

CEDAR CITY PLANNING COMMISSION
MINUTES – October 7, 2025

The Cedar City Planning Commission held a meeting on Tuesday, October 7, 2025, at 5:15 p.m., in the City Council Chambers, 10 North Main, Cedar City, Utah.

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

Members absent:

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

Others in attendance: Rick Magness, Skylar Stewart, Jesse Carter, Michael Platt, Ann Clark, Sean W., and Jonathan Stathis.

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

I. REGULAR ITEMS

1. Approval of Minutes (dated September 16, 2025)
(Approval)

Decker motions to approve the minutes from the September 16th meeting; Davis seconds; all in favor for a unanimous vote.

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| 2. PUBLIC HEARING | | |
| General Plan Amendment | 1157 South Main Street | Alex Fleishchman/Rick |
| Highway/Regional Commercial to CC | | Magness |
| (Recommendation) | | |
| 3. PUBLIC HEARING | | |
| Zone Change from R-2 to CC | 1157 South Main Street | Alex Fleishchman/Rick |
| (Recommendation) | | Magness |

Rick Magnus: AWA Engineering, here on behalf of the applicant. Just to let you know, the applicant is interested in just making this a bit more marketable parcel and then also making it just kind of compatible with the surrounding area. There really is nothing more to this, it's a very straightforward application. I'm here to concur with all the staff recommendations I won't let you know it's been a pleasure working with your staff. They have helped us with this and we're just looking forward to receiving your recommendation of approval this evening. I'm here to answer any questions you may have.

Webster: Beautiful, questions from the Commission? I think we have looked at this once before, didn't we?

Davis: Yes, I believe we have.

Webster: Anybody have questions?

Rick: This is the yellow three buildings that are not adjoined but are climbing up the hillside there you go.

Jett: There were some previous participants in the meeting, people that live up in there. If you guys would strongly be encouraged to put some kind of frontage along with that. I know that state you bought frontage but offer some frontage. Because our concern is they'd like to be able to get up to the Cedar Knolls stoplight versus driving through your parking lot. I just felt inclined that I'd remind this organization that there were some, not from this board, but from citizens. This is a legitimate concern. That's extremely busy. It's only getting busier over there.

Rick: Okay, we have looked at that. There is an easement along the frontage. There is also a physical challenge because. You've been there and probably have seen it before, where it just humps up from there. There is that challenge for this parcel. I could say we'll do our best.

Jett: That's all I'm doing.

Rick: If we've had this discussion, we are aware that it is a physical challenge though because it just, it goes straight up almost a little bit there.

Jett: Well, this won't stop my vote to support it. I just felt they're not here this evening and they seem very earnest and heartfelt concerns. I just wanted to just keep on reminding.

Lunt: They had hoped to get a stoplight put in at Cedar Knolls. That's not going to have a stoplight within three or four hundred feet of an existing brand new one. They're just having trouble getting on and off.

Rick: I know that all the improvements, all the accesses have already been designed and approved by UDOT. You have that new signal there. We're just kind of moving forward. We've had conversations with them. They weren't going to let us kind of chip away at that, so that will be our constraints also.

Jett: Well, anything you guys can do to assist, it would be wonderful.

Kent: One of the challenges with having that connectivity is that the traffic signal the way we need to have those approach lanes. We can't have access. access, it just comes straight across to the signal. That won't work. The access must swing back further into the development. When you do that, that's going to create some real challenges for them, I believe. As Rick and I have talked about it outside of this meeting, that is something they're trying to look at to see if there's a way to make it work.

Jett: That's all we can do.

Kent: It's not going to be easy. It's tight trying to make that work.

Webster: Any other concerns from staff or commissioners?

Open Public Hearing

Close Public Hearing

Jett motions for Positive Recommendation on the General Plan Amendment Highway/Regional Commercial to CC at 1157 South Main Street; Davis Seconds; all in favor for a unanimous vote.

Jett motions for Positive Recommendation for a Zone Change from R-2 to CC at 1157 South Main; Davis Seconds; all in favor for a unanimous vote.

4. PUBLIC HEARING

Development Agreement-Amendment 1221 South Main Street
(Recommendation)

AWA Engineering

Rick Magnus: AWA Engineering here on behalf of this application. What we are looking to do is we've been in great conversations with your city attorney working through this and the developer. There is an opportunity that will happen possibly on this site in the future. For that to happen, this needs to be removed because of all the conditions in that development agreement. We are working with staff and your legal department. There will be a new development agreement when that new development comes to your attention soon. One of the things that we're looking at about this is the technology that we're using. We're looking at, it says the termination is subject to and conditioned upon a closing between sellers and purchasers under the purchase and sell agreement that is, understood by the city as well as by the seller as well as by the purchaser. Once that is closed on, that's when this decision would then take place and we would be pursuing a new development agreement.

Jett: How do we know when it's been closed?

Rick: Mr. McUne, would you like to comment on that when you want to know when that closing happens.

Randall: Well, in the end, they're just going to come tell us. Because right now we kind of talk to all parties at the same time. Once the closing happens, one party will probably stop coming. That's probably the way I will know first. They'll just let us know.

Rick: We absolutely will.

Randall: Because to put it in the bluntest sense, just kind of stepping a couple steps back from even that question, the two parts to this development agreement. The development agreement, and then the extension part of it were purely for the benefit of the owner and developer of that property. The city did not demand any of those things that were in there. That was to protect their investments so that they were worth putting into the investments. We have no problem with any of them being removed because we didn't ask for it in the first place. When they come forward with the terms of the new one, we'll probably have lots of things we want to give them to have them invest in Cedar City as well. We'll see when we get there. For now, I have zero problems with this one going away because we didn't ask for it in the first place.

Jett: That's easy.

Kent: Rick, could you expand just a little bit on what you're thinking in terms of a future development agreement? Because you mentioned a new development agreement. Can you maybe comment on that? The reason I bring that up is that I mentioned it to you right before the meeting and then we got cut off by the pledge which we dutifully participated in. There are some things that we had some concerns about that we were hoping could be addressed. We've had a lot of discussion about pedestrian access from the east across the drainage channel there. One of the things we're looking at is we want to make sure that the trucks are making the deliveries. That the site's laid out in a way that they can get to the signal because they're not going to, they're going to have a real tough time getting out of there if they can't. We did have some things we would, we were thinking that maybe it would be better if the development agreement didn't go away but instead were just amended to include some of those kinds of things. If we're already going down that road of a new development agreement because of some things that your client's going to need, that opens that opportunity there as well. I don't know if you can comment at all on that. If it's too early to comment, any more on that.

Rick: Well, we have been in conversation with the future, and we've started to identify those things that we would like to include. So, the city has a comfort level as well as the future developers. You will see the things that, in a normal development agreement, you're going to be very pleased with. We are too. There'll be some negotiating. We'll get to that point. What this doesn't do is this gets us nowhere. That's why it needs to get out of the way so that we can do exactly what you're talking about.

Kent: Okay, because the current development agreement envisioned a different type of project.

Rick: Yes, it did.

Webster: Commission, any questions?

Open Public Hearing

Close public Hearing

Randall: Can I just add one little thing?

Webster: Yes, of course.

Randall: Again, we don't need the addendum to remain, and it would be weird to terminate the initial agreement and keep an addendum. The reason why the addendum was there. I'm assuming you guys are aware of, which is there are sometimes old lines. I think in this case there was a water line that nobody had marked on a map. They've discovered it as they were doing the real work in the real world. The addendum was more of just kind of a duty of parties of what to do. Most of those duties are just set by common law anyway. They're already there as to what they must do to move a water line. That's the only thing I would ask you guys to pay attention to when you start digging down. Watch for lines.

Rick: If I may, we've been working on a new ALTA survey with all this. This is included, and we identify all of those right now as we speak.

Randall: Again, those are ones that they obviously don't want those easements running through the middle of any large buildings they may put in. The city doesn't want them there either. The typical duty of moving an easement is the cost is on them, and that's exactly what this agreement basically was. That we wouldn't they would move any of ours, and we would agree to moving, and we would not try and use a third party, say an electric or gas going through that we don't own, and try and use the city's coercive power to stop those companies from moving them. Which we're not going to do anyway. It helped the developers feel more comfortable in the previous one. I just wanted to make sure that everybody was aware that that was why that addendum was there, and again, we're fine with it being removed.

Rick: Okay. Thank you.

Davis motions for a Positive Recommendation to dissolve the DA contingent upon the closing and sale of the property at 1221 South Main Street; Lunt seconds; all in favor for a unanimous vote.

5. PUBLIC HEARING

General Plan Amendments
Platt

Approx 800 North 3700 West

Cedar 106 / Platt &

Low Density to Medium Density,
Low Density to High Density,
Medium Density to Low Density,
Medium Density to High Density,
Medium Density to High Density,
High Density to Medium Density.
(Recommendation)

6. PUBLIC HEARING

Zone Changes from
Platt

Approx 800 North 3700 West

Cedar 106 / Platt &

R-1 to R-2-1, R-1 to RN,
R-2-1 to R-2-2, R-2-1 to RN,
R-2-2 to R-1, R-2-2 to R-2-1,
R-2-2 to RN, RN to R-2-2.
(Recommendation)

7. PUBLIC HEARING

Development Agreement-Amendment
Platt
(Recommendation)

800 North 3700 West

Cedar 106 / Platt &

Don: The project proponent sent out their notices. We staked it, but our public notice that goes to the state website, et cetera, did not have all these zone changes listed. I think we can table it, and Randall, if I correct me if I'm wrong, we will re-notice it the 21st.

Randall: Correct. Then just to let you know, timing-wise. That one's on the council tomorrow. This one as well, because we don't want to slow down this project any more than reality is already making it slow down. Again, it was just an oops in this case. The council will address this next item on the 22nd and 29th, if I've got my dates right. It wouldn't be a bad thing for you to discuss today. You just can't take a vote, because we have too many items, too many parts of this that were not published. Discussing is not a bad thing, because if there's anything that's on the minutes from today's meeting, they'll probably end up in the council's packets for the 22nd. What happens on the 21st, when you discuss this and vote, we'll just have to verbally inform them. Not a bad thing to discuss. Just don't vote.

Jett: Before we move on, can I ask a question? Are any of these changes going against the master plan.

Randall: Yes. Number five is a change. To oversimplify this used to be Plum Creek, now Cedar 106. Please don't change it again. The council negotiated this ad nauseum four years ago. About exactly how much density, how much use, everything else. All they're doing, if I have my information correct, is we're just switching it. It used to be this way, now the zones are going to go this way.

Mike Platt: The densities are staying the same. The number of units are staying the same. It's just the way we're configuring the parcels.

Randall: It's like someone hit that rotate page button on PDFs.

Decker: I like your description.

Mike: Yeah, it's basically what it is. If you pull up the map.

Webster: Mike, would you introduce yourself?

Mike Platt: with Platt&Platt.

Webster: Thanks.

Don: I put together a quick PowerPoint. Maybe go to that one please Kent.

Mike: Yeah, so that's the old configuration, and that's the new configuration. Everything's running north and south with the new zone, the new master plan. The old ones are just kind of rectangles running east and west.

Jett: May I ask what the reason is.

Mike: Yeah, because we vacated Walt's Way.

Jett: Say it again.

Mike: We vacated the road. Vacating the road because 800 North was built. Now it gives them frontage on 800 North, and that plays into part what Kent and the engineering department and I have been discussing. The interconnectivity between all the parcels. This ties everything together and will give us, in my opinion, when we go to design the actual parcels, a better product. Of how we can keep people circulating through the neighborhoods and utilizing our space.

Burgess: The vertical parts are the zoning. What are the colors?

Mike: Those are the old ones. It's the same acreages, the same densities. Everything stayed the same. We're just rotating it, basically.

Kent: You can see that the way the old zones lay out were based on the roadway alignment that has since been vacated, right? Now, with that being vacated, they're getting their frontage from 800 North. That's the reason for that difference. In the development agreement amendment that already came through that you guys saw earlier. We had the wording in there about having connectivity between these parcels and to the undeveloped property to the north. That's all covered in that development agreement. Now we're just trying to get the general plan and zoning lined up with the new arrangement of the parcels.

Webster: To you it makes sense.

Kent: Yes, it works for us. We've been through this with Mike quite a bit, and I think we're comfortable with what he proposed.

Don: The table to your top left, that's the old number of units and acreages. Even though everything has shifted quite a bit to Randall's point, there's almost no difference. The units remain the same. What are we talking about, a tenth of an acre there? Mike, something less than that.

Mike: That makes sense because the road went away. The minute we put the road back in the development.

Don: No difference in the number of units. I don't think staff have an issue with it.

Randall: The only thing that I would note, and this is always your question on general planning and zoning is what are you putting next to what? Directly the south of this is what we've been talking about a bit for the Amber Industrial. Then above this is going to be residential. Obviously, the east side of this development itself is commercial. All it is your question is does it matter to you, I think R1 initially was top left. Kent, can you go back to the color coded.

Mike: This is the Iron Crest Development at R-1. We're putting R-1 next to R-1. We're not touching. I mean, we're not doing anything with this partially zoned R-2-2 to it. R-1 next to R-1, then we're going to feather to the east with R-2-1, RNZ, R-2-2, R-3-M. Then we're going to have it. We have a subdivision coming through with commercial right here off Lund Highway. It makes sense as a subdivision should go next to the higher travel roads. You should have your commercial and your higher density.

Randall: That's the only question that is whether you have any problems with what those are now going to be touching. On the north of 800 North, I don't even know if you even have any thought process if this is a problem. It's just a question of whether you care about the industrial to the south, but all of it was going to be residential anyway. I'm not sure how much of a difference it makes. If you care if R-1 versus R-2-2 is next to industrial, the result's probably about the same. Honestly, I think all of this is thanks to Phil Schmidt's generosity in finishing the road more than he had to.

Webster: Any questions?

Decker: No, it makes sense.

Open Public Hearing

Carter Wilkey: I just have one quick question. This is either a big question for Kent or Randall. In a situation like this, and this is something I think we need to address as a city. When we talk about the only difference between this plan and the other one with the main road going through the middle, it is when we come to that 80-unit situation for access. Does each one of these have to have, so if this chunk right here had more than 80 units, do they have to have two to down here? How does that work? Then the other question is all of these. We'll start with that question first.

Mike: Can you address that question?

Kent: Of course.

Mike: Have you driven 800 north? Yeah, we do have little curb cutouts right here. There's three of them that take you to the north. Then if we do reach the maximum allowable, that's called the 80 units at that time, and I will discuss, do we need to put another entrance in there? We still must live by the 80 units.

Randall: Yeah, so that 80 still exists.

Carter: Does 80 exist for every individual type of zoning?

Randall: No, it's based on each access point. We would ignore any of the zones or anything like that in determining the 80. It's literally okay, we've got one connection to 800. That connection can have up to 80. As soon as it hits 81, it needs a second access point, whether it's the same zone, different zone, different ownership, same ownership. It's all about does each connection have more than 80. In which case we require a second connection. But there's interconnectivity that's supposed to happen in these. We just didn't define what.

Kent: The street here will still extend into the development to some extent. There will be an interior street network that will help tie all that together.

Carter: Well, and I would imagine there will be a street somewhere in here.

Kent: That is an issue they'll have to pay attention to as they're looking at what the phasing is going to be of any of these is making sure, we don't exceed 80 without a second access.

Carter: Because the other thing that starts to come concerns me in this. This is a different discussion for a different day. Is looking at things at things a whole. Yes, each access might have 80, but then total means you're putting potentially hundreds here and where it hits 3900 out here. There are only two exits. I'm curious if we need to start looking at things as massive developments as a whole of how many people. Yes, there might be 80 coming in out of this individual subdivision, but back to the main road, how many accesses do we have.

Randall: You're looking at the overall master plan concept for transportation. You can even see it now on Main Street. Main Street feels infinite to everybody. It doesn't feel so infinite anymore.

Don: That is on our radar, Carter. We agree on staff level. We've got to look at our ordinances regarding connectivity through the subdivisions. We just can't keep looping off these master plan roads. It's killing us.

Randall: If you must go down to 800 to see your neighbor who's two houses away, that's a problem.

Carter: I guess now thinking about it, they'd have three, because 800 would come out this way. They'd have 800 going that way, then if there was a connection here. Then yes, you'd technically have this one going out that way.

Kent: That was part of the reason why we had suggested and were glad to get included that there would be connectivity also provided to the north. That long strip of ground south of Equestrian and Point West, doesn't wind up as just one long strip that you just have access to at each end. We want that interconnectivity. That provides additional ways in and out for everybody. That was part of the thinking there.

Carter: Well, and then as we're looking at it. What I don't want to see in talking about the intercontinental. I don't want to be able to see a street coming into this subdivision count as an exit for this subdivision. I don't want one subdivision to just push their 80 into another subdivision, which then pushes it out. You see what I'm saying? If these guys were building up here, does their 80 count? Does an exit into this subdivision count as their 80?

Randall: It can.

Carter: That's what I don't like is we just keep compounding it.

Don: We want those connected, Carter. We want those subdivisions to circulate.

Carter: I don't disagree with that. I just don't want that to be the only way to get out.

Randall: It won't be the only, but it will be one of them. Again, they size the streets based on that expected traffic that's coming through. This one, because of the changes to the development agreement, is probably going to be better than almost anything else we have in the city. Normally we don't have any say on that. We get the bare minimum our ordinance allows. This previous third amendment, whatever it was, to this gave us more authority than we have normally.

Don: Would you go to another slide there, Kent? This might help the discussion. What I see is kind of the most important part of the DA, that the part that's in black, that came from the last amended DA, and this was the circulation component that we were talking about. This gives us some degree of authority to say, hey, we've got to make this thing work. Then we also added, now the language you see there in red, this is something we added as far as limiting the number of accesses off 800. I shouldn't say limit but get proper distancing between those accesses. 800 is going to be a busy road. We don't want to see homes fronting 800 with driveways every 50 feet and folks backing out. We'll want those double-fronted lots there to not have access. The last thing we put in there was, because of that industrial that we are going to see, I'm sure it'll take off. We should be able to do that should have a wall there as well. Those are the last few things that we added.

Carter: Thank you.

Tom Jett: In parts of Cedar City, right now this will be basically an independent subdivision. This will be an independent subdivision. Is that how I'm kind of understanding?

Randall: It could be multiple.

Mike: It's just like a regular zone.

Jett: Oh, I get it. I've given thought for several years and I've never had an opportunity to really bring this issue up. I think it's something that should be considered. I'm not big on rules and laws, but we're trying to get to a more active and active society and active community and so forth. If young Sally here lives here and she wants to go see Cindy or Billy or whatever over here, she must come out onto the 800. You go over where like Kerry Jones used to live over at 800, or over here off 800 West going along where Steve Woods lived and goes up to North Elementary and so forth. There's a little trail system that runs right through those subdivisions. Instead of you having to walk out like this and come out like this and so forth. It'd be neat if subdivisions in the future. I realize I don't want to give people's property away, but some type of way that the city can financially incentivize a trail system that would just go right through here to make it so it a straighter shot. Now, I'm not suggesting six-foot walls on both sides and so forth. That creates a little bit of an issue. People say, hey, I don't want somebody next to me, but maybe they do, just for their easier walks and so forth. That's just something I've had in my mind for many years, even before I was on this commission. If you guys just take and give some thought to that, and maybe the staff give some thought to it, how could we possibly financially incentivize the developer to do something creative to make the community a little bit better and little bit more walkable? Thank you.

Kent: In this case Tom the in the development agreement talks about that east-west connectivity between

these zones. That helps provide at least part of what you're talking about dedicated facilities that are more of your bike pad. That's not addressed in that development agreement but that's certainly something that we can encourage. We feel like we have a good situation here where we have a development agreement that addresses the issue of that east-west connectivity as well as connectivity to the north to address the very things that you're talking about.

Jett: I'm not picking on this subdivision I think this is a seems to be a neat layout but someday interest rates can go down and we're going have a boom again of something subdivisions. It'd be kind of neat if we could offer some level of creativity into the community and those subdivisions. Again, I'm not asking for this to be put on the developer. I'm asking this to be us to offer the carrot to help with some of these projects and types of stuff. Thank you.

Kent: Yeah, thank you for the suggestion.

Don: I did want to add one last caveat. I didn't mention on that slide, the original DA had a five-acre set aside for a park. Now, we don't have that detail that was in the first DA, but that is added into this third rendition of the DA.

Sean Wharton: I am one of the developers, and I just want to come say hi, mostly. Randall got me up here because he says that Phil Schmidt did a nice job on the road, but Phil just did the labor. We paid the money. I'm not sure who had the harder side of that deal.

Randall: We give credit to all.

Kent: Thank you for your contribution, Sean.

Sean: We made a major contribution. The reasoning, maybe you guys don't understand, but for me, when we started this process and we had the other road. We didn't have to build that road to the south. The road, the code changing and the ordinance changing that we were okay, now we must do this. It really was impactful on us from the city's changes. It made the development change, in my opinion. Because I can't afford to pay for two of those huge roads like that and make it economical. I don't know enough that anybody will ever afford to live there. For me, when I looked at this subdivision and that other road was there. I had a concern that we're funneling all the traffic down 900 out 300 feet from 800. Where your two big intersections, because 800 has a huge road. I don't know if you guys have seen it. The new road, my 400, 800 North, we have just built. Yes. It's huge. I just came back from Switzerland; it's made that thing seem huge. I don't know if you've been there lately, but it's a different world. That close, one lot away and filing everybody through 900, I think there may be a problem with traffic flow. Now we need a traffic light for another 100 yards. Where this design eliminates that from happening, and maybe all that R-3 zoning and apartment complex, these people are coming out 900, and it's less impactful. It's just my own observation, and I don't know if you guys have thought about the same stuff, but that's what's crossed my mind is we've changed the development, and I'd love to make the trail. I like the trail idea, and just the way Cedar City has been, and, if there's something in there, I could do it to help with that. I think coming across the front of it, or the middle of it, or whatever, I just want to connect into the trail system somehow would be a good plan, in my opinion. Thank you.

Webster: Any questions from the commissioners or staff?

Sean: I'm a little reluctant to open my mouth about 900 North. Because you put a big road across there you think maybe a traffic study might be required. I don't want to be as a developer, say oh we need you to do a traffic study. Because it's just a bunch of time and money. This is already this just changing has been a huge amount of time and money. I just want to share my real feelings if we really came through the middle of that and channeled at all and make a secondary entrance. It could be impactful on Lund Highway.

Jett: Just to say 900 won't be the concern. The concern out there is going to be this word called Lund

Highway for traffic.

Sean: I get it. Well, we'll make it wider as soon as I get my little central commercial piece and make a little bit of it wider for us. Thanks.

Webster: Thank you very much.

Close Public Hearing

Jett motion to Table The general plan amendments on Item 5, 6, and 7 at approximately 800 North and 3700 West; Davis seconds; all in favor for a unanimous vote.

CITY ITEMS

8. PUBLIC HEARING General Plan Update

Water Use Preservation
Element

Amber Ray

Amber Ray: A lot of time is when we when the state changes things we kind of do some behind the scenes work and change things and bring it to you. On this one we would really like your input of any thoughts you might have or any things that come to mind as we talk about this. The state came out, and they wanted us to update our general plan with a water use preservation element that would help us in the future to make sure we are using our water wisely. They said that the plan needs to have four elements which are up on the screen, but I can read to them. The effect of permitted development or patterns of development on water demand and water infrastructure. They wanted us to show you what those effects are.

Jett: Is this a statewide request by the state not just our community not just the Water Conservation project?

Amber: Correct yes, we do need to work with the water conservation district. In developing this plan. The state came out and said you need to update and have this part of your general plan. We need to come up with methods of reducing the water demand per capita, for existing development and then also for future development and then, how we could eliminate some wasteful water practices. We have been working with Hal Engineering. They presented you know a little bit coming from what we need. What we would like is to take any of your feedback back to them and then on October 28th present to you a 90% draft from them. Then if there's any revisions needed at that time, then they will come in November to do a final draft for your recommendation for city council. Do you guys have any questions? I think Jonathan was going to come. He is here he can answer some questions.

Kent: Amber, did you want me to pull up any of the other pages of what was in the packet, or are we good.

Amber: I think we're good with this. The other part of the packet was just the 30% draft that they had kind of just started gathering some information, filling in the blanks of what we were asking. There were a couple ideas that basically Jonathan and Don and I have been working on this. We came up with, and Hal has come up with some landscaping ideas. We're thinking the extension has a lot of resources that we're going to highlight. The Conservancy District has some. You guys don't have to have input tonight, but yes, if you do I'll write it down.

Lunt: Is this all grades of water? I know we have water that the cemetery and those places use and then we have the wastewater out of the treatment. Is it for all grades of water? Or just culinary.

Amber: It is for the pressurized irrigation and the culinary. Most of the irrigation is our culinary water. I'm not sure if it's, it discusses anything about the wastewater treatment plant.

Lunt: Because that's a source of water and going to be more valuable as time goes on.

Amber: It also talks about what, future that we can obtain more water. We're going to talk about drilling and different resources there. Praying for rain, we were going to put that on there, see if that helps. Just kidding.

Hitz: What experts have you involved in sustainable landscape policies, because that doesn't just mean gravel.

Amber: Right, that is one of the things that we've asked Hal, as we said. We want something tangible that we can, well, not tangible, not an actual plant, but we want a list that we can present to people who want to have drought-friendly landscape to say, these plants are what are good. We don't have anything yet.

Hitz: You want me to send you a local expert on those plants?

Amber: I would love it. Anything you guys have, any input, please send, and we will incorporate it into our remarks for them. Absolutely.

Jett: I have another question. I know you're not the water person, but Jonathan's here, so this can be addressed toward both of you. Do we go out of our way too, as a purveyor of water, and this would apply to the Conservancy District also. To those that use more than, I'm just going to grab a number, 50,000 gallons a month consistently. Do we go to those organizations, businesses, government organizations. Say hey, you guys are using a large, can we make suggestions to minimize? We'll pick on the university, for example, or the school district.

Amber: One of the things that they do use a lot; they are charged higher rates because of more usage. Not necessarily according to how much they're using, but a higher rate also. We're talking about, as we've gone through this, I'm talking about going to those places and giving them ideas of how to use less water, places like the golf course, aquatic center, SUU, and I think the school district was the other one that was one of the major players on there to do that.

Jett: We can address this toward individuals. There are some individuals that I realize pay for the water. I get it. Maybe they are, we can say, hey, we notice you're using 50,000 gallons a month, and your neighboring property has the same amount of grass. It's just as green. They're using 20,000 gallons a month. We're not trying to cut out the revenue stream, but did you know you can accomplish the same? Because I think with our computer systems, we can zero those people out, and you don't have to get everyone, but word will travel via social media as well. There's a lot of people that use abundance of water more than they need, and they don't know better. They think, oh, that's what we must use.

Amber: I think a lot of that is education and, just saying, things like turning off the water when you're brushing your teeth, things like that. The city is implementing the meters. If I understand correctly, they'll have an app that you can look at and say, oh, my goodness, this is how much water we're using. I don't know if you've ever gotten a bill from the power company saying you use twice as much power as your neighbor. Then you're like, okay, well, what can I do? Things like that. One of the things that was also mentioned is saying, hey, this person has great landscaping that doesn't use a lot of water. We're going to give them an attaboy. The newsletter or things like that to point out those who are, using our water wisely.

Jett: Jerry Sherritt, this is long before your time, and there's a handful of us who remember Jerry Sherritt. I can't remember exactly the top ugliest or most attractive. I can't remember which one. The best water-wise and creative landscaping. This is not a money issue. This is an issue that we're all drinking out the same cup, and when that cup runs dry, we all pay the same price, thirst. I think we can get some businesses to help sponsor and, show pictures and, hey, look how wonderful this is. It's just little thoughts.

Amber: I love it, yes.

Don: Those things can go a long way.

Webster: I think you're right. The power company does compare you to your neighbors, don't they? So does the gas company. Embarrassingly. Gas. Yeah, I'm like, come on, I have kids at home. I'm living next to somebody else.

Amber: I always want to be, what are the neighbors doing because they're not using any power.

Jett: Well, they just don't want to see what's grown in my basement.

Open Public Hearing

Carter Wilkey: I just had one quick suggestion. Anytime we have a chance to two birds, one stone, I love it. Right here, modifications that can be made to local government's operations. I'm also going to look at possible ordinances. One thing that I'd love you guys to consider. I recently had a client whose project did not pencil out because in the I&M zone, he was a double-fronted lot, and we require landscaping on both sides of his property. He's a corner lot in the industrial zone. We require landscaping down both sides of his property because he happens to front two streets, and I think that is not appropriate.

Jett: Let's bring it up.

Carter: Those are the kinds of things where I think you can get points with the state, and the city can say, hey, we've made some minor changes, right? This is a very minor change, but in certain situations, I think we require a little bit too much landscaping in certain places where we might not quite need it. I'm not saying get rid of landscaping, but in an industrial zone, that's just one area. It's one little carrot we can give or one little thing we can change that can possibly make small differences. That's one thing I'd love for you guys to look at is. Again, on double-fronted even if you start in double-fronted lots, you don't have to have landscaping on both sides, right? That's still something. It's not much, but it is something. Just a thought.

Webster: Thank you, Carter. Jonathan, your name's come up. Do you want to share anything?

Jonathan Stathis: City Engineering Department. I think what we've found so far as we've been going through this is that overall, the city's been doing a good job over the last few years to encourage water conservation. We have a lot of ordinances and policies in place. One of the big things is at the time of development now. The developers have an option to go into the, what we call the conservation tiers. And almost every developer is choosing to go that route now because of the incentives that those conservation tiers offer. Which is great because that just helps us go forward as we continue to see development in the city. As Amber said, education is also going to be key as we go forward. I think it's starting to get, there's starting to be more awareness obviously about conservation, but certainly we can do more. What we're trying to see here is what we can find, you know, we're trying to turn over every stone here and find out what we really can do to make improvements on what we've been doing.

Lunt: I think education is the key. I live by the college and a lot of my neighbors; they view that college watering asphalt for 12 hours at night and get up in water everywhere and they don't understand what grade of water it is. Here we are asking them to, you know, go zero landscape or whatever, yet here's this big neighbor just spraying water everywhere. It kind of rubs them. The wrong way.

Jett: Is that pond water.

Lunt: I think it's irrigation.

Jett: The public doesn't know that. The public doesn't understand. They just see water is water.

Burgess: Even if it's secondary, nobody likes to see it running on water.

Lunt: They see the cemetery watering their walls or something, hoping they'll grow.

Jonathan: Those are things we can certainly reach out to. I think that's a great point to reach out to those large users and make sure that they understand what they can do.

Lunt: Just let people know where the water is coming from and why they're watering so much.

Jonathan: Those are the key things. The state has mandated this needs to be done by the end of the year. That's why we're kind of pushing this through currently. We feel like we're already ahead of the curve here. It's just a matter of what we can do, what we can improve, and what we can do better. That's what we're trying to look at here. Okay. We appreciate the feedback. We'll take that back to the consultant and make sure those items get included.

Jett: Thank you very much this is we should have been doing this 40 years ago, but you know they say the best time to plant a tree is 40 years ago the second-best time is today, and so that's kind of what we're doing.

Jonathan: Sounds good thank you.

Webster: Thank you.

9. Road Dedication
(Recommendation)

100 East Street

Kent Fugal

Kent Fugal: We have 900 North that comes through there's a currently a dedicated public right-of-way for 100 East to extend north of there. No road exists there yet. We're working on a project. We're trying to get out to bid to build the street from 900 North southward down to 775 North or whatever that is. Where that charter school is now that just opened last year. Through the Forest Service property here, we have the right-of-way we need, easement we need from the Forest Service for that. What we want to do here is all city-owned property on both sides, but we just need to get the actual road right-of-way dedicated and create that road right-of-way through there. That's what this item is. We just wanted to bring that to you for your consideration and recommendations for City Council.

Jett: I'll ask a question. I'll make a statement. Are there going to be limited curb cuts along 100.

Kent: We do not have anything specifically in our, in anything we're proposing right now that would limit those. Obviously, with that being a collector roadway, we want to keep those to a minimum.

Whether there could be an access point coming off 100 East. I would say, there probably could be. I think we would certainly with that property to the, to the west there, and I know you, have your interest there. That, yeah, we would expect that there would be access from 900 North. There could certainly be access from 100 East as well.

Jett: My statement is I have an 85-year lease with Cedar City Corporation on that approximately one-four acres. Where the yellow arrow is from the Forest Service property to 900 down to behind the MCO tire.

Randall, what do I do?

Randall: The only restrictions you're going to have are the ones that apply everywhere. Distance from the intersection and distance from each other. Those are the only restrictions. There are no specific ones.

Jett: Do I need to recuse myself from this vote.

Randall: Probably wise.

Jett: All right.

Randall: You will receive a direct benefit from the road being put in.

Jett: Right, thank you.

Webster: Thank you. Tom recuses himself. Is there somebody that would like to make a recommendation.

Decker motion for a Positive Recommendation for the Road Dedication as stated by Engineering on 100 East Street; Hitz seconds; all in favor for a unanimous vote; Jett abstains.

10. Discussion Item Only
Wilkey

Housing Options in Downtown
R-3-M

Councilman Carter

Carter Wilkey: Well, not downtown, in the R-3-M. This is a rare opportunity we have. I've talked to you guys before about this, where we now have the opportunity to plan something. This isn't a developer that's pushing this. This is something that I think the city should be looking at. We get the benefit of taking our time on this. We can vet this properly. We can talk about it. My plans are to talk about it with you today. I will then start working with Randall to draft an ordinance. Then we will take it back through the complete process through sketch, through planning commission again, and on to city council. This is just a discussion tonight, no decisions, no recommendations exactly to be made. As our planning commission, I would love your guys' opinion, and I highly listen to you, and I want to hear what you have to say. This last week, I had the opportunity to spend two days in Salt Lake City. We attended, myself and Councilman Phillips, we attended the Utah League of Cities and Towns. This is an organization that supports all the cities and towns across the state, working with state legislatures and different laws. A lot of that has to do with housing. That's probably the largest thing that we talk about in those meetings. The governor has come out with a goal of 150,000 new homes in Utah before the end of his current term, is what he would like to see. Here in Cedar City, we've done a very good job at doing what we can. We have plenty of stuff zoned. It's not necessarily an issue with zoning or anything like that. We still do have a housing shortage. One of the things that was an idea was that a lot of towns are starting to move to. We're going back old school. This is something that was done a long, long time ago. One of our cities to the north, Parowan, these are the only types of high-density housing they even allow in their city. They don't allow townhomes, condos, or apartments anymore in the city of Parowan. The only thing they allow is what we're about to talk about right now. The concept, I haven't given Kent much time. He doesn't even know what I'm talking about, really, honestly. Let's be honest. Could you go to Google, and you're going to put in the word mansion apartments. What the idea and concept is here. In Cedar City, we have a lot of properties that are zoned R-3-M. They are zoned for high-density. If you own, and go to images, if you just type in mansion apartments, go to images, and we'll pick one of these buildings. That's a mansion apartment. So let me, those are all examples. Let me go a little bit further. We have the R-3-M zoned all around the university, part of downtown, and north of 200. Kind of between 200 North and 600 North, between Main Street and I-15. In these areas, if you own a lot that's R3M, it's zoned for high density, but the lot itself, one lot, is not big enough. It's barely big enough in some cases to do a duplex. Some. None of them are big enough to do a triplex or a fourplex, but they're zoned high density. What does that leave the developer as the only option? They buy three or four homes. They tear them all down, and at that point, their investment is so high, the only way for it to pencil is they tear down all three homes, and they put up a 30-unit apartment complex, right? We don't like them. I mean, they happen. They're part of it, but they're not necessarily the best thing. My proposal is these mansion homes, what these are, are these homes built on single lots. There are still certain requirements which we're going to talk about. That's where I want your guys' input, but essentially what it is from the outside, it's a home. It has one front door. There are no more than two and a half stories. They look like homes, but on the inside, they are apartments. You would walk in and inside. My proposal would be we allow up to four units in one of these. They can be condo minimized. The owner could create a small little HOA on just this property. They could sell the four individual units inside. My initial thought would be up to two bedrooms. The idea is to keep a neighborhood feel, but to find ways to allow

more high-density housing in residential areas. Hopefully the goal is to persuade investors to buy one lot, tear down one house, and build one of these and get a fourplex on a lot where our current ordinance wouldn't allow them to. It looks like a house, and keeps them from buying three or four houses, tearing them down, and putting up a big apartment. Then you get to the idea of what's in it for the investor. What are some of the advantages that we are going to give these investors? Some of the things that I would love your input on that we need to talk about are parking, and setbacks. Those would really be the two biggest carrots that we would; to be able to give an investor to say you can buy one lot instead of having to buy two or three and you can get a fourplex on one piece of property instead of two pieces of property. To do that we're going to have to either give a little bit on some setbacks or we're going to have to give a little bit to do with some parking or both. Again, this allows us to have a new type of housing that currently we do not allow in our city. I mean you could build one of these if you had a big enough lot for a fourplex. At a four-plex you'd currently have to have 9000 square feet plus 3000 square feet. You'd have to have a 12 000 square foot lot, so you'd be somewhere around 0.26 - 0.27. What you would have is to be able to put a fourplex on one lot. Most of the lots in the R-3-M zone are between 0.19 and 0.22. One lot is not big enough you can barely get a duplex. This is a suggestion, and this is the direction that like I've said a lot of cities are moving to. A lot of cities in Salt Lake up and down the Wasatch Front and including our neighbors to north Parowan just recently adopted an ordinance that allows these. These are the only type of high density they allow. One of the thoughts is we could potentially move to what is allowed in the SHD as far as parking and setbacks. Again, these cannot be taller than two and a half stories, meaning you could finish the attic if you would like. They cannot be taller than two and a half stories, and they cannot have more than four units. Thoughts.

Davis: A thought is none of those lots that I can even think of near the University and in these areas that you're talking about are super narrow. A lot of them are super narrow. This concept of a big mansion-looking house is going to look like a bird house or something. It would have to go straight down, straight up. I don't know how you could either.

Carter: Or straight back.

Davis: Well, I guess it defeats the whole purpose of the look because I feel like that, you're in the right direction and I like the idea of the look. Then the neighbors are like, oh, okay. They tore down a house and build a mansion house. I don't feel like that the lots are conducive to anything even looking near what these look like. There's that. Then the second thing is parking because if you add four units and minimize parking, then it's not going to be very effective.

Carter: Well, the one thing I will say is this still does not work on all lots. There are some. I think you could put the parking behind. You could do a driveway down the side, put the parking behind. There are going to be situations where it could stop some. Again, you don't always have to go to four units too. It might be that you have a unit that's 0.19. I used to own a unit that was literally, the entire lot was 150 square feet short of me legally being able to build a second unit. I was 150 square feet short, the lot was. I couldn't even build a duplex.

Davis: Going to something like this wouldn't have solved your problem.

Carter: I could go to two, but I could do two units like this.

Jett: Carter started; this isn't just by the college. College, this would be in any R-3.

Davis: I know.

Carter: Anywhere that's owned R3.

Davis: Most of our R-3, to be honest, is in those older college areas. A lot of those are 0.16, 0.19, and they're super narrow. That's why people are doing a basement apartment or something like that, but they don't even have side parking. A lot of them have just a basement apartment, carport length or width there.

Davis: I can see something like this going over in Parowan. Because Parowan has got generally bigger

lots. A lot of those lots are bigger in size.

Carter: The one thing is, and again, this won't fit, this isn't for every lot, right.

Davis: I just don't see any lots that this would fit.

Carter: Well, one area that I think this will work a lot on is north of 200 North, around North Elementary, 600 West, 800 West, 1000 West, because those lots are a little bit bigger. That's where I had mine. Again, I was 150 square feet short. I had more backyard space than the house took up a footprint. I could have easily; there was easily room for a duplex and all the parking and still have yard. These are things that we need to discuss. We need to put some pencil to some paper. We literally talked about this on Thursday. I had this put on the agenda Friday. We're still in the very early stages of this. Again, part of what you're thinking of, and downtown, why this wouldn't work. Is because they still have bigger setbacks. If we reduce the setback, then that will dramatically allow the buildable and the parking lot area that these people could do. Again, we must give the developers some kind of carrot. The exchange is that they hopefully don't tear down two or three of them and build a three-story tall, massive apartment building.

Burgess: I don't understand if I was a neighbor. I would rather someone tore down three houses and do an actual high-density project with ample parking and with ample setbacks. Then somebody be able just to tear down one thing, shove as many people as possible in it, and have legally to not have to provide the parking requirements that everybody else would have to follow.

Carter: They still have a parking requirement. I haven't said anything about not having a parking requirement.

Burgess: Yes, you wanted a reduce.

Carter: Possibly. That's one of the discussions.

Jett: We already do reduce out in the area.

Carter: SHD already has a reduced.

Jett: We need to consider reducing it elsewhere in our city, at least take out the 1.3.

Carter: We reduced it in all our high-density, all our R3 zones. If you don't have a garage, we've reduced the parking requirement to one per bedroom instead of 1.3.

Davis: If you did a four-plex, or four units, then you would still have to have eight parking spaces.

Carter: Because you'd have eight bedrooms.

Davis: Even if we reduce that down to four. I don't think we would go that low.

Don: The parking is a little bit more convoluted than that. We have made a lot of progress in reducing the parking. I think we're finding without the garages and things like that the reduced parking is working. Do you mind if I chime in for a second.

Carter: Of course.

Don: Any more than I just did. I like the idea, right? It ties into the missing middle. You've probably browsed through that book.

Carter: We had a whole breakout session on the missing middle.

Don: Yes, I've been to those, too.

Carter: I think this was the missing middle breakout.

Don: I have extra copies. If anybody wants to read that book. I do think the form matters. We ran into that. Who was our commissioner? Our architect. When we went through over 100. Ray Gardner's concept. We didn't quite get there. I think the lesson that you could take away from all that discussion. There was a lot of heartburn from the neighbors. Folks were quite upset. When they saw what it was. It was a massive difference in their response. I think the difficulty is. Whatever incentives there are part of the stick is. What is it going to look like. Trying to drive the architectural controls. Will be potentially difficult. Unless we bring it into a subjective decision.

Carter: In these meetings, Randall was in this exact meeting. We're going to ask him to give his opinion

here in a second too. In these meetings I'll tell you guys there are cities where they legislate what a house can look like. We're not there and let's hope we never get there. When you start doing things like this where you're giving out carrots, you're allowed to start asking for things back.

Lunt: Carter, apply this concept to that garden house property that was presented to us as beautiful and wonderful and little cottages.

Carter: That would be a perfect lot for this. What would happen is a person would go, and they build a 6 000 square foot one home. If a person wanted to build a 6 000 square foot normal home. They could do that also so a person would go and build a six to seven thousand square foot home you'd walk in the front door there's a hallway with four apartments coming off the one hallway and you'd have one house with parking.

Lunt: That lot may have been big enough that they could have put oh they could have easily put two of those on there.

Carter: Again, if you're going to do that then you might as well just build an apartment. The idea is one house, one lot. We have the feel and look of a single-family home, but it's a multifamily home.

Lunt: In my mind, something like this on that lot would have.

Carter: An example of a home that is not used this way, but you could look at it, would be. It's a bed and breakfast, but this is what I envision this to be.

Jett: The big yellow inn.

Carter: The big yellow inn. That house would be one of these. You could put multiple apartments inside that house.

Decker: Not with parking.

Randall: I think part of what Jim was hitting at is with that one that's at the old garden inn. We didn't tie them very well to the architectural language. We had beautiful pictures, which is what everybody does. They bring in beautiful pictures of this perfect project. Hey, look at this. This is wonderful. You're not going to get exactly this. One, we don't want them all to look the same anyway. That's where it's going to come down to is how much in the architectural design realm you want to go into. We already do that a little bit with Main Street, 200 North, and people push back. Because we have recommended design elements to become mandatory when you hit those areas for commercial properties and people struggle sometimes. Because it almost feels un-American. In this case again when you're adding that carrot in there you can say you want the carrot then these are some of the restrictions that come into play. If you don't get too onerous that you eliminate the cost benefit by doing it you'll probably have developers on board.

Jett: I'll give you my thought which is simple. This is just one more tool in the box that can be used. Is it going to fit every home in Cedar? Is it going to fit two percent of the lots? This is just one more tool in our toolbox to provide uniqueness and without limiting people's freedom to do what they want on their property. Because they could you, if they want to be ugly, they could build ugly.

Carter: The other thing that you guys must realize, and we talk a lot about this up at the league. If we don't start giving more options, and not that I'm trying to, just give them what they want. If we don't start giving more options, as a city, and you guys are part of this. Every year we have a list of how many things are on the affordable housing list, the options? Every year we must add more. The state comes to us and says, you want money for your roads. You guys must find ways to make houses more affordable. This kind of stuff starts checking off some of those boxes, right? Again, even if nobody uses it. It gets us credit with the state, in my opinion, right? We're doing things. We're creating things. We're allowing things that we didn't allow before that are high density that are essentially affordable or hopefully more affordable. Again, it's an option. We get to dictate things like parking. We dictate all that, and then we leave it up to the free market. If a designer can come up with a plan that fits what we've said, which is the

height requirement, the number of people, and the parking, great. If they can do it, they'll do it. If they can't, they can't. We talked about it tonight. We have a zone that was passed four years ago that not one single house has ever been built in a zone. Do I still think we should have passed that zone? Of course. It was the R-N-Z zone. It was a hole that we didn't developers couldn't build in. Nobody's ever done it. It doesn't mean we shouldn't have that zone still. I think we need to try and find ways to allow these, and if somebody has that one lot that's maybe a third of an acre. It's not big enough to tear it down and build a big apartment building, but it's big enough to tear it down and do one of these.

Decker: I think there are places where this would be nice. The amenities, I can't imagine very many developers putting that kind of amenities that looks like this into a fourplex. That said, I think there needs to be 12 parking spaces. I know that's more than is required, but I think there needs to be 12. I think it would be a good idea and a good fit in some places. Before anything like that happened, I would have to see an exact plan, an exact architectural drawing, not a rendering, a potential rendering. Because we ran into a problem with that with the development in town. I think we were misled by one of the things that went on in our town. I'm not going to mention we've talked about it here, but we have been misled a time or two, and I'd have to see an exact plan. I think there's places that would be a good fit.

Carter: Randall, could you write per ordinance. That there must be a development agreement with each one essentially, and to what extent goes into that development agreement. It is then up to this commission and the council.

Randall: Yes, there are state limits on how much you can require a Conditional Use Permit and something that otherwise meets our requirement. You're essentially heading into the world of Conditional Use Permit. Which I'm not a huge fan of because it does involve a lot of subjectivity. It's a great way to get lawsuits. Because it is a big struggle on getting what, when can we say this, when can we say that, and if we don't have proper standards for when staff, for example, can say that's okay, that's not okay, or planning commissioner or counsel can do a final approval if you go that route. Conditional use permits, development agreements that are mandatory, can get a little hairy.

Decker: If you can't do that, it needs to be opposed.

Randall: Again, a part of it is, we're not even close to even a vote. I think part of it is to get ideas that we can sit down and say, can we come up with enough architectural requirements that will minimize. You'll never eliminate the risk of poor construction. There are just people that will find a way around it just because it's cheaper or, they want a thumbnail.

Carter: If they want a pink house, they can have a pink house.

Decker: I understand. There are a few developers that's going to spend that kind of money with those amenities and those extras for a four-plex.

Randall: Well, again some of these are more than fourplexes. You see some of these. Some of these are like 16-unit.

Jett: You go up to the avenues, you see some very similar, up in the Salt Lake Avenues area, very similar concepts.

Decker: Similar architecture, but they're not four-plexes, are they?

Jett: Oh, no, they are. Yeah, they have up in the avenue, that area up near there. They have a lot of multi-living inside those.

Randall: I think that'll be the goal, is to bring it back to you later.

Carter: Of course, yeah, we're going to have to draft this whole ordinance.

Randall: Details as to what elements we think are necessary. Part of the goal of the discussion today is; one, I think if you even think that's possible, but two, are there some architectural things? Again, we're not talking about gold-laden kind of stuff. We are talking about stuff that we think developers might use.

Carter: Well, I think we need to distinguish between design and architecture. Architecture is how tall can

it be? How many units can it have? Design is, does it have to have a certain pitch roof?

Randall: Technically true, but they always call it architectural design anyway.

Carter: Okay.

Randall: Those are the things that we would love to have your concepts for that we can take to the drafting table. If you'd rather start from scratch and let us, do it, that's a scary thought of Carter and I sitting in a room.

Carter: A couple of things then that I think, one, how many units? My thought would be four at maximum. One, because that keeps you under residential lending. Once you get above five, it becomes a commercial building, right? Now you have essentially for lending purposes, it becomes a commercial building. Then you have commercial and residential areas, right? We obviously have those, but my thought would be four units, right? My suggestion was no more than two bedrooms per unit. If you guys think that's too many, too little, I'd love to hear your thoughts. Then the other big one would be setbacks. Should we allow this person to have any less of a setback? We don't have to go down to a zero setback like SHD. We could lower it by a couple of feet if you guys wanted to. Then the other thing would be how many parking spaces per bedroom? Don't look at it as the whole unit or all of them. It's just how many parking spaces per bedroom. That's the easiest way to. We had a developer, it never made it to you guys, we had a developer recently who was thinking of proposing something that was hundreds of units with zero parking spaces.

Burgess: I'd like to propose that myself.

Carter: Because he thought that's the future. Nobody's going to have cars. Everybody can just take mass transit. Obviously, it didn't make it that far. Don, you must have, if you have any in the R-3 zone, if you don't have a garage and you have more than two bedrooms or more than two units. It's one per bedroom, correct? Something like that. If you guys want to start, and here's the thing, if we get some ideas, I'm willing to work with somebody. We can drop a couple of examples to say, would this even fit on this size of property? What would this look like? Then we can go from there before we even pass this, too. I just need to know some of those things. My thought would be one parking spot per bedroom.

Lunt: Has Parowan plowed this ground that you're proposing? I wonder how Parowan addressed.

Carter: They just passed their ordinance weeks ago.

Lunt: All these homes look like they were built in the 20s and 30s. I'd like to see somebody doing this. That's current. I'm sure they're not going to look anything like that.

Carter: It just depends.

Lunt: It would be wonderful.

Carter: Again, we don't have old architecture, new architecture.

Lunt: That would be a beautiful community.

Carter: Try not to look at the design elements of these homes. Think about a new, modern, two-story home.

Lunt: You want the structure.

Hitz: Carter, I want to commend you. I think it's important that we think differently. I want to commend you on going down this route. I'd be happy to help you in any way I could. I'll go out with a tape measure on a lot and just imagine it if you want.

Carter: Okay. Let's talk about some of these things, because we do need some directions. My thought would be four units, but I'm totally open to, if you think that's too much, if you think that's too little, that's where we can start.

Jett: Carter, can I suggest something?

Carter: Of course.

Jett: Would you give us two weeks and you do some due diligence and bring some more ideas.

Carter: I'll see if I can get you some modern examples.

Lunt: At least something modern would be great.

Carter: Kind of what a footprint? Let me do some more work and pull up some actual lots and I'll do some overlays and put some houses.

Jett: Just like we had some homework for this session from a couple weeks ago. Maybe we could all do some homework and go to the world wide web.

Carter: Again, we have the luxury and the opportunity right now to be ahead of this. We don't have a developer trying to push this on us. We have the opportunity to push this out. Which is good so let's take our time let's do it right we're not in a hurry.

Hitz: If it's in the toolbox that's important like Tom said it might only be 3 or 4% of our community that this would apply, let's do 3 or 4%.

Carter: On council and you guys hear it too I mean some people agree some people disagree not everybody wants an apartment, next to them. This gives a developer another option, right? And if they don't want to take it they don't have to take it.

Don: I think it's a great idea. We've got to work on the nuts and bolts. In fact, I was talking at Kent's office just last week. When you present something like this, the way I see it, you'll see this all over back east too. Especially in the older stuff. Well, look at these addresses. With this kind of style, right? You can drive down a beautiful tree-lined street, look at all this great architecture. Of course, it is older, right? You can't tell if it's just the one doctor in town that lives there or is there five students living there.

Burgess: It seems like something that like, for making existing mansion houses.

Don: Well, they've done that back east. I think it is the form matters a lot on these. What is the architectural appearance? I think it's kind of cool.

Decker: Randall, is it against the law to require seeing a plan and an architectural committee review that plan before we approve it.

Randall: Right now, no. If we do it correctly, it will work. The only reason I would be cautious, well, there's lots of reasons. The main one is that one of the reasons why they took zoning away from planning commissioning and councils is because administrative decisions became political. They don't want a crowded group of people coming in here and screaming about, I don't like a pink house. Otherwise meets our ordinance, and we don't like the black or brown door. Those kinds of details can suddenly have people screaming at us on a board suddenly denying an application that should be approved.

Decker: I think this would be a great thing, but, again, not unless we see the exact plan. If somebody comes in and says, yeah, I want to do this old-style home and put four units in it, and say, well, you approve it, and we say, yes, they can do anything they want.

Randall: That's much along the lines of, again, a conditional use permit. When we do conditional use permits, those must go through a much longer process. Well, we have one in Amber Industrial that's coming forward right now.

Decker: I'm okay with a longer process.

Carter: We haven't done a conditional use permit. in this city, and we don't do them very often.

Randall: No, we did a conditionally used permit for a treatment facility location two years ago.

Carter: Okay. That's a long time.

Randall: That's how special it was.

Carter: We don't do very many in this town.

Randall: And hallelujah for that. So, is it possible? Yes. I'd leave it to you and eventually the council will decide if that's the process we want to use. My guess is if it's a process you make too long, no one will use it. The risk is, again, that the state legislature may decide to take it away from us entirely like they did with subdivisions. Our legislature is responsive, if multiple cities are causing problems to developers. It

doesn't always work when it's only one city, but if it's a few, they listen.

Don: Carter, just one last thought. However, this turns out, let's make sure we go through that laundry list that the state keeps expanding.

Carter: Let's not do it if we're not checking a box or two off.

Don: If we need to add one. Admin the general plan and then marry that to this to show we're doing something. Because we can't report on it unless it fits a box. If we need to add a box, let's add a box.

Carter: The other thing that I was thinking about today. The thing that will be a little bit difficult is under R-3-M. We only have it over this height, must have this number of parking. Now we're going to add another actual type of construction that's allowed under R-3-M that does have more. You're going to have R3M for everything, for all your town homes, condos, and apartments. Oh, but if you want to do this, then there's also these additional.

Don: We can always argue we're adding more density. That's the argument. If we can hit another box, let's do it.

Randall: I would say just for mine, when you ask number of units, I would restrict it to no more than four. The main reason is the state this year or last year. Changed the rule, I was just looking it up, that now three and four family dwellings can be included in the residential side. They don't need to bring. I'm sorry. So that's the biggest one. I don't think you're going to get a lot of these coming in with five units because at that point they've got to sprinkler it. Now the expense just goes up, and they already must do a larger complex. We're trying to hit that lower end.

Burgess: You want to get that primary mortgage kind of.

Randall: Correct.

Carter: That's why I was saying, and then the other thing too is. Again, everywhere else you can turn these into condos, right? That's also an opportunity for somebody to come in and buy.

Hitz: Ownership.

Carter: Yes, here's an ownership, and we don't have a lot of condo complexes in Cedar, and you couldn't get four townhomes on the same piece of property. There's no way because townhomes have different setbacks and all kinds of different things. That's kind of an idea. Then the other thing is somebody could buy the entire thing. They live in one of the units, and they rent out the other three. That would also be allowed, right? There's lots of options here. We do need to work through some of the details, but, again, it's something we don't currently. It's good for Cedar City.

Webster: Did I understand you correctly that you'll do a little more legwork on this and come back with more ideas.

Carter: I'll try to get you guys some more research. When you Google it, all you get is the old style, but it looks like Jennifer's probably found some more modern. Jennifer's.

Davis: I have already found it.

Carter: She's on top of it. and has found some more modern versions of what it would look like. The idea is if somebody wanted to tear down an old house and build their own 6,000-square-foot, ultra-modern-looking home. We can't tell them no, and why would we tell them, even if it's right next door to the university? If they wanted to build an ultra-modern-looking mansion home, they could do it anyways. Now we're just allowing them to let more people live in it. We've got to be a little bit careful in what we try to legislate a little bit, too. Looks are hard. I get it. We all want something to look a certain way, and we all want something different.

Webster: I agree with Stephen, though. It might be a narrow band, but that's fine.

Carter: If we can check a box with the state. Coming off the meetings I was in. That's unfortunately the hat I'm wearing is a state's going to want us to do stuff, and if we don't do it, they're going to make us do it anyways. Okay, think about it. I'll do some homework. You guys do some homework, and we'll go

from there.

Jett: Thank you for taking the time and initiative on this.

Carter: No problem. If this takes months, I don't care. This is fine. We got, like I said, we'll do it right, and we'll work our way through it, so.

Davis: I sent you that plan.

Carter: Oh, perfect that is great. Then I can start to, I'll pull some actual lots, try and put it on there and see if it will work.

Jett: Would you link me with that email as well?

Carter: Yes, if it works, it works. If it doesn't, it doesn't.

Davis: Thank you.

Webster: Thank you, Carter.

11. Discussion Item Only

Ordinance 26-III-21 Pertaining to Use Tables for Commercial Zones

John Webster: Tom sort of lit the fuse on this discussion. Don provided us with about 160 different uses of different things. We could all go home and look at them, see what made sense, see what didn't make sense. I'm not a real city planner. A lot of it made sense to me. Probably we don't have time to go through every single one. If you went through it and had some questions or thoughts, this would be the time to bring it up.

Jett: Thank you for indulging me here. I have notes on every item. No, I don't really. Just scanning through some of these. Steve and I spent Thursday morning kind of perusing these and asking ourselves what's the reasons. Now, if you want a bad answer, just argue with yourself. You won't win. You'll always come up with a bad answer. We just started asking ourselves the questions. Why are we limiting certain locations for certain items? Then we also started discussing square footage of buildings, and what type businesses can be in certain locations. Just for an example, on the first page. Air conditioning sales and service, it says that can't be an I&M-2. Some of these places end up with junkyards. Old casings and old refrigeration systems and that type of stuff. We don't want salvage yards or scrap yards in I&M-1. Why aren't they allowed in IM2? Is that just an example of what I'm trying to ask these questions? Now, a lot of these things are 50 years old. These sheets haven't been addressed in 50 years, and you can tell that by some of the language that's used in here. That's what I would like us to just basically glance through. We said airports aren't allowed in I&M-2. Amusement enterprises outdoor aren't allowed in I&M-2. Indoor aren't allowed in I&M-2. If people have property and they want to do it. Why are we limiting? We don't allow restaurants in I&M-2. There could be a massive development of I&M, and there can't even be a coffee shop out there or a sandwich shop for the people that work in those areas.

Davis: That's a good point, and if they want to do it.

Lunt: Down in the warehouses off River Road. There are two or three restaurants down there.

Jett: Those are what I'm trying to, and I'm not saying we're going to fix the ills of the world this evening, but these are what I'm asking everybody just kind of glance to and ask, what's the reason? My friend Blake DeMille always says he's a why guy. What's the reason.

Don: I can try to address that a little bit, and these are just some. I think this is good exercise. We've got antiquated uses. We've got some things I'm not sure about either. As an example, electronic sales are not allowed in the downtown commercial zone. I'm not sure why. Was it the fear that Best Buy was going to come knock everything down and plant their flag? Maybe. I just don't know. When it comes to the I&M-2, you see a lot of those things not permitted. Maybe air conditioning sales and services is not the best example. The I&M-2 is made for our most noxious uses, smokestacks and Coke plant. You buy coal

products and things like that. There's a reason why residential uses and amusement enterprises, I don't know what that might be, miniature golf outside, right? We don't want those in an I&M-2 zone. Where you have the potential for noxious things going on. It's not just to protect, residences and kids from the industrial. It's also that we want these industrial areas to thrive. They don't want to be burdened with the miniature golf next door to their plant. Maybe the noxious things that come out of their plant, whether it's noise, fumes, dust, fly ash, or whatever it may be, right? That's certainly the big reason. It is kind of a two-way street. You have got to think about that too. With that said, that's the why in my mind. That aligns with our general plan goals and policies. Does air conditioner sales and service fall into that? Probably a good point, right?

Jett: Then we get into the other discussions. Like I say, this can go on for a long time. It can be quite arduous discussion-wise. Then we need to start talking about the area in Port 15. Some of that's I&M-1. What fits in I&M-1? According to what we have out there now, we have some big factories that are in IM1 that are going, wow. We limit the size of a gas station to under 5,000 square feet if it's in a certain zone, but we allow a 500,000 or a 3 million square foot building in I&M-1. That's clanking boxes together all night, which I have no problem with, but I think we need to have discussions on what do we have and what are the reasons and do we want to. I'm not suggesting we close the businesses. I'm saying maybe we should put that into an I&M-2 because people that move next to an I&M 1, they're maybe thinking of a lumber yard or something like this more than other things. It's almost 7 o'clock tonight.

Hitz: One thing I might suggest is I could make; I have an electronic copy of what Tom did, and I go through every line, and we just circled the things where it would just be a question. Question mark, why wouldn't it be allowed in this zoning? I can send that to you, and you can just chew on it and do what you want. There's a lot of stuff that is outdated.

Randall: Steve, just to make sure we're on a procedural correct paperwork, you know, step here. We can't have it where planning commission members are just sending these back and forth amongst each other as a whole group. Because that creates an electronic meeting. I wonder if maybe if multiple members of the board have done like what you two did and have marked the ones that they think are questionable. Maybe you can provide that to Engineering, and then they can send that out for your packets to address when we come back. I just beg you, please don't ever discuss in groups of four or more, even by electronic means, these details. Two or three of you at a time are genius. That's exactly how you're supposed to do your jobs. As soon as you hit that four, including through email, we're violating state law. Does anybody else have a written version of what they might be able to suggest to the board.

Lunt: I just had stuff I was looking at.

Hitz: Like, for example, there's a whole category for karate studio. I think that could be included in a gym. Why do we have a separate line for a karate studio.

Jett: We have lumber yards that some are allowed in downtown. Some aren't allowed.

Don: Well, this is my thought for what it's worth. If you'd like to send those issues to staff, I don't know if you want us to bring something back or something we can at least put on the screen. We can try to give you some of our thoughts. In some cases, I'm sure you've found some, where we'd be scratching our heads too.

Jett: Maybe you can look at them and come up with a cogent reason so we're not ambushing you.

Don: No, no, I don't take it like that at all. I know the downtown economic development committee. They're proposing a handful of changes. That's going to be moving forward. I think they're kind of narrowly focused on the downtown commercial zone, because that's their realm of influence. It's on their minds too. Shoot us what you got, and we'll look at it.

Hitz: Does the staff have an email and a name.

Carter Wilkey: A couple of things. One would be, yes, I do know the Downtown Economic Committee.

They are working on that whole column. As you guys may have remembered from a few years ago. They tried to make changes to that. It made it partway and then at the last minute it didn't make it and now we have a Maverick. That's really where this came down to. There were proposals, for those of you that don't know, four years ago this came up, and it was proposed to remove gas stations, and it made it all the way to the final meeting of city council, and it died and then right after that is when the Maverick thing came about. It could have changed. That was what I was going to get at is as we're making these, we hear talk about things and we like to make changes, but as it goes about, if we try to do too much at once, sometimes then nothing happens. That might be one suggestion is, and staff knows this. They learned that a few years ago. They tried to do too much at once and instead of getting parts of it or all of it, we got none of it. That was a rough go. We must take bits and pieces if that means we do a little bit now.

Hitz: Every downtown area needs a good hot dog stand, and I think that's what Maverick is.

Lunt: Can we eliminate some of these categories? Can we eliminate some of these, like the shoe shop.

Randall: Yes, you can eliminate, combine, some of them are going to be antiquated. as has been said multiple times. Please, if you just submit those to Faith in writing, you should all have her email address from when you get your notifications for these meetings. Send what you have in writing. Staff, I know I'm speaking on behalf of staff. Please, do not reply all. Send them in. We will try and put them in some usable order because my guess is a lot of you are going to make comments on the exact same ones.

Hopefully, we can start working through that without it having to all be, shooting from the hip.

Lunt: Maybe add some categories. Electric car charging stations. I don't want one of them in my neighborhood or whatever, but they're popping up everywhere.

Burgess: That's the best neighbor you could possibly have. It's all quiet. There are people sitting nicely in their cars. Sounds like space.

Don: With what you guys shoot us. What you may want to eliminate. Think about uses that are coming online now that just weren't thought about 10 years ago. Maybe we need to get them there. Or are they close enough to another use? That's what we do all the time. Someone comes and obviously we can't list every business. Maybe Photomap doesn't need to be there anymore. Maybe something else does. The other thing to think about, too, are definitions. That is helpful for us. That really keys into what you're talking about, I think. What is clean manufacturing. Those are things that staff struggle with. Is clean manufacturing completely enclosed? If we see giant smokestacks and billowing black smoke, that's an easy decision to make, right? In some cases, it's not. Plastic plants are all over. How many do we have? At least two. Maybe a third one is coming online. In the I&M-1 zone. We've allowed that. I think those are important caveats, especially with that annexation we talked about a few weeks ago. That would be some good direction, I think.

Carter: Just because I want you guys to mull it over, too, and I don't want to only say it when it comes up at council, but will you guys for sure, one thing I think you should consider adding is, and talking about the new stuff. Are electronic e-bikes and scooters, like where those would be allowed to be stationed and parked and that kind of stuff. Because that is the future and that it will be coming to Cedar City at some point.

Don: That's a nightmare.

Randall: Yes, most cities have not been happy with those.

Carter: I know, but I'm just saying.

Randall: We're happy to bring it up eventually. That one is likely a long discussion by itself.

Don: You're going to find those at the end of Thunderbird Gardens in a pit. All right, in San Francisco, they were throwing them off the pier.

Jett: Before we adjourn. Three months ago, I asked that we discuss what type of materials we can use on Main Street and 200 North. They were supposed to come back to us. At the beginning of September,

some downtown or 2025 or I can't remember the name of that. Does anybody in my blue state here?

Don: I recall the conversation. I haven't heard from that gentleman.

Jett: A person sat in this back corner, and they said, hey, can we put this discussion off because we're trying to work on some things for Cedar City. They were going to come back the first week of September.

Don: Yeah, I remember all that. I can't remember who it was.

Jett: They haven't. So can we bring this discussion back up, Faith, and put it on the agenda for discussion about what type of materials we can use in building materials on Main Street.

Randall: Do you want to try and do both at the same time. I'm trying to go with how much we can bite off at the time any of us are willing to give.

Jett: Well, I mean, we could always put it on the agenda and then ask for to be forwarded, the agenda becomes too onerous.

Hitz: It might take a few months to work through it.

Jett: If we don't have it on the agenda, we can't even have a public discussion regarding it. I'll have some other items on the agenda in a month from now anyway.

Webster: Well, let's start with send your stuff to Faith on this, and we'll have a little Faith that she can put it all together. We can go, and I think it's great. It helps us out. It helps Don and the city out. She'll be the clearinghouse for now and can forward those things to Don, right? No, no, you're good, you're good.

We're just talking about Faith and works.

Hitz: And we'll give Faith a lot of grace.

Webster: Let's be adjourned. Everyone have a good night.

The meeting was adjourned at 7:05 p.m.

Faith Kenfield

Faith Kenfield, Executive Assistant