

**MINUTES**  
**ENOCH CITY PLANNING COMMISSION**  
**October 11, 2016 at 5:30pm**  
**City Council Chambers**  
**City Offices, 900 E. Midvalley Road**

**MEMBERS PRESENT:**

Commissioner Paul Hardy  
Commissioner John Horstdaniel -absent  
Commissioner Josh Killian-absent  
Commissioner Debra Ley  
Commissioner Bob Tingey

**STAFF PRESENT:**

Julie Watson, City Recorder  
Rob Dotson, City Manager  
David Harris, Council Member

**PUBLIC PRESENT:** none

**1. CALL TO ORDER OF REGULAR MEETING-**By Chairman Tingey at 5:30pm. He excused Commissioner Horstdaniel and Commissioner Killian.

- a. **Pledge of Allegiance** –Led by Council Member Harris
- b. **Invocation** –Audience invited to participate. Given by Commissioner Hardy
- c. **Approval of agenda for October 11, 2016** –**Commissioner Hardy made a motion to approve the agenda. Motion seconded by Commissioner Ley and all voted in favor.**
- d. **Approval of minutes for September 27, 2016-Commissioner Ley made a motion to approve the minutes. Motion seconded by Commissioner Hardy and all voted in favor.** Chairman Tingey noted he was not at that meeting but voted on the minutes.
- e. **Conflict of Interest Declaration**-none stated

**2. DISCUSS REVISIONS TO M-R-2 ZONE**

Chairman Tingey turned the time to City Manager Dotson asking him about the wording regarding the definition of townhomes. City Manager Dotson explained ownership is of the property under the house but is “completely independent” from the other units with a shared common wall except for the yard surrounding the building. There can be two dwellings on a 22,000 sf lot. Council Member Harris clarified you own your unit but there is commonly owned property like the yard and the roof. Commissioner Ley asked what our relationship to an HOA is and was told there is none. The City does not enforce any HOA requirements or restrictions. Commissioner Ley had issues with the property being owned by an HOA. It was noted the owners each own 50% of the land and negotiate their own maintenance agreements between themselves. Chairman Tingey had issues with the word “independent”. City Manager Dotson said State code regulates these issues and how this is actually divided up. Council Member Harris said we are trying to describe what already exists. The only difference between town homes and twin homes is that town homes are one building containing two separate units. Council Member Harris said in the ordinance we are trying to say this is what it means. City Manager Dotson said from a bird’s eye view there is no space in between units although they can be off-set from each other.

Commissioner Ley said she sees no difference between town and twin homes. Each one owns their own house and the property is under the ownership of an HOA as the owner. Commissioner Ley said this essentially makes 11,000 sf lots referring to the density clause. Why not just go with 11,000 sf lots and create a new zone. Commissioner Ley expressed concerns that this is a way around the former referendum vote against smaller lots. She had concerns people

could buy up the units and rent them degrading the values. Chairman Tingey said a community has to have the option for rental units. This is more affordable housing.

Back to definitions, City Manager Dotson said the main point is to clarify that the density only allows for two dwellings per 22,000 sf lot. Commissioner Ley expressed the thought that perhaps we are being too wordy by listing all the things allowed or not allowed in the ordinance. Currently the ordinance states sheds or out buildings are allowed, as well as gardens and household pets. She thought churches and schools should be added to conditional uses for this zone. City Manager Dotson agreed saying because this is higher density we might not want a school or church in this zone. Commissioner Ley maintained she still thinks this zone is an attempt to go around the whole idea of the referendum vote to strike down smaller lots. This definition means ¼ acre lots, Commissioner Ley said, adding we are dancing around what was voted against at one time. City Manager Dotson said because an ordinance was rescinded at one time in the past does not mean it can never come back. That was then and this is now and the needs of the community may have changed. Commissioner Ley maintained she is saying we are not being out front because this is a way around the vote.

City Manager Dotson said this is an ordinance that was written horribly in the past and does not fit the current intention. In our current zone we have one dwelling on an 11,000 sf lot due to the way this is written but that is not the intent. We could present an R-1-11 zone but we need the political push to make it happen and it is a can of worms for some. City Manager Dotson said the current ordinance needs to be fixed and he is presenting several options. Commissioner Ley said anyway you shake it is 11,000 sf lots. City Manager Dotson said if someone wants to build a townhome on an 18,000 sf lot we say “no” and that creates the need for a different type of zone where that type of dwelling is allowed. That way townhomes are not mixed into other neighborhoods. The question is how do you want to do that? Council Member Harris said this was an option created for those who want to build duplexes or town/twin homes. There was more discussion of the duplexes in the Wagon Wheel Drive area and noted these are typically rentals. Commissioner Ley said that is high density to her. City Manager Dotson said it is not really the definition of high density. He said there was no definition for duplex. The challenge is to clarify the density referring to clause 14-5 where it says the density shall not exceed two dwellings per 22,000 sf. The current ordinance infers you could build two duplexes on a 22,000sf lot which is four dwelling units and that is not the intent.

There was more discussion of the clause “single family attached dwellings”. City Manager Dotson said we are clarifying that we mean two single family dwellings as one structure. The density shall not exceed one townhome, twin home or duplex on one 22,000 sf lot for the maximum density. City Manager Dotson said he scratched out “single family dwelling with a rental” in permitted uses because these types of homes do not lend themselves to renting out a portion of the single dwelling. Chairman Tingey agreed that listing all permitted uses makes it really wordy. City Manager Dotson said listing them is so people understand what they are allowed to do in any particular zone and don’t have to call to ask. Elderly and group housing can be allowed in other zones but restricted in this zone. There was brief discussion of group homes and the pending discussion of changes that need to be made to comply with State and federal laws. City Manager Dotson said after some discussion on troubled youth homes he struck it out for this zone because it can be allowed in other zones. The State regulates much of this and we don’t try to enforce because we don’t need to. We may take foster care out too and are still working on that. City Manager Dotson said we are working on the code changes and then it will come to the Planning Commission. Chairman Tingey asked if time is of the essence on MR-2 and City Manager Dotson said no. Commissioner Hardy said he would prefer to wait for the full Planning Commission to be here to discuss this before we set a public hearing or make a recommendation. City Manager Dotson said he would rewrite the MR-2 changes for the next meeting. No action was taken tonight.

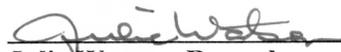
**3. PUBLIC COMMENTS**-none

**4. COMMISSION/STAFF REPORTS**

City Manager Dotson said after he writes up suggestions for changes on group homes he will bring it to the Planning Commission, probably on the next agenda. He showed the Old Spanish Trail sign and told about the BLM, Forest Service, Iron County and local municipalities working on getting signage along the Old Spanish Trail which includes Midvalley Road where nine signs will be placed. He gave extensive details of the plan noting a museum is in the plans.

Council Member Harris said they talked about group homes and the UDOT letter in City Council meeting.

**5. ADJOURN**-Motion to adjourn by Commissioner Hardy. Motion seconded by Commissioner Ley and all voted in favor. The meeting ended 6:45pm.

 10-25-16  
Julie Watson, Recorder                      Date