The Cedar City Planning Commission held a meeting on Tuesday, June 21st, 2022, at 5:15 p.m., in the City Council Chambers, 10 North Main, Cedar City Utah.

**Members in attendance:** Mary Pearson—Chair, Councilman Craig Isom, Jennie Hendricks, Ray Gardner, Adam Hahn, John Webster  
**Members absent:** Jill Peterson,

**Staff in attendance:** City Manager-Paul Bittmenn; City Attorney-Tyler Romeril, City Planner-Donald Boudreau, City Engineer-Jonathan Stathis, City Engineer-Christian Bennett, and Executive Assistant, Onjulee Pittser

**Others in attendance:** Laura Henderson, David Warwick, Scott Stewart, David Clarke, Robert Hetticher, Laurel Cosslett, Rod Cosslett, Teri Kenny, Carter Wilkey, Dallas Buckner

The meeting was called to order at 5:17 p.m.

### ITEM/REQUESTED MOTION | LOCATION/PROJECT | APPLICANT/PRESENTER
---|---|---
### I. Regular Items
1. Approval of Minutes (dated June 7th, 2022)  
   (Approval)

   **Councilman Isom motions for approval of the minutes from June 7th; Jennie seconds; all in favor for unanimous vote.**

2. PUBLIC HEARING  
   Zone Change: AT to R-1  
   (Recommendation)

   **Don:** Wayne and Diane couldn’t be here, as they’re out of town. This is the triangle piece at the Middleton area. They’re looking to change the zone that’s in compliance with the GP. They’re AT now, and it gives them some problems with some of their projects.

   **Mary opened the public hearing; there were no comments; the public hearing was closed.**

   **Adam motions for a positive recommendation for the zone change from AT to R-1; Ray seconds; all in favor for unanimous vote.**

3. RV Park – Vicinity  
   (Recommendation)

   approx. 600 E. 3000 N.  
   Cedar Point RV Park  
   Blue Terra Development/  
   Focus Engineering
Scott Stewart: We’re proposing to do a high-end RV park approx. 21 acres. We have 2 parcels. The one in color is currently in the City; the portion to the top is in the County. We’re proceeding with the lower parcel which is 17 acres. We’re proposing 172 spaces with a clubhouse and amenities. There will be a children’s play area, pickleball courts, bocce ball, fire pit area. We’re planning to have a putting green and pavilion in the middle. The future piece on the top would add an additional 31 spaces. We have places for a dog park. We’ve allowed appropriate space for the PUE lines. Our clubhouses are beautiful. They are professionally designed. Library, game room, common area for the guests of the park. It’s designed to be a true RV park, transient in nature because it is off I-15. We have 2 other parks that were built in Idaho. We believe it will be a great asset. Mary: It’s a perfect location by the bowling alley and freeway.

Councilmember Isom motions for a positive recommendation for the RV Park Vicinity for Cedar Point RV Park; Jennie seconds; all in favor for unanimous vote.

4. PUBLIC HEARING
Zone Change: R-3-M to SHD 400 W. & Harding Ave. Cedar City Town Plat Jones/Platt & Platt
(Recommendation) Block 33 Lot 6

Dave Clarke: This is between 300 West and the grass area by the PE building. This is adjacent to the university and within the SIID GP area. Adam: How big is the piece of property? Dave: 0.65 acres. Adam: There was some talk. Did the City change the ordinance for the minimum lot size of the SHD? Don: No.

Mary opened the public hearing.

Laura Henderson: When we are going to address minimum lot size? I think that will affect some of the projects that come before the council. Tyler: If my memory’s correct, it was discussed with City Council, and there wasn’t an interest by 3 of them to move it forward. Mary: Do we take them off the agenda for now? Laura: I had heard that 3 councilmembers that were interested, but I think they were waiting to finish the parking study before it came back. Tyler: That may be the case. I haven’t had those discussions. Maybe when that study is done. Don: We’re taking a look at parking citywide for multi-family housing. There was a question posed if there were economies of scale for parking with larger developments. If they were larger units, could there be more of a mix in those. We’re taking a look at the data from Horrocks Engineers to get it moving. That’s our goal.

Mary closed the public hearing.

Councilmember Isom motions for a positive recommendation for the zone change from R-3-M to SHD; Jennie seconds; all in favor for unanimous vote.

(Approval)

Dave: There’s 483 acres. This was a MP development. This divides 350+ acres on the north for development, MU. The Shurtz Canyon MP drive ties in down around 16th corner. That’s taken into account with the MP. This takes the 482 acres breaks it into 4 development parcels. The developer is

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interested in parcel 2. That precipitated this. That was easier to swallow than getting someone to develop the whole 482 acres. Craig: Was this a development agreement? Dave: It probably was. It would have been about 2007 or 2008. Paul: It’s probably long since expired. Dave: Ok.

Councilmember Isom motions to approve the minor lot subdivision; Jennie seconds; all in favor for unanimous vote.

6. Consider a Development Agreement With Plum Creek LLC (Recommendation)

Mary: Can we do these together? They’re all public hearings. Tyler: As the commission is aware at the last PC, there were comments from the commission, and they were uncomfortable rezoning these without a development agreement. This agreement reflects what we’ve done in the past. The only real restriction is on density. If you look at Section 4 – Vested Rights and Legislative Powers (refer to exhibit) under subparagraph A, it breaks down all 4 zones. The first one is the R-2-1 zone, which would be for 112 SF dwelling units, with a max density of 3.5 units per acre. The second is the Residential Neighborhood Zone, RNZ, which would have a maximum of 56 SF dwelling units, with an overall density of 4.24 units per acre. The 3rd parcel that’s proposed to be rezoned R-3-M, would be 678 units, and a max of 12.85 units per acre. The 4th is the CC portion of the project would need to match what the City ordinance allows as a maximum density. Craig: That’s 10.5 acres. The math doesn’t work for me. The agreement says the overall number of units per acre does not exceed 3.6. If I take all the units, I come up with 746 units and divide by the 106.77 acres, I end up with 6.98 units per acre. That’s inconsistent with the document. Ray: The number I came up with is 8.83 per acre. Tyler: Are you in the R-2-1 portion? Craig: No. Adam: Is there an overall density? Where does it say that? Craig: I’m ok with the R-2-1 zone. I come up with 3.7 units per acre, and in the RNZ zone I come up with 4.24 units per acre. And that agrees. The R-3-M, 52.75 acres, 678 units I come up with 12.85 units per acre. If you took those 3 numbers and averaged them, there’s no way to get 3.6. Tyler: I’ll just need to strike that sentence. Adam: Where does it say 3.6? Tyler: It’s in Section 3, subparagraph B. Ray: My numbers are different. Paragraph B section 3 says all lots satisfy the minimum zoning requirements for R-2-1, which is 7,000 sq. ft. per lot, and if you divide 850 units into the total acreage and don’t subtract roads or amenities that’s only 4900 sq. ft. per lot. Tyler: There isn’t a plan to go below what the ordinance requires. Don: Part of it is R-2-1. I guess that piece of language was a hold out from one of the plans that was all R-2-1. This has a mixture. Ray: This says the residential portion of the project. Don: If they’re proposing R-3 and the RNZ, it can’t all be R-2-1. Tyler: All lots satisfy the minimum requirements in the R-2-1 zone. I’ll need to add the RNZ and the R-3-M zone. The purpose of this is not to allow them to not comply with the ordinances; it’s just restricting density. I’ll have Engineering run those numbers before we take it to City Council. Mary: Just 3-B is what needs to be fixed. Ray: I think the math needs to be fixed. Mary: Are you talking in section 4 as well? Craig: Yes. Tyler: My math adds up for section 4. Adam: It doesn’t add up to the 3.6. Are we going to strike the 3.6? Tyler: Yes. I’m going to strike it. Mary: The 3 bullet points at the bottom of A, I think Craig is saying that those don’t work out, right? Craig: No, those do. Tyler: I just need to strike the sentence of the overall density number. Craig: That works for the project on Tipple Road. Mary: With all the changes to the development agreement, how do we proceed? Tyler: If the PC is comfortable moving forward knowing I’m going to make some minor changes before City Council, which includes striking that last sentence of subparagraph B and add the RNZ and the R-3-M zone, I’m comfortable moving forward. Craig: We could agree to the development agreement pending those
changes. **Tyler**: Correct. **Ray**: I’m not sure if it applies here, but the density of 52.75 acres is not consistent with the GP.

Adam motions to table item 6 until we move through the public hearings regarding this project tonight; Jennie seconds; all in favor to table until after items 7-14 are handled.

Mary moved forward to handle agenda items #7 - #14 before voting on item #6.

Discussion resumes:

**Tyler**: If the commission is going to approve this based on the votes for the general land use and zone changes, I would suggest we strike the language that deals with the 52.7 acres proposed to be changed to R-3-M. **Mary**: Section 4-A, 3rd bullet point. Strike that. Are you going to make changes to items 3-B and 3-C? **Tyler**: I’ll strike the language of the overall density. **Mary**: Items 3-B-C. **Tyler**: Yes. Mary: Item 3-B-B you’re still ok with R-2-1? **Tyler**: And I’ll add the RNZ. Just so you’re clear, when someone wants a development agreement put together, usually I take a few weeks. With this, it was 2-3 hours. That’s the way it is.

Councilmember Isom motions for a positive recommendation for the revised development agreement between Cedar City and Plum Creek LLC as discussed; Jennie seconds;

**Ray**: How can the developer operate with a hole in it? **Mary**: They’ll have to come back and amend it.

Ray votes AYE; all in favor for unanimous vote.

7. PUBLIC HEARING

General Land Use Amend
Low Density Residential to
Medium Density Residential
(Recommendation)

**Lance Duffield**: The original proposal was the 4 pieces totaling 106 acres. We’re asking for the GP amendment to be changed from moderate and high-density housing with a small 10-acre area of CC along Lund Hwy. The notion on the R-2-1 area is SF housing. This was sketched out to comply with the existing zoning ordinance. The same with the Neighborhood zoning. For the density we took the gross area, divided by 3500 for a minimum lot size. We’ll look at that a bit more and I believe they’re leaning more toward expanding area 1 and not with minimum lots. We’re thinking about 3500 sq. ft. lots. This seems to alleviate some parking and driveway issues. **Jennie**: What zone are you talking about? **Lance**: The family neighborhood zone. **Craig**: That’s all SF, right? **Lance**: The green in the corner. We have an element of a 4.5-to-5-acre park and detention facility that we’ve proposed somewhere in there to reduce some density a bit. After our last discussions about how flat we are, that’s an element that will show in our MP. Right now, it shows in the 13.5 acres in the lower left corner. The biggest item of discussion is a request for R-3. There’s a lot of resistance for R-3 at the level of the zoning ordinance at 24 units per acre. Our intention is to set densities by area, reducing density with a maximum density out by a CC area of 18 units per acre. As we get closer to the SF elements down to 10 units an acre. Average density on R-3 is 12 units per acre. That’s half of the R-3 zoning. We think there’s a market for the high-density product we’re proposing. Larger townhouses adjacent to SF areas with higher density maybe rental units and smaller townhouses close to CC and
adjacent to the I&M district. That’s what we’ve proposed with the maximum density for the whole project for 850 units total. We could debate the exact number. I come up with 7.93 units per acre as overall density. We’ll work that out. Craig: I’m intrigued with the RNZ as the first foray into that zone. We can expect some creativity. Lance: We discussed this a couple weeks ago and looked at the product mix we would do, which is why we’ve modified that from 3500 sq. ft. lots to get to 4500 if we stay at 70 deep, that will get us up to 60 wide. It will allow for a more traditional SF homes with 3-4 bedrooms, 2-car garage, 2.5 baths. The smallest lots of 3500 would be staying in the 2-bedroom, single bath, 1-car garage, more of an entry level product. We think they’ll sell well. It’s something we need here. It will allow us to get to a more affordable level to interlevel housing in the SF market. It’s a work in progress for all of us.

Mary opened the public hearing.

Carter Wilkey: Assuming on item #10, you’re missing the Z on the RN. I’m surprised that there’s not too many here tonight. Did all neighbors get their notice? Tyler: They were here 2 weeks ago. We didn’t have to advertise it as a public hearing again. Carter: Can you explain the development agreement? Tyler: It’s recorded on the property for a 10-year agreement. If it’s not utilized within 10 years, we’ll go through the rezoning process. Carter: There was a development that came through adjacent to this piece. The next day it was put on the market and sold. I was wondering how that works with this development agreement if it was sold it would continue on. Craig: It locks people in. Carter: I agree. You’re creating an RDO without an RDO. On the steering committee we talked about how to get developers moving in this direction, so we don’t have 100 acres of the same thing. Don: Looking at the overall unit count and commercial component do you anticipate residential housing in that commercial area? It does allow for it, and we’re looking at the total unit count out here. Lance: The majority of the property in the CC zone along Lund is in the approach zone, so I don’t see them going in the direction of that with putting housing on top of it. That’s not our intention, except for my unit to overlook the project. Don: The Engineering division thought it could support 9 units per acre. Christian: The sewer density is 9 overall, and 15 units in high density residential. Don: Was the maximum 18 in the R-3? Lance: That was the maximum with somewhere around 12 units per acre in the R-3. Don: In the agreement it calls for a concept plan. Is that something you’re working on for Council? Lance: I have a rough road plan and utilities plan and preliminary layouts of what it looks like and where CC goes where most of the dense townhouse units would go. Transitioning to less density. Don: That’s something the council would want to see part of the agreement.

Mary closed the public hearing.

Ray: I’d still like to hear a comment about the GP questions. Right now, it’s all low density. Don: That’s correct. Tyler: That’s the purpose of bringing this before the PC to change the GP. If approved the agreement acts as a tool to enforce density. Jennie: At our last meeting we had some folks from the surrounding subdivisions talking about access and roads not supporting that level of density. Don: I don’t have any specifics. It would have to be built to engineering standards. Without a concept plan I don’t know. Jonathan: Lund Hwy. is a MP road, and 800 North on the south edge of the property is MP as well. It’s been planned to carry the traffic. We haven’t seen their conceptual layout, so we don’t know the internal makeup of the streets within the development. That would be something we’d like to see before it goes to City Council. Jennie: I’m leaning with Ray. I’m troubled with going to low density on 106 acres. Craig: R-3 is52.75. Jennie: And nearly half of it to high density. Recognizing the high density is below the allowable. Craig: I understand that. I like the variety of this development.

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and what will be reasonably priced units as part of the development. **Jennie:** I like the product mix and the feathering process out there, but I’m troubled with the amount of high density in an R-1, MP low density. **Adam:** I’m with you Jennie. When this came to us 2 weeks ago, I said that this is exactly an island. There’s no other R-3 near this. The closest would be on the corner of 1600 and Lund Hwy. That’s a major transportation route. That’s not the concept of feathering. I looked at the property quite a bit. I’d like to disclose that I live in Equestrian Point and close to the area. The one thing that I liked where the purple on the right, to the right is a gravel pit. It’s hard to sell R-1 next to a gravel pit. I’m uncomfortable with the amount of R-3 we’re putting out there. **Jennie:** I like the R-3 on the E side next to commercial, but that’s a huge chunk in the MP low density. **Adam:** It doesn’t feel like feathering. **Ray:** I’m not sure the low density on the left would feel comfortable that it doesn’t feather enough. With the numbers they gave us, the math may be funny. The 678 that’s a lot of units. Adding in total 112 units in 30 acres, cut the 52-acre piece in half cut that even more down 300. I think it’s too big of an island. We do need some R-3 to buffer the CC zone. Not for SF. **Craig:** Do we vote on them by parcel? **Adam:** Vote by item. **Dave:** You could say we’re splitting the R-3. Subjective to the dimension, it puts a lot of separation from R-3 to R-1. Are you saying you want a certain amount of extra feet? It is feathered. They’re close. The SW corner is all SF because of the R-2-1 and RNZ. Still a SF product and is now Empire is R-2-2 those are twin homes and some small R-2-1. I just think you want to say it’s too much. Engineering says it will support 9 units per acre. We’re right in there with what the city facilities can handle. They can come out to Lund and go down to the stop light vs. any other way to make a left on Hwy 56. That will be the main route. It creates less of an impact on Monte Vista and 3900 West. The City’s in the process of widening Lund and creating a left turn pocket. That’s the MP major corridor. **Don:** Is some of that R-3-M proposed as SF? **Dave:** No. This area R-2-1 and the RNZ. **Don:** I didn’t know if you were going to put any R-3-1 type products in there. **Dave:** I haven’t seen what’s been proposed. **Mary:** We’ll handle 7 & 8 first.

**Councilmember Isom motions for a positive recommendation for the general land use amendment from low density residential to medium density residential; Jennie seconds; all in favor for unanimous vote.**

8. **PUBLIC HEARING**  
Zone Change: MPD to R-2-1   approx. 800 N. Lund Hwy.  
(Recommendation)  

*This item was discussed with item #7.*

**Councilmember Isom motions for a positive recommendation for the zone change; Jennie seconds; all in favor for unanimous vote.**

9. **PUBLIC HEARING**  
General Land Use Amend  
Low Density Residential to High Density Residential  
(approx. 800 N. Lund Hwy.  
(Recommendation)  

**Jennie:** The RNZ is considered high density, correct? **Don:** The way the RNZ was set up for 2 categories on the GP: medium density and high density. What is allowed in the RNZ is dependent upon what the GP designation is. If the RNZ is proposed in the medium density, the land use for SF homes
on lots that are 4500 sq. ft. If it’s a high-density lot that changes to 3500 sq. ft. Mary: This is low density to high density. Jennie: The general land use now is low density, but we’re changing it to high. Craig: The lot sizes would be 4500 sq. ft rather than 3600. Lance: We’d like to do a mix. Don: If you change to high density, the lot sizes in the RNZ could be down to 3500. Jennie: Could we put in the development agreement something that Lance said in the RNZ where it will be a mix so it’s not so dense? Christian: The only protection we have in the development agreement is the overall density in each zone. Don: We’d have to add something.

Councilmember Isom motions for a positive recommendation for the general land use amendment from low density residential to high density residential; Adam seconds; all in favor for unanimous vote.

10. PUBLIC HEARING
Zone Change: MPD to RNZ approx. 800 N. Lund Hwy. Plum Creek/Platt & Platt
(Recommendation)

This item was discussed with item #9.

Councilmember Isom motions for a positive recommendation for the zone change from MPD to RNZ; Adam seconds;

Jennie: If I vote AYE, I’d like some mechanism to enforce what Lance has told us he wants to do. Mary: Can we do that with a motion? I have one with a condition. Craig: Amend my motion by saying the development agreement will govern that. Tyler: The commission can state 4500 sq. ft. lots or whatever the commission feels is a good fit and make that recommendation. Craig: I’m ready to hold them to what’s in the development agreement. Paul: You can have the developer disclose their numbers. Adam: You can do about 12 homes per acre in the RNZ zone, and this agreement limits them to 4, that will force them to change the lot size. Jennie: Ok. I vote AYE.

All in favor for unanimous vote.

11. PUBLIC HEARING
General Land Use Amend approx. 800 N. Lund Hwy. Plum Creek/Platt & Platt
Low Density Residential to (Recommendation)
High Density Residential

This item was discussed in items #7-#10.

Adam motions for a negative recommendation for the general land use amendment from low density residential to high density residential; Jennie seconds; Craig voted NAY; all others vote AYE; motion passes for negative recommendation.

12. PUBLIC HEARING
Zone Change: AT to R-3-M approx. 800 N. Lund Hwy. Plum Creek/Platt & Platt
(Recommendation)
Adam motions for a negative recommendation for the zone change from AT to R-3-M; Jennie seconds; Craig voted NAY; all others vote AYE; motion passes for negative recommendation.

13. PUBLIC HEARING
General Land Use Amend
Low Density Residential to
Central Commercial
(Recommendation)

This item was discussed in items #7-#10.

Councilmember Isom motions for a positive recommendation for the general land use amendment; Jennie seconds; all in favor for unanimous vote.

14. PUBLIC HEARING
Zone Change: AT to CC
(Recommendation)

This item was discussed in items #7-#10.

Councilmember Isom motions for a positive recommendation for the zone change from AT to CC; Jennie seconds; all in favor for unanimous vote.

15. PUBLIC HEARING
Ordinance Text Amendment
(Recommendation)

Dallas: This pertains to the corridor on Hwy. 56. We went to BOA to get a variance for The Village on 56 project. We’re now working on several projects at Iron West, which have frontage along 56, and through zone changes and minor lots and vicinity plans that have come through. We have a few different projects, a commercial project and apartment building complex. The way the ordinance currently reads we’ve got a 10’ setback for a landscape strip within the property and on the other commercial parcels and on townhome parcels. We’re trying to carve out a corridor, where instead of setting aside a 10-ft. landscape strip and block wall on the developer’s property, we put the block wall on the ROW line and landscaped to the top of the irrigation ditch or back of sidewalk, whichever’s closer. {Refer to Exhibit B}. This project is on the S of 56, and there’s about 45’ of additional ROW from the existing edge of asphalt to property line. There’s an asphalt shoulder, so to travel width, you’re about 55-ish feet. For Hwy. 56 to be widened to its full ROW width and landscape strips to be taken out, it will be a long time. If you do an R-1 project, you have a fence along the ROW. The apartment complex jogs in10-ft. It seems we could make better use of that space and have more landscape that people will see. With the Village on 56 we had property line set the fence back and now there’s 40’ of sagebrush before getting to the 1st travel lane. If you’re on the north or south, it’s the same thing. Hwy. 56 corridor is a 200’ ROW, so there’s a lot of ways to expand in both directions. We’d have a better product and more backyard space to utilize on those projects. One thing that came up is UDOT does not contract with private entities to maintain landscaping, so it would be an
agreement from UDOT to the City, then the City to the developer or HOA, whoever owns that. That’s common throughout the city. If this passes, we’d place our fences on property line, an agreement to landscape and we wouldn’t have a 10’ landscape strip. Dallas: These houses have fencing on the ROW. The Village on 56 is the small piece. From our property line we had to set the wall back 10’, have a landscape strip but there’s still the existing native vegetation and irrigation ditch. This is the R-3 portion we had zone changed to have commercial. The existing entry road comes through, and an R-3 project plan west. Through this corridor it would be nice to utilize that space, put the walls on property line and landscape at top of slope. Jennie: So, that will push the wall closer to 56 and someone will have an agreement with UDOT to maintain from the wall going north to 56? Dallas: There’s an existing irrigation ditch on the south of 56. We’d landscape from our property line to top of slope. Jennie: Is there an HOA at Iron West? Dallas: The corner is planned to be an apartment complex. In this scenario, that entity would be responsible for landscape. To the west are commercial parcels those would be private entities. Whether they’ll be carved into smaller lots I don’t know. One large parcel on the north. When you come across the entry road, the west portion would be a PUD. Ray: It would be nice if there was a way to make the strip you’re creating consistent all the way down 56. I don’t know how you’d do that, but it would make 56 nicer. Dallas: That’s the intent. As that gets built out have on consistent corridor. On Lamplight, the residential on property line jogs west and jogs back this is already under construction. The intent is to keep it all as one. If more R-1 is built further west, you’ll have a fence line that’s consistent all the way down. That flags commercial and the PUD ordinance. You have to account for the 10’ setback. Ray: I’m talking about planning itself. Jennie: That would be a UDOT thing. Dallas: On the PUD, we proposed 30’ spacing of trees. Don: It doesn’t call out the species.

Mary opened the public hearing.

Carter: As it stands everything happens in the owner’s property line. Being a property owner is responsible for it. If they’re allowed to put it on property line it gives them more land and more landscaping than they have to not on their property. Once it’s in and done, who maintains it? Jennie: UDOT has agreement with the City, then the City has an agreement with the HOA. Carter: You can’t go after the owner. Adam: Who’s property is it? Paul: UDOT will let us landscape it. Until they vacate it, it’s theirs. They only contract with a municipality to do landscaping in their ROW. We’ve talked to UDOT in the past, and they don’t mind contracting with a 3rd party to be responsible. Cedar City Corp. doesn’t want an island of weeds and trees to maintain. If there’s a responsible corporate entity, like an HOA or apartment owner, we subcontract with them. Carter: This will apply to all of Hwy 56. Right here there are PUDs that cover this. What about the rest? That’s my concern. Who maintains it? The developer will gain land but put in more landscaping. Dallas: If someone did R-1, they could put a fence and no landscaping. Carveouts in the ordinance attach to commercial and PUDs trying to put this in. If you do R-1 against the ROW, you’d need to put up a fence. Adam: With the ordinance without revision, they can put up a 10’ fence on property line. Who landscapes the 10’? Dallas: They do and maintain it. Adam: That’s in ordinance. They’re moving to property line and increasing usable land; it’s not decreasing landscaping or increasing. Dallas: I think increasing. They’re only required to have a 10’ strip. Adam: You’re proposing to landscape property they don’t own. Dallas: UDOT. Top of slope on the irrigation ditch. Adam: I think it will increase landscaping, usable land, and create a better product for the City. Don: It’s a huge ROW, and if UDOT needs that, I don’t know. They’ll have deceleration lanes out there. Right turn pocket. If they needed that, the landscape could go away and you’d have a wall at the ROW, potentially at sidewalk. There’s a big piece full of sagebrush, notice those like Center St. It’s more of an aesthetic concern if landscape
buffers or not. The way the ordinance is now you end up with a fence on the ROW line. We already see pieces like that in the City. With a landscape buffer it really works like along Cross Hollow. You have the nice landscape strip. Dallas: Crescent Hills. Don: The way it’s written now, you end up with a fence issue. Dallas: With the ROW width 100’ half width from our property line to edge of asphalt is 40’ travel lanes are 12-13 ft. wide if 45-ft. could get 3 additional lanes on our side. In order for 56 to expand 3 lanes on both sides and 5 lanes each direction. That’s the long way of having it before you get to the corridor.

Mary closed the public hearing.

Jennie motions for a positive recommendation for the Ordinance Text Amendment pertaining to fencing requirements; Adam seconds; all in favor for unanimous vote.

16. Minor Subd./ROS
   Main St. & Nichols Canyon Rd.
   Abrams/GO Civil
   (Approval)

Dallas: This is a project that we’ve done near Falcon Circle. The intent is to have big parcels, purchase commercial and do a minor subdivision to achieve those parcels. We have 5 parcels on this minor subdivision zoned for commercial. We’ve been working on this project for many years. There’s a 30’ trail easement that was shown on some different documents, but there was never a formal document that dedicated the 30’ trail easement. Main Street used to come through, and that’s part of the reason. Several parcels are under contract and those people have done due diligence on the title report. We’ve gotten technical approval from the City Surveyor. We’re preparing the deeds and just waiting to hear back from the parcels on contract that they’re ok. We’ll get contingent approval that it won’t impact lot sizes, lot geometry, sq. ft. by putting the 30’ easement adjacent to I-15. Jennie: Are these 2 things or a minor lot? Dallas: I don’t know the best way. Jonathan: The main issue we have is there are no signed deeds. We’re not going to be able to sign the deeds until all buyers agree to it. Dallas: We have maps to take to the City and file as a ROS. The actual map filed is the conveying document. The trail shown here we’re just making sure we have a dedicating trail easement. We’ve submitted the mylar with the City. Jennie: Has anyone weighed in on trails? Dallas: No. Mary: This is an approval. Jennie: The minor lot subdivision is what we’re waiting for the deeds. Dallas: The deeds need to be signed and notarized. The developer lives out of state, and it’s been tough coordinating with shipping. We’re looking for approval for the minor subdivision.

Jennie motions for a positive recommendation for the minor subdivision/ROS; Councilmember Isom seconds; all in favor for unanimous vote.

17. Subd. – Vicinity
   approx. 800 E. Nichols Canyon Rd.
   Fiddlers Cove Phases 3 & 4
   Nichols/GO Civil
   (Recommendation)

Dallas: We came through with a road dedication and vicinity plans for phases 1 & 2 on the other side. This is shown with the gray line. Phases 3 & 4 are an extension up each of the canyons or draws. We’ll bring a road around tie into Sandstone Cliffs coming off the Shadow Cove PUD. We run this back until the contours get too steep. I’d like to mention that this is part of the Nichols RDO. I believe it’s zoned for R-3. Lots are 12,000-15,000 sq. ft. partly due to topography.
Councilmember Isom motions for a positive recommendation for the subdivision vicinity at Fiddlers Cove Phases 3 & 4; Jennie seconds; all in favor for unanimous vote.

18. Detailed Minor Lot – Final (Approval) approx. 350 N. 4375 W. Windmill Plaza/GO Civil
   Iron West

Dallas: This was brought through PC for the initial recommendation. Took road dedication to City Council which was approved, and now coming back to the PC for approval, because a detailed minor lot works similar to a vicinity plan final plat. This previously received a positive recommendation. This is the apartment parcel we’re talking about for the fencing. There are fees and bonding required on this. The fees were paid this afternoon and the developer’s working on bonding. With detailed minor lots, they’re different than simple minor subdivision, and there’s an FAA clearance required. We have submitted but not received it. We’re asking for an approval on this pending an FAA clearance. Once we get it, we’ll provide it.

Christian: There’s also a temporary 2nd access that was discussed down Center St. Dallas: Yes. Part of the construction drawings with the road we’re installing, we’re putting the secondary access that goes down and ties into Center St. on the south of Lamplight. We’ve put together a legal description for that, but that’s a document that needs to be recorded and then provided to the City. Mary: This is pending FAA approval and the secondary access. Dallas: Yes. The secondary access easement.

Councilmember Isom recommends a positive approval to include the secondary access and FAA clearance; Jennie seconds; all in favor for unanimous vote.

II. CITY ITEMS

1. Disposal of City Property B-1905-0000-0000 – North of Fiddler’s Canyon Subdivision
   (Recommendation)

Mary: We’re discussing 1-3. Paul Bittmenn: Cedar City approached the State Trust Lands a while ago and asked what they wanted for the property on Main Street. Trust lands owns all of the property behind there, including the church lands and most across the street. We asked if they would consider disposing of that, they said they would, but wanted to see if the City would trade property. They were also interested in acquiring this piece. This is 40-acres E of Main Street, north of Ashdown and Canyon Gate Subdivision. It was SITLA’s until 8 or 9 years ago, they traded it to Cedar City and now, we’re offering to trade it back. SITLA would like to consider as part of this trade, trading the piece on the hillside behind Walmart, the DI, and Home Depot. They want us to dispose these 2 pieces, but it’s all contingent on appraisals so values equalize out in the end. From the City’s perspective it’s also contingent upon putting it out for a public bid process on any of the lands we dispose of. We rarely do it on our own. We do it because people approach us. We’re considering putting up these 2 parcels for public consumption. Craig: Don’t we own property north in Fiddlers? Paul: SITLA owns a lot, the City owns some; there’s also some private ownership. Adam: That’s where a park was supposed to go.

Paul: It was, but the plan now is to relocate the park to Main Street. In terms of rock content in the Fiddlers Canyon area, Main Street’s less rocky than upstream, which is also flatter for us by Main Street and easier for us to develop. It has better access. Craig: I talked to Phil Schmidt about this.
piece, and he said it would need an incredible amount of dirt work. **Paul:** That’s our proposal. Dispose of the 2 parcels, put it out for public bid, and we anticipate a bid from SITLA. The piece down by Main Street, then equalize the values with cash.

**Councilmember Isom motions for a positive recommendation for the disposal of City property for this parcel; Jennie seconds; all in favor for unanimous vote.**

2. Disposal of City Property (Recommendation) B-1459-0000-0000 – property behind Wal-Mart

*This item was discussed with City Item #1.*

**Councilmember Isom motions for a positive recommendation for the disposal of City property for this parcel; Jennie seconds; all in favor for unanimous vote.**

3. Road Vacation (Recommendation) South Side of Cross Hollow Arena Approx. 100 S., West of Cross Hollow Rd. Parcel #B-1643-00RD-0001

**City Staff**

**Paul:** This is the arena, and all the property south is the Armbrust property. A long time ago, the streets MP showed Center St. going through there, East to West. Currently, the streets MP has the road to the south of that and meanders over the top. The ROW was deeded to us by Armbrust back when the street MP goes straight through. They would like it back. We only have an interest as a municipality in that piece of property for a dedicated public street. We could build a road there, or things that you would anticipate seeing in a road, like c/g/s and utilities. We could not expand the arena south and don’t have any other use for the land when the MP shows it shifting to the south. If we vacate our interest in it, it reverts to the previous owner, which would be the Armbrust family. **Mary:** This is not the road that Tim Watson brought it up. It was going to be the access point to Westview. Is it not that road? **Paul:** Yes and no. This is the old road on the MP. You see the green one that “S”s around, that’s the MP road now. The old one came straight over the top.

**Adam motions for a positive recommendation for the road vacation on this parcel; Councilmember Isom seconds; all in favor for unanimous vote.**

4. PUBLIC HEARING

Consider an Ordinance Text Amendment to Section 26-III-9 pertaining to Accessory Dwelling Units (ADUs) in the Residential Estate (RE) Zone (Recommendation)

**Don Boudreau**

**Don:** Months ago, the City passed an ordinance for detached Accessory Dwelling Units (ADUs), and typically, the ordinance is a hierarchy. If it’s allowed in the R-1, it carries through. This language is being proposed for the RE zone, because it doesn’t entertain everything in the R-1 zone. This is some cleanup to allow ADU’s in the RE zone. The only change to the original language is that they would be
no greater than 1200 sq. ft. In our other zones, you can do a guest house up to 800 sq. ft. Our logic on the previous rendition is we would allow the ADUs at 800, the same as the guesthouse size limitation. The RE zone allows a guest house of 1200 sq. ft., and the proposal is to allow the ADU’s the 1200 sq. ft. with the similar logic we passed previously. 2-bedroom max; 1 parking space per bedroom. There’s a 16’ limit parking behind the house. 

Mary: It’s just that we’re going from 800 to 1200. Don: Correct.

Mary opened the public hearing; no comments were made; the public hearing was closed.

Jennie motions for a positive recommendation for an Ordinance Text Amendment to Section 26-III-9 pertaining to ADUs; Adam seconds; all in favor for unanimous vote.

5. Training on the Municipal Officers’ and Employees’ Ethics Act
   And the Open and Public Meetings Act

Tyler asked to have this item tabled until the next PC.

Adam: Before we adjourn, I’d like to publicly thank Mary for her 9 years of service on the commission and wish her all the best. Mary: It’s been a delight to work with all of you. Change is good.

The meeting was adjourned at 6:55 p.m.

Onjulee Pittser, Executive Assistant