CEDAR CITY PLANNING COMMISSION
MINUTES
January 7, 2020

The Cedar City Planning Commission held a meeting on Tuesday January 7, 2020 at 5:15 p.m., in the Cedar City Council Chambers, 10 North Main, Cedar City, Utah.

Members in attendance: Craig Isom, Jennie Hendricks, Jill Peterson, Hunter Shaheen, Ray Gardner, Adam Hahn
Members absent: Mary Pearson-Excused
Staff in attendance: City Engineer-Kit Wareham, City Attorney-Tyler Romeril, Don Boudreau, and Michal Adams

Craig made a motion to have Adam Hahn be the Chair Pro-tem for the meeting, seconded by Hunter and the vote was unanimous.
The meeting was called to order at 5:15 p.m.

ITEM/REQUESTED MOTION LOCATION/PROJECT APPLICANT/PRESENTER

1. Regular Items

1. Approval of Minutes (December 17, 2019) (Approval)
Craig moved to approve the minutes of December 17, 2019, seconded by Jennie and the vote was unanimous.

2. Subd. – Vicinity 1575 S 1200 W Dan Rogers/GO Civil
   (Recommendation) Juniper Grove
Dallas Buckner presented and pointed out the space just south of Southern View Subdivision and near Green’s Lake Drive. This subdivision will all be south of the existing asphalt. It is zoned R-2-2 and they will be doing twin-homes. This is all southeast of the road, and he pointed out the road, the cattle trail, etc. It is all laid out for twin home lots. There are 9 acres and will be 20 lots.
Kit said along with this subdivision they will need to reserve the easement for the livestock trail, a pedestrian trail and also the utility corridor for all existing power lines going in this area. That will be a part of this subdivision.
Hunter wondered if that road would change. Dallas stated it will be widened on the Southeast side with curb, gutter and sidewalk. The north side would be finished when that development happens.
Kit said there was a question on that road whether it was double chip or asphalt at this time. If that is asphalt, it will be a City street. If not, that will need to be built up to City standards.
Jennie said it was nice to get notes from the Sketch meeting where this was also discussed. She asked about the fire department concerns. She was told that as this is a regular subdivision, these
streets will all be to City Standard and there will be no access problems. She understands the large easement for livestock, pedestrians, utilities, etc. Will there be a wall between that and these homes? Dallas said they will put a block wall on that side and will be deeding that swath to the City or the Livestock people, they are not sure yet. Basically, that easement will be deeded to someone else and will not be a part of those lots.
Jennie said it sounded like the Fire department has problems with the turning radii. Dallas said the way this is laid out it meets all the City standards. The fire trucks need a 20’ radius and they have that.
Kit said this is a regular subdivision, not a PUD so all the roads will be to City standards. These will be individual lots, and not a PUD.

Carter Wilkey lives in this area. His question is with regards to the houses next door that will be a much lower level. Where will all the water go. Kit said there is a major flood channel that runs along the south end and they can direct all the water to that flood channel. Dallas pointed out the high point in the road, and some water will go north towards Green’s Lake Drive, and some will go to the south to that channel. They will do a drainage study as part of this project. There is no detention in here, so they will pay the impact fees for drainage. They do have different elevations and will need to get all that addressed during the construction document phase. They will work all the drainage and slopes out then.
Carter went back to the aerial shot and talked about where there was no storm drains in portions of 1 street. He gets lots of water on his street.
Dallas stated as far as drainage, they can see all the gutters, that will wrap around to the south, and all that falls to the north will be a detention basin in that very north end.

Hunter moved to send a positive recommendation to City Council for this vicinity plan, seconded by Jennie and the vote was unanimous.

3. PUBLIC HEARING
Zone Change R-3-M to SHD 170 North 400 West CMD Holdings/Platt & Platt
(Recommendation)
Bob Platt presented and said this is a zone change for a parcel along 400 West. It is in the SHD General Plan and currently zoned R-3-M. The request is to change this from R-3-M to the SHD. Kit wanted to show google earth, there is a really nice house there. Bob said that will remain. The reason for the request to SHD is to put additional housing in the rear.

Adam wondered if the Planning Commission had any questions before he opened this public hearing.
Jennie asked about the fire department and getting access to the rear? Bob said that would be addressed in the site plan, but there is plenty of room on that north side of the house for a fire truck to access, there is about 30’ along that side. Any fire issues can be addressed. This parcel is just south of the corner parcel, it is in the SHD overlay, and that is the request.
Adam opened the public hearing.
Laura Henderson asked what the plan for this site was. Bob said the plan is to build some student housing on the east side of the property. They are not here to approve any site plan. Adam stated they do appreciate any knowledge Bob can give on this.

Laura Henderson went on to quote from the General Plan, V-5 regarding neighborhood enrichment:

Housing and neighborhood enhancement represents not only the physical structure but also the social and cultural phenomenon that will create a sense of community and a quality of life in which citizens can take pride. Structures provide shelter, but the integration of all of the required supporting facilities will create an environment for societal interaction, neighborhood stability and residential identity. The social cohesiveness of a community can be measured in terms of the stability and strengths of individual neighborhoods. As a community grows and the City expands, its neighborhoods are the individual building blocks within which the citizens reside. The quality of the neighborhoods is vital to the overall quality of the community. Major efforts should be directed toward neighborhood conservation and improving the capability of neighborhoods to provide an attractive and fulfilling residential environment.

The neighborhoods located within Cedar City possess distinct identities that reflect the values of the community: stability, character, tradition, and “green space”. Encouraging the conservation of these qualities, and ultimately, improving the building upon them while preventing the onset of blight and deterioration are priorities of this General Plan.

Cultural and aesthetic enrichment are hallmarks of Cedar City. These factors combine to produce a community identity that is, often, the envy of cities throughout Utah and many other areas of the southwestern United States. Each resident of the city has a multitude of opportunities to share in this cultural climate within the community. Cultural and aesthetic enrichment is found in the quality of open space, streetscapes and physical design of the community, as well as the cultural, educational and arts programming. It manifests itself in a variety of recreational and sports complexes, and the varied cultural facilities. It means making Cedar City a place of continuous enrichment for its citizens and a place of value that is sought out and desired by visitors.

Cedar City has a tradition of cultural events that not only enhances the quality of life for its residents, but also attracts thousands of visitors to the community each year. The economic boost of these events and visitors cannot be understated as an asset to the community, but at the same time should be kept in context of the General Plan. The quality of cultural experiences depends on the quality of each production or event, as well as on the quality of community infrastructure, housing, lodging, shopping and dining, and civic, historic and cultural spaces including open spaces, pathways and trails.

As expressed in this General Plan, Cedar City commits itself, commends and supports the total cultural enrichment of its residents through improving the aesthetic quality of their lives, the quality of events and of the facilities in which they are held. When combined with the natural setting within which Cedar City exists, these aspects of the community represent the ‘Quality of Life’ component that draws newcomers to Cedar City while rewarding its existing citizens.

Laura specifically wanted to address the SUU and the student housing district. She also had an article from the spectrum written in August of 2016. That addressed the current issues. The title of SUU Rises to Overcome Past Challenges. She quoted from this article in the paper. They had an additional 3,00 students, the largest class ever seen. The increase of 25% when they went from 7,000 to 9,000 students over the span of a summer. SUU turned to the community to help with housing that year. They asked Cedar City residents to rent out rooms and by the time school started the wait was much less to find housing. They have had the highest enrollment increase ever seen. SUU is proud to say that no student is on a waiting list for housing. The housing situation has improved from the past year. They have many beds and she named housing developments. Their freshmen are their top priority. Most students live in off-campus housing. She went on to quote from that same article, about campus housing. Anyone is welcome to build, but the SUU campus has no interest in
leasing those spaces. SUU has no plan to build more within the next 5 years. She does not see how
there will be any problem in the future. This was the last year with that extreme volume in the future
years. Growth will not be as it has been in the past. It will slow down. They don’t need massive
buildings.
Laura said that SUU feels that will level out. She has this article and can provide a copy to anyone
who would like one. She reiterated, they will no longer need student housing structures.

Scott Hunt said he owns several properties. He was not going to say anything about this one. But as
they are trying to get this changed, so he would like to know more about it.
Adam said they will do the zone change then they would apply to build something. It would need to
meet all current setbacks. Scott said in the SHD there is a zero setback and he did not think they
should let them change the zone and let them put things in there without a plan first. He has student
rentals. They did not fill up this year. He called SUU the day students started, and they had 200
available units. All off-campus housing. He had units sit empty 2 blocks from campus. There is not a
huge rush to go throwing buildings up all over. There is no plan, this is very wrong.

Stephanie Hill stated her ideas for the structure on 170 N 400 W. Some are old pioneer homes.
Would like to keep the integrity of those homes. That is not honored with any project. Consider what
Mr. Hunt said, and the article that came out. The housing will level off. Her concern of living in a
historical district, is they now have the opportunity to preserve that. Consider preserving that.

Jack Hill asked if there were any interest in the historical neighborhoods on this group. Mr. Isom
will work with the Chamber of Commerce. No one on this committee gives a damn about
neighborhoods. There is heritage in neighborhoods. Someone stole them all. Listen to the people.
Listen to those with opinions about this change. Is there any money to pay for research? He does not
think so. How many on this board have a connection to a construction outfit. He is amazed.

Laura Henderson again, would like to know what each and every person on the Planning
Commission does for a living. She would like each one to state what they do. She was told that the
Mayor tries to get people on this commission from a wide range of backgrounds. Mr. Isom works
for SUU on a committee to grow businesses. Hunter said he works for the Iron County School
District. The room was told they did not need to ask this, they can stay after the meeting and talk
with anyone they would like.
Adam felt that did not pertain to the business at hand.
Laura said this group represents the public. She was told they will all be available after the meeting.
Adam would like all questions to be specific to the agenda item.

Alice Cardon said she is on the Historic Preservation Commission. Talked about the signs they had
up for a historical area. She said that last strong wind that came through broke those. So, no one took
them, down, they are just down until they repair them. Her concern with building apartments there
will be the traffic. They already have lots of apartments.
Adam said when they do build, they will need to meet all the parking requirements.
Alice said they just can’t continue to build, if they do will you widen the roads? There will be lots of
apartments. Her concern is the congestion. How many will you let them build in one certain area. Being in the SHD area they can have many more apartments. How many is enough. Talked about the quality of life.
Craig felt that most just will not build to build, they will do all based on the market needs. If things have really leveled out, maybe they won’t build. It will all depend upon the market.
Bob said that with this project that may be true. He feels that a street would not be widened. As far as parking, they need to meet whatever that is, and that is not on the street.

Laura Henderson again, talked about being based on market need. That article quoted in the paper said they do not need housing.
Hunter talked about SUU and private owners- those private owners will still want to develop. They know that all the numbers will eventually balance.
Craig stated that this current year the SUU enrolment is 11,000. That includes those doing studies on line, so there may only be 10,000 here on campus.
Hunter stated that even though they say they may not need more housing; private property owners can still build. They can still go to the SHD zone, have high density, look at the traffic flow, etc.
Laura felt that with all their concerns, the way things have increased just since 2015, there will be blighted areas. They are in any university town.
Ray brought up that these things should already have been discussed when they were discussing and voting on the SHD area.
Laura said that 98% of the people did not want the SHD. They understand that SUU is here.
Ray said they are asking to change to this SHD, it is in the SHD area, and it is perfectly legal. They all went through the proper procedures.

Tyler can understand all viewpoints. The point of today’s meeting is not if this is popular or not. It is now part of the General Plan. The Planning Commission makes a recommendation to the City Council then they determine if this should be approved or not. It will be up to the City Council. He reiterated they can give their comments on this zone change then they can make the same comments at City Council.

Laura Henderson again said that they see the green light on things all the time. They do show up. They all showed up at SUU and with other things. The trouble is it is all green lighted. They have a small group here, and she is starting to come to these meetings. All don’t know what is in their neighborhood and their property is being devalued more and more. If asked, these people are all affected by this SHD zone. If City planning means nothing, as clearly it does not, all these people say their concerns, they are not considered. Talked about planning, why we are all here tonight, they are tax paying investors, they have all invested in their homes. They plan to live and die here. She is an investor, she has invested in Cedar City and pays property taxes.
Ray said that they talked and talked about this SHD, it was voted on and it passed. They should have brought all this up at that time.
Some felt there was no reason to even have this discussion. They are not sure why they do. There are 150 people who live there and they all said they don’t want the SHD. There were only a couple in favor, SUU and a few developers. No good comes from these meetings. They do no good.
Scott Hunt said that the one large project cut his income 30% in the 2 years since that large apartment building went in next door. They are trying to do all they can, and it will be rubber stamped. He went to the zoning department. When you are doing SHD, and if the master plan says it, then they all conform to the master plan. It is not just rubber stamped if it already conforms to the master plan. The demand will dictate building. Scott feels that is not true. He sees some getting favored building sites within this area. They will all build here, so those that are far away will be left empty. He went on about there being 200 units available the day school started. They have many projects going in all the time. This will destroy all the historic houses.

Adam said the current zone is R-3-M. They are proposing SHD and this falls within the general plan for that. They have been counseled and if things fall within all the guidelines, they need to give a positive recommendation.

Janet McCrea said she was also on the historic committee. She would request that they leave this zone as the -3-M. They can still build apartments there, just smaller. This will preserve the greenery, trees, etc. It would be better to have the R-3-M. The day of the strong wind that blew all their signs down, it also blew over several large trees. That is because they are next to parking lots now, and those trees no longer get water. Huge trees were all blown down. Just leave this parcel as is.

Adam closed the public hearing.
Jennie wanted to let all know that she does own property 1 block from this parcel.
Ray looked at the picture on google, this parcel has parking lots on 2 sides of it already.
**Craig moved to send a positive recommendation to the City Council on this zone change. Seconded by Jennie and the vote was 3 for, Ray and Jill against, so the motion passed 3 to 2.**

4. **PUBLIC HEARING**

Zone Change CC to MU (Recommendation)

Bob Platt presented and said this is the old Garden House property. It is an entire City lot of 198’ X 132’. It is currently zoned CC and the request is to go to Mixed Use (MU) per the general plan. If you drive up that street now, this house has become an eyesore.
Some wanted a clarification on the mixed use. Don said with MU you can do residential. You can also do residential in CC but it is limited to 50% commercial and only 50% residential. Or you can do commercial on the ground floor, with residential above.
Adam said so it is currently CC and it is to be MU according to the General Plan.

Adam opened the public hearing, wanted all to state their name, and keep their comments short.

Scott Hunt; owns Bards Inn and has an easement through the garden house property. The master plan is for CC. It is an isore now, because those who bought it have torn things out. He has called the City many times to come clean this up, and the last time things were cleaned up, they just took a
bulldozer to all the landscaping. They should not reward these owners for their bad behavior. It was a very nice property when the bank took it over.

Tyler said this property is master planned to be the MU. This zone change does conform to the General Plan. He just wanted that to be clear.

Richard Robertson said he bought the Hansen home just south of this land. One reason that he bought there was the quiet neighborhood. The last thing he wants is an apartment building there. They will do a B&B on their side, it is zoned for that. It tears him up to think they will have an apartment building next door.

CR Wooten said he is exactly in the back of the Garden House. He lives in the historic district. He owns a B&B on the other side of Center Street, has kept that as a Victorian house, runs a business out of there now. He still has a business there. To have apartments back of him, it does not conform to the historic district there. They put in houses, that is one thing. Apartments would be an eyesore to the historic district.

Jane Fell lives on 100 West. She is under the shadow of a 2-story apartment. The foundation is under the garage eve. That eve drips down on the brick wall. They talk about building on the property line. They left that foundation open over a year. Pulling out of her driveway is ridiculous. When they close Main Street, they all have to use 100 East or 100 West. They get all that traffic. Putting apartments on 100 West is ludicrous. People need housing, but they don’t need 3 story apartments put into the center of historic areas. That is silly. Think of the future. In the last 2 months, she has had whiskey bottles next to her door. All sorts of things. They don’t need any apartments on 100 West.

Laura Henderson again, said that progress and history need to marry each other. Cedar City is not all about building more and more apartments. What will happen is just what they have all talked about. One industry in Cedar City is building. You need to look down the road on all these buildings. When they come to Cedar City for Shakespeare, they come for the quaintness of Cedar City. They will come here and if they can’t see these quaint things, they may not stay. They stay at the Big Yellow Inn. They come for the quaintness. History and progress need to marry each other so it all works for all.

Ann Johnson owns the anniversary house across from this house. The issue is she lives next door to apartments. She knows what it is like to live next to apartments. They think they need those others. Some are nice. She has not noticed an increase in traffic. Would like to see the zoning go the other way; not more but less. It does not need to be downtown, if it needs to be that, put it on Main Street. She has had people knock on her door, leave blood on her door, thinks that apartments is not the answer in the historic district. She has been to a couple of meetings. They recommend not to approve this.

Hunter said this is only a recommendation; the City Council is the only one who can approve. Ann wondered if the recommendation is negative, why would you still send a positive one? What is
the reason?

Tyler said he knows this is frustrating to some. It is also for the Planning Commission. The Land use law is the most litigated law in Utah. The decision that they make cannot be based on public clamor. That is a Utah law. Utah law says that you cannot base decisions on public clamor, it has to be facts. Also, if the City puts out a General Plan, and it states you can use this for Mixed Use, then someone buys this and goes to use this for mixed use, but you say that they can’t then the City gets into legal trouble. He also advised the Planning Commission to pass things according to the General Plan. Someone asked then, if they put something in there that devastates your property, can you go to the City and sue for the loss of the use of your property?

Tyler said you can sue for anything. But legally, you cannot come after the City for your losses. They are all just trying to develop town as best they can.

Craig would like Don to clarify one more time difference between the MU and the CC. Don said in Mixed Use you can build to the R-3-M standards. 35’ high. In CC you can still do residential, but you are left with the 50%, so you need half commercial and only half residential.

Laura Henderson again, talked about the General Plan. Needs Citizen involvement. When doing community development. At the same time, people need to feel secure that the government and those that represent them and all employees are acting in their best interests.

Craig said that the General Plan of 2012 will be revisited, as they are in the process of an RFP for a company to upgrade that plan. He would like to see everyone in this room get involved in that process.

Susan Wooten lives at 161 S 200 W, directly in back of this. They absolutely don’t want the zone changed. Then it could be a large complex, rather than a smaller commercial venture. The letter says it would like to be mixed use. She wondered if there were really a plan in place, or do they just want to change this zone so they can sell it.

Adam stated they don’t know this, as the item on the agenda is just for a zone change. Susan owns a B&B just north of 200 North. They have worked hard all these years to keep that all beautiful. They sold it 5 years ago, and this historical district would be the place to live, to keep historic value of the home they had before. That was their intent, so they moved in this area. This area has not only had the intrinsic value and charm, but the financial value as well as all the homes on that street. It is very sought after due to that historic district. As far as real estate, they hold the value and that is a plus for that street. She thinks they not only look at just what 1 owner wants to do, but the surrounding area. Consider it carefully.

Gary Elsasser owns a B&B. Knowing what legal rights are, can they do anything here, sign a petition that would affect this vote. They can go to the City Council.

Adam asked him if he would want all his neighbors to sign that he can’t do what he wanted to do with his property?

If all were honest, they would not want other people to control what they can do with their property.
Gary said he would not go into a historic district to build apartments. He is speaking only for himself, as he would not want to mess up a neighborhood just to have something he wanted to build. Some don’t care. He is at a loss as to why so many are against having nice neighborhoods. It seems like they are not being heard at all. Adam thought this meeting was not to come up with remedies for their neighborhood issues. They can look at some options, establish some neighborhood ordinances, create an HOA to control what is built, options like that. This zone change is already in the process. Legal can maybe give them more remedies to protect their neighborhood.

Laura Henderson again, wondered how they know what project is in the works. There is no way to know in advance what is coming. There is no way to get ahead of this. Adam said his comment was find ways to get some sort of designation to your neighborhood, and he was not sure how to do that, but talk to Tyler, he may be able to give them advice.

Scott Hunt said the Bards Inn was building next to this, he bought about 10 years ago. There are about 5-6 historic homes there. One was the first house in Cedar City to have electricity. These area all historic homes. This street should never have been made commercial. This bunch wants to keep it all R-2. This is a historic area and the only one is the Ponderosa Apartments. Now they want to put another one. See if they would like to put one next to Dane Leavitts home on 200 West and see what happens. Adam asked him if they know they are building apartments? They don’t have any information or mention of apartments. How do they know what they will build? Scott said they know it won’t be a fishing pond. He knows they will build according to the zoning. When they put up the Big Yellow Inn, they talked to all the neighbors. If they were not in favor, they would have built that someplace else.

Laura Henderson again, said they find that most projects coming through are high density for high money. They will not just build some tiny house. They will build a super structure to get the high density and the high money. Be honest. None of these coming through recently are small single homes.

Adam closed the public hearing.

Jill said this was not like the SHD one where that was already approved. This one is not like that. She was told, yes, this is on the General Plan to be MU. Bob Platt said the request is in conformance with the General Plan, and whatever is built there has to meet the 1.3 parking per bedroom, as it is not in the SHD area. Hunter wondered if there were any other things in this area that was mixed use. Not sure. Jennie said she knows that the parcel is for sale. She has seen things like this happen before, she has also seen neighbors get together and buy a lot so they could control what went in.

It was brought up that the entire block is zoned CC and is all in the MU area. This would be the first parcel in this block to change to the MU.

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Ray said no one has talked about what can go there is it remains commercial. What would they all like to see that would be commercial?
Susan Wooten said if that stayed commercial, there could be no more than 50% residential. That would limit the number dramatically. Give some restraint, and leave it charming. If someone did that, there would not be conflict. She would be against massive amounts of housing in back of her house. But a small business with some residential above, that would be limited.

Ann would love to see someone buy that and have the Garden House again.
Hunter said there were times when they went along with the General Plan and some agree with this. He did not see this being mixed use, but not really commercial either. He does not see it changing at all.
Craig said it was currently zoned CC and they could have a 7-11 or a Maverik there.

**Jill made a motion to send a negative recommendation to the City Council on this zone change; seconded by Ray and the vote was 4 for with 1 against, so the motion passed.**

Tyler stated that this property owner can still take this to the City Council even though it goes with a negative recommendation.

**5. PUBLIC HEARING**

**Ordinance Revision**

**(Reformation)**

Adding Cannabis Sales & GO Civil/Staff Production to certain zones

Tyler presented and talked about the state laws and how this code was slowly coming around so they need to figure where this can be grown, processed and sold. They have had multiple companies come in, and they felt it would be best to clarify this in the ordinances so it would be clear for those moving forward.

Under Section I supplementary things dealing with Mixed Use. One requirement to production or selling is they need to be 600’ from community things like churches, schools, daycare, etc. The other is they need to be 600’ from areas that are primarily zoned residential. That would be R-1, R-2, R-3, and some mixed use is also residential. That setback would need to be in place.

Jill stated so they could not be in any of those zones.

Tyler went over the handout showing the permitted uses and the table that people use to understand what you can and can’t put in zones. They have a pharmacy, and that would be treated like any other pharmacy. They could be in those zones. The production is defined by state law. That is the growing and processing. Staff determined that should only be in I&M-1 and Dallas will state why they feel it should also be in I&M-2.

Jill wondered about this if it were coming from the state, do they have a say in where they can go? Tyler said the state is not giving every little detail, so they have staff recommending this so it is clear.

Dallas with GO Civil said he will explain why they would like to see this also in I&M-2. The production can only be in that zone, and for these things you need to be 600’ and 1000’ from

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residential. For the pharmacy, that is 300’ and 600’ away from those same things. If the production is only allowed in I&M-2 they would like to see them co-locate so you can have production then the sales at the same place. It is very difficult to have those things that far away from all these other things. It is harder to find a location. Also, the I&M-2 is the very least restrictive zone and does not see them not allowing a pharmacy in that same zone.

Jennie wondered the reason that staff did not want that in this zone. Tyler said due to the being less restrictive, and with all the manufacturing, then you have this little commercial venture someone will want another store, car wash other things next to it, and they felt it was best to just leave it out. Ray talked about things they could sell other than just cannabis. Jennie stated that these were limited by the State. Tyler said there will only be 15 state wide. So then, Jennie said she did not see us being overrun by them. Adam said you could have the production center with a pharmacy in the front. Dallas stated that was the reason for their request, just to find places that meet all the setbacks. They found a site for the production, then the sales was not allowed. It is very difficult to find a site for this. Adam said if there were only 1 permit for a pharmacy, and that person also gets the production, then you would only have 1 facility and out west of town in the I&M-2 would be a good place for that. Jennie asked what type of square footage for these can they have. Dallas production depends, they can apply for up to a 10,000 square foot for a pharmacy.

Adam opened the public hearing. There were no comments so he closed the public hearing.

Craig moved to send a positive recommendation including a pharmacy being permitted in the I&M-2. Jennie seconded and the vote was unanimous.

II. Staff Items
1. Proposed Time of Day parking at East Elementary
   Along College Ave. between 200 & 400 East
   (Recommendation) Kit W.

Kit presented this and said over at the East Elementary there is a situation where they don’t have very organized parking. What they are trying to do is establish a no parking area between certain hours. They want to establish that time of day for no parking along the north side only of College Ave.

Hunter said the issue is on the south side of the building where they have a very small parking lot for faculty. They get parents in and out trying to drop off kids there. In the last 2 years they have had many near misses. It has been chaotic. For fire Marshall, the School District is under the State and they have gone to them but also the local fire department in order to get something done here that will make this a safer drop place.

Jennie stated so this is really not a parking issue, it is just that so many try and pack into that small parking lot at a given time. Hunter said it would cause the parents to let the kids off along the street where they could keep moving. With closing that parking area to the parents, they all move to the
north and then that backs up. Their intent is to push more parents back to the south for Kindergarten and drop them there then pick them up on the street.

Carter Wilkey asked if this parking would only be limited between certain hours? Hunter said they would put in red curbing, then no parking signs between those school hours. The signs will say that it is a drop off area, so they cannot get out of the vehicle and leave it. Hunter said it would be by City Ordinance that it would be no parking as it will be red curb. They will have other signs pertaining to the drop area.

Adam talked about how this was done in front of the Enoch Elementary and it works out quite well. Hunter said they have 1-way driving along a street there, and they figured that would not work in this situation. They are trying to do what will be the least intrusive on other traffic in this area. Jennie asked if they had any feedback from the neighbors. Hunter said this would only be the one side of the street, the school side. it will not impact the neighbors here.

Craig moved to send a positive recommendation for this no parking area and signage. Seconded by Jennie, Hunter abstained from the vote and the vote was unanimous.

The meeting adjourned at 7:05 p.m.

Michal Adams-Executive Assistant
SECTION 26-III-17. MU- Mixed Use Zone

(A) Objectives and Characteristics: The objective in establishing the MU Mixed Use Zone is to provide an environment within the City which is characterized by a variety of uses including residential, commercial, and offices. Residential densities may vary from 2 to 24 units per acre. The MU Zone is characterized by wide, clean, well-lighted streets, ample pedestrian ways and vehicular parking lots for the convenience and safety of the public. Attractive, inviting and well-maintained shops, stores, offices, theaters and cultural buildings, as well as single and multi-family residential dwellings are also characteristic of this zone. Representative of the uses in this zone are specialty retail, lodging, all types of residential, professional offices, theaters, restaurants, and a wide variety of retail outlets.

(B) Permitted Uses: See Section 26-III-21.

(C) Lot Area Requirements:

1. For apartment houses, bed and breakfast, dwelling units, residential- Same as R-3 Residential Zone (Dwelling, Multi-Unit).

2. For all other uses, Same as CC Central Commercial Zone.

(D) Lot Width Requirements:

1. For apartment houses, bed and breakfast, dwelling units, residential- Same as R-3 Residential Zone (Dwelling, Multi-Unit).

2. For all other uses, Same as CC Central Commercial Zone.

(E) Building Setback Requirements:

1. For apartment houses, bed and breakfast, dwelling units, residential- Same as R-3 Residential Zone (Dwelling, Multi-Unit).

2. For all other uses, Same as CC Central Commercial Zone.

(F) Building Height Requirements: No building shall be erected to a height greater than thirty-five (35) feet, except a provided by the board of Adjustment.

(G) Building Size Requirements:

1. For apartment houses, bed and breakfast, dwelling units, residential- Same as R-3 Residential Zone (Dwelling, Multi-Unit).

2. For all other uses, Same as CC Central Commercial Zone.

(H) Special Provisions:
1. For apartment houses, bed and breakfast, dwelling units, residential- Same as R-3 Residential Zone (Dwelling, Multi-Unit).

2. For all other uses, Same as CC Central Commercial Zone.

(I) Supplementary Regulations:

1. For apartment houses, bed and breakfast, dwelling units, residential- Same as R-3 Residential Zone (Dwelling, Multi-Unit).

2. For all other uses, Same as CC Central Commercial Zone.

3. In compliance with Utah’s Medical Cannabis Act, the Mixed Use Zone is designated as primarily residential.


The following list itemizes the various uses permitted in each type of commercial and industrial zone. Uses designated as "P" are permitted in that zone and those designated "N" are not allowed in the zone. Refer to the Special Provisions and Supplementary Regulations section of each zone for use with an Asterisk. Zones included here are: Mixed Use (MU); Central Commercial (CC); Downtown Commercial (DC); Highway Service (HS); Industrial & Manufacturing-1 (I&M-1); and Industrial & Manufacturing-2 (I&M-2).

<table>
<thead>
<tr>
<th></th>
<th>MU</th>
<th>CC</th>
<th>DC</th>
<th>HS</th>
<th>I&amp;M-1</th>
<th>I&amp;M-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural products or supplies (except large machinery)</td>
<td>N</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Air conditioning sales &amp; service</td>
<td>N</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>N</td>
</tr>
<tr>
<td>Airports</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>N</td>
</tr>
<tr>
<td>Amusement enterprises (outdoor)</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>N</td>
</tr>
<tr>
<td>Amusement enterprises (indoor)</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
</tr>
<tr>
<td>Animal hospitals</td>
<td>MU</td>
<td>CC</td>
<td>DC</td>
<td>HS</td>
<td>I&amp;M -1</td>
<td>I&amp;M -2</td>
</tr>
<tr>
<td>------------------------</td>
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</tr>
<tr>
<td>Animals, under 20 head</td>
<td>N</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>P</td>
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<tr>
<td>Antique, import or souvenir shops</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
</tr>
<tr>
<td>Apartment houses</td>
<td>P*</td>
<td>P*</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
</tr>
<tr>
<td>Apparel altering &amp; repairing</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Appliance and/or electronic instruments assembly</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Appliance stores</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
</tr>
<tr>
<td>Arts and crafts shops</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Asphalt mixing plants</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>Assembly of appliances (from previously prepared parts)</td>
<td>N</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>N</td>
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<tr>
<td>Athletic &amp; sporting goods store, (excluding sales &amp; service of motor vehicles or motor boats)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
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<tr>
<td>Auction houses (except animals)</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>N</td>
</tr>
<tr>
<td>Auction houses (including animals)</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>N</td>
</tr>
<tr>
<td>Automobile parts sales (new parts only)</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Automobile rental (&lt;10,000 GVW) (See ‘Truck rental’ for vehicles over 10,000 GVW)</td>
<td>N</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>N</td>
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<tr>
<td>Automobile sales (used and new)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
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<tr>
<td>Automobile service station</td>
<td>N</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>

1The provision allowing under 20 head of animals in the I&M-I zone also contains an additional allowance for offspring. The offspring shall be allowed to remain on the property and not count against the 20 head. This allowance shall last for a reasonable time until the offspring are weaned, depending upon the breed of animal.
<table>
<thead>
<tr>
<th>Activity</th>
<th>MU</th>
<th>CC</th>
<th>DC</th>
<th>HS</th>
<th>I&amp;M -1</th>
<th>I&amp;M -2</th>
</tr>
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<tbody>
<tr>
<td>Automobile wrecking yards</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
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<tr>
<td>Bakeries, on-site retail only</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Bakeries, wholesale</td>
<td>N</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>N</td>
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<tr>
<td>Banks and other financial institutions</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
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<tr>
<td>Barber shops, beauty parlors</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Barns, stables, corrals</td>
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<td>N</td>
<td>N</td>
<td>N</td>
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<tr>
<td>Bed and breakfast</td>
<td>P*</td>
<td>P</td>
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<td>P</td>
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<tr>
<td>Beer parlors (on site consumption)</td>
<td>N</td>
<td>P</td>
<td>N</td>
<td>P</td>
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<tr>
<td>Bicycle sales and repair shops</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Boat sales and service (No manufacturing)</td>
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<td>N</td>
<td>P</td>
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<tr>
<td>Boat storage</td>
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<td>N</td>
<td>N</td>
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<td>P</td>
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<td>Book and stationary stores</td>
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<td>P</td>
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<td>Bowling alley</td>
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<td>Breweries/Winery &lt; 3000 S.F. production area</td>
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<td>P</td>
<td>N</td>
<td>P</td>
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<tr>
<td>Breweries/Winery &gt;3000 S.F. production area</td>
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<td>N</td>
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<td>N</td>
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<td>Broadcasting studios</td>
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<td>N</td>
<td>P</td>
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<tr>
<td>Building materials sales yards and storage bldgs. (Materials are customarily stored outside the main building on a year-around basis)</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Building supply stores (Materials are stored primarily inside the main building, including permanently attached, covered and fenced enclosures, with some seasonal sales items temporarily kept outside)</td>
<td>N</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>N</td>
</tr>
<tr>
<td>Activity</td>
<td>MU</td>
<td>CC</td>
<td>DC</td>
<td>HS</td>
<td>I&amp;M -1</td>
<td>I&amp;M-2</td>
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<td>-----------------------------------------------</td>
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</tr>
<tr>
<td>Bus terminal</td>
<td>N</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Business Park/research Campus</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Cabinet and woodwork shop</td>
<td>N</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Camera store</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Candy store, confectionery</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Cannabis Pharmacy</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N/P</td>
</tr>
<tr>
<td>Cannabis Production Establishment</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
</tr>
<tr>
<td>Caretaker’s dwelling (provided that the dwelling is incidental to the use of the land)</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Carwash</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
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<tr>
<td>Catering service (food)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
</tr>
<tr>
<td>Church</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Clinics, medical and dental</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Clothing and accessory store</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Clubs and fraternal societies</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
</tr>
<tr>
<td>Coal yards</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
</tr>
<tr>
<td>Cold storage plants</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Concrete mixing and batching plants</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>Construction equipment rental (heavy equipment)</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Convenience store, &lt;2,400 sq ft, w/fuel islands</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Convenience store/travel center, &lt;5,000 sq ft, w/fuel islands</td>
<td>N</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Correctional /intensive treatment facility</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>C</td>
<td>N</td>
</tr>
<tr>
<td>Craft &amp; hobby store</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
</tr>
</tbody>
</table>