

**ENOCH CITY PLANNING COMMISSION
NOTICE AND AGENDA
May 10, 2022 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road**

<https://us02web.zoom.us/j/87140207063>

**Meeting ID: 871 4020 7063
Dial by your location
+1 253 215 8782 US (Tacoma)**

- 1. CALL TO ORDER OF REGULAR MEETING**
 - a. Pledge of Allegiance –**
 - b. Invocation (2 min.) –Audience invited to participate.**
 - c. Inspirational thought-**
 - d. Approval of agenda for May 10, 2022**
 - e. Approval of minutes for April 26, 2022**
 - f. Conflict of Interest Declaration-**
- 2. PUBLIC HEARING FOR A ZONE CHANGE FOR THE HARDIN-CHATWIN PROPERTY FROM SINGLE FAMILY RESIDENTIAL (R-1-18) TO SINGLE FAMILY RESIDENTIAL (R-1-11)**
- 3. CONSIDER A ZONE CHANGE REQUEST FOR HARDIN-CHATWIN PROPERTY AND MAKE A RECOMMENDATION TO CITY COUNCIL**
- 4. CONSIDER PRELIMINARY PLAT FOR HARDCORE INDUSTRIAL PARK AND MAKE A RECOMMENDATION TO CITY COUNCIL – Civil Science-(note: reapplying due to major changes)**
- 5. CONSIDER PRELIMINARY PLAT OF DAIRY GLEN SUBDIVISION, PHASE 2 AND MAKE A RECOMMENDATION TO THE CITY COUNCIL-Platt & Platt**
- 6. CONSIDER CHANGES TO WATER ORDINANCES – 3 PARTS AND MAKE A RECOMMENDATION TO THE CITY COUNCIL-See WB Rec.**
- 7. CONSIDER PROCESS FOR AMENDING THE ENOCH CITY GENERAL PLAN**
- 8. PUBLIC COMMENTS**
- 9. COMMISSION/STAFF REPORTS**
- 10. 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 May 6, 2022.

 5-6-22
Lindsay Hildebrand, Deputy Recorder Date

Meeting ID: 871 4020 7063

**ENOCH CITY PLANNING COMMISSION
MINUTES**

**April 26, 2022 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road**

1. CALL TO ORDER OF REGULAR MEETING

- a. **Pledge of Allegiance** – Led by Hayden White
- b. **Invocation (2 min.)** –Audience invited to participate. – Given by Council Member Ross
- c. **Inspirational thought-** none
- d. **Approval of agenda for April 26, 2022** – Commissioner Ley made a motion to approve the agenda with the amended deletion of item number 3. Commissioner Correa seconded and all voted in favor.
- e. **Approval of minutes for April 12, 2022** – Commissioner Meacham made a motion to approve the minutes. Commissioner Ley seconded and all voted in favor.
- f. **Conflict of Interest Declaration-** none

2. PUBLIC HEARING FOR THE HARDIN-CHATWIN PROPERTY FROM SINGLE FAMILY RESIDENTIAL (R-1-18) TO SINGLE FAMILY RESIDENTIAL (R-1-11)

Commissioner Correa made a motion to close the regularly scheduled Planning Commission meeting and open a public hearing for the Hardin-Chatwin property from Single Family Residential (R-1-18) to Single Family Residential (R-1-11). Commissioner Ley seconded and all voted in favor.

There were no public comments.

Commissioner Meacham made a motion to close public hearing and open regularly scheduled Planning Commission meeting. Commissioner Ley seconded and all voted in favor. Commissioner Ley made a motion to set a public hearing for the Hardin-Chatwin property zone change request from Single Family Residential (R-1-18) to Single Family Residential (R-1-11) on May 10, 2022. Commissioner Correa seconded and all voted in favor.

4. PUBLIC HEARING ON ORDINANCE NO. 2022-05-04-A AN ORDINANCE AMENDING THE ENOCH CITY RECREATIONAL VEHICLE PARK (RVP) ORDINANCE, CHAPTER 12.2300

Commissioner Ley made a motion to close the regularly scheduled meeting and open a public hearing on Ordinance No. 2022-05-04-A an ordinance amending the Enoch City Recreational Vehicle Park (RVP) Ordinance, Chapter 12.2300. Commissioner Correa seconded and all voted in favor.

There were no public comments.

Commissioner Meacham made a motion to close the public hearing and return to the regularly scheduled Planning Commission meeting. Commissioner Ley seconded and all voted in favor.

property owners have a little nicer of a place and then the City doesn't have the responsibility of maintaining the roads. He also said that the changes on the Major subdivision just make sense.

Commissioner Ley made a motion to close the public hearing and open the regularly scheduled Planning Commission meeting. Commissioner Meacham seconded and all voted in favor.

7. CONSIDER ORDINANCE NO. 2022-05-04-B AND MAKE A RECOMMENDATION TO CITY COUNCIL-Minor/Major Subd.

Commissioner Meacham noted that the only question from the last meeting was being able to percolate water out of the detention basin.

Commissioner Ley made a motion to send a favorable recommendation to City Council on Ordinance No. 2022-05-04-B an ordinance amending The Enoch City Ordinance, Chapter 12.2500.2502, Minor Subdivision and Chapter 12.2600.2602, Major Subdivision, Improvements. Commissioner Meacham seconded and all voted in favor.

8. CONSIDER GRIMSHAW DRILLING LLC MINOR SUBDIVISION AND MAKE A RECOMMENDATION TO CITY COUNCIL-Woolsey Eng.

Steve Woolsey asked City Manager Dotson to pull the property map up on the screen. He said this is a parcel of land that was originally one piece. It has been split in the past. They have a publicly dedicated right of way. The roadway into those four parcels was created as a private access. They are in compliance now. They are just trying to create 2 parcels. It's a commercial property. They have public utilities on everything.

Commissioner Ley made a motion to send a favorable recommendation to the City Council on the Grimshaw Drilling LLC Minor Subdivision. Commissioner Meacham seconded and all voted in favor.

9. CONSIDER CHANGES TO WATER ORDINANCES – 3 PARTS AND MAKE A RECOMMENDATION TO THE CITY COUNCIL-See WB Rec.

City Manager Dotson noted that the Water Board has sent a recommendation/consideration to the City Council. There are three sections to the ordinance. City Manager Dotson gave some background information as an introduction. He mentioned the 1934 priority date and curtailment regarding water rights. There are conversations now that there are a bunch of water rights out on the market that people they aren't selling. How do we acquire, or help solve the water problem with, water rights? Cedar City accepts water rights of any number and an acquisition fee. You can go in and pay \$14,000 in lieu of a water right. They take that to the bank and then go out and buy water rights. City Manager Dotson gave a few options to consider, including examples. He suggested that they take the money acquired from an acquisition fee and buy shares in the water from the West Dessert that we will have access to. Or, they could go north of Enoch and find a well that pumps tons of water. This ordinance is an idea to help. Chairman Tingey noted that over a 15 year period, the value of water rights will increase but, this is based on what it's worth now. It would be worth so much more in 15 years. City Manager Dotson said the appraisal will change every 6 months. It's complex. Commissioner Ley said if we get the water from Pine Valley and it leveled out then, we

might not need this ordinance at all. He continued to explain water unit transfer, which is the idea of selling half of a water right between land owners. They would have an agreement with another property owner and give the documentation to the City to be recorded. Then the rate structure changes for the person who created a smaller need and they get to pay a conservation rate. The person who acquired the half acre foot would pay more. He gave an example. Commissioner Ley said if you buy more units, you have already paid more for the water. City Manager Dotson said the rate is based on conservation. It spreads the water out and helps the person who uses less water. The City's system can manage this idea.

Steve Woolsey commented that there are no 1934 water rights for sale. We either stop development and cease to grow, or we need a solution. He works with small developments and minor subdivisions. One of the conflicts he has is that people have to have a water right and they can't build. How can we allow our citizens to develop on a smaller scale? If we don't provide something to allow this water to be distributed in different ways then we will find our community stagnant. Commissioner Meacham said now I will be penalized for the sake of cramming more houses into Enoch. City Manager Dotson said people call every day and say they can't find water rights and he says keep looking. We have people who have stopped and can't build. There was a conversation about this being good for an individual property owner and not a subdivision. City Manager Dotson explained nominally irrigated areas.

City Manager Dotson went over item number 2 of the Ordinance -Tier System. The idea is you will get a great deal for Tier 1. When someone goes over, they will pay a significant amount because they committed to using less. We have someone doing a rate analysis and researching all aspects of water in Enoch City. Commissioner Correa asked if there was any discussion on averaging rates during the off-season in the winter. City Manager Dotson said yes, we talked about an average every month. However, our software won't do that.

City Manager Dotson went over Item number 3 and discussed culinary and secondary water. If anyone wants to change their tier they have to purchase more units. Multi-residential developments are now allowed. They have to be in a Master Planned Community. He went over the requirements in these areas, including a water acquisition fee and how that fee would be determined. There was also discussion regarding an assigned conservation tier. Whoever manages the meter will pay the bill. The water units are not transferable. He thought everyone should start at the same tier. He isn't sure this tier structure is ready for any vote. He went over the Water Board recommendations as recorded in the Water Board minutes from April 14, 2022. There was discussion on each item in the recommendation. He reminded everyone that this will all go to the City Council for the final decision. Item number 8 from the Water Board recommendation says there would be a Water Transfer Agreement and a Water Conservation Agreement that the City will require. Commissioner Losee asked if you have to own land. City Manager Dotson said you have to be the property owner. Commissioner Losee noted it puts water conservancy in front of everyone's mind. Commissioner Ley wanted to know if they should go through each item in the Water Board decisions and make their own recommendations. Commissioner Tingey said this will need more and better community education. This will be put on the agenda for next time.

**10. CONSIDER PROCESS FOR AMENDING THE ENOCH CITY
GENERAL PLAN**

City Manager Dotson said it's time to update the general plan. In the past they have gone through it in house. Before that, the general plan was a total rewrite. That was back in 2007 and they had the county planner put together the format, which is pretty much what the general plan is now. Cedar City recently took about a year with all kinds of public meetings and chose to hire a professional planning firm to come in and facilitate the amendment or update. Commissioner Tingey asked if it was feasible to pay to have it done. City Manager Dotson said it could be between 40 and 60 thousand dollars. Commissioner Ley said Cedar City also had a committee they created in house and we could do that. City Manager Dotson said it may be fine the way it is. Our mapping is more important. It has changed drastically. We changed the zoning last time from regional commercial and its now community commercial. There isn't anything zoned for neighborhood commercial. Those type of things need to be discussed and they help with transportation and different things. This item will go on the next agenda.

11. PUBLIC COMMENTS – There were no public comments

12. COMMISSION/STAFF REPORTS

Council Member Ross said the property for the ice rink passed out of City Council and they made a lot of the same comments. There was a packed room too. Commissioner Correa asked about the Economic Development Committee having an event. City Manager Dotson said he sent an email to everyone that had business licenses. Those people can sign up for space and it will be outside. He also noted that Arbor Day will be this Saturday at the Iron Mountain Subdivision. We will be planting trees and shrubs. There is talk about a grocery store from a developer.

Commissioner Correa said the signs for the roundabout are ready to go. He talked to one of the owners of Salt City to do some work.

Commissioner Losee said once the signs are done he wants to take his drone out and record video of the completed roundabout.

13. ADJOURN – Commissioner Ley made a motion to adjourn. Commissioner Meacham seconded and all voted in favor. The meeting ended at 8:25pm.

Lindsay Hildebrand, Deputy Recorder Date

SECTION 10, T135N, R118W, S12.80M, 4000
LOCATED IN IRON COUNTY AND ENOK CITY

IRON COUNTY, IOWA
SECTION 10, T135N, R118W, S12.80M, 4000
SUBDIVISION

LEGEND

- SECTION CORNER
- PROPOSED APPROPRIATE LINE
- EXISTING CITY LIMITS
- CURRENT ENOK CITY EXPANSION LIMITS
- APPROXIMATE APPROPRIATE AREA

BOUNDARY DESCRIPTION

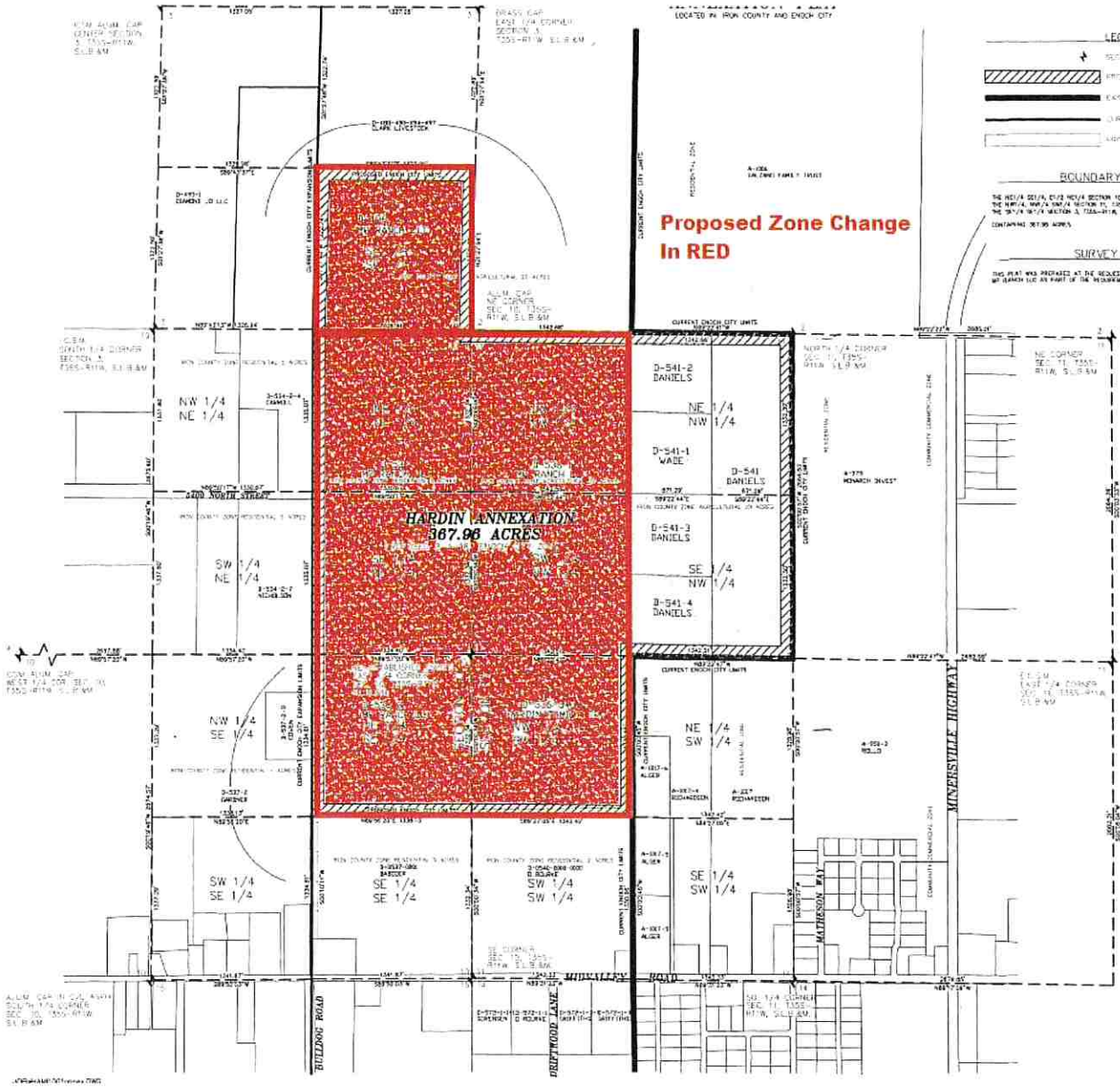
THE NE 1/4, SE 1/4, E 1/2 NE 1/4 SECTION 10, T135N, R118W, S12.80M, 4000
THE NE 1/4, NW 1/4, SW 1/4 SECTION 11, T135N, R118W, S12.80M, 4000
THE SW 1/4, NW 1/4 SECTION 12, T135N, R118W, S12.80M, 4000
CONTAINING 307.96 ACRES

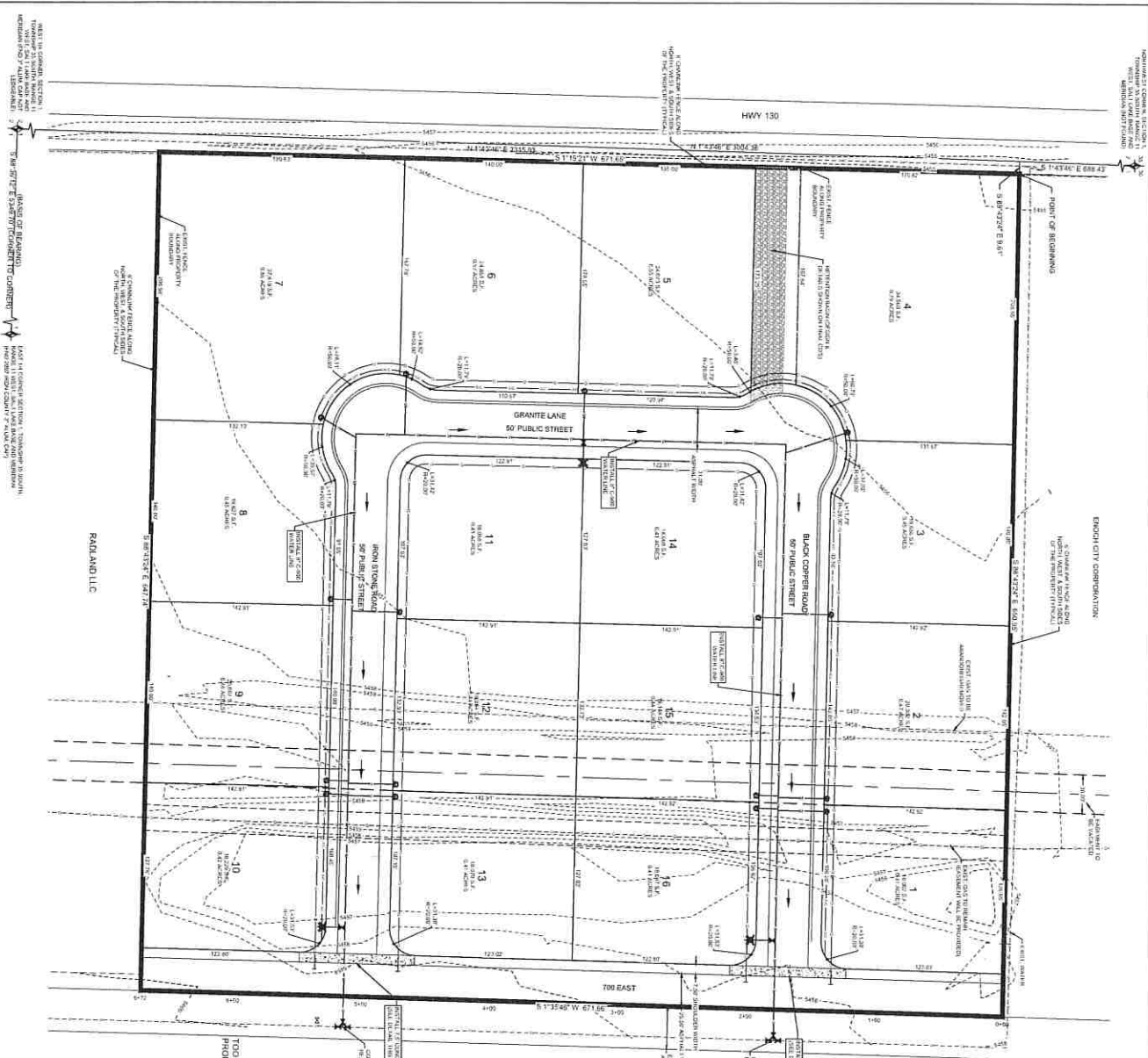
SURVEY NARRATIVE

THIS PLAT WAS PREPARED AT THE REQUEST OF THE BOARD OF "HARDIN FAMILY" TRUST AND
BY SEARCH FOR ANY PART OF THE RECORDS OF THE IRON COUNTY AND ENOK CITY

**Proposed Zone Change
In RED**

**HARDIN ANNEXATION
307.96 ACRES**





LEGAL DESCRIPTION

GENERAL NOTES:

1. ACQUIRED AND BENCH CHEMISTS
2. THE DUE TO THE CHEMISTS, THE CHEMISTS
3. THE CHEMISTS WILL BE REQUIRED TO BE CONSIDERED IN THE CHEMISTS
4. THE CHEMISTS WILL BE REQUIRED TO BE CONSIDERED IN THE CHEMISTS
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10. THE CHEMISTS WILL BE REQUIRED TO BE CONSIDERED IN THE CHEMISTS

DRAINAGE NOTES

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE. DATE 01-20-2001 BY 60322 UCBAW/STP

SEWER NOTES
1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES.

101 E WALTER LINE
CITY STOL

SIR PROB
Learners
SIR PROB

FRS 5000
220 x 1,100
1" DEEP
E. F. WATSON INC.
V. CHEN

Figure 1 shows a cross-section of a road structure. The road surface is 2.00m wide. Below the surface is a 0.15m thick asphalt layer. The base is a 0.20m thick layer. The subgrade is 0.30m thick. The total depth is 0.65m. The diagram is labeled with dimensions and material types.

LEGEND

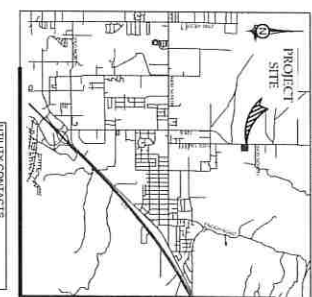
DD	EXISTING WATER VALVE
HH	PROPOSED WATER VALVE
HH	EXISTING CATCH BASIN
HH	EXISTING SERVER MANHOLE
HH	EXISTING TRANSPICULAR
HH	EXISTING ELECTRICAL WALT

OWN

[illegible]

NW 1/4 OF

VICINITY MAP



100 DENISON ST. #107
 AUSTIN, TX 78701
 MEYER & MEYER REAL ESTATE INC. DBA
 CENT. TX. REALTY
 1501 CENTRAL EXPRESSWAY, SUITE 110
 AUSTIN, TX 78701
 512-451-8529
 BIRNBERG REAL ESTATE
 CENT. TX. REALTY DBA
 10000 N. MOULTON PKWY
 AUSTIN, TX 78758

15442329
CENTURION
CONTACT: NITRON, INC.
CENTURION LHM
SHIELDCLIPS@CENTURION.COM
CONTACT: PHILIP TUNNEY

Diagram illustrating the cross-section of a road and street structure. The layers from top to bottom are: ROAD, STREET, ASPHALT, CONCRETE, and CEMENT. The diagram shows the relative thickness and composition of these layers.

Figure 1 is a cross-sectional diagram of a road shoulder. It shows a sloped shoulder structure. The top layer is labeled 'ASPHALT PAVEMENT (12 IN. THICK)'. Below this is a '2 IN. CURB'. The base layer is labeled '8 IN. COMPACTED ROAD BASE'. The total width of the shoulder at the top is indicated as '10 FT'. The road surface is labeled 'ROAD SURFACE'.

STREET (700 EAST)
Ct
NW

LOCATED IN

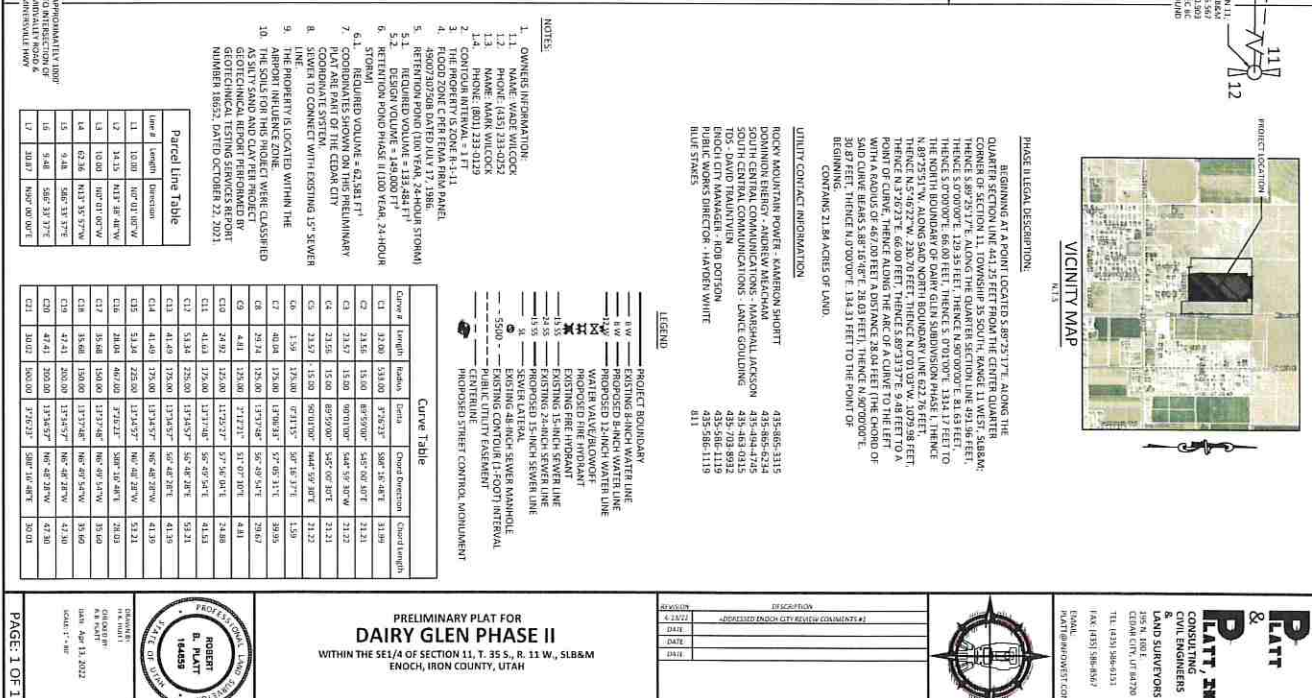
SECTION 1, TOWNSHIP 35 SOUTH, RANGE 11 WEST,
SALT LAKE BASE AND MERIDIAN

PRELIMINARY PLAT - NOT TO BE RECORDED
HARDCORE INDUSTRIAL PARK
LOCATED IN ENOCH, UTAH



1453 S. DIXIE DRIVE, SUITE 150
ST. GEORGE, UT 84770
435.986.0100

PROB # 215440
PHASOR BY ASD
DATE 04/02/02
LOGGED BY ACS
SCALE ON 20.01
HIGH SCALE V=40
SHEET
1
OF
1



P & L
PLATT, INC.
CONSULTING
CIVIL ENGINEERS
&
LAND SURVEYORS
295 N. 800 E.
CLEHAR CITY, UT 84720
TEL: (435) 586-0131
FAX: (435) 586-4567
E-MAIL: PLATT@NETWEST.COM

REVISED	DESCRIPTION
4/28/22	-ADDED THE INCH CITY REVIEW COMMENTS #1
DATE	
DATE	
DATE	

PRELIMINARY PLAT FOR
DAIRY GLEN PHASE II
WITHIN THE SE1/4 OF SECTION 11, T. 35 S., R. 11 W., SLB&M
ENOCH, IRON COUNTY, UTAH

CHERRY HILL
 H. K. HUBB
 CHIEF OF POLICE
 H. K. PLATT
 ISSUED APR 13, 2022
 SCALE: 1" = 50'

WATER BOARD RECOMMENDATION

MINUTES

ENOCH CITY WATER BOARD

April 14, 2022 at 4:30pm

City Council Chambers

City Offices, 900 E. Midvalley Road

Meeting ID: 895 8017 2966

MEMBERS PRESENT: Chairman Coby Zobell-absent, Doug Grimshaw, Steve Woolsey, Alan Miller, Spencer Jones was on Zoom

3. MAKE A RECOMMENDATION TO THE CITY COUNCIL REGARDING #1-WATER ACQUISITION, #2-TIER SYSTEM AND #3-OTHERS

City Manager Dotson said he would pose each issue as a question for a vote.

#1 Do you agree with accepting water rights with dates after July 1934 with the associated fee as proposed in the draft ordinance? All voted yes.

#2 Do you agree with acquiring the use of a water right with a fee and no water right being given to the City?

Doug-no /Steve- yes/ Spencer- yes /Alan- yes****

****but only in the case of one water connection and not a whole development.**

**#3 Do you agree with the Chart proposed in the Acquisition portion?
All- yes**

Water Rights Acquisition Fee Chart 2022		
Water Priority Date	Suspension Date	% Value
Jan 10, 1966 - Dec 31, 1957	January 1, 2035	13%
Dec 30, 1957 - Dec 31, 1954	January 1, 2050	28%

Water Rights Acquisition Fee Chart 2022

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

#4 Do you agree with exemptions for water acquisition for nominally irrigated areas, and not subject to an acquisition fee if it requires “X” amount of water for nominally irrigated areas such as planting strips with gravel and trees/shrubs?

Doug-no/ Steve- no/Spencer-yes/ Alan-no (unless better defined)

****Spencer-** to give builders incentive for xeriscaping

****Doug-** this sets builder up to underestimate water use

#5 Do you agree with open space exemptions defined as no water rights required?

Doug-no/ Alan-no/ Steve-no/ Spencer-yes

****Doug-**No need for an exemption for what uses no water. We can't exclude giving rights if they use water for parks. Parks are irrigated and require water rights if they are to be private parks such as in an HOA. A park deeded to the City is different.

****Alan-**City could be on the hook to provide the water in some cases

#6 Do you agree with public lands and City exemption for water rights? City Manager Dotson noted there are no public lands in Enoch now. The State gives us an option to annex and work with BLM, SITLA, etc. for enabling affordable housing on these types of land which could be sold to developers for affordable housing. If we cooperate with federal agencies and local developers we could be asked to

Enoch Water Board Meeting

April 14, 2022

exempt affordable housing from bringing water rights in this case. No water is deeded at annexation but would come when they develop.

All voted yes.

#7 Do you agree with a conservation tier system? City Manager Dotson explained for a certain lot size the developer decides what tier they want to be on and that is tied to the water rights required for those properties. The expected water use gets the accompanying lower rate.

Doug- yes/ Alan-yes/ Steve- yes/ Spencer-yes

****Alan-** Concept ok but someone else is committing for others to have to conserve

****Doug-** City has to enforce that usage. If I go over, I pay, but I never brought a water right so the system is being over-pumped

#7 Do you agree with a water right “unit” principle for a lot with a water “unit” assigned to that lot and the ability to transfer “units” to other lots for others in the City?

Doug-no/ Alan-no/ Steve-yes/ Spencer-yes

#8 Do you agree with water unit transfers as with an agreement between two property owners to change the tiers and assignment of rights?

Doug- no/ Alan- no/ Steve-yes/ Spencer-yes

****Doug-** There is no redeeming value to transfer agreements. This does not conserve water. There is no revenue for the City as this is a 3rd party transaction. The City has to administer that with no fee for doing so. Also, this penalizes those who have been here for a long time. Giving adequate notice of previous transactions to new owners is a problem and also for them to understand this concept. This will result in additional costs and irate people. Supply and demand should rule.

****Alan-**this is a neighbor handshake agreement and not a good policy. An unscrupulous agent could convince someone to sell units of water and then turn around and resell them. This is not conservation because it is putting something to use that is not now used.

****Spencer** gave examples of not allowing this concept could stop building for some individuals who have just discovered they need a one-acre foot to build. This is a way to get that water. Even though onerous in the process, this is an opportunity to make it work by getting it from multiple people. Any water transactions on lots would be recorded.

City Manager Dotson suggested we compile a tally of the results of the votes as a whole and that this be presented to the Planning Commission, who gets it first because it involves land use issues. They make a recommendation and then it goes to the City Council. Doug said he can see the most of this working with the exception of the water right unit transfer portion. Everyone is fine with allowing the City to accept junior rights plus a fee to cover the difference. A fee-only without the water right is fine with the condition that it is for one lot only and not for an entire development. All were fine with the chart as shown.

#1-All yes #2-1 no and 3 yes w/conditions #3- all yes #4-3 no and 1 yes

#5-3 no and 1 yes #6-All yes #7-2 no and 2 yes #8-2 no and 2 yes

Spencer made a motion that we take the eight (8) items and send them for consideration with votes as held and noted. The motion was seconded by Steve and all voted in favor.