

CEDAR CITY PLANNING COMMISSION
MINUTES – April 1st, 2025

The Cedar City Planning Commission held a meeting on Tuesday, April 1st, 2025, 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, Wayne Decker

Members absent: John Webster

Staff in attendance: Kent Fugal-City Engineer, Randall McUne-City Attorney, Donald Boudreau-City Planner, Faith Kenfield-Executive Assistant

Others in attendance: see attached.

<u>ITEM/REQUESTED MOTION</u>	<u>LOCATION/PROJECT</u>	<u>APPLICANT/PRESENTER</u>
-------------------------------------	--------------------------------	-----------------------------------

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

I. REGULAR ITEMS

1. Approval of Minutes (dated March 18th, 2024)
(Approval)

Jennifer motions to approve the minutes from the March 18th meeting; Cox seconds; all in favor for a unanimous vote.

- | | | |
|--------------------------|---------------------|-----------------|
| 2. PUBLIC HEARING | Section 26-XVI-3 & | Donald Boudreau |
| Ordinance Text Amendment | 26-XVI-8 | |
| (Recommendation) | Pertaining to Signs | |

Don Boudreau: Before the end of last year, staff received a request from Commissioner Tom Jett to open the sign ordinance. Look at the prohibition against internal illumination of signs. At the time, the Commission felt it would be best to send it to the historic downtown economic committee. After three meetings, we've arrived at the ordinance you have before you this evening. Chair, if you wouldn't mind opening the public hearing. Our chairman from that committee has a few things to say, and I will run us through a quick PowerPoint.

Public Hearing Open

Brent Drew: I am the Chairman of the Downtown Historic Committee. In my life, I have only said this twice before, but this will be the third time Tom Jett was right: we did need to review this ordinance. The last time this ordinance was looked into was over 24 years ago. That is when I left the city because I was the Economic Development Director when this was last looked at. That was a long time ago. We do recommend the changes that you are going to hear about tonight. It allows 1 more type of sign to be in

there, is more affordable, and gives people more options. We still have a couple in there as they go along that we still want to keep. The channel letter and those that are your standard retail that you put on the building don't add any ambience to that. That is one we don't want to change. We also talked about limiting the size of some of the monument signs that come up along the road, too. That is the only thing that we have brought down a little less. The main reason for that is that we no longer drive Main Street looking up to see a pole sign. When you drive Main Street now, you are either watching the cars in front of you or looking at something that is eye level. We don't want it to be too high that you end up rear-end somebody. Don, I am going to let you be a Ghost sign. We are in favor of what he is talking about on it, too. So, it does offer two more types of signs you can do there. The ghost signs are more for ambience. As we went through everything that we saw here. We agreed it needed to be updated, allowing a little bit more there. The halo sign, which is the one we want to have allowed there again, was requested by a few people who've tried to come in there lately, too. We felt it was time to move forward. Those are our recommendations.

Adam: Thank you. We appreciate your work on this.

Don: Kent, please pull up that PowerPoint for us, and we will dive right in. This first slide is where we started. These regulations are applicable to a small part of downtown Cedar. They are mostly focused on design. Trying to keep with the historic nature of downtown. The first proposal was to strike number 10, which essentially is a prohibition against internal illumination of signs. Next slide, this map here highlighted in yellow, is where these regulations are applicable. It is not the whole downtown commercial zone. These are mainly focused on Main Street to Center to 200 North, and along the center from 100 to 300. This is where most of our historical architecture exists, and that is why these sign regulations are more stringent than what would apply to the rest of Cedar City. Next slide, this proposal adds some definitions of Halo, Ghost, Boxer Cabinet, Raceway, and Channel Letter signs. As Brent mentioned, it tightens a few regulations and loosens some others. We will move forward and go through what these signs are. I think the overall intent of these regulations is the types of signs you see in this slide here. More old-fashioned fabrication of routed wood and metal. You see the exterior illumination like on this Boston Burger Company and the one below. That is what it is driving at on these old brick buildings. Next slide, the first definition we saw there is what we call a Channel Letter sign. These are typically routed out of aluminum. They have a plastic face. These are all over Cedar and any strip mall in the United States. The faces are plastic, so the light shines through. We have added a definition of what these signs are and a prohibition against them. I don't think these would be allowed under the old ordinance either. Keep in mind something like this. If it didn't have the lights inside, it would have a metal face. They could still do something like this. It would still require an external illuminated source. It couldn't be backlit like this. Next slide, this Raceway sign is a cousin of the previous slide. They are internally illuminated channel letter type signs, but if you look closely, you can see that they put the electronics on the outside of the building. That is what they call the raceway. The signs are mounted on the transformer and the electronics on the façade of the building, as opposed to the interior of the parapet. These signs are prohibited as currently proposed. Next slide, these are can signs, your neon signs. These are internally illuminated. They aren't 3D; these types of signs we no longer allow. They would have been prohibited under the old ordinance, but this just tightening the ordinance up. Next slide, a Halo sign. Now this is a different flavor. They are 3D and routed, but you can see the illumination, even though they may be internal to those letters, shines towards the rear of the building, and it creates that halo effect. Thus, the name Halo signs. I think this was one of the catalysts for changing the ordinances. We had a business downtown that wanted to do something like this. We were all scratching our heads that this look nice, and the committee agreed that this should be included and allowed downtown. Next slide, Monument signs. This is a big one right on Main Street. The old ordinance did allow for Monument

signs. Our Monument sign ordinance, as written, is very generous. You can do up to 20 feet tall, but you can get up to 200 square feet. This tightens down to five feet. This is typically what you see we a Monument sign. You don't see them 20 feet like we allow them, but 5 feet tall and 20 square feet. We have not seen a lot of interest in these. Most of our buildings downtown run right up to the streets, but if someone wants to do so, they certainly can. They must be lower in height and smaller. This was an addition. Next slide, Free-standing signs. The previous ordinance on this was silent. We didn't think this was appropriate for the small historical area. These would be prohibited as is currently written. Next slide, the previous ordinance, as you can see, limited the design to three-dimensional, routed, made of wood and metal. We opened that up or broadened that if folks want to use materials that emulate older style materials and maybe they will last 10 or 20 years longer. The committee thought that would be appropriate. If it doesn't look plasticky. Kind of like your modern channel letter signs. Number 11 lighting. That is essentially the same, but we have added an exception for Halo signs. Theater marquees are still allowed as well. Next slide, this is a rabbit hole I went down too far. We added this definition of a Ghost sign. What I found interesting and what got me thinking about it was working with the Maverick folks. They had indicated there might be an old painted sign on the Hughes Café. Once they take down the old Best Western and the Sizzler. There are a few other cities that have written something very similar to this. That will allow these signs to be rehabilitated if we find them. We put this definition in there, and then under number 12, they do have to go to the Historic Economic Committee for a recommendation. If we can find them, we think it would be appropriate to allow them to come back to life. Under 13, the last change in this ordinance previously said every sign in this area had to go to this committee. This is now limited to Ghost signs if we find them. Next slide, here are some examples of Ghost signs. Look at where it is highlighted in red, and it points to the Ghost sign. This is what we think may be hiding at the Hughes Café. We aren't positive, but Maverick gave us a clue. That may be there, and this would allow us to repaint those signs and bring them back to life in this area. That concludes my presentation, and I give it to the commissioner.

Adam: Thank you, Don. Before we go back to the public hearing. Do we have any questions for the staff?

Lunt: The monument signs that exist will be grandfathered in the 20-footers. State Bank stuff like that. The new ordinance says 5 feet.

Don: That is correct.

Lunt: That one's 20?

Randall: Currently, any sign that exists would be grandfathered in, as well as any sign that's been applied for before the effective date of the ordinance.

Cox: The height is five feet. Is that too low? That seems low, especially cars coming and going.

Brent: The one thing you must realize is you have to have a parking lot to go higher. There is no place there that you can put a sign in front of a building in the Historic Downtown. Because you have a sidewalk.

Cox: Well, we have one like that in front of our building that's on the sidewalk.

Brent: You're not in the historic.

Cox: I know, but what I am saying is you could get that same type of thing somewhere, and you get these reader board signs, and they themselves are 4 feet tall. Then you are going to have down where kids can hit. They have got to be.

Brent: The main reason we are looking at that is if you look at what a hotel does. Turn here, they need a monument sign of that size to go in there. When you have a building with multi-tenants, then you need those signs that are larger than that. In downtown, almost every building has one 1 to 4 tenants. There is still no place you can put out, for example, in the Dixie Leavitt building, we have tenants upstairs. I still

have no place to put a monument sign. We have to figure out other ways to do it. In that area if you're trying to find your tenant. You aren't going to find them by a sign by the road.

Adam: Is the purpose of the five feet basically to discourage monument signs?

Brent: Yes.

Cox: Don't we have some space down where Maverick is and on the corner across the street? You have lots of room going down Center Street in that portion.

Brent: I would disagree with you. There are just entrances into the parking lots.

Cox: You can make some space in some of those places? Right?

Brent: Not on Center Street, but you probably could on the places you're talking about, but they already have parking lots and have a Monument sign.

Cox: Like the old library, for example, is that in the Historic District? Or does it stop at that block right before it?

Brent: It would be if we could do something on that corner; we couldn't do a Monument sign there, but then past that, you can, but we already have the sign.

Don: Generally speaking, the Cedar City sign ordinance is very generous. Monument signs in most places I have worked and in other cities are typically required to be quite low. We must keep them away from driveways and corners. A lot of regulations come into Monument signs. Because all the signage is right at grade. Your pole sign, you certainly do not in this area, is written, but those can go up 30 feet tall, just about anywhere in town. Monument signs are a little bit of a different animal, and that is why we regulate them a little differently.

Cox: If there is no place to put on, then it doesn't bother me, but I hate to make it so restrictive that no one can do things that make sense.

Brent: What we are worried about is that you can't do one for your advertising theme. Because of the closeness but the new hotel is going to need a Monument to direct people into the driveway. That is what we are trying to say. We are trying to make sure that it doesn't stop Maverick from anything.

Cox: Could the hotel put it on clear up 20 feet up their building and attach it to their building? Then it is not a monument sign.

Brent: That is a good question. Because right now, I don't think that would be a Monument sign when it is. A Monument sign has to be attached to the ground.

Don: We call that a projecting sign.

Adam: Are projection signs in the ordinance?

Jennifer: I think so.

Brent: Your big, bulky ones downtown try to put every sign you can up in a small area, but nobody can read it. It just causes clutter. If you want to make everybody happy. You can do the wall at Boomers, but I want everyone one of you to tell me what the sign on the side says right now. You can't.

Jett: The hotel that the Burgess Group is putting in down the street. That is a franchise is any limitation on the monument sign; going to have any limitation according to their franchise.

Brent: We'll probably hear about it, but I don't think about how they get there.

Adam: It is outside of this dotted line.

Brent: They will have another issue that we all have to deal with because even if it was the sidewalks in front of all those buildings are UDOT and you will need to deal with them.

Jett: Thank you.

Adam: While you were discussing that. I was asked legal about item 8 or 9. It says that plastic shall be avoided.

Don: It should probably be prohibited. The appearance. They could use other materials, but it can't look like a shiny piece of Lexan or something like that.

Adam: I just know that it can be very difficult to enforce.

Don: I agree.

Adam: Any other comments or thoughts currently?

Public Hearing Closed

Jennifer makes a motion for a Positive Recommendation for the Ordinance Text Amendment regarding signs; Lunt seconds; all in favor for a unanimous vote.

3. PUBLIC HEARING	2352 W Portal Rd.	Ron Larson
Amended Plat	Crestline PUD	
(Staff Decision)		

Brent Drew: With the Development team at Leavitt Land and Investment. All we are doing here. Every unit was sold there, and in our last HOA meeting. The members said they would like more control over their backyard. What we are doing is amending the plat. You can see these areas here that have lines from the front to the buildings to the back. That is where our engineers have gone, and we have already met with all the people to make sure they are okay. With the way the lines look and all that. All of them will have to sign the plat to even have this go through there. We are moving this through to their recommendation to give them a personal backyard instead of having the HOA in their backyard

Jett: I hate to be mean, but can you tell the people in the audience where this is?

Brent: This is Crestline up by Cedar Middle School and across from the ball fields.

Adam: This is all existing properties.

Drew: All the homes are built, and everybody is in them. They just have their HOA meeting. They are big enough now, they have three HOAs up there now. This HOA decided that it was the main thing. They wanted to have a backyard. That is all we are doing.

Adam: Thank you.

Public Hearing Open

Public Hearing Closed

4. PUBLIC HEARING	1184 Rockwood Lane	Platt&Platt
Amended Plat	Ashdown Forest – PUD Ph. 6	
(Staff Decision)		

Bob Platt: This is another where we are making one lot out of two. This has gone back and forth a few times. Now it is becoming one lot again.

Adam: Is there anything built on the lot?

Bob: No, the owner is planning on building.

Adam: Any easements we need to worry about?

Bob: I don't think so.

Don: I have seen this so many times. It's fine.

Bob: We have combined it and separated this several times.

Don: If we have missed something, then we have missed 5 times.

Adam: Any questions for Mr. Platt?

Public Hearing Open
Public Hearing Closed

- | | | |
|-------------------|--------------------|--------------------|
| 5. PUBLIC HEARING | 1166 Sage Dr. | Watson Engineering |
| Amended Plat | Pioneer Center PUD | |
| (Staff Decision) | | |

Darryl Brown: We would like to put a zipper on this as well. The red boundary marks the existing Pioneer Flooring Store location. Brody's is on the south end. This red boundary currently is unit four, and we are trying to make two additional units there.

Adam: You are cutting it into pieces.

Cox: Is the building already existing?

Darryl: Yes.

Cox: You are just splitting into parts and selling in pieces.

Darryl: To create units as they currently have.

Adam: Alright, thank you. Staff, do we have concerns?

Don: I only had one comment on this, Darryl, about parking. Did you guys address that?

Darryl: We did.

Don: As long as they can work that out, I don't see any issues.

Darryl: We have plenty of parking spaces based on the ordinance council.

Jett: May I ask for clarification? Do they need additional parking for what they are doing?

Don: I don't think so. Some of the data was carried over from the old plat. Some of those changes have helped them.

Darryl: Yes, we have more than what is required.

Jett: I figured you did. I wasn't sure because if we made them into condos, would it increase or decrease? I thought it would be based on square footage versus units.

Randall: The risk usually comes down to a change of use. If you have the whole place and it's all Pioneer Flooring, then you change one of these to say a restaurant that is going to change your parking requirements. That is why the parking discussion is good to bring up now. So, they are now risks they are taking if suddenly they just don't have enough.

Jett: Alright, thank you.

Public Hearing Open
Public Hearing Closed

- | | | |
|-----------------------|--------------------|---------------|
| 6. PUBLIC HEARING | | |
| Development Agreement | 2100 S Westview Dr | Caleb Leavitt |
| (Recommendation) | | |
| 7. PUBLIC HEARING | | |
| General Plan Change | 2100 S Westview Dr | Caleb Leavitt |
| LD to MD | | |
| (Recommendation) | | |

- | | | |
|--|--------------------|---------------|
| 8. PUBLIC HEARING
General Plan Change
MD to HD
(Recommendation) | 2100 S Westview Dr | Caleb Leavitt |
| 9. PUBLIC HEARING
Zone Change
from MPD to R-2-2
(Recommendation) | 2100 S Westview Dr | Caleb Leavitt |
| 10. PUBLIC HEARING
Zone Change
from MPD to R-3-M
(Recommendation) | 2100 S Westview Dr | Caleb Leavitt |

Public Hearing Open

Rob Farow: I own a lot and am currently developing a home and a shop building. Which directly adjoins Mr. Leavitt's proposed development. I am not sure what he is going to do. It is hard for me to say, don't let him do this or that. When I bought the property, coming into the neighborhood, there was a big sign, and it had all the big things to draw you in. One of the beings is View Lots. I thought, great. I watched the development; the different phases came through. I found a lot I really liked, paid dearly for it, and developed a home. It is about 25% complete. When this comes to pass, and Mr. Leavitt proposes whatever he wants, it to be a zone change for building something. I would hope that the council would encourage him to be a good neighbor. Instead of building a 2-million-dollar home. There are a lot of nice homes in there, and I want to be one of them. Then the potential of having an R-2-2. Which is nine dwelling units per acre. Is that what it is?

Don: We have the Cordero Agreement, which is currently master planned as medium density. That could vary from twin homes, duplexes, and single-family homes.

Rob: What is it currently zoned for? The city had a zoning which expired. Is that right?

Don't: That is correct. It is currently zoned for master plan development. Which has that link to the Cordero agreement that we have discussed numerous times. The zone is no longer available as a tool in our toolbox, so to speak, but the agreement that is attached to that zone, as it shows on the map, is still relevant.

Rob: Does that mean if it was zoned R-1, it is still relevant? It could be recommended to keep R-1.

Don: It is zoned master plan development that has that agreement. The master plan is just the general plan. Two pieces of the cake; the master plan development is the law of the land as it stands, with the agreement attached to it. If there was no agreement, then we would ask them to change the zone. Then they could pursue an R-2-2 zone based on the general plan. Which would align with the densities that we have planned out there.

Rob: I believe that the lots to their face are running east and west, and along their west boundary, they are back of their properties. I believe that is all R-1. At one point, I believe it was suggested to Mr. Leavitt that the adjoining properties to 4B Ranch be at least R-1. I thought he preliminarily agreed to that. Then the next meeting I came to the lots with their back lots lines to the west were R-1 but you turned the corner, and there are 3 lots, 19, 20, 21. It is all up in the air, we have no control over what we put in our life savings. I realize my life savings and how I spend them is not someone else's problem. I would like

them to be good neighbors. Before I paid for my lot, I came into the city, I was taken into one of the back rooms, and map pages were flipped, and they said, Oh, it's here. There was a walking path running through there. I thought it was a great green belt. Chances are that development will be further away. Right now, it would be nice if they could make a green belt and maintain the suggested walking path. What I am hoping doesn't happen, and I realize if they change it to R1, which would be better than R-2-2. From my perspective, they could still build two-story homes and partially block my phenomenal view. I would like to maintain it, but that is not your problem or his. If it comes up, I would just like your support to try and suggest to Mr. Leavitt that he make that a green belt. As was suggested on somebody's map, or keeping the density down, they wouldn't build too high. That is all I have to say.

Jennifer: We had talked about suggesting that he feather and things like that. Because what he suggested is pulling out of the development agreement. Then he took the best financial parts of that development agreement and proposed that he put those in his property. That he has purchased. I know from a financial standpoint of higher density, but really, I don't feel like we have got the infrastructure to handle more with the high density. We haven't even addressed Westview Drive and the expansion of that. We keep kicking that can down the road. Furthermore, it is kind of not right. I have said it before, just to take out a part of the development agreement, saying, hey, we don't want to go along with the development agreement, but I do want medium to higher density. That is the part I want.

Adam: The Commission is constantly encouraging feathering, as we are seeing developments that we are trying not to put high density right up next to rural estates. The issue with this property is that the only piece of rural estate that borders it are those three lots.

Cox: And that's R-2 on the other one. They can build there without coming to us.

Adam: I know, it is hard to say feather, just this one little, tiny section. I imagine that it is hard for them to design. I agree with you and hope that he is a good neighbor and builds something that you can live with behind your home.

Cox: The leverage we have is the Cordo Agreement. They either must come up with something better than the Cordero Agreement, or they must pull out and do a Development Agreement. Every development agreement is the city council that I am aware of has asked for feathering if it borders on that type of zone. That certainly is a consideration but then they could say, we aren't doing anything and go build R-2 on that piece of R-2 and no one can do anything about it.

Adam: 9 years more, and the Cordero agreement is out the window.

Cox: Yes, then it is all null and void. Then we are back to the drawing board for zoning.

Steve Holman: They mentioned the Cordero Agreement and brought up that the city was a part of that. Is it the City's position that the Corderio Agreement should go forward? Or is the City's position that they want to abandon the Cordero Agreement and allow a change to development out in that area?

Randall: I think I would say it is probably dangerous to say we have one opinion on all of that. The city expects that after 16 years. Some things may need to change, but the city is also aware that some of those promises were made in the Cordero Agreement, which is the reason why we allowed it to annex in. It was not part of the city before this. Most of those are related to infrastructure, fire, streets, water, sewer, and lift stations. All of those are very expensive things, and if we allowed Cordero to come in without an agreement. It would be taxpayer dollars. That part, I can say, the city is adamantly against. I don't want to use taxpayer dollars to help a developer in this case.

Steve: As a taxpayer, I encourage that.

Randall: Again, we have a fire station that we'd like to put down there, and it would be helpful if there was a little extra money for it. What would have probably cost \$4 million in 2009 is \$9 million now. Is that what the Chief is asking for?

Mayor: Yes.

Randall: To that extent. Who wants what other parts you could probably pull 10 of, and get 10 different answers on some of these things. The infrastructure is huge.

Steve: Thank you.

Jett: I don't know Calab Leavitt other than meeting him here. He doesn't seem like an unreasonable person. I don't think he wants to create enemies. The city can't tell somebody they can only build a one-story home or a two-story home. I mean, there is no way for us to do that. It would be like us telling you what you can and cannot build. There is no mechanism government to do that.

Jennifer: But there is zoning.

Jett: For different density. Just not for a one or two-story home.

Jennifer: Absolutely.

Cox: Every house that is built. Impedes a view from somewhere. That is the natural property right that the people have. If you want the view, buy all the property in your view. I am not being facetious. I am saying that is the right of those property owners.

Adam: It's unfortunately what we hear a lot. Is it going to destroy the view, or is it going to destroy what I purchased? Unfortunately, it is hard for us to consider that. Because those people with that land have rights too. I understand that you have a view that you love, and hopefully, you get to keep the view.

Cox: And we will do all we can to help them be good neighbors if it comes to that development agreement. Even if we do R-1, they can still do a two-story home close to the property boundary. I don't want you to get your hopes up that your view is never going to be taken.

Rob: Like the feathering idea.

Jett: Jennifer introduces that, and she is a realtor, and she knows what the public likes and dislikes. She was adamant about having some feathering and setbacks. We weren't going low-density and high-density and one fail swoop. I don't disagree with it. We must show some respect even though people have their property. Try to meditate on some reasonable accommodation without stepping on toes.

Public Hearing Closed

Tom Jett: Please don't adjourn yet. I would like to take a moment.

Adam: Sure.

Jett: Two weeks ago, I spoke before this council. I acted like the rear end of a farm animal. I apologize. I sit up there and tell the public that we are volunteers, we aren't being paid for our time up here. We are just doing the best we can. That is what you guys were trying to do. I apologize. Hopefully, it will never happen again. I would like to blame low blood sugar, but I think I was having a bad time. It was no one's fault but my own. As they say, the worst patient in a hospital is the doctors. Well, I guess the worst people on the Planning Commission are the Planning Commission members who try and get something through. I have learned from that. Thank you for your time.

Adam: Thank you, Tom, for that. I don't feel like you were out of line with your comments and what you were trying to do in that meeting. Thank you, we do appreciate it.

The meeting was adjourned at 5:58 p.m.


Faith Kenfield, Executive Assistant