

ENOCH CITY PLANNING COMMISSION NOTICE AND AGENDA

**June 24, 2025, at 5:30 pm City Council Chambers,
City Offices, 900 E. Midvalley Road**

Join Zoom Meeting:

<https://us02web.zoom.us/j/84527188875>

Meeting ID: 845 2718 8875

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 June 24, 2025 –**
 - e. **Approval of minutes for June 10 , 2025 –**
 - f. **Conflict of Interest Declaration –**
2. **PUBLIC COMMENTS**
3. **PUBLIC HEARING REGARDING A PLAT AMENDMENT OF VALLEY GATE ESTATES, PHASE 1, LOT 13– Go Civil**
4. **CONSIDER A PLAT AMENDMENT OF VALLEY GATE ESTATES, PHASE 1, LOT 13 AND MAKE A RECOMMENDATION TO THE CITY COUNCIL– Go Civil**
5. **PUBLIC HEARING REGARDING A ZONE CHANGE REQUEST FOR PROPERTY OWNED BY SUNVIEW DEVELOPMENT, LLC PARCEL A-0907-0019-0000 FROM MULTIPLE RESIDENTIAL (M-R-2) TO NEIGHBORHOOD COMMERCIAL (N-C)– Go Civil**
6. **CONSIDER A ZONE CHANGE REQUEST FOR PROPERTY OWNED BY SUNVIEW DEVELOPMENT, LLC PARCEL A-0907-0019-0000 FROM MULTIPLE RESIDENTIAL (M-R-2) TO NEIGHBORHOOD COMMERCIAL (N-C) AND MAKE A RECOMMENDATION TO THE CITY COUNCIL– Go Civil**
7. **PUBLIC HEARING REGARDING A ZONE CHANGE REQUEST BY MCM ENGINEERING II INC. FOR PARCELS A-0794-0005-0000 AND A-0794-0006-0000 FROM RURAL RESIDENTIAL (R-R-1) TO RESEARCH INDUSTRIAL PARK (R/I-P)**
8. **CONSIDER A ZONE CHANGE REQUEST BY MCM ENGINEERING II INC. FOR PARCELS A-0794-0005-0000 AND A-0794-0006-0000 FROM RURAL RESIDENTIAL (R-R-1) TO RESEARCH INDUSTRIAL PARK (R/I-P) AND MAKE A RECOMMENDATION TO THE CITY COUNCIL**
9. **PUBIC HEARING REGARDING THE AMENDMENT OF ENOCH CITY ORDINANCE 12.2400.2413 WATER RIGHTS**
10. **CONSIDER THE AMENDMENT OF ENOCH CITY ORDINANCE 12.2400.2413 WATER RIGHTS AND MAKE A RECOMMENDATION TO THE CITY COUNCIL**

- 11. PUBLIC HEARING REGARDING THE AMENDMENT OF ENOCH CITY LAND USE ORDINANCE TO INCORPORATE MANDATES OF H.B. 368 (2025)**
- 12. CONSIDER THE AMENDMENT OF ENOCH CITY LAND USE ORDINANCE TO INCORPORATE MANDATES OF H.B. 368 (2025) AND MAKE A RECOMMENDATION TO THE CITY COUNCIL**
- 13. PUBLIC HEARING REGARDING THE PROPOSED AMENDMENT OF ENOCH CITY ORDINANCES – TITLE 12 BY ADDING SECTION 12.300.324 – FOUNDATION ELEVATION REQUIREMENTS**
- 14. CONSIDER THE PROPOSED AMENDMENT OF ENOCH CITY ORDINANCES – TITLE 12 BY ADDING SECTION 12.300.324 – FOUNDATION ELEVATION REQUIREMENTS AND MAKE A RECOMMENDATION TO THE CITY COUNCIL**
- 15. COMMISSION/STAFF REPORTS**
- 16. 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 June 20, 2025.



Lindsay Hildebrand, City Recorder

06/20/2025
Date

**MINUTES – CANCELED NO QUARUM
ENOCH CITY PLANNING COMMISSION**

**June 10, 2025 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road**

MEMBERS PRESENT:

**Chairman Leonard Correa- Zoom
Commission Andy Losee
Commissioner Elliot Lake
Commissioner Delaine Finlay
Commissioner Bryce Poulson-Excused**

STAFF PRESENT:

**City Manager Dotson-Excused
Lindsay Hildebrand
Hayden White, Pub. Works Dir.
Council Member Katherine Ross-Zoom**

Public Present: Carlynn and Matt Barton, Sue and Noel Wells, Scott and Marti Ber, Gary and Brenda Funderburk, Stephen Ashworth, Arlo Fawson, Lody Orton, Preston Arrington, Coby and Kaylene Zobell, Alan Caplin, Tammy Martin, Mark Melheim, Kjell Martin, Terry Davidson, Frank Bruce LaHargoue, Macy Funderburk, Camilla Tiede, Aaron, Sabrina and Lacey Alton, and Linda Hahne

1. CALL TO ORDER OF REGULAR MEETING-Chairman Pro-tem Andy Losee called the meeting to order at 5:37 PM

- a. Pledge of Allegiance – Leg by Commissioner Finlay**
- b. Invocation (2 min.) –Audience invited to participate. – Aaron Alton**
- c. Inspirational thought – Given by Commissioner Lake**
- d. Approval of agenda for June 10, 2025 – Commissioner Finlay made a motion to approve the agenda. Commissioner Lake seconded and all voted in favor.**
- e. Approval of minutes for , 2025 – Commissioner Finlay made a motion to approve the Minutes. Commissioner Correa seconded and all voted in favor.**
- f. Conflict of Interest Declaration – There were none.**

2. PUBLIC COMMENTS

Terry Davidson, a resident at 4926 North Winchester Drive, expressed concern about how the proposed zoning changes might affect property values in the area. He specifically asked about the impact on the house he recently purchased.

Commissioner Lake clarified that the zoning change in question referred to agenda item 3, regarding MCM Engineering's request.

Coby Zobell, a real estate agent and concerned citizen, stated that while current property values in Valley Gate were fine, he believed they would decline if the proposed changes were implemented. He shared his opinion that the highest and best use for the land in question would be to keep it residential. Zobell expressed particular concern about properties on 5020 North, near where MCM built their large red building, stating that several houses on that street would likely face significant price reductions when sold.

Noel Wells, a resident at 632 5140 North, presented information from the Enoch City General Plan revised in 2023. He read sections pertaining to industrial zoning designations and policies aimed at protecting neighborhood character and quality. Wells showed before and after photographs of the Berg's home, illustrating the impact of Enoch City Planning Commission Meeting

June 10, 2025

MCM's building on their property. He expressed concern about potential future developments if the parcels in question were rezoned, citing issues such as increased traffic and safety concerns for children at nearby bus stops.

Alan Caplin, owner of AJ Caplin Custom Homes, stated he owned 11 lots in Valley Gate subdivision and had built 4 houses there. He expressed concern about the potential devastating impact of the proposed zoning changes on his business and the community. Caplin provided information about MCM's ownership structure and emphasized the importance of maintaining the residential character of the area for the safety and quality of life of residents.

Marti Berg, whose property is directly affected by MCM's recent building, shared that the large red building behind her house has significantly impacted their lifestyle and property value. She stated that, according to her real estate agent, their house has potentially lost \$150,000 to \$200,000 in value due to the industrial development.

Matt Barton, a resident at 691 East 5020 North, shared his experience living in the affected area for 19 years. He recounted a conversation with Byron Black and his attorneys, who admitted to not being aware of the neighborhood when planning the building. Barton expressed concerns about various issues, including water runoff and potential fire hazards.

Kody Orton, an excavation company owner living at 525 East 4960 North, addressed the potential impact on property values and expressed concern about making Grimshaw Lane an access for larger, heavier trucks, citing safety concerns for the numerous children in the neighborhood.

Preston Arrington, a resident at 4802 North Springfield Circle, expressed strong concern for his children's safety, particularly his 4-year-old autistic son, if large vehicles were to increase in the area due to industrial development.

3. SET A PUBLIC HEARING FOR JUNE 24, 2025 REGARDING A ZONE CHANGE REQUEST BY MCM ENGINEERING II INC. FOR PARCELS A-0794-0005-0000 AND A-0794-0006-0000 FROM RURAL RESIDENTIAL (R-R-1) TO RESEARCH INDUSTRIAL PARK (R/I-P)

Chairman Pro-tem Losee explained that the commission would be voting to set a public hearing for the zone change request, not making a final decision on the change itself. He emphasized the importance of public input and encouraged residents to attend the upcoming public hearing on June 24, 2025.

Commissioner Lake clarified that the planning commission's role is to send a favorable or unfavorable recommendation to the City Council, who would make the final decision.

A motion was made by Commissioner Lake to set a public hearing for June 24, 2025, regarding the zone change request by MCM Engineering II Inc. for Parcels A-0794-0005-0000 and A-0794-0006-0000 from Rural Residential (R-R-1) to Research Industrial Park (R/I-P). Commissioner Finlay seconded and the motion passed unanimously.

4. CONSIDER A PLAT AMENDMENT OF VALLEY GATE ESTATES, PHASE 1, LOST 13 AND SET A PUBLIC HEARING FOR JUNE 24, 2025 – Go Civil

Hayden White, the Public Works Director, explained that the property owner, who owns both lots in question, is seeking to adjust the boundary line to avoid having to remove part of their driveway. This adjustment would essentially align the property boundaries with an existing feature and avoid the expense and hassle of relocating it.

Preston Arrington, the owner of an adjoining lot (Lot 14), participated in the discussion to express his concern regarding the implications of the proposed plat amendment. He explained that the shift in the boundary line would impact the cost of fencing his property significantly. Initially, he had received a fencing quote amounting to \$13,000. However, following the proposed changes, the estimate surged to \$23,000, resulting in financial strain. Arrington admitted during the meeting that he was not fully aware of why the boundary realignment was necessary, highlighting the lack of clear initial communication in this matter. The discussion during the meeting made it evident there would be further exploration of these concerns in the public hearing to ensure the decision accommodates all affected parties.

A motion was made by Commissioner Lake to set a public hearing for June 24, 2025, to consider a plat amendment for Valley Gate Estates Phase 1, Lot 13. The motion was seconded and passed unanimously.

5. CONSIDER A ZONE CHANGE REQUEST FOR PROPERTY OWNED BY SUNVIEW DEVELOPMENT, LLC PARCEL A-0907-0019-0000 FROM MULTIPLE RESIDENTIAL (M-R-2) TO NEIGHBORHOOD COMMERCIAL (N-C) AND SET A PUBLIC HEARING FOR JUNE 24, 2025– Go Civil

Hayden White explained that the property in question is a triangular piece bordering Highway 91. The owner wants to rezone it to commercial because it will have access off Highway 91, not through the subdivision, in hopes of selling it.

A motion was made by Commissioner Correa to consider the zone change request for property owned by Sunview Development, LLC, Parcel A-0907-0019-0000 from Multiple Residential (M-R-2) to Neighborhood Commercial (N-C) and set a public hearing for June 24, 2025, was made by Leonard Correa and seconded by Commissioner Finlay. The motion passed unanimously.

6. SET A PUBLIC HEARING FOR JUNE 24, 2025 REGARDING THE AMENDMENT OF ENOCH CITY ORDINANCE 12.2400.2413 WATER RIGHTS

The commission briefly discussed that this item had been previously reviewed and was now ready for a public hearing.

A motion was made by Commissioner Finally to set a public hearing for June 24, 2025, regarding the amendment of Enoch City Ordinance 12.2400.2413 Water Rights and seconded by Commissioner Lake. The motion passed unanimously.

7. SET A PUBLIC HEARING FOR JUNE 24, 2025 REGARDING THE AMENDMENT OF ENOCH CITY LAND USE ORDINANCE TO INCORPORATE MANDATES OF H.B. 368 (2025)

Commissioner Lake mentioned that this amendment was related to new state requirements that the city must implement.

A motion was made by Commissioner Lake to set a public hearing for June 24, 2025, regarding the amendment of Enoch City Land Use Ordinance to incorporate mandates of H.B. 368 (2025) and seconded by Commissioner Finlay. The motion passed unanimously.

8. SET A PUBLIC HEARING FOR JUNE 24, 2025 REGARDING THE PROPOSED AMENDMENT OF ENOCH CITY ORDINANCES – TITLE 12 BY ADDING SECTION 12.300.324 – FOUNDATION ELEVATION REQUIREMENTS

Hayden White explained that this amendment would require foundations to be 18 inches above the crown of the road, which had not previously been an ordinance in Enoch.

Commissioner Finlay expressed concern that over 50% of existing houses on the downhill side of streets are below this level and worried about potential requirements for existing homes to be changed.

Hayden White reassured the commission that he had spoken with a flood insurance expert who knew how to address such situations without requiring changes to existing homes.

A motion was made by Commissioner Lake to set a public hearing for June 24, 2025, regarding the proposed amendment of Enoch City Ordinances – Title 12 by adding Section 12.300.324 – Foundation Elevation Requirements and seconded by Chairman Pro-tem Losee. The motion passed unanimously.

9. COMMISSION/STAFF REPORTS

Hayden White

- He reported on recent road maintenance in Iron Mountain subdivision, storm drain work around the city building and, on Half Mile Road, and the current water situation. He mentioned that two wells were still off, which was unusual for this time of year, but overall, the water situation was good.

Chairman Pro-tem Losee

- He reported on the ongoing Enoch City t-ball and machine pitch programs, noting positive feedback from participants.

Commissioner Correa

- He thanked everyone for their get-well wishes and prayers during his recent health issues.

Council Member Ross

- She was participating remotely due to recent surgery. She reported that the City Council was currently working on budget adjustments for both the current and upcoming fiscal years.

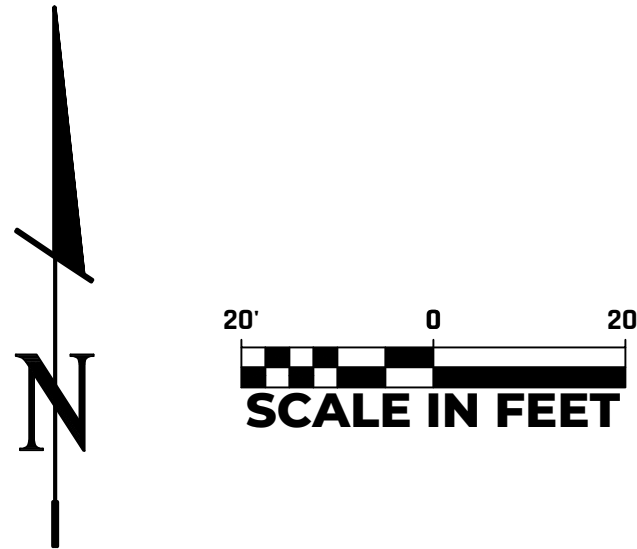
10. ADJOURN – A motion was made by Commissioner Lake to adjourn. Commissioner Finlay seconded and all voted in favor.

Lindsay Hildebrand, City Recorder

Date

AMENDED FINAL PLAT: VALLEY GATE ESTATES, PHASE 1, LOTS 13 & 14,

LOCATED IN SECTION 12, T35S, R11W, SLB&M, ENOCH CITY, IRON COUNTY, UTAH



LEGEND

- SECTIONAL MARKER AS NOTED
- FOUND MONUMENT AS NOTED
- SET "GO CIVIL ENG" R/C

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE LAND DESCRIBED HEREON, HAVING CAUSED SAID LOTS 13 AND 14 OF VALLEY GATE ESTATES, PHASE 1 TO BE AMENDED AND EASEMENTS GRANTED AS SHOWN HEREON.

IN WITNESS WHEREOF:
WE HAVE SET OUR HANDS THIS ____ DAY OF ____ A.D. 20 ____.

PRESTON ARRINGTON

NATASHA ARRINGTON

ACKNOWLEDGEMENT

STATE OF UTAH)

S.S.

COUNTY OF IRON)

ON THIS THE ____ DAY OF ____, 20 ____, PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, _____ & _____, THE SIGNERS OF THE OWNER'S DEDICATION, IN AND FOR THE COUNTY OF IRON, IN THE STATE OF UTAH, WHO DULY ACKNOWLEDGED TO ME THAT HE EXECUTED SAID DEDICATION FOR THE PURPOSES STATED THEREIN.

FULL NAME SIGNATURE: _____
FULL NAME PRINT: _____
COMMISSION No. _____
EXPIRATION DATE: _____
STAMP NOT REQUIRED PER UTAH CODE 46-1-16(6)

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE LAND DESCRIBED HEREON, HAVING CAUSED SAID LOTS 13 AND 14 OF VALLEY GATE ESTATES, PHASE 1 TO BE AMENDED AND EASEMENTS GRANTED AS SHOWN HEREON.

IN WITNESS WHEREOF:
WE HAVE SET OUR HANDS THIS ____ DAY OF ____ A.D. 20 ____.

TIM STEWART, MANAGING MEMBER
STEWART ENTERPRISES LC

ACKNOWLEDGEMENT

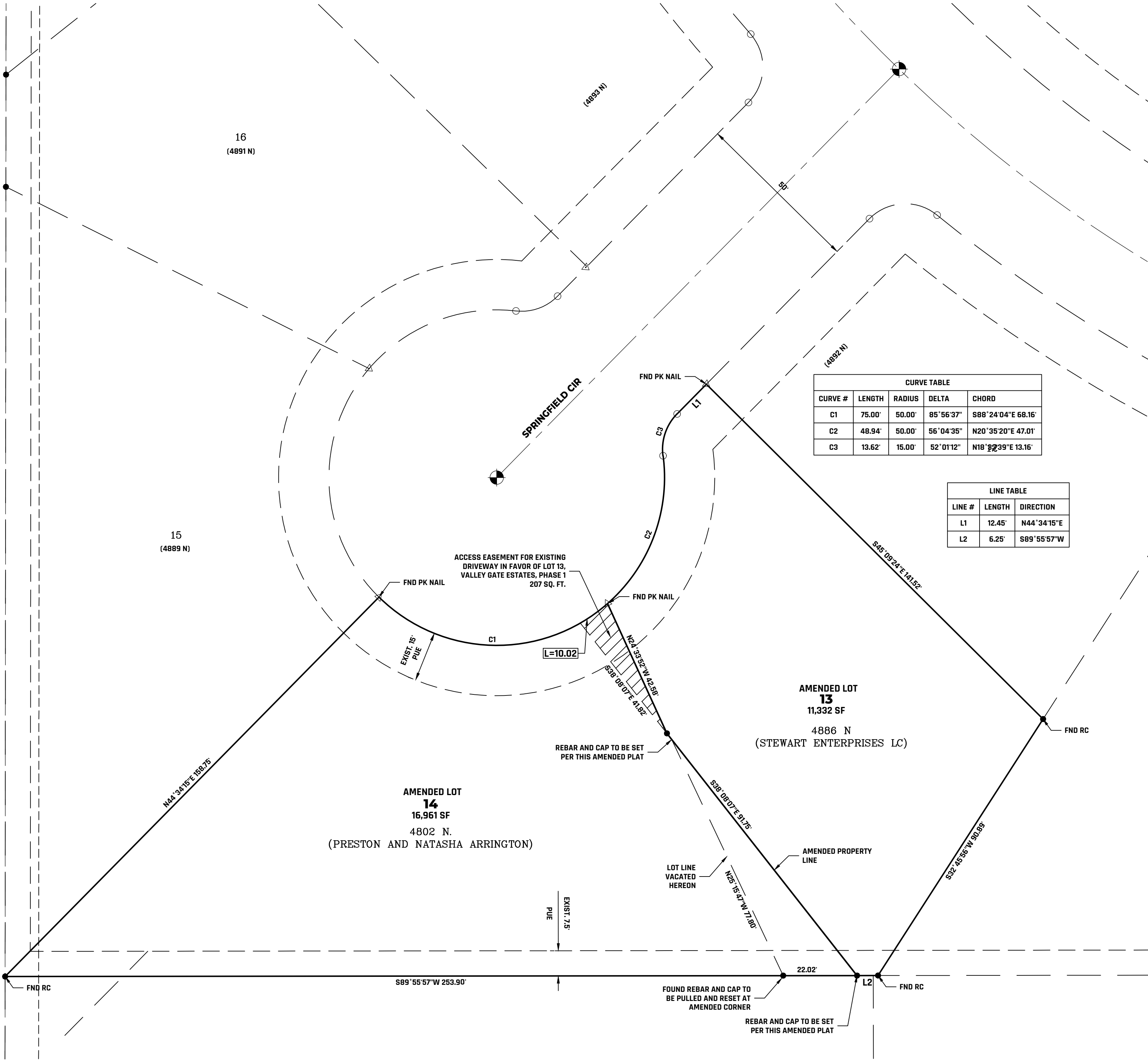
STATE OF UTAH)

S.S.

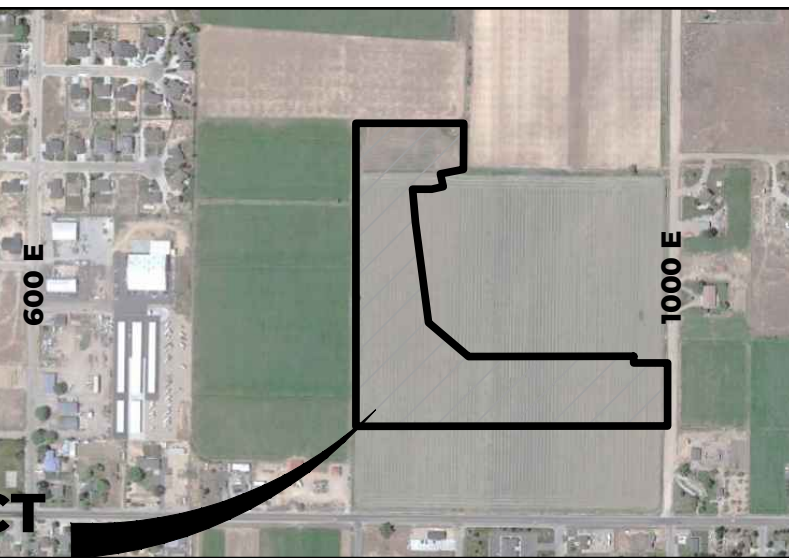
COUNTY OF IRON)

ON THIS THE ____ DAY OF ____, 20 ____, PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, _____, THE SIGNERS OF THE OWNER'S DEDICATION, IN AND FOR THE COUNTY OF IRON, IN THE STATE OF UTAH, WHO DULY ACKNOWLEDGED TO ME THAT HE EXECUTED SAID DEDICATION FOR THE PURPOSES STATED THEREIN.

FULL NAME SIGNATURE: _____
FULL NAME PRINT: _____
COMMISSION No. _____
EXPIRATION DATE: _____
STAMP NOT REQUIRED PER UTAH CODE 46-1-16(6)



PROJECT
LOCATION

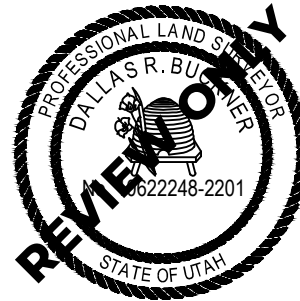


VICINITY MAP

N.T.S.

SURVEYOR'S CERTIFICATE

I, DALLAS R. BUCKNER, PROFESSIONAL UTAH LAND SURVEYOR NO. 1062248-2201, HOLD A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREIN, AND VACATE THE COMMON LOT LINE AS SHOWN HEREIN, HEREAFTER TO BE KNOWN AS "AMENDED FINAL PLAT: VALLEY GATE ESTATES, PHASE 1, LOTS 13&14", A RESIDENTIAL LOT LOCATED IN ENOCH CITY, UTAH. THE LEGAL DESCRIPTION AND PLAT ARE TRUE AND CORRECT.



DALLAS R. BUCKNER P.L.S. NO. 1062248-2201

AMENDED PROPERTY DESCRIPTION

ALL OF LOT 13 AND LOT 14, VALLEY GATE SUBDIVISION PHASE 1, BEING AMENDED AS SHOWN HEREON.

NARRATIVE

THIS AMENDED PLAT WAS REQUESTED BY TIM STEWART OF STEWART ENTERPRISES LC FOR THE PURPOSE OF OBTAINING AN EASEMENT ACROSS LOT 14 ON AN EXISTING DRIVEWAY AND ADDITIONAL ACCESS AREA TO LOT 13, AND IN EXCHANGE ADJUSTING THE LOT LINE GIVING ADDITIONAL LOT AREA TO PRESTON AND NATASHA ARRINGTON OWNERS OF LOT 14.

BASIS OF BEARING FOR THIS AMENDED PLAT IS PER THE ORIGINAL SUBDIVISION FINAL PLAT.

LAND USE AUTHORITY APPROVAL

I, TIM WATSON, ENOCH CITY CORPORATION CITY ENGINEER AND LAND USE AUTHORITY, DO HEREBY CERTIFY THAT THIS AMENDED FINAL PLAT WAS EXAMINED AND ACCEPTED BY ME THIS THE ____ DAY OF ____, 20 ____.

TIM WATSON - LAND USE AUTHORITY

CERTIFICATE OF ACCEPTANCE

I, GEOFFREY CHESNUT, MAYOR OF ENOCH CITY CORPORATION, DO HEREBY CERTIFY THAT THIS AMENDED FINAL PLAT HAS BEEN APPROVED BY THE CITY COUNCIL AND IS HEREBY ORDERED FILED FOR RECORD IN THE OFFICE OF THE IRON COUNTY RECORDER ON THIS THE ____ DAY OF ____, 20 ____.

BY: GEOFFREY CHESNUT - CITY MAYOR

ATTEST: LINDSAY HILDEBRAND - CITY RECORDER

CERTIFICATE OF RECORDING

I, CARRI JEFFRIES, COUNTY RECORDER OF IRON COUNTY, DO HEREBY CERTIFY THAT THIS FINAL PLAT WAS FILED FOR RECORD IN MY OFFICE ON THIS THE ____ DAY OF ____, 20 ____.

BOOK ____ PAGE ____ COUNTY RECORDER - CARRI JEFFRIES

ENTRY NO. ____ FEE ____

RECORDED AT THE REQUEST OF ____

GO CIVIL
ENGINEERING

AMENDED FINAL PLAT:
VALLEY GATE ESTAES, PHASE 1, LOTS 13 & 24
FOR
STEWART ENTERPRISES LC &
PRESTON AND NATASHA ARRINGTON
LOCATED IN SECTION 12, T35S, R11W, ENOCH CITY, IRON COUNTY UTAH

CHECKED:

SCALE:

1" = 20'

DATE:

5/13/25

DRAWN:

BRB

SHEET:

1 OF 1

11 X 17 SHEETS ARE NOT TO SCALE

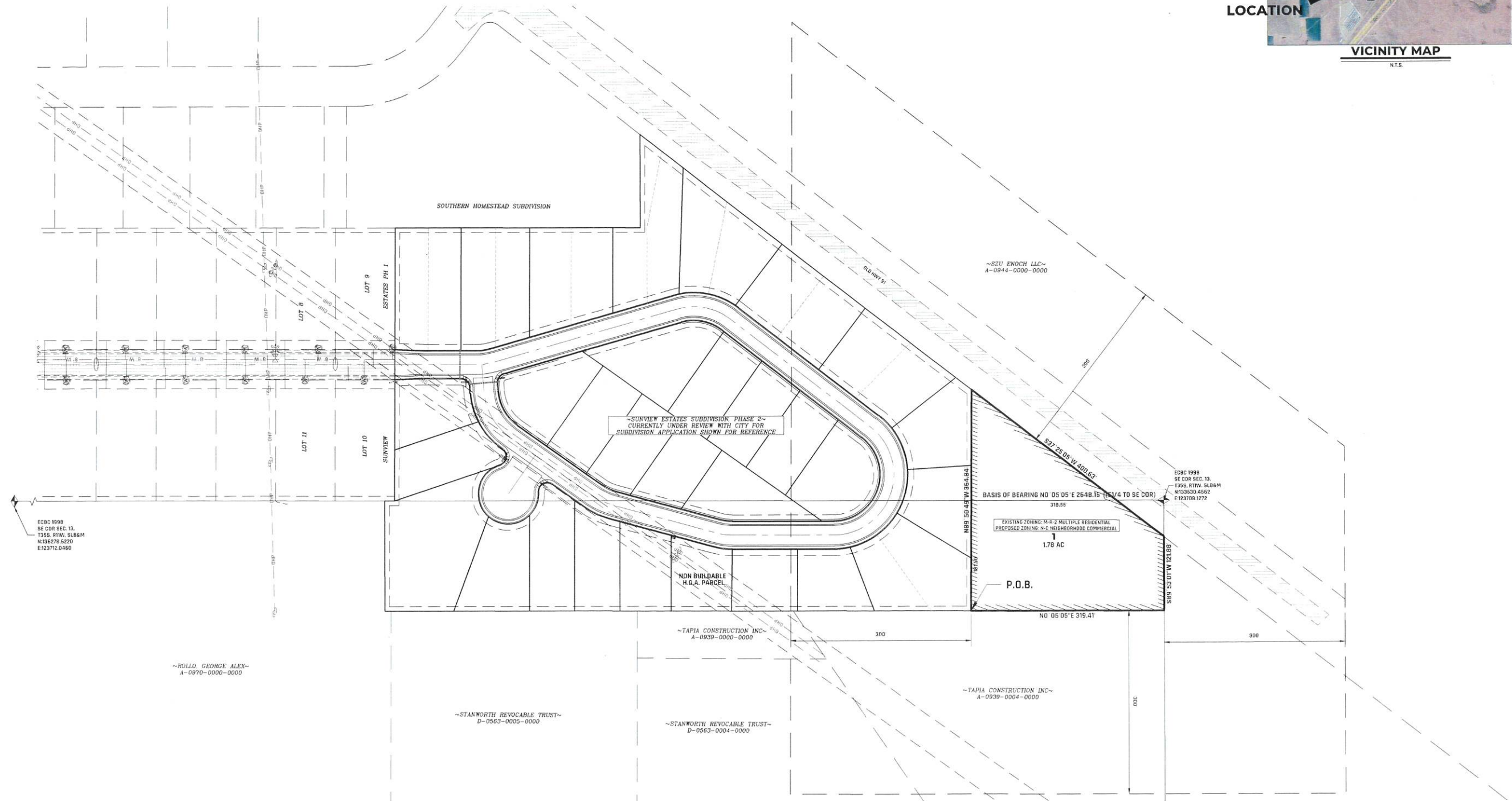
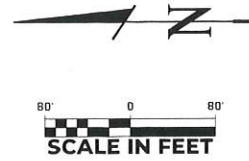
LOCATED IN SECTION 18, T35S, R10W, SLB&M, ENOCH CITY, UTAH



VICINITY MAP

N.T.S.

 SECTIONAL MARKER AS NOTED
 CLASS I MONUMENT TO BE SET
 CLUSTER MAIL BOX



BEGINNING AT A POINT BEING N00° 05' 05" E ALONG THE SECTION LINE 318.56 FEET AND N89° 50' 49" W 181.50 FEET FROM THE SOUTHEAST CORNER SECTION 13, TOWNSHIP 35 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE S89° 50' 49" E 364.84 FEET TO A POINT ON THE OLD HWY 91 RIGHT OF WAY; THENCE S37° 25' 05" W ALONG SAID RIGHT OF WAY 400.63 FEET; THENCE S89° 53' 01" W 121.80 FEET; THENCE N00° 05' 05" E 319.41 FEET TO THE POINT OF BEGINNING.

PROPERTY OWNER: SUNVIEW DEVELOPMENT LLC
591 EAST ST GEORGE BLVD
SAINT GEORGE, UTAH 84770
PARCEL NUMBER: A-0907-0019-0000

1. THIS ZONE CHANGE REQUEST IS TO BRING THE EXISTING USE M-R-2 MULTIPLE RESIDENTIAL, TO BE IN CONFORMANCE WITH THE N-C NEIGHBORHOOD COMMERCIAL ZONE, CONSISTENT WITH THE CITY OF ENOCH ORDINANCES.



GO CIVIL
ENGINEERING

590 N. 800 W. CEDAR CITY, UT 84721
#(435) 586-9592 WWW.GOCIVIL.NET

ZONE CHANGE MAP

SUNVIEW DEVELOPMENT, LLC
FOR

LOCATED IN SECTION 18, 135S, R10W, SLB&M, ENOUGH CITY, UTAH

[illegible]

THE INFORMATION CONTAINED ON THIS DRAWING IS FOR THE INFORMATION OF THE USER. THE USER ASSUMES ALL RESPONSIBILITY FOR VERIFYING THE ACCURACY, SUITABILITY & USABILITY OF THIS INFORMATION FOR THE PURPOSES INTENDED. ALL EXISTING UTILITY LOCATIONS MUST BE FIELD VERIFIED PRIOR TO CONSTRUCTION.

CHECKED:	
SCALE: 1 = 80	DRAWN: BRB
DATE: 3/27/25	SHEET: 1 OF 1

11 X 17 SHEETS ARE NOT TO SCALE

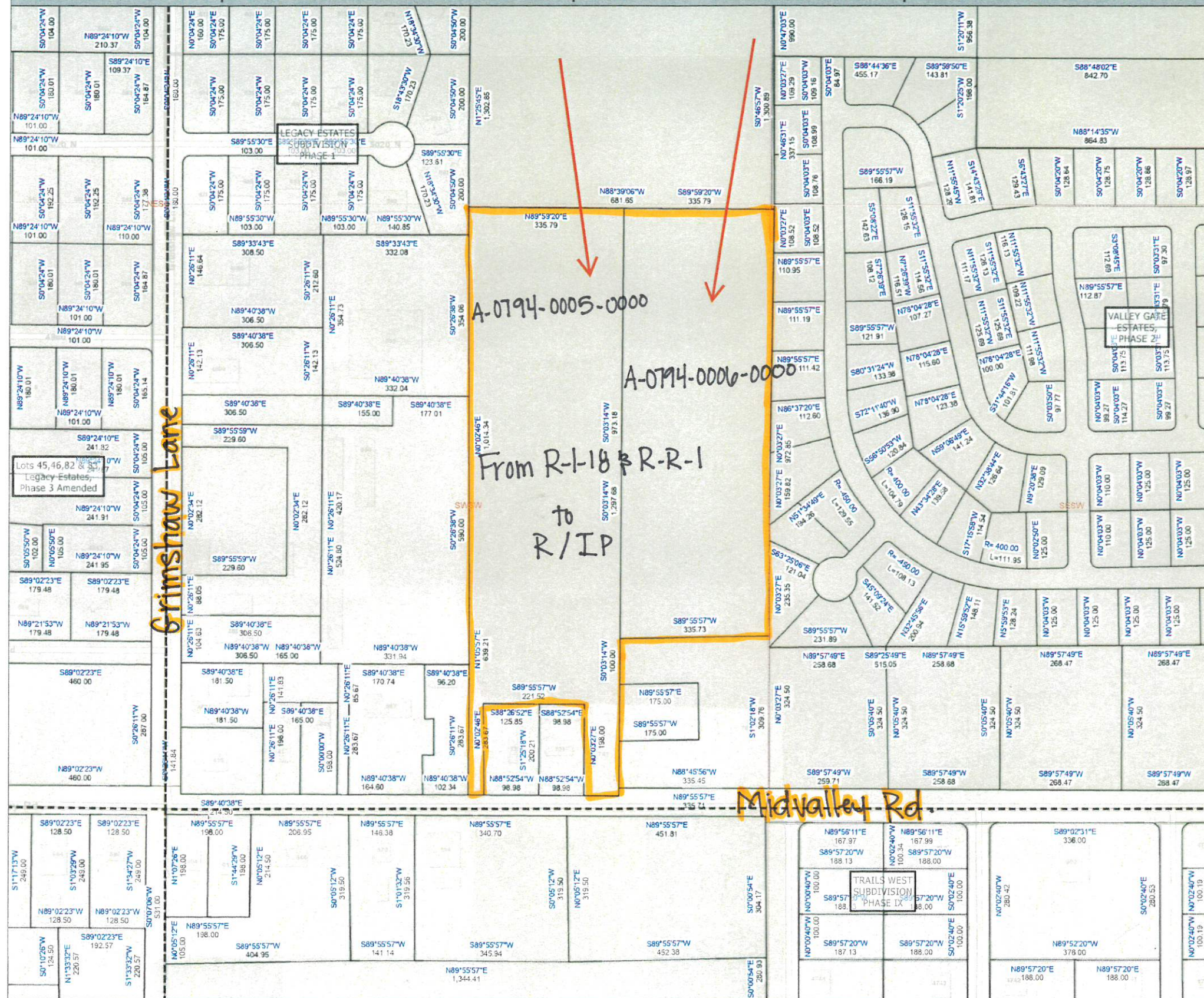


IRON COUNTY

For taxing
purposes only

SEC 12 T35S R11W | SEC 13 T35S R11W | SEC 14 T35S R11W | SEC 11 T35S
R11W

Lots 45,46,82 & 83, Legacy Estates, Phase 3 Amended | Valley Gate Estates Phase 1 | LEGACY ESTATES SUBDIVISION PHASE 1 | LEGACY ESTATES
SUBDIVISION PHASE 2 | LEGACY ESTATES SUBDIVISION PHASE 3 | TRAILS WEST SUBDIVISION PHASE VI | TRAILS WEST SUBDIVISION PHASE



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

Geoffrey L. Chesnut, Mayor

VOTING:

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

ATTEST:

SEAL:

Lindsay Hildebrand, City Recorder