

ENOCH CITY PLANNING COMMISSION NOTICE AND AGENDA

May 13, 2025, at 5:30 pm City Council Chambers,

City Offices, 900 E. Midvalley Road

Join Zoom Meeting:

<https://us02web.zoom.us/j/82123638566>

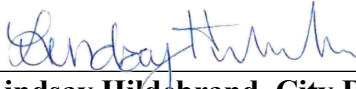
Meeting ID: 821 2363 8566

- 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 May 13, 2025 –**
 - e. Approval of minutes for April 22, 2025 –**
 - f. Conflict of Interest Declaration –**
- 2. PUBLIC COMMENTS**
- 3. PUBLIC HEARING FOR A ZONE CHANGE REQUEST, PARCEL A-0794-0002-0000, AND PARCELS A-0794-0004-0000 AND A-0794-0003-0000 FROM PROFESSIONAL OFFICE (P-O) TO COMMUNITY COMMERCIAL (C-C)**
- 4. CONSIDER A ZONE CHANGE REQUEST, PARCEL A-0794-0002-0000, AND PARCELS A-0794-0004-0000 AND A-0794-0003-0000 AND MAKE A RECOMMENDATION TO THE CITY COUNCIL.**
- 5. CONSIDER A ZONE CHANGE REQUEST BY MCM ENGINEERING INC., FOR A PORTION OF PARCEL A-0794-0005-0000 FROM RURAL RESIDENTIAL (R-R-1) TO RESEARCH INDUSTRIAL PARK (R/I-P) AND SET A PUBLIC HEARING FOR MAY 27, 2025.**
- 6. CONSIDER AMENDING ENOCH CITY ORDINANCE 12.2400.2413 WATER RIGHTS AND SET A PUBLIC HEARING**
- 7. CONSIDER AMENDING ENOCH CITY LAND USE ORDINANCE TO INCORPORATE MANDATES OF H.B. 368 (2025) AND SET A PUBLIC HEARING**
- 8. CONSIDER AMENDING ENOCH CITY ORDINANCES – TITLE 12 BY ADDING SECTION 12.300.324 – FOUNDATION ELEVATION REQUIREMENTS AND SET A PUBLIC HEARING**
- 9. CONSIDER AMENDING ENOCH CITY ORDINANCE 12.700.706 – LOCATIONS FOR ENFORCEMENT OF PERFORMANCE STANDARDS – Manufacturing Districts AND SET A PUBLIC HEARING**
- 6. COMMISSION/STAFF REPORTS**
- 7. 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, posted on the Enoch City website, on the City Office door, and published on the Utah Public Meeting Notice website on May 9, 2025.



Lindsay Hildebrand, City Recorder

05/09/2025
Date

ENOCH CITY PLANNING COMMISSION NOTICE AND AGENDA

April 22, 2025, at 5:30 pm City Council Chambers,
City Offices, 900 E. Midvalley Road

Join Zoom Meeting:

<https://us02web.zoom.us/j/83342867729>

Meeting ID: 833 4286 7729

1. **CALL TO ORDER OF REGULAR MEETING**-By Commissioner Poulson
 - a. **Pledge of Allegiance** – Led by Commissioner Lake
 - b. **Invocation (2 min.)** –Audience invited to participate. – Given by Commissioner Lake
 - c. **Inspirational thought** – Given by Commissioner Lake
 - d. **Approval of agenda for April 22, 2025** – **Chairman Correa made a motion to approve the agenda. Commissioner Lake seconded and all voted in favor.**
 - e. **Approval of minutes for April 8, 2025** – **Commissioner Finlay made a motion to approve the minutes. Commissioner Losee seconded and all voted in favor.**
 - f. **Conflict of Interest Declaration** – None stated

2. **PUBLIC COMMENTS**

There were no public comments.

3. **PUBLIC HEARING REGARDING AN AMENDED PLAT OF SPANISH TRAILS ESTATES LOT 1, BLK 4**

Chairman Correa made a motion to close the Planning Commission meeting and open a public hearing for the amendment to Plat of Spanish Trails Estates Lot 1, Blk 4. Commissioner Finlay seconded and all voted in favor. City Manager Dotson showed the location of the property on the screen. It's in a platted subdivision and wants to split the lot into two lots. Because it's in the platted subdivision, they have to go through this process. The zone is R-1-18 and each lot would be over that.

Commissioner Finlay made a motion to close the public hearing and reconvene the regularly scheduled Planning Commission meeting. Commissioner Lake seconded and all voted in favor.

4. **CONSIDER AN AMENDED PLAT OF SPANISH TRAILS ESTATES LOT 1, BLK 4, AND MAKE A RECOMMENDATION TO THE CITY COUNCIL**

There was no discussion.

Commissioner Lake made a motion to send a favorable recommendation to the City Council for the amended plat of Spanish Trails Estates, Lot 1, Block 4. Commissioner Finlay seconded and all voted in favor.

5. **CONSIDER A ZONE CHANGE REQUEST BY WILLIAM LEONESIO, PARCEL A-0794-0002-0000, AND ELDEN TRENT GLEAVE PARCELS A-0794-0004-0000 AND A-0794-0003-0000. SET A PUBLIC HEARING FOR MAY 13, 2025**

City Manager Dotson said one of the property owners is running an auto repair shop in a Professional Office zone. Many years ago, his father requested that he be able to do this. Back then, the City Council gave him a conditional use permit to run his business with certain conditions. Since then, Juan Ortego has done this every day. There was no actual permit written and handed to him back then. We don't do this now. He wants to expand his business, and it

would require another conditional use permit to run the auto repair shop. Instead, he's requesting to change the zone to Community Commercial. In the meantime, after that was requested, the neighboring owner is running a feed store in a Professional Office zone. He requested to modify the zone to Community Commercial also.

The zone change map needed to be modified. City Manager Dotson said another property owner called and asked that they could remove one of the parcels from the request. It is the orange boxed portion of the petition. This property is under contract. Commissioner Lake asked if this was changing the zone to what they are going to use the business for. Commissioner Finlay asked what the zones are around this request. City Manager Dotson told them that the property to the right is Community Commercial. City Manager also noted that the strip along the left in the orange box is really only wide enough for a road and has easements.

Commissioner Losee made a motion to set a public hearing for May 13, 2025 regarding the zone change request by William Leonesio, Parcel A-0794-0002-0000, and Elden Trent Gleave Parcels A-0794-0004-0000 and A-0794-0003-0000. Commissioner Lake seconded and all voted in favor.

6. COMMISSION/STAFF REPORTS

Hayden White

- The Dump will be open from 7am to noon for Arbor Day and city cleanup. They will be at the Cemetery from 10am to noon planting trees. There is an arborist who will teach you how to plant a tree.
- They are getting ready to asphalt. The cemetery will be done tomorrow.
- A lot of yards are being cleaned up. It keeps them busy. There was a discussion about tires.

Council Member Ross

- They have started their budget meetings in the City Council.

City Manager Dotson

- There is a lot of commercial growth in our city. Until there is dirt moving, don't believe everything you hear. There are multiple subdivisions coming in.
- Earmarks – federal money that came from Congress, we are sending our list of projects that we would like funding for. In Cedar City, they are working on an industrial road. The money came from that funding.
- We are requesting to do a new water and sewer impact fee analysis. We will need to review in the next 6 months the water portion and conservation of our general plan. That will go to the Planning Commission.

Commissioner Losee

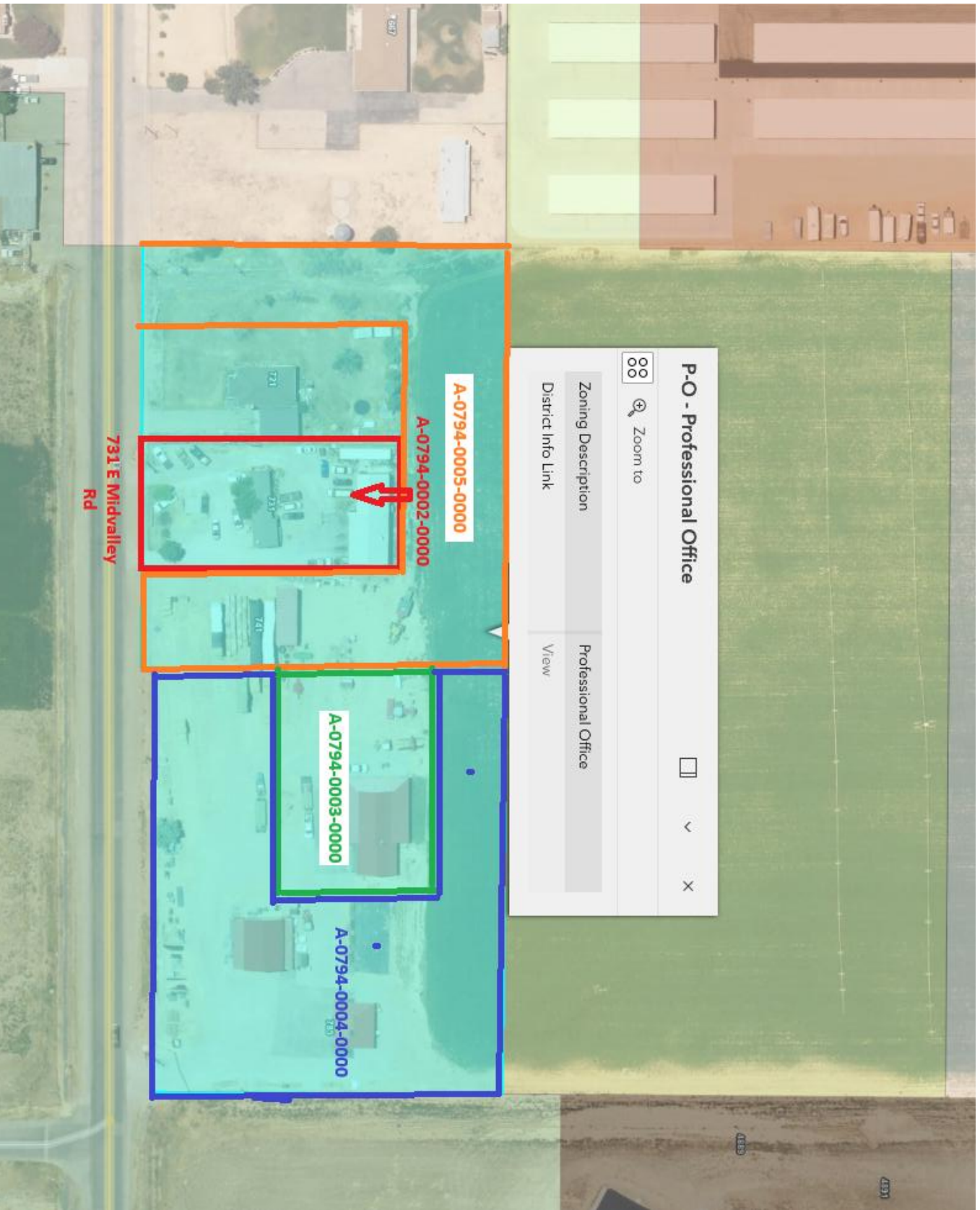
- We are close to closing baseball registration. Kids love it, and we get a good response from the community.

7. ADJOURN

Chairman Correa made a motion to adjourn. Losee seconded and all voted in favor.

Lindsay Hildebrand, City Recorder

Date



ENOCH CITY COUNCIL MEMORANDUM

TO: PLANNING COMMISSION

FROM: ADMINISTRATION

DATE: MAY 13, 2025

SUBJECT: AMENDMENT TO SECTION 12.1400.2413 – WATER RIGHTS



Overview:

The proposed amendment to Section 12.1400.2413 of the Enoch City Code updates and replaces the existing water rights ordinance to reflect current water resource conditions, legal obligations under the State Engineer's Groundwater Management Plan, and municipal development practices.

Proposal:

1. **Comprehensive Revision and Clarification:**

The ordinance repeals and replaces the previous language to better define the standards and procedures for dedicating water rights to the City, including updated requirements for priority dates and curtailment timelines.

2. **Alignment with State Requirements:**

The revised ordinance incorporates thresholds related to the State Engineer's curtailment schedule, ensuring that any transferred water rights provide meaningful and lasting benefit to the City's water portfolio.

3. **Improved Administrative Process:**

The amendment enhances clarity regarding valuation, documentation, and the legal status of accepted water rights, streamlining the review and approval process for staff and applicants.

Conclusion:

This ordinance improves water rights policy by clarifying expectations, protecting long-term water supply interests, and supporting responsible development in accordance with state water planning.



12.2400.2413 WATER RIGHTS

- A. Water Acquisition Fee. An applicant seeking approval of a development application for single-family dwelling units, and to secure new privileges to use the Enoch City water system, must pay a Water Acquisition Fee, based upon the property acreage and expected water use. An Applicant may pay the Water Acquisition Fee in one of two ways:
 - 1. By transferring a Priority Water Right as detailed herein, or;
 - 2. Transfer of acceptable water rights as shown in the following chart labeled Water Rights Acquisition Fee Chart 2022 with the remaining value in cash.
- B. The Water Acquisition Fee does not fulfill the requirement nor obviate the need to otherwise pay water connection fees. The Applicant shall submit a Subdivision Water Schedule, with each Subdivision Application, designating the selected Conservation Tier for each lot, which determines the Water Acquisition Fee and resulting water rates for each lot.
- C. Cash. Applicants paying the remaining value of the transferred water right in cash will pay the amount corresponding to the required water use as per the Acquisition Fee Schedule, which values the required water right based upon a percentage of the appraised value of a one (1) acre-foot Priority Water Right in the Cedar City Valley on the north side of Highway 56 with a water right prefix of 73, and a priority date no later than July 25, 1934 ("Priority Water Right").
 - 1. As often as deemed prudent by Enoch City Council, but typically every six months, Enoch City will contract for and obtain an appraisal of the current fair market value of a Priority Water Right as described in this subsection. These appraisals assist the City in its own purchase of acceptable water rights and are the basis for the Water Acquisition Fees levied by the City.
- D. Water Right Transfer. Applicants paying the Fee with the transfer of water rights shall do so with proof of recent beneficial use, proof of ownership through a chain of title, and will pay all costs incurred for deeding and transferring the water right. When deeding water rights to Enoch City, the water right must be in the Cedar City Valley on the north side of Highway 56 with a water right prefix of 73. The water right must conform with one of the following:
 - 1. A priority date equal to or prior to July 25, 1934 ("Priority Water Right"); or
 - 2. A priority date after July 25, 1934, which at the time of transfer to Enoch City must have at least 10 years before curtailment under the State Engineer's Groundwater Management Plan for the Cedar City Valley.

- E. For purposes of payment of the Water Acquisition Fee, these post-July 25, 1934, water rights are deemed to have a fair market value equal to 1% of a Priority Water Right (per subsection 2(a) above, for each full year remaining at the time of delivery to and acceptance by Enoch City before curtailment under the State Engineer's Groundwater Management Plan for the Cedar City Valley. The following Water Right Valuation Schedule illustrates the value of each water right as of 2022, quantified as a percentage of a Priority Water Right.

Water Rights Acquisition Fee Chart 2022		
Water Priority Date	Suspension Date	% Value
Jan 10, 1966 - Dec 31, 1957	January 1, 2035	13%
Dec 30, 1957 - Dec 31, 1954	January 1, 2050	28%
Dec 30, 1954 - Dec 31, 1951	January 1, 2060	38%
Dec 30, 1951 - Dec 31, 1935	January 1, 2070	48%
Dec 30, 1935 - Jul 25, 1934	January 1, 2080	58%
July 25, 1934 - & Earlier	Not Suspended	100%

- F. Process to Transfer Water Rights. The following process shall be followed for a person developing land within the City to transfer water rights to Enoch City:
1. The Applicant proposing the transfer shall submit a title report showing the type of water right, ownership of the right, and any liens or encumbrances. The Applicant shall also provide a title insurance policy in a sum adequate to cover the appraised value of the water right(s) the policy is covering.
 2. An acceptably complete Application for Permanent Change of Water ("change application") shall be completed and properly filed with the Utah State Engineer at the expense of the Applicant. Information to be included in the change application will be provided by Enoch City including the new points of diversion to be proposed. The change application must be approved by the State Engineer and all statutory periods for reconsideration or court appeal passed prior to conveyance by duly-recorded Deed (and Deed Addendum) the said documentation enabling the State Engineer to amend the Division of Water Rights records to reflect the acquisition by the City. This transfer of ownership may also be conditioned on approval of the subdivision application pending before the City that caused the Applicant to propose the change application and conveyance of the water rights.
 3. An acceptable Deed (and Deed Addendum) conveying ownership of the water rights to Enoch City shall be completed and held prior to the subdivision application approval. The deed conveying ownership may be held either by the City or in an escrow account paid for by the Applicant. Once the subdivision application has been approved and the change application receives approval as detailed above, the Deed (and Deed Addendum) will be recorded by the City.
 4. If the Division of Water Rights has not made a final decision on the change application prior to the subdivision approval, then the Applicant shall post a cash bond with the City in the amount of the acquisition fee.
 5. If at any point in this process, the change application is denied by the State Engineer, or approved with limiting conditions that are not acceptable to the City, the Applicant must forfeit the bond to Enoch City for the purpose of acquiring necessary water right(s) for Applicant's proposed development.

6. If the water rights proposed to be transferred are supplemental, recharge/recovery, recovery or something other than from a conventional underground water well, prior to the City approving the subdivision application the Applicant shall be required to obtain an approved change application with an Order of the State Engineer clearly defining the sole supply and established diversion and depletion limitations of the water right.

G. Exemptions. The following are exempt from the Water Acquisition Fee.

1. Open space exemptions. If at the time of final plat approval, or pulling of a building permit, land is deeded to Enoch City as a dedicated street or for undeveloped open space, parks and recreation, or placed in a conservation easement that complies with the provisions of Title 57, Chapter 18, Sections 1 through 7, Utah Code Annotated, 1953 as amended, then that acreage is not subject to the requirements of this ordinance that mandate the deeding of water rights or payment of fees. Additionally, if land in a subdivision is to be held as common area and is undeveloped and/or unirrigated, then that land is not subject to the requirements of this ordinance that mandate the payment of Water Acquisition Fees.
2. Public lands exemption. If at the time of annexation, the annexed property is owned by the Bureau of Land Management or the U.S. Forest Service then that acreage is not subject to the requirements of this ordinance that mandate the deeding of water rights. This exception only applies to annexation and not when the property is platted as a residential subdivision or receives a building permit.
3. City Exemption. Enoch City is not required to deed water or pay a fee if the City develops land. A purchaser of property from the City will have to pay the Water Acquisition Fee to the City consistent with this ordinance.

H. Water Acquisition Fee Schedule and Tier System. An Applicant seeking approval of a single-family lot development must first designate a Conservation Tier and pay the corresponding Water Acquisition Fee with 88/1000 (.88) AF of Agriculture water right or 50/100 (.50) AF of Municipal & Industrial water right for each single-family lot. The selected Conservation Tier will establish the lot owner's expected water use, and the corresponding Water Acquisition Fee, and the resulting water rates.

1. The Water Acquisition Fee Schedule indicates the Water Acquisition Fee for each Conservation Tier that could be selected, as a percentage of a full, one-acre-foot, Priority Water Right, and the corresponding water use.
2. The Conservation Tier Schedule indicates the lot owner's expected water use and resulting water rate. Enoch City will, from time to time, change such water rates and penalties for each Tier.
3. Properties with Both Culinary & Secondary Water. Applicants seeking to approve properties with a single-family unit and with both Culinary and Secondary water meters are subject to the following. The Water Acquisition Fee for a new water connection on such properties shall be equal to the value of a full, one acre, Priority Water Right. However, the Enoch City Water Rights assigned to such a property shall be as follows: 30% of the AF of Enoch City Water Right, corresponding to the culinary water, which are not transferable and shall remain with the property, and 70% of the AF of Enoch City Water Right, corresponding to the Secondary Water, which are not transferable and shall remain with the property. The Conservation Tier Schedule for such properties shall be permanently assigned as follows: The 30% AF of Culinary water shall be set at the Conservation Tier of "CUL," and subject to the corresponding "CUL" water rates. The Secondary water shall be set at the Conservation Tier of "SEC," and shall be subject to the corresponding SEC water rates. Properties in Enoch City with both a Culinary water meter and a Secondary water meter, will receive an Enoch City water bill separately designating the rates for each water meter.

- I. **Multi-Residential Developments.** Applicants seeking approval of a Multi-Residential Development must provide an engineered Annual Water Estimate, illustrating the total annual, acre-feet of water estimated to be used by the Development ("Annual Water Estimate"), to be reviewed and approved by Enoch City. The initial Water Acquisition Fee and Water Right and the subsequent water rate will be calculated based on this determination. For purposes of this Annual Water Estimate, the number of Multi-Residential Units should be multiplied by .3 acre-feet of water, and each sq/ft of proposed grass should be divided by 10,057, to derive the Development's Annual Water Estimate, in terms of Acre Feet (i.e.: a twenty-unit subdivision (20 units x .3 = 6AF) with 10,000 square feet of grass (10,000 sq/ft grass / 10,057 = .994AF) would have a 6.994AF Annual Water Estimate). The Water Acquisition Fee and Water Right will be determined by multiplying the Annual Water Estimate by the priority Water Right Value (i.e.: a Development with a 6.994AF Annual Water Estimate will pay 6.995 multiplied by the Conservation MFD Tier, which is 100% of the appraisal Priority Water Right). The Development would subsequently pay for water at a rate of 6.994AF multiplied by the Tier 1 Rate (i.e. a MRD that is estimated to use 6.994AF of water annually will pay 6.994 times the Tier 1 Rate).
1. The Water Rights assigned to a Multi-Family Development will be assigned under the "MFD" Conservation Tier. These Water Rights are not transferable and must remain assigned to the Development. If any Multi-Family Development is ever found to use more water or have more square footage of grass than the Annual Water Estimate, that property will be required to pay an additional Water Acquisition Fee to address the extra water used.
- J. **Commercial, Industrial, and Manufacturing Developments.** Applicants seeking approval for commercial, industrial, or manufacturing developments must provide an engineered Annual Water Estimate, illustrating the total, annual, acre feet of water estimated to be used for each lot, to be reviewed and approved by Enoch City. The initial Water Acquisition Fee with Water Right and the subsequent water rate will be calculated based on this determination. For purposes of this Annual Water Estimate, the engineer must determine the various uses and estimate the amount of water to be used for the property, including the proposed square footage of grass, which should be divided by 10,057, to derive the total annual, number of acre feet of water used for grass areas. The Water Acquisition Fee and Water Right will be determined by multiplying the Annual Water Estimate by the appraised Priority Water Right. The subsequent water rate will likewise be determined by multiplying the Annual Water Estimate by the Tier 1 Rate. The Water Rights assigned to a Commercial, Industrial, or Manufacturing lot will be assigned under the "Com" Conservation Tier. These Water Units are not transferable and must remain assigned to the property. If any Commercial, Industrial, or Manufacturing property is ever found to use more water or have more square footage of grass than the Annual Water Estimate, that property will be required to pay an additional Water Acquisition Fee with Water Right(s) to address the extra water used.

- K. **Institutional Properties.** Applicants seeking approval of Institutional Developments, including schools, religious buildings, and other properties of nonprofit organizations, must present an engineered Annual Water Estimate, illustrating the total, annual acre feet of water estimated to be used for such property, to be reviewed and approved by Enoch City. The initial Water Acquisition Fee & Water Right and the subsequent water rate will be based upon this determination. For purposes of this Annual Water Estimate, the engineer must determine the various uses and estimate the amount of water to be used for the property, including the proposed square footage of grass, which should be divided by 10,057, to derive the total annual, number of acre feet of water used for grass areas. The Water Acquisition Fee & Water Right will be determined by multiplying the Annual Water Estimate by the appraised Priority Water Right. The subsequent water rate will likewise be determined by multiplying the Annual Water Estimate by the Tier 1 Rate. The Water Rights assigned to an Institutional property will be assigned under "INS" Conservation Tier. These Water Rights are not transferable and must remain assigned to the property. If any Institutional property is ever found to use more water or have more square footage of grass than the Annual Water Estimate, that property will be required to pay an additional Water Acquisition Fee with Water Right(s) to address the extra water used.

ENOCH CITY COUNCIL MEMORANDUM

TO: PLANNING COMMISSION

FROM: ADMINISTRATION

DATE: MAY 13, 2025

SUBJECT: 2025 LAND USE ORDINANCE AMENDMENTS – COMPLIANCE WITH H.B. 368 AND S.B. 181



Overview: The proposed amendments to the Enoch City Land Use Ordinance are necessary to comply with mandates set forth in House Bill 368 and Senate Bill 181 (2025 General Session). These legislative changes require cities to update land use procedures and residential parking regulations to improve consistency, reduce administrative burdens, and support housing affordability.

Proposal:

1. 1. Variance and Appeal Procedures (Section 12.100.125): Clarifies that a public meeting—not a public hearing—is sufficient for most land use appeals, unless otherwise required by law.
2. 2. Annexation Policy Plan (New Section 12.100.150): Outlines procedures and criteria for annexation policy planning, requiring public input and coordination with affected entities.
3. 3. HOA and Community Association Obligations (Section 12.100.114): Prevents the City from imposing permanent maintenance of public amenities on private associations without a formal, recorded agreement.
4. 4. Building Permit Reforms (Section 12.100.130): Allows expedited review for previously approved residential floor plans, restricts permit denials to applicable zoning/code violations, and limits landscaping plan requirements to health and safety concerns.
5. 5. Fee Standards for Appeals and Zoning Changes (Sections 12.100.125.J and 12.100.143): Mandates that all fees reflect actual administrative costs only, prohibiting excessive or punitive charges.
6. 6. Residential Parking Reforms (Chapter 12.500): Amends parking space dimensions, tandem parking allowances, and garage requirements to comply with Senate Bill 181. Specifically:
 - Limits required parking dimensions for one- and two-family dwellings and townhomes.
 - Allows tandem parking spaces to count as two required spaces.
 - Prohibits garage requirements for owner-occupied affordable housing.
 - Counts garage spaces toward minimum requirements.
 - Adds definitions to clarify terms such as 'unobstructed,' 'affordable housing,' and 'owner-occupied.'

Conclusion: Repealing this section eliminates legal ambiguity, reduces redundancy, and ensures that enforcement resources are focused on clear, objective standards already outlined elsewhere in the municipal code. This action improves code clarity and aligns enforcement with best practices.

ENOCK CITY CORPORATION

ORDINANCE NO. 2025-XX-XX

AN ORDINANCE AMENDING ENOCK CITY LAND USE ORDINANCE TO INCORPORATE MANDATES OF H.B. 368 (2025)

WHEREAS, the Utah State Legislature enacted House Bill 368 (2025 General Session), imposing updates and limitations on municipal land use procedures, including variance appeals, landscaping mandates, annexation processes, and transferable development rights; and

WHEREAS, Enoch City desires to conform its Land Use Ordinance to the new statutory provisions, protect individual property rights, and promote administrative efficiency and fairness; and

WHEREAS, the Enoch City Planning Commission reviewed and recommended these amendments, and the City Council has considered them in open session;

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of Enoch City that the Enoch City Land Use Ordinance is amended as follows:

1. AMEND SECTION 12.100.125 - Appeals

Subsection I shall read:

"Before making its decision, the Appeal Authority may hold a public meeting upon the appeal. A public hearing is not required for variances or land use appeals unless specifically mandated by other provisions of law."

2. ADD NEW SECTION 12.100.150 - Annexation Policy Plan Requirements

A. The Planning Commission shall prepare and recommend an annexation policy plan before any annexation may occur.

B. The plan shall include:

1. A map of the proposed expansion area;
2. Specific criteria to guide annexation decisions;
3. Justification for excluding urban areas within 1/2 mile;
4. A statement addressing comments from affected entities.

C. The Commission shall:

1. Hold a public meeting with notice (Class A) to affected entities at least 14 days prior;
2. Accept public input and make modifications as appropriate;
3. Hold a public hearing with required notice;
4. Submit the final plan to the City Council.

D. The City Council shall adopt, modify, or reject the plan in a public hearing with proper notice.

E. A copy of the adopted policy shall be submitted to each affected county within 30 days.

3. AMEND SECTION 12.100.114 - Planning Commission Powers and Duties

Add subsection:

"The City shall not require a private individual or entity, including a community association or homeowners association, to permanently maintain a public access amenity or water utility unless explicitly agreed upon in a recorded agreement or development contract."

4. AMEND SECTION 12.100.130 - Building Permits

Add subsections:

A. "Identical residential floor plans previously approved by the City may be submitted for expedited review, provided there are no changes to the structural, zoning, or design requirements."

B. "The Building Inspector may withhold a permit only when the proposed structure fails to comply with current zoning or building codes. Permits shall not be withheld to compel compliance with unrelated ordinances or agreements."

C. "Submission or approval of landscaping plans shall not be required as a condition of permit issuance, except when necessary to address public health or safety."

5. AMEND SECTION 12.100.125.J - Appeal Fees

"All filing and processing fees must reflect the actual administrative cost to the City. No fee shall be imposed in excess of what is necessary to process the specific application or appeal."

6. AMEND SECTION 12.100.143 - Zoning Change Filing Fees

"The zoning change filing fee shall be based solely on the administrative cost to process the petition. Excessive or punitive fees are prohibited."

This Ordinance was voted upon and passed by the Enoch City Council at a regular City Council meeting held on the ___ day of _____, 2025. It shall take effect immediately after signing by the Mayor and City Recorder.

DATED this __ day of _____, 2025.

ENOCH CITY CORPORATION

VOTING:

Katherine Ross Yea__

Nay__

Shawn Stoor Yea__ Nay__

David Harris Yea__ Nay__

Bob Tingey Yea__ Nay__

Debra Ley Yea__ Nay__

Geoffrey L. Chesnut, Mayor

ATTEST:

Lindsay Hildebrand, City Recorder

(SEAL)

ENOCH CITY COUNCIL MEMORANDUM

TO: PLANNING COMMISSION

FROM: ADMINISTRATION

DATE: MAY 13, 2025

SUBJECT: LAND USE ORDINANCE AMENDMENT – FOUNDATION ELEVATION REQUIREMENTS



Overview:

The proposed amendment to the Enoch City Land Use Ordinance establishes minimum foundation elevation standards for new construction of principal structures. This requirement is intended to improve drainage, reduce the risk of stormwater-related damage, and promote resilient site development practices.

Proposal:

Section 12.300.324 – Foundation Elevation Requirements

- Requires that the top of the foundation for all new principal structures—including single-family and two-family dwellings—be constructed at least eighteen inches (18") above the crown of the highest adjacent or abutting street or access road.
- Does not apply to additions or remodels of existing buildings.
- Authorizes the Building Official to approve alternative designs if supported by a stamped engineering report demonstrating equivalent or superior performance.
- The intent of the section is to ensure adequate drainage and reduce the risk of stormwater-related impacts.

Conclusion:

This amendment provides a clear and enforceable standard that enhances public safety and infrastructure resilience. It also allows flexibility for site-specific conditions through the option of approved engineering alternatives.

ENOCH CITY CORPORATION

ORDINANCE NO. 2025-_____

AN ORDINANCE AMENDING TITLE 12 OF ENOCH CITY ORDINANCE TO ADD SECTION 12.300.324 – FOUNDATION ELEVATION REQUIREMENTS

WHEREAS, the City Council finds that proper elevation of building foundations is essential for effective site drainage and for reducing the risk of structural damage due to stormwater accumulation; and

WHEREAS, the City seeks to establish uniform development standards that improve the resilience and safety of newly constructed homes and minimize long-term maintenance burdens on property owners and the City; and

WHEREAS, the City Council desires to allow flexibility using engineered alternatives that demonstrate equivalent or superior performance, while maintaining the intent of the drainage protection requirement; and

WHEREAS, the Enoch City Council has held further discussion of the language and now proposes it be approved as follows:

12.300.324 – Foundation Elevation Requirements

- A. The top of the foundation for all new construction of principal structures, including single-family and two-family dwellings, shall be constructed at least eighteen (18) inches above the crown of the highest adjacent or abutting street or access road.
- B. This requirement does not apply to additions or remodels of existing buildings.
- C. The purpose of this section is to ensure adequate drainage and reduce the risk of stormwater-related impacts.
- D. Alternative designs may be approved by the Building Official if accompanied by a stamped engineering report demonstrating equivalent or superior performance.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and City Council of Enoch City that the Enoch City Code of Revised Ordinances, Section 12.300.324 – Foundation Elevation Requirements 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 ____th day of _____ 2025. It shall take effect immediately after signing by the Mayor and City Recorder.

DATED this ____ day of ____ 2025

ENOCH CITY CORPORATION

VOTING:

Katherine Ross	Yea__ Nay__
Shawn Stoor	Yea__ Nay__
David Harris	Yea__ Nay__
Bob Tingey	Yea__ Nay__
Debra Ley	Yea__ Nay__

Geoffrey L. Chesnut, Mayor

ATTEST:

SEAL:

Lindsay Hildebrand, City Recorder

SAMPLE

ENOCH CITY COUNCIL MEMORANDUM

TO: PLANNING COMMISSION

FROM: ADMINISTRATION

DATE: MAY 13, 2025

SUBJECT: AMENDMENT TO SECTION 12.700.706 – LOCATIONS FOR ENFORCEMENT OF PERFORMANCE STANDARDS



Overview:

The proposed amendment to Section 12.700.706 of the Enoch City Code limits enforcement measurement locations for noise, odors, vibration, and glare to Manufacturing Districts only, removing broad applicability to all zoning districts.

Proposal:

1. Focused Application for Industrial Impact:

The revised language appropriately narrows the scope of enforcement to areas where industrial impacts are most relevant. This prevents unnecessarily applying performance standards in zones (e.g., residential or commercial) where other ordinances already govern disturbances.

2. Clarification of Measurement Locations:

By eliminating vague or overlapping language for non-manufacturing areas, the ordinance now clearly defines where measurements should be taken in relation to industrial uses. This simplifies compliance for businesses and enforcement for City staff.

Conclusion:

This amendment improves the clarity and precision of enforcement for environmental performance standards, aligns enforcement with industrial zoning policies, and avoids unnecessary complexity in non-industrial zones.

ENOC CITY ORDINANCE NO. [____]

AN ORDINANCE AMENDING ENOC CITY CODE SECTION 12.700.706 TO REMOVE GENERAL DISTRICT REFERENCES AND CLARIFY ENFORCEMENT LOCATIONS IN MANUFACTURING DISTRICTS ONLY

WHEREAS, the City Council of Enoch City has reviewed Section 12.700.706 of the Enoch City Code titled "Locations Where Determinations Are to Be Made for Enforcement of Performance Standards"; and

WHEREAS, the Council finds it appropriate to limit the application of this section to **Manufacturing Districts** only, and remove subsection A, which applies more broadly to other districts; and

WHEREAS, the Council desires to clarify and streamline the enforcement procedures regarding performance standards such as noise, odors, vibration, and glare in Manufacturing Districts;

NOW, THEREFORE, be it ordained by the City Council of Enoch City, Utah, as follows:

SECTION 1. AMENDMENT OF ENOC CITY CODE SECTION 12.700.706

Enoch City Code Section 12.700.706 is hereby amended to read as follows (with deletions shown in strikethrough and amendments in bold):

12.700.706 LOCATIONS WHERE DETERMINATIONS ARE TO BE MADE FOR ENFORCEMENT OF PERFORMANCE STANDARDS

The determination of the existence of dangerous and objectionable elements shall be made at the location of the use creating the same and at any points where the existence of such elements may be most apparent. Provided, however, that the measurements having to do with noise, odors, vibration, or glare shall be taken at the following points of measurement:

A. In any district, except a Manufacturing District, at the lot line of the establishment or use.

A. In a Manufacturing District, at one or more points five hundred (500) feet from the establishment or use, or at the boundary or boundaries of the District, if closer to the establishment or use, or at the closest point within an adjacent district other than a Manufacturing District.

SECTION 2. SEVERABILITY

If any provision of this ordinance is found to be invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

SECTION 3. EFFECTIVE DATE

This ordinance shall become effective upon publication or posting as required by Utah Code Ann. § 10-3-711.

PASSED AND APPROVED by the Enoch City Council this ____ day of _____, 20.

Geoffrey L. Chesnut, Mayor

ATTEST:

Lindsay Hildebrand, Enoch City Recorder
