EAGLE MOUNTAIN
CITY COUNCIL MEETING

OCTOBER 15, 2024, 4:00 PM
EAGLE MOUNTAIN CITY COUNCIL CHAMBERS
1650 EAST STAGECOACH RUN, EAGLE MOUNTAIN, UTAH 84005

4:00 PM WORK SESSION - CITY COUNCIL CHAMBERS

1. DISCUSSION AND INFORMATION ITEMS

This is an opportunity to provide information to the City Council. These items are for information only and do not require action by the City Council.

1.A. DISCUSSION - Affordable Housing Plan

1.B. DISCUSSION - Downtown Master Plan, MHTN Architects

1.C. DISCUSSION - Alternative Energy Code Amendment

2. AGENDA REVIEW

The City Council will review items on the Consent Agenda and Policy Session Agenda.

3. ADJOURN TO A CLOSED SESSION

The City Council will adjourn into a Closed Session for the purpose of discussion of pending or reasonably imminent litigation; the character, professional competence, or physical or mental health of an individual; and/or the purchase, lease, or exchange of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

7:00 PM POLICY SESSION - CITY COUNCIL CHAMBERS

4. CALL TO ORDER

5. PLEDGE OF ALLEGIANCE

6. INFORMATION ITEMS/UPCOMING EVENTS

7. PUBLIC COMMENTS

Time has been set aside for the public to express their ideas, concerns, and comments. (Please limit your comments to three minutes each.)

8. CITY COUNCIL/MAYOR ITEMS

Time has been set aside for the City Council and Mayor to make comments.

CONSENT AGENDA

9. MINUTES

9.A. October 1, 2024 Minutes - Regular City Council Meeting

10. PRELIMINARY PLATS & SITE PLANS

10.A. MASTER SITE PLAN/PRELIMINARY PLAT - The District

10.B. SITE PLAN - Dutch Bros

10.C. SITE PLAN - Belle Street Seminary

11. RESOLUTIONS

11.A. RESOLUTION - A Resolution of Eagle Mountain City, Utah, Approving the First Amendment to the Master Development Agreement for the Triumph Subdivision.

11.B. RESOLUTION - A Resolution of Eagle Mountain City, Utah, Authorizing Extended Hours for Construction Operations for QTS, as Allowed in Eagle Mountain Municipal Code Section 8.15.080(G).

11.C. RESOLUTION - A Resolution of Eagle Mountain City, Utah, Approving an Interlocal Cooperation Agreement between the Redevelopment Agency of Eagle Mountain City and Eagle Mountain City for the Collection and Remittance of Incremental Property Taxes Collected from Property within the Triple Tail Community Reinvestment Project Area.

11.D. RESOLUTION - A Resolution of Eagle Mountain City, Utah, Determining the Final Applicants for the City Manager Position.

11.E. RESOLUTION - A Resolution of Eagle Mountain City, Utah, Appointing Vince Hogge as City Engineer, Effective October 28, 2024.

11.F. RESOLUTION - A Resolution of Eagle Mountain City, Appointing David Salazar as Acting City Engineer.

SCHEDULED ITEMS

12. ORDINANCES/PUBLIC HEARINGS

12.A. ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Approving the Third Amendment to the 2024-2025 Fiscal Year Annual Budget.

BACKGROUND: *(Presented by Director of Administrative Services Kimberly Ruesch)* State statute requires the City to amend its budget to appropriate funds for increased expenses. The proposed ordinance is the third amendment to the 2024-2025 Fiscal Year Annual Budget.

12.B. ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Section 17.10.030 Definitions and Enacting Chapter 17.59 Easements.

BACKGROUND: *(Presented by Planner Steven Lehmitz)* The proposed code amendment adds the definition of an easement and proposes EMMC 17.59 as a new chapter that establishes standards related to easements.

13. RESOLUTIONS/PUBLIC HEARINGS

13.A. RESOLUTION/PUBLIC HEARING - A Resolution of Eagle Mountain City, Utah Amending the Eagle Mountain City Consolidated Fee Schedule.

BACKGROUND: *(Presented by Director of Administrative Services Kimberly Ruesch)* The proposed amendments are within Sections 6.1 Animal Control Fees, 10.1 Master Development Fees, 10.3 Conditional Uses, 13.1 Building Permit Fees, and 13.4 Other Building Department Fees.

14. ORDINANCES

14.A. ORDINANCE - An Ordinance of Eagle Mountain City, Utah, Establishing a Special Revenue Fund Titled the Affordable Housing Fund.

BACKGROUND: *(Presented by Administrative Services Director Kimberly Ruesch)* The Redevelopment Agency of Eagle Mountain City (RDA), as allowed by Utah State Code 17C-5-307(3), created and continues to operate multiple community reinvestment project areas (CRAs). If a project area budget provides more than $100,000 of funds distributed to the Agency, ten percent is allocated for housing. To date, the RDA has collected $2,067,455.57 in affordable housing dollars. The City has adopted five strategies to support moderate income housing programs, and some of these strategies can use affordable housing dollars collected pursuant to the CRAs. One of these strategies, a mortgage assistance program for public employees, is being developed by the City.

14.B. ORDINANCE - An Ordinance of Eagle Mountain City, Utah, Enacting Eagle Mountain Municipal Code Chapter 17.32 Historic Zones.

BACKGROUND: *(Presented by Senior Planner Robert Hobbs)* The proposed ordinance enacts Eagle Mountain Municipal Code Chapter 17.32 Historic Zones to assist the City in sharing and enforcing its development rules in a consistent and legally supportable manner, while awaiting rezoning of some properties in the community, to bring them into compliance with 2024 codes. This item was tabled at the July 2, 2024 City Council meeting.

15. LEGISLATIVE ITEMS

15.A. UPDATE - Legislative Priorities List

16. CITY COUNCIL/MAYOR'S BUSINESS AND LIAISON REPORTS

This time is set aside for the City Council's and Mayor's comments on City business, and for Councilmembers to report on the boards they are assigned to as liaisons to the City Council.

17. COMMUNICATION ITEMS

17.A. Department Updates

17.B. Upcoming Agenda Items

18. ADJOURNMENT

THE PUBLIC IS INVITED TO PARTICIPATE IN PUBLIC MEETINGS FOR ALL AGENDAS.

By the Americans with Disabilities Act, Eagle Mountain City will make reasonable accommodations for

participation in all Public Meetings and Work Sessions. Please call the City Recorder's Office at least 3 working days prior to the meeting at 801-789-6610. This meeting may be held telephonically to allow a member of the public body to participate. This agenda is subject to change with a minimum 24-hour notice.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above agenda notice was posted on this 10th day of October, 2024, on the Eagle Mountain City bulletin boards, the Eagle Mountain City website www.emcity.org, posted to the Utah State public notice website http://www.utah.gov/pmn/index.html, and was emailed to at least one newspaper of general circulation within the jurisdiction of the public body.

Fionnuala B. Kofoed, MMC, City Recorder

	EAGLE MOUNTAIN CITY **CITY COUNCIL MEETING** **OCTOBER 15, 2024**
TITLE:	DISCUSSION - Affordable Housing Plan
ITEM TYPE:	Discussion Item
FISCAL IMPACT:	
APPLICANT:	City Staff

CURRENT GENERAL PLAN DESIGNATION & ZONE	ACREAGE
N/A	N/A

PUBLIC HEARING	PREPARED BY	PRESENTED BY
No	Natalie Winterton, Grants Coordinator/Management Analyst	Natalie Winterton

RECOMMENDATION:

BACKGROUND:
In 2022, Eagle Mountain City hired LRB (formerly LYRB) to create an "Affordable Housing Plan" that would provide the City with recommendations on how to utilize its RDA affordable housing dollars. LRB has completed their study. Throughout the time of the study, Staff was researching and studying affordable housing strategies as well. After LRB finished its study, Staff added an extra chapter to the report to provide additional insight on LRB's recommended strategies as well as share some of Staff's findings.

Although there are many moving parts in the affordable housing effort, this document would serve to encompass the state-required Moderate-Income reporting as well as any additional efforts the City may wish to pursue.

Most cities do not have the large affordable housing budget that Eagle Mountain has. In response, the state-required Moderate-Income strategies are not efforts that require much money. That leaves Eagle Mountain with a lot of leftover budget and discretion on how it would like to use that budget in pursuit of affordable housing efforts.

The state-required Moderate-Income strategies are also focused on helping to solve the affordable housing problem at a high level. That looks like increasing supply to satisfy the demand, thus reducing housing prices. However, the City Council has previously expressed disinterest in using its money in this way. Instead, Staff is proposing affordable housing strategies that are targeted to help as many individuals in Eagle Mountain City as possible to gain homeownership status.

This affordable housing plan addresses how the City can not only satisfy the state-required Moderate-Income strategies, but also go above and beyond to implement creative and statistically

effective strategies to help individuals get into homes.

As with other plans adopted by the City, this would act as a guiding document. Not all strategies are meant to be adopted at the same time or (in some cases) at all. It depends on what the Council sees fit to pursue. However, the document gives this Council and future Councils a starting place as it expands its affordable housing efforts over time. It is also meant to help the City adapt to a changing housing market and other market conditions.

ITEMS FOR CONSIDERATION:

PLANNING COMMISSION ACTION/RECOMMENDATION:
N/A

ATTACHMENTS:
1. Affordable Housing Plan
2. Affordable Housing Philosophy Memo

PUBLIC FINANCE ADVISORS

EAGLE MOUNTAIN CITY, UTAH

HOUSING SUSTAINABILITY PLAN

JULY 2024

PREPARED BY:

LRB PUBLIC FINANCE ADVISORS

FORMERLY LEWIS YOUNG ROBERTSON & BURNINGHAM INC.

TABLE OF CONTENTS

SECTION 1: EXECUTIVE SUMMARY 3
SECTION 2: DEMOGRAPHIC ANALYSIS 4
POPULATION CHARACTERISTICS 4
HOUSEHOLDS 5
AGE 6
INCOME 7

SECTION 3: COMMUNITY ASSESSMENT & HOUSING ANALYSIS 9
OCCUPANCY STATUS 9
HOME VALUES 9
HOUSING STOCK VARIETY 10
SINGLE-FAMILY HOME CHARACTERISTICS 11
RESIDENTIAL LAND USE ANALYSIS 12
VACANT LAND USE ANALYSIS 14
ZONING/RESIDENTIAL DENSITY ANALYSIS 14

SECTION 4: HOUSING AFFORDABILITY 17
AFFORDABILITY ANALYSIS – RENTAL 17
AFFORDABILITY ANALYSIS – HOME OWNERSHIP 18

SECTION 5: FUTURE HOUSING NEEDS 22
HOUSING NEEDS ANALYSIS AND PROJECTION 22

SECTION 6: SWOT ANALYSIS 24
STAKEHOLDER OUTREACH FINDINGS 24
STRATEGY VISIONING EXERCISE FINDINGS 25

SECTION 7: CRA HOUSING FUND ANALYSIS 26
FUNDING FORECAST 27
BENCHMARK ANALYSIS 28
APPLICABILITY IN EAGLE MOUNTAIN 31

SECTION 8: HOUSING AFFORDABILITY STRATEGIES 33
EXISTING HOUSING AFFORDABILITY STRATEGIES 33
PROPOSED HOUSING AFFORDABILITY STRATEGIES 34
ECONOMIC DEVELOPMENT STRATEGIZING 34
GENERAL RECOMMENDATIONS 35

SECTION I: EXECUTIVE SUMMARY

As is the case for many municipalities in Utah, Eagle Mountain (the "City") is grappling with the challenge of housing sustainability. For much of its history, Eagle Mountain has served as an affordable option for prospective homeowners. A tremendous amount of new residential growth, among the very highest in the state, coupled with steadily rising home values and near-record mortgage interest rates, has resulted in a shift toward a level of inaccessibility for many prospective homeowners. Bolstered by a young and rapidly growing population, both from internal growth and new residents, there is abundant opportunity for the City to continue toward regional and statewide significance and provide a high quality of life for residents. The barrier to housing accessibility may pose one of the greatest challenges to the prosperity envisioned for the City. This stated, one of the City's primary objectives is to promote paths to homeownership, and this report is purposed to provide guidance toward strategizing methods to promote access to homeownership and assessing affordability targets.

Though affordability metrics are not the only method to assess need in this sphere, they can aid toward guiding the development of programs for particular groups. The principal existing issue with respect to affordability is the mismatch between the number of affordable single-family homes (defined at the high end as 30 percent of monthly gross income) and population groups by household income range. As modeled in **Section 5**, 48.5 percent of existing Eagle Mountain households could not afford to purchase a single-family home in the City. At present, 6,646 affordable units would be necessary to close this gap, increasing to 10,872 units by 2030.

A present barrier to affordability is a lack of diversity in the housing stock. 83.3 percent of parcels and 92.5 percent of residential land area is comprised of single-family residences. This concentration of single-family residential development has the potential to exclude both residents that do not need and cannot afford larger, detached homes. However, the City has some of the largest proportions of vacant land among its peers and other Wasatch Front municipalities, providing greater opportunity to combat the affordability crisis by implementing tools that promote home ownership.

In line with this objective to promote homeownership, recommended strategies in this report are focused in two directions: creating programs to assist prospective homebuyers and developing initiatives to broaden the available housing stock. In **Section 7**, an analysis of the uses of dedicated affordable housing funds from community reinvestment project areas toward homeownership programs is provided. In **Section 8**, LRB has reviewed existing City objectives and strategies, city council feedback, and local stakeholder engagement to provide five strategy recommendations toward improving housing affordability.

SECTION 2: DEMOGRAPHIC ANALYSIS

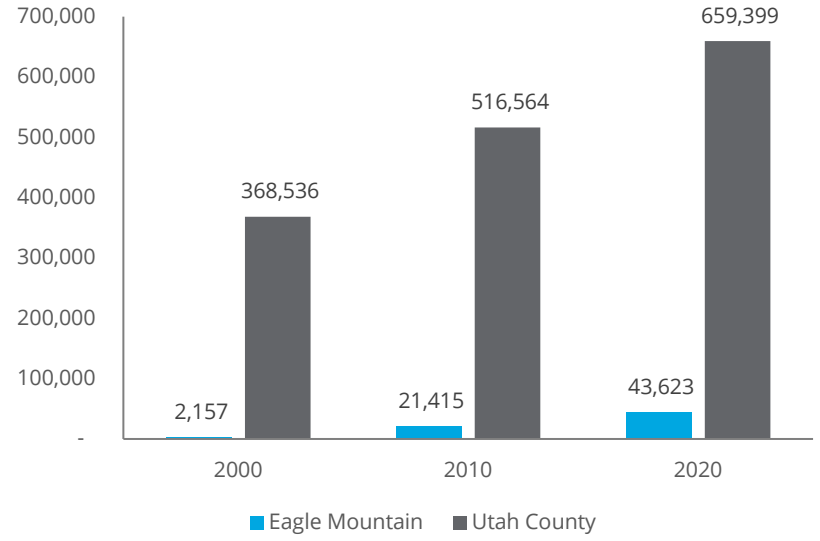
POPULATION CHARACTERISTICS

The US Census Bureau's Decennial Redistricting data ("DEC") show an annual average growth rate ("AAGR") for the City of 25.8 percent between 2000 and 2010 and 7.4 percent between 2010 and 2020. In terms of population, these percentages represent increases of 19,258 and 22,208 persons respectively. Among peer cities in Utah County (the "County"), the City experienced the second largest percent changes and absolute changes in population in both datasets. Peer cities were chosen principally on the basis of population, population growth, and proportions of undeveloped land. Most peer cities are similar to Eagle Mountain in terms of existing population, while some are more developed and have populations similar to those projected for the City in coming years. Additionally, cities exclusively in Utah County were chosen for comparison for their similar growth patterns and consistent availability of data. Between 2010 and 2020, the increase in population in the City comprised 15.55 percent of the overall increase in population for Utah County.

TABLE 2.1: COMPARISON CITY, COUNTY, AND STATE POPULATION & AAGR

	2000	2010	2000-2010 AAGR	2020	2010-2020 AAGR
American Fork	21,941	26,263	1.8%	33,337	2.4%
Eagle Mountain	**2,157**	**21,415**	**25.8%**	**43,623**	**7.4%**
Lehi	19,028	47,407	9.6%	75,907	4.8%
Orem	84,324	88,328	0.5%	98,129	1.1%
Provo	105,166	112,488	0.7%	115,162	0.2%
Saratoga Springs	1,003	17,781	33.3%	37,696	7.8%
Spanish Fork	20,246	34,691	5.5%	42,602	2.1%
Springville	20,424	29,466	3.7%	35,268	1.8%
Utah County	**368,536**	**516,564**	**3.4%**	**659,399**	**2.5%**
Utah	**2,233,169**	**2,763,885**	**2.2%**	**3,271,616**	**1.7%**

FIGURE 2.1: HISTORIC POPULATION



POPULATION STATISTICS 2010-2020

EAGLE MOUNTAIN
AVERAGE ANNUAL GROWTH = 7.37%
TOTAL INCREASE = 22,208
% OF COUNTY INCREASE = 15.55%

UTAH COUNTY
AVERAGE ANNUAL GROWTH = 2.47%
TOTAL INCREASE = 142,835
% OF STATE INCREASE = 28.13%

STATE OF UTAH
AVERAGE ANNUAL GROWTH = 1.70%
TOTAL INCREASE = 507,731

Based on a population projection derived from the Census Bureau's AAGR for the City between 2010 and 2020, the estimated

population for 2024 is 57,985. Extending the projection to 2030, the City's estimated population in that year is 88,861, representing an increase of 45,238 persons and placing it among the largest cities by population in Utah County and giving it narrowly the second largest absolute increase in population between Census years in the county.

TABLE 2.2: POPULATION PROJECTIONS – CENSUS DATA

	2020	2021	2022	2023	2024	2025
American Fork	33,337	34,142	34,966	35,810	36,674	37,559
Eagle Mountain	**43,623**	**46,840**	**50,294**	**54,003**	**57,985**	**62,261**
Lehi	75,907	79,566	83,401	87,421	91,634	96,051
Orem	98,129	99,167	100,216	101,276	102,347	103,430
Provo	115,162	115,433	115,704	115,977	116,249	116,523
Saratoga Springs	37,696	40,638	43,809	47,228	50,913	54,886
Spanish Fork	42,602	43,486	44,389	45,310	46,250	47,210
Springville	35,268	35,908	36,559	37,222	37,897	38,584
Utah County	**659,399**	**675,695**	**692,394**	**709,505**	**727,039**	**745,007**
Utah	**3,271,616**	**3,327,259**	**3,383,848**	**3,441,399**	**3,499,929**	**3,559,455**

TABLE 2.2: POPULATION PROJECTIONS – CENSUS DATA (CONT.)

	2026	2027	2028	2029	2030	AAGR
American Fork	38,466	39,394	40,345	41,319	42,316	2.4%
Eagle Mountain	**66,852**	**71,782**	**77,075**	**82,759**	**88,861**	**7.4%**
Lehi	100,681	105,533	110,620	115,952	121,541	4.8%
Orem	104,524	105,630	106,747	107,876	109,018	1.1%
Provo	116,797	117,072	117,347	117,623	117,900	0.2%
Saratoga Springs	59,170	63,787	68,765	74,131	79,916	7.8%
Spanish Fork	48,190	49,190	50,211	51,253	52,317	2.1%
Springville	39,284	39,997	40,722	41,460	42,212	1.8%
Utah County	**763,419**	**782,285**	**801,618**	**821,429**	**841,729**	**2.5%**
Utah	**3,619,993**	**3,681,561**	**3,744,176**	**3,807,855**	**3,872,618**	**1.7%**

Table 2.3 displays population projections for the City from the Eagle Mountain City Economic Development Master Plan, showing an AAGR of 6.3 percent and a population increase of 5,200 persons per year. These projections were based on the 2020 Census population estimate for the City and a review of building permits issued in recent years.

TABLE 2.3: POPULATION PROJECTIONS – ECONOMIC REPORT

2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
43,623	48,823	54,023	59,223	64,423	69,623	74,823	80,023	85,223	90,423	95,623

TABLE 2.3: POPULATION PROJECTIONS – ECONOMIC REPORT (CONT.)

2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	AAGR
100,823	106,023	111,223	116,423	121,623	126,823	132,023	137,223	142,423	147,623	6.3%

HOUSEHOLDS

The total number of households as of the most recent American Community Survey ("ACS"), an estimate covering the period between January 2018 and December 2022, is 10,896. This figure represents 5.8 percent of all households in Utah County. The average household size in the City is 4.23 persons, which is considerably higher than the value of 3.46 persons for the County.

TABLE 2.4: HOUSEHOLD CHARACTERISTICS

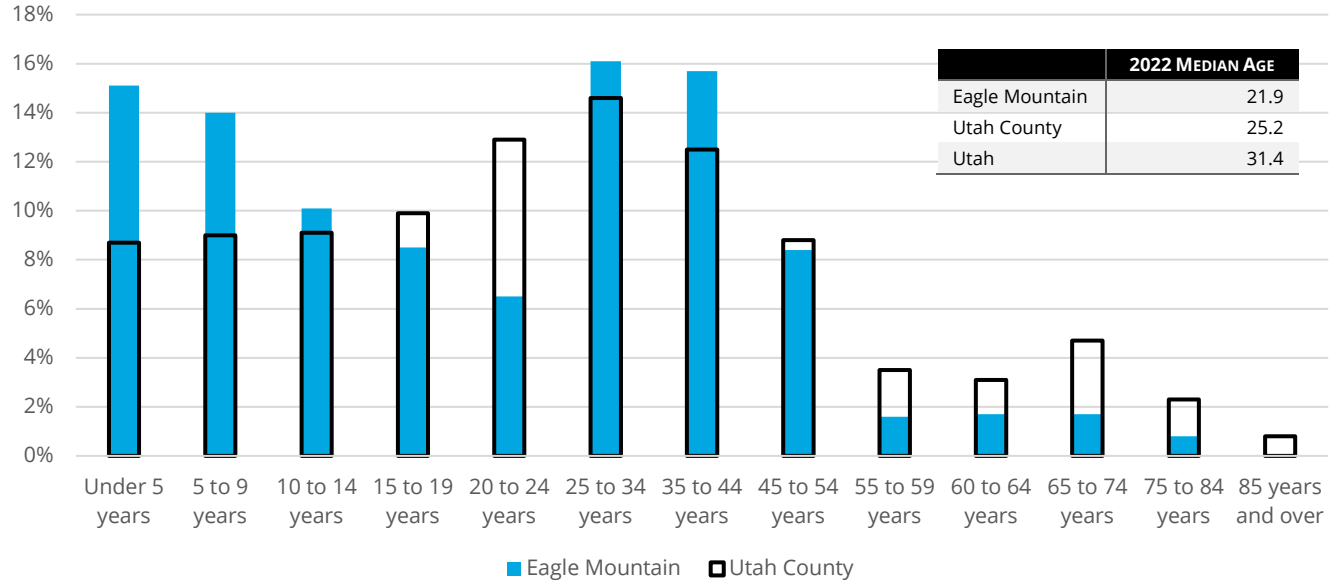
	TOTAL	MARRIED-COUPLE FAMILY HOUSEHOLD	MALE HOUSEHOLDER, NO SPOUSE PRESENT, FAMILY HOUSEHOLD	FEMALE HOUSEHOLDER, NO SPOUSE PRESENT, FAMILY HOUSEHOLD	NONFAMILY HOUSEHOLD
EAGLE MOUNTAIN					
Total households	10,896	9,119	470	594	713
Average household size	4.23	4.53	3.50	3.70	1.40
UTAH COUNTY					
Total households	187,171	130,297	7,638	13,567	35,669
Average household size	3.46	3.93	3.45	3.67	1.70

AGE

The distribution of population by age, irrespective of gender, varies heavily within some ranges between the City and the County. The median age in the city, at 21.9 years, is considerably lower than that of the County, at 25.2 years, and further the State of Utah at 31.4 years. Among particular age ranges, the City has proportions of nearly double that of the County for persons under 5 years of age and between 5 and 9 years. The opposite relationship is observed for people between 20 and 24 years of age, where the County's proportion of the population in that range is nearly double that for the City.

Though population projections in this report are not adjusted for distribution of persons by age, the comparatively great proportion of younger persons comprising the population of the City with respect to Utah County, paired with the relatively high typical household size in the City, suggests significant internal growth of future population and prospective homeowners. Additionally, a study by realtor.com [1] suggests that persons of the Generation Z demographic cohort both greatly desire homeownership and seek to live in suburban locales, indicated respectively by 72 percent and 49 percent of survey respondents.

FIGURE 2.2: AGE DISTRIBUTION AS % OF TOTAL



	2022 MEDIAN AGE
Eagle Mountain	21.9
Utah County	25.2
Utah	31.4

FIGURE 2.3: AGE DISTRIBUTION BY GENDER, EAGLE MOUNTAIN

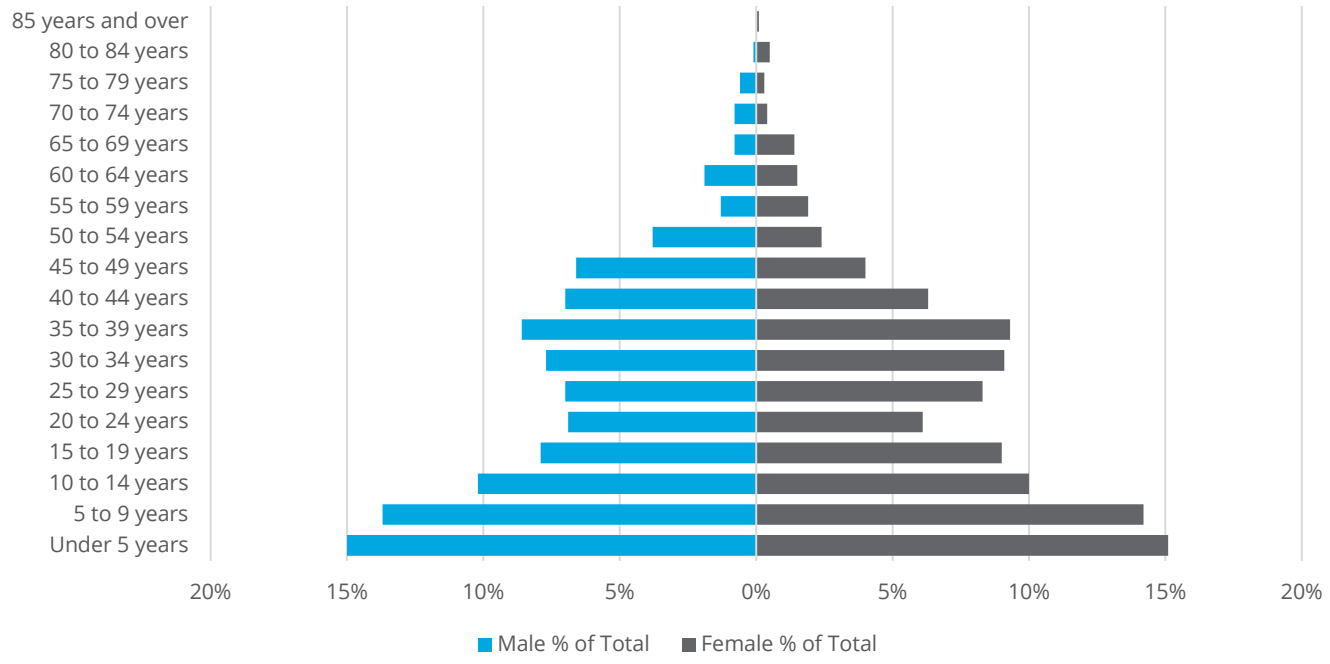
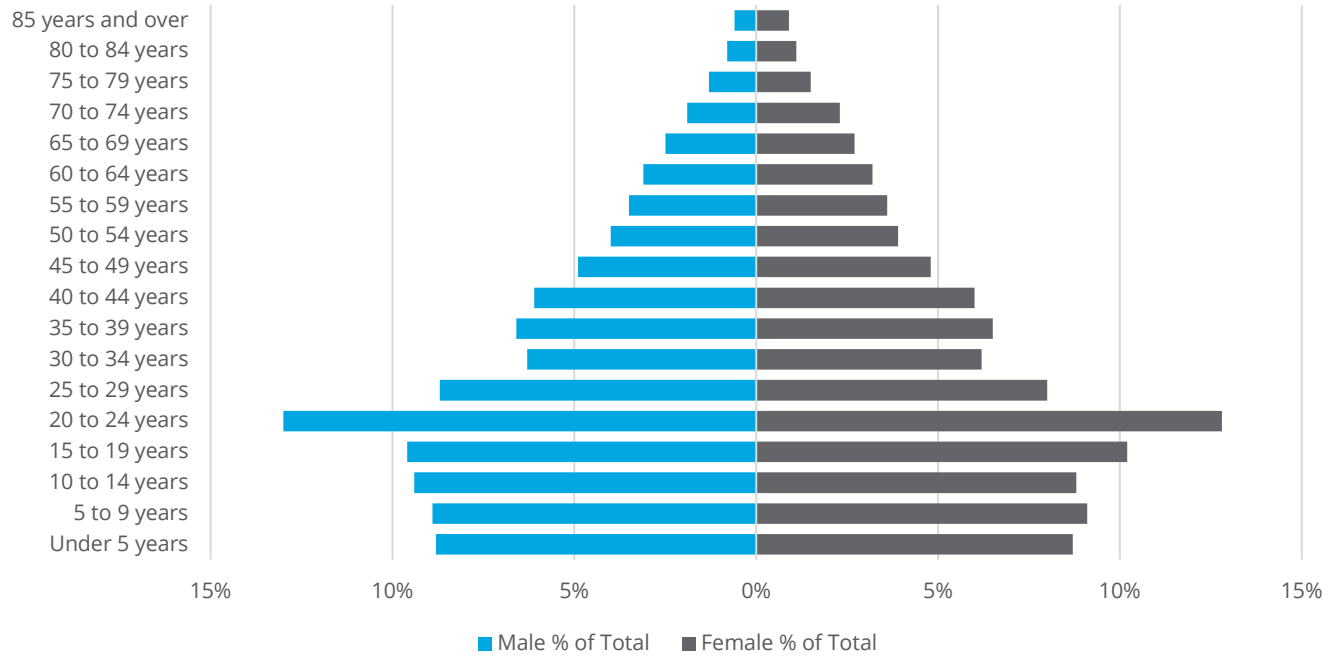


FIGURE 2.4: AGE DISTRIBUTION BY GENDER, UTAH COUNTY



INCOME

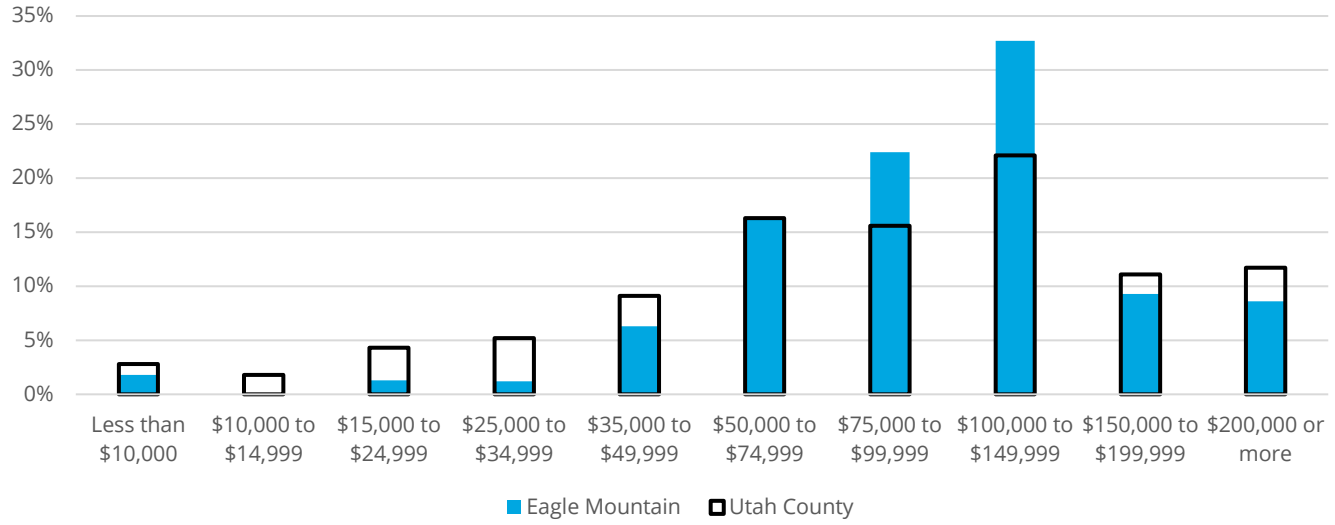
Distributions of population between income groups in the City are somewhat balanced, where 71.3 percent of households fall within the yearly income range of $50,000 to $149,000. The proportional variety of households by yearly income is less extreme in the City than in the County, as the proportion of households in the City with incomes under $50,000 and above $149,999 is less in each individual group than in the County. Additionally, median household income among all households in the City is greater than within the County, at respective values of $100,837 and $91,263. These

income figures represent pretax cash income of the householder and all other people 15 years and older in the household.

TABLE 2.3: INCOME CHARACTERISTICS

	EAGLE MOUNTAIN CITY, UTAH				UTAH COUNTY, UTAH			
	HOUSEHOLDS	FAMILIES	MARRIED-COUPLE FAMILIES	NONFAMILY HOUSEHOLDS	HOUSEHOLDS	FAMILIES	MARRIED-COUPLE FAMILIES	NONFAMILY HOUSEHOLDS
Total	**10,896**	**10,183**	**9,119**	**713**	**187,171**	**151,502**	**130,297**	**35,669**
Less than $10,000	1.8%	0.5%	0.0%	19.5%	2.8%	1.9%	1.2%	7.6%
$10,000 to $14,999	0.1%	0.1%	0.1%	0.0%	1.8%	1.2%	0.9%	5.0%
$15,000 to $24,999	1.3%	1.2%	1.3%	2.5%	4.3%	3.2%	2.5%	10.3%
$25,000 to $34,999	1.2%	1.3%	0.9%	5.2%	5.2%	3.9%	3.3%	11.0%
$35,000 to $49,999	6.3%	6.2%	5.8%	8.1%	9.1%	7.9%	6.7%	15.9%
$50,000 to $74,999	16.2%	17.9%	17.0%	11.2%	16.3%	15.8%	14.7%	19.7%
$75,000 to $99,999	22.4%	22.4%	21.6%	29.2%	15.6%	16.2%	16.6%	12.8%
$100,000 to $149,999	32.7%	33.0%	35.0%	10.8%	22.1%	24.4%	25.8%	10.8%
$150,000 to $199,999	9.3%	8.9%	9.3%	9.5%	11.1%	12.7%	13.8%	3.2%
$200,000 or more	8.6%	8.4%	9.0%	3.9%	11.7%	13.0%	14.5%	3.7%
Median income (dollars)	**100,837**	**100,378**	**103,274**	**$81,225**	**91,263**	**100,128**	**106,498**	**50,182**

FIGURE 2.5: HOUSEHOLD INCOME DISTRIBUTION



OCCUPANCY STATUS

Changes in occupancy distributions for the City over the decade are illustrated in **Table 3.1**. Between 2012 and 2022, the rate of owner occupancy increased by 0.7 percent. Among owner-occupant households, there was a notable shift from multifamily to single-family units. Where renter-occupied housing is typically concentrated more heavily among multifamily units, in the City these renter-occupied units are generally single-family homes, with a proportion of 66 percent, though this proportion has decreased from the 2012 figure of 72.2 percent.

TABLE 3.1: OCCUPANCY CHARACTERISTICS FOR EAGLE MOUNTAIN, 2012 AND 2022

	EAGLE MOUNTAIN, 2012						EAGLE MOUNTAIN, 2022					
	OWNER OCCUPIED		RENTER OCCUPIED		TOTAL	% OF TOTAL	OWNER OCCUPIED		RENTER OCCUPIED		TOTAL	% OF TOTAL
Single Family	3,970	89.3%	454	72.2%	4,420	87.1%	9,152	95.2%	841	66.0%	9,993	91.7%
2 to 4 Units	138	3.1%	-	0.0%	137	2.7%	59	0.6%	68	5.4%	127	1.2%
5 to 9 Units	4	0.1%	-	0.0%	5	0.1%	31	0.3%	148	11.6%	179	1.6%
10 or more Units	333	7.5%	175	27.8%	508	10.0%	376	3.9%	216	17.0%	592	5.4%
Mobile Home & Other	-	0.0%	-	0.0%	-	0.0%	5	0.1%	-	0.0%	5	0.0%
Total Units	**4,446**	**87.6%**	**629**	**12.4%**	**5,075**	**100.0%**	**9,623**	**88.3%**	**1,273**	**11.7%**	**10,896**	**100.0%**

Changes in occupancy distributions for the County over the decade are illustrated in **Table 3.2**. Between 2012 and 2022, the rate of owner occupancy increased by 0.1 percent. Among owner-occupant households, there was a slight shift from multifamily structures with more than 5 units, as well as mobile homes, toward single-family homes. Among renter-occupant households, the shift in distribution was inverted, as households shifted notably toward multifamily structures with 5 or more units.

TABLE 3.2: OCCUPANCY CHARACTERISTICS FOR UTAH COUNTY, 2012 AND 2022

	UTAH COUNTY, 2012						UTAH COUNTY, 2022					
	OWNER OCCUPIED		RENTER OCCUPIED		TOTAL	% OF TOTAL	OWNER OCCUPIED		RENTER OCCUPIED		TOTAL	% OF TOTAL
Single Family	90,462	93.5%	17,311	38.9%	107,775	76.3%	121,205	94.4%	21,529	36.7%	142,734	76.3%
2 to 4 Units	1,838	1.9%	10,591	23.8%	12,289	8.7%	2,369	1.9%	11,396	19.4%	13,765	7.3%
5 to 9 Units	871	0.9%	4,005	9.0%	4,803	3.4%	865	0.7%	5,794	9.9%	6,659	3.6%
10 or more Units	1,742	1.8%	11,971	26.9%	13,701	9.7%	2,115	1.6%	19,432	33.0%	21,547	11.5%
Mobile Home & Other	1,935	2.0%	668	1.5%	2,543	1.8%	1,814	1.4%	652	1.1%	2,466	1.3%
Total Units	**96,751**	**68.5%**	**44,501**	**31.5%**	**141,252**	**100.0%**	**128,368**	**68.6%**	**58,803**	**31.4%**	**187,171**	**100.0%**

HOME VALUES

Among comparison municipalities, the median market value for single-family homes in the City, as gathered from 2024 data from the Utah County Assessor's Office, lies within a typical range. For its location, market values in the City are considerably lower than those in Lehi and Saratoga Springs,

making for a more affordable option for those that wish to reside in the northern portion of the County.

TABLE 3.3: SINGLE-FAMILY HOME VALUES

CITY	UNITS	MEDIAN SFH MARKET VALUE	MEDIAN SFH TAXABLE VALUE
American Fork	7,908	$492,400	$271,645
Eagle Mountain	**12,762**	**$466,100**	**$256,933**
Lehi	17,961	$564,400	$311,355
Orem	16,869	$475,400	$262,185
Provo	14,828	$476,150	$263,505
Saratoga Springs	10,344	$551,150	$303,903
Spanish Fork	10,094	$461,550	$253,935
Springville	7,553	$464,400	$256,135
Utah County	**142,703**	**$516,900**	**$284,790**

Single-family home permitting data from the Ivory-Boyer Construction Database reveals an annual average growth rate for permit values of 5.5 percent from 2010 through 2023 (the last year of complete data at the time of this analysis). 2023 permit values in the City were among the lowest of the comparison cities. However, the annual average growth rate was the second highest among comparison cities and over a percent and a half higher than the average for Utah County. This trend suggests that permit values and home values will increase disproportionately to the County and most of the comparison municipalities and decrease existing levels of affordability relative to the County.

TABLE 3.4: BUILDING PERMIT VALUES

	2010	2011	2012	2013	2014	2015	2016
American Fork	$263,369	$237,652	$267,200	$261,268	$250,419	$281,463	$247,256
Eagle Mountain	**$161,528**	**$171,676**	**$173,418**	**$175,802**	**$198,098**	**$574,120**	**$196,918**
Lehi	$252,828	$254,090	$246,810	$269,653	$271,584	$282,386	$300,124
Orem	$267,238	$303,404	$295,311	$320,900	$328,216	$319,882	$391,841
Provo	$223,871	$230,576	$228,048	$184,324	$238,090	$246,492	$233,803
Saratoga Springs	$136,874	$141,411	$153,939	$180,778	$229,287	$238,482	$237,056
Spanish Fork	$237,655	$234,873	$236,265	$274,589	$302,056	$300,928	$287,672
Springville	$178,761	$187,939	$201,061	$187,659	$206,782	$275,426	$282,336
Utah County	**$224,741**	**$249,790**	**$240,425**	**$253,833**	**$272,550**	**$403,982**	**$281,887**

TABLE 3.4: BUILDING PERMIT VALUES (CONT.)

	2017	2018	2019	2020	2021	2022	2023	AAGR
American Fork	$260,276	$326,102	$369,495	$350,790	$356,169	$481,801	$526,121	5.47%
Eagle Mountain	**$221,163**	**$312,951**	**$280,161**	**$283,319**	**$280,145**	**$308,118**	**$324,000**	**5.50%**
Lehi	$324,636	$304,469	$328,333	$333,164	$354,659	$395,152	$345,307	2.43%
Orem	$400,921	$362,303	$347,694	$418,798	$466,548	$492,771	$572,766	6.04%
Provo	$236,223	$255,110	$236,729	$256,664	$277,381	$289,785	$245,971	0.73%
Saratoga Springs	$240,414	$234,442	$254,968	$256,266	$262,665	$277,597	$263,319	5.16%
Spanish Fork	$286,916	$295,778	$292,250	$296,032	$329,897	$377,004	$359,983	3.25%
Springville	$310,384	$325,100	$313,595	$291,275	$351,660	$385,664	$351,559	5.34%
Utah County	**$294,806**	**$310,510**	**$314,512**	**$313,280**	**$329,771**	**$387,459**	**$370,039**	**3.91%**

HOUSING STOCK VARIETY

Table 3.5 examines the distribution of all residential units by comparison municipality, as gathered from 2024 data from the Utah County Assessor's Office, to determine the variety of existing housing stock. Among the selected municipalities, the City has a relatively low amount of stock of multifamily

structures with more than 5 units, condos, and 2-plexes when adjusted for total unit count. Additionally, there are no multifamily structures comprising more than 49 units in the City and only one multifamily structure with between 5 and 49 units.

TABLE 3.5: HOUSING UNITS BY TYPE

	1 2-PLEX ON LOT	2 2-PLEX ON LOT	1 3-PLEX ON LOT	1 4-PLEX ON LOT	1 5-PLEX ON LOT	1 6-PLEX ON LOT	1 7-PLEX ON LOT	1 8-PLEX ON LOT	5-8 UNITS	9-19 UNITS	20-49 UNITS
American Fork	158	1	71	54	-	-	-	-	10	33	13
Eagle Mountain	**83**	**-**	**3**	**51**	**-**	**-**	**-**	**-**	**-**	**-**	**1**
Lehi	111	2	3	20	-	-	-	-	10	2	1
Orem	402	3	39	458	-	-	-	-	21	24	79
Provo	1,043	10	113	300	9	2	1	1	158	151	66
Saratoga Springs	-	-	-	-	-	-	-	-	-	-	-
Spanish Fork	142	6	4	58	-	-	-	-	12	5	4
Springville	188	2	14	71	-	-	-	-	13	19	2

TABLE 3.5: HOUSING UNITS BY TYPE (CONT.)

	50-99 UNITS	100+ UNITS	CONDO	DETACHED TWIN HOME	MANU FAC. HOME	MODULAR HOME	MULTIP LE RES	MULTIPLE UNIT MIX	SINGLE FAMILY RES	TOWN-HOME	TWIN HOME
American Fork	11	10	429	-	9	2	6	4	7,908	2,238	424
Eagle Mountain	**-**	**-**	**515**	**8**	**14**	**11**	**3**	**1**	**12,762**	**1,708**	**150**
Lehi	1	7	1,999	-	34	7	13	2	17,961	4,279	310
Orem	6	20	2,839	66	19	1	6	7	16,869	2,335	592
Provo	19	37	3,948	23	75	8	19	21	14,828	2,780	617
Saratoga Springs	-	2	1,176	4	-	2	2	-	10,344	3,027	422
Spanish Fork	4	-	198	1	34	3	17	4	10,094	2,172	542
Springville	1	4	842	3	18	1	21	9	7,553	457	706

SINGLE-FAMILY HOME CHARACTERISTICS

Table 3.6 displays values for the median year built and median floor area for all single-family units among the comparison municipalities. With respect to typical home age, the City matches closely with its nearby peers in Saratoga Springs and Lehi with a relatively recent median age of home, the most recent among all comparison municipalities. In terms of typical unit floor area, the City trends slightly smaller than its closest peers and matches consistently with the average for Utah County as a whole.

TABLE 3.6: SFH PHYSICAL CHARACTERISTICS

	UNITS	MEDIAN YEAR BUILT	MEDIAN FLOOR AREA (SQFT)
American Fork	7,908	1993	1,642
Eagle Mountain	**12,762**	**2016**	**1,898**
Lehi	17,961	2006	1,969
Orem	16,869	1978	1,426
Provo	14,828	1976	1,590
Saratoga Springs	10,344	2015	2,156
Spanish Fork	10,094	2001	1,670
Springville	7,553	1996	1,651
Utah County	**142,703**	**2001**	**1,822**

RESIDENTIAL LAND USE ANALYSIS

A critical element of community analysis with respect to housing affordability is an examination of the distribution of housing land uses. Using Utah County Assessor data from 2024, **Table 3.7** examines the land area in acres of each residential land use type among the comparison municipalities. Of these municipalities, the City has a relatively typical amount of land dedicated to single-family housing, as well as the lowest amount of land dedicated to multifamily housing.

TABLE 3.7: RESIDENTIAL LAND USE AREA (ACRES)

PROPERTY CLASS	AMERICAN FORK	EAGLE MOUNTAIN	LEHI	OREM	PROVO	SARATOGA SPRINGS	SPANISH FORK	SPRINGVILLE
SINGLE FAMILY								
Single Family Residential	2,186.1	**3,916.7**	5,310.3	4,347.0	4,209.3	2,480.4	3,896.7	2,734.2
Modular Home	1.0	**7.8**	2.4	0.2	2.1	6.5	5.9	0.2
Manufactured Home	7.2	**185.1**	17.9	4.6	25.1	-	265.8	13.8
Multiple Res	6.7	**3.9**	28.4	25.5	30.6	151.6	96.2	104.5
Single Family Subtotal	**2,201.0**	**4,113.5**	**5,359.1**	**4,377.2**	**4,267.1**	**2,638.4**	**4,264.6**	**2,852.8**
MULTIFAMILY								
1 2-plex on Lot	37.9	**29.7**	25.9	85.7	181.5	-	29.9	54.9
2 2-plex on Lot	0.4	**-**	0.8	1.9	2.2	-	2.7	0.7
1 3-plex on Lot	4.3	**0.2**	0.7	9.5	21.5	-	1.3	3.2
1 4-plex on Lot	11.5	**4.0**	5.1	111.7	48.2	-	15.2	21.1
1 5-plex on Lot	-	**-**	-	-	1.8	-	-	-
1 6-plex on Lot	-	**-**	-	-	0.5	-	-	-
1 7-plex on Lot	-	**-**	-	-	0.2	-	-	-
1 8-plex on Lot	-	**-**	-	-	0.2	-	-	-
Townhome	59.6	**55.1**	135.4	71.9	67.9	90.9	55.5	22.5
Condo	8.9	**15.8**	46.7	64.9	100.8	29.0	3.9	24.7
Twin Home	44.3	**5.5**	14.1	37.4	38.2	25.2	55.5	82.3
5-8 Units	3.8	**-**	4.9	7.0	38.3	-	4.6	5.1
9-19 Units	11.1	**-**	0.8	15.2	54.1	-	0.9	5.8
20-49 Units	27.1	**11.4**	2.9	34.4	56.0	-	6.5	0.6
50-99 Units	22.5	**-**	14.4	13.5	43.6	-	16.6	4.3
100+ Units	77.1	**-**	96.4	122.5	92.0	20.9	-	12.6
Multiple Unit Mix	3.8	**1.0**	2.5	2.9	4.3	-	1.4	3.2
Trailer Park	18.6	**-**	8.8	67.6	77.0	-	3.9	53.5
Detached Twin Home	-	**0.3**	-	3.7	1.0	0.2	0.2	0.3
Multifamily Subtotal	**331.0**	**122.9**	**359.5**	**649.7**	**829.4**	**166.1**	**198.1**	**294.8**
Total	**2,532.0**	**4,236.4**	**5,718.6**	**5,026.9**	**5,096.5**	**2,804.5**	**4,462.7**	**3,147.6**

Table 3.8 examines the same individual residential land uses as proportions of total residential land use. Of all comparison municipalities, the City, respectively, has the highest and lowest proportions of residential land use dedicated to single-family and multifamily parcels. Notably, within the single-family land use classification, parcels designated as *Single Family Residential* do not constitute the largest distribution of land among all comparison municipalities. Rather, the total single-family proportion is bolstered by a relatively very high level of single-family land being used for the *Manufactured Home* designation, describing a home fully assembled remotely and transported to a lot, at 4.4 percent. This is the second largest among all comparison municipalities, with the greatest proportion being 6 percent in Spanish Fork. The City also ranks highly among its peers in land dedicated to *Modular Homes*, a designation describing homes whose components are assembled remotely then transported to a lot for assembly.

As was examined earlier in this section, the City has no land dedicated to select multifamily parcel designations, namely structures with 5-19 units, structures with 50+ units, and trailer parks, that are more prolific in other comparison municipalities. Beyond the low proportion of land area utilized for multifamily parcel designations, the diversity of multifamily options is relatively low in the City. As an example, there are only 6 multifamily parcel types present in the City. This is comparable to nearby Saratoga Springs, where there are only four multifamily parcel types present, but disparate from municipalities like Orem, Provo, and Springville, where in each municipality there are 12 or more multifamily parcel types present.

TABLE 3.8: RESIDENTIAL LAND USE AREA (PERCENT)

PROPERTY CLASS	AMERICAN FORK	EAGLE MOUNTAIN	LEHI	OREM	PROVO	SARATOGA SPRINGS	SPANISH FORK	SPRINGVILLE
SINGLE FAMILY								
Single Family Residential	86.3%	**92.5%**	92.9%	86.5%	82.6%	88.4%	87.3%	86.9%
Modular Home	-	**0.2%**	-	-	-	0.2%	0.1%	-
Manufactured Home	0.3%	**4.4%**	0.3%	0.1%	0.5%	0.0%	6.0%	0.4%
Multiple Res	0.3%	**0.1%**	0.5%	0.5%	0.6%	5.4%	2.2%	3.3%
Single Family Total	**86.9%**	**97.1%**	**93.7%**	**87.1%**	**83.7%**	**94.1%**	**95.6%**	**90.6%**
MULTIFAMILY								
1 2-plex on Lot	1.5%	**0.7%**	0.5%	1.7%	3.6%	-	0.7%	1.7%
2 2-plex on Lot	-	**-**	-	-	-	-	0.1%	-
1 3-plex on Lot	0.2%	**-**	-	0.2%	0.4%	-	-	0.1%
1 4-plex on Lot	0.5%	**0.1%**	0.1%	2.2%	0.9%	-	0.3%	0.7%
1 5-plex on Lot	-	**-**	-	-	-	-	-	-
1 6-plex on Lot	-	**-**	-	-	-	-	-	-
1 7-plex on Lot	-	**-**	-	-	-	-	-	-
1 8-plex on Lot	-	**-**	-	-	-	-	-	-
Townhome	2.4%	**1.3%**	2.4%	1.4%	1.3%	3.2%	1.2%	0.7%
Condo	0.4%	**0.4%**	0.8%	1.3%	2.0%	1.0%	0.1%	0.8%
Twin Home	1.7%	**0.1%**	0.2%	0.7%	0.7%	0.9%	1.2%	2.6%
5-8 Units	0.2%	**-**	0.1%	0.1%	0.8%	-	0.1%	0.2%
9-19 Units	0.4%	**-**	-	0.3%	1.1%	-	-	0.2%
20-49 Units	1.1%	**0.3%**	0.1%	0.7%	1.1%	-	0.1%	-
50-99 Units	0.9%	**-**	0.3%	0.3%	0.9%	-	0.4%	0.1%
100+ Units	3.0%	**-**	1.7%	2.4%	1.8%	0.7%	-	0.4%
Multiple Unit Mix	0.2%	**-**	-	0.1%	0.1%	-	-	0.1%
Trailer Park	0.7%	**-**	0.2%	1.3%	1.5%	-	0.1%	1.7%
Detached Twin Home	-	**-**	-	0.1%	-	-	-	-
Multifamily Total	**13.1%**	**2.9%**	**6.3%**	**12.9%**	**16.3%**	**5.9%**	**4.4%**	**9.4%**
Total Acres	**2,532.0**	**4,236.4**	**5,718.6**	**5,026.9**	**5,096.5**	**2,804.5**	**4,462.7**	**3,147.6**

As will be examined further in the analysis of vacant land, the City utilizes a relatively very low proportion of its overall area for active land uses, specifically residential land use. Though a relatively typical total amount of area is used for residential uses among comparison municipalities, the City's overall land area is considerably greater than comparison cities and thus has a much lower residential proportion. Looking forward, however, a significant portion of land that is presently vacant, especially toward the western extremities of the City, has been designated in the Future Land Use & Transportation Map from the 2018 Eagle Mountain General Plan as future residential land.

TABLE 3.9: RESIDENTIAL LAND USE AREA COMPARISON (ACRES)

LAND USE TYPE	AMERICAN FORK	EAGLE MOUNTAIN	LEHI	OREM	PROVO	SARATOGA SPRINGS	SPANISH FORK	SPRINGVILLE
Single Family Residential	2,201.0	**4,113.5**	5,359.1	4,377.2	42,67.1	2,638.4	4,264.6	2,852.8
Multifamily Residential	331.0	**122.9**	359.5	649.7	829.4	166.1	198.1	294.8
Residential Total	**2,532.0**	**4,236.4**	**5,718.6**	**5,026.9**	**5,096.5**	**2,804.5**	**4,462.7**	**3,147.6**
All Land	7,267	**32,609**	19,673	11,932	28,283	14,994	10,855	9,295
Residential % of Total	**34.8%**	**13.0%**	**29.1%**	**42.1%**	**18.0%**	**18.7%**	**41.1%**	**33.9%**

VACANT LAND USE ANALYSIS

TABLE 3.10: VACANT LAND USE

VACANT LAND USES	AREA (ACRE)
Vacant Residential	12,401.3
Vacant Residential w/ Detached Structure	444.7
Vacant Commercial	2,554.1
Vacant Commercial w/ Detached Structure	8.5
Vacant Subdivided Lot	445.6
Vacant Subdivided Lot w/ Detached Structure	7.3
Vacant Subdivided Lot – Not Developed	0.3
Vacant Townhome Lot	7.9
Vacant Twin Lot	2.8
Vacant Apartment Lot	16.8
Vacant Land Total	**15,889.2**
All Land	32,609
Vacant % of Total	**48.7%**

An attribute that is particularly unique to the City, both among the comparison municipalities and all municipalities along the Wasatch Front, is the proportion of total municipal land presently designated as vacant. Where typical proportions of vacant land among Utah County municipalities range from between three and 30 percent, the City's value of 48.7 percent is considerably greater than typical.

By far the largest proportion of total vacant land is planned for residential use. The next largest dedication of vacant land, though by a large proportional distance, is purposed for commercial use.

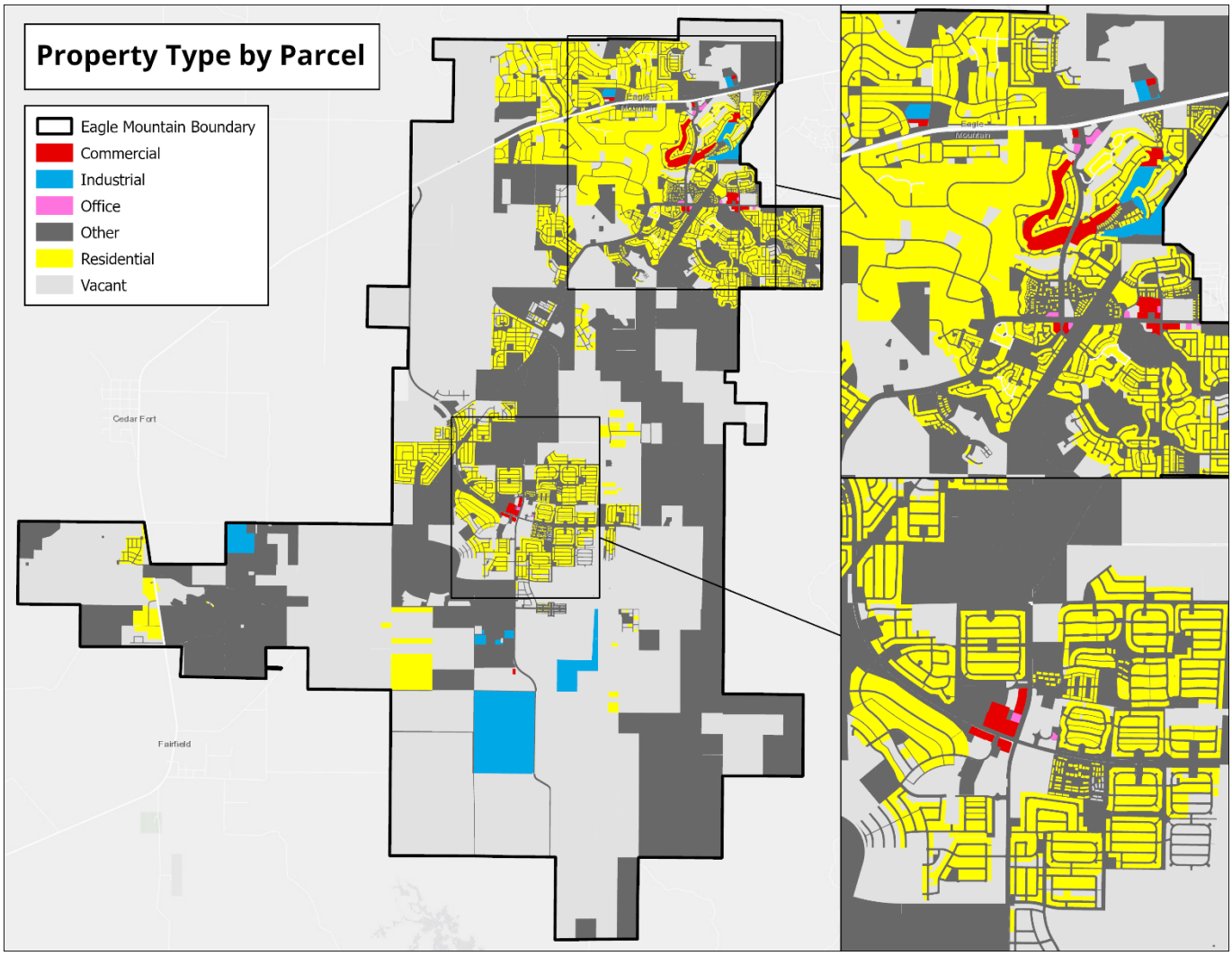
This high proportion of vacant land presents a rather unique opportunity for the City among its peers, many of which are near capacity in terms of developable land. While there are some areas within the City's limits that are less well-positioned for development due to geographic constraints or ownership by other government entities, more highly developable vacant land near the City Center and South Town is available in large quantities for the prospect of affordable residential development.

ZONING/RESIDENTIAL DENSITY ANALYSIS

An analysis of the geographic placement of residential areas with respect to parcel market value and nearby vacant land may provide some guidance in the determination of factors contributing to unaffordability and the path forward in terms of rezoning for greater residential densities and strategizing for the placement of future affordable housing.

Below, **Figures 3.1 and 3.2** display the distribution of parcels by property type and provide insight into the disparity of housing affordability by geographic location. Of note, parcels that do not fit into the mentioned property type categories and those without any property type information are included within the "other" category.

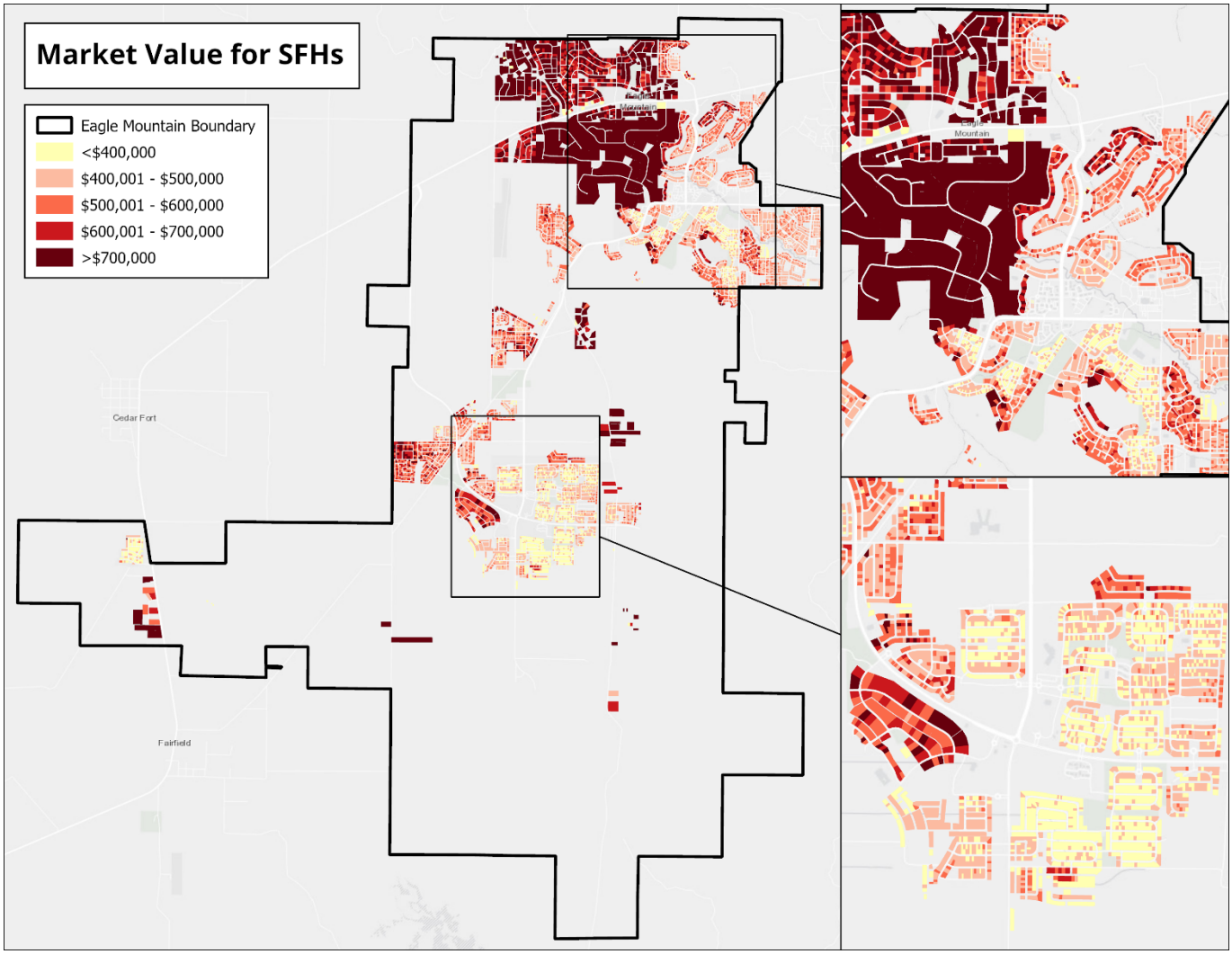
FIGURE 3.1: PROPERTY TYPE BY PARCEL



The principal geographic groupings for the vast majority of developed parcels in the City are between the northernmost areas, notated in the Future Land Use & Transportation Map as the North Benches and Ranches Gateway, and the central part of the City, notated as South Town. Distributions of single-family and multifamily parcels are approximately similar between these two areas. However, proportions of presently undeveloped or vacant land exist in far greater amounts in South Town than near the northern municipal boundary.

In the northern part of the City, north of the intersection of Pony Express Pkwy and Lake Mountain Rd, single-family parcels have a median market value of $486,300, while single-family parcels in the South Town area have a median value of $429,100. This disparity is likely to be explained by several factors. The elevated geography in the north of the City, located principally within a mountain pass, leads to generally more desirable scenic views on a parcel-by-parcel basis. Being positioned around the Cory B. Wride Memorial Hwy, residents in this area also have the added convenience of proximity to surrounding cities and Interstate 15. Additionally, certain neighborhoods are located near the Ranches Golf Club, likely contributing directly to elevated market values. In contrast, the South Town area is less intensely developed and lacks certain amenities afforded to residents to the north.

FIGURE 3.2: SINGLE FAMILY HOME MARKET VALUE BY PARCEL



If pursuing the development of affordable housing via rezoning or targeted incentives, it may be more effective for the City to focus efforts toward the South Town area, where affordability is naturally greater and vacant land is more plentiful. Though the Future Land Use & Transportation map notes the inclusion of high-density residential in South Town, a notable portion of these future zoned areas have already been developed for multifamily housing, and a considerable majority of land area in South Town remains planned for low residential densities.

SECTION 4: HOUSING AFFORDABILITY

For the determination of what constitutes affordability, the benchmark value of 30 percent of monthly gross income is set standard for the expected proportion of income set aside for housing, both for renter and owner households. As defined by the U.S. Department of Housing and Urban Development, a household is cost-burdened by housing costs when those costs exceed 30 percent of gross income. It should be noted that City staff are keenly aware of the issue of affordability, and the purpose of this section is to guide the development of future affordability benchmarks.

An analysis of affordability for renter households is of great importance, as obstacles to obtaining rental housing are generally considerably fewer and levels of affordability are generally higher compared to homeownership. For many, renting is a preliminary step to homeownership, and rental affordability is thus tied to the ability of prospective homeowners to work toward positioning themselves for the purchase of a home. Though cost breakdowns for rental housing are not available to the same extent as they are for owner-occupied homes, the relationship between typical household income and typical rent is presently sustainable in the City.

In line with the stated goal of the City to encourage homeownership for residents, examining present barriers to homeownership in terms of affordability is also critical, with a large majority of households in the City presently owning their home and most new residential construction being purpose-built for homeownership. Present conditions for home affordability in the City are troublesome, where well over half of the City's households would not be able to afford homeownership as new buyers.

AFFORDABILITY ANALYSIS – RENTAL

For renter households, who comprise over 11 percent of the City's total households, affordability issues are becoming more pronounced as construction material prices, inflation, and interest rates continue to transform housing prices. The analysis in **Table 4.1** examines affordability for renter households based on the relationship between typical rents and a representation of typical income for a family of 4 persons, modeled as 80 percent of median household income by municipality.

In Eagle Mountain, the relationship between median gross rent and the 80 percent value of median household income is relatively similar to those for other comparison municipalities. Though median gross rent in the City is the second highest among these municipalities, the City also has the third highest median household income.

American Community Survey data from 2022 reflects proportions of renter households that respectively spend less than and greater than 30 percent of their monthly incomes on rent costs. Somewhat distinct from the relationship between median gross rent and median household income in the City, the ACS reports that the proportion of renter households spending greater than 30 percent of monthly income on rent costs is the second lowest of all comparison municipalities.

TABLE 4.1: RENTAL AFFORDABILITY CHARACTERISTICS

	MEDIAN GROSS RENT	80% MEDIAN HOUSEHOLD INCOME	RENT TO MONTHLY INCOME	% RENTERS SPENDING <30% ON HOUSING	% RENTERS SPENDING >30% ON HOUSING
American Fork	$1,583	$72,392	26.2%	56.6%	43.4%
Eagle Mountain	**$1,740**	**$80,670**	**25.9%**	**58.6%**	**41.5%**
Lehi	$1,681	$93,794	21.5%	65.1%	34.9%
Orem	$1,290	$62,054	24.9%	53.8%	46.3%
Provo	$1,089	$46,354	28.2%	47.5%	52.5%
Saratoga Springs	$2,061	$93,604	26.4%	48.2%	51.8%
Spanish Fork	$1,308	$75,191	20.9%	54.4%	45.6%
Springville	$1,367	$67,759	24.2%	55.0%	45.1%
Utah County	**$1,330**	**$73,010**	**21.9%**	**53.1%**	**46.8%**

AFFORDABILITY ANALYSIS – HOME OWNERSHIP

By far the greatest proportion of households in Eagle Mountain are owner-occupants of single-family homes. From the last update of the Moderate-Income Housing element for the City's 2018 General Plan, characteristics of affordability have changed drastically for those looking to obtain homeownership. In addition to swelling home values both in the City and the County, interest rates for mortgages are reaching 20-year highs, resulting in a sustained lack of affordability for prospective first-time homeowners.

In **Table 4.2**, affordable home value ranges have been established for 10 income levels. These values have been generated through a mortgage payment calculation that reflects a 10 percent down payment, a loan length of 30 years (360 months), current property tax and home insurance rates, $300 for utility payments, and varying values for loan interest, as displayed further in the table.

TABLE 4.2: AFFORDABLE HOME PRICE RANGES BY INCOME CATEGORY

	HOME PRICE RANGE							
	4% INTEREST		5% INTEREST		6% INTEREST		7% INTEREST	
HOUSEHOLD INCOME RANGE	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH
Less than $15,000	$0	$14,253	$0	$12,938	$0	$11,790	$0	$10,786
$15,000 to $24,999	$14,258	$61,781	$12,943	$56,080	$11,794	$51,102	$10,790	$46,751
$25,000 to $34,999	$61,785	$109,308	$56,085	$99,222	$51,106	$90,414	$46,755	$82,717
$35,000 to $49,999	$109,312	$180,598	$99,227	$163,935	$90,418	$149,382	$82,720	$136,665
$50,000 to $74,999	$180,603	$299,416	$163,940	$271,791	$149,386	$247,662	$136,668	$226,578
$75,000 to $99,999	$299,421	$418,234	$271,795	$379,646	$247,666	$345,942	$226,582	$316,491
$100,000 to $149,999	$418,239	$655,870	$379,650	$595,356	$345,946	$542,503	$316,495	$496,318
$150,000 to $199,999	$655,874	$893,505	$595,360	$811,066	$542,506	$739,063	$496,322	$676,145
$200,000 or more	$893,510		$811,070		$739,067		$676,148	

In **Table 4.3**, the same process as above is repeated for proportional categories of 2024 Area Median Income. As opposed to in **Table 4.1**, where median household income was derived from ACS data on the municipal level for the rental affordability analysis, median family income here is defined by HUD for the Provo-Orem metropolitan statistical area for a family of 4 persons, a value of $109,500 per year. This table represents a broader vision of affordability, especially with respect to in-migration within Utah County.

TABLE 4.3: AFFORDABLE HOME PRICE RANGE BY AMI CATEGORY

			HOME PRICE RANGE							
MEDIAN FAMILY INCOME RANGE			4% INTEREST		5% INTEREST		6% INTEREST		7% INTEREST	
	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH
<30% AMI	$0	$821	$0	$99,094	$0	$89,951	$0	$81,966	$0	$74,988
30% to 50% AMI	$821	$1,369	$99,094	$203,178	$89,951	$184,432	$81,966	$168,059	$74,988	$153,752
50% to 80% AMI	$1,369	$2,190	$203,178	$359,305	$184,432	$326,154	$168,059	$297,199	$153,752	$271,898

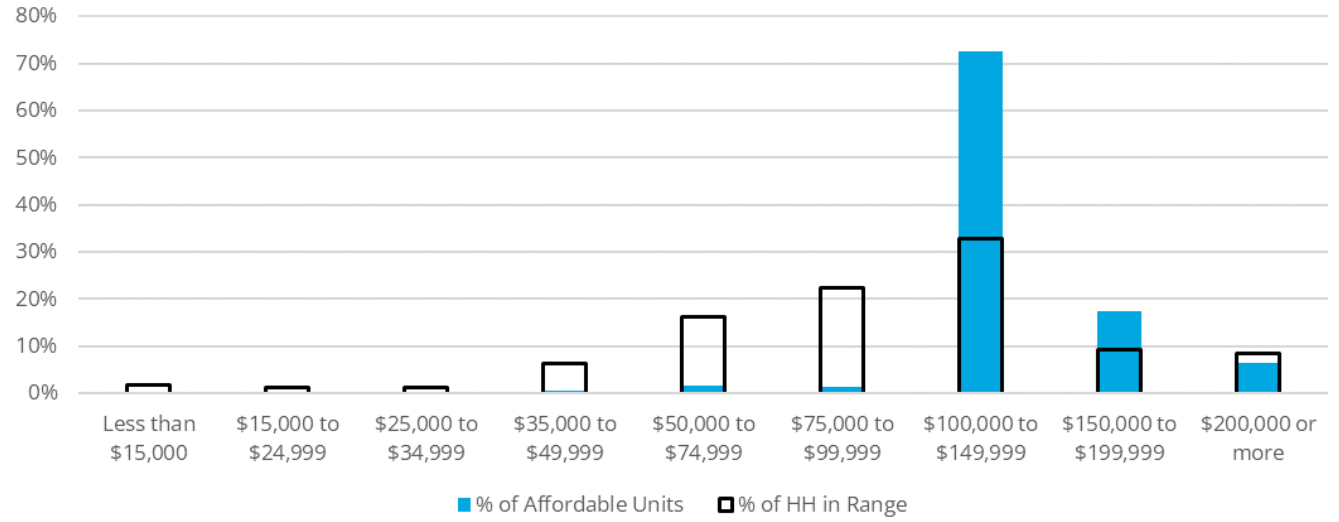
In **Table 4.4**, an analysis of affordability for homeowners was conducted that compares the affordable home price ranges for income distributions of Eagle Mountain households to the proportion of single-family units that lie within those affordability ranges, as determined by Utah County Assessor market value from 2024. Affordable home price ranges for this analysis were based on a 6 percent rate of interest on a mortgage.

This analysis reveals a considerable lack of affordability for households in the City with annual incomes of under $100,000. At present, a total of 453 units, comprising 3.5 percent of the City's total of 12,796 units, are affordable for any of the household income ranges under the value of $100,000. There is a heavy surplus of single-family units that are affordable to households in the $100,000 to $149,000, $150,000 to $199,000, and $200,000 or more income ranges, as these ranges represent 96.5 percent of single-family units but only 50.6 percent of households.

TABLE 4.4: AFFORDABLE UNIT ANALYSIS

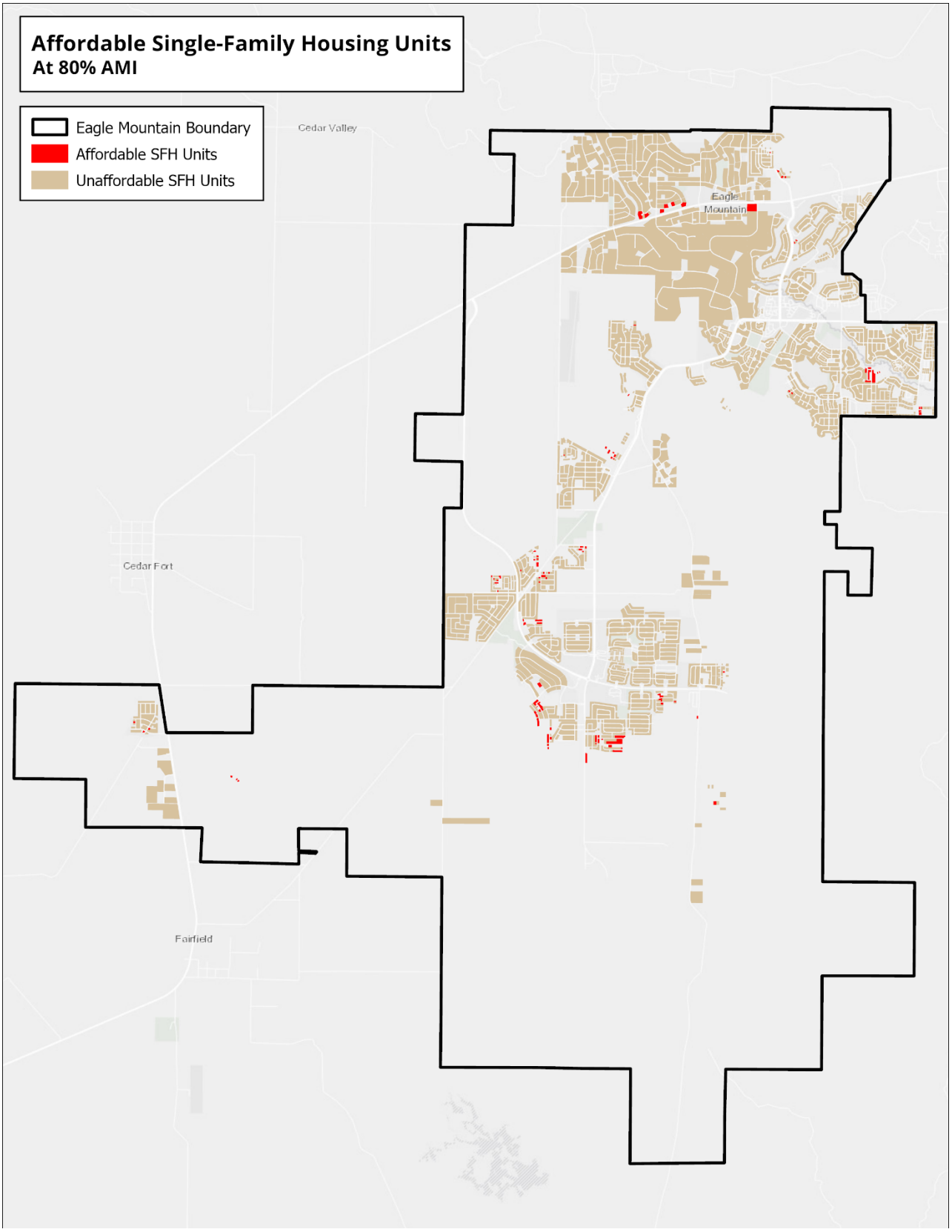
HOUSEHOLD INCOME RANGE	% OF HH IN RANGE	AFFORDABLE HOME PRICE RANGE	% OF AFFORDABLE UNITS	GAP
Less than $15,000	1.9%	$0 to $11,790	0.1%	1.8%
$15,000 to $24,999	1.3%	$11,794 to $51,102	0.0%	1.3%
$25,000 to $34,999	1.2%	$51,106 to $90,414	0.0%	1.2%
$35,000 to $49,999	6.3%	$90,418 to $149,382	0.5%	5.8%
$50,000 to $74,999	16.2%	$149,386 to $247,662	1.5%	14.7%
$75,000 to $99,999	22.4%	$247,666 to $345,942	1.5%	20.9%
$100,000 to $149,999	32.7%	$345,946 to $542,503	72.5%	-39.8%
$150,000 to $199,999	9.3%	$542,506 to $739,063	17.4%	-8.1%
$200,000 or more	8.6%	>$739,067	6.5%	2.1%

FIGURE 4.1: AFFORDABLE UNIT ANALYSIS CHART



On the following page, **Figure 4.2** provides an illustration of all single-family units in the City that delineates those that, respectively, are affordable and unaffordable for a family of 4 whose income is 80 percent of the metropolitan area's AMI. Of the 12,796 parcels visualized, 292 are affordable.

FIGURE 4.2: AFFORDABLE SFR UNITS AT 80% AMI



SECTION 5: FUTURE HOUSING NEEDS

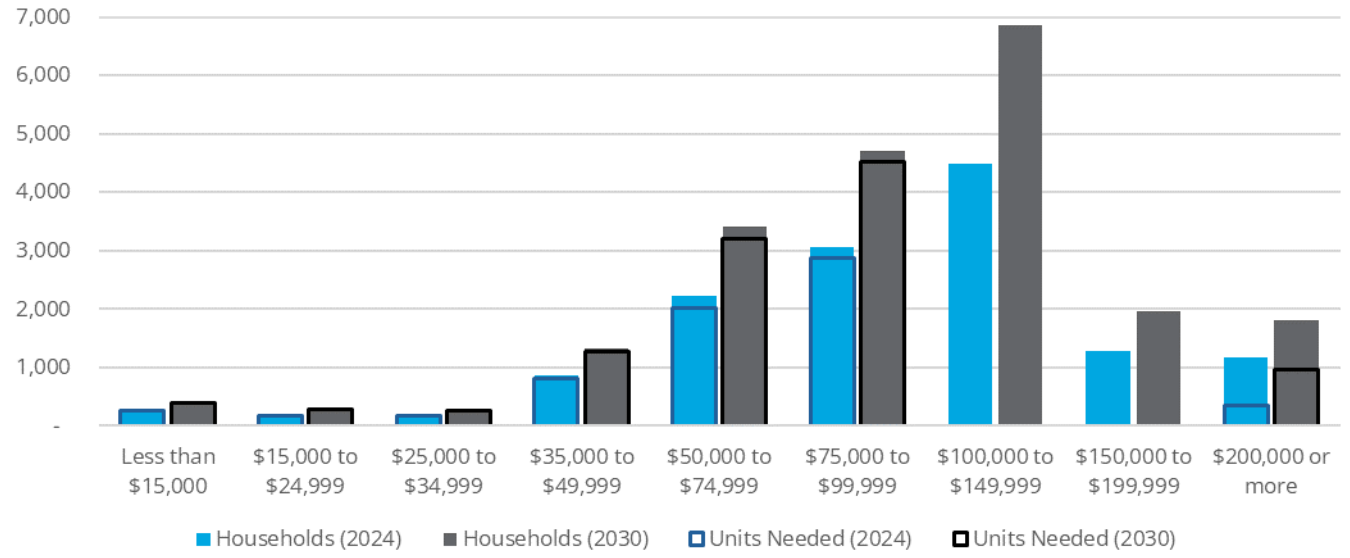
HOUSING NEEDS ANALYSIS AND PROJECTION

Based largely on the methodology utilized in **Section 4** to determine the proportion of existing units that are affordable to specific ranges of household income, this analysis uses that existing data in conjunction with projected population for 2030 to determine a combined count of affordable units needed by income category.

TABLE 5.1: FUTURE HOUSING NEEDS ANALYSIS

HOUSEHOLD INCOME RANGE	AFFORDABLE HOME PRICE RANGE	AFFORDABLE UNITS	HOUSEHOLDS (2024)	UNITS NEEDED (2024)	HOUSEHOLDS (2030)	UNITS NEEDED (2030)
Less than $15,000	$0 to $11,790	9	260	251	399	390
$15,000 to $24,999	$11,794 to $51,102	-	178	178	273	273
$25,000 to $34,999	$51,106 to $90,414	-	164	164	252	252
$35,000 to $49,999	$90,418 to $149,382	59	864	805	1,323	1,264
$50,000 to $74,999	$149,386 to $247,662	197	2,221	2,024	3,403	3,206
$75,000 to $99,999	$247,666 to $345,942	188	3,071	2,883	4,706	4,518
$100,000 to $149,999	$345,946 to $542,503	9,283	4,483	-	6,869	-
$150,000 to $199,999	$542,506 to $739,063	2,222	1,275	-	1,954	-
$200,000 or more	>$739,067	838	1,179	341	1,807	969
Total		**12,796**	**13,694**	**6,646**	**20,986**	**10,872**

FIGURE 5.1: FUTURE HOUSING NEEDS CHART



Projecting 2022 household income data to 2024, it was determined that 6,646 of 13,694 households, or 48.5 percent, in the City would not be able to afford a home with housing costs comprising less than 30 percent of monthly gross income. Based on the 2022 figure of 4.23 persons per household and an estimated 2030 population of 88,861 persons from the 2010 to 2020 Census AAGR, there will be an additional 7,292 households in the City by 2030. Distributing these additional households into current proportions of household income range and combining these with existing households that

lack affordable options provides a summary figure of 10,872 households with need for affordable housing by 2030.

A notable finding from this analysis is that the existing level of affordable housing stock for households in the income ranges of $100,000 to $149,999 and $150,000 to $199,999 is sufficient even for the projected number of households in those income ranges for 2030. By that year, there will remain a surplus of 2,682 affordable units among those ranges.

It should be noted that this future analysis is contingent upon the present ratio of single-family home market values to median household income. Data from the Federal Reserve Bank of St. Louis suggests that this ratio will continue to expand, as from 2010 to 2022 the AAGR for the S&P/Case-Shiller U.S. National Home Price Index was 5.7 percent, while the AAGR for national median household income during that period was only 1.2 percent. If these AAGRs were extended to this analysis, it is likely that the number of affordable units would shift to higher income ranges and necessitate the development of more affordable units than suggested here. In other words, home market values greatly outpacing the growth in household incomes will result in fewer affordable units for those households in the $100,000 to $149,999 income range and a greater overall demand for affordable housing.

SECTION 6: SWOT ANALYSIS

STAKEHOLDER OUTREACH FINDINGS

The stakeholder outreach portion of the process for developing this housing sustainability plan was principally comprised of phone call interviews with a variety of stakeholders invested in the managed growth of the City. 11 separate interviews were conducted, one via conference call, where 12 stakeholders responded to 11 questions. Comprising the group of stakeholders were seven community partners and five home developers. The first four of these questions were more generalized, inquiring about the City's strengths, weaknesses, opportunities, and threats ("SWOT") with respect to housing. The most frequent responses to those questions are outlined in **Table 6.5**, where responses are ordered from top to bottom in order of response frequency. The following seven questions were more pointed and, as such, were unable to be grouped where response detail was too great. Responses from stakeholders toward these questions were utilized to develop housing affordability strategies later in this document.

TABLE 6.5: STAKEHOLDER SWOT MATRIX

STRENGTHS	WEAKNESSES
▪ Land availability	▪ Council pushback
▪ Affordability	▪ Lack of affordability
▪ Transportation accessibility to Utah/Salt Lake Counties	▪ Resident pushback
▪ Opportunity for families	▪ Stringent development code
▪ Diversity	▪ Limited housing types
▪ Housing type variety	
OPPORTUNITIES	**THREATS**
▪ Land availability	▪ Resident pushback
▪ Changing development code	▪ Development code
▪ Increasing affordability	▪ Council pushback
▪ Continuing current diversity	▪ Interest rates
▪ Educating public on planning issues and mechanisms	▪ Inflation
▪ Commercial growth	

Responses to the SWOT line of questioning were generally consistent, with some responses being consistent among as many as five stakeholders. Responses to the inquiry on strengths were often found in kind in the inquiry on opportunities, and this relationship was similarly found between weaknesses and threats.

In terms of actionable measures, themes emerged from the SWOT inquiry that often made use of a combination of elements from all four segments. Stakeholders frequently referred to the great level of opportunity afforded to the City to make use of the large proportion of currently vacant land, a proportion that stakeholders noted as uncommon for a municipality in Utah County. It was frequently suggested that this vacant land, leveraged via principles of smart growth, was the single greatest strength for the City in attaining sustainable levels of housing affordability.

Responses by stakeholders with respect to weaknesses and threats found a nexus in a reoccurring concern toward the present development code, which stakeholders view as prohibitive in generating affordable, high-density housing through greatly restricting areas in which multifamily housing can

be built, and pushback from the council, who stakeholders view as uncooperative in the process of developing affordable housing and too influenced by the stake of community members that oppose high-density housing development.

STRATEGY VISIONING EXERCISE FINDINGS

In June 2023, LRB conducted a presentation of preliminary findings as detailed earlier in this report and solicited feedback from the Eagle Mountain City Council via a seven-question survey. Three council members completed this survey, and the results are summarized below. As with the stakeholder SWOT analysis, strengths, weaknesses, opportunities, and threats will be charted, with more detailed questions summarized after.

TABLE 6.6: CITY COUNCIL SWOT MATRIX

STRENGTHS	WEAKNESSES
▪ Significant undeveloped land	▪ Much of new housing stock is unaffordable
▪ Historically greater housing affordability	▪ Concern for increases in crime with affordable housing
▪ Affordable housing funding from the RDA	▪ Commuting times
▪ Large amount of vested unbuilt units	▪ Distance from retail and employment centers
	▪ Lack of sufficient transportation options
	▪ Council reluctance to approve multifamily housing
OPPORTUNITIES	**THREATS**
▪ First-time homeownership programs	▪ Interest rates driving affordability gaps
▪ Renovation assistance for homeowners	▪ Developers uninterested in producing affordability
▪ Attractive and positive implementation of affordable housing	▪ Conflating unaffordability with low-income
▪ Utilizing TIF affordable housing funds	▪ Unaffordability leading residents to rent
▪ Vested housing can be built without additional approvals	

Responding council members reflected a lack of unity in council vision and rising interest rates as barriers to housing affordability in the City. With respect to implementing strategies or programs to combat housing unaffordability, respondents made note of existing barriers to first-time homeownership, which some viewed as addressable through down payment assistance or interest buy down programs for homebuyers or mechanisms such as density transfers to enable the construction of smaller, more affordable homes.

In terms of actional support from local government, respondents felt that current methods have so far been ineffective, with one council member reflecting that existing City code acts as a barrier to affordable housing. Another council member suggested a more active level of involvement from the City in promoting assistive measures for homebuyers and partnering with developers to provide incentives to those dedicated to improving affordability.

SECTION 7: CRA HOUSING FUND ANALYSIS

By state statute (Utah Code 17C-5-307(3)), community reinvestment project areas subject to an interlocal agreement shall allocate at least 10 percent of project area funds for housing if the project area budget provides for more than $100,000 of funds distributed to the agency. In Eagle Mountain, four project areas are currently or will be classified under this designation and will produce affordable housing funds that may be able to be utilized in line with recommendations provided in this report. Utilizing these funds toward an effective end for prospective homebuyers is of key importance to the City. Under Utah Code 17C-1-412(1), affordable housing allocation in these areas is permitted for use in a variety of contexts. The full list of permitted uses follows.

(a) An agency shall use the agency's housing allocation to:

- (i) pay part or all of the cost of land or construction of income targeted housing within the boundary of the agency, if practicable in a mixed income development or area;
- (ii) pay part or all of the cost of rehabilitation of income targeted housing within the boundary of the agency;
- (iii) lend, grant, or contribute money to a person, public entity, housing authority, private entity or business, or nonprofit corporation for income targeted housing within the boundary of the agency;
- (iv) plan or otherwise promote income targeted housing within the boundary of the agency;
- (v) pay part or all of the cost of land or installation, construction, or rehabilitation of any building, facility, structure, or other housing improvement, including infrastructure improvements, related to housing located in a project area where a board has determined that a development impediment exists;
- (vi) replace housing units lost as a result of the project area development;
- (vii) make payments on or establish a reserve fund for bonds issued by the agency, the community, or the housing authority that provides income targeted housing within the community; and all or part of the proceeds of which are used within the community for the purposes stated in Subsection (1)(a)(i), (ii), (iii), (iv), (v), or (vi);
- (viii) if the community's fair share ratio at the time of the first adoption of the project area budget is at least 1.1 to 1.0, make payments on bonds that were previously issued by the agency, the community, or the housing authority that provides income targeted housing within the community; and all or part of the proceeds of which were used within the community for the purposes stated in Subsection (1)(a)(i), (ii), (iii), (iv), (v), or (vi);
- (ix) relocate mobile home park residents displaced by project area development;
- (x) subject to Subsection (7), transfer funds to a community that created the agency; or
- (xi) pay for or make a contribution toward the acquisition, construction, or rehabilitation of housing that is located in the same county as the agency; is owned in whole or in part by, or is dedicated to supporting, a public nonprofit college or university; and only students of the relevant college or university, including the students' immediate families, occupy.

(b) As an alternative to the requirements of section (1)(a), an agency may pay all or any portion of the agency's housing allocation to:

(ii) a housing authority that provides income targeted housing within the community for use in providing income targeted housing within the community;

(iii) a housing authority established by the county in which the agency is located for providing income targeted housing within the county; permanent housing, permanent supportive housing, or a transitional facility, as defined in Section 35A-5-302, within the county; or homeless assistance within the county;

(iv) the Olene Walker Housing Loan Fund, established under Title 35A, Chapter 8, Part 5, Olene Walker Housing Loan Fund, for use in providing income targeted housing within the community;

(v) pay for or make a contribution toward the acquisition, construction, or rehabilitation of income targeted housing that is outside of the community if the housing is located along or near a major transit investment corridor that services the community and the related project has been approved by the community in which the housing is or will be located; or

(vi) pay for or make a contribution toward the expansion of child care facilities within the boundary of the agency, provided that any recipient of funds from the agency's housing allocation reports annually to the agency on how the funds were used.

FUNDING FORECAST

Forecasting for funds generated by CRA areas is done on a 20-year basis, where in each year the housing allocation is set at 10 percent of the *total property tax increment for budget* as notated in each CRA area's budget. The two active CRA areas managed by the Eagle Mountain Redevelopment Agency ("RDA") are the Sweet Water #1 CRA and the Pole Canyon CRA. Both areas were triggered in tax year 2021. An additional two planned CRA areas are utilized in this analysis, the Sweet Water #2 and #3 CRAs. As neither of these areas has yet begun to generate increment, an assumption of a trigger in tax year 2025 is included.

TABLE 7.1: CRA FUNDING FORECAST

AREA NAME	PAYMENT YEAR	2022	2023	2024	2025	2026	2027	2028	2029
	TAX YEAR	2021	2022	2023	2024	2025	2026	2027	2028
Sweet Water #1		$275,765	$725,343	$576,293	$534,053	$482,426	$430,799	$574,434	$528,691
Sweet Water #2		-	-	-	-	$445,365	$429,277	$397,102	$358,492
Sweet Water #3		-	-	-	-	$69,180	$123,564	$113,327	$102,450
Pole Canyon		$22,652	$32,123	$84,833	$82,458	$87,023	$84,430	$81,067	$76,980
Total		**$298,417**	**$757,466**	**$661,126**	**$616,511**	**$1,083,994**	**$1,068,070**	**$1,165,930**	**$1,066,613**

2030	2031	2032	2033	2034	2035	2036	2037	2038
2029	2030	2031	2032	2033	2034	2035	2036	2037
$574,434	$491,264	$445,521	$399,777	$574,434	$528,691	$491,264	$445,521	$574,434
$397,102	$319,882	$445,365	$429,277	$397,102	$358,492	$319,882	$445,365	$397,102
$113,327	$90,934	$83,896	$123,564	$113,327	$102,450	$90,934	$83,896	$113,327
$74,092	$72,795	$68,934	$80,764	$74,092	$72,885	$71,626	$70,493	$91,103
$1,158,955	**$974,875**	**$1,043,716**	**$1,033,382**	**$1,158,955**	**$1,062,518**	**$973,706**	**$1,045,275**	**$1,175,966**

2039	2040	2041	2042	2043	2044	2045	TOTAL
2038	2039	2040	2041	2042	2043	2044	
$528,691	$491,264	$491,264	-	-	-	-	$9,989,706
$358,492	$319,882	$445,365	$429,277	$397,102	$358,492	$319,882	$7,800,472
$102,450	$90,934	$83,896	$123,564	$113,327	$102,450	$90,934	$2,041,968
$88,443	$85,986	$83,633	-	-	-	-	$1,505,860
$1,078,076	**$988,066**	**$1,104,158**	**$552,841**	**$510,429**	**$460,942**	**$410,816**	**$21,338,006**

As displayed above, the total projected sum of generated increment funding for housing is $21,338,006. This amount is effectively segmented into three multi-year blocks, with the payment year periods 2022-2025 and 2042-2045 respectively averaging generated funding at $583,380 and $483,757. During the payment year period 2026-2041, an average of $1,066,841 is generated annually for a total sum of $17,069,458 over 16 years.

BENCHMARK ANALYSIS

The benchmark analysis is purposed to identify uses of redevelopment agency set aside for affordable housing in Utah and evaluate their effectiveness for potential eventual incorporation in the City. This section consists partially of the uses of set aside funds by municipalities that have incorporated the moderate-income housing Strategy P in their general plans, "demonstrating utilization of a moderate-income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing." Additional potential uses, not presently administered by municipalities, are also included in the analysis.

Below, **Table 7.2** provides an overview of the analyzed programs, with additional details following.

TABLE 7.2: STRATEGY OVERVIEW

	DOWN PAYMENT ASSISTANCE			
SOURCE MUNICIPALITY	WEST JORDAN/OGDEN	SOUTH JORDAN	MIDVALE	MURRAY
Applicant Restrictions	HUD 80% AMI	HUD 80% AMI	HUD 80% AMI	HUD 120% AMI
Maximum Amount per Applicant (2023)	$10,000	$20,000	$25,000	$30,000
Maximum Amount per Applicant (2045)	$27,500	$37,500	$42,500	$47,500
Total Product Generated	**1,305**	**792**	**665**	**573**
	EMPLOYEE HOUSING ASSISTANCE			
SOURCE MUNICIPALITY	WEST VALLEY CITY	OGDEN	OGDEN	MIDVALE
Applicant Restrictions	Police	Public Employees	Police/Fire	Public Employees
Maximum Amount per Applicant (2023)	$10,000	$15,000	$20,000	$30,000
Maximum Amount per Applicant (2045)	$27,500	$32,500	$37,500	$47,500
Total Product Generated	**1,305**	**983**	**792**	**573**
	COMMUNITY LAND TRUST		RENT-TO-OWN	
SOURCE	UTAH COMMUNITY LAND TRUST		UTAH HOUSING CORPORATION	
Applicant Restrictions	Variable		HUD 60% AMI	
Total Product Generated	**77**		**57**	

ANALYSIS METHOD

In **Table 7.2**, for each example use, a "total product generated" figure was developed utilizing annual RDA housing increment income figures. The total for each strategy reflects a scenario in which 100 percent of annual funding is dedicated to that strategy alone. For the down payment assistance and employee housing assistance programs, the product generated is typically a term loan that is forgiven after a specific period of residence. For the community land trust and rent-to-own programs, the product generated is a home.

For the down payment assistance strategies, each drawn from an example municipality, yearly spots for assistance were determined by dividing annual RDA funding by the maximum assistance amount per applicant in that year. Any funds left over in one year are carried forward to the next. In this model, the yearly maximum assistance amount increases by a value of $2,500 every three years to account for rising home values. The employee housing assistance programs function precisely the same.

For the community land trust strategy, yearly homes available were determined by dividing annual RDA funding by the estimated median land market value for a single-family home in that year. Using 2023 parcel data that is utilized through this report, this value was $188,200. This value increases annually at a rate of four percent. Any funds left over in one year are carried forward to the next.

For the rent-to-own strategy, yearly homes available were determined by dividing annual RDA funding by the median single-family home total market value, which began at $486,600 for 2023. In the years following 2023, annual RDA funding is supplemented in this model by additional annual rental income from participating properties and leftover funds from the previous year.

DOWN PAYMENT ASSISTANCE

Down payment assistance is perhaps one of the most frequently utilized tools by municipalities to interact directly with prospective homebuyers and provide individual assistance. For this report, down payment assistance programs in five Utah municipalities were analyzed for their applicability in the City using RDA funds.

While some programs have individual distinctions, most are generally similar in their structure. A common theme is an income limit for applicants, set at 80 percent of AMI for all example programs except that of Murray, which is set at 120 percent of AMI. Additionally, most programs provide assistance in the form of forgivable loans, where an applicant must maintain ownership and occupancy of a home for a defined period (five or 10 years). In the event that ownership or occupancy is discontinued prior to the end of the term, a proportional payback is required. The Ogden program is an exception to this layout, where the aid is in the form of a zero-interest, deferred-payment loan. If ownership or occupancy is discontinued under this program, the full amount of assistance is due for repayment.

Most surveyed programs require that applicants be first-time homebuyers. However, the definition of "first-time" appears to be somewhat flexible. For example, in Murray, Midvale, and West Jordan it is defined by a period past previous homeownership, variably two or three years.

Additional applicant restrictions apply variably between programs. Some programs require a minimum credit score, set a maximum to liquid asset value available to applicants, or require a minimum amount put toward the purchase by the applicant. Eligible costs for program funds additionally vary from allowing only contributions toward down payment and closing costs to allowing for the aforementioned costs in addition to a mortgage insurance payment and interest rate buydowns. All programs set a maximum debt-to-income ratio for applicants, with independent requirements set for housing debt and for total debt.

EMPLOYEE HOUSING ASSISTANCE

In most cases, among the surveyed programs, employee housing assistance opportunities are administered in conjunction with down payment assistance programs and function very similarly. They are distinguished from these programs by additional applicant conditions and, often, additional availability of funding.

For the Ogden and Midvale programs, income restrictions apply to employees as they do to applicants for the standard down payment assistance program. For Midvale, to qualify for the elevated assistance amount under this program, applicants must have worked for a public entity within the city for at least one year. For Ogden, city employees and full-time K-12 schoolteachers or administrators are eligible for $5,000 beyond the typical down payment assistance maximum. Ogden City police officers and fire fighters are eligible for $10,000 beyond the typical maximum.

West Valley City operates an employee housing assistance program for police officers that is not associated with any other down payment assistance program and is funded through a special appropriation from the general fund. Two funding opportunities are available through this program. Officers may apply to receive $10,000 toward the purchase of a home, or they may apply to receive a stipend of $165 per month for five years while living in the city. Alternatively, officers may apply to receive both incentives, but they must agree to maintain both employment and residence within the city for a five-year period.

COMMUNITY LAND TRUST

The purpose of a community land trust program is to enable more affordable homeownership through cooperative ownership between an applicant and the administering entity. Background information for this program as used for reference in this report is provided by the Utah Community Land Trust ("UCLT"), which operates in Utah County. In this arrangement, an entity will purchase a home with the intent of maintaining ownership over its land. A program applicant will then be sold the home only at a significantly below-market rate.

When the homeowner decides to sell, the entity, through provisions provided in the ground lease, will be able to control the resale price so as to make the home affordable to the following buyer.

Additionally, the entity will be entitled to a majority of the appreciated value of the home upon a sale. This scenario is advantageous for both the administering entity and program participants, as the entity will receive equity that can aid toward sustaining and expanding the program and participants will pay discounted rates to own their home and realize equity upon sale.

Under the UCLT's program guidelines, participating homeowners are entitled to realize 1.5 percent per year of the appreciated value of the home, up to a maximum of 25 percent.

RENT-TO-OWN PROGRAM

The purpose of a rent-to-own program is to enable a progressive and more affordable path to homeownership through offering affordable rent to participants and the ability to apply appreciated value toward a home purchase. Background information for this program as used for reference in this report is provided by the Utah Housing Corporation with respect to its Credits-to-Own ("CROWN") program. In this arrangement, an entity will construct a home that is subject to a Low-Income Housing Tax Credit ("LIHTC") deed restriction that requires the home to be rented to low-income households for at least 15 years after the home is built.

After the 15-year period expires, the residing program participant would be eligible to purchase the home with the aid of equity that is provided proportionally to the participant based on the duration of the 15-year period in which they resided there. Upon a sale, the administering entity would be entitled to at least the initial appraised value of the home. This scenario is advantageous for both parties, as the entity receives back its initial investment and all rent payments that are made during the 15-year period and the participant will receive affordable rental rates and the potential of equity toward a home purchase.

APPLICABILITY IN EAGLE MOUNTAIN

To provide a background for the potential success of strategies utilizing the City's affordable housing allocation, LRB examined the projected impact of the down payment assistance strategy. This strategy was revealed by the benchmark analysis to provide the widest coverage of all examined and is additionally attractive for its flexibility in terms of modifications to eligibility conditions and assistance amounts. Working with housing gap data from **Section 4**, LRB analyzed the impact of down payment assistance disbursement on single-family home affordability in comparison to existing conditions. In order to generate a more reliable estimation of impact by income category based on available data, ranges are defined by ACS income categories rather than by Area Median Income percentages.

In **Table 7.3**, existing affordable units (see **Table 4.4** for existing units by category as a percentage of all units) are positioned beside hypothetical affordable unit counts for scenarios where, respectively, up to $10,000, $20,000, and $30,000 are offered for down payment assistance. To calculate these numbers, the same mortgage calculation figures from **Section 4** were utilized with exception to modifications to the down payment figure, which remains at 10 percent with the addition the varying assistance figures.

TABLE 7.3: AFFORDABLE UNITS SCENARIOS

RANGE	AFFORDABLE UNITS (EXISTING)	AFFORDABLE UNITS ($10K)	AFFORDABLE UNITS ($20K)	AFFORDABLE UNITS ($30K)
Less than $15,000	9	9	9	9
$15,000 to $24,999	0	0	0	0
$25,000 to $34,999	0	0	3	7
$35,000 to $49,999	59	99	133	187
$50,000 to $74,999	197	159	122	66
$75,000 to $99,999	188	325	579	952
Total	**453**	**592**	**846**	**1,221**

This analysis demonstrates the product of varying funding maximums for this program. Of note, the respective greatest counts of possible disbursements over the length of the current funding schedule (see **Table 7.2**) are 1,305 ($10k), 792 ($20k), and 573 ($30k). For this reason, with current funding, the expected impact in each scenario is maximized at these caps. However, any additional funding to this program would allow for totals closer to those in **Table 7.3**.

TABLE 7.4: HOUSING GAP IMPACT

	HOUSEHOLDS (2024)	GAP (EXISTING)	GAP ($10K)	GAP ($20K)	GAP ($30K)
Less than $15,000	260	251	251	251	251
$15,000 to $24,999	178	178	178	178	178
$25,000 to $34,999	164	164	164	161	157
$35,000 to $49,999	864	805	765	731	677
$50,000 to $74,999	2,221	2,024	2,062	2,099	2,155
$75,000 to $99,999	3,071	2,883	2,746	2,492	2,119
Total	**6,758**	**6,305**	**6,166**	**5,912**	**5,537**

Table 7.4 displays each unit count from **Table 7.3** applied to the existing count of households, showing in result the remaining affordable housing gap. Though in all scenarios the affordability gap remains significant, it decreases respectively by 2.2, 6.2, and 12.2 percent (as funding increases).

SECTION 8: HOUSING AFFORDABILITY STRATEGIES

The primary purpose and guiding directive in developing housing affordability strategies for the City is to suit actionable measures to the plan objectives as solidified in the Moderate-Income Housing section of the 2018 Eagle Mountain General Plan. The following four objectives have been identified in the General Plan and serve as the foundational strategies developed further in this plan.

Objective 1: Ensure affordable housing grows proportionally with normal development. While affordability is not currently a major concern, the lack of rental units may present a housing impediment to consumer choice.

Objective 2: Support affordable housing options that address the needs of low to moderate income households and individuals and offer options for a range of demographics and lifestyles.

Objective 3: Provide the opportunity for affordable home ownership by offering a range of housing types, including attached dwellings, for purchase.

Objective 4: Provide desirable affordable housing options that integrate well into surrounding neighborhood contexts.

EXISTING HOUSING AFFORDABILITY STRATEGIES

Drawing from the 2023 Moderate Income Housing amendment to the 2018 Eagle Mountain General Plan, the following five strategies were gathered from Utah Code 10-9a-403(2)(b)(iii) in compliance with the overarching code's requirement for recommending moderate income housing strategies.

Strategy 1: Create, or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.

Strategy 2: Implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality.

Strategy 3: Eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-9a-530.

Strategy 4: Create a program to transfer development rights for moderate income housing.

Strategy 5: Demonstrate implementation of any program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing.

PROPOSED HOUSING AFFORDABILITY STRATEGIES

In addition to the above strategies selected by the City, LRB suggests the following strategies, following the City's objectives and existing strategies for moderate income housing and additionally reflecting feedback from the council and stakeholder outreach processes.

Strategy 1: Invest dedicated CRA affordable housing funds into a down payment assistance program for targeted-income households and City employees. This strategy is in line with the City's Strategies 2 and 5 and feedback from council members and a majority of stakeholders. This strategy presents additional opportunity for first-time homeownership and offers flexibility in its variable terms for program eligibility.

Strategy 2: Expand upon existing naturally affordable housing stock through the promotion of construction of modular and manufactured housing. This strategy is in line with the City's Objective 3. This strategy has the potential to deliver housing that is inherently more affordable for homebuyers and is more easily suited to current development standards and restrictions than other housing types.

Strategy 3: Partner with local nonprofit organizations to expand the range of deed-restricted housing reserved for targeted-income households. This strategy is in line with the City's Objective 2 and Strategy 5 and feedback from stakeholders. Alone or combined with other tools such as community land trusts or strategic transfers of development rights, this strategy works to reduce costs for homebuyers within certain income groups.

Strategy 4: Broaden the distribution of commercial areas within and nearby residential zones. This strategy is in line with feedback from council members and stakeholders and is reflective of existing land use plans as demonstrated in the City's Future Land Use & Transportation Map. This strategy has the potential to heighten affordability through decreasing transportation-related costs for all City residents and additionally reduces these costs more powerfully for those that would be employed in these areas.

Strategy 5: Offer modifications to development requirements, such as for setbacks and required parking, for developers setting aside a portion of housing for targeted-income groups or constructing accessory dwelling units. This strategy is in line with stakeholder feedback and is additionally reflective of the City's Strategy 1. This strategy targets a notable component of the eventual level of affordability of a home and can direct toward an increase in the housing stock available for certain income groups.

ECONOMIC DEVELOPMENT STRATEGIZING

Drawing from the Eagle Mountain Economic Development Master Plan, two existing issues are reflected in the plan that draw connections to concerns in this report for the future of affordable development: commuting time and housing affordability, both of which are interconnected.

Commuting distances and the scope of the employment pool for industries in Eagle Mountain are directly connected. Insufficient capacity, both with respect to housing affordability and job

opportunities, create gaps in employment saturation. As noted in **Section 4**, households earning under $100,000 annually face tremendous barriers to entry with respect to affordability. From the Plan, a difficulty arises in that service-based industries and industries with lower typical income levels can suffer from an insufficient employment pool. Due to Eagle Mountain's relative geographic isolation within the county, increasing commute times for those living outside City limits, the employment pool is more localized than in municipalities along the Interstate 15 corridor. Similarly, for those higher household income groups that are relatively more prolific in the City, oversaturation of higher-paying industries is also connected to commute times insofar as those residents will at times be forced to commute outside the City.

While oversaturation of higher-paying industries is more likely to be organically resolved through efforts to bolster economic development as outlined in the Plan, the lack of affordability for those in lower-paying industries is directly linked to the efforts in this report. Though all present and proposed strategies aim to generally increase affordability in the City, proposed **Strategy 4** is more precisely oriented toward the nexus of affordability and commuting logistics.

Found in this strategy is the impetus to develop mixed-use zones. Beyond improved housing affordability, seen naturally in multifamily residences compared to their single-family counterparts, collocation of housing within commercial and/or general employment zones ameliorates barriers attributed to present conditions with respect to commuting. Regarding commercial access, mixed-use zoning as implemented in other municipalities partially, and sometimes fully, eliminates concerns for nearby residents. Beyond the added benefits of reduced vehicle congestion and greater nearby commercial customer bases, residents without access to a vehicle are enabled the ability to seek nearby employment, and those with vehicles are able to reduce transportation-related costs that can otherwise be put toward housing expenses.

Of note, commercial zones are not the only feasible areas for the implementation of collocated denser housing. Targeted workforce housing in other employment zones retain the same benefit of reduced or eliminated transportation costs for residents that can be relegated toward housing.

GENERAL RECOMMENDATIONS

In summary, LRB recommends a broad and mixed use of both existing City strategies and additional strategies promoted in this report. We suggest that, with affordability conditions for potential homebuyers reaching critical lows in recent years, the City should emphasize the short-term implementation of homebuyer assistance programs so as to maximize impact and minimize waste of existing but unutilized funds.

In the longer term, LRB suggests that the City work progressively toward improving standards for zoning and development regulations that more soundly and deliberately promote the development of naturally more affordable housing. LRB finds that existing conditions with respect to available vacant land for housing provide tremendous capacity for strategic use toward an accessible and affordable option for new residents.

Section 9: EMC Staff Recommendations

This section was drafted as a staff response to the LRB Affordable Housing Report. Staff provides additional recommendations.

Background

In 2021, Eagle Mountain City began receiving RDA funds from economic development tax benefits. With 10% of these funds earmarked for affordable housing, the city recognized the need for a strategic plan. To ensure effective use of these resources, the City hired LRB in 2022 to identify the best affordable housing strategies for the community.

Also in 2022, the State of Utah introduced a moderate-income housing requirement of the General Plan, mandating cities to adopt at least five state-approved strategies to qualify for full transportation funding. While LRB conducted its assessment, the City Council set affordable housing priorities and selected the five required moderate-income housing strategies in November 2022.

While discussing the Council's desire for an Employee Mortgage Assistance Program in July 2024, the Council discussed a possible allocation of the RDA funds in the following manner: 50% to a mortgage assistance program, 25% to a revitalization grant program for homeowners facing hardships, and 25% to other affordable housing initiatives. The LRB report was later finalized in August 2024. This memo includes staff responses to the LRB recommended strategies and proposes additional strategies for Council consideration.

LRB Report Staff Assessment

The LRB study is now complete. It provided a lot of useful data and information for the City. The recently updated statistics paint a picture of the affordable housing situation in the City. The situation has likely slightly improved over the past two years, but the city is still facing a great challenge.

It is clear from the LRB report that Eagle Mountain is experiencing difficulties in the area of housing affordability. LRB also provided recommendations for how the City could address these problems. It is important to note that staff views LRB's strategies as a set of recommendations, and not a finalized plan. After careful review, staff concurs with several recommendations, while others may be more appropriate for future consideration.

- **Strategy 1**: "Invest dedicated CRA affordable housing funds into a down payment assistance program for targeted-income households and City employees. This strategy is in line with the City's Strategies 2 and 5 and feedback from council members and a majority of stakeholders. This strategy presents additional opportunity for first-time homeownership and offers flexibility in its variable terms for program eligibility."

Staff Response: This strategy is currently being implemented. Both staff and the City Council anticipate that it will effectively aid many families in their effort to move into homeownership.

- **Strategy 2**: "Expand upon existing naturally affordable housing stock through the promotion of construction of modular and manufactured housing. This strategy is in line with the City's Objective 3. This strategy has the potential to deliver housing that is inherently more affordable for homebuyers and is more easily suited to current development standards and restrictions than other housing types."

  Staff Response: This strategy presents a promising avenue for exploration. The Council has received presentations on modular and prefabricated housing in previous Council work sessions. Although this seems like a valuable method, it may not affect housing prices as much as anticipated. It may not affect housing prices generally, but it does add to the stock of more affordable housing. Further investigation into these options is recommended before committing substantial resources.

- **Strategy 3**: "Partner with local nonprofit organizations to expand the range of deed-restricted housing reserved for targeted-income households. This strategy is in line with the City's Objective 2 and Strategy 5 and feedback from stakeholders. Alone or combined with other tools such as community land trusts or strategic transfers of development rights, this strategy works to reduce costs for homebuyers within certain income groups."

  Staff Response: Partnering with local nonprofit organizations aligns with the Council's goal of fostering partnerships that efficiently serve Eagle Mountain residents. This strategy is worthy of exploration, as the right collaborations could significantly benefit the community. One potential partnership mentioned in by LRB is through a Community Land Trust. This has proven to be an effective method of promoting home ownership that would be easy to incorporate into the growth of Eagle Mountain.

- **Strategy 4**: "Broaden the distribution of commercial areas within and nearby residential zones. This strategy is in line with feedback from council members and stakeholders and is reflective of existing land use plans as demonstrated in the City's Future Land Use & Transportation Map. This strategy has the potential to heighten affordability through decreasing transportation-related costs for all City residents and additionally reduces these costs more powerfully for those that would be employed in these areas."

  Staff Response: This strategy represents efforts in which the City is already engaged. Distributing commercial areas among residential areas is already part of Eagle Mountain's zoning plans. Although LRB's recommendation is to increase those efforts, it might not be as effective as other efforts recommended in this document. According to LRB, the greater distribution of commercial areas would lead to decreased transportation costs. However, transportation costs are not likely to have a large effect on housing affordability. Also, in a city that is over 50 square

miles, slightly increased proximity to commercial zones may not actually bring many people closer to all their necessities.

- **Strategy 5**: "Offer modifications to development requirements, such as for setbacks and required parking, for developers setting aside a portion of housing for targeted-income groups or constructing accessory dwelling units. This strategy is in line with stakeholder feedback and is additionally reflective of the City's Strategy 1. This strategy targets a notable component of the eventual level of affordability of a home and can direct toward an increase in the housing stock available for certain income groups."

  Staff Response: Some aspects of what LRB outlined in this strategy represent interests of the Council. This includes encouraging developers to set aside a portion of housing for targeted income groups and supporting the creation of accessory dwelling units. However, some of this strategy, though useful in theory, do not align with Council's priorities such as reducing setbacks and required parking. Staff understands that Council already negotiates those concepts with developers for each Master Development Agreement that comes before the Council. It is not necessarily ideal to reduce those in the code when most of the city is part of a negotiated Master Development Agreement.

Staff Research

LRB's recommendations offer valuable insights for enhancing affordable housing in Eagle Mountain City. However, staff has conducted additional research, leading to the following suggestions for consideration:

1. **Financial Literacy Education**: Financial literacy is a critical barrier to homeownership, particularly for younger individuals. Insufficient knowledge can make the home-buying process daunting and increase vulnerability to exploitation by brokers or lenders. Implementing educational programs to address this gap is recommended.

2. **Encouraging Innovative Solutions**: Developers often propose creative approaches to integrating affordable housing into their projects, but city restrictions and the costs associated with master plan presentations can inhibit these efforts. Reducing these barriers could incentivize more innovative discussions and solutions. This could include developer/staff/council luncheons, reduced requirements for a first draft, or a bonus creativity round of review.

3. **Senior Housing**: Although the current senior population in Eagle Mountain is relatively small, it is anticipated to grow over time. To support a multigenerational community, the city should collaborate with relevant organizations to develop affordable senior housing options.

4. **Blight Prevention**: Blight is a concern that, while not currently significant, could become an issue as the community ages. Addressing this early through affordable housing initiatives will help maintain the city's quality of life. A revitalization grant program is one way that the City can prevent blight.

5. **Creation of "Faux" Naturally Occurring Affordable Housing**: The City could consider purchasing properties to rent at affordable rates. This strategy would not only generate income to support other affordable housing efforts but also provide renters with a pathway to homeownership, thereby contributing to overall community stability. It could also become a rent-to-own program, streamlining the connection from renting to owning. The City could also purchase properties to resell with a deed restriction in order to ensure that the house continues to be affordable for generations to come. This strategy would allow the City to spread its affordable housing units across the community, promoting upward mobility.

6. **ADU Facilitation**: The City has already chosen to help reduce barriers to establishing ADUs in the City through the MIH strategies. If desired, the City may choose to help establish the needed infrastructure for ADUs as well. For example, this could be through a grant or service program that aids homeowners in obtaining a separate entrance for the ADU.

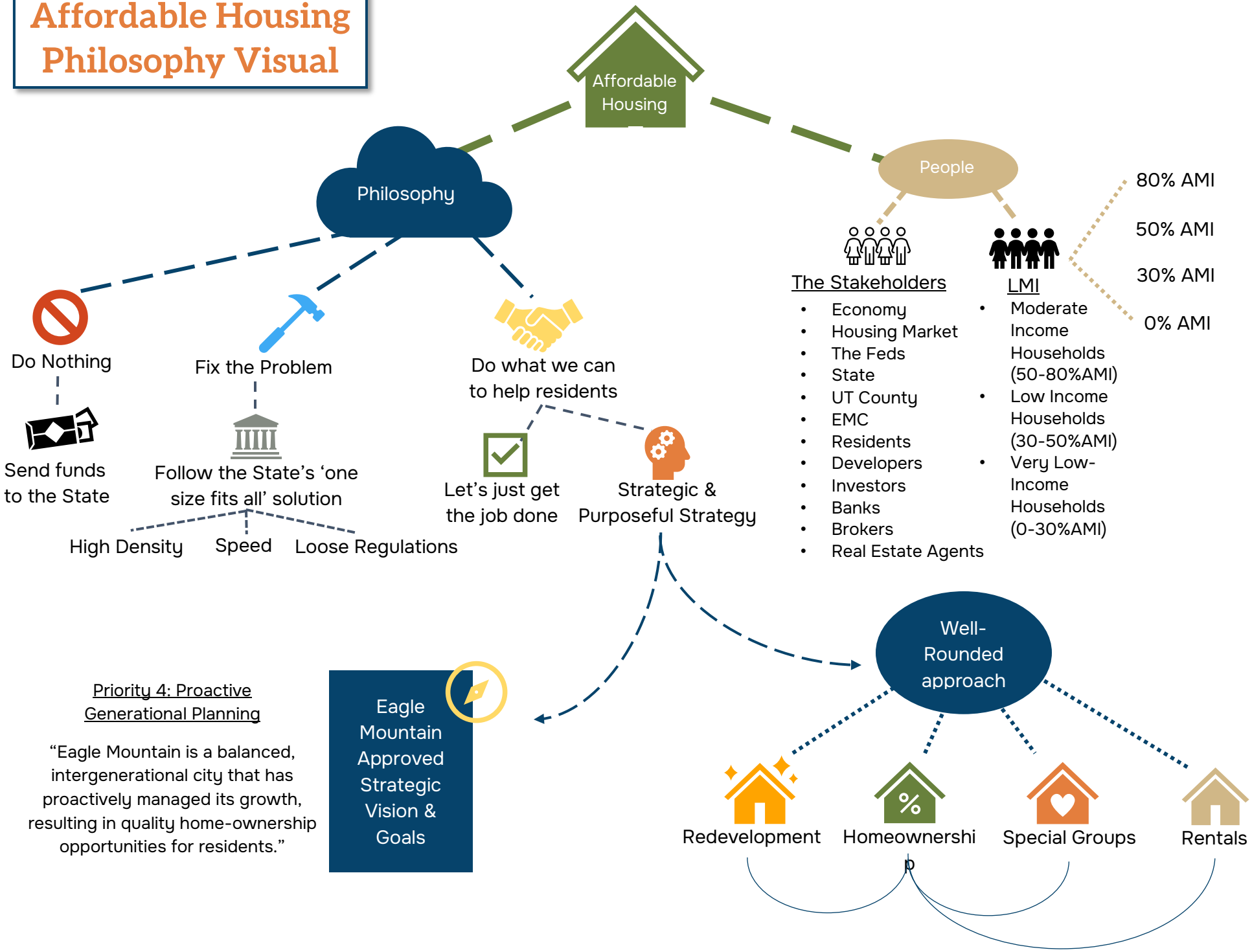
These recommendations, in conjunction with the LRB report, are intended to guide the City's efforts in fostering a diverse, sustainable, and inclusive community through strategic use of RDA funds.

Overall Recommendations

Staff recommends that a well-rounded approach to increasing affordable housing in Eagle Mountain would include the following strategies from both LRB's and Staff's research in addition to the five adopted MIH strategies:

- LRB Recommendation 1: Establishing a mortgage assistance program for prospective homeowners (already in progress).
- LRB Recommendation 3: Partner with nonprofits to establish more deed-restricted housing.
- LRB Recommendation 5: Offer modifications to development requirements, such as for setbacks and required parking, for developers setting aside a portion of housing for targeted-income groups or constructing accessory dwelling units.
- Staff Recommendation 1: Creating a financial literacy course for those seeking to navigate the journey to homeownership.
- Staff Recommendation 2: Working with developers to explore innovative solutions to affordable housing.
- Staff Recommendation 3: Encouraging the creation of senior housing.
- Staff Recommendation 4: Forming a blight prevention program for existing homeowners.
- Staff Recommendation 5: Creating "faux" naturally occurring affordable housing to provide affordable rentals for those saving up for homeownership.
- Staff Recommendation 6: Creating a program to aid homeowners in the construction of necessary components to establish a new ADU.

Affordable Housing Philosophy Visual



Affordable Housing Philosophy

This document is intended to prepare staff and Council to receive and understand an Affordable Housing Plan. It frames the conversation and defines terms to ensure that staff and Council are speaking the same 'language' regarding affordable housing.

Please refer to the corresponding 'Affordable Housing Visual' document while reading.

Affordable Housing

There are many ways to discuss the topic of "affordable housing." The issue is hotly debated in politics which creates an environment where misconceptions and misinterpretations occur often. Even the phrases "affordable housing" and "housing affordability" mean different things.[1 2] With such a broad issue, it is sometimes intimidating to approach the subject altogether, let alone decide what action should be taken, if at all.

This document is intended to frame the conversation of affordable housing for Eagle Mountain City – staff and Council alike, according to academic research, current state policies, and staff's interpretation of Council's priorities.

People

The first thing to consider when studying affordable housing is the people. The people can be divided up into "Stakeholders" and "LMI" households. The Stakeholders are the people who affect or play a part in the housing market. That list includes, but is not limited to, the following:

- Economy
- Housing Market
- The Federal Reserve
- State of Utah
- Utah County
- Eagle Mountain City
- Housing Agencies (Utah County Housing Authority, etc.)
- Non-profit Organizations (Habitat for Humanity, etc.)
- Developers
- Banks
- Brokers
- Real Estate Agents

These are all the people or groups of people who make decisions that affect the free housing market. Eagle Mountain City plays a role here because it approves and controls (to some extent) what the supply of housing looks like in Eagle Mountain City. The City also affects the speed at which the development of new housing occurs in Eagle Mountain.

LMI stands for Low-Moderate Income households.[3] These are households whose yearly income is 80% or less of the Area Median Income.[4] For the purpose of Eagle Mountain's affordable housing plan, its "Area" is Eagle Mountain City. Here are Eagle Mountain's income thresholds based on the City's household median income.[5]

- 100% AMI: $91,993
- 80% AMI: $73,595
- 50% AMI: $45,997
- 30% AMI: $27,598

When considering low-moderate income households, it is important to understand the demographics of people who typically fit in this category. There is often a lot of misconceptions surrounding "low-moderate income." Stereotypically, there is a lot of resistance to the idea of "affordable housing," however, the Envision Utah Study in 2020 showed that 87% of Utahns support housing that allows for teachers, firefighters, and police officers.[6] It turns out that, once again, the term "affordable housing" is often misinterpreted. For example, the following three groups of public servants fit in or near the LMI range:

1. **Police officers.** The median salary for officers stationed at Eagle Mountain through the Utah County Sherriff's Office is $81,032. This median is barely out of the range for LMI, meaning that there are a good number of officers who fall in that category.[7]
2. **Schoolteachers.** The median salary for contracted full-time employees in Alpine School District is $72,847, falling just below the 80% threshold in Eagle Mountain.[8]
3. **Local government workers.** The median salary for full-time employees of Eagle Mountain City is $49,920. This falls just above the 50% AMI mark for Eagle Mountain.[9]

Philosophy

When discussing resolutions to affordable housing, it is often the philosophy behind the approach that creates the most dissonance. In researching various sources and articles, one can divide the conversation of affordable housing solutions in Utah into three categories: 1.) Do Nothing approach; 2.) Fix the Problem approach; 3.) Do What We Can to Help Residents approach. Each of these will be addressed below.

Do Nothing Approach

This approach is very popular. It relies on the free market to run its course. The market has its own way of balancing supply and demand and adjusting to the needs and wants of society.[10] Unfortunately, as a City, Eagle Mountain falls under the "Stakeholders" category. As a stakeholder, the City is one of the gatekeepers to the free housing market is Eagle Mountain City.[11] The City Council determines which

products from the supply of houses should be allowed to be built in the City. It is not the only factor that affects the product supply of housing in the city, but one that should not be overlooked.

The City is also bound by the state to spend a portion of its TIF dollars toward affordable housing.[12] That means that Eagle Mountain City will have a significant amount of money to spend on affordabe housing each year for the next 30 years or more.[13] Even if the City wanted to stay out of affordable housing, it is required by state law to get involved. The City still has the option to allocate all of its funds back to the state, but in order to receive full transportation funding, the City must take more proactive steps.

Since it is impossible for the City to completely "get out of the way" the City must consider other approaches to the affordable housing problem.

Fix the Problem Approach

This approach is also very popular, especially among Utah State politics. The concept of "fix the problem" is to get to the root of the problem and fix it from there. The State of Utah is currently facing a housing shortage, which is one of the factors driving up the price of homes. In order to reverse the problem, the State wants to focus on increasing the supply of housing. That is why the State is pushing for policies that facilitate an increase in housing supply.[14] However, this should still be carefully considered, because the State's "one size fits all" approach, may or may not be the highest and best use for the unique situation of Eagle Mountain Citizens.[15]

Do What We Can to Help Residents Approach

This seems to be a less popular approach, though it is more achievable and customizable. This looks like creating increased opportunities for people to bridge the affordability gap, while not taking on the responsibility of completely solving the affordable housing crisis with the resources and influence of a single city.

There are two schools of thought within this approach. The first is the "Let's Just Get It Done" school of thought and the second is the "Strategic & Purposeful Planning" school of thought.

Let's Just Get It Done

This approach takes on the attitude of checking a box. It is almost a crossover between "Do Nothing" and "Do What We Can to Help." Its focus is doing the minimum work necessary to spend required affordable housing dollars. While this still positively impacts the community, the funds are not targeted towards best use.

Strategic & Purposeful Planning

This strategy, as the name suggests, requires strategic and purposeful planning for the use of the City's affordable housing dollars. This allows the City to fulfil state requirements while specifically targeting the needs of the citizens of Eagle

Mountain City. It also aids the Council in future planning, as this strategy takes into consideration housing quality and the under- and over-supply of various housing types.[16] From what staff understands, this is the approach that Council would like to take. This will be discussed in more detail in the following section.

Strategic & Purposeful Affordable Housing Planning

Eagle Mountain Approved Strategic Vision & Goals

Focusing Eagle Mountain City's Approved Strategic Vision & Goals is a great way to make sure that affordable housing projects align with city vision and stays on track with city priorities. Priority four, Proactive Generational Planning, states, "Eagle Mountain is a balanced, intergenerational city that has proactively managed its growth, resulting in quality home-ownership opportunities for residents."[17] Affordable Housing helps the City reach its goals of having a city for all stages of life with rich home-ownership opportunities.

A Well-Rounded Affordable Housing Program

Strategic and purposeful planning also means implementing a well-rounded affordable housing program. A well-rounded program addresses a variety of housing needs to help people all along the housing lifecycle. Since there are so many affordable housing programs out there, examining them in different categories is helpful. The four categories are as follows:

- Homeownership
- Rentals
- Special Groups
- Rehabilitation/Redevelopment

Each of these categories will be explained in the subsequent sections.

A city will not experience needs in all these categories equally. However, it is still important to keep all four of these in mind when planning for affordable housing projects. For example, Eagle Mountain City is a relatively new city and does not have much need for redevelopment, though the need does exist in some small ways. It is something to keep in the affordable housing conversation because it may become a bigger part of Eagle Mountain's future as the city ages.

Homeownership

Homeownership is the largest focus of Eagle Mountain's affordable housing plan. Council has expressed a strong interest in facilitating or reducing barriers to homeownership. The potential programs that fall under this category include, but are not limited to, the following:

- First-time homebuyer down-payment assistance
- Mortgage assistance to public employees

- Financial education courses targeted to first-time homebuyers
- Community Land Trusts
- Density bonuses
- Exploring code maximums
- Flexibility for developers who wish to propose a master development agreement
- First time-homebuyer loan forgiveness programs
- Modular housing programs/policies
- Foreclosure prevention programs[18]

Rentals

Affordable housing programs targeted to rentals could either focus on helping landlords or helping the renters themselves. Renters are struggling in the housing market as rent prices have steadily increased. Housing prices have also dramatically increased, making it even harder to make the jump from renting to owning.[19] The purpose of providing help within the realm of rentals is to help keep people move up from renting to owning. The potential projects that fall under this category include, but are not limited to, the following:

- Rental Assistance
- Reducing ADU regulations
- Reducing/supplementing ADU permitting costs
- (any programs targeted toward first-time homebuyers)
- Security deposit assistance
- Mediation for landlord-tenant disputes

Special Groups

When considering affordable housing, there are several groups that can be singled out because their housing needs may be different. These special groups can include the disabled, the elderly, veterans, etc. Eagle Mountain City does not need to focus on *all* these special groups, but it is helpful to remain mindful of these groups' needs throughout the community. This category is important to achieving a multigenerational city. The projects that fall under this category include, but are not limited to, the following:

- Providing monetary assistance to the construction of a senior living facility
- Providing monetary assistance to the construction of a disabled adults living facility
- Reducing/supplementing permitting costs for senior living facilities
- Reducing/supplementing permitting costs for disabled adult living facilities
- Home repair programs for seniors
- Providing incentives for senior living facilities to move into the city
- Providing incentives for disabled adults living facilities to move into the city
- Requiring a percentage of homes to be ADA compliant in various price ranges
- Senior overlay zone

Rehabilitation/Redevelopment

Redevelopment is an often-overlooked part of the affordable housing conversation. However, as stated above, Eagle Mountain City does not have much need for it at this time. Rehabilitation efforts at this time might look like avoiding blight and maintaining the quality of the housing stock in the City. Similar to streets, the housing stock is easier to maintain than it is to fix. Rehabilitation also ensures that *quality* homeownership opportunities will continue to be available as the city ages. The projects that fall under this category include, but are not limited to, the following:

- Roof replacement programs
- Utility home repairs
- Demolition of blighted/unsafe buildings
- Neighborhood revitalization
- Blight prevention
- Increased code enforcement

Achieving Balance

While planning for affordable housing in Eagle Mountain City, it is important to keep all these categories in mind. Each of these categories play into the big picture of establishing a “multigenerational city” and “homeownership opportunities.”

The goal for the City is to stay in tune with the needs of the community and adjust the balance of its affordable housing programs in response. Good policies are those that can be changed. As the City implements policies, it will learn more about the community and its needs as well as the true effects of each policy. The City isn’t going to get it ‘right’ the first time, but it can adjust as time goes on to get closer to the highest and best use of its affordable housing dollars as well as adapt to new circumstances.

Affordable Housing Glossary:

Affordable housing – affordable housing is housing that is appropriate for the needs of a range of very low to moderate income households and priced so that these households are also able to meet other basic living costs such as food, clothing, transport, medical care and education. As a rule of thumb, housing is usually considered affordable if it costs less than 30% of gross household income.[20] [21]

Affordable housing in EMC – housing for every stage of life. We want EMC to be a place where you can be raised, raise your own family, and then retire.[32] See lifecycle of housing in FAQ.

Affordable housing programs – Intervention by the government or other nonprofit or for-profit organizations to aid in the obtention of affordable housing for groups of people considered to be of "low" or "moderate" income.

Area Median Income

> **Very Low Income** – income that is 30% or less than the Area Median Income (AMI).[23]
>
> **Low income** – income that is 50% or less than the Area Median Income (AMI).[23]
>
> **Moderate income** – income that is between 51% - 80% of the Area Median Income (AMI).[23]

Attainable housing – what Council would prefer to call 'affordable housing' in Eagle Mountain City to avoid political misinterpretations.

Blighted areas – areas that, by reason or by deterioration, faulty planning, inadequate or improper facilities, deleterious land use or the existence of unsafe structures or any combination of these factors, are detrimental to the safety, health or welfare of the community.[28]

Blighted structure – A structure is blighted when it exhibits objectively determinable sings of deterioration sufficient to constitute a threat to human health, safety, and public welfare.[24]

Housing affordability – a broad term that refers to the general level of housing prices relative to the general level of household income. This does not refer to a specific type of housing.[22]

Manufactured Housing – Housing that may or may not have a permanent attached location[29] built entirely in a factory, then transported in one piece. (a.k.a. mobile homes).

A structure, transportable in one or more sections, which in the traveling mode is 8 body feet or more in width, or 40 body feet or more in length, or which when erected onsite is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the

required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure. [33]

Modular Housing – some (or all) of the home was built in a factory. A home is made up of large, three-dimensional pieces known as modules. These are built indoors, then shipped to your building site.[31] see prefabricated housing[31]

Prefabricated Housing – some (or all) of the home was built in a factory. A home is made up of large, three-dimensional pieces known as modules. These are built indoors, then shipped to your building site.[31] see modular housing[31]

Redevelopment – the act or process of changing an area of a town by replacing old buildings, roads, etc. with new ones. [26]

Rehabilitation – The labor, materials, tools, and other costs of improving buildings, other than minor or routine repairs. The term includes there the use of a building is changed to an emergency shelter and the cost of this change and any rehabilitation costs does not exceed 75 percent of the value of the building before the change in use.[25]

Revitalization – The process of making something grow, develop, or become successful again[27]

References:

1 Hud.gov

2 Hud.gov

3 U.S. Dept. of Housing and Urban Development

4 Kiani, et al, 2020.

5 Lewis, Robertson, and Burningham, 2023

6 Envision Utah Study, 2020

7 Utah County Sherriff's Office – Eagle Mountain City, 2024

8 Alpine School District, 2024

9 Eagle Mountain City, 2023

10 Principles of Economics, 2016

11 Eagle Mountain Municipal Code, Title 15

12 Utah Code 17C-5-307(3)

13 Lewis, Robertson, and Burningham, 2023

14 Utah Code 10-9a-4

15 Proposed H.B. 306 Residential Housing Amendments

16 Lewis, Robertson, and Burningham, 2023

17 Eagle Mountain City – Approved Strategic Vision & Goals, 2022

18 Hud.gov

19 Planet Money, 2021

20 NSW Government

21 HUD User

22 Wood, Becker, 2023

23 LearnCRA

24 HUD User

25 HUD User

26 Cambridge English Dictionary

27 Cambridge English Dictionary

28 MAG, 2024

29 Realtor.com

30 HUD User

31 NerdWallet

32 Eagle Mountain City – Approved Strategic Vision & Goals, 2022

33 HUD User

	EAGLE MOUNTAIN CITY **CITY COUNCIL MEETING** **OCTOBER 15, 2024**
TITLE:	DISCUSSION - Downtown Master Plan, MHTN Architects
ITEM TYPE:	Presentation
FISCAL IMPACT:	
APPLICANT:	City-initiated

CURRENT GENERAL PLAN DESIGNATION & ZONE	ACREAGE
N/A	N/A

PUBLIC HEARING	PREPARED BY	PRESENTED BY
No	MHTN	MHTN

RECOMMENDATION:

BACKGROUND:
MHTN was selected by the City Council to assist in the creation of a Downtown Master Plan. Following meetings with staff to gather contextual understanding of the City and to develop processes for engagement with stakeholders and the public, MHTN seeks to meet with City Council and discuss their desires related to the Downtown Master Plan.

ITEMS FOR CONSIDERATION:

PLANNING COMMISSION ACTION/RECOMMENDATION:
N/A

ATTACHMENTS:
None

	EAGLE MOUNTAIN CITY **CITY COUNCIL MEETING** **OCTOBER 15, 2024**
TITLE:	DISCUSSION - Alternative Energy Code Amendment
ITEM TYPE:	Discussion Item
FISCAL IMPACT:	
APPLICANT:	

CURRENT GENERAL PLAN DESIGNATION & ZONE	ACREAGE
N/A	N/A

PUBLIC HEARING **PREPARED BY** **PRESENTED BY**

RECOMMENDATION:

BACKGROUND:
The city has indicated a desire to consider how it assesses and entitles alternative energy applications, such as solar energy. City staff have been working with a group interested in submitting an application for a battery storage facility. This group has prepared some draft language for the City to consider relative to alternative energy.

ITEMS FOR CONSIDERATION:
This item is time-sensitive.

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:
1. Proposed Zoning Amendments - Enyo Working Draft 10.06.2024

EAGLE MOUNTAIN
CITY COUNCIL MEETING MINUTES

OCTOBER 1, 2024, 4:00 PM
EAGLE MOUNTAIN CITY COUNCIL CHAMBERS
1650 E STAGECOACH RUN, EAGLE MOUNTAIN, UT 84005

ELECTED OFFICIALS PRESENT: Mayor Tom Westmoreland, Councilmembers Donna Burnham, Melissa Clark, Rich Wood, and Brett Wright. Councilmember Jared Gray was excused.

CITY STAFF PRESENT: Steve Mumford, Interim City Manager; Fionnuala Kofoed, Assistant City Manager/City Recorder; Clifford Strachan, Director of Legislative Affairs; Marcus Draper, City Attorney; Kimberly Ruesch, Director of Legislative Affairs; Tyler Maffitt, Communications Manager; Angela Valenzuela, Human Resources Manager; Natalie Winterton, Grants Coordinator/Management Analyst; Terrence Dela Pena, Finance/Management Analyst; Brandon Larson, Planning Director; Todd Black, Wildlife Biologist/Environmental Planner; Robert Hobbs, Senior Planner; David Stroud, Senior Planner; Steven Lehmitz, Planner; Beth Fewkes, Planner; Mack Straw, Public Utilities Manager; Jeff Weber, Fleet and Facilities/Operations Director; Zac Hilton, Streets and Storm Drain/Parks and Recreation Manager; Bailey Ensign, Digital Communications Specialist; Michele Graves, Library Director; and Eric McDowell, Chief Deputy Sheriff.

CITY STAFF PRESENT ELECTRONICALLY: Lianne Pengra, Chief Deputy Recorder; Brad Hickman, Public Works Director; Chas Glenn, Executive Assistant; and Embret Fossum, Unified Fire Authority Battalion Chief.

4:00 PM WORK SESSION – CITY COUNCIL CHAMBERS

Mayor Westmoreland called the meeting to order at 4:03 PM.

1. DISCUSSION AND INFORMATION ITEMS

1.A. PRESENTATION – General Plan Survey – OnPointe Insights

The recording of the discussion can be found online here at 00:00:33.

Planning Director Brandon Larsen introduced the item. Ron Gailey with OnPointe Insights presented the data and findings for the survey they did relative to the General Plan Update. The survey data was collected in July and August of this year. More than 1,300 people participated in this random-sample, statistically significant survey.

1.B. DISCUSSION – Gardner Farms Master Development Plan

The recording of the discussion can be found online here at 00:48:52.

Senior Planner David Stroud presented the item, and Chase Bryan with Gardner Farms addressed the Council. The applicant submitted a plan to develop commercial and residential uses on 160 acres. Intermountain Health owns 40 acres within the project, but is not developing the property at this time. The remaining 120 acres are proposed to be developed with commercial and residential uses. Residential will consist of single-family, townhomes, and stacked multi-family. The proposed zones are RC, MF2, and

CR. The property is adjacent to Eagle Mountain Boulevard to the east, and the property to the north, west, and south is under the jurisdictional control of Utah County.

1.C. DISCUSSION – Get Healthy Utah Designation

The recording of the discussion can be found online here at 01:16:42.

Grants Coordinator/Management Analyst Natalie Winterton presented the item.

The Healthy Utah Community is a designation from the Utah League of Cities and Towns in partnership with Get Healthy Utah, a non-profit organization that promotes healthy living. The mission of Get Healthy Utah is to foster a culture of health through engaging multi-sector stakeholders, building partnerships, providing resources, and connecting efforts that support healthy eating, active living, and mental wellbeing.

2. AGENDA REVIEW

12.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving a Professional Services Agreement with GSBS Architects for Consulting Work Related to the General Plan Update.

The recording of the discussion can be found online here at 01:30:32.

Planning Director Brandon Larson introduced the item; Christine Richman and Erika Chmielewski with GSBS Architects addressed the Council regarding the General Plan update process.

12.D. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Policies and Procedures Manual Regarding Firearms.

The recording of the discussion can be found online here at 01:48:38.

City Attorney Marcus Draper explained the reasoning behind updating the Policies and Procedures Manual based on changes made by the State Legislature.

12.G. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Adopting the Eagle Mountain City Public Art Plan.

The recording of the discussion can be found online here at 01:49:25.

Councilmember Clark requested the item be removed from the agenda and brought back as a discussion item to a future meeting. Grants Coordinator/Management Analyst Natalie Winterton addressed the Council regarding the details of the plan.

12.H. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Adopting the Eagle Mountain City Affordable Housing Plan.

The recording of the discussion can be found online here at 01:53:37.

Councilmember Wood requested the item be removed from the agenda and brought back as a discussion item to a future meeting.

DRAFT

12.I. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Declaring Surplus Property – Fleet Vehicles.

The recording of the discussion can be found online here at 01:54:50.

Fleet and Facilities/Operations Director Jeff Weber explained the process of selling surplus vehicles.

3. ADJOURN TO A CLOSED SESSION

MOTION: *Councilmember Burnham moved to adjourn into a Closed Session for the purpose of discussion of pending or reasonably imminent litigation; the character, professional competence, or physical or mental health of an individual; and/or the purchase, lease, or exchange of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated. Councilmember Wright seconded the motion.*

Donna Burnham	Yes
Melissa Clark	Yes
Jared Gray	Excused
Rich Wood	Yes
Brett Wright	Yes

The motion passed with a unanimous vote.

The recording of the motion can be found online here at 01:57:43.

The meeting was adjourned at 6:02 PM.

7:00 PM POLICY SESSION – CITY COUNCIL CHAMBERS

4. CALL TO ORDER

Mayor Westmoreland called the meeting to order at 7:13 PM.

5. PLEDGE OF ALLEGIANCE

Councilmember Wood led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

7. PUBLIC COMMENTS

Mayor Westmoreland opened the public comment period at 7:15 PM.

The following individuals spoke during the public comment period: Natalee Hoover, Camden Lancaster, Evan Hawkes, and Tracy Lang; Terry Stewart submitted a written comment.

Mayor Westmoreland closed the public comment period at 7:21 PM.

The recording of the public comments can be found online here at 02:00:50.

8. CITY COUNCIL/MAYOR ITEMS

DRAFT

The Mayor and Councilmembers offered comments to the public.

The recording of the Mayor and Councilmember comments can be found online here at 02:07:16.

9. APPOINTMENTS

9.A. Senior Citizens Advisory Council

1. Mary Hammond – Completing a 4-year term through 2025

MOTION: *Councilmember Clark moved to appoint Mary Hammond to the Senior Citizens Advisory Council, completing a 4-year term through 2025. Councilmember Wood seconded the motion.*

Donna Burnham	Yes
Melissa Clark	Yes
Jared Gray	Excused
Rich Wood	Yes
Brett Wright	Yes

The motion passed with a unanimous vote.

The recording of the motion can be found online here at 02:15:44.

City Recorder Fionnuala Kofoed administered the Oath of Office to Mary Hammond.

CONSENT AGENDA

10. MINUTES

10.A. September 17, 2024 Minutes – Regular City Council Meeting

11. PRELIMINARY PLATS & SITE PLANS

11.A. SITE PLAN – Freddy's Frozen Custard and Steakburgers

12. RESOLUTIONS

12.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving a Professional Services Agreement with GSBS Architects for Consulting Work Related to the General Plan Update.

12.B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving an Interlocal Cooperation Agreement with Mountainland Association of Governments for Funding for the Mid Valley Road Feasibility Study from Pony Express Parkway to Mountain View Corridor.

12.C. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving a Settlement Agreement and Mutual Release of Claims with W.W. Clyde & Co.

12.D. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Policies and Procedures Manual Regarding Firearms.

DRAFT

12.E. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Appointing Kenneth A. Brown, Jr. to Serve as a Hearing Examiner and Directing Staff to Refer Business License Issues to the Hearing Examiner.

12.F. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving a Legal Services Agreement with Kenneth A. Brown, Jr.

12.G. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Adopting the Eagle Mountain City Public Art Plan.

12.H. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Adopting the Eagle Mountain City Affordable Housing Plan.

12.I. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Declaring Surplus Property – Fleet Vehicles.

MOTION: *Councilmember Burnham moved to approve the Consent Agenda, removing items 12.G. and 12.H. from the agenda. Councilmember Wright seconded the motion.*

Donna Burnham	Yes
Melissa Clark	Yes
Jared Gray	Excused
Rich Wood	Yes
Brett Wright	Yes

The motion passed with a unanimous vote.

The recording of the motion can be found online here at 02:18:01.

City Recorder Fionnuala Kofoed administered the Oath of Office to Kenneth A. Brown, Jr.

SCHEDULED ITEMS

13. ORDINANCES/PUBLIC HEARINGS

13.A. ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Adjusting the Boundary Line of Certain Real Property from the Geographical Boundaries of the Town of Cedar Fort to the Geographical Boundaries of Eagle Mountain City.

The recording of the discussion can be found online here at 02:20:49.

City Attorney Marcus Draper presented the item, and applicant representative Chase Andrizzi with Oquirrh Wood Ranch addressed the Council regarding the item. The proposed ordinance adjusts the municipal boundaries between Eagle Mountain and Cedar Fort in accordance with Utah Code Section 10-2-419 for 120 acres on two parcels of land directly west of the Tyson plant, Utah County Parcel Numbers 59:049:0008 and 59:049:0050.

Mayor Westmoreland opened the public hearing at 7:41 PM; as there were no comments, he closed the hearing.

DRAFT

MOTION: *Councilmember Burnham moved to approve an Ordinance of Eagle Mountain City, Utah, Adjusting the Boundary Line of Certain Real Property from the Geographical Boundaries of the Town of Cedar Fort to the Geographical Boundaries of Eagle Mountain City. Councilmember Clark seconded the motion.*

Donna Burnham	Yes
Melissa Clark	Yes
Jared Gray	Excused
Rich Wood	No
Brett Wright	No
Mayor Westmorland	Yes

The motion passed with a vote of 3:2.

The recording of the motion can be found online here at 02:50:05.

13.B. ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Section 17.10.030 Definitions.

The recording of the discussion can be found online here at 02:54:38.

Planner Steven Lehmitz presented the item. The proposed code amendment establishes the definition of a building envelope. Building envelopes are typically depicted with a diagram showing setbacks and easements. The setbacks are typically thought to only apply to primary structures; however, without language stating setbacks only apply to primary structures, they apply to all structures. The purpose of this code amendment is to clearly establish that the building envelopes shown on final plats only apply to primary structures and detached accessory dwelling units.

Mayor Westmoreland opened the public hearing at 8:23 PM; as there were no comments, he closed the hearing.

MOTION: *Councilmember Wood moved to approve an Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Section 17.10.030 Definitions. Councilmember Clark seconded the motion.*

Donna Burnham	Yes
Melissa Clark	Yes
Jared Gray	Excused
Rich Wood	Yes
Brett Wright	Yes

The motion passed with a unanimous vote.

The recording of the motion can be found online here at 03:09:03.

14. ORDINANCES

14.A. ORDINANCE - An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapters 8.07 Nuisance Abatement and 8.15 Noise.

The recording of the discussion can be found online here at 03:09:37.

DRAFT

City Attorney Marcus Draper presented the item. The proposed code amendments to EMMC 8.15 Noise make it permissible to exceed 65 dB during certain times of the day to allow for certain ordinary activities. The proposed amendments to EMMC 8.07 Nuisance Abatement requires property owners to remove graffiti within 7 days after discovery. An extension of up to 14 additional days may be granted for good cause shown. This item was tabled at the September 17, 2024 City Council meeting.

MOTION: *Councilmember Wood moved to approve an Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapters 8.07 Nuisance Abatement and 8.15 Noise. Councilmember Burnham seconded the motion.*

Donna Burnham	Yes
Melissa Clark	Yes
Jared Gray	Excused
Rich Wood	Yes
Brett Wright	Yes

The motion passed with a unanimous vote.

The recording of the motion can be found online here at 03:10:18.

15. RESOLUTIONS

15.A. RESOLUTION - A Resolution of Eagle Mountain City, Utah, Establishing a Mortgage Assistance Program.

The recording of the discussion can be found online here at 03:10:51.

Director of Legislative Affairs Clifford Strachan presented the item. The proposed Mortgage Assistance Program, one of five moderate income housing strategies included in the City's General Plan, is targeted at public employees whose household income is below 120% AMI, and who would purchase and occupy a home located in Eagle Mountain. As drafted, the program would provide qualified applicants with a $15,000 down payment loan at 0%, in second position, which is fully forgivable by 15 years. The program would be administered by Eagle Mountain City and funded by an appropriation of the Redevelopment Agency of Eagle Mountain City's Community Reinvestment Project Area housing funds.

MOTION: *Councilmember Wright moved to approve a Resolution of Eagle Mountain City, Utah, Adopting a Mortgage Assistance Program with the following changes:*

1. *Amend the maximum loan amount to $25,000;*
2. *Amend to indicate there is no maximum to the applicant(s)' cash contribution to the purchase of a property;*
3. *Amend to indicate there is no minimum or maximum to the applicant(s)' liquid assets at closing;*
4. *Amend the maximum Area Median Income to $151,800 for households of 6 or more;*
5. *Amend the application prioritization and schedule as presented: Namely to reflect prioritization by applicant employment type then prioritization by income relative to area median income with lower income households receiving higher priority;*
6. *Extend the requirement to respond to applicants regarding minimum qualifications to 15 business days after the application collection period;*
7. *Remove real estate brokerage fees from the list of eligible closing costs;*
8. *Direct administration to outsource the eligibility review process; and*

DRAFT

9. Direct staff to edit the draft policy documents to reflect these amendments. Councilmember Clark seconded the motion.

Donna Burnham	Yes
Melissa Clark	Yes
Jared Gray	Excused
Rich Wood	Yes
Brett Wright	Yes

The motion passed with a unanimous vote.

The recording of the motion can be found online here at 04:34:03.

16. LEGISLATIVE ITEMS

16.A. UPDATE – Legislative Priority List

17. CITY COUNCIL/MAYOR'S BUSINESS AND LIAISON REPORTS

The recording of the comments and reports can be found online here at 04:37:19.

The Mayor and Councilmembers offered comments to the public and provided reports on the boards they are assigned to as liaisons to the City Council.

18. COMMUNICATION ITEMS

18.A. Financial Report

18.B. Upcoming Agenda Items

19. ADOURNMENT

MOTION: *Councilmember Wright moved to adjourn the meeting at 9:55 PM. Councilmember Wood seconded the motion.*

Donna Burnham	Yes
Melissa Clark	Yes
Jared Gray	Excused
Rich Wood	Yes
Brett Wright	Yes

The motion passed with a unanimous vote.

The recording of the motion can be found online here at 04:40:49.

The meeting was adjourned at 9:55 PM.

Approved by the City Council on October 15, 2024.

_____

Lianne Pengra, CMC
Chief Deputy Recorder

DRAFT

	EAGLE MOUNTAIN CITY **CITY COUNCIL MEETING** **OCTOBER 15, 2024**
TITLE:	The District Master Site Plan and Preliminary Plat.
ITEM TYPE:	Preliminary Plat & Site Plan
FISCAL IMPACT:	
APPLICANT:	Forrest Gaskill

CURRENT GENERAL PLAN DESIGNATION & ZONE	ACREAGE
Community Commercial/Commercial Community	19.26

PUBLIC HEARING	PREPARED BY	PRESENTED BY
No	David Stroud, Senior Planner	David Stroud

RECOMMENDATION:
Staff recommends the City Council approve the Master Site Plan and Preliminary Plat as the proposal complies with EMMC.

BACKGROUND:
Master Site Plan approval of commercial development on Parcels 59:044:0041, 59:044:0175, 59:044:0176, 59:044:0112, 53:228:0001, 53:228:0002, 53:228:0003, and 53:228:0004. This project includes 19.26 acres and is located at Eagle Mountain Boulevard and Pony Express Parkway. The subject property has been zoned Commercial Community for several years in anticipation of commercial development. The applicant now has interest from users in developing lots along Pony Express Parkway. Access will be provided from the north, west, and south. A lot layout of the commercial Pony Express Parkway lots is included. Property located to the east of the subject property has no development consideration at this time and will be subject to master site plan approval when there is intent to develop this area.

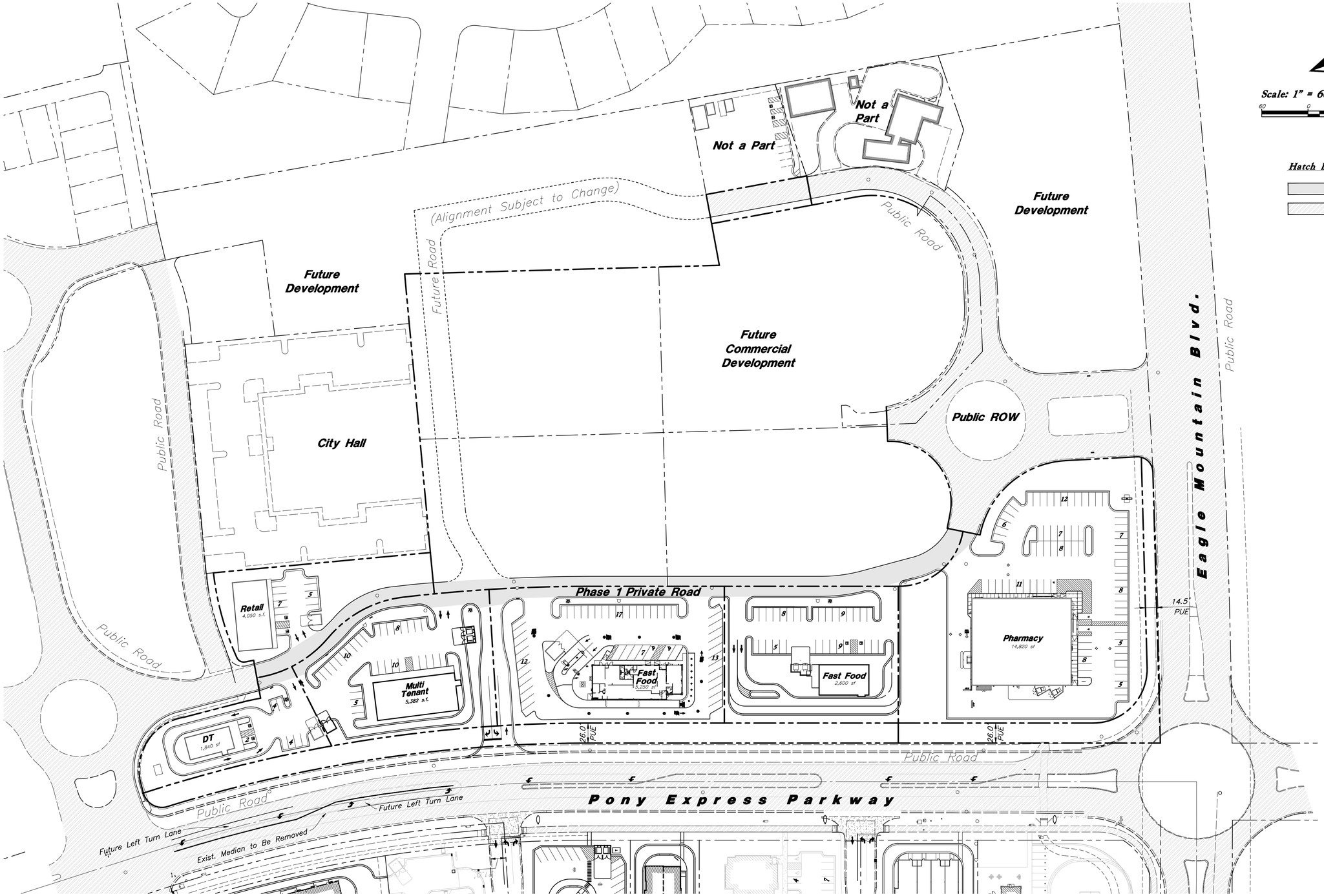
ITEMS FOR CONSIDERATION:
All development over five acres is to be reviewed and approved as a master site plan. The applicant controls 19 acres and will develop the sites according to EMMC standards of commercial development at the time of site plan application submittal. The proposed master site plan envisions the entire area to be developed for commercial development, which is in line with the current zoning of Commercial Community and Future Land Use Plan which designates all parcels as Community Commercial.

The Planning Commissioners, in opposition to the request, suggest that this location is not conducive to excessive drive-through-oriented commercial uses.

PLANNING COMMISSION ACTION/RECOMMENDATION:
The Planning Commission motion of approval to the City Council failed on a 2-3 vote.

ATTACHMENTS:

1. Master Site Plan
2. Utility Plan
3. 09.10.2024 Planning Commission Report of Action



REV	DATE	DESCRIPTION

Designed by: SY
Drafted by: KF
Client Name:
EM Commercial Development, LLC
23-155 Ph2 CSP D

2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Master Site Plan

The District at Eagle Mountain

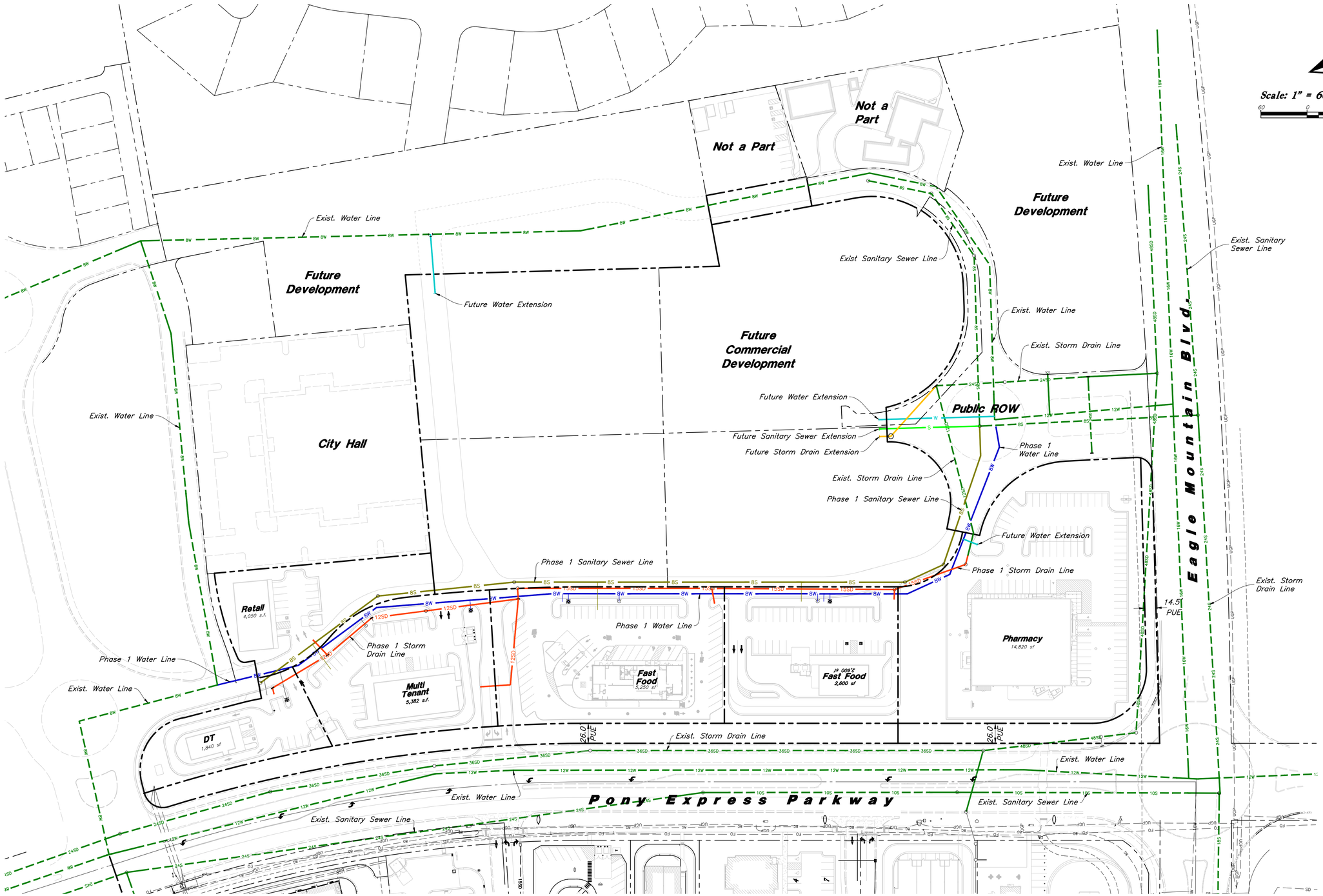
(NEC) Eagle Mountain Boulevard and Pony Express Parkway
Eagle Mountain, Utah

REGISTERED PROFESSIONAL ENGINEER
No. 7892857
SHAUN R. YOUNG
9/16/24
STATE OF UTAH

28 Jun, 2024

SHEET NO.
D

W:\23-155 The District at Eagle Mountain\dwgs\23-155 Ph2 CSP D.dwg, 9/16/2024 11:34:20 AM, 1:1



SD	Phase 1 Storm Water Line	SD	Exist. Storm Water Line	SD	Future Storm Water Line
S	Phase 1 Sanitary Sewer Line	S	Exist. Sanitary Sewer Line	S	Future Sanitary Sewer Line
W	Phase 1 Water Line	W	Exist. Water Line	W	Future Water Line

REV	DATE	DESCRIPTION

Designed by: SY
Drafted by: KF
Client Name:
EM Commercial Development, LLC
23-155 Ph2 CSP D UT

2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Master Utility Plan

The District at Eagle Mountain

(NEC) Eagle Mountain Boulevard and Pony Express Parkway
Eagle Mountain, Utah

REGISTERED PROFESSIONAL ENGINEER
No. 7829289
SHAUN A. YOUNG
9/16/24
STATE OF UTAH

28 Jun, 2024

SHEET NO.
D

W:\23-155 The District at Eagle Mountain\dwgs\23-155 Ph2 CSP D UT.dwg, 9/16/2024 12:27:09 PM, 1:1

Eagle Mountain City

Planning Commission

Report of Action

September 10, 2024

ITEM #7B Forest Gaskill requests Master Site Plan approval of commercial development on Parcels 59:044:0041, 59:044:0175, 59:044:0176, 59:044:0112, 53:228:0001, 53:228:0002, 53:228:0003, and 53:228:0004. This project includes 19.26 acres and is located at Eagle Mountain Boulevard and Pony Express Parkway. (801) 789-6615 dstroud@emcity.org Site-24-4

The following action was taken by the Planning Commission on the above-described item at its regular meeting of September 10, 2024:

MOTION FAILURE TO RECOMMENDED APPROVAL (DENY)

On a vote of 2-3, the Planning Commission motion of approval to the City Council failed.

Motion By: Jason Allen (**to Recommend Approval**)

Second By: Robert Fox

Votes in Favor of Motion: Jason Allen, Robert Fox

Votes Against the Motion: Rod Hess, Craig Whiting, Brent Strong

Jason Allen was present as Chair.

Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally not consistent with the Staff analysis and determination.

LEGAL DESCRIPTION FOR PROPERTY TO BE REZONED
The subject property is identified in Exhibit A.

DEVELOPMENT AGREEMENT
Applies - referred applicant to Council Attorney.

STAFF PRESENTATION
The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions,

and recommendations.

CITY DEPARTMENTAL ISSUES
There are remaining issues from the Development Review Committee (DRC) review that need to be resolved. Redlines to be corrected prior to scheduling with City Council.

CONCERNS RAISED BY PUBLIC
No comments.

APPLICANT RESPONSE
Key points addressed in the applicant's presentation to the Planning Commission included the following:
Forest Gaskill has tenants ready to locate in the city and due to contractual issues, cannot be located in the Macey's development – Marketplace at Eagle Mountain. Five lots are the first phase.

PLANNING COMMISSION DISCUSSION
Key points discussed by the Planning Commission included the following:

- Look and feel of commercial should be different and not drive-through oriented at this location.
- The Planning Commission likes the access and roundabout setup.

FINDINGS / BASIS OF PLANNING COMMISSION DETERMINATION
The Planning Commission identified the following findings as the basis of this decision or recommendation:

The vote to recommend approval failed by a vote of 2:3, with the dissenting votes giving reasons of not the right place for drive through oriented commercial development.

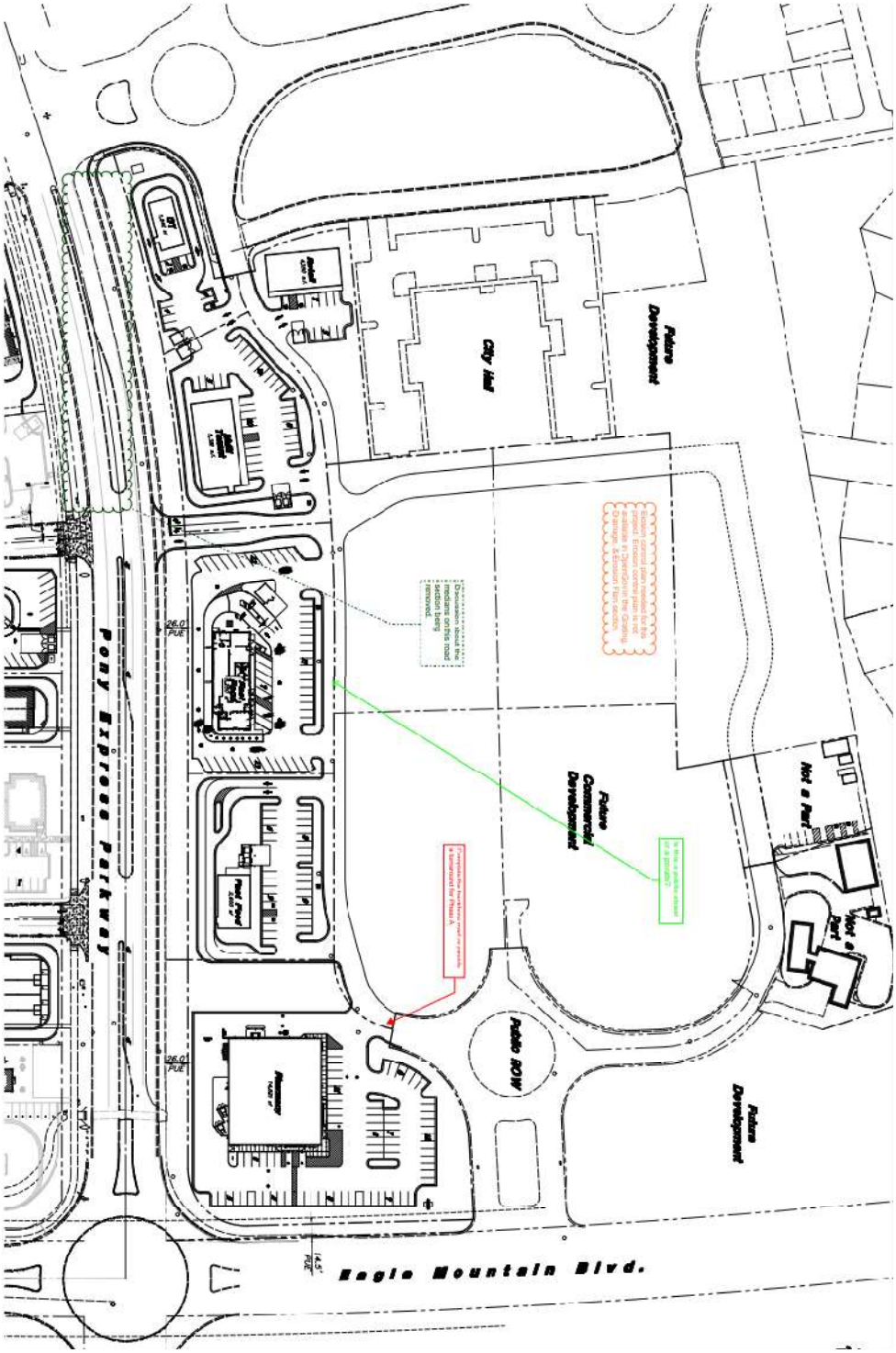
_____
Planning Director

See Key Land Use Policies of the Eagle Mountain General Plan, applicable Titles of the Eagle Mountain City Code, and the Staff Report to the Planning Commission for further detailed information.

Administrative decisions of the Planning Commission **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Planning Division, **within fourteen (14) calendar days of the Planning Commission's decision** (Eagle Mountain City office hours are Monday through Friday, 7:30 a.m. to 5:30 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

EXHIBIT A


Future Development
City Hall
Future Development
Not a Part
Not a Part
Future Commercial Development
Public ROW
Pony Express Parkway
26.0' PUE
26.0' PUE
14.5' PUE
Eagle Mountain Blvd.

	EAGLE MOUNTAIN CITY **CITY COUNCIL MEETING** **OCTOBER 15, 2024**
TITLE:	Dutch Bros Site Plan
ITEM TYPE:	Site Plan
FISCAL IMPACT:	N/A
APPLICANT:	Forrest Gaskill

CURRENT GENERAL PLAN DESIGNATION & ZONE	ACREAGE
General Plan Designation: Community Commercial Zone: Commercial Community	0.82 Acres

PUBLIC HEARING	PREPARED BY	PRESENTED BY
No	Steven Lehmitz, Planner	Steven Lehmitz

RECOMMENDATION:
Staff recommends that the City Council approve the Dutch Bros site plan with the following conditions:

1. The internal roadway in Area A is completed before a certificate of occupancy is issued (Marketplace ARMDA);
2. The external wall in Area A is completed before a certificate of occupancy is issued (Marketplace ARMDA).

BACKGROUND:
Site plan review and recommendation of a Dutch Bros, located at 1231 E. Eagle Mountain Boulevard (Parcel No. 59:044:0189).

ITEMS FOR CONSIDERATION:
EMMC 17.100.050 Site plan development standards. The following are standards required for all site plans in any zoning district:
A. Use of Property -- Complies
B. Screening Requirements -- Complies
C. Access Requirements -- Complies
D. Off-Street Truck Loading Space -- Complies
E. Utilities -- Complies
F. Grading and Drainage -- Complies
G. Dedication of Water Shares -- Will be ensured prior to building permit issuance
H. Protection of Steep Slopes and Natural Drainages -- N/A

EMMC 17.100.060 Architectural requirements.
A. Mechanical Equipment -- Complies
B. Windows -- Complies

C. Building Lighting -- Complies
D. Trash Enclosures, Storage Areas, and External Structures -- Complies
E. Exterior Materials -- Complies
F. Landscape Guidelines -- Complies
G. Parking Lot and Street Lighting -- Complies
H. Enclosed Uses -- Complies
I. Businesses Moving into Existing Buildings -- N/A
J. Nuisances -- Complies

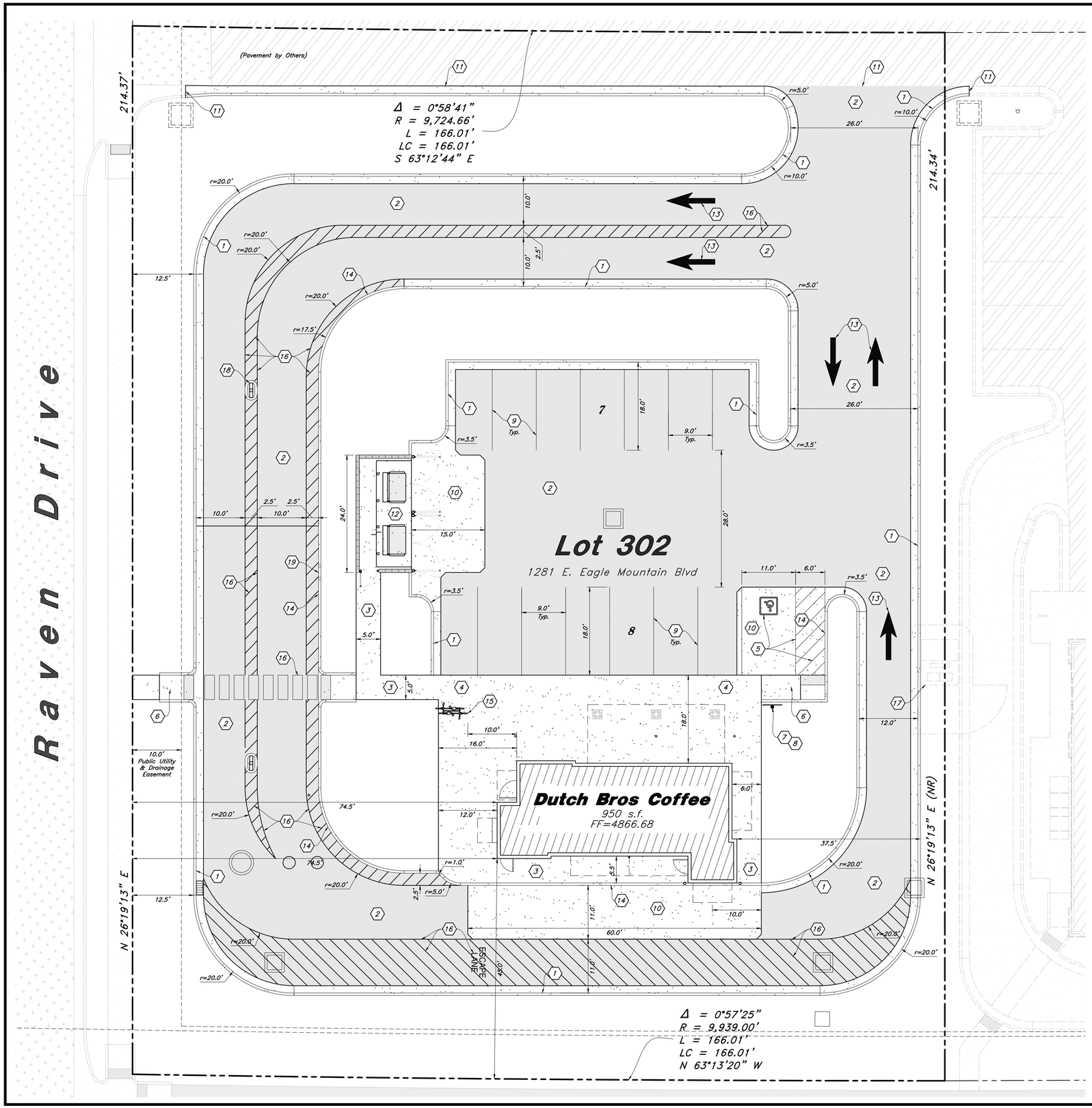
EMMC 17.72.030 Site design.
A. Building Location -- Complies
B. Commercial Parking Location -- Complies

EMMC 17.72.040 Architectural standards.
A. Architectural Style/Theme -- Complies
B. Main Entrance -- Complies
C. Roof Desing -- Complies
D. Building Articulation -- Complies
E. Architectural Detailing -- Complies
F. Building Materials -- Complies
G. Building Color -- Complies
I. Lighting -- Complies
K. Mechanical Equipment -- Complies
L. Storage, Loading Areas, and Trash Enclosures -- Complies

EMMC 17.55 Off-street Parking -- Complies

PLANNING COMMISSION ACTION/RECOMMENDATION:
The Planning Commission forwarded a positive recommendation (5-0) to the City Council.

ATTACHMENTS:
1. Site Plan
2. Elevations
3. Landscape Plan
4. Vicinity Maps
5. 09.24.2024 Planning Commission Report of Action



Site Data

Site Area = 35,583 s.f. (0.817 ac.)
Landscape Area Provided = 12,010 s.f. (33.75%)
Impervious Area Provided = 22,623 s.f. (63.58%)
Building Area = 950 s.f (2.67%)
Parking Required = 1/125 s.f. = 8 stalls
Parking Provided = 15 stalls (1.97/125)

Scale: 1" = 10'

Hatch Legend

- Standard Asphalt Paving
- Heavy Duty Asphalt Paving
- Existing Asphalt Paving
- Standard Concrete Paving
- Existing Concrete Paving
- Building Interior

Site Construction Notes

1. Const. 24" Curb & Gutter (1/C4.1)
2. Const. Asphalt Paving (2/C4.1)
3. Const. Conc. Sidewalk (4/C4.1)
4. Const. Thickened Edge Sidewalk (5/C4.1)
5. Const. Accessible Striping per MUTCD & ICC/ANSI A117.1 (Latest Edition) (See Accessible Details and Notes) (1/C2.2)
6. Const. Accessible Curb Ramp and Truncated Domes per ICC/ANSI A117.1 (Latest Edition) (See Grading Plan)
7. Const. Accessible Sign per MUTCD & ICC/ANSI A117.1 (Latest Edition) (See Accessible Details and Notes) (2/C2.2)
8. Const. Accessible VAN Sign per MUTCD & ICC/ANSI A117.1 (Latest Edition) (See Accessible Details and Notes) (2/C2.2)
9. Const. 4" White Paint Stripe (Typ.) Contractor shall provide 15 mils min. Dry Thickness (Two Coats)
10. Const. Conc. Paving (6/C4.1)
11. Conn. & Match Existing Improvements
12. Dumpster Enclosure (See Arch. Plans)
13. Const. Directional Arrows per MUTCD
14. Const. 6" Curb Wall (3/C4.1)
15. Const. Bike Rack
16. Coordinate Striping with Architect
17. Transformer Location
18. Const. Menu Board without Speaker
19. Const. 24" Curb Cut (7/C4.1)

General Site Notes:

1. All dimensions are to face of curb unless otherwise noted.
2. Fire lane markings and signs to be installed as directed by the Fire Marshal.
3. Aisle markings, directional arrows and stop bars will be painted at each driveway as shown on the plans.
4. Const. curb transition at all points where curb abuts sidewalk, see detail.
5. Contractor shall place asphalt paving in the direction of vehicle travel where possible.
6. Limits of demolition/disturbed areas shown on the plans may not be an exact depiction. It is the contractor's responsibility to determine the means and methods of how the work will be completed. The contractor shall determine the area of construction impact. The contractor is responsible to restore all impacted areas and all restoration shall be part of the contract bid.

Construction Survey Note:

The Construction Survey Layout for this project will be provided by Anderson Wahlen & Associates. The Layout Proposal and Professional Services Agreement will be provided to the General Contractor(s) for inclusion in base bids. The Survey Layout proposal has been broken out into Building Costs and Site Costs for use in the Site Work Bid Form.

Survey Control Note:

The contractor or surveyor shall be responsible for following the National Society of Professional Surveyors (NSPS) model standards for any surveying or construction layout to be completed using Anderson Wahlen and Associates ALTA Surveys or Anderson Wahlen and Associates construction improvement plans. Prior to proceeding with construction staking, the surveyor shall be responsible for verifying horizontal control from the survey monuments and for verifying any additional control points shown on an ALTA survey, improvement plan, or on electronic data provided by Anderson Wahlen and Associates. The surveyor shall also use the benchmarks as shown on the plan, and verify them against no less than three existing hard improvement elevations included on these plans or on electronic data provided by Anderson Wahlen and Associates. If any discrepancies are encountered, the surveyor shall immediately notify the engineer and resolve the discrepancies before proceeding with any construction staking.

PRIVATE ENGINEER'S NOTICE TO CONTRACTORS

The Contractor agrees that he shall assume sole and complete responsibility for job site conditions during the course of construction of this project, including safety of all persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and that the contractor shall defend, indemnify, and hold the owner and the engineer harmless from any and all liability, real or alleged, in connection with the performance of work on this project, excepting for liability arising from the sole negligence of the owner or the engineer.

REV	DATE	DESCRIPTION

Designed by: SY
Drafted by: JW
Client Name: Dutch Bros
24-079 SP

AWA
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Site Plan

Dutch Bros Eagle Mountain

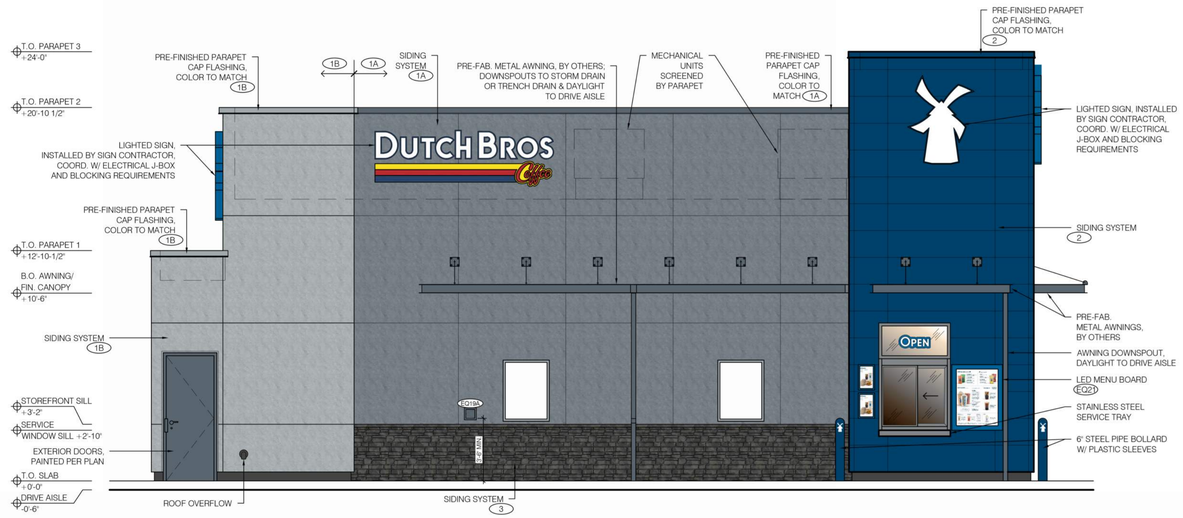
1281 East Eagle Mountain Boulevard
Eagle Mountain, Utah

REGISTERED PROFESSIONAL ENGINEER No. 7879285 SHAUN A. YOUNG 9/11/24 STATE OF UTAH

29 July, 2024

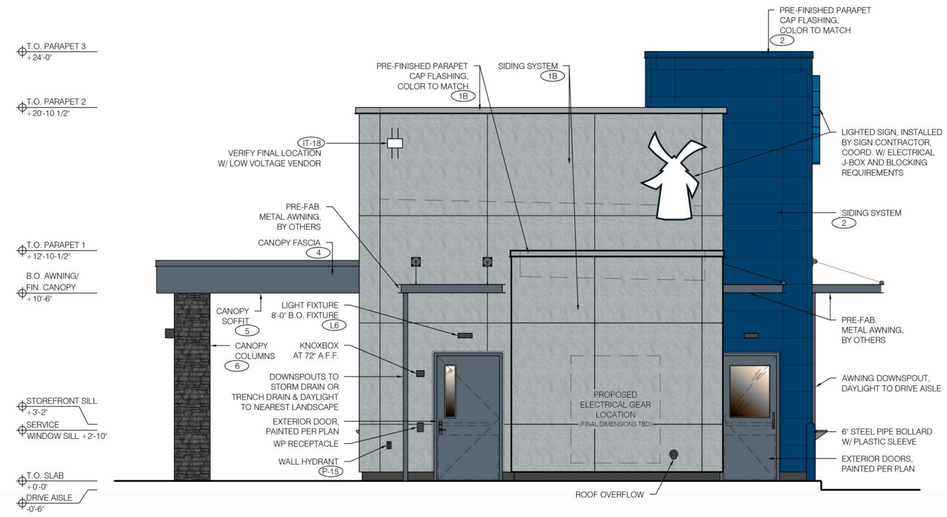
SHEET NO.
C1.1

EXTERIOR FINISH SCHEDULE - ALTERNATE w/ CANOPY				
ID TAG	MATERIAL	MANUFACTURER	MODEL	REMARKS
ZONE 1 (BODY)				
1A	STUCCO	DRYVIT	CCP-2 SYSTEM, SANDPEBBLE FINE E FINISH; REVEALS AS SHOWN	PAINTED; COLOR: BLDG DB DARK GRAY
1B	STUCCO	DRYVIT	CCP-2 SYSTEM, SANDPEBBLE FINE E FINISH; REVEALS AS SHOWN	PAINTED; COLOR: BLDG DB LIGHT GRAY
ZONE 2 (TOWER)				
2	FIBER CEMENT SIDING	NICHIHA	ILLUMINATION, AWP 1818 w/ FACTORY PANEL CORNERS	COLOR: BLDG DB BLUE
ZONE 3 (BASE)				
3	STONE VENEER	ELDORADO STONE	CLIFFSTONE, BANFF SPRINGS	COLOR: PER MFR.
	STONE SILL	ELDORADO STONE	SNAPPED EDGE WAINSCOT SILL	COLOR: PEWTER
ZONE 4 (FRAMED CANOPY)				
4	FASCIA	WESTERN STATES METAL ROOFING	T-GROOVE, 10"	3 SIDES; COLOR: BLDG DB DARK GRAY
5	SOFFIT	HEWN ELEMENTS	NATURAL NORTHWESTERN SPRUCE	1x8, T&G, 1/8" REVEAL
6	COLUMNS	ELDORADO STONE	CLIFFSTONE, BANFF SPRINGS	COLOR: PER MFR.
NOTE: GC TO PROVIDE 3"x2" SMOOTH DOWNSPOUTS, AND ALL NECESSARY ADAPTORS, AT AWNING AND CANOPY LOCATIONS; COLOR: BLDG DB DARK GRAY				
NOTE: SIGNAGE UNDER SEPARATE PERMIT				



4 SOUTH ELEVATION - DRIVE-THRU WINDOW

SCALE: 1/4" = 1'-0"

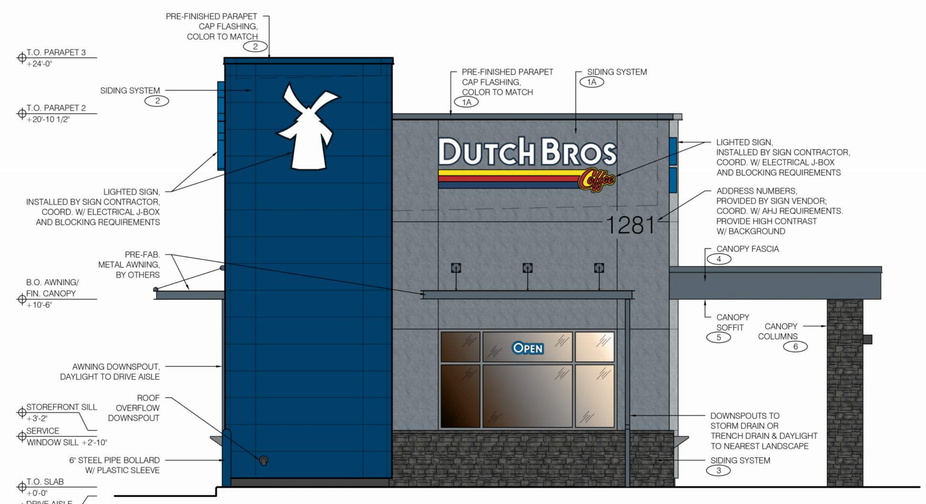


3 WEST ELEVATION

SCALE: 1/4" = 1'-0"

2 NORTH ELEVATION - WALK-UP WINDOW

SCALE: 1/4" = 1'-0"



1 EAST ELEVATION

SCALE: 1/4" = 1'-0"

DUTCH BROS Coffee

GNICH ARCHITECTURE STUDIO
AN OREGON LIMITED LIABILITY COMPANY

1001 SE SANDY BLVD, SUITE 100
PORTLAND, OR 97214
V. 503.552.9079
F. 503.241.7055
WWW.GNICHARCH.COM

XX.XX.XX

Project No: UT0406

Dutch Bros Coffee - New Freestanding Store
1281 E. Eagle Mountain Blvd.
Eagle Mountain, UT 84005
For: EM Commercial Development, LLC.
2530 S West Temple St.
South Salt Lake, UT 84115

DB2550-A1T

ISSUED FOR SITE PLAN REVIEW: 09.13.2024

REV:	DATE:	DESCRIPTION:

SHEET NAME:

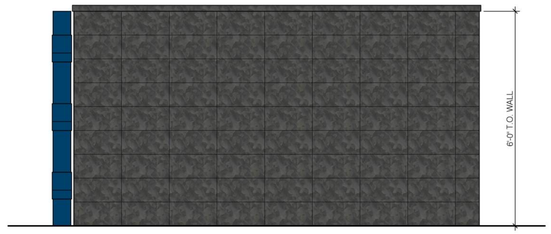
BUILDING ELEVATIONS

SHEET NUMBER:

A6.1

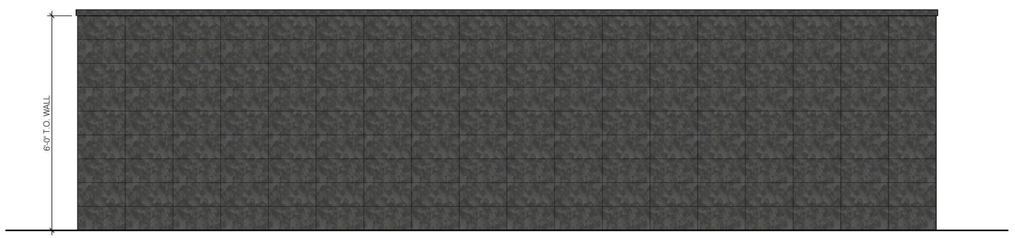
©2021 DB Franchising USA, LLC

"The name DUTCH BROS and all associated logos, distinctive designs, content, information, and other materials featured, displayed, contained herein and made available by Dutch Bros, including but not limited to, the "look and feel" of the establishments and products, all text, images, colors, configurations, graphics, designs, illustrations, photographs, and pictures (collectively, the "Materials") are owned by and/or licensed by DB Franchising USA, LLC and are protected by copyright, trademark, trade dress, patent, and/or other intellectual property rights and unfair competition laws under the United States and foreign laws."



5 TRASH ENCLOSURE SIDE ELEVATION

SCALE: 1/2" = 1'-0"

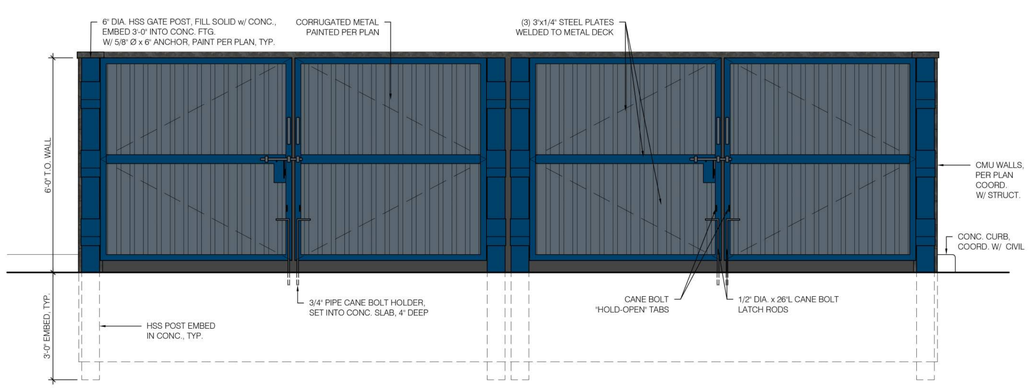


4 TRASH ENCLOSURE REAR ELEVATION

SCALE: 1/2" = 1'-0"

3 TRASH ENCLOSURE SIDE ELEVATION

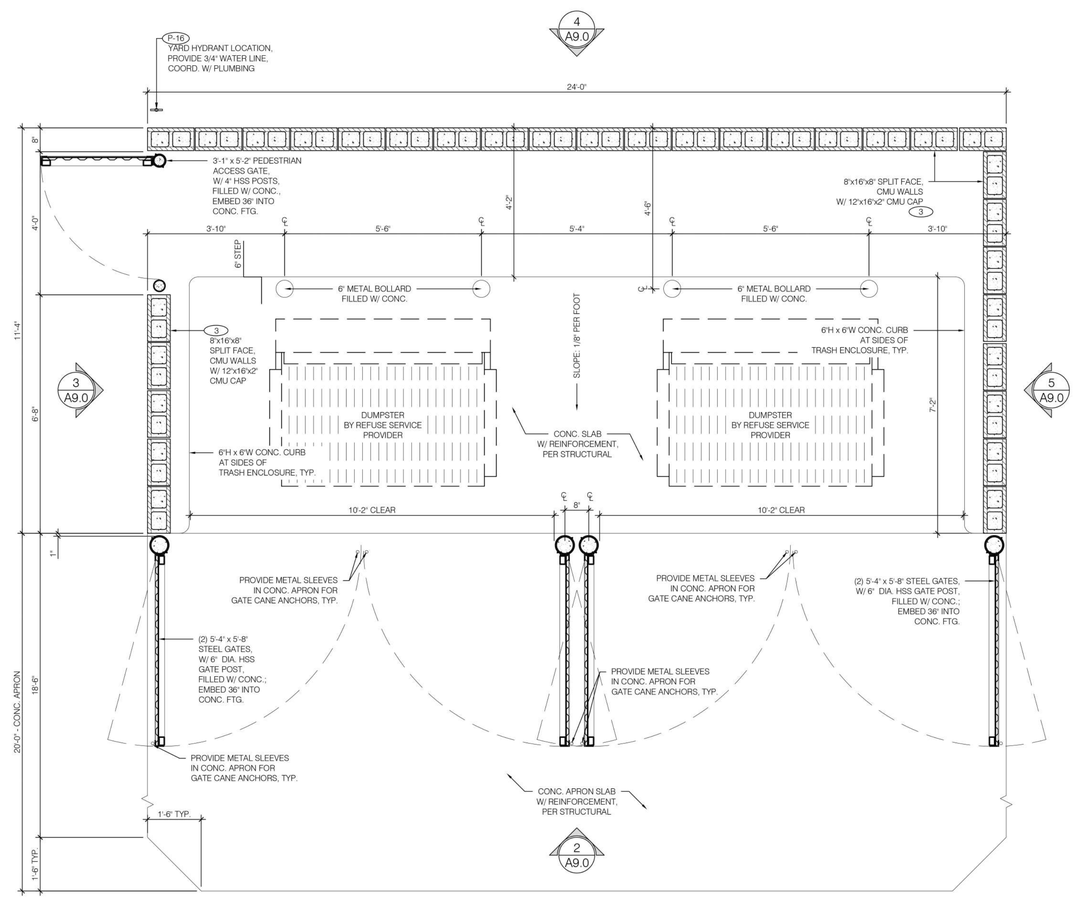
SCALE: 1/2" = 1'-0"



2 TRASH ENCLOSURE FRONT ELEVATION

SCALE: 1/2" = 1'-0"

TRASH ENCLOSURE MATERIALS					
	ID	MATERIAL	MANUFACTURER	COLOR	NOTES
OPTION A	3	CMU BLOCK	BASALITE	490	SPLIT FACE, 8x16x8; 8x8x8 AS NECESSARY
		CMU CAP	BASALITE	490	12x16x2
	PT-2	PAINT	SHERWIN-WILLIAMS	8656-11295	BLDG DB DARK GRAY; GATES BODY
	PT-3	PAINT	SHERWIN-WILLIAM	8656-12045	BLDG DB BLUE; GATE FRAMES & POSTS
OPTION B	24x12' KNOTWOOD TRASH ENCLOSURE; IF APPROVED BY AHJ & REFUSE SERVICE PROVIDER				
OPTION C	24x12' STONECOAT TRASH ENCLOSURE; IF APPROVED BY AHJ & REFUSE SERVICE PROVIDER				



1 TRASH ENCLOSURE PLAN

SCALE: 1/2" = 1'-0"

DUTCH BROS Coffee

GNICH ARCHITECTURE STUDIO
AN OREGON LIMITED LIABILITY COMPANY

1001 SE SANDY BLVD, SUITE 100
PORTLAND, OR 97214
V. 503.552.9079
F. 503.241.7055
WWW.GNICHARCH.COM

Project No: UT0406

Dutch Bros Coffee - New Freestanding Store
1281 E. Eagle Mountain Blvd.
Eagle Mountain, UT 84005
For: EM Commercial Development, LLC.
2530 S West Temple St.
South Salt Lake, UT 84115

DB2550-A1T

ISSUED FOR SITE PLAN REVIEW: 09.13.2024

REV:	DATE:	DESCRIPTION:

SHEET NAME:

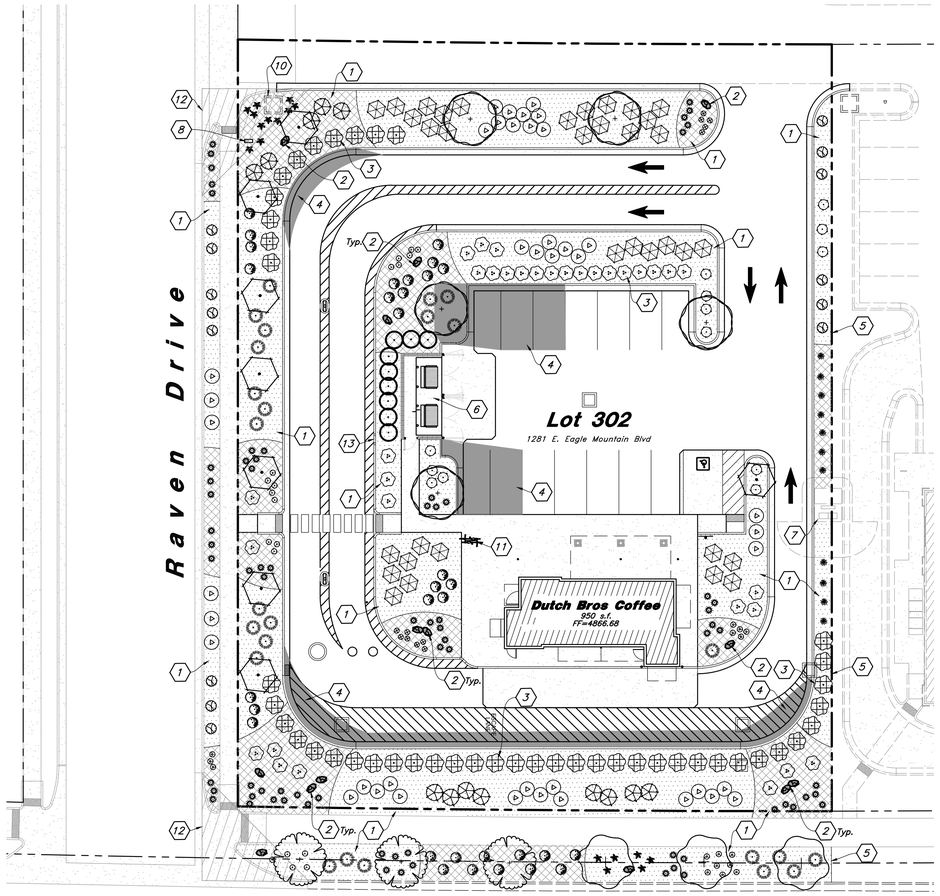
TRASH ENCLOSURE PLAN/ ELEVATIONS

SHEET NUMBER:

A9.2

© 2023 DB Franchising USA, LLC

"The name DUTCH BROS, and all associated logos, distinctive designs, content, information, and other materials featured, displayed, contained herein, and made available by Dutch Bros, including but not limited to, the "look and feel" of the establishments and products, all text, images, colors, configurations, graphics, designs, illustrations, photographs, and pictures (collectively, the "Materials") are owned by and/or licensed by DB Franchising USA, LLC and are protected by copyright, trademark, trade dress, patent, and/or other intellectual property rights and unfair competition laws under the United States and foreign laws."



PLANT SCHEDULE

All Plant Material Has Been Selected From the West Jordan Conservation Garden Park Plant List

SYMBOL	QTY	BOTANICAL / COMMON NAME	SIZE	MATURE SIZE	WATER REQUIREMENT	PLANT COVERAGE
TREES						
	3	Acer grandidentatum 'Schmidt' / Rocky Mountain Glow Maple	2" Caliper	20' (H) x 15' (W)	Low	---
	9	Pinus nigra 'Arnold Sentinel' / Arnold Sentinel Austrian Pine	6–8' Ht.	15' (H) x 6' (W)	Low	---
	8	Quercus robur 'Fastigiata' / Skyrocket English Oak	2" Caliper	25' (H) x 10' (W)	Low	---
	3	Tilia cordata 'Halka' / Summer Sprite Littleleaf Linden	2" Caliper	20' (H) x 14' (W)	Low	---
	5	Zelkova serrata 'Village Green' / Village Green Japanese Zelkova	2" Caliper	30' (H) x 20' (W)	Low	---
SHRUBS				MATURE SIZE		PLANT COVERAGE
	45	Caragana frutex 'Globosa' / Globe Russian Peashrub	5 gal	48" (H) x 48" (W)	Very Low	16 s.f. (720)
	14	Caryopteris x clandonensis 'CT–9–12' / Beyond Midnight Bluebeard	5 gal	30" (H) x 30" (W)	Low	6.5 s.f. (91)
	13	Chamaebatiaria millefolium / Fernbush	5 gal	60" (H) x 60" (W)	Very Low	25 s.f. (325)
	33	Physocarpus opulifolius 'SMPOTW' / Tiny Wine Ninebark	5 gal	48" (H) x 48" (W)	Low	16 s.f. (528)
	32	Spiraea betulifolia 'Tor' / White Frost Birchleaf Spirea	5 gal	36" (H) x 36" (W)	Low	9 s.f. (288)
	13	Spiraea japonica 'Galen' / Double Play Artisan Spirea	5 gal	36" (H) x 36" (W)	Low	9 s.f. (117)
GROUNDCOVER				MATURE SIZE		PLANT COVERAGE
	41	Arctostaphylos x coloradensis 'Panchito' / Panchito Manzanita	5 gal	12" (H) x 60" (W)	Low	25 s.f. (1,025)
	25	Juniperus sabina 'Buffalo' / Buffalo Juniper	5 gal	12" (H) x 64" (W)	Very Low	64 s.f. (1,600)
	35	Rhus aromatica Autumn Amber / Autumn Amber Sumac	5 gal	10" (H) x 64" (W)	Low	64 s.f. (2,240 s.f.)
ORNAMENTAL GRASSES				MATURE SIZE		PLANT COVERAGE
	73	Bouteloua gracilis 'Blonde Ambition' / Blonde Ambition Blue Grama	5 gal	12" (H) x 18" (W)	Low	2.5 s.f. (183)
	11	Calamagrostis x acutiflora 'Karl Foerster' / Karl Forester Grass	5 gal	48" (H) x 30" (W)	Low	6.25 s.f. (69)
PERENNIALS				MATURE SIZE		PLANT COVERAGE
	16	Achillea x 'Moonshine' / Moonshine Yarrow	1 gal	18" (H) x 12" (W)	Low	1 s.f. (16)
	17	Gaillardia aristata 'Arizona Sun' / Arizona Sun Blanket Flower	1 gal	12" (H) x 24" (W)	Low	4 s.f (68)
	19	Lavandula angustifolia 'Betty's Blue' / Betty's Blue English Lavender	1 gal	12" (H) x 24" (W)	Low	4 s.f. (76)
	12	Salvia nemorosa 'May Night' / May Night Salvia	1 gal	18" (H) x 24" (W)	Low	4 s.f. (48)
						7,394 s.f. Total

All Plant Material Has Been Selected From the West Jordan Valley Water Conservancy District Low and Very Low Water Usage Plant List. Source for Plant List Approved by the City Biologist.

MATERIAL SCHEDULE

	1" to 2" Dia. Decorative Stone #1 – Install a Four (4) inch depth over Dewitt Pro5 Weed Barrier; Stone Shall be Used in all Shrub Areas and Washed Prior to Installation; Remove all Soil From Weed Barrier Prior to Laying Stone; Stone Shall be Fractured Earth Tone/Tan Colors From Utah Landscaping Rock (South Towne (Earth Tone Color with a Pink Accent))	Detail: 4/L3.1
	4" to 8" Dia. Decorative Cobble Stone #2 – Install over Dewitt Pro5 Weed Barrier and Make Sure it Covers Weed Barrier; Carefully Place Around Plant Material; Stone Shall be Used in all Planting Areas and Washed Prior to Installation; Remove all Soil From Weed Barrier Prior to Laying Stone; Stone Shall be From Utah Landscaping Rock (South Towne (Earth Tone Color with a Pink Accent))	Detail: 4/L3.1
	Landscape Accent Boulders – Boulders Shall be 3–4' in Diameter, Fractured and Match Proposed Stone; Boulders Shall be Recessed into the Stone Two (2) Inches and Not Set on Top of Stone; No Boulder Shall be Placed Adjacent to a Curb Where a Car Could Potential Hit With Bumper	Detail: 5/L3.1

Scale: 1" = 20'

20' 0 20' 40'

Landscape Maintenance:

The Site Owner will Install and Maintain all Landscaping/Irrigation Adjacent Along Eagle Mountain Blvd. and Raven Drive.

Landscape Data

Site Area = 35,583 s.f. (0.817 ac.)
Onsite Landscape Area Provided = 11,990 s.f. (34%)
Lawn Area = 0 s.f. (0%)
Xeriscaping = 11,990 s.f. (100%)
Offsite Landscape Area Provided = 2,769 s.f.
Lawn Area = 0 s.f. (0%)
Xeriscaping = 2,769 s.f. (100%)
Plant Coverage Required = 7,380 s.f. (50%)
Plant Coverage Provided = 7,394 s.f. (50%)
Drought Tolerant Plant Material = 427/427 (100%) *
Parking Lot Area = 14,544 s.f. @ 4" Depth
Parking Lot Snow Storage Required = 4,848 c.f.
Parking Lot Snow Storage Provided = 1,991 s.f. @ 4' High **
Eagle Mtn. Blvd. Frontage = 166 l.f.
Eagle Mtn. Blvd. Trees Required = 6 Trees (6 Provided)
Raven Drive Frontage = 190 l.f.
Raven Drive Trees Required = 7 Trees (7 Provided)

*** All Plant Material has been Selected From the West Jordan Valley Water Conservancy District Low and Very Low Water Usage Plant List. Source for Plant List Approved by the City Biologist.**

**** The Site is Over Parked by 7 Stalls. The Extra Stalls and Some of the Bypass Lane Shall be Used to Store Snow.**

Landscape Notes:

1. See Sheet L3.1 for Planting Details.
2. All Landscape Material shall be Fully Irrigated by an Automatic Irrigation System. See Sheet L2.1 for Irrigation Layout. See Sheet L3.1 for Irrigation Details.
3. Adjust Plant Material as Needed to Accommodate New and Existing Utilities.
4. Prior to Installing Stone, Apply an Application of Pre–emergent Herbicide.
5. See Landscape Notes for Details regarding Landscape Maintenance Period.
6. Different Types of Stone Shall not be Separated by Edging but a Distinct Smooth Flowing Line.

Landscape Keynotes

1. Install Shrub Planter with Weed Barrier, Decorative Stone, and Plant Material; See Material Sch. for Stone Type
2. Install Landscape Boulder
3. Drive–Thru and Parking Lot Planting Screen to Screen Headlights from Leaving the Site; Planting Screen Shall Consist of a 42" High Shrub Hedge
4. Snow Storage Area; See Landscape Data Table for More Info.
5. Blend New Landscape into Adjacent Lot Landscape
6. Dumpster Enclosure with Plant Screening
7. New Elect. Transformer; Adjust Plant Material as Needed to Allow Access to Transformer
8. Irrigation Backflow Preventer – See Irrigation Plan for More Detail; Adjust Plant Material for Exact Location; Center Backflow Between Plant Material and Away From Back of Curb to Avoid a Conflict with a Vehicle Bumper
9. New Light Pole – See Site Elect. Plans; Adjust Plant Material as Needed and Evenly Space Plant Material Around Light Poles
10. Water Meter for Building and Irrigation – See Utility Plan for More Detail
11. Bike Rack – See Civil Plans
12. Clear Vision Triangle – No Plant Material Over Three Feet in Height Above the Street Shall be Permitted; No Trees are Allowed Within the Clear Vision Triangle (30'x30')
13. Curb Cut – See Civil Site Plan for More Detail; Verify that Top of Stone is One Inch Below the Top of Concrete to Allow Water to Freely Flow into the Shrub Planter

General Landscape Notes:

1. Plant material quantities are provided for bidding purposes only. It is the contractors responsibility to verify all quantities listed on the plans and the availability of all plant materials and their specified sizes prior to submitting a bid. The contractor must notify the Landscape Architect prior to submitting a bid if the contractor determines a quantity deficiency or availability problem with specified material. The contractor shall provide sufficient quantities of plants equal to the symbol count or to fill the area shown on the plan using the specified spacing. Plans take precedence over plant schedule quantities.
2. Contractor shall call Blue Stake before excavation for plant material.
3. Prior to construction, the contractor shall be responsible for locating all underground utilities and shall avoid damage to all utilities during the course of the work. It shall be the responsibility of the contractor to protect all utility lines during the construction period, and repair any and all damage to utilities, structures, site appurtenances, etc. which occurs as a result of the landscape construction.
4. The landscape contractor shall examine the site conditions under which the work is to be performed and notify the general contractor in writing of unsatisfactory conditions. Do not proceed until conditions have been corrected.
5. The contractor shall provide all materials, labor and equipment required for the proper completion of all landscape work as specified and shown on the drawings.
6. See civil and architectural drawings for all structures, hardscape, grading, and drainage information.
7. Contractor safety and cleanup must meet OSHA standards at all times. All contractors must have adequate liability, personnel injury and property damage insurance. Clean–up must be performed daily, and all hardscape areas must be washed free of dirt and mud on final cleanup. Construction must occur in a timely manner.
8. All new plant material shall conform to the minimum guidelines established by the American Standard for Nursery Stock Published by the American Association of Nurseryman, Inc. In addition, all new plant material shall be of specimen quality.
9. The Owner/Landscape Architect has the right to reject any and all plant material not conforming to the plans and specifications.
10. Any proposed substitutions of plant species shall be made with plants of equivalent overall form, height, branching habit, flower, leaf, color, fruit and culture only as approved by the Landscape Architect.
11. It is the contractors responsibility to furnish all plant materials free of pests or plant diseases. It is the contractor's obligation to maintain and warranty all plant materials.
12. The contractor shall take all necessary scheduling and other precautions to avoid winter, climatic, wildlife, or other damage to plants. The contractor shall install the appropriate plants at the appropriate time to guarantee life of plants.
13. The contractor shall install all landscape material per plan, notes and details.
14. Plant names are abbreviated on the drawings, see plant schedule for symbols, abbreviations, botanical, common names, sizes, estimated quantities and remarks.
15. No grading or soil placement shall be undertaken when soils are wet or frozen.
16. Existing and/or imported topsoil shall be used for all landscape areas. The topsoil must be a premium quality dark sandy loam, free of rocks, clods, roots, and plant matter. The landscape contractor shall perform a soil test on the existing/imported topsoil and amend per soil test recommendations. The soil test shall be done by a certified soil testing agency.
17. Prior to placement of topsoil in all landscaping areas, all subgrade areas shall be loosened by scarifying the soil to a depth of 6 inches in order to create a transition layer between existing and new soils. Remove all construction debris and foreign material.
18. Provide an eight (8) inch depth of imported topsoil in all shrub areas and twelve (12) inches in parking islands.
19. All plant material holes shall be dug twice the diameter of the rootball and 6 inches deeper. Excavated material shall be removed from plant and tree pit and replaced with plant backfill mixture. The top of the root balls, shall be planted flush with the finish grade.
20. Plant backfill mix shall be composed of 3 parts topsoil to 1 part soil pep, and shall be mixed at the planting hole. Deep water all plant material immediately after planting. Add backfill mixture to depressions as needed.
21. All new plants shall be balled and burlapped or container grown, unless otherwise noted on plant schedule. Container grown trees shall have the container cut and removed. Trees in ball and burlap shall have the strings, burlap or plastic cut and removed from the tree.
22. Upon completion of planting operations, all landscape areas with trees, shrubs, and perennials, shall receive specified stone over Dewitt Pro5 weed barrier. Sections of weed barrier shall overlap six (6) inches and be staked down using triangular spacing. Stone shall be evenly spread on a carefully prepared grade free of weeds. The top of stone should be slightly below finish grade and concrete areas. No edging shall be used between different stone types. Provide a defined edge between stone.
23. All deciduous trees shall be double staked per tree staking details. Tree stakes shall be wood and ties shall be V.I.T. Cinche Ties #CT32. Tree ties shall be installed loosely to allow the tree to move. It is the contractors responsibility to remove tree staking after one year warranty period.
24. Bury 2 inches of boulder height into soil, keeping best visual side above ground. Use care to minimize marring and scratching.
25. Landscape installer shall repair or replace plantings and accessories that fail in materials, workmanship, or growth within specified warranty period. Failures include, but are not limited to, the following: Death and unsatisfactory growth, except for defects resulting from abuse, lack of adequate maintenance, or neglect by Owner, or incidents that are beyond installer's control. Warranty period shall be 12 months and begin at date of final project acceptance.

Know what's below. Call before you dig.

REV	DATE	DESCRIPTION

Designed by: SY
Drafted by: JW
Client Name: Dutch Bros
24–079 LS

ANA
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Landscape Plan

Dutch Bros Eagle Mountain

1281 East Eagle Mountain Boulevard
Eagle Mountain, Utah

State of Utah
Jared R. Manscill
No. 7740426–5301
Licensed Landscape Architect
09/10/2024

29 July, 2024

SHEET NO.
L1.1

W:\24-079 Dutch Bros Eagle Mountain\dwgs\24-079 LS.dwg, 9/11/2024 12:03:27 PM, 1:1

59:044:0015
59:044:0191
67:182:0001
67:144:02
67:144:020
:0065
67:209:0301
67:122:0009
67:122:0007
67:122:0002
67:183:0001
67:122:0005
:227:0003
48:227:0064
48:227:0002
67:122:0004
48:227:0001
65:519:0005
67:122:0003
65:519:0004
48:359:0001
48:227:0027

E OSPREY WAY
E OSPREY WAY
N RAVEN WAY
N RAVEN WAY
Eagle Park
E TALON W
E STONE CREEK
TRAILHEAD
E STAGECOACH R
Eagle Mountain City Offices
E EAGLE MOUNTAIN BLVD
N PONY EXPRESS PKWY
N HERITA
N RUS

General Plan Designation

LEGEND

Residential Categories:
- Foothill Residential
- Agricultural/Rural Density One
- Agricultural/Rural Density Two
- Neighborhood Residential One
- Neighborhood Residential Two
- Neighborhood Residential Three

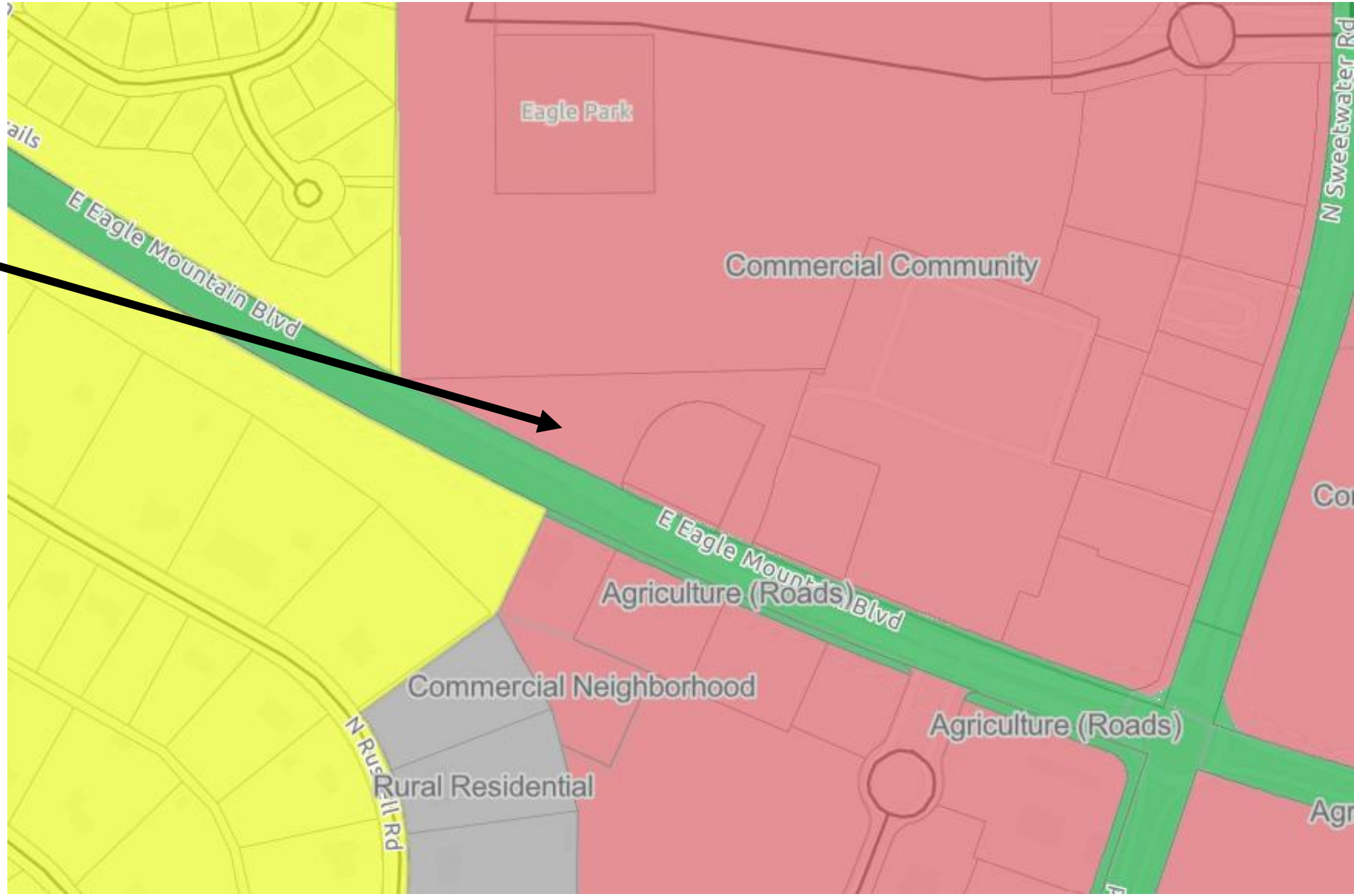
Mixed Use/Commercial Categories:
- Community Commercial
- Town Center Mixed Use
- Regional Commercial
- Employment Center/Campus
- Business Park/Light Industry

Public/Civic Categories:
- Civic Uses/Schools
- Parks and Open Space

NEIGHBORHOOD CHARACTER AREA

TRANSPORTATION
- UDOT Highway/Freeway
- City Road Network - Collector & up

Zoning


Eagle Park
E Eagle Mountain Blvd
Commercial Community
N Sweetwater Rd
E Eagle Mountain Blvd
Agriculture (Roads)
Commercial Neighborhood
Agriculture (Roads)
Rural Residential

Eagle Mountain City

Planning Commission
Report of Action

September 24, 2024

ITEM #7.A. Forrest Gaskill requests site plan review and recommendation of a Dutch Bros, located at 1231 E. Eagle Mountain Boulevard (Parcel No. 59:044:0189). Steven Lehmitz (801) 789-6617 slehmitz@emcity.org SITE-24-7

The following action was taken by the Planning Commission on the above-described item at its regular meeting of September 24, 2024:

RECOMMENDED APPROVAL

On a vote of 5:0, the Planning Commission recommended that the City Council approve the above-noted application.

Motion By: Jason Allen (**to Recommend Approval**)

Second By: Robert Fox

Votes in Favor of Motion: Robert Fox, Jason Allen, Brent Strong, Rod Hess, and Craig Whiting

Jason Allen was present as Chair.

Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

LEGAL DESCRIPTION OF PROPERTY
LOT 302, MARKETPLACE AT EAGLE MOUNTAIN TOWN CENTER, PHASE 3 SUB AREA 0.816 AC.

RELATED ACTIONS
None

PROPOSED OCCUPANCY
N/A

PROPOSED PARKING
- 8 Total parking stalls required
- 15 Total parking stalls provided

DEVELOPMENT AGREEMENT
This site is subject to the Amended and Restated Development Agreement for The Marketplace at Eagle Mountain Town

Center.

STAFF PRESENTATION
The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

CITY DEPARTMENTAL ISSUES
None

CONCERNS RAISED BY PUBLIC
None

APPLICANT RESPONSE
Key points addressed in the applicant's presentation to the Planning Commission included the following:

- Forrest Gaskill confirmed that they would ensure that the road and wall would be in before seeking certificates of occupancy for any of their tenet locations in Area A.

PLANNING COMMISSION DISCUSSION
Key points discussed by the Planning Commission included the following:

- Commissioner Allen asked exactly where the wall would be located in Area A and about the placement of the menu board on the site.
- Commissioner Hess stated his preference to reduce the number of drive-throughs in the city.
- Commissioner Whiting agreed with Commissioner Hess and asked how that could be handled.
- Commissioner Fox stated that drive-throughs can be very beneficial for business owners.

FINDINGS / BASIS OF PLANNING COMMISSION DETERMINATION
The site met Eagle Mountain's standards for site plan development.

_____
Planning Director

See Key Land Use Policies of the Eagle Mountain General Plan, applicable Titles of the Eagle Mountain City Code, and the Staff Report to the Planning Commission for further detailed information.

Administrative decisions of the Planning Commission **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Planning Division, **within fourteen (14) calendar days of the Planning Commission's decision** (Eagle Mountain City office hours are Monday through Friday, 7:30 a.m. to 5:30 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

	EAGLE MOUNTAIN CITY **CITY COUNCIL MEETING** **OCTOBER 15, 2024**
TITLE:	Belle Street Seminary Site Plan
ITEM TYPE:	Site Plan
FISCAL IMPACT:	N/A
APPLICANT:	Mike Davey

CURRENT GENERAL PLAN DESIGNATION & ZONE	ACREAGE
Current General Plan Designation: Agricultural/Rural Density Two Zone: Public Facilities Zone	0.62

PUBLIC HEARING	PREPARED BY	PRESENTED BY
No	Ashley Swensen, Planner	Ashley Swensen

RECOMMENDATION:
Staff recommends that the City Council approve the Belle Street Seminary site plan.

BACKGROUND:
Site plan review and recommendation of a seminary building for the new junior high school, located at 9068 N Belle St. (Parcel ID - 38:716:0002)

In my previous staff report for the 10/8/24 Planning Commission meeting regarding this item, I failed to note that this parcel had been rezoned to the Public Facilities Zone--during the 05/07/24 City Council meeting--for the purpose of locating a Church of Jesus Christ of Latter-day Saints seminary building. This property is still part of the Clearview Estates Master Development Agreement. However, development standards for this parcel will comply with what is listed under the Public Facilities Zone in Chapter 17.31 EMMC.

ITEMS FOR CONSIDERATION:
EMMC 17.100.050 Site plan development standards. The following are standards required for all site plans in any zoning district:
A. Use of Property -- Complies
B. Screening Requirements -- Complies
C. Access Requirements -- Complies
D. Off-Street Truck Loading Space -- Complies
E. Utilities -- Complies
F. Grading and Drainage -- Complies
G. Dedication of Water Shares -- Will be ensured prior to building permit issuance
H. Protection of Steep Slopes and Natural Drainages -- N/A

EMMC 17.100.060 Architectural requirements.
A. Mechanical Equipment -- Complies

B. Windows -- Complies
C. Building Lighting -- Complies
D. Trash Enclosures, Storage Areas, and External Structures -- Complies
E. Exterior Materials -- Complies
F. Landscape Guidelines -- Complies
G. Parking Lot and Street Lighting -- Complies
H. Enclosed Uses -- Complies
I. Businesses Moving into Existing Buildings -- N/A
J. Nuisances -- Complies

EMMC 17.72.030 Site design.
A. Building Location -- Complies
B. Commercial Parking Location -- N/A

EMMC 17.72.040 Architectural standards.
A. Architectural Style/Theme -- Complies
B. Main Entrance -- Complies
C. Roof Design -- Complies
D. Building Articulation -- Complies
E. Architectural Detailing -- Complies
F. Building Materials -- Complies
G. Building Color -- Complies
I. Lighting -- Complies
K. Mechanical Equipment -- Complies
L. Storage, Loading Areas, and Trash Enclosures -- Complies

EMMC 17.55 Off-street Parking -- Complies

PLANNING COMMISSION ACTION/RECOMMENDATION:
The Planning Commission forwarded a positive recommendation (5-0) of the site plan application to the City Council.

ATTACHMENTS:
1. 10.08.2024 Planning Commission Report of Action
2. Belle Street Seminary Maps
3. Landscape Plan
4. Elevations
5. Site Plan

Eagle Mountain City

Planning Commission
Report of Action

October 8, 2024

ITEM #7E This property (Parcel No. 38:716:0002) is part of the Clearview Estates Master Development Agreement and was originally zoned "Residential Tier I." However, during the May 7th, 2024, City Council meeting a motion was passed to approve a rezone to the Public Facilities Zone for the purpose of locating a seminary building for the Church of Jesus Christ of Latter-day Saints. The seminary will be built for the new junior high school and will be located at 9068 N Belle St. The applicant seeks approval for their proposed site plan. Ashley Swensen (801) 789-6620 aswensen@emcity.org SITE-24-8

The following action was taken by the Planning Commission on the above-described item at its regular meeting of October 8, 2024:

RECOMMENDED APPROVAL

On a vote of 5:0, the Planning Commission recommended that the Municipal Council approve the above-noted application.
Motion By: Robert Fox (**to Recommend Approval**)

Second By: Craig Whiting

Votes in Favor of Motion: Rod Hess, Craig Whiting, Robert Fox, Jason Allen, and Brent Strong

Jason Allen was present as Chair.

Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

LEGAL DESCRIPTION FOR PROPERTY OF SITE PLAN
The property where the seminary will be built is described in the attached Exhibit A.

RELATED ACTIONS
The City Council approved the rezoning of this property from "Residential Tier I" to "Public Facilities Zone"

PROPOSED PARKING
*4 Total parking stalls required
*6 Total parking stalls provided
*The Planning Commission reviewed the parking plan and found it sufficient for the needs of the site

DEVELOPMENT AGREEMENT
This parcel is still part of the Clearview Estates Master Development Agreement, but development standards will default to the Public Facilities Zone in Chapter 17.31 EMMC.

STAFF PRESENTATION
The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

CITY DEPARTMENTAL ISSUES
N/A

CONCERNS RAISED BY PUBLIC
No concerns were raised by the public at this meeting.

APPLICANT RESPONSE
The applicant was present but offered no comments.

PLANNING COMMISSION DISCUSSION
Planning commission reviewed the proposed site plan and had no additional comments or discussion.

_____
Planning Commission

See Key Land Use Policies of the Eagle Mountain General Plan, applicable Titles of the Eagle Mountain City Code, and the Staff Report to the Planning Commission for further detailed information.

Administrative decisions of the Planning Commission **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Planning Division, **within fourteen (14) calendar days of the Planning Commission's decision** (Eagle Mountain City office hours are Monday through Friday, 7:30 a.m. to 5:30 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

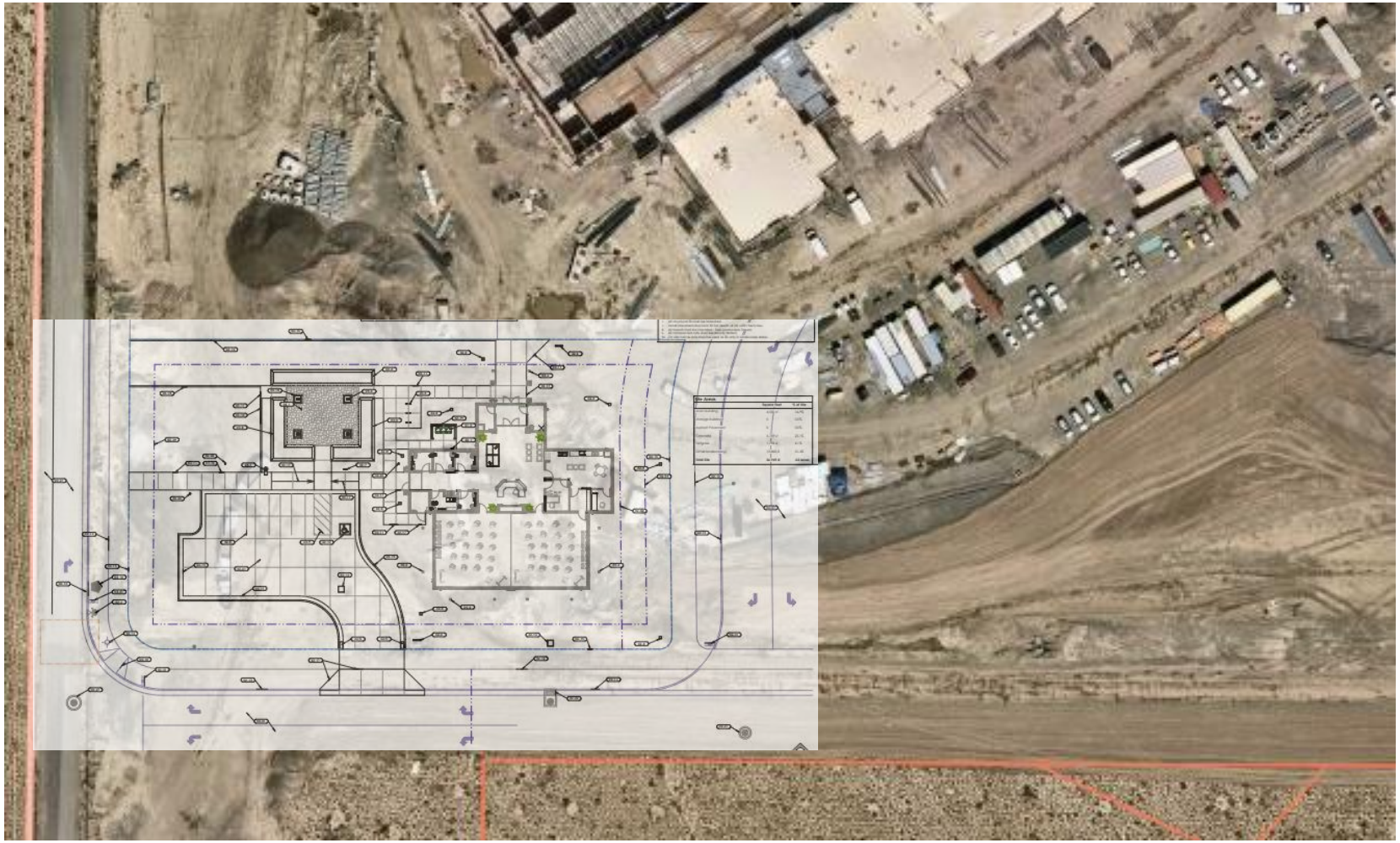
EXHIBIT A

LOT 2, EAGLE MOUNTAIN MIDDLE SCHOOL SUB AREA 0.619 AC.

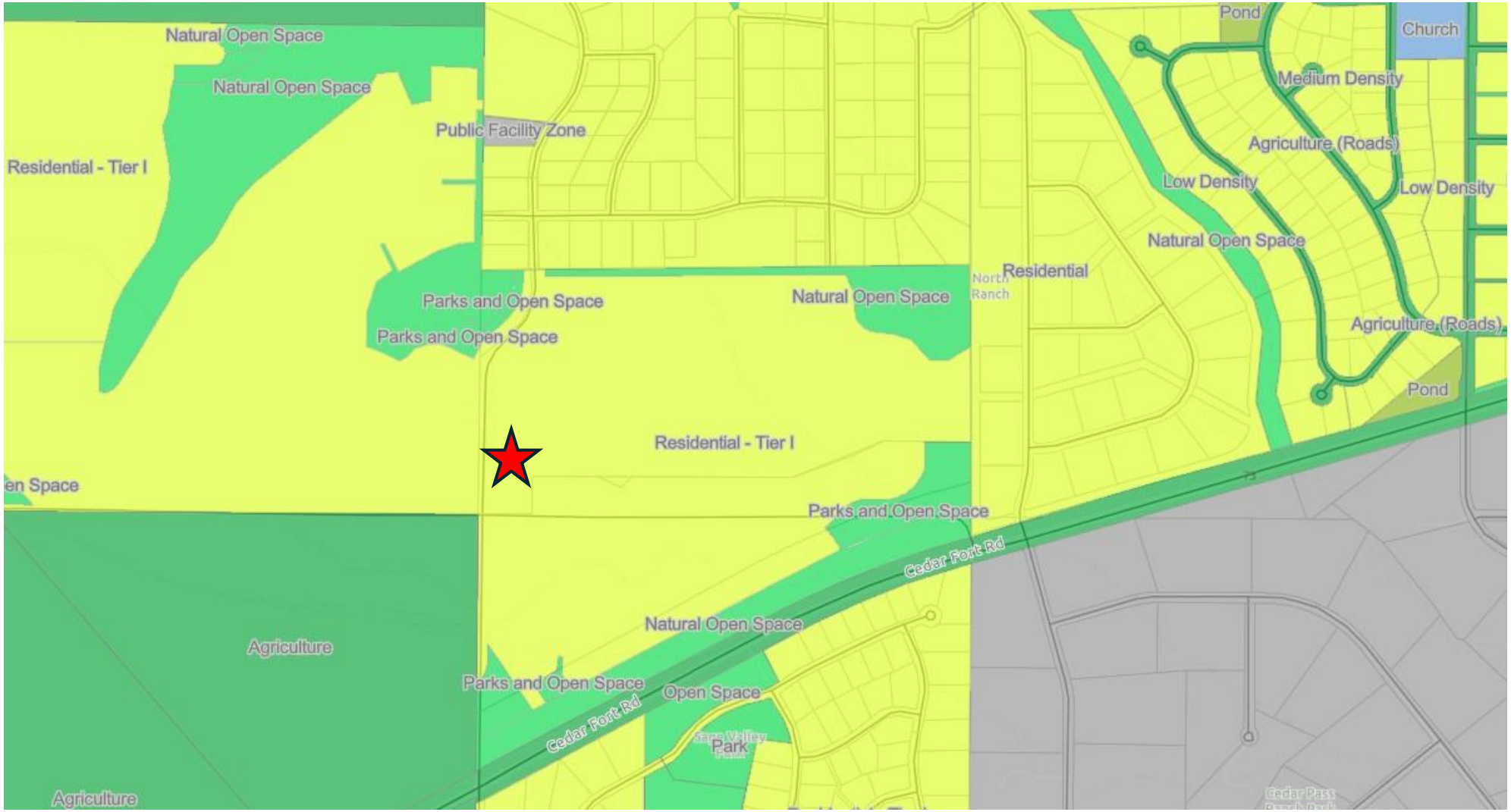
Vicinity Map

Aerial View

Site Plan Map



Zoning Map


Natural Open Space
Natural Open Space
Public Facility Zone
Residential - Tier I
Parks and Open Space
Parks and Open Space
Natural Open Space
North Ranch
Residential
Pond
Church
Medium Density
Agriculture (Roads)
Low Density
Low Density
Natural Open Space
Agriculture (Roads)
Pond
Residential - Tier I
en Space
Parks and Open Space
Cedar Fort Rd
Natural Open Space
Agriculture
Parks and Open Space
Open Space
Cedar Fort Rd
Park
Agriculture

General Plan Map

LEGEND

Residential Categories:
- Foothill Residential
- Agricultural/Rural Density One
- Agricultural/Rural Density Two
- Neighborhood Residential One
- Neighborhood Residential Two
- Neighborhood Residential Three

Mixed Use/Commercial Categories:
- Community Commercial
- Town Center Mixed Use
- Regional Commercial
- Employment Center/Campus
- Business Park/Light Industry

Public/Civic Categories:
- Civic Uses/Schools
- Parks and Open Space

NEIGHBORHOOD CHARACTER AREA

TRANSPORTATION
- UDOT Highway/Freeway
- City Road Network - Collector & up

SHRUB LEGEND

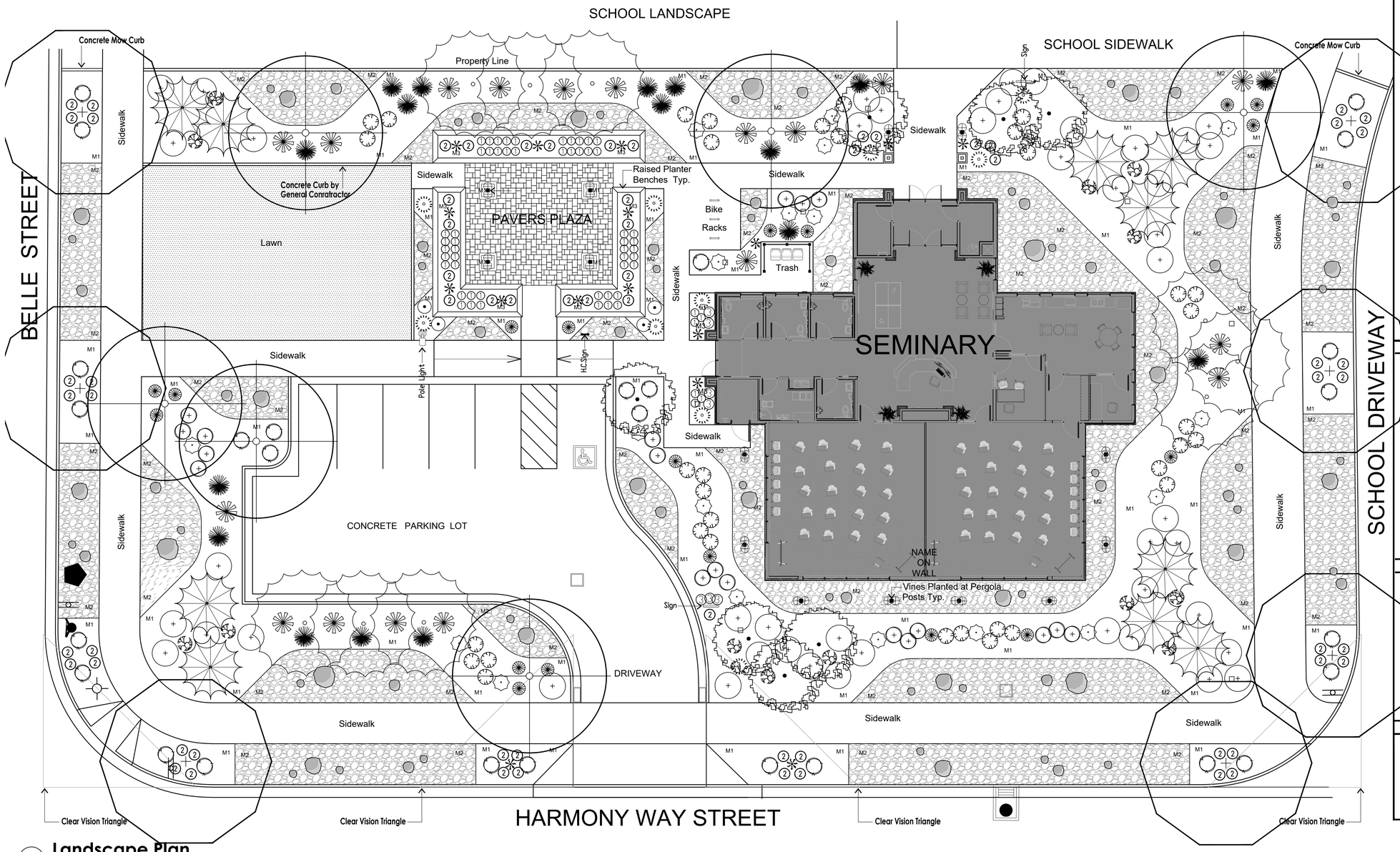
Symbol	Type	Scientific Name / Common Name	Planting Size Description	Planting Size Height	Planting Size Width	Mature Size Height	Mature Size Width	Quantity
	Evergreen	Pinus mugo 'Mughus – Tyroleon' Dwarf Mugo Pine	5 GAL. Container	12"	18"	4'	5'	17
	Evergreen	Cotoneaster dammeri 'Low Fast' Low Fast Cotoneaster	5 GAL. Container	6"	12"	12"	4–5'	46
	Evergreen	Yucca filimentosa Yucca	5 GAL. Container	12"	12"	3'	3'	27
	Deciduous	Caryopteris clandonensis Blue Mist Spirea	5 GAL. Container	14"	12"	3'	4'	19
	Deciduous	Euonymus alatus 'Compacta' Dwarf winged Euonymus	5 GAL. Container	18"	12"	4'	4'	18
	Deciduous	Berberis thunb. atrop. "Nana' Crimson Pigmy Barberry	5 GAL. Container	18"	12"	2'	3'	19
	Deciduous	Rosa 'Kockout' Knockout Rose	5 GAL. Container	24"	12"	3'	2'	9
	Deciduous	Potentilla fruticosa 'Red Ace' Red Ace Potentilla	5 GAL. Container	4"	18"	30"	3'	35
	Deciduous	Cornus sericea 'Kelseyi' Kelseys Dwarf Red Twig Dogwood	5 GAL. Container	4"	18"	3'	30"	18

GRASS & PERENNIAL LEGEND

Symbol	Type	Scientific Name / Common Name	Planting Size Description	Planting Size Height	Planting Size Width	Mature Size Height	Mature Size Width	Quantity
	Perennial	Perovskia atriplicifolia 'Filigran' Filigran Russian Sage	1 GAL. Container	6"	12"	3'	3'	13
	Grass	Calamagrostis s. acutiflora 'Karl Foerster' Feather Grass	5 GAL. Container	18"	6"	4'	2'	14
	Grass	Pennisetum alopecuroides 'Hameln' TE	5 GAL. Container	12"	6"	30"	30"	3
1	Perennial	Hemerocalis 'Texas Sunlight' Daylily	1 GAL. Container	10"	6"	24"	18"	55
2	Perennial	Nepeta faassenii Catmint	5 GAL. Container	8"	12"	24"	24"	64
3	Perennial	Shasta Daisey Leucanthemum x superbum	1 GAL. Container	10"	6"	24"	2'	7
	Perennial	Campsis radicans Trumpet Vine – Tangerine Beauty	5 GAL. Container Staked	8"	6"	24"	2'	24

TREE LEGEND

Symbol	Plant Type	Scientific Name / Common Name	Planting Size Description	Planting Size Height	Planting Size Width	Mature Size Height	Mature Size Width	Quantity
	Deciduous	Quercus rubra 'Shumardii' Shumard Red Oak	25 Gal. Container 1.75" Cal. Min.	8'	3'	40'	35'	7
	Deciduous	Celtis occidentalis Common Hackberry	25 Gal. Container 1.75" Cal. Min.	8'	3'	40'	30'	6
	Deciduous	Prunus virginiana 'Canada Red' Canada Red Choke Cherry (3 Tr.)	25 Gal. Container Single Stem	7–8'	4'	20'	20'	9
	Deciduous	Amelanchier x grandiflora Autumn Brilliance Serviceberry	25 Gal. Container Single Stem	7–8'	3'	20'	15'	6
	Evergreen	Pinus flexilis g. 'Vanderwolfe' Vanderwolfe Pine	Container	8' 6'	3' 2'	25'	12–15'	10



1 **Landscape Plan**
Scale: 1" = 10'-0"

Landscape Notes

1. TOPSOIL: ALL LAWN AREAS SHALL RECEIVE SIX (6) INCHES OF IMPORTED TOPSOIL. OTHER AREAS DO NOT NEED IMPORTED TOPSOIL. ACHIEVE FINISH GRADE USING ONSITE STOCKPILED SOILS. PLACE TWELVE (12) INCHES OF STOCKPILED SOILS IN TREES AND SHRUB PLANTER AREAS. EACH PLANT MATERIAL PIT WIDTH WILL BE REQUIRED TO BE (3) THREE TIMES THE DIAMETER OF THE ROOT BALL AND BE BACKFILLED WITH A MIX OF 50% IMPORTED TOPSOIL AND 50% EXISTING SOILS. SUBMIT A RECENT, WITHIN 60 DAYS, TOPSOIL ANALYSIS ON PROPOSED IMPORTED TOPSOIL FOR REVIEW AND APPROVAL. DO NOT INSTALL ANY TOPSOIL UNTIL THE SUB-GRADE HAS BEEN CHECKED AND APPROVED FOR PROPER DEPTH BY THE ARCHITECTS.

2. COBBLE ROCK TO BE INSTALLED THREE (3) INCHES DEEP MINIMUM AND DEEP ENOUGH TO COMPLETELY COVER THE FABRIC. COBBLE ROCK TO BE FINISH GRADED ONE (1) INCH BELOW ALL ADJACENT CONCRETE EDGES. SUBMIT ROCK PRODUCT SAMPLES FOR OWNER AND ARCHITECT APPROVAL BEFORE DELIVERY AND INSTALLATION. SEE LEGENDS THIS SHEET. ALL COBBLE ROCK SHALL BE DIRT AND CLOD FREE.

3. WEED BARRIER FABRIC TO BE PLACED UNDER ALL COBBLE ROCK MULCH M1 AND M2. OVERLAP 6" AT JOINTS AND ADHERE TO GROUND USING 1" BY 6" STEEL WIRE STAKES PLACED 4' O.C.

4. LAWN SHALL BE A BLEND OF DROUGHT TOLERANT KENTUCKY BLUEGRASS. LAWN SHALL BE INSTALLED IN THE FORM OF BIO-BLU BLEND SOD FROM BIOGRASS SOD IN WEST JORDAN OR APPROVED EQUAL.

5. INSTALL DRAIN CATCH BASINS PER DETAIL C/C302. MAKE SURE LOCATIONS ARE NOTED ON RECORD DRAWINGS.

6. FREE STANDING BOULDERS TO BE SIZES INDICATED ON THE DRAWINGS. BOULDERS TO BE OF A NATURAL APPEARANCE, QUARTZ OR OTHER HARD ROCK, OF A BROWN COLOR. SEE LEGEND THIS SHEET. SUBMIT A FULL SIZED SAMPLE FOR APPROVAL BEFORE DELIVERY. SLIGHTLY BURY AND PLACE BOULDERS SO THEY HAVE A NATURAL LOOKING APPEARANCE. SEE DETAIL "J" ON DRAWING L501. BOULDERS SHALL BE THE SPECIFIED DIMENSIONS ON ALL THREE SIDES OF THE BOULDER.

7. CONCRETE MOW CURB INSTALLATION IS DESCRIBED ON THE SITE PLAN DETAILS AND CONCRETE SPECIFICATIONS.

8. MAKE SURE ALL LANDSCAPE AREAS HAVE POSITIVE DRAINAGE OUT OF PLANTERS FOLLOWING FINISH GRADING AS PER GRADING AND DRAINAGE DRAWINGS.

9. INSTALL VINES AS CLOSE TO POSTS AS POSSIBLE. CONNECT VINES TO POSTS WITH PLANT TIE RIBBON ATTACHED TO HEAVY DUTY BLACK ZIP TIES ATTACHED AROUND POSTS.

10. EACH PLANT MATERIAL PIT WIDTH WILL BE REQUIRED TO BE (3) THREE TIMES THE DIAMETER OF THE ROOT BALL AND BE BACKFILLED WITH A MIX OF 40% IMPORTED TOPSOIL AND 40% EXISTING SOILS AND 20% SOIL PEP.

Landscape Objects Legend

M1	CRUSHED ROCK 1.5" DIA. Light colored – Soma Utah Landscape in Nephi
M2	CRUSHED ROCK 3–5" DIA. Dark Colored – South Town Utah Landscape in Nephi
M3	ROUNDED COBBLE ROCK 1" DIA. River Cobble Rock Landscape Supply of Utah
	LAWN SOD Bio Blue Bluegrass
1 2 3 4	BOULDERS – Quartz Browns Canyon Tan
	CONCRETE MOW CURB 6"X6" SEE CIVIL DRAWINGS

NOTE: Rock mulch will not be the same color or appearance as concrete.

Landscape Coverage Notes

Park strip plant materials to have a minimum coverage density of 30% at maturity, counting tree canopies.

Other landscape areas to have a minimum coverage density of 50% at maturity, counting tree canopies.

In common landscape areas lawns shall not exceed 20% of total landscape areas, not counting recreation area lawns.

Deciduous Trees: Minimum 1.5" Caliper
Shrubs: Minimum of 1 Gallon size
Evergreen Trees: Minimum of 6' Tall
1 Tree per 1000 SF Required.

Site Data

Asphalt	0 sf (0%)
Concrete Pavement	6,759 sf (25.1)
Building	4,550 sf (16.9%)
Landscaping	15,661 sf (56.5%)
Live Vegetation	7,975 sf (51% Landscape)
Grass 1,796 sf	
Shrub Area 6,179 sf	
Cobble Rock Area	7,640 sf (49% Landscape)
Total Site Area	26,969 sf (100%)

bhd ARCHITECTS
www.bhdarchitects.com
Phone 801.571.0010
Fax 801.571.0303
Toll Free 888.571.0010
65 East Wadsworth Park Drive
Suite 205 Draper, Utah 84020

STATE OF UTAH GREGORY WOLLEY 10178044 LICENSED LANDSCAPE ARCHITECT
09.06.2024

earthwise DESIGN LANDSCAPE · IRRIGATION · PLANNING
801-619-4040
greg@earthwisedesign.com

THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

Eagle Mountain UT Jr Seminary
9138 N Belle Street, Eagle Mountain, Utah 84005

BHD #: 2407
Date: 10 July 2024
County Parcel: 58-044-0-0164
Plan Series: Custom 2 CR
Owner #: 502-0475

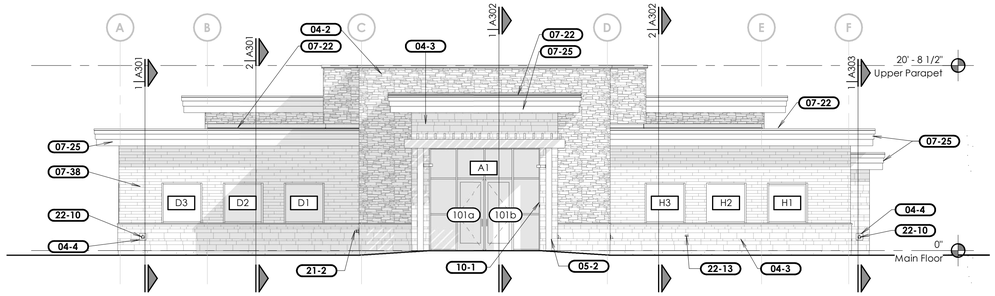
Drawing Issue and Revision Schedule		
#	Date	Description
1	11 Sep 2024	Plan Review

Landscape Plan

L101

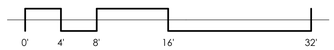
©2024 BHD Architects. This document and the ideas and designs incorporated herein, as an instrument of professional service, are the property of BHD Architects, and may not be used or duplicated in whole or in part for any other project without written authorization of BHD Architects.

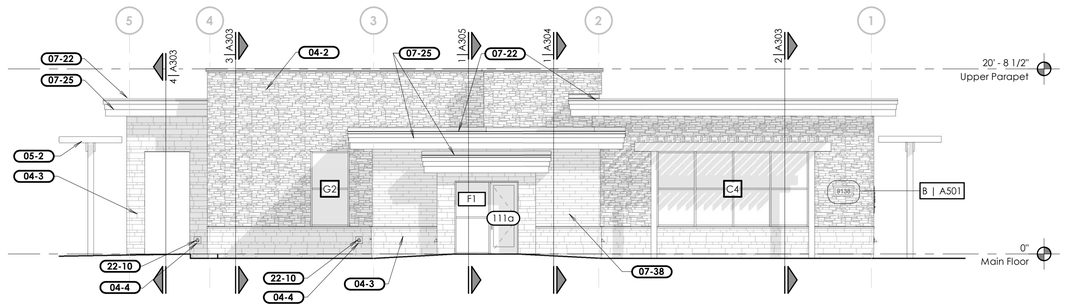
Printed: 5 Sep 2024 3:19 PM



1 North Elevation

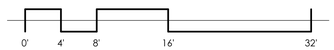
Scale: 1/8" = 1'-0"

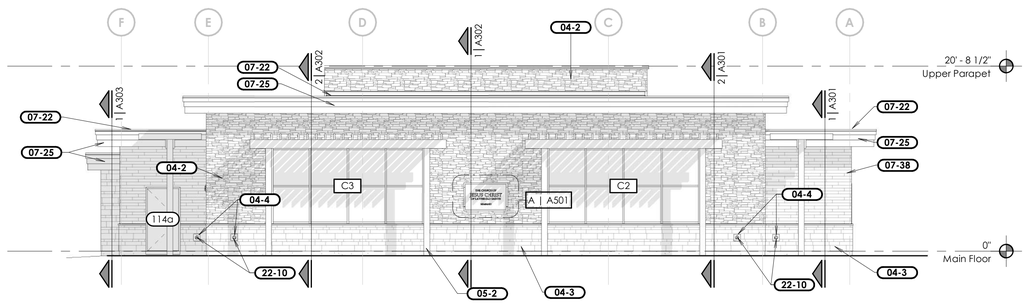




2 West Elevation

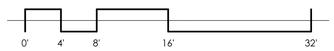
Scale: 1/8" = 1'-0"

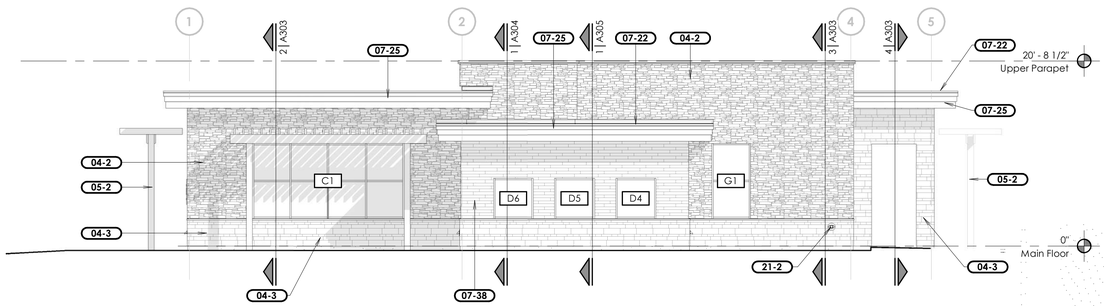




3 South Elevation

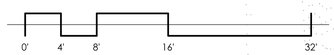
Scale: 1/8" = 1'-0"





4 East Elevation

Scale: 1/8" = 1'-0"



General Notes

1. At all exterior wall-mounted equipment mounted on manufactured stone veneer, including the FDC, electrical panels and equipment, hose bibbs, fire alarm strobes, roof drain scuppers, door operators, etc., Install a precast trim in the manufactured stone veneer flat behind the equipment prior to installation. See A/A502.

Keyed Notes

04-2	Manufactured stone veneer system. Stone Type #1.
04-3	Manufactured stone veneer system. Stone Type #2. See stone coursing detail J/A501.
04-4	Precast trim. See A/A502.
05-2	Pergola. Typical. See pergola details.
07-22	Prefinished metal wall cap with standing seam joints and 1" drip edge each side. Install membrane roofing beneath wall cap.
07-25	Prefinished metal fascia.
07-38	Prefinished aluminum cladding system.
10-1	Fire department Knox Box recessed in stone veneer (verify type of box and location with fire department).
21-2	Fire department connection.
22-10	Secondary roof drain wall scupper. See plumbing sheets.
22-13	Hose bibb. See plumbing sheets.

bhd ARCHITECTS
www.bhdarchitects.com
Phone 801.571.0010
Fax 801.571.0303
Toll Free 888.571.0010
65 East Wadsworth Park Drive
Suite 205 Draper, Utah 84020

LICENSED ARCHITECT
Lafe Theodore Harris
11 SEP 2024
STATE OF UTAH

Eagle Mountain UT Jr Seminary

9138 N Belle Street, Eagle Mountain, Utah 84005

BHD #: 2407
County Parcel: 58-044-0-0164
Plan Series: Custom 2 CR
Owner #: 502-0475
Date: 10 July 2024

Sheet Issue and Revision Schedule

#	Date	Description
1	11 Sep 2024	Bid Documents

Exterior Elevations

A201

©2024 BHD Architects This document and the ideas and designs incorporated herein, as an instrument of professional service, are the property of BHD Architects, and may not be used or duplicated in whole or in part for any other project without written authorization of BHD Architects.

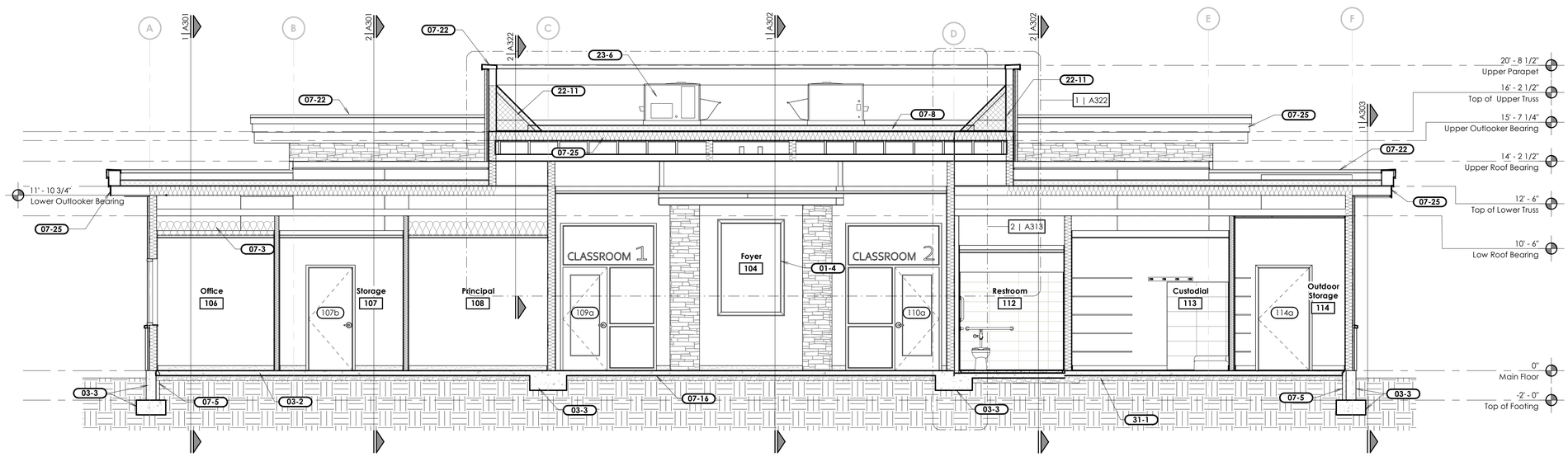
9/10/2024 5:06:52 PM

©2024 BHD Architects This document and the ideas and designs incorporated herein, as an instrument of professional service, are the property of BHD Architects, and may not be used or duplicated in whole or in part for any other project without written authorization of BHD Architects.

9/10/2024 6:53:20 PM

Keyed Notes

01-4	Artwork furnished and installed by owner. Contractor to provide blocking in wall.
03-2	Concrete structural floor slab. See structural sheets.
03-3	Reinforced concrete footing and foundation. See structural sheets.
07-3	Sound insulation.
07-5	3" rigid insulation.
07-8	Rigid roof insulation.
07-16	Below-grade vapor retarder system.
07-22	Prefinished metal wall cap with standing seam joints and 1" drip edge each side. Install membrane roofing beneath wall cap.
07-25	Prefinished metal fascia.
22-11	Roof drain and secondary roof drain. See F/A522.
23-6	Rooftop unit. Typical. See mechanical sheets. Install curb at each unit. Fill voids in roof curb with insulation. See 1/A321.
31-1	4" aggregate base under floor slab.



1 Section

Scale: 1/4" = 1'-0"

0' 2' 4' 8' 16'

bhd ARCHITECTS
www.bhdarchitects.com
Phone 801.571.0010
Fax 801.571.0303
Toll Free 888.571.0010
65 East Wadsworth Park Drive
Suite 205 Draper, Utah 84020

LICENSED ARCHITECT
Lafe Theodore Harris
11 SEP 2024
STATE OF UTAH

Eagle Mountain UT Jr Seminary

9138 N Belle Street, Eagle Mountain, Utah 84005

BHD #: 2407
County Parcel: 58-044-0-0164
Plan Series: Custom 2 CR
Owner #: 502-0475
Date: 10 July 2024

Sheet Issue and Revision Schedule

#	Date	Description

Sections

A304

©2024 BHD Architects This document and the ideas and designs incorporated herein, as an instrument of professional service, are the property of BHD Architects, and may not be used or duplicated in whole or in part for any other project without written authorization of BHD Architects.

1 **Perspective**
Not to Scale:

2 **Perspective**
Not to Scale:

3 **Perspective**
Not to Scale:

4 **Perspective**
Not to Scale:

5 **Perspective**
Not to Scale:

6 **Perspective**
Not to Scale:

bhd ARCHITECTS
www.bhdarchitects.com
Phone 801.571.0010
Fax 801.571.0303
Toll Free 888.571.0010
65 East Wadsworth Park Drive
Suite 205 Draper, Utah 84020

LICENSED ARCHITECT
Lafe Theodore Harris
11 Sep 2024
STATE OF UTAH

Eagle Mountain UT Jr Seminary

9138 N Belle Street, Eagle Mountain, Utah 84005

Date: 10 July 2024
BHD #: 2407
County Parcel: 58-044-0-0164
Plan Series: Custom 2 CR
Owner #: 502-0475

Sheet Issue and Revision Schedule

#	Date	Description
1	11 Sep 2024	Bid Documents

Exterior Perspectives

A901

9/10/2024 5:09:21 PM

General Notes

A. This and any other demolition drawings are not intended to be all-inclusive, nor to define the scope of all demolition work required for this project. Demolition drawings are shown only to aid the contractor in preparing his bid and performing the work. The contractor shall examine all contract documents and visit the site during bidding as required to determine the total extent and scope of the demolition portion of this work. All items that are not required to remain shall be of the demolition work whether shown specifically or not. Contractor shall be responsible for all demolition work required to carry out the work as shown in the contract documents.
B. All noted items are new unless noted otherwise.
C. The contractor shall verify all existing site conditions prior to bidding. Coordinate all work affecting adjacent properties with the respective property owners prior to any demolition or construction work. Repair and replace all existing items on adjacent properties damaged or affected during construction to the satisfaction of the property owner.
D. Contractor shall enclose the entire area of work with a temporary fence throughout construction - coordinate timing & location with the FM Group.
E. Refer to the Specifications for required locations of expansion joints. Submit a proposed expansion joint plan to the Architect for approval prior to installation of site concrete.
F. The building and parking lot are parallel or perpendicular to the south and north property lines.

Keyed Notes

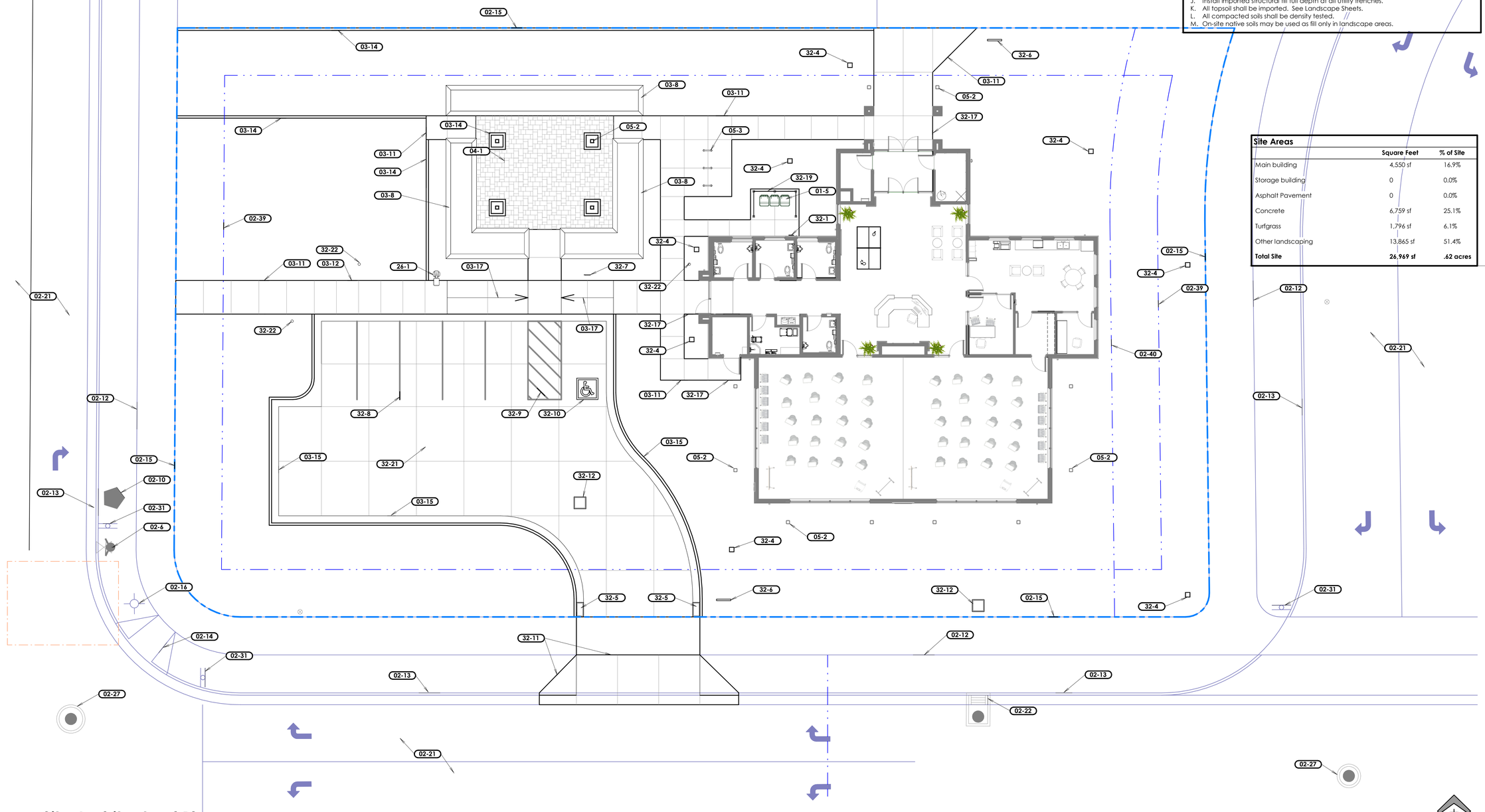
01-5	Trash containers. Furnished and installed by owner.
02-6	Existing fire hydrant to remain.
02-10	Existing water meter to remain.
02-12	Existing sidewalk to remain.
02-13	Existing curb and gutter to remain.
02-14	Existing curb ramp to remain.
02-15	Existing property line.
02-16	Existing power pole to remain.
02-21	Existing paving to remain.
02-22	Existing storm drain structure to remain.
02-27	Existing manhole to remain.
02-31	Existing sign to remain.
02-39	Existing public utilities easement.
02-40	Required building setback line.
03-8	CMU planter wall with manufactured stone veneer and precast concrete seating cap. Install waterproofing at the inside of the wall.
03-11	Concrete sidewalk. See A/C511. Typical.
03-12	Integral sidewalk. See B/C511.
03-14	Concrete mow curb. See K/C511.
03-15	Concrete curb and gutter. See C and D/C511.
03-17	Sloped section of concrete sidewalk at <5% slope. See grading plan for exact slope.

Keyed Notes

04-1	Masonry paver system. See grading plan for elevations.
05-2	Pergola. Typical. See pergola details.
05-3	Stainless steel bike rack. See L/C511.
26-1	New pole light and concrete base. See A/C513 and electrical sheets.
32-1	Irrigation controller. See landscape sheets.
32-4	Area drain box. See C/C512 and Grading and Drainage Plan.
32-5	Curb inlet box. see Site Details.
32-6	Post-mounted seminary sign.
32-7	Accessible parking sign.
32-8	Painted parking lines. Parking lines shall be 6" wide black paint with 4" wide reflective white paint centered on top. Typical.
32-9	Accessible parking access aisle. Paint lines shall be 6" wide black with 4" wide reflective white, at a 45ª angle, and have 2'-0" spacing.
32-10	Blue & white painted accessible parking symbol.
32-11	Concrete drive approach per city standards. Remove existing curb and gutter in the area of the new drive approach curb and gutter. Remove existing sidewalk in the area of new sidewalk as necessary to meet city standards for drive approach sidewalks.
32-12	Storm drain box, catch basin, yard drain, curb inlet, or other structure. See Civil Sheets.
32-17	Building landing. 2% slope maximum.
32-19	Garbage enclosure fence. See 1/C513.
32-21	Concrete paving. See Site Details and Overexcavation and Fill Notes.
32-22	Sewer cleanout. See Civil Sheets.

Overexcavation and Fill Notes

A. For Overexcavation Detail see C/C513.
B. Remove all unconsolidated fill and deleterious materials from the entire site prior to construction.
C. In the area of the building:
Overexcavate the entire footprint and 60" beyond at a 1:1 slope to 12" below the footing elevation. Install imported structural fill beneath footings and out to the overexcavation limits. Install imported structural fill up to the base course under the building slab.
D. At pergolas adjacent to the building:
All foundations for these pergolas will be within the overexcavation area for the building. Install structural fill up to the bottom of the foundations for the pergolas.
E. At the pergola on site:
Overexcavate the area of foundations for the pergola columns and 12" beyond to 12" below the footing elevation. Install imported structural fill beneath the footings out to the overexcavation limits.
F. Install crushed rock base beneath sidewalks at all building entries and exterior doors to the building as shown on Detail J/C511. All crushed rock base shall be 3/4" and shall be compacted by procedural compaction.
G. At paving areas:
Overexcavate as required for base as shown on the Site Details 36" beyond the back of the gutter. Where paving abuts a sidewalk, extend the overexcavation to 36" beyond the sidewalk.
H. Excavate and backfill at all test pits from the geotechnical investigation. Coordinate locations and depths with the geotechnical engineer.
I. All structural fill shall be imported.
J. Install imported structural fill full depth at all utility trenches.
K. All topsoil shall be imported. See Landscape Sheets.
L. All compacted soils shall be density tested.
M. On-site native soils may be used as fill only in landscape areas.



Site Areas

	Square Feet	% of Site
Main building	4,550 sf	16.9%
Storage building	0	0.0%
Asphalt Pavement	0	0.0%
Concrete	6,759 sf	25.1%
Turfgrass	1,796 sf	6.1%
Other landscaping	13,865 sf	51.4%
Total Site	**26,969 sf**	**.62 acres**

1 Site Architectural Plan

Scale: 1" = 10'-0"

0' 5' 10' 20' 40'

bhd ARCHITECTS
www.bhdarchitects.com
Phone 801.571.0010
Fax 801.571.0303
Toll Free 888.571.0010
65 East Wadsworth Park Drive
Suite 205 Draper, Utah 84020

LICENSED ARCHITECT Lafe Theodore Harris 11 Sep 2024 6276978-0301 STATE OF UTAH

Eagle Mountain UT Jr Seminary

9138 N Belle Street, Eagle Mountain, Utah 84005

BHD #: 2407
County Parcel: 58-044-0-0164
Plan Series: Custom 2 CR
Owner #: 502-0475
Date: 10 July 2024

Sheet Issue and Revision Schedule

#	Date	Description

Site Architectural Plan

C111

©2024 BHD Architects This document and the ideas and designs incorporated herein, as an instrument of professional service, are the property of BHD Architects, and may not be used or duplicated in whole or in part for any other project without written authorization of BHD Architects.

9/11/2024 9:17:36 AM

	EAGLE MOUNTAIN CITY **CITY COUNCIL MEETING** **OCTOBER 15, 2024**
TITLE:	RESOLUTION - A Resolution of Eagle Mountain City, Utah, Approving the First Amendment to the Master Development Agreement for the Triumph Subdivision.
ITEM TYPE:	Resolution
FISCAL IMPACT:	
APPLICANT:	Belle Street Investments, LLC

CURRENT GENERAL PLAN DESIGNATION & ZONE	ACREAGE

PUBLIC HEARING	PREPARED BY	PRESENTED BY
No	Marcus Draper, City Attorney	Marcus Draper

RECOMMENDATION:
Staff recommends the City Council approve a Resolution of Eagle Mountain City, Utah, Approving the First Amendment to the Master Development Agreement for the Triumph Subdivision, and authorize the Mayor to sign the agreement.

BACKGROUND:
On July 6th, 2022, the parties entered into a Master Development Agreement for the Triumph Subdivision. Section VIII.a of the MDA includes requirements that the Developer within two years of the effective date submit its first final plat for approval and that the site work for the first final plat or site plan begin. To date, the Developer has failed to complete either of those benchmarks and more than two years has elapsed. The Developer is seeking to restart the clock on completing those benchmarks. The Developer is also looking to extend the expiration date to six years from the effective date of the first amendment, instead of six years from the original effective date.

ITEMS FOR CONSIDERATION:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:
1. RES--Triumph MDA 1st Amendment
2. First Amendment to Triumph MDA - Final

RESOLUTION NO. R- -2024

A RESOLUTION OF EAGLE MOUNTAIN CITY, UTAH, APPROVING THE FIRST AMENDMENT TO THE MASTER DEVELPOMNET AGREEMENT FOR THE TRIUMPH SUBDIVISION

PREAMBLE

The City Council of Eagle Mountain City, Utah, finds that it is in the public interest to approve the First Amendment to the Master Development Agreement for the Triumph Subdivision, as set forth more specifically in Exhibit A.

NOW THEREFORE, BE IT RESOLVED by the City Council of Eagle Mountain City, Utah:

1. The City Council finds that all required notices and hearings have been completed as required by law to consider and approve the First Amendment to the Master Development Agreement for the Triumph Subdivision, as set forth in Exhibit A.

2. The First Amendment to the Master Development Agreement for the Triumph Subdivision is hereby approved, as set forth more specifically in Exhibit A.

3. This Resolution shall take effect upon its first publication or posting.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 15th day of October, 2024.

EAGLE MOUNTAIN CITY, UTAH

_____
Tom Westmoreland, Mayor

ATTEST:

_____
Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Resolution was adopted by the City Council of Eagle Mountain City, Utah on the 15th day of October, 2024.

Those voting yes:	Those voting no:	Those excused:	Those abstaining:
☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark
☐ Jared Gray	☐ Jared Gray	☐ Jared Gray	☐ Jared Gray
☐ Rich Wood	☐ Rich Wood	☐ Rich Wood	☐ Rich Wood
☐ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

_____

Fionnuala B. Kofoed, MMC
City Recorder

Exhibit A

WHEN RECORDED, RETURN TO:

Eagle Mountain City
Attn: Fionnuala B. Kofoed, City Recorder
1650 Stagecoach Run
Eagle Mountain, UT 84005

FIRST AMENDMENT
TO THE MASTER DEVELOPMENT AGREEMENT
FOR THE TRIUMPH SUBDIVISION

This First Amendment to the Master Development Agreement for the Triumph Subdivision ("First Amendment") is made and entered into as of the ____ day of _____, 2024 ("Effective Date of First Amendment"), by and between Eagle Mountain City, a political subdivision of the State of Utah ("City") and Belle Street Investments, LLC, a Utah limited liability company ("Developer"). The City and Developer are collectively referred to as the "Parties."

RECITALS

A. On July 6th, 2022 ("Original Effective Date"), the Parties entered into a Master Development Agreement for the Triumph Subdivision ("Original MDA").

B. Section VIII.a of the Original MDA includes requirements that the Developer within two (2) years of the Original Effective Date submit its first final plat for approval and that the site work for the first final plat or site plan begin ("Benchmarks").

C. Due to unfavorable market conditions, Developer has failed to complete either of the Benchmarks and more than two (2) years have elapsed since the Original Effective Date.

D. The Original MDA also includes an expiration date of six (6) years from the Original Effective Date ("Original Expiration Date").

E. The Parties now desire to extend the deadlines for the Benchmarks to allow Developer to complete the Benchmarks within two (2) years of the Effective Date of First Amendment and to extend the Original Expiration Date to six (6) years from the Effective Date of First Amendment.

F. The Parties have cooperated in the preparation of this First Amendment.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agrees as follows.

AMENDMENT

1. **Effect of First Amendment**. Other than as specifically amended herein by this First Amendment, the Original MDA shall remain in full force and effect.

2. **Extension of Deadline**. The deadline for completion of the Benchmarks is hereby extended to two (2) years from the Effective Date of First Amendment.

3. **Extension of Expiration**. The expiration of the Original MDA and this First Amendment shall be extended to six (6) years from the Effective Date of First Amendment.

4. **Recording**. The Parties shall cause this First Amendment to be recorded in the records of the Utah County Recorder.

IN WITNESS WHEREOF, the Parties hereto have executed this First Amendment by and through their respective, duly authorized representatives as of the day and year first herein above written.

[signatures on following pages]

CITY

EAGLE MOUNTAIN CITY

_____
TOM WESTMORELAND, Mayor

ATTEST

_____
FIONNUALA B. KOFOED, City Recorder

_____
MARCUS DRAPER, City Attorney
Approved as to form and legality

DEVELOPER

BELLE STREET INVESTMENTS, LLC
A Utah limited liability company

_____
SCOT HAZARD, Manager

DEVELOPER ACKNOWLEDGMENT

STATE OF UTAH)
:ss
COUNTY OF UTAH)

On the _____ day of _____, 2024, personally appeared before me SCOT HAZARD duly sworn, did say that he is the Manager of BELLE STREET INVESTMENTS, LLC, a Utah limited liability company and that the foregoing instrument was duly authorized by the company in compliance with its operating agreement and signed in behalf of said company.

_____
NOTARY PUBLIC

	EAGLE MOUNTAIN CITY **CITY COUNCIL MEETING** **OCTOBER 15, 2024**
TITLE:	QTS Noise Restriction Variance
ITEM TYPE:	Resolution
FISCAL IMPACT:	
APPLICANT:	QTS

CURRENT GENERAL PLAN DESIGNATION & ZONE	ACREAGE

PUBLIC HEARING	PREPARED BY	PRESENTED BY
	Evan Berrett, Economic Development Director	Evan Berrett

RECOMMENDATION:

BACKGROUND:
QTS has begun work on their data center campus just west of the Meta data center campus. They are planning for a rapid pace of construction, aiming to have a significant amount of concrete poured before the weather gets too cold. 8.15.080(G) and 8.15.070 generally restrict when construction can take place as a means of limiting the amount of noise produced at sites during primarily the night-time hours. The QTS campus is in a remote part of the city with the nearest homes being 4 homes in Fairfield that are approximately 0.7 miles from the center-point of the QTS property. QTS anticipates noise levels would be typical for commercial/industrial construction. As part of the variance, allowing for 24/7 construction, QTS has prepared mitigation measures to greatly reduce the light produced on site knowing that has been a concern to residents at other projects.

ITEMS FOR CONSIDERATION:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:
1. RES--QTS Extended Construction Hours
2. QTS Mitigation Plan
3. Layton Construction Request

RESOLUTION NO. R- -2024

A RESOLUTION OF EAGLE MOUNTAIN CITY, UTAH, AUTHORIZING EXTENDED HOURS FOR CONSTRUCTION OPERATIONS FOR QTS, AS ALLOWED IN EAGLE MOUNTAIN MUNICIPAL CODE SECTION 8.15.080(G)

PREAMBLE

WHEREAS, Eagle Mountain Municipal Code Section 8.15.080(G) states that the City Council may authorize extended hours for construction operations or procedures which, by their nature, require continuous operation, or modify or waive the hours of work for or on projects in generally isolated areas where the extended hours do not impact upon adjoining property occupants; and

WHEREAS, QTS has requested the City Council authorize extended hours for construction operations on property located at 858 E Hyperscale Way, Eagle Mountain City, Utah; and

WHEREAS, the City Council of Eagle Mountain City, Utah, finds that it is in the public interest to authorize extended hours for construction operations, as set forth more specifically in Exhibit A.

NOW THEREFORE, BE IT RESOLVED by the City Council of Eagle Mountain City, Utah:

1. The extended hours for construction operations as set forth more specifically in Exhibit A are approved.

2. This Resolution shall take effect upon its first publication or posting.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 15th day of October, 2024.

EAGLE MOUNTAIN CITY, UTAH

_____
Tom Westmoreland, Mayor

ATTEST:

_____
Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Resolution was adopted by the City Council of Eagle Mountain City, Utah on the 15th day of October, 2024.

Those voting yes:	Those voting no:	Those excused:	Those abstaining:
☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark
☐ Jared Gray	☐ Jared Gray	☐ Jared Gray	☐ Jared Gray
☐ Rich Wood	☐ Rich Wood	☐ Rich Wood	☐ Rich Wood
☐ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

_____

Fionnuala B. Kofoed, MMC
City Recorder

Exhibit A

VARIANCE MITIGATION PLAN:

Lighting Design and Selection

- Directional Lighting: Use fixtures that direct light downward and reduce skyward light spill. Shielded or full-cutoff fixtures will be used to minimize light pollution.
- LED Lighting: Opt for energy-efficient LED lights with adjustable intensity. LEDs allow better control of light output, reducing excess illumination.

Implementation Strategies

- Timers: Install timers to ensure lights are only on when necessary. This reduces unnecessary light during inactive periods.
- Temporary Barriers and Shields: Use barriers, screens, or shields around lights to prevent spillover into non-essential areas and reduce light trespass.

Monitoring and Adjustment

- Layton construction will perform regular walks whenever work is performed out of normal hours to audit light spill over and adjust operations to ensure that the ordinance is maintained.

October 9, 2024

Cooper Darling
Layton Construction
9090 S. Sandy Parkway
Sandy, UT 84070
cdarling@laytonconstruction.com
801-425-4710

Eagle Mountain City – Building Department
1650 Stagecoach Run
Eagle Mountain, Utah 84005

Subject: QTS SLC1-DC1 - Request for Off-Hour Work Approval

To whom it may concern:

This letter is intended to serve as a formal request seeking the City's approval. Specifically, this request seeks authorization to perform construction activities on the QTS SLC1-DC1 project outside regular working days and hours[1].

This request is necessary as a result of the need – both economic and practical - to maintain the fast pace of construction that is presently scheduled. Accordingly, Layton Construction ("Layton") requests the City's permission to conduct off hours work; which labor will occur outside standard work hours in terms of both early morning and/or late night construction activities.

Layton also requests approval for Layton to perform work on Sunday between the hours or 9:00AM and 9:00PM. Layton's purpose in seeking permission for authorization to work on Saturday and Sunday is necessary so that those days may be utilized as makeup days in the event the typical week day work is impacted by inclement weather or other unforeseen conditions.

Layton is committed to minimizing the impact of this request on the surrounding area. Specifically, it is Layton's intent to utilize early morning and/or late-night construction periods for primarily concrete pours (i.e. footings, etc.), slab on grade, and composite deck pours. Such pours are over extensive – requiring in excess of 1,200 yards of concrete – which necessitates many extra hours to place and finish. These activities will occur 2-3 times per week until the structure is substantially complete.[2] As stated, Layton is fully committed to executing all after hours work with minimal impact. To that end, the

[1] Layton's understanding is that standard work hours have been previously identified as those hours and days between 7:00AM and 9:00PM, Monday – Friday; and 9:00AM to 9:00PM on Saturday.
[2] The target completion date is projected as May of 2025

following outlines proposed mitigation measures. To that end Layton proposes to create, do, or perform the following:

1. **ONSITE CONCRETE BATCH PLANT: Having a plant on site will result in Zero cement mixer traffic in Eagle Mountain.** This will eliminate the otherwise necessarily heavy traffic within the Eagle Mountain residential areas.

2. **LIGHT POLLUTION:** Layton will Reduce by ensuring light plants are directed at the specific work areas, and not at residential areas. The light plants will be actively managed throughout all pours thereby ensuring compliance.

3. **TRAFFIC ROUTING:** Layton will designate traffic routes to the construction site. These directions will be suggested by Layton, and as needed will seek the City's input. Such routing will seek to utilize SR-73 to Pole Canyon Boulevard/Tiffany Lane, then turn onto Virtual Drive and Hyperscale Way, and then enter the jobsite. This proposed traffic route will limit traffic through Eagle Mountain boulevard and Pony Express Parkway during the late evening and/or early morning pours.

4. **MANAGEMENT:** Layton will assure that General Contractor management is active during all construction efforts. Specifically, Layton hereby commits to have ***at least*** two superintendents present during any off-hour activities. Additionally, Layton will assure that all necessary management is present during such off-hour activities for all trade partners who are performing work during these periods.

Accordingly, Layton requests that the City, following review of this proposal, grant approval for these off-hour work activities to ensure Layton can continue to meet the Project's construction schedule requirements. Should you have any questions or require further information, please do not hesitate to contact me directly.

It goes without saying that Layton, and all parties involved, value the relationship and partnership we presently enjoy with Eagle Mountain City. To that end, we look forward to any feedback or comment you might have regarding this request.

Warmest Professional Regards,

Layton Construction Company, LLC

Cooper Darling

	EAGLE MOUNTAIN CITY **CITY COUNCIL MEETING** **OCTOBER 15, 2024**
TITLE:	Triple Tail Interlocal Agreement
ITEM TYPE:	Agreement
FISCAL IMPACT:	
APPLICANT:	Eagle Mountain Redevelopment Agency / Tract

CURRENT GENERAL PLAN DESIGNATION & ZONE	ACREAGE

PUBLIC HEARING	PREPARED BY	PRESENTED BY
Yes	Evan Berrett, Economic Development Director	Evan Berrett

RECOMMENDATION:

BACKGROUND:
The Triple Tail CRA covers two properties currently under review for data center development. This interlocal agreement specifies the City's involvement in providing tax increment financing for the company and other necessary administrative procedures, terms, and so forth. Other taxing entities affected by this development have approved or in process to approve their own interlocal agreements for this CRA.

ITEMS FOR CONSIDERATION:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:
1. RES--Interlocal Agreement with RDA for Triple Tail CRA
2. Triple Tail Interlocal Agreement

RESOLUTION NO. R- -2024

A RESOLUTION OF EAGLE MOUNTAIN CITY, UTAH, APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF EAGLE MOUNTAIN CITY AND EAGLE MOUNTAIN CITY FOR THE COLLECTION AND REMITTANCE OF INCREMENTAL PROPERTY TAXES COLLECTED FROM PROPERTY WITHIN THE TRIPLE TAIL COMMUNITY REINVESTMENT PROJECT AREA

PREAMBLE

WHEREAS, pursuant to the provisions of the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated 1953, as amended (the "Interlocal Act"), and the provisions of the Community Reinvestment Agency Act, Title 17C, Utah Code Annotated 1953, as amended (the "CRA Act"), public agencies, including political subdivisions of the State of Utah as therein defined, are authorized to enter into mutually advantageous agreements for joint and cooperative actions, including the sharing of tax and other revenues; and

WHEREAS, the Redevelopment Agency of Eagle Mountain City (the "Agency") and Eagle Mountain City (the "City") are "public agencies" for purposes of the Act; and

WHEREAS, after careful analysis and consideration of relevant information, the City desires to enter into an Interlocal Agreement with the Agency whereby the City would remit to the Agency a portion of the property tax increment generated within the Triple Tail Community Reinvestment Project Area, (the "Project Area") which would otherwise flow to the City, for the purpose of encouraging development activities through the payment for certain public infrastructure and other uses that directly benefit the Project Area; and

WHEREAS, Section 11-13-202.5 of the Interlocal Act requires that certain interlocal agreements be approved by resolution of the legislative body of a public agency.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF EAGLE MOUNTAIN CITY as follows:

1. The Interlocal Cooperation Agreement between the Agency and the City, substantially in the form attached hereto as Exhibit A (the "Agreement"), is approved in final form.

2. Pursuant to Section 11-13-202.5 of the Interlocal Act, the Agreement has been submitted to legal counsel of the City for review and approval as to form and legality.

3. Pursuant to Section 11-13-209 of the Interlocal Act, a duly executed original counterpart of the Agreement shall be filed immediately with the City Recorder, the keeper of records of the City.

4. As provided in Utah Code Ann. § 17C-5-205(3), the Agreement shall be effective on the day on which the Agency publishes notice of the Agreement pursuant to Utah Code Ann. § 11-13-219 of the Interlocal Act.

5. This Resolution shall take effect upon adoption.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 15th day of October, 2024.

EAGLE MOUNTAIN CITY, UTAH

_____
Tom Westmoreland, Mayor

ATTEST:

_____
Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Resolution was adopted by the City Council of Eagle Mountain City, Utah on the 15th day of October, 2024.

Those voting yes:	Those voting no:	Those excused:	Those abstaining:
☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark
☐ Jared Gray	☐ Jared Gray	☐ Jared Gray	☐ Jared Gray
☐ Rich Wood	☐ Rich Wood	☐ Rich Wood	☐ Rich Wood
☐ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

_____

Fionnuala B. Kofoed, MMC
City Recorder

EXHIBIT A

INTERLOCAL COOPERATION AGREEMENT

THIS INTERLOCAL COOPERATION AGREEMENT is made and entered into this _____day of _____, 2024, by and between the **REDEVELOPMENT AGENCY OF EAGLE MOUNTAIN CITY**, a community reinvestment agency and political subdivision of the State of Utah (the "Agency"), and **EAGLE MOUNTAIN CITY**, a political subdivision of the State of Utah (the "City") in contemplation of the following facts and circumstances:

A. **WHEREAS,** the Agency was created and organized pursuant to the provisions of the Utah Limited Purpose Local Government Entities – Community Development and Renewal Agency Act, Utah Code Annotated (**"UCA"**) §17C-1-101 *et seq.* (2012), and continues to operate under the provisions of its extant successor statute, the Limited Purpose Local Government Entities - Community Reinvestment Agency Act, Title 17C of the UCA (the **"Act"**), and is authorized and empowered under the Act to undertake, among other things, various community development activities pursuant to the Act, including, among other things, assisting the City in development activities that are likely to advance the policies, goals and objectives of the City's general plan, contributing to capital improvements which substantially benefit the City, creating economic benefits to the City, and improving the public health, safety and welfare of its citizens; and

B. **WHEREAS,** this Agreement is made pursuant to the provisions of the Act and the Interlocal Cooperation Act (UCA Title 11, Chapter 13) (the "Cooperation Act"); and

C. **WHEREAS,** the Agency will create the Triple Tail Community Reinvestment Project Area (the "Project Area"), through the adoption of the Triple Tail Plan (the "Project Area Plan"), located within the City, which Project Area is described in Exhibit "A" attached hereto and incorporated herein by this reference; and

D. **WHEREAS,** the Project Area contains vacant and underutilized land, which is anticipated to be developed, with encouragement and planning by the Agency, as a data center complex consisting of real and personal property including a building or group of buildings for the construction, maintenance, use and/or operation of a data center, including ancillary buildings consisting of office buildings, utility buildings and temporary and/or prefabricated construction management buildings (each a "Building" and collectively the "Buildings"). The Agency has not entered into any participation or development agreements with developers but anticipates that prior to development of the Project Area, the City and/or the Agency may enter into one or more participation agreements with one or more developer(s) which will provide certain terms and conditions upon which the Project Area will be developed using, in part, "Tax Increment" (as that term is defined in the Act), generated from the Project Area; and

E. **WHEREAS,** historically, the Project Area has generated a total of 322,387 per year in property taxes for the various taxing entities, including the City, Utah County (the "County"), Alpine School District (the "School District"), and other taxing entities; and

F. **WHEREAS,** upon full development as contemplated in the Project Area Plan, property taxes produced by the Project Area for the City, the County, the School District, and other taxing entities are projected to total approximately $7,191,238 per year at the end of the Project Area; and

G. **WHEREAS,** the Agency has requested the City, the County, the School District, and other taxing entities to participate in the promotion of development in the Project Area by agreeing to remit to the Agency for a specified period of time specified portions of the increased real and personal property tax (i.e., Tax Increment,) which will be generated by the Project Area; and

H. **WHEREAS,** it is in the best interest of the citizens of the City for the City to remit such payments to the Agency to permit the Agency to leverage private development of the Project Area; and

I. **WHEREAS,** the Agency has retained LRB Public Finance Advisors, an independent financial consulting firm with substantial experience regarding community reinvestment projects and tax increment funding across the State of Utah, to prepare the Project Area Plan and to provide a report regarding the need and justification for investment of Tax Increment revenues from and within the Project Area. A copy of the report is included in the Project Area Plan attached as Exhibit "B"; and

J. **WHEREAS,** the Agency has created the Triple Tail Community Reinvestment Project Area Budget (the "Project Area Budget"), a copy of which is attached as Exhibit "C", which Project Area Budget, generally speaking, outlines the anticipated generation, payment and use of Tax Increment within the Project Area;

K. **WHEREAS,** the parties desire to set forth in writing their agreements regarding the nature and timing of such assistance;

NOW, THEREFORE, the parties agree as follows:

1. **Additional Tax Revenue.** The City has determined that significant additional Tax Increment will likely be generated by the development of the Project Area as described in further detail in the Project Area Plan and Project Area Budget. Each of the parties acknowledge, however, that the development activity required for the generation of the Tax Increment is not likely to occur within the foreseeable future or to the degree possible or desired without Tax Increment participation in order to induce and encourage such development activity.

2. **Offset of Development Costs and Expenses.** The City has determined that it is in the best interests of its citizens to pay specified portions of its portion of Tax Increment to the Agency in order for the Agency to offset costs and expenses which will be incurred by Agency or participants in Project Area development, including, without limitation, the construction and installation of Buildings, infrastructure improvements, personal property and other development related costs needed to serve the Project Area, to the extent permitted by the Act, the Project Area Plan, and the Project Area Budget, each as adopted and amended from time to time.

3. **Base Year and Base Year Value.** The base year, for purposes of calculation of the Base Taxable Value (as that term is defined in the Act), shall be 2023, meaning the Base Taxable Value shall, to the extent and in the manner defined by the Act, be equal to the equalized taxable value shown on the 2023 Utah County assessment rolls for all anticipated developable property located within the Project Area (which is currently estimated to be $36,869,500, but is subject to final adjustment and verification by the County and Agency).

4. **Agreement(s) with Developer(s).** The Agency is authorized to enter into one or more participation agreements with one or more participants which may provide for the payment of certain amounts of Tax Increment (to the extent such Tax Increment is actually paid to and received by the Agency from year to year) to the participant(s) conditional upon the participant (s)'s meeting of certain performance measures as outlined in said agreement. Such agreement shall be consistent with the terms and conditions of this Agreement, shall require as a condition of the payment to the participant(s) that the respective participant or its approved successors in title as owners of all current and subsequent parcels within the Project Area, as outlined in Exhibit "A" (the "Property"), shall pay any and all taxes and assessments which shall be assessed against the Property in accordance with levies made by applicable municipal entities in accordance with the laws of the state of Utah applicable to such levies, and such other performance measures as the Agency may deem appropriate.

5. **Payment Trigger.** The Property may be developed in Phases. A "Phase" means each phase of the development of the Property as designated by a participant, which Phase may include all or one (1) Building or multiple buildings and any associated real property identified and designated by a participant. A Phase may or may not be a legally subdivided parcel of real property. The first year of payment of Tax Increment from the City to the Agency shall be determined by the Agency. The Agency may trigger the collection of Tax Increment for a Phase by delivering a letter or other written request to the Utah County Auditor's office identifying such Phase (the "Trigger Notice"). The Agency shall be entitled to receive Tax Increment for each Phase for an initial period of twenty (20) full calendar years per Phase not to exceed 40 years for all Phases within the entire Project Area, commencing with the year after the Agency delivers a Trigger Notice for such Phase (each, an "Increment Period").

6. **Total Payment to Agency.** The City shall authorize the County to remit to the Agency, beginning with property tax receipts during each Incremental Period for each Phase, 55% of the annual Tax Increment generated from the real, personal, and centrally assessed property tax within the Project Area.

7. **Property Tax Increase.** This Agreement provides for the payment of the increase in real, personal property, and centrally assessed property taxes collected from the Project Area by the County acting as the tax collection agency for the City. Without limiting the foregoing, this Agreement includes Tax Increment resulting from an increase in the tax rate of the City, which is hereby expressly approved as being included in Tax Increment as required by Section 17C-1-407 of the Act. It is expressly understood that the Property Taxes which are the subject of this Agreement are only those Property Taxes actually collected by the County from the Project Area.

8. **Future Increment Period Conditions.** The Agency may receive the same participation and level of tax increment received during the initial Increment Period for each additional Phase conditional upon the Agency amending the Project Area Plan and Project Area Budget for each additional Phase and providing notice to the City of such amendments.

9. **No Independent Duty.** The City shall be responsible to remit to the Agency only Tax Increment actually received by the County acting as the tax collecting agency for the City. The City shall have no independent duty to pay any amount to the Agency other than the Tax Increment actually received by the County, on behalf of the City on an annual basis during each Increment Period for each Phase.

10. **Authority to Bind.** Each individual executing this Agreement represents and warrants that such person is authorized to do so, and, that upon executing this Agreement, this Agreement shall be binding and enforceable in accordance with its terms upon the party for whom such person is acting.

11. **Further Documents and Acts.** Each of the parties hereto agrees to cooperate in good faith with the others, and to execute and deliver such further documents and perform such other acts as may be reasonably necessary or appropriate to consummate and carry into effect the transactions contemplated under this Agreement.

12. **Notices.** Any notice, request, demand, consent, approval or other communication required or permitted hereunder or by law shall be validly given or made only if in writing and delivered to an officer or duly authorized representative of the other party in person or by Federal Express, private commercial delivery or courier service for next business day delivery, or by United States mail, duly certified or registered (return receipt requested), postage prepaid, and addressed to the party for whom intended, as follows:

If to City:
Eagle Mountain City
Attn: City Council

1650 E. Stagecoach Run
Eagle Mountain, UT 84005
Phone: (801) 789-6603

If to Agency:
Redevelopment Agency of Eagle Mountain City
Attn: Agency Board
1650 E. Stagecoach Run
Eagle Mountain, UT 84005
Phone: (801) 789-6603

Any party may from time to time, by written notice to the others as provided above, designate a different address which shall be substituted for that specified above. Notice sent by mail shall be deemed served or delivered seventy-two (72) hours after mailing. Notice by any other method shall be deemed served or delivered upon actual receipt at the address or facsimile number listed above. Delivery of courtesy copies noted above shall be as a courtesy only and failure of any party to give or receive a courtesy copy shall not be deemed to be a failure to provide notice otherwise properly delivered to a party to this Agreement.

13. **Entire Agreement.** This Agreement is the final expression of and contains the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior understandings with respect thereto. This Agreement may not be modified, changed, supplemented or terminated, nor may any obligations hereunder be waived, except by written instrument signed by the party to be charged or by its agent duly authorized in writing or as otherwise expressly permitted herein. This Agreement and its exhibits constitute the entire agreement between the parties hereto pertaining to the subject matter hereof, and the final, complete and exclusive expression of the terms and conditions thereof. All prior agreements, representations, negotiations and understandings of the parties hereto, oral or written, express or implied, are hereby superseded and merged herein.

14. **No Third-Party Benefit.** The parties do not intend to confer any benefit hereunder on any person, firm or corporation other than the parties hereto. There are no intended third-party beneficiaries to this Agreement.

15. **Construction.** Headings at the beginning of each paragraph and subparagraph are solely for the convenience of the parties and are not a part of the Agreement. Whenever required by the context of this Agreement, the singular shall include the plural and the masculine shall include the feminine and vice versa. Unless otherwise indicated, all references to paragraphs and subparagraphs are to this Agreement. In the event the date on which any of the parties is required to take any action under the terms of this Agreement is not a business day, the action shall be taken on the next succeeding business day.

16. **Partial Invalidity.** If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each such term and provision of this Agreement shall be valid and shall be enforced to the fullest extent permitted by law.

17. **Amendments.** No addition to or modification of any provision contained in this Agreement shall be effective unless fully set forth in writing executed by each of the parties hereto.

18. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute but one and the same instrument.

19. **Waivers.** No waiver of any breach of any covenant or provision herein contained shall be deemed a waiver of any preceding or succeeding breach thereof or of any other covenant or provision herein contained. No extension of time for performance of any obligation or act shall be deemed an extension of the time for performance of any other obligation or act.

20. **Governing Law.** This Agreement and the exhibits attached hereto shall be governed by and construed under the laws of the State of Utah. In the event of any dispute hereunder, it is agreed that the sole and exclusive venue shall be in a court of competent jurisdiction in Utah County, Utah, and the parties hereto agree to submit to the jurisdiction of such court.

21. **Declaration of Invalidity**. In the event that a court of competent jurisdiction declares that the County or the City cannot pay and/or that the Agency cannot receive payments of the Tax Increment, declares that the Agency cannot pay the Tax Increment to developers, or takes any other action which has the effect of eliminating or reducing the payments of Tax Increment received by the Agency, the Agency's obligation to pay the Tax Increment to developers shall be reduced or eliminated accordingly, the Agency, and the City shall take such steps as are reasonably required to not permit the payment and/or receipt of the Tax Increment to be declared invalid.

22. **No Separate Legal Entity.** No separate legal entity is created by this Agreement.

23. **Duration.** This Agreement shall terminate with respect to a particular Phase upon the expiration of each Tax Increment Period for such Phase but shall continue for all undeveloped Phases. Notwithstanding, this Agreement shall terminate after the fortieth year following the trigger year of the first Phase.

24. **Assignment.** No party may assign its rights, duties or obligations under this Agreement without the prior written consent first being obtained from all parties. Notwithstanding the foregoing, such consent shall not be unreasonably withheld or delayed so long as the assignee thereof shall be reasonably expected to be able to perform the duties and obligations being assigned.

25. **Termination.** Upon any termination of this Agreement resulting from the uncured default of any party, the order of any court of competent jurisdiction or termination as a result of any legislative action requiring such termination, then any funds held by the Agency and for which the Agency shall not be required to disburse to developers in accordance with the agreements which govern such disbursement, then such funds shall be returned to the party originally remitting same to the Agency and upon such return this Agreement shall be deemed terminated and of no further force or effect.

26. **Interlocal Cooperation Act.** In satisfaction of the requirements of the Cooperation Act in connection with this Agreement, the Parties agree as follows:

a. This Agreement has been, on or prior to the date hereof, authorized and adopted by resolution of the legislative body of each Party pursuant to and in accordance with the provisions of Section 11-13-202.5 of the Cooperation Act;

b. This Agreement has been, on or prior to the date hereof, reviewed as to proper form and compliance with applicable law by a duly authorized attorney on behalf of each Party pursuant to and in accordance with the provisions of Section 11-13-202.5(3) of the Cooperation Act;

c. A duly executed original counterpart of this Agreement shall be filed immediately with the keeper of records of each Party pursuant to Section 11-13-209 of the Cooperation Act;

d. The Chair of the Agency is hereby designated the administrator for all purposes of the Cooperation Act, pursuant to Section 11-13-207 of the Cooperation Act; and

e. Should a party to this Agreement desire to terminate this Agreement, in part or in whole, each party to the Agreement must adopt, by resolution, an amended Interlocal Cooperation Agreement stating the reasons for such termination. Any such amended Interlocal Cooperation Agreement must be in harmony with any development/participation agreement(s) entered into by the Agency as described in this Agreement.

f. Immediately after execution of this Agreement by both Parties, the Agency shall, on behalf of both parties, cause to be published notice regarding this Agreement pursuant to Section 11-13-219 of the Cooperation Act.

g. This Agreement makes no provision for the parties acquiring, holding and disposing of real and personal property used in the joint undertaking as such action is not contemplated as part of this Agreement nor part of the undertaking. Any such provision would be outside the parameters of the current undertaking. However, to the extent that this Agreement may be construed as providing for the acquisition, holding or disposing of real and/or personal property, all such property shall be owned by the Agency upon termination of this Agreement.

[Signature Page to Follow]

IN WITNESS WHEREOF, the parties have executed this Agreement on the day specified above.

City: EAGLE MOUNTAIN CITY

Attest: By: _____

Its: Mayor

_____
City Recorder

Approved as to form:

_____
Attorney for City

Agency: REDEVELOPMENT AGENCY OF EAGLE MOUNTAIN CITY

Attest: By: _____

Its: Chair

_____
Secretary

Approved as to form:

_____
Attorney for Agency

EXHIBIT "A
to
INTERLOCAL AGREEMENT

Legal Description of Project

Monte Vista North
North half and the Southwest quarter of Section 15, Township 6 South, Range 2 West, Salt Lake Base and Meridian.

Less and excepting therefrom the following described property conveyed to Steven George Smith and Kay Smith in that certain Warranty Deed recorded June 12, 1997 as Entry No. 44889 in Book 4293 at Page 427 of Official Records, more particularly described as follows:

The North half of the North half of the North half of the Southeast quarter of the Northeast quarter; and the North half of the South half of the North half of the North half of the Southeast quarter of the Northeast quarter; and the Northeast quarter of the Northeast quarter of Section 15, Township 6 South, Range 2 West, Salt Lake Base and Meridian.

Also less and except therefrom the following described property conveyed to Shark Investments Corp., Inc. in that certain Special Warranty Deed recorded April 06, 2009 as Entry No. 35757:2009 of Official Records, more particularly described as follows:

Beginning at a point South 89°36'26" East 369.61 feet along the section line from the Northwest corner of Section 15, Township 6 South, Range 2 West, Salt Lake Base and Meridian; thence along the North line of said Section 15, South 89°36'26" East 12.00 feet; thence South 00°42'29" East 115.71 feet; thence East 32.80 feet; thence South 101.00 feet; thence West 101.00 feet; thence North 101.00 feet; thence East 56.20 feet; thence North 00°42'29" West 115.80 feet to the point of beginning.

Also less and except therefrom the following described property conveyed to Shark Investments Corp., Inc. in that certain Special Warranty Deed recorded May 04, 2009 as Entry No. 48701:2009 of Official Records, more particularly described as follows:

Beginning at a point South 89°36'26" East 94.33 feet along the section line from the Northwest corner of Section 15, Township 6 South, Range 2 West, Salt Lake Base and Meridian; thence along the North line of said Section 15, South 89°36'26" East 14.01 feet; thence South 01°28'18" East 140.64 feet; thence South 89°37'35" East 88.13 feet; thence South 00°22'25" West 97.00 feet; thence North 89°37'35" West 105.00 feet; thence North 00°22'25" East 97.00 feet; thence South 89°37'35" East 2.86 feet; thence North 01°28'18" West 140.64 to the point of beginning.

Monte Vista South #1
A parcel of ground located in Section 31, Township 6 South, Range 1 West, and Section 36, Township 6 South, Range 2 West, Salt Lake Base and Meridian, City of Eagle Mountain, Utah County, Utah, more particularly described as:
Beginning at point on the Westerly line of a gas easement recorded in the Utah County Recorder's Office, July 23, 1991, and December 12, 2001, Entry No's. 28818 (Book 2815, Page 569) and 130191:2001, said point being 1,254.67 feet North 89°43'21" West along the South line of the Southwest Quarter, from the South quarter corner, Section 31, Township 6 South, Range 1 West, Salt Lake Base and Meridian; running thence North 89°43'21" West, 1,416.02 feet along said South line to the Southwest corner of said Section 31; thence North 0°14'57" East, 53.66 feet along the West line of the Southwest quarter of said Section 31; thence North 90°00'00" West, 307.40 feet; thence North 0°00'00" East, 5,283.41 feet to the North line of the Northeast quarter of said section 36; thence South 89°24'28" East, 330.02 feet to the Northeast corner of said Section 36; thence South 89°19'56" East, 1692.00 feet along the North line of the Northwest Quarter of said Section 31 to a point on the Westerly line of said gas line easement; thence South 3°12'48" West, 5,329.18 feet along the westerly line of said gas line easement and the point of beginning.

Monte Vista South #2
Beginning at the Southeast corner of Section 36, Township 6 South, Range 2 West, Salt Lake Base and Meridian; and running thence North 89°39'14" West 329.85 feet; thence North 0°14'59" East 2662.93 feet;

thence North 0°14'37" East 2600.63 feet; thence South 5212.08 feet; thence East 307.45 feet; South 0°14'38" West 53.42 feet to the point of beginning.
Also being described as follows:
All of Section 36, Township 6 South, Range 2 West, Salt Lake Base and Meridian. Less and excepting therefrom the following described real property:
Commencing at a point 82.5 feet East of the Northwest corner of Section 31, Township 6 South, Range 1 West, Salt Lake Base and Meridian and running thence West 412.5 feet; thence South 5,280 feet; thence East 825 feet; thence North 1,056 feet; thence West 412.5 feet; thence North 4,224 feet to point of beginning.
Also less and excepting therefrom all that portion lying within STEEPLECHASE SOUTH SUBDIVISION recorded June 01, 2020 as Map Filing No. 17093 and as Entry No. 74983:2020 of Plats.

Pole Canyon
A parcel of land situate within East half of the West half (E-1/2 of W-1/2) and the East half (E-1/2) of Section 16, Township 6 South, Range 2 West, Salt Lake Base and Meridian, located in
Eagle Mountain City, County of Utah, State of Utah and being more particularly described as
follows:

Beginning at the Utah County brass cap monument marking the quarter corner common to Sections 15 & 16, Township 6 South, Range 2 West, Salt Lake Base and Meridian; and running thence South 0°22'24" West, along the quarter section line, a distance of 2592.46 feet, to the proposed Northerly line of Pole Canyon Boulevard; thence along said Northerly line the following three (3) courses: (1) North 89°40'33" West, a distance of 2619.49 feet, to a point of curvature; (2) Northwesterly along the arc of a 923.00 foot-radius curve to the right, though a central angle of 30°36'36", a distance of 493.11 feet, the long chord of which bears North 74°22'15" West, a distance of 487.26 feet; (3) North 59°03'57" West, a distance of 722.41, to the Easterly Line of Tyson Parkway, as shown on the Tyson Subdivision, recorded as Entry No.: 95910:2019, Map No.: 16725 of official records; thence along said Easterly line the following four (4) courses: (1) North 30°56'03" East, a distance of 389.58 feet, to a point of curvature; (2) Northeasterly along the arc of a 700.00 foot-radius curve to the left, though a central angle of 30°32'01", a distance of 373.04 feet, the long chord of which bears North 15°40'03" East, a distance of 368.64 feet; (3) North 0°24'02" East, a distance of 3998.96 feet, to a point of curvature; (4) Northeasterly along the arc of a 50.00 foot-radius curve to the right, though a central angle of 90°11'51", a distance of 78.71 feet, the long chord of which bears North 45°29'58" East, a distance of 70.83 feet, to the South line of proposed 4000 North Street (Pole Line Road); thence South 89°23'59" East, along said South line being 47.00 feet perpendicularly distant to and parallel with the North line of the Northwest Quarter of said Section 16, a distance of 696.00 feet, to a point of intersection with the North-South Center Quarter line; thence South 89°24'26" East, continuing along said South line and 47.00 feet perpendicularly distant Southerly of the North line of the Northeast Quarter, a distance of 2001.11 feet, to the West line of the Robyn G. Walden (ETAL) parcel 59:048:0005, being an aliquot line of the section; thence along said Walden parcel and the aliquot section lines the following two (2) courses: (1) South 0°38'09" West, a distance of 621.50 feet, to a 5/8" rebar
and cap stamped "MCNEIL ENG." Marking the NE-NE 1/64th corner; (2) South 89°23'25" East,
a distance of 669.91 feet, to the N-N 1/64th corner common to said Section 15 & 16; thence South 0°22'17" West, along the quarter section line common to said Section 15 & 16, a distance of 2006.12 feet, to the point of beginning.

EXHIBIT "B"
To
INTERLOCAL AGREEMENT

Project Area Plan

PUBLIC FINANCE ADVISORS

EAGLE MOUNTAIN REDEVELOPMENT AGENCY

PROJECT AREA PLAN: TRIPLE TAIL COMMUNITY REINVESTMENT AREA

JULY 2024

PREPARED BY:

LRB PUBLIC FINANCE ADVISORS
FORMERLY LEWIS YOUNG ROBERTSON & BURNINGHAM INC.

TABLE OF CONTENTS

DEFINITIONS 3
INTRODUCTION 5
DESCRIPTION OF THE BOUNDARIES OF THE PROPOSED PROJECT AREA 6
GENERAL STATEMENT OF LAND USES, LAYOUT OF PRINCIPAL STREETS, POPULATION DENSITIES, BUILDING DENSITIES AND HOW THEY WILL BE AFFECTED BY THE PROJECT AREA 6
STANDARDS GUIDING THE COMMUNITY REINVESTMENT 7
HOW THE PURPOSES OF THIS TITLE WILL BE ATTAINED BY COMMUNITY DEVELOPMENT 7
CONFORMANCE OF THE PROPOSED DEVELOPMENT TO THE COMMUNITY'S GENERAL PLAN 7
DESCRIBE ANY SPECIFIC PROJECT OR PROJECTS THAT ARE THE OBJECT OF THE PROPOSED COMMUNITY REINVESTMENT 8
METHOD OF SELECTION OF PRIVATE DEVELOPERS TO UNDERTAKE THE COMMUNITY REINVESTMENT AND IDENTIFICATION OF DEVELOPERS CURRENTLY INVOLVED IN THE PROCESS 8
REASON FOR SELECTION OF THE PROJECT AREA 8
DESCRIPTION OF PHYSICAL, SOCIAL AND ECONOMIC CONDITIONS EXISTING IN THE PROJECT AREA 8
DESCRIPTION OF ANY TAX INCENTIVES OFFERED PRIVATE ENTITIES FOR FACILITIES LOCATED IN THE PROJECT AREA 9
ANTICIPATED PUBLIC BENEFIT TO BE DERIVED FROM THE COMMUNITY DEVELOPMENT 9
EXHIBIT A: PROJECT AREA MAP 12
EXHIBIT B: LEGAL DESCRIPTION 13

DEFINITIONS

As used in this Community Reinvestment Project Area Plan, the term:

"**Act**" shall mean and include the Limited Purpose Local Government Entities – Community Reinvestment Agency Act in Title 17C, Chapters 1 through 5, Utah Code Annotated 1953, as amended, or such other amendments as shall from time to time be enacted or any successor or replacement law or act.

"Agency" shall mean the Eagle Mountain Redevelopment Agency, which is a separate body corporate and politic created by the City pursuant to the Act.

"**Base taxable value**" shall mean the agreed value specified in a resolution or interlocal agreement under Subsection 17C-1-102(8) from which tax increment will be collected.

"Base year" shall mean the agreed upon year for which the base taxable value is established and shall be incorporated into the interlocal agreements with participating taxing entities.

"City" or "Community" shall mean the City of Eagle Mountain.

"Legislative body" shall mean the City Council of Eagle Mountain which is the legislative body of the City.

"Plan Hearing" shall mean the public hearing on the draft Project Area Plan required under Subsection 17C-1-102 (42) and 17C-5-104(3)(e).

"Project Area" shall mean the geographic area described in the Project Area Plan or draft Project Area Plan where the community development set forth in this Project Area Plan or draft Project Area Plan takes place or is proposed to take place (**Exhibit A** & **Exhibit B**).

"Project Area Budget" shall mean (as further described under 17-C-5-303 of the Act) the multi-year projection of annual or cumulative revenues, other expenses and other fiscal matters pertaining to the Project Area that includes:

- the base taxable value of property in the Project Area;
- the projected tax increment expected to be generated within the Project Area;
- the amount of tax increment expected to be shared with other taxing entities;
- the amount of tax increment expected to be used to implement the Project Area plan;

- for property that the Agency owns and expects to sell, the expected total cost of the property to the Agency and the expected selling price.

"Project Area Plan" or **"Plan"** shall mean the written plan (outlined by 17C-5-105 of the Act) that, after its effective date, guides and controls the community reinvestment activities within the Project Area. Project Area Plan refers to this document and all of the attachments to this document, which attachments are incorporated by this reference. It is anticipated that the TRIPLE TAIL PLAN will be subject to an interlocal agreement process with the taxing entities within the Project Area.

"Taxes" includes all levies on an ad valorem basis upon land, local and centrally assessed real property, personal property, or any other property, tangible or intangible**.**

"Taxing Entity" shall mean any public entity that levies a tax on any property within the Project Area.

"Tax Increment" shall mean the difference between the amount of property tax revenues generated each tax year by all taxing entities from the Project Area using the current assessed value of the property and the amount of property tax revenues that would be generated from the same area using the base taxable value of the property.

"Tax Increment Period" shall mean the period in which the taxing entities from the Project Area consent that a portion of their tax increment from the Project Area be used to fund the objectives outlined in the Project Area Plan.

"Tax Year" shall mean the 12-month period between sequential tax roll equalizations (November 1st - October 31st) of the following year, e.g., the November 1, 2023 - October 31, 2024 tax year.

INTRODUCTION

The Eagle Mountain Redevelopment Agency (the "Agency"), following thorough consideration of the needs and desires of Eagle Mountain City (the "City") and its residents, as well as the City's capacity for new development, has carefully crafted this draft Project Area Plan (the "Plan") for the Triple Tail Community Reinvestment Project Area (the "Project Area"). This Plan is the end result of a comprehensive evaluation of the types of appropriate land-uses and economic development for the land encompassed by the Project Area which lies within twenty-four parcels in the City. The north parcels are south of 4000 North, north of Pole Canyon Blvd, and east of Tyson Pkwy. The south parcel is south of 1000 North and east of Pony Express Pkwy. The Plan is intended to define the method and means of the Project Area from its current state to a higher and better use.

The City has determined it is in the best interest of its citizens to assist in the development of the Project Area. It is the purpose of this Plan to clearly set forth the aims and objectives of development, scope, financing mechanism, and value to the residents of the City and other taxing entities within the Project Area.

The Project Area is being undertaken as a community reinvestment project area pursuant to certain provisions of Chapters 1 and 5 of the Utah Limited Purpose Local Governmental Entities -- Community Reinvestment Agency Act (the "Act", Utah Code Annotated ("UCA") Title 17C). The requirements of the Act, including notice and hearing obligations, have been observed at all times throughout the establishment of the Project Area. The realization of the Plan is subject to interlocal agreements between the taxing entities individually and the Agency.

RESOLUTION AUTHORIZING THE PREPARATION OF A DRAFT COMMUNITY REINVESTMENT PROJECT AREA

Pursuant to the provisions of §17C-5-103 of the Act, the governing body of the Agency adopted a resolution authorizing the preparation of a draft Community Reinvestment Project Area Plan on **April 2, 2024**.

RECITALS OF PREREQUISITES FOR ADOPTING A COMMUNITY REINVESTMENT PROJECT AREA PLAN

In order to adopt a community reinvestment project area plan, the Agency shall;

- Pursuant to the provisions of §17C-5-104(1)(a) and (b) of the Act, the City has a planning commission and general plan as required by law;

- Pursuant to the provisions of §17C-5-104 of the Act, the Agency has conducted or will conduct one or more public hearings for the purpose of informing the public about the Project Area, and allowing public input into the Agency's deliberations and considerations regarding the Project Area; and

- Pursuant to the provisions of §17C-5-104 of the Act, the Agency has allowed opportunity for input on the draft Project Area Plan and has made a draft Project Area Plan available to the public at the Agency's offices during normal business hours, provided notice of the plan hearing, sent copies of the draft Project Area Plan to all required entities prior to the hearing, and provided opportunities for affected entities to provide feedback.

DESCRIPTION OF THE BOUNDARIES OF THE PROPOSED PROJECT AREA

A legal description of the Project Area along with a detailed map of the Project Area is attached respectively as **Exhibit A** and **Exhibit B** and incorporated herein. The Project Area lies within twenty-four parcels in the City. The north parcels are south of 4000 North, north of Pole Canyon Blvd, and east of Tyson Pkwy. The south parcel is south of 1000 North and east of Pony Express Pkwy. All the land within the Project Area is currently designated as vacant land. The Project Area is comprised of approximately 1,170.44 acres of property.

As delineated in the office of the Utah County Recorder, the Project Area encompasses all of the parcels detailed in **Exhibit C.**

GENERAL STATEMENT OF LAND USES, LAYOUT OF PRINCIPAL STREETS, POPULATION DENSITIES, BUILDING DENSITIES AND HOW THEY WILL BE AFFECTED BY THE PROJECT AREA

GENERAL LAND USES

The property within the Project Area is currently classified as vacant property. The Meta Data Center Complex is immediately northwest of the Project Area's south parcel and the Tyson Foods Plant is west of the northern parcels.

LAYOUT OF PRINCIPAL STREETS

There are currently no paved streets within the Project Area, both parcels are accessible by peripheral roads.

POPULATION DENSITIES

There are no residences within the Project Area, therefore the estimated population density is 0.0 residents per acre.

BUILDING DENSITIES

Building densities will increase as development occurs. The intent of this plan is to promote greater economic utilization of the land area.

IMPACT OF COMMUNITY REINVESTMENT ON LAND USE, LAYOUT OF PRINCIPAL STREETS, AND POPULATION DENSITIES

Community reinvestment activities within the Project Area will primarily consist of development and economic enhancement of an underutilized area of the City. The types of land uses will include data centers and affiliated office spaces.

Land Use – It is anticipated that future development within the Project Area will create space for a data center complex. Other supplementary developments may take place during future phases of the development.

Layout of Principal Streets – It is anticipated that the community reinvestment of the Project Area will not alter the layout of principal streets in the area. It is anticipated that access roads will be constructed within the Project Area.

Population Densities – The Project Area does not include any residential components. The population density will not be affected by the Project Area. The daytime population of the City will slightly increase as the Project Area is anticipated to create approximately 335 new jobs.

STANDARDS GUIDING THE COMMUNITY REINVESTMENT

In order to provide maximum flexibility in the development and economic promotion of the Project Area, and to encourage and obtain the highest quality in development and design, specific development controls for the uses identified above are not set forth herein. Each development proposal in the Project Area will be subject to appropriate elements of the City's proposed General Plan; the Zoning Ordinance of the City, including adopted Design Guidelines pertaining to the area; institutional controls, other applicable building codes and ordinances of the City; and, as required by ordinance or agreement, review and recommendation of the Planning Commission and approval by the Agency.

Each development proposal by an owner, tenant, participant or a developer shall be accompanied by site plans, development data and other appropriate material that clearly describes the extent of proposed development, including land coverage, setbacks, height and massing of buildings, off-street parking and loading, use of public transportation, and any other data determined to be necessary or requested by the Agency or the City.

HOW THE PURPOSES OF THIS TITLE WILL BE ATTAINED BY COMMUNITY DEVELOPMENT

It is the intent of the Agency, with the assistance and participation of private developers and property owners, to facilitate the development within the Project Area.

CONFORMANCE OF THE PROPOSED DEVELOPMENT TO THE COMMUNITY'S GENERAL PLAN

The proposed Community Reinvestment Project Area Plan and the development contemplated are consistent with the City's proposed General Plan and land use regulations.

DESCRIBE ANY SPECIFIC PROJECT OR PROJECTS THAT ARE THE OBJECT OF THE PROPOSED COMMUNITY REINVESTMENT

The Project Area is being created to assist with the construction of a future data center complex.

METHOD OF SELECTION OF PRIVATE DEVELOPERS TO UNDERTAKE THE COMMUNITY REINVESTMENT AND IDENTIFICATION OF DEVELOPERS CURRENTLY INVOLVED IN THE PROCESS

The City and Agency will select or approve such development as solicited or presented to the Agency and City that meets the development objectives set forth in this plan. The City and Agency retain the right to approve or reject any such development plan(s) that in their judgment do not meet the development intent for the Project Area. The City and Agency may choose to solicit development through an RFP or RFQ process, through targeted solicitation to specific industries, from inquiries to the City, EDCUtah, and/or from other such references.

The City and Agency will ensure that all development conforms to this plan and is approved by the City. All potential developers may need to provide a detailed development plan including sufficient financial information to provide the City and Agency with confidence in the sustainability of the development and the developer. Such a review may include a series of studies and reviews including reviews of the Developer's financial statements, third-party verification of benefit of the development to the City, appraisal reports, etc. Any participation between the Agency, developers and property owners shall be by an approved agreement.

REASON FOR SELECTION OF THE PROJECT AREA

The Project Area is currently vacant and underutilized. The creation of the Project Area will create a significant economic benefit to all taxing entities as this underutilized area will be developed to a higher and greater use.

DESCRIPTION OF PHYSICAL, SOCIAL AND ECONOMIC CONDITIONS EXISTING IN THE PROJECT AREA

PHYSICAL CONDITIONS

The Project Area consists of approximately 671.49 acres of relatively flat, privately owned land as shown on the Project Area map.

SOCIAL CONDITIONS

The Project Area experiences a lack of connectivity and vitality. There are no residential units and no parks, libraries, or other social gathering places in the Project Area. This is in line with the contemplated uses of the area surrounding the Project Area, which is currently vacant, under the greenbelt classification or used for similar types of development as contemplated in the Project Area.

ECONOMIC CONDITIONS

The Project Area is currently vacant and underutilized. The Agency desires to encourage development within the Project Area that will directly benefit the existing economic base of the City, Utah County and other taxing entities.

DESCRIPTION OF ANY TAX INCENTIVES OFFERED PRIVATE ENTITIES FOR FACILITIES LOCATED IN THE PROJECT AREA

Tax increment arising from the development within the Project Area shall be used for public infrastructure improvements, Agency requested improvements and upgrades, both off-site and on-site improvements, land and job-oriented incentives, desirable Project Area improvements, and other items as approved by the Agency. Subject to provisions of the Act, the Agency may agree to pay for eligible costs and other items from taxes during the tax increment period which the Agency deems appropriate under the circumstances. A cost benefit analysis will assist the Agency in making decisions about offering assistance.

In general, tax incentives may be offered to achieve the community reinvestment goals and objectives of this plan, specifically to:

- Foster and accelerate economic development;
- Stimulate job development;
- Make needed infrastructure improvements to roads, street lighting, water, storm water, sewer, and parks and open space; and
- Provide attractive development for high-quality tenants.

The Project Area Budget will include specific participation percentages and timeframes for each taxing entity. Furthermore, a resolution and interlocal agreement will formally establish the participation percentage and tax increment period for each taxing entity.

ANTICIPATED PUBLIC BENEFIT TO BE DERIVED FROM THE COMMUNITY DEVELOPMENT

THE BENEFICIAL INFLUENCES UPON THE TAX BASE OF THE COMMUNITY

The beneficial influences upon the tax base of the City and the other taxing entities will include increased property tax revenues, job growth, and affordable housing opportunities in the community. The increased revenues will come from the property values associated with new construction in the area, as well as large investments of personal property within the data centers. Property values include land, buildings and personal property (servers, machines, equipment, etc.).

Job growth in the Project Area will result in increased wages, increasing local purchases and benefiting existing businesses in the area. Job growth will also result in increased income taxes paid. Additionally, business growth will generate corporate income taxes.

There will also be a beneficial impact on the community through increased construction activity within the Project Area. Positive impacts will be felt through construction wages paid, as well as construction supplies purchased locally.

THE ASSOCIATED BUSINESS AND ECONOMIC ACTIVITY LIKELY TO BE STIMULATED

Other business and economic activity likely to be stimulated includes increased spending by new and existing residents within the City and employees in the Project Area and in surrounding areas. This includes both direct and indirect purchases that are stimulated by the spending of the additional employees in the area.

Employees may make some purchases in the local area, such as convenience shopping for personal services (haircuts, banking, dry cleaning, etc.). The employees will not make all of their convenience or personal services purchases near their workplace and each employee's purchasing patterns will be different. However, it is reasonable to assume that a percentage of these annual purchases will occur within proximity of the workplace (assuming the services are available).

EFFORTS TO MAXIMIZE PRIVATE INVESTMENT

The agency has formed a partnership with the developers to realize the vision of this Project Area. It is anticipated that each phase of the development will require over $1 billion of private capital. Creating a CRA will act as a catalyst for the development.

"BUT FOR" ANALYSIS

The anticipated development includes numerous costs, including land purchase, infrastructure, and over personal property. "But-for" the creation of the CRA and public participation, the costs associated with the development would be too high, and the Project Area would remain in its underutilized state.

PUBLIC BENEFIT ANALYSIS

Based on the land use assumptions and tax increment participation levels, the following tables outline the public benefits anticipated in the Project Area. As shown below, the proposed community reinvestment will create an economic benefit to the City and the other taxing entities that participate in the Project Area. The public benefit analysis only includes the tax increment projections on the first phase of the development. The Agency may be allowed to receive 20 years of tax increment for each phase that is undertaken, not to exceed 40 years for all phases beginning with the first-year increment is remitted to the Agency. Additional 20-year periods will be outlined in an amended Project Area Plan, as necessary.

Table 2: Projected CRA Budget

Entity	Percentage	Length	Total
Utah County	55%	20 Years	$4,079,186
Alpine School District	55%	20 Years	$36,177,907
Eagle Mountain City	55%	20 Years	$3,258,375
Central Utah Water Conservancy District	55%	20 Years	$2,487,309
Unified Fire Service Area – Salt Lake County	55%	20 Years	$8,369,794
Total			**$54,372,571**

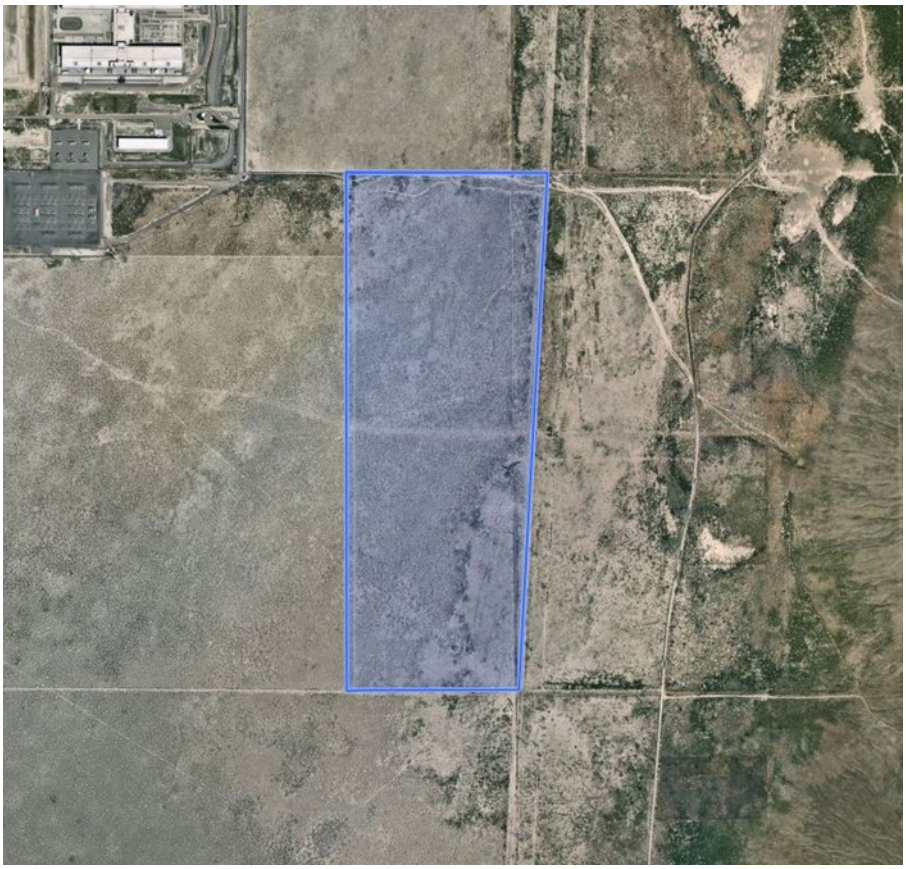
Table 3: Projected Property Tax Funds for Taxing Entities (20 Years)

Entity	45% of TIF	Base Year Taxes	Total
Utah County	$3,337,516	$483,728	$3,821,244
Alpine School District	$29,600,106	$4,290,135	$33,890,241
Eagle Mountain City	$2,665,943	$386,392	$3,052,335
Central Utah Water Conservancy District	$2,035,071	$294,956	$2,330,027
Unified Fire Service Area – Salt Lake County	$6,848,013	$992,527	$7,840,540
Total	**$44,486,649**	**$6,447,738**	**$50,934,387**

Table 4: Projected Annual Property Tax Funds at End of TIF Collection Period

Entity	Current Annual Tax	Future Tax	% Increase
Utah County	$24,186	$539,507	
Alpine School District	$214,507	$4,784,838	
Eagle Mountain City	$19,320	$430,948	
Central Utah Water Conservancy District	$14,748	$328,968	
Unified Fire Service Area – Salt Lake County	$49,626	$1,106,977	
Total	**$322,386**	**$7,191,238**	**2,231%**

EXHIBIT A: PROJECT AREA MAP



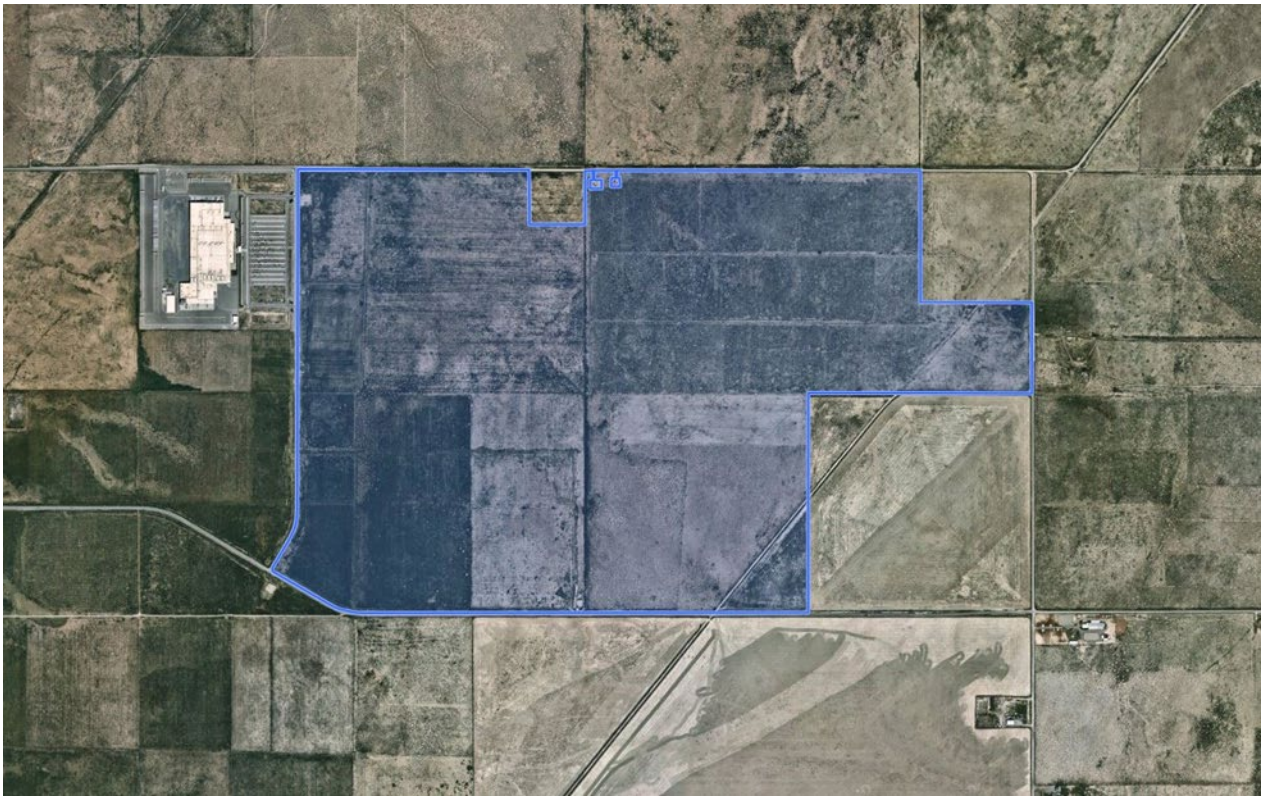


EXHIBIT B: LEGAL DESCRIPTION

Monte Vista North
North half and the Southwest quarter of Section 15, Township 6 South, Range 2 West, Salt Lake Base and Meridian.

Less and excepting therefrom the following described property conveyed to Steven George Smith and Kay Smith in that certain Warranty Deed recorded June 12, 1997 as Entry No. 44889 in Book 4293 at Page 427 of Official Records, more particularly described as follows:

The North half of the North half of the North half of the Southeast quarter of the Northeast quarter; and the North half of the South half of the North half of the North half of the Southeast quarter of the Northeast quarter; and the Northeast quarter of the Northeast quarter of Section 15, Township 6 South, Range 2 West, Salt Lake Base and Meridian.

Also less and except therefrom the following described property conveyed to Shark Investments Corp., Inc. in that certain Special Warranty Deed recorded April 06, 2009 as Entry No. 35757:2009 of Official Records, more particularly described as follows:

Beginning at a point South 89°36’26” East 369.61 feet along the section line from the Northwest corner of Section 15, Township 6 South, Range 2 West, Salt Lake Base and Meridian; thence along the North line of said Section 15, South 89°36’26” East 12.00 feet; thence South 00°42’29” East 115.71 feet; thence East 32.80 feet; thence South 101.00 feet; thence West 101.00 feet; thence North 101.00 feet; thence East 56.20 feet; thence North 00°42’29” West 115.80 feet to the point of beginning.

Also less and except therefrom the following described property conveyed to Shark Investments Corp., Inc. in that certain Special Warranty Deed recorded May 04, 2009 as Entry No. 48701:2009 of Official Records, more particularly described as follows:

Beginning at a point South 89°36’26” East 94.33 feet along the section line from the Northwest corner of Section 15, Township 6 South, Range 2 West, Salt Lake Base and Meridian; thence along the North line of said Section 15, South 89°36’26” East 14.01 feet; thence South 01°28’18” East 140.64 feet; thence South 89°37’35” East 88.13 feet; thence South 00°22’25” West 97.00 feet; thence North 89°37’35” West 105.00 feet; thence North 00°22’25” East 97.00 feet; thence South 89°37’35” East 2.86 feet; thence North 01°28’18” West 140.64 to the point of beginning.

Monte Vista South #1
A parcel of ground located in Section 31, Township 6 South, Range 1 West, and Section 36, Township 6 South, Range 2 West, Salt Lake Base and Meridian, City of Eagle Mountain, Utah County, Utah, more particularly described as:

Beginning at point on the Westerly line of a gas easement recorded in the Utah County Recorder's Office, July 23, 1991, and December 12, 2001, Entry No's. 28818 (Book 2815, Page 569) and 130191:2001, said point being 1,254.67 feet North 89°43'21" West along the South line of the Southwest Quarter, from the South quarter corner, Section 31, Township 6 South, Range 1 West, Salt Lake Base and Meridian; running thence North 89°43'21" West, 1,416.02 feet along said South line to the Southwest corner of said Section 31; thence North 0°14'57" East, 53.66 feet along the West line of the Southwest quarter of said Section 31; thence North 90°00'00" West, 307.40 feet; thence North 0°00'00" East, 5,283.41 feet to the North line of the Northeast quarter of said section 36; thence South 89°24'28" East, 330.02 feet to the Northeast corner of said Section 36; thence South 89°19'56" East, 1692.00 feet along the North line of the Northwest Quarter of said Section 31 to a point on the Westerly line of said gas line easement; thence South 3°12'48" West, 5,329.18 feet along the westerly line of said gas line easement and the point of beginning.

Monte Vista South #2

Beginning at the Southeast corner of Section 36, Township 6 South, Range 2 West, Salt Lake Base and Meridian; and running thence North 89°39'14" West 329.85 feet; thence North 0°14'59" East 2662.93 feet; thence North 0°14'37" East 2600.63 feet; thence South 5212.08 feet; thence East 307.45 feet; South 0°14'38" West 53.42 feet to the point of beginning.
Also being described as follows:
All of Section 36, Township 6 South, Range 2 West, Salt Lake Base and Meridian. Less and excepting therefrom the following described real property:
Commencing at a point 82.5 feet East of the Northwest corner of Section 31, Township 6 South, Range 1 West, Salt Lake Base and Meridian and running thence West 412.5 feet; thence South 5,280 feet; thence East 825 feet; thence North 1,056 feet; thence West 412.5 feet; thence North 4,224 feet to point of beginning.
Also less and excepting therefrom all that portion lying within STEEPLECHASE SOUTH SUBDIVISION recorded June 01, 2020 as Map Filing No. 17093 and as Entry No. 74983:2020 of Plats.

Pole Canyon

A parcel of land situate within East half of the West half (E-1/2 of W-1/2) and the East half (E-1/2) of Section 16, Township 6 South, Range 2 West, Salt Lake Base and Meridian, located in Eagle Mountain City, County of Utah, State of Utah and being more particularly described as follows:

Beginning at the Utah County brass cap monument marking the quarter corner common to Sections 15 & 16, Township 6 South, Range 2 West, Salt Lake Base and Meridian; and running thence South 0°22'24" West, along the quarter section line, a distance of 2592.46 feet, to the proposed Northerly line of Pole Canyon Boulevard; thence along said Northerly line the following three (3) courses: (1) North 89°40'33" West, a distance of 2619.49 feet, to a point of curvature; (2) Northwesterly along the arc of a 923.00 foot-radius curve to the right, though a central angle of 30°36'36", a distance of 493.11 feet, the long chord of which bears North

74°22’15” West, a distance of 487.26 feet; (3) North 59°03’57” West, a distance of 722.41, to the Easterly Line of Tyson Parkway, as shown on the Tyson Subdivision, recorded as Entry No.: 95910:2019, Map No.: 16725 of official records; thence along said Easterly line the following four (4) courses: (1) North 30°56’03” East, a distance of 389.58 feet, to a point of curvature; (2) Northeasterly along the arc of a 700.00 foot-radius curve to the left, though a central angle of 30°32’01”, a distance of 373.04 feet, the long chord of which bears North 15°40’03” East, a distance of 368.64 feet; (3) North 0°24’02” East, a distance of 3998.96 feet, to a point of curvature; (4) Northeasterly along the arc of a 50.00 foot-radius curve to the right, though a central angle of 90°11’51”, a distance of 78.71 feet, the long chord of which bears North 45°29’58” East, a distance of 70.83 feet, to the South line of proposed 4000 North Street (Pole Line Road); thence South 89°23’59” East, along said South line being 47.00 feet perpendicularly distant to and parallel with the North line of the Northwest Quarter of said Section 16, a distance of 696.00 feet, to a point of intersection with the North-South Center Quarter line; thence South 89°24’26” East, continuing along said South line and 47.00 feet perpendicularly distant Southerly of the North line of the Northeast Quarter, a distance of 2001.11 feet, to the West line of the Robyn G. Walden (ETAL) parcel 59:048:0005, being an aliquot line of the section; thence along said Walden parcel and the aliquot section lines the following two (2) courses: (1) South 0°38’09” West, a distance of 621.50 feet, to a 5/8” rebar and cap stamped “MCNEIL ENG.” Marking the NE-NE 1/64th corner; (2) South 89°23’25” East, a distance of 669.91 feet, to the N-N 1/64th corner common to said Section 15 & 16; thence South 0°22’17” West, along the quarter section line common to said Section 15 & 16, a distance of 2006.12 feet, to the point of beginning.

EXHIBIT C: PROJECT AREA PARCEL LIST

Parcel ID	Parcel Owner	Acres
590300008	UTLCO EAGLE MTN TWO LLC	228.61
590480006	OQUIRRH WOOD RANCH LLC	10.24
590480007	OQUIRRH WOOD RANCH LLC	10.24
590480008	OQUIRRH WOOD RANCH LLC	10.24
590480092	OQUIRRH WOOD RANCH LLC	10.59
590480038	OQUIRRH WOOD RANCH LLC	10.60
590480039	OQUIRRH WOOD RANCH LLC	10.60
590480106	OQUIRRH WOOD RANCH LLC	321.59
590480046	OQUIRRH WOOD RANCH LLC	10.31
590480045	OQUIRRH WOOD RANCH LLC	0.31
590480035	OQUIRRH WOOD RANCH LLC	10.61
590480041	OQUIRRH WOOD RANCH LLC	2.67
590480042	OQUIRRH WOOD RANCH LLC	7.58
590480047	OQUIRRH WOOD RANCH LLC	8.44
590480043	OQUIRRH WOOD RANCH LLC	1.80
590480019	OQUIRRH WOOD RANCH LLC	10.23
590480020	OQUIRRH WOOD RANCH LLC	10.23
590480015	OQUIRRH WOOD RANCH LLC	10.63
590480032	OQUIRRH WOOD RANCH LLC	10.63
590480029	PC INDUSTRIAL LLC	10.64
590480022	OQUIRRH WOOD RANCH LLC	10.23
590480102	OQUIRRH WOOD RANCH LLC	0.64
590480055	PC INDUSTRIAL LLC	9.90
590470011	UTLCO EAGLE MTN TWO LLC	442.88
Total		**1,170.44**

EXHIBIT "C"
To
INTERLOCAL AGREEMENT

Project Area Budget

PUBLIC FINANCE ADVISORS

EAGLE MOUNTAIN REDEVELOPMENT AGENCY

PROJECT AREA BUDGET: TRIPLE TAIL COMMUNITY REINVESTMENT AREA

JULY 2024

PREPARED BY:

LRB PUBLIC FINANCE ADVISORS
FORMERLY LEWIS YOUNG ROBERTSON & BURNINGHAM INC.

TABLE OF CONTENTS

SECTION 1: INTRODUCTION.....3
SECTION 2: GENERAL OVERVIEW OF PROJECT AREA BUDGET 4
SECTION 3: PROPERTY TAX INCREMENT.....5
EXHIBIT A: PROJECT AREA MAP 7
EXHIBIT B: MULTI-YEAR BUDGET.....8

SECTION 1: INTRODUCTION

The Eagle Mountain Redevelopment Agency (the "Agency"), following thorough consideration of the needs and desires of the City of Eagle Mountain (the "City") and its residents, as well as understanding the City's capacity for new development, has carefully crafted the Project Area Plan (the "Plan") for the Triple Tail Community Reinvestment Project Area (the "Project Area"). The Plan is the end result of a comprehensive evaluation of the types of appropriate land-use and economic development opportunities for the land encompassed by the Project Area which lies within twenty-four parcels in the City. The north parcels are south of 4000 North, north of Pole Canyon Blvd, and east of Tyson Pkwy. The south parcel is south of 1000 North and east of Pony Express Pkwy.

The Plan is envisioned to define the method and means of development for the Project Area from its current state to a higher and better use. The City has determined it is in the best interest of its citizens to assist in the development of the Project Area. This Project Area Budget document (the "Budget") is predicated upon certain elements, objectives and conditions outlined in the Plan and intended to be used as a financing tool to assist the Agency in meeting Plan objectives discussed herein and more specifically referenced and identified in the Plan.

The creation of the Project Area is being undertaken as a community reinvestment project pursuant to certain provisions of Chapters 1 and 5 of the Utah Community Reinvestment Agency Act (the "Act", Utah Code Annotated ("UCA") Title 17C). The requirements of the Act, including notice and hearing obligations, have been observed at all times throughout the establishment of the Project Area.

DESCRIPTION OF COMMUNITY REINVESTMENT PROJECT AREA

The Project Area lies within twenty-four parcels in the City. The north parcels are south of 4000 North, north of Pole Canyon Blvd, and east of Tyson Pkwy. The south parcel is south of 1000 North and east of Pony Express Pkwy. All the land within the Project Area is currently designated as vacant land. The Project Area is comprised of approximately 1,170.44 acres of property. A map of the Project Area is attached hereto in **EXHIBIT A**.

The Project Area will likely include numerous phases of development. The Agency may be allowed to receive 20 years of tax increment for each phase that is undertaken, not to exceed 40 years for all phases beginning with the first-year increment is remitted to the Agency. As it is currently unknown which portion of the entire 1,170.44 acres will be in each phase, and how many phases will be developed, this budget depicts the projected revenue that may be generated from a singular phase or building. Additional 20-year periods will be outlined in an amended Project Area Budgets, as required and necessary.

SECTION 2: GENERAL OVERVIEW OF PROJECT AREA BUDGET

The purpose of the Project Area Budget is to provide the financial framework necessary to implement the Project Area Plan vision and objectives. The Project Area Plan has identified that tax increment financing is essential in order to meet the objectives of the CRA Project Area. The following information will detail the sources and uses of tax increment and other necessary details needed for public officials, interested parties, and the public in general to understand the mechanics of the Project Area Budget.

BASE YEAR VALUE

The Agency has determined that the Base Year Value for the Project Area will be equal to taxable value for the tax year immediately prior to the triggering of the Project Area and the individual phases. As the trigger year(s) have not been determined, the 2023 tax year has been used to estimate the Base Year Value. The Base Year Value is estimated to be $36,869,500. Using the tax rates established within the Project Area, the property taxes levied equate to $322,387 annually. Accordingly, this amount will continue to flow through to each taxing entity proportional to the amount of their respective tax rates being levied.

PAYMENT TRIGGER

Each phase will have a twenty (20)-year duration from the date of the first tax increment received by the Agency. The first year for collection of tax increment will be determined by the Agency. The Agency will provide a trigger notice to Utah County before each first year of collection.

PROJECTED TAX INCREMENT REVENUE – TOTAL GENERATION

Development within the Project Area will commence upon favorable market conditions which will include both horizontal and vertical infrastructure and development. The Agency anticipates that new development will begin in the Project Area in the next two to three years. The contemplated development will generate significant additional property tax revenue as well as incremental sales and use tax above what is currently generated within the Project Area.

Property Tax Increment will begin to be generated in the tax year (ending Dec 1st) following construction completion and Tax Increment will actually be paid to the Agency in March or April after collection. It is projected that property Tax Increment generation within the Project Area could begin as early as 2027, though there is no requirement under this agreement that mandates the beginning date and it can be later. It is currently estimated that during the 20-year life of the Project Area Budget, property Tax Increment could be generated within the Project Area in the approximate amount of $98.86 million or at a net present value (NPV)[1] of $60.00 million. This amount is over and above the $6.45 million of base taxes that the

[1] Net present value of future cash flows assumes a 4% discount rate. The same 4% rate is used in all remaining NPV calculations. This reflects the total projected amount of tax increment that will be produced in each phase of the Project Area.

property would generate over 20 years at the $322,387 annual amount it currently generates as shown in Table 1 below.

SECTION 3: PROPERTY TAX INCREMENT

BASE YEAR PROPERTY TAX REVENUE

The taxing entities are currently receiving - and will continue to receive - property tax revenue from the current assessed value of the property within the Project Area ("Base Taxes"). The current assessed value is estimated to be $36,869,500. Based upon the tax rates in the area, the collective taxing entities are receiving $322,387 in property tax annually from this Project Area. This equates to approximately $6.45 million over the 20-year life of the Project Area.

Table 1: Total Base Year Taxes (20 Years)

ENTITY	TOTAL	NPV
Utah County	$483,728	$328,701
Alpine School District	$4,290,135	$2,915,217
Eagle Mountain City	$386,392	$262,560
Central Utah Water Conservancy District	$294,956	$200,427
Unified Fire Service Area – Salt Lake County	$992,527	$674,438
Total	**$6,447,738**	**$4,381,343**

PROPERTY TAX INCREMENT SHARED WITH RDA

All taxing entities that receive property tax generated within the Project Area, as detailed above, will share at least a portion of that increment generation with the Agency. All taxing entities will contribute 55% of their respective tax increment of the real and personal property for 20 years. The assumptions in this analysis only include the tax increment projections on the first phase of the development. The Agency may be allowed to receive 20 years of tax increment for each phase that is undertaken, not to exceed 40 years for all phases beginning with the first year increment is remitted to the Agency. Each additional 20-year period will be outlined in an amended Project Area Budget, as required and necessary. Table 2 shows the amount of Tax Increment shared with the Agency assuming the participation levels discussed above.

Table 2: Sources of Tax Increment Funds

ENTITY	PERCENTAGE	LENGTH	TOTAL
Utah County	55%	20 Years	$4,079,186
Alpine School District	55%	20 Years	$36,177,907
Eagle Mountain City	55%	20 Years	$3,258,375
Central Utah Water Conservancy District	55%	20 Years	$2,487,309
Unified Fire Service Area – Salt Lake County	55%	20 Years	$8,369,794
Total			**$54,372,571**

USES OF TAX INCREMENT

The anticipated development includes numerous costs, including land purchase, infrastructure and billions of personal property investments. "But-for" the creation of the CRA and public participation, the costs associated with the development would be too high, and the Project Area would remain in its underutilized state.

The Agency will use $10,000 annually to administer the CRA. 10% of the tax increment will go towards affordable housing, as required by the Act. The majority of the remaining Tax Increment collected by the Agency will be used to overcome the obstacles outlined above, including: offsetting certain on-site public infrastructure costs, development incentives, Agency requested improvements and upgrades, desirable Project Area improvements, and other redevelopment activities as approved by the Agency.

Table 3: Uses of Tax Increment

Use	Total	NPV
Community Reinvestment Activities	$48,735,314	$29,564,380
Affordable Housing	$5,437,257	$3,300,031
Administration	$200,000	$135,903
Total	**$54,372,571**	**$33,000,314**

A multi-year projection of tax increment is included in **Exhibit B**.

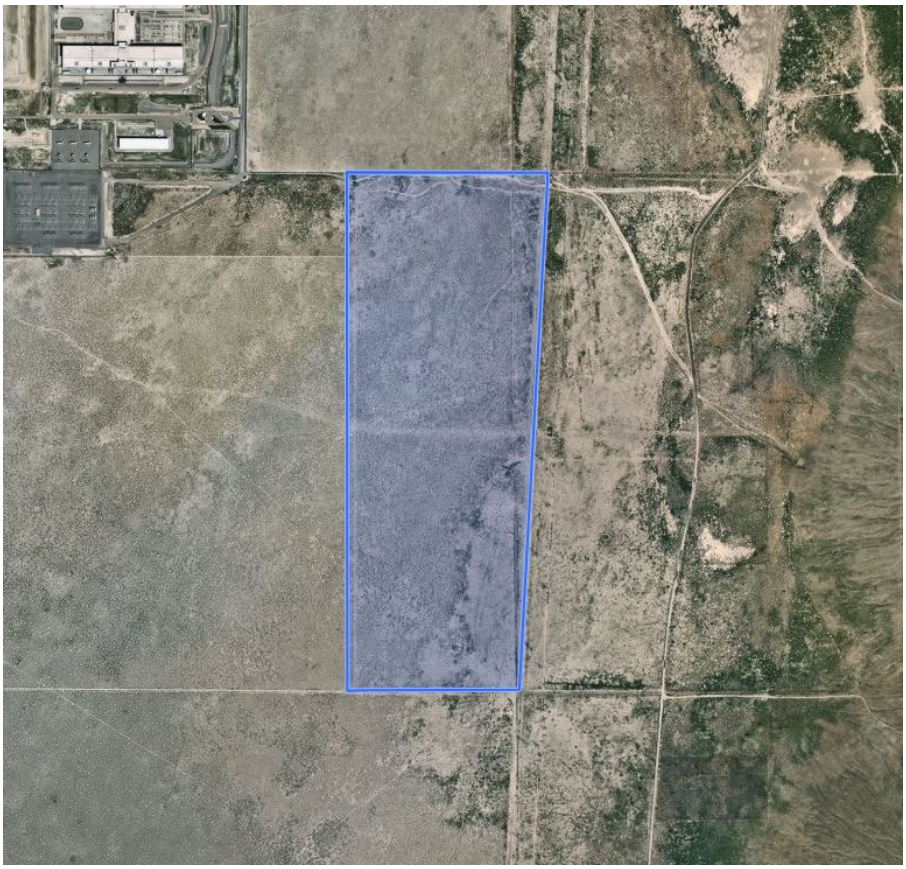
TOTAL ANNUAL PROPERTY TAX REVENUE FOR TAXING ENTITIES AT CONCLUSION OF TAX INCREMENT COLLECTION PERIOD

As described above, the collective taxing entities are currently receiving approximately $322,387 in property taxes annually from this Project Area. At the end of 20 years an additional $7,191,238 in property taxes annually is anticipated, totaling approximately $7,513,625 in property taxes annually for the area. "But for" the assistance provided by the RDA through tax increment revenues, this 2,231 percent increase in property taxes generated for the taxing entities would not be possible.

Table 4: Project Annual Property Tax Funds at End of TIF Collection Period

Entity	Current Annual Tax	Future Tax	% Increase
Utah County	$24,186	$539,507	
Alpine School District	$214,507	$4,784,838	
Eagle Mountain City	$19,320	$430,948	
Central Utah Water Conservancy District	$14,748	$328,968	
Unified Fire Service Area – Salt Lake County	$49,626	$1,106,977	
Total	**$322,386**	**$7,191,238**	**2,231%**

EXHIBIT A: PROJECT AREA MAP



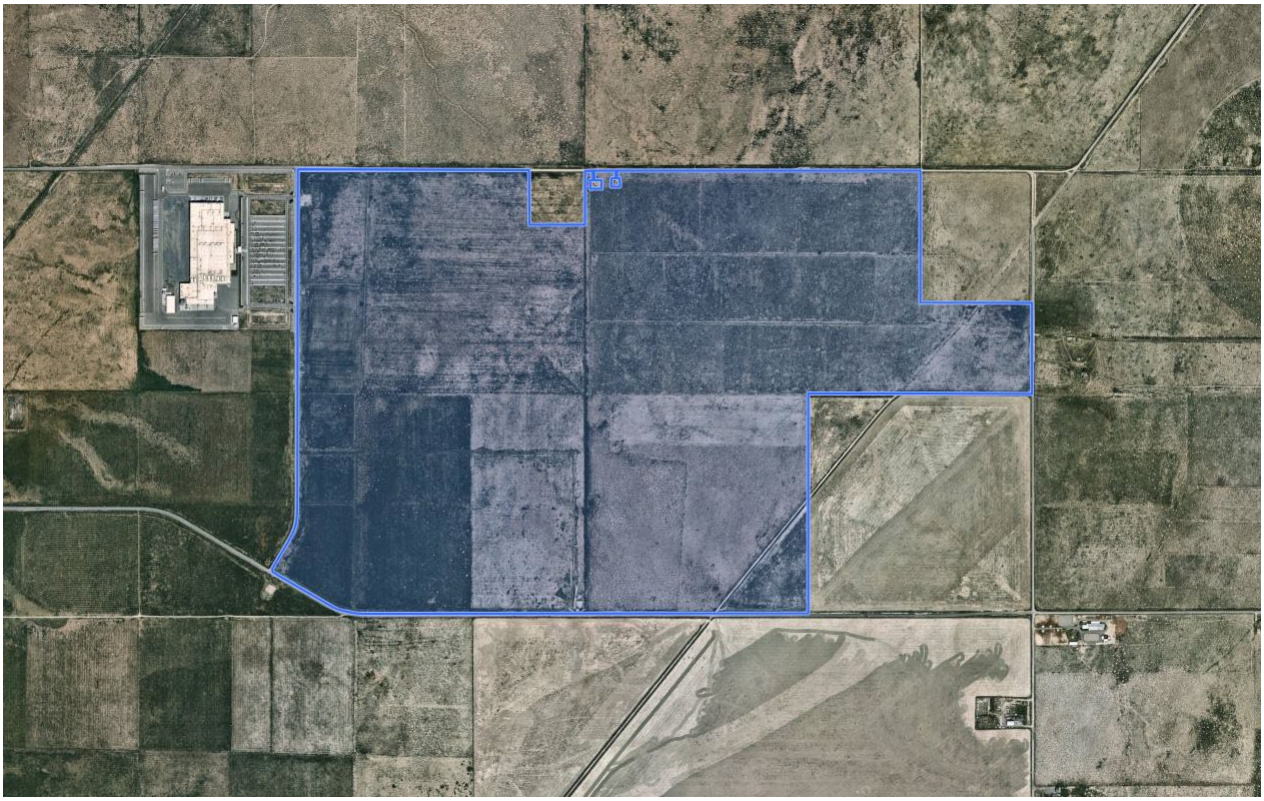


EXHIBIT B: MULTI-YEAR BUDGET

Eagle Mountain Redevelopment Agency

Triple Tail CRA

Increment and Budget Analysis

ASSUMPTIONS:	
Discount Rate	4.0%
Inflation Rate	0.0%

INCREMENTAL TAX ANALYSIS:											
Cumulative Taxable Value	*Year*	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Real Property Value (Building & Land)		$26,019,686	$26,019,686	$26,019,686	$26,019,686	$26,019,686	$26,019,686	$26,019,686	$26,019,686	$26,019,686	$26,019,686
Personal Property Value		$0	$71,851,852	$138,518,519	$199,259,259	$251,851,852	$294,814,815	$366,666,667	$482,192,593	$588,266,667	$646,237,037
Total Assessed Value:		**$26,019,686**	**$97,871,537**	**$164,538,204**	**$225,278,945**	**$277,871,537**	**$320,834,500**	**$392,686,352**	**$508,212,278**	**$614,286,352**	**$672,256,723**
Value of Current Property		$36,869,500	$36,869,500	$36,869,500	$36,869,500	$36,869,500	$36,869,500	$36,869,500	$36,869,500	$36,869,500	$36,869,500
Less Base Year Value		($36,869,500)	($36,869,500)	($36,869,500)	($36,869,500)	($36,869,500)	($36,869,500)	($36,869,500)	($36,869,500)	($36,869,500)	($36,869,500)
TOTAL INCREMENTAL VALUE:		**$26,019,686**	**$97,871,537**	**$164,538,204**	**$225,278,945**	**$277,871,537**	**$320,834,500**	**$392,686,352**	**$508,212,278**	**$614,286,352**	**$672,256,723**
TAX RATE & INCREMENT ANALYSIS:	2023 Rates										
Utah County	0.000656	17,069	64,204	107,937	147,783	182,284	210,467	257,602	333,387	402,972	441,000
Alpine School District	0.005818	151,383	569,417	957,283	1,310,673	1,616,657	1,866,615	2,284,649	2,956,779	3,573,918	3,911,190
Eagle Mountain City	0.000524	13,634	51,285	86,218	118,046	145,605	168,117	205,768	266,303	321,886	352,263
Central Utah Water Conservancy District	0.000400	10,408	39,149	65,815	90,112	111,149	128,334	157,075	203,285	245,715	268,903
Unified Fire Service Area - Salt Lake County	0.001346	35,022	131,735	221,468	303,225	374,015	431,843	528,556	684,054	826,829	904,858
TOTAL INCREMENTAL REVENUE IN PROJECT AREA:	0.008744	$227,516	$855,789	$1,438,722	$1,969,839	$2,429,709	$2,805,377	$3,433,649	$4,443,808	$5,371,320	$5,878,213
PROJECT AREA BUDGET											
Sources of Funds:	*Year*	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Property Tax Participation Rate for Budget											
Real Property Value (Building & Land)		55%	55%	55%	55%	55%	55%	55%	55%	55%	55%
Personal Property Value		55%	55%	55%	55%	55%	55%	55%	55%	55%	55%
Property Tax Increment for Budget											
Utah County		$9,388	$35,312	$59,365	$81,281	$100,256	$115,757	$141,681	$183,363	$221,635	$242,550
Alpine School District		$83,260	$313,179	$526,506	$720,870	$889,161	$1,026,638	$1,256,557	$1,626,228	$1,965,655	$2,151,154
Eagle Mountain City		$7,499	$28,207	$47,420	$64,925	$80,083	$92,465	$113,172	$146,467	$177,037	$193,744
Central Utah Water Conservancy District		$5,724	$21,532	$36,198	$49,561	$61,132	$70,584	$86,391	$111,807	$135,143	$147,896
Unified Fire Service Area - Salt Lake County		$19,262	$72,454	$121,808	$166,774	$205,708	$237,514	$290,706	$376,230	$454,756	$497,672
Total Property Tax Increment for Budget:		**$125,134**	**$470,684**	**$791,297**	**$1,083,412**	**$1,336,340**	**$1,542,957**	**$1,888,507**	**$2,444,094**	**$2,954,226**	**$3,233,017**
Uses of Tax Increment Funds:		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Redevelopment Activities (Infrastructure, Incentives, etc.)		$102,620	$413,615	$702,167	$965,070	$1,192,706	$1,378,662	$1,689,656	$2,189,685	$2,648,803	$2,899,715
CRA Housing Requirement	10.0%	$12,513	$47,068	$79,130	$108,341	$133,634	$154,296	$188,851	$244,409	$295,423	$323,302
RDA Administration	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000
Total Uses		$125,134	$470,684	$791,297	$1,083,412	$1,336,340	$1,542,957	$1,888,507	$2,444,094	$2,954,226	$3,233,017
REMAINING TAX REVENUES FOR TAXING ENTITIES		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Utah County		$7,681	$28,892	$48,572	$66,502	$82,028	$94,710	$115,921	$150,024	$181,337	$198,450
Alpine School District		$68,122	$256,237	$430,777	$589,803	$727,495	$839,977	$1,028,092	$1,330,551	$1,608,263	$1,760,035
Eagle Mountain City		$6,135	$23,078	$38,798	$53,121	$65,522	$75,653	$92,595	$119,836	$144,849	$158,518
Central Utah Water Conservancy District		$4,684	$17,617	$29,617	$40,550	$50,017	$57,750	$70,684	$91,478	$110,572	$121,006
Unified Fire Service Area - Salt Lake County		$15,760	$59,281	$99,661	$136,451	$168,307	$194,329	$237,850	$307,824	$372,073	$407,186
Total		$102,382	$385,105	$647,425	$886,428	$1,093,369	$1,262,420	$1,545,142	$1,999,714	$2,417,094	$2,645,196

Notes: The values, calculated increments, and years are estimates only.

This projected model does not take into account the phasing and triggering of future phases as the phasing and timing data has not been determined

Eagle Mountain Redevelopment Agency

Triple Tail CRA

Increment and Budget Analysis

INCREMENTAL TAX ANALYSIS:													
Cumulative Taxable Value	*Year*	Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17	Year 18	Year 19	Year 20		
Real Property Value (Building & Land)		$26,019,686	$26,019,686	$26,019,686	$26,019,686	$26,019,686	$26,019,686	$26,019,686	$26,019,686	$26,019,686	$26,019,686		
Personal Property Value		$691,629,630	$726,400,000	$769,362,963	$811,585,185	$796,400,000	$777,511,111	$774,177,778	$790,844,444	$811,585,185	$796,400,000		
Total Assessed Value:		**$717,649,315**	**$752,419,686**	**$795,382,649**	**$837,604,871**	**$822,419,686**	**$803,530,797**	**$800,197,463**	**$816,864,130**	**$837,604,871**	**$822,419,686**		
Value of Current Property		$36,869,500	$36,869,500	$36,869,500	$36,869,500	$36,869,500	$36,869,500	$36,869,500	$36,869,500	$36,869,500	$36,869,500		
Less Base Year Value		($36,869,500)	($36,869,500)	($36,869,500)	($36,869,500)	($36,869,500)	($36,869,500)	($36,869,500)	($36,869,500)	($36,869,500)	($36,869,500)		
TOTAL INCREMENTAL VALUE:		**$717,649,315**	**$752,419,686**	**$795,382,649**	**$837,604,871**	**$822,419,686**	**$803,530,797**	**$800,197,463**	**$816,864,130**	**$837,604,871**	**$822,419,686**		
TAX RATE & INCREMENT ANALYSIS:	2023 Rates												
Utah County	0.000656	470,778	493,587	521,771	549,469	539,507	527,116	524,930	535,863	549,469	539,507	7,416,703	4,501,415
Alpine School District	0.005818	4,175,284	4,377,578	4,627,536	4,873,185	4,784,838	4,674,942	4,655,549	4,752,516	4,873,185	4,784,838	65,778,013	39,922,613
Eagle Mountain City	0.000524	376,048	394,268	416,781	438,905	430,948	421,050	419,303	428,037	438,905	430,948	5,924,317	3,595,643
Central Utah Water Conservancy District	0.000400	287,060	300,968	318,153	335,042	328,968	321,412	320,079	326,746	335,042	328,968	4,522,380	2,744,765
Unified Fire Service Area - Salt Lake County	0.001346	965,956	1,012,757	1,070,585	1,127,416	1,106,977	1,081,552	1,077,066	1,099,499	1,127,416	1,106,977	15,217,808	9,236,136
TOTAL INCREMENTAL REVENUE IN PROJECT AREA:	0.008744	$6,275,126	$6,579,158	$6,954,826	$7,324,017	$7,191,238	$7,026,073	$6,996,927	$7,142,660	$7,324,017	$7,191,238	**$98,859,220**	**$60,000,572**
PROJECT AREA BUDGET													
Sources of Funds:	*Year*	Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17	Year 18	Year 19	Year 20	TOTALS	NPV
Property Tax Participation Rate for Budget													
Real Property Value (Building & Land)		55%	55%	55%	55%	55%	55%	55%	55%	55%	55%		
Personal Property Value		55%	55%	55%	55%	55%	55%	55%	55%	55%	55%		
Property Tax Increment for Budget													
Utah County		$258,928	$271,473	$286,974	$302,208	$296,729	$289,914	$288,711	$294,725	$302,208	$296,729	**$4,079,186**	**$2,475,778**
Alpine School District		$2,296,406	$2,407,668	$2,545,145	$2,680,252	$2,631,661	$2,571,218	$2,560,552	$2,613,884	$2,680,252	$2,631,661	**$36,177,907**	**$21,957,437**
Eagle Mountain City		$206,827	$216,847	$229,229	$241,398	$237,021	$231,578	$230,617	$235,420	$241,398	$237,021	**$3,258,375**	**$1,977,603**
Central Utah Water Conservancy District		$157,883	$165,532	$174,984	$184,273	$180,932	$176,777	$176,043	$179,710	$184,273	$180,932	**$2,487,309**	**$1,509,621**
Unified Fire Service Area - Salt Lake County		$531,276	$557,016	$588,822	$620,079	$608,837	$594,854	$592,386	$604,725	$620,079	$608,837	**$8,369,794**	**$5,079,875**
Total Property Tax Increment for Budget:		**$3,451,319**	**$3,618,537**	**$3,825,154**	**$4,028,209**	**$3,955,181**	**$3,864,340**	**$3,848,310**	**$3,928,463**	**$4,028,209**	**$3,955,181**	**$54,372,571**	**$33,000,314**
Uses of Tax Increment Funds:		Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17	Year 18	Year 19	Year 20	**TOTALS**	**NPV**
Redevelopment Activities (Infrastructure, Incentives, etc.)		$3,096,187	$3,246,683	$3,432,639	$3,615,388	$3,549,663	$3,467,906	$3,453,479	$3,525,617	$3,615,388	$3,549,663	**$48,735,314**	**$29,564,380**
CRA Housing Requirement	10.0%	$345,132	$361,854	$382,515	$402,821	$395,518	$386,434	$384,831	$392,846	$402,821	$395,518	**$5,437,257**	**$3,300,031**
RDA Administration	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	**$200,000**	**$135,903**
Total Uses		$3,451,319	$3,618,537	$3,825,154	$4,028,209	$3,955,181	$3,864,340	$3,848,310	$3,928,463	$4,028,209	$3,955,181	**$54,372,571**	**$33,000,314**
REMAINING TAX REVENUES FOR TAXING ENTITIES		Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17	Year 18	Year 19	Year 20	**TOTALS**	**NPV**
Utah County		$211,850	$222,114	$234,797	$247,261	$242,778	$237,202	$236,218	$241,138	$247,261	$242,778	**$3,337,516**	**$2,025,637**
Alpine School District		$1,878,878	$1,969,910	$2,082,391	$2,192,933	$2,153,177	$2,103,724	$2,094,997	$2,138,632	$2,192,933	$2,153,177	**$29,600,106**	**$17,965,176**
Eagle Mountain City		$169,222	$177,421	$187,551	$197,507	$193,927	$189,473	$188,687	$192,617	$197,507	$193,927	**$2,665,943**	**$1,618,039**
Central Utah Water Conservancy District		$129,177	$135,436	$143,169	$150,769	$148,036	$144,636	$144,036	$147,036	$150,769	$148,036	**$2,035,071**	**$1,235,144**
Unified Fire Service Area - Salt Lake County		$434,680	$455,741	$481,763	$507,337	$498,140	$486,699	$484,680	$494,775	$507,337	$498,140	**$6,848,013**	**$4,156,261**
Total		$2,823,807	$2,960,621	$3,129,672	$3,295,808	$3,236,057	$3,161,733	$3,148,617	$3,214,197	$3,295,808	$3,236,057	**$44,486,649**	**$27,000,257**

RESOLUTION NO. R- -2024

A RESOLUTION OF EAGLE MOUNTAIN CITY, UTAH, DETERMINING THE FINAL APPLICANTS FOR THE CITY MANAGER POSITION

PREAMBLE

WHERAS, the City Council of Eagle Mountain City, Utah, approved Resolution R-11-2024 on March 19, 2024, which approved the process for hiring a City Administrator; and

WHEREAS, the City Council of Eagle Mountain City, Utah, adopted Ordinance O-21-2024 on April 16, 2024, which amended the Eagle Mountain Municipal Code, changing all language throughout the code from "City Administrator" to "City Manager;" and

WHEREAS, the City Council of Eagle Mountain City, Utah, finds that it is in the public interest to determine the final applicants for the City Manager position.

NOW THEREFORE, BE IT RESOLVED by the City Council of Eagle Mountain City, Utah:

1. The final applicants to be interviewed for the City Manager position are selected, as set forth in Exhibit A.

2. This Resolution shall take effect upon its passing.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 15th day of October, 2024.

EAGLE MOUNTAIN CITY, UTAH

_____
Tom Westmoreland, Mayor

ATTEST:

_____
Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Resolution was adopted by the City Council of Eagle Mountain City, Utah on the 15th day of October, 2024.

Those voting yes:	Those voting no:	Those excused:	Those abstaining:
☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark
☐ Jared Gray	☐ Jared Gray	☐ Jared Gray	☐ Jared Gray
☐ Rich Wood	☐ Rich Wood	☐ Rich Wood	☐ Rich Wood
☐ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

_____

Fionnuala B. Kofoed, MMC
City Recorder

Exhibit A

RESOLUTION NO. R- -2024

A RESOLUTION OF EAGLE MOUNTAIN CITY, UTAH, APPOINTING VINCE HOGGE AS THE EAGLE MOUNTAIN CITY ENGINEER

PREAMBLE

WHEREAS, Utah State Code Annotated Section 10-3-917 provides for a City Engineer to perform the duties listed within the Section; and

WHEREAS, the City Engineer is appointed by the Mayor, with the advice and consent of the City Council, and serves in office until his successor is appointed and qualified; and

WHEREAS, Vince Hogge is a qualified and suitable person to serve as the Eagle Mountain City Engineer.

NOW THEREFORE, BE IT RESOLVED by the City Council of Eagle Mountain City, Utah:

1. Vince Hogge is hereby appointed as the Eagle Mountain City Engineer, effective October 28, 2024.

2. This Resolution shall take effect on October 28, 2024.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 15th day of October, 2024.

EAGLE MOUNTAIN CITY, UTAH

_____
Tom Westmoreland, Mayor

ATTEST:

_____
Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Resolution was adopted by the City Council of Eagle Mountain City, Utah on the 15th day of October, 2024.

Those voting yes:	Those voting no:	Those excused:	Those abstaining:
☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark
☐ Jared Gray	☐ Jared Gray	☐ Jared Gray	☐ Jared Gray
☐ Rich Wood	☐ Rich Wood	☐ Rich Wood	☐ Rich Wood
☐ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

_____

Fionnuala B. Kofoed, MMC
City Recorder

RESOLUTION NO. R- -2024

A RESOLUTION OF EAGLE MOUNTAIN CITY, UTAH, CONSENTING TO THE APPOINTMENT OF DAVID SALAZAR AS THE ACTING EAGLE MOUNTAIN CITY ENGINEER

PREAMBLE

WHEREAS, the Mayor of Eagle Mountain City appointed Vince Hogge as City Engineer and the City Council of Eagle Mountain consented to the appointment; and

WHEREAS, Mr. Hogge will not be able to start his employment with Eagle Mountain City until October 28, 2024; and

WHEREAS, Eagle Mountain City needs someone to perform the duties of the City Engineer prior to Mr. Hogge's start date; and

WHEREAS, Eagle Mountain City currently employs David Salazar as the Assistant City Engineer and he is agreeable to serve as the Acting City Engineer until Mr. Hogge's start date; and

WHEREAS, the Mayor has appointed David Salazar to serve as the Acting City Engineer.

NOW THEREFORE, BE IT RESOLVED by the City Council of Eagle Mountain City, Utah, that the City Council hereby consents to the appointment of David Salazar as Acting City Engineer. This appointment shall automatically terminate upon the start of Vince Hogge's employment as City Engineer for Eagle Mountain City.

This Resolution shall become effective immediately upon its passing.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 15th day of October, 2024.

EAGLE MOUNTAIN CITY, UTAH

_____

ATTEST: Tom Westmoreland, Mayor

_____

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Resolution was adopted by the City Council of Eagle Mountain City, Utah on the 15th day of October, 2024.

Those voting yes:	Those voting no:	Those excused:	Those abstaining:
☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark
☐ Jared Gray	☐ Jared Gray	☐ Jared Gray	☐ Jared Gray
☐ Rich Wood	☐ Rich Wood	☐ Rich Wood	☐ Rich Wood
☐ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

_____

Fionnuala B. Kofoed, MMC
City Recorder

ORDINANCE NO. O-47-2024

AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH, AMENDING THE FISCAL YEAR 2024-2025 ANNUAL BUDGET
(THIRD AMENDMENT)

PREAMBLE

WHEREAS, the City Council of Eagle Mountain City, Utah finds that it is in the public interest to amend the budget for fiscal year 2024-2025; and

WHEREAS, the City Council finds that procedures for the amendments, pursuant to Section 10-6-127 of the Utah Code, Annotated have been followed, including a public hearing if budgetary funds are increasing;

BE IT ORDAINED by the City Council of Eagle Mountain City:

1. The City Council finds that all required notices have been given and that a public hearing has been conducted, public comment received and considered and that the Council may consider and amend the budget of Eagle Mountain City as follows:

2. "FISCAL YEAR" means that year which began on the first day of July, 2024, and ends on the last day of June, 2025.

3. APPROPRIATIONS. The budget set and adopted by the City for the fiscal year is hereby amended and re-enacted with respect to the specific items set forth on Exhibit A hereto. From the effective date of this budget ordinance, as outlined in the attached Exhibit A, the several amounts stated therein as proposed expenditures shall be appropriated for the several objects and purposes therein named.

4. This Ordinance shall be effective for fiscal year 2024-2025.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 15th day of October, 2024.

EAGLE MOUNTAIN CITY, UTAH

_____
Tom Westmoreland, Mayor

ATTEST:

_____
Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above ordinance was adopted by the City Council of Eagle Mountain City on the 15th day of October, 2024.

Those voting yes:	Those voting no:	Those excused:	Those abstaining:
☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark
☐ Jared Gray	☐ Jared Gray	☐ Jared Gray	☐ Jared Gray
☐ Rich Wood	☐ Rich Wood	☐ Rich Wood	☐ Rich Wood
☐ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

_____
Fionnuala B. Kofoed, MMC
City Recorder

Posted on _____ by _____.

Exhibit A

Budget Amendment Worksheet

October 15, 2024

Fund Name	Expense	Current Budget	Proposed Budget	Change	Detail
General Fund					
Recorder	Materials/Supplies/Services	$ 72,100	$ 79,445	$ 7,345	Risk Management grant award
Information Technology	Materials/Supplies/Services	$ 457,240	$ 462,540	$ 5,300	Software renewal for remote meeting access
Finance	Materials/Supplies/Services	$ 222,314	$ 232,864	$ 10,550	Software additional service for rate analysis
Finance	Personnel Services	$ 841,247	$ 876,367	$ 35,120	Receptionist Part-time to Full-Time
Library	Capital Outlay	$ 5,000	$ 10,266	$ 5,266	Roll forward FY 2024 technology project
Public Safety	Materials/Supplies/Services	$ 21,090	$ 24,443	$ 3,353	Roll forward FY 2024 RAD Women/Kids program funds
Planning	Materials/Supplies/Services	$ 176,725	$ 209,894	$ 33,169	Consulting services for future land use map
	Subtotal General Fund:			**$ 100,103**	
Enterprise Funds					
Stormwater	Materials/Supplies/Services	$ 122,195	$ 166,350	$ 44,155	Improvements to stormwater system on Dugway/Horizon Drive
Wastewater	Capital Outlay	$ 59,503	$ 361,503	$ 302,000	Replace Lone Tree lift station
	Subtotal Enterprise Funds:			**$ 346,155**	
Special Revenue Funds					
Affordable Housing	Mortgage Assistance	$ -	$ 1,100,000	1,100,000	Establish program
Affordable Housing	Homeless Shelter	$ -	$ 190,000	$ 190,000	Reclass program from General Fund
Redevelopment Area	Transfer	$ -	$ 3,250,000	$ 3,250,000	Transfer Affordable Housing dollars

Fund Name	Expense	Current Budget	Proposed Budget	Change	Detail
Wastewater Impact Fees	Capital Outlay	$ 808,500	$ 1,985,357	$ 1,176,857	Treatment Plant design and construction plans

Subtotal Special Revenue Funds: **$ 5,716,857**

Total Increase(Decrease): **$ 6,163,115**

	EAGLE MOUNTAIN CITY **CITY COUNCIL MEETING** **OCTOBER 15, 2024**
TITLE:	Easement Code Amendment
ITEM TYPE:	Ordinance
FISCAL IMPACT:	N/A
APPLICANT:	City-initiated

CURRENT GENERAL PLAN DESIGNATION & ZONE	ACREAGE
N/A	N/A

PUBLIC HEARING	PREPARED BY	PRESENTED BY
Yes	Steven Lehmitz, Planner	Steven Lehmitz

RECOMMENDATION:
Staff recommends that the City Council approve the proposed code amendment.

BACKGROUND:
The City is sometimes approached with proposals to locate permanent structures within easements. The proposed code amendment establishes a general definition of an easement and a definition of a public utility easement. It also provides a process for the City to consider and approve vacation, release, and encroachment requests for an easement.

ITEMS FOR CONSIDERATION:
Ordinances pertaining to development code amendments, and processing of the same, may be found in EMMC 17.05.120 & USC 10-9a-501.

PLANNING COMMISSION ACTION/RECOMMENDATION:
The Planning Commission forwarded a positive recommendation (5-0) to the City Council.

ATTACHMENTS:
1. ORD--EMMC 17.10 Definitions & 17.59 Easements
2. EMMC 17.10 Definitions & 17.59 Easements - Redlines
3. 10.08.2024 Planning Commission Report of Action

ORDINANCE NO. O- -2024

AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH, AMENDING THE EAGLE MOUNTAIN MUNICIPAL CODE SECTION 17.10.030 DEFINITIONS AND ENACTING CHAPTER 17.59 EASEMENTS

PREAMBLE

WHEREAS the City Council of Eagle Mountain City finds that it is in the public interest to amend the Eagle Mountain Municipal Code Section 17.10.030 Definitions and enact Chapter 17.59 Easements, as described in Exhibit A.

BE IT ORDAINED by the City Council of Eagle Mountain City, Utah:

1. The City Council finds that all required notices, public hearings, and other requirements have been completed for the City Council to consider an amendment to the Eagle Mountain Municipal Code Section 17.10.030 Definitions and enact Chapter 17.59 Easements.

2. The amendment described in Exhibit A is hereby approved.

3. This Ordinance shall take effect upon its first posting or publication.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 15th day of October, 2024.

EAGLE MOUNTAIN CITY, UTAH

_____
Tom Westmoreland, Mayor

ATTEST:

_____
Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above ordinance was adopted by the City Council of Eagle Mountain City on the 15th day of October, 2024.

Those voting yes:	Those voting no:	Those excused:	Those abstaining:
☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark
☐ Jared Gray	☐ Jared Gray	☐ Jared Gray	☐ Jared Gray
☐ Rich Wood	☐ Rich Wood	☐ Rich Wood	☐ Rich Wood
☐ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

_____
Fionnuala B. Kofoed, MMC
City Recorder

Posted on _____ by _____.

Exhibit A

17.10.030 Definitions.

"Easement" means a nonpossessory property interest that provides a right to enter, use, or enjoy real property owned by or in the possession of another and imposes on the owner or possessor a duty not to interfere with the entry, use, or enjoyment permitted by the instrument creating the easement or, in the case of an easement not established by express grant or reservation, the entry, use, or enjoyment authorized by law.

"Public utility easement" means the same as that term as defined in Utah Code Section 54-3-27, as amended.

Chapter 17.59
EASEMENTS

17.59.010 Purpose.

The purpose of this chapter is to provide standards and practices for the protection, use, and release of easements throughout the city.

17.59.020 General standards.

The following standards shall apply to all easements located within the city unless otherwise noted:

A. Structures. No structure which cannot be removed shall be constructed across or within an easement.

> 1. Exception: Fencing, excluding screen walls, retaining walls, and golf course netting, may be placed across or in easements provided that the fencing does not interfere with the rights of the easement holder.

B. Developers and subdividers may be required to grant easements for utilities, maintenance, or other public purposes.

17.59.030 Easement vacations, releases, and encroachments.

Except as otherwise provided for or restricted by law, persons may petition for an easement to be vacated, released, or encroached upon, though approval may only be given on a case-by-case basis. To vacate, release, or encroach upon an easement, the petitioner must obtain and submit the following to the Planning Department:

A. A letter from each individual, corporation, partnership, organization, association, trust, governmental agency, or any other legal entity that holds a right to the easement. The letter must specify that the holder of the easement is willing to vacate, release, or allow encroachment within the easement.

B. A letter from the City Engineer stating that the City is willing to vacate, release, or allow encroachment with the easement.

C. Notwithstanding any other provision of this chapter, encroachment in a public utility easement by a structure which cannot be removed shall not be permitted.

17.59.040 Approval process.

A. Planning Director. Upon receiving all necessary letters from easement holders and the City Engineer as required in EMMC 17.59.030, the Planning Director shall prepare a notice of decision to be sent to the applicant and the City Recorder.

B. City Recorder. The City Recorder shall file the notice of decision and record any documents pertinent to the requested vacation, release, or encroachment of an easement.

C. Agreement. Upon receiving approval from the Planning Director to encroach upon an easement, the applicant shall enter into an agreement with the City governing the terms of any encroachment. This subsection shall not apply in cases where the easement is vacated or released.

This is not included in the proposed code amendment, but is included as a reference since it is the definition being used for a "Public utility easement"

54-3-27. Public utility easement.

(1) As used in this section:

(a) "Protected utility easement" means a recorded easement or right-of-way:

(i) for the use and installation of a utility facility; and

(ii) the ownership of which a gas corporation, electric corporation, or telephone corporation acquires and holds by any lawful means.

(b) "Public utility easement" means the area on a recorded plat map or other recorded document that is dedicated to the use and installation of public utility facilities.

(2) (a) A public utility easement provides a public utility with:

(i) the right to install, maintain, operate, repair, remove, replace, or relocate public utility facilities; and

(ii) the rights of ingress and egress within the public utility easement for public utility employees, contractors, and agents.

(b) Notwithstanding Subsection (3), a public utility shall restore or repair, at the expense of the public utility, any fence, grass, soil, shrubbery, bushes, flowers, other low level vegetation, sprinkler system, irrigation system, gravel, flat concrete, or asphalt damaged or displaced from the exercise of the easement rights described in Subsection (2)(a).

(3) Except as provided in Subsection (2)(b), if a property owner places improvements to land that interfere with the easement rights described in Subsection (2)(a), the property owner shall bear the risk of loss or damage to those improvements resulting from the exercise of the easement rights described in Subsection (2)(a).

(4) (a) Except as provided in Subsection (4)(b), a public utility easement is nonexclusive and may be used by more than one public utility.

(b) Notwithstanding Subsection (4)(a), a public utility may not:

(i) interfere with any facility of another public utility within the public utility easement; or

(ii) infringe on the legally required distances of separation between public utility facilities required by federal, state, or local law.

(5) A subdivision plat that includes a public utility easement may not be approved by a county or municipality unless the subdivider has provided the county or municipality proof that the subdivider has, as a courtesy, previously notified each public utility that is anticipated to provide service to the subdivision.

(6) A person may not acquire, whether by adverse possession, prescription, acquiescence, or otherwise, any right, title, or interest in a public utility easement or protected utility easement that is adverse to or interferes with a public utility's full use of the easement for the purposes for which the easement was created.

(7) A gas corporation's, electric corporation's, or telephone corporation's failure to possess, occupy, or use a protected utility easement does not diminish or extinguish any right that the gas corporation, electric corporation, or telephone corporation has under the easement.

(8) Nothing in this section may be construed to affect the right of a condemnor to condemn a public utility easement as provided by law.

Amended by Chapter 245, 2009 General Session

Eagle Mountain City

Planning Commission
Report of Action

October 8, 2024

ITEM #7.D. Staff requests approval for a development code amendment that adds the definition for an easement and proposes EMMC 17.59 as a new chapter that establishes standards related to easements. Steven Lehmitz (801) 789-6617 slehmitz@emcity.org

---

The following action was taken by the Planning Commission on the above-described item at its regular meeting of October 8, 2024:

RECOMMENDED APPROVAL

On a vote of 5:0, the Planning Commission recommended that the City Council approve the above-noted proposal.

Motion By: Craig Whiting (**to Recommend Approval**)

Second By: Jason Allen

Votes in Favor of Motion: Brent Strong, Rod Hess, Craig Whiting, Robert Fox, and Jason Allen

Jason Allen was present as Chair.

Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

STAFF PRESENTATION
The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

CITY DEPARTMENTAL ISSUES
N/A

CONCERNS RAISED BY PUBLIC
Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission.

APPLICANT RESPONSE

N/A

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Commissioner Hess asked Attorney, Marcus Draper, about the definition provided for an easement and how it works with the State's definition.
- Commissioner Allen asked for clarification about what is meant by a structure that can't be removed, and Commissioner Strong echoed the question.

_____

Planning Director

See Key Land Use Policies of the Eagle Mountain General Plan, applicable Titles of the Eagle Mountain City Code, and the Staff Report to the Planning Commission for further detailed information.

Administrative decisions of the Planning Commission **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Planning Division, **within fourteen (14) calendar days of the Planning Commission's decision** (Eagle Mountain City office hours are Monday through Friday, 7:30 a.m. to 5:30 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

	EAGLE MOUNTAIN CITY **CITY COUNCIL MEETING** **OCTOBER 15, 2024**
TITLE:	RESOLUTION/PUBLIC HEARING - A Resolution of Eagle Mountain City, Utah Amending the Eagle Mountain City Consolidated Fee Schedule.
ITEM TYPE:	Resolution
FISCAL IMPACT:	-$1,215,000
APPLICANT:	City Staff

CURRENT GENERAL PLAN DESIGNATION & ZONE	ACREAGE
N/A	N/A

PUBLIC HEARING	PREPARED BY	PRESENTED BY
Yes	Kimberly Ruesch, Administrative Services Director	Kimberly Ruesch

RECOMMENDATION:
Staff recommends the City Council approve the proposed resolution of Eagle Mountain City, Utah, amending the Eagle Mountain City Consolidated Fee Schedule as proposed.

BACKGROUND:
The Finance department periodically reviews the costs associated with providing services and makes recommendations for fee adjustments as needed. This amendment includes proposed fee changes for sections 6.1 Animal Control Fees, 10.1 Master Development Fees, 10.3 Conditional Uses, 13.1 Building Permit fees, and 13.4 Other Building Department Fees, to more closely reflect the cost associated with providing these services.

ITEMS FOR CONSIDERATION:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:
1. RES--Consolidated Fee Schedule - Building & Planning
2. CFS 6.1 Animal Control - Redlined
3. CFS 10.1 Master Development Fees - Redlined
4. CFS 10.3 Conditional Uses - Redlined
5. CFS 13.1 Building Permit Fees - Redlined
6. CFS 13.4 Other Building Department Fees - Redlined

RESOLUTION NO. R- -2024

A RESOLUTION OF EAGLE MOUNTAIN CITY, UTAH, AMENDING THE EAGLE MOUNTAIN CITY CONSOLIDATED FEE SCHEDULE *(PLANNING AND BUILDING FEES)*

PREAMBLE

WHEREAS, the City Council of Eagle Mountain City is empowered by law to adopt resolutions establishing fees for municipal services and has established an equitable system of fees for providing municipal services; and

WHEREAS, the City Council has determined that it is necessary and appropriate to amend the fees within the City; and

WHEREAS, the City Council finds that it is in the public interest to reaffirm all fees and charges previously enacted in the Eagle Mountain City Consolidated Fee Schedule except for those fees and charges which are specifically amended or changed in this Resolution.

NOW THEREFORE, BE IT RESOLVED by the City Council of Eagle Mountain City, Utah:

1. The Consolidated Fee Schedule attached hereto as Exhibit A and the fees and charges set forth therein are hereby enacted and adopted for services received from Eagle Mountain City.
2. This Resolution is not intended to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other resolutions, ordinances, or laws except to effect modification of the fees reflected in the Consolidated Fee Schedule. The fees listed in the Consolidated Fee Schedule supersede present fees for services specified, but all fees not listed remain in effect. Where this Resolution imposes a higher fee than is imposed or required by existing provisions, resolution, ordinance, or law, the provisions of this resolution shall control.
3. This Resolution shall become effective immediately upon its passing.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 15th day of October, 2024.

EAGLE MOUNTAIN CITY, UTAH

_____
Tom Westmoreland, Mayor

ATTEST:

_____
Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Resolution was adopted by the City Council of Eagle Mountain City, Utah on the 15th day of October, 2024.

Those voting yes:	Those voting no:	Those excused:	Those abstaining:
☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark
☐ Jared Gray	☐ Jared Gray	☐ Jared Gray	☐ Jared Gray
☐ Rich Wood	☐ Rich Wood	☐ Rich Wood	☐ Rich Wood
☐ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

_____

Fionnuala B. Kofoed, MMC
City Recorder

Exhibit A

6.1. | ANIMAL CONTROL FEES

Last Revision: 05/18/2021

Dog License Fee ..... North Utah Valley Animal Shelter Fee Schedule

Impound, Boarding, and Release Fees .....
Determined by-North Utah Valley Animal Shelter Fee Schedule

Alternative Animal Management Plan Application Fee ..... $100~~25~~

Hobby Breeder License Application Fee $75

Pet Sitting License Application Fee $75

10.1. | Master Development Fees

Land Use Concept Plan* $250

Master Development Plan Application ~~or Amendment~~ $6,000

Master Development Plan Amendment Application $3,350

Master Development Plan Timeline Modifications Only $250

Capital Facility Plan Amendment Application, per Development $9,750

Concept Capital Facility Plan Amendment $1,000

**Concept fees shall be credited toward additional application fees. Specifically, the processing fee required by the next application process shall be reduced by the amount paid for the concept plan review.*

Conditional Use Permit, New $500
Conditional Use Permit, Amendment $200
Accessory Dwelling Unit Permit $230
~~Alternative Animal Management Plan Application Fee ..... $25~~
~~Hobby Breeder License Application Fee ..... $75~~

MOVED TO SECTION 6.1 ANIMAL CONTROL

13.1. | Building Permit Fees

Last Revision: 04/23/2024

Total Valuation*	Fee
$1.00 to $500	$24
$501 to $2,000	$24 for the first $500, plus $3 for each additional $100, or fraction thereof, to and including $2,000
$2,001 to $40,000	$69 for the first $2,000, plus $7 for each additional $1,000, or fraction thereof, to and including $40,000
$40,001 to $100,000	~~$487~~ $335 for the first $40,000, plus ~~$9~~ $5 for each additional $1,000, or fraction thereof, to and including $100,000
$100,001 to $500,000	~~$1,027~~ $635 for the first $100,000, plus ~~$7~~ $2 for each additional $1,000, or fraction thereof, to and including
$500,001 to $1,000,000	~~$3,827~~ $1,435 for the first $500,000, plus ~~$5~~ $3 for each additional $1,000, or fraction thereof, to and including
$1,000,001 to $5,000,000	~~$6,327~~ $2,935 for the first $1,000,000, plus $3 for each additional $1,000, or fraction thereof, to and including
$5,000,001 and up	~~$18,327~~ $14,935 for the first $5,000,000, plus $1 for each additional $1,000, or fraction thereof.

Plus 1% surcharge assessed against permit for per Building Permit, as per Utah Code 15A-1-209(5).

**Building Permit Fee Schedule comes from the 2021 International Residential Code Appendix AL 101 and applies to total valuation, which is calculated using the current version of the International Code Council Building Valuation Table.*

13.4. | OTHER BUILDING DEPARTMENT FEES

Last Revision: 08/02/2017

Temporary Occupancy Fee..... $100 + 120% of Value of Uncompleted Items

Board of Appeals (Current Building Code)..... $100.00

~~Fast Track Fee, Residential Only..... $400.00~~

Temporary Power Inspection..... $100.00

Contractor Infrastructure Protection Deposit.....
.... $1,000 Cash Deposit for 1 Home, or $5,000 Cash Deposit for more than 1 Concurrent Home or Project

Owner Builder Infrastructure Protection Deposit..... $1,000 Cash Deposit

Sales Office and Construction Trailer* ..... $200 + State Surcharge

**Fee may be increased for trailers over 400 square feet, as deemed necessary by the Building Official.*

	EAGLE MOUNTAIN CITY **CITY COUNCIL MEETING** **OCTOBER 15, 2024**
TITLE:	ORDINANCE - An Ordinance of Eagle Mountain City, Utah, Establishing a Special Revenue Fund Titled the Affordable Housing Fund.
ITEM TYPE:	Ordinance
FISCAL IMPACT:	TBD
APPLICANT:	City Staff

CURRENT GENERAL PLAN DESIGNATION & ZONE	ACREAGE
N/A	N/A

PUBLIC HEARING	PREPARED BY	PRESENTED BY
No	Clifford Strachan, Director of Legislative Affairs	Clifford Strachan

RECOMMENDATION:
Staff recommends the City Council approve an Ordinance of Eagle Mountain City, Utah, Establishing a Special Revenue Fund Titled the Affordable Housing Fund.

BACKGROUND:
The Eagle Mountain Redevelopment Agency (RDA), as allowed by Utah State Code 17C-5-307(3), created and continues to operate multiple community reinvestment project areas (CRAs). These CRAs are subject to interlocal agreements which, if the project area budget provides for more than $100,000 of funds distributed to the Agency, allocates ten percent for housing. Currently, the RDA has to date collected $2,067,455.57 in affordable housing dollars with $459,562 being committed to the homeless shelter contribution for calendar years 2021-2024.

By state law, the City has adopted five strategies to support moderate income housing programs, which strategies are outlined in the General Plan. Some of these strategies could use affordable housing dollars collected pursuant to the CRAs. One of these strategies -- a mortgage assistance program for public employees -- is being developed and would make use of a portion of these affordable housing dollars. Other programs are proposed.

ITEMS FOR CONSIDERATION:
It is proposed to establish a special revenue fund, the Affordable Housing Fund, for the holding and distribution of various eligible affordable housing expenditures as authorized by the City Council. Appropriations from the RDA and to the City will be considered in the near future. Thereafter, appropriations should be considered annually during the budget process.

PLANNING COMMISSION ACTION/RECOMMENDATION:
N/A

ATTACHMENTS:

1. ORD--Affordable Housing Fund

ORDINANCE NO. O- -2024

AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH, ESTABLISHING A SPECIAL REVENUE FUND TITLED THE AFFORDABLE HOUSING FUND

PREAMBLE

WHEREAS, the Redevelopment Agency (RDA) of Eagle Mountain City, pursuant to Utah State Code 17C-5-307(3), created and continues to operate multiple community reinvestment project areas (CRAs); and

WHEREAS, these CRAs are subject to interlocal agreements which, if the project area budget provides for more than $100,000 of funds distributed to the Agency, allocates ten percent for housing; and

WHEREAS, the RDA has to date collected $2,067,455.57 in affordable housing dollars with $459,562 being committed to the homeless shelter contribution for calendar years 2021-2024; and

WHEREAS, the City Council of Eagle Mountain City adopted, in its General Plan, five strategies to support moderate income housing programs, as required by the State of Utah; and

WHEREAS, the City Council of Eagle Mountain City, on September 17, 2024, adopted the Eagle Mountain Affordable Housing Plan, which recommends strategies for the beneficial use of affordable housing funds; and

WHEREAS, it is proposed to establish a special revenue fund titled the Affordable Housing Fund, for the administration of housing programs by the City.

BE IT ORDAINED by the City Council of Eagle Mountain City:

1. A special revenue fund titled the Affordable Housing Fund be established for the administration of City-authorized housing programs, state-required homeless shelter contributions, and other permitted affordable housing expenditures.

2. The fund be administered in accordance with the Uniform Fiscal Procedures Act for Utah Cities, and the City's financial policies and procedures.

3. This Ordinance shall take effect immediately upon passage.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 15th day of October, 2024.

EAGLE MOUNTAIN CITY, UTAH

_____

Tom Westmoreland, Mayor

ATTEST:

_____

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above ordinance was adopted by the City Council of Eagle Mountain City on the 15th day of October, 2024.

Those voting yes:	Those voting no:	Those excused:	Those abstaining:
☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark
☐ Jared Gray	☐ Jared Gray	☐ Jared Gray	☐ Jared Gray
☐ Rich Wood	☐ Rich Wood	☐ Rich Wood	☐ Rich Wood
☐ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

_____
Fionnuala B. Kofoed, MMC
City Recorder

Posted on _____ by _____.

	EAGLE MOUNTAIN CITY **CITY COUNCIL MEETING** **OCTOBER 15, 2024**
TITLE:	Historic Zones
ITEM TYPE:	Ordinance
FISCAL IMPACT:	n/a
APPLICANT:	City-initiated

CURRENT GENERAL PLAN DESIGNATION & ZONE	ACREAGE
n/a	n/a

PUBLIC HEARING	PREPARED BY	PRESENTED BY
Yes	Robert Hobbs, Senior Planner	Robert Hobbs

RECOMMENDATION:
Approve as presented (subject to any revisions required by Council)

BACKGROUND:
This matter was tabled in July of last year. Staff has been directed to bring the draft amendment(s) back to the City Council for new discussion and review.

As noted when this matter was last considered, daily zoning administration, including answering questions regarding property zoning and associated rules (e.g., those governing use of land, setbacks, heights, architecture, unit density, etc.), has revealed the need to either temporarily re-codify old zones verbatim, or, re-codify them with equivalencies established between their standards and those currently adopted land use zones. The attached draft takes the second track and seeks to assist the City in sharing and enforcing its development rules in a consistent and legally supportable manner while awaiting rezoning of some properties in the community to bring the same into conformance with 2024 codes.

ITEMS FOR CONSIDERATION:
Ordinances pertaining to development code amendments, and processing of the same, may be found in EMMC 17.05.120 & UCA 10-9a-501.

Historic Zones: Eagle Mountain City's unique zoning history includes various land use zones, including several historical residential districts. These districts were once part of either the Eagle Mountain Municipal Code or adopted Master Development Plans and Agreements but are no longer codified. Properties previously governed by these standards will now be subject to current zoning regulations as detailed hereafter if the amendments are passed. The amendments do not propose to alter existing, currently codified zoning that overlays properties in the City. Landowners may apply for rezoning as outlined in Chapter 17.90 EMMC."

Instead of merely re-inserting the language of old zones into EMMC Title 17, the administration has opted to propose formalization of the practice of establishing "equivalencies" between old and current

zones for zoning matters and inquiries. That decision is reflected in the draft code language addressing the "old" Residential Zone and its density tier system, where certain tiers correspond to existing zones, impacting density and land use allowances.

Scope of Draft Changes: The draft code changes will expectantly apply to:

1. Properties in "historically zoned" areas outside master-planned communities (with their associated development agreements).

2. Properties in communities with an inactive agreement.

3. Properties in master-planned communities with active agreements.

Residential Zone Details: The "Residential Zone," characterized by a units-per-acre tier system, was apparently the most recent residential rule set no longer in code. The attached "Current vs. Historical Residential Densities Comparison Tables" exhibit previously allowed residential densities and their equivalent allowances in the City's current land use zones. Note that lot frontage requirements and setbacks are not included in the exhibit. The exhibit also summarizes formerly allowed land uses relevant to the Residential Zone.

Zoning Determinations: The proposed code amendments (found in sections 17.30.010.B.5 & 6) grant the Planning Director authority to make determinations regarding zoning details (e.g., required setbacks for accessory structures like sheds) where not specified in a development agreement for a master-planned community. This includes the following zones: "Town Core Residential," "Village Core Residential," "Country Residential," "Townhome," "FlexUse Tier – III-IV," "Residential 5k, 6k, 8k, 10k Average," "Low Density," "Medium Density," "Residential," "Mixed Residential," "Single-Family Residential," etc. The intent is to allow staff to apply "equivalency measures" where standards are absent, improving consistency in land development standards and reducing the potential burden on the Planning Commission or City Council to make minor decisions respecting such matters.

Master Planned Communities: It is noteworthy that among 22 master-planned communities (see table under subsection C in 17.30.010) in the City, only eight have definitive sunset dates, with two having already expired (Eagle Mountain Properties and The Ranches).

Legal Counsel Recommendations: Legal counsel has proposed a strategy for scenarios where a development agreement has lapsed or been voided. It is recommended that the draft code formalize the following position: "Perseverance of master development plans and master development agreements: Any zoning adopted in a master development plan or master development agreement shall survive the expiration of either or both and remain in full force and effect after expiration."

Historical Commercial Zones: Many older commercial or quasi-commercial zones in City records had language that was later removed as they were incorporated into new zones that referenced them, such as the "Town Core" and "Village Core" Zones, and the Airpark Zone. The amendment addresses this, stating:
"Eagle Mountain City's unique zoning history includes various land use zones, including historical commercial districts, with the 'Commercial Zone' being the most prevalent. These districts were part of the Eagle Mountain Municipal Code or adopted Master Development Plans and Agreements but were removed at one time. Some zones replaced prior districts, offering limited equivalencies in land use controls and regulations." Equivalencies for the older commercial zones no longer on the books are also proposed in the draft amendment(s) [note: in some cases, there are voids where no land within the City is presently encumbered by certain older commercial zones].

PLANNING COMMISSION ACTION/RECOMMENDATION:
The Planning and Zoning Commission, during their regularly scheduled public hearing of May 14, 2024, voted to recommend to the City Council that they approve the draft amendment(s) as presented (subject to any Council revisions). See attached minutes...

ATTACHMENTS:
1. ORD--EMMC 17.32 Historic Zones
2. EMMC 17.32 Historic Zones - Redlines
3. Current Residential Zone Density Yields vs. Historical Residential Tier Yields
4. 05.14.2024 Planning Commission Minutes

ORDINANCE NO. O- -2024

AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH, AMENDING THE EAGLE MOUNTAIN MUNICIPAL CODE TO ENACT CHAPTER 17.32 HISTORIC ZONES

PREAMBLE

WHEREAS the City Council of Eagle Mountain City finds that it is in the public interest to amend the Eagle Mountain Municipal Code to enact Chapter 17.32 Historic Zones, as described in Exhibit A.

BE IT ORDAINED by the City Council of Eagle Mountain City, Utah:

1. The City Council finds that all required notices, public hearings, and other requirements have been completed for the City Council to consider an amendment to the Eagle Mountain Municipal Code to enact Chapter 17.32 Historic Zones.

2. The amendment described in Exhibit A is hereby approved.

3. This Ordinance shall take effect upon its first posting or publication.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 15th day of October, 2024.

EAGLE MOUNTAIN CITY, UTAH

_____
Tom Westmoreland, Mayor

ATTEST:

_____
Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above ordinance was adopted by the City Council of Eagle Mountain City on the 15th day of October, 2024.

Those voting yes:	Those voting no:	Those excused:	Those abstaining:
☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark	☐ Melissa Clark
☐ Jared Gray	☐ Jared Gray	☐ Jared Gray	☐ Jared Gray
☐ Rich Wood	☐ Rich Wood	☐ Rich Wood	☐ Rich Wood
☐ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

_____
Fionnuala B. Kofoed, MMC
City Recorder

Posted on _____ by _____.

Exhibit A

Chapter 17.32
HISTORIC ZONES

Sections:

17.32.010 Historic residential development standards.
17.32.020 Historic commercial development standards.

17.32.010 Historic residential development standards.

A. Historic Zones: Eagle Mountain City's unique zoning district history and configurations included various land use zones -- including several historical residential districts. Those zoning districts were once a part of either Eagle Mountain Municipal Code or adopted Master Development Plans and Agreements but are no longer codified. Properties once regulated by their standards shall be governed instead by current zoning regulations as stated hereafter. This section does not change existing zoning in areas already approved by the city. Landowners may apply to rezone property as outlined in Chapter 17.90 EMMC.

B. Residential Zone equivalencies and controls.

1. Prior Zone: "Residential Tier 1"

~~a. Allowable density in the case of master planned communities shall be as prescribed in the master development plan and agreement associated with those communities even if expired.~~

a. Allowable density for all other properties shall be equivalent to the ~~RD2~~ RD1 zone.

b. Minimum dimensional standards shall be equivalent to the ~~RD2~~ RD 1 zone as denoted in Table 17.25.040.

c. Uses shall be as allowed in Table 17.25.030 for the ~~RD2~~ RD1 Zone.

d. Development standards as outlined for the ~~RD2~~ RD1 zone in the residential development standards table in 17.25.040 EMMC. Exception: Primary structure setbacks shown on a plat recorded prior to <effective date of ordinance> shall apply to the lots within the plat, rather than the primary structure setbacks included in 17.25.040 EMMC.

e. All other generally applicable development standards in EMMC shall apply to this zone.

f. This zone shall be treated as the RD2 zone when applying standards in EMMC 17.60.160 EMMC Zone Transitions, or 16.30.090 Connectivity Standards, etc.

2. Prior Zone: "Residential Tier II"

~~a. Allowable density in the case of master planned communities shall be as prescribed in the master development plan and agreement associated with those communities even if expired.~~

a. Allowable density for all other properties shall be equivalent to the ~~R3~~ R2 zone.

b. Minimum dimensional standards shall be equivalent to the ~~R3~~ R2 zone as denoted in Table 17.25.040.

c. Uses shall be as allowed in Table 17.25.030 for the ~~R3~~ R2 zone.

d. Development standards as outlined for the ~~R3~~ R2 zone in the residential development standards table in 17.25.040 EMMC. Exception: Primary structure setbacks shown on a plat recorded prior to <effective date of ordinance> shall apply to the lots within the plat, rather than the primary structure setbacks included in 17.25.040 EMMC.

e. All other generally applicable development standards in EMMC shall apply to this zone.

f. This zone shall be treated as either the R1, R2, R3 or RC zones when applying standards found in EMMC 17.60.160 EMMC Zone Transitions, or 16.30.090 Connectivity Standards, etc.

3. Prior Zone: "Residential Tier III"

~~a. Allowable density in the case of master planned communities shall be as prescribed in the master development plan and agreement associated with those communities even if expired.~~

a. Allowable density for all other properties shall be equivalent to the MF1 Zone.

b. Minimum dimensional standards shall be equivalent to the MF1 zone as denoted in Table 17.25.040.

c. Uses shall be as allowed in Table 17.25.030 for the MF 1 zone.

d. Development standards as outlined for the MF1 zone in the residential development standards table in 17.25.040 EMMC. Exception: Primary structure setbacks shown on a plat recorded prior to <effective date of ordinance> shall apply to the lots within the plat, rather than the primary structure setbacks included in 17.25.040 EMMC.

e. All other generally applicable development standards in EMMC shall apply to this zone.

f. This zone shall be treated as the MF1 zone depending on the average lot size and general lot sizes within the development and when applying standards in EMMC 17.60.160 EMMC Zone Transitions, or 16.30.090 Connectivity Standards, etc.

4. Prior Zone: "Residential Tier IV"

~~a. Allowable density in the case of master planned communities shall be as prescribed in the master development plan and agreement associated with those communities even if expired.~~

a. Allowable density for all other properties shall be equivalent to the MF2 Zone.

b. Minimum dimensional standards shall be equivalent to the MF2 zone as denoted in Table 17.25.040.

c. Uses shall be as allowed in Table 17.25.030 for the MF2 zone.

d. Development standards as outlined for the MF2 zone in the residential development standards table in 17.25.040 EMMC. Exception: Primary structure setbacks shown on a plat recorded prior to <effective date of ordinance> shall apply to the lots within the plat, rather than the primary structure setbacks included in 17.25.040 EMMC.

e. All other generally applicable development standards in EMMC shall apply to this zone.

f. This zone shall be treated as the MF2 zone when applying standards in EMMC 17.60.160 EMMC Zone Transitions, or 16.30.090 Connectivity Standards, etc.

5. Prior Zones "Town Core Residential (TCR)", "Village Core (VC)" and "Country Residential"

Properties once zoned either Town Core Residential or Village Core Residential or Country Residential shall be regulated as per the that zone's regulations found within Ordinance 98-05 adopted March 30, 1998, excepting for current

residential property development standards (e.g., property sizes, setbacks, heights, accessory structure controls, etc.) in EMMC Table 17.25.040 and use allowances as stated in EMMC Table 17.25.030. Applicable development standards and allowable uses shall be determined [as] by the Planning Director, appealable to the Planning Commission and City Council. Consideration shall be given to comparable zone standards when determining equivalencies.

6. Prior Zones – Other:

Additional residential land uses zones identified and created in varying development agreements (e.g., "Townhome", "FlexUse Tier – III-IV", "Residential 5k, 6k, 8k, 10k Average", "Low Density", "Medium Density", "Residential", "Mixed Residential", "Single-Family Residential", etc.) shall be administered/treated as per that Development Agreement's language. If a development standard is not stated for a given zone in an agreement, then the Planning Director reserves the right to require and apply standards from other current, and comparable, city zones, appealable to the Planning Commission and City Council. Consideration shall be given to comparable zone standards when determining equivalencies.

C. Historic Community Listing(s). Planned communities (with zones or plans pre-dating <effective date of ordinance> within Eagle Mountain City that have not had their master plans completely amended (and/or associated development agreements completely amended and re-stated, e.g., "Pole Canyon" conversion into "Firefly") as of <effective date of ordinance> comprise at least the following developments:

Table. Master Development Areas and Assigned Zoning Summary (including overlays).

Community	Established	Base Zone(s)	Min. DA Res. Standard(s)	Overlay Zone(s)	Expiration
Arrival at North Ranch	10/15/23	Residential	½ ac. lot size	Equine	In Perpetuity
Ault Farms (Parkway Fields)	12/07/21	FR, R1, R2, R3, RC, MF1	Per Approved Plan	n/a	12/07/28 or at full build-out (unless extended)
Brandon Park Estates	04/24/17	Residential	Tier II; 8,000 sq. ft.	n/a	In Perpetuity
Clearview Estates/ Ranches	04/25/13	Residential	Tier I; ½ ac. lot size	Equine	In Perpetuity
Eagle Heights	10/11/22	Per Approved Plan	Per Approved Plan	n/a	06/18/29

Village (re-stated)					
Eagle Mountain Properties	10/07/1997	Per Approved Plan	Per Approved Plan	n/a	Expired 10/07/2017
Evans Ranch	10/16/13	Per Approved Plan (Residential Zone Tier system density equivalency)	Per Approved Plan	n/a	In Perpetuity
Harmony	09/27/18	Residential	Per Approved Plan	Single & Multi	In Perpetuity
Lower Hidden Valley (Amended 2022)	06/23/11	Residential	Per Approved Plan (Residential Zone Tier system density equivalency)	Per Approved Plan	In Perpetuity
Oak Hollow	09/02/16	Residential/Commercial	Tier II	n/a	In Perpetuity
Oquirrh Mountain Ranch (Amended & Re-Stated)	03/28/22	RC, OS-I, OS-N	Per Planning Area Table 3.1	n/a	03-28-28
Overland SITLA/Ivory	07/03/18	Per Approved Plan	Per Approved Plan	n/a	In Perpetuity with 10-yr Reviews Beginning Jan.-Feb. 28
Sage Park	10/27/2020	Business Park	Per Approved Plan	n/a	10/27/2040
Sage Valley	07/06/99	Per Approved Plan	Per Approved Plan	n/a	In Perpetuity
Scenic Mountain	09/10/09	Residential	Per Planning Area Table 2.1	n/a	In Perpetuity

Silver Lake (formerly Evans Ranch)	05/06/03	Town Core Residential (single and multi)	Per Paragraph 4 & Approved Plan	n/a	In Perpetuity
SITLA Pony Express	10/07/03	Town Core Residential, Village Core Residential and Satellite Commercial	Per Approved Plan & Vesting Section III	n/a	In Perpetuity
Spring Run	10/18/16	Per Approved Plan	Per Approved Plan	n/a	12/31/30
Sunset Flats	01/16/18	Residential	Tier I & II	n/a	01/16/28 → 01/16/31
The Ranches	05/06/1999	Per Approved Plan	Per Approved Plan	TDRs Allowable	03/10/18 or Until Build-Out
Upper Hidden Valley	03/25/16	Residential	Per Approved Plan	Certain Comm. And Mixed-Uses Allowed by CUP(s)/TDRs Allowable	In Perpetuity
Valley View	10/19/04	Valley View	Per Approved Plan (Low and Medium Density Areas)	n/a	In Perpetuity

Note: Meadow Ranch and North Ranch were part of the Ranches Plan/Agreement

D. Perseverance of master development plans and master development agreements: Any zoning adopted in a master development plan or master development agreement shall survive the expiration of either or both and shall remain in full force and effect after expiration.

17.32.020 Historic commercial development standards.

A. Historic Zones: Eagle Mountain City's unique zoning district history and configurations included various land use zones -- including historical commercial districts, the "Commercial" Zone being the most prevalent. Those commercial districts were once a part of either Eagle Mountain Municipal Code or adopted Master Development Plans and Agreements but were removed at one time from code. Before being ultimately removed, some of those zones took the place of other prior districts and provided certain equivalencies by way of land use controls and regulations. Properties within those "old zones" shall, effective <date of ord. adoption> be governed instead by [current] zoning regulations stated hereafter.

Disclaimers: The regulations that follow primarily deal with regulation of uses and do not provide all zoning controls (e.g., minimum. required building architectural features, floor area ratios, setbacks, parking, landscaping, and signage controls, etc.) as those standards do not carry forward with a zone no longer codified. This section does not change existing zoning in areas already approved by the city. Landowners may apply to rezone property as outlined in Chapter 17.90 EMMC.

B. Prior zone: "Commercial". The commercial zone absorbed a number of historic commercial type zones upon its creation and codification and, therefore, is separately addressed in this section.

C. Equivalency: In the event the city receives a request to rezone a property from "Commercial" into a currently codified zone, either the Commercial Neighborhood or Commercial Community Zones may be considered as the preferred and roughly equivalent districts for the purpose of determining the propriety of the rezone request.

D. Commercial Zone - Land Use Control Table.

The following table identifies various land uses that are permitted, conditional, special, and prohibited uses in the Commercial Zone. Uses that are not listed in this table are prohibited.

> P = Permitted (Permitted uses may still require approval through an application process as detailed in this chapter and other chapters)
>
> C = Conditional (Due to their unique characteristics or negative effects that may not be compatible without conditions to mitigate or eliminate the detrimental impacts. Must comply with Chapter 17.95 EMMC)
>
> S = Special (Special uses are permitted as long as they comply with the standards listed in Chapter 17.75 EMMC that are specific to that type of use)
>
> Blank or unlisted use = Prohibited

Land Use Table
Commercial Uses

Land Use	Commercial Zone
Automobile gas/service stations;	C
Automobile sales and/or service;	C
Auto and truck repair, including auto body;	C
Bank or credit union w/o drive-thru	P
Bank or credit union w/ drive-thru	C
Child day care center/preschool;	P
Commercial fitness and recreation;	P
Commercial laundries;	C
Contract construction services establishments	C
Convenience store;	C
Laundry and dry-cleaning establishments	C
Meeting/reception rooms	C
Mixed-use residential development	C
Motels and hotels;	C
Offices: medical, dental or professional offices, corporate offices or corporate campuses	P
Office/business parks with no industrial or warehouse space	P
Personal services	C
Pet store	C
Printing, lithography and publishing establishments	C
Radio, television, watch, jewelry, cell phone and shoe repair establishments	P
Restaurants w/o drive-thru	P
Restaurants w/ drive-thru	C
Retail: department stores, furniture outlets, warehouse stores, auto parts, lumber, hardware and home improvement	P
Retail, general	C
Sexually oriented business	
Shopping centers (including grocery stores and/or general retail in multi-tenant buildings)	P
Utility structures: Public and/or private	P

E. Property area requirement(s).

No minimum lot size requirement for developments in this district. Conformance to all City parking, landscaping, utilities, site plan and other land development regulations that may govern all or a portion of each project is required.

F. Required minimum setbacks.

1. Front: Maximum setback of 20 feet. The city council, in consideration of a prior recommendation by the planning commission, may increase this if, in its judgment, the increase complies with the following: 1. Does not interfere with the use, enjoyment, and character of adjacent properties; 2. The success of the business necessitates an increased setback, proven by data or research; 3. Additional setback is not solely to provide space for parking between the building and the street; 4. Topography or natural features make it impossible or impracticable to place the building within the setback. Maximum setback does not apply to anchor buildings if pad sites are provided which comply with this standard.

2. Sides: 50 feet where adjacent to a residential or agricultural zone. Lots adjoining within the commercial zone require no side lot setbacks.

3. Rear: 20 feet for all uses except where a rear yard is located adjacent to a residential or agricultural zone. In those cases, the rear yard shall be increased to 50 feet. In the event that the rear of a building faces an arterial or collector street, there shall be a setback of 50 feet. The city council, in consideration of a prior recommendation by the planning commission, may reduce this if in its judgment the reduction does not interfere with the use, enjoyment and character of adjacent properties.

4. Other General Requirements. In addition to the specific setback requirements noted above, no building shall be closer than 10 feet from any private road, driveway, or parking space. The intent of this requirement is to provide for building foundation landscaping and to provide protection to the building. Exceptions may be made for any part of the building that may contain an approved drive-up window. [Ord. O-02-2017 § 2 (Exh. A); Ord. O23-2005 § 3 (Exh. 1(1) § 7.7)].

G. Building height.

No building shall be over five stories. [Ord. O-23-2005 § 3 (Exh. 1(1) § 7.8)].

H. Commercial zone development standards.

Development within the Commercial Zone shall comply with all current City zoning and subdivision standards.

I. Uses within buildings. All uses in the commercial zone shall be conducted entirely within a fully enclosed building except those uses deemed by the planning commission and city council to be customarily and appropriately conducted outside. Such uses include service stations, gas

pumps, plant nurseries, home improvement material yards, automobile sales, etc. Outside storage of merchandise shall be accommodated entirely within an enclosed structure unless the planning commission and city council deem such storage to be customarily and appropriately conducted outside.

J. Previous non-single-family zones and equivalents.

Non-single-family (i.e., generally some form of commercial types) zoning districts contained in previous development codes are listed hereafter save for the afore-described "Commercial" Zone. Properties within those zones prior to the adoption of Ord. <this ord.> shall only be entitled to the permitted and conditional uses permissible under the land use ordinance in which the property was zoned. With the exception of land use entitlement allowances, property zoned under previous development codes shall comply with all other regulations and standards contained in this chapter (as may be specified hereafter – including by reference to "equivalent" zones or new standards) so long as such conformance does not restrict density entitlements that are memorialized in a recorded master development agreement still in, and of, effect.

Historic, Non-Single-Family Zone(s) List (Excluding the "Commercial" Zone)

1. Airpark Zone (AP). Permitted uses within the airpark zone included aviation services, aircraft sales and service (including corporate offices), restaurants, lodging, light manufacturing, warehousing, and residential, etc. This zone shall [now] be an overlay zone only with no residential uses allowed therein. The zone shall otherwise be regulated as per the Airpark Zone's regulations found within the city code prior to being repealed on June 02, 2020, by Ord. O-13-2020.

2. Business Park (BP). Permitted uses within the business park zone included banks, business, and corporate offices not to exceed three stories in height. Conditional uses included restaurants, retail services establishments, hotels, motels, bed and breakfast facilities, day care center, medical and health care offices, veterinary offices, electronics repair shop and residential group homes or any other uses that the planning commission may determine are similar and compatible with the foregoing. All other uses are/were expressly prohibited. This zone shall be administered in accordance with Business Park regulations contained in the "Sage Park Business Center and Residential Area Development Agreement" or "Spring Run" (as appropriate) when applying zoning standards.

3. Commercial Core (CC). Permitted uses within the commercial core zone included retail sales, business offices, banks, restaurants, apartments or condominiums, and professional offices. Conditional uses included retail service establishments, restaurants, theaters, hotels, motels, bed and breakfast facilities, retail goods establishments and places of worship. or any other uses that the planning commission may determine are similar and compatible with the foregoing. All other uses are/were expressly prohibited. As of May 08, 2024, the city does not seemingly contain any Commercial Core zoned land.

4. Country Residential (CR). Permitted uses within the country residential zone included only single-family detached dwellings on individual building lots. Conditional uses within the zone include(d) multiple-family dwellings, commercial uses as identified in the town core residential not to exceed 10 percent, places of worship, bed and breakfast and public and private schools. The Country Residential Zone ~~shall be~~ was regulated as per the Country Residential's regulations found within Ordinance 98-05 adopted March 30, 1998. Effective <effective date of ord.>, only single-family detached dwellings on individual lots at least 3 acres in size are, or shall be, permitted. For the purpose of applying property development rules, this zone shall be treated as equivalent to the RA2 zone.

5. Downtown Commercial Core (DCC). Permitted uses within the downtown commercial core zone included retail trades, services, mixed allowed uses, professional offices, eating and drinking establishments, entertainment, hotels, apartments and condominiums, banks, theaters, and galleries/studios. Other compatible uses approvable as conditional uses. All other uses are/were expressly prohibited. Structures within the DCC zone shall/were to be a minimum of two stories in height. As of May 08, 2024, the city does not seemingly contain any Downtown Commercial Core zoned land.

6. Manufacturing and Industrial (M&I) Zone (also Industrial and Manufacturing). Permitted uses within the manufacturing and industrial zone included warehousing and construction trades or services, large warehouse-style retailing operations, manufacturing facilities and other uses requiring large buildings or structures that would otherwise not be permitted within the commercial core or satellite commercial areas. Conditional uses included or any other uses that the planning commission may determine are similar and compatible with the foregoing. All other uses are/were expressly prohibited. This zone shall be treated as the Industrial Zone(s) when applying standards found in titles 16 or 17 of the city's code.

7. Resort Commercial (RC). Permitted uses within the resort commercial zone included hotels, restaurants, tourism, residential and condominium uses, golf courses and associated facilities, and transient uses. Development agreements or code standards [shall] govern use(s), design, density, and open space. As of May 08, 2024, the city does not seemingly contain any Resort Commercial zoned land.

8. Resort Mixed Use (RMU). Permitted uses within the resort mixed use included golf courses. Conditional uses include(d): hotels, motels, bed and breakfast facilities, restaurants, condominiums, retail goods establishments, group homes, dwellings, office uses, banks, places of worship, public and private schools, or any other uses that the planning commission may determine are similar and compatible with the foregoing. All other uses are/were expressly prohibited. As of May 08, 2024, the city does not seemingly contain any Resort Mixed Use zoned land.

9. Satellite Commercial (SC). Permitted uses within the satellite commercial zone included supermarkets, gas stations and professional offices. Conditional uses include(d) automobile, truck, recreational vehicle and equipment sales or rentals, automotive repair and service

stations, retail service establishments, restaurants, hotels, motels, bed and breakfast facilities, banks, theaters, art galleries and museums and retail goods establishments or any other uses that the planning commission may determine are similar and compatible with the foregoing. All other uses are/were expressly prohibited. This zone shall be treated as the Community Commercial Zone when applying standards found in titles 16 or 17 of the city's code.

10. Town Core Residential (TCR). Permitted uses within the town core residential zone included single-family dwellings, both attached and detached, and recreational facilities designed to service a group of residential structures. Conditional uses included multiple-family dwellings, restaurants, office uses, day care centers, art galleries, museums, places of worship and public and private schools or any other uses that the planning commission determine are similar and compatible with the foregoing. All other uses are/were expressly prohibited. The Town Core Residential Zone ~~shall otherwise be~~ was regulated as per the Town Core's regulations found within Ordinance 98-05 adopted March 30, 1998. Effective <effective date of ord.>, only single-family detached dwellings on individual lots at least 1/2 acre in size are, or shall be, permitted. For the purpose of applying property development rules, this zone shall be treated as equivalent to the RD2 zone.

11. Village Core (VC) (Commercial). Permitted uses within the village core zone included single-family dwellings (detached and attached). All uses that are included in the commercial core as allowed are allowed by conditional use permit in the village core zone. Conditional uses include(d) public and private schools. All other uses are/'were expressly prohibited. This zone shall be treated as the Commercial Community Zone when applying standards found in titles 16 and 17 of the city's code.

12. Commercial C-1 Zone: Permitted, conditional and prohibited uses and development standards are those uses and standards defined in the Residential Zone and Commercial Zone. Prohibited uses shall be those prohibited and defined in the Commercial Zone.

13. Commercial C-2 Zone: Permitted, conditional and prohibited uses and development standards are those uses and standards defined in the Residential Zone and Commercial Zone. Prohibited uses shall be those prohibited and defined in the Commercial Zone.

14. Townsquare Commercial C-3 Zone: Permitted uses and standards are those uses and standards defined in the Residential Zone and Commercial Zone. Conditional uses shall not be limited to any conditional or similar uses as defined and adopted as Ord. 0-02-2006. Prohibited uses shall be those uses prohibited and defined in the Commercial Zone.

Current Residential Zone Density VS. Historical Residential Tier Density Yields Comparison Tables

Current Zone	Required Minimum Base Lot Size per Single Detached Dwelling Unit (in sq. ft.)	Resulting Gross Density Yield in Dwelling Units/Acre
RA 1	217,800	.2
RA 2	108,900	.5
RD 1	43,560	1
RD 2	21,780	2
FR	10,890	4
R 1	10,890	4
R 2	8,000	5.4
R 3	6,500	6.7
RC	4,500	9.68

Current Zone	Required Minimum Average Lot Size in Sq. Ft. per Single Detached Dwelling Unit	Resulting Gross Density Yield in Dwelling Units/Acre on Average
RA 1	n/a	--
RA 2	n/a	--
RD 1	n/a	(1)
RD 2	n/a	(2)
FR	21,780	2
R 1	14,250	3
R 2	10,890	4
R 3	8,500	5.12
RC	6,000	7.26

Historic Residential Zone	Required Minimum Base Lot Size per Single Detached Dwelling Unit (in sq. ft.)	Bonus Density Range Allowed in Dwelling Units/Acre
n/a	n/a	--
n/a	n/a	--
n/a	n/a	--
Base	21,780	<.8
Tier 1	21,780	.81-1.6
Tier 2	n/a	1.61-5.2
n/a	n/a	--
n/a	n/a	--
n/a	n/a	--

Current Zone	Minimum Lot Size in Sq. Ft. per Multiple-Family [1] Structure(s)	Resulting Gross Density Yield in Dwelling Units/Acre
RA 1	n/a	--
RA 2	n/a	--
RD 1	n/a	--
RD 2	n/a	--
FR	n/a	--
R 1	n/a	--
R 2	n/a	--
R 3	n/a	--
RC	n/a	--
MF 1	n/a	10 [2]
MF 2	n/a	20 [3]

Historic Residential Zone	Bonus Density Range Allowed in Dwelling Units/Acre
n/a	--
n/a	--
n/a	--
n/a	--
n/a	--
n/a	--
n/a	--
n/a	--
n/a	--
Tier 3	5.2-12.2
Tier 4	12.21-22.7

Historic Residential Zone Sanctioned Uses

Base Residential Zone:
Standard Single-Family Detached Homes

Tier I Zone:
Standard Single-Family Detached Homes

Tier II Zone:
Standard Single-Family Detached Homes

Tier III Zone:
Standard Single-Family Homes, Cluster Homes, Garden Courts, Patio Homes, Apartments, Townhomes & Condos

Tier IV Zone:
Presumed Same as Tier III [Note: Only Apartments, Townhomes, and Condos are Specifically Mentioned]

Densities are shown in gross numbers; net densities are dependent on available land for building after drives, setbacks, and parking pads, etc. are subtracted from overall property area; and all numbers are rounded and not all zones are reported – only those that make allowance for residential development/use. Also, this chart does not reflect any residential uses that may be allowed in commercial or industrial zones.

Notes:
1. Buildings containing 2+ units – whether condos, townhouses or apartment-like arrangements.
2. Maximum also of six (6) dwelling units in a single building.
3. Maximum also of twelve (12) dwelling units in a single building.

EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

May 14, 2024, 5:30 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

COMMISSION MEMBERS PRESENT: Commissioners Jason Allen, Robert Fox, and Alternate Commissioner Bryan Free. Commissioners Rod Hess, Brent Strong, and Craig Whiting were excused.

ELECTED OFFICIALS PRESENT: Councilmember Brett Wright, Liaison to the Planning Commission.

CITY STAFF PRESENT: Brandon Larsen; Planning Director; Marcus Draper, City Attorney; Todd Black, Wildlife Biologist/Environmental Planner; Robert Hobbs, Senior Planner; David Stroud, Senior Planner; and Elizabeth Fewkes, Recording Secretary.

5:30 P.M. – Eagle Mountain City Planning Commission Work Session

Commissioner Allen called the meeting to order at 5:31 p.m.

1. Discussion Items

1.A. DISCUSSION – Rose Ranch

Senior Planner David Stroud began his report by providing an overview of the Rose Ranch project located south of Brandon Park currently zoned Agricultural. This property, initially under a different developer, is now being managed by Edge Homes. They have made modifications to the original plan and are seeking feedback on two primary aspects: the park and the layout of the zones. The feedback will inform the Master Development Agreement before the applicant returns for further development steps. The future land use map indicates potential for parks, trails, and commercial development. A notable feature is the proposed freeway alignment to the west, which is still in flux. The concept plan includes 147 lots in the R3 Zone and 76 to 78 lots in the R2 zone. The previous plan included R1 zoning, which has been removed. The City Council previously requested larger lots in the northeast section to match Brandon Park, which has been incorporated into the new plan. The applicant proposes dedicating some parks and open space areas to the City, particularly considering the long-term plans for Fairfield Road to become a trail.

Applicant representative Brandon Watson, representing Edge Homes, discussed the modifications to the original concept plan. He emphasized the vision of providing larger lots for homes and addressed the feedback regarding buffering against Brandon Park and considerations for Fairfield Road. Mr. Watson solicited feedback on whether to preserve the triangle piece on the east side of Fairfield Road as open space or to expand the nearby lots. Should the City desire to improve the open space to the north of Fairfield Road before the road is vacated, they would install fencing to separate the park space from the road as a safety measure.

The Planning Commission:

- Discussed the practicality and future plans for open space and Fairfield Road;
- Considered options to improve the open space to prevent it from becoming an eyesore;
- Emphasized ensuring children's safety if the open space on both sides of Fairfield Road were improved;
- Agreed the proposed park's location is ideal, especially if Fairfield Road transitions into a trail;
- Appreciated adjustments aligning the development with Brandon Park and the inclusion of larger lots; and
- Highlighted the need for a timeline or priority plan for developing the park and trail.

1.B. Lower Tickville Gulch Issues and Management Solutions

Wildlife Biologist/Environmental Planner Todd Black addressed the ongoing issues and potential management solutions for the lower portion of the Tickville Wash. Following up on concerns raised by citizens about the excessive

use of motorcycles, ATVs, and other off-road vehicles impacting approximately 55 to 60 acres of City property, with some areas requiring collaboration with the Silver Lake Village Homeowner's Association (HOA), and the need for a management plan for the area. He illustrated these points with various images showing the current state of the wash, the effects of unauthorized vehicle use, trash and debris, and invasive and noxious weed species. Significant erosion has been noted, with some areas eroding up to five feet in six years, threatening nearby properties. He emphasized the need for monitoring, management, and maintenance.

Mr. Black proposed several management strategies:

- Hydrological Engineering Consultation: Consulting with hydrological engineers to identify and implement best management practices, such as beaver dam analogs and large rock placements to stabilize the soil and reduce erosion.
- Enforcement of Restrictions: Considering measures to restrict motorized vehicle access and potentially prohibiting such activities altogether to protect the area.
- Community Involvement: Engaging with residents for education and volunteer efforts to help maintain the area and foster a sense of community responsibility.

Discussion:

- Seeking professional consultation to determine effective erosion control measures;
- Identifying funding sources and setting a realistic budget;
- Educating residents and involving them in maintenance efforts;
- Creating a sustainable management plan with regular monitoring and enforcement;
- Preserving the area as a natural park aligns with the City's values but would also require significant investment and community involvement; and
- Establishing adequate funding, ongoing education and enforcement.

Commissioner Allen adjourned the work session at 6:10 p.m.

6:30 P.M. – Eagle Mountain City Planning Commission Policy Session

Commissioner Allen called the policy session to order at 6:30 p.m.

2. Pledge of Allegiance

Commissioner Allen led the Pledge of Allegiance.

3. Declaration of Conflicts of Interest

None.

4. Approval of Meeting Minutes

4.A. April 23, 2024 Planning Commission Minutes

MOTION: ***Commissioner Fox moved to approve the April 23, 2024 minutes. Commissioner Free seconded the motion.***

Jason Allen	**Yes**
Robert Fox	**Yes**
Rod Hess	**Absent**
Brent Strong	**Absent**
Craig Whiting	**Absent**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

4.B. April 23, 2024 Planning Commission Special Session Minutes

MOTION: ***Commissioner Fox moved to approve the April 23, 2024 Special Session minutes. Commissioner Free seconded the motion.***

Jason Allen	**Yes**
Robert Fox	**Yes**
Rod Hess	**Absent**
Brent Strong	**Absent**
Craig Whiting	**Absent**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

5. Status Report

Planning Director Brandon Larsen reviewed the planning items discussed and voted upon during the May 7, 2024 City Council meeting.

6. Action and Advisory Items

6.A. ACTION ITEM/PUBLIC HEARING – Pinnacles Multi-Family Preliminary Plat

Senior Planner Robert Hobbs introduced the Pinnacles Preliminary Plat project, mentioning the initial approval of the Pinnacles subdivision in early 2021. This approval included single-family residential units and an area designated for townhouse units zoned MF1 and MF2. He explained that the applicants' request had previously been tabled, but they had since made the necessary revisions to meet current setbacks and adjusted garage sizes to comply with the State-mandated 22-foot width requirement for multifamily units. He concluded that the revised project aligns with codified solution standards and best practice principles for development.

Commissioner Allen opened the public hearing at 6:38 p.m. As there were no comments, he closed the hearing.

Some commissioners found the layout of townhomes facing each other with service alleys unconventional and less appealing. However, they acknowledged that similar designs exist in other areas and comply with Municipal Code requirements.

MOTION: ***Commissioner Allen moved to approve the multifamily preliminary plat for the Pinnacles. Commissioner Fox seconded the motion.***

Jason Allen	**Yes**
Robert Fox	**Yes**
Rod Hess	**Absent**
Brent Strong	**Absent**
Craig Whiting	**Absent**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

6.B. ACTION ITEM/PUBLIC HEARING – Fence Code Patch

Mr. Hobbs explained that following the recent passage of a revised fence code, a few issues have emerged that require clarification and a minor code update.

These issues include:

1. Clarifying the required composition and nature of walls placed between residential developments (subdivisions) and collectors/arterials rights-of-way.

2. Specifying the amount of wire fencing allowed within residential perimeter fences. This is based on approximately 80% of a 6-foot by 8-foot fence with 4-inch by 4-inch top and bottom rails and 4-inch by 4-inch posts, with 2-inch by 4-inch boards tied vertically, making the posts effectively 8-inch wide as defined in the zoning code's definition of a "wire fence."
3. Determining the type or nature of fencing to be allowed or required along the Ranches Parkway, considering pre-existing conditions and the ongoing development of small subdivision areas nearby, particularly along its southeastern area near Pony Express Parkway.

Commissioner Free asked if alternatives to wood, like durable synthetic materials that mimic wood, could be allowed to reduce maintenance while maintaining appearance.

Mr. Hobbs responded that the current proposal specifies wood based on a Councilmember's preferences but acknowledged the potential for considering such alternatives.

Commissioner Allen opened the public hearing at 6:51 p.m. As there were no comments, he closed the hearing.

MOTION: ***Commissioner Fox moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code 16.35.090 Privacy Fencing and 17.60.120 General Fencing Provisions. Commissioner Allen seconded the motion.***

Jason Allen	**Yes**
Robert Fox	**Yes**
Rod Hess	**Absent**
Brent Strong	**Absent**
Craig Whiting	**Absent**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

6.C. ACTION ITEM/PUBLIC HEARING – Off-Street Parking Adjustments

Mr. Hobbs presented the proposed code amendments for off-street parking adjustments with several key objectives. The primary goal is to ensure parking lots are no more than 100 feet from the main entrances of buildings they serve, a measure aimed at enhancing convenience and accessibility, especially for multifamily housing projects. Additionally, the amendments designate the City Council as the authority to authorize shared parking agreements between properties—a shift from the previous management through conditional use permits. These agreements will now require a professional parking analysis and include a maintenance agreement between joint users. The amendments also propose reducing the allowable percentage of shared parking from 50% to 40% and include minor grammatical revisions.

Mr. Hobbs acknowledged the standard's subjective nature but affirmed its basis on reasonable assumptions regarding the proximity of parking lots to building entrances.

Discussion ensued regarding the following:

- Clarification that the edge of the parking lot must be within 100 feet of the building and that the parking lot may extend beyond that distance;
- Assurance that ADA parking requirements remain unchanged and are not affected by the new 100-foot standard; and
- The shift of approval authority to the City Council, along with the requirement for a professional parking analysis, is seen as a positive change to ensure thorough review and management.

Commissioner Allen opened the public hearing at 6:59 p.m. As there were no comments, he closed the hearing.

MOTION: ***Commissioner Allen moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code 17.55.040 General Provisions for Nonresidential and Multifamily Off-Street Parking Facilities and 17.55.100 Shared Parking and Curb Cuts. Commissioner Fox seconded the motion.***

Jason Allen	**Yes**
Robert Fox	**Yes**
Rod Hess	**Absent**
Brent Strong	**Absent**
Craig Whiting	**Absent**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

6.D. ACTION ITEM/PUBLIC HEARING – Residential Definitions and Table Revisions

Mr. Hobbs presented the proposed code amendments related to residential definitions and table revisions. Mr. Hobbs explained the ongoing efforts to revise the zoning ordinance, with a particular focus on Conditional Use Permits (CUPs). The aim is to reclassify CUPs into categories of special permits, allowed uses, or prohibited uses. He emphasized the importance of updating and clarifying the zoning code to enhance its user-friendliness and comprehensiveness. Mr. Hobbs introduced new residential definitions that are commonly used in the industry but were previously absent from the code. He also highlighted the changes made by the economic development team, which included reformatting and relocating some definitions. Additionally, Mr. Hobbs described the reorganization of the residential table, which now groups uses by type, such as animal uses and living space uses, and arranges them alphabetically for easier reference.

Commissioner Allen raised a question about the definitions related to accessory dwelling units (ADUs), specifically pointing out a discrepancy between the existing ADU definition, which allows up to 1,200 square feet, and the new definition for accessory dwelling residential-detached, which limits the size to 500 square feet.

Mr. Hobbs acknowledged this potential oversight and assured Commissioner Allen that he would work to reconcile these definitions.

Commissioner Allen opened the public hearing at 7:05 p.m. As there were no comments, he closed the hearing.

MOTION: ***Commissioner Fox moved to recommend approval to the City Council of an amendment to Chapter 17.10 Definitions and Chapter 17.25 Residential Zones directing staff to resolve the discrepancy in ADU square footage. Commissioner Allen seconded the motion.***

Jason Allen	**Yes**
Robert Fox	**Yes**
Rod Hess	**Absent**
Brent Strong	**Absent**
Craig Whiting	**Absent**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

Discussion ensued regarding the need for further revisions to address inconsistencies in ADU integration, appearance, and size standards and to clarify the classification of remodels versus new construction and attached and detached ADUs.

6.E. ACTION/PUBLIC HEARING – Retaining Walls New Code Amendment

Mr. Hobbs introduced an amendment addressing the lack of substantive ordinances concerning retaining walls in the City. Mr. Hobbs outlined the necessity for regulations aimed at preventing the construction of large, potentially unsafe walls along property lines. He highlighted two primary reasons for building retaining walls: retaining the

natural grade and creating level spaces through artificial backfill. He explained that he had collaborated with Commissioner Hess, who is a landscape architect, to revise the initial draft of the amendment and simplify the regulations. He mentioned a recent change in the building code regarding how the height of a retaining wall is measured, now calculated from the top of the wall to the non-load bearing side instead of from the bottom of the footing. He emphasized that retaining walls are prohibited in easements, including drainage wash easements, and must maintain a minimum offset of one foot from property lines to ensure compliance.

He also discussed safety concerns, recalling an incident where stacked boulders used as retaining walls in a development began to fail, leading to complaints. This incident underscored the necessity for involving structural engineering in the approval process for retaining walls. Mr. Hobbs proposed specific separation requirements between retaining walls, specifying a distance of one and a half times the height of the wall, with a maximum allowable height of six feet. Additionally, he included language in the amendment to ensure that the appearance of retaining walls harmonizes with the surrounding natural landscape, promoting aesthetic integration.

Commissioner Fox asked whether an engineering report would be required to provide evidence of the wall's ability to withstand soil-bearing pressure.

Mr. Hobbs confirmed that an engineering report is customary for retaining walls over four feet tall, as part of the building permit process.

Commissioner Allen opened the public hearing at 7:19 p.m. As there were no comments, he closed the hearing.

MOTION: ***Commissioner Fox moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code Chapter 17.61 Retaining Walls and 17.60.120 General Fencing Provisions. Commissioner Free seconded the motion.***

Jason Allen	**Yes**
Robert Fox	**Yes**
Rod Hess	**Absent**
Brent Strong	**Absent**
Craig Whiting	**Absent**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

6.F. ACTION ITEM/PUBLIC HEARING – Historic Zones

Mr. Hobbs explained that zoning administration, including inquiries about property zoning and rules such as land use, setbacks, heights, architecture, and unit density, highlighted the need for recodification of old zones. The proposed amendment reintroduces these old zoning districts, either verbatim or with established equivalencies to current land use zones, to ensure consistent enforcement and support of development rules while properties are rezoned to align with 2024 codes. This initiative aims to resolve ambiguities in the zoning code, especially those concerning historic and master-planned community zones. The process involved extensive cataloging efforts and faced challenges in matching old zones to new standards, requiring subjective judgments on compatibility and usage. Some historic zones, particularly in commercial areas, had no modern equivalents and were marked as expired.

Legal counsel advised to include the stipulation in 17.30.010(D), "Perseverance of master development plans and master development agreements: Any zoning adopted in a master development plan or master development agreement shall survive the expiration of either or both and shall remain in full force and effect after expiration." Recent inquiries into specific zoning requirements like setbacks for accessory sheds, underscoring the need for clear and accessible historical zoning information. Section 17.30.010(B)(6), "If a development standard is not stated for a given zone in an agreement, then the Planning Director reserves the right to require and apply standards from other current, and comparable, city zones, appealable to the Planning Commission and City Council. Consideration shall be given to comparable zone standards when determining equivalencies," addresses how the City will handle ambiguities in historical zoning.

Commissioner Allen opened the public hearing at 7:32 p.m. As there were no comments, he closed the hearing.

Discussion explored the purpose and need for easily accessible information regarding former zoning ordinances.

MOTION: ***Commissioner Free moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code adding Chapter 17.30 Historic Zones. Commissioner Fox seconded the motion.***

Jason Allen	**Yes**
Robert Fox	**Yes**
Rod Hess	**Absent**
Brent Strong	**Absent**
Craig Whiting	**Absent**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

7. Discussion Items

7.A. DISCUSSION – Agriculture and Industrial Zones Code Amendments

Mr. Hobbs presented an amendment to support ongoing efforts to simplify zoning regulations for agricultural and industrial zones with the aim of streamlining decision-making and discussions, similar to previous adjustments in residential zones. These changes address potential modifications in zone uses and involve reformatting tables for better clarity and usability, making the code easier to understand. The proposal also considers revising terminology to align with current standards and replaces existing language with simplified text. A side-by-side comparison of old and new tables and language is suggested to ensure consistency with existing policies and facilitate clearer discussions.

Commissioner Robert Fox inquired about the inclusion of wind turbines in the code, seeking clarification on their definition and use within the zones. He highlighted the importance of having clear definitions to avoid confusion, especially concerning uses like wind turbines that could have multiple applications, such as electricity generation.

Commissioner Allen expressed support for the efforts to make the zoning code more user-friendly, particularly for citizens, and appreciated the categorization and simplification efforts, noting they would facilitate easier comprehension of the code.

Commissioner Free noted the benefits of bringing Eagle Mountain's zoning code closer to those in other cities.

8. Next Scheduled Meeting

The May 28, 2024 Planning Commission was canceled. The next scheduled meeting is June 11, 2024.

9. Adjournment

MOTION: ***Commissioner Fox moved to adjourn at 7:44 p.m. Commissioner Free seconded the motion.***

Jason Allen	**Yes**
Robert Fox	**Yes**
Rod Hess	**Absent**
Brent Strong	**Absent**
Craig Whiting	**Absent**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

The meeting was adjourned at 7:44 p.m.

Approved by the Planning Commission on June 11, 2024.

Brandon Larsen
Planning Director

	EAGLE MOUNTAIN CITY **CITY COUNCIL MEETING** **OCTOBER 15, 2024**
TITLE:	UPDATE - Legislative Priorities List
ITEM TYPE:	Communication Item
FISCAL IMPACT:	N/A
APPLICANT:	N/A

CURRENT GENERAL PLAN DESIGNATION & ZONE	ACREAGE
N/A	N/A

PUBLIC HEARING
No

PREPARED BY
Clifford Strachan, Director of Legislative Affairs

PRESENTED BY
Clifford Strachan

RECOMMENDATION:

BACKGROUND:
EMMC 2.15.100 establishes a legislative priorities list to clarify by adoption or amendment the authorized ongoing priorities of the City Council and to provide direction to the City Administrator in prioritizing the day-to-day activities of the Director of Legislative Affairs. The list is provided for information and discussion. The City Council may make changes to the list of priorities via majority vote. The attached list includes a description of the issues prioritized, prioritization, status designation, and comments or updates concerning the item.

ITEMS FOR CONSIDERATION:

PLANNING COMMISSION ACTION/RECOMMENDATION:
N/A

ATTACHMENTS:
1. Legislative Priorities List Update
2. Legislative Priorities List

Summary of Changes Since Last Report						
Issue / Item	**Description**	**Priority [see EMMC 2.15.100]**	**Status**	**Target Date**	**Date of last update**	**Comments/Update**
MIHP re Mortgage Assistance Program	Implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality.	**Secondary Priority**	**In Progress**	1/1/2025	10/2/2024	Per MIHP 9.4, Strategy 2. Adopted as a strategy for the MIHP in 2023. CC adopted the program policy on 10/1/24. A budget amendment with an appropriation is forthcoming. Staff are working on marketing and an RFP for a contractor.
MIHP re Planned uses for RDA housing allocation funds	Create a policy or approve a plan that identifies the planned uses for the RDA housing allocation funds that come from economic development projects, in compliance with UCA§17C-1-412.	**Secondary Priority**	**In Progress**	5/1/2024	9/25/2024	Per MIHP 9.4, Strategy 5. Adopted as a strategy for the MIHP 1/3/2023. The CC heard a presentation based on LRB's report on 9/17/2024 and a resolution to adopt a housing plan is on the agenda for 10/01/2024.
Adjust Transportation Master Plan to designate MidValley as an expressway	Extend it via the future Hidden Valley Road as an expressway as a expedited way in/out of the city. Bring forward earlier the MAG project priority. The Hidden Valley Road project from East Expressway (aka Airport Road) eastward to Redwood Road is unfunded but included in consideration for Phase 3 covering 2043-2050.	**Secondary Priority**	**In Progress**	12/5/2023	10/2/2024	CC approved an interlocal cooperation agreement with Mountainland Association of Governments for funding the Midvalley Road Feasibility Study (from Pony Express Parkway to Mountainview Corridor) on 10/01/2024.

Legislative Priorities List

Order	Dept	Issue / Item	Description	Priority [see EMMC 2.15.100]	E Matrix:	Status	Target Date	Date of last update	Comments/Update	Date Adopted		Assigned		Economic Growth	Infrastructure Networks	Reputational Evolution	Generational Planning	Environmental Stewardship	Service Enhancement
2023.001	11	**City Hall Land Acquisition**	Need to prioritize land acquisition for future civic uses, of different types.	**High Priority**	**Schedule**	**Long Horizon**	<2035	8/14/2024	Related to the Facilities Master Plan project. Council would like to move the city hall project forward with more funding, concept plan, etc. Strategy discussion held with Council on 6/18/24. Surveying a preferred property is next.	5/16/2023		City Manager			X		X		
2023.037	12	**MIHP re Transfer of Development Rights**	Create a program to transfer development rights for moderate income housing.	**Secondary Priority**	**Schedule**	**In Progress**	7/16/2024	9/3/2024	Per MIHP 9.4, Strategy 4. Adopted as a strategy for the MIHP 1/3/2023. The Council discussed the topic on 9/3/2024 and directed staff to review the program with developers.	8/15/2023		Draper							
2023.035	14	**MIHP re Mortgage Assistance Program**	Implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality.	**Secondary Priority**	**Do**	**In Progress**	1/1/2025	10/2/2024	Per MIHP 9.4, Strategy 2. Adopted as a strategy for the MIHP in 2023. CC adopted the program policy on 10/1/24. A budget amendment with an appropriation is forthcoming. Staff are working on marketing and an RFP for a contractor.	1/3/2023		Strachan							
2024.003	14	**Status Report on Master Plans**	Per EMMC 2.19.030.J, provide periodic city council review of the priorites and implementation strategies of the city's master plans. A discussion at the annual strategic planning meeting is also recommended.	**Secondary Priority**	**Schedule**	**In Progress**	9/30/2024	7/16/2024	Staff reported on the status of master plan reviews on 7/2/2024; the CC requested this item be added to the Legislative Priorities List for periodic status updates.	7/16/2024		Strachan			X		X		
2023.038	16	**MIHP re Planned uses for RDA housing allocation funds**	Create a policy or approve a plan that identifies the planned uses for the RDA housing allocation funds that come from economic development projects, in compliance with UCA§17C-1-412.	**Secondary Priority**	**Schedule**	**In Progress**	5/1/2024	10/2/2024	Per MIHP 9.4, Strategy 5. Adopted as a strategy for the MIHP 1/3/2023. The CC heard a presentation based on LRB's report on 9/17/24. A resolution to adopt a housing plan was tabled on 10/01/24.	8/15/2023		Berrett					X		
2023.018	21	**Transportation Funding**	Work with MAG/UDOT/Lehi/Saratoga etc. to promote EMC's transportation funding needs. Specifically, the overpass for Mountain View Corridor and SR73, future funding for Hidden Valley Road.	**High Priority**	**Do**	**Long Horizon**	<2030	5/14/2024	Mid-Valley / Hidden Valley road study and additional funding for Airport road was approved by MAG on 2/1/24. In May, Utah Transportation Commission approved $553M funding for the Mountain View Corridor from Cory Wride Fwy to 2100 North (2029); $459M for the Cory Wride Fwy from Ranches Parkway to Mountain View Corridor (2029); and projects making it easier to cross Lehi and Saratoga Springs (2025 & 2026). Work is already happening on MVC at 2100 N but the timing of other projects is to be determined.	5/16/2023		Mumford		X		X		
2023.013	21	**City-wide Trail Network Plan**	Do a trail network plan separate from the bike and pedestrian plan; address power line corridor preservation. Connect trail along wash.	**Secondary Priority**	**Schedule**	**In Progress**	7/30/2024	8/14/2024	Staff have obtained feedback from stakeholders. Next is an RFP for a consultant to update the plan.	5/16/2023		Mumford		X				X
2023.039	21	**MIHP re Adopt Land Use ordinance re 10% moderate income housing dedication**	Adopt a land use ordinance that requires 10% or more of new residential development in certain residential zones be dedicated to moderate income housing.	**Secondary Priority**	**Schedule**	**In Progress**	12/31/2024	9/25/2024	Per MIHP 9.4, Strategy 5. Adopted as a strategy for the MIHP 1/3/2023. The CC heard a presentation on 9/17/2024.	1/3/2023		Mumford					X		

Legislative Priorities List

Order	Dept	Issue / Item	Description	Priority [see EMMC 2.15.100]	E Matrix:	Status	Target Date	Date of last update	Comments/Update	Date Adopted		Assigned		Economic Growth	Infrastructure Networks	Reputational Evolution	Generational Planning	Environmental Stewardship	Service Enhancement
2024.001 (was 2023.003)	22	**General Plan Update**	A general plan update has commenced. The project is expected to continue through August 2025.	**High Priority**	**Do**	**In Progress**	8/31/2025	9/25/2024	Staff presented and the council approved a timeline for updating the General Plan (GP) on March 6, 2024. It outlines a step by step process culminating in a targeted completion of August 2025. Our next step for the GP is prepping the Future Land Use Map update. We have dismissed our first consultant to help with the Future Land Use Map and Water Plan. We have another consultant we want approval from the Council to use (decision is on the 10.1.24 Council agenda). We are working on forming a working group to assist staff with review of the GP throughout the process, as well as setting up focus group meetings to inform the process. We have an item on the October 15th Council agenda to review the GP outline.	5/16/2023		Larsen			X		X		
2024.001a	22	**General Plan Update**	Survey Data and Outline to the City Council	**High Priority**	**Do**	**In Progress**	6/30/2024	9/25/2024	The survey is out to residents and we have over 1400 responses. Staff will show results to the Council at their meeting on Oct 1st.	3/6/2024		Larsen							
2024.001b	22	**General Plan Update**	**Future Land Use Map:** Do all designated areas make sense? Consider additional zoning designations (i.e.. separate RC from MF1).	**High Priority**	**Do**	**In Progress**	9/30/2024	9/25/2024	We have dismissed our first consultant to help with the Future Land Use Map and Water Plan. We have another consultant we want approval from the Council to use (decision is on the 10.1.24 Council agenda).	3/6/2024		Larsen							
2024.001c	22	**General Plan Update**	**Annexation Policy Declaration**: Review and preparation (to be included as an Appendix).	**Secondary Priority**	**Schedule**	**Not Started**	6/30/2025	8/14/2024	Start in October.	4/2/2024		Larsen							
2024.001d	22	**General Plan Update**	**Part 1** (Planning context, community context, framework for the future, decision-making framework)	**Secondary Priority**	**Schedule**	**Not Started**	10/31/2024	3/21/2024	Future	3/6/2024		Larsen							
2024.001e	22	**General Plan Update**	**Part 2** (Land use, Transportation, Open Space, Environment)	**Secondary Priority**	**Schedule**	**Not Started**	1/31/2025	3/21/2024	Future	3/6/2024		Larsen							
2024.001f	22	**General Plan Update**	**Part 3** (Housing, Moderate Income Housing, Water)	**Secondary Priority**	**Schedule**	**Not Started**	4/30/2025	8/14/2024	Some initial work has begun on this section to prepare an outline.	3/6/2024		Larsen							
2024.001g	22	**General Plan Update**	**Part 4** (Plan Administration, Best Practices, Appendices)	**Secondary Priority**	**Schedule**	**Not Started**	6/30/2025		Future	3/6/2024		Larsen							
2024.001h	22	**General Plan Update**	**Review and approve** General Plan: Schedule targets draft to PC in July 2025; to Council for discussion in July 2025; with goal to adopt in August 2025.	**Secondary Priority**	**Schedule**	**Not Started**	7/31/2025	3/21/2024	Future	3/6/2024		Larsen							
2024.001i (was 2023.028)	22	**GP Full Build Out Scenarios**	As part of the GP process, given zoning and land use maps, determine the city's full build out scenarios? What would we want to change? What roads are needed? How much water is needed?	**Secondary Priority**	**Schedule**	**Not Started**	12/31/2024	3/28/2024	Not started. This item will be evaluated further by staff.	4/2/2024		Larsen Trusty		X					
2024.001j (was 2023.023 & 2023.049)	24	**GP Water Study**	Complete a water study to determine how much water is needed in EMC, based on residential and commercial density, balanced with transportation needs. Establish a policy to ensure adequate water is reserved for future	**High Priority**	**Do**	**In Progress**	12/31/2024	9/25/2024	We have dismissed our first consultant to help with the Future Land Use Map and Water Plan. We have another consultant we want approval from the Council to use (decision is on the 10.1.24 Council agenda).	4/2/2024		Larsen		X		X		X	X
2023.005	22	**Establish discontinued zoning ordinances**	Establish discontinued zoning ordinances for vested undeveloped expired zones or other antiquated land uses. Use Saratoga Springs' 19.04.09-6 Discontinuation of Office Warehouse Zone as a reference.	**Secondary Priority**	**Do**	**In Progress**	5/31/2024	9/25/2024	An Historic Zones Code Amendment has received a recommendation from the PC for adoption. It was discussed and tabled at the June 18 meeting. Staff will consult with Council members on needed changes. Staff will bring this back to the Council at their 10.15.24 meeting.	5/16/2023		Larsen				X			
2023.004	22	**MDP/MDA Amendment Proposals**	Establish criteria for MDP/MDA amendment proposals. Require side by side vesting comparison (may be appropriate for EMMC 16.10.090).	**Secondary Priority**	**Schedule**	**On Hold**	4/30/2024	5/14/2024	Staff has begun work on this issue, but paused briefly because of HB476. We want to make sure we work in harmony with the Utah Code. Staff will resume exploring this issue now that the 2024 regular legislative session has concluded.	5/16/2023		Larsen				X			

Legislative Priorities List

Order	Dept	Issue / Item	Description	Priority [see EMMC 2.15.100]	E Matrix:	Status	Target Date	Date of last update	Comments/Update	Date Adopted	Assigned	Economic Growth	Infrastructure Networks	Reputational Evolution	Generational Planning	Environmental Stewardship	Service Enhancement
2023.015	22	**Zone Transition Code**	Review Zone Transition Code (17.60.160).	**Secondary Priority**	**Schedule**	**Not Started**	6/30/2024	8/1/2024	This has been assigned to a planner and the research/drafting process will resume.	5/16/2023	Larsen				X		
2023.025	22	**Powerline Corridor Development**	We have applications and need to think about how to develop the power corridor and what uses, vegetation, etc., benefit the city.	**Secondary Priority**	**Schedule**	**In Progress**	6/30/2024	8/15/2024	Map all City properties and designate each property with an appropriate designation, along with criteria for which designations could be developed (to what extent), which ones could be improved with trails and/or landscaping, and which ones could be disposed of (sold). Todd has finished cataloging, is reviewing and resolving encroachments, and categorizing all the open space by function.	8/15/2023	Larsen				X		
2023.048	22	**Parking and storage**	Consider a code to enable parking garages based on counting as two parking spaces.	**Secondary Priority**	**Schedule**	**Not Started**		4/30/2024	Staff believed that the Legislature would address this issue, but did not. Staff will review.	10/3/2023	Larsen				X		
2023.009	23	**Facilities Master Plan**	Create or update the Facilities Master Plan. Include civic buildings in the plan. Need to have a financial plan to accomplish.	**High Priority**	**Do**	**In Progress**	6/30/2024	7/19/2024	The consultant, Galloway, presented the draft plan to the Council for discussion on May 21.	5/16/2023	Weber		X		X		X
2023.032	24	**Irrigation pipe requirements**	Currently, we don't require it everywhere. EMMC 15.40 authorizes where city can supply water within 3 years. All 3 phases of the plan would cost >$70M.	**High Priority**	**Do**	**In Progress**	6/30/2024	8/14/2024	A report will include proposed upgrades to the system and where it can be implemented. Report was expected in June, now July. This project has been delayed due to the CIty's reuse application to the state being rejected. The report has been resubmitted and although we do not have an approved reuse permit, we are moving forward with the reuse plan and expect it to be completed late October/ early November. Currently Parkway Fields is installing purple pipe for use in their subdivision.	5/16/2023	Trusty		X			X	
2023.011a	24	**Airport Road**	Road needs to be prioritized and upgraded. Don't use the funds for this road on other projects. Council wants to know where this is in the process.	**High Priority**	**Do**	**In Progress**	12/31/2024	5/30/2024	Contractor is on site.	5/16/2023	Trusty		X		X		
2023.011b	24	**Mid Valley Road**	Road needs to be prioritized and upgraded. Don't use the funds for this road on other projects. Council wants to know where this is in the process.	**High Priority**	**Schedule**	**In Progress**	12/31/2025	8/1/2024	Civil Science has been awarded the design contract for this project. Completion is expected by fall 2025.	5/16/2023	Trusty		X		X		
2023.043	24	**Adjust Transportation Master Plan to designate MidValley as an expressway**	Extend it via the future Hidden Valley Road as an expressway as a expedited way in/out of the city. Bring forward earlier the MAG project priority. The Hidden Valley Road project from East Expressway (aka Airport Road) eastward to Redwood Road is unfunded but included in consideration for Phase 3 covering 2043-2050.	**Secondary Priority**	**Do**	**In Progress**	12/5/2023	10/2/2024	CC approved an interlocal cooperation agreement with Mountainland Association of Governments for funding the Midvalley Road Feasibility Study (from Pony Express Parkway to Mountainview Corridor) on 10/01/2024.	8/15/2023	Trusty		X		X		
2023.041	24	**Shared Parking**	17.55.100 Add traffic engineer's data into the city code to determine what is the right amount of shared parking; and for the Council to become the land use authority rather than PC.	**Secondary Priority**	**Schedule**	**In Progress**	6/30/2024	5/30/2024	The council wants clarity to the parking code and become the land use authority. Engineering is collaborating with Planning to move this forward.	8/15/2023	Trusty		X				
2023.033	32	**Capital Asset Management Plan**	Incorporate into our planning and budget process, financing etc. Do impact fees sufficiently cover state mandates like ADUs?	**Secondary Priority**	**Schedule**	**In Progress**	12/31/2024	8/13/2024	Public Works selected OpenGov - Cartegraph software for asset management. PW staff are currently adding their assets to the program. Preliminary work has begun on a draft capital asset policy.	5/16/2023	Ruesch Hickman		X		X		

Legislative Priorities List

Order	Dept	Issue / Item	Description	Priority [see EMMC 2.15.100]	E Matrix:	Status	Target Date	Date of last update	Comments/Update	Date Adopted	Assigned	Economic Growth	Infrastructure Networks	Reputational Evolution	Generational Planning	Environmental Stewardship	Service Enhancement
2023.042	41	**Safe Routes for Schools as a Calendar Item**	Bring forward each year a staff report on safe routes for school including completing infrastructure projects before school commences.	**Secondary Priority**	**Schedule**	**In Progress**	5/31/2024	8/14/2024	All school zones have been freshly painted. Possible new locations will warrant crossing guards; city staff will be monitoring as school starts. Silverlake, Blackridge, Mountain Trails, and Eagle Valley Elementary Schools will be a focus for evaluation (UDOT formula).	8/15/2023	Hickman Kofoed Hilton						
2023.008	41	**Rodeo Feasibility Study**	Coordinate a feasibility study to consider relocating the rodeo.	**Secondary Priority**	**Schedule**	**Not Started**		1/16/2024	The rodeo facility is not included in the Facilities Master Plan. A study for relocating would be done separately.	5/16/2023	Hickman				X		X
Proposed																	
2024.002		**Matching Grant Program for Neighborhood/Parks Improvements**	Create a grants program to support residents/groups who wish to install make parks or other neighborhood improvements.	**Proposed**	-	-		4/16/2024	A program was established in 2016, funded with $1M. The program fell into disuse by 2020. Council discussed this item and determined to not adopt move forward at this time.		Strachan Hickman						X
2023.019	31	**Advise and Consent**	Coordinate with city boards, committees, and commissions.	**Proposed**	**-**	**-**		1/16/2024	Currently there are empty positions. See what the EMMC directs. What is the status now? There is one PC vacancy, 2 still to fill on the cemetery.								
2023.012	41	**City Food Orchard**	Suggests planting wild fruit trees in the city. Mayor supports? Put property to use for community benefit…use city resources to beautify and create a commodity for community use.	**Proposed**	**-**	**-**					Hickman					X	
2023.029	21	**Master Plan Process**	Council members want to know how they can be involved in the city infrastructure master plan process.	**Proposed**	-	-		7/2/2024	Write a memo; also relates to EMMC 2.19.030.J.		Mumford				X		
2023.031	21	**Dashboard of city data and demographics**	Provide a dashboard showing data and demographics, for example, permits, population, etc.	**Proposed**	-	-		2/13/2024	Dashboard for Economic Development is live, but going through some updates. Dashboard that includes more data from OpenGov is pending final rollout to Building Department 7/18/2024.		Mumford Berrett				X		
2023.045	21	**Review business licensing with a view to approving or denying licenses based on parking or other code constraints.**	The goal is to ensure that businesses seeking licensing are compliant with other code sections.	**Proposed**	-	-		1/31/2024	Staff will review the code to determine any necessary or suggested updates.		Mumford						X
2023.050	21	**City-sponsored Waterwise Landscaping Grants Program**	Create a grants program to support residents who wish to install waterwise landscaping instead of grass.	**Proposed**	-	-		1/31/2024	This is currently on hold until it is approved to be added to the priorities list and to allow us to work on other higher priority items.		Mumford				X		
2023.016	22	**Staff Report for Development Projects**	Wants a staff report before unofficial council feedback. Developments - need more information before meeting with developers. Suggest having the staff report (even the one before the PC) before such meetings. Its hard to meet with the developer without useful information (#units, setbacks, etc.). SM - perhaps a summary of the project, a memo etc.	**Proposed**	-	-		9/19/2023	This is a process issue. Planners don't always know developers are already talking to councilors. It may be possible to provide the staff report to the PC to the Council. Could also provide a memo or "heads up" email of some sort to the Council if requested.		Larsen						
2023.026	22	**Visitor Parking in Code**	Visitor parking proximity in multi-family housing. Wants parking close to units, not all grouped in one area. It requires a code amendment.	**Proposed**	-	-		9/19/2023	This is on hold while we work on higher priority code amendments. Will pursue as those are approved/completed.		Larsen				X		
Completed																	

Legislative Priorities List

Order	Dept	Issue / Item	Description	Priority [see EMMC 2.15.100]	E Matrix:	Status	Target Date	Date of last update	Comments/Update	Date Adopted	Assigned	Economic Growth	Infrastructure Networks	Reputational Evolution	Generational Planning	Environmental Stewardship	Service Enhancement
2023.044	22	**A review of Conditional Uses in Zoning Code leading to reclassification based on defined specifications.**	The goal is to eliminate conditional uses in Commercial Storage, Agriculture, and Industrial zones by adopting defined specifications for such uses. See EMMC 17.38.040, 17.40.020, and 17.40.040, for conditional uses listed in each zone.	**High Priority**	**Do**	**Completed**	4/30/2024	9/17/2024	Agriculture, Industrial, and Commercial Storage zones have been to PC, coming to Council in September. We have an update ready to go. This is going to the Council on 9.3.24. This was approved by the Council on 9.3.24.	9/19/2023	Larsen				X		
2023.036	21	**MIHP re Impact fees for ADUs**	Eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-9a-530.	**Secondary Priority**	**Delete**	**Completed**	12/31/2024	8/20/2024	Per MIHP 9.4, Strategy 3; Once per year staff will provide a report to the Council concerning ADU fees. Last report provided December 2023. An update on MIHP strategies was presented on 6/4/2024. The city does not assess impact or other fees for ADUs. The city's Consolidated Fee Schedule was updated to reflect this policy.	8/15/2023	Mumford						
2023.003c	22	**Development Code: Mobile Business Regulations**	In 2023, HB408 Mobile Business Licensing Amendments, necessitated a review of the code. It deals with the distinction between "Enclosed Mobile Business" and food trucks, carts, etc.	**High Priority**	**-**	**Completed**	5/16/2024	5/7/2024	If a local mobile business owner needs a license, we will issue it as a normal business license; but state law requires us to honor other instate business licenses. There is no action required.	5/16/2023	Larsen				X		
2023.003b	22	**Development Code: Military Compatibility Amendment**	In 2023, HB265 Sentinal Landscape Amendments, required municipalities and counties to develop a compatible use plan to ensure proposed land uses within a certain distance of military land are compatible with military uses.	**High Priority**	**-**	**Completed**	4/30/2024	4/16/2024	The Council adopted code amendments based on 2023's HB265 and 2024's HB 256 Military Compatible Land Use Amendment.	5/16/2023	Larsen				X		
2023.006	22	**Wildlife Overlay Zone**	Facilitate bringing forward a presentation soon.	**Secondary Priority**	**-**	**Completed**	3/31/2024	4/2/2024	Adopted with amendments.	5/16/2023	Larsen					X	
2023.003a	22	**Development Code**	The Utah Legislature passed several bills in 2023 that necessitate changes to the city's code. SB174, HB364, HB406, HB265, and SB118 all affect the city's development codes. SB199 makes certain land use laws not referrable but no changes are needed to the code.	**High Priority**	**-**	**Completed**	3/19/2024	3/7/2024	Most required ordinance changes have been completed. Some unfinished items are split into new priority items. The final EMMC code changes due to SB174 and HB406 regarding lot line adjustment item was presented and adopted on 3/6/2024.	5/16/2023	Larsen				X		
2023.002	22	**Zoning Map Update**	Update the city's zoning map(s).	**High Priority**	**-**	**Completed**	2/20/2024	2/20/2024	Staff presented and the CC adopted the new zoning map which was demonstrated electronically. Staff is expected to maintain the map going forward.	5/16/2023	Larsen	X			X		
2023.048	12	**Residential Development Standards**	17.25.040 Residential Development Standards: Footnote #7 requires the average lot size be calculated across the preliminary plat.	**High Priority**	**-**	**Completed**	2/28/2024	2/6/2024	Approved by the CC on 2/6/2024.	11/7/2023	Draper				X		
2023.047	13	**Standard background for online meetings**	Create a standard background for use in public, teams, and zoom meetings.	**Secondary Priority**	**-**	**Completed**	1/31/2024	1/31/2024	A new, post-branding, background has been created and sent via email along with instructions for uploading to online meeting programs.	10/3/2023	Maffitt		X				
2023.007	14	**Annual Council Training**	Code to establish yearly training of Council by DOLA; to include duties, responsibilities, and authorities granted to the council by the state; LUDMA, OPMA, Ethics, etc.	**Secondary Priority**	**-**	**Completed**	1/2/2024	1/30/2024	State code requires annual training for OPMA - on January 2 agenda; an orientation manual for council members was presented and new council orientation on December 6.	5/16/2023	Strachan						
2023.004	22	**Fencing Code**	Council has made a lot of exceptions and wants to be very clear about fencing standards. See also 16.35.090.	**Secondary Priority**	**-**	**Completed**	3/31/2024	2/6/2024	The CC adopted new fencing and buffer code on 2/6/2024.	8/15/2023	Larsen				X		
2023.001	21	**Title 16 Subdivisions**	Review and update language, address concerns in preliminary and final plat approvals regarding language and requirements due to SB174.	**High Priority**	**-**	**Completed**	2/1/2024	10/3/2023	Ordinance changes were approved on 9/19/2023. On 10/3/2023 added an effective date.	5/16/2023	Mumford				X		
2023.034	24	**Water Conservation Issues**	Adjust water rates to save for infrastructure needs.	**High Priority**	**-**	**Completed**	1/31/2024	10/3/2023	Rate changes to cover operations and maintenance were approved 9/19/2023.	5/16/2023	Trusty	X					
2023.027	14	**Second Class City Requirements**	What needs to be done? When?	**Secondary Priority**	**-**	**Completed**		10/3/2023	Provided a memo listing requirements and trigger for changes.		Strachan				X		

Mayor & City Council Updates as of Octo

Department	Topic	
Public Works		
Public Utilities	Well #2	It is "acti to be repla
Public Services	Pony Express x Porter's Crossing	Installatio
	Stormwater Improvements	Replacing 1
	Lone Tree Emergency Access	The road ha truck.
	Smith Ranch Park	The park ha Mountain ki

ober 10

Update

vely being pulled" to investigate lost of production. Discoveries: pump casing has deteriora
ced, too. It is 17 years old so a needed replacement is to be expected.

n of left turn traffic signal scheduled on 10/16 9am-2pm. Sheriff's Office will provide traf

5" storm drainpipe with 24" drainpipe on Horizon Drive and Dugway

s been graded. Next steps: needs to be sprayed with water, receive a finish grade, add signs

s been selected by Playworld for a photoshoot for their catalog. Part of the park will be cl
ds to be in the photo shoot. Each child will be compensated $50.

ated and will need to be replaced. The pump itself will likely need

ffic control assistance.

s. The only cost added to the project will be signs and a water

losed to the public on Oct 23 3pm-6pm. They have found 25 Eagle

Tentative Upcoming Agenda Items for City Council Information

Development Projects

- Allgood Plat Amendment
- AT&T Tower Gateway Site Plan
- Cedar Corners Phase 5
- Cedar Glen Concept Plan
- Eagle Crest Storage
- Eagle Mountain East Retail Concept Plan
- Garner Farms Master Development Plan
- Harmony A-13 and A-14 Site Plans
- JDH Smith Concept Plan
- Overland Village 2B Preliminary Plat
- Strides Site Plan

Code Amendments

- Drive-Thru Regulations
- Off-Street Shared Parking Agreements for Non-Single Family
- Solar Power/Alternative Energy Code
- Transfer of Density Rights

Other Items

- Commercial Water Rights Requirements
- Firefly IFFP/IFA - Water, Sewer, Transportation, and Storm Drain
- Strategic Planning Retreat/Conference

Please note all items are tentative and are subject to change.