EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

January 14, 2025, 5:30 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

COMMISSION MEMBERS PRESENT: Commissioners Rod Hess, Robert Fox, Brent Strong, Craig Whiting; and Alternate Commissioner Bryan Free.

ELECTED OFFICIALS PRESENT: Councilmember Brett Wright, Liaison to the Planning Commission

CITY STAFF PRESENT: Steve Mumford, Deputy City Administrator/Community Development Director; Brandon Larsen, Planning Director; Marcus Draper, City Attorney; Todd Black, Wildlife Biologist/Environmental Planner; David Stroud, Planner; Elizabeth Fewkes, Planner; Heather Lamb, Planning Secretary; Evan Berrett, Economic Development Director; Tyler Maffitt, Communications Manager; Vince Hogge, City Engineer; and Ben Reaves, City Manager.

5:30 P.M. – Eagle Mountain City Planning Commission Work Session

Commissioner Strong called the meeting to order at 5:30 p.m.

1. Discussion Items

    1. A. DISCUSSION - Energy Code

Dr. Edwin Lyman, Director of Nuclear Power Safety with the Union of Concerned Scientists presented Nuclear Power Plant Sighting within the Eagle Mountain Community.

Brandon Larsen, Planning Director, and Evan Berrett, Economic Development Director for Eagle Mountain City presentation on Energy Code Amendments.

Commissioner Hess adjourned the work session at 6:27 p.m.

6:30 P.M. – Eagle Mountain City Planning Commission Policy Session

2. Commissioner Hess called the policy session to order at 6:33 p.m.

3. Pledge of Allegiance

Commissioner Hess led the Pledge of Allegiance.

4. Declaration of Conflicts of Interest

None.

5. Approval of Meeting Minutes

    5. A. December 10, 2024, Planning Commission Minutes

MOTION: ***Commissioner Whiting moved to approve the minutes of the December 10, 2024. Commissioner Strong seconded the motion.***

Jason Allen	**Absent**
Robert Fox	**Yes**
Rod Hess	**Yes**
Brent Strong	**Yes**
Craig Whiting	**Yes**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

6. Status Report

Planning Director Brandon Larsen reviewed the planning items discussed and voted upon during the January 7, 2025, City Council meeting.

7. Action and Advisory Items

7. A. An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code 17.10.30 Definitions.

<u>Brandon Larsen, Planning Director,</u> presented a proposal to enact an ordinance amending Definitions to add energy-related definitions, 17.20 adding an allowed use in the AG Zone, 17.48 adding various permitted uses to the RTI overlay zone, 17.75 inserting standards for special uses for battery energy storage systems, natural gas power plants, small modular reactors, and, adding development requirements to 17.15 as relating to solar energy projects.

<u>Applicant's statements summary:</u> Adrienne Bell, Holland & Hart, discussed their position regarding the proposed Code.

<u>Planning Commission Discussion Points</u>:

- Review of current terms, code, and definitions,
- Discussion of future energy needs for Eagle Mountain, and
- Discussion of all Stakeholders not just in Eagle Mountain but in other cities and Counties.

Commissioner Hess opened the public hearing at 7:23 p.m.

The following individuals spoke during the public comment period: Daniel Foreman, Carmen Valdez, Shawn Wright, Joy Rasmussen, Jason Rasmussen, Megan Strade, Dale Benson, Joy Rasmussen on behalf of Elbamaria Perez, Bettina Cameron on behalf of the Eagle Mountain Nature and Wildlife Alliance, Bettina Cameron, resident, Dustin Jimenez, Ruben Perez, Wade Williams (statement read through email provided); and Mike Maxwell (statement read through email provided)

Commissioner Hess closed the public hearing at 8:02 p.m.

MOTION: ***Commissioner Whiting moved to forward a negative recommendation to the City Council regarding Item 7A. Commissioner Fox seconded the motion.***

Jason Allen	**Absent**
Robert Fox	**Yes**
Rod Hess	**No**
Brent Strong	**Yes**
Craig Whiting	**Yes**
Bryan Free	**No**

With a vote of 3:2, the motion passed to receive a negative recommendation. Per the Planning Commission Rules of Order and Procedure, the item will move forward to the City Council with a notation of the votes and a negative recommendation.

7. B. SITE PLAN - Sage Park

Brandon Larsen, Planning Director spoke to item 7. B as Ashely Swensen was absent.

Brandon Larsen, Planner presented a Site Plan Application for the Sage Park Stake Center, located at 967 E Desert Willow Dr. (Parcel Number: 51:756:0106). Religious or Cultural Meeting Halls are a Special Use in the LMD zone as long as they meet the standards listed in 17.75 EMMC. The parcel under consideration was part of a General Plan Amendment and approved to have the Future Land Use Map designation changed from "Employment Center/Campus" to "Business Park/Industrial" in the July 6, 2021, City Council meeting. The parcel was then rezoned from "Agricultural/Rural Density" to the "Light Manufacturing/Distribution (LMD)" zone during the February 15th, 2022, City Council meeting. The applicant is seeking Site Plan Approval on the parcel for the purpose of constructing an LDS church stake center.

Discussion summary: There was no discussion as to Agenda item 7. B.

Commissioner Hess opened the public hearing at 7:37 p.m.

Commissioner Hess closed the public hearing at 7:37 p.m.

MOTION: ***Commissioner Strong moved to recommend a positive recommendation to the City Council of item 7.B. Commissioner Hess seconded the motion.***

Jason Allen	**Absent**
Robert Fox	**Yes**
Rod Hess	**Yes**
Brent Strong	**Yes**
Craig Whiting	**Yes**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

7. C. SITE PLAN - Verizon Pro Communication Tower

Brandon Larsen, Planning Director spoke to item 7. C. as Ashely Swensen was absent.

Brandon Larsen, Planner presented a proposed Site Plan Application for a Wireless Telecommunication Facility, located at the northwest corner of Cedar Valley High School (Parcel Number: 59:033:0021). The area near Pony Express Parkway and Eagle Mountain Boulevard has been growing in wireless traffic -- a new facility is needed to service wireless customers. The applicant reviewed several other sites for a possible location of their tower and found that a parcel at Cedar Valley High School met all code requirements while still being a suitable location for the facility. The Alpine School District was deeded parcel 59:033:0021 on January 25th, 2017. The applicant received district permission to build on their property and is now seeking site plan approval for the purpose of constructing a Verizon communications tower thereon. Their chosen design standards were in direct collaboration with preferences from the school district -- while still meeting EMMC standards.

Discussion summary:

- Discussion of what type of backup generator would be on site, and
- Discussion of what the painted color is on the equipment.

Applicant's statements summary: Troy Benson stated that the backup generator is a diesel generator. Antennas and equipment boxes will be grey to match the color of the pole.

Commissioner Hess opened the public hearing at 8:54 p.m.

Commissioner Hess closed the public hearing at 8:54 p.m.

MOTION: ***Commissioner Whiting moved to recommend a positive recommendation to the City Council of item 7.C. with the conditions that copies of required permits from pertinent Federal Agencies shall be filed with the City before issuance of a building permit and that antennas and equipment boxes should be painted to match the color of the pole. Commissioner Strong seconded the motion.***

Jason Allen	**Absent**
Robert Fox	**Yes**
Rod Hess	**Yes**
Brent Strong	**Yes**
Craig Whiting	**Yes**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

7.D. SITE PLAN - AT&T

David Stroud, Senior Planner, presented a proposed Site Plan Application for the AT&T wireless tower on a lease area of Parcel 58:033:0386 in the Industrial zone. Request to locate an AT&T wireless tower to service the north area of Eagle Mountain. Space is provided to allow a secondary co-locator. Tower height is 90 feet which is permitted if approved by the City Council. The lease area will be surrounded by a masonry fence and accessed through a metal gate. Camp Williams has reviewed the site plan and has no comment.

Applicant's statements summary: Jared White proposed moving the metal gate and adjusting where the cabinet goes as they have changed project managers and after their review of the Site Plan feel moving the gate and adjusting the cabinet location will allow the Applicant to access the space more easily. The applicant also spoke to the height of various light poles in the Eagle Mountain area to give a visual aid in comparison to this project.

Discussion summary:

- Discussion of other tower heights in and around Eagle Mountain.

Commissioner Hess opened the public hearing at 8:52 p.m.

Commissioner Hess closed the public hearing at 8:52 p.m.

MOTION: ***Commissioner Fox moved to recommend a positive recommendation to the City Council of item 7.D. with the conditions that red lines be completed and proposed Site Plans be updated to reflect the change in location of the gate and cabinets. Commissioner Strong seconded the motion.***

Jason Allen	**Absent**
Robert Fox	**Yes**
Rod Hess	**Yes**
Brent Strong	**Yes**
Craig Whiting	**Yes**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

7. E. An Ordinance of Eagle Mountain City, Utah, Enacting Eagle Mountain Municipal Code 17.75.082, Outdoor Storage of Recreational Vehicles and Trailers.

David Stroud, Senior Planner, presented a proposed Code amendment to enact Section 17.75.075, Outdoor Storage of Recreational Vehicles and Trailers. EMMC permits such use as a Special Use, but the code lacks adopted standards. EMMC lists Outdoor Storage of Recreational Vehicles and Trailers as a Special Use in Chapter 17.38.020 (Commercial Storage Zone). Additional standards to regulate various special uses are contained in Chapter 17.75. However, there are no adopted standards in Chapter 17.75 for Outdoor Storage of Recreational Vehicles and Trailers. A recent site plan was approved by the City which brought this to the attention of staff.

Discussion summary:

- Discussion and clarification of wording and definitions regarding the proposed Code Amendment.

Commissioner Hess opened the public hearing at 9:03 p.m.

Commissioner Hess closed the public hearing at 9:04 p.m.

MOTION: ***Commissioner Hess moved to forward a positive recommendation to City Council of item 7.E. with the condition that the final sentence in Paragraph B be revised to state a gate shall be solid metal, metal picket, or similar. Chain link is not permitted. Commissioner Whiting seconded the motion.***

Jason Allen	**Absent**
Robert Fox	**Yes**
Rod Hess	**Yes**
Brent Strong	**Yes**
Craig Whiting	**Yes**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

7. F. An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code 17.10.030, 17.20.020, 17.25.030, and 17.40.020; Communication Facilities and Towers.

David Stroud Senior Planner, presented proposed amendments to EMMC 17.10.030, 17.20.020, 17.25.030, and 17.40.020; to change Communication Facility; Radio, Microwave or Transmission Tower to Communications Facilities and Towers, and to make such use a Special Use in the Industrial zone. EMMC contains multiple names for the same use. This Code amendment aligns those uses to have the same verbiage. An amendment to permit such use in the Industrial zone is also included.

Discussion summary: There was no discussion as to Agenda item 7. F.

Commissioner Hess opened the public hearing at 9:07 p.m.

Commissioner Hess closed the public hearing at 9:07 p.m.

MOTION: ***Commissioner Whiting moved to forward a positive recommendation to City Council of item 7. F. Commissioner Strong seconded the motion.***

Jason Allen	**Absent**
Robert Fox	**Yes**
Rod Hess	**Yes**
Brent Strong	**Yes**
Craig Whiting	**Yes**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

7. G. An Ordinance of Eagle Mountain City, Utah, Rezoning Certain Lands for Les Schwab.

This item has been removed from the agenda at the request of the applicant.

7. H. An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 16 Related to the Water Rights and Concept Plans.

Marcus Draper, City Attorney explained that The City is currently auditing the amount of water remaining in it contracts with the Central Utah Water Conservancy District. Right now, the City allows developers to meet their water rights dedication requirements by reserving CUWCD water. This code amendment would limit future use of the CUWCD water to non-residential development. There are also a few additions to the Concept Plan chapter requiring additional submissions during the application process.

Discussion summary:

- Past Water Rights – discussion on how this proposed Municipal Code would or could affect those applicants who have already purchased Water Rights through the City,
- Present and Future Water Rights – The City does not want to lose out in the future by selling and/or having current applicants use those water rights now. Applicants can still seek outside sources that are available if necessary until the City is done auditing the water amount remaining in its contracts with the Central Utah Water Conservancy District,
- Discussion of the procedure and/or process when selling Water Rights.

Commissioner Hess opened the public hearing at 9:13 p.m.

The following individuals spoke during the public comment period: David Crockett, Pulte Group

Commissioner Hess closed the public hearing at 9:19 p.m.

MOTION: ***Commissioner Whiting moved forward with a positive recommendation to City Council with the conditions that if an applicant is negatively affected by the change in code they be grandfathered in (essentially be allowed to continue purchasing water from the City) if they have received Preliminary Plat approval for their subdivision. Commissioner Fox seconded the motion.***

Jason Allen	**Absent**
Robert Fox	**Yes**
Rod Hess	**Yes**
Brent Strong	**Yes**
Craig Whiting	**Yes**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

8. Discussion Items

January 28, 2025 meeting will be voting on Chair and Vice Chair.

9. Next Scheduled Meeting

January 28, 2025

The next Planning Commission meeting is scheduled for

10. Adjournment

MOTION: ***Commissioner Hess moved to adjourn the meeting at 9:30 p.m. Commissioner Whiting seconded the motion.***

Jason Allen	**Absent**
Robert Fox	**Yes**
Rod Hess	**Yes**
Brent Strong	**Yes**
Craig Whiting	**Yes**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

The meeting was adjourned at 9:30 p.m.

Approved by the Planning Commission on

Brandon Larsen
Planning Director