

Newton Planning Commission Meeting
October 20, 2022, 7:00 P.M.
Newton Town Hall, 51 South Center, Newton UT
Minutes

Agenda

1. Call to Order/Roll Call
2. Opening Ceremony Rich Olsen
3. Approval of September 2022, minutes
4. Request for building permit approval without water connection – Levi Jenkins
5. Draft water exaction code review
6. Review Newton Town right-of-way code
7. Adjournment

1. Roll Call

Members present: Justin Cooley, and Rich Olsen.

Karla Ferguson – Recorder. Electronic attendance by Zoom: Reid Smith

Absent: Martin Empey and Barry Myers

Others present: Dave Jones, Flo Jones, Brooks, Gordon Anderson, Jeremy Cooley, Terrie Jenkins, Ms. Jenkins, and Dave Jenkins.

2. Opening Ceremony – Rich Olsen

3. Minutes for September 2022, approved.

4. Request for building permit approval without water connection – Terrie Jenkins stated that her son, Levi Jenkins, has applied for a building permit for new home construction, and they are waiting for approval. It was reviewed that the application for the building permit was made after the Newton Town Council proclaimed a moratorium on new water connections due to scarcity of water. The Newton Town Council has extended the initial moratorium until January. It was discussed that the building inspector has reviewed the plans for the permit and approved but the Newton Planning Commission has not reviewed or approved the plans due to the moratorium. No fees have been paid. Terrie Jenkins asked that the Newton Planning Commission review the plans now and see if any changes are required and then the approval can be given after the moratorium is lifted. Rich Olsen will follow up with Barry Myers and Martin Empey to ensure that the plans are reviewed and then check back with the Jenkins.

5. Draft water exaction code review – Other municipalities water exaction code was reviewed. Tooele's water exaction code was discussed. Paragraphs from the Tooele code that were identified that they would like to utilize and edit to meet Newton's needs are: 7-26-1, -2, -3, -4, -5, -6, -7. These paragraphs would need to be researched further and edited to meet Newton's needs. Items to define would be secondary water, culinary water, and exaction per dwelling rather than building permit. The goal of this draft code would be to protect water, provide for current residents and new development. Items identified to do further research on were fee-in-lieu, amount of water needed per dwelling, and review Smithfield, Nibley and Bluffdale code. Members were encouraged to review and make recommendations for the next meeting.

6. Review Newton Town right-of-way code – Rich Olsen explained that the Newton Town Council has requested the Newton Planning Commission to review town-right-of-way code. Gordon Anderson asked about decreasing the town right-of-way from 99 feet to 66 feet. Utilities, property taxes, roads not in center of right-of-way and other items were discussed that a change in right-of-way dimensions might affect. Reid Smith suggested that utilities already installed would have an implied easement and if the town right-of-way

was decreased than you would need to increase the front set back requirement to maintain the same distance from the road. Newton code that currently addresses town right-of-way is 4-3-3, 7-1-3, 7-4-1 and 11-080-090. It was discussed that new Utah State legislation requires changing class c misdemeanors for land use to infractions. Newton's code needs to be updated to reflect the requirements. It was discussed to add all right-of-way code to one chapter section under public ways and property along with definitions and reference to other code. It was decided that the Newton Planning Commission will first work on the draft water exaction code, submit it to the attorney for review and then to the Newton Town Council. After the water exaction code is submitted for review then the planning commission will begin working on the town right-of-way code and then the draft animal code.

The meeting adjourned.

Minutes prepared by: _____
Karla R. Ferguson, Newton Town Clerk Approval Date _____