

MINUTES
ENOCH CITY PLANNING COMMISSION
August 25, 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: Chris Carter, Leonard Correa, Derek Nelson and Tim Watson

1. **CALL TO ORDER OF REGULAR MEETING**-By Chairman Tingey at 5:30 pm. He excused Council Member Peterson.
 - a. **Pledge of Allegiance** -Led by Derek Nelson
 - b. **Invocation** -Audience invited to participate. Given by Commissioner Hardy
 - c. **Inspirational thought**-Given by Commissioner Ley
 - c. **Approval of agenda for August 25, 2020**-Commissioner Meacham made a motion to approve the agenda. Motion was seconded by Commissioner Hardy and all voted in favor.
 - d. **Approval of minutes for August 11, 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 CHANGES TO THE WORDING OF THE ZONING ORDINANCE, CHAPTER 2, SECTION 2-16 MAXIMUM HEIGHT OF FENCES, WALLS AND HEDGES AND SET A PUBLIC HEARING FOR 9-8-20-Circumstances of home placement on lots have shown a problem with the wording of the ordinance. The amendments will attempt to cover a variety of situations for homeowners.**

Chairman Tingey asked City Manager Dotson to bring them up to date. City Manager Dotson said he suggested language for consideration and we need to set a public hearing before recommending to the City Council. The idea is we have individuals who have built and want to build fences between neighbors that in some cases do not follow our current ordinance but do not block the view of oncoming traffic. That was always the main concern with mandating the fence height. City Manager Dotson showed an example. The point is to make this work for different situations on lots where home placement is different such as sitting at an angle instead of facing forward onto the street. With the fence in question, on one lot it meets code and on the other it does not due to the home placement. One lot's side yard is the other's back yard so that causes an issue. The ordinance is mainly to provide for visibility of traffic. In some cases it is not an issue. He referred to the clauses in the ordinance that were changed to solve the problem. This clarifies and allows these types of situations to be covered. There was some discussion of visibility and it was noted people have been doing this in the past not knowing they were

in violation. There is no good reason not to allow this in these circumstances. House placement has caused the issues.

Chairman Tingey asked if they were clear on the language changed. There was discussion of the phrase "main structure". The whole point is to have a measurement of where the six foot fence can be. The point is to help the people comply with the code since the fence is already built. Commissioner Meacham said trying to define it off of a structure is ambiguous. He liked referencing from the driveway. He said we could base it on where the driveway exits the lot for visibility. City Manager Dotson said that is typically for fences in the front. Commissioner Meacham wants to tie it to where the driveway enters into the public space for visual safety. Chairman Tingey said shall we think about this and talk again in two weeks. Chairman Tingey said let's bring it back next time. City Manager Dotson said he would look at what others have done and revise some language.

Commissioner Meacham made a motion to table item #2 regarding fence heights until 9-8-20. Motion was seconded by Commissioner Ley and all voted in favor.

**3. DISCUSS CHANGES TO ZONING ORDINANCE, CHAPTER 2
SECTIONS IN VARIOUS ZONES FOR AREA OF ACCESSORY
BUILDINGS AND SET A PUBLIC HEARING FOR 9-8-20-There are
different requirements in various chapters and this amendment will attempt
to standardize the requirement for placement of accessory buildings.**

City Manager Dotson said he removed the one reference to 25% of the rear yard in Section 2-10. In the R-R-5, R-R-2 and R-R-1 where they have more space it is 20% of the whole lot and allows for greenhouses. All other zones will be 10% of the total lot that would be the deciding factor on the size of the accessory building. It is clean and simple and we talked about the scenarios last time. This is for residential zones not commercial zones. Chairman Tingey said it makes sense to him and the others agreed. No problems. We are removing the first clause completely and leaving the rest as is at 10% of the whole lot.

Commissioner Ley made a motion to set a public hearing for 9-8-20 on the area of accessory buildings. The motion was seconded by Commissioner Meacham and all voted in favor.

**4. DISCUSS CHANGES TO THE ZONING ORDINANCE, CHAPTER 11,
PLANNED UNIT DEVELOPMENT-The ordinance in its current form is
very vague and does not give developers requirements that will be in keeping
with what is envisioned for Enoch City as this type of development comes to
Enoch.**

Chairman Tingey asked City Manager Dotson about this. City Manager Dotson said our current ordinance is three paragraphs and provides little to no detail or regulation on what is allowed. This is an overlay and is now allowed in all areas. City Manager Dotson read the ordinance. Basically a developer can come in and do anything they want as long as there is 20% open space. Chairman Tingey said we recommended to the City Council to give us a temporary land use ordinance so no PUD applications can be accepted for up to six months. We will rewrite this or perhaps not have it at all.

Development standards are most important, City Manager Dotson said. Maintenance of amenities is very important and related to development standards. That is not infrastructure but the other amenities like clubhouse, trails and open space etc. This has a highly regulated nature to it. It is an HOA running it to be specific. We could require that some things be dedicated to the City. The question is from the City Council. Is this a good thing for Enoch City being a single family residential community to have this type of development here? If so we need rules. The density is the same as what the zone allows but it can be concentrated in a tighter space with surrounding open space. This is administrative vs. legislative. The administrative part is they follow the regulations that are required. Legislative is if this is good for the City according to our vision for the City. Once established you can't say "no" if they follow the requirements. Is it good for this community? What kind of rules do we want to set for PUD's to comply with? That is the basis of the conversation. We talked about putting together a PUD. Our City Engineer, Tim Watson is here and he has dealt with this in Cedar City. He knows about the challenges. Tim said he had to leave now but if we could schedule another meeting for him to share some information that would work. City Manager Dotson asked Tim for three challenges and three good things.

Tim said three advantages are they all have HOA's who control what happens in there so yards are maintained. You can put higher density in there. You may need a buffer between commercial. Another advantage is the developer can tweak the set-backs or other ordinances. The biggest issue he sees in PUD's is sometimes the utilities are not owned by the City. There may be smaller roads and snow plows can't get in. Some cities say "no way". Those coming in complain and come to the City instead of the HOA. City Manager Dotson asked what happens if an HOA goes belly up. Tim said he has not seen that happen yet. The HOA is the enforcer of the CC&R's. There are some negatives. That is not the City's job to enforce CC&R's. City Manager Dotson said what if the HOA goes away then what happens to the amenities. Tim said he has not seen them fail but there are ways. He said he would be glad to come back to another meeting adding if the Planning Commission could come with questions that will be helpful to him. Some require roads to be private. Others say they want the City to maintain the roads. Chairman Tingey said he likes pros and cons knowing this community. City Manager Dotson asked for questions. Do they want to draw and HOA now or wait until Tim can come back.

There was more discussion with Commissioner Ley giving an example of a PUD her sister lives in and giving details of the amenities, downsides if you don't pay your dues and other costs. City Manager Dotson showed West Jordan where his sister lives. It is a very large area with high density. It is clean and quiet. This type of development allows for higher density. We could limit that if we wanted to. Commissioner Ley said we are looking at Enoch and what we want. It is a matter of deciding on what the parameters are going to be and how specific are we going to be. Chairman Tingey said he would like to hear from Tim before we start with something new that could have an impact on the surrounding neighbors. It is all in the perspective. The discussion is to be continued with Tim Watson. No action was taken.

5. PUBLIC COMMENTS-

Leonard Correa said he has been thinking about accessory buildings. Part of him agrees with this that it is their property and let them do what they want to do with it. If large

buildings are built then it affects the neighbors. He looks at the size of his lot and asks himself would he really want a big building. He would not feel good about it as the neighbors would not like it, however this is being done. He suggested considering different set-backs for some of these larger buildings. That is what he would like to see taken into consideration. He noted as a retired PD officer that the larger the PUD's are, you lose that sense of community and then there are issues with crime speaking from experience.

6. COMMISSION/STAFF REPORTS-

Council Member Ross said we are looking at electronic message boards for other parts of the City as many people don't often drive by the office.

City Manager Dotson reported on watering restrictions which were put out to the public in various forms of social media. We are trying using address odd and even numbers for the days you water lawns.

Commissioner Hardy asked City Manager Dotson if they are developing Utah Trail into the large subdivision area. City Manager Dotson said when they finish their design work it will begin but they are not there yet.

7. ADJOURN-Motion to adjourn by Commissioner Hardy. Motion was seconded by Commissioner Meacham and all voted in favor. The meeting ended at 6:55 pm.

Julie Watson, Recorder

Date