

MINUTES
ENOCH CITY PLANNING COMMISSION
March 10, 2020 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Commissioner Paul Hardy
Commissioner Greg Peterson
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 Pro-Tem Hardy at 5:30 pm. Chairman Tingey was running late.

- a. **Pledge of Allegiance-** Led by Julie Watson
- b. **Invocation** –Audience invited to participate. Given by Commissioner Peterson
- c. **Inspirational thought-**Given by Council Member Ross
- c. **Approval of agenda for March 10, 2020-**Commissioner Meacham made a motion to approve the agenda. Motion was seconded by Commissioner Ley and all voted in favor.
- d. **Approval of minutes for February 25, 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 ALLEN MINOR SUBDIVISION AND MAKE A RECOMMENDATION TO THE CITY COUNCIL

Robert Platt said we changed this application to be done by the current property owners Tim and Marcia Allen. Everything meets requirements and has been approved by the City Engineer.

Commissioner Meacham made a motion to send a favorable recommendation to the City Council for the Tim & Marcia Allen Minor Subdivision. The motion was seconded by Commissioner Peterson and all voted in favor.

3. DISCUSS ENOCH ZONING ORDINANCE, CHAPTER 8, GEOLOGIC HAZARDS AND SET A PUBLIC HEARING

City Manager Dotson recapped the last discussion. He said we have been working with UGS and we placed some features on the map such as surface fault ruptures, debris falls etc. and need to determine how to manage building in this hazard study area. Tyler Knudsen of UGS did the draft geological maps done through the Google Earth format in this area to formalize activities to cover construction in this study area. He gave details of what would be in the legend and told about the colors in the map legend. He read the different types; shallow ground water, liquefaction, fault surface rupture, flood hazard, landslides, rock fall areas, radon, collapsible soils, piping and erosion, wind-blown sand, soluble rock and soil, corrosive soil and rock. He gave more details of pH values and other scientific data. That coincides with this valley we are in with dirt coming in over thousands of years. As we pull water out, the land sinks making fissures. This code basically says if you are going to build here you need a study done and you have to use criteria in UGS

circulars where a licensed professional engineer says how they will test the soil. They can build there but it reduces the possibilities to have issues with construction because they require higher standards to build. Do we designate this smaller area or the whole thing? It may be extreme to do the whole Enoch area when the fissure area is the main problem. You can see where old fences built many years ago when the springs still flowed there, have sunken into the ground. The point is, as the Planning Commission, where do you suggest we designate this study area zone based on scientific data.

In the meantime there is interest for construction in the area and unless we do something we can't impose standards or say no. We have to be able to compel someone wanting to build to have to mitigate issues with stricter parameters designated by the professionals. The area in Legacy Estates that appears as a fissure is not really a fissure but a sewer line that has sunk. They used a crack in the road and we know the sewer goes down that road. It is not really the fissure there but the insurance companies will be looking at that map. We have those specific geologic details in the ordinance because they most impact us. Other than that there are no other things of major import.

Commissioner Ley asked if we pass this are we telling developers they have to check to see if they are in this zone and if so they have to do the extra study. That is the goal, City Manager Dotson said. There was considerable discussion about if we should proceed with this area only which is perhaps just doing it in a piecemeal manner. You can adopt the maps in this file or you can add more. Chairman Pro-Tem Hardy said it is important to cover this now due to interest we know about. More could be added later if need be. How often are the maps updated, Commissioner Peterson asked? City Manager Dotson said UGS has not formally adopted these maps as accurate at this time. Commissioner Meacham said basically we are saying we rely on the expertise of geologists. The ordinance refers to the maps by number in the language. It also refers to other maps in the language. Commissioner Ley said because we are giving the information that is here we need to include those other maps. All agreed we need to include the other maps then they have to go through the process with the geologists in order to build. Tonight we are setting a public hearing, Commissioner Peterson said, and we may get more input from the public. Chairman Pro-Tem Hardy suggested we include all of it and not piecemeal it. Commissioner Meacham said this is the same group that does flood maps that determines who has to have flood insurance in FEMA. Chairman Pro-Tem Hardy said again, let's not piecemeal it but incorporate all of it in this action.

Commissioner Peterson asked what does this mean for me if I am a developer. What does it add to costs? City Manager Dotson said it would be like hiring an architect. Or in this case a geologist. It adds costs. It will definitely increase costs to build with higher standards required in addition to the studies and tests. Commissioner Meacham said if your land lies within this fault zone you have to build to this standard. Chairman Tingey asked what will this do to land values if we do this. City Manager Dotson said Cedar City and Iron County already have more stringent standards than this. We are protecting Enoch City and future residents. There was more discussion of the language. It was noted that if a proposed building is located in this zone the Building Inspector does not have to enforce this. The requirement is there for the extra studies and building requirements. He goes by the standard that goes with this zone. If conditions are not met it can be denied.

City Manager Dotson said he would check all the language and have Tyler show the boundary of Enoch out to our declaration annexation line. City Manager Dotson said the State is coming up with a draft ordinance too. City Manager Dotson said our main concern is in this fissure area because there is great interest in buying the land from the County and building in that zone. Tyler made suggestions for our situation in his draft. This is his professional recommendation to us. City Manager Dotson said his issue is this is still a draft and it is not formally approved by UGS. Chairman Tingey asked if there is something we don't know about yet and would be liable for. It says we are covered for future new information. Chairman Tingey asked if there were other thoughts. It was noted we need to have this in a format that can be published on paper with the

notice of the public hearing. There are issues with the map not being approved by UGS. Chairman Tingey asked if we need to wait for that to take place. The circular does not show a map. The point is the maps are not completely authorized as the only criteria. Chairman Tingey said let's use this for now to protect the City in a timely manner and say we are using a draft version. City Manager Dotson thinks it could cause a lawsuit. Council Member Ross asked what Iron County uses if they have stricter standards. Commissioner Meacham told about a clearinghouse (AGRC) on fault mitigation for pipelines. Chairman Tingey said if someone wants to build on a site that is not appropriate and we know about it, we should at least tell them about it. Commissioner Meacham said at Dominion Energy they refer to UGS for geologic hazards. It was noted we will not be meeting on the 24th due to Caucus night so we will talk again on April 14th. City Manager Dotson will ask when the final maps will be approved or find a way to phrase it that covers us. Chairman Tingey said great work. City Manager Dotson said the fissure area is our main concern and Tyler made suggestions for our situation. This is his professional recommendation to us. City Manager Dotson said his issue is, this a "draft" and it is not formally approved by UGS.

Chairman Tingey asked if there were other thoughts. We need to get this into a format that can be published on paper City Manager Dotson said. As part of the ordinance it should be available for viewing before the public hearing. City Manager Dotson said he is inclined to think we should wait to get the plan finalized. Chairman Tingey said use this for now. Let's protect the City now and say we are using a draft version. No action was taken.

4. PUBLIC COMMENTS-none

5. COMMISSION/STAFF REPORTS

City Manager Dotson reported we may have someone wanting to rezone property before a purchase can take place. They want the process done ASAP and if they bring in the application we would like to hold a quick ten minute meeting on the 24th if we can get a quorum. We don't like to delay procedures if they are ready. The zone change would be from residential to industrial in the very north end of Enoch. Chairman Pro-Tem Hardy, Commissioner Meacham and Commissioner Peterson said they could be available at 5:30. Chairman Tingey and Commissioner Ley would be gone.

6. ADJOURN-Motion to adjourn by Commissioner Peterson. Motion was seconded by Commissioner Ley and all voted in favor. The meeting ended 6:48 pm.

 3-24-20
Julie Watson, Recorder Date