

**ENOCH CITY PLANNING COMMISSION
NOTICE AND AGENDA**

November 9, 2022, at 5:30 pm

City Council Chambers

City Offices, 900 E. Midvalley Road

Join Zoom Meeting

<https://us02web.zoom.us/j/86166269664>

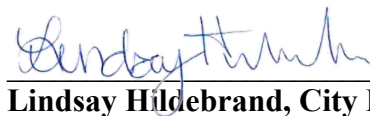
Meeting ID: 861 6626 9664

- 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 November 22, 2022**
 - e. Approval of minutes for November 9, 2022**
 - f. Conflict of Interest Declaration-none stated**
- 2. REVIEW A ZONE CHANGE REQUEST FOR THE ASPEN ACRES
SUBDIVISION FROM SINGLE FAMILY RESIDENTIAL (R-1-11) TO RURAL
RESIDENTIAL (R-R-1) AND SET A PUBLIC HEARING FOR DECEMBER 13,
2022 - Platt & Platt**
- 3. REVIEW ENOCH CITY CODE 12.2600.2602 AND SET A PUBLIC
HEARING FOR DECEMBER 13, 2022 - A secondary irrigation requirement for
developers (See Water Board Rec.)**
- 4. DISCUSS THE GENERAL PLAN STARTING WITH GOAL E-10**
- 5. PUBLIC COMMENTS**
- 6. COMMISSION/STAFF REPORTS**
- 7. 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 November 18, 2022.



Lindsay Hildebrand, City Recorder

11/18/2022

Date

MINUTES
ENOCH CITY PLANNING COMMISSION
November 9, 2022 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Commissioner Leonard Correa
Commissioner Andy Losee
Commissioner Debra Ley
Commissioner Wade Adams
Chairman Bob Tingey

STAFF PRESENT:

Rob Dotson, City Manager
Lindsay Hildebrand, City Recorder
Hayden White, Pub. Works Dir.
Council Member Katherine Ross -excused

PUBLIC PRESENT:

1. **CALL TO ORDER OF REGULAR MEETING-By**
 - a. **Pledge of Allegiance** – Led by Steve Woolsey
 - b. **Invocation (2 min.)** –Audience invited to participate. Given by Commissioner Correa
 - c. **Inspirational thought** – Given by City Manager Dotson
 - d. **Approval of agenda for November 9, 2022 – Commissioner Correa made a motion to approve the agenda. Commissioner Adams seconded and all voted in favor.**
 - e. **Approval of minutes for October 25, 2022 – Commissioner Ley made a motion to approve the minutes. Commissioner Correa seconded and all voted in favor.**
 - f. **Conflict of Interest Declaration**-none stated

2. **CONSIDER MINOR SUBDIVISIONS FOR IOTA, LLC SERIES-37, LLC – PARCELS #A-0997-0001 & #A-0997-0002 AND MAKE A RECOMMENDATION TO CITY COUNCIL** – Steve Woolsey

Steve Woolsey said he was representing Iota, LLC for two minor subdivisions. The north and south parcels will be split into three separate parcels each. They will have parcels one through three on the north and parcels one through three on the south. Within that, they are also creating a 50-foot wide private ingress/egress easement and a public utility easement. He explained that on the outside there will be a 10 foot public utility easement for the gas, electric, fiber optic, etc. The east 33 feet of two parcels were previously conveyed to Enoch city as part of 600 East St. Richard was willing to do that, however, it wasn't required. Chairman Tingey asked about the power poles on the map. Steve said on the South end of the south parcel the power lines run east and west. On the east side of both parcels 3 running north and south there are also a set of power lines. On parcel one on the north, there is a powerline that runs through the southerly portion. He didn't describe it with an easement. Richard needs to figure out if he wants to put it underground or keep it overhead because there is an existing power line between parcels one and two. Chairman Tingey asked if the Commissioners had any questions. There were no questions. City Manager Dotson showed the location on the Enoch City Property Viewer.

Commissioner Correa made a motion to send a favorable recommendation to the City Council for the Iota, LLC minor subdivisions, parcels #A-0997-0001 and #A-0997-0002. Commissioner Ley seconded and all voted in favor.

3. CONSIDER ASPEN ACRES SUBDIVISION PHASES 1 & 2 PRELIMINARY PLAT AND MAKE A RECOMMENDATION TO THE CITY COUNCIL – Platt & Platt

Mike Platt was representing Aspen Acres phases 1 & 2. City Manager Dotson said this is the property to the west of Spanish Trails that was annexed not too long ago. Mike gave background information on the project. It is two different parcels divided by Spanish Trails Dr. City Manager Dotson showed the location on Enoch City Property Viewer. The part that was annexed was owned by one developer and the other parcel that was already in Enoch was owned by another developer. So, they sat down with both developers and decided that it would be easier to move it all as one development. It was going to be built in two phases. He spoke with the developer and they want to potentially have more phases. The layout won't change. When they annexed, the property was brought in as R-1-11. The developer's intent is to zone the property R-R-1 and have them be one-acre lots. Chairman Tingey asked if they will have to be rezoned at some point. City Manager Dotson said yes before it gets to the final plat. On the current preliminary plat, there is a note on it that says it will have to be re-zoned to R-R-1.

Commissioner Ley asked how far apart the projects are. City Manager Dotson showed the city map and pointed out the section next to Spanish Trails drive. Mike said they are right close together. The property owners will be responsible for maintaining drainage on their own property. He told the developers that if they chose not to put in a curb and gutter then the property owners will be responsible to maintain it in a way that the water continues to flow without creating a problem. He gave an example.

Chairman Tingey asked if this complied with the new rules they made about cul-de-sacs. Mike said yes it does. He also wanted to make sure to note that the number of phases may change and the layout will not.

Commissioner Ley made a motion to send a favorable recommendation for Aspen Acres Subdivision Phases 1 & 2 Preliminary Plat, including the potential future zone change and potential change in phases. Commissioner Correa seconded and all voted in favor.

4. PUBLIC HEARING FOR AMENDMENT TO ENOCH CITY CODE 12.1100.1107, RV-TEMPORARY

Commissioner Correa made a motion to close the regular Planning Commission meeting and open a public hearing for an amendment to the Enoch City Code 12.1100.1107, RV – Temporary. Commissioner Ley seconded and all voted in favor.

There were no comments.

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

5. CONSIDER AMENDMENT TO ENOCH CITY CODE 12.1100.1107 – RV-TEMPORARY AND MAKE A RECOMMENDATION TO THE CITY COUNCIL

Chairman Tingey asked if any of the Commissioners had any other thoughts since they talked about it last time. Commissioner Ley asked Council Member Ross how the City Council as a whole reacted to having electrical and sewer hookups. City Manager Dotson said they didn't really like it and wanted people to have that freedom. Council Member Ross agreed and stated that if the Commissioners felt strongly about keeping those connections in, then the Council will take that into consideration. Commissioner Ley said that they decided that the pad

wasn't necessary, but the connections were considered. City Manager Dotson explained why this potential amendment is being brought back for consideration.

Commissioner Correa suggested some type of hardscape pad should be placed under or around the RV to mitigate potential problems with mud. He has seen places, especially in this winter weather, where the RV is in the middle of the property in the mud with no driveway up to the RV. Commissioner Losee asked about having a timeframe to get connections put in. Chairman Tingey thought that was taken out. Council Member Ross said section 1-c is the only thing being looked at now. Commissioner Losee agreed with Commissioner Correa about having better access to the RV from the road, such as a driveway. City Manager Dotson noted that this ordinance is for temporary living and not an RV park. He said this has only been a problem with one person in the community. Commissioner Correa asked why we send our inspector out to make sure a home is hooked up to utility connections. City Manager Dotson said a home has international building codes and an RV doesn't. Commissioner Correa said so, we tell people that they can't occupy a home that doesn't have running water, electricity, heat, etc., but it's ok to live in an RV. Council Member Ross said this is a question that has been brought within the County too. Commissioner Correa wanted to add RV utilities to their recommendation. Commissioner Losee said that is why he suggested requiring a timeframe to get utility hookups. City Manager Dotson said those hookups would cost thousands of dollars for something that is temporary. He also asked if they should make a law for one person. They need to think about the community as a whole and not a specific property. Commissioner Adams asked what people are doing with their sewage. City Manager Dotson said they can hook into the city sewer or take it somewhere else. They just can't dump it on the ground. Chairman Tingey said he agrees with the City Council and didn't think they should require connections. Hayden said he lived in his trailer for 3 years. He didn't have a well so he had to tote water in. Commissioner Losee said he felt like people should do what they want with their property, but at the same time, he doesn't want to have eye sores within the community. Commissioner Tingey said people don't have to live in these RVs. There was a discussion on the need for RVs to be available for people who can't afford anything else. Commissioner Tingey asked if all the rules are on the permit application. City Manager Dotson said yes. Commissioner Losee was conflicted. Council Member Ross said they voted to send it back to the Planning Commission with those revisions because she was worried that the entire ordinance would be removed. She was also worried about competing with RV parks. There are a couple of RV parks in the works. Commissioner Losee asked about requiring utility connections or a concrete pad after someone has obtained a certain number of permits. Commissioner Ley used an example of having family coming every year for a few months at a time. They aren't living in it all the time. The whole process is to allow people to have the RV on the property so that people can use it if they need to. Commissioner Adams asked how this issue came about. City Manager Dotson said about a year and a half ago there was a Council member that did not want people living in an RV at all. The rest of the Council did not want to ban it. This is why the code was created to allow it. Chairman Tingey noted that there were two people in a public hearing that came in and said they would be homeless if the Council didn't allow it.

Commissioner Ley made a motion to send a favorable recommendation to the City Council on the Enoch City code 12.1100.1107, RV-Temporary. Chairman Tingey Seconded and a roll call vote was held as follows:

**Commissioner Adams: Yea
Commissioner Ley: Yea
Commissioner Losee: Yea**

**Commissioner Tingey: Yea
Commissioner Correa: Nay
Motion Passed**

6. DISCUSS SECTION E OF THE GENERAL PLAN

Commission Losee assigned each Commissioner a section to read.

E. Public Services and Facilities Element

1. Introduction

Commissioner Tingey asked if a third item under number 5 should be added. He suggested something regarding cleaning the water. The Commissioners agreed that treatment covered it. No change was made.

2. Public Services and Facilities Goals and Policies:

Goal: E-1 Concurrency/Adequacy of Public Services

Chairman Tingey thought the second sentence should read “Service levels shall be maintained to AT LEAST minimum standards.” He thought that we should maintain a higher standard. There was a conversation about wording. City Manager Dotson said service levels are put into plans and that is the standard they have to go by. Typically they won’t do more than that. Commissioner Ley suggested taking out “minimum”. It has more of a positive aspect. Commissioner Adams suggested that the sentence read “Service levels shall meet or exceed minimum standards.” The Commissioners agreed.

Goal: E-2.1 Public Service and Facility Plans and Cost-Saving Strategies

E-2.1

City Manager Dotson said he wasn’t sure that Capital Facilities Plans is accurate, now it should be Master Facility Plans throughout the entire General Plan.

E-2.3

Chairman Tingey asked if this involved the Economic Development Committee. City Manager Dotson said we can involve anyone we need to, for example, the Water Board or an engineer.

E-2.4

City Manager Dotson said we put together a list every year and submit it to the Community Impact Board (CIB).

E-2.5

City Manager Dotson suggested removing the reference to the state code because it could change. The Commissioners agreed.

Goal: E-3 Storm Water Regulations

E-3.1

City Manager Dotson suggested adding E-3.2: “Participate in the National Flood Insurance Program (NFIP) in creating and maintaining flood plain management ordinances and following the federal flood plain management techniques.” The Commissioners agreed to add E-3.2.

Goal: Compatibility and Design of Infrastructure Improvements

Commissioner Losee suggested removing “visually pleasing” and the Commissioners decided to leave it as is.

E-4.1

City Manager Dotson said we require this for new developments. All new utilities have to be underground, which is in our subdivision ordinance. There was a small conversation about the minor subdivision presented earlier in the Planning Commission meeting, regarding underground utilities.

E-4.2

Commissioner Losee asked if we have this program. City Manager Dotson said we don't have to take it out, but no we don't have an underground program.

E-4.3

City Manager Dotson gave an example of a design for a well house that he helped create. It looks like a little house.

Goal: E-8 Education

E-8.5

Commissioner Tingey asked City Manager Dotson if there was anything that he does with the school district. City Manager Dotson said yes. There is a school that may be coming. It's a high school and more of a charter school. Also, west of Gateway, they are building a high school. Tingey asked if we could support that many high schools. City Manager Dotson said yes.

Goal: E-9 Community Safety

E-9.1

Chairman Tingey asked if there are any communities facilitating watch organizations. Council Member Ross said she thought that those types of organizations are mostly on social media.

E-9.2

There was a conversation about a new Children's Justice Center in Enoch. Commissioner Losee explained what the Children's Justice Center is. City Manager Dotson recapped the agreement with the County.

The Commissioners agreed to stop and continue with Goal E.10.

7. **PUBLIC COMMENTS** – There were no public comments.

8. COMMISSION/STAFF REPORTS

Hayden White said they are catching up on stuff around the yard. The Public Works Department building flooded again today. The well house is all buttoned up across the street. They did some piping up on Highway 91. They have had a bunch of work orders that blew away in the wind.

Council Member Ross said at the last City Council meeting there was a representative from Chris Stewart's office who talked about different things to apply for in order to increase funding and how they can help. The Parowan Profit stopped by too. They are still working on water rates. The proposed water rate sees a dip when people conserve.

City Manager Dotson went over the subdivisions that are being built. Phase 3 of Settlers Square had its last building permit approved. Phase 4 started building. Eagle Valley Estates ph. 2 is ready for houses, which is the Utah Housing Corporation. They are doing 6 or 7 low income housing. Pine View Estates have had 7 building permits and are considering completing the rest of the phases. We also are working on a bunch of deeds of dedications for roads and had a gentleman come in to do the same things around his property. Typically we go after them, but they have been coming in to give us what we need. We are working with BLM about creating another drainage basin. We are still negotiating on properties for drainage. He talked about the community funding project. There is a 2-week window to apply in March.

Lindsay Hildebrand said she has been working on cemetery reports and business licensing.

9. **ADJOURN** Commissioner Correa made a motion to adjourn. Commissioner Ley seconded and all voted in favor.

Lindsay Hildebrand, City Recorder

Date

MINUTES
ENOCH CITY WATER BOARD
November 10, 2022 at 4:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT: Chairman Coby Zobell - excused, Doug Grimshaw, Steve Woolsey, Alan Miller and Spencer Jones - excused

STAFF PRESENT: City Manager Dotson, Council Member David Harris, City Recorder Lindsay Hildebrand, Public Works Director Hayden White

PUBLIC PRESENT: There was none present.

2. CONSIDER A SECONDARY IRRIGATION REQUIREMENT FOR DEVELOPERS

Hayden said the map given showed a pink color, which was everything that borders a secondary line. Those parcels touch the secondary irrigation line. It added \$5,000 for every lot to run secondary irrigation to new builds. Alan asked if that was just the materials. Hayden said materials; times two because the prices have changed since they last looked at it. The idea is to save the City money and keep people down on lawns. Alan said it would give you good information on what people use. City Manager Dotson said they had this discussion with the City Council and it didn't really go anywhere. They held off on it. The other issue is that Matt Kennedy calculated indoor/outdoor use and this was a good way to reduce the potential demand on the culinary system and extend the culinary life for a lot longer. The new customer coming in would bear the burden. The intention is to try to obtain some grant money and extend our existing system. We want to start connecting everything together. This is entirely for new development. The third sentence of the Enoch City Code 12.2600.2602 was crossed out because it is not the standard anymore. Steve asked if this was the standard for sewer, within so many feet, you have to extend it. City Manager Dotson said yes. Doug said there is no impact fee currently. Would there be? City Manager Dotson said potentially yes if as a developer, you install the infrastructure that is required and it that takes away the impact from everyone else, and then you don't have to take the impact on that. Hayden showed the pink area on the map on the screen. He said Three Peaks Subdivision is all on secondary along with all other areas. Alan asked if he were a developer and came into an area where the City has infrastructure, how he compensates the City. City Manager Dotson said we don't have a system for that right now. Typically if we are expanding infrastructure for development, we use impact fees. He explained further. Alan asked if he were a developer does he pay anything for the equity for the existing system that he would hook up to. Hayden said only in your bill, which covers depreciation. City Manager Dotson asked Alan to clarify that if a builder develops a 10-lot subdivision they are paying for a portion of what they are connecting to. Alan said there is a value there and they couldn't connect to the line if it wasn't already there. City Manager Dotson said the developer before them has paid for that. Alan said if you bond for something and put it in, it was paid for by all of the citizens so it's a method of compensating through the City. City Manager Dotson said he could see how that would work. There was a discussion about impact fees. Alan said he is subsidizing growth. The direct reason for that bond is growth. Hayden said they are working on a plan so they quit paying the upgrade fee.

Doug said they had come up with a list of pros and cons. Alan said Dave Harris was here and he had concerns about the cost of development to do this. The cons were simply that the end

user or purchaser of a residence pays for it. It is a responsibility on the city's part in that if you start requiring somebody to do something, then you have to be able to utilize it at some point of time. The other con was cross-connection control and it's pretty significant, less so in this case. Also is the direct and indirect expense. Doug said regarding the cross-connection, at some point we are going to have surface water that will be available for secondary. Steve asked if they were talking about cross-connection which we designate as underground irrigation water with our culinary water. Doug said yes. Steve asked if we have anything cross connected now. City Manager Dotson said no. There was a conversation about backflow preventers. Steve wanted to clarify and asked if anything pink, on the map, had access to the irrigation. City Manager Dotson said there is an active irrigation pipeline going by these property boundaries somewhere. Steve asked if Spanish Trails, at some point in the future, could have lines run. City Manager Dotson said yes. There was a short discussion about how residents are paying for it and it shows on their utility bills. City Manager Dotson said the City Council needs a recommendation. Alan asked if this area was based on elevation. Hayden said it's based on where the line is now. City Manager Dotson showed a map of the location where they talked about bringing irrigation water up and putting it into a tank that provides irrigation and expanding the system. Alan said in theory anywhere within existing City boundaries is reasonable to be supplied secondary. Alan said the question is who should pay and how should it be administered. City Manager Dotson said the question is whether we should require it of development now. What does that look like? Doug asked if this was going to be a back lot line utility. Hayden said it's mostly back. Doug asked if the City would prefer front. Hayden said yes they prefer a front. Steve asked if your main line would run down the street. City Manager Dotson said you have to maintain a distance from your sewer line. The front-lot line is a lot better. It's now in the back lot line because coming into older subdivisions is where you can get it. Alan asked Hayden, from an operational standpoint do you feel this is a positive way for the City to go? Hayden said yes, especially with the conversations being had over water rights and with the problems we have when a well goes down, we should get everyone on secondary.

Doug went over the list of pros and cons.

Cons:

- We would have a second system that would have to maintain with separate meters being read
- The actual cost to the developer and lot owner to install the system
- Cross connection issue which could be a problem in the future when we have surface water rights to add to the secondary water system
- It makes for more dents utility structures in the front of the lots.
- The City must be able to supply the water if we require to install it. The City will have a legal obligation to deliver the water.

Pros:

- There are fewer restrictions on irrigation water, including fewer valves involved and you don't have to have a high-pressure pipe, etc.
- Any water that stays with the designation of irrigation water doesn't have to take the haircut
- We use wells that don't meet public drinking water specifications
- In the summer, if we had a problem with our primary water system, we could spread the demand for water usage
- In the future, we will have surface water rights that we will use and if we had a system in place we could plug them into that secondary water system.

Doug asked if there was going to be an exemption for multi-family developments. He isn't seeing big lawns and park areas as we have had in the past. City Manager Dotson said the water

right acquisition ordinance does not exempt multi-family, but it reduces what we normally require for water rights. City Manager Dotson said there are potential future townhomes that may be developed and we want to have the lines extended. City Manager Dotson said you can send a recommendation on this ordinance specifically, but he prefers that they suggest a number for the footage. Regarding the first underlined sentence in E, Alan asked if we have an existing standard on any of the utilities that require so many feet. City Manager Dotson said sewer. The footage is 300. There was a conversation with proposals. Doug and Steve recommended 1320 ft. Alan asked if 1320 would make sense. City Manager Dotson said it won't matter that much right now because down the road it may change. Alan said it makes sense from a development standpoint.

City Manager Dotson said we have been talking about our need for another water source. The Mayor and Council have talked about finding a source capacity to provide water and how to obtain that. It's the impact of development that causes the increase in demand and we need a new source. He read the proposed addition to the code and gave an example. Currently, we would purchase a well for future development and get future water rights. We purchased the Grimshaw well for a discounted price and they gave us the water rights for the development of their property. This code is saying the development has to provide the source. At least it takes the pressure off of us as residents and the City to have to bond and get impact fees for it. Alan said the word "supply" has two different meanings. He asked for clarification. City Manager Dotson said it should read to say "source". It's a source capacity issue. Doug asked if we don't have that provision in place, can we deny a subdivision if we can see that we can't supply them the water that they need? City Manager Dotson said not according to our current code and the City is on the hook to find the source and put everything in. Steve said with future development this is smart because this takes the responsibility off of us a bit. We can't stop anyone from developing their land. City Manager Dotson said the critical components of the development are typically outside of our control. Steve said at some point we won't have any water at all. City Manager Dotson said the constraint will be to bring in a water right. We have to have it written a certain way for future constraints.

Alan made a motion to send a favorable recommendation to the City Council to adopt the language in the revised Enoch City Code 12.2600.2602 Improvements, regarding water source, capacity, and secondary water for new development and also recommended a distance for secondary water of 1,320 feet. Steve seconded and all voted in favor.