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Topic: My Meeting

Time: Aug 24, 2021 05:30 PM Mountain Time (US and Canada)

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Meeting ID: 840 4251 1518

ENOCH CITY PLANNING COMMISSION

NOTICE AND AGENDA

August 24, 2021 at 5:30pm

City Council Chambers

City Offices, 900 E. Midvalley Road

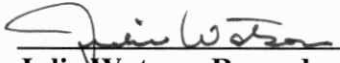
- 1. CALL TO ORDER OF REGULAR MEETING**
 - a. Pledge of Allegiance –**
 - b. Invocation –Audience invited to participate.**
 - c. Inspirational thought-**
 - c. Approval of agenda for August 24, 2021**
 - d. Approval of minutes for August 10, 2021**
 - e. Conflict of Interest Declaration-**
- 2. CONSIDER REQUIRING BACKFLOW PREVENTORS IN THE PLUMBING AND MECHANICAL CODE, 9.500.561 AND IN THE ENOCH ZONING ORDINANCE, 12.300.317, WATER AND SEWAGE REQUIREMENTS AND 12.300.321, SINGLE FAMILY AND TWO FAMILY DWELLING STANDARDS**
- 3. REVIEW MODULE 3 OF LAND USE TRAINING-City Mgr. Dotson**
- 4. PUBLIC COMMENTS**
- 5. COMMISSION/STAFF REPORTS**
- 6. ADJOURN**

In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should call the City Offices at 586-1119, giving at least 48 hours advance

notice. Meetings of the Enoch City Planning Commission may be conducted by electronic means pursuant to Utah Code Annotated, Section 52-4-207. In such circumstances, contact will be established and maintained by telephone or other electronic means and the meeting will be conducted pursuant to the Enoch City Code of Revised Ordinances, Chapter 3-500, regarding meeting procedures including electronic meetings.

CERTIFICATE OF DELIVERY

I certify that a copy of the forgoing "Notice and Agenda" was delivered to each member of the Planning Commission, emailed to "Cedar City Daily News", posted on the Enoch City website, on the City Office door and published on the Utah Public Meeting Notice website on Aug. 19, 2021.

 8-19-21

Julie Watson, Recorder Date

MINUTES
ENOCH CITY PLANNING COMMISSION
August 10, 2021 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Commissioner Leonard Correa
Commissioner Greg Peterson-absent
Commissioner Andrew Meacham
Commissioner Debra Ley
Commissioner Bob Tingey

STAFF PRESENT:

Rob Dotson, City Manager
Council Member Ross
Julie Watson, City Recorder-Zoom
Lindsay Hildebrand-Deputy Recorder

PUBLIC PRESENT: Worth Grimshaw, Lisa & Jared Baker, Samantha Palmer, James Thelin, Loretta Ross, Robert & Haven Hafen and Thomas McMurtry and Dallas Buckner on Zoom

1. **CALL TO ORDER OF REGULAR MEETING**-By Chairman Tingey at 5:30 pm. He excused Commissioner Peterson.
 - a. **Pledge of Allegiance** –Led by Hayden White
 - b. **Invocation** –Audience invited to participate. Given by Commissioner Correa
 - c. **Inspirational thought**-Given by Commissioner Meacham
 - c. **Approval of agenda for August 10, 2021**-Commissioner Meacham made a motion to approve the agenda. Motion was seconded by Commissioner Correa and all voted in favor.
 - d. **Approval of minutes for July 27, 2021**-Commissioner Ley made motion to approve the minutes. Motion was seconded by Commissioner Correa and all voted in favor.
 - e. **Conflict of Interest Declaration**-none stated
2. **PUBLIC HEARING ON A ZONE CHANGE APPLICATION FOR PROPERTY OWNED BY VALLEY GATE ESTATES, PARCEL #A-0797 FROM PROFESSIONAL OFFICE ZONE (P-O) TO COMMUNITY COMMERCIAL (C-C)**

Commissioner Ley made motion to close the regular meeting and go into the public hearing on a zone change application. The motion was seconded by Commissioner Meacham and all voted in favor.

Chairman Tingey invited public comments. He read the two letters from the public who were sent notice and returned comment forms. The comments he read were from Mel and Carol Bennett on Santa Fe Drive and from Dr. Daniel Norris who's business is located across the street from this property. Both were opposed to the zone change for different reasons. There were no other comments.

Commissioner Correa made motion to close the public hearing and return to the regular meeting. The motion was seconded by Commissioner Meacham and all voted in favor.
3. **CONSIDER ORDINANCE NO 2021-08-18-A, AN ORDINANCE AMENDING THE GENERAL PLAN LAND USE MAP AND THE ENOCH CITY ZONING ORDINANCE ZONING MAP BY CHANGING THE**

ZONING OF APPROXIMATELY TEN (10) ACRES OF PROPERTY IN VALLEY GATE ESTATES, A PORTION OF PARCEL #A-0797, FROM PROFESSIONAL OFFICE ZONE (P-O) TO COMMUNITY COMMERCIAL (C-C) AND MAKE A RECOMMENDATION TO THE CITY COUNCIL-Go Civil Eng.

Chairman Tingey said the charge tonight is to consider this application for a zone change and to discuss the public comments. Commissioner Ley said Dr. Norris has valid concerns about the non-enforcement. Chairman Tingey said that comment is not applicable to this application and is about other issues. There was discussion of what this application means. It was noted this property is already zoned commercial and it is being changed from one type of commercial to another type of commercial. Commissioner Correa confirmed whatever goes in there has to put in what is required in that zone with regard to infrastructure, landscaping and the like. City Manager Dotson said he has had a brief discussion with Dr. Norris and will continue to talk to him about his other concerns. Tonight this application is only to go from one commercial zone to the other commercial zone. City Manager Dotson told about the difference between the two zones. It is for offices now and they have minimal impact on infrastructure. The change is something that we do not know what will go in but it has to meet the requirements of Community Commercial. That would be a business like Fosters or The Hub. Community Commercial is mostly for our community to patronize. Chairman Tingey said we are charged with making a recommendation to the City Council tonight. Commissioner Meacham said it fits our General Plan and fits with other things on Midvalley Road already. Chairman Tingey asked for a motion. City Manager Dotson said this change benefits the community to have businesses.

Commissioner Meacham made a motion to send a favorable recommendation to the City Council on Ordinance No 2021-08-18-A, An ordinance amending the General Plan Land Use Map and the Enoch City Zoning Ordinance Zoning Map by changing the zoning of approximately ten (10) acres of property in Valley Gate Estates, a portion of Parcel # A-0797 from Professional Office Zone (P-O) to Community Commercial (C-C). The motion was seconded by Commissioner Correa and all voted in favor.

4. PUBLIC HEARING ON A ZONE CHANGE APPLICATION FOR PARCELS #A-0928, #A-0910-0001 AND #A-0935-0008 FROM TO SINGLE FAMILY RESIDENTIAL R-1-18 TO SINGLE FAMILY RESIDENTIAL R-1-11

Chairman Tingey asked for a motion to go into the public hearing. Commissioner Meacham made a motion to go into the public hearing. Motion was seconded by Commissioner Correa and all voted in favor.

Chairman Tingey invited public comments.

Haven Hafen said she is here because we are on water rationing and we are going to allow lots more homes. It doesn't make sense to add more homes when we don't have water for what we have now. *Chairman Tingey explained this is one parcel that is zoned for half acre lots asking to go to quarter acre lots. That will add five or six homes. He added we have several areas of Enoch with this smaller lot zone now.* She wondered about the water for more homes. *City Manager Dotson said we are taking*

public comments now and will explain more about how the water works in the next part of the discussion so he will not answer questions now. He noted we are not talking about the property across the street which is an already approved large subdivision with smaller lots.

Loretta Ross and she likes the larger lots moved here for that. She is also concerned about water and more lots. More people and less water does not work.

Worth Grimshaw, the applicant, explained the location of his property and also how water flows into the ravine in storms. He said this property has been in the City for many years and the water was given to the City many years ago. The property nearby is R-1-11 and that is what they want to do to develop. He told about the flooding and where it came from. He gave many details about new developments and his thoughts on flooding. He said they are asking the City to allow them to have the same lot size as the others by them for development. Ravine Road dead ends so no additional traffic will be going by the homes he proposes to build. They are looking at 15 lots there. The water for the homes has been given long ago as required in Code. He gave a lesson on water rights and how others do it as opposed to Enoch who requires one AF per door. Water is not a concern for this application. *More was explained to the audience by City Manager Dotson and Chairman Tingey. It is the same for the land across the street that was rezoned for the larger R-1-11 subdivision. The water has been given for each home to be built. Council Member Ross added the City is always working on getting water sources and rights.*

Samantha Palmer said she does not know why we are adding new developments when we can't fix the City we already have. She said if the Planning Commission could see the devastation they have gone through they would stop it. She was flooded twice due to lack of maintenance on the pond on Enoch Road. The rain has devastated them twice. They had fully developed their whole yard and put \$120,000 into it. The pond was not dug out and if the City had maintained it the damage could have been avoided. She said they had \$150,000 in damage to their home. Not one thing is covered by insurance. Why do we need new homes built if we can't take care of what we have now? She had more water in her basement than that pond will hold. She is begging them not to put more new homes in Enoch until we take care of homes that were lost.

Lisa Baker said even though the developer says the water will not hurt anyone, this developer will dump water on others and she is worried about those already here. The new subdivisions have to engineer for it but what about those who live here now. There should be a building moratorium until we get up to where we can handle what we already have. The developers would help with that because they want to build here so let them do infrastructure upgrades. There were no other comments.

Commissioner Meacham made a motion to close the public hearing and reopen the regular meeting. The motion was seconded by Commissioner Ley and all voted in favor.

- 5. CONSIDER ORDINANCE NO. 2021-08-18-B, AN ORDINANCE AMENDING THE GENERAL PLAN LAND USE MAP AND THE ENOCH CITY ZONING ORDINANCE ZONING MAP BY CHANGING THE ZONING OF APPROXIMATELY 9 ACRES OF PROPERTY, PARCELS #A-0928, #A-0910-0001 AND #A-0935-0008 FROM SINGLE FAMILY RESIDENTIAL R-1-18 TO SINGLE FAMILY RESIDENTIAL R-1-11 AND**

MAKE A RECOMMENDATION TO THE CITY COUNCIL-Worth Grimshaw

Chairman Tingey asked the Commissioners and City Manager Dotson for their thoughts about the comments and flooding issues. City Manager Dotson said in all fairness this application was submitted first before the floods and should be considered on its face value as all applications are required to be considered. He explained the Code and the requirements, noting the final word and any law that is codified is from the City Council who makes the final decisions. The law says as an application comes in, we are required to consider it within a certain timeframe. If the applicant meets the requirements in the Code we can't tell them they can't do what they want to on their own property. That is with the exception of zone changes. If the Planning Commission doesn't think the zoning request fits with the General Plan or the feel of the area they can vote against it. City Manager Dotson explained the law again confirming if they meet the requirements we are required to approve it. The drainage study and all of that comes later in the process of creating the subdivision. He explained the requirements in the Code in some detail including designing the drainage and flood control pre and post development. Engineering is mandated from the State too. Commissioner Ley said we talked about redoing our requirements and we can do that but this application is here now and is under what is in place in the Code now. Commissioner Meacham said in his mind this is a fair use of the applicant's property and this is what they want to do. All have a right to make money off their property. As a public body we can't restrict that. If it complies we have to approve it and this does comply with our Code. The public does not want us to do this now in light of the last few weeks but this is one change and nothing else. It increases the density by a few lots adding 4 or 5 homes. Chairman Tingey said our charge is not to consider if this zone change affects other residents in regard to flooding or anything else. They have to follow the law. For zoning they can make the call based on the public input if they are so inclined. There was more discussion of water and our Code was explained. . There was more discussion of what the City has done with secondary water by hooking it to the school and churches to take pressure off the culinary system. City Manager Dotson went through the efforts we are making to obtain more water sources for the City. Commissioner Ley said the public can also go to the City Council meeting to express their concerns although the public hearing is held in the Planning Commission and the minutes will be given to the City Council. City Manager Dotson explained the sewer system is as separate system and a separate company from the water system. He said subdivisions have to be designed based on flow capacity of the need for the subdivision. He told about pipe sizes and that it is meant to handle the flow of the sewage and not meant to handle storm water like we had. No one's system can handle that so it goes into the basements. He gave details about the Cedar City Wastewater Treatment Plant that we pay a fee to use and that we put about 10% of its capacity in there per day. On the day of the biggest flood the plant was almost overwhelmed. Nothing is built or designed for what we got on August 1st because it is so abnormal. City Manager Dotson says he hopes this explains it. In this case the applicant has given the water rights and he will be required to build to the standards. This application is to change the zone tonight and nothing else. The applicants engineer will make sure the drainage works as will our City Engineer. The Planning Commission can tighten the requirements in the Subdivision

Ordinance but that does not affect this application. Chairman Tingey said we need a motion on a recommendation to the City Council for this zone change.

Commissioner Correa made a motion to send a favorable recommendation to the City Council to approve the zone change in Ordinance No 2021-08-18-B, an ordinance amending the General Plan Land Use Map and the Enoch City Zoning Ordinance Zoning Map by changing the zoning of approximately 9 acres of property, Parcels #A-0928, #A-0910-00001- and #A-0935-0008 from Single Family Residential R-1-18 to Single Family Residential R-1-11. The motion was seconded by Commissioner Meacham and all voted in favor.

City Manager Dotson proposed that we move item #8-Public Comments up so the folks waiting can speak and not have to wait through the other two items.

Commissioner Ley made a motion to move item #8 up to before item #6. The motion was seconded by Commissioner Meacham and all voted in favor.

8. PUBLIC COMMENTS

Robert Hafen said he is in agreement with what they have done to let people do what they want with their property but his only concern is you identified these 150 new homes. That is putting the demand on the sewer that maxes out the sewer we already have. His concern is not with the new application but the other subdivision across the street which is an issue. Also he thinks The Ridge is close to being maxed out but does have capacity for a few more homes then maybe that does it. That is a big flow on an 8 inch line. ***City Manager Dotson said they have to design it so it works. If you add that much they max out the pipe down the stream. The developer should have to upgrade downstream and they should have to pay for it. City Manager Dotson said the developer is not required to do more than his own subdivision but the City can add to it to upgrade the pipe size because we know more development is coming.*** He asked about secondary water and when that is coming. ***City Manager Dotson said it depends on where you live. The closest to Enoch Road is at Old Enoch Park. If you want to be on the system you can pay for the pipe to get it to your house.***

Haven Hafen thanked the City crew for helping them. She said their hearts are overflowing for Enoch because it is so wonderful. It was hard to watch it be engulfed on Midvalley. They love it here and when people want to build it is hard for those already here. ***Commissioner Correa added, regarding going to smaller lots, there is a discussion of even smaller lots like condos and PUD'S with small lots. The Planning Commission felt it wasn't a good thing for our community and it went to the City Council with an unfavorable recommendation. The Council didn't agree and have set up a committee discussing it so talk to them if you don't like it. M-R-2 allows twin homes and duplexes because we are charged with considering affordable housing. Things are already so expensive our children can't afford to live in Enoch. Smaller lots could be less expensive and that is why we created that zone. Council Member Ross said the PUD discussion has not come back yet from the committee they set up.***

Robert Hafen said there was a comment made that if a person owns an RV that needs to be dumped, it says you can't dump into the sewer system. He asked if that is true and why? ***Chairman Tingey explained the Planning Commission sent a recommendation regarding folks who are living in RV's on the property of others that had conditions***

attached. One was they had to have a permit and could live there for one year and they have to meet the set-backs of the zone. The Planning Commission allowed them to connect to the homeowner's sewer because there is no law or requirement against it. The Council changed that because it was pointed out that RV's have nothing to filter out other junk and all kinds of stuff has been found in sewer systems like blue jeans, toys and even a fishing pole. Because of that, the Council required them to go dump at a regular RV dump site such as the one at the Maverik. There was more brief discussion about the ordinance.

Lisa Baker said she is not familiar with some things and she asked about new subdivisions and requirements and if the Planning Commission is the one who makes those rules. She blamed new development for the flooding even in the first storms before the big one on Sunday. *Chairman Tingey said the Planning Commission is often assigned by the City Council to review changes. They hold public hearings when required and make recommendations to the City Council. The City Council makes the final decision on any change to the law which is done by ordinance and is voted on. Land use applications go to the Planning Commission first. Our engineering standards, road standards, and subdivision requirements regarding everything in a subdivision are in our Code in the Subdivision Ordinance, Zoning Ordinance and Code of Revised Ordinances. Those are combined and available to search online. Examples were given regarding the process and more discussion ensued.* Lisa said the bottom line is she is pleading with them to increase the standards and requirements for new development. *It was explained again these were extraordinary storms and it is not possible to build big enough to protect from that type of event. We are just now calculating the numbers and we have not ever had that much rainfall before. We are just getting the numbers and some things will probably come to the Planning Commission first for changes to happen that are recommended to the City Council.* Lisa talked about tax increases and said they would pay for it but said the Mayor said no one ever goes for a tax increase and never supports them when it actually comes up. She thinks people would be willing to pay for it to save their homes. She went on to talk about over mining the aquifer. *City Manager Dotson explained our process of requiring one AF of water per door provided by the developer in order to build. He also told about the City's efforts to secure more water sources and other efforts being made to reclaim water to charge the aquifer.* Lisa told about finishing her basement recently and what happened to them. She continued to express concerns about new development that we can't handle what we have now and it caused what happened to her home. She pleaded with them to upgrade the standards. Their street was not engineered in the old subdivisions and they have no protections. She complained about how they have been treated asking who will finally do something? Make the codes tougher. *Commissioner Correa said they have to find some type of funding to do all this.* She said put it on the developers to do it. Make them pay for it to mitigate the flooding.

Worth Grimshaw said lots of people say let's not let the City grow anymore. I'm here so close the gate and he said he tried that too. It will not happen. No one wants to run for City Council. No one wants the job because it is difficult and thankless. The City doesn't have to look for water rights because those here before solved the problem. They passed laws requiring the developers to give the water for the homes they build. The land for the school was given to the City by a developer. The City has a cemetery and that was

donated too. He gave more history of the cemetery. There are all kinds of problems the City has and no one wants to solve them. He agrees the City should require larger basins and it involves changing the Subdivision Ordinance. He has seen bigger floods than what came through last week but there were fewer homes here then. The fields absorbed the water. Many older residents and farmers have seen that. There weren't homes all over like now. The fields absorbed the water then. He gave a lot of history of those who came before that laid the groundwork for the City. If you want to complain get involved. Run for the City Council and do the work. Things did not happen by chance and it takes effort to get things done. It is a lot of work to be Mayor and be on the Council. The original folks dug the waterline and no one got paid for it. They did it because it was the right thing to do. He told about the first subdivision in here. The developer of the first subdivision found a two million gallon water tank for sale, bought it and hauled it here himself to set up the water storage system. It all took effort and no one made a dime on it. He is not happy with the City a lot of the time. He told about the flood in 2012 and what he did to fix the problem for his house adding the City took care of lots of things too. We have to find someone to do things and he realizes the engineers have to finalize the plans. What he would do differently was he would say what we need to do and have the engineer do the specs. This was a 20-year flood and it will come again. He gave more history of past rains. We have to do things and the way is you get in a position to get things done is by getting elected. The fact is this town has come a long way. It became a town and incorporated in order to have a water system. He gave more history about how that happened and the original residents who did the work. What we need to do is to all continue to do our best and get the City Council to listen to us. If we all get together we can get something done as a group. We have to be civil but let them know where we stand. There wasn't any flooding on the west side of Minersville Hwy. because water does not go through there. The County stopped growth over there for a while due to bad water with high nitrates. He gave more history telling how Garden Park, Spanish Trails and Cottonwood Subdivisions came into Enoch due to the failure of their water systems so Enoch City took them in because we had good water.

Samantha Palmer said she is a problem solver and she has a problem now. She is impatient and we need to work together. One solution we can fix right now so that her house does not flood again if to get the pond on Enoch Road cleaned out. She said she contacted an excavator to do that job and asked if she okay doing that? She said the weather report says we have more chances of rain. ***City Manager Dotson explained the terminology again of what a 20% chance means. It is not that we have a 20% chance of getting rain; it is that 20% of the ground gets rain. We are a litigious society and the City has liability if things are not done correctly and engineered. That is what keeps us from being liable otherwise we expose ourselves if we do things outside of the structure due to government immunity.*** She said it is only cleaning out what is there. ***City Manager Dotson said it has to be considered and engineered to dig to a certain depth and size. We can't just go and start digging even though that looks like an obvious solution. It does have to be engineered. City Manager Dotson said when the engineer says "do this" then we will. Because it can affect all by doing the engineering, it keeps the City from being sued. The "City" is all who live here; it is "us".*** She said so even though the pond is already there we can't just clear the weed and junk out of it. ***City Manager Dotson said no, that may fix it but we could create liability for others and***

then we have a problem. He understands what she is saying but that is how we keep the City from being liable. City Manager Dotson explained more about what the Mayor was talking about with the NRCS project. We can do some things but not like that. She asked if the City is doing anything to clear it out. Hayden said some boulders need to be moved. She said it is level with the road and is dry now. Hayden said the bottom of the grate is the bottom of the pond. It has two grates. He had just cleared it off before the big flood and it was already going over the sides on Sunday. He just cleared the grate again and it still went over because there was just too much water. City Manager Dotson said we can do things but we have to do it right to limit liability for the City. We have to do it a certain way. City Manager Dotson said the excavator she called can contact us and we'll talk to him. City Manager Dotson told about the pond in Settlers Square. It had to be engineered. We, as homeowners, are the "City" and are all in this together so it is essential to do things right to limit liability.

James Thelin asked regarding the Grimshaw property, if there are any conditions on that zone change. He told about issues in Draper and mitigation on flooding. If they are asking to go to smaller lots that creates more homes and more problems. *City Manager Dotson explained regulations in the Subdivision Ordinance and Zoning Ordinance and referred him to those documents for answers to the questions regarding bringing roads to certain standards depending on the number of homes and other things. If required they have to do it for the homes they are putting in.* Mr Thelin said he is concerned about Cedarberry Lane becoming a way to get out of that subdivision.

6. PRESENTATION ON THE MASTER TRANSPORTATION STUDY- Avenue Consultants

City Manager Dotson introduced Thomas McMurtry of Avenue Consultants for the presentation on the Master Transportation Plan. Recapping, he said almost two years ago we applied for State planning money for transportation and Cedar City did too. The State suggested we combine and go together to do the study and we did that with the County participating also as it affects their roads also. Enoch, Cedar City and the County have been working on this because we are interconnected so this is why we joined with them and got the funding and hired Avenue Consultants. They have been working on this for about a year or more. They have held public meetings and received input from different sources. They separated it into Enoch and Cedar City even though we are connected. Cedar is making changes but we are good with our portion. Thomas said he is here to get approval of our part because we are happy with it where we are now. They have active like biking, walking lanes and we received a grant of \$15,000 to do that portion for Enoch. Thomas briefly gave an update saying this is a joint plan. He showed the map of the scope. He told who participated including UDOT and regionally Dave Demas, Rich Wilson and Reed Erickson giving then credit for their input. The big thing is they focused on planning for new growth. This plan covers over the next 30 years to 2050. In Enoch the population is about 7000 now and will go to 11,000 in future. That is about 50% growth and there will be more in Cedar. They started at developing a "regional bowl" and they had a vision of collaborating for the goal of safety and expanding access to destinations as a multi-city cooperation. All that growth leads to congestion. He showed the map and gave details. We have congestion now but there will be more so later. SR-130 heading into Cedar is the worst and is now being widened

which will help. He gave more details with the bottom line being the concern of getting from Enoch into Cedar City. They developed a secondary route that would veer to the east away from the intersection by the bowling alley and flowing into Cedar without using that overcrowded intersection. People told them what they had issues with and they did an online survey. He showed a few of the outcomes of the survey that helped them to prioritize. Getting away from that intersection was one of the biggest concerns. The other was having walking and biking trails. Things people want addressed was safety and connectivity. ATV's were also an issue. The level of service will improve if we can do the projects. UDOT is already making strides to correct much of the problem on SR-130 and the north interchange. The roundabout will address safety issues. As development occurs other parts of the plan will come with that. We will attempt to do a better job of accommodating walkers and bikers in the near term. Thomas told about a few other issues with UDOT such as access to future businesses that will come in time.

Chairman Tingey asked for questions. There was brief discussion of a few other issues such as 4200 North is not shown as connecting to Hwy. 91 as we thought it eventually would. Thomas said with growth that direction that could be added. Although our General Plan shows it connecting we don't know where and it depends on development and landowners plans. We didn't push it, City Manager Dotson said. It will happen someday. Chairman Tingey asked about the pointy end on Midvalley and 91 and City Manager Dotson said that is a local plan. Chairman Tingey thanked him. Thomas said he applauds the Planning Commission for listening and he said it was pleasure to work with City Manager Dotson who is a great city manager.

7. REVIEW OF MODULE 2 OF THE LAND USE TRAINING-City Mgr. Dotson

City Manager Dotson said for the public's information the Planning Commission is required to get four hours of training online per year. We are recapping the modules. We have to have the rules in ordinance form to make them enforceable. If a landowner makes an application they are vested and we are required within a certain time period of time to review it. If it is written in our ordinance we have to approve things. Things have to put in plain language for all to understand and we have to have standards for things like drainage. Once that law is made every application has due process and if they meet the rules in the code we have to approve it. We can't say no if written in code. That is why we can't just stop subdivisions or change the rules in midstream. The Code has to be very clear and in plain language. The City Council is the Land Use Authority and the General Plan is online is a practical vision for the City in the future. He told what is in it basically. The Zoning Ordinance is where the vision of the plan is implemented so people can to things with their property by zoning for what they want to do. He gave examples of some things like set-backs. Infrastructure required meets the zone. The demand for infrastructure for homes is different than for commercial uses. That covers sewer lines and the like and it plans for infrastructure. The Subdivision Ordinance gives the details are of how to split property and do different processes and what is required. The City Council is the final say on the law. The Planning Commission is to review and recommend to the City Council. Anything can be appealed to the Land Use Appeal Authority if there is a decision against you. There are five criteria for variances and it is very limited in scope and you have to meet each criteria to get the ruling in your favor.

9. COMMISSION/STAFF REPORTS

Council Member Ross and we do have a plan for drainage and most of it was discussed during public comments. She thanked all for helping each other.

City Manager Dotson reported the miracles and service are too many to count and too many stories about good being done in the midst of this emergency. The streets are almost looking normal. The Red Cross is closing tomorrow. We still have cleaning supplies and things for residents in a cargo container at the City Yard. Donations are coming and it will never be enough for those harmed. The City staff has worked so hard and so much over time. The office staff has fielded phone calls and it was tough. Things are being done to mitigate issues. We have limitations, mostly financial. We are doing all we can to get federal funds and get things done. Council Member Ross did a wonderful job of calming people down and letting them speak and say what happened to them. We can't stop what happened to us with that much water coming so fast. We are working with emergency management of the state. You can record your volunteer hours and all should do that for your own property and those you helped. The state can declare an emergency if we meet the total threshold of hours and damage. There are tons of rules. The application to the state has to be turned on the 15th. Things are being done but it is tough.

Commissioner Meacham said the destruction was region wide many got hammered around the state.

Chairman Tingey said he was amazed that at 4:00 pm before the rain stopped hundreds were out helping others. Businesses and other municipalities sent help. He commends the City and City Manager Dotson and thanked him for the hard job he does to serve so many people.

Commissioner Ley said she would be gone on August 24th.

Commissioner Correa said he hopes to see future designs with curves in the roads to slow traffic down. People go too fast on straight streets. He would like to see more natural slowing of traffic and it would have to be in the Subdivision Ordinance for that to happen. He likes the islands and things like that in subdivisions.

10. ADJOURN-Commissioner Meacham made a motion to adjourn the meeting.

Motion was seconded by Commissioner Ley and all voted in favor. The meeting ended at 9:00 pm.

Julie Watson, Recorder

Date

Meeting ID: 828 6795 8481

Potential locations for Wastewater Backflow Preventer Requirements:

9.500.561 PLUMBING AND MECHANICAL CODE ADOPTED

The International Plumbing Code and the International Mechanical Code, Current Editions, published by the International Conference of Building Officials and printed as a code in book form, three copies of which have been previously filed with the recorder/clerk for use and examination by the public, hereby are approved and adopted as the current and effective plumbing and mechanical code of this municipality.

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.

12.300.321 SINGLE FAMILY AND TWO FAMILY DWELLING STANDARDS

Any detached single family or two family dwelling, located on an individual lot outside of a mobile home park or mobile home subdivision, shall meet the following standards in addition to any others required by law:

A. Each dwelling shall meet the International Building Code or, if it is a manufactured home, it shall be certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 and shall have been issued an insignia and approved by the U.S. Department of Housing and Urban Development (HUD) and shall not have been altered in violation of such codes. A used manufactured home shall be inspected by the city building official or his designated representative prior to placement on a lot to insure it has not been altered in violation of such codes.

B. A manufactured home shall be taxed as real property and an affidavit shall be filed with the State Tax Commission pursuant to Utah Code.

C. Each dwelling shall be permanently connected to and approved for all required utilities.

D. Each dwelling shall be attached to a site built permanent foundation, which meets the International Building Code. If the dwelling is a manufactured home, the installation shall meet the ICBO Guidelines for Manufactured Housing Installations, including any successors to these standards. The space beneath the structure shall be enclosed at the perimeter of the dwelling by skirting in accordance with said ICBO guidelines and constructed of materials that are weather resistant and aesthetically consistent with concrete or masonry

type foundation materials. At each exit door there shall be a landing that is a minimum of thirty-six inches by thirty-six inches and is constructed to meet the requirements of the International Building Code. All manufactured home running gear, tongues, axles, and wheels shall be removed at the time of installation.

E. The roof of each dwelling shall have a roof pitch that complies with engineering standards for local snow load. Each dwelling shall have a roof surface of materials which are typical of stick-frame dwellings.

F. Each dwelling shall have exterior siding materials consisting of wood, masonry, concrete, stucco, masonite, metal or vinyl lap or any material meeting the International Building Code or materials of like appearance approved by the city building official. The roof overhang shall not be less than twelve inches, including rain gutters which may account for up to four inches of the overhang, measured from the vertical side of the dwelling. The roof overhang requirement shall not apply to areas above porches, alcoves and other appendages which together do not exceed twenty-five percent of the length of the dwelling.

G. The width of each primary dwelling shall be at least twenty feet at the narrowest point of its first story. The width shall be considered the lesser of the two primary dimensions. Exception to this width requirement is for guest houses (accessory dwelling units). Factory built or manufactured homes shall be multiple transportable sections at least ten feet wide, unless transportable in three or more sections, in which case only one section need be ten feet wide. All single family and two family dwellings shall meet the current building code adopted by the State of Utah.

H. Replacement of an existing nonconforming manufactured home on a lot outside a mobile home park or mobile home subdivision shall comply with all requirements herein.