

MINUTES
ENOCH CITY PLANNING COMMISSION
September 9, 2020 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Commissioner Paul Hardy
Commissioner Greg Peterson-absent
Commissioner Andrew Meacham
Commissioner Debra Ley
Commissioner Bob Tingey

STAFF PRESENT:

Rob Dotson, City Manager
Katherine Ross, CC Member
Julie Watson, City Recorder

PUBLIC PRESENT: Steve Woolsey, Derek Nelson, Leonard Correa, Arlo Fawson, Hayden White, Jay Gutkowski and Tim Watson

1. **CALL TO ORDER OF REGULAR MEETING-**By Chairman Tingey at 5:30 pm.
 - a. **Pledge of Allegiance** –Led by Derek Nelson
 - b. **Invocation** –Audience invited to participate. Given by City Manager Dotson
 - c. **Inspirational thought**-Given by Commissioner Meacham
 - c. **Approval of agenda for September 8, 2020-Commissioner Hardy made a motion to approve the agenda. Motion was seconded by Commissioner Meacham and all voted in favor.**
 - d. **Approval of minutes for August 25, 2020-Commissioner Meacham made a motion to approve the minutes. Motion was seconded by Commissioner Hardy and all voted in favor.**
 - e. **Conflict of Interest Declaration**-none stated

2. **PUBLIC HEARING REGARDING AMENDING THE ENOCH CITY ZONING ORDINANCE REFERRING TO THE SIZE OF ACCESSORY BUILDINGS**-The Planning Commission will hear comments from the public regarding the size of accessory buildings in residential zones.

Commissioner Meacham a made motion to close the regular meeting and open the public hearing on accessory buildings. Motion was seconded by Commissioner Ley and all voted in favor.

Chairman Tingey invited comments.

Leonard Correa said as he mentioned at the last meeting this can get out of hand if you do 10% of the whole lot instead of 25% of the backyard. If he had to look out and see a big building he would not care for it. Set-backs could come into play and depending on size of the building a neighbor may not be happy. Changing the set-backs may help. The set-backs are ten feet now. Listening to this and the fence issues there may be a need for a code enforcement officer to go out to look for things. Leonard said looking at 10% of his own backyard he would be able to put in a 1600 SF building. Would it be fair to his neighbors? He said he would not feel good about doing that.

There were no other comments.

Commissioner Hardy made a motion to close the public hearing and go back to the regular meeting. Motion was seconded by Commissioner Meacham and all voted in favor.

3. **RECOMMENDATION TO THE CITY COUNCIL ON ACCESSORY BUILDINGS IN RESIDENTIAL ZONES**-The Planning Commission will recommend to the City

Council on standardizing the Zoning Ordinance referring to the area of a lot that an accessory building can occupy in residential zones.

Chairman Tingey asked if there were other thoughts. Commissioner Meacham said there was a great point made. If someone wanted a large workshop, is restricting that the right thing to do. You can't fill the whole backyard but the more he thinks about it 10% of the whole lot is a fair size compared to 25% we have currently. Commissioner Ley thought the height of the building is more of a problem because two stories would be allowed. She does not see what else we could do but it can't be higher than two stories. A lot of people moved here for the freedom to use their land as they see fit and until you infringe on the neighbors that is the fine line for the recommendation. Personally 10% of the whole lot seems fair she said. That works out for smaller backyards as well in the R-1-11 zone. This is taking the size of the whole lot into consideration. Chairman Tingey said it has to be a compromise and he thinks this is a good compromise. All agreed 25% was too much.

Commissioner Meacham made a motion to send a favorable recommendation to the City Council on the amending the Zoning Ordinance to state accessory buildings in residential zones can cover 10% of the total lot except for zones R-R 1, R-R-2 and R-R-5 where it can be 20% of the total lot. The motion was seconded by Commissioner Ley and all voted in favor.

- 4. MINOR SUBDIVISION FOR JAMES THELIN, GROWING INWARD, LLC-**The Planning Commission will review the application for a minor subdivision submitted by Growing Inward, LLC and make a recommendation to the City Council.

Steve Woolsey came up to represent the owner, Growing Inward, LLC, to propose a minor subdivision. He said it is a bit over two acres and it sits between some phases in The Ridge but is not in The Ridge Subdivision. It is accessed from Cedarberry Lane. They own the lane that goes into these four parcels. In the future they plan to develop it. The roadway as shown is part of parcel 1, the NW parcel. The landowner wants to keep control of the roadway and so it will be a private access easement but a public utilities easement is in the roadway. Easements are on both sides of the road. The road is private unless something changes. That is the only access to the property. The two parcels on Cedarberry Lane are not part of The Ridge either. They are vacant lots and are not in this minor subdivision or The Ridge. There is an existing 15 foot utility easement. Commissioner Ley asked about drainage and was told it has nothing to do with this now. When they get ready to build then that will come into play. Steve said the land owner contacted the Fire Marshal and because it is a private road it is not subject to size requirements for emergency vehicles. City Manager Dotson said if they dedicate the road to the City they would have to take care of that. Chairman Tingey asked if there is any reason not to approve this. It meets all requirements.

Commissioner Meacham made a motion to send a favorable recommendation to the City Council for a Minor Subdivision for Growing Inward, LLC. The motion was seconded by Commissioner Ley and all voted in favor.

- 5. PRELIMINARY PLAT OF SUNVIEW ESTATES, PHASE 1-**Go Civil Engineering will present the preliminary plat of the Sunview Subdivision, Phase 1 and the Planning Commission will make a recommendation to the City Council.

Arlo Fawson with Go Civil Engineering came up to present the preliminary plat for Sunview Estates. It has been brought to current City standards and the first phase will allow what was originally designed for Phase 1. That is all R-1-18 lots. Chairman Tingey said they just need a recommendation to the City Council as it all complies This started in 2007 or so. The previous owner abandoned the project when the housing economy crashed. It fits our Subdivision Ordinance now so there is no reason not to move ahead with it.

Commissioner Meacham made a motion to send a favorable recommendation to the City Council for the preliminary plat of Sunview Estates Phase 1. The motion was seconded by Commissioner Hardy and all voted in favor.

- 6. ZONE CHANGE FOR A PORTION OF SUNVIEW ESTATES FROM SINGLE FAMILY RESIDENTIAL (R-1-18) TO MULTIPLE RESIDENTIAL (M-R-2) AND SET A PUBLIC HEARING FOR SEPTEMBER 22, 2020-**Go Civil Engineering will present the application for a zone change for a portion of the Sunview Estates and the Planning Commission will set a public hearing.

Arlo Fawson came back to represent the owner on the zone change. He said the idea for this is instead of doing all single family lots like Phase 1 they want to rezone to M-R-2 to have 22,000 SF lots with two doors per lot such as duplexes or townhomes. They may also mix in some single family homes. This gives them options with the power lines they have to deal with crossing over this area. This is 15 acres being rezoned. The change will allow for flexibility for roads and a mix of home styles. This is right by the Red Hills Baptist Church. Chairman Tingey asked for comments.

Commissioner Ley said she sees impact on the roads again. She asked about that and the issues by Maverik and getting out. City Manager Dotson said this is being considered in our Master Transportation Plan. Water and traffic are the issues. We have got to have more wells, Commissioner Ley said and City Manager Dotson agreed. Chairman Tingey said this kind of housing is good for the community and it builds a buffer from the main road into the subdivisions. It would be a transition area and it helps with a little higher density housing needs. Arlo said it allows for creativity with the subdivision with the mix of home styles. The power lines are an issue for them. City Manager Dotson said others have asked for variances due to the overhead high tension power lines. At no fault of their own they bought the property and there are set backs that are different to accommodate the clearances for the power lines required by Rocky Mountain Power. With this zone change to M-R-2 they can make it work.

Commissioner Hardy made a motion to set a public hearing on the zone change for 9-22-20. Commissioner Meacham seconded the motion and all voted in favor.

- 7. ENOCH ZONING ORDINANCE, CHAPTER 2. REGARDING FENCE HEIGHTS AND SET A PUBLIC HEARING FOR SEPTEMBER 22, 2020-**The Planning Commission will discuss fencing and set a public hearing.

City Manager Dotson showed some examples of other fencing options. He said he is glad we have a couple of engineers here. We are considering revising the ordinance because of issues with home placements. We had an issue with corner lots and changed the ordinance for that. According to code you can build a six foot fence from the side of your house to the backyard. That doesn't work for some home placements where the backyard is actually the side yard. He explained again about the two owners who built the fence together and that it does not fit the code due to the placement of one of the homes. We are talking about if the Code needs to be changed to accommodate these different situations and add in some common sense. Fence height was regulated for traffic view. How do we make this legal for what they have done and for others that will come in the future. Commissioner Meacham brought up an idea. There was more brief discussion about other ideas and information just presented as options. Due to the need to consider the new information the Planning Commission decided to table this item for more study and clarified wording and bring it back on the next agenda. No action was taken.

Commissioner Ley motioned to table this fence item until 9-22-20. Commissioner Hardy seconded the motion and all voted in favor.

8. ZONING ORDINANCE, CHAPTER 11, PLANNED UNIT DEVELOPMENTS-City Engineer, Tim Watson will advise the Planning Commission on PUD's.

Tim Watson, City Engineer came up to talk about PUD's. He asked for questions. Chairman Tingey asked what the advantages are to our community to have this type of housing. Tim said it is good to have a variety of different options for developers to come in and bring up the tax base. Private developments are not the same as everywhere else. This acts as a buffer. Commissioner Ley said she thinks that is the opposite. Tim said this can be a way to create a place for great starter homes such as the townhomes and twin homes we are seeing a lot of around here lately. If Enoch does not want to be considered a starter community, then there is no benefit. Commissioner Ley said we were a starter community since our beginning here. Enoch was the very definition of affordable housing. That is not so much the case now. Prices are all over the place and we have a good mix. Even with smaller lots they can have expensive homes on them. Tim said one other advantage is increased density with townhomes or multi-family and SFR mixed in. Tim said again in some areas of town you may not want this. Tim suggested it works well to create a buffer like commercial zones with PUD's next to them. It allows for variety. Also it allows a developer to do things and not put the burden on the City. They may maintain their own streets. Sewer and water can be dealt with as private or City controlled. It is maintained by an HOA. The disadvantage is the City doesn't own it although the City will get the phone calls and complaints. He added this may not be part of the vision of the City that you want. We may not like the look of identical boxes next to each other and they sometimes look like that.

Commissioner Ley said we have to dictate that within our code for how we see it. What we have to work out are the requirements for this zone. Tim said he would not dictate too much. It is how the City wants to enforce the requirements. City Manager Dotson said you can have a PUD and we have nothing to do with it. Chairman Tingey said that is a liability. Tim said there are areas that have larger lots and homes that are expensive. That is what the developer wants. Commissioner Ley said originally it was planned for urban areas. Now we are talking about enlarging what a PUD looks like. These are meant for larger metro areas. Tim went back to the advantages saying there are times it opens interest to developers. If higher density is allowed they will make parks with the open space but the amenities are only for residents. If we don't put that in they can do what they want. We have to set parameters Commissioner Ley said.

Tim said it can go back to the underlying zone requirements. The whole acreage meets the same density but can be bunched together to create more open space. City Manager Dotson said the difference between the cluster overlay is they are required to do that and do it in smaller lots with more open space. They can't build multi-family housing and this PUD zone is for that. PUD's and cluster developments can't be in the same zone. Tim said we would want to clarify that. We could allow PUD's but default to underlying property zone requirements. Commissioner Ley said the HOA's she checked on have tough CC&Rs and they are very detailed. She is looking at having more people but under stricter control. They would chose that and like it that way. The CC&R's control the aesthetics. Monthly fees take the burden off the City. Chairman Tingey said it adds a potential burden on the City if they fail. Tim said to consider if it fails, is the City willing to take over. Then it is a political issue. Chairman Tingey said we don't want adversarial situations between the City and the community. Tim said it comes down to if they want to allow things like this in the City. Tim asked Commissioner Ley what she is worried about. She said people moved here for the more rural atmosphere and not this type of regulation. If you buy in you know what you are getting into. Part is how it is governed, Tim said. Commissioner Ley said it looks like we are allowing a group to come in and be their own little sovereign community. Chairman Tingey thanked Tim. He said he will come back if needed.

Commissioner Meacham said it boils down to the vision for the community and creating different situations. HOA's are not 100%. In The Ridge it is a real hard deal to get people to comply. Some don't even know there are CC&R's. Chairman Tingey said he admits the way Tim

presented the pros and cons there are good pros and some potential cons too. He is not too excited about 10 pages of rules and we need to protect Enoch City. Also deciding where they can go may be the first decision. Chairman Tingey said it comes down to do the benefits outweigh the negatives. That is the question; do we even need this with what we already have in M-R-2. Maybe we could tweak what we have. Chairman Tingey said this is a monster. Tim gave us food for thought. Let's think about it for next time. Commissioner Meacham said in the near future, envisioning what we see for Enoch, the question is does this work and do we need it. City Manager Dotson suggested they all read the General Plan in next two weeks and the handout he gave them as an example. On their own, they could each be thinking about what it should look like. Maybe open it up to more creative options or less creativity. Their role as the Planning Commission is to look at General Plan and what the ordinances say and promote what they think Enoch needs to do. Commissioner Meacham said there is a big PUD going in by Loves. That is really close to Enoch. City Manager Dotson said one common denominator in PUD's is they don't have through streets. They are their own area. You don't go there unless you live there so that is a huge feature of a PUD. It is not place to go to get to somewhere else. Chairman Tingey said read these things and think about it and we will talk about it again in the next meeting.

9. PUBLIC COMMENTS-

Leonard Correa said about PUD's he looked at Crescent Hills and that is a combination of homes and yards that break that up. That is more like a community and is part of the community instead of being apart from the community but is still affordable. You can control that. Do you want things that look like army barracks or nice homes? The PUD behind the hospital is nice but one person came in and bought ten units to rent them out. Having a requirement for this to be owner occupied might be an issue to consider. It affects others in there when rentals are allowed. He said M-R-2 is a good way to do it for a mix and is part of the community and not a separate entity like a PUD can be. That is important. Instead of worrying about this maybe look at what we already have in place to allow for this concept like the M-R-2 zone and maybe not allow PUD's. *Chairman Tingey thanked him for coming to meetings and adding to the discussion.*

10. COMMISSION/STAFF REPORTS

Council Member Ross said the "Wreaths Across America" meeting is on the 24th at 6:00 PM. She asked for some to join the committee. The DAR ladies are really enthused and it is fun. Chairman Tingey said he would be out of town but would be on the committee again.

City Manager Dotson said tonight at 7:30 we are meeting with an engineering firm on the Impact Fees Facilities request for proposals. We are interviewing tonight and tomorrow and another night. Also if they read in the Iron County Today there was an article about the Transportation Master Plan that tells about planning for the future. Avenue Consultants was hired to do the study. Iron Mtn. Phase 6 is putting in infrastructure then they will start building. It depends on the weather. 4200 N. was delayed due to cold weather today but maybe next week we can do it. Every meeting Commissioner Ley brings up water. Little Eden well is pumping 500 GPM and we will hook that irrigation well to the school and church and that will take 4.7 million gallons per month off of the culinary system. We are finishing the agreement for a well purchase adding 900 GPM to the system. People water too much also and we are pushing education about that. We will gain 1.5 million gallons per minute with using the irrigation well for the big users. Willowstick will be hired to do some surveying to look for other places to drill. The roads are being improved thanks to Hayden White, our new Public Works Director. Commissioner Meacham asked about Green Acres Circle being paved and City Manager Dotson said it has to have 2/3 ownership before we will pave the road and it is not there yet.

Chairman Tingey said he will be out of town for the next meeting on 9-22-20 but would like to participate so we will set it up on Zoom so he can do that.

Commissioner Ley asked about the election. Julie explained the ballots will be mailed out on October 13th and there will be early voting here at the office because this is a presidential election.

11. ADJOURN-Commissioner Ley made a motion to adjourn. Motion was seconded by Commissioner Meacham and all voted in favor. The meeting ended at 7:10 PM.

Julie Watson 10-13-20
Julie Watson, Recorder Date