

Cedar City

10 North Main Street • Cedar City, UT 84720
435-586-2950 • FAX 435-586-4362
www.cedarcity.org

Mayor

Maile Wilson-Edwards

Council Members

Ronald R. Adams
Terri W. Hartley
Craig E. Isom
W. Tyler Melling
R. Scott Phillips

City Manager

Paul Bittmenn

CITY COUNCIL WORK MEETING
OCTOBER 20, 2021
5:30 P.M.

The City Council meeting will be held in the Council Chambers at the City Office, 10 North Main Street. 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
- IV. Public Agenda
 - Public Comments
 - Way finding signs in the downtown area. Don Boudreau/Maria Twitchell

Business Agenda

Public

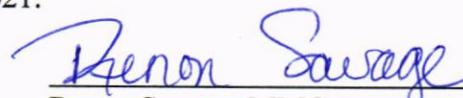
1. Consider vicinity plan for the Shurtz Canyon PUD, 3164 S. Tipple Road. Watson Engineering/Don Boudreau
2. Consider vicinity plan for the Chelsey Subdivision, 2400 N. Lund Highway. Go Civil/Don Boudreau
3. Consider a resolution for the Historic Downtown Economic Committee. Jennie Hendricks
4. Consider proposed changes to lane striping and bike lanes around the SUU loop. Chris Hall/Brandon Weight
5. Consider approving the Final Plat of Old Sorrel Townhomes PUD Phase 1. Watson Eng./Tyler Romeril
6. Consider approving the Final Plat of Old Sorrel Townhomes PUD Phase 2. Watson Eng./Tyler Romeril
7. Consider amending City Ordinance Chapter 32-8(4)(F) pertaining to fencing requirements for Planned Unit Developments. Platt & Platt/Tyler Romeril
8. Public hearing to consider an ordinance vacating and accepting the second amended final plat of Blackstone Phase 1 PUD. Leavitt Land & Development/Tyler Romeril
9. Public hearing to consider an ordinance amending the general plan from Central Commercial to High Density Residential on property located at 200 East Canyon Commercial Drive. Ensign Eng./Tyler Romeril

10. Public hearing to consider an ordinance amending the zone from Central Commercial (CC) to Dwelling Multiple Unit (R-3-M) on property located at 200 East Canyon Commercial Drive. Ensign Eng./Tyler Romeril
11. Public hearing to consider an ordinance amending the zone from Dwelling Multiple Unit (R-3-M) to Student Housing District (SHD) on property located at 1025 West 200 South. Leavitt Land & Development/Tyler Romeril
12. Public hearing to consider an ordinance amending the general plan from Medium Density Residential to Student Housing District on property located at 227 & 231 South 1025 West and 222 South 900 West. Leavitt Land & Development/Tyler Romeril
13. Public hearing to consider an ordinance amending the zone from Dwelling Two Unit (R-2-2) to Student Housing District (SHD) on property located at 227 & 231 South 1025 West and 222 South 900 West. Leavitt Land & Development/Tyler Romeril
14. Public hearing to consider an ordinance vacating and accepting the amended final plat of Northfield Addition Subdivision Phase 1. Excel Design/Tyler Romeril
15. Consider approving a road dedication located at 2620 North Commerce Center Drive. Excel Design/Tyler Romeril
16. Public hearing to consider an ordinance amending the general plan from Central Commercial to High Density Residential on property located at 2620 North Commerce Center Drive. Excel Design/Tyler Romeril
17. Public hearing to consider an ordinance amending the zone from Central Commercial (CC) to Dwelling Multiple Unit (R-3-M) on property located at 2620 North Commerce Center Drive. Excel Design/Tyler Romeril
18. Public hearing to consider amending City Ordinance Chapter 26 Article XIV regarding the Airports overlay zones. Jonathan Stathis

Staff

19. Consider bids for HVAC Controls. Drew Jackson
20. Consider entering a Memorandum of Understanding with Iron County, Enoch City and the Central Iron County Water Conservancy District. Paul Bittmenn
21. Closed Session. Property Negotiations & Pending Litigation

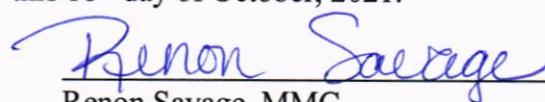
Dated this 18th day of October, 2021.



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 18th day of October, 2021.



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.

CEDAR CITY
COUNCIL AGENDA ITEM |
STAFF INFORMATION SHEET

TO: Mayor and Council

FROM: Donald Boudreau

DATE: October 6, 2021

SUBJECT: Consideration of the Shurtz Canyon PUD located at approximately 3164 S. Tipple Road.

Discussion: The subject PUD vicinity plan has been recommended for approval by the Cedar City Planning Commission. A copy of the Planning Commission's minutes is attached. Also attached is a copy of the PUD's Vicinity Plan and Project Analysis. As required in the City's subdivision ordinance once the Planning Commission recommends a PUD subdivision vicinity plan for approval, the plan shall then be presented to City Council for your review and approval, or approval subject to alterations, or disapproval. The following is some general information concerning the subject PUD:

Developer-	Choice Lifestyles
PUD General Location-	3164 S. Tipple Road
Area Land Use Zone-	Medium Density- R2-1
Number of Units-	The project consist of 132 Single Family lots ranging in size from approximately 8,000 to 35,000 square feet.

3- PUBLIC HEARING

**PUD – Vicinity
Lifestyles/Watson Eng.**

(Recommendation)

approx. 3164 S Tipple Rd. Choice

Shurtz Canyon PUD

Adam said after talking with legal, he will abstain from voting on this item.

Tim Watson said this will be the Shurtz Canyon PUD. They will discuss staff item #1 with this as well. The development agreement came through a couple of months ago, and they did not catch 1 item, so that is coming back through. This vicinity will be 132 lots. They did the re-zoning, and this is now R-2-1./ there will be two different products even though there will be 3 phases. This will be an up planned home, and in a different style. There is a longer cul-de-sac along the bottom that will be custom homes on custom lots. There will be a park in the middle. They also plan for a community center with amenities. This vicinity does meet the new portion of the development agreement coming through later tonight.

Craig asked so this all supports the 3.6 maximum units per acre. Tim said it is actually at 2.4 units per acre. That does not include the park and open space. That would make it even less dense.

Mary opened the public hearing.

Mike Shurtz with the fire department said they need to be aware this development is more than 5 miles from the Cedar City fire station and is outside the ISO protection area. Craig said that will impact those residences as far as insurance goes.

Mike said this would be Class 9 or 10 where Cedar City protection is Class 4, and this would have the potential to impact their insurance. The long term is that these will impact the overall rating for the City and that class can have an impact on the entire city.

Mike was asked if there are plans for a new station in this area? Mike said there are always plans. They do need to keep up as the City keeps growing.

Mary asked then, what would be the obligation for this development so the residents there know they may have insurance issues. It was suggested that a note be placed on the final plat stating the Fire Protection rating and where this area will fall.

Mike said he has no preference, there will already be the Wildland Urban Interface (WUI) note on this map as they are in that zone area. just so all the buyers are aware they are also in a certain protection zone as far as firefighting response goes.

Tyler said they can just direct staff to make sure that note is on the final map. Trevor said before this goes before the City Council, they will get that note on the final plat.

Mary closed the public hearing.

Craig made a motion to give a positive recommendation to the City Council for this vicinity of the Shurtz Canyon PUD; seconded by Ray and the vote was unanimous with Adam abstaining.



September 22, 2021

RE: Project Analysis for Courtyards at Shurtz Canyon PUD

Choice Builders intends to develop the Courtyards at Shurtz Canyon. This is a new development targeted toward the active adult demographic. These types of communities are designed to serve an older adult population that are typically 55 years and older. Although the offered house models and community will be designed for the active adult demographic, the Courtyards is not deed restricted to any age and all age groups may purchase and live there.

Home prices will start in the low \$400 thousands. We intend to develop in three phases. In Phase 1, we'll offer four plans ranging in size from approximately 1,400 Square Feet, SF, to nearly 3,000 SF. Each of these initial plans will offer a private side courtyard. In Phase 2, we'll add three more floorplans that will add a rear yard in lieu of a side yard. Phase 3 will continue to offer all floorplans.

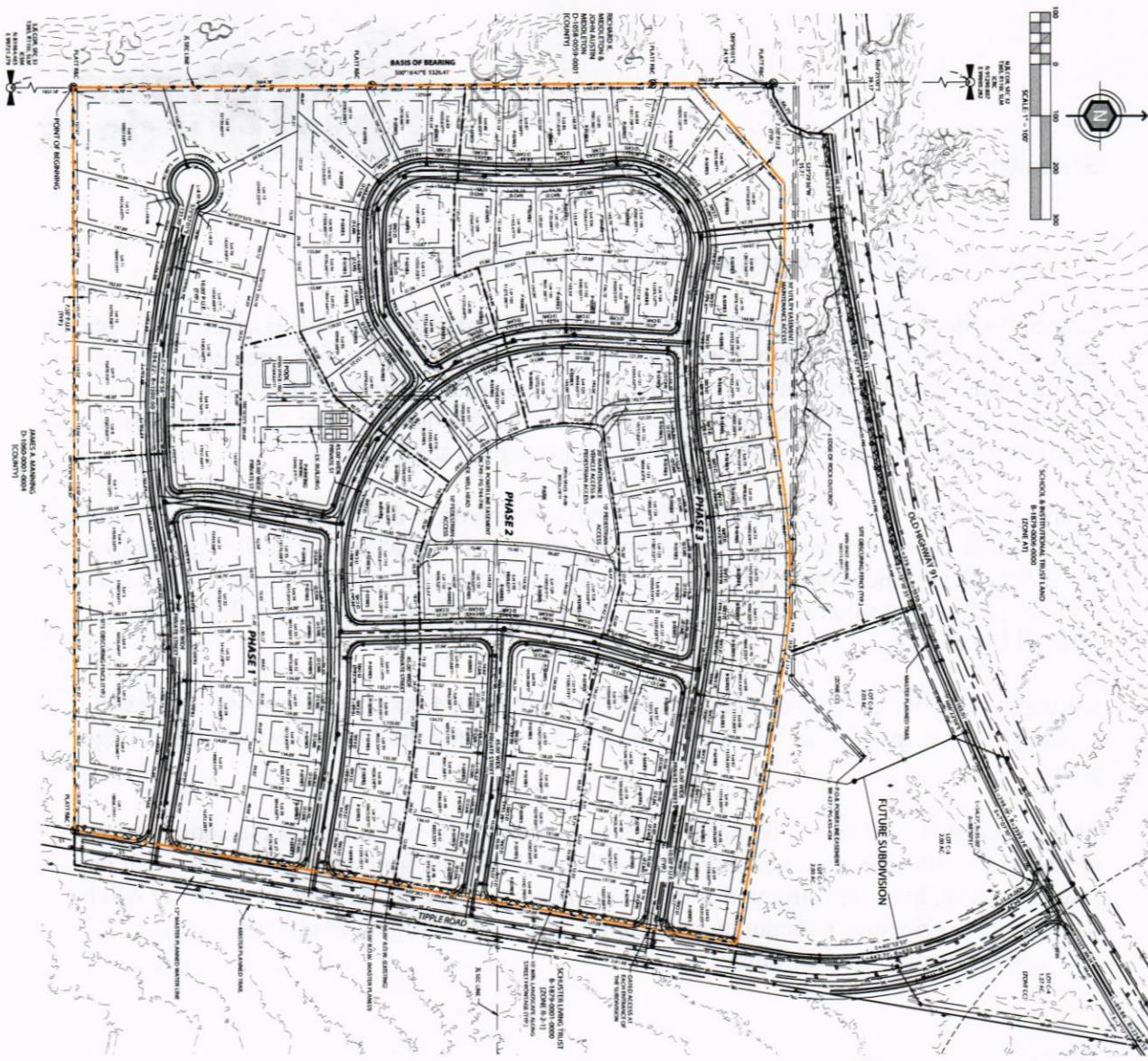
During Phase 1, we will remodel an existing building into a 4,000 SF community center with landscaped open space to include a pool and pickleball courts. In Phase 2, we will add a large park.

The development will have a homeowner's association which will maintain the common areas including the community center and associated amenities. The front yard landscaping will be installed during home construction and then maintained by the HOA. Each homeowner will be responsible to provide and maintain landscaping in their private side or rear yards and to maintain the exterior of their home.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Thomas".

Roger Thomas
CHOICE BUILDERS



VICINITY PLAN SHURTZ CANYON, P.U.D. WITHIN THE SE 1/4 OF SECTION 32, TOWNSHIP 36 SOUTH, RANGE 11 WEST, SALT LAKE MERIDIAN CEDAR CITY, IRON COUNTY, UTAH



BACK TO THE UTAH
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AND ZONING
DIVISION

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CEDAR CITY
COUNCIL AGENDA ITEM 2
STAFF INFORMATION SHEET

TO: Mayor and Council

FROM: Donald Boudreau

DATE: October 6, 2021

SUBJECT: Consideration of a Vicinity Plan for the Chelsey Subdivision located at approximately 2400 North Lund Highway

Discussion: The subject subdivision vicinity plan has been recommended for approval by the Cedar City Planning Commission. A copy of the Planning Commission's minutes is attached. Also attached is a copy of the subdivision's vicinity plan. As required in the City's subdivision ordinance once the Planning Commission recommends a subdivision vicinity plan for approval, the plan shall then be presented to City Council for your review and approval, or approval subject to alterations, or disapproval. The following is some general information concerning the subject subdivision:

Developer-	Ryan Kent
Subd. General Location-	Approximately 2400 North Lund Highway
Area Land Use Zone-	RE- Rural Estates
Number of Lots-	91 Single Family Lots
Lot Size Range-	Approximately 15,000 to 38,000 square feet..

**2- Subd. -Vicinity
Kent/GO Civil Eng.
(Recommendation)**

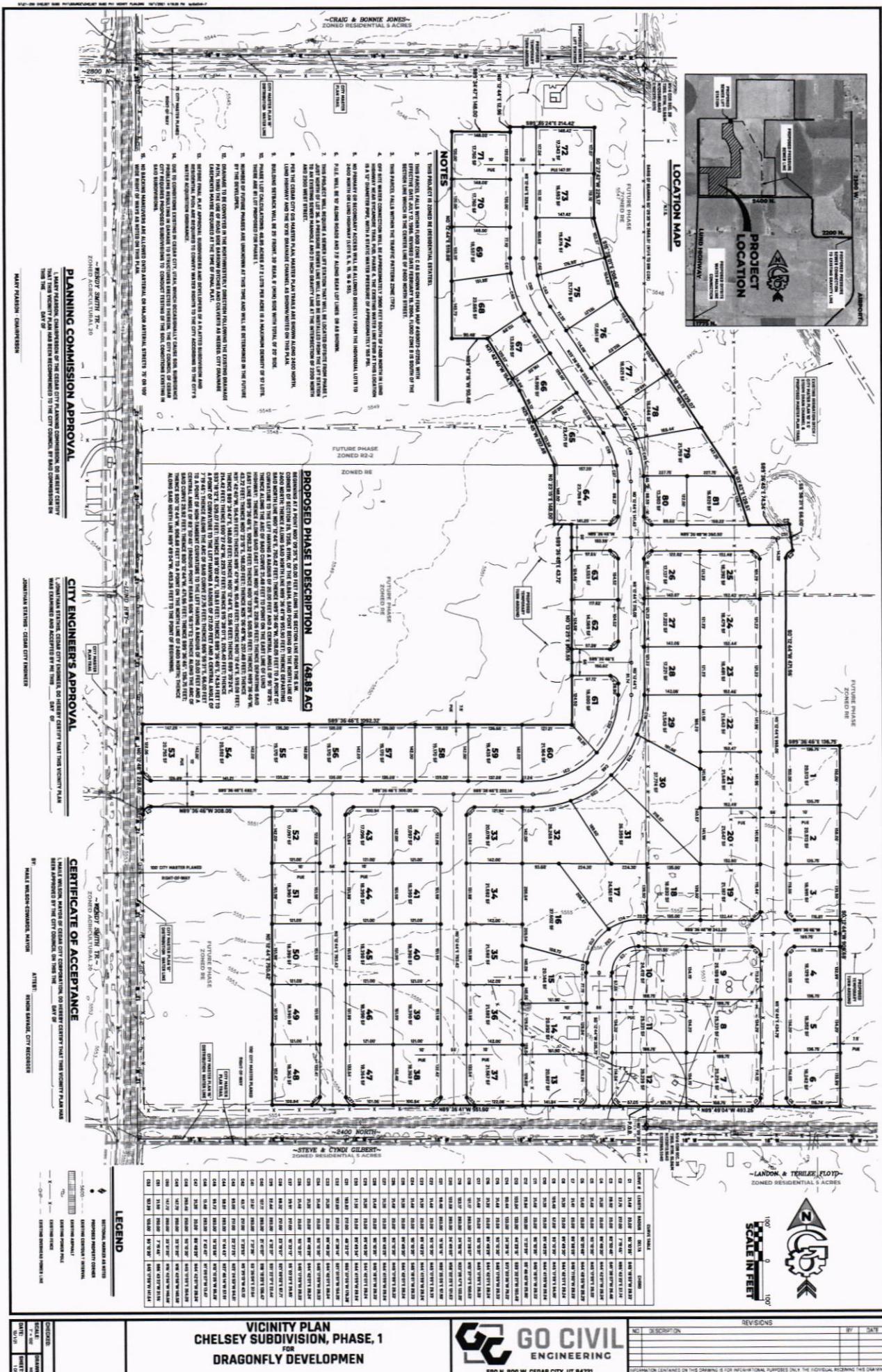
approx. 2400 N Lund Hwy. Ryan

Chelsey Subd.

Dallas Buckner of GO Civil said this project came through previously but was known as Willow Creek Phase 1. It is under contract now with a new developer. They need to bring this back through as the vicinity had expired on that original Phase 1. That one was 31 lots and he pointed out that portion. The amount of off-site work with a sewer lift station was so expensive, that the new group wanted to do a larger phase to help with those costs. The proposed Phase 1 is now 91 lots. It is a variety of sizes from 13,000 square feet to $\frac{3}{4}$ acre lots. All the engineering from the previous plan is still the same. There have been a couple of standard updates since then like the new right-of-way for an RE road is 66' wide. That made some lots a bit smaller, but the frontage is now wider. It is pretty straight forward and the same master plan as the original subdivision.

Adam asked if this were all single-family. Yes. The RE is 2 units per acre.

Adam made the motion to give a positive recommendation to the City Council for this Chelsey Vicinity plan; seconded by Craig and the vote was unanimous.



CEDAR CITY RESOLUTION NO. 21-__

**A RESOLUTION TO SEEK PARTICIPATION IN THE UTAH MAIN STREET
PROGRAM**

WHEREAS, the City of Cedar City supports the revitalization and economic focus of the Utah Main Street Program and desires to become a designated community; and

WHEREAS, the City of Cedar City maintains a desire to revitalize our downtown and promote our downtown area and merchants to ensure economic growth and beautification of the Cedar City downtown area; and

WHEREAS, the Utah Main Street Program has been established to assist communities that are interested and committed to downtown revitalization; and

WHEREAS, the Utah Main Street Program Advisory Committee will select communities to participate in tiered structure designed to match community commitment and capabilities.

NOW THEREFORE, be it resolved, the Mayor and City Council of Cedar City hereby supports the Utah Main Street Program Community Designation Application submitted by the Historic Downtown Economic Committee to participate in the Utah Main Street Program. It is further resolved that the City of Cedar City endorses the submission of this application and participation if selected by the UMSA Advisory Committee into the UMSA tiered program.

Council Vote:

Ayes Nays Abstained

This resolution shall take effect immediately upon passage.

Dated this ___ day of October, 2021.

MAILE L. WILSON EDWARDS, MAYOR

[SEAL]

ATTEST:

RENON SAVAGE, RECORDER

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

To:	Mayor and City Council
From:	Jonathan Stathis
Council Meeting Date:	October 20, 2021
Subject:	Consider proposed changes to lane striping and bike lanes around the SUU loop.
Discussion:	<p>As part of a re-surfacing project that UDOT will be doing next summer around the SUU loop, UDOT is proposing to change the lane striping and add bike lanes. The proposed changes will reduce the number of travel lanes on Center Street from Main Street to 300 West. Currently, there are 2 travel lanes in each direction with a center turn lane along this section of Center Street. The proposed changes will reduce the number of travel lanes to 1 lane in each direction with a center turn lane.</p> <p>UDOT is proposing to add striped bike lanes in the following locations:</p> <ul style="list-style-type: none">- Center Street from Main Street to 1150 West.- 300 West from Center Street to 200 South.- 200 South from 300 West to 1150 West.- 1150 West from 200 South to Center Street. <p>On the west side of 300 West, it is proposed that angle parking still be allowed with the bike lane located between the travel lane and the angle parking.</p> <p>The Active Transportation Committee (ATC) had some comments regarding the proposed bike lanes as follows:</p> <ul style="list-style-type: none">- Bike boxes were recommended at each intersection to improve safety. UDOT has not included the bike boxes in the design on the basis of driver expectancy. UDOT would support this in the future if they are more widely implemented. UDOT also had a concern that there would also be additional design cost to add the bike boxes that is not included in the scope of work.- On the west side of 300 West, it was recommended to move the bike lane in front of the angle parking so that it is up

against the curb. UDOT's response is that they would rather keep the bike lane behind the angle parking. UDOT is concerned about wheel stops that would cause issues with snow plowing and maintenance. They are also concerned about vehicles encroaching into the bike lane. UDOT is looking into the possibility of back-in angle parking on 300 West which may improve the safety.

- It has been recommended to change the crosswalks at the intersection of 100 West/Center Street to high visibility crosswalks. UDOT is looking into this to see if the high visibility crosswalks are allowed to be installed at that location. If so, and if the City wants to move forward with the high visibility crosswalks, then there would need to be discussions about cost sharing of this item between UDOT and the City.

One issue that needs to be resolved is regarding green paint that has been proposed in the bike lanes at driveway entrances. The green paint provides added visual safety at locations where there may be conflicts between bicycles and vehicles. UDOT will only include the green paint if the City agrees to pay for it and agrees to maintain the paint.

UDOT is requesting a letter of support from the City Council to move forward with this project. Further information will be presented at the City Council work meeting regarding this project.

A copy of the Sketch/Project Review meeting minutes is attached.

SKETCH / PROJECT REVIEW
MINUTES

September 16, 2021

The Sketch & Project Review Committee held a meeting Thursday, September 16, 2021, at 8:30 a.m. in the City Council Chambers, 10 North Main Street, Cedar City, Utah.

Staff in attendance: Drew Jackson-Building Official, Don Boudreau-City Planner, Tyler Romeril-City Attorney, Jonathan Stathis-City Engineer, Mike Shurtz, Randy Clove, Kurt Raffield, Clay Tolbert, Jeff Hunter, Danny Stewart, Larry Reid, Nick Holt, Trevor McDonald, Troy Maxwell, and Michal Adams

Utilities in attendance: Brian Stowe-SC Broadband

Others in attendance: Arlo Fawson, Brandon Wright, Josh Nowell, Travis Gadd, Lance Duffield, Chris Hall, R. Scott Phillips

<u>ITEM/</u>	<u>LOCATION/PROJECT</u>	<u>APPLICANT/</u>
		<u>PRESENTER</u>

SKETCH

1- General Land Use Amend Canyon Comm. & Wedgewood Belliston Const./Ensign Commercial to High Density Eng.

And Zone Change: CC to R-3-M

Josh Nowell of Ensign Engineering pointed out the 2 parcels and said the one by the highway will remain commercial, and the other they would like to change to the R-3-M zone. Jonathan said that Wedgewood Lane is master planned to be a 55' right-of-way. There is also to be a master planned trail along the south and the Wedgewood Lane side of this parcel. Be aware there is an irrigation ditch running through this property too.

Josh said they have reached out to this irrigation company and they will probably need to pipe that ditch running through there. They talked more about the area and the surrounding businesses and apartment buildings.

It was asked if this would be townhomes or apartments. They plan to do apartments here.

Jeff asked them to look at drainage good due to the recent flooding.

Josh said they will look at that; it all slopes to one lower area. They will take that all into consideration in the design phase.

2- Bike Lanes Around SUU UDOT

And along Center St. from 300 W to Main

Chris Hall with UDOT said they will be doing a resurgence project on the roads around campus; SR-289 they are proposing to add bike lanes to and around campus. With the addition from councilmember Scott Phillips, they will change a section of Center Street from Main to 300 West to 3 lanes and reduce 1 travel lane along there to include bike lanes. Most other street will be unchanged. There will be some changes to lane widths to accommodate these bike lanes. They have coordinated all this with SUU and they are all positive in their approach.

The reduction on Route SR-130 from Main to 300 West will be 1 lane in each direction, then the

turn lane; bike lanes and 4' then an additional buffer of 1-2' to keep the separation. This is a pretty common design and it all meets UDOT standard. In this area all the parallel parking will be maintained. Down by the football field they will have the parking, and on 300 West they will sacrifice 5 stalls for these bike lanes in the angle parking; 3 stalls on each end but will gain 1 stall in the middle area.

Jonathan pointed out on the map how that is probably due to the way the street narrows at each end now where it did not before.

They will maintain all the parallel parking along 1150 West.

Jonathan also brought up that SUU is trying to do something on 800 West which is a City street. They have had discussions with SUU about doing something on that corner where a new building is going in now.

They have had meetings, met with the City to help understand what the City Master Plan shows. It seems that SUU is a big supporter of this.

Jonathan said that SUU did not want to see bike lanes that did not go anywhere; they were only looking at this plan, but on the City Master Plan for lanes, they are shown to continue.

Chris said at 100 West on Center Street they have 3 lanes there now that allow for pedestrians.

There is no pedestrian crossing on the west leg of that intersection. They will add those and stripe all the cross walks there. So they will have full access for pedestrians at that intersection.

Jeff asked if there would be any pedestrian lights there? They have had several close misses.

Mike asked if it would only be striping? No raised crossing? Yes, Chris said it would only be striped. He said the funding for this from UDOT only calls for striping.

Drew said so all these cross walks will be to UDOT standards.

Tyler said they have had lively debates here at the City about putting bike lanes behind angle parking. Is that a standard thing? They have had citizens throwing fits about that.

Chris said it is allowed by their safety manuals. There is a slight concern, the same thing if anyone is backing out into traffic with bicyclists. Those cyclists are harder to see. That is a concern, but there is not lots to mitigate that. Those cyclists will be there anyway. They went through all types of angle, back in parking, there is lots of education needed and each year they get new students that all need to be educated again.

Scott P. said they have the same safety issues if the bike is in the front or behind. There is the chance that they all block the bike lane. They need to look at that closer. They have had discussions regarding that.

Jeff asked how many stalls were along 300 West? They think 42. He asked if SUU were looking at any other places where they could put in parking?

UDOT has made some proposals to SUU and they have issue with parking.

Those angle parking stalls are 9' X 18' then you have the curb so an additional 2' or so.

Jonathan said the next step is that UDOT wants to get this in front of the City Council before moving forward.

OLD SORREL TOWNHOMES PUD PHASE 1 APPROVAL
CEDAR CITY COUNCIL
AGENDA ITEMS 5
DECISION PAPER

TO: Mayor and City Council
FROM: Tyler Romeril
DATE: October 12, 2021
SUBJECT: Old Sorrel Townhomes PUD Phase 1 - Final Plat Approval.

DISCUSSION:

This project is located in the vicinity of 500 South Cross Hollow Road. The Cedar City Planning Commission gave this project a positive recommendation to move forward to the Cedar City Council for final plat approval. Since that date the City has received the title report and all required fees have been paid. Per UCA 10-9a-604.5, DR Horton is requesting final plat approval subject to the City receiving the letter of credit. DR Horton is aware that the final plat will not be recorded until the letter of credit is in place.

Please consider approval of the final plat for the Old Sorrel Townhomes PUD Phase 1.

CEDAR CITY COUNCIL
AGENDA ITEMS - *6*
DECISION PAPER

TO: Mayor and City Council
FROM: Tyler Romeril
DATE: October 15, 2021
SUBJECT: Old Sorrel Townhomes PUD Phase 2 - Final Plat Approval.

DISCUSSION:

This project is located in the vicinity of 600 South Cross Hollow Road. The Cedar City Planning Commission gave this project a positive recommendation to move forward to the Cedar City Council for final plat approval. Since that date the City has received the title report and all required fees have been paid. Per UCA 10-9a-604.5, DR Horton is requesting final plat approval subject to the City receiving the letter of credit. DR Horton is aware that the final plat will not be recorded until the letter of credit is in place.

Please consider approval of the final plat for the Old Sorrel Townhomes PUD Phase 2.

10/18/2021

CEDAR CITY
COUNCIL AGENDA ITEM 7
STAFF INFORMATION SHEET

TO: Mayor and Council

FROM: Donald Boudreau

DATE: October 18, 2021

SUBJECT: Consideration of an Amendment to the Chapter 32, Section 8 of the Cedar City Ordinances regarding fencing around Planned Unit Developments.

SUBJECT:

Currently Chapter 32-8 (F) requires that a six-foot masonry or composite fence be constructed around the entire perimeter of residential Planned Unit Developments (PUD). The intent of the ordinance is to create a sense of privacy within PUD which are private developments. There is one exception which allows for a reduction and or the elimination of the fencing requirement when units front on a dedicated street. The exception currently reads as follows:

The units fronting the street must be served by individual access driveways leading directly to an enclosed garage attached to and designed to serve an individual unit. A driveway serving a single unit with a two-car garage shall not exceed an on-site width of 20 feet. Driveways serving a single unit with a one-car garage shall not exceed 12 feet. Individual driveways shall be separated by a minimum of 6 feet. Driveway separation areas and all other areas fronting a dedicated street must be landscaped. Driveway widths and sidewalk separation at the property line shall comply with engineering standards.

PROPOSAL:

The current proposal proposes no change to the current exception, and adds an alternative for the elimination of the required fencing. The proposal is as follows:

Buildings fronting dedicated streets must have articulated elevations (multi-surface building projections) with a covered porch at the front of each unit. The full frontage of the buildings shall be landscaped common area and parking and/or garages shall be at the rear of the buildings.

ANALYSIS:

The current ordinance has created some unintended consequences. The requirement of the site obscuring wall along the City's transportation corridors does achieve the original intent as indicated above, but also creates long blank facades of uninteresting, and unattractive streetscapes consisting of fencing, and only the rear facades of residential structures.

There are many examples of older PUD's that have quality architecture and landscape that bring more interest and life to the street scape and neighborhood in general. Please note the examples below:



County Side Terrace



Canyon Loft



Cedar Bend



As the images above illustrate, the elimination of the wall when structures front the public right-of-way can produce a more appealing urban façade bringing life and interest to Cedar City's higher density residential neighborhoods. Staff supports the proposal for these reasons.

The architectural controls are intended to produce quality architecture when buildings front the streets. The language is somewhat subjective, and staff will be required to make a judgment whether the buildings meet the intent of the language. Project proponents will be required to provide building elevations, and ultimately the final judgment on the design will be left with the City Council.

CONCLUSION:

Staff recommends that the City Council review the proposed changes, and direct staff accordingly.

CEDAR CITY ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 32 SECTION 8 OF THE ORDINANCE OF
CEDAR CITY, UTAH, RELATED TO THE FENCING REQUIREMENTS AROUND
PLANNED UNIT DEVELOPMENTS.**

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, Cedar City has adopted Chapter 32, Section 8, of the ordinance of Cedar City, Utah, and said provisions contain specific PUD development standards and requirements; and

WHEREAS, the Cedar City Council desires to update and amend Chapter 32, Section 8, of the Cedar City Ordinances entitled "Planned Unit Developments (PUD)" related to the front setback fencing requirements in PUD's; and

WHEREAS, the City Council finds that it is in the best interests of the health, safety, and general welfare of the citizens of Cedar City to amend Chapter 32 of the City's ordinance to allow limited situations where fencing in the front setback of PUD's is not required; and

NOW THEREFORE BE IT ORDAINED by the City Council of Cedar City, State of Utah that Chapter 32 of the ordinance of Cedar City, Utah, is hereby amended to include the below underlined red text and exclude all crossed out text:

Section 32-8 Planned Unit Developments (PUD).

F. Fences. A six-foot high sight obscuring masonry or composite fence shall be erected on the perimeter of condominium, townhome, attached multi-family and attached single family residential PUD projects. Fences shall be setback a minimum of 10 feet from the right-of-way line of a dedicated street. The fence setback area shall be landscaped.

For residential PUD developments requiring a perimeter fence with units that front on a dedicated street the perimeter fence within the front setback area may be reduced or eliminated under the following conditions:

1. The units fronting the street must be served by individual access driveways leading directly to an enclosed garage attached to and designed to serve an individual unit. A driveway serving a single unit with a two-car garage shall not exceed an on-site width of 20 feet. Driveways serving a single unit with a one-car garage shall not exceed 12 feet. Individual driveways shall be

separated by a minimum of 6 feet. Driveway separation areas and all other areas fronting a dedicated street must be landscaped. Driveway widths and sidewalk separation at the property line shall comply with engineering standards; or

2. Buildings fronting dedicated streets must have articulated elevations (multi-surface building projections) with a covered porch at the front of each unit. The full frontage of the buildings shall be landscaped common area and parking and/or garages shall be at the rear of the buildings.

AMENDED BY ORDINANCE NUMBER _____.

NOW BE IT FURTHER ORDAINED by the City Council of Cedar City, State of Utah that City staff is authorized to make such non-substantive changes to the format and table of contents of Chapter 32 as are reasonably necessary to facilitate this amendment.

This ordinance, Cedar City Ordinance No. _____, shall become effective immediately upon passage and publication as required by State Law.

Council Vote:

Ayes: _____ Nays: _____ Abstained: _____

Dated this _____ day of October, 2021

MAILE L. WILSON-EDWARDS
MAYOR

[SEAL]

ATTEST:

RENON SAVAGE, RECORDER

CEDAR CITY COUNCIL
AGENDA ITEMS - 8
DECISION PAPER

TO: Mayor and City Council
FROM: City Attorney
DATE: October 12, 2021
SUBJECT: Second amendment to the final plat of the Blackstone Phase 1 PUD (located in the vicinity of 850 West near the Cedar Middle School)

DISCUSSION:

The developer and property owner would like to amend the final plat of the Blackstone Phase 1 PUD for a second time. The purpose of this amendment is to move previously platted units with a new layout that will not conflict with a large power jump box on the site which would be expensive to move. In order to legally accomplish this the plat must be amended for a second time. The Planning Commission considered this request and gave it a positive recommendation (see the attached minutes).

Please consider whether to approve the second amended final plat for the Blackstone Phase 1 PUD.

**4- PUBLIC HEARING
PUD- 2nd Amendment**

approx. 800 South Cove Dr. Leavitt Land/Brent

Drew

(Recommendation)

Blackstone PUD

Brent Drew said they need to amend this plat as they had a building on one side similar to the other side. they have found there is now a very large power jump box, and this box powers most of the hill. To have that moved would be very expensive, so rather than that, they will change the building to a 2-story but amend that to a thinner 6-plex so there is room for that power box.

Mary opened the public hearing. Seeing no comments, Mary closed the public hearing.
Adam moved to give a positive recommendation to the City council for this amended PUD, seconded by Craig and the vote was unanimous.

CEDAR CITY ORDINANCE NO. _____

**AN ORDINANCE VACATING AND AMENDING A SECOND TIME THE FINAL PLAT
FOR THE BLACKSTONE PHASE 1 PUD**

WHEREAS, the Developer of the Blackstone Phase 1 PUD came before the City Council and was granted approval of the final plat on November 13, 2019, and

WHEREAS, the City Council on April 14, 2021, vacated the final plat and accepted the amended plat for the Blackstone Phase 1 PUD, and

WHEREAS, since receiving the approved amended final plat, the Developer would like to amend the final plat a second time, and

WHEREAS, the proposed amendment complies with the planning and zoning requirements that the City has designated on this piece of property, and

WHEREAS, notice of the proposed second amended final plat has been given to all property owners within the Blackstone Phase 1 PUD; and

WHEREAS, the Cedar City Planning Commission considered the proposed final plat second amendment and gave a positive recommendation toward the proposed second amendment and found the second amendment to be in the best interest of the public, and in harmony with the objectives and purposes of Cedar City's planning and zoning ordinances; and

WHEREAS, the City Council after duly publishing and holding a public hearing to consider the proposed final plat second amendment finds that the proposed second 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 General Land Use Plan and Zoning ordinances, or correcting manifest errors; and

NOW BE IT FURTHER ORDAINED by the City Council of Cedar City, State of Utah, that the Blackstone Phase 1 PUD is hereby amended as more particularly described herein, City staff is hereby directed to accept the second amended plat.

This ordinance, Cedar City Ordinance No. _____, shall become effective immediately upon publication as required by State Law.

Council Vote:

Ayes: _____ Nays: _____ Abstained: _____

Dated this _____ day of October, 2021.

MAILE L. WILSON-EDWARDS, MAYOR

[SEAL]

ATTEST:

RENON SAVAGE, RECORDER

CEDAR CITY COUNCIL

AGENDA ITEM – *9 + 10*

TO: Mayor and City Council
FROM: City Attorney
DATE: October 12, 2021
SUBJECT: Requested General Land Use Amendment from Central Commercial to High Density Residential and Zone change from Central Commercial (CC) to Dwelling Multiple Unit (R-3-M).

DISCUSSION:

Pursuant to the Planning Commission's discussion regarding a general land use amendment and zone change for property located at 200 East Canyon Commercial Drive, two proposed ordinances were prepared. The requested change would amend the General Land Use Plan from Central Commercial to High Density Residential; and the Zone from CC to R-3-M. These proposed changes are consistent with the desires of the property owner. The Planning Commission gave a **positive** recommendation on the requested changes (see the attached minutes).

Please consider whether or not to pass these two ordinances amending the general land use plan and zoning for this area.

8- PUBLIC HEARING

General Land Use amend approx. 200 E Canyon Belliston

Const./Ensign Eng.

Commercial to High Density Commercial Ave.

(Recommendation)

Josh Nowell of Ensign Engineering pointed out all the main roads in this area. the proposal is to change this parcel from CCX to R-3-M.

Craig said so all around this is commercial. Josh said there were lots of things. he pointed out all the different zoned, and where all the apartments were currently. On the south is a trailer park.

Mary opened the public hearing. As there were no comments, Mary closed the public hearing.

They can vote on both 8 & 9 together.

Craig moved to send a positive recommendation for both items 8 & 9. Adam seconded this and the vote was unanimous.

9- PUBLIC HEARING

Zone Change: CC to R-3-M approx. 200 E Canyon Belliston

Const./Ensign Eng.

(Recommendation) Commercial Ave.

Discussed and voted on under Item #8



CURVE TABLE					
Curve	Radius	Length	Deflection	Width	Length
CI	400' THRU 1000'	WIDE	10' MAX	10'	10'
CA	100' THRU 1000'	WIDE	10' MAX	10'	10'
CO	100' THRU 1000'	WIDE	10' MAX	10'	10'
CD	100' THRU 1000'	WIDE	10' MAX	10'	10'

1. Subdivision plat submitted in 1980. Plan of plat for the 1700 East Canyon Commercial Avenue property. The property is located in the south half of Section 13, Township 18 North, Range 11 West, Cedar City, Sanpete County, Utah.
 2. The property is located in the south half of Section 13, Township 18 North, Range 11 West, Cedar City, Sanpete County, Utah.
 3. Subdivision plat submitted in 1980. Plan of plat for the 1700 East Canyon Commercial Avenue property. The property is located in the south half of Section 13, Township 18 North, Range 11 West, Cedar City, Sanpete County, Utah.
 4. Subdivision plat submitted in 1980. Plan of plat for the 1700 East Canyon Commercial Avenue property. The property is located in the south half of Section 13, Township 18 North, Range 11 West, Cedar City, Sanpete County, Utah.
 5. Subdivision plat submitted in 1980. Plan of plat for the 1700 East Canyon Commercial Avenue property. The property is located in the south half of Section 13, Township 18 North, Range 11 West, Cedar City, Sanpete County, Utah.

MARKINGS DESCRIPTION

1. Subdivision plat submitted in 1980. Plan of plat for the 1700 East Canyon Commercial Avenue property. The property is located in the south half of Section 13, Township 18 North, Range 11 West, Cedar City, Sanpete County, Utah.
 2. Subdivision plat submitted in 1980. Plan of plat for the 1700 East Canyon Commercial Avenue property. The property is located in the south half of Section 13, Township 18 North, Range 11 West, Cedar City, Sanpete County, Utah.
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 5. Subdivision plat submitted in 1980. Plan of plat for the 1700 East Canyon Commercial Avenue property. The property is located in the south half of Section 13, Township 18 North, Range 11 West, Cedar City, Sanpete County, Utah.

COMMUNITY DESCRIPTIONS



THE STANDARD IN ENGINEERING

ENSIGN
 THE STANDARD IN ENGINEERING
 86 E. 5th Street, Cedar City, UT 84720
 Phone: 435.865.1450
 LAYTON
 Phone: 435.865.5990
 TOBLE
 Phone: 435.865.5293
 SALT LAKE CITY
 Phone: 800.222.1000
 RICHFIELD
 Phone: 435.865.5293
 WWW.ENSIGNRE.COM

TROY BELLISTON
PHASE 1
 1700 EAST CANYON COMMERCIAL AVENUE
 CEDAR CITY UT 84721

CEDAR CITY ORDINANCE NO. _____

**AN ORDINANCE OF THE CEDAR CITY COUNCIL AMENDING CEDAR CITY'S
GENERAL LAND USE PLAN FROM CENTRAL COMMERCIAL TO HIGH DENSITY
RESIDENTIAL FOR PROPERTY LOCATED AT APPROXIMATELY 200 EAST
CANYON COMMERCIAL DRIVE.**

WHEREAS, the owners of property located at 200 East Canyon Commercial Drive have petitioned Cedar City to change the current General Land Use Plan from Central Commercial to High Density Residential, the property is more particularly described as follows:

Legal - - -

WHEREAS, after providing public notice as required by City ordinance the Cedar City Planning Commission considered the proposed general land use amendment 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 Central Commercial to High Density Residential for property located at 200 East Canyon Commercial Drive, and more particularly described herein, 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. _____, shall become effective immediately upon passage by the City Council and published in accordance with State Law.

Council Vote:

Ayes: _____ Nays: _____ Abstained: _____

Dated this _____ day of October 2021.

MAILE L. WILSON-EDWARDS, MAYOR

[SEAL]

ATTEST:

RENON SAVAGE, RECORDER

CEDAR CITY ORDINANCE NO. _____

**AN ORDINANCE OF THE CEDAR CITY COUNCIL AMENDING CEDAR CITY'S
ZONING DESIGNATION FROM CENTRAL COMMERCIAL (CC) TO DWELLING
MULTIPLE UNIT (R-3-M) FOR PROPERTY LOCATED AT APPROXIMATELY 200
EAST CANYON COMMERCIAL DRIVE**

WHEREAS, the owners of property located at 200 East Canyon Commercial Drive have petitioned Cedar City to change the current zoning designation from CC to R-3-M, the property is more particularly described as follows:

Legal Description - - - -

WHEREAS, after providing public notice as required by City ordinance the Cedar City Planning Commission considered the proposed zoning amendment 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 CC to R-3-M, for property located at 200 East Canyon Commercial Drive, and 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. _____, shall become effective immediately upon passage by the City Council and published in accordance with State Law.

Council Vote:

Ayes: _____ Nays: _____ Abstained: _____

Dated this _____ day of October, 2021.

MAILE L. WILSON-EDWARDS, MAYOR

[SEAL]

ATTEST:

RENON SAVAGE, RECORDER

CEDAR CITY COUNCIL

AGENDA ITEM – 11

TO: Mayor and City Council
FROM: City Attorney
DATE: October 12, 2021
SUBJECT: Requested zone change from Dwelling Multiple Unit (R-3-M) to Student Housing District (SHD) for property located at 1025 West 200 South.

DISCUSSION:

Pursuant to the Planning Commission's discussion regarding a zone change for property located at 1025 W 200 S., a proposed ordinance was prepared. The requested change would amend the zone from R-3-M to SHD. This proposed change is consistent with the desires of the property owner and is in conformity with the City's general land use plan. The Planning Commission gave this proposal a **positive** recommendation (see the attached minutes).

Please consider whether or not to pass this ordinance amending the zone for this area.

7- PUBLIC HEARING

**Zone Change: R-3-M to SHD Corner of 1025 W & 200 S Leavitt Land/Brent
Drew**

(Recommendation) Parcel B-1115-24 & B-1115-18

Discussed with item #5.

Adam made a motion to send a positive recommendation to the City Council for this zone change from R-3-M to SHD as it is already in that SHD area. Seconded by Craig, and the motion passed 3 to 1.

Tyler then reminded this group attending here that this will probably go before the City Council on October 20 work meeting and the October 27th voting meeting. The fact that they were given some negative recommendations does not preclude them from going on to City Council. There will be no other public notices, they need to look at those agenda so they can be there when this is discussed again.

CEDAR CITY ORDINANCE NO. _____

**AN ORDINANCE OF THE CEDAR CITY COUNCIL AMENDING CEDAR CITY'S
ZONING DESIGNATION FROM DWELLING MULTIPLE UNIT (R-3-M) TO
STUDENT HOUSING DISTRICT (SHD) FOR PROPERTY LOCATED AT
APPROXIMATELY 1025 WEST 200 SOUTH**

WHEREAS, the owners of property located at 1025 West 200 South have petitioned Cedar City to change the current zoning designation from R-3-M to SHD, the property is more particularly described as follows:

Legal Description - - - -

WHEREAS, after providing public notice as required by City ordinance the Cedar City Planning Commission considered the proposed zoning amendment 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 R-3-M to SHD, for property located at 1025 West 200 South, and 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. _____, shall become effective immediately upon passage by the City Council and published in accordance with State Law.

Council Vote:

Ayes: _____ Nays: _____ Abstained: _____

Dated this _____ day of October, 2021.

MAILE L. WILSON-EDWARDS, MAYOR

[SEAL]

ATTEST:

RENON SAVAGE, RECORDER

RECEIVED
CEDAR CITY COUNCIL

AGENDA ITEM - 12 + 13

TO: Mayor and City Council
FROM: City Attorney
DATE: October 12, 2021
SUBJECT: Requested General Land Use Amendment from Medium Density Residential to Student Housing District and Zone change from Dwelling Two Unit (R-2-2) to Student Housing District (SHD) for property located at 227 S & 231 S 1025 W and 222 S 900 W.

DISCUSSION:

Pursuant to the Planning Commission's discussion regarding a general land use amendment and zone change for property located at 227 S & 231 S 1025 W and 222 S 900 W, two proposed ordinances were prepared. The requested change would amend the General Land Use Plan from Medium Density Residential to Student Housing District and Zone change from R-2-2 to SHD. These proposed changes are consistent with the desires of the property owner. The Planning Commission gave a **negative** recommendation on the requested changes (see the attached minutes).

Please consider whether or not to pass these two ordinances amending the general land use plan and zoning for this area.

**General Land Use amend
Land/Brent Drew**

227 & 231 S 1025 W

Leavitt

**Medium Density to SHD
(Recommendation)**

and 222 S 900 W

Brent Drew said they can discuss 5-7 together as it is the same area and plan. They will first need to amend the general Plan then they have 2 different zone changes. He pointed out the area that the Dixie Leavitt foundation now owns. The larger corner lot is in the R-3 zone and also in the SHD designation. The other is not. They would like to amend the General Plan to put that all in the SHD then they will put 2 buildings as student housing with parking in the middle. So, they would have the buildings on 1 side and the parking in the rear. He pointed out all the lots and the areas to be changed to what zone. Craig asked about the southern part where there is a wall. Brent said that wall was by the church parking lot there.

Mary opened the public hearing. On items 5-7.

Janice Jensen said she lives on 900 West and is within 300 feet of this. She wanted to know what consideration they have taken to the impact on the neighborhood. She understands that the house on 900 West at 222 South would be demolished and that would be an entrance for this student housing. What will this do to that 900 West neighborhood.

Brent pointed out that the entrance will be off 1025 West and the building on that lot will remain for now and be saved for future parking if it is needed. For now, they meet the parking they need and will come off 1025 West. He pointed out the 1 lot that is not included now.

Terri Atkinson said so for right now, that house will not be demolished. As that is right next to them. If that is demolished, then they become 1 step away from the college kids, and there would be more students there. There are many existing in the area now. They have to remind them all to not drive like young adults with cookies, and they try to keep that to a minimum. Once that is open up, if they are not parking there, will park on the street. They already have a problem when there is a game or any activity on those fields. They all park along those streets for blocks. So, this is her concern, but they will change this zoning so that can be done- taking down that house.

Mary pointed out the area and how Terri's house was also included in the SHD area and would qualify to become SHD if they chose. This zoning allows for taller buildings, decreased parking, and has some different components. Your home is already in this SHD area. if they sold to the Leavitt's, they could put that in this district. Terri said they can't take their home. No, the house next to them, the 222 South would be in this re-zone. They are coming in to ask if that can be re-zoned. They are asking to have that 1 lot changed in accordance with the General Plan.

Tyler said when it comes to demolishing any home, they don't need to change the zone, they can demolish that if they want no matter what zone it is in.

It is not zoned SHD now. Craig said they just recommend to the City Council then you can go to Council, and he is telling this whole group you can let them all know they

prefer to not have this changed.

Laura Henderson said that her neighborhood is in the R-3 zone. They don't know what will come as they are also in the SHD overlay. If they come in next to you and change this to the SHD you can have a 50' tall building next to you. They now have a huge project at the end of her street that is 50' tall housing complex. And the Leavitt's are now over on 300 West with a 35' tall project into that family neighborhood. They are not all rental properties. They are families with kids in those homes. You should all know that is what could happen here.

M. Gayle Warner asked just how tall is a 3-story building? 35'. And how about the parking in this situation how many units, rooms, etc. are they planning and how much parking will there be.

Mary said the parking is dictated by the zone. The SHD is .75 parking stalls per person. There is no plan on this. They would need to go by the .75 parking stalls per resident. M. Gayle said in the past when they have come here, later they find that they amended the parking, and it is now less. There is a problem in this neighborhood. The amount of student traffic. He lives on 1100 West and that is the main through. He counts 8 cars per minutes for several hours at a time. His point is as they get into this, it affects the whole neighborhood. His concern is about parking and the ability to change that. It will come before the Council, and they will invariably change it.

Don said there is no parking less than .75 in the city for Multi-family dwellings.

Teri Kenney said they need to discuss this as it is half in and half out of the overlay area. she pointed out what is not in the overlay now. She talked quality of life and how those down near the SUU campus are taking a hit on that quality. She would strongly urge them to make a negative recommendation on those that are not already in this SHD overlay area.

Abraham Hunt had questions about the map. He could not see this clearly from this map. What is in the blue color and the other is all in the green, not zoned SHD but it can be zoned SHD. Explain the current zoning and also the General Plan map. He has spoken to Gayle Warner who is on 1100 West. In looking at this area, it does not give the picture of what the immediate zone is. They say medium, but the church is the only buffer of what would be high density and the R-1 density. They have R-01 and are proposing to have the high density next to it.

Janice Jensen said so Gayle Warner has done a traffic study of 1100 West. What traffic would they all have on 1025 West? Because that is a curved road, and not a main road like the others.

Jeanne Hunt lives at 305. The other corner. They have high density and as they all come around that curve, they cannot back out. They have all been there a long time. If they put a building up there, her view of the college goes away. There are lots of people on that road.

Page Mathews lives on 925 West and the corner. Her concern is with the increase in traffic. That will make them an island between all this housing and the campus buildings. Then you have the rest of the housing down the street. Her concern is all the kids, and pets and things. It is really troublesome with an increase in traffic that they have already. If they put-up large-scale apartments, she would be worried not only about the kids and pets, but all the people. In her back yard they have some yard improvements, and it is really nice. If they have this in here, they will not really be able to enjoy that back yard with the increase of traffic and noise. She hopes you say no.

Michele Griffith asked if there were any other places in town where you have the R-3 right up against R-1. They are single family and then you have a 3-story apartment butting up against all of them. She thought the R-1 was more of a family neighborhood. The church their sort of splits that, but now you have high density students then that church, then the R-1. It makes no sense. Not conducive to putting that right next to the R-1.

Laura Henderson as a member of this General Plan Update committee, said they have discussed this over and over and how there is a hodgepodge to the zoning and what it ends up as. The only buffer there is a church. This makes no sense to put high density in this neighborhood and the only thing they have is a church feathering to the higher. They talk about this feathering from high to medium, then to single-family. Where you do a 35' structure next to single family is not a good plan. It is not workable. It is only workable to those wanting to build and people get kicked to the side. They all want to live in reasonable homes and have that value maintained. It should all be equal. No one person should have more rights than another. She does not care who they are; they need to go to the original neighbors. They should not be exposed to these large structures. That infringes on their rights also. That is what this General Plan update is addressing. They have heard Mike say this is a citizen driven plan. They count too.

Gary Atkinson said he built his home on the corner some 30 years ago. At that time, it was all houses around and all along 900 West were single family. In the 3 houses between him and the church, on each side there are 36 students. Each one has a car. Just wanted to let them know that his wife can't walk to church so they drive there every Sunday. One morning, he drove the truck and got to the church corner. At 245 South the driveway is the full length of the lot and 1 student drove out backwards at 30 miles per hour without looking. He can't even drive to church without having an accident. They talked about an increase in the traffic and as they do keep that picture in mind. If the time comes that they tear down 222 South, that will leave them an island. They will then have traffic on 3 sides of their home. Before that happens, he would hope that whoever builds there they would require them to put up a brick wall between them. He once had parking on 2 sides but since then the State moved the parking from the south side along 200 South and decided to move that to the center of the street and make a lane there. That left no parking on their side. They lost all their parking to them. Now they only have the 900 West side to park on. Quite a few students seem to like their side of the street rather than theirs. This is just a few things of how it is going in his neighborhood. To him, it looks like the future has arrived.

Mary closed the public hearing.

Adam said when this SHD area was put in place, it was a nice square uniform shape. After it went to City Council, it was carved up. This is what came out of that. It is respect for those that live in the other zones along this area.

Adam made a motion to send a negative recommendation on this General Plan Amendment and not expand this SHD area at this time. Seconded by Ray and the motion passed 2 to 1.

6- PUBLIC HEARING

Zone Change: R-2 to SHD

227 & 231 S 1025 W

Leavitt

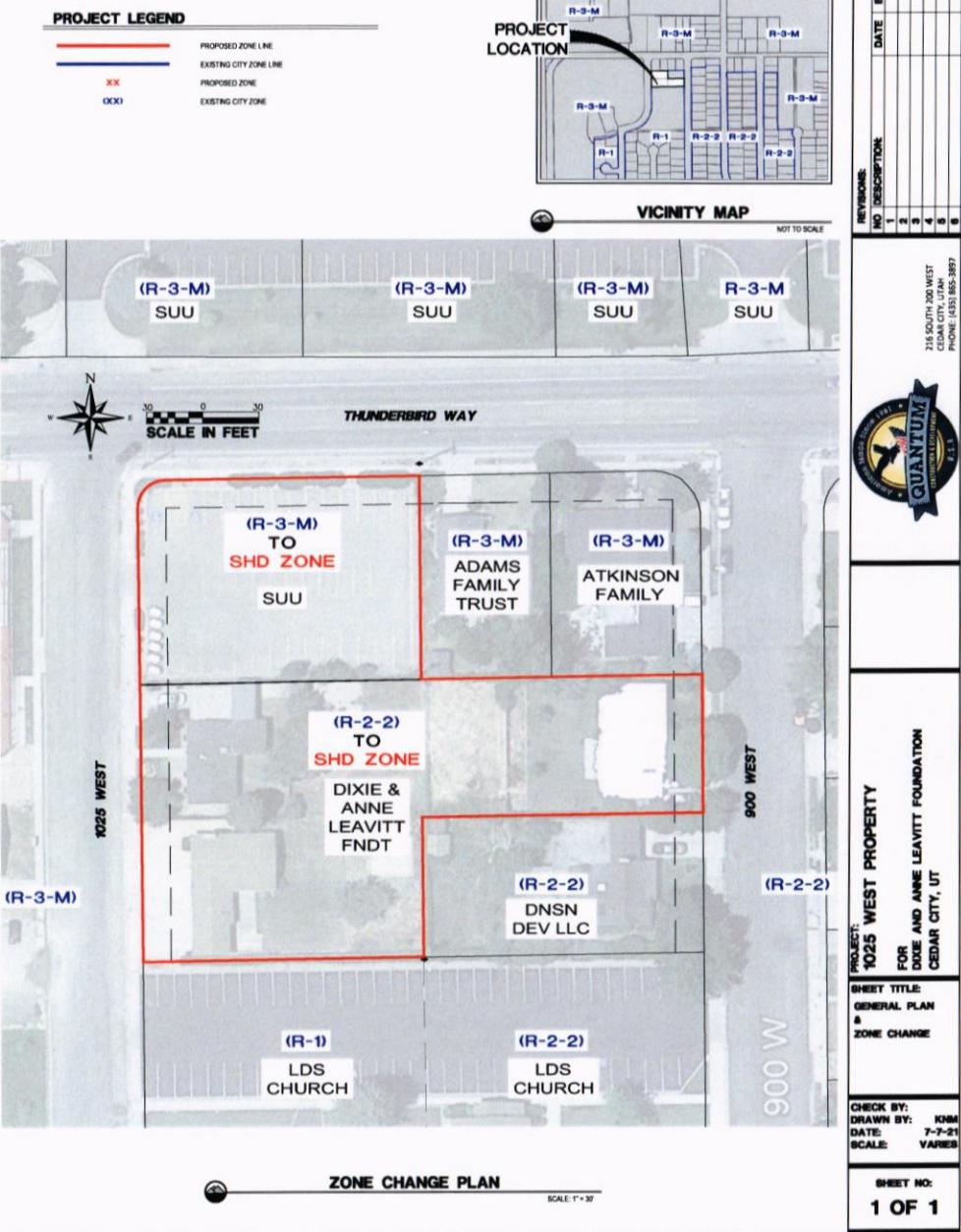
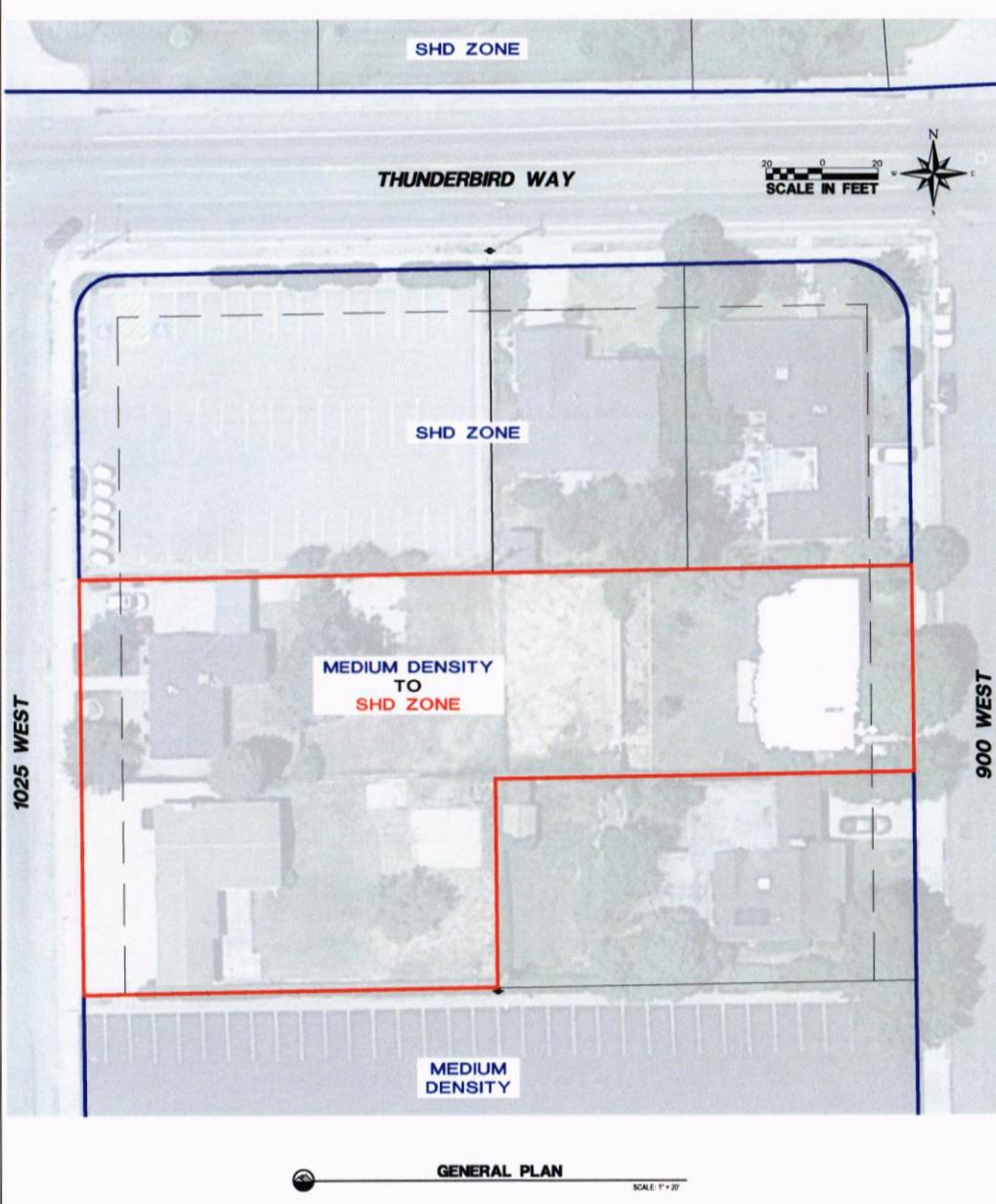
Land/Brent Drew

(Recommendation)

and 222 S 900 W

Discussed with item #5

Adam made a motion to send a negative recommendation to the City Council for this zone change from R-2-2 to SHD; seconded by Craig and the motion passed 2 to 1.



CEDAR CITY ORDINANCE NO. _____

**AN ORDINANCE OF THE CEDAR CITY COUNCIL AMENDING CEDAR CITY'S
GENERAL LAND USE PLAN FROM MEDIUM DENSITY RESIDENTIAL TO
STUDENT HOUSING DISTRICT FOR PROPERTY LOCATED AT APPROXIMATELY
227 SOUTH & 231 SOUTH 1025 WEST AND 222 SOUTH 900 WEST.**

WHEREAS, the owners of property located at 227 South & 231 South 1025 West and 222 South 900 West have petitioned Cedar City to change the current General Land Use Plan from Medium Density Residential to Student Housing District, the property is more particularly described as follows:

Legal - - -

WHEREAS, after providing public notice as required by City ordinance the Cedar City Planning Commission considered the proposed general land use amendment and gave the proposal a negative 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 Medium Density Residential to Student Housing District for property located at 227 South & 231 South 1025 West and 222 South 900 West, and more particularly described herein, 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. _____, shall become effective immediately upon passage by the City Council and published in accordance with State Law.

Council Vote:

Ayes: _____ Nays: _____ Abstained: _____

Dated this _____ day of October 2021.

MAILE L. WILSON-EDWARDS, MAYOR

[SEAL]

ATTEST:

RENON SAVAGE, RECORDER

CEDAR CITY ORDINANCE NO. _____

**AN ORDINANCE OF THE CEDAR CITY COUNCIL AMENDING CEDAR CITY'S
ZONING DESIGNATION FROM DWELLING TWO UNIT (R-2-2) TO STUDENT
HOUSING DISTRICT (SHD) FOR PROPERTY LOCATED AT APPROXIMATELY 227
SOUTH & 231 SOUTH 1025 WEST AND 222 SOUTH 900 WEST**

WHEREAS, the owners of property located at 227 South & 231 South 1025 West and 222 South 900 West have petitioned Cedar City to change the current zoning designation from R-2-2 to SHD, the property is more particularly described as follows:

Legal Description - - - -

WHEREAS, after providing public notice as required by City ordinance the Cedar City Planning Commission considered the proposed zoning amendment and gave a negative 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 R-2-2 to SHD, for property located at 227 South & 231 South 1025 West and 222 South 900 West, and 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. _____, shall become effective immediately upon passage by the City Council and published in accordance with State Law.

Council Vote:

Ayes: _____ Nays: _____ Abstained: _____

Dated this _____ day of October, 2021.

MAILE L. WILSON-EDWARDS, MAYOR

[SEAL]

ATTEST:

RENON SAVAGE, RECORDER

CEDAR CITY COUNCIL

AGENDA ITEM - 14

TO: Mayor and City Council
FROM: City Attorney
DATE: October 12, 2021
SUBJECT: Request to vacate and amend the final plat of the Northfield Addition Subdivision Phase

DISCUSSION: Pursuant to the Planning Commission's discussion regarding a proposed amended plat for the Northfield Addition Subdivision Phase 1, located at 2620 North Commerce Center Drive, a proposed ordinance was prepared. The requested change would amend the final plat to allow the dedicated road to travel a different route and provide a second access to the development. The amended plat would also allow the building of additional units on property. This proposed change is consistent with the desires of the property owner. The Planning Commission gave this request a **positive recommendation** (see the attached minutes).

Please consider whether or not to pass this ordinance amending the final plat.

④ 4- PUBLIC HEARING

Subd.- Vacate a portion of Northfield Addition Subdivision Phase 1 including a portion of the street which also includes 2559 N, 2573 N, 2589 N, 2605 N, 2621 N, 2635 N , 2651 N and 2667 North Commerce Center Drive and B-1560-0005-0002; Cascade Dev./Excel Design (Recommendation)

Mary said as items 4-7 all deal with the same land, they can discuss them all at the same time.

Charles Hammon with Excel Design said this came here about 3 years ago. They all thought that Commerce Center Drive would extend on through to the north. The neighbors who live there to the north all came in and this set them back to square one without a second access to the apartments. They went back to the drawing board and there was just no way to have that access in every direction. Recently, Jim Blackner sold his parcel to them. He pointed out Cascade Springs Phase 1 which is existing. Years ago, they came in and were able to get the re-zone on what was to be Phase 2. That irregular shaped parcel. That is why it is already zoned and planned for that road to extend. That is sort of why this parcel is a strange shape. This is also in 2 zones. Most of it is R-3-M then the very west side is CC. All the property in red on the map is CC. What they are trying to do is all the lots in Northfield on this map as A-I, they would like to re-zone to the R-3-M and build the second phase of these apartments. Then across the street, they will eventually do some townhome style for rent. In order to meet the fire code, they need a second access, and they want to thank Jonathan and Don who have been good to work with and lots of help. They are proposing that this north end of Commerce Center Drive will then turn and go to the west.

For the road dedication, that will not go any further to the north due to the neighbors who did not want any more traffic in their neighborhood. The same developer now owns both sides of this road. They will redirect the road to the west, and you can see how this road now terminates at the County line. They have tried to annex this, but the County would not allow them to annex it. They say that would create another island of City in the County. They will allow them to dedicate the street. They would complete Commerce Center Drive going west, then loop that into the County portion of the property, and back down in order for Cascade Springs to have the 2 accesses. It is a long story and has been a long process.

Adam said so the City would have half of this horseshoe road and the County would have the other half. Charles said they really want to annex that parcel and they are currently working with Whitney on the north. The General Plan calls for that parcel to be R-2. They are trying to get with the County and get all that is designated as letter M and N to the north to all agree to annex, then it would not create an island. They would just be taking all that into the City. The County does not want them to annex until they can get both those other parcels to come in also. The process then is multi-faceted. Cascade Springs is full and there is a crunch on property, and they want to now do Phase 2. All around them is zoned commercial. There is residential to the north. They would like to annex west of this line at a future date and when they do that, will develop that as duplex

and twin-home style.

Mary went to the map on the wall and pointed out all the different zoning. A-I parcels on the map will be re-zoned. She pointed out the 1 piece that is CC; Half of this is already zoned R-3-M. the other is commercial. The master plan is to include all that area. Adam had Charles point out on this map exactly where the road will go. Charles pointed out the road, where it would turn to the west, and they are working with the County now so they can dedicate that other half in the county and that will give them the second access.

Charles also pointed out the land still owned by Mr. Roger Smith who has plans to do more residential on his property.

Mary opened the public hearing. Seeing no comments, Mary closed the public hearing.

Adam made a motion for a positive recommendation for items 4-7 as discussed: the subdivision vacating, the Road Dedication of Commerce Center Drive, the General Land Use amendment from Medium to High Density Residential, and the Zone Change from CC to R-3-M. Seconded by Craig and the vote was unanimous.

5- Road Dedication **Commerce Center Dr. N end** **Cascade Dev./**
Excel Design
(Recommendation)
Discussed and voted on under Item #4

✓6- PUBLIC HEARING
General Land Use Change:
Dev./Excel Design
Medium to High Density
(Recommendation)
Discussed and voted on under Item #4

17- PUBLIC HEARING
Zone Change: CC to R-3-M 2620 N Commerce Center Cascade Dev./Excel
Design
(Recommendation)
Discussed and voted on under Item #4

CEDAR CITY ORDINANCE NO. _____

**AN ORDINANCE VACATING AND AMENDING THE FINAL PLAT FOR THE
NORTHFIELD ADDITION SUBDIVISION PHASE 1**

WHEREAS, the Developer of the Northfield Addition Subdivision Phase 1 came before the City Council and was granted final plat approval, and

WHEREAS, since receiving the approved final plat, the Developer would like to amend the final plat, and

WHEREAS, the proposed amendment complies with the planning and zoning requirements that the City has designated on this piece of property, and

WHEREAS, notice of the proposed amended final plat has been given to all property owners within the Northfield Addition Subdivision Phase 1; and

WHEREAS, the Cedar City Planning Commission considered the proposed final plat amendment and gave a positive recommendation toward the proposed amendment and found the amendment to be in the best interest of the public, and in harmony with the objectives and purposes of Cedar City's planning and zoning ordinances; and

WHEREAS, the City Council after duly publishing and holding a public hearing to consider the proposed final plat amendment finds that 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 General Land Use Plan and Zoning ordinances, or correcting manifest errors; and

NOW BE IT FURTHER ORDAINED by the City Council of Cedar City, State of Utah, that the Northfield Addition Subdivision Phase 1 is hereby amended as more particularly described herein, City staff is hereby directed to accept the amended plat.

This ordinance, Cedar City Ordinance No. _____, shall become effective immediately upon publication as required by State Law.

Council Vote:

Ayes: _____ Nays: _____ Abstained: _____

Dated this _____ day of October, 2021.

MAILE L. WILSON-EDWARDS, MAYOR

[SEAL]

ATTEST:

RENON SAVAGE, RECORDER

CEDAR CITY COUNCIL

AGENDA ITEM - 15

TO: Mayor and City Council
FROM: City Attorney
DATE: October 12, 2021
SUBJECT: Request to vacate and amend the final plat of the Northfield Addition Subdivision Phase

1. ~~1. The City Council is requested to consider the proposed amendment to the final plat of the Northfield Addition Subdivision Phase 1. The proposed amendment would change the location of the Northfield Drive road to provide a second access to the development.~~

DISCUSSION:

Pursuant to the Planning Commission's discussion regarding a proposed amended plat for the Northfield Addition Subdivision Phase 1, located at 2620 North Commerce Center Drive, a proposed ordinance was prepared. The requested change would amend the final plat to allow the dedicated road to travel a different route and provide a second access to the development. The amended plat would also allow the building of additional units on property. This proposed change is consistent with the desires of the property owner. The Planning Commission gave this request a **positive recommendation** (see the attached minutes).

Please consider whether or not to pass this ordinance amending the final plat.

① 4- PUBLIC HEARING

**Subd.- Vacate a portion of Northfield Addition Subdivision Phase 1
including a portion of the street which also includes 2559 N, 2573 N, 2589
N, 2605 N, 2621 N, 2635 N, 2651 N and 2667 North Commerce Center
Drive and B-1560-0005-0002; Cascade Dev./Excel Design
(Recommendation)**

Mary said as items 4-7 all deal with the same land, they can discuss them all at the same time.

Charles Hammon with Excel Design said this came here about 3 years ago. They all thought that Commerce Center Drive would extend on through to the north. The neighbors who live there to the north all came in and this set them back to square one without a second access to the apartments. They went back to the drawing board and there was just no way to have that access in every direction. Recently, Jim Blackner sold his parcel to them. He pointed out Cascade Springs Phase 1 which is existing. Years ago, they came in and were able to get the re-zone on what was to be Phase 2. That irregular shaped parcel. That is why it is already zoned and planned for that road to extend. That is sort of why this parcel is a strange shape. This is also in 2 zones. Most of it is R-3-M then the very west side is CC. All the property in red on the map is CC. What they are trying to do is all the lots in Northfield on this map as A-I, they would like to re-zone to the R-3-M and build the second phase of these apartments. Then across the street, they will eventually do some townhome style for rent. In order to meet the fire code, they need a second access, and they want to thank Jonathan and Don who have been good to work with and lots of help. They are proposing that this north end of Commerce Center Drive will then turn and go to the west.

For the road dedication, that will not go any further to the north due to the neighbors who did not want any more traffic in their neighborhood. The same developer now owns both sides of this road. They will redirect the road to the west, and you can see how this road now terminates at the County line. They have tried to annex this, but the County would not allow them to annex it. They say that would create another island of City in the County. They will allow them to dedicate the street. They would complete Commerce Center Drive going west, then loop that into the County portion of the property, and back down in order for Cascade Springs to have the 2 accesses. It is a long story and has been a long process.

Adam said so the City would have half of this horseshoe road and the County would have the other half. Charles said they really want to annex that parcel and they are currently working with Whitney on the north. The General Plan calls for that parcel to be R-2. They are trying to get with the County and get all that is designated as letter M and N to the north to all agree to annex, then it would not create an island. They would just be taking all that into the City. The County does not want them to annex until they can get both those other parcels to come in also. The process then is multi-faceted. Cascade Springs is full and there is a crunch on property, and they want to now do Phase 2. All around them is zoned commercial. There is residential to the north. They would like to annex west of this line at a future date and when they do that, will develop that as duplex

and twin-home style.

Mary went to the map on the wall and pointed out all the different zoning. A-I parcels on the map will be re-zoned. She pointed out the 1 piece that is CC; Half of this is already zoned R-3-M. the other is commercial. The master plan is to include all that area. Adam had Charles point out on this map exactly where the road will go. Charles pointed out the road, where it would turn to the west, and they are working with the County now so they can dedicate that other half in the county and that will give them the second access.

Charles also pointed out the land still owned by Mr. Roger Smith who has plans to do more residential on his property.

Mary opened the public hearing. Seeing no comments, Mary closed the public hearing.

Adam made a motion for a positive recommendation for items 4-7 as discussed: the subdivision vacating, the Road Dedication of Commerce Center Drive, the General Land Use amendment from Medium to High Density Residential, and the Zone Change from CC to R-3-M. Seconded by Craig and the vote was unanimous.

5. Read Dedication

Commerce Center Dr. N end

Cascade Dev./

3- Road Design Excel Design

Excel Design (Recommendation)

Discussed and voted on under Item #4

PUBLIC HEARING

General Land Use Change:

Dev /Excel Design

Medium to High Density

Medium to High - (Recommendation)

Discussed and voted on under Item #4

2620 N Commerce Center Cascade

17. PUBLIC HEARING

PUBLIC HEARING

Zone Change: CC to R-3-M

ZON

esign (Recommendation)

Discussed and voted on under Item #4

LINE TABLE		CURVE TABLE		B-1560-0005-0002		B-1560-0004-0000		B-1560-0006-0002		B-1560-0007-0000		B-1560-0008-0000						
LINE	LENGTH	RAISE	CHORD DIST.	CHORD SLOP.	CHORD TA.	LINE	LENGTH	RAISE	CHORD DIST.	CHORD SLOP.	CHORD TA.	LINE	LENGTH	RAISE	CHORD DIST.	CHORD SLOP.	CHORD TA.	
L1	BR 1.17'					L1	BR 1.17'					L1	BR 1.17'					
L2	20.01'	589753.567				C1	107.35'	300.00'	106.75'	51.00% SW	202.90% E	C1	107.35'	300.00'	106.75'	51.00% SW	202.90% E	
L3					C2	38.89'	300.00'	38.85'	54.91% SW	272.46% E	C2	38.89'	300.00'	38.85'	54.91% SW	272.46% E		
					C3	300.00'	401.58'	300.00'	401.58'		C3	300.00'	401.58'	300.00'	401.58'			
					C4	155.24'	100.00'	140.11'	140.11'		C4	155.24'	100.00'	140.11'	140.11'			
					C5	108.64'	70.00'	98.08'	98.08'		C5	108.64'	70.00'	98.08'	98.08'			
					C6	201.61'	150.00'	162.14'	162.14'		C6	201.61'	150.00'	162.14'	162.14'			
					C7	28.65'	20.00'	26.95'	26.95'		C7	28.65'	20.00'	26.95'	26.95'			
					CB	113.44'	573.00'	112.25'	573.00'		CB	113.44'	573.00'	112.25'	573.00'			
					C8	11.54'	130.00'	88.32'	130.00'		C8	11.54'	130.00'	88.32'	130.00'			
					C10	90.11'					C10	90.11'						

CEDAR CITY COUNCIL

AGENDA ITEM - 16 + 17

TO: Mayor and City Council
FROM: City Attorney
DATE: October 12, 2021
SUBJECT: Requested general land use change from Central Commercial to High Density Residential and zone change from Central Commercial (CC) to Residential Multiple Unit (R-3-M) for property located at 2620 North Commerce Center Drive.

DISCUSSION:

Pursuant to the Planning Commission's discussion regarding a proposed general land use and zone change for property located at 2620 North Commerce Center Drive, two proposed ordinances were prepared. The requested change would amend the general land use designation from Central Commercial to High Density Residential and the zone from CC to R-3-M. These proposed changes are consistent with the desires of the property owner. The Planning Commission gave these proposals a positive recommendation (see the attached minutes).

Please consider whether or not to pass this ordinance amending the general land use and zone for this area.

① 4- PUBLIC HEARING

**Subd.- Vacate a portion of Northfield Addition Subdivision Phase 1
including a portion of the street which also includes 2559 N, 2573 N, 2589
N, 2605 N, 2621 N, 2635 N, 2651 N and 2667 North Commerce Center
Drive and B-1560-0005-0002; Cascade Dev./Excel Design
(Recommendation)**

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and twin-home style.

Mary went to the map on the wall and pointed out all the different zoning. A-I parcels on the map will be re-zoned. She pointed out the 1 piece that is CC; Half of this is already zoned R-3-M. the other is commercial. The master plan is to include all that area. Adam had Charles point out on this map exactly where the road will go. Charles pointed out the road, where it would turn to the west, and they are working with the County now so they can dedicate that other half in the county and that will give them the second access.

Charles also pointed out the land still owned by Mr. Roger Smith who has plans to do more residential on his property.

Mary opened the public hearing. Seeing no comments, Mary closed the public hearing.

Adam made a motion for a positive recommendation for items 4-7 as discussed: the subdivision vacating, the Road Dedication of Commerce Center Drive, the General Land Use amendment from Medium to High Density Residential, and the Zone Change from CC to R-3-M. Seconded by Craig and the vote was unanimous.

5. Road Dedication

Commerce Center Dr. N end

Cascade Dev./

3. Road Design Excel Design

Excel Design (Recommendation)

Discussed and voted on under Item #4

6. PUBLIC HEARING

• PUBLIC HEARING General Land Use Change:

Dev /Excel Design

Medium to High Density

Medium to Long (Recommendation)

Discussed and voted on under Item #4

3620 N Commerce Center Cascade

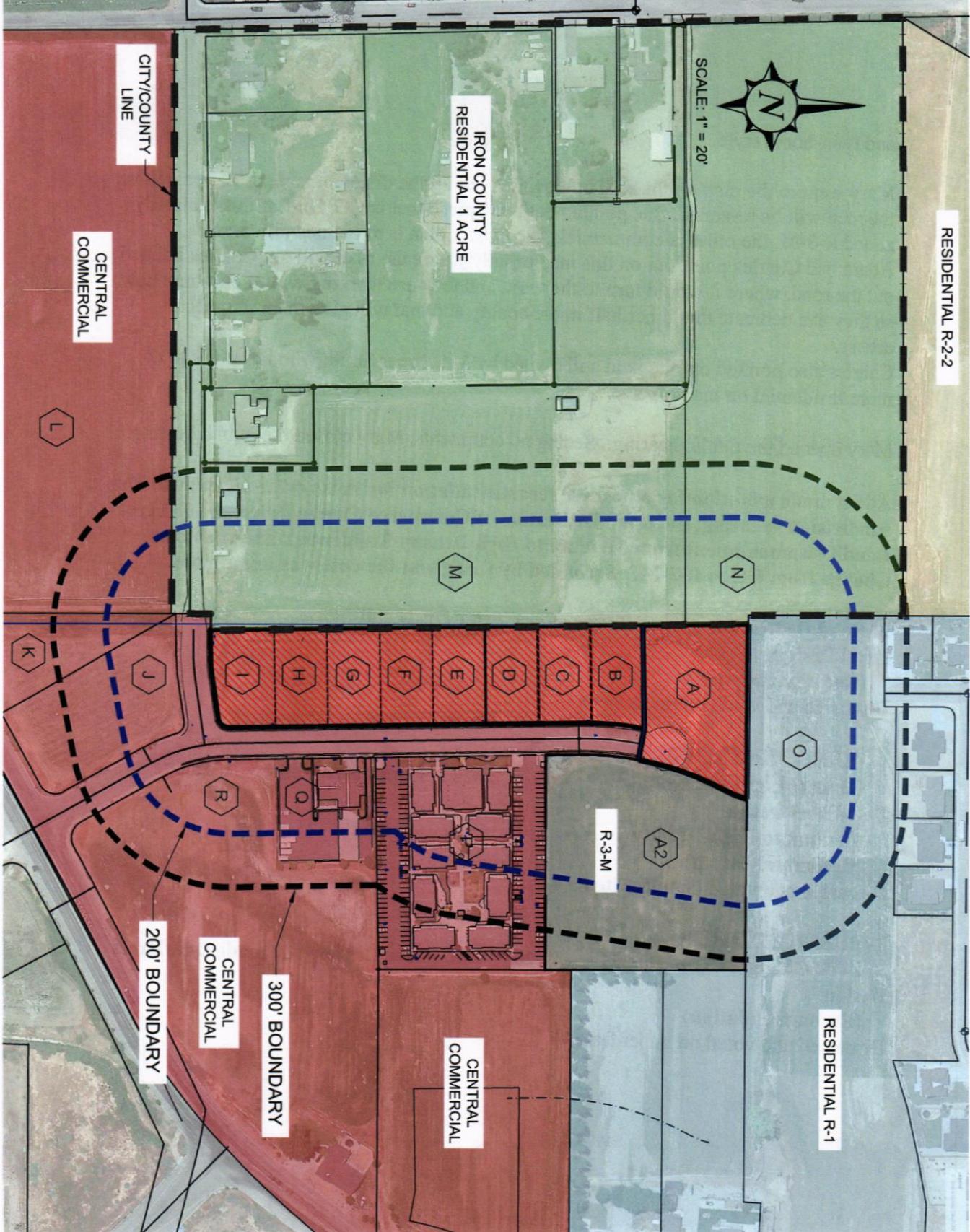
17 PUBLIC HEARING

- PUBLIC HEARING

Zone
Design

Design (Recommendation)

Discussed and voted on under Item #4



CEDAR CITY ORDINANCE NO. _____

**AN ORDINANCE OF THE CEDAR CITY COUNCIL AMENDING CEDAR CITY'S
GENERAL LAND USE PLAN FROM CENTRAL COMMERCIAL TO HIGH DENSITY
RESIDENTIAL FOR PROPERTY LOCATED AT APPROXIMATELY 2620 NORTH
COMMERCE CENTER DRIVE.**

WHEREAS, the owners of property located at 2620 North Commerce Center Drive have petitioned Cedar City to change the current General Land Use Plan from Central Commercial to High Density Residential, the property is more particularly described as follows:

WEST PORTION OF B-1560-0005-0002:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 26, TOWNSHIP 35 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S89°44'40"E, ALONG THE SECTION LINE, 1,348.18 FEET; THENCE N00°00'00"E, 1,825.13 FEET TO THE POINT OF BEGINNING; THENCE N00°37'22"W, 200.36 FEET; THENCE S89°36'02"E, 327.66 FEET TO A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 230.00 FEET, AND A CENTRAL ANGLE OF 11°24'10". (RADIAL LINE BEARS N73°38'38"W); THENCE SOUTHERLY ALONG SAID CURVE, 45.77 FEET TO A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 573.00 FEET, AND A CENTRAL ANGLE OF 17°21'05"; THENCE SOUTHERLY, ALONG SAID CURVE, 173.55 FEET; THENCE N79°35'46"W, 60.00 FEET; THENCE S89°03'38"W, 192.80 FEET TO THE POINT OF BEGINNING. CONTAINING 1.31 ACRES.

NORTH FIELD ADDITION PHASE 1 SUBDIVISION LOTS:

ALL OF LOTS 1-8 OF THE NORTH FIELD ADDITION PHASE 1 SUBDIVISION AS PER MAP RECORDED IN BOOK 612, PAGE 299 OF MAPS IN THE OFFICE OF IRON COUNTY RECORDER.

WHEREAS, after providing public notice as required by City ordinance the Cedar City Planning Commission considered the proposed general land use amendment 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 Central Commercial to High Density Residential for property located at 2620 North Commerce Center Drive, and more particularly

described herein, 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. _____, shall become effective immediately upon passage by the City Council and published in accordance with State Law.

Council Vote:

Ayes: _____ Nays: _____ Abstained: _____

Dated this _____ day of October 2021.

MAILE L. WILSON-EDWARDS, MAYOR

[SEAL]

ATTEST:

RENON SAVAGE, RECORDER

CEDAR CITY ORDINANCE NO. _____

**AN ORDINANCE OF THE CEDAR CITY COUNCIL AMENDING CEDAR CITY'S
ZONING DESIGNATION FROM CENTRAL COMMERCIAL (CC) TO DWELLING
MULTIPLE UNIT (R-3-M) FOR PROPERTY LOCATED AT APPROXIMATELY 2620
NORTH COMMERCE CENTER DRIVE**

WHEREAS, the owners of property located at 2620 North Commerce Center Drive have petitioned Cedar City to change the current zoning designation from CC to R-3-M, the property is more particularly described as follows:

WEST PORTION OF B-1560-0005-0002:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 26, TOWNSHIP 35 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S89°44'40"E, ALONG THE SECTION LINE, 1,348.18 FEET; THENCE N00°00'00"E, 1,825.13 FEET TO THE POINT OF BEGINNING; THENCE N00°37'22"W, 200.36 FEET; THENCE S89°36'02"E, 327.66 FEET TO A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 230.00 FEET, AND A CENTRAL ANGLE OF 11°24'10". (RADIAL LINE BEARS N73°38'38"W); THENCE SOUTHERLY ALONG SAID CURVE, 45.77 FEET TO A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 573.00 FEET, AND A CENTRAL ANGLE OF 17°21'05"; THENCE SOUTHERLY, ALONG SAID CURVE, 173.55 FEET; THENCE N79°35'46"W, 60.00 FEET; THENCE S89°03'38"W, 192.80 FEET TO THE POINT OF BEGINNING. CONTAINING 1.31 ACRES.

NORTH FIELD ADDITION PHASE 1 SUBDIVISION LOTS:

ALL OF LOTS 1-8 OF THE NORTH FIELD ADDITION PHASE 1 SUBDIVISION AS PER MAP RECORDED IN BOOK 612, PAGE 299 OF MAPS IN THE OFFICE OF IRON COUNTY RECORDER.

WHEREAS, after providing public notice as required by City ordinance the Cedar City Planning Commission considered the proposed zoning amendment 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 CC to R-3-M, for property located at 2620 North Commerce Center Drive, and 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. ~~40841000~~, shall become effective immediately upon passage by the City Council and published in accordance with State Law.

Council Vote:

Ayes: Nays: Abstained:

Dated this day of October, 2021.

MAILE L. WILSON-EDWARDS, MAYOR

[SEAL]

ATTEST:

RENON SAVAGE, RECORDER

CEDAR CITY
COUNCIL AGENDA ITEM 18
STAFF INFORMATION SHEET

TO: Mayor and Council

FROM: Donald Boudreau

DATE: October 7, 2021

SUBJECT: Consideration of amendments to Section 26-XIV-5(A) of the Cedar City Municipal Code pertaining to Airport Compatible Land Use Overlay Zones.

SUMMARY:

Section 26-XIV et seq of Cedar City Zoning Ordinance establishes regulations pertaining to land use within Cedar City. It is the purpose of these regulations to restrict the height of structures and objects, and otherwise regulates the use of property in the vicinity of the airport. The subject chapter accomplishes this objective by establishing particular overlay zones which regulate property regardless of a property's zoning designation. Generally, the closer a property is to the airport, the allowed uses become more restrictive. The following chart is a summary of these overlay zones and allowed uses:

	<u>AIZ</u>	<u>TPZ</u>	<u>AZ</u>	<u>IAZ</u>	<u>RPZ</u>
Residential - those uses identified in R-3-36 uses (sec. 26-15 (B)), mobile homes, hotels, motels	P	P	N*	N*	N
Churches, schools, hospitals, places of public assembly	P	P	N	N	N
Transportation, parking, cemeteries	P	P	P	P	N
General Commercial Uses	P	P	P	P	N
Industrial & Manufacturing Uses	P	P	P	P	N
Agricultural - Cropland, open space, livestock	P	P	P	P	N
Recreational - parks, playgrounds, golf courses, zoos	P	P	P	P	N
Outdoor spectator sports	P	P	P	P	N
Amphitheaters	P	N	N	N	N

The acronyms indicated in the chart above are defined as follows:

AIZ- Airport Influence Zone

TPZ- Traffic Pattern Zone

AZ- Approach Zone

IAZ- Instrument Approach Zone

RPZ- Runway Protection Zone

PROPOSAL:

As part of the implementation of these zones and in conjunction with the Airport Master Plan, the City's Zoning and General Plan Maps have contained a graphical representation of the required overlay zones. Currently there are some inconsistencies between the language in the ordinance which dictates the boundaries of these zones, and the maps. Working closely with the Airport Manager, and the Federal Aviation Administration (FAA), staff proposes the following changes to bring the text and maps into consistency:

(A) Airport Compatible Land Use Overlay Zones Established

For the purpose of regulating the development of noise sensitive land uses to promote compatibility between the Airport and the surrounding land uses, to protect the Airport from incompatible development and to promote the health, safety, and general welfare of property users, the Controlled Area of Cedar City Regional Airport is divided into five (5) Airport Compatible Land Use Overlay Zones, and shall be known as:

Runway Protection Zone (RPZ) - This zone begins at the end of the primary surface of each runway. For Runway 2 the zone begins at a width of 1,000 feet and expands outward uniformly to a width of 1,510 feet at a horizontal distance of 1,700 feet from the primary surface. For Runway 20 the zone begins at a width of 1,000 feet and expands outward uniformly to a width of 1,725 feet at a horizontal distance of 2,450 feet from the primary surface then continues to extend northeast along Runway 02/20 centerline another 1,348 feet at the same 1,725 feet in width. This will extend the RPZ zone to cover the future 10,000 foot Runway extension proposed in the 2017 Cedar City Regional Airport Master Plan. ~~For Runways 20 and 2 the zone begins at a width of 1,000 feet and expands outward uniformly to a width of 1,725 feet at a horizontal distance of 2,450 feet from the primary surface.~~ For Runways 26 and 8 the zone begins at a width of 500 feet and expands outward uniformly to a width of 700 feet at a horizontal distance of 1,000 feet from the primary surface.

Instrument Approach Zone (IAZ) - This zone applies to Runway 20 and begins at the end of the Runway Protection Zone. It is 1,000 feet wide and extends a horizontal distance of 7,350 feet. The centerline of the IAZ is a continuation of the centerline of the runway.

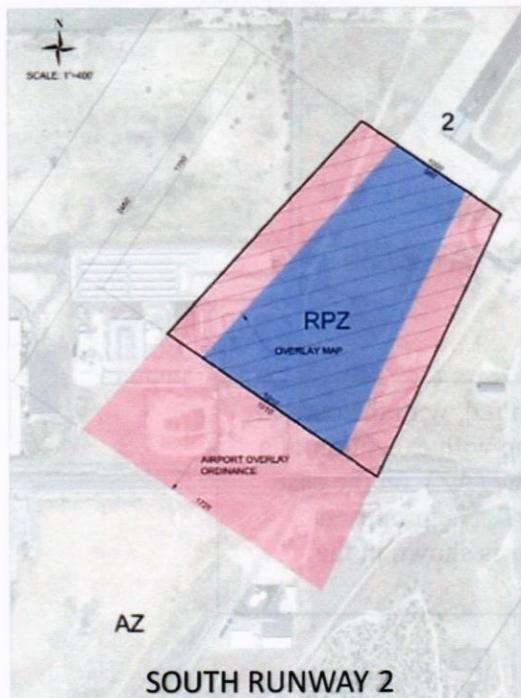
Approach Zone (AZ) - This zone applies to Runways 02/20 and 08/26. The Approach Zone for Runway 02/20 has a width of 3,750 and shares the Runway centerline. It begins 10,000 feet from a point 1,348 feet northeast of the primary surface along the Runway 02/20 centerline to the future primary surface end of the 10,000 foot proposed Runway extension ~~primary surface of~~ Runway 20 and extends toward Runway 02 to a distance of ~~5,000~~ ~~4,900~~ feet beyond the primary surface of Runway 02. The Approach Zone for Runway 08/26 has a width of ~~1,250~~ ~~2,000~~ feet and

shares the Runway centerline. It begins at Interstate-15 and extends toward Runway 08 to a distance of **5,000** 4,900 feet beyond the primary surface of Runway 08.

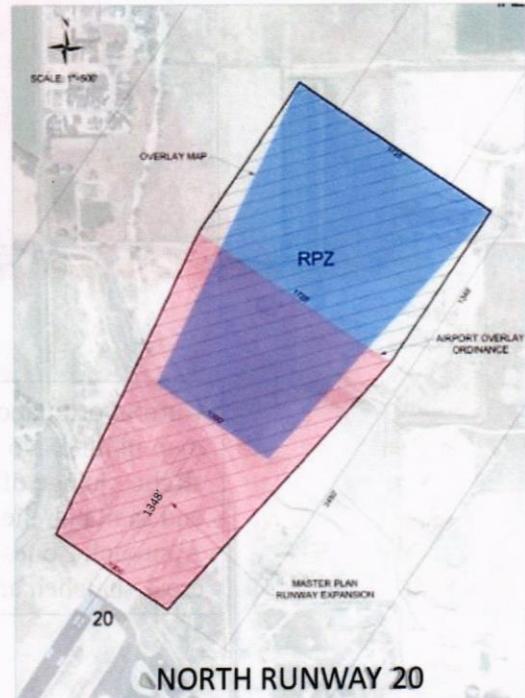
Traffic Pattern Zone (TPZ) - The Traffic Pattern Zone is established by swinging arcs of 10,000 feet radii from the center of each end of the primary surface of the Runway 02 *and the proposed Runway extension primary surface of Runway 20* and connecting the adjacent arcs by drawing lines tangent to those arcs. Excluded from this Zone is an area created by the following intersecting lines: parallel to Runway 02 centerline, a line east at a horizontal distance of 2,950 feet from the centerline; and, parallel to Runway 26 centerline, a line south at a horizontal distance of 2,950 feet from the centerline.

MAPS

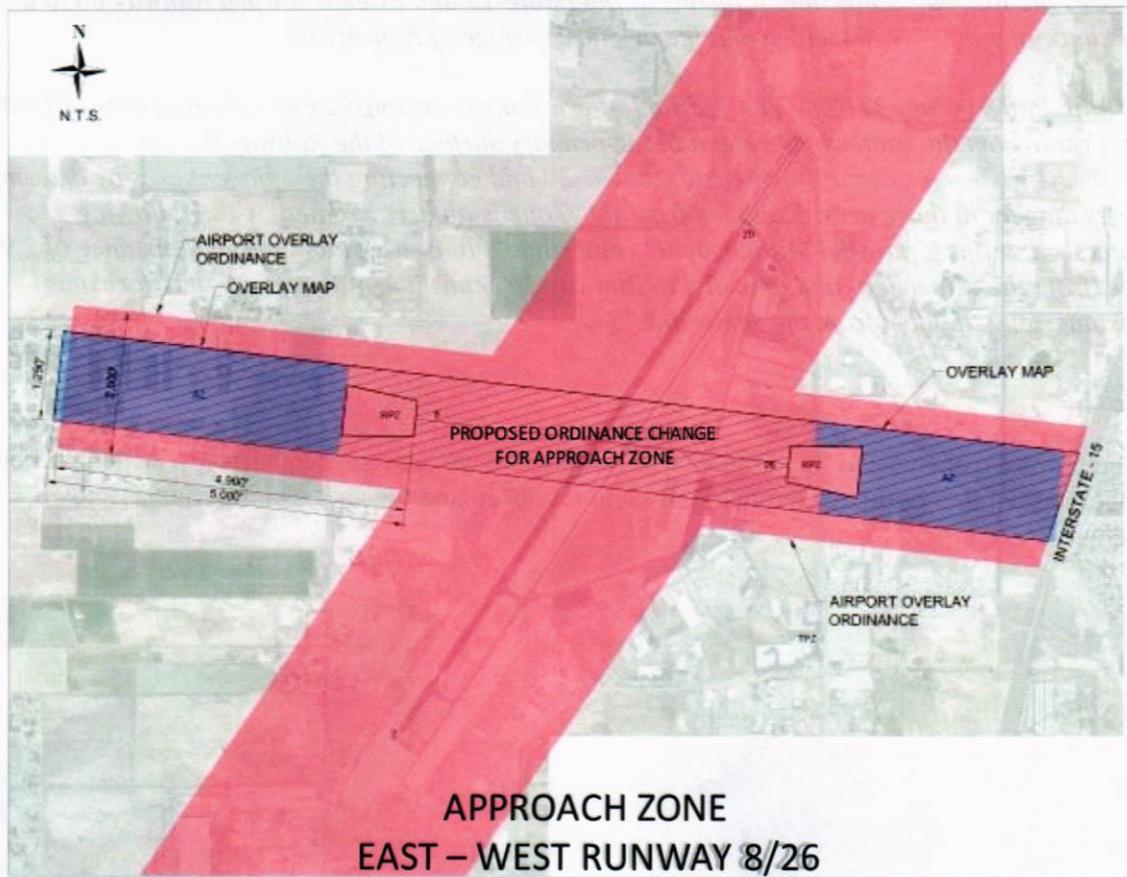
The proposed changes to the ordinance as outlined above are represented below which will be incorporated into both the General Plan Land Use Map and the City Zoning Map as shown below:



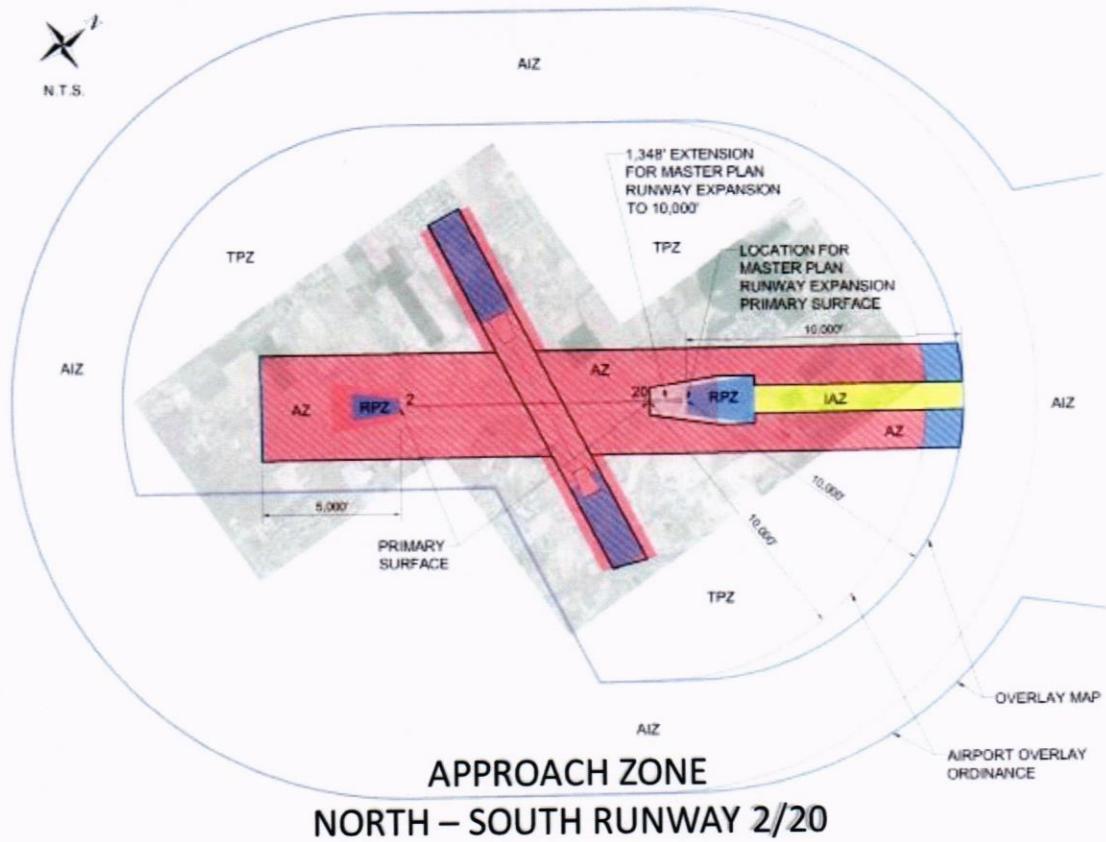
Current ordinance is shown in the pink shaded area. Current mapping is shown in the blue shaded area. Changes will reduce the length of the RPZ Zone from north to south, but expand it slightly to the east and west. -The proposed RPZ zone ordinance change is shown in the cross-hatched area.



Current ordinance is shown in the pink shaded area. Current mapping is shown in the blue shaded area. This change incorporates the future 10,000 foot runway. The proposed RPZ zone ordinance change is shown in the cross-hatched area.



Current ordinance is represented in red, with the current map in blue. No changes to the map with exception of a slight change of the Approach Zone (AZ) on the east end to match the I-15 right-of-way. The proposed Approach Zones ordinance change is shown in the cross-hatched area.



No changes to the map are proposed for the AIZ and TPZ zones. Ordinance changes are proposed to reflect the current map.

CONCLUSION

Staff requests that the City Council consider the proposed ordinance changes as presented.

✓- PUBLIC HEARING

Ordinance Text Amendment Section 26-XIV-5 Airport Overlay Zones Staff (Recommendation)

Jonathan said they are proposing an ordinance change in section 26 for the Airport Overlay zones. They got to looking at the overlay zones as part of the General Plan update that is going on now. They need to make sure these zones are shown correctly. The uses inside those are very restricted so they wanted to make sure they are correct. They have found some discrepancy between the map and what the ordinance says. They have discussed all this with the FAA and want to make sure they are both correct. Also, that they conform with the Airport Master Plan. There are some things that they need to adjust.

The Runway Protection Zone at the very south end of Runway 2 he pointed out that is by Highway U-56 and Lund. The pink shaded is called out in the ordinance and the blue is what is shown on the map. They need to widen out the one area and take the rest off the very end of the map. Most of this is already developed or is City owned property. It will not be affecting anyone. The FAA is requiring this at that south end.

At the north end, it is similar; the pink shaded is what is currently in the ordinance and the blue is how it shows on the map. The dark black line is what they are proposing. Mary said so this is more of just a cleanup item.

Jonathan went on with the east to west runway, the pink shaded is what is in the ordinance, and the blue is what is on the map. What they will recommend in this ordinance change is that blue area. it is smaller than what it currently is. Will extend to the west but it is already developed. On the east side is I-15.

He pointed out the approach zone; he pointed out the traffic pattern zone, and that is all around the airport. The ordinance is shown in the red line, and the maps are the blue line. The maps here were correct. They will clean it all up to match the map. The Airport Approach Zone is being modified to match what is on the maps.

It was asked what the AIZ meant: that is the Airport Influence Zone.

Mary opened the public hearing.

Tim Watson said he has no objection in cleaning things up. It is requested by Engineering and staff that they get the FAA approval on any construction project before it happens. That is such a mess. That AIZ zone does not affect much to the south but to the north. They have to have FAA clearance and that takes 45-90 days. In visiting with FAA, they only want to see this clearance request at the vertical, not horizontal. He wants to question this as it may not be part of any ordinance, but as they work through at the direction of staff, they need to clarify so they don't have to do this every time.

Mary said so in the ordinance they only need to notify the FAA if they are building something vertical not horizontal. And they only want to see the vertical things.

Tim said it comes back to bite them every time. He said they have waited the entire 89

days just to have the FAA say they did not need it. He would love to see this get clarified. Mary said so this is a clean up thing.

Tyler said that this airport is a federally funded airport and they have to meet all the FAA requirements and get things in writing. They do not want to jeopardize this in any way.

Tim said he has discussed this all with Nick Holt of the airport and they get into a spiral that they never get out of. The FAA director, Stephen Landry oversees this area and has been one of those who never officially address this, even though they only want to see construction that is vertical not horizontal.

Mary said so they just go around and around. Tyler said he will get to the bottom of this issue. He said that he will get with Tim, and they can work on this issue.

Jonathan said when a subdivision come in, part of the reason they have done this at that time is so they all know that homes will be built in this subdivision. It will be approved by the FAA so if that happened to get platted then sold, then each individual that builds a home there would not need to file with the FAA. From their standpoint, it would be better to be approved by the FAA rather than each individual homeowner having to file for that.

Dave Clarke said they deal with this on a weekly basis. You request your project, you have to give a latitude, longitude, and an elevation. A residential building can be 35' high. The FAA expects you to build something and this approval expires in 2 years. they may still want to go back on the owner to get that FAA approval. 90% of Cedar City is in that magical plain. Just mitigate the whole town. Anything up on a foothill is all that is an issue. It makes no sense, they just dangling this in front of the City for the federal money and you have to do this. It is really cumbersome. Just because you are approved by the FAA does not mean the end. That expires and they can get you next time. It is very subjective. If all it takes is the stoke of a pen. You would see a light blinking on top of the Moroni statue on top of the temple but for a stroke of the pen. Not you don't need a blinki9ng light up there. It is very subjective.

Tim can understand and why that developer is responsible. They have to do the 7460 report but when the house is built 2 years or 20 years out, they still need to verify the height of the tallest structure in that subdivision. then other forms are all recorded. There is feasibility. It is similar but does not fit so many feet down to this subdivision. For 20 years you have to update that file each 2 years until it is all built out.

Tim said that the Titan Security is 3-story and is 3 times higher than anything in that area. they need to be able to do something other than this 7460 form. That is the only method that the City allows them to do. They have to do this as it is an item on the checklist.

Mary asked Jonathan if this is part of the ordinance that they are trying to clean up, it seems that this FAA approval is a separate issue. They can work on that FAA form issue.

They will focus now on the change to the ordinance and the overlay zone map.

Jonathan said he would be happy to sit down and discuss this and see if there is a better way to handle the FAA. Tyler, Jonathan, and Tim can all meet and discuss that other

issue.

Mary closed the public hearing.

Adam moved to send a positive recommendation to the City Council for the changes to the ordinance and map, so they match; seconded by Craig and the vote was unanimous.

CEDAR CITY ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 26 ARTICLE XIV OF THE ORDINANCE
OF CEDAR CITY, UTAH, RELATED TO THE CITY's AIRPORT OVERLAY ZONING.**

WHEREAS, Cedar City has adopted Chapter 26 of the ordinance of Cedar City, Utah, and said provisions regarding the City's Planning and Zoning; and

WHEREAS, Cedar City has the legal authority to adopt ordinances for the benefit of the City and its citizens; and

WHEREAS, the Cedar City Council desires to update and amend Chapter 26, Article XIV, of the Cedar City Ordinances entitled "Airport Overlay Zoning"; and

WHEREAS, the purpose of the ordinance revision is to correct portions and expand other portions of the airport overlay zone; and

WHEREAS, these amendments will also ensure that the written language of the City's ordinance matches accurately the City's zoning maps; and

WHEREAS, as required by City ordinance, the Cedar City Planning Commission considered the proposed amendments and gave a positive recommendation to the proposals; and

WHEREAS, the City Council finds that it is in the best interests of the health, safety, convenience, order, appearance, prosperity, and general welfare of the landowners and citizens of Cedar City to amend the ordinance to clarify the locations of the City's airport overlay zones.

NOW THEREFORE BE IT ORDAINED by the City Council of Cedar City, State of Utah that Chapter 26 Article XIV of the ordinance of Cedar City, Utah, is hereby amended to include the below underlined red text and exclude all crossed out text:

SECTION 26-XIV-5. Compatible Land Use Regulations

(A) Airport Compatible Land Use Overlay Zones Established

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Amended by City Ordinance _____.

NOW BE IT FURTHER ORDAINED by the City Council of Cedar City, State of Utah that City staff is authorized to make such non-substantive changes to the format and table of contents of Chapter 26 Article III as are reasonably necessary to facilitate this amendment.

This ordinance, Cedar City Ordinance No. _____, shall become effective immediately upon passage and publication as required by State Law.

Council Vote:

Ayes: Nays: Abstained:

Dated this day of October, 2021

MAILE L. WILSON-EDWARDS
MAYOR

[SEAL]

ATTEST:

RENON SAVAGE, RECORDER

**CEDAR CITY
CITY COUNCIL AGENDA ITEM 19
STAFF INFORMATION SHEET**

To: Mayor and City Council

From: Drew Jackson

Council Meeting Date: October 20, 2021

Subject: **Review bids for the Cedar City Municipal Office Building
HVAC Controls**

Discussion: This project involves replacing the existing building automation HVAC Controls with a new system to improve controllability, reliability and functionality of the building heating, ventilation and air conditioning systems.

Cedar City received 2 bids for the HVAC Controls project. The low bidder for the project is Utah Yamas Controls. The higher bidder did not attend the mandatory pre-bid meeting.

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

Bid Summary

Name of Contractor	Bid Amount
Utah Yamas Controls	\$65,890
Rocky Mountain Mechanical	\$66,687

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.

**Project Funding
HVAC Controls System
Capital Improvement Fund 10-42-730**

	<u>Funding</u>	<u>Expenses</u>	<u>Balance</u>
<u>Funding</u> –			
Capital Improvement Fund 10-42-730	\$65,248		
<u>Expenses</u> –			
Contract Amount		(\$65,890)	
Totals –	\$65,248	(\$65,890)	(\$642)

This project is over budget. (\$642) is to be paid from Building and Ground Maintenance 10-42-262.

CEDAR CITY COUNCIL
AGENDA ITEMS - *20*
DECISION PAPER

TO: Mayor and City Council
FROM: City Manager
DATE: October 13, 2021
SUBJECT: Memorandum of Understanding regarding drainage and effluent study.

DISCUSSION:

Attached is a proposed memorandum of understanding between Cedar City, Iron County, Enoch City, and the Central Iron County Water Conservancy District.

Iron County has a grant from the NRCS to study and provide preliminary engineering related to storm drainage running north from the Aripot to Rush Lake. There is some interest in taking a look to see if wastewater effluent reuse can be incorporated into the study. The MOU would document cooperation on this study and preliminary engineering between the above entities. The MOU also documents that any future decisions on design and/or construction will have to be made by the entities at a future date.

Enoch, Iron County, and the Water Conservancy District have approved the memorandum of understanding. Please consider approval.

Memorandum of Understanding

This memorandum of understanding is entered into this _____ day of _____, 2021 between the following entities: Cedar City, a Utah municipal corporation and body politic, Iron County, a body politic, Enoch City, a Utah municipal corporation and body politic, and the Central Iron County Water Conservancy District, a Utah local district.

Whereas, all of the parties to this memorandum of understanding have an interest in the present and future water use in the Cedar valley aquifer; and

Whereas, each entity collectively and individually has engaged in various programs to encourage conservation and re-use of limited water resources; and

Whereas, Iron County currently has received a grant from the Natural Resources Conservation Service (NRCS) to study and conduct limited preliminary engineering. The area included in this study is the coal creek drainage running north of the Cedar City Regional Airport to Rush Lake; and

Whereas, in furtherance of this NRCS grant Iron County has contracted with Bowen Collins, an engineering firm, to conduct the necessary study and preliminary design work; and

Whereas, Cedar City owns and operates the Cedar City Regional Wastewater Treatment Plant. This treatment plant provides sanitary sewer services for Cedar City, Enoch City, and unincorporated areas of Iron

County; and

Whereas, the Cedar City Regional Wastewater Treatment Plant produces effluent that Cedar City currently disposes of using methods that are in compliance with applicable permits issued by the State of Utah; and

Whereas, all the parties to this memorandum of understanding are interested in amending the County's NRCS grant to include studying other possible uses for the wastewater effluent and possible preliminary design work for additional infrastructure that may be needed to facilitate other uses of the effluent.

Now therefore, Cedar City, Iron County, Enoch City, and the Central Iron County Water Conservancy District enter this memorandum of understanding to facilitate the purposes outlined above.

1. Iron County is and shall continue to be the sponsor for the grant application with the NRCS.
2. Cedar city, Enoch City, and the Central Iron County Water Conservancy District shall be co-sponsors for the grant application with the NRCS.
3. This memorandum of understanding is limited to this NRCS study and preliminary design process. Should the parties hereto wish to continue with joint design and construction projects these will have to be agreed to after the study and preliminary design are complete.
4. Each party agrees to cooperate and use their best good faith efforts to facilitate the completion of the purposes stated in this memorandum of understanding.

Dated this ____ day of _____, 2021.

[signature blocks for each entity]