

Enoch City is inviting you to a scheduled Zoom meeting.

Topic: Enoch City Council

Time: Jan 13, 2021 06:00 PM Mountain Time (US and Canada)

Join Zoom Meeting

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Meeting ID: 842 9782 8751

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Meeting ID: 842 9782 8751

ENOCH CITY COUNCIL NOTICE AND AGENDA

January 20, 2021 at 6:00pm

City Council Chambers

City Offices, 900 E. Midvalley Road

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING**
 - a. **Pledge of Allegiance-**
 - b. **Invocation-Audience invited to participate-**
 - c. **Inspirational thought-**
 - d. **Approval of Agenda for January 20, 2021-**
 - e. **Approval of Minutes for January 6, 2021-**
 - f. **Ratification of Expenditures-**
 - g. **Conflict of Interest Declaration for this agenda-**
2. **PUBLIC COMMENTS**
3. **CONSIDER ORDINANCE NO. 2021-01-20-A AN ORDINANCE AMENDING THE GENERAL PLAN LAND USE MAP AND THE ENOCH ZONING ORDINANCE ZONING MAP BY CHANGING THE ZONING OF APPROXIMATELY 57 ACRES OF PROPERTY OWNED BY THE RICHARDSON'S LOCATED ON THE NORTH SIDE OF MIDVALLEY ROAD FROM SINGLE FAMILY RESIDENTIAL R-1-18 TO SINGLE FAMILY RESIDENTIAL R-1-11- The Council will consider a favorable recommendation from the Planning Commission on the zone change application.**
4. **CONSIDER THE PRELIMINARY PLAT OF PINNACLE RIDGE SUBDIVISION, PHASE 1-VELOCITY DEV, LLC-The Council will consider the favorable**

recommendation from the Planning Commission on the preliminary plat of Pinnacle Ridge Subdivision, Phase 1.

5. **CONSIDER ORDINANCE NO. 2021-01-20-B AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE, CHAPTER-11, PLANNED UNIT DEVELOPMENTS BY REMOVING THE ENTIRE CHAPTER FROM THE ENOCH CITY ZONING ORDINANCE- The Council will consider a favorable recommendation from the Planning Commission on removing Chapter 11 regarding PUD's.**
6. **CONSIDER ORDINANCE NO. 2020-09-1 AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE, CHAPTERS 13-2, 14-2, 15-2, 16-2 & 17-3, REFERRING TO QUALIFYING REGULATIONS FOR ACCESSORY BUILDINGS- The Council will consider a favorable recommendation from the Planning Commission on allowing 20% of a lot to be used for an accessory building.**
7. **CONSIDER HIGHWAY 91 EXPANSION PROJECT-The Council will discuss the possible expansion of Hwy. 91.**
8. **COUNCIL/STAFF REPORT**
9. **CLOSED SESSION TO DISCUSS ONE OR MORE OF THE FOLLOWING: THE CHARACTER, PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL, COLLECTIVE BARGAINING; PENDING OR REASONABLY IMMINENT LITIGATION, THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, INCLUDING ANY FORM OF WATER RIGHTS OR WATER SHARES; DEPLOYMENT OF SECURITY PERSONNEL, DEVICES OR SYSTEMS; INVESTIGATIVE PROCEEDINGS REGARDING ALLEGATIONS OF CRIMINAL MISCONDUCT.
(Requires a roll call vote with 2/3 majority)**
10. **ACTION FROM CLOSED MEETING-**
11. **ADJOURN**

In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should call the City Offices at 586-1119, giving at least 48 hours advance notice. Meetings of the Enoch City Council may be conducted by electronic means pursuant to Utah Code Annotated, Section 52-4-207. In such circumstances, contact will be established and maintained by telephone or other electronic means and the meeting will be conducted pursuant to the Enoch City Code of Revised Ordinances, Chapter 3-500, regarding meeting procedures including electronic meetings.

CERTIFICATE OF DELIVERY

I certify that a copy of the forgoing "Notice and Agenda" was delivered to each member of the City Council, emailed to "Cedar City Daily News", posted on the Enoch City website, on the City Office door and published on the Utah Public Meeting Notice website on 1-14-21.


Julie Watson, Recorder 1-14-21
Date

MINUTES
ENOCH CITY COUNCIL
January 6, 2021 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road

Members present:

Mayor Geoffrey Chesnut-Zoom
Council Member David Harris
Council Member Jolene Lee
Council Member West Harris
Council Member Katherine Ross-Zoom
Council Member Shawn Stoor

Staff present:

Julie Watson, Recorder
Ashley Horton, Treas.-Zoom
Justin Wayment, City Atty.
Hayden White, PW Dir.
Robert Dotson, City Mgr.-Zoom
Jackson Ames, PD Chief-absent

Public present: Arlo Fawson on Zoom, Ben Fawson in person

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING-**By Mayor Chesnut at 6:00 pm. He said we are participating on Zoom and in person.
 - a. **Pledge of Allegiance-**Led by Council Member David Harris
 - b. **Invocation-**Audience invited to participate-Given by City Attorney Wayment
 - c. **Inspirational thought-**Given by Council Member Lee
 - d. **Approval of Agenda for January 6, 2021-Council Member David Harris made a motion to approve the agenda. Motion was seconded by Council Member Lee and all voted in favor.**
 - e. **Approval of Minutes for December 16, 2020-Council Member David Harris made a motion to approve the minutes. Motion was seconded by Council Member Stoor and all voted in favor.**
 - f. **Ratification of Expenditures-Council Member David Harris made motion to approve the expenditures. Motion was seconded by Council Member Stoor and all voted in favor.**
 - g. **Conflict of Interest Declaration for this agenda-none stated**
2. **PUBLIC COMMENTS-none**
3. **AMEND SURPLUS PROPERTY LIST TO ADD ROLLER TO BE SALVAGED-Hayden White-The Public Works Director asked to have this item added to the list to be salvaged as it is not worth repairing.**

Mayor Chesnut asked Public Works Director, Hayden White, for comments. He said the roller is not feasible to repair and he would like to add it to the surplus list to be sold at auction. Council Member David Harris asked if we are successful in selling things we send to auction. Hayden said 32 items have been sold and it is a very effective way to deal with unused equipment.

Council Member David Harris made a motion to amend the list to add the roller. The motion was seconded by Council Member Stoor and all voted in favor.
2. **APPROVE 2021 MEETING SCHEDULE-The Council will consider the 2021 schedule of Enoch City meetings.**

Mayor Chesnut recapped the meetings days and times as listed and notices in the newspaper.

Council Member David Harris made a motion to approve the 2021 meeting schedule. Motion was seconded by Council Member Stoor and all voted in favor.

3. CONSIDER THE PRELIMINARY PLAT OF SETTLERS SQUARE, PHASE 3-GO Civil Engineering-The Council will consider the Planning Commission recommendation to approve the Preliminary Plat of Settlers Square, Phase 3.

Arlo Fawson was on Zoom representing the developer Alex Meissner Construction. Council Member David Harris said all on the Planning Commission voted for it with a favorable recommendation to the City Council. Arlo noted there is nothing new with this application. It is an extension of Phase 2 and doing the infrastructure work in conjunction with Phase 2 will save money and time and it will all tie together.

Council Member David Harris made a motion to approve the Preliminary Plat of Settles Square, Phase 3. The motion was seconded by Council Member Stoor and all voted in favor.

4. CONSIDER A PLAT AMENDMENT (LOT SPLIT) OF LOT 8, BLOCK H, OF GARDEN PARK ESTATES, UNIT 1- Platt & Platt Eng.-The Council will consider the Planning Commission recommendation on the plat amendment.

Mayor Chesnut said Platt & Platt wanted this tabled to make changes given to them by Watson Engineering. They expect to be ready for the next Council meeting.

Council Member David Harris Made a motion to table item until the next meeting. Motion was seconded by Council Member Stoor and all voted in favor.

5. COUNCIL/STAFF REPORT

Hayden White reported they are working with contractors on water and sewer lines, tie-ins and things needed to hook up irrigation wells and culinary wells we have acquired. He said we have not started on Little Eden well yet. We said we had decided to turn it into a secondary well. Now Woolsey well is not running and can't be rehabilitated. Little Eden well could be brought to culinary standards to be a drinking water well for about \$50,000. He said he wants feedback as to how to proceed. He said he wants it to be a drinking water well. We have to add a surface seal and obtain the State approvals. Woolsey well is gone forever as a drinking water well due to nitrates. We turned it on without permission and it would have to be a secondary well unless we went to the expense of putting in a tank to blend it and we can't do that with no property for a tank. He wants to run a secondary line to use can connect Little Eden well to the existing culinary system a short jaunt after upgrading it. We want to irrigate Old Enoch Park and the Cemetery and we can do all that with irrigation water from Woolsey well. That will save ½ million gallons a day on average. Mayor Chesnut said he is happy Woolsey well will still be in the system and put to good use with high nitrates for irrigation. Little Eden is not high nitrate and is normal water. It will take about a month for the surface seal and about two months for State approval. Hayden said he wanted permission first before starting anything. All on the Council agreed it is a great idea and said to go ahead. We will adjust the budget and bring that back later.

City Attorney Wayment gave the Open and Public Meetings training required per State law each year for each public body and committee. He said there have been changes from the Legislature for this year. A lot was due to the pandemic and the need for electronic meetings so the law was adjusted due to that. He went through the basic things including what constitutes a quorum, what is not a meeting such as chance encounters, what closed meeting can be for which is a very limited and explicit list, etc. He said the main purpose is to be transparent in doing the people's business. Town acts for the people who elect them and they own the right to know what is going

on. All business is done in public except for the things stated specifically for closed meetings. Political freedom is the right to tell people what they don't want to hear such as the requirements for raising taxes to cover public services. It is better to be open than closed. Public notice for meetings is 24 hours minimum except for emergencies when you do the best you can to give notice. An agenda is required to have all information and to explain the topics. The use of social media to get information out is encouraged. City Manager Dotson noted we only post City business on social media in in other forms of communication such as the newsletter. Recordings of meetings are now required to be kept forever. Conflicts of interest must be stated and the person with the conflict can still vote as long as it is stated and you are not conflicted. You can never vote if there is a financial interest. Electronic meetings were altered the most and do not always require an anchor location. Every field trip has to start from an anchor location. Workshops held here are the same as any City Council meeting unless the workshop is not on same day as the City Council meeting. Disruptive persons can be removed from meetings. Many other details were given and can be found in State Code. City Attorney Wayment urged Council and Board Members to be earnest and say what they believe. That mostly works out well. Believe what you are arguing for. Mayor Chesnut thanked him for the training.

City Recorder Julie Watson reported this is an election year. The seats for Mayor and two Council seats are up for election. She has no dates yet for filing and other election dates.

City Manager Dotson said we need a closed meeting for a discussion about water. He said Kim Hansen, who has worked with Enoch City for many years in procuring equipment for us passed away Sunday unexpectedly. The funeral is on Friday. The Groundwater Management Plan 60 days of notice are over now and on January 2, 2021 it is in force. He said he is talking nonstop to developers on development. If it all works out there will be major expansion of Enoch in 2-5 years. That will be based on water and that is the choke point.

Mayor Chesnut reported the ICCC meeting was held today and also the Rural Transportation meeting. Since it is early in the year and there were new members there was not a lot of business. There are road projects going on which are limited by funding. The intersection at the Maverik will not be improved for now. He told about a meeting with City Manager Dotson and the Staheli Family regarding building their ice skating rink in Enoch since they could not get Cedar City to go with their plans. They approached Enoch and want a partnership to construct a more permanent fixture with a concrete floor that will be a multi-purpose use facility with a roof in old Enoch Park on lot south of the ball diamond. We want to talk more about that. They have the money and resources and want to be a partner. He gave more details. He said this may be an opportunity to partner for the benefit of all like the Dog Park was. He said he is excited about that and we will work on an agreement and an MOU to bring to the City Council soon. Mayor Chesnut said we will not subsidize it at all. We are only providing the land and some maintenance for the summer uses such as pickle ball or other sports. They have been successful in Cedar and now have no commitment from Cedar. Council Member David Harris said up by the soccer field would be more logical for commercial use and support businesses to go in. City Manager Dotson said it is their intention to make it a big commercial enterprise but more of a community type thing. Mayor Chesnut said we are investigating more and will bring more information and agreements for the City Council to consider.

Council Member Stoor reported he received a call from the Urban Forest representative who said our application for Tree City USA application did not go through. He was going to check on it and see why so we can try to fix it.

6. CLOSED SESSION TO DISCUSS ONE OR MORE OF THE FOLLOWING: THE CHARACTER, PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL, COLLECTIVE BARGAINING; PENDING OR REASONABLE IMMINENT LITIGATION, THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, INCLUDING ANY FORM OF WATER RIGHTS OR WATER SHARES; DEPLOYMENT OF SECURITY

PERSONNEL, DEVICES OR SYSTEMS; INVESTIGATIVE PROCEEDINGS REGARDING ALLEGATIONS OF CRIMINAL MISCONDUCT. (Requires a roll call vote with 2/3 majority)

Council Member David Harris made a motion to close the regular meeting and go into a closed meeting for the discussion of purchase, exchange, or lease of real property, including any form of water rights or water shares. The motion was seconded by Council Member Stoor and a roll call vote was held as follows:

Council Member David Harris-Yes	Council Member Stoor-Yes
Council Member Ross-Yes	Council Member West Harris-Yes
Council Member Lee-Yes	Motion passed unanimously

7. ACTION FROM CLOSED MEETING-??? *Continue negotiations for real property & ~~real~~*
8. ADJOURN- The regular meeting ended at 7:20 pm.

Julie Watson, Recorder	Date
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Join Zoom Meeting

<https://us02web.zoom.us/j/86167443129>

Meeting ID: 861 6744 3129

One tap mobile

+12532158782,,86167443129# US (Tacoma)

+13462487799,,86167443129# US (Houston)

Planning Commission Recommendation-Zone Change

MINUTES
ENOCH CITY PLANNING COMMISSION
January 12, 2021 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Commissioner Leonard Correa
Commissioner Greg Peterson-absent
Commissioner Andrew Meacham-Zoom
Commissioner Debra Ley
Commissioner Bob Tingey

STAFF PRESENT:

Rob Dotson, City Manager-Zoom
Council Member Ross-Zoom
Julie Watson, City Recorder-Zoom

2. **PUBLIC HEARING ON A ZONE CHANGE APPLICATION FOR APPROXIMATELY 57 ACRES OF PROPERTY OWNED BY THE RICHARDSON'S LOCATED ON THE NORTH SIDE OF MIDVALLEY ROAD FROM SINGLE FAMILY RESIDENTIAL 18,000 SF LOTS TO SINGLE FAMILY RESIDENTIAL 11,000 SF LOTS-RICHARDSON/JAUSSI-The Commission will hear public comments on a zone change application.**

Commissioner Ley made a motion to close the regular meeting and go into the public hearing on the zone change application for approximately 57 acres of property owned by the Richardson's located on the north side of Midvalley Road. The motion was seconded by Commissioner Meacham and all voted in favor.

Chris Jausi, the applicant said he is working with the Richardson's to change the zoning from Single Family Residential R-1-18 to Single Family Residential R-1-11. The reason is to get more out of it have smaller lots which are in demand and to cover some costs of infrastructure installation. He showed on the map where it was located to the north across from Boebert Park and the LDS Church on Midvalley Road. He said there is a big demand for affordable housing and he owns Zip Kit Homes which are more affordable. The smaller lot size also makes the lots more affordable. He said this area is close to what will become the center of town soon. It is a good location for this use and is by other Single Family Residential neighborhoods.

Melissa Pack said they moved here six months ago and live near this area. She asked how far back the neighborhood would go? Chris said it goes back to what is shown on the map however he will start near Midvalley Road and do the development in phases so it will be sometime before it gets to the far north area. She asked about the existing easement or road and Chris said it will stay the same as will the utility easements. She asked if it will be single family residential homes. Chris said he can't promise he wouldn't to sell to another builder and could not guarantee what they would choose to do. He said it could hold about 140 homes. He is not doing that right away as the development will be done in phases.

City Manager Dotson stopped the public hearing to remind the audience and Commissioners that the public talks now and no other comments come in here from others. The next item is the question and answer period for the record. The public hearing is for the public to comment and not the applicant; just the public. The next item is where details are discussed and questions answered. It was noted the developer does not have to say what he plans to do at this stage of the process. This is only the zone change and not the discussion of the proposed project. This is the process according to State law and should be followed.

Chairman Tingey asked for other comments.

Melissa Pack said they live on a 5-acre lot and they want it to stay that way. They know eventually the area will grow with other things but many live here now because they want to be out of the city and she is concerned about this high density now.

Jesse Carter said he is a local real estate agent. He said the demand for housing is pretty scary with the inventory level in the valley. People don't have homes or rentals they can afford. This is a major need that our valley has. We have a lot of people moving in. In his personal opinion is it doesn't make sense to develop big lots with costs through the roof. We need smaller lots and not ½ acre lots. We need affordable lots. There are no rentals and no affordable places to buy. The need is desperate and he supports Chris Jaussi in this idea. He agrees with Melissa to a degree said but Enoch is a place that has a rural atmosphere but the time has come and that close to Midvalley Road and SR-130 is a great start for smaller lots. Inventory is low and is expensive. it would take at least a year or more to put inventory in this area. Many people can't qualify for the \$250,000 plus that homes are going for now. There is a great need for smaller lots for many demographics, both young and old. There were no other comments.

Commissioner Correa made a motion to close the public hearing and return to the regular meeting. The motion was seconded by Commissioner Meacham and all voted in favor.

3. CONSIDER AND MAKE RECOMMENDATION TO THE CITY COUNCIL ON ABOVE ZONE CHANGE-The Commission will consider the zone change application and make a recommendation to the City Council.

Chairman Tingey asked for thoughts saying since this is a zone change this is a legislative function by this body. In light of what we heard we consider what is best for Enoch City as a whole and not just for a few. Commissioner Correa said we have the need for affordable housing and that is in smaller lots. We are here with that now and not out into the future. This is a better option. It would be nice to see the homes a similar style but that is not to be addressed now. Chris Jaussi said he does not like it where all the homes are identical. These are similar but different styles. The housing crisis it is everywhere in the country. Commissioner Correa said he does not know how much responsibility the Planning Commission has over market forces but we are limited in housing inventory that is affordable and this is a good compromise. Chairman Tingey asked for other comments. Commissioner Meacham said he has thought about it a lot. There is still community members with a high desire to maintain the rural feel of the area. Many bought here believing that it would stay that way. Chairman Tingey noted that going from larger lots to smaller lots of a quarter acre does not make that much visual impact. City Manager Dotson said we have discussed this before and R-1-18 vs. R-1-11 does not change the feel of the area much. It is still single family residential and not apartments or townhomes, twin homes or duplexes. Commissioner Meacham said he thinks cramming more in a small space is opposite of the sentiment of the folks he talks to. It was noted we have this same thing in Settlers Square and the smaller lots are very nice and you really can't tell much difference. Chairman Tingey said this is not high density. City Manager Dotson said most people he spoke to asked about sewer, water and roads. No letters came back that he knows of with comments. Chairman Tingey said there was a time when this was hot topic but we have evolved since then and there is not a major outcry on doing this R-1-11 zone. There are about three families involved in the area of this change. Chris said with fences this will not impact anyone really. He is not sure yet on accesses and does not have to say at this point in the process. Chairman Tingey asked Commissioner Ley what she thought. She said she lives on five acres and she has half acre lots all around her and understands the need. Enoch needs to look forward for growth and close to Midvalley Road with access to Minersville Highway makes sense. We have to consider the demand and affordability which is mandated by the State for cities to encourage and so she is for it. We've already done this and it works. Chairman Tingey said he does no objection but wants to do what the community wants. People he talks to are not as adamant as they used to be and many want smaller lots and not big ones.

Commissioner Ley made a motion to send a favorable recommendation to the City Council for the zone change application for approximately 57 acres of property owned by the Richardson's located on the north side of Midvalley Road from Single Family Residential R-1-18 to Single Family Residential R-1-11. The motion was seconded by Commissioner Correa and all voted in favor except Commissioner Meacham who voted no. The vote was 3 to 1 for a favorable recommendation.

**ENOCH CITY
REQUEST FOR ZONE CHANGE**

OWNER'S NAME(S) KENNETH & CARROL RICHARDSON

Card / KAREN RICHARDSON FAMILY

ADDRESS 30 EAST & 20 WEST
~~20~~ WEST MIDVALLEY ROAD, ENOCH UT 84721

TELEPHONE 435-340-0804

E MAIL chrisjaussi@gmail.com

LEGAL DESCRIPTION OF PROPERTY TO BE RE-ZONED

33.68 ACRE

PARCEL: A-1017-0000-0000 - ~~R-1-11~~ 30 EAST MIDVALLEY ROAD

PARCEL: A-1017-0004-0000 - 20 WEST MIDVALLEY ROAD 23.52
ACRES

CHANGE TO R-1-11

With this application, include 7 copies of 11"x17" size of plat map showing areas to be rezoned including surrounding area within 1/2 mile of this property.

Your request will be reviewed by the Enoch City Planning Commission, who, if they approve, will hold a required public hearing after ten (10) days notice is published in the local newspaper, on the City website and at the City Office. The area to be rezoned will also be posted with signs to inform the nearby residents. The Planning Commission will then make a recommendation to the City Council, who will deliberate the matter and either approve or deny the zone change by ordinance.

The fee for the zone change request is \$500, payable upon submission of the request and plat maps.

Paid \$500- Check # cash Date 1-7-21

I, Julie Watson, Enoch City Recorder, accept this zone change request and will begin the process to facilitate the requested zone change.

Julie Watson 1-7-21
Julie Watson, Enoch City Recorder Date

PARCEL
A-1017-0000
23.52 ACRES

PARCEL
A-1017-0004
33.68 ACRES

**ENOCH CITY CORPORATION
ORDINANCE NO. 2021-01-20-A**

**AN ORDINANCE AMENDING THE GENERAL PLAN LAND USE MAP AND THE
ENOCH ZONING ORDINANCE ZONING MAP BY CHANGING THE ZONING
OF APPROXIMATELY 57 ACRES OF PROPERTY OWNED BY THE
RICHARDSON'S LOCATED ON THE NORTH SIDE OF MIDVALLEY ROAD
FROM SINGLE FAMILY RESIDENTIAL R-1-18 TO SINGLE FAMILY RESIDENTIAL
R-1-11**

WHEREAS, the owner of approximately 57 acres of property located east of Bulldog Road on the north side of Midvalley Road have applied to have the zoning changed from Single Family Residential R-1-18 to Single Family Residential R-1-11; and

WHEREAS, the Enoch City Planning Commission held a public hearing on January 12, 2021 after noticing as required by State law; and

WHEREAS, the Planning Commission discussed the matter and made a favorable recommendation for the zone change; and

WHEREAS, the Enoch City Council has determined that the zone change request meets City requirements;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of Enoch City that the zoning of approximately 57 acres of property located east of Bulldog Road on the north side of Midvalley Road shall be changed from Single Family Residential R-1-18 to Single Family Residential R-1-11 per the attached map and legal descriptions.

This Ordinance was voted upon and passed by the Enoch City Council at a regular City Council meeting held on the 20th day of January 2021. It shall take effect immediately after signing by the Mayor and City Recorder.

DATED this 20th day of January 2021

ENOCH CITY CORPORATION

VOTING:

David Harris	Yea___	Nay___
Katherine Ross	Yea___	Nay___
West Harris	Yea___	Nay___
Shawn Stoor	Yea___	Nay___
Jolene Lee	Yea___	Nay___

ATTEST:

SEAL:

Julie Watson, City Recorder

EXHIBIT A

*Will attach
map here*

Parcel Number A-1017-0004-0000

Acres 23.52

Situs 20 W MIDVALLEY RD , ENOCH

Legal COM AT A PT 2 RDS N & 40 RDS W OF SE COR SW1/4 SEC 11, T35S, R11W, SLM; N 158 RDS, W 40 RDS, S 80 RDS, E 20 RDS, S 63 RDS & 7.5 FT, E 222 FT, S 240 FT, E 6 RDS 9 FT TO POB. EXCL D-545-4-1. (ANNEXED WAS D-0545-4) SUBJ TO EASE DESC REC BK 1459/1719.

Parcel Number A-1017-0000-0000

Acres 33.68

Situs , 0

Legal COM 2 RDS N & 20 RDS W FR SE COR SW1/4 SEC 11, T35S, R11W, SLM, N 40 RDS, E 20 RDS, N 118 RDS, W 40 RDS, S 143.45 RDS, E 9 RDS, S 14.55 RDS, E 11 RDS TO POB. (ANNEXED WAS D-545)

Planning Commission Recommendation on Pinnacle Ridge

MINUTES
ENOCH CITY PLANNING COMMISSION
January 12, 2021 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Commissioner Leonard Correa
Commissioner Greg Peterson-absent
Commissioner Andrew Meacham-Zoom
Commissioner Debra Ley
Commissioner Bob Tingey

STAFF PRESENT:

Rob Dotson, City Manager-Zoom
Council Member Ross-Zoom
Julie Watson, City Recorder-Zoom

8. CONSIDER THE PRELIMINARY PLAT OF PINNACLE RIDGE SUBDIVISION, PHASE 1-VELOCITY DEV., LLC-The Commission will consider the preliminary plat and make a recommendation to the City Council.

Chairman Tingey said this is new and he invited Spencer Jones to tell them about his plans. Spencer said this is the Pinnacle Point Subdivision that he designed in 2006 and is part of The Ridge Phases 4 through 12 and under the same application. It has a cluster overlay for the whole thing. As he and City Manager Dotson talked there were changes since he came for the final plat in 2006 so he had to go back to the preliminary plat due to changes to the laws and also he moved lots over. State law allows for changes between preliminary plat and final plat and to avoid any questions he is bringing this back as a preliminary plat and then coming with the final plat later. This is R-1-18. Spencer pointed out where it is located north of the Stake Center ballfield and going north. City Manager Dotson said he appreciates Spencer redoing this and coming back with minor changes. It will require some changes in the construction drawings and is necessary due to the changes. Most likely no other preliminary plats will need to come back unless substantial changes are made. City Manager Dotson clarified how cluster zones works. 75 acres are required for the overlay and Phase 4 through 12 and Pinnacle Point has that many acres in the cluster zone. That allows for clustering lots to smaller lot sizes with the same density and reserves open space for parks, trails or churches or whatever is desired. This is all residential and no commercial is allowed. This development in phases is called Pinnacle Ridge, Phase 1 now. Spencer said most lots are 1/3 acre or so. Many want that smaller lot and it is less than half acre. Chairman Tingey asked if there is anything else they need to know. City Manager Dotson said no, as we go through the process this is all administrative. For Commissioner Correa's information this is an administrative function. We don't say "I don't like this". We have to do this if the landowner complies with ordinances. This plat does that so we have to approve it and send it to the City Council with a favorable recommendation. The work was done by Platt & Platt who are very up to speed on Enoch City ordinances and do a wonderful job. Chairman Tingey asked for a motion.

Commissioner Meacham made motion to send a favorable recommendation to the City Council for the Preliminary Plat of Pinnacle Ridge, Phase 1. The motion was seconded by Commissioner Ley and all voted in favor.

Planning Commission Recommendation-PUD's

MINUTES
ENOCH CITY PLANNING COMMISSION
January 12, 2021 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Commissioner Leonard Correa
Commissioner Greg Peterson-absent
Commissioner Andrew Meacham-Zoom
Commissioner Debra Ley
Commissioner Bob Tingey

STAFF PRESENT:

Rob Dotson, City Manager-Zoom
Council Member Ross-Zoom
Julie Watson, City Recorder-Zoom

- 4. PUBLIC HEARING ON THE ENOCH CITY ZONING ORDINANCE, CHAPTER 11, PLANNED UNIT DEVELOPMENTS (PUD's)-The Commission will hear public comments on Planned Unit Developments for regulation or removal from the Zoning Ordinance. Commissioner Ley made a motion to open the public hearing on Planned Unit Developments (PUD's), Chapter 11 of the Enoch City Zoning Ordinance. The motion was seconded by Commissioner Meacham and all voted in favor.**

Chairman Tingey invited comments.

Spencer Jones said he has no plans for a PUD and he is not aware we have any pending but he is not in favor of removing it. Right now it is his understanding that this is an overlay so the zone it overlays dictates the density. Enoch does not have anything smaller than R-1-11 so having a PUD would not increase density. That limits the amount of homes allowed in the PUD. There is always the risk of an HOA going out of business and he can see the City having PUDs where the roads are private and the HOA goes away then the City could have an issue and have to take over the roads etc. He likes the open space concept it allows for and if you take it away then you lose that. He said in other zones the roads are dedicated to the City. The key element in his opinion is he would like it left on the books with the requirement that the roads have to be built to City specs just in case the City has to take it over.

Jesse Carter said he agrees with Spencer on this. To take away this option moving forward is not forward thinking. This could be something the City may need in the future. IF it is not what the City wants it may not be approved when a plat comes in. He knows of PUDs in Cedar City and there are pros and cons vs other zones. There are CC&R's and HOA documents that ensure the PUD stays well kept. The larger lots and need for yard work in Enoch are too much to handle for many, especially elderly. He gave an example of a home he sold on Tumbleweed on the lack of upkeep. People can't do it and that creates an eyesore in the whole community that is evident everywhere in Enoch. You still honor the overlay for density. He said he thinks it would be a shame to eliminate this option in case it is needed in the future.

Shawn Orton said he moved here a couple years ago from Summit County and was on the Planning Commission there. They had a minimum lot size of one acre and they worked hard to get to be able to have options for kids to stay in the area with prices being reasonable so they could afford to do something with the land they own. For many farmers that is their future. They fought to get smaller zones in Summit County. The PUD is another tool for that in certain circumstances. The smaller lots size does two things. IT does preserve the rural feel because it single family residential and there is no urban sprawl that people hate. As they got down the road and got overlay zones they accomplished the same and had overlays with amenities like open space, trails and things people want. In PUD's it can be common space if the City requires that. He said he thinks we should keep the PUD option because if you have it that is a good tool. He had to fight for it up there. No kids could afford to stay there with high prices. Cities like Coalville

haven't had any growth in 40 years due to lack of options. With responsible development and this should be kept.

Chris Jaussi said they did a townhome project and he agrees keep the tool in case you need it. The plat has to be approved so you have control on what goes in there. Generational changes want different things.

Spencer Jones said one thing is you can regulate things you don't want. If you are worried about apartments you can keep them out. It is a permitted or conditional use. A PUD can still have flexibility. You can say what is permitted and not.

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

5. CONSIDER AND MAKE RECOMMENDATION TO THE CITY COUNCIL ON ABOVE REGARDING PLANNED UNIT DEVELOPMENTS IN CHAPTER 11, ENOCH ZONING ORDINANCE-The Commission will consider regulating or deleting Planned Unit Developments from the Enoch Zoning Ordinance, Chapter 11 and make a recommendation to the City Council.

Chairman Tingey said the public was all in favor of leaving Chapter 11 on Planned Unit Developments (PUD's) in the Zoning Ordinance. We have talked this in many meetings and could not see many benefits beyond what we already have with the M-R-2 zone which permits townhomes, twin homes, duplexes and single family residential with open space mixed in. The most negative item was the fear an HOA went out of business and the City would have headaches and maybe liability with having to take over the PUD. He asked with what we heard from public, what does the Commission think? Commissioner Meacham said his argument was the attitude of most was feedback that we like the rural feel and while a PUD could either be a beautiful development it could also look like an eastern block zone in Russia. Spencer's argument that we list permitted things for esthetics is an arduous task. It goes back to the same argument he thinks that the control is still not with the city but with the developer. Most have been great so far. Going back to the feedback he gets people want things to stay as it is now. Chairman Tingey said we have to anticipate all that can go wrong and get it in the ordinance and that is not easy.

Commissioner Ley said she feels what we have now covers what we need to keep the rural feel. M-R-2 allows for smaller lots and open space areas. She does not see a good reason for keeping PUDs. It could be higher density. Chairman Tingey said how about using areas of land you could not use otherwise. No one could think of anywhere that would be an issue. We are too wide open in Enoch for that to be a problem Commissioner Ley said. Take it out and use what we have now. If we keep this in the ordinance we have to rewrite the ordinance with conditions and permitted uses which could be a cumbersome process. City Manager Dotson showed the 19 page ordinance to cover that kind of thing from another city for control and regulation. He noted the public hear did not hear this part of the discussions in the past. Chairman Tingey said we could not see any compelling reason to keep this and he still feels that way. Commissioner Correa asked what the zone is by Hwy. 91 that was recently changed. City Manager Dotson said it is M-R-2, Multiple Residential, allowing for townhomes, twin homes and duplexes with open space. That developer also intends to add in some single family residential lots mixed in so that covers it. Commissioner Correa said with that zone we have many options and R-1-11 allowing for smaller lots is a good fit for Enoch. We do not need PUD's. These other zones fit our town better. Chairman Tingey said if we don't keep it, it could come back later if a need arises. Commissioner Correa added we have talked for months and he gave input as a resident before being put on the Planning Commission. Chairman Tingey asked if this is an issue if this was misleading on how this was advertised. City Manager Dotson disagreed saying it was not misleading and the other meetings where it was discussed are all available to anyone. All agreed we have the tools we need for now.

Commissioner Ley made a motion that we send a favorable recommendation to the City Council to remove the Chapter 11 on Planned Unit Developments (PUD's) from the Zoning Ordinance and if needed in future bring it back. The motion was seconded by Commissioner Correa and all voted in favor by roll call.

CHAPTER 11. PLANNED UNIT DEVELOPMENT P-D

- 11-1 PURPOSE
- 11-2 PERMITTED USES
- 11-3 CONDITIONAL USES
- 11-4 GENERAL REQUIREMENTS
- 11-5 MINIMUM LOT SIZES
- 11-6 OPEN SPACE PROVISIONS AND MAINTENENANCE

11-1. **TITLE:** This Ordinance shall be known as: “The Enoch Planned-Development Overlay Subdivision Ordinance.” This Ordinance may also be referred to as the P-D Overlay Ordinance.

11-2. **PURPOSE:** The purpose of this Ordinance is to encourage imaginative and efficient utilization of land through creative development thereby providing greater flexibility in the location of buildings on the land, the consolidation of open spaces and the clustering of dwelling units intended to create more attractive and desirable environments within residential areas of Enoch City, while promoting open space conservation and the protection of sensitive lands. The P-D Overlay shall be allowed in all residential zones.

11-3. **Use Regulations**

The P-D Overlay is allowed in all residential zoning areas at the discretion of the City Council in compliance with the requirements set forth herein and upon recommendation of the Planning Commission. All use requirements of the zoning district in which the P-D Overlay is located shall apply.

11-4. **General Requirements**

The number of lots allowed in the P-D Overlay shall be the same as the number permitted by the lot area requirements of the zoning district in the P-D Overlay located and may be less than the number allowed as recommended by the Planning Commission.

The area and location of the area to be preserved and maintained through the duly elected Home Owner’s Association for open space or recreational use shall be of a size and location sufficient to achieve the purposes of the area preserved. The area to be preserved and maintained as open space shall be no less than 20% (twenty percent) of the total area of the proposed subdivision site.

The property adjacent to the P-D Overlay Subdivision shall not be adversely affected and to this end, the Planning Commission may recommend, and the City Council require the uses of least intensity and of greatest compatibility be arranged within the boundaries of the P-D Overlay Subdivision area.

11-5. **Minimum Lot Sizes**

The minimum lot area for residential dwellings may be reduced below the area normally required by the present zoning requirements in which the P-D Overlay Subdivision is located, as recommended by the Planning Commission and approved by the City Council.

The proposed lots in a P-D Overlay subdivision must be of sufficient size to allow a twenty (20) foot separation between the side walls of all dwelling units.

Set back requirements for front yards of a dwelling and side yards of dwellings located on corner lots shall be determined by City Ordinance but can be brought to the attention of the Land Use Appeal Authority for consideration. But, no residential dwelling shall be set back less than twelve (12) feet from the legal description of the City right-of-way.

11-6. **Open Space Provisions and Maintenance**

All areas to be preserved for open space through the P-D Overlay Subdivision Ordinance shall be preserved, improved and maintained by the Home Owner's Association in accordance with a plan that is recordable, irrevocable and with restrictions that shall be submitted by the developer or sub divider, or a duly elected Home Owner's Association, reviewed by the City staff, recommended by the Planning Commission and approved by the City Council.

Failure of the Home Owner's Association to maintain or preserve the open space according to the City Council approved plan shall result in remedial action being taken by the City of Enoch to correct the problem at the expense of the Home Owner's Association.

Any fees, costs or expenses incurred by the City of Enoch to correct a problem or remedy a default by the Home Owner Association's failure to enforce the Codes, Covenants and Restrictions of said Subdivision will be due and payable to the City of Enoch by the Home Owner Association upon receipt of billing by the City.

If, after thirty (30) days the fees have not been paid, or an agreement as to the settlement of the charges or the arrangement of an Enoch City approved schedule of payment has not been reached, then the City of Enoch shall use all legal means to collect said fees at the expense of the Homeowner's Association, including all legal fees incurred in the pursuit of the collection of said fees or charges.

**ENOCH CITY CORPORATION
ORDINANCE NO. 2021-01-20-B**

**AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE,
CHAPTER-11, PLANNED UNITE DEVELOPMENTS, BY REMOVING THE ENTIRE
CHAPTER FROM THE ENOCH CITY ZONING ORDINANCE**

WHEREAS, the Enoch City Planning Commission has reviewed Chapter 11 of the Enoch Zoning Ordinance referring to Planned Unit Developments and recommends removing the entire chapter from the Enoch City Zoning Ordinance; and

WHEREAS, after considerable discussion the Planning Commission concluded that Planned Unit Developments would require many contingencies and guidelines and were not needed as an option in Enoch City due to the fact that other existing zones cover the needs of Enoch City at this time; and

WHEREAS, the Enoch City Planning Commission held a public hearing on January 12 , 2021 and sent a favorable recommendation to the City Council for removing Chapter 11, Planned Unit Developments from the Enoch City Zoning Ordinance; and

WHEREAS, the Enoch City Council reviewed the favorable recommendation from the Planning Commission on the removal of Chapter 11 regarding Planned Unit Developments;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of Enoch City that the Enoch City Subdivision Ordinance is amended as recommended above. This Ordinance was voted upon and passed by the Enoch City Council at a regular City Council meeting held on the 20th day of January, 2021. It shall take effect immediately after signing by the Mayor and City Recorder.

DATED this 20th day of January 2021

ENOCH CITY CORPORATION

Geoffrey L. Chesnut, Mayor

ATTEST:

Julie Watson, City Recorder

VOTING:

David Harris	Yea ___	Nay ___
Jolene Lee	Yea ___	Nay ___
West Harris	Yea ___	Nay ___
Katherine Ross	Yea ___	Nay ___
Shawn Stoor	Yea ___	Nay ___

SEAL:

Planning Commission Recommendation on Accessory Buildings

MINUTES
ENOCH CITY PLANNING COMMISSION
January 12, 2021 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Commissioner Leonard Correa
Commissioner Greg Peterson-absent
Commissioner Andrew Meacham-Zoom
Commissioner Debra Ley
Commissioner Bob Tingey

STAFF PRESENT:

Rob Dotson, City Manager-Zoom
Council Member Ross-Zoom
Julie Watson, City Recorder-Zoom

6. **PUBLIC HEARING ON THE ENOCH CITY ZONING ORDINANCE, CHAPTERS 13-2, 14-2, 15-2, 16-2 & 17-3 REGARDING ACCESSORY BUILDINGS-The Commission will hear public comments on regulating the area of land an accessory building can occupy on a residential lot.**

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

Chairman Tingey invited comments. There were none.

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

7. **CONSIDER AND MAKE RECOMMENDATION TO THE CITY COUNCIL ON THE ENOCH CITY ZONING ORDINANCE, CHAPTERS 13,14 15,16,17, REGARDING ACCESSORY BUILDINGS-The Commission will consider regulating the area of land an accessory building can occupy on a residential lot.**

Chairman Tingey said in previous discussions we settled on changing the area allowed to 20%. It was noted the chapters were listed incorrectly and referred to the old ordinance that said 10% of the lot area can be covered by an accessory building but we have discussed it for so long it is not an issue. All agreed that 20% of the entire lot size was decided upon in the discussions.

Chairman Tingey asked if all agreed that since there were no other comments from the public that we are agreed on 20% of the entire lot for the area of an accessory building. Chairman Tingey said there were a lot of comments in other meetings. Commissioner Correa said he felt like the reason this came up is Jeff Green said he wanted to request to put a 3500 SF building on an empty lot next to his home. Since there is no home taking up space on the lot would that be allowed? The space the home takes up dictates the size of the accessory building. By saying 20% he could put a 3600 SF building on the lot with no house. Commissioner Ley said we should specify "with existing house on the property". Spencer said most CC&Rs do not allow that. Most say a house has to be built first. It was noted there may be no CC&Rs where he lives. Spencer said if they are recorded with the plat even though there is no homeowners association enforcing things a neighbor could bring a civil issue in court. Spencer said most would not allow that. Chairman Tingey said we voted for 10% and the City Council sent it back to consider a larger area. He added we are not considering this for one person. Many made comments in earlier meetings. Commissioner Meacham said not to disagree with Commissioner Correa but thinking of the community as a whole having that being contingent on a house being on a property first that is not always what property is uses for. Many own livestock property and never intend to build a house but need

a building for the livestock or whatever. Also many store RV's seasonally on property they own never intending to build a home there. If it is contingent on a residence there it hampers the rest of the community based on just a few. As a whole we need to leave that open. The accessory building has to conform to all other building codes. We can't restrict it to a primary residence. Chairman Tingey agreed. Spencer Jones said the place on Utah Trail does have CC&Rs although there is no homeowners association to enforce them. Those CC&R's say a single family house has to be on every lot. Even though they are old they are recorded with the final plat so anyone can bring a civil suit against the building being on an empty lot with no home. It is good to have a limit Spencer said. He gave other examples of larger accessory buildings that can look very nice and should be allowed. If CC&R's are stricter than City Code that is what they can do. City Manager Dotson said it is not our purview to make decisions based on CC&R's. Commissioner Meacham said we are setting an upper limit if the CC&R's in a subdivision restrict it to smaller that is fine. Commissioner Ley said do we still have in place where it says the building has to be 10 feet beyond the structure behind the house. It was noted that is in all the building code so that stays the same. Commissioner Correa said he understands better now and did not want a loophole for one person so he is good with it. Chairman Tingey said we will go with 20% then if all agree. City Manager Dotson said all discussions have led to here.

Commissioner Meacham made motion to send a favorable recommendation to the City Council regarding the Zoning Ordinance Chapters 12-2, 13-2, 14-2, 15-2, 16-2 and 17-3 that the allowable accessory building sizes be 20% of the total lot size. The motion was seconded by Commissioner Correa and all voted in favor by roll call except Commissioner Ley who abstained.

**CHAPTER 13. SINGLE FAMILY RESIDENTIAL DISTRICT
R-1-18**

13-2 PERMITTED USES.

- (1) Accessory uses and buildings customarily incidental to permitted uses, not to exceed ~~10%~~ 20% of the land.

**CHAPTER 14. SINGLE FAMILY RESIDENTIAL DISTRICT
R-1-11**

14-2 PERMITTED USES.

- (1) Accessory uses and buildings customarily incidental to permitted uses, not to exceed ~~10%~~ 20% of the land.

**CHAPTER 15. MULTIPLE RESIDENTIAL DISTRICT
M-R-2**

15-2 PERMITTED USES.

- (1) Accessory uses and buildings customarily incidental to permitted uses, not to exceed ~~10%~~ 20% of the land.

**CHAPTER 16. MIXED RESIDENTIAL
MXR-18**

16-2 PERMITTED USES.

- (1) Accessory uses and buildings customarily incidental to the permitted use, not to exceed ~~10%~~ 20% of the land.

**CHAPTER 17. MOBILE HOME SUBDIVISION
MHS**

17-3 PERMITTED USES.

- (1) Accessory uses and buildings customarily incidental to the permitted use, not to exceed ~~10%~~ 20% of the land.

**ENOCH CITY CORPORATION
ORDINANCE NO. 2021-01-20-C**

**AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE,
CHAPTERS 13-2, 14-2, 15-2, 16-2 & 17-3, REFERRING TO QUALIFYING
REGULATIONS FOR ACCESSORY BUILDINGS**

WHEREAS, the Enoch City Planning Commission has reviewed the changes to Chapters in the Enoch Zoning Ordinance referring to accessory buildings in residential zones and recommend amending language to standardize the requirements; and

WHEREAS, the Enoch City Planning Commission held a public hearing on January 12, 2021 and sent a favorable recommendation to the City Council for the changes to the Enoch City Zoning Ordinance, Chapters 13-2, 14-2, 15-2, 16-2 & 17-3, referring to qualifying regulations for accessory buildings; and

WHEREAS, the Enoch City Council reviewed the favorable recommendation from the Planning Commission on the amendment of language as follows;

ENOCH CITY ZONING ORDINANCE

**CHAPTER 13. SINGLE FAMILY RESIDENTIAL DISTRICT R-1-18
13-2 PERMITTED USES.**

- (1) Accessory uses and buildings customarily incidental to permitted uses, not to exceed 20% of the land.

**CHAPTER 14. SINGLE FAMILY RESIDENTIAL DISTRICT R-1-11
14-2 PERMITTED USES.**

- (1) Accessory uses and buildings customarily incidental to permitted uses, not to exceed 20% of the land.

**CHAPTER 15. MULTIPLE RESIDENTIAL DISTRICT M-R-2
15-2 PERMITTED USES.**

- (1) Accessory uses and buildings customarily incidental to permitted uses, not to exceed 20% of the land.

**CHAPTER 16. MIXED RESIDENTIAL MXR-18
16-2 PERMITTED USES.**

- (1) Accessory uses and buildings customarily incidental to the permitted use, not to exceed 20% of the land.

**CHAPTER 17. MOBILE HOME SUBDIVISION MHS
17-3 PERMITTED USES.**

- (1) Accessory uses and buildings customarily incidental to the permitted use, not to exceed 20% of the land.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of Enoch City that the Enoch City Subdivision Ordinance is amended as written above. This Ordinance was voted upon and passed by the Enoch City Council at a regular City Council meeting held on the 20th day of January, 2021. It shall take effect immediately after signing by the Mayor and City Recorder.

DATED this 20th day of January 2021

ENOCH CITY CORPORATION

Geoffrey L. Chesnut, Mayor

ATTEST:

Julie Watson, City Recorder

VOTING:

David Harris

Yea ___ Nay ___

Jolene Lee

Yea ___ Nay ___

West Harris

Yea ___ Nay ___

Katherine Ross

Yea ___ Nay ___

Shawn Stoor

Yea ___ Nay ___

SEAL: