

CEDAR CITY PLANNING COMMISSION
MINUTES – November 18, 2025

The Cedar City Planning Commission held a meeting on Tuesday, November 18, 2025, at 5:15 p.m., in the City Council Chambers, 10 North Main, Cedar City, Utah.

Members in attendance: John Webster, Jim Lunt, Wayne Decker, Tom Jett, Steven Hitz

Members absent: Jennifer Davis, Jace Burgess

Staff in attendance: Randall McUne – City Attorney, Donald Boudreau – City Planner, Faith Kenfield – Executive Assistant, Amber Ray – Planner.

Others in attendance: Tyler Melling, Arlo Fawsen, Ann Clark, Dan Roberts, Steve Milk, Brent Drew, Jonathan Stathis, Rita and Dennis Thoyne.

<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 Faith.

I. REGULAR ITEMS

1. Approval of Minutes (October 28, 2025)
(Approval)

Jett motions to approve the minutes from the October 28th meeting; Lunt seconds; all in favor for a unanimous vote.

Jett: We have some people that have some prior obligations earlier into the evening. Anything I have on the agenda; can we postpone to future agendas? If we can move anything that we can move off into a future one, it would be great.

Webster: Okay. Who needs to leave early? I think we can arrange that. Before we start with the second item, is there anything from the city in terms of the agenda that I know there was some...

Don: Just a reminder, chairs, we had issues with our public hearing notice. For those from the public that were here for a certain item, there will be no official recommendation. If folks have something to say, we will certainly hear you out.

Webster: Which item is that?

Don: All the public hearings that you see on the agenda did not receive proper notice. We will be having a meeting on the 25th, and we have re-noticed everything.

Jett: On all public notices?

Don: Correct.

Jett: On everybody.

Randall: Yes. That's why each of you should have received an email letting you know about that, which is why we asked if you were available next week, because that was the only way we could pull it off getting a public hearing and still getting on our council agendas come December. Otherwise, they're waiting until January.

Dan Roberts: We sent out our registered letters, and half of them came back.

Randall: Oh dear.

Dan: Well, I don't know how to handle that.

Randall: Well, all it says is to mail it to the last known address.

Dan: We sent all of ours out.

Randall: That was the goal, is that any of those personal notices that got sent out. If they're here, they'd have a chance to talk to you today and be informed that the next meeting would be next week to cover these officially.

Jett: How do we handle this with Mr. Roberts since he did send them out and he got some back? Or is it we didn't send out publicly here.

Randall: He did his job. They did fine. As far as I know, right? Everything they did is fine. State statute requires us to publish it on the state website, our own website, and post it at least for all this one location, like the bulletin board. We usually do three. We did the state website. We didn't get it on the cities. We didn't get it on the bulletin board is what I'm informed. This is our error, which is why we're, again, grateful that you, as the board members were willing to meet next week, give us a quorum. That they don't have to have a delay beyond what would have already happened.

Jett: Dan, you got that, and then next Tuesday, we can cover yours. Do you want us to send them out again?

Randall: No.

Amber: Sorry, I didn't talk to you. I did talk to Rick about it, and I talked to Bill Sibble. All the applicants were aware of a mishap.

Randall: The reason why we did it the way we did it is that we could still have this non-public hearing is to notify anybody that comes in that those items will be officially addressed next week. You would not have to re-send notices. The inconvenience is I'm going to ruin another one of your nights. Because we're resetting it for a date, a date known next week, you do not have to resend notices. So please don't.

Webster: I think Amber got enough commitment from the commission.

Amber: Yes, I don't believe I talked to Mr. Decker, maybe Mr. Lent in person, but we have four. We will have a quorum next week.

Webster: Well, thank you for doing that. I appreciate that it gets resolved. I did not realize, and I appreciated the e-mails because I didn't know. I just didn't connect that it was each of them, or I'm sure I didn't read it thoroughly enough.

Randall: You can simplify this. Go through each of the items and just see if there's anybody from the public that wants to comment, or even if the applicants are unable to come back next week, there's nothing to prevent them from talking. You just simply can't make a decision. They may be better off doing that talking next week if they're coming anyway, so you don't have to do it twice. But I leave that to the Planning Commission and the applicants.

Webster: All right. Well, then, fair enough. We'll go through those, the public hearings, maybe in short order.

2. PUBLIC HEARING

Ordinance Text Amendment
(Recommendation)

Sidewalk Requirements for Tyler Melling
Subdivisions & PUDs

Tyler Melling: Cottonwood Hollow LLC for this item. In several talks with Kent Fugal and other staff. There have been a lot of concerns over the timing of sidewalk installation with residential development. We had told Kent that we're happy to do some of the lifting on this and bring it through the process and

coordinate. When we brought it up to sketch meeting project review a couple weeks ago. Some of the discussion afterward had brought up a change in state law that preempts a lot of the city's policy on this anyway. In any case, we need to amend it and update it. What it comes down to is right now, residential subdivisions, developers install all sidewalk up front throughout the entire project. Knowing full well that when heavy equipment drives on that, you're going to have to rip it up and replace it. For us, we have a project where sidewalks are prepped, ready to be installed. We were fully planning on dumping \$110,000 worth of wasted concrete down the drain to comply. When we found out that this was something already on the radar to be changed. We figured we'll time our installation accordingly. We gave a few options. The one that you see in front of you is the one that city staff had worked on and recommended. Especially Mr. Fugal and then some tweaks from other staff. What this would do is say that certain things still must be done. The ADA and pedestrian strips at all street corners would still have to be done by the subdivider. Everyone in the building industry agrees with that because generally your residential concrete guys that are doing regular sidewalk and driveway may or may not be, versed on the ADA spec. It's just cleaner to have, have that done by the subdivider and be consistent throughout the subdivision, as well as any of the major roads. If it's a major collector or higher on its classification with the roads plan. Which I believe is the 66-foot right-of-way, is that correct, Don? I think that's the 66-foot major collector, 66-foot right-of-way or wider, then those would still need to be installed by the subdivider, and then anything that's part of a master plan trail would need to be installed by the subdivider. Everything else would come in during the building phase when they're pouring their driveway. The state law change, which was just within the last couple of months, I believe, they renumbered it in the last couple of months, so it's hard to track down when exactly it changed. In no case can the city require, other than the sidewalks immediately adjacent to a home, the city can't require sidewalks elsewhere be installed within 18 months of posting bond for public improvements. Again, because a lot of times, especially in a builder-developer scenario, you're subdividing and simultaneously building those homes. You don't want to prematurely install a sidewalk knowing you're going to have to rip it up. That's where this comes from. This is the language that staff have recommended based on a few of the options that we have presented, and we're okay with this, most in the building industry. There are some home builders that don't love. They don't love this because then that. Makes the bid go up for the home building side, but generally that also means a lower lot price. It's a tradeoff.

Jett: I'll give you my two cents. Anything we can do to not be duplicative, anything we can do to bring down prices. We're doing ourselves, our families, and future generations an opportunity to own a home. I've recently been out shopping with my son, looking for him, and the prices are, they're silly. Anything we can do to help minimize those costs would be wonderful.

Tyler: This is one of those, it's a hard cost of about \$3,000 per door that we don't have to worry about if this is changed.

Jett: That's the difference between qualifying and not qualifying for finance.

Tyler: Anyway, this is a public hearing. It would go to the next week as well, so I'll be back.

Webster: Thank you. Any comments from the city? Yeah, everything you said is kind of in the lane that you were thinking.

Don: Yes, Tyler's correct. This language has been hashed out amongst staff and Tyler. I think there's always some concerns, right? We may end up with unfinished subdivisions, especially when it's not necessarily a developer-builder. Where you have custom homes, people investing in lots, 5, 10 years, 20 years. There's a double-edged sword, but certainly we don't want to see materials and money wasted either, so there's kind of a balancing act here. I think it's a discussion for sure.

Webster: Commission, questions? City or Mr. Melling?

Item 2 Tabled until November 25.

3. PUBLIC HEARING
Zone Change from
AT to I&M-1
(Recommendation)

Approx. 4500 West 800 North Francisco / Holman

Dan Roberts: I have a couple of concerns we've been thinking about on the zone up there. I don't know where your zoning map is, but part of that's I&M 1, part of it's I&M 2. Heavy mixed with, if you get to the light. All the light purple is I&M 1 and the dark is I&M 2. We're proposing for the Francisco piece to have it all I&M 1 instead of mixing it. There's a lot more for that area for I&M 1, then I&M 2 zone. To mix it and have it transition like that, I can see. Then the other complication we got is you've got the master planned road going up along the west side of, is it Buena Vista? Let's look at the road master plan. Just something to be thinking about between now and when we come back.

Jett: That's Buena Vista to Subdivision, right here.

Dan: That master planned road is encroaching according to survey. If the map's right on the county survey, like 20 feet into the west end of that subdivision.

Randall: Remember, master plan stuff is approximate.

Dan: I know, but I'm just saying that the blue line is, but when you look at the dividing, the actual survey that's overlaid. It's encroaching about 30 feet to the east. We need to figure out if that's... She went to prison. Why don't you pull up the county map, and I'll show you quickly.

Jett: Dan, while they're pulling it up. We've been going through trying to change some ordinances and clear some up and give some good definitions. I've been speaking with Don, and Don's been working with his associates upstairs about getting clear definitions of what I&M1 and I&M2 are the uses on that. Right now, it's quite nebulous in what you can do with it.

Dan: Well, I&M2 is more restrictive than I&M1.

Jett: Yeah, it is.

Dan: When you look at it. Right there, see that line? See how that's bleeding over into those lots on the east of the road that's planned to go up through there. That's a 75-foot corridor road that's going to come through, and the city owns that property right there right now. We need to find out if you are encroaching there and if you're going to keep a 75-foot corridor going north. Does it need to be brought back out? Then the last meeting we had with the public. They wanted a large, tall fence, obscuring the I&M. The regulation says it's six feet. Some of those guys wanted a 20-foot fence, if you remember. The regulation says that the other thing is that if we go back to making it all I&M-1 instead of a mixture of 2. Then that could be a commercial zone transition away from I&M. Something to consider that could be applied for later. That we could put commercial use in there instead of industrial. If you go north on that road. This is Francisco's right here. We're just saying let's make all of ours I&M-1, this piece here, and maybe even this piece here. We'd like to see it all I&M-1. If you get up here, go a little bit farther north, where's that road going to end up? I think it's 800 North, that road that comes right there. The master plan, the road's going to continue on going up north. Do we, if the survey here, I don't think you're going to, if that's just off and the survey's off, but if it needs to be adjusted back. Do you see what I'm talking about, then it's going to encroach more onto the owner's property that we have now. Then the other thing to consider is if

that happens, and they want a wall built. The regulation says a six-foot wall, no matter if it's I&M-1 or 2, right? I

Don: The regs would not require a wall unless that zone was adjacent or that development was adjacent to a residential zone.

Jett: With the road there, it's not adjacent.

Dan: Right. Well, what I'm saying is the road. The road is the city's.

Jett: Well, I get that.

Dan: I'm just saying that. Does the road conflict with the fence or green space coming up along that east side.

Randall: That's probably something staff will need to look at.

Dan: That's what I'm saying. I just wanted to stir the pot a little bit so you can think about it.

Randall: Transportation matters in this case because I know the question that's been brought up on this one is how are you intending to access the property? Because if I understand it correctly, we don't have a crossing for the railroad there yet.

Dan: Well, I don't know. When you say crossing, it goes across. You can go down there and drive over it.

Randall: I'm meaning like a full-fledged publicly available commercial crossing.

Dan: That's the next question. Do you want a master planned road to go up there or are you going to have?

Randall: For Master Plan Road, we'd have to get a bigger crossing.

Dan: We'd have to have it, and right now you're saying we don't have it.

Randall: That's my understanding. That's my understanding as well.

Dan: If you don't have it, who's paying for it, okay? The developer.

Randall: It often comes back to the developer unless you're willing to wait for us, but waiting for us might be 50 years. The city will bring it in when the city needs it to, but if you need it beforehand, that'll be you.

Dan: I'm just saying that if things develop out there, and you own the property. Who's going to apply for it? Are you going to have the developer do that? Is that correct.

Randall: I've seen a mix in the past. Probably it would be a little bit both of us signing on to that application. I think we've typically put the burden on the developer more than on us unless the city has the need for it now. It's like any other infrastructure-related item.

Dan: That's already a dedicated road for the city, from here to there.

Randall: I'd have to see what's been dedicated, but obviously some of it is.

Dan: Just stir in the pot a little bit to think about it.

Randall: That's the same question I was going to ask you with regards to how you guys intended. If you're changing the zone now, then hopefully that means you're bringing something in.

Dan: No. We're just simply doing a zone change and annexing it into the city. I'm just saying these are things, if we put it on the market. Do we want to put it on potential commercial? Would that be something that might be reasonable? Would it be reasonable not to go with the master plan that says it's half I&M-2 and half I&M-1? We're saying that I&M-1 would be the best solution for the whole piece.

Jett: Let me ask a question. Is north of 800, at the north end of the city road that he's referring to? Is that master planned? Is there a master planned road that runs?

Randall: Yes.

Jett: How do we? It runs all the way, a long way. Rather than putting all the burden on one developer, because the railroad crossing is a whole different beast relative to, paving a road and developing a road. I support paying for your own road in most situations. How is that fair to put that entire burden on the

potential purchaser of this property sometime in the future? For that railroad when everybody north of it will receive the benefit of it.

Dan: What I'm hearing is that it needs to be a legal crossing, right there.

Randall: That's my understanding, is it would not be adequate for what's being put in. The reasoning, Tom, is the same as it is for every other infrastructure-related item. You want to build something that doesn't have adequate roads, water, sewers, storm drain, whatever else to get to it, the city makes you put it in.

Jett: I get that.

Randall: Or you wait until the city is ready to put it themselves. Otherwise, the city will be spending a lot of extra dollars that we don't have to put in infrastructure that we don't need yet.

Jett: I do not disagree with anything you just said.

Randall: This is similar to that in concept.

Jett: How do we impose some of that cost on property owners to the north of his property.

Randall: You can do reimbursement agreements.

Jett: So can we do that.

Randall: You'd have to change some things to make that work, but that's what we've done in the past.

Jett: Okay, because that would be, in my mind, the only fair thing to spread that cost out over a per-square-foot basis.

Randall: If that future developer gets to that point, they can come in and ask. Because our ordinance currently would not cover those northern properties, probably.

Jett: Yes.

Randall: Some things are helpful. You can correct me if I'm wrong on that one. We do it well for water and sewer if you're running along that same linear, piping. It doesn't work as well oftentimes for something like this, but it can be if a future council is willing to make those modifications or agree to that in an agreement.

Jett: Well, that should be a conversation at some point.

Dan: Well, and see right here, this is the piece we're talking about. This is the SUU piece. We're saying this wouldn't be a bad commercial site in the future. Because you've got this major corridor coming down into this, and you're going to have more residential in here. A lot of uses commercially could go in there into an I&M zone, I&M-1 zone like we have all over town.

Randall: That's the cool thing, is the question that we'll be dealing with that you'll be deciding on next week to make a recommendation. We have never viewed our general plan as prohibiting less impact zones. If it has high-density residential, we would allow a lower-density zone. I&M-2 is generally considered to have a higher impact. You can do I&M-1 without having to change the general plan. At least that's the way it's been interpreted since before I started working here.

Jett: That's the fair way.

Randall: That'll be an easy one, I think, in that end. My biggest thing is that nobody's going to be able to build there until you have an access in. That may be a problem for 10 years.

Dan: I wonder if the access is the green dotted line.

Randall: You'd have to have enough frontage, but you could probably get there.

Jett: You would do 3900 and then go along the north side of Buena Vista.

Dan: Well, you can see that's master plan rolled out.

Randall: The neighbors don't want that. That was one of the very things they were bringing up.

Jett: I don't blame them.

Randall: It is a major collector, 66-foot-wide road.

Jett: I just hate semi-trucks going up and down 3900.

Randall: Well, they could go elsewhere because 3900 isn't fully in that sense.

Dan: There's a lot of residential going there, and Joe Burgess is subdivided. I mean, there's all kinds of things that can be done with the property. We're just saying that we would prefer to have it all I&M-1 with the potential to rezone it to commercial in the future.

Randall: That'll be up to that future council. You won't get to vote until next week, so I'll shut up.

Webster: Are we going to republic here next week?

Randall: Yes, the publications are already happening for next week, that's a done deal.

Webster: All right, good.

Randall: Well, this is more just to give you good thoughts and see if any members of the public are here to say anything.

Webster: Thank you, Dan. Dan, pot well stirred. Nice job.

Open Public Hearing

Close Public Hearing

Hitz: I was just wondering, can we decide on this without the new verbiage for these two zones, I&M-1 and 2.

Don: I think you can. We have. The zoning ordinance is what it is today. We have some ideas. I don't know if we'll have time tonight, but kind of throw a couple things at you and see if we can kind of define those uses more appropriately. Try to mitigate the potential impacts some of those uses may have. We can get down the list, and if we have a few moments, I can speak to that.

Randall: Utah law, from a legal perspective. If we were to try and stop this purely based because we didn't think our ordinance was ready. That's what they refer to as a moratorium. There are some very specific procedures we have to follow for a moratorium to stop on those grounds. I don't know if I've ever seen that in the time that I've been here. Maybe Jonathan has. It's usually just we'll continue forward with less than perfect and hope to make it better later. That's kind of approach we've taken.

Webster: Thank you.

Item 3 Tabled until November 25.

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| 4. PUBLIC HEARING | 502 N 400 W, 510 N 400 W, | Morita/ GO Civil |
| Zone Change from | 498 N 400 W, 496 N 400 W, | |
| GC to R-3-M | | |
| (Recommendation) | | |

Arlo Fawson: Go Civil Engineering. We're wanting to bring this in front of the council. There are several houses right here. This is 400 west and, I think, 400 north.

Jett: Oh, that little cluster, there's like five homes in there.

Arlo: Right, they would like to continue to use this property as a rental houses. Currently, it's zoned general commercial. Which can cause problems for loans when you're not using it as a commercial project. The general plan is for dense residential, and we would just like to rezone it back to what it's currently being used as and the other. I think all of these are just residences anyway right now. That's all we're looking for. Any other questions?

Decker: That seems very cut and dry and very reasonable considering the surroundings.

Jett: Is everything adjoining on the, I guess it'd probably be on the north side? Is that GC also.

Arlo: Yes, there's a strip of commercial right in there.

Jett: Just how did that ever happen.

Arlo: I don't know.

Don: I think some of that area, Tom, and I might be mistaken, but if I recall correctly. In the 2022 general plan, some of that was master plan to high density because that's the development patterns that are out there.

Jett: I wonder how it got to GC to begin with because everything normally GC was on the north side of Industrial Road.

Don: That I don't know.

Jett: GC or IM. There's a good chance. I am with Wayne, I mean, it's only logical. It's not a GC location.

Don: I think that was recently done two or three years ago. Trying to match that existing development pattern and encourage folks to spruce it up, and hopefully that's what you guys do.

Webster: Any other questions from the commission or staff?

Randall: The only thing I would note on this one, and it's always the danger because development, of course, doesn't go in order from one road to the next. It used to be illegal, completely illegal under Utah law to do what's called spot zoning. Where you just have one lot that's different than the ones around it. That is no longer illegal. It is just one of many factors to consider. When you address whether you think it's okay. Obviously, if you do that too much, it can create issues with sprawl and infrastructure and all those kinds of things. Less of concern when it's not a change in use from what's already there. It is one of those things that they still ask you to consider but just know it's not illegal anymore.

Jett: Well, I drove by it last week, and I'm looking, and I'm going, GC, what.

Arlo: I think the owner was, because he came in and was talking to about, thinking of doing something with it, and I pulled up the zone. I went, wait a minute. We're going to have to address this first because that won't work.

Jett: We're not voting on this this evening, but I do own a few rental properties on 400, but not adjacent to this or within a block of this. Does that preclude me?

Randall: No, you should be fine.

Webster: Thank you, Arlo.

Open Public Hearing

Close Public Hearing

Item 4 Tabled until November 25.

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| 5. PUBLIC HEARING
General Plan Amendment from
Natural Open to Central Commercial
(Recommendation) | Approx. 2700 S Cedar Blvd | Development Team |
| 6. PUBLIC HEARING
Zone Change from
AT to CC
(Recommendation) | Approx. 2700 S Cedar Blvd | Development Team |

Brent Drew: Anyway, the next two items go together, I'll just kind of talk with them both on that. We're coming tonight to this is about a 14-acre parcel that we have down here.

Jett: Give us some crossroads here.

Brent: Oh, so this is all the way down now. What is it called? Cedar Boulevard which was Highway 91. Right here is where the city ends now. Is that correct?

Randall: Yes.

Brent: This is that overpass that goes over the freeway right there. We always intended to do some commercial use here on this property. We bought it from the Bowers years ago.

Jett: Is that that hill?

Brent: Yes, there's rock hill and some flat land right in here, the combination of that there. When we look to see to get it to go commercial. I know this is on commercial. I don't know what they've done with this part here of theirs yet. I should have looked to see what that is there. There is central commercial right over there too from us. When we looked at the general plan, they had this as open space. Now a city can take people's private property and zone it into open space, but there's usually a reason for it. We can't find a reason for it, nor is there an agreement with a government agency that they want to have that land as open space or do something with it. The ombudsman from the state just said that usually something like that has to happen before you turn that into open space. We can't think of anything unless they thought eventually that was going to be an ingress / egress thing for the state there. Now that this has been allowed, that kind of destroys that from happening in that area there. We're coming forward saying we'd like to change this to the master plan to be commercial. Then we'd also like at the same time then to go from the original, what is it, the AT zone to commercial there for that piece of property.

Jett: Okay, so I know what you're talking about, but this legal description says 2700 South Cedar Boulevard.

Brent: Yeah, because we haven't asked for an address yet because we haven't started developing it.

Jett: Do we have a north and a south on Cedar Boulevard?

Amber: Anything south of South Main Street. Because that was the big confusion at City Council over north and south.

Randall: The street name is just Cedar Boulevard, but the street addresses on there will all have a south on them. Because they're all south of this building.

Amber: We didn't want it to be south, South Cedar Boulevard. That's where we got a little bit of heartburn.

Jett: All right. I'm just trying to make sure I've got my bearings.

Webster: Any questions from the council?

Open Public Hearing

Jett: Could I ask one question of you? How did this become, and I'm sorry, I should have said this, how did this become natural open space to begin with.

Brent: It was done so long ago that we couldn't dig back far enough to find when that happened or what.

Jett: And who determines that?

Brent: Well, it would have been whenever they did a planning meeting sometime to do the general plan, but I'm sure it's not been even looked at in the past few back there that it's just kind of stayed that way.

Webster: It's probably that guy whose picture is fifth from the right back there, right.

Brent: It could be one of those. I think at one time they thought that this was going to turn into a big off ramp down there.

Jett: Well, I hope that never happens again.

Hitz: I can't visualize an open space there.

Webster: Yeah, it doesn't make sense now, given what we know and what we have.

Close Public Hearing

Webster: Thank you, Brent.

Items 5 and 6 Tabled until November 25, 2025

CITY ITEMS

7. PUBLIC HEARING General Plan Update (Recommendation)

Water Use Preservation
Element

HAL Engineering

Jonathan Stathis: City Engineering Department. Just to give the Planning Commission a little bit of an update, we have worked with Hanson, Elman, and Luce to come up with a final draft. City staff, we've submitted comments to them. They've addressed those comments. Several state agencies have also reviewed this and submitted comments, and those comments have been addressed for the most part. There are some things that the state asked for which are not required in the legislation, and so those things have not been included. We could include those if the Planning Commission would like us to. The main thing was they were asking for a list of all the irrigation companies and maps and things. We didn't feel like that was relevant to this. Because this is more focused on city water use in terms of culinary water and pressurized irrigation. We feel like this is a good plan. It addresses the needs that the city has in terms of water supply. It addresses conservation for existing developments and then also conservation for future developments and then provides an implementation timeline. We feel like this is a good plan that the city can put in place and start to see results. That's kind of where we're at at this point. Then Ridley Griggs from Hanson and Luce will be here next week to make a formal presentation and then vote on it.

Webster: He made a presentation previously.

Jonathan: Yes, we've worked through the comments. We've also listened, of course, to your comments as the Planning Commission and the comments that were made. We visited, I can't remember the person's name, but we looked at the drought-tolerant plants and got a nice list of...

Hitz: Andrew Dudley.

Jonathan: Yeah, Andrew Dudley. He gave us a really good, a lot of good information about those drought-tolerant plants.

Don: That was great.

Jett: I'd just like to thank you for reading all this gibber-goop jargon data.

Hitz: You get an A+.

Jonathan: I think it's good. I think we have a good plan here, and I think these are things that we can implement right away. I think the city's on a good track, but we can always do better. It's just additional things that we can implement.

Jett: Well, I think we're on the right track. We just have to stay on that track, keep moving forward as a community. Share responsibility, old people and new people, in the valley.

Jonathan: Yeah, exactly. This plan addresses both. It addresses existing customers and future. If there's any questions, I'd be happy to answer those, or we can wait until next week.

Webster: Does anybody have questions?

Open Public Hearing
Close Public Hearing

Items 7 Tabled until November 25, 2025

8. PUBLIC HEARING	Section 32-9(H)(2)	Don Boudreau
Ordinance Text Amendment	Required Width of PUE	
(Recommendation)	in Commercial & Industrial Zones	

Don Boudreau: I think this one's pretty straightforward, the catalyst for this. We have a minimum 20-foot easement required along street property lines in commercial and industrial zones. We have a 15-foot setback in industrial zones, and we have no setback in the downtown commercial zone. We have some built-in conflicts. If I tell you you're in an industrial zone, I tell you your setback's 15, and you have a PUE that's 20, well, your setback is now 20. This language is an attempt to kind of rectify those issues, and if we can justify a reduction in those easements down to 15 feet and all our utilities have signed off. It gives us the latitude to do so. So that's it in a nutshell.

Jett: You're saying industrial zones, I&M-1 and 2, they only have 15 feet.

Don: 15-foot setback from the street, yes. The PUE is 20. We're changing it to 15.

Jett: We're changing it to keep it at all 20.

Don: We're allowing the reduction if the utilities don't need it, basically, is what this is saying. If the utility companies sign off on this, and I thought we had some language added. We're also proposing this for the downtown commercial zone where there's no setbacks required.

Don: If we can waive these things, it's something we can take a look at.

Jett: Our downtown commercial zone is Center Street to North.

Don: To 200. It's beyond those areas.

Jett: Why are we limiting it to?

Don: The downtown commercial zone has no setbacks. As an example, we've got that brand-new hotel coming up out of the ground, and it's right on property line. It's difficult to say, well, now give us a 20-foot PUE when that zone is designed to bring the buildings forward and give that traditional downtown feel.

Jett: That's not the downtown commercial zone.

Don: It is.

Jett: That's past center.

Don: No, it does go beyond those two streets to a certain extent. Could you throw the map up quick, Amber.

Jett: That's where my confusion is. I was going to say, wait a minute, because we have that new hotel, and that's where my confusion is. I thought it went up to 2nd South.

Don: That dark red color is the downtown commercial zone, and then it goes down there towards the college along Center Street as well.

Jett: Then it's everything north of second south.

Don: Correct. Then up to 200 north there.

Jett: If we wanted to make that farther go south more. We have a zero setback, how could we do that?

Don: We would have to amend the general plan and the zoning ordinance.

Jett: Okay.

Randall: Or at least the zoning ordinance. If you look at the general plan map, that can extend down to 400 south.

Jett: Say that again, Randall.

Randall: If you look at the general plan, see the darker colors here? Show down all the way down to 400 south if you would, Amber. Notice how that color changes at 400 south. The general plan would allow the downtown commercial to go two blocks further.

Jett: Okay, but we don't have to go, or we'll allow it.

Randall: The general plan would allow it without running contrary to it. We don't have it currently, because it stops at 200 south on the zoning map, but on the general plan map, unless I'm reading it wrong, you could go down to 400.

Jett: I have the old Zion Hotel there. Would this fall within the downtown commercial zone.

Randall: You're just on the wrong side of 400 south. It stops at 400 south. You're just south of 400 south. South, you are just beyond that.

Jett: No, that's 200.

Randall: Oh, you're 200. No, you're right. Yeah, 200, if I'm looking at the general plan, you could move for a zone change.

Jett: Okay, all right.

Randall: That would be in compliance with the general plan.

Jett: All right. Thank you.

Webster: It sounds like some gears just started turning in Tom's head.

Lunt: He wants to build the Tom Jett Building.

Webster: It does kind of make sense to bring those in alignment with each other.

Randall: That's usually the goal. The more you can follow the general plan, the better it is.

Open Public Hearing

Close Public Hearing

Item 8 Tabled until November 25, 2025

DISCUSSION ITEM ONLY

9. Ordinance Text Amendment

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

Item not discussed.

Item 9 Tabled until November 25, 2025

10. Ordinance Text Amendment

Section 26-4-16
Pertaining to Building Material

Tom Jett

Jett: It says it's my item. Could I cause grief to our former council member, Tyler Melling, and ask if he could speak in lieu of me. Because I've been working with him on clarifying. This originated six to eight months ago. When I was informed that we had such a thing. I've spoken to Tyler, and he's come up with some great ideas.

Webster: Awesome. Well, since there's a discussion item and we'll probably carry it forward as well.

Love to hear. Let's shoot for 10 minutes or so.

Tyler Melling: I would much rather it be much shorter than that. Just to bring up the issue. In section 26-IV-16, it talks about commercial and industrial building materials in the city ordinance. I think for next

week, Don has a much more thorough presentation, and he and I are pretty much on the same page on a lot of it.

Amber: Sorry, Tyler. Are we talking about building material or are we talking about permitted uses.

Tyler: I think it was the building material.

Randall: We're on 10.

Tyler: We have, on the face, preferred building materials, accent materials, and then discouraged materials. Then these preferred materials become mandatory on Main Street and 200 North. Then the discouraged materials become expressly prohibited. We want things to look nice and that's great. The issue we have is that it is quite prescriptive. We're having a really hard time, especially on North Interchange, finding ways to build buildings that are. Not more expensive than St. George Commercial Spaces, with the cladding materials required. It adds, give or take, 5% to 8% to the total cost of the building.

Jett: How much?

Tyler: 5% to 8% to have full masonry or full stone or some of these.

Jett: That could be a couple hundred thousand dollars.

Tyler: Yeah, I think on that Starbucks Johnny Max is about \$180. We had one item that was prohibited by the city. What's it called? It's aluminum, ACM. It's aluminum composite material. It's like a matte metal panel, just an accent. It saved us money on that aspect of it. Because the city said, no, you can't do that, even though the architect designed it and it looked great. We went with hardy siding. That bit was a little cheaper. Just that sheer volume of masonry gets quite prohibitive, and it ignores quite a few other newer, more common materials, that also have a similar aesthetic. Now, in practice, the city has been interpreting this such that, you know, if it's one of these preferred materials or at least looks like it, generally that'll get a pass. We're just trying to get that a little more honed in. Don and I have been going back and forth on this a bit, and I think next week. If there's a little more time, he has a much more thorough presentation. What we're looking at is, let's maybe beef up some of the protections in the downtown corridor. About 200 north to 200 south, as far as, kind of strengthening the language on what is or isn't allowed. But outside of that for example, the preferred building materials talks about composite lap siding, such as IE, which means only hardy plank, right? What we would like to see is maybe an EG instead of an IE. For example, hardy or LP Smart Side is another brand that is becoming much more common. You're seeing it installed in a lot of homes up in Saddleback. It's quite a bit stronger than vinyl, kind of the traditional vinyl siding, but still a little more cost effective than some of the hardy products. Then with architectural concrete, maybe some adjustments to allow some stucco as long as there's variation in the texture, in the lines, in the color, things like that. Because, again, if you have one, we understand you don't want one big wall of just stucco in the building to just be stucco, nor do we want that on our commercial projects, right? Especially for some of those sections of Main, maybe even not necessarily on the interchanges, but where you're not going to command as high a rent or as high a product, you may want to do all stucco. Even with some variation in color and texture, you're going to get a product that looks nice, right? Right. A few other things, just clarifying in there again that it would be other materials, that you would allow other materials to emulate the preferred materials. Again, we're not back here in 10 or 20 years saying, hey, look, there's some more materials that are newer that look better.

Lunt: Was the new Maverick, was that brick veneer? It's brick, but I'm sure it was veneer.

Tyler: I don't know on that one specifically. I know their architecture, this ordinance doesn't as much drive that as, they had no reason to even come to the city for anything, right? They had the right to develop. It was 10% larger square footage than the zoning allowed. Because they were coming to the table asking for that, the city heightened the architectural standard on them.

Decker: I think it looks great.

Don: If I recall, it is a veneer.

Lunt: It doesn't look cheap.

Tyler: It is a veneer. A lot of the veneers look better.

Lunt: This looks good. It does look like, I compared it with a couple of other buildings, and it really looks nice.

Hitz: Tyler, when the building material is approved, but it requires nuance to make it look like you want it to? Who approves of the nuances.

Tyler: That's the question, right? So right now, it comes down to city staff will make that determination. Does it line up with the ordinance or not? I think we've still got some work to do. Don and I just had some back and forth.

Don: I can speak to that. It is difficult for folks like myself and Amber to play judge, jury, and executioner in someone's architectural style, right? The way I've looked at this ordinance as a whole is it is pushing you, one, towards more of a traditional material. I think that's obvious. It is difficult, where it says stucco, limited amounts, used for vertical surfaces, if the quality of the design merits it. Those are difficult to enforce. I think we should move some of these things to percentages, but the nuances in my career. If that's the direction the city wants to go, that belongs with like a design review board where you have an architectural professional and some other professionals. If you're going to lay that type of judgment, right? Tyler's point, I have looked at this as, what is the overall impact of the material. I remember the discussion on Starbucks, and it was metallic. These EFIS-type products, what is that, exterior insulated finish surface or something like that, that can run the gamut. It doesn't have to be stucco. It could be metallic. In my mind, what is the impact of the material? Material, not necessarily the composition. We also want these buildings to last, too, on Main Street, right? We've got some ideas. I've talked to Tyler and Jett. I think you guys, and I'll do this at the next meeting, but the general plan has lots of language where it talks about aesthetics and architectural quality in certain areas. Downtown is a key one, right? Do we want to see a reflective glass building downtown? Some people may think they're great, but it's probably not downtown Cedar. I think there's some good discussion to have.

Tyler: I think part of that, too, just on the prohibited list, again, it says metal walls, right? Well, if it's a matte aluminum, one of these ACM materials. You're seeing on a lot of buildings as an accent, right? That's a little different than having a corrugated tin building on Main, right? We even had on our office building, you know, it made it through review. It was before my time, so I don't know, you know, why. There's some of that that's ACM product, right, that it looks like wood. You know, that was probably the grounds that were used. We just want to empower staff to be able to look at this but also have objective standards that are a little less subjective. That puts them in an awkward spot too. Also give some more architectural flexibility. You hate to pay an architect several hundred thousand dollars, and then have half of their plan need to be changed per ordinance, right? Right. Next week, I'll leave a lot of that to Don and we'll kind of go back and forth on some of these things. I think we're close to some agreement on that. We ran it by our bid folks as well to make sure that we have some, for each type of option, we have something that can fall within every budget. If you want, you know, if you have a property that really commands top dollar, we'll have that. This ordinance allows you to do that, but also some of the properties, you can't command top dollar rent or sale, and you need to be able to have a project that's going to pencil, too. We're looking at that.

Jett: That's the most important part right there. It's in the end; it's my banker and my wallet that are taking risks. The last thing that I ever want to see, and I couldn't even imagine we're having this discussion, and I've only been here for 37 years. That we even have government dictating building materials. Now, I guess I understand there must be some reasonable compromise. I've kind of learned that in many years. If we're not careful, we'll be California before you know it, because we just must inch our way right into the

door. Then the next generation, it's not that bad. They've been doing it for 20 years. So that's where we have to be very, very careful. It starts with commercial, then it goes to multifamily, then it goes to your own home, where they're going to tell you what color car you can have or what color windows you can have. If you want to live in a PUD in a private subdivision, let them make all the rules they want. The last thing I want is government. barely sticking its nose in my business because it's my wallet and my risk.

Tyler: Granted, we may see where that goes, right? The state law already preempts the city from making these types of decisions with residential property.

Jett: It starts to, yeah, we prohibit it now, but I'm just saying that we get the crawl. It starts to creep, and it's slow and insidious, and it will get there if we don't watch it.

Tyler: I appreciate your time.

Webster: Thank you for that. I would suggest that during the week, everybody take a look at some of those building materials. I have a cabin on the mountain. The logs are cement, and you would never know it to look at it, so it's good. Thank you, well, if it's okay, we'll push number nine to a future date and adjourn the meeting.

The meeting was adjourned at 6:17p.m.


Faith Kenfield, Executive Assistant