

MINUTES
ENOCH CITY PLANNING COMMISSION
December 11, 2018 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Commissioner Paul Hardy
Commissioner Greg Peterson
Commissioner Josh Killian
Commissioner Debra Ley
Commissioner Bob Tingey

STAFF PRESENT:

Rob Dotson, City Mgr.
David Harris, Council Member
Julie Watson, City Recorder

PUBLIC PRESENT: Jay Adams

1. **CALL TO ORDER OF REGULAR MEETING**-By Chairman Tingey at 5:30pm.
 - a. **Pledge of Allegiance** –Led by Julie Watson
 - b. **Invocation** –Audience invited to participate. Given by City Manager Dotson
 - c. **Inspirational thought**-Given by Commissioner Ley
 - c. **Approval of agenda for December 11, 2018**-Commissioner Hardy made a motion the approve the agenda. Motion was seconded by Commissioner Peterson and all voted in favor.
 - d. **Approval of minutes for November 27, 2018**-Commissioner Ley 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 ON THE ENOCH SUBDIVISION ORDINANCE, CHAPTER 8. STANDARDS, REGARDING REQUIREMENTS FOR CURB, GUTTER AND SIDEWALKS IN NEW SUBDIVISIONS**

Commissioner Ley made a motion to close the regular meeting and go into the public hearing on the Enoch City Subdivision Ordinance, Chapter 8 regarding requirements for curb, gutter and sidewalks in new subdivisions. The motion was seconded by Commissioner Peterson and all voted in favor.

There were no comments.

Commissioner Peterson made a motion to close the public hearing and return to the regular meeting. Motion was seconded by Commissioner Ley and all voted in favor.

3. **DISCUSS THE ENOCH SUBDIVISION ORDINANCE, CHAPTER 8. STANDARDS, REGARDING REQUIREMENTS FOR CURB, GUTTER AND SIDEWALKS IN NEW SUBDIVISIONS**

Commissioner Ley referred to the additions in the wording of item #3-e. regarding “may” and “shall” in reference to road widths. She said she wants it to stay that way. Chairman Tingey asked City Manager Dotson to shed some light on that. City Manager Dotson said Enoch does not require curb, gutter and sidewalks in any subdivision. Putting sidewalks in later has proved problematic. Some developers have wanted to defer installing sidewalks so they would not get broken during construction and then they never go back to complete the sidewalks. How to solve this issue when a subdivision comes in is to require that they install all that before their bond

is released and most are doing that now. Cedar City requires it in every subdivision. It is about roads and drainage. Borrow ditches moves storm water uncontrolled and are more difficult to maintain. Curb and gutter is easy to take care of we can calculate how much water it will carry. It is very simple to maintain a drainage system like that. If we propose this as part of our road standard than it simplifies the whole process. If you build a 55 foot road, curb and gutter is vital and required. It is in our standards. This is not a collector or major street. It is just a neighborhood street. A 66 foot road is easier for maintaining a borrow ditch. We can maintain it so we used the word "shall". "May" is a choice and "shall" is required. Also parking on 66 foot wide road is better with curb and gutter. Commissioner Ley asked about Heather Hue which is a collector road. She thought "may" would have been better there where it meets Hwy. 91. She thought the developer would be required to build a road clear through on property that was not his and that is why she did not think it should be required. That is not the case, City Manager Dotson said. Developers have to obtain easements and develop them through other property if that is what it takes to move storm water effectively and safely from his property without flooding others. Commissioner Ley agreed with "shall" based on that. The Planning Commission was in agreement on "shall" on 66 foot roads in place of "may". It was noted there are pros and cons to both and consequences to both. Council Member Harris said if it messes things up we will change it and the City Council may debate this wording too. Council Member Harris said drainage is an issue now and this is part of that solution.

4. MAKE A RECOMMENDATION TO THE CITY COUNCIL ON ORDINANCE NO. 2018-12-19 REGARDING ABOVE

Commissioner Ley made a motion to send a favorable recommendation to the City Council on the ordinance No. 2018-12-19, an ordinance amending the Enoch City Subdivision Ordinance, Chapter 8. Standards, with the change to make the wording "shall" in both places instead of "may". Commissioner Hardy seconded the motion and all voted in favor.

5. DISCUSS ROLLO MINOR LOT SUBDIVISION AND MAKE A RECOMMENDATION TO THE CITY COUNCIL

Chairman Tingey asked Jay Adams to come up and tell them about this. He showed a larger plat map and there was a discussion of the access and the easements to get into the area. City Manager Dotson gave the story that this was subdivided back in 2002 and the deeds were created and recorded by Iron County but it never went through our City process. A realtor came in and said the owners want to sell it for development. We discovered that the minor lot subdivision had not gone through the City process. This is a correction to that error. Our City Engineer has been through this plat and has required some changes to be made to make it correct so the administrative part is completed and all is in order. Jay Adams did good work to get the information on who owns the gap at the end of the existing roads. It is owned by Joe Burgess, the original developer of the subdivision that meets up with this land. Originally it wasn't identified on the plat but is there now. Jay said it should be deeded to Enoch City so the roads can go through. They will have to figure that out when they develop after the sale. We are making this into two lots by our procedure. When approved it is two lots and one can be sold to developers. Jay showed the deeds from 2002. Tim Watson gave direction, things were corrected and he is going to sign off.

Commissioner Killian made a motion to send a favorable recommendation to the City Council to approve the Rollo Minor Lot Subdivision. The motion was seconded by Commissioner Ley and all voted in favor.

6. PUBLIC COMMENTS-none

7. COMMISSION/STAFF REPORTS

Council Member Harris said we had a short City Council meeting last time. The next meeting will be for these two recommendations from the Planning Commission and then we go to the Christmas party at Enoch Elementary at about 6:30. Park and enter on the west side.

City Manager Dotson reported the State legislature is getting ready to meet next month. There are a lot of issues on the table, one concerning moderate income housing laws that are being put together. Affordable and attainable housing are two different things. If you can afford it you can get it but for low income individuals there is far too little housing available. This is most likely being pushed by the Homebuilders Association. There are many reasons why people can't get into homes. Affordable homes are not being built and rentals are scarce. The Legislature is saying to municipalities "make it work" so people can live in homes and there are rentals available. We can and do regulate land use and charge fees for services we provide. The Legislature is saying you are planning wrong. More elements need to be added. We just did that with creating the R-1-11 zone and allowing accessory dwellings. We already have the M-R-2 zone for multi-unit dwellings. The only thing we don't have is a zone for apartments. That type of housing needs to be near transportation which is not readily available in most of Enoch. They would like us to reduce our fees and find ways to do that which reduces services. City Manager Dotson said he completed the moderate income housing report as required.

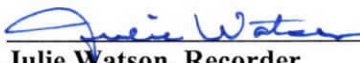
Commissioner Killian asked what happens if a city does not do this. City Manager Dotson said there is transportation funding we can have access to but they will withhold that if they don't like our plan. Commissioner Killian asked for an example of what it would be used for. City Manager Dotson said we have not ever used those funds so he does not know. Enoch is in a dilemma. Our median household income is higher than Cedar City's at \$55,000 per year and that is a bad thing for us. Economics is driving this but the Legislature is saying, "cities it is your fault". Commissioner Killian cited a story on the news about an appeal for low income housing that completely ignored Economics 101. A median priced house is \$213,000 to \$215,000 average. The average household can only support a home priced at \$195,000 and the average is above that. We charge about \$10,000 for impact, connection fees and a building permit. That is less than 5% but some say we are charging too much. They are asking what Enoch City is doing to provide for low and moderate income housing. The Board of Realtors says that the home prices account for people coming from CA and other areas, getting huge prices for their homes and paying cash here which is driving home prices up. Local wages can't support that cost. City Manager Dotson said the point is some want the Planning Commissions and City Councils to look at ways we can help and at the same time they are putting legislation into place that would hurt us on obtaining the transportation funding.

The main problem is on the Wasatch front and the Legislature is making it a statewide program for everyone including rural areas where the problem is not that bad. City Manager Dotson said we are meeting with our local elected representatives tomorrow. Senate Majority Leader Evan Vickers will be there and he understands our dilemma having served this rural area for many years. Our ULCT representative will be there to help argue our side of this for rural areas that don't have the problem. We need to have policies that are beneficial for residents and we can't force builders to build for low income. If we charge someone else less, such as waiving impact fees, then we have to charge others more. We have fixed costs. Our fees are based on studies and are in our code. Commissioner Killian asked regarding the transportation fund, what it would be earmarked for if we were to apply. City Manager Dotson said we have never applied so he did not know what it could be used for. It is a compliance punishment. Commissioner Killian clarified in reality we are not getting punished because we have not used the funds before so things will stay the same even if we do no more about this than we have already done.

Commissioner Ley said you can't force developers to build small affordable homes. They are in it for the money. City Manager Dotson said we could do "deed restrictions" meaning

you can restrict the size of a house and how it is built. There was a brief discussion of the "self-help" homes and the quasi private Cedar City Housing Authority program through the USDA. Chairman Tingey clarified saying if he heard it right the State deems a \$55,000 median income is able to afford a \$195,000 house. Council Member Harris said in Iron County they can afford \$195,000 house. The question was asked is that by definition "moderate housing". Council Member Harris said there are other factors involved. Moderate is 30% of what 80% of residents in Enoch can afford. They take 1/3 of their income and allocate that to housing costs and consider it affordable. We are talking about Iron County moderate income and that is lower than Enoch. City Manager Dotson said that is the frustration municipalities have with the Legislature. The County has to do its own planning with housing. Do we want to help solve the problem? We would have to create a zone for apartments. We do have a zone for PUDs (Planned Unit Development) but no one is building those. We just allow it to be rezoned for that if a developer wants to build that. City Manager Dotson said we have done most of what was on the last list of requirements. Chairman Tingey said the numbers don't make sense. City Manager Dotson said their goal is to get us to reduce our fees. The Legislature is trying to solve an issue they don't have control over, known as the free market. Another issue that impacts development is water or the lack of it. City Manager Dotson said our Subdivision Ordinance is faulty and in reality this body should never see a subdivision preliminary plat. That is all administrative and we will look at changing that next year. Administrative processes cover all requirements in advance and bringing it to the Planning Commission and City Council is a redundant waste of time for all. We should not have to approve our own rules when administration does that already. Commissioner Hardy said he read that Iron County has the highest growth rate in the State per population.

8. ADJOURN-Motion to adjourn by Commissioner Hardy. Motion seconded by Commissioner Killian and all voted in favor. The meeting ended at 6:30pm.

 1-8-19
Julie Watson, Recorder Date