

CEDAR CITY PLANNING COMMISSION
MINUTES – May 7, 2024

The Cedar City Planning Commission held a meeting on Tuesday, May 7, 2024, at 5:15 p.m., in the City Council Chambers, 10 North Main, Cedar City Utah.

Members in attendance: Councilmember Robert Cox, Adam Hahn, Tom Jett, Jennifer Davis, Jim Lunt

Members absent: John Webster, Ray Gardner

Staff in attendance: Paul Bittmenn- City Manager, Randall McUne-City Attorney, Donald Boudreau-City Planner, Amber Ray-Executive Assistant

Others in attendance: Hunter Shaheen, Vickie Christian, Ann Clark, Dallas Buckner, Michael Carter

ITEM/REQUESTED MOTION LOCATION/PROJECT APPLICANT/PRESENTER

- Pledge of Allegiance – the pledge was led by Adam Hahn.

I. REGULAR ITEMS

1. Approval of Minutes (dated April 16, 2024)
(Approval)

Councilman Cox motions to approve the minutes from the April 16th meeting; Lunt seconds; all in favor for unanimous vote.

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| 2. Disposal of City Property
(Recommendation) | 2300 W Rudd Rd.
2200 W Cross Hollow Rd
2250 W 1600 S | Development Team/
Romeril |
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Tyler Romeril: We are going to go through a proposed property trade and disposal between Cedar City Corporation, Iron County School District, and Development Team. #1 Is right next to Cedar City Middle School it is 6.22 acres. It goes from Rudd Road to Cross Hollow Road. Owned by Development Team. Iron County School District would like to own that. The second piece is the triangle piece owned by Iron County School District. It is 3.84 acres adjacent to property owned by the city, it is 1.86 acres. Here is the proposal, Development Team property go to the school district, school district property goes to the city and the city property goes to the Development Team. We have had it appraised. The properties do not evaluate equally. The city would get property and \$44,000.00. The Development Team would get the property and \$65,000.00 paid by the school district.

Tom: This seems to benefit the city, it is frontage.

Paul: It is not good frontage. It is steep. You couldn't put a driveway on it.

Adam: I know they city was going to develop this into lots.

Tyler: What the city currently owns, they cannot develop.

Paul: This squares up Leavitt’s holdings up there. The process takes it through the elected bodies to let them know if we are even interested. I don’t see harm. We are getting steep property and a little cash. They are squaring up theirs. It benefits the school.

Hunter: The school board has been briefed and we have been given authorization to pursue.

Davis motions for a positive recommendation to dispose of city property identified as number three on the map. Lunt seconds. All in favor for a unanimous vote.

3. PUBLIC HEARING

Amended Plat – Subd.
(Staff Decision)

833 N 2475 W
Mountain View Industrial Park Subd.

Bauer Road/ GO Civil

Dallas Buckner: This is on 815 North. The Quichapa Channel. We have done phase 1 and 2. The developer has been building commercial buildings. Someone wants to build a building in the middle of two lots. He wants to combine the lots to vacate those setbacks, then we can build it across.

Don: No concerns from engineering.

Public Hearing Opened

Public Hearing Closed

4. Development Agreement
(Recommendation)

3200 N Canyon Ranch Rd

Esplin Land Holdings/
Alliance Consulting Eng.

5. PUBLIC HEARING

Amendment- General Plan
Low Density Residential to
High Density Residential
(Recommendation)

3200 N Canyon Ranch Rd
B-1906-0000-0000

Esplin Land Holdings/
Alliance Consulting Eng.

6. PUBLIC HEARING

Amendment- General Plan
Low Density Residential to
Central Commercial
(Recommendation)

3200 N Canyon Ranch Rd
B-1906-0000-0000

Esplin Land Holdings/
Alliance Consulting Eng.

7. PUBLIC HEARING

Zone Change
AT to CC
(Recommendation)

3200 N Canyon Ranch Rd
B-1906-0000-0000

Esplin Land Holdings/
Alliance Consulting Eng.

8. PUBLIC HEARING

Zone Change
AT to R-3-M
(Recommendation)

3200 N Canyon Ranch Rd
B-1906-0000-0000

Esplin Land Holdings/
Alliance Consulting Eng.

9. PUBLIC HEARING

Zone Change
AT to RN
(Recommendation)

3200 N Canyon Ranch Rd
B-1906-0000-0000
B-1916-0000-0000

Esplin Land Holdings/
Alliance Consulting Eng.

Adam: Items #4-9 need to be tabled and will come back at a later date.

Don: This is North of Automall Drive. Where the jail was previously proposed. It is zoned AT, which is a holding spot. General Plan is low density with some slivers of commercial. They are proposing to change the General Plan to High Density with commercial, and expand the current commercial. The overall plan has a section of High Density Residential and some RN, which is smaller, single family lots. This will be quite a change in density. That is why you see a Development Agreement. A traffic study was done and triggered that they would need a 100-foot-wide Master Planned Road. Lines with zoning are general. When we do something like this, we need to look at infrastructure. Canyon Ranch Dr would go from a 75 to a 100 foot. Main Street would need changes with a left hand turn, right hand turn. I can try to get the traffic study to you by next meeting. With a Development Agreement what that does is cap the number of units, to go with the General Plan density of 4 units per acre. We don't know the results of the modeling for sewer and water. We have capped at a density of what we know it can handle. When they get over 80 units, we need secondary access. Why the Development Agreement, it caps until all the unknowns are flushed out.

Tom: We asked them to do modeling. As it related to water sewer, power, drainage.

Don: We do not have the modeling on water and sewer. Applicants desire to proceed, then cap the number of units to low density until we have it flushed out.

Tom: It is Low Density R-1?

Don: General Plan is low density.

Randall: If you look at the Development Agreement, 941 R-1 units is what they could put into it, the max units. If they use the clustering ordinance. That is not including Commercial where they could obviously do some mixed use.

Cox: With no General Plan or Zone Change they could have 941 units?

Randall: Yes. With the change they are proposing, it could go to 1783 units. That is the city of Enoch. It's not going to handle it.

Lunt: How many units until you have to have a new access?

Randall: 80. We need to do a Master Planned Road to get a 100 wide.

Adam: Are they still planning on improving the underpass?

Randall: That is their dream. They don't want to get into details. They are coming in with a bigger picture. We are looking at it from what we think should go in the area.

Tom: Paul, we have discussed the Sewer Treatment Plant. Assume everything else stayed the same, except the 941. How close is that to maximum capacity.

Paul: It would never get there. The line wouldn't handle 941 units. It goes through Enoch. Enoch owns it. We rent space. We don't have enough leased capacity to facilitate. That is one of the details they don't want to get into. The city is not likely to say they want another lift station, we don't. They would need the easements. I am sure there are Public Utility easements going down that way that they could catch on to.

Cox: Well if they are not going to bother to be here to give us details and sell their deal and give us the details of how this looks then we don't know what we're really talking about.

Randall: They knew the notices were not adequate.

Adam: As a reminder before we open the Public Hearing, this is a proposal brought to the city for a change. It is not the city trying to change things. It's not the city trying to grow. It's not the city trying to

increase density. This is a proposal to the city for a change. Don't tell us we're just automatically doing changes.

Public Hearing Opened

Ann Clark: Why don't we follow the General Plan, or Master Plan? I know Carter Wilkey said that if we look at all the housing proposals, we still have more single family homes than we do high density. When we do this hodge podge changing, is anyone calculating how many of these we do until our plan is changed? We're trying to grow a beautiful city here. But when we make these changes here and everywhere and mostly it's too high density, I'm thinking at what point do we get more high density than we have single family? Now maybe that's what we want. But my question is not really about this. It really is about why can't we have a plan? Why don't we mean what we say and say what we mean? And people in this city can trust what we say. I asked the city council to at least agree to follow the general plan. And I know there are areas that are not really planned out yet or not really zoned yet. But what we have planned, we should stick to.

Tom: I am not opposed to the concept of changing the General Plan. But I think it should be with the sharpest of scalpels. I don't think they are wrong to want to do High Density. But we have to figure out how we will deal with High Density. I am not a fan of all these townhomes, but we have to have something affordable.

Ann: The townhomes are not affordable.

Cox: 168 permits were pulled on single family dwellings ,22 multifamily. Still bears out more R-1 than multiple family.

Ann: Do we have a vision? Or are we just going to change it to whatever. It is changing a lot to multifamily. We are destroying neighborhoods. Can we respect something? I love the city, but don't have any trust in it.

Tom: There was an election a couple months ago.

Ann: A big developer won City Council

Jessie Harris: I'd like for my kids to be able to afford to live here. I live in Ashdown Forrest. I could not afford to buy my home today if I wanted to. The prices have gone off the rail. I want to say yes, but you need to say here is what needs to happen for us to say yes. I don't see anywhere to put another road up there They have a small park, will that delay us on the north end of town for a park. We have been waiting for a quarter century for a park.

Cox: Those things need to be ironed out before they can put in. Their park will not affect another park. They have to figure out what they will do with the sewer. When they have a requirement, they have to preform before they more forward.

Jessie: I don't feel like there is a plan. It is giving me flashback of the Jail. Why are we wasting our time and money in the first place.

Cox: They can go put those houses in now without coming to a hearing. That is why they have the Development Agreement.

Paul: They would have to model water and sewer.

Adam: The General Plan is not precise, not exact. It is General, covers a large piece of property, all the city. It is how city should grow. Should we hold all landowners to what the city thought we should do at that time? A lot of times it is agreed to and approved, because it makes sense. Sometimes the General Plan does not make sense. Like behind Culvers. It made sense to change the General Plan to match what is currently there. If we always stick to the General Plan without exception, it wont be what the city wants.

Cox: The Master Planned infrastructure matches what is in General Plan.

Tom: Delbert Stratton his house is now a church. I was talking to him years ago, he was eccentric. He said who in their right mind would have thought someone would build on that rock, meaning Leigh Hill. Eventually we grow.

Jessie: That comes to my concerns about traffic. If you want to buy groceries, you have to go down main or I-15.

Tom: Commercial follows residential.

Jessie: The city has doubled in size since the last time a grocery store was built.

Adam: The city does not build grocery stores. There is nothing stopping you from going and getting investors and build a grocery store.

Lunt: Is this standard procedure? It seems like they are on a fishing trip.

Paul: It is not uncommon. They had noticing problems; they will be here in the future.

Jessie: I could see it if the developer said this is what I want to do, but it is something that they aren't even going to do. They could split the property and someone else want to do something else. I don't think it is a good idea for someone who will not follow through.

Public Hearing Closed

Adam: These items are tabled and will be re-noticed for a future date.

II. CITY ITEMS

1. PUBLIC HEARING

Ordinance Text Amendment (Recommendation)	Section 26-III-4 R-3 Lot Widths	Tom Jett
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Tom: Randall and I spoke the following day. I did not articulate. I think it is an easily solved problem. Minimum size lot in R-3 is 6000.

Don: Minimum lot in R-3, Minimum frontage is 55 feet. Proposal was 30 foot minimum. The Planning Commission recently recommended R-1 from 90 to 70, R-2 70 to 50. Keep in mind, twin homes, measure at property line. This is what is in front of City Council for tomorrow night. That would be a 17 foot buildable width. We are narrow already. Currently the built environment. 27 feet of proposed to be reduced to 20 feet. Current in R-3 single family 55 feet, measured at set back line. Twin home and duplex, 70 at property line. Apartments 55 at property line. Example of R-3 with current setbacks. The smallest example, cluster subdivision 3000 feet, half 6000 feet buildable width of 14 feet. Also need to think about driveway separation. Engineering standard for separation. 3 feet from the property line. Driveway width and separation will come into play. As we get narrower, we might have to look at zero width driveway setback. Lot configuration, any shape to meet ordinance. As we taper down, could be 24 feet on frontage. 30 foot lot, divide into 15 feet. With those setbacks we can't meet building codes. 40-foot for twin home 12 foot of buildable width. Staff is most comfortable above 5 feet. Still narrow. 8 foot setback with single family. Smallest lot size possible.

Davis: If you look at this buildable space, it is the size of a trailer.

Don: R-2-2 was 50 feet

Davis: Are we doing a town or a trailer park? It will cause a lot of problems. I think your recommendations are good. You can see where this can be a big issue, if someone comes and does a development with these parameters.

Cox: Do we have a zone that will allow a tiny home community?
 Don: In R-3-M zone, single ownership. 9k for the first two. Up to max 24 units per acre.
 Cox: We recommended 90 to 70 and 70 to 50. Those are one offs. I think going to 30 it's too small. I think it will be an exception, not the rule.
 Don: But if it is the ordinance, we will approve it.
 Davis: I don't want the city to be a trailer park.
 Tom: I don't think it is the city's job to be the arbiter of style.
 Davis: There should be order. People shouldn't but they will build a 14 foot wide.
 Tom: Instead of leaving pieces of land vacant, I think give opportunity to develop it. Board of Adjustments can't give you a variance because it is a financial issue. I think 30 gives access for fire, anything else it is fashion.
 Adam: Proposal is to change lot minimum width of R-3 to 30 feet.
 Don: Current lots size is 6000 in R-1, for R-2 5000 in multifamily 9k then 1500 per lot. It is 6000 now. Some of those examples are more extreme. It could happen with the clustering.
 Cox: Where are we with the flag lot.
 Don: If the flag lots were to pass, that would be a flag lot.
 Davis: What I am concerned about is R-3 to 30 feet.
 Cox: If the flag lot passes they can do this. We have the ability to already do this. That is why I am bringing it up.
 Randall: As it is currently proposed R-3, we don't have just R-3, but R-3 1 R-3-M, single family 55 if you propose as is, when you make your motion, tell us what we will change. Want to make sure we are clear.
 Cox: The reason I brought up flag lots, people can utilize that.
 Randall: For R-3-M it would widen it.
 Tom: I would like to remove my proposal

2. PUBLIC HEARING

Ordinance Text Amendment
 (Recommendation)

Section 26-V
 Parking Requirements

Tom Jett

Tom: I'd like to change ordinance to allow to count part of the curb directly around commercial property count as part of parking. Count a certain percentage as space for your parking. Other cities have done this some 50% some 75% allowable parking.
 Don: Parking is controversial. Why we do it is to take impacts of developments and put on developments and not pour onto city street. It is always hard. Hard to separate traffic and parking. Other cities do allow Heber allows some counting of angled parking, Cottonwood Heights allowed with approval of the architectural review committee. Some staff concerns, no guarantee the road will remain. Public Works brought up access. Traffic congestion. Lights. Snow removal. Neighborhood spill over. If we want to entertain we might consider walking distance to see if it makes sense. It is hard to say sight distances. A lot of cities do require bike parking. Maybe a bike rack could be a trade. Max percentage, we may want to take into considerations if on our main arterials.
 Cox: People always talk about negative, but could be positive with RAP tax. There is a trade off.
 Davis: What do you hope to accomplish?
 Lunt: On an average business how many spaces do they need?

Tom: Three or 4. If it is illegal to park, it is illegal. Good example, Go Green. I think the parking on the street there is great.

Adam: When you bring up Go Green, how does it exist without any parking lot.

Don: It is old. If it was built 50 years ago, it would become non-conforming. If you try to increase the use, you may be required.

Tom: If you can't park on it safely, then you can't use it.

Randall: One of the difficulties we have is when we enforce. We have to figure out parking when the first design. First use is what it is calculated for. But then we have the issue of enforcing. Example of UPS store parking lot. Big O - how much parking they have versus how much they park in the street. Master Planned road concepts, much wider than residential street. Big O is using the concept of what Mr Jett is proposing. We bring businesses in at a parking level, that will not benefit their business. We sometimes take away parking they are planning on.

Adam: Then if it is successful you have no room for overflow parking.

Randall: You will miss things because it is the rule. We are over parked according to studies we have done. Could create a problem when the city wants to use its own road. You had it drafted as city takes 10 feet on road. Just beyond the minimum required. We pay upsizing on the standards, upsize beyond what their development needs.

Cox: How is it determined?

Don: Generally speaking, square footage, seating for restaurants, square footage of usage.

Randall: It gets complex quickly.

Don: Say your business requires 10, then you can use a percentage of the road as count.

Davis: I like the spirit of it. But I think most of us can agree that most parking in town is not good.

Don: Is there room? There is the saying- "Right Size our parking" We don't want a sea of asphalt, but not overflowing into the neighborhood. If you look at townhomes, parking in tandem, 1.3 was not enough, but possibly overparked for apartments.

Cox: Very few circumstances where on street parking is safe. I think get them off the street.

Adahm: Bigger businesses have too big of parking lots, and smaller businesses not enough parking.

Maybe some tweaking is needed, but I don't like promoting on street parking. What is the city wants to widen, or close a street down.

Public Hearing Opened

Public Hearing Closed

Tom: As the petitioner I withdraw the request.

The meeting was adjourned at 6:39 p.m.

Amber Ray

Amber Ray, Executive Assistant