

ENOCK CITY PLANNING COMMISSION NOTICE AND AGENDA

**September 8, 2026, at 5:30 pm City Council Chambers,
City Offices, 900 E. Midvalley Road**

Join Zoom Meeting: <https://us02web.zoom.us/j/84197054663>

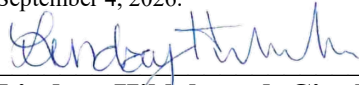
Meeting ID: 841 9705 4663

- 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 September 8, 2026 –**
 - e. Approval of minutes for August 25, 2026 –**
 - f. Conflict of Interest Declaration –**
- 2. PUBLIC COMMENTS**
- 3. PUBLIC HEARING TO AMEND ENOCK CITY ORDINANCE SECTION 14.100.150-152 (WATER), 14.200.205 (SEWER), AND 12.300.317 WATER AND SEWAGE REQUIREMENTS - To require that any utility connection be within city limits.**
- 4. CONSIDER AMENDING ENOCK CITY ORDINANCE SECTION 14.100.150-152 (WATER), 14.200.205 (SEWER), AND 12.300.317 WATER AND SEWAGE REQUIREMENTS AND MAKE A RECOMMENDATION TO THE CITY COUNCIL**
- 5. SET A PUBLIC HEARING FOR SEPTEMBER 22nd, 2026 TO AMEND ENOCK CITY CODE 14.100.113 APPLICATION FOR WATER CONNECTION, 12.2400.2413 WATER RIGHTS, TO ALLOW THE CITY TO ALLOW WATER RIGHTS FROM BASIN 71.**
- 6. SET A PUBLIC HEARING FOR SEPTEMBER 22nd, 2026, TO AMEND ENOCK CITY CODE 12.1700.1702 PERMITTED USES**
- 7. COMMISSION/STAFF REPORTS**
- 8. 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 September 4, 2026.



Lindsay Hildebrand, City Recorder

09/04/2026

Date

MINUTES
ENOCH CITY PLANNING COMMISSION
August 25, 2026 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Chairman Leonard Correa
Commissioner Delaine Finlay
Commissioner Bryce Poulson
Commissioner David Hoopes- Excused
Commissioner Kyle Jones -

STAFF PRESENT:

Council Member Trower
Ryan Robinson, City Manager
Lindsay Hildebrand, City Recorder
Hayden White, Public Works Director

Public Present: H Paul Walker, Matt Phillips, and Cecil Seright

- 1. CALL TO ORDER OF REGULAR MEETING-By**
 - a. Pledge of Allegiance –**
 - b. Invocation (2 min.) –Audience invited to participate. – Given by**
Commissioner Poulson
 - c. Inspirational thought – None / Commissioner Jones will have the thought at the**
next meeting.
 - d. Approval of agenda for August 25, 2026 – Commissioner Jones made a**
motion to approve the agenda. Commissioner Finlay seconded and all voted
in favor.
 - e. Approval of minutes for August 11, 2026 – Commissioner Finlay made a**
motion to approve the minutes. Commissioner Poulson 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 THE AMENDMENT OF ENOCH CITY**
ORDINANCE 12.200.206 DEFINITIONS, 12.1900.1902 PERMITTED AND
CONDITIONAL USES IN THE RESEARCH/INDUSTRIAL ZONE, AND
CREATING 12.1900.1911 TEMPORARY WORKFORCE HOUSING

Commissioner Finlay made a motion to close the regular meeting and move into a
public hearing. Commissioner Jones seconded and all voted in favor.

There were no public comments.

Commissioner Finlay made a motion to close the public hearing and return to the
regular planning commission meeting. The motion was seconded by Commissioner
Jones and all voted in favor.

4. CONSIDER AMENDING ENOCH CITY ORDINANCE 12.200.206 DEFINITIONS, 12.1900.1902 PERMITTED AND CONDITIONAL USES IN THE RESEARCH/INDUSTRIAL ZONE, AND CREATING 12.1900.1911 TEMPORARY WORKFORCE HOUSING AND MAKE A RECOMMENDATION TO THE CITY COUNCIL

Commissioner Finlay directed the Commission's attention to the fourth "whereas" paragraph in the proposed ordinance, which stated that providing for temporary workforce

housing was a necessary step in ensuring affordable and flexible housing options are available to employees working on-site within the industrial zone. She asked if this was enforceable.

City Manager Ryan Robinson clarified that there is language within the ordinance requiring the housing to be located on the same site as the business, but acknowledged that in practice, employees may work off-site. He further explained that the "whereas" recitals are generally provisions that explain the justification for the amendment.

Commissioner Finlay raised a concern found in Section 12.1900.1911 regarding the definition of Temporary Workforce Housing, specifically on the second line, where occupancy was described as being "exclusively by employees of the landowner." She asked if it should read "business owner" instead of "landowner". What if the land is leased?

City Manager Robinson agreed this was a valid point and suggested the language be changed from "landowner" to "business owner," and confirmed the change would be noted and incorporated when the Commission made its motion. He suggested that the motion could reference all the discussed changes collectively.

Commissioner Finlay continued with the purpose statement in the proposed ordinance, which referenced "temporary on-site residency is necessary for active employment and operational requirements," and asked how the word "necessary" would be determined and whether it was enforceable. City Manager Robinson explained that the purpose statement serves to articulate the rationale for the code amendment rather than to impose a testable standard. He noted that the ordinance is only applicable in the Research/Industrial zone to applicants meeting specific standards, so the purpose language does not commit the city to a particular outcome: "We're not committing ourselves to anything."

Commissioner Finlay noted that subsection (b) of the occupancy requirements also referred to "the owner of the land" rather than the business owner, and suggested that language should be corrected as well. City Manager Robinson agreed, indicating that both sections referencing the landowner would be updated to reflect "business owner."

Commissioner Finlay also observed that the ordinance said nothing about whether spouses or children of employees would be permitted to reside in the units, only employees were referenced. City Manager Robinson confirmed this was correct and expressed his belief that the city likely could not restrict that, as spouses and family members of an employee would naturally accompany them.

Commissioner Finlay addressed the language in subsection 2 of the occupancy requirements, which stated that "the property owner shall maintain an active number of employees residing in the units." She expressed concern that this language was unclear, particularly regarding whether units would need to be occupied year-round if the work is seasonal. City Manager Robinson clarified that the intent was simply to require that occupants be active employees, so that the landowner or business owner could not rent units to individuals who do not work for them. He agreed the sentence needed to be rewritten to clearly reflect this intent. The Commission agreed to change the language to require that units be maintained for active employees, removing the phrase "an active number of."

City Manager Robinson introduced his own concerns about the ordinance, directing the Commission to Section C, subsection 3, regarding location and setbacks. He explained that the setbacks specified in the ordinance default to those of the Research/Industrial zone—18 feet when adjacent to a right-of-way, and 20 feet when adjacent to residential property. However, he noted that for fire-resistant materials, there is no interior setback requirement, meaning temporary housing units could theoretically be placed directly adjacent to one another: "I don't know if anyone's going to go put them all side to side, but it might be helpful if we want to add something in there about it's got to be some 10-foot setback in between each module."

Matt Phillips, the applicant for the initial use of this ordinance, was invited to comment. Mr. Phillips identified himself as the property owner at 6040 North 700 East and stated that he also operates a property management company and manages an RV park near Diamond Z Arena. He offered a practical perspective based on his experience, noting that a standard RV site dimension of 30 feet by 50 feet provides adequate clearance between trailers: "I think, gives clearance between trailers in case of a fire or something. Just makes it look better." He suggested that if a minimum site dimension were to be codified, 30 by 50 would be a workable and industry-standard figure.

City Manager Robinson said a 10-foot minimum wall-to-wall separation was the minimum he had seen in similar standards, but noted the 30-by-50 figure would more naturally account for vehicles parked alongside units. He consulted the city's AI-assisted code review tool and found that interior side setbacks in the city's mobile home park, mobile home subdivision, mixed residential, and RV zones all defaulted to 10 feet.

Chairman Correa recalled previous discussions during the RV park ordinance process, where the Commission had settled on a 15-foot spacing. Commissioner Poulson noted that requiring a 30-foot site dimension would also naturally limit density on a given parcel. Mr. Phillips confirmed that at his RV park, he sets his sites at 30 by 50, and that customers even pay extra for the larger upper-tier spaces. The Commission agreed to include a minimum site pad dimension of 30 feet by 50 feet in Section C, subsection 3.

City Manager Robinson then directed the Commission's attention to the density limits section, noting that it contained the phrase "shall be determined during the conditional use process." He explained that the state has been pushing cities to reconsider the conditional use process, characterizing it as administrative rather than legislative. He recommended striking that language and simply stating that density shall not exceed the more restrictive of the two listed options, without tying it to the conditional use permit process.

Council Member Kimberlee Trower raised a concern about the maximum density of 5 units per gross acre and its potential impact on the city's water quality. She noted, "I do have a concern that we put 5 units on an acre on a septic system in Enoch. I am concerned." City Manager Robinson acknowledged the city has significant nitrate issues in its water and agreed this warranted consideration.

City Manager Robinson then raised a related concern about the potential for large parcels to absorb a disproportionate number of units. He presented a summary he had assembled using an AI tool, comparing the two density options, a percentage-based approach and a numerical unit-per-acre cap, across various parcel sizes from 5 to 50 acres. He noted that on larger parcels, an uncapped formula could result in 100 or more units: "I don't know if that's what the intent is for this." He suggested adding a maximum acreage cap to prevent the ordinance from being used in ways beyond its original intent.

Council Member Trower asked whether the conditional use permit process would require any such proposal to come before the Planning Commission and City Council. City Manager Robinson confirmed that yes, all such applications would go through both bodies regardless. Commissioner Poulson suggested a maximum per business rather than per acre might be more appropriate. City Manager Robinson found this a reasonable idea but acknowledged it could be

circumvented by splitting businesses or parcels. Council Member Trower also asked whether a threshold tied to infrastructure capacity might be more appropriate, for instance, requiring connection to public sewer above a certain number of units. City Manager Robinson noted that the ordinance does contain language in Section E about sewer availability and indicated the health department generally makes determinations on septic capacity through the permitting process.

Mr. Phillips confirmed that the Iron County Health Department reviewed his plans and calculated the required septic tank size, and that he voluntarily oversized the tank for additional capacity, though he would have preferred to connect to the city sewer system had it been within a feasible distance.

After extended discussion, the Commission settled on a maximum of 10 acres per business as an acreage cap under the density limits section. Commissioner Poulson and others concurred that 10 acres was a reasonable ceiling, noting that at the density formula provided, a 10-acre maximum would yield approximately 29 units at most. City Manager Robinson confirmed the language would read that temporary workforce housing projects shall not exceed 10 acres per business.

City Manager Robinson briefly addressed Section E on required infrastructure, which calls for permanent underground utility connections for culinary water, sanitary sewer, and electricity at each designated housing space. Council Member Trower emphasized that large developments should be encouraged to connect to city infrastructure wherever possible, citing the city's ongoing nitrate concerns and noting that it takes approximately 50 years for nitrate contamination to heal. City Manager Robinson noted that the city's code already includes provisions requiring connection to city sewer if within a certain distance of the line, and that this should naturally apply here without additional language needing to be added to the ordinance. He suggested that the Utah State Department of Health's requirements, combined with existing code provisions, would cover the infrastructure issue adequately.

Commissioner Finlay made a motion to send a favorable recommendation to the City Council amending Enoch City Ordinance 12.200.206 Definitions, 12.1900.1902 Permitted and Conditional Uses in the Research/Industrial zone, and creating 12.1900.1911 Temporary Workforce Housing, with the following changes from the originally proposed amendment:

- **12.200.206 Definitions – Section I (191) Temporary Workforce Housing.**
Change “Landowner” to “Business Owner”.
- **12.1900.1911 Temporary Workforce Housing Standards (R/I-P Zone Only)**
 - B. Occupancy Requirements**
 - 1. Change “owner of land” to “owner of business”*
 - 2. Remove “number of”*
 - C. Structure and Placement**
 - Add 4. Size of Site: Each site is required to be at least 30 feet wide by 50 feet long.*
 - D. Density Limits:**
 - Remove “shall be determined during the Conditional Use Permit process” and add “not to exceed ten (10) acres per business.”*

Commissioner Poulson seconded and all voted in favor.

- 5. SET A PUBLIC HEARING TO AMEND ENOCH CITY ORDINANCE SECTION 14.100.150-152 (WATER), 14.200.205 (SEWER), AND 12.300.317 WATER AND SEWAGE REQUIREMENTS - to require that any utility connection be within city limits.**

City Manager Robinson explained the background of this item. The ordinance sections in question currently outline a process by which a property owner outside of city limits may connect to the city's water and sewer system. He noted that the City Council recently discussed a request of this nature and determined that if a property owner wishes to connect to the city's utility systems, the preferred course of action is annexation into the city rather than an out-of-city connection. The proposed amendments would formalize this policy direction, effectively requiring that any utility connection be within city limits. City Manager Robinson confirmed that this agenda item was simply to set a public hearing date, and that the public hearing would be held on September 8, 2026.

Commissioner Jones made a motion to set a public hearing for September 8, 2026 to consider amending Enoch City Ordinance Sections 14.100.150–152 (Water), 14.200.205 (Sewer), and 12.300.317 Water and Sewage Requirements to require that any utility connection be within city limits. Commissioner Poulson seconded and all voted in favor.

6. COMMISSION/STAFF REPORTS

Hayden White, Public Works Director

- The cemetery has been fully paved.
- The crew is currently working on Highway 91. Work is progressing at approximately 28 feet per minute, with the crew reaching Bogatini Street by the end of the current workday. The plan is to continue to the ice rink and then toward Wagon Wheel the following day. After the initial paving pass, a 2-inch cap will be applied, followed by striping and signage changes. The city also extended paving an extra half-mile onto county road for the benefit of city residents, though that segment was not within the approved city contract.
- Test pumping of the Anderson Well is scheduled for the following week. City Manager Robinson noted some anticipation about the amount of silt the well may discharge and confirmed that a trailer full of sandbags had been prepared as a precaution.
- Approximately 40 water meters remain that are not communicating with the tower antenna. Staff continues to troubleshoot these, with the goal of eliminating the need for manual re-reads once all meters are connected.
- The storm drain in the area near the Anderson Well may need to be checked for silt accumulation after test pumping. The sewer cleaning company, which typically visits in November, will be asked to address that area when they come to clean storm drains.

Ryan Robinson, City Manager

- **Transportation Expo:** The Five County Association of Governments is hosting a transportation expo on September 17th from 1:00 to 6:00 PM at Best Western in Cedar City. Several cities in Iron County will have booths to highlight their transportation projects. Commission members were invited to attend. City Manager Robinson indicated he would send out the flyer to interested parties.

- **Tree Removal Ordinance:** The tree removal ordinance edits approved at the last Planning Commission meeting were subsequently adopted by the City Council. City Manager Robinson noted that the first enforcement letter has already been sent to a property owner requesting tree removal.
- **Pitting Annexation:** The City Council accepted an annexation petition for further study. The parcel involves approximately 677 acres on the northeast side of the city. City Manager Robinson explained that the parcel had previously gone through an annexation process that was approved contingent upon execution of a development agreement, but the agreement was not completed in time. The process is now starting again. A 30-day noticing period is underway, and the matter will return to the City Council in October.
- **Public Comment Section:** City Manager Robinson raised the question of whether the Planning Commission should continue to include a public comment section on its agenda. He noted that most public comments received at planning commission meetings either pertain to items already on the agenda—which have a designated discussion period—or to matters that properly belong before the City Council. He stated there is no state code requirement for a public comment period at the planning commission level. Several commissioners expressed comfort with removing the section, provided that there remains a clear avenue for the public to address agenda items during the appropriate portions of the meeting. City Manager Robinson confirmed that removing the public comment section would not limit the public's ability to speak on agenda items and that the chair retains discretion to allow public input. He indicated he would research the matter further before any formal change.
- **Impact Fees:** Council Member Trower reported that several businesses—including Pizza Hub and a new coffee establishment—have raised concerns about their impact fee classifications. The current code has only two fee categories (fast food and quality restaurant), and some businesses do not fit neatly into either. After consulting with Cedar City and conducting research, the City Council determined that impact fees for these businesses would be handled on a case-by-case basis administratively, with businesses engaging their own engineers to work with city staff and engineers on a determination. City Manager Robinson noted that a meeting on this topic was scheduled for the following morning.
- **Sports Complex Bond:** Council Member Trower reported that the City Council has initiated the paperwork for a bond to fund the proposed sports complex. Cruz and Associates, represented by Marcus Keller, presented to the council on the plan and various financing options. The City Council is expected to adopt bond parameters at the second meeting in September, though the decision to actually issue the bond has not yet been made.
- **Committee Appointments:** Council Member Trower reported several new committee appointments: Catherine Ross and Bob Tingey were added to the Reese Across America committee; Peterson Ross was appointed to the Water Board, replacing a departing member; and Celeste Lyman was added to Parks and Recreation.

- **Flock Cameras:** Chairman Correa noted that residents had asked him about the flock camera at the roundabout, specifically whether the city had paid for it. City Manager Robinson clarified that the city has two flock cameras—one at the roundabout and one on Highway 91—and both are city-owned. He noted the cameras have experienced vandalism and that video of at least one incident exists, though the perpetrator wore a ski mask and used the cover of darkness. City Manager Robinson stated that staff has discussed posting the video along with a reward offer for information leading to identification of the individual. He also noted that the city has discussed having the Police Chief provide a report to the public on how the cameras work and what safeguards are in place to prevent misuse.

Commissioner Poulson

- He noted that he would not be present at the next Planning Commission meeting. He also offered a broader observation for the Commission to consider: when applicants present artist renditions or detailed plans during zone change or conditional use applications, those representations do not bind the applicant to build exactly what was shown. He referenced the MCM development as an example, where the original presentation looked significantly different from what is currently being constructed. He noted that while applicants stay within the rules, the Commission should be mindful that presentations are aspirational. City Manager Robinson agreed, adding that they need to follow all requirements in our code. He echoed that this dynamic is especially present during annexation discussions, where future development is often described in favorable terms but is ultimately governed by whatever code standards apply at the time of permitting.

6. **ADJOURN – Commissioner Poulson made a motion to adjourn. Commissioner Jones seconded and all voted in favor.**

Lindsay Hildebrand, City Recorder

Date

ENOCH CITY PLANNING COMMISSION MEMO

SUBJECT: Amendments to Enoch City Code 14.100.150–152 (Water), 14.200.205 (Sewer), and 12.300.317 (Water and Sewage Requirements)

FOR CONSIDERATION ON: September 8th, 2026

PETITIONER: City Staff

ACTION REQUESTED BY PETITIONER: Consider amending the above sections to require that any utility connection to the City's water and sewer systems be located within Enoch City limits and send a favorable recommendation to the City Council.

Review Type: Legislative

BACKGROUND INFORMATION:

Enoch City owns and operates its own culinary water and sanitary sewer systems and, as with most Utah municipalities, has broad discretion under Utah law to determine the terms and conditions on which those systems serve properties, including whether service is extended outside the City's corporate boundary. Enoch City Code Title 14 (Water and Sewer) and 12.300.317 (Water and Sewage Requirements, within the land use title) currently do allow property located outside City limits to connect to city infrastructure as long as certain conditions are met.

Several nearby unincorporated parcels are physically close enough to existing water and sewer mains for connection to be technically feasible without annexation. Currently, the city does not have a standard for an in-city requirement and does not require annexation as a condition of receiving municipal utility service, and out-of-city connections can create long-term system planning, capacity, and cost-of-service issues, since those properties do not contribute to City property tax, do not fall under City land use jurisdiction, and complicate the extension and sizing of future infrastructure.

The proposed ordinance would amend the following sections to add or clarify an in-city connection requirement:

- 14.100.150–152 (Water) condition new and existing water service connections on the served property being located within Enoch City corporate limits, with related provisions addressing annexation as a prerequisite to service where applicable.
- 14.200.205 (Sewer) apply the same in-city location requirement to sanitary sewer connections.
- 12.300.317 (Water and Sewage Requirements) align the land use code's utility requirements for development approval with the amended Title 14 standards, so that subdivision and site plan approval consistently reflect the in-city connection requirement.

GENERAL PLAN REFERENCE:

- [G. Water Use and Preservation Goals and Policies \(Pg. 38\)](#)

CITY CODE REFERENCE:

- Enoch City Code 14.100.150–152 (Water), 14.200.205 (Sewer), and
- 12.300.317 (Water and Sewage Requirements)

PUBLIC NOTICE:

A public hearing will take place as part of this agenda item review

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission consider approving the proposed changes that would require a property to be within city limits to use city utilities. Include any changes or additional requirements that should be included for the City Council.

12.300.317 WATER AND SEWAGE REQUIREMENTS

In all cases where a proposed building or proposed use will involve the use of sewage facilities, and connection to a public sewer system as defined by the Utah State Division of Environmental Health is not available, and in all cases where a connection to a public water system approved by the Utah State Division of Environmental Health is not available, the sewage disposal and the domestic water supply shall comply with the requirements of such Division and of the local board of health. The application for a building permit shall be accompanied by a certificate of approval from said Board or Division.

In-City Connection Required. No connection to the City's public water system or public sewer system shall be made, permitted, or approved for any property located outside the corporate limits of Enoch City. All water service connections and sewer service connections shall be limited exclusively to properties located within the City limits, and the City shall not extend, install, or approve any water or sewer connection serving property outside the City's boundaries.

14.100.150 SERVICE OUTSIDE MUNICIPALITY

No connection to the Enoch City public water system shall be made, permitted, or approved for any property located outside the corporate limits of Enoch City. Water service, service lines, and main extensions shall be provided only to properties located within the City's corporate limits, and the City shall not install, extend, or approve any water connection serving property outside the City's boundaries.

~~14.100.151 SUPPLY OF WATER SERVICES TO PERSON OUTSIDE THE MUNICIPAL LIMITS~~

~~The municipality may furnish water service from its water system to persons outside the municipality in accordance with the provisions of this part.~~

~~14.100.152 PETITION FOR SERVICE~~

~~Any person located outside the municipal limits, who desire to be supplied with water services from the municipal water system and is willing to pay in advance the whole expense of extending the water system to his property, including the cost of extending any water main beyond its present location, may make application to the governing body by petition containing:~~

~~A. — A description of the proposed extension.~~

~~B. — A map showing the location thereof.~~

~~C. — An offer to pay the whole expense incurred by the municipality in providing such extension and to advance such expense as shall be verified to by the water superintendent. The governing body and the person or persons seeking such extension may enter into an agreement providing in detail the terms under which the extension may be utilized by others in the future~~

~~and the terms under which all or any portion of the cost of installing such extension may be refunded.~~

~~D. — An acknowledgment that the municipality in granting the petition need supply only such water to the petitioner which from time to time the governing body deems beyond the requirements of water users within the municipal limits, and that such extension shall be the property of and subject to the control of the municipality.~~

~~14.100.153 EXTENSIONS MAY BE MASTER METERED~~

~~When an extension supplying more than one house or user outside the municipal limits is connected to municipal water mains, the water superintendent may require a master meter to be installed near the point where the connection is to be made to the municipal main. This installation will be at the expense of the persons served by such extension according to the regular rates for meter installation. Responsible parties must agree to pay all bills for water served through the meter at the applicable water rates.~~

14.200.205.3. Except as hereinafter ... the disposal of wastewater.

14.200.205.4. The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the City or ~~County, or~~ located above the cities aquifer within the well head protection area, is hereby required, at the owner(s) expense, to install suitable sewer facilities directly to the public sewer in accordance with the provisions of this ordinance, within sixty (60) days after date of official notice to do so, provided the sewer is within three hundred (300) feet of the owner's property line, or in the case of a subdivision, provided the sewer is within a lineal footage that is calculated to be equal to or less than the number of lots of the subdivision times three hundred (300) feet, of any boundary of the subdivision. The owner(s) will then be charged a monthly sewer fee upon issuance of the certificate of occupancy.

ENOCH CITY PLANNING COMMISSION MEMO

SUBJECT: Proposed Amendments to Enoch City Code Sections 12.2400.2413 and 14.100.113 – Water Rights and Water Connection Requirements

FOR CONSIDERATION ON: September 8, 2026

PETITIONER: Enoch City

ACTION REQUESTED BY PETITIONER: Set a public hearing for September 22nd, 2026

Review Type: Legislative

BACKGROUND INFORMATION:

Enoch City has limited water rights available to support future development. The Cedar Valley Water Conservancy District is in the process of adding new wells that may make Basin 71 water rights available for use by Enoch City once the new well is completed and available for service.

The proposed amendments are intended to clarify the City's water-right requirements and expand the types of water rights that may be accepted for development within Enoch City. Specifically, the amendment would allow qualifying Basin 71 water rights to be used to satisfy the City's water-right requirements for development once the new well is completed and the water is available to the City.

The proposed amendments also clarify the application process, water-right dedication requirements, and the City's ability to accept and assign water-right credits for future development.

GENERAL PLAN REFERENCE:

- The proposed amendments relate to the City's management and conservation of municipal water resources and the provision of adequate water service to existing and future development.

CITY CODE REFERENCE:

- Enoch City Code Section 12.2400.2413 – Water Rights
- Enoch City Code Section 14.100.113 – Application for Water Connection.

PUBLIC NOTICE:

Public notice for the September 8, 2026 Planning Commission meeting will be provided in accordance with applicable City and State requirements.

STAFF RECOMMENDATION:

Set a public hearing for September 8th, 2026

12.2400.2413 WATER RIGHTS

Enoch City Water Connection Policy

Enoch City has limited water rights. Enoch City provides culinary and irrigation water for residential, commercial, and industrial uses consistent with City ordinance. There are limited water rights in the Cedar City area, and these resources are shared by Enoch City, Cedar City, the Central Iron County Water Conservancy District, agriculture, private owners, and private water corporations.

Enoch City is experiencing sustained residential, commercial, and industrial growth, and growth necessitates acquisition of additional water rights.

The State of Utah Water Engineer has determined that the water rights in the Cedar Valley Aquifer have been fully appropriated and has closed the basin to future appropriation of water rights.

The State Engineer has studied the aquifer and determined the estimated safe yield for the groundwater basin is 21,000 acre-feet per year. The estimated current average depletion from the groundwater basin is 28,000 acre-feet per year. The average actual depletion must be reduced by 7,000 acre-feet per year to balance recharge and depletion amounts in this groundwater basin. To accomplish this goal, the State Engineer has instituted a Groundwater Management Plan (GMP).

A. Purpose

Any person who desires or is required to secure a new connection to the municipal water system shall file a written and signed connection application provided by Enoch City staff with the Water Department.

All property that has not previously deeded water rights shall be required to deed water rights either at the time the property subdivides or when the property applies for a building permit. For residential property, water rights shall be deeded at the time of subdivision. If a residential property has previously been subdivided and no water rights have been provided, then water rights shall be deeded upon the application for a building permit. For commercial or industrial property, water rights shall be deeded upon the application for a building permit.

Nothing in this ordinance shall require deeding of water rights when a building permit is pulled for repair, remodel, or expansion of a building that has already been granted a building permit, whether before or after the effective date of this ordinance.

This ordinance is intended to acquire water rights one time only. Nothing herein shall be construed to require a property that has previously complied with this ordinance to deed additional water rights.

B. Amount of Water Required

For property located in single-family housing zone designations, and for single-family dwellings located in any other zones, each unit shall be assessed:

- 0.88 acre-feet of Agricultural water, or

- 0.50 acre-feet of Municipal & Industrial (M&I) water.

For commercial and industrial properties, the water right requirement will be calculated based on the size of the water meter required to serve the proposed use on the property. If the water meter size is augmented solely for fire suppression purposes, then the water right will be calculated based on the size of the meter that would be required absent fire suppression needs.

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 & Water Right for a new water connection on such properties shall be equal to the value of a full acre foot, on such a property shall be as follows: .3 AF of Enoch City Water Right, corresponding to the culinary water, which are not transferable and shall remain with the property, and .7 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 .3 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.

C. Water Right Deed

Applicants may satisfy the City's water dedication requirement by deeding one of the following:

- Priority Water Right:
A water right with a **priority date on or before July 25, 1934.**
- Priority Water Right:
A water right with a **priority date after July 25, 1934, only if:**
It has **at least 10 years remaining before curtailment** under the State Engineer's Groundwater Management Plan for the Cedar City Valley Aquifer.
Water Acquisition Fee (Cash Payment Requirement for Non-Priority Rights)
 - For deeds involving Non-Priority Water Rights, a Water Acquisition Fee must be paid based on the appraised value of a one-acre-foot Priority Water Right (north of Highway 56, prefix 73, priority before July 25, 1934) **or in the Parowan Valley with a water right prefix of 71**
 - The fee is calculated at 1% of the Priority Water Right's appraised value for each full year remaining before curtailment under the State Engineer's Plan. (See "Water Rights Acquisition Fee Chart 2022" below)
 Appraised values are updated by the City Council as needed, typically every six months.

Water Rights Acquisition Fee Chart 2022		
Water Priority Date	Suspension Date	% Value
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Dec 30, 1935 - Jul 25, 1934	January 1, 2080	58%
July 25, 1934 - & Earlier	Not Suspended	100%

Note: Water rights that are expected to be curtailed within 10 years of the deed date **will not be accepted**.

Applicants must also provide:

- Proof of recent beneficial use
- Proof of ownership through a complete chain of title
- Payment of all costs associated with deeding and deeding the water right
- Water rights must originate from the **Cedar City Valley Drainage north of Highway 56** (water right prefix **73**) or in the Parowan Valley with a water right prefix of 71

D. Process to Deed Water Rights

1. The Applicant shall submit a title report showing:
 - o Type of water right
 - o Ownership of the right
 - o Any liens or encumbrances
2. The Applicant shall provide a title insurance policy in an amount adequate to cover the appraised value of the water rights.
3. A deed and Deed Addendum conveying ownership of the water rights to Enoch City shall be completed and recorded by the City before approval of a building permit application.
4. If the water right is supplemental, recharge/recovery, or otherwise not a primary underground well source, the Applicant must obtain an approved change application from the State Engineer prior to subdivision or building permit approval, defining:
 - o Sole supply
 - o Established diversion and depletion limitations

E. 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.

F. 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.

G. 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.

H. 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.

I. 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.

14.100.113 APPLICATION FOR WATER CONNECTION

Enoch City Water Connection Policy

Enoch City has limited water rights. Enoch City provides culinary and irrigation water for residential, commercial, and industrial uses consistent with City ordinance. There are limited water rights in the Cedar City area, and these resources are shared by Enoch City, Cedar City, the Central Iron County Water Conservancy District, agriculture, private owners, and private water corporations.

Enoch City is experiencing sustained residential, commercial, and industrial growth, and growth necessitates acquisition of additional water rights.

The State of Utah Water Engineer has determined that the water rights in the Cedar Valley Aquifer have been fully appropriated and has closed the basin to future appropriation of water rights.

The State Engineer has studied the aquifer and determined the estimated safe yield for the groundwater basin is 21,000 acre-feet per year. The estimated current average depletion from the groundwater basin is 28,000 acre-feet per year. The average actual depletion must be reduced by 7,000 acre-feet per year to balance recharge and depletion amounts in this groundwater basin. To accomplish this goal, the State Engineer has instituted a Groundwater Management Plan (GMP).

A. Purpose

Any person—other than a subdivider or developer seeking multiple connections—who desires or is required to secure a new connection to the municipal water system shall file a written and signed connection application provided by Enoch City staff with the Water Department.

All property that has not previously deeded water rights shall be required to deed water rights either at the time the property subdivides or when the property applies for a building permit. For residential property, water rights shall be deeded at the time of subdivision. If a residential property has previously been subdivided and no water rights have been provided, then water rights shall be deeded upon the application for a building permit. For commercial or industrial property, water rights shall be deeded upon the application for a building permit.

Nothing in this ordinance shall require deeding of water rights when a building permit is pulled for repair, remodel, or expansion of a building that has already been granted a building permit, whether before or after the effective date of this ordinance.

This ordinance is intended to acquire water rights one time only. Nothing herein shall be construed to require a property that has previously complied with this ordinance to deed additional water rights.

B. Amount of Water Required

For property located in single-family housing zone designations, and for single-family dwellings located in any other zones, each unit shall be assessed:

- 0.88 acre-feet of Agricultural water, or

- 0.50 acre-feet of Municipal & Industrial (M&I) water.

For commercial and industrial properties, the water right requirement will be calculated based on the size of the water meter required to serve the proposed use on the property. If the water meter size is augmented solely for fire suppression purposes, then the water right will be calculated based on the size of the meter that would be required absent fire suppression needs.

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 & Water Right for a new water connection on such properties shall be equal to the value of a full acre foot, on such a property shall be as follows: .3 AF of Enoch City Water Right, corresponding to the culinary water, which are not transferable and shall remain with the property, and .7 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 .3 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.

C. Water Right Deed

Applicants may satisfy the City's water dedication requirement by deeding one of the following:

- Priority Water Right:
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- Proof of recent beneficial use
- Proof of ownership through a complete chain of title
- Payment of all costs associated with deeding and deeding the water right
- Water rights must originate from the **Cedar City Valley Drainage north of Highway 56** (water right prefix **73**) or in the Parowan Valley with a water right prefix of 71.

D. Process to Deed Water Rights

1. The Applicant shall submit a title report showing:
 - o Type of water right
 - o Ownership of the right
 - o Any liens or encumbrances
2. The Applicant shall provide a title insurance policy in an amount adequate to cover the appraised value of the water rights.
3. A deed and Deed Addendum conveying ownership of the water rights to Enoch City shall be completed and recorded by the City before approval of a building permit application.
4. If the water right is supplemental, recharge/recovery, or otherwise not a primary underground well source, the Applicant must obtain an approved change application from the State Engineer prior to subdivision or building permit approval, defining:
 - o Sole supply
 - o Established diversion and depletion limitations

E. Water Right Credit and Assignment Program

Water Right Credit and Assignment Program. Enoch City is authorized under the Utah State Constitution to accept and hold water rights in perpetuity for municipal water supply purposes

and for the benefit of the public. To facilitate development within the City's water service area, the City may enter into Water Right(s) Credit & Assignment Agreements with water right owners who convey water rights to the City. This program provides a mechanism for Owners to contribute water rights to the City's municipal supply in exchange for assignable development credits.

1. **Conveyance of Water Right(s).** The Owner shall convey acceptable Water Right(s) to the City by duly executed deed and deed addendum in recordable form, as set forth in Enoch City Ordinances and by the Utah Division of Water Rights. Upon conveyance, the City shall hold such Water Right(s) in perpetuity in accordance with the Utah State Constitution, for municipal water supply purposes.
2. **Grant of Assignment Credit(s).** In consideration for the conveyance of Water Right(s) to the City under an Agreement, the City shall grant to the Owner the right to assign Water Right(s) credit for future development within the City's water service area.
3. **Determination of Assignment Credit.** The number of Assignment Credit(s) granted to an Owner shall be determined at the time the Water Right(s) are deeded to the City, in accordance with the City's then-current water right requirement per Equivalent Residential Connection (ERC) as established by ordinance or policy.
 - o One Assignment Credit shall generally be granted for each amount of water equal to the then-current ERC requirement.
 - o Partial credits may be issued on a pro-rata basis.
 - o Assignment Credits may be applied to either residential or commercial connections; however, the water right requirement for commercial connections may differ based on the City's current standards and is not necessarily equal to the residential conversion rate.
4. **Assignment Process.** The assignment of Assignment Credit(s) by the Owner (or the Owner's successor or assign) shall be affected by a notarized letter. This letter must clearly state:
 - o The exact amount of water right credit being assigned.
 - o The name of the recipient of the credit.
 - o The specific property or project receiving the credit.
 - o If applicable, any lien holder with an interest in the Assignment Right(s) shall provide their written consent in the same notarized letter.
5. **City Review and Approval.** The City shall approve assignments upon verification of the submitted documentation and compliance with all applicable City ordinances and policies.
6. **Relationship to Other Water Acquisition Provisions.** It is hereby clarified that Water Rights required and assigned to Multi-Family Developments, Commercial, Industrial, Manufacturing, or Institutional properties as part of their initial Water Acquisition Fee obligation, are not transferable and must remain assigned to that specific development or property. The Water Right Credit and Assignment Program, as described in this subsection (L), applies to Water Rights voluntarily contributed and accepted specifically for the purpose of being banked and assigned as credits by the Owner for future, unassigned development purposes.

ENOCK CITY PLANNING COMMISSION MEMO

SUBJECT: Set a Public Hearing to Amend Section 12.1700.1702 – Permitted Uses

FOR CONSIDERATION ON: September 8, 2026

PETITIONER: Enoch City

ACTION REQUESTED BY PETITIONER: Set a Public Hearing for September 8th, 2026

Review Type: Legislative

BACKGROUND INFORMATION:

Enoch City is proposing to remove Item N (Single-family mobile homes on individual lots, constructed on a permanent foundation) from the permitted uses listed in Section 12.1700.1702. The current language specifically identifies single-family mobile homes on individual lots, constructed on a permanent foundation, as a permitted use.

The City has separate requirements in Enoch City Code Section 12.300.321, Supplementary Dwelling Standards, that establish standards for dwellings placed on individual lots outside of a mobile home park or subdivision. Under Subsection G, the primary dwelling must be at least 20 feet wide at the narrowest point of its first story. Factory-built or manufactured homes must consist of multiple transportable sections that are at least 10 feet wide in order to meet this requirement.

Under the current code, although Item N identifies single-family mobile homes as a permitted use, a mobile home that does not meet the dimensional requirements established in Section 12.300.321(G) could not be placed on an individual lot in compliance with the City's development standards

The proposed amendment is intended to remove the specific mobile-home use from the permitted-use table and rely on the City's existing supplementary dwelling standards to establish the applicable requirements for factory-built and manufactured homes. This would help avoid having separate or potentially conflicting provisions addressing the same type of dwelling.

GENERAL PLAN REFERENCE:

- The proposed amendment relates to the City's regulation of residential development and standards for single-family dwellings.

CITY CODE REFERENCE:

- Section 12.1700.1702 – Permitted Uses

- Proposed amendment: Remove Item N, “Single-family mobile homes on individual lots, constructed on a permanent foundation.”
- Section 12.300.321 – Supplementary Dwelling Standards
 - Subsection (G) establishes dimensional and construction standards applicable to dwellings placed on individual lots outside of a mobile home park or subdivision.

PUBLIC NOTICE:

Public notice for the September 8, 2026 Planning Commission meeting will be provided in accordance with applicable City and State requirements.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission set a public hearing for September 8th, 2026

12.1700.1702 PERMITTED USES

- A. Accessory uses and buildings customarily incidental to the permitted use, not to exceed 20% of the land.
- B. Agriculture; tilling of the soil, the raising of crops, horticulture and gardening.
- C. Animals and fowl for recreation or family food production for the primary use of persons residing on the premises, or lot(s) contiguous to the lot on which the primary dwelling exists.
- D. Household pets.
- E. Public building.
- F. Public cemetery.
- G. Public church.
- H. Public park or playground.
- I. Public school.
- J. Public utilities, essential services.
- K. Single-family dwellings.
- L. Single-family dwellings with an Internal Accessory Dwelling Unit (IADU).
- M. Single-family dwellings with an External Accessory Dwelling Unit (EADU).
- ~~N. Single family mobile homes on individual lots, constructed on a permanent foundation.~~
- O. Solar energy system, which provides energy for private use, provided that requirements under Section 12.1000 of this Ordinance are met.
- P. Other uses similar to the above may be recommended by the Planning Commission and judged by the City Council to be in harmony with the character and intent of this zone.