

MINUTES
ENOCH CITY PLANNING COMMISSION
February 13, 2024 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Chairman Leonard Correa
Commissioner Andy Losee
Commissioner Elliot Lake
Commissioner Delaine Finlay
Commissioner Bryce Poulson

STAFF PRESENT:

Rob Dotson, City Manager
Lindsay Hildebrand, City Recorder
Hayden White, Pub. Works Dir.
Council Member Katherine Ross

Public Present: Wade Wilcock, Dallas Buckner, and Todd & Jenny Welch

1. **CALL TO ORDER OF REGULAR MEETING**-By Chairman Correa
 - a. **Pledge of Allegiance** led by Hayden White
 - b. **Invocation (2 min.) –Audience invited to participate** – Given by Commissioner Lake
 - c. **Inspirational thought** – Given by Commissioner Lake
 - d. **Approval of agenda for February 13, 2024** - Lindsay Hildebrand gave Bryce Poulson the Oath of Office. Chairman Correa noted that the representative of item number 6 wanted to remove that item from the agenda.
Commissioner Finlay made a motion to approve the amended agenda. Commissioner Losee seconded and all voted in favor.
 - e. **Approval of minutes for January 23, 2024 – Commissioner Finlay made a motion to approve the minutes. Commissioner Lake seconded and all voted in favor.**
 - f. **Conflict of Interest Declaration** – There were none stated.

2. **PUBLIC COMMENTS**

Emily Woodland lives on Quarterhorse Lane. She explained that she was dealing with a property line issue. She had emailed Chairman Correa and talked with City Manager Dotson and didn't know what to do. She wondered if she could change the zone of her property, which was R-1-18, to R-1-11. This would be considered a "spot zone". The neighbor's garage was built over the property line. It had been there for 20 years. It was never permitted. The neighbors will not move it. She is trying to come up with a way to move forward. She needed to change the zone to R-1-11 to simply move a lot line. Chairman Correa asked what would be the square footage be. Right now, it's 115 on the street frontage. She thought she could drop it to 99 and then go straight back with it. The surveyor said it must be 10 feet off of the garage to go to the property to adhere to the setbacks. City Manager Dotson said it's a non-conforming building, meaning it wasn't built with a building permit. Because of that, it still has to comply with codes if there are any changes to the property or the building. 99-foot frontage is required on an R-1-18 lot. If she goes to R-1-11 then maybe she could go around this. Chairman Correa asked what the procedure would be? City Manager Dotson explained that an application with a zone change map would have to be submitted. He stated the process and noted that to rezone one lot, because it's in a platted subdivision, it would have to go through a plat amendment. It's a little different than a lot line adjustment. Although spot zoning is not illegal, it's still a practice that is not encouraged.

Commissioner Finlay asked why it isn't the neighbor's **responsibility to fix it, if they built it on land that wasn't theirs. City Manager Dotson said the other option is to file a trespassing with the court.** Commissioner Losee asked if she wanted to reduce the size of her lot and allow her neighbors to obtain more property. She said yes.

8. CONSIDER THE FINAL PLAT FOR DAIRY GLEN PHASE 2B AND MAKE A RECOMMENDATION TO THE CITY COUNCIL – Platt & Platt

Wade Wilcock was present and he said it's just time for the next phase. The next step is the Final Plat and the bonding. It came to the Planning Commission about a year and a half ago. City Manager Dotson said the Preliminary Plat was approved as one subdivision.

Commissioner Losee made a motion to send a favorable recommendation to the City Council to approve the Final Plat of Dairy Glen Ph. 2B. Commissioner Lake seconded and all voted in favor.

3. PUBLIC HEARING REGARDING AMENDING ENOCH CITY CODE 12.2400 SUBDIVISION

Commissioner Lake made a motion to close the regular Planning Commission meeting and open a public hearing for the amendment of Enoch City Code 12.2400 Subdivision. Commissioner Finlay seconded and all voted in favor.

Chairman Correa said this was part of the new state code for the subdivision process and we are trying to amend the code. City Manager Dotson said the state required that we move our subdivision application process to completely administrative. The Preliminary Plat is a general design, that goes through the Planning Commission and makes a recommendation to the City Council who approves or denies. The law states that in regards to subdivision if it meets all codes, the City Council can't deny it. It makes sense to make it administrative. The difference is in the new code, the City Council will never see a subdivision application again. The Planning Commission can if they choose to. They can set a public hearing and the public can speak, but if they follow the rules, they can't deny it. The entire process is lined out in state code. The state gave us money to hire a consulting company to help write our code. This is also for single and a duplex/townhome. Our building permit software is the same that we can use for development. We are currently building that software to fit our needs. City Manager Dotson created three web pages on the Enoch City website. They outline those subdivisions in the preliminary, design, and final phase. There is also an appeal process for the developer. If they don't like our process, they hire an engineer and we hire one and those two will hire a third engineer. Commissioner Lake asked why would a developer have a dispute. City Manager Dotson said once a developer gives us a complete application, the engineer has 15 days to review it. If the application wasn't reviewed in that timeline, and the application is denied, they can appeal.

There were no public comments.

Commissioner Finlay made a motion to close the public hearing and resume the regular meeting. Commissioner Lake seconded and all voted in favor.

4. CONSIDER AMENDING ENOCH CITY CODE 12.2400 SUBDIVISION AND MAKE A RECOMMENDATION TO THE CITY COUNCIL

Chairman Correa noted that he received corrections through email. Commissioner Finlay asked about lot size standards. In what situations are zoning regulations not in effect? City Manager Dotson replied that potentially, an annexation could come in without a zone. She then asked about design Standards on C. 5. What would be exceptions to curb and gutter? City Manager Dotson replied that R-1-11, R-1-18, and M-R-2 are all required to have a curb and gutter. Others are not required. If someone comes in for commercial, they have to put curb and

gutter in. Commissioner Finlay asked about the application process and requirements. How is this verified? With city engineer and ordinance? City Manager Dotson replied yes and explained. There was a conversation about requiring neighboring property owners' names and addresses on new subdivision plats. In the proposed code, 12.2400.2407 B. 2. d. it states that the names and addresses of all adjoining property owners are required on a plat. Chairman Correa asked if parcel numbers would be better for simplicity. City Manager Dotson said parcel numbers would be easiest because all you have to do is look up the parcel number on the County website. This would give you names and addresses. The engineer for the developer would have to find all of the names and addresses. Commissioner Finlay asked if switching this section from names and addresses to a parcel number would be easiest for the engineer. City Manager Dotson said yes. Dallas Buckner with Go Civil Engineering was present and said his hesitation with putting a parcel number on the plat map was that sometimes parcel numbers change. He looks at a name on the map as a snapshot in time from a vesting standpoint, so that if there is a boundary dispute related you can see when that ownership changed. If you have a parcel number, you won't know that. That is generally why they put names and addresses of neighboring property on the plat map. He recommended just using ownership names and not addresses.

Commissioner Finlay made a motion to send a favorable recommendation to the City Council to amend Enoch City Code 12.2400 Subdivision. The City Council can make adaptations to remove the addresses portion noted in Section 12.2400.2407 Application Process and Requirements number B. 2. d. Commissioner Lake seconded and all voted in favor.

5. CONSIDER THE PRELIMINARY PLAT FOR VALLEY GATE ESTATES, PH 2 AND MAKE A RECOMMENDATION TO THE CITY COUNCIL – Go Civil Engineering

Dallas Buckner with Go Civil Engineering was present. He noted that this was across the street from the City Offices. They prepared a master plan with drainage. This is an additional 52 lots where they will extend Half Mile a little further to the north.

Commissioner Losee made a motion to send a favorable recommendation to the City Council regarding Valley Gate Estates Ph2. Commissioner Finlay seconded and all voted in favor.

7. CONSIDER A ZONE CHANGE REQUEST FOR PROPERTY OWNED BY POWER DRIVEN NATION LLC PARCELS #A-1006-0000-0000 AND #A-1009-0000-0000 FROM RESEARCH INDUSTRIAL PARK (R/IP) TO SINGLE-FAMILY RESIDENTIAL (R-1-11) AND SET A PUBLIC HEARING FOR FEBRUARY 27, 2024 – Power Driven Nation LLC

Todd Welch with Power Driven Nation was present. Chairman Correa asked if this property would tie in with Dairy Glen to the south. City Manager Dotson showed the property on the map. This property is further north. Commissioner Finlay said it seems ok, but that is zoned as industrial and the section north of that is too. How does that fit in with the General Plan? City Manager Dotson said the entire northern part will stay industrial. The area to the east of the property is zoned commercial. Chairman Correa said knowing what other zones are south of this property, he is ok with it.

Commissioner Correa made a motion to set a public hearing for February 27, 2024 regarding a zone change request for property owned by Power Driven Nation LLC from Research Industrial (R/IP) to Single-Family Residential (R-1-11). Commissioner Losee seconded and all voted in favor.

9. CONSIDER A ZONE CHANGE REQUEST FOR PROPERTY OWNED BY MJB ENOCH LLC PARCELS #A-0828-0010-0000 AND #A-0828-0011-0000 FROM M-R-2 TO SINGLE-FAMILY RESIDENTIAL (R-1-11) AND SET A PUBLIC HEARING FOR FEBRUARY 27, 2024 – Platt & Platt

City Manager Dotson said over the years this property has changed zones about four times. The property just north is under construction. He explained that the zone M-R-2 is two residential units for 22,000 square feet.

Commissioner Lake made a motion to set a public hearing for February 27, 2024 regarding a zone change request for property owned by MJB Enoch LLC from Multiple-Residential M-R-2 to Single-Family Residential (R-1-11). Commissioner Poulson seconded and all voted in favor.

10. COMMISSION/STAFF REPORTS

Hayden White

- The Public Works Department has been working with contractors and will have a few shut-downs to tie in with Aspen Acres.
- They had some power issues with their flow station.
- They have been pothole patching
- They are getting ready for next week's storm. Our drainage is at 103% of normal already.

Council Member Ross

- In City Council they had the R-1-11 zone change request by the Penningtons and they decided to change the zone. She thanked the Planning Commission because it opened up a lot of discussion about where we are going as a city.
- We are also working on getting a chipper to help with roads and share it with Parowan.
- She noted that the minutes needed to be amended. The word Fischer was misspelled.

City Manager Dotson

- We haven't scheduled a training when it comes to land use. He asked what they were interested in learning. We need open public training. This body should start considering doing another General Plan Update.

Chairman Correa

- He got called back to testify on a 1996 cold case he worked on.

Commissioner Losee

- He will be working on the upcoming Tball season.

Commissioner Finlay

- She noted that she liked the idea of doing some training.

11. ADJOURN - Chairman Correa made a motion to adjourn. Commissioner Losee seconded and all voted in favor.



Lindsay Hildebrand, City Recorder **2/27/2024**
Date