

COUNCIL MINUTES
FEBRUARY 21, 2024

The City Council held a meeting on Wednesday, February 21, 2024, at 5:30 p.m. in the City Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Garth O. Green; Councilmembers: Robert Cox; W. Tyler Melling; R. Scott Phillips; Ronald Riddle; Carter Wilkey.

STAFF PRESENT: City Manager Paul Bittmenn; City Attorney Randall McUne; City Recorder Renon Savage; Finance Director Jason Norris; City Engineer Jonathan Stathis; Police Chief Darin Adams; Fire Chief Mike Phillips; Leisure Services Director Ken Nielson; Public Works Director Ryan Marshall; Economic Development Director David Johnson.

OTHERS PRESENT: Tom Jett, Rob Ehret, Diane Ehret, Jared Lewis, Christian Simmons, William Evaskovich Sr., Shelby Smith, Dallen Smith, Shara Evaskovich, Gerald Bowler, Sheila Bowler, Malinda Dustin, Annie Taylor, David Evaskovich, Hailey Ensign, Janiece Purpura, Joshua Purpura, Matthew Debelis, Lois Nackerud, Lori Neighbors, Cynthia Emmons, Stephen Emmons, Deon Taylor, Wallace Taylor, Donna Judd, Lori Bluemel, Thom Bluemel, Brittany McCabe, Wayne LeBaron, Mark Comstock, Sadie Hinck, Kelly Newville, Wendy Green, Clay Harward, Esten Leavitt, Father Lee Montgomery, Cozy Sanderson, Doug Croft, Ray Vance, Kira Thomas, Matt Carter, Kaio Bloomfield Togiai, Elesie Bloomfield Togiai, Sam Bauer, Deb Bauer, Terry Hermansen, Teri Kenney, Anne Clark, John Fenn, Debbie Johnson, Dennis Johnson, Jamilyn Evans, Jason Davis, Kirsty DeGraaf, Richard Wilson, Jason Dodds, Guy Neighbor, Richard Bauer, Glen Bauer.

CALL TO ORDER: Father Willmann of St. Jude Episcopal Church gave the invocation; the pledge was led by Carter Wilkey.

AGENDA ORDER APPROVAL: Mayor – item number 1 on the agenda is Platt & Platt, not Go Civil.

Councilmember Phillips moved to approve the agenda order with that correction; second by Councilmember Melling; vote unanimous.

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF

COMMENTS: ■**Mayor** – Mr. Bittmann's son Nick beat the school record at the State Swim meet in a relay. In each action meeting, we will hold closed meetings to discuss employees. Also, we have a few board appointments for vacancies that need to be filled. I propose to put Ellen Wheeler to RAP Arts to replace Donna Law and Terry Hermansen replacing John Ash on the Board of Adjustments. I asked them to come tonight. **Terry Hermansen** – I have lived here almost 4 years. I grew up for 10 years in Parowan. I have wanted to get involved in Cedar City and this phone call came and I am excited to be involved. **Mayor** – we have Jamie Evans that has an idea. **Jamie Evans** – I work for the Iron County Event Center and Fair Grounds, this year our theme is Treasure the Memories and we were reaching out regarding the Storybook Parade to see if we could maybe use a float, and they came back and said they were not doing the parade anymore. I went to the commissioners to ask if the County could take it over and they thought it was a good thing. We met with Mayor Green to keep the Parade in Cedar City and use the storage and help that you have given in the past and keep it going in Cedar City. **Mayor** – you want the commitment that they have had.

Phillips -- the floats will need some repair, we got a lot of flak last year because we didn't have the parade, we couldn't get the citizens to help put on the parade. **Jamie** -- we are hoping we can revitalize it. **Wilkey** - do you have a proposed route? **Jamie** -- we want to keep the same route and the same weekend. **Paul** -- the Police Department a few years ago went to the parade organizers and asked if they would reroute and start at 300 West and Center and then north on Main. **Phillips** -- one of the issues we have, the floats are tall, it was moved to the first weekend in November because they won't fit under the Christmas lights on Main Street. The Downtown lighting next year will be November 30th. I think it is a great community builder and people loved it. **Wilkey** -- is UDOT ok with us closing Main Street for parades. **Paul** -- you have to ask. **Phillips** -- it is a great idea; we should give it a try.

■**Mayor** I asked for a report on the Animal Shelter, and it is staggering, we only have capacity for 18 dogs. **Brittnay McCabe** -- Shelter Manager -- I did not put the rabbits and goats in the report. **Mayor** -- I am hoping you have discussed and are coming up with ideas.

Brittnay -- we haven't fully turned away a stray, sometimes it is within a few days before we can take them. Surrenders are astronomical, all the shelters in the area are full, none have taken surrenders for quite a while. **Phillips** -- I hear it is a statewide problem. **Brittnay** -- it is a nation problem, I don't know if it is from COVID, at that time we couldn't keep animals in the shelter, now people are back to work and don't know what to do so they are trying to get rid of them. **Wilkey** -- we were given some number of animals turned away, does the number include aggressive animals? **Brittnay** -- it is all animals. I have people calling me from Beaver, Salt Lake, Panaca, Nevada, we can't accommodate that. **Wilkey** -- how much do other shelters charge for surrenders? **Brittnay** - \$100 within our jurisdiction, \$200 if they are from somewhere else. **Wilkey** -- is that dog or cats, and other animals? **Brittnay** -- it is both dogs and cats. **Mayor** - if we took dogs and cats to Best Friends will they take them?

Brittnay -- on occasion, but they do help other states, not just Utah, they take a lot off the Navajo Nation reservation, we can reach out and if they have space open up, they will take them. They have taken several dogs from us this past year. They do take cats; they are easier to move around. We have a lot of large dogs; people want small dogs. The staff works hard with the animals, we have great animals. **Wilkey** - I took 23 cats and dogs to Best Friends to get them spayed and neutered and brought them back, do we still do that? **Brittnay** - yes.

Mayor - do you have a van? **Brittnay** - we have a truck. **Chief Adams** -- a few options, we will have an ordinance change request and fee changes. The shelter is just that, to shelter strays, those that get loose, if you adopt an animal and then decide you don't want it we don't take them back. If you don't want the dog, you can take it to a vet, our staff gives them resources. The four things we could do is: (1) Privatize the shelter, I am not saying I advocate for that and the burden is on private entity. **Wilkey** -- then if we pick an animal up do we pay them? **Chief** - yes. **Phillips** -- I am not sure we have an organization to do it. **Chief** -- (2) move from a no kill shelter; (3) expand the staff and building; and (4) raise surrender fees to discourage people from bringing them in, they sometimes then drop them off in the county.

Wilkey -- what is the fee for adoption? **Chief** - \$55. **Wilkey** -- is that an issue for adoption?

Brittnay - not really, we are low cost, there is a rescues in St. George that charges \$250 per dog, we do that and charge \$55. **Chief** -- it is a good opportunity, we are low, \$25 is the sterilization deposit, they go to Dr. Francisco and Best Friends pays that and we refund the \$25. I will present to change fees so in certain months we cut the price in half and provide more discretion to me to get animals moved out. This will help in the short and long term.

Wilkey - can we have a sale? **Brittnay** -- yes, it is something we could do. Iron County, and Enoch are no kill. As far as I know everyone around is. **Wilkey** -- what is the financial benefit. **Brittnay** -- we have a grant to pay all medical through Best Friends, we would lose

that and the partnership, and we wouldn't get help from rescues, there is a lot at stake if we do that. **Phillips** – I agree, we would not want to do that. **Chief** – there are a lot of pet lovers that donate. Last year we advertised on the Shelter page, and we received \$7,500 in donations. **Phillips** – they can always take donations of food; they go through a lot. **Mayor** – we serve our public, we need to do what citizens need done, I am amazed at the number of dogs adopted per month. **Brittany** – we get one dog out and two more come in. **Phillips** – I have worked with the staff and there are people that love to take care of the animals at the shelter, so thank you. ■**Phillips** – we have a couple youth city council members in the audience, they continue to do things in the community, we will have a column in the newspaper. We have the Love Where you Live campaign, we are going to move into agenda items we may not all agree on, but we love where we live and want to celebrate. We have 3rd graders writing essays telling why they love where they live, and we will give cash prizes to the student and the class. ■**Wilkey** – Mayor, good job on the State of the City this morning. I have had a few citizens reach out about street parking, I had one citizen if once a year the city could do a campaign to remind people the law, a campaign with Gabbie and Sgt. Ludlow or in the newsletter, I know we don't have manpower to enforce.

PUBLIC COMMENTS: ■**Wendy Green** – there is a Chinese New year's Celebration 6:30 – 7:30 and Dual Emersion students from Fiddlers will do the program, if you have time come and see. ■**Christian Simmons** – I love this town, the city, the people because there is so much, every time I hold a sign they wave and honk. I went to St. George yesterday to hold a sign and the city trucks stare at me, I don't know why you can't hold a sign down there, it is against the policy, I wish you could talk to them to get a license for me to hold a sign. **Phillips** – you should go to their city council.

CONSIDER THE FINAL PLAT FOR TRAILSIDE TOWNHOMES PUD, PHASE 3 IN THE VICINITY OF 170 WEST - 75 EAST 1050 SOUTH. PLATT & PLATT/

RANDALL MCUNE: **Mike Platt**, Platt & Platt – this is the final plat for Trailside PUD phase 3, all the paperwork is into the city. **Randall** – we need verification from the trustee on the title report. **Phillips** – to the right is Phase 2. **Mike** – phase 2 is to the north. We have enough open space. Consent.

PUBLIC HEARING TO CONSIDER MODIFICATIONS TO SECTION 26-IX-4(E)(2) PERTAINING TO THE FENCE HEIGHT REQUIREMENTS FOR RESIDENTIAL NURSERY SCHOOLS. BRANT PARKER/RANDALL MCUNE: **Amanda Parker** – we

have been in the process of opening an in-home daycare. We would like to change the height requirements for the fence to meet the State requirement which is 4 feet. **Phillips** – are you wanting to be State licensed? **Amanda** – yes, we went to the Board of Adjustments, our fence is over 4 feet but not 6', we have metal gates, it is secure, we are wondering why the 6' requirement when State requirement is 4'. **Wilkey** – do we have other ordinances that exceed State requirements. **Randall** – that is hard to say. We have a 6' requirement around swimming pools. **Melling** – some HOA's have CC&R's that don't exceed 4'. **Amanda** – we have an 85-pound Doberman that is in the yard and can't get out. Our kids can't get over the fence.

Mayor Green opened the public Hearing. **Christie DeGraff** – I have been licensed for 16 years and advocating for providers for years. There are things challenging to be licensed in Cedar City. I have written letters and a report about the State of Child Care in Cedar City,

there are 1,000 licensed spots and 1,400 kids that don't have access to licensed care and are missing out on high quality programs. The State licensing requirements are extensive, we have multiple visits from the Fire Department, State, food program, it is based on research. I have been working with the State to advocate for support of childcare providers, we support the economy, and the city policy opens us to harassment and bullying. I encourage you to consider aligning Cedar City rules with the State rules to make it simple and a friendly place to be to raise children. **Tom Jett** – Washington City and Hurricane also recognize the 4 feet. The hearing closed.

Wilkey - my only concern is a double fronted lot. **Melling** – I look at this like alcohol permits, the State regulates so heavily so why do more. My understanding is more than half of our daycares are not licensed because part is the city requirements, I would like to encourage people to be state licensed.

Phillips – I agree, we should align with the State. I have followed your husband through many meetings. **Melling** – I would like to revisit and more closely match the State. **Amanda** - people don't get licensed because of the regulations. **Randall** – another change is notifying neighbors within 300 feet, and it has created some not so happy meetings. It does add up. We didn't have that for years; we had a local accountant that wanted multiple employees in his home and the Council wanted to add other things. Some complainants wonder why we say no in the Board of Adjustments, and it is because they meet the requirements. So why notify us if you still approve them. The hearing closed. Action.

PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING THE CITY'S TRANSPORTATION MASTER PLAN IN THE VICINITY OF 1700 SOUTH OLD HIGHWAY 91 AND SHURTZ CANYON DRIVE. PLATT & PLATT/RANDALL MCUNE:

Dave Clarke, Platt & Platt – we are requesting a realignment, the current master plan cuts in the middle of a 14-acre piece and it destroys the property. The property owner put in Shurtz Canyon Drive, and it was to tie in, when the City did the master plan update, staff and the consultant didn't talk to the BLM, Kit had it worked out to put the road through BLM and then to private. I was involved in Cedar Trails RDO, and we dedicated the road, at the 12th hour the BLM came and said why is the road not here. **Paul** – I met with the BLM on multiple occasions as did Jonathan and the consultant, the BLM was aware. **Dave** - we are proposing to bring the road back around to the frontage road rather than through the neighborhood. City staff concern was a connection to Shurtz Canyon. I met with Jonathan and Randall, we propose to put it along the south boundary and the north boundary of the other property and make this a public right of way, not a public road, we don't want the curb, gutter and sidewalk and PUD, they will put 24' of pavement, dedicate it as a public access and utility corridor, that would tie the two roads together and allow the crossover, they don't need more frontage on a public street, they have a livestock easement already, like the back of Wal-Mart, that would be the compromise rather than a 66' road through the middle of it.

Phillips – how many homes when fully built out? **Dave** - 1,600 and will 3 or 4 roads tie into Hwy 91. **Phillips** - we don't want it all on Hwy-91, they all only have one way to get out of there. I think we need something else. If there is already a livestock trail, what are they giving up. **Dave** – they put in a 66' road over 20 years ago. **Phillips** – it is part of the development agreement we need access. **Dave** - how many want to go through the neighborhood, it is 25 mph and two cattle guards. **Wilkey** – when was it taken from the end of the road through their property? **Jonathan** – about 2 years ago with the Master Plan

update. **Wilkey** – at the end of the road is a massive fissure, a 20-30 foot deep gully, I think that is why we changed it. **Paul** - the City crews went up a year and half ago and filled up a portion of it, BLM is well aware of what we are doing. We would have to engineer a road back far enough to not collapse a bridge and the BLM would have to move their stuff, they were happy to do it and to expand the trail head. We showed them the master plan. **Wilkey** - you can see the property line, a road at the south end and the north end of theirs would go through their parking lot. **Dave** - no, it would only be 20 feet. **Paul** – where would it go, the soil to the side of the pipe is still collapsible soil. **Dave** – I think they put dirt in before the pipe. **Wilkey** – I don't think that would be the best place for a road because of the soil.

Melling – you are tying where the traffic will be funneled anyway. What is the access for Hwy 91? **Dave** - that is up to the city. **Wilkey** – which property does the applicant own?

Dave – all of the property, the IHC piece is adjacent, the road does go through IHC. **Cox** – you are shifting the liability to another property. **Kelley Newville** – I am a part owner, it is a 36-acre parcel right now, we did a minor lot subdivision and went to the Sketch meeting and that is how we found out about the road. Shurtz Canyon is developed along the north and east side and Hwy 91 is around it and the livestock trail and they need the utilities. With it being an easement, you can't develop on top of the livestock trail. We have had discussion with IHC, there is a sewer lift station we were required to put in to assist with the sewer flow and it will be abandoned with the development to the south. The triangles are owned by us and IHC and we have discussed a trade. The road through the big box does not make sense. Why do we want commercial flow into the neighborhood. You have Ken Middleton Parkway that gives flow, Highway 91 will have to be figured out. This gives two ways to not put traffic into the residential neighborhood. There will be driveways through the parking lots on the commercial, like Wal-Mart it has easements to travel through. It also keeps an easement off Highway 91, and it would reduce the number of easements needed. The flow of the driveways onto Hwy-91, this road fixes a lot of the easement issues. The 36-acre parcel is more developed than anywhere in the city. We have held and waited for a long time, but we are proud of how this will represent Cedar City. The road will create more harm. **Wilkey** – I like the idea, my only concern is the part you put on IHC, the lower part was IHC's burden all along. **Kelly** – they are very aware, they were aware of this meeting, I was told to notify them of the outcome of the meeting. There will be absorption of additional property for the easement in the south. **Wilkey** - do they have to put through the portion on the IHC parcel?

Jonathan - they only have to improve their frontage. **Dave** - they have to go 12 feet past the center line. Our next step is to get with IHC and OMG partners to do the road. **Wilkey** – will your road cul-de-sac until IHC develops? **Dave** – we have plans at city review to put that in as a dead end. **Melling** – the way it is written, the main plus is there is redundant access if Hwy 91 is closed for maintenance. All the traffic does go to Hwy 91. We would need assurance of a public right of way. **Paul** – if you approve it make it part of the record so when they come back in, we have the information. This is commercial but residential traffic travels through residential roads to get to other places, it will have southbound traffic also.

Wilkey – you are talking to get to Shurtz Canyon Drive. **Melling** – like the access between Wal-Mart and Applebee's it is private easement, but everyone drives on it. **Dave** – the livestock trail will be the easement; I don't think they use it. We are working to get with the Livestock people. **Wilkey** – what about a road on this soil? **Jonathan** – they would have to get a soils report, there are settlement issues. If they engineer and build it properly, they will be ok. There was Crest Townhomes south of Industrial Road, there is a requirement for public access through the private property, we could do that on the master plan with this amendment. **Dave** – it would still be under their ownership with public access, any settlement

would be their responsibility. **Kelly** – I believe the way everyone is working on this project is very synergistic, it needs to be a win across the board. Platt & Platt has worked hard on this, they have been working with all the parties, we are trying to work together and I am seeing that happen.

Mayor Green opened the public hearing. There were no comments, the hearing closed.
Action.

PUBLIC HEARING TO CONSIDER AN ORDINANCE FOR A ZONE CHANGE FROM CENTRAL COMMERCIAL (CC) TO RESIDENTIAL DWELLING, MULTIPLE UNITE (R-3-M) FOR A PROPERTY LOCATED AT 168 EAST COLLEGE AVE. PLATT & PLATT/RANDALL MCUNE: Mike Platt, Platt & Platt – we are doing away with the split zone and conform the entire property, we want to change to R-3-M in conformance with the general plan. We have a PUD we are working on for this property. **Phillips** – where does this go with the general plan? **Jonathan** – it conforms.

Mayor Green opened the public hearing. There were no comments, the hearing closed.
Action.

PUBLIC HEARING TO CONSIDER AN ORDINANCE FOR A ZONE CHANGE FROM RESIDENTIAL, SINGLE FAMILY (R-1) TO RESIDENTIAL, TWO UNIT (R-2-2) AND RESIDENTIAL, MULTIPLE UNIT (R-3-M) FOR PROPERTY LOCATED AT OR NEAR 2700 N 100 EAST. PLATT & PLATT/RANDALL MCUNE: Mike Platt, Platt & Platt – we are asking for a zone change, not a general plan change. We are asking it to be in conformance with the general plan. It is not required, but I did send Jonathan what we want to do with the property. We want to continue the road to 100 East; we will not connect anything to the south. **Wilkey** – no connection from R-2 to R-3 piece? **Mike** – we don't know what the owner will do, but we have advised them to keep it separate. We are trying to match the style to the neighborhood to the north, this would be single story on 27 of the parcels, the others will be two story and they are allowed. **Wilkey** – do you have any idea how deep the house is? **Mike** – it does not intrude into the rear setback, it will be 20 feet in the back and 25 feet in the front, it is 30' in an R-1 setback, it is a deep house. There will be a detention pond that will come with a design. **Wilkey** – is there any appetite for a development agreement to keep it to one story? **Mike** – I have not asked them, but the others can have a two-story home in their neighborhood. We may put two stories on lots that are on the south side and are configured better for that. **Melling** – the market is calling for more one-story homes. **Wilkey** – we understand what this developer says, but the only way it sticks is through a development agreement. **Mike** – I have a co-worker that lives in this neighborhood. When the developer approached me, I told him we wanted to meet the neighborhood adjacent. The hatched piece is a sewer easement, it is a PUE. **Wilkey** – I want to go over a timeline, when was it master planned and zoned. Jonathan and I sat down and found general plans back to the beginning of this property. This property is zoned R-1 and was annexed in 1995, in 1996 everything was zoned R-1. In the 1999 Master Plan the two parcels we are talking about today, the R-2-2 and R-3 piece and everything lower was master planned commercial, Old Farm was master planned medium density. **Melling** – when they did that on the north side of town, about everything outside the Airport Approach zone was medium density. **Wilkey** – in the 2009 Master Plan everything became what it is today, that is when the R-2 and R-3 properties were master planned, and that same designation rolled

through 2012 and 2022 master plan. **Phillips** – that was going to be the interchange. **Wilkey** – in 2009 it became residential on the master plan.

Mayor Green – we will allow three minutes per person; the council can ask any questions when you are finished. We will allow ten people to comment. The public hearing was opened.

Tom Bluemel – I live in Old Farm; I retired here after 36 years in real estate and an appraiser and an expert on property values. The residents in Old Farm see the density as damaging to our quality of life, the character and more traffic. I have a survey of 474 Cedar residents, attached as Exhibit “A” stating they didn’t want higher density, traffic, or change to the rural lifestyle, 89.5% did not want higher density. People buy single family lots, they are willing to pay more by having a lot, a place to raise children, less traffic, more privacy, safety, the view. We all paid more to live in this R-1 neighborhood. We understand the need for affordable housing, but our purchase also demonstrates a real demand for single-family homes. Affordability is a relative term based on infrastructure, interest rates, development costs, supply and demand and location, it is not based strictly on property type. A single-family home is a longer proposition that requires buyers to save and build equity for an opportunity to buy a home with some land where there is little incentive to grow and progress and that is seldom townhomes. My wife and I bought our house in Old Farm because we love the rural feel, larger lot, the views of the mountains. We acknowledge that shopping is less convenient than what we were used to but was worth the price to have less traffic noise, crime, congestion and the unfriendliness of being alone in a crowd. This development will permanently damage the character of this wonderful neighborhood and degrade our quality of life and our property values will be affected.

Christian Jones - we have an ideal R-1 residential community, people bought here because that is what they wanted and what it was zoned. I have been asked to talk about a case that is relevant in Utah law, Bradley vs Payson City Corporation. In Bradley the owners wanted to rezone from R-1 to R-2-75, which is a higher density, that is what they want to do here. In Bradley they had a petition with 38 names opposing it, I believe you received a petition with over 80 names on it opposing the change. In Bradley the City Council denied the rezoning application because the general plan, traffic concerns and the Planning Commissions negative recommendation. The court of appeals had other reasons, they liked the rural lifestyle where they could raise horses and do other things like that, and the other thing was public opinion. We have public opposition asking to let them keep the community the way it is with residential R-1 zoning. The developer is free to develop the land that way, and it should be fine. **Phillips** – the court ruled in the homeowner’s favor or in Payson City Corporation? **Christian** – Payson City Corporation, and they denied the zone change and the Supreme Court upheld the denial. **Paul** - it also complied with the master plan. **Christian** – yes, but in our general plan we talk about it being an advisory document.

Jason Davis – Pg 17 on the Vision Statement (a copy is attached as Exhibit “B”). I am from Cedar City, I was born and raised here, and I have had the opportunity to experience this in Cedar City. I want to draw out sustainable and strong neighborhood piece. Old Farm is a strong neighborhood, it is an established neighborhood, we would like it to remain R-1 and keep density at a reasonable rate. **Wilkey** – what is the biggest concern, is it the traffic going through 175 or what. The infrastructure in the area can support it. The way I look at it, the

traffic, most of the R-2-2 will go to 100 East, not 175. **Jason** – to me, you say traffic will exit toward Main Street, I have four children, and the neighborhood has several children that go to Iron Springs Elementary, and that traffic will go toward Lund, out the other side, I know traffic is a concern, but I don't know if it is the top concern. Another concern is there is very little room for parking, and there is a lot that goes on in the street with little kids roaming, and then one thing I would like to add is the continuity of the neighborhood and keep the growth at a rate not doubling or tripling the size of the neighborhood. **Wilkey** – what are the problems with the growth? **Jason** – the density of it in such a small space.

Jennifer Smith – see attached Exhibit "C".

Jared Lewis – I was born and raised in Cedar City, I then moved to California and now I have moved back. I rented a house in Old Farm and loved it so much that I bought it. It is a diamond among the rubies. I was raised on Sunset Drive Rountree Drive around good people, and Cedar City is full of good people. It is not about the quality of life, a lot of us believe, it is not the Smith's it is trying to preserve the culture of the neighborhood, it is about the kids running around the street, they have a blast, they will leave bowling balls on my door step, and ask me to come out and do pushups, ask for a pickle. Going away from single family homes to people that don't care. I bought my first Lamborghini it is a matchbox car for my grandson, it is a community that is unique that we want to preserve, we want to keep the kids outside, the kids ride four wheelers and scooters, we want to preserve that for our children. **Phillips** – do you think custom homes would be sold next to an apartment? **Jared** – I would have questioned that side; it faces north and the view. The traffic in the community has no access, they have to go out and around. **Phillips** – but you wouldn't have a view. **Jared** – I would buy a home knowing the community, the people around are supportive, I was used to that on Sunset and Rountree.

Shara Evaskovich - we purchased a home a few years ago, the R-1 community was the attraction. Growth is all around, my home is on 175, directly behind me is the Rose development. We have R-3-M all throughout, it is all through town. One of the things I overheard is the traffic, in reading the zoning with regards to R-2-2, it is a denser residential development with higher traffic. One permitted use is boarding and rooming houses for not more than 3 boarders or roomers in addition to the residents. I don't see any parking lots, only houses squashed together, I have 4 vehicles in my garage and driveway and if someone visits the street is where they park. If they have boarders, where do they park, in front of my house. We have the bus garage with the outlet, in the morning and evenings all the people will come through our neighborhood. I ask you to consider the Planning Commission recommendation.

Clay Harward – I have lived in the Old Farm neighborhood for just over 4 years. Previously I lived in St. George with the population density of 1,930 people per square mile compared to my home now that has 390 people per square mile according to the 2020 census data. In St. George I couldn't go in the back yard without being completely viewable by 6 neighbors' homes. There were cinderblock walls, but homes were in such close proximity that there was no privacy, if we didn't close our blinds, we could see our neighbors. The front of the house was not much better, if I went out front my 80-year-old neighbor who lived across the street somehow would pop out of her house at the same time and have a 20-minute conversation. I lived there 2 months before I wanted to move, we stayed an additional 3 years. I work from

home, and I spend 22-24 hours a day at my home, and I love hearing the eagles cry, the crows caw, my job requires intense focus, the best way to do that is to be in a quiet area. I do understand the need for affordable housing, I actually lived on the other side of the freeway in the Kensington apartments, I was in the middle of town in the Sunrise Apartments behind Ace Hardware, I lived in several duplexes behind Big-O Tire, I want growth in the community, I like the parks, trails, restaurants, but to have a 2 or 3 story building next to a residential home doesn't sound like smart growth to me. I know we would all love to see the property behind us stay a pasture, but I think as good stewards of our community we can find an alternative that both parties can agree on. I hope to see you follow the recommendations of the Planning Commission and deny the change.

Matt Carter – when I was little, we grew up in R-1, it was great for huge families. I grew up in Enoch, and moved here and it is where I want my kids to be raised. I don't worry too much about my kids, safety is what I care about, I know my neighbors, their wives and kids. You get all the other stuff and traffic, I yell at some of the neighborhood drivers, I have a big lot with a long driveway. The safety of it is my concern, you will get too many cars, if you get all those houses, they will park in there and less ways for our kids to be on the streets and out doing stuff, and with all the cars our children will be at risk of safety. **Riddle** – I have known you a long time. Do you feel that twin homes or duplexes will hurt the safety of your family? **Matt** – yes, you put 60 homes in there and where they all will go, on one street they will have as many as our entire subdivision. We have people that walk in our neighborhood from Cedar Bend. The American dream is a nice home with a white picket fence.

Rob Ehret – 109 W 2775 N, my back yard backs up to the property proposed for the zone change from R-1 to R-2-2. I am a licensed general contractor and retired police officer. I work for a general contractor here in Cedar City, he is also a developer, they build various buildings such as custom homes, storage units, airport hangars, etc. When my wife and I decided to move, Cedar City was a natural choice, I have been coming here for over 30 years and have several family members that reside here. We fell in love with the area because Utah has a friendly atmosphere with majestic views. As we were looking for a place to call home, we had several homes to look at, ultimately, we chose Old Farm. Other than the home was perfect for us, we also had a backyard that faced south, we could see all of Cedar Mountain, the Temple the lights at night. The past year some developer built 3 story apartments behind my house which took my view, I will have at least 30 families look in my back yard. R-2-2 setbacks are ten feet closer to my back yard. My wife and another person here are bus drivers, they have problems getting buses out on 100 east as is, they will park on 100 east. I request you leave it R-1 as the Planning Commission recommended.

Annie Taylor – read Exhibit. **Phillips** – we have lots of neighborhoods in Cedar City. I appreciate it.

The hearing closed.

Wilkey – I worked on the master plan revision, I have a question, I spoke with Jonathan today, when redone in 2022, how can we let the citizens know that it exists. It was in the newspaper, on social media, in the Mayors Newsletter and we sent a postcard to every resident, and it was on the radio, so how do we notify the public. For 15 years, since 2009, we have been telling Mr. Smith this is what your property should be and for 15 years we

have told the citizens that. Being in real estate and supper involved, I know I pay attention. What did we not do other than knocking on every door. **Jason Dodds** – When I look for zoning information, I go to the zoning map and it pulls up an R-1 zone and a developer buys property and changes it, that is frustrating. **Wilkey** – no one answered the question on how to notify people or get them involved. **Jared Davis** – how many email notifications have you got tonight stressing the importance of it. I signed a letter that is what got my attention, highlighting the importance of it.

Phillips – councilman Melling alluded to this earlier, a lot of folks that move into townhomes and duplexes are retired, not everyone wants a home with a white picket fence. I have family members in the 30's and 40's that don't want that. We have to look at the schools, Fiddlers and Three Peaks are at near capacity, we need to look at the impact of the developments. I don't pretend to say what people should vote for; people did not approve of the school bond. **Cox** – we cannot consider school capacity in land use issues. **Melling** – the school district gave us numbers of one student for 3 units. **Phillips** – I lived in an R-1 neighborhood that got zoned R-3 and I have apartments around me, I had all the same arguments, public clamor and emotion, and they came and yes, they can look in my back yard and I have learned to adapt to it. It has not changed my lifestyle and my property value has gone up. I don't have children, but I have a lot of people with children come to my home. **Melling** – I live in R-2 and chose that over R-1. **Wilkey** - my wife and I have lived in 4 homes and 3 of them were twin homes, I was one of the people you are talking about. **Cox** - I live in Equestrian Pointe, we have our own park, and we have people from other neighborhoods come to our parks. I have been in 80 homes and there are awesome individuals in every one of those homes. We can expand our neighborhood and love or be exclusive, I choose to include, they are humans, I don't think the people will be an impact, your influence can make them better. Action.

CONSIDER MODIFICATIONS TO THE WOODBURY SPLIT. WAYNE

LEBARON/JONATHAN STATHIS: **Wayne LeBaron** – I would like to facilitate authorization to put a diversion mechanism in the Woodbury Split. This last year we had record snowpack, my brother and I got a call from the County concerned about Quichapa flooding and we were hired to put a mechanism to divert water north, it had been done years earlier, but was not user friendly, we made improvements and we installed the mechanism, there was about 300-400 cfs, and it was a little dangerous. We diverted the water north, I was in a meeting at Coal Creek Irrigation as a user, Sam Bauer said Coal Creek had run 44,000-acre feet of water. The Conservancy District has a map and most of the water was map, about 6,000 of 44,000 was recharged, we are about 7,000-acre feet shy so that helped supplement some of that which is great. We live here and are the beneficiaries of doing so, about 6,000 was recharged, estimated 12,000-acre feet used by Coal Creek and 14,000-acre feet used elsewhere and about 12,000-acre feet uncounted for. There is a flow chart on the Water Conservancy Districts website, and you can pull up a graph that represents the water flow down Coal Creek, the bulk of the water came down in the spring run off and a huge quantity went north through Midvalley and around the WWTP and into Rush Lake. I opened up the spring where the water used to flow, we have a dam, when I opened that we have 5,000 gallons a minute into a pit, and it only filled up 2/3rds. We have a 16" well in Rush Lake and I then diverted it to the spring, and I opened the well and it swallowed the water. We could not get across Rush Lake from the north to the south with Farm equipment and we were forced to go around for 1 1/2 years. We dug out some causeways to travel with equipment. Most of Rush Lake is clay, but there is a 4' seam of cobble and rock and it gets

deeper. When we dug the channels and built causeways we hit gravel, this last year it was swallowing up the water. After about a month of the lake filling, I flipped on the pumps. Within 2 months I had Rush Lake entirely drained except for two areas where the canal system would not allow us to drain the water. The water de-salted Rush Lake and was better than some of our wells. We had 1600-acre feet of water we could have pumped but did not. That water flowed into Rush Lake in a short time period, some did evaporate. A huge amount of water did not leave this valley, very little evaporated, some put to beneficial use, but with the springs and gravel most soaked into the aquifer. Between what we didn't pump the bulk of the 12,000-acre feet went into recharge. **Mayor** – what are you asking for? **Wayne** – I want to show the benefit, if there is a control system in Woodbury you have options. **Mayor** – is that the request? **Wayne** – in the meeting there was interest in a mechanism but said there was no money. I am willing to cover the cost and do the project. I talked with Nate Moses, I have to get authorization from the State, but the city has to give permission. **Paul** – it was constructed by Cedar City Corporation, you have been hearing the lower Coal Creek proposal, Cedar City Corporation did the upper Coal Creek with funding from Senator Bennetts office from the power Pant to I-15 and that took the property out of the flood plain. Cedar City owns the structure, when you take federal funds it comes with strings, you get to own, maintain and you get the liability. I know Mr. LeBaron would like to fund a project to move water, I would give you a reason not to. In 2005 we had snow pack 1600-1700 cfs, there was a lot of flooding around Quichapa, the Akerman family and others sued Cedar City, the basis was you put in so much asphalt and make all the water come out here and if you wouldn't have done that the water would have soaked in and gone away, the courts dismissed the suit based on the Woodbury split mimic the historic flow of Coal Creek, you preserved the historic flow, (2) we hired someone smarter than I am and they went to Quichapa and cut sage brush and measured the growth rings, wet years they are fat, they can track water wetter than in 2005, it followed its natural flow, went where it naturally went and we didn't have to buy 24 + properties. If we move the water, we undercut the basis of that ruling. **Wilkey** – wouldn't that allow human error opportunity. **Paul** – last year Iron County came in and said we have emergency control; they don't want it and they don't control it. This is done for using water better than they want to do this, but we need to see the other side, please don't do something that will put us in jeopardy. **Phillips** – what impact would this have on the impact you brought to us a few months ago? **Jason Dodds** – NRCS has a plan, the county is a sponsor, we pulled the city in because of the Woodbury Split, there was conversation that said who deals with the Woodbury Split, the county told us, and then they said no we don't want that, emergency water shed protection, so we removed it. I knew from talk what Mr. Bittmenn stated, the 60/40 is a precedence we don't want to control flood flows. NRCS cannot induce flooding, the process has to map the flooding, if we change in depth or width, we have to purchase an easement. Paul said you were the sponsor on the Woodbury Split so we go to you, the Feds go to the sponsor. Lower Coal Creek when we started the conversation we left Woodbury out, Cedar City wasn't a sponsor, I want all the players at the table, and we now have that, that was brought up with a meeting, the structure was engineered by Bowen Collins, the City Engineer made some adjustments, Bowen Collins won't stand behind it anymore. At this point the Woodbury Split was added into the PL66 with the County as a sponsor and the city as a co-sponsor, we have all the players to deal with it correctly. Now as an irrigation company president, Old Fort Old Field and Coal Creek Irrigation Company, the water is controlled by the State Engineer, they have laws, Coal Creek has a decree, a very important document when we distribute water, the city owns this, irrigation companies own this water, that is how it is distributed by the Water

Commissioner Sam Bauer, the City and the irrigation companies are the only ones with shares. Individuals don't dictate what happens with water, cities generally don't, but you own shares. Individuals, the amount of water is 10 cfs. Cedar City doesn't dictate where water goes, there is an emergency thing, it is the State Engineer, Water Commissioner, and Water Right holders, shareholders don't dictate where water goes. Both Jonathan and Paul are great, thanks for sending them to the meetings. There is conversation of control to the Woodbury Split for irrigation, non-critical flow, when it hits flood flow it is dangerous. **Cox** – the normal flow wouldn't do what you are asking for Rush Lake. **Sam Bauer** – Cedar Valley, Coal Creek Water Commissioner employed by the State of Utah. My job is to change the flow and record the number I need for the yearly report. Woodbury Split was taken over by the County because of flooding at Quichapa. We are looking at headgates to put in Woodbury Split, Jonathan has 4 designs, whatever put in needs to be controlled by one person, that would be me, I would also work with people that are getting flooded and do that by Mr. Bittmenn or Rich Wilson, but not by irrigation companies. **Phillips** – when the county diverted that did they go through procedures? **Sam** – no they didn't go through anything. **Cox** – I like the concept, but I don't think it will work for the flow. **Phillips** – I am concerned about what it would do to the WWTP. **Melling** – it changed over time, a young water engineer, Joe Melling put those together, but there was a fork parallel to Lund Highway, almost where the WWTP is today. It has changed over time, that was shut off when we built the facility. My concern, we rely on Government immunity act, any modification we can't commit gross negligence, we may save a home in Quichapa, but Flying L or Gemini Meadows have concerns. **Cox** – if Mr. Bauer makes the decision the city is off the hook. **Paul** – the city still has to maintain the thing. **Wayne** – Mr. Phillips, the historical flooding from 2005 forward has not affected the sewer plant, on the south end there is a large berm making 1 mile square where the water is distributed, so this would not create an issue. A few years ago, during the flashflood event, the Quichapa side filled up and the entire 1800 cfs went north and flooded the subdivision. The contemplated mechanism would be designed to be controlled to roll completely out of the function within the split, a maximum limit of diversion to the north, it would be irrelevant in a flood, my brother came up with a mechanism, instead of a gate, the irrigation needs a steady volume of water, if you have a varied stream, it would adversely be affected in the output. It is a mechanism that sets on the side of the split and lowers down into the stream and works like a scissor and when you lift it, it opens an increasing gap and has a controlled flow. On a 45% angle, as it lifted would make an increasing gap, because of the 45 slope the stream would keep it clean and divert the rock to the north to prevent plugging to the south. **Mayor** – these people will not do anything without hiring an expensive engineer. **Phillips** – why do you want to fund this and do this, why, what is in it for you? **Wayne** – I own a water right in Rush Lake, it is a huge opportunity. **Wilkey** - the flood of 2021, we hear boulders the size of Volkswagen, could it handle this? **Wayne** – it would take a 6-foot boulder and the high impact and scissor affect is unlikely you would get anything bigger than 6 inches. Anything else would go over the top, it is like a shoot, it would send logs and boulders to the north. **Cox** – how would it prevent the plugging at Flying L? **Wayne** - 100% of the water went north because the underpass was plugged. The mechanism would not have happened if it was in place. **Jason Dodds** – the water in Coal Creek is owned by the State technically distributed to water right owners and all of the extra water the Water Conservancy District filed on it a few years ago. That water was given as non-consumptive use water right, you can't grow crops or put to beneficial use. That water stayed in the valley, we are a closed valley the water doesn't leave the valley, it used to spread out more. Mayor Green found out that the water is not depleted north, we

don't pump wells because it is not high-quality water. You have a high risk when you manage flood flows on Woodbury Split, the City owns shares, Mr. Bauer distributes the water, and we don't allow Federally funded projects to have additions without strict federal guidance and regulations. **Cox** – you don't have water rights in Coal Creek, you own in Rush Lake. **Jason** – he wants to get it to where he can get beneficial use. We don't mess with the Federal structure without Federal guidance. **Wayne** – had Rush Lake not got the water, it would have went to Mud Flats. **Melling** – we lose 2000-3000 cfs through Mud Flat. **Wayne** – you would have lost a lot if we wouldn't have had the structure. This won't happen unless the State authorizes it, the diversion last year, in my opinion, almost doubled the water, it is a huge potential. People can be fearful, but having the option to provide, all of the water rights are defined for beneficial use, place of use and type of use, I am not infringing on anyone's water right, but no one has a right to waste water. **Sam Bauer** – by the time it is thunder season, Coal Creek is through with irrigation, at that time whatever is in Woodbury Split needs to be moved so we can go to the 60/40 split. **Cox** – get the approval from the State first and then we can talk. **Wayne** – I am asking for your approval to install conditioned by the State, County, and Coal Creek Irrigation. Action.

CONSIDER A REVISION TO SECTION 3.3.2 OF THE CITY ENGINEERING STANDARDS REGARDING ALTERATION OF IRRIGATION COMPANY

FACILITIES. JONATHAN STATHIS: **Jonathan** – this is an engineering standard revision. Often developers need to make modifications for developers, we require them to work with irrigation companies before making changes to the facilities. This clarifies the State Code for developers to work with irrigation companies, and have them sign off. If there are any disputes it goes to the State Property Ombudsman. We want developers to be aware.

Jason Dodds – one thing I feel we are lacking, almost every irrigation companies ditches transfer water is some form or another. I had a situation, we had a perched ditch, the worry I have, I don't care how you pipe the ditch, I feel we need a standard so you know what goes in is a certain quality, how big does it need to be, I feel there should be a minimum 3' in the ground, a size of pipe, and quality of pipe. **Jonathan** – we have engineering standards they have to follow. **Paul** – refer them to the City Engineer. **Jonathan** – if you see something like that let us know. **Jason** – when does the transfer happen between an irrigation ditch and a storm water ditch. We have a ditch that is not getting used, there is a building in a hole and they call us and ask what we are going to do and we tell them it is drainage, not irrigation. There needs to be work on that aspect. **Wilkey** – does the State Code give this information? **Jonathan** - no. **Paul** – the code requires the developer to take to the irrigation company engineered plans on what they are going to do, if they are reasonable the irrigation company says ok. It also holds the irrigation company to not require extravagant stuff, it forces an agreement and then the developer must build to that plan and then the irrigation has to sign off on the plan. **Jason** – are the irrigation ditches mapped? **Paul** – they go to the property and see the ditch, it isn't perfect. **Jonathan** - we do have a map of all the irrigation ditches and the engineers look at that. **Jason** – if they come to me, do I just send them to you? **Jonathan** - no, we work together. **Sam** – I have dealt with three subdivisions, they come to me and ask me what I want, I have not had problems other than running storm water in them. **Melling** – it is a long State Code, I asked staff to add this in, it says if you own property that conveys irrigation water you can't move or modify that without preserving it. **Jason** – they are willing to work with us, but we don't have high standards as farmers if we get our water. **Melling** – going forward, if there is a general plan change within a certain amount, they have to deal

with a firm that does our storm water. **Jonathan** – we get from engineers of the developer the storm water flow. We work with Sam, Mr. LeFevre, and Mr. Prestwich. We have to look at it on a case-by-case basis. **Melling** – we just paid for a storm water study, we will never spend our way out of infrastructure, and we are looking at better incentives, so developers have incentive to keep the storm water on site. Action.

CONSIDER A REVISION TO DETAIL S3 OF THE CITY ENGINEERING STANDARDS REGARDING INTERIOR DROPS IN SEWER MANHOLES. RANDY CLOVE/JONATHAN STATHIS:

Jonathan - a few months ago the sewer department proposed wholesale changes, one change was to eliminate interior drops in a sewer manhole because of maintenance, there is one case they would want interior drops, it is pressurized lines, they are smaller lines, 4", if interior drop it requires a larger manhole, the other issue they had is it was difficult to get a camera in on a gravity line, on pressure lines they don't have to get a camera in. It drops to the flow line and then goes out. Action.

CONSIDER AIP-049 – AWARD BID CONTRACT FOR THE AIRPORT TERMINAL EXPANSION. TYLER GALETKA:

Tyler Galetka – this is the terminal project; we hope to break ground in April. We have had hiccups in grant in processes. We had bid opening January 18th, we had 2 companies get documents and bid, Bud Mahas \$4.45 million the other was \$5.7 million, they were missing some documents, they are working through those now. The project costs went up, it is not \$5.2 million, our share cost is under .5% the other \$4 million will require the 5% match. \$247,622 is the City match at this point, some is not eligible, is about \$50,000. We have sufficient funds in the airport funds for our portion. **Phillips** – the low bidder, will the buy America first change their bid amount? **Tyler** – no. Consent.

CONSIDER DISPOSAL OF SURPLUS EQUIPMENT. CHIEF DARIN ADAMS: **Chief Adams** – we have a multi-jurisdictional Task Force, Beaver, Iron, Garfield. The equipment list is quite old, 26 years to 12 years, they have no use for some of the equipment. Consent.

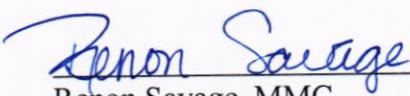
PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING CHAPTER 26-VIII-5 PERTAINING TO NOTIFICATIONS FOR MASTER PLAN AMENDMENTS.

CARTER WILKEY/RANDALL MCUNE: **Wilkey** – this came up in Planning Commission, we master plan infrastructure and when a developer builds, they are required to put it in or give an easement. I noticed that when we master plan putting the liability on the property owner, we don't notify that owner. I propose that whoever the applicant is of the master plan change has to notify the property owner. I worked with Randall; it has gone through 3 rounds of Planning Commission. If you petition for a master planned road to be moved, we give 14-day notice to the property owners directly affected, and anyone within 150-foot radius would get notice as long as the notice does not exceed 100. When we master plan infrastructure, we don't look at property owners, everyone in the general area can be warned, the city posts signs, the Planning Commission wants a gap of 14-days between the two meetings. It will not be certified mail, a certificate of mailing from the post office. We have heard that most don't receive it. Originally, we put in if it exceeded a few hundred properties you don't have to do it and we got push back from some engineering companies, so over 100 only the affected owners have to be notified. **Melling** – a few years ago we had people wanting to change the Melling Farm stating that it could never be subdivided, also one that wanted to change the general plan of property they didn't own. **Wilkey** – if we

change annexation boundaries, I feel you should be notified also. For now, it is water, sewer, roads, trails. **Phillips** – the 14-day calendar notice that is directly affected, how is that determined? **Wilkey** – boarders or touches your property. **Randall** – they need it to get to the city. Is your water and sewer no longer going to connect to your subdivision. **Wilkey** - if a master plan change has to notify everyone you take an access away from, 150' would only be a few homes. It is if you add or remove something. **Phillips**- are we getting push back from the State/developers/realtors? **Wilkey** – I think private property prevails here. **Melling** – so much of the State law changes on the expectations. **Paul** – it is a noble effort to get people involved, but I sat here, and the people said it wasn't highlighted or they didn't know what to do with it. The people that are supposed to know what it means, they know when we are doing general plan amendments, open houses, you made the point of telling them we sent flyers to everyone, and they still don't come. I love the attempt to get people more involved, but it makes our process more erroneous. **Wilkey** – she said she didn't know the master planned road was on the property before they went to Sketch. This is the private property right side of me.

Mayor Green opened the public hearing. There were no comments. The hearing closed.

ADJOURN: Councilmember Phillips moved to adjourn at 9:05 p.m.; second by Councilmember Melling; vote unanimous.


Rehon Savage, MMC
City Recorder

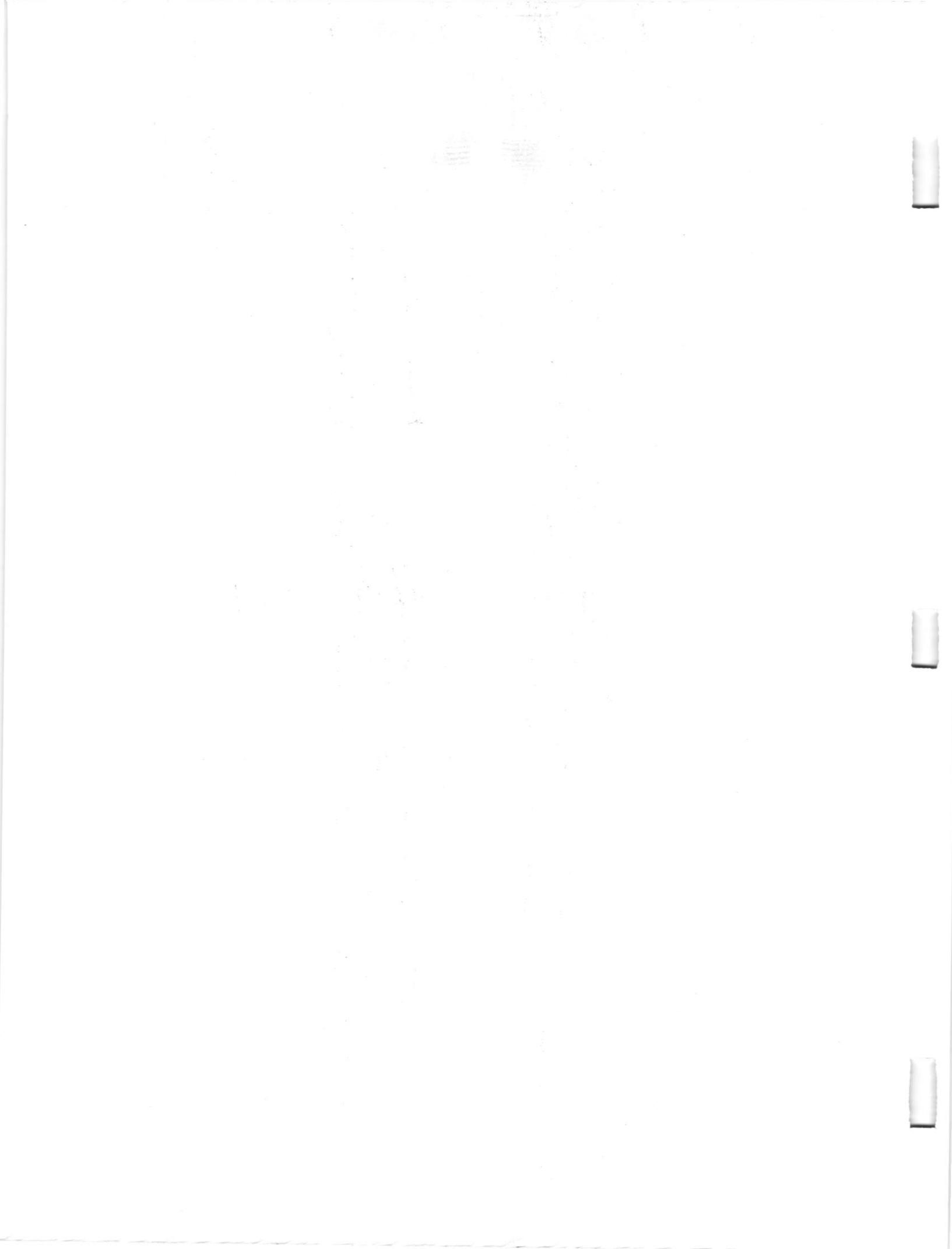


EXHIBIT "A"
CITY COUNCIL – FEBRUARY 21, 2024

Petition to Deny Zoning Change

February 21, 2024

We, the Undersigned, do hereby petition the City of Cedar City, City Council and other governing bodies and officers to Amend Cedar City's General Plan to Preserve Old Farm's Low-Density Zoning.

As residents of Cedar City, UT, we are deeply concerned about the city's General Plan that aims to increase medium and high-density development in our beloved neighborhood of Old Farm. This plan threatens the current R-1, low-density zoning that we have come to appreciate and enjoy.

We believe this proposed change will lead to a host of problems including overcrowding, traffic congestion, parking shortages, diminished privacy, resource scarcity, increased crime and safety issues. Moreover, it could potentially lower property values and erode our neighborhood identity due to increased noise levels and overall degradation of life quality.

Our homes are more than just buildings; they are where we build our lives. The charm of Old Farm lies in its low-density residential character which allows for a sense of community among residents. We fear that with higher density development this unique character will be lost forever.

According to data from the U.S Census Bureau (2019), Cedar City has seen significant population growth over the past decade. While growth is not inherently negative, it must be managed responsibly so as not to compromise the quality of life for existing residents.

We urge city officials to reconsider their plans for medium and high-density development in Old Farm area and instead amend the General Plan so that it aligns with our current R-1 zoning regulations - preserving our cherished way of life.

Please sign this petition if you share these concerns about preserving low density living standards in Cedar City's Old Farm area.

Signature	Printed Name	Street Address
Thomas B. Bluemel	THOMAS B. BLUEMEL	47 E. 2775 N,
Lori L. Bluemel	Lori L. Bluemel	47 E. 2775 N.
Lori Neighbors	Lori Neighbors	48 E. 2775 N.
Guy Neighbors	Guy Neighbors	48 E. 2775 N.
Dion J. Taylor	Dion J. TAYLOR	67 W 2775 N
David Taylor	DAVID TAYLOR	67 W 2775 N
Eric A. Brown	Eric A. Brown	2877 N. 175 W.
Shara Evaskovich	Shara Evaskovich	2769 N 175 W
William Evaskovich Shara	William Evaskovich Shara	2769 N 175 W
Jerry McBratny	Jerry McBratny	90 W 2825 N

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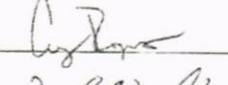
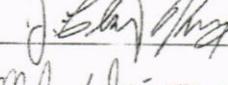
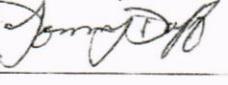
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Signature	Printed Name	Street Address
Sanderson	Cozy Sanderson	92 E. 2775 N CC ut 84721
	Joel Sanderson	92 E 2775 N
	Nathan Stephens	111 W 2925 N. circle
Kaitlyn Stephens	Kaitlyn Stephens	111 W 2925 N Circle
Dennis Johnson	Dennis Johnson	165 W. 3000 N
Debra Johnson	Debra Johnson	165 W. 3000 N.
	Cary Rogers	2841 N 175 W
	JERRY HARWARD	135 W. 2925 N CIR.
Malinda Sizerore	Malinda Sizerore	3 W 2775 N
	Tommy Duff	137 W 2825 North circle

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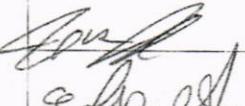
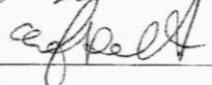
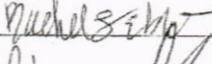
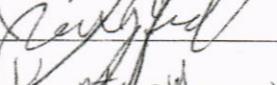
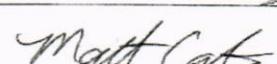
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Signature	Printed Name	Street Address
	James Judd	46 E. 2775 N. Cedar City
	Emma Fredrick	2783 N. 175 W. Cedar City
	Rachel EKKer	2783 N. 175 W. C.C.
	Abigail Fredrick	2783 N. 175 W. Cedar
	Joyce M. Fredrick	2783 N. 175 W. Cedar City
	Kristi Jones	113 W 2875 N Cir Cedar City
	Sam Jones	113 W 2875 N CIR C.C.
	Case Jones	113 W 2875 N Cir Cedar City
	Briggs Jones	113 W 2875 N Cir
	Matt Carter	20  2775 N

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Signature	Printed Name	Street Address
Laikyn carter	Laikyn carter	20E 2775 N.
Steph Clarke	Steph Clarke	160 W. 2975 N. Cir
Shelley Cox	Shelley Cox	698 2225 N.
Eric Smith	Edwin Smith	142W 2925 North Cir
Dawn Smith	Dawn Smith	142W 2925 North Cir.
Maggie Smith	Maggie Smith	142 W 2925 north cir.
Gabe Smith	Gabe Smith	142W 2925 north cir.
Grey Brown	Grey Brown	2860 N. 175 W.
Rachel Brown	Rachel Brown	2860 N. 175 W
Katie Rogers	Katie Rogers	2841 N. 175 W

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Signature	Printed Name	Street Address
Virginia McCarthy	Virginia McCarthy	90W2825 N
Cynthia Emmons	Cynthia Emmons	45W 2775 N
David Estee Raymond Stone	David Estee Raymond Stone	45 w. 2775 n.
WMP	Daniel Aiken	23E 2775 N
Lacy A.	Lacy Aiken	23E 2775N
Malinda Dustin	Malinda Dustin	2197 N. 175 W.
Becky Comstock	Becky Comstock	89 W. 2775 N.
Rebecca Blair	Rebecca Blair	2823 N. 175 W.
Houston E. Blair	Houston E. Blair	2823 N. 175 W.
Martha R. Blair	Martha R. Blair	2823 N. 175 W

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Signature	Printed Name	Street Address
William Szenore	William Szenore	30 W 2775 N
Melissa	Melissa Aiken	131 W 2775 N
Sheila Bowler	Sheila Bowler	140 W 2775 N
Gerald Bowler	Gerald Bowler	140 W 2775 N
Jill Miller	Jill Miller	89 W. 2825 North Circle
Brandon Wright	Brandon Wright	91 W 2825 N circle
Lindsey Wright	Lindsey Wright	91 W 2825 N circle
Lehi Johnson	Lehi Johnson	114 W 2825 N circle
McKenzie Johnson	McKenzie Johnson	136 W 2825 N Circle
Deborah Judd	Deborah Judd	2840 N. 175 N.

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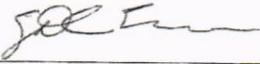
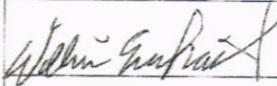
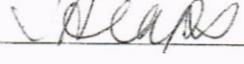
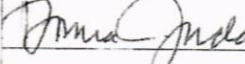
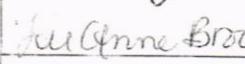
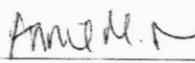
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Signature	Printed Name	Street Address
	Stephen Emmons	45 W 2775 N.
	William Evaskovich	2769 N. 175 W. 175 S. 2775 N.
	William Evaskovich	286 N 155 N.
	Rosalee Evaskovich	286 N. 155 N.
	Jody Heaps	136 W 2875 N Circle
	Mark Lantack	99 W 2775 N.
	Donna Judd	46 E. 2775 N.
	LuAnne Brown	2877 N. 175 W.
	Annie Taylor	124 W. 2825 N. Circle
	Jason Davis	112 W 2875 North Cir

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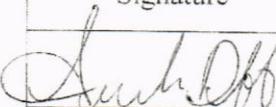
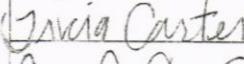
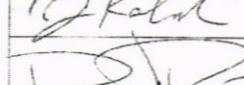
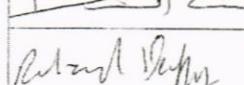
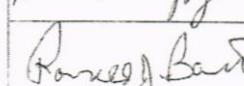
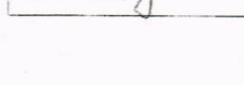
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Signature	Printed Name	Street Address
	Amanda Duff	137 W. 2875 North Cir.
	Heather Lambert	231 W 3000 N
	Bart Lambert	231 W 3000 N
	Tricia Carter	20 E. 2775 N.
	Crystal Coon	88 W. 2875 N. Circle
	Trisha Robertson	88 W. 2875 N. Circle
	Trisha Robertson	22 W 2775 N
	David Robertson	22 W 2775 N
	Richard Duffy	116 W 2775 N
	RONALD J. BARNETT	159 W 2775 N

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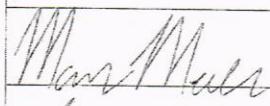
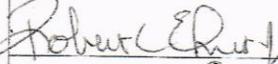
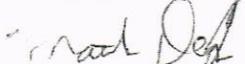
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Signature	Printed Name	Street Address
	Madison Miller	159 W 2775 N
	Jeremy Duskin	2797 N. 175 W.
	BRITNEY CARDONE	2795 N. 178 W.
	Brian Steckl	2798 N 178 W
	Matt Schmidt	159 W 2925 N W Circle
	Darla Schmidt	159 W 2925 N Circle
	ROBERT EHRLY	109 W 2775 N
	MATTHEW DEBA	2911 N 175 W

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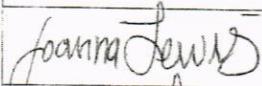
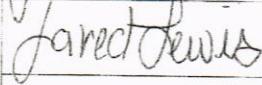
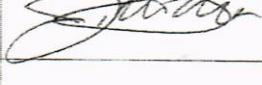
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Signature	Printed Name	Street Address
	Chad Holladay	89 W 2875 North Cir.
	Joanna Lewis	2927 N. 175 W.
	Jared Lewis	2927 N. 175 W.
	Janice Purpura	2825 N Cir
	Joshua Purpura	2825 N. Cir

Vision Statement

The community's vision statement provides a linkage or overarching theme to the entirety of the general plan. The current community vision statement is...

"Cedar City will be known for its safe, friendly atmosphere, educational and cultural opportunities, sustainable and strong neighborhoods, and economic opportunities allowing individuals, families, and businesses to prosper."

A survey that was conducted as part of the general plan update asked residents if they would change this statement. The majority of the 501 responses wanted to keep the statement as is. Of those that suggested changes, the most common issues or phrases included a stronger emphasis on sustainability (economic, environmental, etc), more protection of neighborhood areas, and maintaining the small town / rural atmosphere.

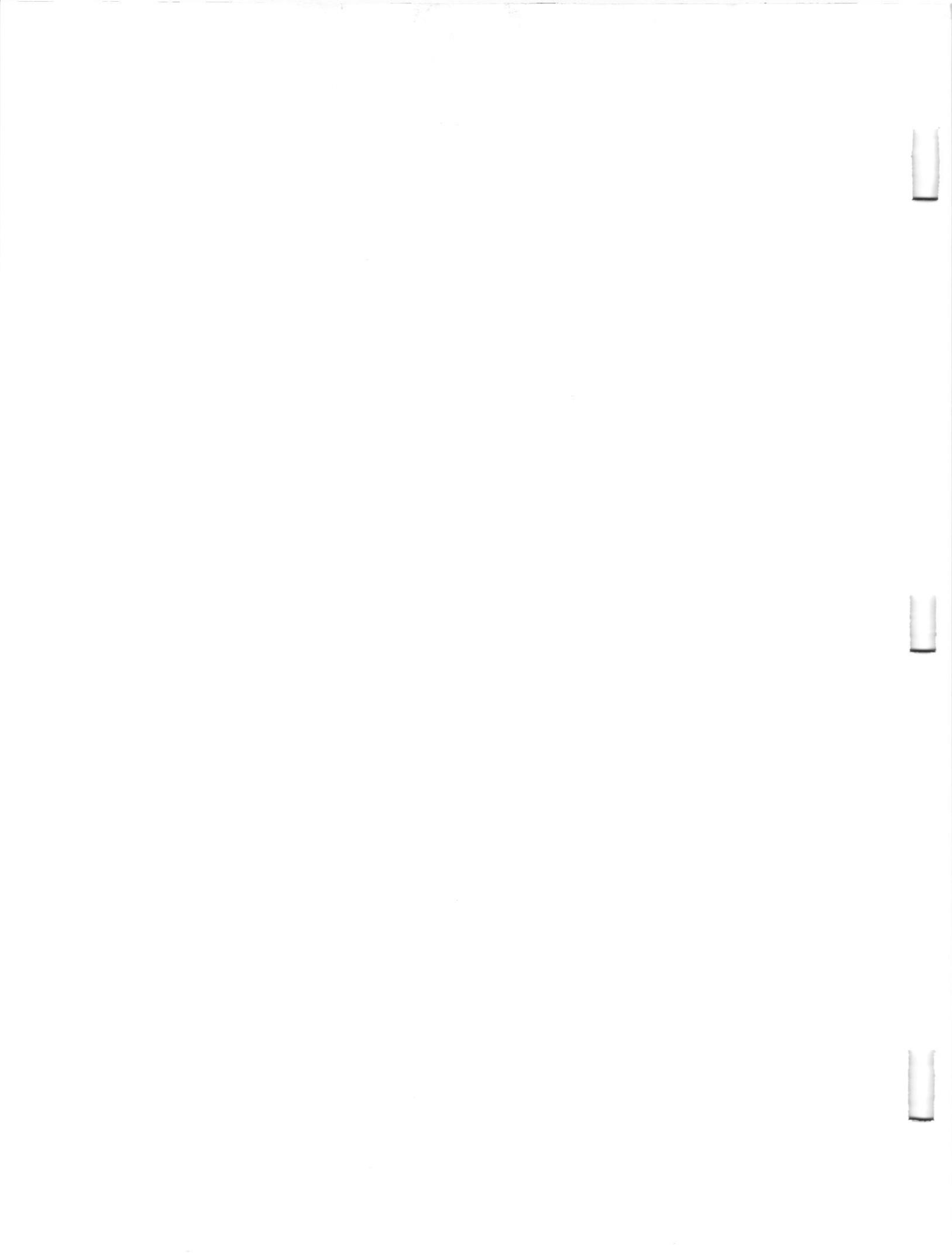


EXHIBIT "C"
CITY COUNCIL – FEBRUARY 21, 2024

Dear Cedar City Councilmen and Mayor Green,

Thank you for your time, service, and dedication to Cedar City.

My name is Jennifer Smith. My husband, Roger, and I reside at 2681 N. 100 E. We have lived at this address for 32 years. Back then we had a dirt road in front of our house with a few regular travelers who used it throughout the day. There was no water, electricity, or natural gas at this location. Our home was a single-wide trailer that my husband had renovated. We lived in this trailer for several years until I was able to finish college and get a teaching position with ICSD. We then built our house directly behind our single-wide and continue to call it home.

Over the 32 years, times have definitely changed from the alfalfa fields completely surrounding us to the building of the school district bus garage, the road development of 2400 N, and the building of 50+ houses in Old Farm. With each change, we have found the positive.

I am aware that our neighbors have been very vocal in not wanting anything developed on these pieces of land. I will quote from one of their neighborhood letters, "The development of higher density will forever change our neighborhood, destroy the openness, the rural atmosphere, the privacy, the quiet and lower traffic that we all currently love and enjoy." That is exactly what happened to us when my husband's Aunt Diana and Uncle Kent sold what is now The Old Farm Subdivision. We did not have the money to buy it, therefore we understood we may need to adapt to the changes and the potential growth of Cedar City that was inevitable. Before this sale, we were basically in the middle of several alfalfa fields. There was minimal traffic. My husband would take off and land his paraplane on the road right in front of our house every night in the summer. That would be impossible to do now.

Twelve years ago the land to the north of us became available. It was out of our price range, but we wanted it. So we sold our new truck, some equipment, and rearranged our budget to make the purchase. We have farmed these two fields with cows, sometimes sheep, and chickens. These last few years the farm has become difficult to sustain. Just like everything else, the price of hay for our cows has significantly increased. I tell my husband regularly that this is an expensive hobby. It doesn't matter the size of the farm, farming is a commitment 365 days of the year.

There is not one neighbor who has lived in the Old Farm area for 32 years. There were five houses that were built in 2006 and then the market crashed. Old Farm sat empty for years. As the market began to stabilize new homes continued to be built and sold in Old Farm adding local as well as out of state owners to our great neighborhood.

As mentioned, another concern from the neighbors is the increased traffic. Boy, do I know a lot about that. Like I said, back in the day we would have a handful of cars pass by our house. With the development of Old Farm, these 50+neighbors, their teenage kids, relatives, friends, ect, drive directly by my house all day long. It hasn't changed the quality of my life. I can wait for a couple of cars to pass by before I back out of my driveway.

I know many of the neighbors believe that the street 175 W running north and south is going to connect to the Cascade Springs apartments. These are the apartments directly west of my house. This is not the case. Over the years, we were approached several times by Kenneth Knudsen, who is one of the developers of Cascade Springs. Mr. Knudson wanted to purchase road access through the bottom of our field to have two entrances and exits for the apartments that he is required to have by the city. He made several offers over the years and each time we did not accept his offer.

Although we love our little herd of cows, my husband and I bought this land with intentions of developing it someday. With the new buildings of Cascade Springs, we do not feel custom homes would sell on the lots directly adjacent to these apartments. This is also the opinion of other developers. It would not be cost effective.

One last rumor our neighbors have spread is that we are moving. They are right, but we are not going far. We plan to build our future home on a lot we own in Old Farm, which backs up to our daughter and my son in law's beautiful custom home. We all love Old Farm and look forward to continuing to call it home.

I also want to share with you that the vocal, upset neighbors of Old Farm are not the only people who live in this subdivision. Over the past couple of weeks we have had several neighbors call, text and stop by to let us know that there are other opinions in the neighborhood. This is the text from one resident, "I really hope you realize that the loud, angry voices are not the only ones that exist in the neighborhood."

In closing, I appreciate your time in listening to our opinions on the matter. My husband and I have realized that the vocal voices of Old Farm are going to complain in spite of everything, and we don't want to base our decisions off of the judgment, reactions, and opinions of our neighbors anymore. Old Farm should be a neighborhood that is accepting, friendly, and non judgemental of new neighbors regardless of the structure you call home.

EXHIBIT "D"
CITY COUNCIL – FEBRUARY 21, 2024

February 21, 2024

Dear Cedar City Council,

My name is Annie Taylor and I have lived in Cedar City my entire life. I live at 64 West 2825 North Circle in the Old Farm Subdivision. We purchased our home eight years ago in February 2016. We looked at nearly every single home for sale in Cedar at the time before deciding we wanted to be in the Old Farm neighborhood. We were previously living in a single family 1,400 sq ft house in Cedar Willows, located under the freeway from Canyon View High School. We bought that home in 2006 before the neighborhood was built and were assured at that time by our realtor that, despite that neighborhood being comprised of duplexes, townhomes and single family homes, it would be a wonderful, quiet neighborhood. That couldn't have been a bigger lie. The traffic those multi-family dwellings brought to the neighborhood was horrendous. Most of the townhouses and duplexes turned into rentals bought by investors. Cars lined all the streets. My kids couldn't play in our front yard because, instead of having half the amount of cars going up and down my street, we had double and triple that amount. It was unsafe. The quality of life was terrible. And I never knew who my neighbors were because they moved in and out constantly. We had a college student try to break into our home because he was so drunk after attending a party at one of the duplex rentals up the street and he didn't know where he was. That kid is lucky to be alive still because we were prepared to defend our home if he breached the door. We lived there for 10 long years. During those 10 years, we saved and saved and saved so we could purchase a home in a neighborhood free of townhomes and duplexes.

Our house in Old Farm is supposed to be my family's forever home and our forever neighborhood. I love it SO much! I absolutely love my Old Farm neighborhood and the wonderful people who live there. I know, without exception, **EVERY SINGLE FAMILY** in my neighborhood. I go on daily walks with my dogs through the streets of Old Farm and encounter only 1 or 2 cars who drive slowly down the street because they know our neighborhood is alive with children playing, retirees out walking and neighbors visiting on front porches. It's the definition of quiet and peaceful-laughter of children playing outside, riding their bikes and scooters through the streets and playing football on the front lawn of the Clark's and Heap's. Halloween parties in the Evascovich's front yard that they turned into a Graveyard Spectacular. It's summer lemonade stands set up on the corner of the Judd's sidewalk that pretty much every kid in the neighborhood has made a bundle off of. The Bulloch and Sanderson kids taking the golf cart out for a ride through the neighborhood. Cute little Collins Jones riding whatever she can get her hands on all over the place. And the Davis kids peddling around the corner to check the mail for their mom who just had a baby. It's visiting with Bud and Carolyn on their daily walks and talking about their son and grandkids who just lost their wife and mom. It's stopping to see Thom and Lori Bluemel and learning about composing, gardening and most importantly, what unconditional love is. And hearing them praise your kids and loving them like their own grandkids. That's quiet and peaceful. That's Old Farm.

There is very little turnover because the home owners who live here love it just as much as I do and don't want to move. There is very little traffic because it is all single family homes on bigger lots. And because of that, my kids are safe to play outside with their friends because there isn't triple the amount of cars that mid to high density housing brings. I know who my neighbors are. They bought their homes with the intention to stay because there are no townhouse or duplexes to be turned into rentals. I know that my neighbors are watching out for my kids. And I love them for that. What we have in Old Farm is beyond special. It's miraculous. And it was the answer to my prayers after 10 long years living next to duplexes, townhouses and rentals, to FINALLY, FINALLY be in a community who values family and friendships in a safe, protected neighborhood. Our quality of life is incredible in Old Farm.

In keeping with the recommendation of the Planning Commission, we respectfully request our City Council deny this zoning change.

Sincerely,



Annie Taylor