

**ENOCH CITY PLANNING COMMISSION  
NOTICE AND AGENDA**

**December 13, 2022, at 5:30 pm**

**City Council Chambers**

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

**Join Zoom Meeting**

**<https://us02web.zoom.us/j/85900551306>**

**Meeting ID: 859 0055 1306**

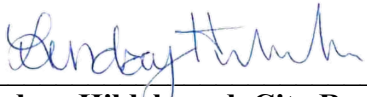
1. **CALL TO ORDER OF REGULAR MEETING-By**
  - a. **Pledge of Allegiance**
  - b. **Invocation (2 min.) –Audience invited to participate.**
  - c. **Inspirational thought**
  - d. **Approval of agenda for December 13, 2022**
  - e. **Approval of minutes for November 22, 2022**
  - f. **Conflict of Interest Declaration-none stated**
  
2. **PRESENTATION ABOUT THE IRON COUNTY R-4-K ZONING DISTRICT**  
– Frank Evans
  
3. **PUBLIC HEARING FOR ASPEN ACRES SUBDIVISION FROM  
SINGLE-FAMILY RESIDENTIAL (R-1-11) TO RURAL RESIDENTIAL (R-R-1)**
  
4. **CONSIDER A ZONE CHANGE REQUEST FOR THE ASPEN ACRES  
SUBDIVISION FROM SINGLE-FAMILY RESIDENTIAL (R-1-11) TO RURAL  
RESIDENTIAL (R-R-1) AND MAKE A RECOMMENDATION TO CITY  
COUNCIL**
  
5. **CONSIDER THE FINAL PLAT OF VALLEY GATE ESTATES SUBDIVISION  
PHASE 1 AND MAKE A RECOMMENDATION TO THE CITY COUNCIL**  
-Go Civil Eng.
  
6. **CONSIDER THE FINAL PLAT OF SPRING HILL SUBDIVISION PHASE 1  
AND MAKE A RECOMMENDATION TO THE CITY COUNCIL - Platt & Platt**
  
7. **SET A PUBLIC HEARING FOR ENOCH CITY CODE 12.2600.2602 ON  
DECEMBER 27, 2022 - A secondary irrigation requirement for developers (See Water  
Board Rec.)**
  
8. **CONSIDER THE REVISED MODERATE INCOME HOUSING ELEMENT OF  
THE GENERAL PLAN - City Manager Dotson**
  
9. **DISCUSS THE GENERAL PLAN STARTING WITH SECTION F. ECONOMIC  
DEVELOPMENT**
  
10. **PUBLIC COMMENTS**
  
11. **COMMISSION/STAFF REPORTS**

**12. 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 December 8, 2022.



**Lindsay Hildebrand, City Recorder**

12/8/2022

**Date**

**MINUTES**  
**ENOCH CITY PLANNING COMMISSION**  
**November 22, 2022 at 5:30pm**  
**City Council Chambers**  
**City Offices, 900 E. Midvalley Road**

**MEMBERS PRESENT:**

Commissioner Leonard Correa  
Commissioner Andy Losee  
Commissioner Debra Ley  
Commissioner Wade Adams  
Chairman Bob Tingey

**STAFF PRESENT:**

Rob Dotson, City Manager  
Lindsay Hildebrand, City Recorder  
Hayden White, Pub. Works Dir.  
Council Member Katherine Ross

**PUBLIC PRESENT:**

1. **CALL TO ORDER OF REGULAR MEETING-By**
  - a. **Pledge of Allegiance** – Led by Hayden White
  - b. **Invocation (2 min.)** –Audience invited to participate. – Given by Commissioner Losee
  - c. **Inspirational thought** – Given by Wade Adams
  - d. **Approval of agenda for November 22, 2022** –Commissioner Ley made a motion to approve the agenda. Commissioner Adams seconded and all voted in favor.
  - e. **Approval of minutes for November 9, 2022** – There were two changes to the minutes. Lindsay made the corrections. Commissioner Correa made a motion to approve the minutes. Commissioner Ley seconded and all voted in favor.
  - f. **Conflict of Interest Declaration**-none stated
  
2. **REVIEW A ZONE CHANGE REQUEST FOR ASPEN ACRES SUBDIVISION FROM SINGLE FAMILY RESIDENTIAL (R-1-11) TO RURAL RESIDENTIAL (R-R-1) AND SET A PUBLIC HEARING FOR DECEMBER 13, 2022** – Platt & Platt  
Chairman Tingey asked the Commissioners if they had any questions regarding the zone change. There were none.  
**Commissioner Ley made a motion to set a public hearing for a zone change request for the Aspen Acres Subdivision from Single-Family Residential (R-1-11) to Rural Residential (R-R-1) on December 13, 2022. Commissioner Correa seconded and all voted in favor.**
  
3. **REVIEW ENOCH CITY CODE 12.2600.2602 AND SET A PUBLIC HEARING FOR DECEMBER 13, 2022** – A Secondary irrigation requirement for developers (See Water Board Rec.)  
Hayden White said the idea is to require new subdivisions to run secondary water through the subdivision if they are within a certain amount of feet of a secondary water line. It would help keep the drinking water wells down on usage, and there would be less maintenance, less testing, etc. Chairman Tingey asked if there would be a high cost to the developer. Hayden said it's about \$5,000 extra per lot and maybe even \$7,000 now. There

are no watering restrictions on secondary water like there are with culinary. We also don't require more water rights to hook up to secondary. Commissioner Ley had questions about the impact of the subdivision and charging impact fees. Hayden said there is not a requirement now, but there may be in the future. We need to replace our infrastructure, which is part of the reason for increasing the water rate structure. Council Member Ross said the expert that helped with the water structure changes said he was a little worried because the first two years it shows a drop in money to set aside for other things. We are still not setting enough money aside for the West Desert water. The fee for that would have been too high. Commissioner Ley said part of the West Dessert money should come from impact fees from new homes. Council Member Ross said we can only use impact fees on certain things and there is a time limit on when we use it. Commissioner Correa asked if the proposed fee schedule would be higher or lower than it is now. Hayden said it didn't raise it much. No action was taken.

#### **4. DISCUSS THE GENERAL PLAN STARTING WITH GOAL E-10**

Council Member Ross said we might have to add more about low-income housing because we are lacking some definitions in the General Plan.

#### **Goal: E.10 Emergency Preparedness**

##### **E-10.1**

Commissioner Losee asked if the Commissioner thought they should leave "an emergency event" or change it to "any emergency event". Commissioner Ley said it should stay. Chairman Tingey said he wasn't sure if "which includes, but is not limited to" should be removed. Commissioner Losee said it sounded fine. Chairman Tingey suggested replacing "which includes, but is not limited to" with "for example;...".

##### **E-10.2**

Commissioner Ley suggested removing "available at all times". The Commissioners agreed. Council Member Ross said the CERT team we used to have put things related to emergency preparedness in the Newsletter.

##### **E-10.3**

Chairman Tingey asked if we do this now. Council Member Ross said when we had the flood we coordinated with those groups listed.

#### **Goal: E-11 Fire and Other Emergencies**

##### **E-11.1**

Chairman Tingey asked how to provide adequate water supply in an emergency. Hayden said each subdivision must meet a standard for fire flow. Chairman Tingey said that's assuming the water line is intact. This doesn't have anything to do with storage and more infrastructure.

##### **E-11.3**

Commissioner Ley suggested removing "except for". She also said 11.1 is very similar. Chairman Tingey said 11.3 almost refers to the code and suggested coming back to it for consideration. Commissioner Ley suggested removing 11.3. Chairman Tingey suggested asking City Manager Dotson.

##### **E-11.5**

Commissioner Ley asked about enforcing a vegetation/weed-control ordinance. Chairman Tingey suggested it should read "encourage". Chairman Tingey suggested removing "enforce a" and "ordinance". The Commissioners agreed. They decided the sentence should read "Encourage vegetation/weed-control to minimize fire hazard around buildings."

**E-11.7**

There was a conversation about what it would take to create a fire department here in Enoch.

**Goal: E.12 Property Maintenance**

**E-12.3**

Chairman Tingey suggested replacing “provide” with “promote”. The Commissioners agreed.

**E-12.4**

Chairman Tingey said you have to have a culture of pride in the community. Hayden gave an example of an abandoned car on the City’s property. Commissioner Ley said we would have to have an ordinance for this one. Commissioner Correa said there is a state law that law enforcement can enforce. Hayden said if you don’t have curb and gutter then you can’t park anywhere in front of the house.

Chairman Tingey suggested removing “require” and adding “Consider an ordinance for the”. He also suggested removing “that are visible to the public”. The Commissioners agreed.

**Goal: E.13 Preservation of Historical, Cultural, and Archaeological Resources**

**E-13.1**

Chairman Tingey suggested adding a historical committee. The Commissioners agreed to add 13.5 to say “Encourage the creation of a historic committee”.

**Goal: E.14 Intergovernmental Coordination and Planning**

**E-14.2**

The name of the Iron County Coordinating Council has changed to Iron County Coordinating Council of Government. This needs to be changed.

Commissioner Correa will facilitate F next time.

Chairman Tingey asked that they look back as a whole and make sure they don’t want to change anything within the General Plan.

**5. PUBLIC COMMENTS** – There were no public comments.

**6. COMMISSION/STAFF REPORTS**

Council Member Ross said at the last City Council meeting they approved a proclamation that celebrated the 20<sup>th</sup> anniversary of the Old Spanish Trail. The celebration is on December 4<sup>th</sup>. The RV ordinance passed as the Planning Commission recommended. They had another public hearing on the water rate changes. There were no public comments.

Hayden White said they have been working on roads to prep before it snows again next week. It is a holiday week and they are shorthanded.

Council Member Ross spoke about Wreaths Across America, which will be on Dec. 17<sup>th</sup> at noon. They still need donations. Wreaths are \$17, but they would appreciate any dollar amount. It’s about \$1500 to cover Enoch City Cemetery. They try to be a year in advance. This is our 3<sup>rd</sup> year doing this.

**7. ADJOURN - Commissioner Losee motioned to adjourn. Commissioner Adams seconded all voted in favor.**

### 17.36.310 - Purpose and intent.

The R4K (Residential 4,000 square foot) zoning district is provided and designed to create affordable housing options in a planned and organized park type community; to encourage flexibility and creativity in subdivision design and layout; and to preserve and protect development opportunities primarily in tracts of land where municipal type services are available and transportation systems can lend to higher densities than that generally found in the unincorporated areas of Iron County; and to protect and enhance the desirable amenities and qualities of residential development, natural areas, and open space. To this end, the R4K zoning district should be considered when a planned community of organized smaller lot residential housing opportunities is situated in the appropriate area that can meet the needs for transportation and municipal type services and infrastructure.

( Ord. No. 2021-3, § 4, 4-12-2021)

### 17.36.320 - General requirements.

Development projects/properties zoned R4K must:

- A. Be at least five acres and not more than twenty acres in size, of contiguous property, and must be located at least one thousand feet away from another R4K zoned project/property;
- B. Provide central water with fire flow and central sewer;
- C. Have forty-five feet minimum public street widths with curb, gutter and sidewalks, and comply with the asphalt paving and road requirements described in the Iron County Construction and Design Standards;
- D. Provide two off-street parking spaces on each lot and have additional common parking spaces for use of guests/visitors at a rate of two parking spaces for every ten lots or portion thereof;
- E. Create at least two ingress/egress locations;
- F. Provide at least two thousand five hundred square feet of outside storage area for every ten lots, or portion thereof, within the project area;
- G. Provide at least four thousand square feet of common park space/playground area for each ten lots, or portion thereof, within the project area, with a minimum of 0.5 acre for any one park/playground/open space area;
- H. Provide a developer commitment or insure the creation of a community organization such as a home owner's association (HOA) to operate and maintain community improvements such as private community facilities/buildings, public areas of parks and open space, private outdoor storage areas, and additional common parking spaces; and,
- I. Include a provision stated on the final plat that by means of a developer commitment or the

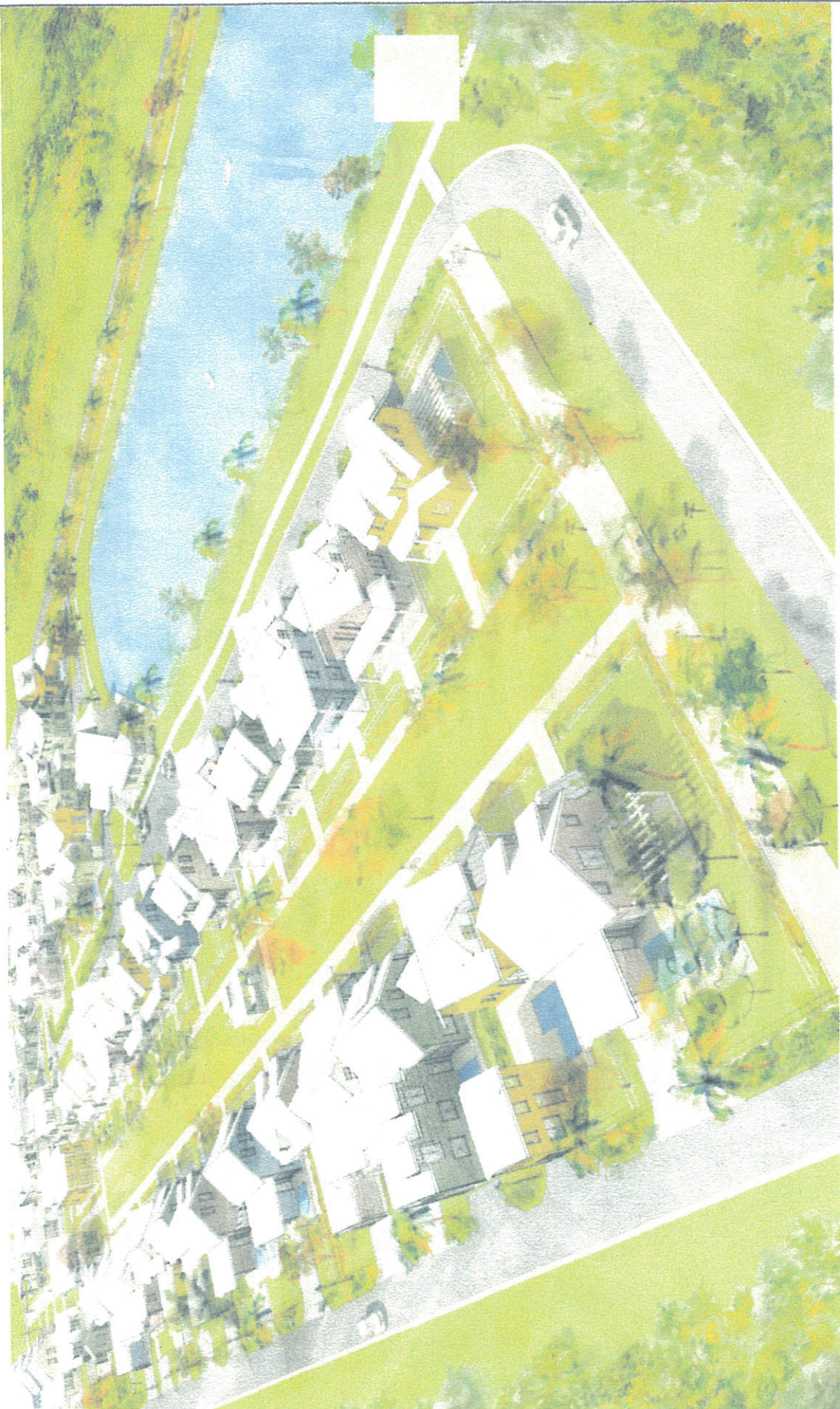
creation of a community organization, such as a home owners association (HOA), that limits non-owner-occupied rental uses, whether short-term rentals or long-term rentals, to thirty percent or fewer units in the subdivision, enforceable by any lot owner's private right of action against the developer or community organization or other enforcement body for failure to enforce. This rental restriction may allow rental exceptions on an individual basis for up to two years to account for sickness, military leave, and other factors, which exemptions must be counted toward the rental limit, but would not trigger a cause of action against the enforcement body.

( Ord. No. 2021-3, § 4, 4-12-2021)

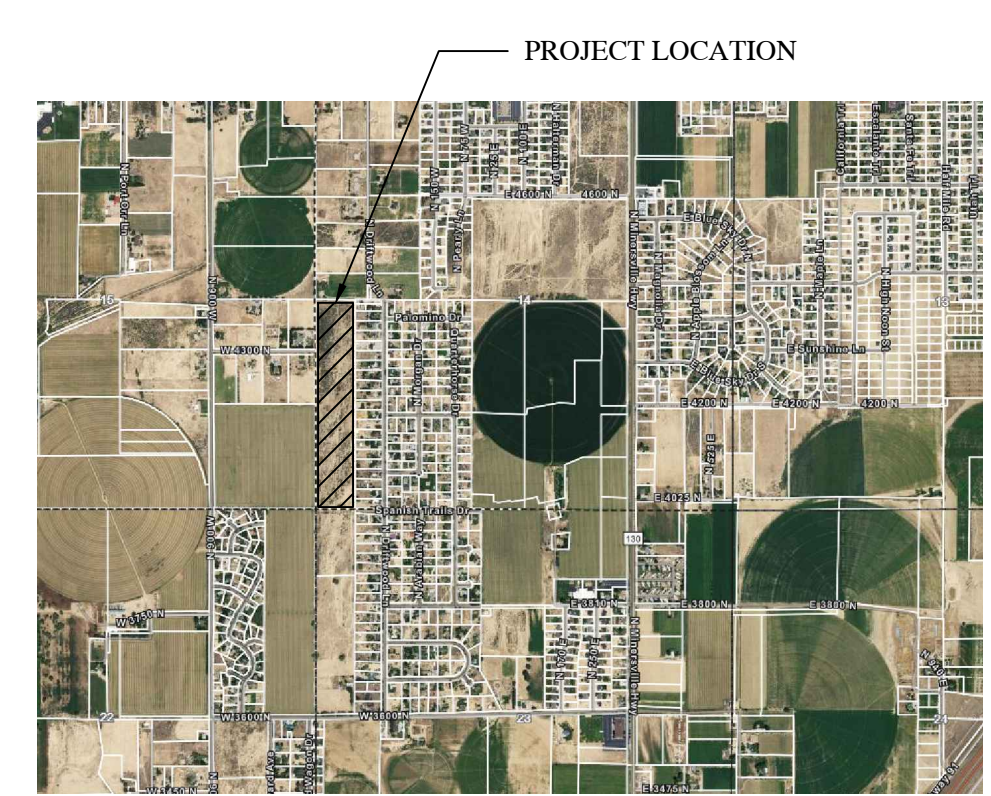
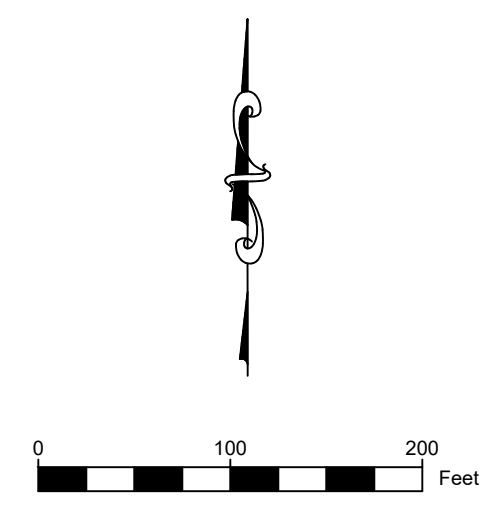
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**ZONE CHANG MAP FOR  
MAVEN RE LC**  
WITHIN THE WEST 1/2 OF SECTION 14, T. 35 S., R. 11 W., SLB&M  
IRON COUNTY, UTAH

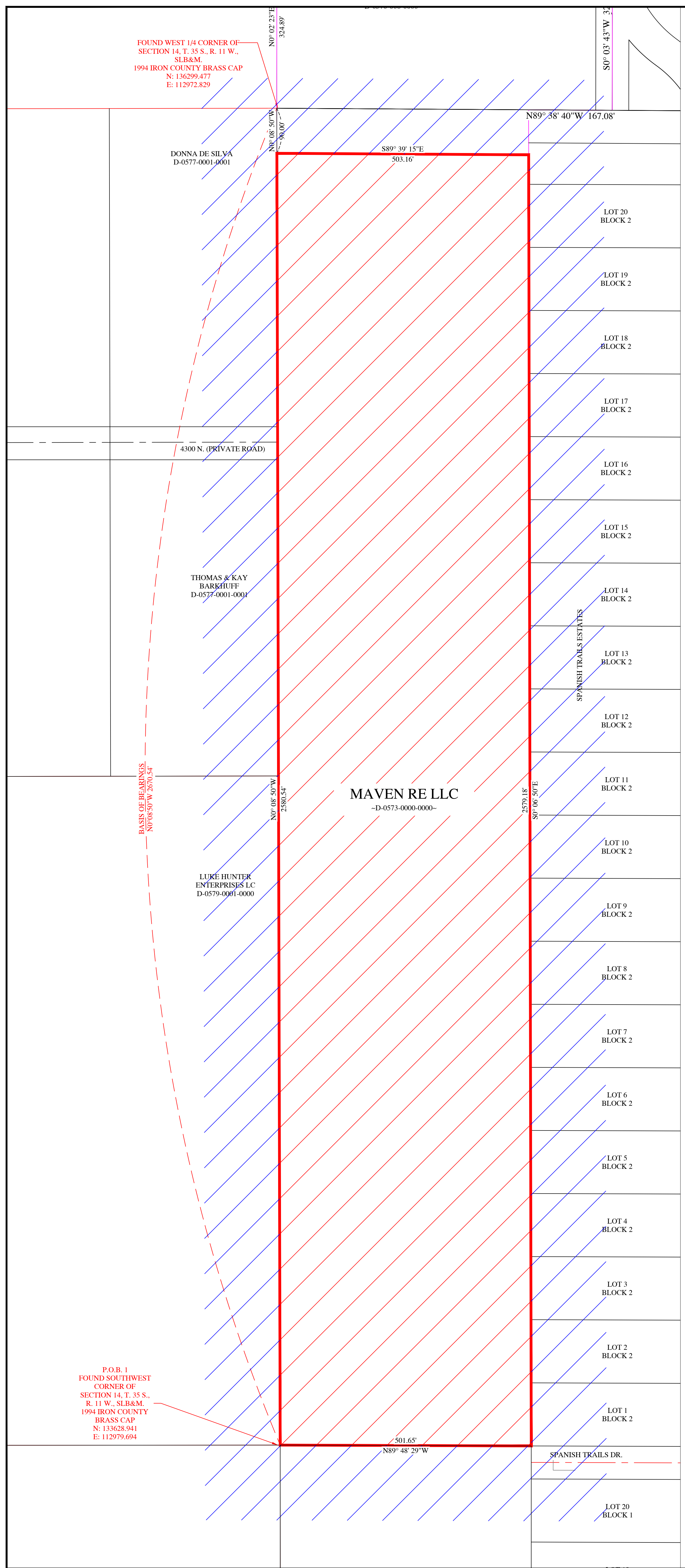


**VICINITY MAP**  
N.T.S.

**ZONE CHANGE LEGAL DESCRIPTION**

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 14, TOWNSHIP 35 SOUTH, RANGE 11 WEST, SLB&M, THENCE N0°08'50"W ALONG THE SECTION LINE 2580.54 FEET, SAID POINT BEING A POINT ALONG THE SECTION LINE JUST 90.00 FEET SOUTH OF THE WEST 1/4 CORNER OF SECTION 14, THENCE S89°39'15"E 503.16 FEET TO THE WESTERLY BOUNDARY OF SPANISH TRAIL ESTATES SUBDIVISION, THENCE S0°06'50"E ALONG SAID BOUNDARY 2579.18 FEET TO THE SECTION LINE, THENCE N89°48'29"W ALONG SAID SECTION LINE 501.65 FEET TO THE POINT OF BEGINNING.  
CONTAINS 29.75 ACRES OF LAND.

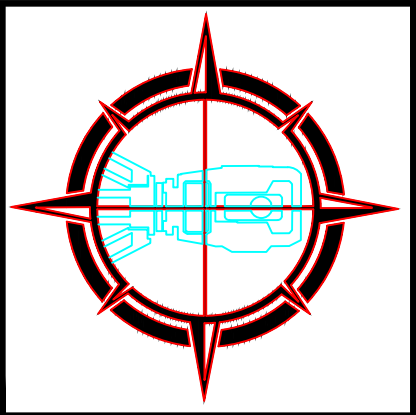
**LEGEND:**  
**PROPOSED ZONE (R-R-1)**  
**EXISTING ZONE (R-1-11)**



DRAWN BY: C. WEAVER  
 CHECKED BY: MR. PLATT  
 DATE: Nov 14, 2022  
 SCALE: #####  
 TITLE: P&M/Maven RE LLC/DW/06/06/2022  
 Acres Zone Change: 29.75  
**SHEET 1 OF 1**

**ZONE CHANG MAP FOR  
MAVEN RE LC**  
 WITHIN THE WEST 1/2 OF SECTION 14, T. 35 S., R. 11 W., SLB&M  
 IRON COUNTY, UTAH

REVISION:	DESCRIPTION
DATE:	
DATE:	
DATE:	



**PLATT & PLATT, INC**  
 CONSULTING  
 CIVIL ENGINEERS  
 # LAND SURVEYORS  
 105 N. 100 E.  
 CEDAR CITY, UT 84720  
 TEL: (435) 586-6151  
 FAX: (435) 586-8567  
 EMAIL: PLATT@INWEST.COM





## 12.2600.2602 IMPROVEMENTS

Material/compaction testing is required for all improvements and all improvements shall comply with the test recommendations. The following improvements shall be required in all subdivisions and shall be approved by the City staff and City Engineer. ~~The improvements required by this Ordinance shall be installed prior to recording the final plat, except as provided herein.~~ Improvements shall not be installed until their location and specifications are approved by the Planning Commission and the City Engineer. Water and sewer mains and laterals and fire hydrants shall be installed prior to the surfacing of streets and the installation of road base, curbs, gutters, and sidewalks.

E. Water Supply. A culinary water supply which must be approved by the City Engineer and the Utah Division of Water Quality shall be available to each lot in the subdivision and shall be provided in conformance with the standards and rules and regulations of the municipality. Where an approved public water supply is available, the subdivider shall install water mains and service lines or laterals from such mains to each lot within the subdivision prior to the installation of road base, surfacing, curbs and gutters and sidewalks. If an approved public water supply is not available, or the public water supply is not capable of providing sufficient culinary water to the development, the City Council may require the development to provide an additional, State approved, culinary water source. When the closest boundary of a development is within \_\_\_\_\_ feet of an active municipal irrigation source, the developer must provide irrigation to said development.

1. A comprehensive water model shall be performed for the development by a licensed Professional Engineer. The water model study shall provide all necessary data required by this Ordinance or the City Engineer.
2. If the comprehensive water study defines additional or enhanced infrastructure outside the development area, the developer is required to build said infrastructure to mitigate the additional impact. (Outside of current impact fee plan/analysis)
3. All required improvements shall be designed and installed to City Engineering Standards.

**Goal C-5. Meeting Moderate-Income Housing Needs/Programs**

To address the promotion, funding and development of moderate-income housing.

**Policies:** **C-5.1** Encourage opportunities for the development of adequate housing for low and moderate-income households by using land-use regulation techniques, i.e. ~~zoning ordinances~~. rezone for densities necessary to facilitate the production of moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers. Additionally, Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.

State Strategy A: Rezone for densities necessary to facilitate the production of moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.

- Action:

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- Projected completion: August 2023.

~~C-5.2 Consider the impact of proposed ordinances, assessments and fees on moderate and low income housing affordability and availability by avoiding service that increase costs.~~ Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate-income housing.

State Strategy B: Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate-income housing.

- Action:

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- Projected completion: Ongoing.

**C-5.3** Encourage the development of affordable housing by government agencies and non-profit organizations by facilitating simple and effective application processes.

State Strategy O: Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate

income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing;

- Action:

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- Projected completion: \_\_\_\_\_.

~~C-5.4 Inform the public about programs such as low cost loans, equity sharing, deed restrictions and other resources to facilitate more moderate income housing. (E) create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;~~ Demonstrate utilization of a moderate-income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing.

State Strategy A: Demonstrate utilization of a moderate-income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing.

- Action:

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- Projected completion: August 2023

**C-5.5** Maintain the required County, State, and Federal reporting mechanisms and use the data as a resource for land-use regulation decisions:

- (b) In drafting the moderate income housing element, the planning commission:
- (i) shall consider the Legislature's determination that municipalities shall facilitate a reasonable opportunity for a variety of housing, including moderate income housing:
    - (A) to meet the needs of people of various income levels living, working, or desiring to live or work in the community; and
    - (B) to allow people with various incomes to benefit from and fully participate in all aspects of neighborhood and community life;
  - (ii) for a town, may include, and for a specified municipality as defined in Section [10-9a-408](#), shall include, an analysis of how the municipality will provide a realistic opportunity for the development of moderate income housing within the next five years;
  - (iii) for a town, may include, and for other municipalities, shall include, a recommendation to implement three or more of the following moderate income housing strategies:
    - (A) rezone for densities necessary to facilitate the production of moderate income housing;
    - (B) demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing;
    - (C) demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate income housing;
    - (D) identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the municipality for the construction or rehabilitation of moderate income housing;
    - (E) create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;
    - (F) zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;
    - (G) amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors;
    - (H) amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities;
    - (I) amend land use regulations to allow for single room occupancy developments;
    - (J) implement zoning incentives for moderate income units in new developments;
    - (K) preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or, notwithstanding Section [10-9a-535](#), establishing a housing loss mitigation fund;
    - (L) reduce, waive, or eliminate impact fees related to moderate income housing;

- (M) demonstrate creation of, or participation in, a community land trust program for moderate income housing;
  - (N) implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality;
  - (O) apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under [Title 11, Chapter 13, Interlocal Cooperation Act](#), an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing;
  - (P) demonstrate utilization of a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing;
  - (Q) create a housing and transit reinvestment zone pursuant to [Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act](#);
  - (R) eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section [10-9a-530](#);
  - (S) create a program to transfer development rights for moderate income housing;
  - (T) ratify a joint acquisition agreement with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing;
  - (U) develop a moderate income housing project for residents who are disabled or 55 years old or older;
  - (V) develop and adopt a station area plan in accordance with Section [10-9a-403.1](#);
  - (W) create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones; and
  - (X) demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing; and
- (iv) in addition to the recommendations required under Subsection [\(2\)\(b\)\(iii\)](#), for a municipality that has a fixed guideway public transit station, shall include a recommendation to implement:

- (A) the strategy described in Subsection [\(2\)\(b\)\(iii\)\(V\)](#); and
  - (B) a strategy described in Subsection [\(2\)\(b\)\(iii\)\(G\)](#), [\(H\)](#), or [\(Q\)](#).
- (C) (i) In drafting the implementation plan portion of the moderate income housing element as described in Subsection [\(2\)\(a\)\(iii\)\(C\)](#), the planning commission shall establish a timeline for implementing each of the moderate income housing strategies selected by the municipality for implementation.
- (ii) The timeline described in Subsection [\(2\)\(c\)\(i\)](#) shall:
- (A) identify specific measures and benchmarks for implementing each moderate income housing strategy selected by the municipality, whether one-time or ongoing; and
  - (B) provide flexibility for the municipality to make adjustments as needed.