

MINUTES
ENOCH CITY PLANNING COMMISSION
July 14, 2020 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Commissioner Paul Hardy
Commissioner Greg Peterson
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: Dan Roberts, Derek Nelson and Dan Kelley

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 Commissioner Meacham
 - c. **Inspirational thought**-Given by Council Member Hardy
 - c. **Approval of agenda for July 14, 2020**-Commissioner Ley made a motion to approve the agenda. Motion was seconded by Commissioner Peterson and all voted in favor.
 - d. **Approval of minutes for June 23, 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. **DISCUSS AND SET A PUBLIC HEARING FOR JULY 28, 2020 ON ZONE CHANGE FOR WILLOW GLEN INN PROPERTY FROM NEIGHBORHOOD COMMERCIAL (N-C) TO COMMUNITY COMMERCIAL (C-C)**

Dan Roberts came up to represent Don and Linda Kelley, the owners of Willow Glen Inn. They want to change the zone from Neighborhood Commercial (N-C) to Community Commercial (C-C). There are three parcels of land included in the zone change. The property is located on Bulldog Road bordering Hawthorne Subdivision and Dave Hatch's property on the east. They want to rezone and are compliant with all requirements. City Manager Dotson said when this was originally annexed into Enoch it was zoned N-C and that allows for B & B's and that type of businesses. When we revamped the commercial zoning and what was permitted in each zone we changed it so in N-C, hotel motel type businesses were no longer permitted in that zone. The idea is to change this to what it should be for what they are doing. It is for sale and they want to be compliant with the correct zoning to market it that way. City Manager Dotson said the issue of the rezoning of this was grandfathered but the entire property was not included in the N-C zone. Now they want all three parcels zoned to C-C so it is compliant with current requirements and is allowed to operate as a B & B, restaurant etc. If someone wants to buy the property and make any changes the grandfathering would be nullified because the current zone, N-C would not allow for adding on anything else to the business. The new owners may want to expand the business and in C-C they would be allowed to do that. Changing it to C-C makes it conform to current standards. Chairman Tingey asked for a motion to set the public hearing.

Commissioner Hardy made motion to set a public hearing for July 28, 2020 for the zone change for the Willow Glen Inn three parcels from Neighborhood Commercial (N-C)

to Community Commercial (C-C). The motion was seconded by Commissioner Meacham and all voted in favor.

3. DISCUSS ZONING ORDINANCE, CHAPTER 11. PLANNED UNIT DEVELOPMENT (PUD)

Chairman Tingey asked City Manager Dotson to tell them about Chapter 11, Planned Unit Development or PUD. City Manager Dotson said our current ordinance is very general including Section 11-3 that says this is allowed in all areas. There are no minimum lot sizes. It is very loose and can be interpreted in a way that a developer can do anything they want to. There was brief discussion of existing PUD's in Cedar City and other towns. The basic concept is smaller lots with open space and where the density could be concentrated in a smaller area. This concept could be a good idea if it is allowed near commercial areas for walkability and is located by connector roads for transportation. This can be created as a gated community if a developer wanted to do that. This is like the cluster overlay however our code does not have specific requirements. The idea is that it is overseen by an HOA who takes care of the maintenance and enforces the CC&R's. City Manager Dotson said the issue we have now is that we have no requirements. Currently this zone could go anywhere in Enoch and that may not be compatible with the single family rural atmosphere Enoch has always had. If an HOA were to dissolve or fail to perform then the City has to step in and mitigate the problems and bill the owners for the costs. The agreement is recorded against the property so the homeowners and HOA are responsible. The CC&R's are a contract between the HOA and the property owner. They say what you can do with your property. We require bonding to cover the City having to finish a project that is abandoned by the developer. Commissioner Ley confirmed that any future owners have to follow it and it is recorded with the land.

City Manager Dotson said there are discussions starting now by some developers who want to do this and they may come in with a design that does not fit what Enoch City has in our culture of single family dwellings. You could allow it in specific places and only those places if you want to allow it. All of our long range planning is based on single family homes. If the Planning Commission recommends we allow PUD's in certain places we would have to adapt all of our infrastructure plans and other plans to accommodate them. Maybe if allowed only in certain places that may not be an issue. We have people talking to us now so this is coming up. Commissioner Peterson said say we pick a few places and that is not where they want to be. Then what? City Manager Dotson said we can choose those places now and if they want to do a PUD they would have to comply with that. This is all we have if they come to apply now. This is our opportunity to organize this and make it more manageable and set rules. It was noted State statute does not require us to have this zone. Commissioner Hardy said we need to do something to protect the City from change we may not want here.

Council Member Ross said the City Council wants designated areas which they suggested in the minutes from their meeting in the packet. They want it by collector streets. We would have to look at the water requirements and figure that for the density we allow. They suggested it would be better near commercial areas to make it a walkable community. We have to consider our infrastructure and if it works for this application.

City Manager Dotson showed an ordinance he started putting together. He went through the basic points with the intent we could use this to protect things we value in our community. We need more restrictive requirements and definitions. Chairman Tingey said there is the possibility of someone cherry picking to do what they want anywhere. City Manager Dotson said yes, and it is happening now and there is a lawsuit already filed due to this action by the developer. There was brief discussion of the other points in the draft ordinance and noted we would require a maintenance plan from them. They have to put in infrastructure to our standards. We have to set standards to maintain the system. The question was asked, what is the benefit of a

PUD to our community? Chairman Tingey said he has a hard time seeing how we would want this. This would allow apartments and townhomes. The MR-2 zone allows town homes now on 22,000 SF lots. There was brief discussion of affordable housing and that this could be an avenue to enable that. It was noted we can't tell the developer what price range of homes he can build. This may give affordable housing options and more uses of property. Council Member Ross said there is an approval process for developments and the City Council is saying to the Planning Commission to look at this and find where it may be beneficial to be allowed. There are many issues associated with this PUD concept. City Manager Dotson said he is introducing this now. We could put a moratorium for six months on what we have now to give us time to work through it. City Manager Dotson said the best concept is to do this only in specific places that connect to collector streets. Commissioner Hardy asked if we could place a moratorium on allowing any PUD's while we work on this. City Manager Dotson said they could send a recommendation to the City Council for a moratorium. The Planning Commission Members liked that idea because this is a complex issue. We want options for low income housing although this may not do anything for that but it could. Enoch has been single family homes forever and we have to consider if we are going to change it what does that look like. Chairman Tingey asked if they could make a motion to request the City Council put a moratorium on the Zoning Ordinance, Chapter 11, Planned Unit Development. City Manager Dotson said they could do that. Chairman Tingey asked for a motion.

Commissioner Ley made motion to recommend a six month moratorium on the Zoning Ordinance, Chapter 11, Planned Unit Development, to allow time to work on the issues. The motion was seconded by Commissioner Hardy and all voted in favor.

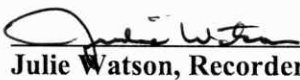
4. PUBLIC COMMENTS-none

5. COMMISSION/STAFF REPORTS

Council Member Ross thanked the Planning Commission for considering this action referred from the City Council. She noted that the DAR ladies over "Wreaths across America" are on the agenda tomorrow for City Council meeting if anyone wants to come for their update to get the wreath program going for this year.

City Manager Dotson reported there will be fireworks on the 24th because the 4th was canceled. The Settlers Square civil plans are being working on. There are only 14 lots left for sale in Settlers Square, Ph. 1. Phases 3 and 4 of Iron Mountain Subdivision is selling fast with building going on. Eagle Valley Estates final plat was passed but they are still working on getting their water rights. He explained changes from the State Engineer that are presenting challenges on water rights that have sat in non-use for years. That complicated the process of the City receiving water rights. The SR-130 project is still working on getting easements. That process takes time. The roundabout committee bought the metal for the Enoch logo sign. Their design for the roundabout will be very nice. City Manager Dotson said he does not know how to get it out to the public but people are using far too much water. We are holding on with our pumping and tank storage but we are seeing much higher water usage. Public Works is finishing Iron Mountain Pond. Our new Public Works Director, Hayden White, is doing very well and getting things done. Julie Watson reported the noticing for the public hearing for the Willow Glen zone change is ready to go and will be posted tomorrow.

6. ADJOURN-Motion to adjourn by Commissioner Peterson. Motion seconded by Commissioner Ley and all voted in favor. The meeting ended at 7:00 pm.

 7-28-20
Julie Watson, Recorder Date