

**ENOCH CITY PLANNING COMMISSION
NOTICE AND AGENDA**

November 9, 2021 at 5:30pm

**City Council Chambers
City Offices, 900 E. Midvalley Road**

**Topic: Enoch City Planning Commission
Time: Nov 9, 2021 05:30 PM Mountain Time (US and Canada)**

**Join Zoom Meeting
<https://us02web.zoom.us/j/84225410195>**

**Meeting ID: 842 2541 0195
One tap mobile
+13462487799,,84225410195# US (Houston)
+16699006833,,84225410195# US (San Jose)**

**Dial by your location
+1 346 248 7799 US (Houston)
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US (Tacoma)
+1 312 626 6799 US (Chicago)
+1 929 436 2866 US (New York)
+1 301 715 8592 US (Washington DC)
Meeting ID: 842 2541 0195**

- 1. CALL TO ORDER OF REGULAR MEETING**
 - a. Pledge of Allegiance –**
 - b. Invocation –Audience invited to participate.**
 - c. Inspirational thought-**
 - c. Approval of agenda for November 9, 2021**
 - d. Approval of minutes for October 26, 2021**
 - e. Conflict of Interest Declaration-**
- 2. PUBLIC HEARING ON THE PENNY PROPERTY ZONE CHANGE FROM MIXED RESIDENTIAL M-R-2 AND SINGLE-FAMILY RESIDENTIAL R-1-18 TO SINGLE-FAMILY RESIDENTIAL R-1-11**
- 3. CONSIDER ZONE CHANGE REQUEST FOR THE PENNY PROPERTY AND MAKE A RECOMMENDATION TO THE CITY COUNCIL**
- 4. CONSIDER MINOR SUBDIVISION AND PLAT AMENDMENT FOR THE STEAD PROPERTY ON HWY 91 AND MAKE A RECOMMENDATION TO THE CITY COUNCIL**

5. **CONSIDER THE PAREDES ZONE CHANGE FROM SINGLE-FAMILY RESIDENTIAL R-1-18 TO SINGLE-FAMILY RESIDENTIAL R-1-11 AND SET A PUBLIC HEARING FOR NOVEMBER 23, 2021**
6. **CONSIDER MINOR SUBDIVISION AND PLAT AMENDMENT FOR ALAN WADE PROPERTY AND MAKE A RECOMMENDATION TO THE CITY COUNCIL CONTINGENT ON COMPLETION OF ANNEXATION**
7. **CONSIDER ORDINANCE NO. 2021-12-01, AN ORDINANCE AMENDING THE ENOCH CITY SUBDIVISION ORDINANCE, CHAPTER 12.1400.1407 MODIFYING REGULATIONS REGARDING SETBACKS AND SET A PUBLIC HEARING FOR NOVEMBER 23, 2021**
8. **PUBLIC COMMENTS**
9. **COMMISSION/STAFF REPORTS**
10. **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 Planning Commission 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 Planning Commission, 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 Nov. 4, 2021.

 11-4-21

Julie Watson, Recorder Date

MINUTES
ENOCH CITY PLANNING COMMISSION
October 26, 2021 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Commissioner Leonard Correa
Commissioner Andy Losee
Commissioner Andrew Meacham
Commissioner Debra Ley
Commissioner Bob Tingey

STAFF PRESENT:

Rob Dotson, City Manager
Council Member Katherine Ross
Julie Watson, City Recorder-Zoom
Lindsay Hildebrand-Deputy Rec.

PUBLIC PRESENT: None

1. **CALL TO ORDER OF REGULAR MEETING**-By Chairman Tingey at 5:30 pm.
 - a. **Pledge of Allegiance** –Led by Commissioner Correa
 - b. **Invocation** –Audience invited to participate. Given by Council Member Ross
 - c. **Inspirational thought**-Given by Commissioner Losee
 - c. **Approval of agenda for Oct. 26, 2021- A motion was made by Commissioner Meacham to approve the agenda. Commissioner Ley seconded the motion and all voted in favor.**
 - d. **Approval of minutes for Oct. 12, 2021- A motion was made by Commissioner Meacham to approve the minutes. Commissioner Correa seconded the motion and all voted in favor.**
 - e. **Conflict of Interest Declaration**-Commissioner Ley said item #3 is across the street from her home. No other conflicts were stated.

2. **CONSIDER ZONE CHANGE APPLICATION FOR PENNY PROPERTY NORTH OF 3800 AND WEST OF SR-130, INCLUDES 130.80 ACRES, AND SET A PUBLIC HEARING FOR Nov. 9, 2021**

Chairman Tingey asked Dallas if there was anything new to go over. Dallas said there is nothing new. This zone change will be the same density as the current zone. Chairman Tingey asked if there were any questions. There were none.

Commissioner Ley made a motion to set a public hearing for November 9, 2021 for the zone change for the Penny Property from M-R-2 and R-1-18 to R-11. Commissioner Meacham seconded the motion and all voted in favor.

3. **CONSIDER MJB ENOCH, LLC MINOR SUBDIVISION AND MAKE A RECOMMENDATION TO THE CITY COUNCIL-Go Civil Eng.**

Dallas Buckner said that this is a parcel on the intersection of Midvalley Road and Hwy. 91. One of the owners met with City Manager Dotson and liked the idea of a minor subdivision. It is a 16 acre parcel and they are dividing it into approximately four (4) parcels. Chairman Tingey asked if this is M-R-2 now and that was confirmed. There was discussion on the zone change to M-R-2 that occurred a few years ago and then nothing was developed on the land. It will remain M-R-2 for the time being. City Manager Dotson said the developer has intentions are to sell the lots as farm lots for horses and the like. There are very few pieces of property like this. He wants to create an HOA because there is a well on Lot #1 that they would like to use for outside irrigation of the four properties. They would be on City water and sewer for the home use. That can be accomplished with an HOA to designate the well for outside irrigation. It is like a Planned

Unit Development (PUD), potentially. Chairman Tingey asked if there were any questions. There were none.

Commissioner Correa made a motion to send a favorable recommendation to City Council for the Minor Subdivision for MJB Enoch, LLC. Commissioner Meacham seconded the motion and all voted in favor.

4. CONSIDER ORDINANCE NO. 2021-11-03, AN ORDINANCE AMENDING THE ENOCH SUBDIVISION ORDINANCE, MULTIPLE CHAPTERS, REGARDING DEFINITIONS PERTAINING TO COMPLETION ASSURANCE IN MINOR AND MAJOR SUBDIVISIONS

City Manager Dotson said in our last meeting there was a change to State Code that amended the language calling performance guarantees of different kinds "completion assurance". He said he changed some descriptions and added some minor things. "Completion assurance" can come in different forms. That can be given such as cash, bonds, letters of credit, etc. This takes all of them into consideration under one notation of "completion assurance". City Manager Dotson said he put a chart into the Code to be more descriptive regarding the improvements completed. He explained how this works and gave an example of the Reduction of Assurance. State code does let us keep more than 10 % so we are changing it to 10% to comply. Commissioner Ley asked about improvement bond in E, under elevations, asking if that was that supposed to be changed. City Manager Dotson said that he missed that one and will correct it. He went through all of the changes detailed in the ordinance. Commissioner Ley asked about Step 11. What is the difference between the two inspections? City Manager Dotson clarified that the final inspection release is for the bond or "completion assurance" and the final inspection is when they are completely done and the public improvements are turned over to the City. Commissioner Correa asked about each bond applying to each phase. City Manager Dotson said there is a separate "completion assurance" for each phase. There was brief discussion about sidewalks and when they are installed and why. City Manager Dotson said the idea is the sidewalks aren't put in until after the homes are built. Then trucks and other things aren't driving over them and breaking them up. The developer has an agreement that is recorded on all properties, like an HOA. In Settlers Square, the builder is also the developer so he has to put sidewalks in. In some cases the homeowner, when building on a lot after the fact, has to put the sidewalk in. When someone gets a final plat recorded, if completion assurance is given to the City, we can't deny a building permit, which is in State Code. Commissioner Ley asked about what happens if the developer goes bankrupt. City Manager Dotson said we would call the "Completion Assurance", hire a contractor and finish the subdivision. Chairman Tingey asked if there were any questions. There were none.

Commissioner Meacham made a motion to send a favorable recommendation to the City Council on Ordinance No. 2021-11-03, an ordinance amending the Enoch Subdivision Ordinance, Multiple Chapters, regarding definitions pertaining to Completion Assurance in Minor and Major Subdivision with the correction in item E. and including modifications and additions. Commissioner Ley seconded the motion and all voted in favor.

5. PUBLIC COMMENTS - None

6. COMMISSION/STAFF REPORTS

Council Member Ross reported the City Council talked about flood insurance and drainage. There were changes to the PUD ordinance but additional changes came up so it was tabled until the next meeting.

City Manager Dotson reported our previous Water Board Member, Dilworth Armstrong passed away. He will be greatly missed. There will be a viewing at the church by the Family Dollar,

Friday night and graveside service Saturday afternoon. There are all kinds of things going on. Drainage is #1. He said he had been meeting with finance experts and engineers on where to go. The City Council approved amending the impact fee analysis and plan for drainage. We will start on design work on other areas in Enoch that have issues every time it rains. The City Council approved the Master Transportation Plan. Development conversations are minimal as winter is coming on. The damage from the previous flooding was mostly on the roads.

Commissioner Correa said that the signs for the roundabout will be done soon. City Manager Dotson said we are trying to get the lights working.

Commissioner Ley said she wants everyone to vote and encourage our neighbors.

Commissioner Losee said that he wants to set up some type of monthly video about things we can share so the public will have more knowledge about what the City Council and Planning Commission are doing. We just want to inform people. City Manager Dotson gave examples of people coming in wanting to set up committees and things that we already have in place which indicates the level of resident's lack of information or not knowing where to look for things. There are people who say the City doesn't plan however if they looked online they would see the minutes of meetings and get a different view of it. There was more discussion of what could be done to inform the public and different formats it could be done with. Commissioner Losee said he wants to close the gap. We need a little bit of time every meeting to go over what we should say. We need to be consistent. Chairman Tingey said that he likes the idea of doing this but as a Planning Commission we don't have the authority do just do it. We need permission from the City Council. Council Member Ross said she will bring it to City Council. Chairman Tingey said he would like it on the next agenda if approved.

Chairman Tingey assigned the inspirational thought to Commissioner Meacham.

7. ADJOURN – Motion to adjourn by Commissioner Correa. Motion was seconded by Commissioner Ley and all voted in favor.

Julie Watson, Recorder

Date

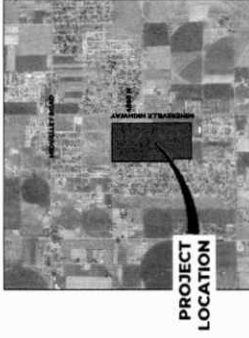
Penny Property

ENOCH ZONE CHANGE FOR ROSS CHATWIN

LOCATED IN SECTIONS 14 & 23, T35S, R11W, SLB&M, ENOCH CITY, UTAH



SCALE IN FEET
0 50'



VICINITY MAP
1:1

BOUNDARY DESCRIPTION (130.80 AC)

THE BOUNDARY OF THE PROPOSED ZONE CHANGE IS DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHWEST CORNER OF THE SECTION 14, T35S, R11W, SLB&M, ENOCH CITY, UTAH, AND PROCEED AS FOLLOWS: N 89° 45' 14" W 1000.04' TO THE POINT OF BEGINNING.

CITY ATTORNEY'S APPROVAL

I, JUSTIN WALSH, CITY ATTORNEY FOR ENOCH CITY, UTAH, DO HEREBY CERTIFY THAT I HAVE EXAMINED THIS ZONE CHANGE & GENERAL PLAN AMENDMENT AND THAT SAME MEET THE REQUIREMENTS OF ENOCH CITY ZONE CHANGE & GENERAL PLAN AMENDMENT. I HEREBY RECOMMEND FOR APPROVAL ON THIS DATE OF 10/10/2023.

JUSTIN WALSH, CITY ATTORNEY

PLANNING COMMISSION APPROVAL

I, BOB TRINITY, PLANNING COMMISSION CHAIR FOR ENOCH CITY, UTAH, DO HEREBY CERTIFY THAT THIS ZONE CHANGE & GENERAL PLAN AMENDMENT WAS EXAMINED AND ACCEPTED BY ME THIS DATE OF 10/10/2023.

BOB TRINITY, PLANNING COMMISSION CHAIR

CERTIFICATE OF ACCEPTANCE

I, JILL WALSH, MAYOR OF ENOCH CITY, UTAH, DO HEREBY CERTIFY THAT THIS ZONE CHANGE & GENERAL PLAN AMENDMENT HAS BEEN APPROVED BY THE CITY COUNCIL AND IS HEREBY ORDERED FILED FOR RECORD IN THE OFFICE OF THE SOIL COUNTY RECORDER ON THIS DATE OF 10/10/2023.

JILL WALSH, MAYOR

LEGEND

- EXISTING ZONE BOUNDARY
- PROPOSED ZONE BOUNDARY

PRELIMINARY NOT FOR CONSTRUCTION

14 OF 14 SHEETS AND NOT TO SCALE

NO.	REVISIONS	DATE	BY

WOLSEY LAND SURVEYING, P.C.
 1000 WEST 1000 NORTH
 SUITE 100
 SALT LAKE CITY, UT 84119
 TEL: 313-333-3333
 FAX: 313-333-3334
 WWW.WOLSEYLANDSURVEYING.COM

IRON COUNTY TAX PARCEL A-1017-0003-0000
 IRON COUNTY, UTAH
 ECHO CITY
 A PART OF SECTION 11, T35S, R11W, S11E, E1
 ZONE CHANGE PLAT OF:

DATE: 10-27-2007
 SCALE: 1"=40'
 SHEET NO. 1 OF 1



LEGEND

- ZONE LINE
- ADJACENT PROPERTY LINE
- SECTION LINE
- SECTION CORNER AS DESCRIBED
- ◊ [R-1-18]
- EXISTING ZONE R-1-18
- PROPOSED ZONE CHANGE AREA TO RESIDENTIAL R-1-11

NARRATIVE

THIS ZONE CHANGE WAS DONE AT THE REQUEST OF MARCELO PAREDES. THE BASIS OF BEARINGS IS S89°31'22"E, 2684.79 FEET, FROM THE SOUTHWEST CORNER TO THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 35 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN.

THIS ZONE CHANGE PROPOSES TO CHANGE THE EXISTING ZONE OF R-1-18, RESIDENTIAL 18,000 S.F., TO R-1-11, RESIDENTIAL 11,000 A.F.

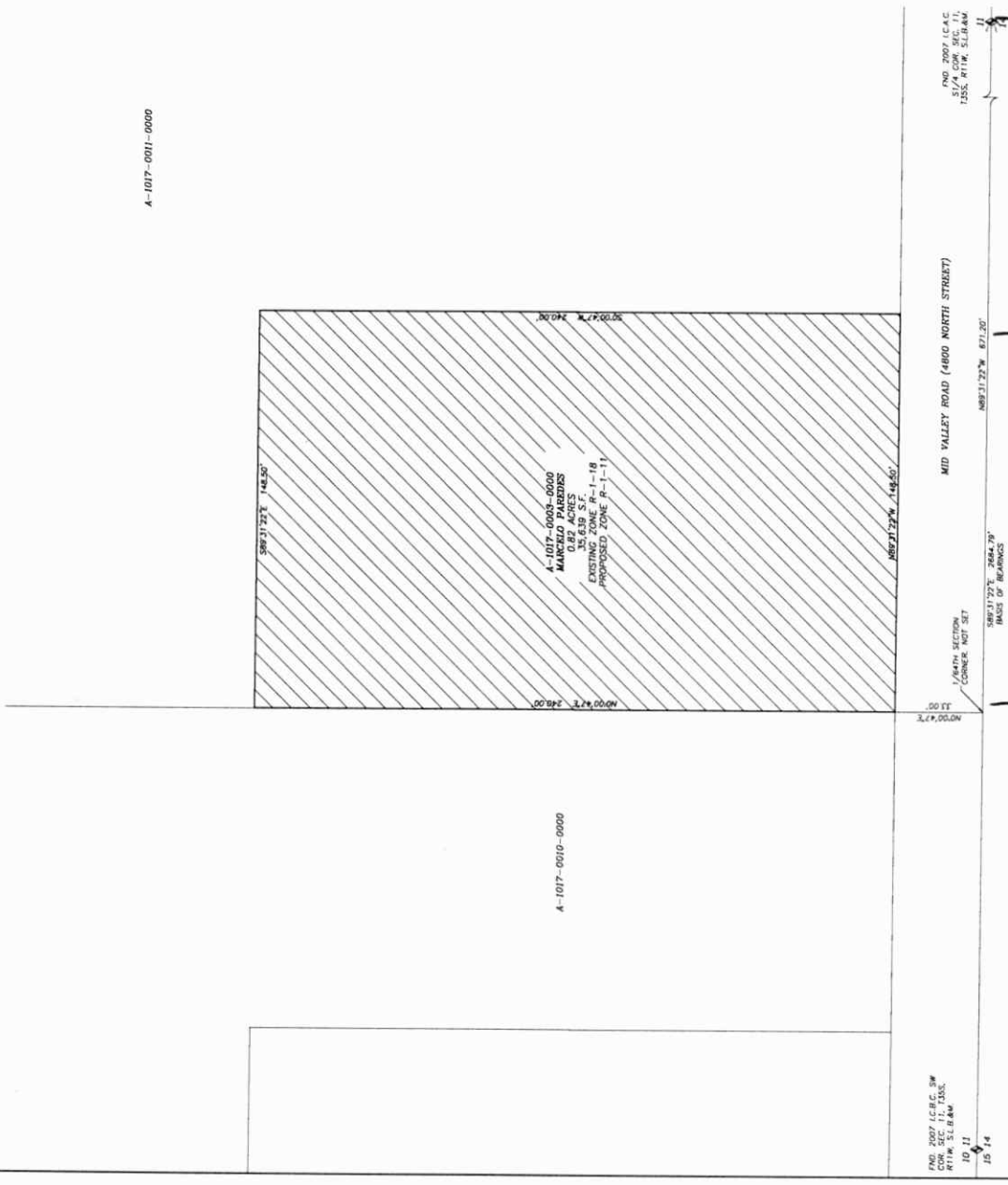
ZONE CHANGE DESCRIPTION: A-1017-0003-0000

PROPOSED ZONE: R-1-11

THE ZONE CHANGE PROPOSES TO CHANGE THE EXISTING ZONE OF R-1-18, RESIDENTIAL 18,000 S.F., TO R-1-11, RESIDENTIAL 11,000 A.F. THE ZONE CHANGE AREA IS 0.82 ACRES.



ZONE CHANGE OF:
IRON COUNTY TAX PARCEL:
A-1017-0003-0000
 A PART OF SECTION 11, T35S, R11W, S11E, E1
 ECHO CITY, IRON COUNTY, UTAH



Boebert
Part
6-DS
church

FILED 2007 I.C.B.C. SW
 COUNTY OF IRON
 R11W S11E E1
 10 11
 15 14

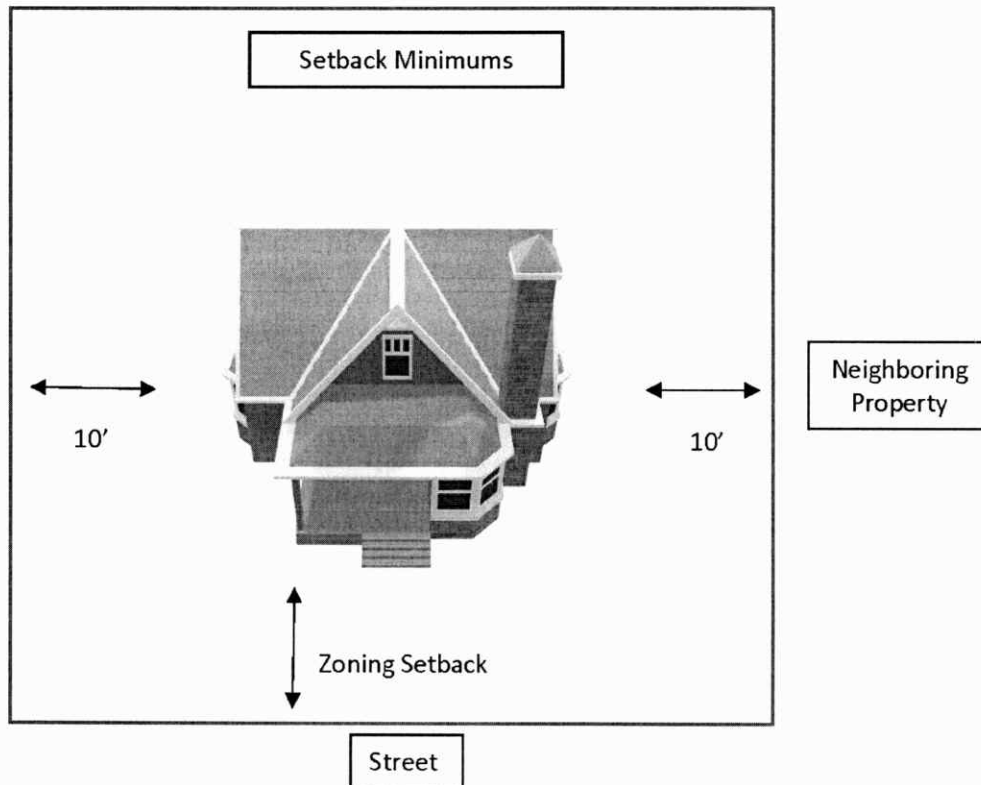
FILED 2007 I.C.B.C. SW
 COUNTY OF IRON
 T35S R11W S11E E1
 10 11
 15 14

Changes - 4 pgs-

12.1400.1407 MODIFYING REGULATIONS

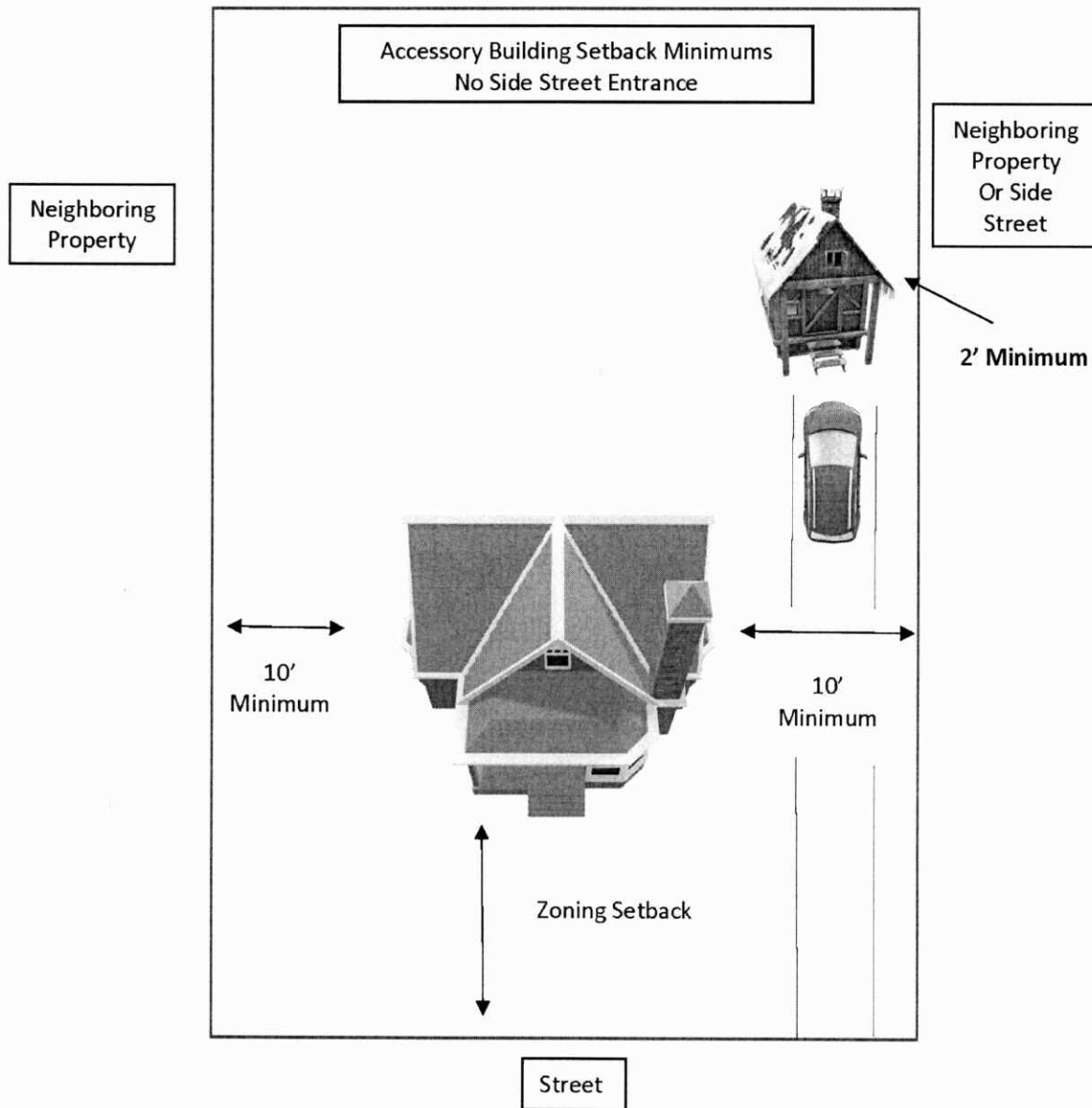
A. Side yards - Main buildings, ~~other than dwellings~~, shall have a minimum side yards of ten (10) feet ~~and the total of the two side yards shall be twenty (20) feet.~~ (Exhibit A)

Exhibit A



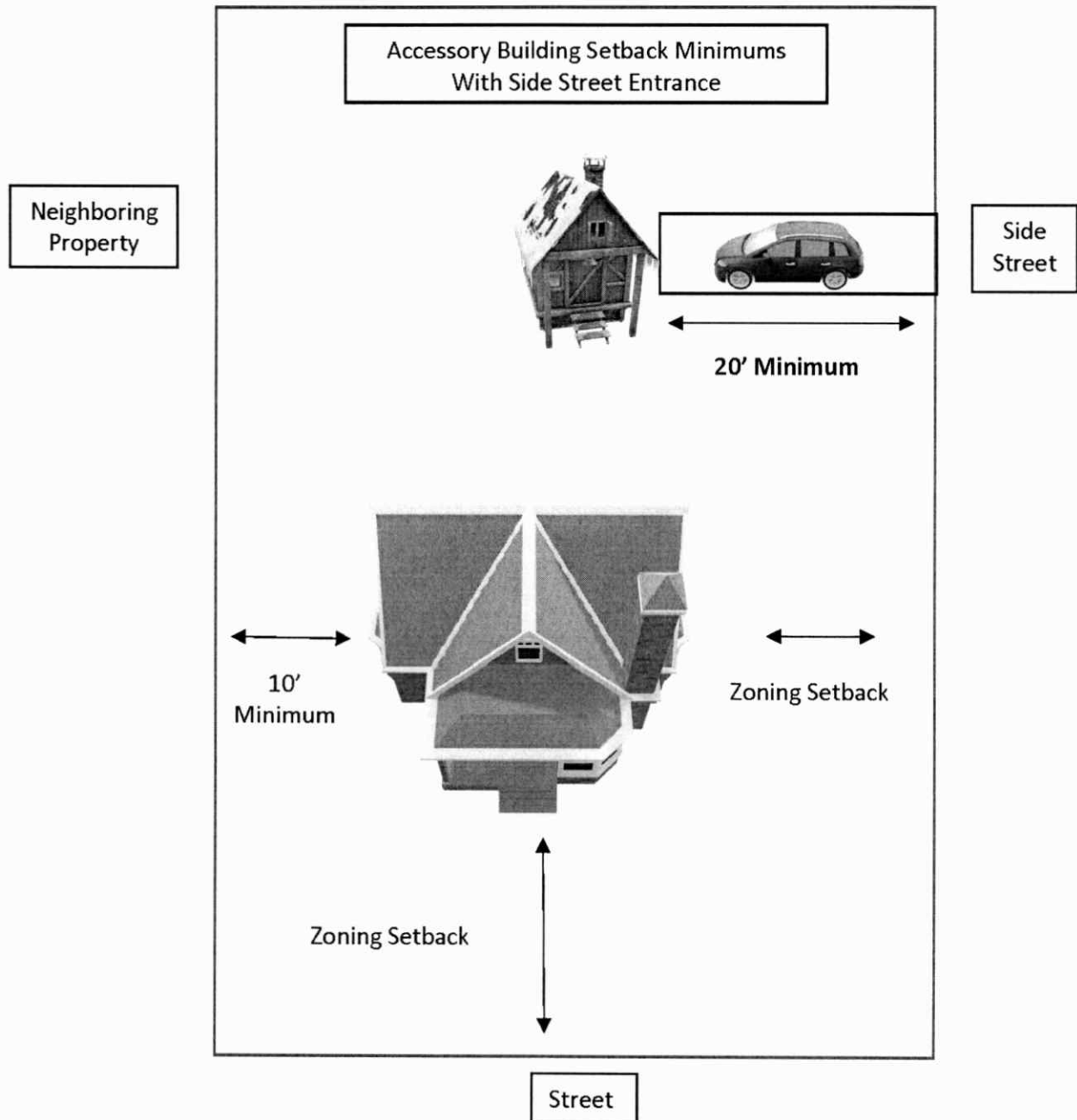
~~Private garages and~~ Accessory buildings, located ~~at least~~ greater than ten (10) feet behind the main building, ~~may~~ shall have a minimum side yard of two (2) feet with no ingress/egress from a side street. (Exhibit B)

Exhibit B



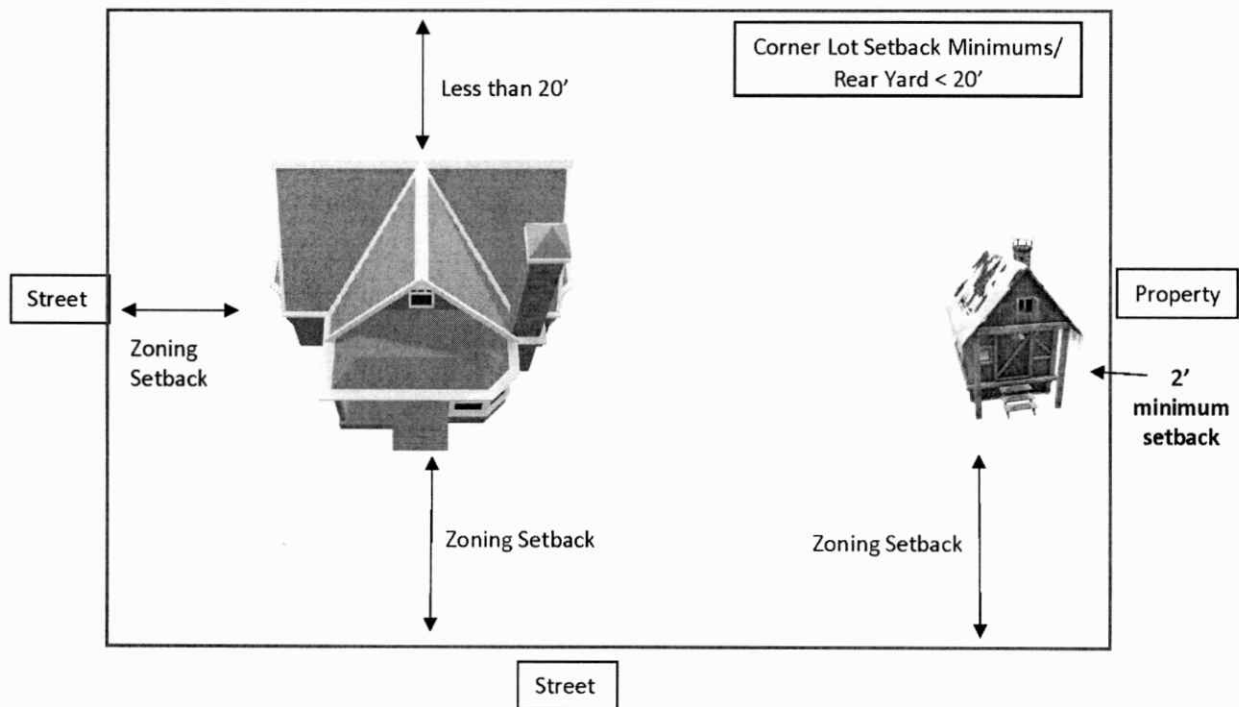
If ingress/egress is to be at the side street, the side setback shall be 20 feet. (Diagram C)

Diagram C



When main building placement on a corner lot does not have a rear yard more than 20 feet, private garages and accessory buildings, located at least ten (10) feet to the side of the main building, shall maintain the same front & rear setback as the zoning designation requires and have a minimum side yard setback of two (2) feet. (Diagram D)

Diagram D



B. Rear yards - ~~Private garages and a~~ Accessory buildings, located at least ten (10) feet behind the main building, may have a rear yard of two (2) feet; provided that on corner lots, rearing on the side of another lot, the minimum rear yard for all buildings shall be the same as the minimum side yard requirements of the zoning district.

ENOCH CITY CORPORATION
ORDINANCE NO. 2021-12-01
AN ORDINANCE AMENDING THE ENOCH CITY SUBDIVISION ORDINANCE,
CHAPTER 12.1400.1407 MODIFYING REGULATIONS REGARDING SET-BACKS

WHEREAS, the Enoch City Planning Commission has reviewed Chapter 12.1400.1407 of the Enoch Subdivision Ordinance referring to modifying regulations for set-backs of buildings; and

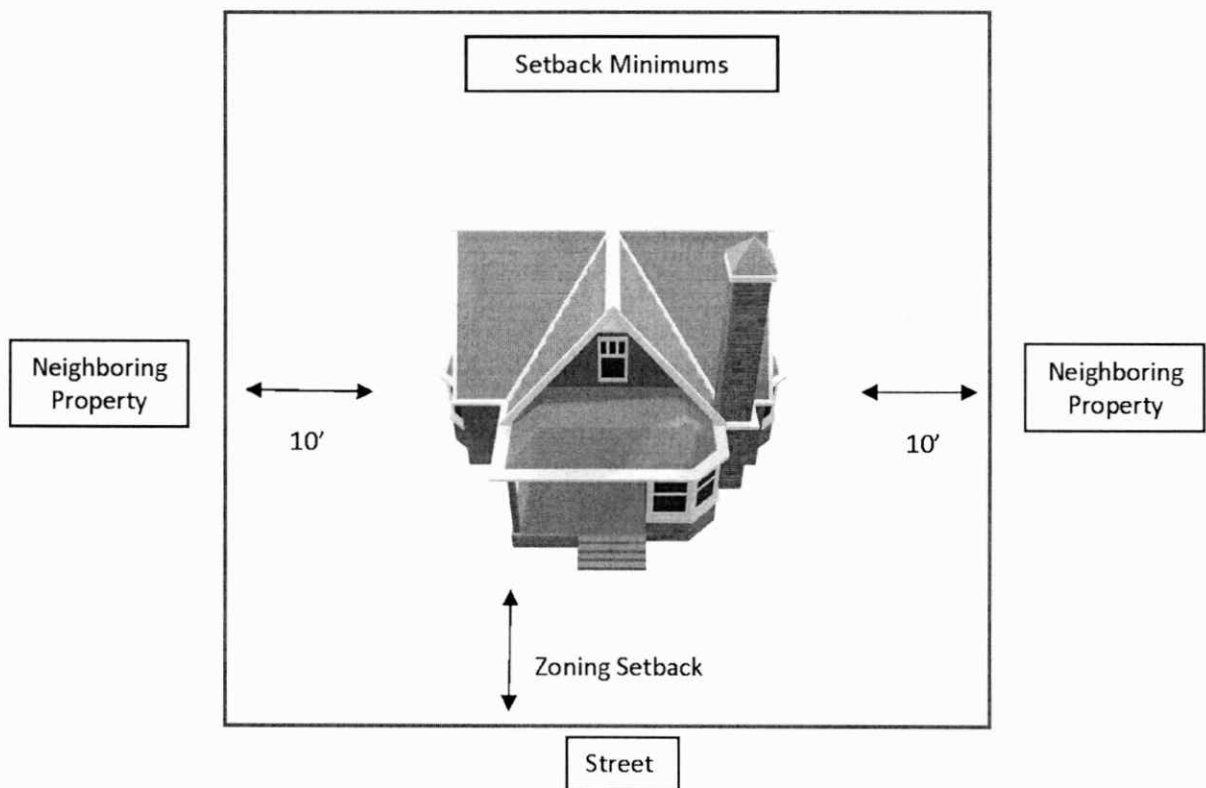
WHEREAS, the Enoch City Planning Commission held a public hearing on November 23, 2021 and sent a favorable recommendation to the City Council regarding amending the Enoch City Subdivision Ordinance after hearing public comments; and

WHEREAS, the Enoch City Council reviewed the favorable recommendation from the Planning Commission to amend the language as follows;

12.1400.1407 MODIFYING REGULATIONS

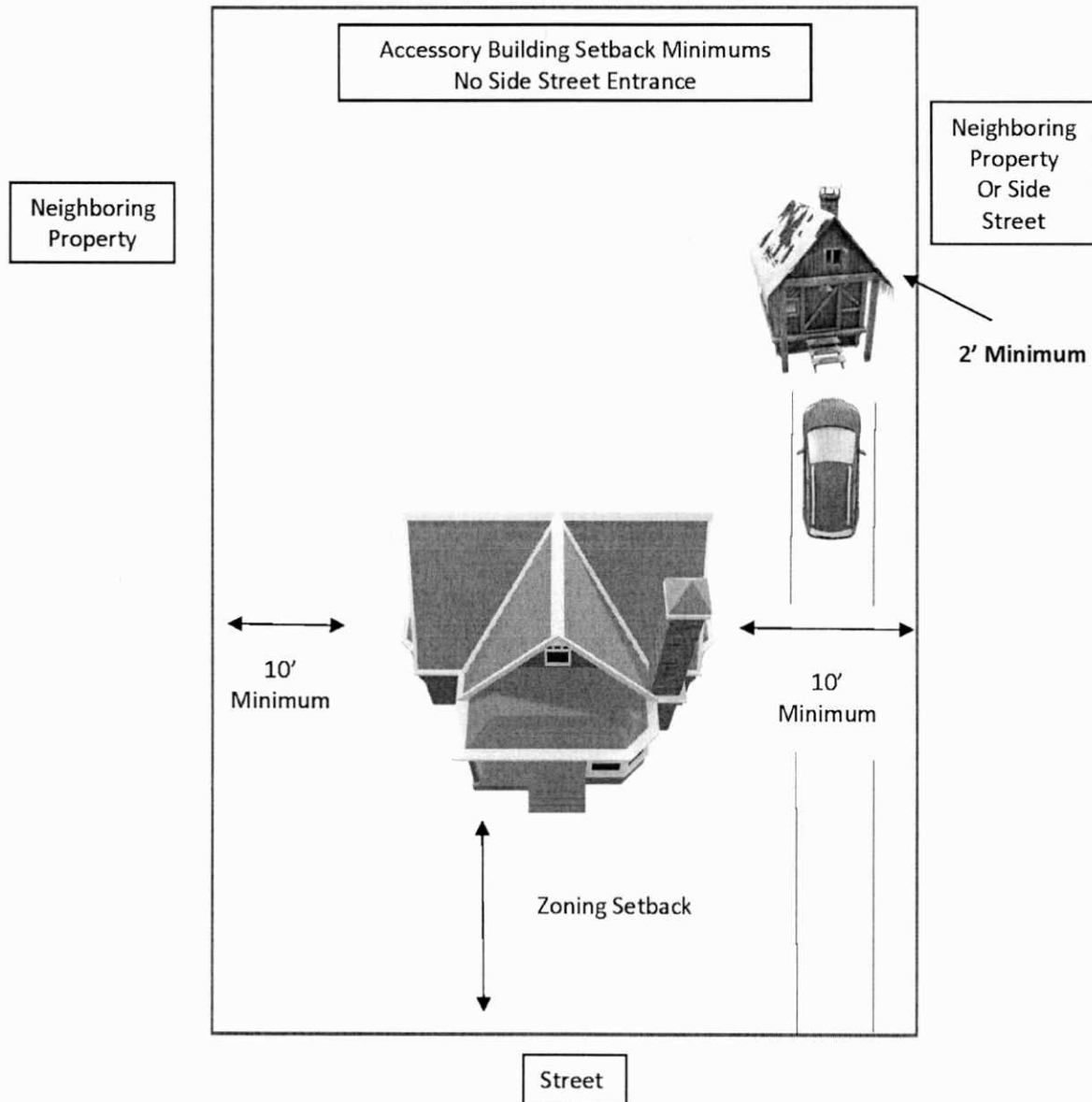
A. Side yards - Main buildings, shall have a minimum side yards of ten (10) feet. (Exhibit A)

Exhibit A



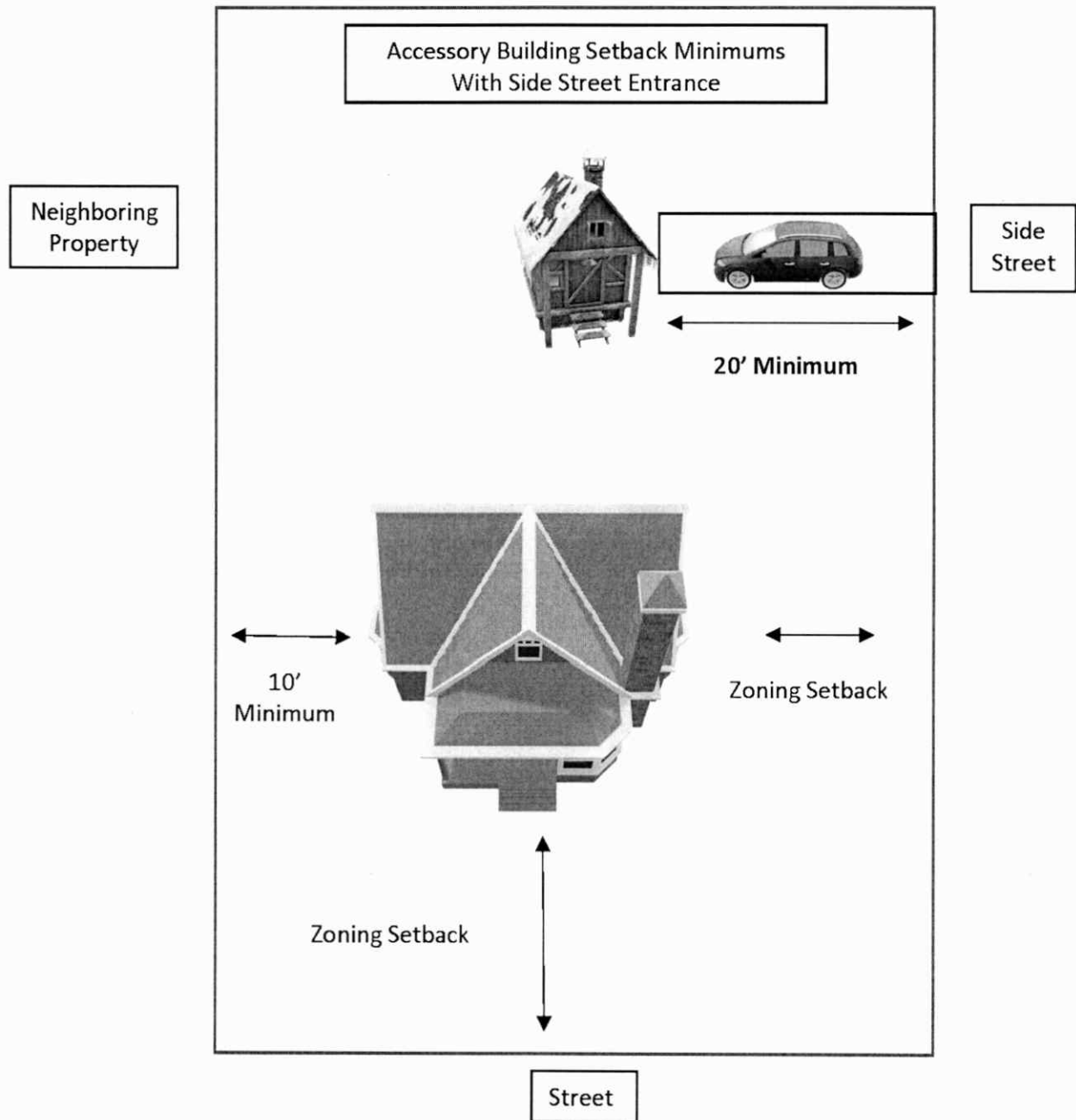
Accessory buildings, located greater than ten (10) feet behind the main building, shall have a minimum side yard of two (2) feet with no ingress/egress from a side street. (Exhibit B)

Exhibit B



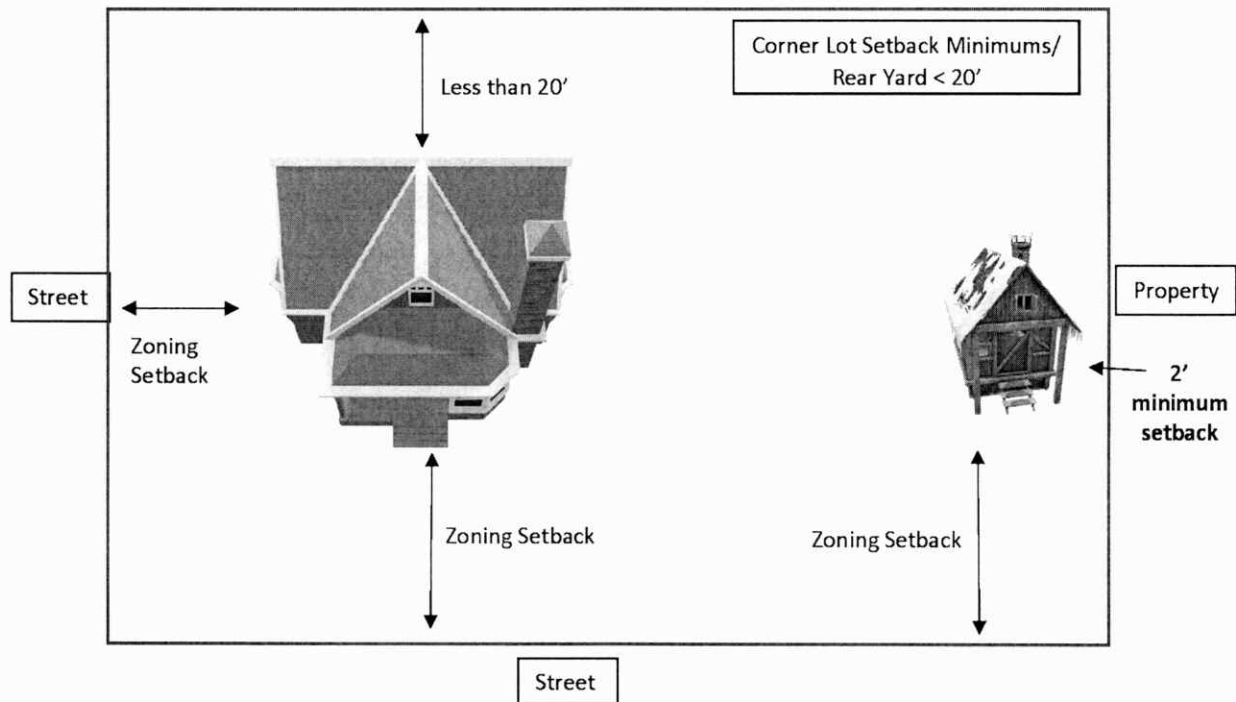
If ingress/egress is to be at the side street, the side setback shall be 20 feet. (Diagram C)

Diagram C



When main building placement on a corner lot does not have a rear yard more than 20 feet, private garages and accessory buildings located at least ten (10) feet to the side of the main building shall maintain the same front and rear setback as the zoning designation requires and have a minimum side yard setback of two (2) feet. (Diagram D)

Diagram D



B. Rear yards - Accessory buildings, located at least ten (10) feet behind the main building, may have a rear yard of two (2) feet; provided that on corner lots, rearing on the side of another lot, the minimum rear yard for all buildings shall be the same as the minimum side yard requirements of the zoning district.

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 1st day of December, 2021. It shall take effect immediately after signing by the Mayor and City Recorder.

DATED this 1st day of December 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: