah, for the most part, yes, the APWA does have some taller curb types. Like the one I showed that was seven inches, but for the most part, they are six inch curves.

Dallas: I guess the thing that I am wondering from the mechanics standpoint, at least on the subdivision and construction drawings, is we go through and model a road. We show the six- or seven-inch curb, whatever it ends up being, and the developer doesn't put the sidewalk in, and then sells the lots, and they either jog the sidewalk around it and pour a driveway, rip out and put the more aggressive low profile curb in. I think with the different options in driveways, I think virtually no one's putting sidewalk in except on major roads.

Kent: Yeah, probably true

Dallas: Because of how no one knows where the driveways are going to be until you're pulling a permit. Which I don't think is a bad thing, I was just more so thinking out loud.

Kent: Yeah, it's really the same problem we have now. They're pulling out the curve, they're cutting the curb down and pulling out the sidewalk and doing the drive approach, right?

Dallas: But that's where I think if you make the PUE mandatory.

Kent: Especially if we do offer the 221.2 is the name of that drawing that shows the sidewalk routed around the drive approach. If that is one of the preapproved options, then I think you're right that we would need to make the public sidewalk easement be a standard requirement on the subdivision plat. That would be really the only way to make that workable. If it's not one of our standard options, then they have to have special approval to do it. Then maybe asking for the easement at that time isn't as big of an ask.

Dallas: I don't think you're going to know that until the building permit, right?

Kent: It would come at the building permit time, that is correct.

Webster: Thank you Dallas, Jennifer, does that answer your question?

Davis: I need that in a third grade level.

Kent: I do think Dallas brings up some good points, in terms of the water carrying capacity of the curb. As we are trying to revisit our drainage standards as well, I am of the opinion that our drainage standards aren't up to what they need to be. So, we're looking at modifications there. As we get into that, it's my opinion that I think the way we currently operate, I think we're trying to carry water entirely too far in the gutters. I think there should be inlets at much closer spacing than what we have now. To minimize the amount of water that's on the road and get that water in an underground system. Not just have it be flowing down the gutter. I think we especially need to get rid of what we have in our current standards, where we allow water, we even have standards details for it, of boxes we build to allow water that is already in pipes to get discharged into the street. I don't think that's good practice. I think it may have made some sense when we're developing primarily in the hilly territory and trying to get water to go the direction you want when it wants to go another direction, and some of those things it might have made some sense. But we may be come back with some modifications there or we may not. Or you may not approve them, right? If we continue to operate the way we are and how the water is collected and ultimately discharged somewhere, then yes, the carrying capacity of that gutter is an issue that needs to be considered, so as we're revisiting this to get ready to bring it back to you later, addressing these curb types. That's a good point that Dallas brings up that we need to consider in that evaluation.

Jett: So, in making a motion on this, don't want to cut your legs up, on making a motion on this would we just read the concrete details and make a motion to approve those as is?

Webster: With the exception of 221.2 right?

Kent: If you would like to have 221 which is fine, if there is a planter strip, this is a good drawing, right? That's 221.1. 221.2 is the one that you Tom brought up, maybe this shouldn't be one of the preapproved options. If that's what you would like to include in your recommendation to city council. Is that this not be one of the preapproved options, then basically instead of saying that you could read this off exactly in your motion if you wanted to, but instead of saying 221 here you'd say 221.1 and then you'd add 221.2 to this list of ones that require approval.

Public Hearing Opened

Dallas: Dallas Buckner, private citizen, because one of the things that I thought of as far as making the ADA compliance is more widely adopting the rolled curb. Then I don't know if the city's made changes or just talked about making changes, but one of the things that prohibit it is the six-inch reinforced sidewalk behind it. Currently the city allows the rolled curb or the low-profile curb. In certain zones, I don't think it's allowed in R3. As far as keeping, the one 221.A where the sidewalk jogs around, it is fairly common in other places, but there's the issue it creates here is that the right-of-ways are a certain size and then it pushes them into the lots. It's pretty widely adopted in other places where the smaller residential roads are. Is there a rolled curb option with just replacing the sidewalk where you could adopt that? In all residential zones and probably not major collectors and arterials,

Kent: The challenge with that is that is we don't have in either our details or the current APWA details. We don't have a true rolled curb. But any of these, like type H here, which is very similar to our current drawing here for our low profile, right? Once again, you don't get the drainage capacity and that's one of the concerns we've had with this one all along. There are places that it can make some sense, and I know had a project come through last year over at Iron Hawk Townhomes where that variance was granted to use this, even with that R3M project right? There are locations where that is a good option, and could be approved on a, let's see where did it go? If we were to use, because of the concerns with the carrying capacity of the roadway, if we wanted an option that can still carry all the water that it needs to carry, this would be that option. It's a little more challenging for drivers as they drive through it. It's very workable, it can work, especially for just, if this were at my house, I don't know that it'd bother me that much, because I am going slow when I pull in my driveway anyway. This is an option that would work that keeps the carrying capacity. The low profile really doesn't keep the carrying capacity, right?

Dallas: On this one are you removing, are you saw cutting the entire curb and repouring the whole curb versus doing a curb cut? How driveways are now

Kent: I'm sorry?

Dallas: So, if we just put a standard L curb in a subdivision and then someone wants to put this in at their driveway, you're saw cutting and repouring the entire curb to make this curb and then pouring sidewalk behind it.

Kent: Most likely you would be. You could, I don't know if a concrete sawing professional could do this.

Burgess: Nobody I know that I would trust to do it.

Kent: It would be tough because this part here is really warped. I don't know how you even do that with a straight saw blade.

Burgess: Yeah, that requires an artistry I don't think most guys have

Kent: So, you would likely be pulling the curb and gutter and replacing it, that is correct.

Jett: Can I interject one thing we were just speaking of rolled curb, and then you were speaking of changing things for more inlet, so the curbs wouldn't be carrying as much water. If we have more inlets,

would a rolled curb concept work? If we replace the rolled curb and add more inlets, so we're not carrying the same capacity of water.

Kent: That certainly could work, is that the right solution I don't know. Dallas brought up the point that if we took that route, we're going to be putting more pipe in the ground which has a cost component.

Jett: Absolutely, I was thinking the rolled curb costs, could offset the cost of the traditional L curb. And offset the cost. I'm just trying to mesh the two together.

Kent: Yeah, so that is something we want to evaluate further. If you approve all of this, and we are recommended and the city council gives us final approval, this would be an option. What you see on the screen right now would be an option that we could utilize if there is a reason to utilize it, right? This could even potentially be something that someone comes in and says, we want to do our whole residential subdivision, that's all on local streets, not on any major streets, we want to just use that mountable curb on all of it or a variation. I am on the committee now, this is something that I would like to see fixed, and there is no type D any longer. There was at one time. This would be something that someone could do, they could come in with a proposal to do something like this and just say, I've got this whole block, that is what we want to put in all the driveways are going to look like this, and we could consider that if it makes sense for that situation, we could approve that.

Jett: Is it a cheaper curb?

Kent: No, I would say probably not, it could be slightly, I don't think it's going to be significantly cheaper.

Lunt: The Carrying capacity is it any different

Kent: What you see on the screen here, it would still have the same carrying capacity because it would have the full height curb. It's not a low profile, so that sloped section that you see on the front of it is a little more aggressive, it's not as easy as gentle to drive through as our low-profile curb.

Wayne: It seems like there are a lot of ADA corners in town with seven-inch curbs that work just fine. What's the concern?

Kent: They work because we are ramping down, to get down to the landing level at the bottom, and yeah that works fine, it's the drive approaches where we have the big problem. One challenge we have all over town really is drive approaches that are difficult to drive through because they're so abrupt when you go through them. The higher the curb is the more abrupt it's going to feel when you drive through them. That's one of the reasons why we would like to have a six-inch curb as our standard curb. And have a taller curb just be an option that's used where we have a need to carry more water.

Webster: Dallas, anything else? Interesting. An hour and a half ago, I liked my driveway, now I am not sure what to think about it. Okay, we'll close the public hearing and bring it back to the commission for a recommendation.

Public Hearing Closed

Jett motions to approve the concrete details on C3 driveways, details and new notes added. Use APWA standard plans 215, 221, 221.1, and City Engineer approval required for use of standard plans 216, 225, 229, and 221.2. Davis seconds; all in favor for a unanimous vote.

3. PUBLIC HEARING

Amended Plat
(Staff Decision)

Unit 39, Safe Harbor, Blackrock PUD

Goodwin/ GO Civil

Webster: Next we have an amended plat. It's going to be a public hearing, but it is a staff decision in the end. So, for the purpose of the public hearing, we'll do that here and let Dallas go ahead and share with us what he's got.

Dallas: Dallas Buckner, GO Civil. This is out in Blackrock. This is an undeveloped unit out there, and the gentleman that has purchased it has looked at it and with some of the improvements out there, wants to keep the same dimensions, square footage, but just wants to rotate it to fit the existing conditions. So, the square on there is what was plated. We're just kind of rotating it a little bit. You can see in the aerial imagery there is a wall kind of on that top corner, we're just spinning it to give a better buildable footprint based on existing conditions. We've worked with staff to get approval on the map, and then the owner has gotten a vote from the HOA because we're amending the piece that he owns, then we're also slightly amending the common space area of the HOA.

Randall: Just make sure I am clarifying for the record the square footage of each is remaining the same, private versus the common property remains the same.

Dallas: Correct, the unit is not changing, we're just rotating.

Randall: The reason why I am asking that question, just so you know, we have another subdivision, a PUD that's trying to do this. Except, they're trying to shrink the common area and give more of it to each of the private owners, because that changes interest of value. Like how much there is. We have to get all the banks to sign off in the entire subdivision, so thank you for not actually changing that.

Dallas: We were trying to keep this easy

Webster: Any questions, Commission? If not, it is a public hearing. We'll open the public hearing. Does anybody wish to speak to this?

Public Hearing Opened

Public Hearing Closed

4. PUBLIC HEARING

Ordinance Text Amendment
(Recommendation)

Section 26-V-18

Driveways in RE zone to be 50' max

Perasic/ Radiant Blue Const.

5. PUBLIC HEARING

Engineering Standards Revision
(Recommendation)

Detail C3

Driveways in RE Zone

Perasic/ Radiant Blue Const.

Webster: Next is ordinance text amendment, can four and five be handled together? Who's presenting that? Perasic? I think Radiant Blue Construction?

Kent: I thought that Radiant Blue Construction was going to be here, they're not. We can still talk about it if you'd like. Don and I are prepared to talk about it.

Webster: Yeah, go ahead, let's do, we can still have the public hearing on it without them here.

Kent: So, I'll start off on this, we have minimum driveway widths in our standards or excuse me, maximum driveway widths, well and minimum. On your typical home, our typical residential use we

have a maximum driveway width of 34 feet, and on commercial and industrial you know the nonresidential we do have a maximum driveway width of fifty feet. You have more needs right you have traffic coming in and out at the same time on those driveways. You need wider driveways so that's what our current standard has. What the request is here from the applicant is to have, in the RE zone only, they would like to see us increase the maximum driveway width for those residences to 50 feet

Webster: From?

Kent: From the 34 that it is currently.

Burgess: This is kind of related, but if you do two driveways, how far apart do they have to be? Could you do 34 and one foot and 34?

Kent: No, they have to have a separation between the two.

Don: It's 12 foot in the zoning ordinance.

Kent: Yeah, you need to be able to transition out of the drive approach into a landing for ADA reasons, and then go back into the next drive approach, right? So, this is what they're requesting. If we look in the detail, they're wanting the same thing. They want us to modify this in the detail where we have the 34-foot max on the residential to give the ability for the 50-foot max in the RE zone. So that's the proposal, what is driving this is a specific home they've run up against an issue. Where they've created this drive approach here that is wider than 34 feet. They have a secondary structure in the back, a casita there an ADU, that they were wanting to have a nice direct shot that they were wanting to have a nice direct shot for people to be able to drive back to it from the street, and so this was put in as the concrete driveway being significantly wider than the 34 feet. I think it's, if I remember correctly, it's around 45 feet, is the width that they put that in at. So, they were looking at this saying, well, in the RE zones you have more frontage than you do in most of the other zones. So, they were wanting to see if the minimum or excuse me the maximum driveway width could just be increased. In the RE zone, as you look around, this is in 4B Ranch. This particular location right across the street, you see where they've got concrete coming back. This isn't a very good picture; apologize for that, concrete coming back along the garage. They've kept the driveway to where it meets our standard, and then they widen it out as they come back. You go around this neighborhood, you see that in numerous locations, where that's exactly what the homeowners have done. They start out narrow, they go wider.

Jett: So, this is their effort to skirt. So, the question is why RE zone only, why not every zone allow it if they can do it?

Kent: And that's a good question, should it apply only to the RE. I think the reasoning for applying it to the RE is the fact that you have more frontage to work with. So, the negative effects of having a wider driveway, which we'll talk about here in just a minute, are perhaps lessened to some degree in when you have wider frontages. I drove through 4B Ranch the other day, and I was noting all over in this development location where we had these driveways that start out narrow and then go wide. Another one here, that's what others have done. On this one they didn't do that; they just made the driveway wider than it was supposed to be. Then they're asking now, this actually went to board of adjustments, their particular case, not the ordinance change, their particular case went to board of adjustments and was not approved. They're looking at it for a different route, wanting this the planning commission and city council to consider the idea that perhaps a wider drive approach in this zone would be appropriate. So, that's the proposal. So that's that part of it. We've tried to take this and say okay, what should we be doing here? Why do we even have the standard that we have? We've asked ourselves that question. So, I'd like to run you through just a little bit of information about maximum driveway widths.

Webster: So, can I ask you a real quick question? So, if 34 is the width, how far does the 34 have to go? Can you go six inches and then...

Kent: Do you want to answer that, Don?

Don: So, the ordinance indicates that you can't park in the front yard setback unless it's on a permitted driveway. So, kind of like those images Kent showed you, they curve back basically to that twenty-foot line and then the ordinance says more or less you're free to go.

Kent: I think it's at the right of way line that they have to comply with the 34, is that correct Don?

Don: It's 34 is the driveway width. And the way we've interpreted that is that it would continue through to your front setback because your front setback should be landscaped with exception of those permitted driveways.

Kent: So, I wanted to run you through just a little bit of information about why, and we're not the only city with maximum driveway widths, right? Every city has maximum driveway widths, as far as I know. I'm not aware of one that doesn't. And we'll get in a minute to some of what some of the other cities around the state are doing. But some of the key reasons for this, part of it is really safety and traffic flow. The wider that drive approach. You can have multiple vehicles coming out of it at once. You have less predictability on where those vehicles are coming out for a pedestrian walking down the sidewalk. They're exposed through that drive approach for a longer distance as they come through. The safety aspect of it becomes more critical on major roadways than it does on subdivision streets. Admittedly. But there is a concern. You know, with driveway widths in general, of when they get too wide, they decrease the safety. So that's one reason why these kinds of standards even exist. Another thing is more of an infrastructure protection when you have a smaller regulated curb cut. Then that reduces the amount of public sidewalk and curb that you are dealing with in that drive approach whenever if there's a need to make any modification, there it makes it easier to protect the underground utilities and other infrastructure. Drainage control: when you have drive approaches, those drive approaches do limit the drainage water carrying capacity of the gutter. Even if we still have the same area, so to speak, available, you know you're changing the shape of the channel that the water's going through, and every time you're changing that, you're getting some head loss in that, and so you are reducing the carrying capacity of the curb and gutter. Snow storage when we plow, the wider the drive approaches, that means the shorter the available space between drive approaches where you can pile snow. I know the last couple of years haven't seemed like snow plowing is an issue, but we're going to get winters again where we're plowing a lot of snow, right? And so, snow storage is a consideration. Aesthetics and green space. When you limit, you know that those driveway widths it gives you more of that frontage of the lot that can be in some type of landscaping, less of it in concrete driveway. Then you get the on-street parking. When you have the wider the drive approaches, the less space there is to put snow in. Well, that's also the less space there is for people to park. And that can become problematic, and Don will run us through some of that here in just a second. What some of the common standards around the country are, you typically see on single family residential homes, maximum widths somewhere between twenty and thirty feet is pretty common. There are a lot that do allow more than thirty feet, but usually not by much. Some jurisdictions will say okay you have so many feet, but you also have a requirement on some percentage of the lot width that can be driveway. So, the narrower your lot, the narrower your driveway maximum driveway would potentially be, right? Most places have standards on circular driveways that you have to have a certain amount of frontage to even be able to have more than one. But a lot of times when there are circular driveways, they're considered one way, and those are actually narrowed up to somewhere in the ten to twelve feet foot range in a lot of jurisdictions. Commercial and industrial, yeah, those are wider. They need to accommodate more traffic. They need to accommodate traffic coming in and out at the same time, and they need to generally accommodate larger vehicles. So those we do go in the forty-to-fifty-foot range is pretty common for commercial drive approaches. So, I pulled these cities at random,

please don't think I searched for the ones that fit my argument because I didn't. I just pulled these at random and looked at what they have. So here in Cedar City, single family residential home, just a house right here, our standard is thirty-four feet. Salt Lake, they have two different widths. They allow some of their zones. They only allow twenty-two feet on the width. Some they allow thirty, but even the ones that they allow thirty, that's less than what ours are. Saint George is the only one I found that allows something wider. They were allowing up to fifty feet. Although I found conflicting information on their website on their widths. In the most generous location, on their website it showed fifty feet for the driveway width, but you're limited to fifty percent of the frontage. So, if that lot's only seventy feet wide, which is what a lot of our lots are allowed to be now, I think in just about all of our zones, other than maybe the RE, we allow the seventy-foot width. If you were limited to fifty percent, you couldn't have more than a thirty-five-foot-wide driveway anyway in Saint George. If you had a seventy-foot-wide lot, if you only had a fifty-foot-wide lot, you could only go twenty-five feet, on the driveway. Logan, I looked at theirs; they came in at twenty-two feet, the same as what Salt Lake had on some of theirs. Provo was right about where we are at thirty-five, Bountiful thirty and Tooele was at thirty. I was trying to pick, you know, some larger cities and cities that are more our size as I was going through this. Tooele, in addition to the thirty foot maximum requirement, also had that only a third of the frontage could be drive approach. So once again. If you had a seventy-foot drive approach, a third of seventy is only twenty-three feet, right? So, you wouldn't even be able to get thirty if you had a seventy-foot-wide lot. So, those were just some of the things I wanted to kind of throw out. The question was asked to me after the sketch meeting, where this request was discussed that the applicant had, why do we have the standard that we have? And so, as Don and I have tried to look into that's where the information that he and I are presenting to you has come up, so I am going to flip over to Don's slides. And we have some repetition here, but Don will find a good way to deal with that.

Don: Thank you chair and members of the commission. The question is what should the maximum driveway width be? Why do we have these standards? I think Kent covered a lot of what's in mine, but I think Kent liked the pictures in mine too.

Kent: I did like the pictures, so I didn't put any pictures in mine.

Don: Here is our current standards for residential. We have minimum of a twelve foot for a one-way driveway. A maximum, I mean, I am sorry, minimum twenty- four feet for two-way access. So, that's whether you're going to Walmart or even a multifamily home when you're trying to squeeze by another vehicle, twenty-four foot is our minimum, and then the maximum that we're discussing is thirty-four feet, and then a maximum in commercial areas of fifty feet. Next slide, Kent. So why do we do these things? I think the big kind of overarching argument is we're balancing access and public interest at the same time, right? So, driveway width limits balance the private access with public safety that Kent talked about infrastructure, and certainly, a little bit more in the planning realm than the engineering realm, but I think visual quality concerns in the neighborhood. What do we want and what do we expect our residential neighborhoods to look like? So that's proportionality and neighborhood character standards match driveway size to reasonable property access. While preserving green space and residential buffers and also gives the neighborhoods and the neighbors some predictability in what's going to happen in their neighborhoods. Clear driveway with rules that reduce disputes. Obviously, they streamline permitting and support consistent enforcement across communities. So, these two slides show a difference, and I think they're quite stark. Now obviously these are not large R E type lots, but it shows you what character means, and in my opinion, that character counts. That neighborhood there's certainly smaller lots. But that is something I think we don't want to see in our neighborhoods. That is completely paved over, and your front yards are not a place of community. They're not a place that you really want to walk around.

They are parking lots. So, maintaining neighborhood character, I just touched on that. Here's another two pictures. It's just a different neighborhood, same situation. You can see in these neighborhoods where you have driveway after driveway, folks clamor for a little piece of green even in between. They'll plant obviously these are from areas that I know in Southern California, but they'll stick a palm tree in the middle if they can just get two or three feet between them and their neighbor. So, Zoning and visual identity zoning standards prevent wide driveways from turning front yards into parking lots. I kind of mentioned that it supports community aesthetics and property values. And they have an impact on livability. Between these two pictures, there's certainly one street I'd rather walk down than the other. That slide also shows what Kent was talking about the number of conflicts, as you have somebody walking down those streets, you know, if you are on a big wheel, maybe I am dating myself do kids have big wheels anymore? I don't know, but that's probably not the spot.

Webster: Electric Big Wheels

Don: Electric big wheels, thank you, that's probably not the spot that's the best for pedestrians, bicyclists, and even big wheels.

Jett: Why is that?

Don: Due to the number of conflicts. If you are walking down that sidewalk, you are looking out for a vehicle almost every step that you take. So I'm getting a little ahead of myself, but wider driveways increase conflict zones where vehicles cross sidewalks and bike paths, raising collision risk. Narrow driveways encourage slower, more deliberate vehicle movements, improving safety near vulnerable users. And uniform driveway risks maintain curb space; they improve sight lines and reduce uninspected drivers or driver maneuvers. Just another slide that is driveway to driveway. Kind of shows you the stark difference between what our standard is and what it potentially could be. Drainage, Kent is more of an expert at this, Kent and Dallas, but you can see where that water slows down and changes course.

Jett: Yeah, but that's an unfair picture that you're showing, Don. Because the curb traditionally, the driveway goes all the way to the curb, and there's not even a curb on this one here. On this driveway, so that's right.

Kent: And in many places in the RE zone where the change is requested, there's no curb.

Jett: I get it. But I want to talk about other zones too.

Randall: Right, but this request is RE, so that's why you're giving a picture of what's the equivalent to an RE, which we don't need curb gutter or sidewalk.

Don: So, right away in infrastructure management, the right of way includes everything: sidewalks, trees, utilities, drainage, streetlights, bike lanes et cetera. Limiting driveway widths does prevent conflicts with the right of way infrastructure. It enables future improvements potentially without more costly adjustments. Narrower driveways reduce breaks and curbs and sidewalks, lowering maintenance costs for the property owner and the city. As we touched on quite a bit, driveway width standards protect the right of way to support future ADA accessibility and evolving mobility needs. So, as we kind of went down this rabbit hole a little bit, I think Kent and I tried to ask ourselves, "Why is it thirty-four feet? Right? Why is it that magic number?" And as you saw in other cities, many cities limit those driveway widths significantly more than we do. Going through our ordinance, originally, our R2 zone had a minimum lot width of seventy feet. We've now reduced that to fifty. So, these thirty-four foot still applies, even if you have a fifty-foot lot, but thirty-four feet is just shy of that, just shy of fifty percent of seventy. So, it kind of gets in line with no more than fifty percent of your lot width in the front yard should be paved. In the R1 now and in the RE, that minimum lot width is now only seventy feet. It used to be ninety feet. So, this thirty-four-foot width gets you up to basically fifty percent of your lot can be paved, and if you had a really wide lot, you could actually do two thirty-four-foot driveways. So, I think that's where the original

logic came from. I think also the thirty-four feet was probably intended to accommodate the two side-by-side driveways we see in most of our twin homes, where we butt the garages, the two two car garage doors together, I think you could argue maybe that needs to go to thirty-six feet. That's not part of this discussion, but just so we could get a driveway a little bit wider to get those four cars at nine feet apiece and get that driveway just a little bit wider. So, with reduced lot width in the RE zone, and I think we're going to see more REs come in with those seventy-foot lot widths. I think staff's recommendation to the planning commission, amongst all the other things we talked about, would be to leave it at thirty-four percent.

Webster: Thirty- four percent, or feet

Don: I am sorry, thirty-four feet, almost fifty percent, and on fifty-foot lots in the R2 zone, and the fifty-five-foot lots, which we need to still address in the R3. It's significantly more, I think it's important for safety. The aesthetics of our neighborhood. It's also important for runoff and with all that put together, I think thirty-four feet is not a bad standard at this point. So, I'll be happy to answer questions.

Jett: As it relates to aesthetics, we're becoming less and less plant-driven around here because of the access to water and the cost of water, so forth. We're going more of a desert scape, and I know, as one of our former council members called it, "hellscape." You have a lot of homes that are in R1 and and yeah, R1 that have a three-car garage, and they have a motorhome garage, right. Right next to it, by widening this, we're getting more cars off the street. And, you want to talk conflicts with neighbors, that's where you have conflicts with neighbors when you're parked in front of their home, where their kids and grandkids and friends can't come over and park, and so forth. So that's a reason to also widen the driveway. I think to do this, I think we need to. I have no problem with the concept of what you're discussing, but I think we need to have something more to it. That say, "Hey, if your lot is greater than X, you can have a." You can go fifty percent of your lot.

Don: The ordinance already entertains that with the allowance of two driveways. So, if you have a really wide lot and you can meet that driveway spacing, you can do two driveways.

Jett: But when you have, you get around quite a bit there's several three car garages, almost standard out there, and then a lot of people have the R V garages out there. They need a forty-foot-wide driveway

Randall: But do they need it at the entrance from the road?

Jett: Because you go garage, garage, garage, and then their RV garage. They can't turn. With RVs, it's pretty difficult.

Randall: Turn on the other ones. As I say, straight shot for the RV and curve for your last one. What Kent was showing you for 4B. That's what they did all over the place.

Jett: I did it and they did that because we have an ordinance, and they're saying, look, your ordinance does not work, so we're going to get around it by doing what we're doing. You ask ninety-five percent of those people out there, if your driveway could have been ten feet larger, would you have gone with that? Or would you have done the S turn or the widening that? And I'd give you a hundred dollars to your ten dollars, that says ninety percent of the people say, I'd rather have added ten feet to my driveway.

Burgess: On the Tooele one, was there thirty-six or thirty three percent? Like whichever is less. Cause, to me, I feel like it's a proportion thing, at least aesthetically. There is the other reasons you said, but I definitely think there is a lot of people who don't like 10 cars parked on the concrete in front of everybody's houses, but I also think, if you have a hundred and fifty two hundred feet of frontage, then fifty doesn't look weird or odd. I just measured my frontage while we were sitting here. I had no idea what mine was. I have two twenty-four-foot driveways and two hundred and four feet. I am on an estate lot, like what we're talking about, and that's twenty-four percent. Even if you total both of them, it doesn't

look weird, and the whole street is pretty much that same way. I understand the reason for not wanting just fifty across the board because you start throwing these smaller frontages, RE lots on there. All of a sudden, you are looking at fifty percent or more of the frontage. But I do think there ought to be some kind of way if there's a lot to have a section to me, it makes more sense the long way to getting here to have a percentage, then just a flat.

Jett: You and I are pretty much online with our thoughts coming up with some kind of formula. Thirty-four feet, but it could be greater if your lot is greater.

Burgess: That's my thought. Like my initial thought when I saw Tooele's was every lot gets thirty four, but if you can have up to thirty five percent of the frontage, but just because there is some of these that has a maximum because there is some of these that are just really, really large, but as of right now, you could do two thirty four foot lots if it was large, so it's kind of moot there too.

Don: You'd have to meet your driveway separation. Right, you would have but if you had enough frontage, you could get enough frontage to do so. Yeah

Webster: What's the residence in question, how wide is theirs?

Kent: I think it's about forty- five.

Burgess: Do you know what their frontage is?

Kent: I did measure that it was a little over a hundred, like one hundred and five

Don: Was there any issue specifically to the RE zone as far as drainage? And the borrow ditches?

Kent: The other thing that we do have there where we don't have curb and gutter in that 4B Ranch, although we do have some RE development that the Levitz are doing, that does have curb and gutter. But where that does not have the curb and gutter, The only way to get the water off, the street is to let it flow into the borrow ditch. And when you have driveways, that's a location it can't flow into the borrow ditch because it's piped under the driveway, right? Well, the higher the percentage of frontage that's driveways, the less we have the ability to get the water where it needs to go, so that there is that drainage consideration with the borrow ditches in the RE zone,

Jett: So, Randall, I'm always trying to think out of the box, I don't know how customized we can make this, so if we widened, you've been up to this home?

Kent: Yes, I have

Jett: If we widened it the 44 feet, I think you said is what they're looking for?

Kent: They're looking for 50. Their request is that the ordinance be changed to allow for 50-foot driveways.

Jett: If we widened it the 50 foot is that going to create a problem with the borrow ditches and so forth?

Kent: It certainly reduces where the water can get into the borrow ditch, yeah.

Jett: I get what you're saying your hardscaping.

Wayne: I'm thinking of my friend that has three miles of frontage, that's neither here nor there, could we phrase this something like 34 feet or 30% of the frontage not to exceed 50 feet? They still wouldn't be able to put 50 feet in out there because I think if you have 300 feet of frontage, I don't think 50-foot driveway is unreasonable, but in most subdivisions, I think it is unreasonable. But if you word it 34% Maximum or 33% of the frontage not to exceed 50 ft. Something like that might work.

Burgess: I like that

Randall: You can do that, I will note one thing just for you and this is different preferences, different council members as well. We have at least one council member that does get frustrated if we actually move something forward if the applicant is not present. You don't have to follow through with that because that was just one council member and they still voted even when he said that.

Don: We don't necessarily send a notice to the applicant.

Randall: Just FYI

Don: I am mistaken Amber is telling me that I am wrong and that we did.

Randall: So that's just FYI, it's not a statute requirement or an ordinance requirement that they have to be present, but we do have a council member that has repeatedly and loudly that when staff or boards carry the water for the applicants and the applicants aren't here to push it.

Burgess: I don't like it but I'm not going to have it taint what I think's the right decision on a change either.

Randall: And that's how a lot of the other council members have taken it as well. So, I just figured I'd give you a heads up on that.

Webster: Well, I

Randall: You could table it as well

Webster: Well, I like what you said and could buy into that, and all it did is bring to the surface a need to look at something. In this particular case last night at the board of adjustments, we heard a case where we were like, well the guy should have known. Because that is part of his deal when he builds or his builders deal. To change our rules for one house in all the city for that.

Burgess: I don't want to change this because somebody built it against the code and to save them from it. But I also think it's a reasonable change to make going forward.

Jett: Do we have a public hearing?

Public Hearing Opened

Ann Clark: Kent, I will say this I am glad to see that we are caring about how the neighborhood looks and how it affects everybody in the neighborhood. Because sometimes we say hey be a good neighbor but really that means you're a good neighbor if you let me do whatever I want. So, I do really appreciate that. I mean if they have a really big frontage then maybe we could do a percentage. So, when you look at it proportionally it still really looks the same. You know what I mean?

Jett: Don? You made a pretty compassionate argument.

Don: Those were ideas that were rattling around in my head as well.

Webster: Share your name

Lester: Lester Ross, if we're changing this, we need to clarify where we are changing from because how it's being interpreted and how it's being enforced

Jett: So, you're talking on top of apron

Lester: So right now, we measure driveways at the bottom of the curb cut. That is how the building department measures

Kent: Which is not how our standard drawing is written. It's written at the width of the driveway at the right of way line and that's how it should be measured.

Lester: Yeah, so we need that clarified that we're talking at the right of way line.

Jett: So that's the top of the slope.

Lester: Yeah, top of the slope

Webster: Thanks Lester. Any other comments, we'll close the public hearing then.

Public Hearing Closed

Randall: Can I add something, so I think Tom kind of already hit on this and it may be part of the goal you have in mind. Just always understand the interplay of what we do with other laws. So, for example,

under Utah law you cannot park blocking a driveway. Technically even if it's your own, that's stat law. It doesn't care you're not allowed to block it primarily because that's an access point. So, if you do allow too much of a driveway, you are also decreasing the amount of available space for parking on the street that is in fact owned by the public. Now, again, if your goal is to stop people from parking in front of your house, this will help with that. If on the other hand you get frustrated when you have friends and relatives coming over and this is shared space. You're not likely to have the same parties at the same time as your neighbors. You're giving that up. Neither one is right or wrong. Just know that is an interplay that you will be changing. On how parking is allowed.

Webster: Does anybody have a thought about a motion?

Wayne: I'll give a shot, I would move that we change the wording to keeping 34 feet maximum or 33% of the frontage, not to exceed 50 feet.

Randall: Now can I clarify because what's been proposed is only in the RE zone.

Jett: No, I propose for all zones

Randall: Unfortunately, that's all we've advertised. So, I just wanted you to know that if we want to push it further than that, we'll need to readvertise.

Jett: Could we put this on the agenda?

Burgess: I feel like there's not a lot of non RE zones that are going to get changed by this either.

Randall: Well, and there's a bigger impact on curb and gutter and so it probably would be a longer conversation, to know how that's going to impact water carrying capacity and stuff especially with the new standards.

Jett: Could I get you to put this on the planning commission next time to talk about all zones?

Don: I'd have to get it out by Friday.

Jett: It could be in a couple weeks from now Don. It doesn't have to be coming up immediately.

Randall: And then your question is too if you want to address multiple zones, do you want this going to the council piece meal or together?

Jett: Together? I mean we're not going to make a difference on this one situation that brought this up.

Webster: Although you can, if we just do it in the RE at least, it's like we see what you're asking for and here is an address.

Burgess: I'd almost rather do them separately because A. I think it's a different conversation because of the curb and gutter and I don't think there's very many lots in R1 that this would change anything with.

Wayne: This does shoot down the request though, doesn't it?

Burgess: It does, 33 still not 45, right?

Don: How wide was that lot again, Kent?

Kent: I don't remember exactly but I believe it was between 100 and 110

Don: So that would not get them 50 feet in this case.

Wayne: I'll keep my motion

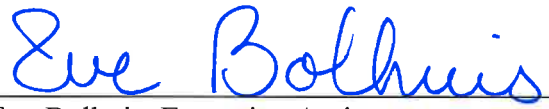
Jett: Second

Webster: Okay, Wayne's given us a motion and now confined it to the RE. We have a second with Tom, All in favor?

Webster: Any opposed? And the motion carries. That covers four and five.

Wayne motions to change the wording to keep 34 feet maximum or 33% of the frontage, not to exceed 50 feet. Jett seconds; all in favor for a unanimous vote.

The meeting was adjourned at 6:48 p.m.



Eve Bolhuis, Executive Assistant