

**CEDAR CITY  
ORDINANCE 0228-24-4**

**AN ORDINANCE AMENDING CEDAR CITY ORDINANCE 26-VIII-5 PERTAINING  
TO REQUIRING NOTICES FOR MASTER PLAN AMENDMENTS**

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

**WHEREAS**, the Cedar City's master plans were developed in compliance with Utah State Statute found in 10-9a-4; and

**WHEREAS**, the Cedar Council seeks to establish requirements to notify property owners that will be affected by proposed master plan infrastructure changes prior to the Council deciding to amend a master plan.

**NOW THEREFORE**, be it ordained by the City Council of the Cedar City, in the State of Utah, that ordinance 26-VIII-5 of Cedar City, Utah, is hereby amended to include the below underlined text and exclude all crossed out text:

**SECTION 1:**        **AMENDMENT** “Section 26-VIII-5 General Plan” of the Cedar City Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 26-VIII-5 General Plan

A. It shall be the function and duty of the Planning Commission to make, adopt, and certify to the City Council a General Plan for the physical development of the City, including other areas outside of its boundaries which in the Planning Commission's judgment bear relation to the planning of Cedar City. Where the plan involves territory outside of the boundaries of the City, action shall be taken with the concurrence of the county or other legislative body concerned. The General Plan shall show the Planning Commission's recommendations and may include, among other things, the general location, character and extent of streets, parkways, playgrounds, airports, and other public buildings and spaces and, the general location and extent of public utilities and terminals, whether publicly or privately owned; the acceptance, widening, removal, extension, relocations, narrowing, vacation, abandonment, or change of use of any of the foregoing; the general location, character, layout, and extent of community centers and neighborhood units; the extent and layout of the re-planning of blighted areas. The Planning Commission may from time to time amend, extend, or add to the General Plan or carry any part of subject matter into greater detail. In preparing the General Plan, the Planning Commission shall make careful and comprehensive surveys and studies of the existing conditions and probable future growth of Cedar City and its surrounding areas. The Plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the City in accordance with existing and future needs. The Planning Commission may make reports and recommendations relating to the Plan and development of the City to public officials and agencies, public utility companies, civic, educational, professional and other organizations, and citizens. In general, the Planning Commission shall have such powers as may be necessary to enable it to perform its functions and promote municipal planning.

B. Master Plan Amendments. Whenever an amendment is proposed regarding the City's master planned infrastructure, pursuant to these requirements. Any person seeking an amendment of a master planned map, the person shall submit to the Cedar City Engineering Department a written petition designating the change desired, the reasons therefor, and wherein the proposed amendment would further promote the objectives and purposes of the master plan for that infrastructure item, together with a fee of \$25.00. The Engineering Department shall in turn transmit the petition to the Planning Commission. Upon the receipt of the petition, the Planning Commission shall consider the request.

C. Any application for an amendment to a master plan must comply with the following notice requirements prior to Planning Commission consideration:

1. Fourteen (14) calendar days' notice by the Petitioner shall be given to all property owners of record directly affected by the proposed change. Said notice shall be sent by first-class mail by the Petitioner to said property owners with a certificate of mailing from the Postal Service, or hand-delivered to the property owners (certificate of hand-delivery to be filed with City Community Development Director) in accordance with the most current Iron County Assessment Roll. "Directly affected" shall mean

a. all property owners whose property will be required to contain or later install the master planned improvements if the proposed amendment occurs;

b. regarding water, sewer, and wastewater infrastructure only, all property owners whose property currently accesses the infrastructure proposed to be moved or who have submitted a completed land use or building permit application intending to access the infrastructure and the proposed change will disconnect, move, reroute, or restrict their current or filed proposed access to the City's system; and

c. all property owners within a 150-foot radius from the boundary of the proposed change.

## 2. Posting of Signs.

a. The posting of a sign(s) by the City on or adjacent to the property proposed to be redesignated in a master plan. The sign(s) shall be posted in a conspicuous place on or adjacent to the property proposed to be redesignated. Said sign(s) shall be visible from all abutting streets and must face every street surrounding the property or may be posted on the public right-of-way nearest the property.

b. Notwithstanding subsection (a), the sign(s) may be limited to one notice for each ¼ mile of linear feet on the adjacent roadway(s).

c. The sign(s) shall be at least 24 inches square and be labeled with 2-inch high letters reading "PROPOSED MASTER PLAN CHANGE NOTICE" with a method to receive detailed information below.

## 3. Limitation on Notices.

a. The notices under Subsection (C)(1)(c) shall not be required if the total number of properties under (C)(1)(a)-(b) exceeds 100 properties.

b. The notices under Subsection (C)(2) shall be limited to no more than ten(10) signs. Staff shall use its best judgment for the placement of the ten(10) signs.

## 4. The applicant shall pay an additional administration fee in the amount of \$25.00.

(D) The notices required under Subsection (C) shall be given by the applicant if a person seeks to amend a master plan and shall be given by the City if no person is seeking to amend a master plan.

(F) The Planning Commission shall call a public hearing before submitting recommendations to the City Council.

(G) Before recommending an amendment to a master plan, it must be shown that such amendment is reasonably necessary, is in the best interest of the public, and is in harmony with the objectives and purposes of this ordinance, the applicable master plans, and the City's general plan. Failure on the part of the Planning Commission to make recommendations within thirty (30) days shall be deemed to constitute a negative recommendation of such proposed amendment unless a longer period is granted by the City Council. The fee provided herein shall not be remitted.

(H) Waiting Period. A waiting period is hereby established beginning fourteen (14) days from the date the Planning Commission makes a recommendation on the petition. The City Council may not consider the proposed amendment until the waiting period has expired.

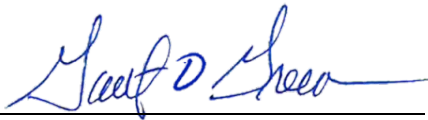
**Amended by Cedar City Ordinance No. 0612-13-3**

PASSED AND ADOPTED BY THE CEDAR CITY CITY COUNCIL FEBRUARY 28, 2024.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Phillips	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Melling	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Riddle	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Cox	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Wilkey	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

Presiding Officer

Attest



Garth O. Green, MAYOR, Cedar City



RENON SAVAGE, RECORDER,  
Cedar City

