MINUTES
ENOCH CITY PLANNING COMMISSION
July 23, 2019 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:
Commissioner Paul Hardy
Commissioner Greg Peterson-absent
Commissioner Andrew Meacham
Commissioner Debra Ley-absent
Commissioner Bob Tingey

STAFF PRESENT:
Rob Dotson, City Manager
Katherine Ross, CC Member
Julie Watson, City Recorder

PUBLIC PRESENT: none

1. **CALL TO ORDER OF REGULAR MEETING-**By Chairman Tingey at 5:30pm. He excused Commissioner Peterson.
   - **a. Pledge of Allegiance** –Led by Commissioner Hardy
   - b. **Invocation** –Audience invited to participate. Given by Commissioner Meacham
   - **c. Inspirational thought-**Given by City Manager Dotson
   - **c. Approval of agenda for July 23, 2019- Commissioner Hardy made a motion to approve the agenda. Motion was seconded by Commissioner Meacham and all voted in favor.**
   - **d. Approval of minutes for July 9, 2019-Commissioner Meacham made a motion to approve the minutes. Motion was seconded by Commissioner Hardy and all voted in favor.**
   - **e. Conflict of Interest Declaration-**none stated

2. **DISCUSS TWO CHANGES TO THE SUBDIVISION ORDINANCE SENT BACK BY THE CITY COUNCIL AND MAKE A NEW RECOMMENDATION**

Chairman Tingey asked someone to tell them about the changes from the City Council. Council Member Ross said in their discussion there was a proposal about the 1% fee in Chapter 2, Step 8. The City Attorney had a similar thought to what was discussed in Planning Commission about developers hiring their own engineers to inspect their infrastructure. That could be like the fox guarding the hen house. As an alternative it was suggested the City collect the 1% inspection fee and refund any unused amount after our own inspector does the work. The City Council prefers our engineer. Chairman Tingey said he agrees and that is a good decision.

Another change came through a surveyor who has done work for the City. In Chapter 2 regarding Minor Lot Subdivisions he suggested lots should be referred to as parcels and some other language that makes it correct in references and more in line with what most cities do for their process in regard to minor lot subdivisions. City Manager Dotson read the changes adding we took out "a" and "b" in this change. There is no plat process at all in meetings making this less redundant with steps that are not needed. In some cases property owners are dividing property for later use and don't need improvements now so we took out that requirement for infrastructure. Major subdivisions have to provide a guarantee of improvements and that performance guarantee is covered in Chapter 4. Chairman Tingey said that sounds good to him. All were fine with the refund of any portion of the 1% inspection fee if not used. In 2.2 on minor lot subdivisions all were fine with the language changes and agreed our process was overly intensive. Chairman Tingey asked for a motion.

Commissioner Meacham made a motion to send a favorable recommendation to the City Council in favor of the revisions as discussed. The motion was seconded by Commissioner Hardy and all voted in favor.

3. DISCUSS CARGO STORAGE CONTAINER OPTIONS FOR NON-CONFORMING LOTS

City Manager Dotson said after we passed this change to the Zoning Ordinance we had a couple of applications from residents who have non-conforming lots. These are lots in older parts of Enoch that existed before current standards were adopted into Code. Sellers of cargo storage containers are referring people to us regarding our regulations. One application for a permit was next door to Commissioner Meacham. City Manager Dotson drew the lot shape on the board noting there is almost no backyard but a large side yard area. The ordinance now says it has to be behind the house. On non-conforming lots that won't always work. This resident wanted to put the storage container on the large side lot but the ordinance requires it to be in the back of the house so we had to say no. Chairman Tingey confirmed containers can't go on the side period. Commissioner Meacham said this is an excellent example due to lot shape. As it is written now, we can't do it unless the Planning Commission and City Council change the ordinance to allow the container to be located elsewhere on the non-conforming lot.

It was clarified these lots are called "non-conforming" meaning it does not fit the code. If the house burnt down and the resident wanted to build a bigger house he can't due to the current set-back requirements. There are many different possibilities and we have to be specific. It can't be subjective or on a case-by-case basis. It has to be in the code. In reality there are not a lot of nonconforming lots. There are some in Old Enoch, Garden Park and Cottonwood Subdivision has lots of odd lots. How do you define that in the code when there are so many different conditions on non-conforming lots? City Manager Dotson said you could say on non-conforming lots the container can be on the side as long as it is behind the half way point of the back side of the house. Any language has to cover each and every circumstance and that is almost impossible. The main situation is the backyard is not deep enough and they have big side yard. Commissioner Meacham said we defined placement to be at the back of the house and could change that to be back of the front part of the home on the side yard. The different circumstances of each lot could make this too much to define in the ordinance. City Manager Dotson noted the person applying backed out anyway but now we have had this come up he wanted to see if the City Council and Planning Commission wanted to address it. All agreed it is a "can of worms" and State code does not allow for ambiguity. Everything has to be clearly stated in the ordinance. Commissioner Hardy said leave it as it is. Chairman Tingey asked for any recommendations noting the City Attorney wrote this. He asked if this was covered anywhere. No, City Manager Dotson said. No other ordinances in other cities address this either. Chairman Tingey said he recommends we think about this until the next meeting and see if anyone comes up with anything. He confirmed there are no time constraints. He asked for a motion to table this item for the next meeting noting the two absent commissioners will be back then and may have input. Maybe it will stay the same.

Commissioner Hardy made a motion to table this item regarding storage containers on non-conforming lots for the next meeting on August 13, 2019. The motion was seconded by Commissioner Meacham and all voted in favor.

4. PUBLIC COMMENTS-none

5. COMMISSION/STAFF REPORTS

City Manager Dotson said we do not have enough water sources for the demand being placed on the system. We have the water rights but not water coming out of the ground. Our storage capacity is fine. The problem is people are using more water than ever before according to Aly as

she went through the meter readings. We know we have more new homes but the regular users are showing much higher usage than last year with readings of 70-80-90,000 gallons in one month. We pump 9.8 million gallons per month. If all used the minimum billed for 30,000 gallons that is seven (7) million gallons a month. That is three (3) million less than we are pumping now. City parks, churches and schools are the biggest users. Right now we have the water off in the parks. We caught up on tanks refilling when we asked people to stop watering around July 4th. Commissioner Hardy said we need to increase the cost. City Manager Dotson said we are working on three new rate structures and he gave more details. It would benefit those who conserve. The question was asked what other communities charge. City Manager Dotson said we have some of the cheapest water in the State. Most charge per gallon for exactly what is used. We charge $29 for 30,000 gallons no matter if you use that much or not. Above 30,000 a tiered rate is charged. We are trying to weigh different options. We can't lose money in the rate structure either. Water is a business not a government agency. We have to treat it as a business. Costs increase but we have charged the same amount for over 14 years. Conservation is an interesting animal. When you can show how much your neighbors are using it is sometimes an incentive to conserve. Dominion Gas sends out those comparisons to customers but we don't have that capability at this time. Monday, Wednesday and Friday is when the tanks don't fill enough. Changing habits is hard but we are trying to figure out ways to even it out. He told about possible well acquisitions the City is negotiating on. He reported Settlers Square Subdivision started construction. The roads and infrastructure are going in. In the last City Council meeting they had a presentation from UDOT who wanted the Council to support either a traffic signal or a roundabout. After seeing the presentation they chose the roundabout. There are flashing lights on the approach to the intersection now. Speed will go down with the roundabout. The belt route map will be coming soon so the Planning Commission can change the General Plan Land Use Map to match the County's choice of 6400 North.

6. ADJOURN-Motion to adjourn by Commissioner Hardy. Motion seconded by Commissioner Meacham and all voted in favor. The meeting ended at 6:27pm.

Julie Watson 8-13-19

Julie Watson, Recorder **Date**