

**ENOCH CITY PLANNING COMMISSION
NOTICE AND AGENDA**

March 14, 2023, at 5:30 pm

City Council Chambers

City Offices, 900 E. Midvalley Road

Join Zoom Meeting

<https://us02web.zoom.us/j/84488754601>

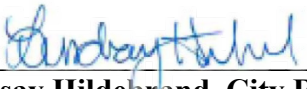
Meeting ID: 844 8875 4601

- 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 March 14, 2023**
 - e. Approval of minutes for February 28, 2023**
 - f. Conflict of Interest Declaration**
- 2. CONSIDER ORDINANCE NO. 2023-04-05-A AN ORDINANCE
AMENDING ENOCH CITY CODE, SECTION 12.300.3001 FINAL PLAT AND
SET A PUBLIC HEARING FOR MARCH 28, 2023 – Streetlights**
- 3. CONSIDER ORDINANCE NO. 2023-04-05-B AN ORDINANCE
AMENDING ENOCH CITY CODE, SECTION 12.1900.1908 COMMERCIAL
ZONES, SPECIAL PROVISIONS AND SET A PUBLIC HEARING FOR MARCH
28, 2023 – Drainage and curb**
- 4. CONSIDER ORDINANCE NO. 2023-04-05-C AN ORDINANCE
AMENDING ENOCH CITY CODE, SECTION 12.2500.2503 MAJOR
SUBDIVISIONS, STEP 13 B. EXEMPTIONS AND SET A PUBLIC HEARING
FOR MARCH 28, 2023 - Multiple water rights in lieu of a water acquisition fee**
- 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, posted on the Enoch City website, on the City Office door, and published on the Utah Public Meeting Notice website on March 10, 2023.


Lindsay Hildebrand, City Recorder

03/10/2023
Date

MINUTES
ENOCH CITY PLANNING COMMISSION
February 28, 2023 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

PUBLIC PRESENT:

1. **CALL TO ORDER OF REGULAR MEETING-By**
 - a. **Pledge of Allegiance** – Led by Commissioner Correa
 - b. **Invocation (2 min.) –Audience invited to participate** – Given by Commissioner Adams
 - c. **Inspirational thought** – None
 - d. **Approval of agenda for February 28, 2023** – Commissioner Ley made a motion to approve the agenda. Commissioner Adams seconded and all voted in favor.
 - e. **Approval of minutes for February 14, 2023** – Commissioner Ley made a motion to approve the minutes. Commissioner Correa seconded and all voted in favor.
 - f. **Conflict of Interest Declaration** – Chairman Tingey noted that he lives in Village Green Farms
2. **PUBLIC HEARING FOR THE REVISION OF THE GENERAL PLAN**

Commissioner Correa made a motion to close the regularly scheduled Planning Commission meeting and open the public hearing for the revision of the General Plan. Commissioner Ley seconded and all voted in favor.

There were no public comments.

Commissioner Ley made a motion to close the public hearing and open the regularly scheduled Planning Commission meeting. Commissioner Correa seconded and all voted in favor.
3. **CONSIDER THE FINAL DRAFT OF THE GENERAL PLAN AND MAKE A RECOMMENDATION TO THE CITY COUNCIL**

Commissioner Ley came up with a new Vision Statement. It states: Enoch City is committed to preserving our friendly rural atmosphere through thoughtful growth, citizen focused government, a safe living environment, and efficient & effective municipal services. The Commissioners really liked it. City Manager Dotson said typically a vision statement is simple and relays what people want. This does that and is very well written. It's effective and easy to understand. Council Member Ross said she liked it and thought that it was a great direction to go. There were no objections to adopting it. Chairman Tingey asked if there were any additional thoughts about the General Plan. City Manager Dotson said he got a phone call from someone on

the Home Builders Association concerned with the specificity regarding the Moderate-Income Housing Element. It states that in multi-family housing it is 16 apartments per acre. This is something that should be in the zoning ordinance and not the General Plan as it is specific and not general.

Commissioner Ley made a motion to send a favorable recommendation to the City Council for the final draft of the General Plan with the amended Vision Statement. Commissioner Adams seconded and all voted in favor.

4. CONSIDER THE AMENDED PLAT OF LOT 5, BLOCK 1, VILLAGE GREEN FARMS & KIDMAN MINOR LOT SUBDIVISION AND MAKE A RECOMMENDATION TO THE CITY COUNCIL

Lot 5 is Brad Kidman's and he wanted to split it to make two $\frac{3}{4}$ acre lots. City Manager Dotson showed the property on a map.

Commissioner Correa made a motion to send a favorable recommendation to the City Council for the amended plat of lot 5, block 1, Village Green Farms & Kidman minor lot subdivision. Commissioner Ley seconded and all voted in favor.

5. PUBLIC COMMENTS – There were no public comments.

6. COMMISSION/STAFF REPORTS

Hayden White said a lot of his employees are down in St. George for water school. They did some plowing last night, with more snow expected tonight. They have been fixing plow trucks every time it snows.

Council Member Ross said at the last City Council meeting they talked about the Impact Facilities Plan for parks. Some numbers were thrown out but nothing was set in stone. Enoch has a Warriors Rugby Team coming to Enoch.

City Manager Dotson said there are plans for the coming spring, summer, and fall. The East Bench Watershed Drainage Plan should be done by the end of this year. It is now a whole system throughout the city with pipes up to 5 feet in diameter. There are also various ditches and ponds as well. Commissioner Ley asked how we got the expansion. City Manager Dotson said we needed someplace for this to go and they increased the funding. In context to that, Congress has the Appropriations Committee in Washington DC and they take one percent of the budget and apply that to funding projects in the US that are application-based. They have to funnel through an existing program. He gave an example. They are trying to figure out what projects to put together for the application. They will be competing with other district projects.

City Manager Dotson also reported that there is a Master Planned Community coming. He met with the owners yesterday. Until the application comes in, nothing is happening.

After the event of January 4th, there has been a coalition of mental health therapists & local entities that created the Enoch Trauma Recovery Collaboration. There are group protocols at SUU as well. Therapists are able to help those experiencing trauma quickly and potentially have one on one therapy sessions. There have been big donations. Half will go to Enoch Law Enforcement. Group Protocol is about \$500-\$800 dollars. They are applying for a grant from the state of Utah for mental health for our police department.

Lindsay Hildebrand said she has been working on everyday office duties. The biggest task was working with Xpress Billpay to create a form to register for Coach Pitch/Tball. Residents are ready to play. She also worked on shutoff calls monthly for utility bills. We made 50 calls and had to shut off 8. Chairman Tingey asked about the capacity of the cemetery. City Manager Dotson showed the expansion lot on a map. There is plenty of space. He also showed where the CJC is going to be built.

Commissioner Correa asked if the city is looking to put any trees in the cemetery. City Manager Dotson said no. Hayden said he wanted to put in the curb and gutter first. City Manager Dotson said maybe we could plan a project for Arbor Day.

Commissioner Losee said Tball/Coach Pitch will be online. The Children's Justice Center will have its annual 5K run out here in Enoch as a fundraiser. They are extremely grateful to Enoch City. The run will be in May. The Iron County Homebuilder Association is excited to have Enoch City come and present at one of their luncheons. They are every 3rd Thursday.

7. ADJOURN – Commissioner Ley made a motion to adjourn. Commissioner Adams seconded and all voted in favor.

Lindsay Hildebrand, City Recorder

Date

12.3000.3001 FINAL PLAT

The final plat must be prepared by a licensed surveyor on a standard tracing linen sheet or Mylar drawn with waterproof black India ink. The top of the plat shall be either north or east, whichever accommodates the drawing best. The plat shall contain all information required as set forth below:

A. Description and Delineation. The plat shall show:

1. The name of the subdivision, which name must be reviewed by the Planning Commission and approved by the City Council.
2. An identification system for all lots and blocks and names of streets. Lot lines shall show dimensions in feet and hundredths. Lot sizes shall be shown to 1/1000 acre accuracy.
3. Monumentation and survey control:
 - a. All United States, state, county, city or other official monuments shall be identified on the plat and the location accurately tied by true bearing and distance.
 - b. Street monuments shall be installed by the subdivider/developer in accordance with the requirements of the City standards located on the plat.
 - c. All street centerline data and street widths shall be shown with ties to property lines, lot corners, etc.
4. The dedication to the public of all streets or other areas reserved for public use, with the purposes indicated thereon, and of any area to be reserved by deed or covenant for common uses of all property owners.
5. Location of all streetlights.
56. Size of the sheet shall be 24" x 36".

**ENOCH CITY CORPORATION
ORDINANCE NO. 2023-04-05-A**

**AN ORDINANCE AMENDING THE ENOCH CITY ORDINANCE, SECTION
12.3000.3001 FINAL PLAT**

WHEREAS, the Enoch City Planning Commission has determined the current ordinance regarding the final plats of subdivisions required an amendment to the language to meet current conditions and requirements; and

WHEREAS, the Enoch City Planning Commission held a public hearing on March 28, 2023 and sent a favorable recommendation to the City Council regarding amending the Enoch City Ordinance; and

WHEREAS, the Enoch City Council reviewed the favorable recommendation from the Planning Commission to amend the language; and

WHEREAS, the Enoch City Council has held further discussion of the language and now proposes it be approved as follows:

12.3000.3001 FINAL PLAT

The final plat must be prepared by a licensed surveyor on a standard tracing linen sheet or Mylar drawn with waterproof black India ink. The top of the plat shall be either north or east, whichever accommodates the drawing best. The plat shall contain all information required as set forth below:

A. Description and Delineation. The plat shall show:

1. The name of the subdivision, which name must be reviewed by the Planning Commission and approved by the City Council.
2. An identification system for all lots and blocks and names of streets. Lot lines shall show dimensions in feet and hundredths. Lot sizes shall be shown to 1/1000 acre accuracy.
3. Monumentation and survey control:
 - a. All United States, state, county, city or other official monuments shall be identified on the plat and the location accurately tied by true bearing and distance.
 - b. Street monuments shall be installed by the subdivider/developer in accordance with the requirements of the City standards located on the plat.
 - c. All street centerline data and street widths shall be shown with ties to property lines, lot corners, etc.

4. The dedication to the public of all streets or other areas reserved for public use, with the purposes indicated thereon, and of any area to be reserved by deed or covenant for common uses of all property owners.

5. Location of all streetlights.

56. Size of the sheet shall be 24" x 36".

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of Enoch City that Enoch City Ordinance Section 12.3000.3001 Final Plat is amended as recommended above. This Ordinance was voted upon and passed by the Enoch City Council at a regular City Council meeting held on the 5th day of April, 2023. It shall take effect immediately after signing by the Mayor and City Recorder.

DATED this 5th day of April 2023

ENOCH CITY CORPORATION

Geoffrey L. Chesnut, Mayor

VOTING:

Katherine Ross	Yea___	Nay___
West Harris	Yea___	Nay___
David Harris	Yea___	Nay___
Richard Jensen	Yea___	Nay___
Shawn Stoor	Yea___	Nay___

ATTEST:

Lindsay Hildebrand, City Recorder

SEAL:

12.1900 COMMERCIAL ZONES

12.1900.1908 SPECIAL PROVISIONS

A. All materials and merchandise, except vehicles in running order, shall be stored in an enclosed building or within an enclosure surrounded by a sight-obscuring fence or wall of not less than six (6) feet in height. No material or merchandise shall be stored to a height of more than the height of the enclosing fence or wall.

B. No trash, rubbish, weeds, or other combustible material shall be allowed to remain on any lot outside of approved containers. No junk, debris, abandoned or dismantled automobile or automobile parts or similar material shall be stored or allowed to remain on any lot.

C. All solid waste storage facilities shall be located at the rear of the main building or else behind a sight-obscuring fence or wall which will prevent the facility from being seen from a public street.

D. Commercial development outside a platted subdivision requires curb, gutter, and sidewalk along unimproved public rights-of way.

E. Commercial development outside a platted subdivision requires storm drainage calculations for post-development improvements and on-site infrastructure to mitigate post-development flows.

**ENOCH CITY CORPORATION
ORDINANCE NO. 2023-04-05-B**

**AN ORDINANCE AMENDING THE ENOCH CITY ORDINANCE, SECTION
12.1900.1908 SPECIAL PROVISIONS, COMMERCIAL ZONES**

WHEREAS, the Enoch City Planning Commission has determined the current ordinance regarding special provisions in commercial zones required an amendment to the language to meet current conditions and requirements; and

WHEREAS, the Enoch City Planning Commission held a public hearing on March 28, 2023 and sent a favorable recommendation to the City Council regarding amending the Enoch City Ordinance; and

WHEREAS, the Enoch City Council reviewed the favorable recommendation from the Planning Commission to amend the language; and

WHEREAS, the Enoch City Council has held further discussion of the language and now proposes it be approved as follows:

12.1900 COMMERCIAL ZONES

12.1900.1908 SPECIAL PROVISIONS

A. All materials and merchandise, except vehicles in running order, shall be stored in an enclosed building or within an enclosure surrounded by a sight-obscuring fence or wall of not less than six (6) feet in height. No material or merchandise shall be stored to a height of more than the height of the enclosing fence or wall.

B. No trash, rubbish, weeds, or other combustible material shall be allowed to remain on any lot outside of approved containers. No junk, debris, abandoned or dismantled automobile or automobile parts or similar material shall be stored or allowed to remain on any lot.

C. All solid waste storage facilities shall be located at the rear of the main building or else behind a sight-obscuring fence or wall which will prevent the facility from being seen from a public street.

D. Commercial development outside a platted subdivision requires curb, gutter, and sidewalk along unimproved public rights-of way.

E. Commercial development outside a platted subdivision requires storm drainage calculations for post-development improvements and on-site infrastructure to mitigate post-development flows.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of Enoch City that Enoch City Ordinance Section 12.3000.3001 Final Plat is amended as recommended above. This Ordinance was voted upon and passed by the Enoch City Council at a regular City Council meeting held on the 5th day of April, 2023. It shall take effect immediately after signing by the Mayor and City Recorder.

DATED this 5th day of April 2023

ENOCH CITY CORPORATION

Geoffrey L. Chesnut, Mayor

ATTEST:

Lindsay Hildebrand, City Recorder

VOTING:

Katherine Ross
West Harris
David Harris
Richard Jensen
Shawn Stoor

Yea___ Nay___
Yea___ Nay___
Yea___ Nay___
Yea___ Nay___
Yea___ Nay___

SEAL:

In response to a question by a neighboring land owner at the City Council meeting held February 15, 2023.

DRAFT Minutes:

2. *PUBLIC COMMENTS*

Merlin Mitchel said he owns a five-acre lot in Little Eden. He met with City Manager Dotson and spoke about water rights. His shares are 1960s and valued at 13% of what 1934 shares of worth. He has 9 shares and is butted up to a well that the city has purchased and is converting to culinary. He asked if he could transfer to the Enoch 8 shares of water at 13%, which would be a tad over the \$20,000 for those 8 shares of water. He then would get one share of hookup. City Manager Dotson said we would have to change our ordinance to allow someone to use that % of valuation of the appraisal. Council Member D. Harris said we should evaluate it. Mayor Chesnut said the administration will bring this back as an agenda item.

A potential addition to the Enoch City Ordinance regarding water rights:

12.2500.2503 MAJOR SUBDIVISION

Step 13.

B. Exemptions. The following are exempt from the Water Acquisition Fee.

4. Multiple Rights Exemption. A landowner requesting connection to the Enoch City water system may deed to Enoch City additional acre feet of water rights in lieu of the Water Acquisition Fee. Said water rights will be at the same valuation as described in Enoch City Ordinance 12.2500.2503 (step 3) (B). Any additional deeded water rights can only add up to the value of one acre foot for each connection.

**ENOCH CITY CORPORATION
ORDINANCE NO. 2023-04-05-C**

**AN ORDINANCE AMENDING ENOCH CITY CODE, SECTION 12.2500.2503 MAJOR
SUBDIVISIONS, STEP 13 & 14.100.113 APPLICATION FOR WATER CONNECTION,
A. WATER ACQUISITION FEE.**

WHEREAS, the Enoch City Planning Commission has determined the current ordinance regarding the acceptance of multiple water rights in lieu of an acquisition fee required an amendment to the language to meet current conditions and requirements; and

WHEREAS, the Enoch City Water Board sent a favorable recommendation to the City Council regarding amending the Enoch City Ordinance; and

WHEREAS, the Enoch City Planning Commission held a public hearing on March 28, 2023 and sent a favorable recommendation to the City Council regarding amending the Enoch City Ordinance; and

WHEREAS, the Enoch City Council reviewed the favorable recommendations from the Planning Commission and the Water Board to amend the language; and

WHEREAS, the Enoch City Council has held further discussion of the language and now proposes it be approved as follows:

12.2500.2503 MAJOR SUBDIVISION

Step 13.

B. Exemptions. The following are exempt from the Water Acquisition Fee.

4. Multiple Rights Exemption. A landowner requesting connection to the Enoch City water system may deed to Enoch City additional acre feet of water rights in lieu of the Water Acquisition Fee. Said water rights will be at the same valuation as described in Enoch City Ordinance 12.2500.2503 (step 13) (B). Any additional deeded water rights can only add up to the value of one acre foot for each connection.

14.100.113 APPLICATION FOR WATER CONNECTION

A. Water Acquisition Fee.

2. Water Right Transfer

d. Exemptions. The following are exempt from the Water Acquisition Fee.

1. Open space exemptions. If at the time of final plat approval, or pulling of a building permit, land is deeded to Enoch City as a dedicated street or for undeveloped open space, parks and recreation, or placed in a conservation easement that complies with the provisions of Title 57, Chapter 18, Sections 1 through 7, Utah Code Annotated, 1953 as amended, then that acreage is not subject to the requirements of this ordinance that mandate the deeding of water rights or payment of fees. Additionally, if land is to be held

as common area and is undeveloped and/or unirrigated, then that land is not subject to the requirements of this ordinance that mandate the payment of Water Acquisition Fees.

2. Public lands exemption. If at the time of annexation, the annexed property is owned by the Bureau of Land Management or the U.S. Forest Service then that acreage is not subject to the requirements of this ordinance that mandate the deeding of water rights. This exception only applies to annexation and not when the property is platted as a residential subdivision or receives a building permit.

3. City Exemption. Enoch City is not required to deed water or pay a fee if the City develops land. A purchaser of property from the City will have to pay the Water Acquisition Fee to the City consistent with this ordinance.

4. Multiple Rights Exemption. A landowner requesting connection to the Enoch City water system may deed to Enoch City additional acre feet of water rights in lieu of the Water Acquisition Fee. Said water rights will be at the same valuation as described in Enoch City Ordinance 12.2500.2503 (step 3) (B). Any additional deeded water rights can only add up to the value of one acre foot for each connection.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of Enoch City that Enoch City Ordinance Section 12.2500.2503 Major Subdivision, Step 13 B. Exemptions and 14.100.113 Application for Water Connection, A. Water Acquisition Fee. 2. Water Right Transfer is amended as recommended above. This Ordinance was voted upon and passed by the Enoch City Council at a regular City Council meeting held on the 5th day of April, 2023. It shall take effect immediately after signing by the Mayor and City Recorder.

DATED this 5th day of April 2023

ENOCH CITY CORPORATION

Geoffrey L. Chesnut, Mayor

VOTING:

Katherine Ross	Yea	___	Nay	___
West Harris	Yea	___	Nay	___
David Harris	Yea	___	Nay	___
Richard Jensen	Yea	___	Nay	___
Shawn Stoor	Yea	___	Nay	___

ATTEST:

Lindsay Hildebrand, City Recorder

SEAL:

MINUTES
ENOCH CITY COUNCIL
March 1, 2023 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road

Members present:

Mayor Geoffrey Chesnut
Council Member David Harris
Council Member Richard Jensen
Council Member West Harris - Excused
Council Member Katherine Ross
Member Shawn Stoor

Staff present:

Robert Dotson, City Manager
Ashley Horton, Treasurer
Justin Wayment, City Attorney
Hayden White, Public Works Director
Lindsay Hildebrand, City Recorder Council
Jackson Ames, PD Chief - Excused

Public Present: Leonard Correa, Danica Hoyle, Delaine Finlay, Clint Pollock, Darrin Fraser, Sarilee Fraser, Chelsey Young, James Thelin, Tom Mitchell, and Dezaree Chesnut

9. CONSIDER MULTIPLE WATER RIGHTS IN LEU OF A WATER ACQUISITION FEE

Tom Mitchell said he owns a parcel of land and has some water shares that are attached to the city well. He spoke with City Manager Dotson said his water shares don't have the value that they used to. His shares have a priority date of 1963 and are valued at 13% of what 1934 shares of worth. He has 9 shares and is butted up to a well that the city has purchased and is converting to culinary. He asked if he could transfer, to Enoch, 8 shares of water at 13%, which would be a tad over \$20,000 for those 8 shares of water. He then would get one share of the hookup. City Manager Dotson said he wrote a draft and read it. The water acquisition fee was important in order to have funding for the West Dessert Water project. He also added that the valuation is described in another section. He is concerned about deeding more water rights to us than the valuation that we are requiring of everybody else. His valuation of those 8 shares of water rights is \$2,600 an acre-foot based on the current appraisal. If an acre-foot is \$20,000 then 8 shares are 104%. This means that potentially this may cause a situation where we owe him 4% more than his 8. He wanted to make it clear that any additional water rights can only add up to the value of one acre-foot for each connection. Mayor Chesnut said in this case he would convey 7 shares and cover the additional in cash. Council Member Jensen asked if there was a reason that Mr. Mitchell couldn't decide to forfeit that extra percentage. City Attorney, Justin Wayment said no, however, he was concerned about the potential new law, this year, that states you can only require the exact amount of water that an average user uses over the last 5 years in your city. Which he says is not appropriate because you would never work from the average. City Manager Dotson said once that new law is enacted then there is no such thing as "grandfathering". Mayor Chesnut said they could bring it back as a proposed ordinance. City Manager Dotson said we have to have a public hearing and it has to go through the Planning Commission. Justin said he doesn't agree with the law and thinks it's wrong. Council Member D. Harris said he is ok to do this as long as it's legal. Council Member Ross said she would like to hear the Planning Commission discussion. Mayor Chesnut confirmed that it will go on the agenda for discussion pending the outcome of the legislative session.