

Cedar City

10 North Main Street • Cedar City, UT 84720
435-586-2950 • FAX 435-586-4362
to www.cedarcityut.gov

CITY COUNCIL WORK MEETING

FEBRUARY 4, 2026

5:30 P.M.

Mayor

Steve Nelson

Council Members

Robert Cox
Waldo D. Galan
R. Scott Phillips
Phil E. Schmidt
Carter Wilkey

City Manager

Paul Bittmenn

The City Council meeting will be held in the Council Chambers at the City Office, 10 North Main Street. The City Council Chambers may be an anchor location for participation by electronic means. The agenda will consist of the following items:

I. Call to Order

II. Agenda Order Approval

III. Administration Agenda

- Mayor and Council Business
- Staff Comments
 - Golf Course winter closure. Jared Barnes

IV. Business Agenda

Public

1. Public hearing to consider ordinances for a General Plan change from Rural Estate to Business/Light Manufacturing and a zone change from Annexed Transition (AT) to Industrial and Manufacturing (I&M-1) in the vicinity of 3000 N 400 W. GO Civil / Randall McUne
2. Public hearing to consider a zone change from General Commercial (GC) to Residential Dwelling – Multiple Units (R-3-M) for the address of 491 North 400 West. GO Civil / Randall McUne
3. Public hearing to consider an ordinance amending a development agreement for a property located at approximately 4200 W Center Street. Jesse Carter / Randall McUne

V. Staff

4. Consider bids for the Kitty Hawk Drive and Bulldog Road Traffic Signal Project. Shane Johnson/Jonathan Stathis
5. Public hearing to consider modifications to Cedar City Ordinance 26-III-12 pertaining to the previously repealed General Commercial zone. Amber Ray / Randall McUne
6. Public hearing to consider a proposed Transportation Master Plan amendment in the vicinity of 2500 North Main Street. Velocity Builders / Kent Fugal
7. Discussion on Martins Flat. Kent Fugal
8. Consider a change order for the driller on Martins Flat. Kent Fugal

Dated this 30th day of January 2026.

Renon Savage, MMC
Cedar City Recorder

CERTIFICATE OF DELIVERY:

The undersigned duly appointed and acting recorder for the municipality of Cedar City, Utah, hereby certifies that a copy of the foregoing Notice of Agenda was delivered to the Daily News, and each member of the governing body this 30th day of January 2026.



Renon Savage, MMC
Cedar City Recorder

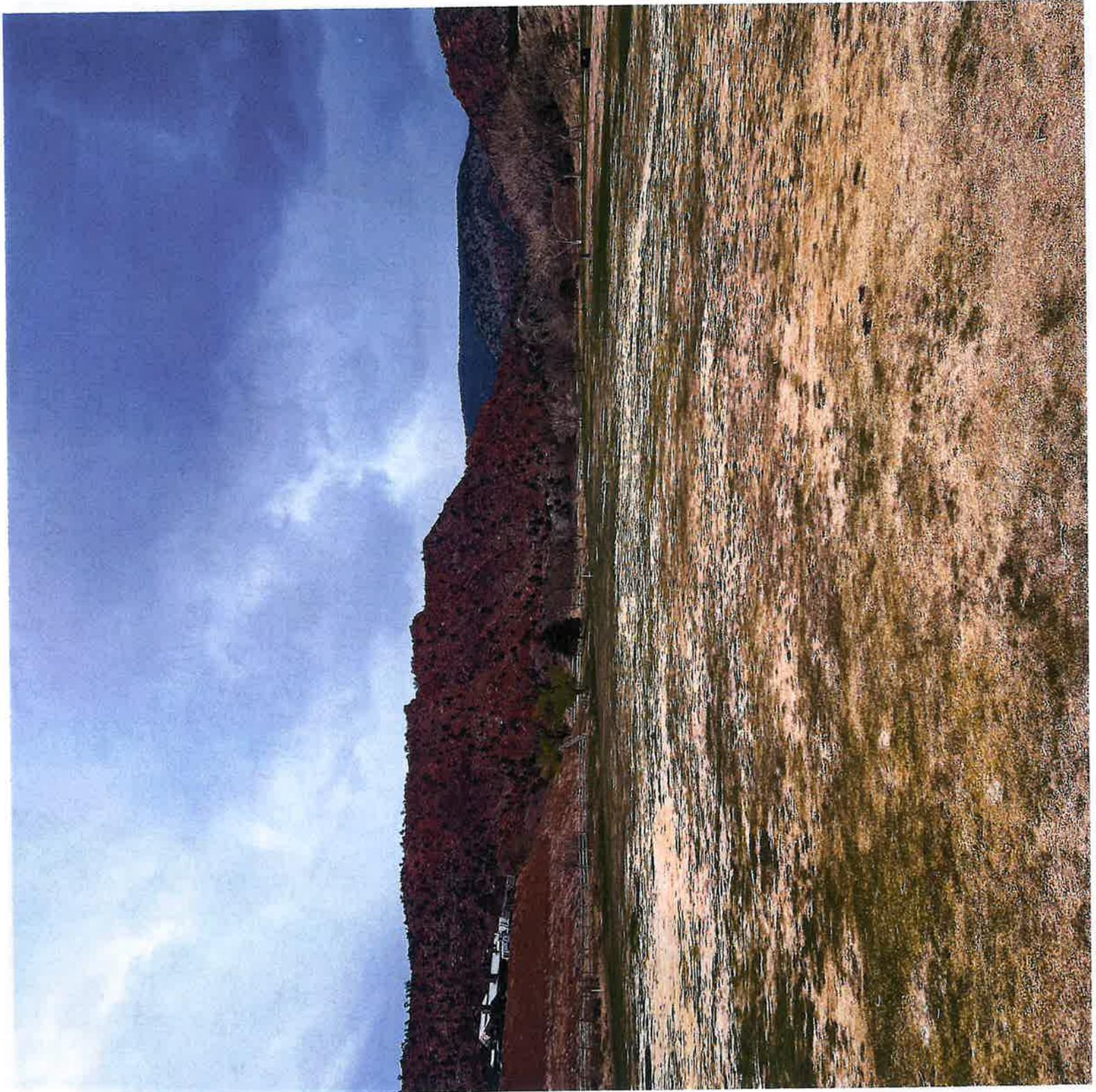
Cedar City Corporation does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

If you are planning to attend this public meeting and, due to a disability, need assistance in accessing, understanding or participating in the meeting, please notify the city not later than the day before the meeting and we will try to provide whatever assistance may be required.

5 year historical days played 12/15-2/15

	<u>2020/21</u>	<u>2021/22</u>	<u>2022/23</u>	<u>2023/24</u>	<u>2024/25</u>	<u>2025/26</u>
December 15-31	5	2	0	13	15	11
January 1-31	7	9	0	2	13	12
February 1-15	13	9	4	0	14	
Total	25	20	4	15	42	







PALISADE
GOLF COURSE

Golf Course Closed

TO PRIORITIZE THE HEALTH OF THE
GOLF COURSE, THE COURSE WILL BE
CLOSED WITH

**NO ACCESS BETWEEN
THANKSGIVING AND MARCH 1ST**

THANKSGIVING AND MARCH 1ST

DURING THIS TIME FACILITY USE IS
PROHIBITED. IF YOU HAVE ANY
QUESTIONS PLEASE CONTACT OUR
HEAD GOLF PROFESSIONAL @

JVANORMAN@UTAH.GOV

IVANORMAN@UTAH.GOV

WELCOMING YOU

WELCOMING YOU

WELCOMING YOU

WELCOMING YOU

CEDAR CITY COUNCIL

AGENDA ITEM – 1

TO: Mayor and City Council

FROM: City Attorney

DATE: January 30, 2026

SUBJECT: Requested General Plan and zone change for property located at 3000 N 400 W

DISCUSSION:

The owner of this property (2 parcels) seeks to change the General Plan designation and zone to allow better use of the property. The approximately 19-acre property is currently zoned Annexed Transition, and the General Plan designates it as Residential Estates. The owner seeks to change the General Plan designation to Business/Light Manufacturing and the zone to I&M-1. The property sits partly within two airport overlay zones: the Instrument Approach Zone and Approach Zone, which severely limits the residential use of the property – allowing only one dwelling per five acres. The property is surrounded by a mix of properties with the property to the west having recently constructed storage units, property to the north zoned as residential one dwelling per five acres, property to the east zoned as two units per acre, and the property to the south as the intended location of the School Districts new bus garage.

One little wrinkle to note that will hopefully be resolved prior to your vote: while the Council approved the annexation of these two parcels in December, the Lieutenant Governor's Office has not yet issued the certificate approving that annexation. If that annexation is not approved prior to your vote, you can still vote, but the zoning designation will not change until the annexation is fully completed.

The Planning Commission discussed this matter and gave a positive recommendation to the requested General Plan and zone changes.

Please consider whether to approve the requested General Plan and zone changes.

CEDAR CITY PLANNING COMMISSION

MINUTES – January 20, 2026

The Cedar City Planning Commission held a meeting on Tuesday, January 20, 2026, 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, Steve Hitz

Members absent: Tom Jett

Staff in attendance: Kent Fugal-City Engineer, Randall McUne-City Attorney, Amber Ray - Planner

Others in attendance: Mr & Mrs Tim Hermsoth, Jesse Carter, Dallas Buckner

<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 Kent Fugal

I. REGULAR ITEMS

- 1) Approval of Minutes (dated January 6, 2026)
(Approval)

Lunt motions to approve the minutes from the January 6, 2026, meeting; Decker seconds; all in favor for a unanimous vote.

- | | | |
|--|---------------------|-----------------------------------|
| 2) PUBLIC HEARING | | |
| General Plan Amendment from | 3000 North 400 West | GO Civil Engineering/
Brindley |
| Low-Density Residential to Business/Light
Manufacturing
(Recommendation) | | |
| 3) PUBLIC HEARING | | |
| Zone Change from Annexed Transition | 3000 North 400 West | GO Civil Engineering/
Brindley |
| To I&M-1
(Recommendation) | | |

Dallas Buckner: This is a property we have brought through,. We have already had some discussions. Newly annexed, came in as annexed transition. Looking to do a zone change and a general plan amendment. This is the area that is in the projection of the airport. Located on the north side of 3000 N. Based on the airport zones, there's not really a residential component that is allowed unless you are doing one unit per five acres. And on the General Plan it is currently shown as rural estates.

John Webster: So it doesn't work for residential really?

Dallas: If you want to do 5 acre lots. When you annex, it becomes Annexed Transition, you have to rezone. South and southwest are all areas adjacent to the airport. Same zoning projections extend into our property.

Jennifer Davis: My understanding is that the airport is taking that zoning out. That is the reason you brought it forward before. Now they have filed the paperwork to take that out.

Dallas: Where it comes in as AT we want to do something with it. To the west it is still in the county. It is

getting developed as storage units, so that is an industrial use. I believe 3000 is a 75' minor arterial. In the future if the landowner decides that, and the airport changes those zones, you could go to a higher density residential, then maybe we revisit it and zone it at that time

Kent: As far as changes to the airport overlay zones. It isn't a given that any changes will happen. The push to change it was coming from county staff to change it, he retired. The replacement isn't keen on shaking up the overlay. There is a big process that will need to go through before that would happen, including coming to you guys. I am not aware anything has been filed, not sure who it would be filed with. It is a local issue, not FAA who decides, with federal guidelines. It is far from a sure thing.

Jim Lunt: There is just the one neighbor?

Dallas: I think it is a home. They did get noticed. I haven't driven out there.

Randall: To the west is storage units.

Open Public Hearing

Close Public Hearing

Amber Ray: Since it is a General Plan change, depending on what will be coming in, you may have to do modeling at that time. Also in project review, Don mentioned buffering between residential and industrial. You don't know what will go into the industrial after you rezone it.

Davis: What does the master plan call for?

Kent: Residential estates. It doesn't work well unless it is 5 acre lots. Not sure what the county had it zoned for before the annexation.

Decker motions for a positive Recommendation for the General Plan Amendment from Rural Estate to Business/ Light Manufacturing in the vicinity of 3000 N and 400 W; Jace Burgess seconds; Jennifer nay, all others in favor.

Decker motions for a positive Recommendation for the Zone change from AT to I&M-1 in the vicinity of 3000 N and 400 W; Jace Burgess seconds; Jennifer nay, all others in favor.

4) PUBLIC HEARING

Development/Deferral Agreement 4200 West and Center Street Jesse Carter / Platt & Platt
(Recommendation)

Jesse Carter: We tried to put something a little more clear of what we are trying to do here. This is Phase 1 of this development. This is at 4200 W and Center. We will be improving everything along the yellow line and our request is that we defer everything along this red line. I don't know if you have been out to Center Street, but there is plenty of width in the road currently to have two cars go by for the amount of traffic that it needs to carry. It seems sufficient currently in our opinion.

Davis: Did we talk about the deferral agreement having a date?

Jesse: As far as a trigger, we put in when we develop anything south of the red line.

Davis: I was thinking of a date, so it isn't unfinished forever.

Jace Burgess: If it isn't developed, does it need to be improved?

Kent: It needs to be improved because it is a master planned road that needs to carry the projected traffic.

Davis: I thought we had talked about that last time.

Randall: We did talk about it. This is their proposal. I think the last bullet point should probably say needed to do directly north of the area phase to be improved, not south. The very last line. The area phase you're going to be improving is going to be south of Center Street. Their idea is to do the yellow on top right now as part of the current phase, then the south part, which is red, would be whenever they complete any phase that goes along it, that is when they would put in the parallel portions of Center Street.

Lunt: Trigger entire red line or just the portion?

CEDAR CITY ORDINANCE NO. 0211-26

**AN ORDINANCE OF THE CEDAR CITY COUNCIL AMENDING
CEDAR CITY'S GENERAL LAND USE PLAN FROM RURAL ESTATE TO
BUSINESS/LIGHT MANUFACTURING IN THE VICINITY OF 3000 N 400 W**

WHEREAS, Ryan Brindley, the owner of the property at issue, located on the northwest corner of 300 North and 400 West, has petitioned Cedar City to change the current General Land Use Plan from Residential Estates to Business/Light Manufacturing for Iron County Parcel Numbers D-0731-0000-0000 and D-0699-0000-0000 (19.18 acres). The property is more particularly described as shown in Exhibit A.

WHEREAS, after providing public notice as required by City ordinance the Cedar City Planning Commission considered the proposed general land use amendments and gave the proposal a positive recommendation; and

WHEREAS, the City Council after duly publishing and holding a public hearing to consider the proposed general land use change finds the proposed change furthers the City's policy of establishing and maintaining sound, stable, and desirable development within the City, promoting more fully the objectives and purposes of the City's General Land Use Plan, or correcting manifest errors.

NOW THEREFORE BE IT ORDAINED by the City Council of Cedar City, State of Utah, that the City's General Land Use Plan is amended from Rural Estate to Business/Light Manufacturing for a property in the vicinity of 3000 North and 400 West, and more particularly described herein and shown in Exhibit A, and City staff is hereby directed to make the necessary changes to the City's General Land Use Plan.

This ordinance, Cedar City Ordinance No. 0211-26 , shall become effective immediately upon passage by the City Council and published in accordance with State Law.

Council Vote:

Phillips -
Cox -
Wilkey -
Schmidt -
Galan -

Dated this _____ day of February 2026.

STEVE NELSON, MAYOR

[SEAL]

ATTEST:

RENON SAVAGE, RECORDER

Exhibit A

Cedar City Ordinance 0211-26

- General Plan Change 3000 N 400 W -

CEDAR CITY ORDINANCE NO. 0211-26

AN ORDINANCE OF THE CEDAR CITY COUNCIL AMENDING CEDAR CITY'S ZONING DESIGNATION FROM ANNEXED TRANSITION TO INDUSTRIAL AND MANUFACTURING (I&M-1) IN THE VICINITY OF 3000 NORTH 400 WEST

WHEREAS, Ryan Brindley, the owner of the property at issue, located on the northwest corner of 300 North and 400 West, has petitioned Cedar City to change the current zoning designation from Annexed Transition (AT) to Industrial and Manufacturing (I&M-1). The property's legal description and zoning designation are more particularly described as shown in Exhibit A.

WHEREAS, after providing public notice as required by City ordinance the Cedar City Planning Commission considered the proposed zoning amendments and gave a positive recommendation to the proposal; and

WHEREAS, the City Council after duly publishing and holding a public hearing to consider the proposed zoning amendment finds the proposed amendment furthers the City's policy of establishing and maintaining sound, stable, and desirable development within the City, promoting more fully the objectives and purposes of the City's zoning ordinance, or correcting manifest errors.

NOW THEREFORE BE IT ORDAINED by the City Council of Cedar City, State of Utah, that the City's zoning designation is amended from Annexed Transition (AT) to Industrial and Manufacturing (I&M-1) for a property in the vicinity of 3000 North and 400 West, as more particularly described herein, and City staff is hereby directed to make the necessary changes to the City's zoning map.

This ordinance, Cedar City Ordinance No. 0211-26 , shall become effective immediately upon passage by the City Council and published in accordance with State Law.

Council Vote:

- Phillips -
- Cox -
- Wilkey -
- Schmidt -
- Galan -

Dated this _____ day of February 2026.

STEVE NELSON, MAYOR

[SEAL]

ATTEST:

RENON SAVAGE, RECORDER

Exhibit A

Cedar City Ordinance 0211-26

- Zone Change 3000 N 400 W -

CEDAR CITY COUNCIL

AGENDA ITEM – 2

TO: Mayor and City Council

FROM: City Attorney

DATE: January 30, 2026

SUBJECT: Requested zone change for property located at 491 N 400 W

DISCUSSION:

One of the owners of this property seeks to change the zone from General Commercial to R-3-M, which is more consistent with the current use of the property. The change would also likely allow additional dwelling units. The property is surrounded primarily by commercially zoned properties, but properties across the street have recently been amended to R-3-M for similar reasons.

The Planning Commission discussed this matter and gave a positive recommendation to the requested zone change.

Please consider whether to approve the requested General Plan and zone changes.

491 N 400 W, CEDAR CITY UTAH, PROPERTY BOUNDARY

COMMENCING 10.61 RODS NORTH FROM THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 36 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE WEST 0.23 RODS; THENCE NORTH 5 RODS; THENCE EAST 15.5 RODS; THENCE SOUTH 5 RODS; THENCE WEST 15.27 RODS TO THE POINT OF COMMENCEMENT.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

BEGINNING NORTH 175.6 FEET FROM THE WEST QUARTER CORNER OF SECTION 11, TOWNSHIP 36 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE WEST 3.80 FEET; THENCE NORTH 82.5 FEET; THENCE EAST 154.25 FEET; THENCE SOUTH 82.5 FEET; THENCE WEST 150.45 FEET THE THE POINT OF BEGINNING.

LEGAL DESCRIPTION PER DEED OF RECORD: WARRANTY DEED BK: 1660 PG: 1734



4. PUBLIC HEARING

Zone Change from GC to R-3-M

491 North 400 West

GO Civil Engineering

Dallas Buckner: Good evening Go Civil. We recently made another zone change right across the street. I mentioned that in this meeting. Ironically, when we sent out the notice. Someone from across the street said, hey, I want to do the same thing. Here we are. This is an existing parcel that's zoned general commercial, and we're requesting a zone change to R-3. The reason for this is just from a lending standpoint on an existing house and trying to get a residential loan on something that's zoned commercial.

Webster: Any questions? It seems straightforward.

Lunt: Does the city have any problems with it.

Don: No issues.

Open Public Hearing

Close Public Hearing

Davis motions for a Positive Recommendation for the Zone Change from General Commercial too R-3-M at the property at 491 North, 400 West; Hitz seconds; all in favor for a unanimous vote.

5. PUBLIC HEARING

Development/Deferral Agreement

4200 West and Center Street Jesse Carter / Platt & Platt

Jesse Carter: Essentially what we are looking to do is build small single-family homes on this portion with a twin home right here. From what I understand the new city ordinance. I can't remember how many feet within a development you have to finish the dedicated road and in talking with Kent. The city would want us too, either now or in the future, to finish this portion of Center Street. What we want to do. All these homes front 25 North; there is not a huge need for finishing this road currently. From what I understand, this road will eventually go all the way to Westview. Eventually this will be a heavily traveled road. We're not saying that we don't want to finish it eventually. I don't know how many people have driven it, but there's no one who hardly ever drives it. Right now, in this phase, just this little one-acre portion here. We're just wanting to defer that to a later phase.

Decker: Help me understand where that is, kind of in reference to other places.

Davis: Is that by Iron West?

Jesse: This is Iron Springs Elementary right here, and then this is Mountain Shadows, and Iron West is right here. These are those new Ironhawk Townhomes here.

Kent: This is where we're putting in the new soccer fields, right down here. Just one point of clarification, if I could, Jesse. What I saw on, we didn't get much of a submittal on this, but what we did get just said to defer improvements West of 4200 West. Our understanding of what you were wanting to defer. Because what we were saying is this is all one parcel. You're developing a portion of that parcel. You own both sides of the road. Our interpretation of our ordinance is that you need to fully improve Center Street for that entire length. From Mountain Shadows over too Iron Hawk. We had understood that it was just this portion west of 4200 West that you said that you wanted to defer. Based on what you submitted and kind of based on our conversations earlier. It sounded like you were saying something different in your presentation.

Jesse: No, I think that's what we're trying to do. From what I understand, you're also needing us to finish this water line right here, correct? From the conversations that I am aware of, it doesn't make a whole lot

CEDAR CITY ORDINANCE NO. 0211-26

AN ORDINANCE OF THE CEDAR CITY COUNCIL AMENDING CEDAR CITY'S ZONING DESIGNATION FROM GENERAL COMMERCIAL TO RESIDENTIAL – MULTIPLE UNITS IN THE VICINITY OF 491 NORTH 400 WEST

WHEREAS, Hayden Andrew Springer, an owner of the property at issue, located at 491 North 400 West, has petitioned Cedar City to change the current zoning designation from General Commercial (GC) to Residential – Multiple Units (R-3-M). The property's legal description and zoning designation are more particularly described as shown in Exhibit A.

WHEREAS, after providing public notice as required by City ordinance the Cedar City Planning Commission considered the proposed zoning amendments and gave a positive recommendation to the proposal; and

WHEREAS, the City Council after duly publishing and holding a public hearing to consider the proposed zoning amendment finds the proposed amendment furthers the City's policy of establishing and maintaining sound, stable, and desirable development within the City, promoting more fully the objectives and purposes of the City's zoning ordinance, or correcting manifest errors.

NOW THEREFORE BE IT ORDAINED by the City Council of Cedar City, State of Utah, that the City's zoning designation is amended from General Commercial (GC) to Residential – Multiple Units (R-3-M) for a property in the vicinity of 491 North 400 West, as more particularly described herein, and City staff is hereby directed to make the necessary changes to the City's zoning map.

This ordinance shall become effective immediately upon passage by the City Council and published in accordance with State Law.

Council Vote:

Phillips -
Cox -
Wilkey -
Schmidt -
Galan -

Dated this _____ day of February 2026.

STEVE NELSON, MAYOR

[SEAL]

ATTEST:

RENON SAVAGE, RECORDER

Exhibit A

Cedar City Ordinance 0211-26

- Zone Change 491 N 400 W -

CEDAR CITY COUNCIL

AGENDA ITEMS – 3

DECISION PAPER

TO: Mayor and City Council
FROM: City Attorney
DATE: January 30, 2026
SUBJECT: Development/Deferral Agreement at 4200 West Center

DISCUSSION:

Jesse Carter is seeking a deferral agreement to delay the installation of some of the public improvements fronting his property along Center Street near 4200 West. He requested to only complete improvements abutting the small portion he intends to develop soon, the portion north of Center Street to the center of the street. As the property is all one parcel, City ordinances require all of the improvements on the north and south sides of Center Street to be installed for the entire width of the parcel.

The Planning Commission recommended giving a deferral for part of the request, requiring completion of improvements from the intersection with 4200 West to the east end of the property, likely because much of that part of Center Street is still quite narrow. I've drafted the proposed deferral agreement pursuant to the conditions recommended by the Planning Commission.

Please note that this was advertised as a development agreement, not a deferral agreement. This was partly due to the initial conversations with Platt & Platt and Jesse Carter including an additional request to install something contrary to ordinance that did not make it into their formal application. Additionally, as best as I can tell from State law, the validity of deferral agreements can only be established under the statutes for development agreement (i.e., a deferral agreement is a development agreement, only under another name).

Please consider approving the proposed Deferral Agreement with Jesse Carter (Royal Investments, LLC, and Liberty Cove, LLC).

Silver Creek Subdivision Phase 1 – 4200 W & Center Street

Deferral Agreement

- The property owner agrees to do all needed center street improvements adjacent to the Silver Creek subdivision phase 1 as indicated by the yellow line in Exhibit A. This would include, curb, gutter, asphalt, sidewalk.
- The property owner will defer all improvements south of center street as indicated by the red line in Exhibit A. These deferred improvements would include curb, gutter, asphalt, sidewalk.
- The trigger for doing the improvements for where the red line is located will be when the developer develops any of the property south of the red line, the developer will need to do the center street improvements directly south of the area/phase to be improved.

getting developed as storage units, so that is an industrial use. I believe 3000 is a 75' minor arterial. In the future if the landowner decides that, and the airport changes those zones, you could go to a higher density residential, then maybe we revisit it and zone it at that time

Kent: As far as changes to the airport overlay zones. It isn't a given that any changes will happen. The push to change it was coming from county staff to change it, he retired. The replacement isn't keen on shaking up the overlay. There is a big process that will need to go through before that would happen, including coming to you guys. I am not aware anything has been filed, not sure who it would be filed with. It is a local issue, not FAA who decides, with federal guidelines. It is far from a sure thing.

Jim Lunt: There is just the one neighbor?

Dallas: I think it is a home. They did get noticed. I haven't driven out there.

Randall: To the west is storage units.

Open Public Hearing

Close Public Hearing

Amber Ray: Since it is a General Plan change, depending on what will be coming in, you may have to do modeling at that time. Also in project review, Don mentioned buffering between residential and industrial. You don't know what will go into the industrial after you rezone it.

Davis: What does the master plan call for?

Kent: Residential estates. It doesn't work well unless it is 5 acre lots. Not sure what the county had it zoned for before the annexation.

Decker motions for a positive Recommendation for the General Plan Amendment from Rural Estate to Business/ Light Manufacturing in the vicinity of 3000 N and 400 W; Jace Burgess seconds; Jennifer nay, all others in favor.

Decker motions for a positive Recommendation for the Zone change from AT to I&M-1 in the vicinity of 3000 N and 400 W; Jace Burgess seconds; Jennifer nay, all others in favor.

4) PUBLIC HEARING

Development/Deferral Agreement 4200 West and Center Street Jesse Carter / Platt & Platt
(Recommendation)

Jesse Carter: We tried to put something a little more clear of what we are trying to do here. This is Phase 1 of this development. This is at 4200 W and Center. We will be improving everything along the yellow line and our request is that we defer everything along this red line. I don't know if you have been out to Center Street, but there is plenty of width in the road currently to have two cars go by for the amount of traffic that it needs to carry. It seems sufficient currently in our opinion.

Davis: Did we talk about the deferral agreement having a date?

Jesse: As far as a trigger, we put in when we develop anything south of the red line.

Davis: I was thinking of a date, so it isn't unfinished forever.

Jace Burgess: If it isn't developed, does it need to be improved?

Kent: It needs to be improved because it is a master planned road that needs to carry the projected traffic.

Davis: I thought we had talked about that last time.

Randall: We did talk about it. This is their proposal. I think the last bullet point should probably say needed to do directly north of the area phase to be improved, not south. The very last line. The area phase you're going to be improving is going to be south of Center Street. Their idea is to do the yellow on top right now as part of the current phase, then the south part, which is red, would be whenever they complete any phase that goes along it, that is when they would put in the parallel portions of Center Street.

Lunt: Trigger entire red line or just the portion?

Randall: They way he is proposing it, and again, this is his proposal, this is not staffs idea, it is his. That is why we presented it to you as his. It would be only just to the west 200 feet. So the idea as we do it is that if he tries to do a tiny portion on Center Street and then balloon out, we would count the full balloon out and go immediately north of that, and that's how far you'd have to improve. So that'll avoid trickery, but it is allowing him obviously to defer. I wanted to let you know there's two different ordinances this is potentially going to defer. Number one is 26-4-5(A) where it says that if you own both sides, which they do, they own the north side and the south side of the street for those portions, they're supposed to complete all the improvements. The fact that he owns the part to the south under this ordinance, he would have been required to also do the improvements of the red that's matching it. So if you just follow the yellow line and go straight down, he'd have to do the improvements there. When we added what I usually refer to as the public improvement avoidance ordinance that we pushed through the last couple of years, it would require the entire red. So that's kind of the stages of what he's asking for to kind of give you the history of the ordinance that's there. Your question in the end as you make this recommendation to council is: Are you okay with any deferral? And if so, what deferrals and what triggers?

Decker: Why are you asking for a deferral?

Jesse: Given the current market, we want to develop this first phase now and see how it sells. As soon as this starts to get developed, the plan as of now would be to start on a portion of this.

Decker: So your plan is to develop it eventually?

Jesse: Yes, no point in putting in hundreds of thousand into improvements, especially when this road is perfectly useable as is. In fact, it will be even wider because when we do this improvement, it will have to widen and match.

Jace: Single family?

Jesse: Zoned R-3-M. Small single-family homes with a twin home right there. 2,000 sq ft single family homes. It will be within the zoning which we currently have.

Jace: Its probably not going to sit long. I agree, it is silly to have to do all the improvements up front.

Jesse: We also don't know what this is going to look like yet, and so it'd be nice to develop, you know, if we do this half, do the curb gutter, entries, however they need to be coming off the street. So we are not doing any unnecessary curb cuts and other things like that.

Davis: I wanted to ask the city's stand, see how it fronts 25 North and Center? What did we make these people do on this side?

Randall: We make them do all that they front.

Jace: Does it have sidewalk?

Jesse: It does not. It has curb. We had talked about asking to move that wall, but we are not presenting that to you tonight.

Kent: This is the lift station that has been removed.

Randall: You will notice the ones to the west have driveways onto Center. Not sure how that happened. That can be a dangerous problem. You can split this, you can say we are okay with deferring it. Maybe we want a different trigger you already talked about maybe putting time limit on it. You'll have other ones where sometimes they'll just say, to do exactly just straight north of whatever he develops. Some of that could create some odd situations where say he does the first 200 feet, but he doesn't get all the way to 4200 West. We'll end up having a road that expands for a little bit, but doesn't actually expand all the way to an intersection. You could always propose that too and say we're okay with a deferral on the red, but we think whichever way he comes in from the west or the east, he needs to finish those improvements up to, and including 4200 West. At least that way you've got a full width intersection coming from one side.

Kent: Center Street is planned to go to at least 5700 West.

Jesse: If I can also point out, there is a water line we aren't requesting a deferral for the water line. We are having to put in an 8 inch and the city is paying to upsize to 12 inch. We don't need it for this phase. We are trying to help the city out.

Randall: You've heard my take before on deferrals and development agreements. I'm always nervous on these because enforceability later is difficult. This one at least we'd have that whole portion of property wouldn't be

able to use until that's there. But again, my biggest fear is tying it too closely to each little section. What if he finishes one part and then decides to not finish it later, or turn it into a farm, or what do the Leavitt's do half the time, throw in some sheep and just call it a green belt. You could end up with something that sits there for 30 years because Jesse's plan needs to wait because the economy does something. It may not matter if he's not developed anything to the south because that's already the way it is. But if he develops portions of it but not others, we could end up with a pretty weird hodgepodge. So that's all I ask you. If you give a deferral in the development agreement or at least a thumbs-up recommendation, tie it as best you can to avoid too much piecemeal.

Davis: I like the idea of having to go to, what is that, 4200? Yeah, the whole yellow line. Yeah, like it having to go to 4200, whether you come from the east or the west, and then maybe once you start that red line, you have five years to do both halves of it or timeline that part instead of when they start.

Jace: I like the idea to go to 4200, once you start the red line you have 5 years to do both halves. How would you enforce?

Randall: Tracking is difficult because we could stop any new building permit from coming into that area if it's not finished. But that requires engineered time and effort to keep that on GIS and staffed and that kind of stuff. It can be difficult if you have too many things to keep track of. But I do think it's a little unreasonable to have to do both sides, especially when they probably won't even be the same product.

Steve Hitz: But if you develop all at once, it benefits you.

Jesse: Yes

Lunt: Whoever buys the property will have the cost.

Steve: Do you think the cost of improving the road will go down?

Jesse: We could build more homes quicker if we didn't have to do the red line improvement. It's kind of our thought because it would just slow down the process because we would have to sell a couple of homes to recoup that cost.

Decker: I don't see anything but advantages to you with doing the improvements, besides the cost. It will cost anyways. I think it needs to be done all at once.

Lunt: A wall up against Center Street?

Randall: 4200 would continue though, you could partially have a couple other streets. We'd be really grateful if they lined up with the streets that are there.

Jesse: Absolutely

Kent: As far as engineering staff perspective. We don't believe that there should be a deferral. I'll just put it that way. We would not recommend any deferral. However, if a deferral is given, we would recommend only deferring what's west of 4200 West. So they would build full width and then just taper the pavement in west of 4200 West. The rest of this would get built, would be our recommendation if you do choose to defer. The other thing is if you do choose to do any deferral, we would strongly recommend against the wording that, oh, wrong thing, here we go. The wording in here on this last paragraph, only doing the part north or south to the phase. It would take the ordinance off the table in the future. I don't think you should include that. If you do decide to recommend a deferral. I would delete all that. That is the recommendation from engineering.

Jesse: If I could push back a little on the comment of improvement increasing the value, Center Street is already a road that can be used even without the improvements we would be doing on the yellow line, which will make it wider. I don't think from a real estate standpoint it would make it appear more valuable having a 65-foot road.

Kent: It is a 66' major collector road.

Jesse: Buyers are not going to want to see that large of a road behind their home. It will scream people will go fast down this road. Which they will. If you widen the road, people will go faster. I think that is one thing you open up when you are finishing the road before it needs to be finished. You will have a lot of cars, driving fast. From the Iron Hawk Townhomes to the Mountain Shadow turnoff, people are going to go fast down that road. I would be cautious. There are kids walking to what is my empty field. Opening up to danger, people driving faster than they should on a road that doesn't need to be 65 feet.

Steve: Would a win win be to offer a deferral up to 4200 West.

Decker: The pavement is ½ mile now. And you're wanting about half of that.

Kent: (Measured) You're talking a ¼ mile.

Jesse: I am not saying we don't want to develop it, and we will eventually. Why make it bigger when you don't need it bigger? Why require us to pay a couple hundred thousand dollars more to do that now when we can invest that into building more homes, for more people, improving the city quicker.

Kent: I dispute the notion given earlier about the road being plenty wide as it currently is. I think this really needs to be improved, especially when you encounter pedestrians, or people on their bicycles, it is really tight. I think this really needs to be improved. This part where they are is the narrowest portion of the whole road. Even when you get the improvements on the north side, it will still be the narrowest portion. The water line that was mentioned, that is not something that the developer is offering out of the goodness of their heart, it is required. It is a water line that is on the master plan.

Jesse: My point was, we don't need that water line for this phase here.

Kent: This current phase will not utilize that line, but it is not something you are putting in to help the city out.

You are putting it in because it is a requirement of the master plan.

Randall: Do you know the current width of the asphalt in the narrowest part?

Kent: I drive it on a regular basis, and it is tight. I would not agree that it is a benefit to leaving it narrow.

Jennifer: Inevitably it will be wider so we can't keep it narrow forever.

Jace: I never weigh in on safety because I think it is a tough hole to fill. But I do agree with the cost. Even to go on south side of the road to 4200, with a timeframe on the rest, I would be more than happy with that.

Kent: Staff is suggesting this portion should be developed to full width, then it could taper down. That is what we would be most comfortable with if you wish to recommend any type of deferral. A minor amount of widening the asphalt.

Decker: What is the distance from 4200 West to where your property ends to the west?

Kent: 630' to west deferred 690' to the east they would be constructing. Close to half and half.

John: I would add, as you develop further to the west, or to the north and west, Center Street, which leads in the mornings and afternoons to school for parents. Fairly heavy trafficked. 4050 West.

Steve: How fast are you going to develop the south side of Center?

Jesse: It depends on how fast we can sell these. We wouldn't even consider starting the next one until we are at least 50- 75% sold on Phase 1.

Steve: How long are you thinking?

Jesse: Maybe 18 months.

Steve: I am all for helping entrepreneurs. I understand the cost. Maybe we do something like develop both sides of the road up to 4200 and give you a 5-year deferral on the rest. Kent said he would go along with that as a minimum.

Decker: I think you are honest, but that is hard to enforce.

Randall: The five-year part would be difficult. The triggers that are easier to enforce are next phase of subdivision, next building. Just know you can put the 5 years in, just know the trigger will really be when he goes to put in another phase.

Jennifer: Can we do something like- upon the Next phase of development not to exceed 5 years. That way you have two triggers but also have a deadline.

Randall: You can do both. Just know the easier one to enforce is the subdivision and building side.

Open Public Hearing

Tim Hermsoth.: I own 4212. Evidentially the driveway on to Center. I love my house. It is a residential area. I was hoping to at least continue residential for the block and across the street. I realize further down the line where you have the block wall on Center, it is ugly. It is dangerous because you can't see kids on the sidewalk. I am here to make sure it stays residential. I want to make sure it doesn't go to duplexes or high rises. Or like what you guys did further down.

Jace: That is what it is currently zoned for.

Randall: Your whole neighborhood is already zoned for that. R-3-M is still residential it is the highest density besides around the university.

Tim: I would prefer not to see high density. The new area that is being built now, heavily, all those apartments, are they already zoned that way?

Jace: Yes

Tim: I am here to make sure the area of my house is single family homes. It appears there is a larger house going onto that property, and then single properties?

Lunt: A twin home then everything else is 2000 sq ft.

John: We are not in the position to change the zone unless someone comes in and requests it. It is already high density.

Tim: Driveways will be on 25 West?

Randall: Correct:

Tim: I don't want to see the whole area turn into duplexes and apartments; it's too many people along that road.

Close Public Hearing

Steve: I like Jennifer's idea of a two-phase trigger. But I also like the idea of developing both sides of the road up to 4200. I make a positive recommendation 4200 and Center development requires development of road on both sides up to 4200. With two triggers, the first is the development of the south side of the road as the first trigger, and then there is a 5 year to have that fully developed on both sides of the street.

Kent: Five years from now, or five years when they start to develop.

Steve: When they start the development.

Davis: What if they don't develop it for 10 years? I was thinking, no to exceed five years for the full. When they start developing it, they will need to improve it right then.

Kent: So East of 4200 not deferred, West of 4200 will be deferred.

Steve: The trigger then what?

Jennifer: Upon development of the south side, or five years, whichever happens sooner.

Steve: I agree to that amendment

Steve Hitz motions for a Positive Recommendation for a Deferral Agreement in the vicinity of 4200 West and Center Street. The development on the north of Center Street requires improvements to both sides of the road up to 4200 West. A deferral for improvements west of 4200 West to be deferred until development of the south side, or five years, whichever happens sooner; Jennifer Davis seconds; Wayne Decker nay, all others in favor.

The meeting was adjourned at 6:09 p.m.

Amber Ray, Planner

DEFERRAL AGREEMENT

THIS AGREEMENT, is made and entered into this ____ day of _____, 2026, by and between Royal Investments, LLC and Liberty Cove, LLC, herein referred to as CITIZEN, and Cedar City Corporation, a municipal corporation organized and existing under the laws of the State of Utah, herein referred to as CITY. Collectively the CITIZEN and CITY may be referred to as the PARTIES.

WITNESSETH:

WHEREAS, CITIZEN owns property located at approximately 4200 W Center in Cedar City, Utah (Iron County Parcel ID B-1433-0000-0000); said property being more particularly described as attached in Exhibit A.

WHEREAS, said property, pursuant to Ordinance, will not meet certain prerequisites for development;

NOW THEREFORE, in consideration of the mutual covenants and agreements contained here, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the PARTIES agree as follows:

1. CITIZEN may obtain construction drawing/final plat approval for projects within the portion of the property north of Center Street in Cedar City, Utah (located within Iron County Parcel ID B-1433-0000-0000), subject to the terms and conditions set forth herein.
2. CITY agrees to waive certain requirements temporarily subject to the terms and conditions set forth herein.
3. CITIZEN acknowledges their obligation to install curb, gutter, sidewalk, street, street light, water, sewer, drainage and landscaping improvements along Center Street for the entire frontage of the property. CITIZEN will install said improvements on both the north and south sides of Center Street from the west side of the intersection with 4200 W continuing to the east side of the property. CITIZEN agrees to install the remaining improvements, namely from the west side of the property heading east to the west side of the improvements already required (west side of 4200 W intersection), at their own expense, curb, gutter, sidewalk, street, street light, water, sewer, drainage and landscaping improvements at such time as any trigger event occurs. Such improvements must be installed or bonded for within an approved subdivision by CITIZEN within 30 days of any trigger event.
4. The Parties acknowledge that Center Street is a master planned road and reimbursements will occur pursuant to City ordinance for required upsizing of improvements.
5. TRIGGER EVENTS. The following events shall be considered trigger events.

- a. When any portion of the property south of Center Street is subdivided or otherwise developed; or
 - b. Five (5) years have transpired from the date of this agreement.
6. CITIZEN acknowledges that no written notice or reminder by CITY is required to start the 30-day time period. If CITIZEN does not improve said property with the improvements outlined under term 3, CITIZEN acknowledges and consents that CITY may elect to install the improvements and record a lien against said property to secure the repayment of the costs associated with the CITY installing the improvements.
 7. This Agreement shall be recorded in the office of the Iron County Recorder.
 8. This Agreement shall be binding upon the respective heirs, legal representative, successors, and assigns to the PARTIES hereto.
 9. This agreement shall run with the title to the property and be binding on any successor in interest.

IN WITNESS WHEREOF, the PARTIES have executed this Agreement as of the day and year set forth above:

CITIZEN:

Royal Investments, LLC

By: _____

Signature: _____

Title: _____

STATE OF UTAH)

:ss.

COUNTY OF IRON)

On this ____ day of _____ 2026, _____ personally appeared before me and duly acknowledged to me that s/he signed the above and foregoing document.

NOTARY PUBLIC

Liberty Cove, LLC

By: _____

Signature: _____

Title: _____

STATE OF UTAH)

:ss.

COUNTY OF IRON)

On this ____ day of _____ 2026, _____ personally
appeared before me and duly acknowledged to me that s/he signed the above and foregoing
document.

NOTARY PUBLIC

CITY:

STEVEN NELSON
MAYOR

[SEAL]

ATTEST:

RENON SAVAGE
CITY RECORDER

STATE OF UTAH)

:ss.

COUNTY OF IRON)

This is to certify that on the ____ day of _____ 2026, before me, the undersigned, a Notary Public, in and for the State of Utah, duly commissioned and sworn as such, personally appeared Steven Nelson, known to me to be the Mayor of Cedar City Corporation, and Renon Savage, known to me to be the City Recorder of Cedar City Corporation, and acknowledged to me that he the said Steven Nelson and she the said Renon Savage executed the foregoing instrument as a free and voluntary act and deed of said corporation, for the uses and purposes therein, and on oath state that they were authorized to execute said instrument, and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year hereinabove written.

NOTARY PUBLIC

EXHIBIT A

- legal description -

REFER TO ATTACHED LEGAL DESCRIPTION

**CEDAR CITY
CITY COUNCIL AGENDA ITEM 4
STAFF INFORMATION SHEET**

To: Mayor and City Council

From: Jonathan Stathis

Council Meeting Date: February 4, 2026

Subject: **Consider bids for the Kitty Hawk Drive and Bulldog Road Traffic Signal Project.**

Discussion: A traffic study at the intersection of Kitty Hawk Drive and Bulldog Road showed that a new traffic signal is warranted at this intersection. The design has been completed for the new traffic signal by Kimley-Horn & Associates. The construction bids for the project have been received and are now being presented for consideration.

Contractors and others were notified of this project via email, advertisement in the Spectrum newspaper, and on the City's website. The bid documents were requested by 11 contractors and 2 plan rooms. Cedar City received 3 bids for the project.

The submitted bid from Cache Valley Electric did not include the signed acknowledgments for the Addenda; however, they did acknowledge the Addenda on the first page of the Bid form. The bid documents state that "The City may waive any informalities or minor defects or reject any and all BIDS." Staff recommends that this be considered a minor defect in their bid.

The following table shows a summary of the bids that were received:

Bid Summary – Kitty Hawk Dr. & Bulldog Rd. Traffic Signal Project

Name of Contractor	Office Location	Total Bid Amount
Cache Valley Electric Co.	Salt Lake City, UT	\$243,359.03
Interstate Rock Products	Hurricane, UT	\$260,960.30
Suncore Construction & Materials Inc.	Cedar City, UT	\$277,545.00

If this bid is awarded it would be on the condition that the Contractor provide the required executed bonding, insurance documents, immigration status verification, and that the Mayor be authorized to sign the agreement with the Contractor.

The following table provides a summary of the proposed budget for this project:

**Project Funding
Kitty Hawk Dr. & Bulldog Rd. Traffic Signal Project
(Account #25-40-730)**

	<u>Funding</u>	<u>Expenses</u>	<u>Balance</u>
<u>Funding in FY26 –</u>			
Cap Outlay-Street Widening (25-40-730)	\$489,000		
<u>Expenses –</u>			
Engineering services – Kimley-Horn		(\$48,600)	
Construction contract		(\$243,359)	
State furnished signal materials		(\$148,133)	
Rocky Mountain Power service contract		(\$8,354)	
Misc./Contingency/Materials Testing		(\$20,000)	
Totals –	\$489,000	(\$468,446)	\$20,554

Please consider whether to award the bid for the Kitty Hawk Drive and Bulldog Road Traffic Signal project. Thank you for your consideration.

CEDAR CITY COUNCIL

AGENDA ITEM – 5

TO: Mayor and City Council

FROM: City Attorney

DATE: January 30, 2026

SUBJECT: Ordinance applying Central Commercial conditions to General Commercial properties

DISCUSSION:

The City repealed its General Commercial Zone back in 2012. All properties then-zoned as General Commercial were allowed to remain General Commercial and were required by the conditions in the then-repealed ordinances. That has caused some confusion as the repealed ordinances are not readily available on our website and the repealed ordinance cannot change the way other zones have. Rather than keeping the conditions of the obsolete zone, staff recommends the proposed ordinance changing the General Commercial zone rules to simply follow the Central Commercial zone rules.

Please note that the alternative approach would be to zone change all General Commercial properties to Central Commercial properties, but that process is substantially more difficult.

The Planning Commission gave a positive recommendation to this proposal.

Section 26-III-12 GC General Commercial Zone

Cedar City's general commercial (GC) zone has been repealed and is no longer available as a zone within Cedar City for future development. Cedar City will ~~continue to~~ use the provisions of **the central commercial (CC)** ~~this~~ zone for the development of property that was zoned general commercial (GC) prior to the date of the general commercial (GC) zone's repeal. The contents of the general commercial (GC) zone that existed immediately prior to its repeal is attached to the repealing ordinance (Cedar City Ordinance ~~Neum~~ 0926-12-1) which is on file with the City Recorder.

CREATED BY ORDINANCE NUMBER 0728-21-7. Created by Cedar City Ordinance Number 0207-18-1, amended by 1209-20, 0210-21-1, and 0414-21-3.

HISTORY

Amended by Ord. 0926-12-1 on 9/26/2012

Open Public Hearing

Dan Roberts: JMT owns the property on the east side of Main Street. We asked UDOT to let us have the right turn in and a right turn out. We were just flat told no, by UDOT. We were trying to eliminate all the congestion that is going to take place up there on the Terrible's intersection, but UDOT, they control all that back to that intersection. We're okay with vacating it, and that's item number 7. Thanks.

Close Public Hearing

Hitz motions for a Positive Recommendation on 2500 North Main Street, that the Transportation Master Plan be amended to eliminate the previously proposed road; Davis seconds; all in favor for a unanimous vote.

8. PUBLIC HEARING

Ordinance Text Amendment

Section 26-III-12 Pertaining to
To the repealed General Commercial
Zone

Amber Ray

Amber Ray: Planning, many moons ago, there was the general commercial zone, and that was rescinded. It was rescinded in our ordinance. However, there are still areas of the city that are zoned general commercial. If someone is in the general commercial and they want to develop. They have to ask us where this general commercial zone is. We have to go and dig out this dusty copy and give it to them. The general commercial zone is very similar to the central commercial zone. In an effort to make the zoning specifications easily accessible to the public, we are proposing a text amendment. This is what it currently says in the ordinance under the general commercial zone, and we would suggest removing what is red and crossed out and adding in what is green.

Lunt: Will that make your life easier.

Amber: This would make my life easier, and I think it would be very clear and easy for the public, instead of this.

Lunt: What will you do with that free time.

Amber: Well, I don't know yet.

Randall: We have plenty of work for her. Don't worry about that.

Don: We've got more band-aids.

Randall: From the legal side, the reason why I'm in favor of this is we have no ability to change the general commercial's requirements right now. Because it's basically deleted ordinance. It is fixed, and for over 10 years now, we have not been able to change what's allowed or not allowed in the general commercial zone. We've been changing something about every other zone during that time frame. This allows the council, with your recommendation, of course, to make changes if we don't like something, whether prohibitive or allowed, in a general commercial zone without having to dust off the old one and bring it back. Figure out what 12 changes we've made in between that we should make. This is just a simpler way to handle the same situation.

Webster: Any other questions?

Open Public Hearing

Carter Wilkey: I just have a quick question. I guess in this situation then, with this now, there would be no need to change the zone then. Because a lot of times people will come in and rezone from general commercial to central commercial. They could just leave it as general commercial.

Randall: Correct, they could do that now, but there's only just a, what did you guys find, like a dozen, if even that, differences?

Amber: Five.

Randall: There were five uses that were different between the two zones. Most of the time they weren't changing the zone. They just stuck with general commercial. It just took us a while to dust off the old version.

Webster: Thank you, Carter. Any others like to speak to this?

Close Public Hearing

Davis motions for a Positive Recommendation for the Ordinance Text Amendment, pertaining to the repealed General Commercial zone; Burgess seconds; all in favor for a unanimous vote.

The meeting was adjourned at 5:46 p.m.

Faith Kenfield, Executive Assistant

**CEDAR CITY
ORDINANCE 0211-25**

**AN ORDINANCE AMENDING CEDAR CITY ORDINANCES 26-III-12 APPLYING
THE PROVISIONS OF THE CENTRAL COMMERCIAL ZONE TO THE
PREVIOUSLY REPEALED GENERAL COMMERCIAL ZONE.**

WHEREAS, the state legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enable Cedar City to pass ordinances as are necessary and proper to provide for the safety, promote the prosperity, improve the peace and good order, comfort, and convenience of the city and its inhabitants, and for the protection of property in the city; and

WHEREAS, the City Council previously repealed the General Commercial zone, which prohibited properties from being changed to General Commercial but allowing then-existing General Commercial properties to keep that zoning designation; and

WHEREAS, the ordinances pertaining to the General Commercial zone were repealed for new properties but only frozen for properties already zoned General Commercial, the ability to modify the conditions of the zone was eliminated and the zone has created substantial confusion; and

WHEREAS, the City Council seeks to align properties still zoned General Commercial with the conditions and requirements of the Central Commercial zone.

NOW THEREFORE, be it ordained by the City Council of the Cedar City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “Section 26-III-12 GC General Commercial Zone” of the Cedar City Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 26-III-12 GC General Commercial Zone

Cedar City’s general commercial (GC) zone has been repealed and is no longer available as a zone within Cedar City for future development. Cedar City will ~~continue to~~ use the provisions of ~~this~~ the central commercial zone for the development of property that was zoned general commercial (GC) prior to the date of the general commercial (GC) zone’s repeal. The contents of the general commercial (GC) zone that existed immediately prior to its repeal is attached to the repealing ordinance (Cedar City Ordinance N~~o~~um 0926-12-1) which is on file with the City Recorder.

CREATED BY ORDINANCE NUMBER 0728-21-7. Created by Cedar City Ordinance

Number 0207-18-1, amended by 1209-20, 0210-21-1, and 0414-21-3.

PASSED AND ADOPTED BY THE CEDAR CITY CITY COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Phillips	_____	_____	_____	_____
Cox	_____	_____	_____	_____
Wilkey	_____	_____	_____	_____
Schmidt	_____	_____	_____	_____
Galan	_____	_____	_____	_____

Presiding Officer

Attest

Steve Nelson, MAYOR, Cedar City

RENON SAVAGE, RECORDER,
Cedar City

CEDAR CITY COUNCIL

AGENDA ITEM – 4

TO: Mayor and City Council

FROM: City Attorney

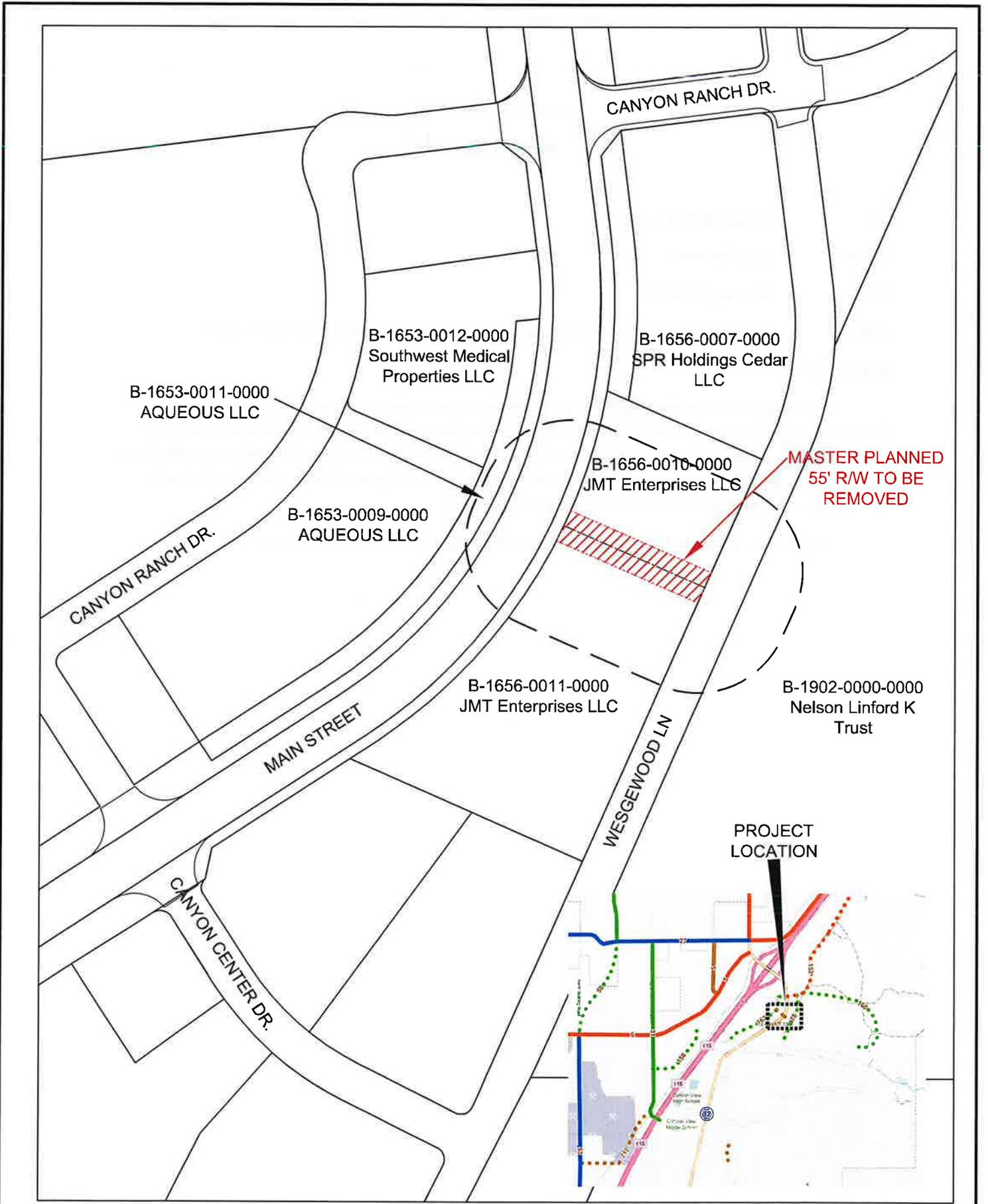
DATE: January 30, 2026

SUBJECT: Ordinance amending the Transportation Master Plan near 2500 North Main

DISCUSSION:

UDOT has declined the request to allow an additional road to access Main Street between Cayon Ranch Drive (Loves / Terribles) and Canyon Center Drive (Western Ag). Velocity has therefore requested an amendment to the City's Transportation Master Plan to remove the master planned road on the north/west side of Main Street. City staff requests a similar amendment to remove the same master planned road on the south/east side of Main Street.

The Planning Commission gave a positive recommendation to this proposal.



SHEET NO.
1
FILE:

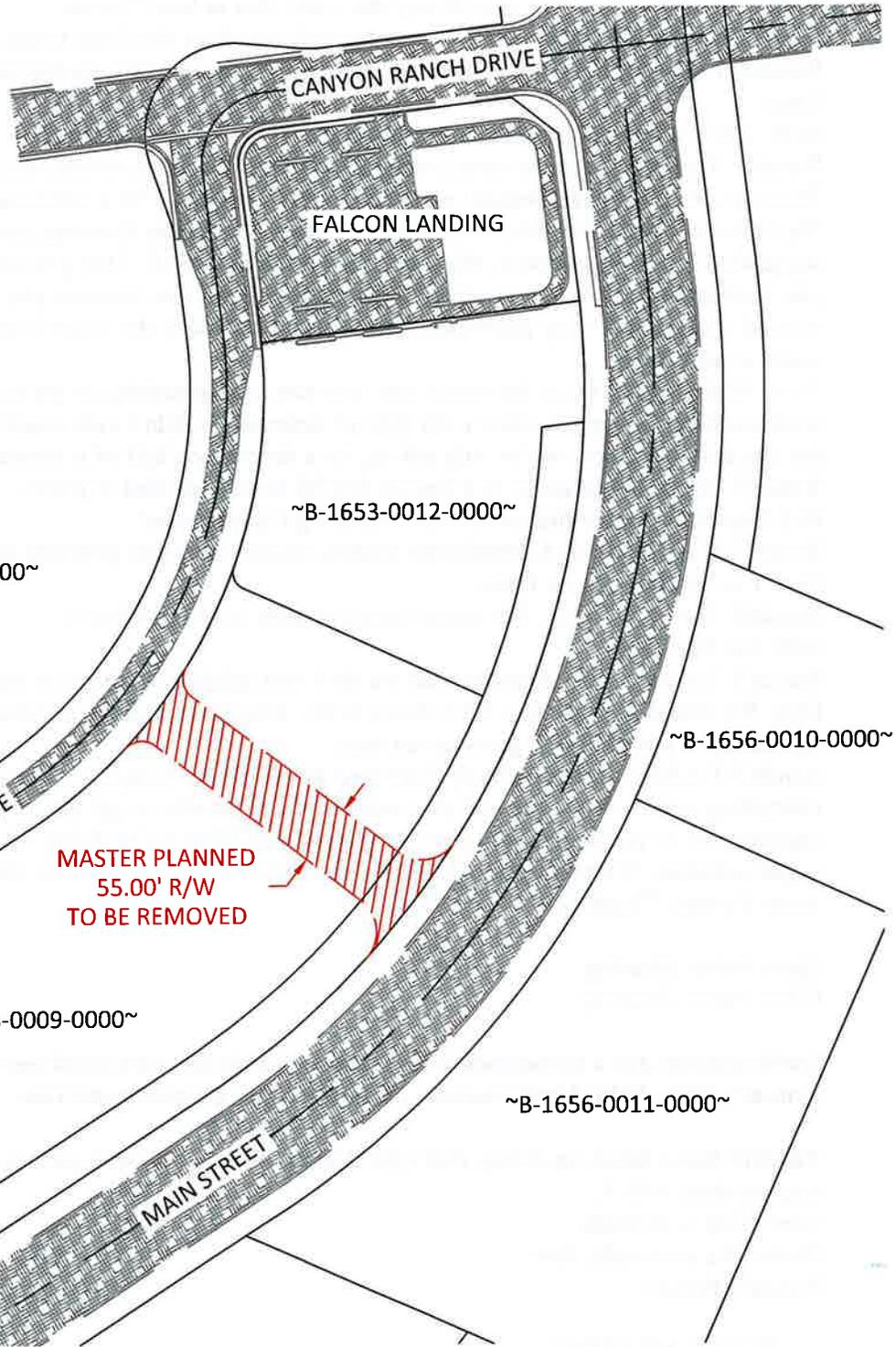
**55' MASTER PLANNED RIGHT-OF-WAY
MASTER PLAN AMENDMENT**

REVISIONS		
DATE	DESCRIPTION	BY

CEDAR CITY
10 NORTH MAIN STREET
CEDAR CITY, UTAH 84720
PH. (435) 586-2963

SCALE:
1" = 200'
DRAWN:
T.B.M.

DATE:
12/2025
CHECKED:



ADDRESS: 655 W 200 N STE 150
CEDAR CITY, UT 84720

**FALCON LANDING - 55' MASTER
PLANNED RIGHT-OF-WAY**
WITHIN THE SE1/4 OF
SEC. 26, T.35S., R.11W., SLB&M
IRON COUNTY, UTAH

DRAWN BY: H.K. HULET

DATE: NOVEMBER 12, 2025

SCALE: 1" = 150'

would be good to have spelled out as well. Because at this point, I don't know what they would be giving a thumbs up to. Not everything you want, that at least I know.

Jesse: Yeah, I wasn't aware that we weren't talking about the fence today.

Randall: I was surprised too. When we sat down for the meeting we had as staff, I was like, where is the fence.

Kent: Yeah, it's not there. That's the entirety of what we've submitted.

Randall: That's unfortunate sometimes when we do full subdivisions, we make them submit tons of stuff. This one, we don't have fleshed out exactly what's required for a submittal, sometimes we get a napkin. That's kind of what this was, it's a napkin, not even a napkin drawing, just a napkin. That would be my suggestion is that you table it, allow us to get a full submittal. That you can come here with everything you want and not have to come back three months from now because you didn't get something you wanted. I don't make any guarantees they give a positive or the council approves it, but it's going to be a waste of your time.

Jesse: Right, and as far as the water line, that was just something in the construction drawings that we were working through. It wasn't any type of deferral. It didn't even need to be mentioned here other than the fact that that's why we're only asking for a deferral on half of it because it just makes sense.

Randall: No, it makes sense. It'd just be helpful to have all that in place.

Bob Platt: Can we get this on the next Planning Commission?

Randall: If the Planning Commission wishes, because this was polished correctly.

Don: Correct, but not the fence.

Randall: The fence is not. The fence would require us to republish it.

Bob: For how long.

Randall: Ten days. It is possible. Can we do it that quickly for the next meeting.

Don: We would have to have the notices in this discussion and the summaries ready by Friday to get it out the door. I think that it gives us ten days.

Randall: I'm here, just somebody from your guys' office, bringing Jesse to make sure we're getting everything you're expecting and sit down in time to be able to get that to them. Because stated law now requires, we do public notices to give a summary of what we're doing. We can't just do only a one-liner vague sentence. We must have the details to summarize it. I'm here for the remainder of the week.

Jesse: Perfect. Thank you.

Open Public Hearing

Close Public Hearing

Davis motions for a recommendation that we table this item until our next commission meeting at January 20th, 2026; Lunt seconds; all in favor for a unanimous vote.

Randall: Just a heads up if they don't get it to us on time. We will need to push it to another meeting. If you are okay with it.

Lunt: That is on them.

Davis: We are totally fine.

Randall: Perfect.

6. PUBLIC HEARING

Transportation Master Plan
Amendment

2500 North Main Street

Velocity Builders

II. CITY ITEMS

7. PUBLIC HEARING

Transportation Master Plan
Amendment

2500 North Main Street

Kent Fugal

Kent Fugal: I'm going to go ahead and speak to this and let me jump over to that on our master plan. What we're looking at on this; we have in our street master plan. This is where the Terrible's is now, Second East, Luv's out by the North Interchange. We have on our master plan this minor collector roadway running between Canyon Ranch Drive and Wedgwood Lane here. As this issue has been pursued with UDOT to try to get their approval to be able to connect the road to Main Street, to State Highway 130 right there. They have considered it and denied the request to have that new connection to State Route 130. With that being the case, it doesn't make any sense for us to have that on our master plan. The master plan road there, having that on our plan kind of creates an encumbrance there that can't be fulfilled. Because they can't build the intersection onto SR-130. What Velocity had requested, and what's item six on your agenda, is vacating this portion here. They only requested that because that's the side of the road where they own property and would be the ones affected. We looked at that and said, while we're doing that, let's go ahead and address both sides. That's item seven is for this other side. It's all the same thing for both of those two items. Tyler Melling with Velocity would have been here tonight. He had a conflict. He called and talked to me. I told him, don't worry about it. I'll cover both sides of Main Street in my discussion. That's why he's not here, if you're wondering about that. Any questions for me.

Webster: It's straightforward. Basically, what you're saying is that cannot happen.

Kent: It can't happen, let's get it off the map, get rid of that encumbrance.

Davis: I think let's do that.

Webster: Thank you. Any questions.

Burgess: Is it just to close to that other?

Kent: Yes, between this intersection and that intersection, there's not enough space to meet their access spacing requirement. The other concern they had in considering whether they could make an exception to the distance is. Especially being on the inside of that curve, they're really worried about the sight distance there. We had a lot of discussions with them. At one point it looked like we might get there, and then as they kind of ran it up through their leadership, they came back and said we can't do it. We're not going to approve of that.

Lunt: Do you have a stop light at Canyon Center Drive and a stop light at the Canyon Ranch Drive.

Kent: There is a traffic signal here. There's not one here yet. There is at Nichols Canyon right down here.

Lunt: Are there plans for a stoplight there?

Kent: There will potentially be a stop light there, yes. In our agreement with UDOT where it's laid out what intersections would be candidates for a traffic signal if it's justified by the traffic volumes. This is one that's on the list that they have already agreed could be allowed. With the WinCo that's proposed here and other development in the area, there's a traffic study that's about to happen that will look at that. I think we're sure that that traffic study is going to project enough traffic utilizing this for all of this development that will end up justifying. We're anticipating that there will be one there.

Webster: Thank you, Kent.

Open Public Hearing

Dan Roberts: JMT owns the property on the east side of Main Street. We asked UDOT to let us have the right turn in and a right turn out. We were just flat told no, by UDOT. We were trying to eliminate all the congestion that is going to take place up there on the Terrible's intersection, but UDOT, they control all that back to that intersection. We're okay with vacating it, and that's item number 7. Thanks.

Close Public Hearing

Hitz motions for a Positive Recommendation on 2500 North Main Street, that the Transportation Master Plan be amended to eliminate the previously proposed road; Davis seconds; all in favor for a unanimous vote.

8. PUBLIC HEARING

Ordinance Text Amendment

Section 26-III-12 Pertaining to Amber Ray
To the repealed General Commercial
Zone

Amber Ray: Planning, many moons ago, there was the general commercial zone, and that was rescinded. It was rescinded in our ordinance. However, there are still areas of the city that are zoned general commercial. If someone is in the general commercial and they want to develop. They have to ask us where this general commercial zone is. We have to go and dig out this dusty copy and give it to them. The general commercial zone is very similar to the central commercial zone. In an effort to make the zoning specifications easily accessible to the public, we are proposing a text amendment. This is what it currently says in the ordinance under the general commercial zone, and we would suggest removing what is red and crossed out and adding in what is green.

Lunt: Will that make your life easier.

Amber: This would make my life easier, and I think it would be very clear and easy for the public, instead of this.

Lunt: What will you do with that free time.

Amber: Well, I don't know yet.

Randall: We have plenty of work for her. Don't worry about that.

Don: We've got more band-aids.

Randall: From the legal side, the reason why I'm in favor of this is we have no ability to change the general commercial's requirements right now. Because it's basically deleted ordinance. It is fixed, and for over 10 years now, we have not been able to change what's allowed or not allowed in the general commercial zone. We've been changing something about every other zone during that time frame. This allows the council, with your recommendation, of course, to make changes if we don't like something, whether prohibitive or allowed, in a general commercial zone without having to dust off the old one and bring it back. Figure out what 12 changes we've made in between that we should make. This is just a simpler way to handle the same situation.

Webster: Any other questions?

CEDAR CITY ORDINANCE NO. 0211-26

**AN ORDINANCE OF THE CEDAR CITY COUNCIL AMENDING THE CITY'S
TRANSPORTATION MASTER PLAN IN THE VICINITY OF 2500 NORTH MAIN**

WHEREAS, Cedar City seeks to promote the health, safety, and welfare of its residents and business owners; and

WHEREAS, the Cedar City Transportation Master Plan was developed in compliance with Utah State Statute found in 10-9a-4; and

WHEREAS, as UDOT has declined to allow the road at issue to access Main Street, the City desires to update its Transportation Master Plan with the applicable attachment provided herein.

NOW THEREFORE BE IT ORDAINED by the City Council of Cedar City, in the State of Utah, as follows:

SECTION 1: ADOPTION. The Cedar City Transportation Master Plan is hereby amended as shown on the attached Exhibit "A."

SECTION 2: REPEALER CLAUSE. All ordinances or resolutions or parts thereof, which are in conflict herewith prior to the date of this Ordinance, are hereby repealed, subsumed, and replaced with the exhibit adopted herein.

SECTION 3: SEVERABILITY CLAUSE. Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: EFFECTIVE DAY. This ordinance shall become effective immediately upon passage by the City Council and published in accordance with State Law.

Council Vote:

Phillips -
Cox -
Wilkey -
Schmidt -
Galan -

Dated this _____ day of February 2026.

STEVE NELSON, MAYOR

[SEAL]

ATTEST:

RENON SAVAGE, RECORDER

Exhibit A

Cedar City Ordinance 0211-26

- Cedar City Transportation Master Plan Amendment -

