

MINUTES
ENOCH CITY PLANNING COMMISSION
February 25, 2020 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Commissioner Paul Hardy
Commissioner Greg Peterson-absent
Commissioner Andrew Meacham
Commissioner Debra Ley
Commissioner Bob Tingey

STAFF PRESENT:

Rob Dotson, City Manager
Katherine Ross, CC Member
Julie Watson, City Recorder

PUBLIC PRESENT: Robert Platt

1. CALL TO ORDER OF REGULAR MEETING-By Chairman Tingey at 5:30 pm. He excused Commissioner Peterson.

- a. **Pledge of Allegiance** –Led by Commissioner Ley
- b. **Invocation** –Audience invited to participate. Given by City Manager Dotson
- c. **Inspirational thought**-Given by Commissioner Hardy
- c. **Approval of agenda for February 25, 2020-Commissioner Ley made a motion to approve the agenda. Motion was seconded by Commissioner Meacham and all voted in favor.**
- d. **Approval of minutes for February 11, 2020-Commissioner Ley made a motion to approve the minutes. Motion was seconded by Commissioner Meacham and all voted in favor.**
- e. **Conflict of Interest Declaration**-none stated

2. DISCUSS AND MAKE RECOMMENDATION TO THE CITY COUNCIL ON KEN NAKAYAMA MINOR SUBDIVISION

Chairman Tingey asked City Manager Dotson to bring them up to speed on this. City Manager Dotson said this is a request to divide the large parcel into two parcels. It splits the house area off from the rest of the property. City Manager Dotson asked Bob Platt about an issue he found. He said Ken Nakayama, the petitioner, does not own the property at this time. It is still in Tim and Marcia Allen's names. Bob Platt said he was not aware of that when the project came to him. He found out it will close at the end of March. City Manager Dotson said this process is not valid because someone who does not own the property cannot request a change be approved for the property. The right intent is there but when it comes to the process as it stands, this application is not valid. Bob Platt said Ken is the buyer of the 20.27 acres and he intends to sell off the house parcel of 2.73 acres. He thinks Ken wants to do the subdivision (previously approved as Fox Hollow Subdivision) with a different way out than the ingress/egress off of 3600 North. This application is to create two parcels. City Manager Dotson noted again Mr. Nakayama can't divide property he doesn't own so this is not a valid application. He added the Planning Commission could make a statement in the motion that it is pending the closing and that it fits all other requirements. Another option is to change the name on the application to Tim and Marcia Allen. He noted part of the sale may be contingent on selling off the house parcel. That does not pertain to the Planning Commission but might

be in the contingencies between buyer and seller. In that case the current owner could have his name on the application and the process could be completed before the closing date. Another option is to bring back the application when Mr. Nakayama owns the property.

Chairman Tingey asked the Planning Commission what they thought and after brief discussion all agreed it would have to come back when the deal closes or change the name on the application. Ownership is an essential point. The project has been reviewed by Watson Engineering and meets all other requirements. No action was taken.

3. DISCUSS ENOCH ZONING ORDINANCE, CHAPTER 8, REGARDING GEOLOGIC HAZARDS

City Manager Dotson said this change has been a long time coming. Commissioner Ley asked if pressure was put on him. City Manager Dotson said the land the fissure is on put the pressure on him. There is interest from buyers in purchasing the land by the fissure which the County has ownership of and we have no regulation on the fissure area. There has to be something in our Zoning Ordinance to actually say this is the land that is covered by this geologic hazard zone also referred to as a geologic study area. Chairman Tingey asked if the white lines are all fissures and it was confirmed they are. There was more discussion of the map done by Utah Geological Society (UGS) some years ago. We contested some of that, like the part that goes into Legacy Estates, as the sewer line sank a little bit. That line was noted as part of the fissure which it is not. The study has been updated City Manager Dotson said. He gave details on the proposed ordinance amendment and noted the references to the studies in the language. The intent and effect of creating this geologic hazard zone is that it will be on record in our Zoning Ordinance and would require special building codes and more stringent requirements for what can be built there. It will not stop building; only regulate it for the conditions. The actual map is part of the code that says this area requires special construction standards. Anything less than that we would have grounds to deny. This protects the City and potential buyers from harm and legal action. It takes what have now, which is vague and gives it teeth.

There was more brief discussion of the map and it was noted this defines where the fissure is exactly and creates a zone or study area on the map. It goes on our zoning map as a geologic study area. UGS has a draft ordinance of 21 pages. City Manager Dotson said he took the meat of it and put it in this ordinance. It is to minimize the hazard and to ensure decisions are based on the sound data of science. He elaborated on the language. Commissioner Meacham suggested that we add the word "information" in E. and F. noting it is already in the other items.

Commissioner Ley said if this map is in the Zoning Ordinance then what about where homes that already exist. City Manager Dotson said we can't do anything to change the map since this is a formal mapping and it is referred to in the ordinance language. He said he prefers we have the actual fissure shown. In some places it looks like a sewer line was put in and it sank a bit and may have caused it to show up as part of the fissure. Chairman Tingey said he read somewhere that landowners knew there were fissures out there long ago. There are two big pivots in the fields now. Chairman Tingey said this is all new for him and he needs time to digest it. City Manager Dotson said he could bring up more maps on the screen for the discussion in the next meeting. There are

pending buyers and that is a concern about what they want to build there. Right now we can't say no. People can still build on that land but the hazard zone limits what can go in and what is required of the buildings. Commissioner Ley asked if this protects the City and it does 100%, City Manager Dotson said. Commissioner Hardy said we need to get this on the books and all agreed. Chairman Tingey said we are only discussing this tonight so we will go through it more in the next meeting and set a public hearing if we are ready.

4. OPEN AND PUBLIC MEETINGS TRAINING-City Mgr. Dotson

City Manager Dotson asked if the Commissioners read the handout in the packet and they said they did. Chairman Tingey said he attended the training in the City Council meeting. City Manager Dotson went through a few of the most important points. There were no other questions.

5. PUBLIC COMMENTS-none

6. COMMISSION/STAFF REPORTS

City Manager Dotson reported UDOT held a great Open House last Wednesday after City Council meeting about the SR-130 improvements. Comment cards were received today and the comments are a mixed bag. The people who attended learned some things. Many did not come and are still commenting on Facebook. The project will start in June or July and will take about four months or so. Traffic can still go through during construction. Enoch has taken the task of designing the center of the roundabout. Council Member Lee has formed a committee of eight to get ideas. There are no rules except that no lights are allowed to shine out into people's eyes. We will have an Enoch theme in the middle and it will be low maintenance. We might incorporate some Old Spanish Trail Historic details. They will have to move utilities which will go underground. The roundabout has been planned to accommodate big trucks.

Commissioner Ley reported March 24th is caucus night so there will be no Planning Commission meeting. She asked about water saying she is hearing the State wants to regulate water even more than they do now. City Manager Dotson said there is nothing pending in the Legislature regarding regulating water law. He added the City is hooking up Aaron Diamond's project into the ten-inch water line and then they will switch all the other resident's on that stretch of Midvalley Road onto the other water line. Commissioner Ley said she is at 23 lbs. of water pressure now. City Manager Dotson said that is why they are going onto the other water line which will correct that issue.

Commissioner Meacham asked when the City will pave Village Green Road. City Manager Dotson said when 2/3 of the homes are built we pave the road.

7. ADJOURN-Motion to adjourn by Commissioner Hardy. Motion was seconded by Commissioner Meacham and all voted in favor. The meeting ended at 6:28pm.

Julie Watson, Recorder

Date