FLOODING, LANDSLIDES, AND DEVELOPMENT ULUI CONFERENCE 2023

MOST RECENT LAYTON CITY SLIDE













WHOSE "FAULT?"

- A plan to reduce losses from geologic hazards in Utah in 2007
- https://ugspub.nr.utah.gov/publications/circular/c-104.pdf

RECOMMENDATIONS

- Educate local governments on "takings" liability "Damned if you do, damned if you don't" and "no good turn goes unpunished."
 - Exactions Utah Code Section 10-9a-508 Municipalities and 17-27a-507:
 - An essential link exists between the exaction and a legitimate governmental interest;
 - Each exaction is roughly proportionate, both in nature and extent, to the impact of the development

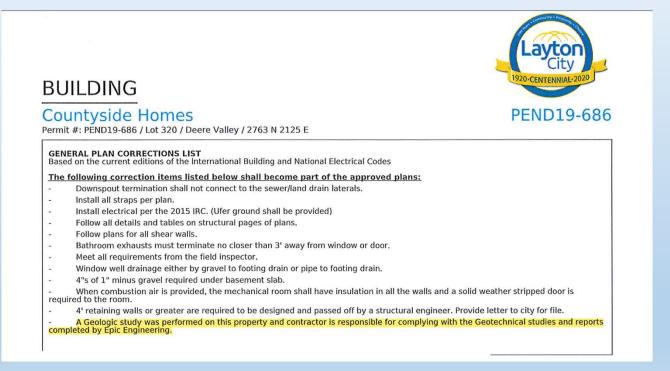
Give Notice vs. Warning

• PLAT NOTICE

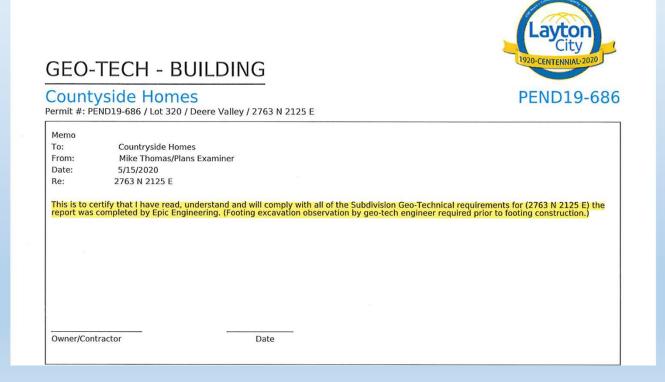
NOTES:

1. The property within this plat is partially or wholly located within Layton City's Sensitive Lands Overlay Zone, as shown on Layton City Sensitive Lands and Geologic Hazards Map dated 3/14/2008 (on public display in the Layton City Planning Department at the time of this recording). In conjunction with the approval of the Eastridge Park PRUD subdivision, subdivision level geotechnical and geologic studies and reports were conducted and prepared on the Property. Said studies and reports are on file for public inspection with the Layton City Planning Department. Each individual lot owner/building contractor/purchaser is responsible for complying with the geotechnical studies and reports completed by Intermountain GeoEnvironmental Services, Inc. (IGES). Layton City is not responsible for any engineering or inspection failure or any damages resulting therefrom. Any damage caused to public property, public interest in property, public improvements, or public facilities in the subdivision, by either a failure to comply with the referenced reports, shall be repaired by the party failing to comply therewith. Each lot owner/building contractor will be required to sign a document prepared by Layton City that indicates the existence of geotechnical reports regarding the subdivision and will comply with said reports.

BUILDING PERMIT



CERTIFICATION



2. Add geological-hazard element to general plan and adopt geologic hazard ordinance

- MODEL GEOTECHNICAL-HAZARD ORDINANCE
- Utah Geological Survey and Bear River Association of Governments
 - <u>https://brag.utah.gov/wp-content/uploads/Geologic-Hazards-2020-Model-Ordinance.ver2_.pdf</u>
- Guidelines For Investigating Geologic Hazards And Preparing Engineering-Geology Reports With A Suggested Approach To Geologic-Hazard Ordinances In Utah, Second Edition (C-128)
 - <u>https://www.utahmapstore.com/products/c-</u> 128?pr prod strat=use description&pr rec id=a748b701f&pr rec pid=6175983698116&pr ref pid=4622537556021&pr seq=uniform

"Legislation is generally not needed and expanded direct State involvement in local government land-use regulation is not suggested"

• LAND DRAINS

- H.B. 37 State Construction Code Amendments 2017
- (23) In IRC, Section R405.1, a new exception is added as follows: "Exception: When a geotechnical report has been provided for the property, a drainage system is not required unless the drainage system is required as a condition of the geotechnical report."

Amendments to Chapter 15A-3-202

•In 2017

(23) In IRC, Section R405.1, a new exception is added as follows: "Exception: When a geotechnical report has been provided for the property, a drainage system is not required unless the drainage system is required as a condition of the geotechnical report."

• In 2018

(23) In IRC, Section R405.1, a new exception is added as follows:

"Exception: When a geotechnical report has been provided for the property, a drainage system is not required unless the drainage system is required as a condition of the geotechnical report. <u>The geolocical report shall make a recommendation regarding a</u> <u>drainage system."</u>