

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.

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

Dallas Buckner: This is the 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 industrial use. I believe 3000 is a 75' minor arterial. In the future if the landowner decides that, and the airport changes to 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 happens, 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 one neighbor.

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

Randall: To the west are 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 talked 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. The idea as we do is that if he tries to do a tiny portion on Center Street and then balloon out, we will 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 make improvements to the red that's matching it. 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 is your plan 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: It's 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. 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 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 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 about 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. Again, my biggest fear is trying 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 of going 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 for 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 of 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. They would build full width and then just taper the pavement in west of 4200 West. The rest of this would be 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 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 to danger, people drive 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 of 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 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 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 asphalt widens.

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