



EAGLE MOUNTAIN PLANNING COMMISSION MEETING

NOVEMBER 12, 2025, 5:30 PM

EAGLE MOUNTAIN CITY COUNCIL CHAMBERS

1650 EAST STAGECOACH RUN, EAGLE MOUNTAIN, UTAH 84005

5:30 PM – PLANNING COMMISSION PUBLIC MEETING

1. PUBLIC MEETINGS for Affected Entities

1.A. ANNEXATION POLICY DECLARATION - Public Meeting for Affected Entities

Background: *(Presented by Community Development Director, Brandon Larsen)* Eagle Mountain City is proposing an updated annexation policy plan and is seeking feedback from affected entities, as defined in §10-2-801 of the Utah Code Annotated — including special districts or special service districts whose boundary includes any part of an area proposed for annexation; a school district whose boundary includes any part of an area proposed for annexation, if the boundary is proposed to be adjusted as a result of the annexation; and a municipality whose boundaries are within 1/2 mile of an area proposed for annexation. This is a public meeting, and the City is only seeking feedback from affected entities at this point of the proposed annexation policy plan update process. Affected entities will also have ten (10) additional days, after the public meeting, to submit written feedback to the Planning Commission for consideration.

6:30 PM PLANNING COMMISSION POLICY SESSION

2. CALL TO ORDER

3. PLEDGE OF ALLEGIANCE

4. DECLARATION OF CONFLICTS OF INTEREST

5. MINUTES

5.A. October 28, 2025 Planning Commission Minutes

6. STATUS REPORT

7. ACTION AND ADVISORY ITEMS

7.A. PUBLIC HEARING / ORDINANCE — An Ordinance of Eagle Mountain, Utah, Amending the General Plan for Moderate Income Housing.

BACKGROUND: *(Presented by Planner, Elizabeth Fewkes)* Eagle Mountain City General Plan Amendment, Chapter 9. Amending Moderate Income Housing (MIH) Strategy 5 to correct an unintentional omission of the word “other” to fulfill State requirements for strategies to reflect the exact wording found in Utah Code 10-9a-403(2)(b)(iii)(W) and to prevent misinterpretation.

7.B. PUBLIC HEARING / ORDINANCE - An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Title 6 and Title 17 to Establish Standards for Alternative Animal Management Plans and Update Other Zoning

Provisions

BACKGROUND: *(Presented by Planner, Steven Lehmitz)* This proposal amends EMMC 6.05.260, 6.10.080, 17.25.040, and creates Chapter 6.15 for establishing standards for alternative animal management plans. It also amends 17.65.050, 17.65.100, 17.70.040, 17.70.050, and 17.105.050 to clarify exceptions to accessory dwelling unit standards, as well as eliminating public hearings for Variances and Land Use Appeals pursuant to UCA 10-9a-701(5). Tables 17.05.200(a), 17.05.200(b), and 17.05.200(c) are being amended to coincide with the other proposed changes.

8. **DISCUSSION ITEMS**
9. **AGENDA REVIEW**
10. **NEXT SCHEDULED MEETING**
11. **ADJOURNMENT**

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

In accordance with 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 801-789-6611. 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.



**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING
NOVEMBER 12, 2025**

TITLE:	ANNEXATION POLICY DECLARATION - Public Meeting for Affected Entities
ITEM TYPE:	Public Meeting
FISCAL IMPACT:	N/A
APPLICANT:	City-initiated

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

PUBLIC HEARING

No

PREPARED BY

Brandon Larsen, Planning
Director

PRESENTED BY

Brandon Larsen

RECOMMENDATION:

N/A

BACKGROUND:

Eagle Mountain City is proposing an updated annexation policy plan and is seeking feedback from affected entities, as defined in §10-2-801 of the Utah Code Annotated, including special districts or special service districts whose boundary includes any part of an area proposed for annexation; a school district whose boundary includes any part of an area proposed for annexation, if the boundary is proposed to be adjusted as a result of the annexation; and a municipality whose boundaries are within 1/2 mile of an area proposed for annexation. This is a public meeting, and the City is only seeking feedback from affected entities at this point of the proposed annexation policy plan update process. Affected entities will also have ten (10) additional days, after the public meeting, to submit written feedback to the Planning Commission for consideration.

ITEMS FOR CONSIDERATION:

Requirements for annexation policy plans are set forth in §10-2-803, Utah Code Annotated. Staff have reviewed these requirements and believe they have been met. There are numerous noticing requirements for an annexation policy plan, which staff are working to ensure are met. The approval path for an annexation policy plan first requires the Planning Commission to host a public meeting to receive feedback from affected entities. The proposal must go back to the Planning Commission for a regular public hearing and recommendation. Finally, an annexation policy plan must go to the City Council for final action.

Affected entity is defined in §10-2-801, Utah Code Annotated as:

"Affected entity" means:

- (a) a county of the first or second class in whose unincorporated area the area proposed for annexation is located;

- (b) a county of the third, fourth, fifth, or sixth class in whose unincorporated area the area proposed for annexation is located, if the area includes residents or commercial or industrial development;
- (c) a special district under Title 17B, Limited Purpose Local Government Entities - Special Districts, or special service district under Title 17D, Chapter 1, Special Service District Act, whose boundary includes any part of an area proposed for annexation;
- (d) a school district whose boundary includes any part of an area proposed for annexation, if the boundary is proposed to be adjusted as a result of the annexation; and
- (e) a municipality whose boundaries are within 1/2 mile of an area proposed for annexation.

PLANNING COMMISSION ACTION/RECOMMENDATION:

Public meeting, only. No action will be taken.

ATTACHMENTS:

1. Annexation Policy Plan to PC, 11.4.25

Annexation Policy Plan

Purpose

Prior to developing unincorporated land in Eagle Mountain, landowners must petition to annex their property into the City. New annexation proposals will be evaluated carefully and only approved when they advance the City's long-term vision. Each decision will focus on securing assets that align with the General Plan and contribute positively to residents' lives.

Potential Reasons for Annexation

While Eagle Mountain will remain selective in considering annexations, there are circumstances where expanding the City's boundaries may bring important community benefits. Some of the potential reasons for annexation include:

- **Employment and Economic Development:** Attracting technological, light industrial, office, agritourism, and research-oriented uses that provide high-quality jobs close to home.
- **Water and Utility Corridors:** Protecting alignments for water pipelines, power lines, stormwater infrastructure, and potential well sites or other water sources to support the City's long-term growth.
- **Transportation Facilities:** Securing land to accommodate a regional or municipal airport, future transit hubs, or other major transportation facilities that require significant acreage and strategic locations.
- **Energy Infrastructure:** Providing sites for energy facilities such as substations, renewable generation sites, or transmission corridors that are essential for reliable service and long-term sustainability.
- **Prime Commercial Land:** Bringing in strategically located land adjacent to future freeway interchanges or major corridors to create employment centers and expand the City's tax base.
- **Recreational Facilities and Open Space:** Preserving large tracts of land for regional parks, trails, sports complexes, and open space that strengthen Eagle Mountain's identity as an outdoor recreation destination.
- **Environmental Protection:** Managing sensitive lands, wildlife corridors, and natural resources within the City's jurisdiction to ensure consistent stewardship and reduce development pressures in unincorporated areas.

Annexation for these reasons must still meet the requirements of State Code and align with the City's fiscal framework, infrastructure system, and community values.

Process and Framework

Annexations are governed by Utah Code, which establishes the procedures and requirements for reviewing annexation petitions. These laws outline how proposals are initiated, reviewed, protested, and finalized. To help guide local decisions, this plan summarizes the major State requirements, highlights the statutory limitations that must be respected, and adds Eagle Mountain's own priorities. Together, these create a framework of criteria the City can use when evaluating annexations.

State Code Criteria

Utah Code Title 10, Chapter 2, Part 8 requires cities to evaluate annexations based on several key considerations including the following:

- **Community Character:** How does the annexation support the City's existing and future identity?
- **Municipal Services:** What services are needed in the area, and how will they be provided?
- **Service Extension and Financing:** How will utilities, roads, and other infrastructure be extended, and how will the costs be funded?
- **Tax Impacts:** What are the consequences for both existing City residents and those in the annexed area?
- **Impacts to Affected Entities:** How will annexation impact the County, school district, special districts, nearby cities, and other regional partners?
- **Boundaries:** Does the proposal create clear, contiguous boundaries without leaving islands or peninsulas of unincorporated land? How will community resources and obligations be equitably distributed?
- **Landowner Participation:** Have the required landowners consented to the annexation petition in accordance with code? Does the petition meet statutory thresholds for acreage, value, and signatures?
- **Overlapping Local Government Functions:** Are there any overlapping local government functions that can be consolidated?

Statutory Limitations

In addition to the above criteria, Utah Code establishes important limitations. Eagle Mountain must ensure that:

- Annexations are not undertaken solely to generate municipal revenue or to prevent annexation by another city but instead reflect the City's ability and intent to provide municipal services.
- Annexation boundaries are drawn to align with existing special district, school district, or taxing entity boundaries where practicable.

- Annexations near airports, military installations, or School and Institutional Trust Lands Administration (SITLA) project areas comply with additional statutory requirements.
- Annexation exclusions containing urban development within 1/2 mile of the municipality's boundary are justified.

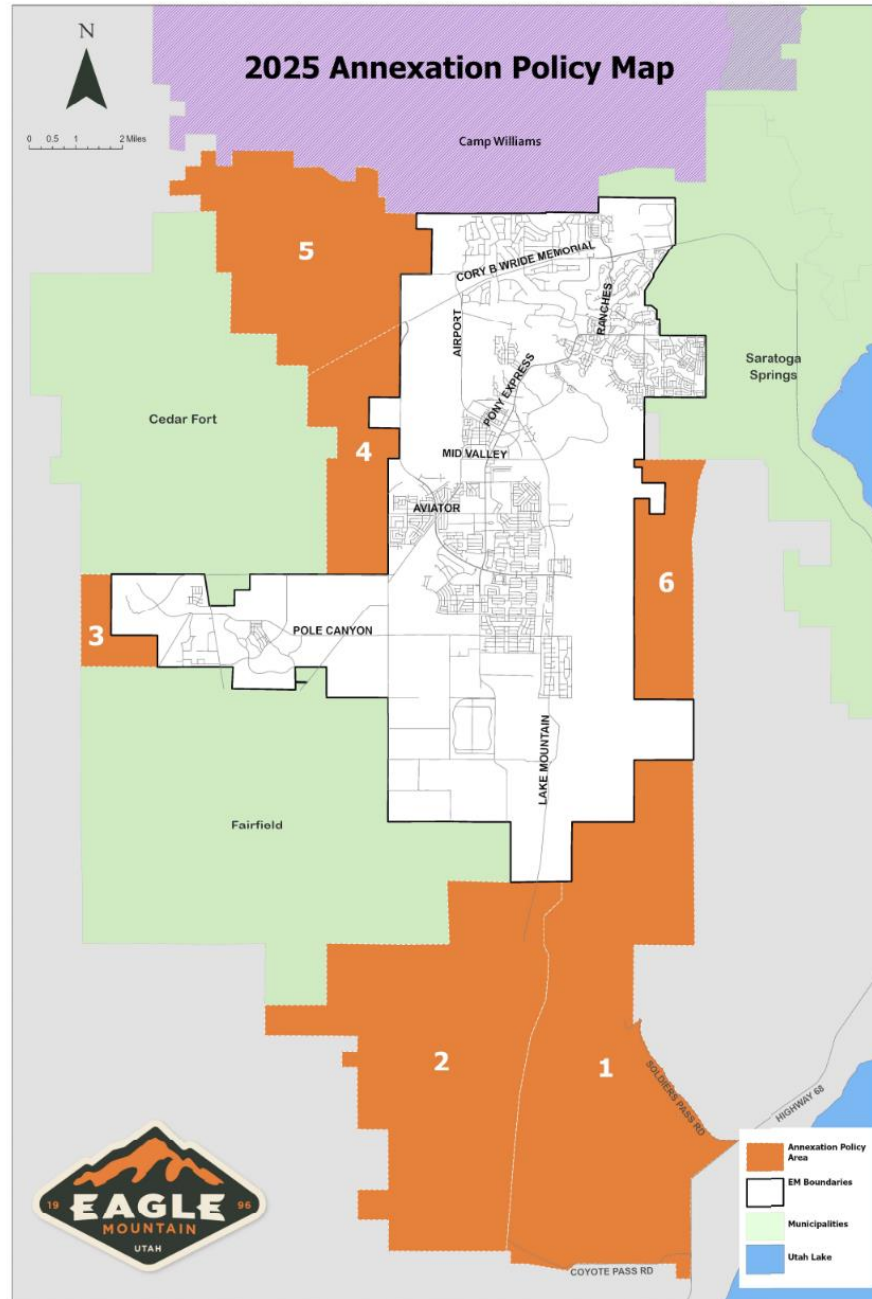
Additional Eagle Mountain Considerations

Beyond the requirements of Utah Code, Eagle Mountain also evaluates annexations through the lens of its community values. Local priorities include:

- **Neighborhood Compatibility:** Ensuring that new areas fit with surrounding neighborhoods and respect the character of nearby communities.
- **Fiscal Balance:** Weighing revenues and costs to make certain that annexations strengthen long-term financial sustainability.
- **Water Availability:** Confirming that sufficient water rights and infrastructure exist to serve new development without compromising current residents.
- **Connectivity:** Extending road, trail, and transit systems in ways that expand access without creating undue maintenance and connectivity challenges.
- **Environmental Stewardship:** Protecting open space, wildlife corridors, and cultural resources within annexed areas.
- **Regional Collaboration:** Coordinating with Utah County, neighboring cities, and other regional partners to ensure annexations support broader regional goals.
- **Developer Commitments:** Ensuring developers provide necessary water rights, participate in infrastructure financing or construction, and submit plans consistent with City standards and the General Plan.
- **Resident Safety:** Assessing the proposed area to avoid or mitigate hazards.

Annexation Map

This map identifies areas that can be considered for potential annexation into Eagle Mountain City, in accordance with the criteria in this document.



Annexation Areas

The 2025 Annexation Policy Map identifies six potential areas where Eagle Mountain may consider future expansion. The map provides a geographic frame of reference, while the following descriptions highlight the opportunities, challenges, and considerations unique to each area. Together, they illustrate how annexation could secure transportation and utility corridors, protect natural and recreational resources, and support regional economic and infrastructure goals in coordination with neighboring communities.

Area 1:

Located southeast of Eagle Mountain near the Utah Lake shoreline and southwest of the Lake Mountains, this area provides a potential connection to Utah Lake and Redwood Road (SR68). It also preserves a possible regional transportation corridor alignment toward Elberta and west Utah County. Annexation could open access to regional recreation opportunities, including trail systems and shoreline amenities, enhancing Eagle Mountain's reputation as an outdoor destination. Benefits include future connectivity to Utah Lake, preservation of a transportation corridor that would strengthen regional mobility and expanded trail and open space opportunities. Challenges include the significant cost of extending infrastructure, potential environmental considerations near the lake, and the need for coordinated planning with Saratoga Springs to prevent conflicts in land use or infrastructure. Careful alignment with State environmental standards and wildlife protection will be critical in this area. Annexation should also preserve future utility corridors, pressure zones, and potential well-sites identified in the City's water planning documents.

Area 2:

This area lies south of the City and to the southeast of nearby Fairfield. Its location provides a strategic opportunity for energy infrastructure, including natural gas, solar generation, or potential small modular nuclear facilities. Annexation would ensure the City retains control over a critical utility corridor and positions Eagle Mountain as a leader in energy development. Benefits include diversifying the City's economy, expanding utility services, providing local employment in advanced energy sectors, and preserving land for a regional transportation corridor to the south. Challenges include significant infrastructure investment, potential visual and environmental impacts, and the need for careful siting to maintain compatibility with surrounding land uses. Coordination with Fairfield will be essential to align infrastructure and land use decisions and to avoid service overlaps. Considerations for this area should include the natural gas transmission line and the electrical corridor.

Area 3:

Situated west of Eagle Mountain and northwest of Fairfield, this area provides continuity in the City's boundaries and helps prevent the creation of unincorporated "islands." It lies along the hillside, west of the Firefly development, and consists mostly of land controlled by the Bureau of Land Management. Annexation would allow Eagle Mountain to guide recreational access and manage open space on the western side of the valley, preserving trailheads and ensuring consistent

land use. Benefits include protection and utilization of natural and recreational lands, and stability of City limits. Challenges are tied primarily to extending infrastructure to undeveloped lands, if needed. Long-term planning should ensure land use aligns with Eagle Mountain's growth framework while preserving recreational opportunities such as trail loops and open space connections. Given the City's projected population growth, annexation here should also be phased to support orderly expansion of services and facilities, as needed.

Area 4:

This area is located in the central Cedar Valley, south of SR73, west of the future Cedar Valley Freeway, and east of Cedar Fort. Annexation in this area should preserve transportation and transit corridors identified in the City's Transportation Master Plan. Annexation could bring economic growth, improved connectivity, and opportunities for transportation and logistics focused uses. Challenges include noise, traffic impacts, and the cost of major infrastructure. Compatibility with residential areas and preservation of open space and wildlife corridors must be carefully planned. Coordination with Cedar Fort will also be important to ensure compatible land use and transportation planning across municipal boundaries.

Area 5:

Bordering Camp Williams on the City's northwestern edge; this area is reached via SR73. Its proximity to Camp Williams makes it suitable for recreation, agritourism, and light industrial uses that diversify the local economy while remaining compatible with military operations. Annexation could provide opportunities for expansion of the City's recreation system, potentially adding new facilities, trailheads, or economic opportunities that highlight the area's rural character. Benefits include diversifying the local economy and protecting open space adjacent to Camp Williams. Challenges include safety, ACUB (Army Compatible Use Buffer) restrictions, extension of utilities, and the need to respect military training operations. Coordination with Cedar Fort and military partners will be necessary, along with careful planning to determine wildlife corridor widths and preserve ecological connectivity. Evaluate opportunities for municipal satellite facilities in this area to improve service response times for the northern region of the City.

Area 6:

Located in the northern Lake Mountains and consisting mainly of land controlled by the Bureau of Land Management, this area offers opportunities for expanded outdoor recreation, including new trailheads, trails, campgrounds, and natural open spaces. Annexation would strengthen Eagle Mountain's position as a recreation destination while preserving scenic views. Considerations include limited infrastructure access, wildfire risk, and the need to safeguard sensitive habitats and wildlife migration routes. Careful planning and adherence to environmental stewardship principles will ensure recreational uses complement ecological health. Coordination with Saratoga Springs will also be necessary, and tourism or vacation-oriented uses should be explored to enhance the area's role as a regional recreation destination. Wildfire risk reduction strategies, including defensible space and fire-resistant land uses, should be emphasized as part of annexation review.

Conclusion

Annexation is not about expanding borders for their own sake, but about making thoughtful, educated decisions that serve the community's future. By following Utah Code requirements while also weighing local priorities, landowner responsibilities, and potential community benefits, Eagle Mountain ensures that annexations are consistent with the City's values, are fiscally responsible, and support the future vision of the community. The annexation areas identified on the 2025 Annexation Policy Map provide a framework for how expansion may occur in ways that protect or enhance natural resources, transportation corridors, and utility rights-of-way; secure recreation and open space; and facilitate economic opportunities. Consideration of the City's adopted master plans and close coordination with neighboring communities such as Saratoga Springs, Cedar Fort, and Fairfield, as well as other regional partners, will be essential to making annexations a positive and sustainable part of Eagle Mountain's long-term vision.



**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING
NOVEMBER 12, 2025**

TITLE:	October 28, 2025, Planning Commission meeting minutes
ITEM TYPE:	Minutes
FISCAL IMPACT:	N/A
APPLICANT:	N/A

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

PUBLIC HEARING

No

PREPARED BY

Megan Green, Planning
Secretary

PRESENTED BY

RECOMMENDATION:

N/A

BACKGROUND:

N/A

ITEMS FOR CONSIDERATION:

N/A

PLANNING COMMISSION ACTION/RECOMMENDATION:

N/A

ATTACHMENTS:

1. 10.28.2025 Final PC Draft Meeting Minutes



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

October 28, 2025 5:30 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

ELECTED OFFICIALS' PRESENT: Brett Wright, Melissa Clark, Donna Burnham, and Rich Wood.

CITY STAFF PRESENT: Ben Reeves, City Manager; Brandon Larsen, Community Development Director; Marcus Draper, City Attorney; Gina Olsen, City Recorder; Evan Berrett, Director of Legislative and Strategic Services; Abby Ivory, Economic Development Director; Robert Hobbs, Senior Planner; David Stroud, Senior Planner; Steven Lehmitz, Planner; Elizabeth Fewkes, Long-Range Planner; Kiara Polee, Affordability Housing Coordinator; and Megan Green, Planning Secretary.

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

Councilmember Brett Wright called the meeting to order at 5:30 p.m., excusing Mayor Westmoreland and Councilmember Jared Gray.

1. Discussion Items

1.A. DISCUSSION - Utah Housing Strategic Plan Update

Long-Range Planner, Elizabeth Fewkes, and Affordable Housing Coordinator, Kiara Polee, introduced the Utah Housing Strategic Plan and discussed the challenges in the housing market. Elizabeth mentioned the importance of balancing product availability for different income levels and income debt ratios. The City's mortgage assistance program and the need to use multiple tools like RDA funds, CDBG, and the home Consortium were discussed. The City is focusing on tactics rather than specific programs to address housing challenges. Together, the City Council members, Planning Commissioners, Elizabeth Fewkes, and Kiara Polee discussed the pros and cons of the different tactics.

Key points included the need for balanced housing products across income levels, with the City's mortgage assistance program awarding 29 grants. The discussion emphasized the importance of consistent definitions for affordable housing and the challenges of state-level mandates. Concerns were raised about the impact of state policies on local infrastructure and the need for fair evaluation of City efforts. The potential benefits of modular housing and the importance of having consistent definitions and high architectural standards.

Elizabeth and Kiara will provide feedback to the State on the proposed tactics, emphasizing the need for flexibility, local control, and a focus on actual affordability rather than just production. Council members would like to ensure that any inventory of public lands or entitled units includes consideration of adjacent properties and vested rights. They would also like to provide input to the State on the need for context-sensitive approaches to water conservation, building codes, and other development standards, rather than one-size-fits-all solutions.

2. Adjournment

MOTION: *Council Member Melissa Clark moved to adjourn the meeting at 6:34 p.m. Council Member Donna Burnham seconded the motion.*

Brett Wright Yes

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

The motion passed with a unanimous vote.

The meeting was adjourned at 6:34 p.m.

6:40 p.m. Eagle Mountain Planning Commission Work Session

Commissioner Allen called the meeting to order at 6:40 p.m.

1. Discussion Items

1.A. DISCUSSION – Interconnectivity Code amendment

Senior Planner, David Stroud, gave a brief presentation of the proposed code amendment. He explained the contradiction in the code regarding interconnection between lots and the staff's preference for interconnection within commercial and business park zones. They suggested adding commercial zones and business park zones to the code that requires interconnection. Commissioner Hess clarified that the interconnection should be for adjacent properties for vehicular access. Stroud described the process of stubbing in internal drives for future development.

1.B. DISCUSSION – Sign Regulations and Permits Code Amendment

Commissioner Allen and Planner, Steven Lehmitz, discussed the presentation of sign regulations and permits. Lehmitz provided an overview of the changes, including consolidating building permits into one application. Lehmitz explained the need for uniformity in sign regulations, such as not allowing signs on light poles, fences, and trees. The new language clarifies the difference between city-owned directional signs and city-owned and chamber-managed ladder signs. The removal of outdated labels and schematics from the code were also discussed.

Commissioner Allen adjourned the work session at 6:51 p.m.

7:00 P.M. – Eagle Mountain City Planning Commission Policy Session

2. Commissioner Allen called the policy session to order at 7:00 p.m.

3. Pledge of Allegiance

Commissioner Allen led the Pledge of Allegiance.

4. Declaration of Conflicts of Interest

None.

5. Approval of Meeting Minutes

5.A.

MOTION: ***Commissioner Strong moved to approve the minutes of the October 14, 2025 Planning Commission meeting. Commissioner Whiting seconded the motion.***

Jason Allen	Yes
Robert Fox	Yes

Rod Hess	Yes
Brent Strong	Yes
Craig Whiting	Yes
Bryan Free	Not Voting - Alternate

The motion passed with a unanimous vote.

6. Status Report

Community Development Director Brandon Larsen reviewed the planning items discussed and voted upon during the City Council meeting.

7. Action and Advisory Items

7.A. Lower Hidden Valley Master Development Plan Amendment – Trails at Hidden Valley

Presentation Summary: Robert Hobbs introduced the request by Perry Homes to modify the existing Development Agreement and Master Development Plan. The Lower Hidden Valley project [with 1,256 residential units] was approved by the City in 2011. A Master Development Plan (MDP) and a Master Development Agreement (MDA) memorialized that action. Vesting was made in perpetuity. The Agreement was later amended, in minor form(s), in 2023. The new Amendment proposes to re-configure the approved layout of the project. Associated with the changes is a reduction in building lot density count (with a resultant increase in unimproved open space), right-of-way changes (e.g., deletion of the Hidden Valley Parkway) and open spaces' dimensioning and positioning alterations. Because the changes are seemingly substantial on the whole, Staff believes there is cause to require the plan to be submitted as a MDP Amendment set.

Applicant's statements summary: Lynsi Neve from Perry Homes explained the changes, including reducing the density from 1256 units to approximately 709 units. She discussed the adjustments to the total building area, open space, and road classifications. The applicant requested the ability to submit preliminary plats on a pod-by-pod basis. The commitment to providing sufficient open space and trails was also discussed.

Discussion summary:

- The Commissioners discussed the phasing of the development and the need for a detailed slope analysis.
- Commissioner Whiting suggested negotiating a land swap or other solutions to address the challenges associated with the development.
- The Commissioners agree to recommend the amendment with conditions, including the ability to submit multiple preliminary plats and the need for a detailed slope analysis.
- The status of the wildlife corridor and fencing, and the City's role in it were discussed. Senior Planner, Robert Hobbs, explained that Todd was handling the wildlife corridor issue and that the City needs someone with historical knowledge to scrutinize it.

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

Corey Jepson, Christopher Turner (representing White Birch Drive Citizen Group), Joshua Hall, Shandarae Hall, and Bettina Cameron from the Eagle Mountain Nature and Wildlife Alliance submitted and made public comments.

Commissioner Allen closed the public hearing at 7:58 p.m.

MOTION:

Commissioner Allen moved to recommend approval to the City Council of Item 7.A., Lower Hidden Valley Master Development Plan Amendment-Trails at Hidden Valley, with the following conditions:

- 1. To look at who is responsible for putting up the fence for the wildlife corridor and that the City investigate the comments from the Eagle Mountain Nature and Wildlife Alliance and that corridor.**
- 2. The Preliminary Plats be divided into subsections versus one whole plat and that phasing changes be considered by the City Council, possibly switching Phase two and one.**
- 3. That staff investigates whether or not the ridge line protection overlay applies to this property.**

Commissioner Hess seconded the motion.

Jason Allen	Yes
Robert Fox	No
Rod Hess	Yes
Brent Strong	Yes
Craig Whiting	No
Bryan Free	Not Voting - Alternate

The motion passed with a 3-2 vote. Commissioner Fox and Whiting believe there are too many things that need to be considered before approval.

7.B. 17.64: Alternative Energy Overlay Zone

Presentation summary: Staff has worked to create an overlay zone that would allow for the siting of energy projects of various types such as geothermal, solar, battery, natural gas, and nuclear in the City where deemed appropriate and feasible. The need for energy worldwide has grown tremendously, and besides the needs data centers have, energy availability is now the primary factor by which industries of all types are selecting new locations for manufacturing, distribution, research and development, and various other facilities. This overlay zone provides an opportunity for Eagle Mountain to attract preferred safe, clean, and renewable energy sources to the community to ensure the needs of its residents are met. These needs can include reliable energy, a better-distributed tax base, increased revenues for the City to improve services and infrastructure development, the addition of hundreds of jobs from both the energy generation and the companies that come for that energy, and so much more.

Discussion summary:

- Commissioner Hess and others discussed the importance of public input and the potential for new technologies to be included in the future.
- Commissioner Whiting suggested excluding water-cooled natural gas power plants from the overlay zone, other Commissioners agreed.
- Marcus Draper clarified that the City has full discretion to approve or deny rezone applications based on reasonable debatable grounds.
- The Commissioners expressed support for the overlay zone, with some concerns about the inclusion of small modular reactors within current City boundaries.

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

Bettina Cameron from the Eagle Mountain Nature and Wildlife Alliance made a submitted and made a public comment.

Commissioner Allen closed the public hearing at 8:57 p.m.

MOTION: *Commissioner Hess moved to recommend approval to the City Council of Item 7.B., 17.64: Alternative Energy Overlay Zone with the condition to exclude the use of water-cooled natural gas power plant. Commissioner Strong seconded the motion.*

Jason Allen	Yes
Robert Fox	Yes
Rod Hess	Yes
Brent Strong	Yes
Craig Whiting	No
Bryan Free	Not Voting - Alternate

The motion passed with a 4-1 vote.

7.C. Firefly NPA 6 Phase A Staff Report

Presentation Summary Points: In 2023, the Pole Canyon 2010 era Master Development Plan and Master Development Agreement were amended and re-stated to recompose the project into the Firefly planned community. The changeover included a collection of changes to layout and building design concepts. Submittal of this preliminary plat comes on the heels of the City's approval of the Firefly project. Firefly NPA 6 A is one among various anticipated plats to be submitted to the City for review and approval.

Applicant's statements summary: Heather Upshaw representing DAI Development/Candlelight Homes asked Commissioners and Staff if they had any questions.

Discussion summary points:

- Commissioner Whiting suggested adding more walkways for pedestrian access to the park.
- The Connectivity Index and whether the development met the standards were discussed. Senior Planner, Robert Hobbs, explained that they met the standard.

Commissioner Allen opened the public hearing at 9:16 p.m. As there were no comments, he closed the hearing.

MOTION: *Commissioner Allen moved to approve Item 7.C., Firefly NPA 6 Phase, with the condition that the screening wall meets code and the agreement. Commissioner Hess seconded the motion.*

Jason Allen	Yes
Robert Fox	Yes
Rod Hess	Yes
Brent Strong	Yes
Craig Whiting	Yes
Bryan Free	Not Voting - Alternate

The motion passed with a unanimous vote.

7.D. Interconnectivity Code amendment

Presentation Summary Points: Staff has come across a conflict in EMMC regarding internal connectivity of non-residential lots. EMMC 16.30.090.C.5.b.iii "encourages" cross-access between non-residential lots. EMMC 17.100.050.C.3 states that interconnection "shall" occur. The proposed text amendment removes the language that encourages internal connectivity. The connectivity is required to reduce the need to use public or private rights-of-way to travel from one lot to another when internal access can be provided.

Discussion summary points:

- The Commissioners discuss the importance of interconnectivity and agree to include the amendment in the recommendation to the City Council.
- Preventing vehicle trips back out on the road and improving connectivity were discussed.

Commissioner Allen opened the public hearing at 9:20 p.m. As there were no comments, he closed the hearing.

MOTION: *Commissioner Hess moved to recommend approval to the City Council of Item 7.D., Interconnectivity Code Amendment, with the condition to apply to the CN, CC, CR, MEC, and OP zones. Commissioner Whiting seconded the motion.*

Jason Allen	Yes
Robert Fox	Yes
Rod Hess	Yes
Brent Strong	Yes
Craig Whiting	Yes
Bryan Free	Not Voting - Alternate

The motion passed with a unanimous vote.

7.E. Sign Regulations and Permits Code Amendment

Presentation Summary Points: To establish an easier and clearer process for Staff to review and applicants to obtain permits for signs, Staff is proposing to make a few minor changes in how permits for signs are handled. It is proposed that building permits, when needed, will double as sign permits. Additionally, the proposed amendment clarifies when a typical sign permit will be needed and when a temporary sign permit will be needed. The remainder of the code amendment proposal includes minor text changes to clarify standards, updates to figures, and improvements to the review process for Staff.

Discussion summary points:

- Delineating between building permits and temporary sign permits and clarifying monument sign regulations were discussed.
- Commissioner Whiting suggested amending the sign removal requirement for those losing Primary Elections to be based on the certification of the primary results.
- The Commissioners agreed to the changes and approval the sign code amendments with the additional condition.

Commissioner Allen opened the public hearing at 9:25 p.m. As there were no comments, he closed the hearing.

1. MOTION: *Commissioner Whiting moved to recommend approval to the City Council of Item 7.E., Sign Regulations and Permits Code Amendment, with the addition that the language be amended for primary elections, signs come down five days after the canvassing of the votes, and to include Planner, Steven Lehmitz recommendations that building permits or sign permits will not be required for exempt signs, and to correct typo on EMMC 17.80.090(B)(1). Commissioner Allen seconded the motion.*

Jason Allen	Yes
Robert Fox	Yes
Rod Hess	Yes
Brent Strong	Yes
Craig Whiting	Yes
Bryan Free	Not Voting - Alternate

The motion passed with a unanimous vote.

5. Next Scheduled Meeting

The next Planning Commission meeting is scheduled for Wednesday November 12, 2025.

6. Adjournment

MOTION: *Commissioner Fox moved to adjourn the meeting at 9:31 p.m. Commissioner Strong seconded the motion.*

Jason Allen	Yes
Robert Fox	Yes
Rod Hess	Yes
Brent Strong	Yes
Craig Whiting	Yes
Bryan Free	Not Voting - Alternate

The motion passed with a unanimous vote.

The meeting was adjourned at 9:31 p.m.

Approved by the Planning Commission on

Brandon Larsen
Community Development Director

DRAFT



**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING
NOVEMBER 12, 2025**

TITLE:	General Plan Amendment
ITEM TYPE:	General Plan Amendment
FISCAL IMPACT:	N/A
APPLICANT:	Staff

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

PUBLIC HEARING

Yes

PREPARED BY

Elizabeth Fewkes, Planner

PRESENTED BY

Elizabeth Fewkes

RECOMMENDATION:

Staff recommends that the Planning Commission forward a positive recommendation to the City Council for approval of a General Plan Amendment to Chapter 9, Moderate Income Housing.

BACKGROUND:

On January 3, 2023, Eagle Mountain City amended the General Plan, Chapter 9 Moderate Income Housing, to incorporate State-required strategies. The inserted text inadvertently excluded the word “other” from Strategy 5. During the review of the 2025 Moderate Income Housing report, the State discovered and requested a correction of the error to fulfill the requirement for the strategies to use the exact wording found in Utah Code and to prevent misinterpretation. As Eagle Mountain City had followed the intent of Utah Code and requirements, the report was found to be in compliance despite the error.

This amendment updates Moderate Income Housing Strategy 5 to reflect Utah Code 10-9a-403(2)(b)(iii)(W):

“Demonstrate implementation of any **other** 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.”

ITEMS FOR CONSIDERATION:

N/A

PLANNING COMMISSION ACTION/RECOMMENDATION:

N/A

ATTACHMENTS:

1. General Plan Chapter 9 Amendment 11-12-2025 redlines

2. General Plan Chapter 9 Amendment 11-12-2025 clean

9.3 GOAL & OBJECTIVES

The following overall goal and action strategies represent Eagle Mountain’s planned approach for addressing the issues and opportunities related to the City’s Moderate Income Housing needs.

OVERALL GOAL FOR THE CHAPTER

Overall Moderate Income Housing Goal: Maintain and facilitate opportunities for moderate affordability and diverse housing sizes and products throughout the city with an emphasis on accessory dwelling units, home ownership, and promoting the use of existing development rights.

9.4 ACTION PLAN – HOW DO WE MAKE IT HAPPEN?

The following five (5) moderate income housing strategies are action items for achieving the overall goal and the objectives and were chosen from the strategies identified in UCA§10-9a-403(2)(b)(iii). Many action strategies will work to achieve more than one specified objective.

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

TIMELINE: The City currently allows for internal and detached accessory dwelling units throughout many residential zones in the city. City Code amendments were completed in 2021 to update the accessory dwelling unit chapter to fully comply with Utah Code and to reduce and further define regulations in relation to ADUs. Once per year, beginning in 2023, City staff will review the City’s Accessory Dwelling Unit code (EMMC Chapter 17.70) and provide a report to the Planning Commission and City Council of its status and effectiveness, and propose amendments, as needed.

ACTIONS/MEASURES:

- Track the number of approved internal ADUs
- Track the number of approved detached ADUs
- Track the number of new homes that include completed ADUs with the initial home construction
- Track the distribution of ADUs throughout the city

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.

TIMELINE: Public employees, including teachers, firefighters, police, city employees, and others often have a lower salary than many private sector employees and find it difficult to afford to live in the same city in which they work. Eagle Mountain desires to avoid that issue by helping these types of employees with a mortgage assistance program, and by July 1, 2024 will create this program.

ACTIONS/MEASURES:

- Create and approve a policy for a mortgage assistance program for public employees, outlining qualifications, requirements, and processes
- Contract with a partner, hire an employee, or designate an employee or department to oversee the program
- Track the number of people that receive a benefit from the program
- Track the number of employers or agencies with employees that benefit from the program

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.

Eagle Mountain City General Plan - Chapter 9 Moderate Income Housing – Approved 1/3/23

IMPLEMENTATION TIMELINE: The City currently does not charge impact fees for accessory dwelling units. The City will continue to find ways to reduce impediments to accessory dwelling units, specifically keeping fees as minimal as possible. Once per year, beginning in 2023, City staff will provide a report to the City Council outlining all City-required fees charged for ADUs, and will recommend changes, if necessary, to reduce fees.

ACTIONS/MEASURES:

- Eliminate impact fees for detached ADUs
- Review the Consolidated Fee Schedule and amend to reduce fees for ADUs, if necessary

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

IMPLEMENTATION TIMELINE: Creating a mechanism to transfer development rights (TDR) can be quite complicated and requires a good deal of research and consideration of the potential impacts, both positive and negative. A TDR code intends to provide additional tools for the City and for property owners to place density and moderate income housing in the locations that are best suited for those types of residential units. By January 1, 2026, the City Staff will propose a TDR code to the Planning Commission and City Council for their consideration.

ACTIONS/MEASURES:

- Prepare a draft TDR code
- Review a TDR code with the Planning Commission
- Review a TDR code with the City Council
- Adopt a TDR code
- Track the number of developments that utilize the TDR code

STRATEGY 5: Demonstrate implementation of any other 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.

IMPLEMENTATION TIMELINE: By December 31, 2024, the City will adopt a land use ordinance that requires 10% or more of new residential development in certain residential zones be dedicated to moderate income housing. By December 31, 2023, the City will also 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.

ACTIONS/MEASURES:

- Work with consultants to draft an “Affordable Housing Plan”
- Adopt an “Affordable Housing Plan” that identifies the planned uses for RDA housing allocation funds
- Present a draft land use ordinance to the Planning Commission and City Council
- Adopt a land use ordinance that requires 10% or more of new residential development in certain residential zones be dedicated to moderate income housing
- Track the number of projects that provide moderate income housing as more than 10% of their projects

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**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING
NOVEMBER 12, 2025**

TITLE:	Alternative Animal Management Plans and Other Zoning Provisions
ITEM TYPE:	Development Code Amendment
FISCAL IMPACT:	N/A
APPLICANT:	City-initiated

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

PUBLIC HEARING

Yes

PREPARED BY

Steven Lehmitz, Planner

PRESENTED BY

Steven Lehmitz

RECOMMENDATION:

Staff recommends the Planning Commission forward a positive recommendation to the City Council to adopt an ordinance amending the Eagle Mountain Municipal Code Title 6 and Title 17 to establish standards for alternative animal management plans and update other zoning provisions.

BACKGROUND:

On October 21, 2025, the City Council remanded the code amendment proposal back to the Planning Commission for their review. Staff was directed to make changes to Table 6.10.080 regarding the number of animals permitted on larger lots, to add language ensuring that the City Council was notified of the Planning Commission's decisions on alternative animal management plans, and to provide an avenue for structures housing animals to potentially be closer to neighboring properties with an approved alternative animal management plan

ITEMS FOR CONSIDERATION:

The Planning Commission should consider the potential consequences associated with the proposed code changes if approved. Ordinances pertaining to Development Code Amendments, and processing of the same, may be found in EMMC 17.05.120 & UCA 10-9a-501.

PLANNING COMMISSION ACTION/RECOMMENDATION:

On September 23, 2025, the Planning Commission forwarded a positive recommendation (3-0) to the City Council.

ATTACHMENTS:

1. Draft Code Amendment

6.05.260 Number of animals.

No person may harbor or possess more than the number of dogs shown in Table 6.05.260(a) or more than four cats, four months of age or older, without acquiring a short-term pet sitting license, kennel license, or a hobby breeder license for such use or facility from the city. Ownership of more than four cats without said licenses must be approved by the animal regulation coordinator for a legitimate business purpose.

Table 6.05.260(a)

Maximum Permitted Number of Dogs by Lot Size					
Dog Size	Lot Size	Dogs Allowed as Pets (No License Required)	Hobby Breeder License*	Short-Term Dog Sitting*	Kennel
Small	Condos/Apartments or Townhomes	2	n/a-N/A	2	n/a-N/A
Large		2	n/a-N/A	2	n/a-N/A
Small	Under 5,500 SF	2	4	4	n/a-N/A
Large		2	3	3	n/a-N/A
Small	5,501 – 8,000 SF	3	4	4	n/a-N/A
Large		3	4	4	n/a-N/A
Small	8,001 – 21,780 SF	4	6	6	n/a-N/A
Large		4	5	5	n/a-N/A
Small	21,781 SF – 1 Acre	4	6	6	n/a-N/A
Large		4	6	6	n/a-N/A
Small	> 1 Acre to < 10 Acres	4	8	8**	n/a-N/A
Large		4	8	8**	n/a-N/A
Small	> 10 Acres to < 20 Acres	6	12**	12**	As approved by PC
Large		6	12**	12**	As approved by PC
Small	> 20 Acres	8	16**	16**	As approved by PC
Large		8	16**	16**	As approved by PC
* Total number of dogs allowed on property					
** Additional dogs may be approved by the planning commission					

* Total number of dogs allowed on property

** Exceptions to these standards must be presented by the property owner through an alternative animal management plan to be heard by the Planning Commission. If an approved plan is violated or causes situations that become a nuisance to adjoining property owners, the approval shall be subject to revocation by the Planning Director or Code Enforcement Officer.

6.10.080 Residential livestock requirements.

A residential property may have a mix of the permitted animals so long as the required fencing area is provided. (Chickens, ducks, and similar fowl are exempted from these regulations and are allowed per EMMC [17.25.030](#), residential land use table.)

Table 6.10.080 – Residential Livestock Requirements*

Animal***	Max. Number Allowed on Lots				Available Fenced Area per Animal	Minimum Lot Size
	1/2 to 0.99 Acres	1 to 1.99 Acres	2 to 2.99 Acres	3 or More Acres		
Horse/Mule	0**	4	8	12 4 per acre	2,500 s.f.	1 Acre**
Buffalo Bison	0	2	4	6 2 per acre	2,500 s.f.	1 Acre
Cattle	2	4	8	12 4 per acre	2,500 s.f.	1/2 Acre
Donkey	2	4	8	12 4 per acre	2,500 s.f.	1/2 Acre
Llama	2	4	8	12 4 per acre	2,500 s.f.	1/2 Acre
Emu/Ostrich	4	8	12	16 5 per acre	500 s.f.	1/2 Acre
Sheep/Goat	4	8	12	16 5 per acre	500 s.f.	1/2 Acre
Pig (all kinds)	2	4	6	8 3 per acre	500 s.f.	1/2 Acre

* Exceptions to these standards must be presented by the property owner through an alternative animal management plan to be heard by the ~~p~~Planning ~~e~~Commission. ~~Approval of the plan by the commission shall be considered a conditional use and shall be subject to all required conditions.~~ If an approved plan is violated or causes situations that become a nuisance to adjoining property owners, the ~~conditional use approval~~ shall be subject to revocation by the ~~Planning Director or e~~Code ~~e~~Enforcement ~~or animal control e~~Officer.

** Two horses/mules allowed on one-half-acre+ properties within the equine overlay zone.

*** Any animal that a reasonable person would define as a half-size (or smaller) of an average adult animal shall count as a half-unit including offspring and miniature animals. Offspring shall not count towards maximum animal numbers until weaned.

Chapter 6.15

ALTERNATIVE ANIMAL MANAGEMENT PLANS

6.15.010 Application.

Individuals may propose an alternative animal management plan to the Planning Commission for their review and approval. Interested persons shall submit an application for an alternative animal management plan on forms prepared by the Planning Director. No alternative animal management plan shall be processed without the submission of the application and all supporting materials (including processing fee) as required by this chapter.

A. Supporting Materials. The alternative animal management plan application shall be submitted with the materials listed in this section. The Planning Director may determine and require that additional items not listed herein be submitted in order to evaluate the alternative animal management plan application.

1. Narrative. A detailed narrative explaining the reasons for an alternative animal management plan proposal.

2. Site Plan. A detailed site plan showing the entirety of the property. Provide locations of animals and their distances from the property lines and all adjacent residential dwellings.

3. Mitigation Plan. A detailed plan that describes mitigation efforts to reduce the impacts caused by animals or animal-related home businesses (i.e. sound, refuse, smell, flies, traffic, parking, etc.)

4. Applicable Photos. Detailed photos of where the animals are being housed, applicable fencing, etc.

5. Fee. The processing fee required by the current consolidated fee schedule approved by the City Council.

6.15.020 Approval process.

The approval process for an alternative animal management plan shall be as follows:

A. Planning Commission Public Hearing. Upon receipt of a completed application and subsequent review by the Planning Director or designee, the application shall be placed on the next available Planning Commission agenda for a public hearing no more than 45 days after a complete application has been submitted. The Planning Director shall cause all

property owners within 600 feet of the boundaries of the proposed application area (including a minimum of at least 25 adjacent property owners) to be notified by first class mail of the time and place of the public hearing at least 10 days prior to the Planning Commission meeting. A copy of the public notice of the hearing shall also be posted in three public places (including the City offices) within the City at least 10 days prior to the hearing.

B. Staff shall ensure that the Planning Commission agenda report is also made available to the City Council for their review.

C. Planning Commission Review. The Planning Commission will review each application and may approve, approve with conditions, or deny the application based upon findings of facts. The Planning Commission may also defer action if an applicant fails to appear at the Commission meeting or there is insufficient application information provided.

D. Within three days of the Planning Commission's review and action, Staff will inform the City Council of the action taken by the Planning Commission.

E. City Council Review. The action of the Planning Commission shall be final unless a member of the City Council requests that the alternative animal management plan be reviewed by the City Council within 15 days of the Planning Commission's action. If an alternative animal management plan application is placed upon a City Council meeting for action, the City Council shall be the land use authority.

6.15.030 Determination

The Planning Commission may approve an alternative animal management plan located within an agriculture or single-family residential zone. In approving an alternative animal management plan, the Planning Commission may impose such requirements and conditions necessary for the protection of adjacent properties and the public interest. The Planning Commission may approve an alternative animal management plan upon determining the following:

A. Health, Safety, and Welfare. That such use will not, under the circumstances, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity and will not institute a nuisance to property owners;

B. General Plan. That the proposed use does not conflict with the intent of the Eagle Mountain City general plan.

6.15.040 Considerations and standards.

In reviewing an application for an alternative animal management plan, the Staff and Planning Commission shall review, but not limit their review to, the following considerations

and standards. Some considerations and standards may only apply to animal-based home businesses:

A. The Site of the Structures or Use, and in Particular:

1. Adequacy of Site. The adequacy of the site to accommodate the proposed use and all related activities.

2. Screening. The location and possible screening of all outdoor accommodations and activities.

3. Adjoining Uses. The relation of the proposed buildings or use to any adjoining buildings with particular attention to protection of light, air, noise, and odor.

B. Traffic Circulation and Parking:

1. Street. The type of street serving the proposed use in relation to the amount of traffic expected to be generated.

2. Access. The adequacy, convenience, and safety of provisions for vehicular access and parking, including the location of driveway entrances and exits.

3. Truck Traffic. The amount, timing, and nature of associated truck traffic.

C. The Impact of the Proposed Buildings or Use on Surrounding Uses, and in Particular:

1. Impact of Patrons. The number of customers or users and the suitability of the resulting activity level to the surrounding uses and especially to any neighboring uses of public importance such as schools, libraries, playgrounds, religious or cultural meeting halls, and hospitals.

2. Hours of operation.

3. Off-Site Effects. Adequacy of provisions for the control of any off-site effects such as noise, dust, odors, light, or glare, etc.

4. Special Hazards. Adequacy of provisions for protection of the public against any special hazards arising from the intended use.

6.15.050 Optional conditions.

Applicants for alternative animal management plans shall meet all applicable requirements of this title. In addition, the Planning Commission may establish conditions and requirements as part of the approval that address concerns regarding safety for persons

and property, health and sanitation, nuisances, master plan proposals, and neighborhood characteristics. Specifically, the Planning Commission may require:

A. Conditions Relating to Safety of Persons and Property.

1. Increased Setbacks. Increased setback distances from lot lines where the Planning Commission determines it to be necessary to ensure the public safety and to prevent nuisances to adjacent properties.

2. Lighting. Limitations and control of the number, location, color, brightness, and height of lighting units used on the property.

B. Conditions Relating to Health and Sanitation.

1. Culinary Water. A guarantee of sufficient culinary water to serve the intended land use and a water delivery system meeting standards adopted by the City Council.

2. Wastewater. A wastewater disposal system and a solid waste disposal system meeting standards adopted by the City Council.

3. Sizing of Utilities. Construction of water mains, sewer mains, and drainage facilities serving the proposed use, in sizes necessary to protect existing utility users in the vicinity and to provide for an orderly development of land.

C. Conditions Relating to Environmental Issues.

1. Pollution. Processes for the control, elimination, or prevention of land, water, or air pollution; the prevention of soil erosion; and control of objectionable odors and noise.

2. Dust and Erosion. The planting of ground cover or other surfacing to prevent dust and erosion.

D. Conditions Relating to Compliance with the Intent of the General Plan and Characteristics of the Vicinity or Neighborhood.

1. Removal of Incompatible Materials. The removal of structures, debris, or other materials incompatible with the intended characteristics of the applicable zone.

2. Fences and Screening. Limitations or controls on the location, heights, and materials of walls, fences, hedges, and screen plantings to ensure a buffer between adjacent properties.

3. Landscaping. Landscaping to ensure compatibility with the intended characteristics of the applicable zone.

6.15.060 Inspection.

Following the approval of an alternative animal management plan by the Planning Commission, the City Staff shall ensure that site development and uses are conducted in compliance with the approved plan and any conditions that were applied. Upon request made by City Staff, property owners shall allow, within reasonable hours, an inspection of the property to determine compliance with the approved alternative animal management plan. The Planning Commission may request that alternative animal management plans be placed upon their agenda for review to ensure compliance with the conditions or requirements of approval as necessary. Failure to comply with the conditions or requirements of approval may result in the approval being revoked.

6.15.070 Noncompliance.

Owners of property where an alternative animal management plan has been approved shall be responsible for their property's compliance with the approval, conditions of approval, and the City's ordinances. Property owners that fail to maintain or violate the approval, conditions of approval, and City ordinances may have the approval revoked by the Planning Commission. Notice shall be given to the property owner that they have 14 days to correct a violation before the approval is revoked.

17.05.200 Tables.

Table 17.05.200(a) Public Hearing

	P.C. Hearing	C.C. Hearing	Notice Type	Notice Period	Affected Entities**
GENERAL PLAN					
General Plan*	Yes	Yes	Published in paper – Direct mailed notice to affected entities – Post notice in 3 public places	10 Days	Yes – Check definition of affected entity
LAND USE ORDINANCE					
EMMC Titles 16 , Subdivisions, and 17, Zoning: Requirements and Approvals	Yes	Yes	Published in paper – Direct mailed notice, with summary to be understood by a lay person, to property owners within 600 feet including at least 25 property owners and to affected agencies – Post notice in 3 public places	10 Days	Perhaps – Check definition of affected entity
HOME BUSINESS					
License Official Approval	No	No	N/A	N/A	N/A
Planning Commission Approval	Yes	No	Direct mailed notice to property owners within 300 feet including at least 15 property owners – Post notice in 3 public places	10 Days	N/A
ACCESSORY DWELLING UNITS (ADUs)					
Planning Director Approval	No	No	N/A	N/A	N/A
Planning Commission Approval	Yes	No	Direct mailed notice to property owners within 600 feet – Post notice in 3 public places	10 Days	N/A

Table 17.05.200(a) Public Hearing

	P.C. Hearing	C.C. Hearing	Notice Type	Notice Period	Affected Entities**
SIGN REGULATIONS					
Sign Permit – Planning Director Approval	No	No	N/A	N/A	N/A
Model Home Signage	No	No	N/A	N/A	N/A
Directional/Advertising Business Signage	No	No	N/A	N/A	N/A
ANIMAL MANAGEMENT PLANS					
Planning Commission	Yes	No	Direct mailed notice to property owners within 600 feet including at least 25 property owners – Post notice in 3 public places	10 Days	N/A
REZONING OF PROPERTY					
Rezoning	Yes	Yes	Published in paper – Direct mailed notice, with summary to be understood by a lay person, to property owners within 600 feet including at least 25 property owners and to affected entities – Post notice in 3 public places	10 Days	Perhaps – Check definition of affected entity (required if rezoning to a multi-unit residential, commercial, and industrial)
CONDITIONAL USE					
Conditional Use	Yes	No	Direct mailed notice to property owners within 600 feet including at least 25 property owners and to affected entities – Post notice in 3 public places	10 Days	Perhaps – Check definition of affected entity (required if rezoning to a multi-unit residential, commercial, and industrial)

Table 17.05.200(a) Public Hearing

	P.C. Hearing	C.C. Hearing	Notice Type	Notice Period	Affected Entities**
SITE PLAN REVIEW					
Site Plan Review	Yes	No	Direct mailed notice to property owners within 600 feet including at least 25 property owners and to affected entities – Post notice in 3 public places	10 Days	Perhaps – Check definition of affected entity (required if rezoning to a multi-unit residential, commercial, and industrial)
VARIANCES					
Variance	Yes <u>No</u>	No	Direct mailed notice to property owners within 600 feet including at least 25 property owners and to affected entities – Post notice in 3 public places <u>N/A</u>	10 Days <u>N/A</u>	Perhaps – Check definition of affected entity <u>N/A</u>

NOTES: Posting the agenda for a public meeting on the website (<http://emcity.org> <https://eaglemountain.gov/>) counts as a public place.

* The general plan requires a notice of intent of 10 days to prepare a plan amendment which is mailed or e-mailed to the affected entities.

** Affected entities include but are not limited to: State Planning Coordinator, Automated Geographic Reference Center, Utah Department of Transportation, Utah County, Mountainland Association of Governments, Alpine School District, Timpanogos Special Service District, Saratoga Springs, Fairfield, and Cedar Fort.

Table 17.05.200(b) Land Use Authority

	Land Use Authority	
	Advisory Body	Land Use Authority
GENERAL PLAN		
General Plan	Planning Commission	City Council
LAND USE ORDINANCE		

Table 17.05.200(b) Land Use Authority

	Land Use Authority	
	Advisory Body	Land Use Authority
EMMC Title 17 , Zoning	Planning Commission	City Council
EMMC Title 16 , Subdivisions: Requirements and Approvals	Planning Commission	City Council
HOME BUSINESS		
License Official Approval	None	License Official
Planning Commission Approval	License Official	Planning Commission*
ACCESSORY DWELLING UNITS (ADUs)		
Planning Director Approval	None	Planning Director
Planning Commission Approval	Planning Director	Planning Commission*
SIGN REGULATIONS		
Sign Permit – Planning Director	None	Planning Director
Model Home Signage	Planning Commission	City Council
Directional/Advertising Business Signage	Planning Commission	City Council
ANIMAL MANAGEMENT PLANS		
Animal Management Plan	Planning Commission Planning Director	City Council Planning Commission*
REZONING OF PROPERTY		
Rezoning	Planning Commission	City Council
CONDITIONAL USE		
Conditional Use Permit	Planning Director	Planning Commission*
SITE PLAN REVIEW		
Site Plan	Planning Commission	City Council
VARIANCES		
Variance	Planning Director	Planning Commission

* The eCity eCouncil reserves the right to become the land use authority by requesting that the item be scheduled for review and action by the eCouncil within 15 calendar days of the pPlanning eCCommission's action. See EMMC [17.05.170](#) for additional details.

Table 17.05.200(c) Appeal Authority

	Land Use Authority	1st Appeal		2nd Appeal		3rd Appeal	
		Days to Appeal	Body	Days to Appeal	Body	Days to Appeal	Body
GENERAL PLAN							
General Plan	City Council	30	District Court	N/A	None	N/A	None
LAND USE ORDINANCE							
EMMC Title 17 , Zoning	City Council	30	District Court	N/A	None	N/A	None
EMMC Title 16 , Subdivisions: Requirements and Approvals	City Council	30	District Court	N/A	None	N/A	None
HOME BUSINESS							
License Official Approval	License Official	10	Planning Commission	10	City Council	30	District Court
Planning Commission Approval	Planning Commission	10	City Council	30	District Court	N/A	None
ACCESSORY DWELLING UNITS (ADUs)							
Planning Director Approval	Planning Director	10	Planning Commission	10	City Council	30	District Court
Planning Commission Approval	Planning Commission	10	City Council	30	District Court	N/A	None
SIGN REGULATIONS							
Sign Permit - Planning Director	Planning Director	10	Planning Commission	10	City Council	30	District Court
Model Home Signage	City Council	30	District Court	N/A	None	N/A	None
Directional/Advertising Business Signage	City Council	30	District Court	N/A	None	N/A	None

Table 17.05.200(c) Appeal Authority

	Land Use Authority	1st Appeal		2nd Appeal		3rd Appeal	
		Days to Appeal	Body	Days to Appeal	Body	Days to Appeal	Body
ANIMAL MANAGEMENT PLANS							
Animal Management Plan	Planning Commission	10	City Council	30	District Court	N/A	None
REZONING OF PROPERTY							
Rezoning	City Council	30	District Court	N/A	None	N/A	None
CONDITIONAL USE							
Conditional Use Permit	Planning Commission	10	City Council	30	District Court	N/A	None
SITE PLAN REVIEW							
Site Plan	City Council	30	District Court	N/A	None	N/A	None
VARIANCES							
Variance	Planning Commission	10	City Attorney Council	30	District Court	N/A	None
ADMINISTRATIVE DECISIONS							
Nonconforming Use or Structure	Planning Director	10	City Attorney	30	District Court	N/A	None
Vested Rights	Planning Director	10	City Attorney	30	District Court	N/A	None
Administrative Decisions*	Planning Director	10	Planning Commission	10	City Council	30	District Court

*Administrative decisions include but are not limited to: interpretations of this title and the zoning map, etc.

17.25.040 Residential development standards.

This development standards table contains required standards for each residential zone in the city. More details and clarification are included as footnotes and as generally applicable provisions later in this chapter.

Residential Development Standards

General Plan Residential Category	Ag/Rural Density 1		Ag/Rural Density 2		Foothill Residential	Neighborhood Residential 1			Neighborhood Residential 2		Neighborhood Residential 3
	RA1	RA2	RD1	RD2	FR	R1	R2	R3	RC	MF1	MF2
Type of Housing	SF detached	SF detached	SF detached	SF detached	SF detached	SF detached	SF detached	SF detached	SF detached (small lot)	MF 2-6 units/building	MF ≤ 12 units/building
Maximum Gross Density										10 units/acre	20 units/acre
Minimum Residential Lot Sizes	5+ acres (217,800 sq ft)	2.5 acres (108,900 sq ft)	1 acre (43,560 sq ft)	1/2 acre (21,780 sq ft)	1/4 acre (10,890 sq ft)	1/4 acre (10,890 sq ft)	8,000 sq ft	6,500 sq ft	4,500 sq ft		
Minimum Average Lot Sizes ⁷				3/4 acre (32,670 sq ft)	1/2 acre (21,780 sq ft)	1/3 acre (14,520 sq ft)	1/4 acre (10,890 sq ft)	8,500 sq ft	6,000 sq ft		
Required Improved Open Space (in compliance with EMMC 16.35.105)				500 sq ft per lot	750 sq ft per lot	750 sq ft per lot	900 sq ft per lot	1,000 sq ft per lot	1,000 sq ft per lot	1,000 sq ft per 3 bd; 750 sq ft per 1 and 2 bd	1,000 sq ft per 3 bd; 750 sq ft per 1 and 2 bd
Primary Structure	35'	35'	35'	35'	35'	35'	35'	35'	35'	35' ⁸	35' ⁸ or 45' ⁹

Residential Development Standards

General Plan Residential Category	Ag/Rural Density 1		Ag/Rural Density 2		Foothill Residential	Neighborhood Residential 1			Neighborhood Residential 2		Neighborhood Residential 3	
	RA1	RA2	RD1	RD2		FR	R1	R2	R3	RC		MF1
Zone Designation												
Maximum Height ¹												
Accessory Structure Maximum Height ¹	35'	35'	35'	25'	20'	20'	20'	20'	20'	20'	20'	20'
Ancillary Structure Maximum Height ⁶	10' above primary structure											
Minimum Lot Frontage ²	150'	150'	125'	100'	90'	85'	80'	62'	58'	Townhouses ^{2b} Apartments ^{2c}	Townhouses ^{2b} Apartments ^{2c}	
Minimum Lot Frontage (cul-de-sac or circle)	100'	100'	75'	60'	50'	45'	40'	20'	20'	Townhouses ^{2b} Apartments ^{2c}	Townhouses ^{2b} Apartments ^{2c}	
Minimum Dwelling Size (excluding garage)	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft	800 sq ft	800 sq ft	800 sq ft	650 sq ft	650 sq ft	
Minimum Setbacks for Primary Structures ³												
Front	35'	35'	30'	25'	25'	25'	25'	15'	15'	15'	15'	
Front Garage	45'	45'	40'	30'	25'	25'	25'	22'	22'	22' ⁵	22' ⁵	
Rear	35'	35'	35'	35'	35'	25'	20'	20'	20'	30' between buildings		
Side	20'	20'	15'	10'	10'	10'	8'	8'	8'	15' between	20' between	

Residential Development Standards

General Plan Residential Category	Ag/Rural Density 1		Ag/Rural Density 2		Foothill Residential	Neighborhood Residential 1			Neighborhood Residential 2		Neighborhood Residential 3	
	RA1	RA2	RD1	RD2		FR	R1	R2	R3	RC		MF1
Zone Designation											building s	building s
Garage Side	20'	20'	15'	15'	10'	10'	10'	10'	10'	15'	between building s	20' between building s
Street Side	25'	25'	25'	25'	15'	15'	15'	15'	15'	15'	15'	15'
Maximum Footprint Coverage of Accessory Structure(s) ⁴					10%							
Minimum Setbacks for Accessory Structures ³												
Front	Same as principal structure											
Rear	10'	10'	10'	10'	5'	5'	5'	5'	5'	5'	5'	5'
Side	10'	10'	10'	10'	5'	5'	5'	5'	5'	5'	5'	5'
Street Side	Same as principal structure											
Distance from a Residential Dwelling	Structures housing animals: 50' from neighboring residences ¹⁰ ; 6' for all other structures				6'	6'	6'	6'	6'	6'	6'	6'
Site Plan Approval Required (See Chapter 17.100 EMMC)											Yes	Yes

¹ Height is measured from the average of the highest finished grade and the lowest finished grade of the structure to the highest point of the roof, excluding ancillary structures. Where permitted by EMMC [17.25.030](#), the maximum height of accessory dwelling units (ADUs) located above a detached garage is 35 feet.

² Lot frontage is measured at the street property line. Lot frontage shall vary by at least five feet every three or four lots in the R3 and RC zones.

^{2b} Townhouse buildings in MF1 and MF2 zones shall completely front/abut on, and be accessed via, streets, not service drives.

^{2c} Lots with apartment buildings thereon in MF1 and MF2 zones shall front/abut streets, but may have their parking spaces/lots accessed either via service drives or streets.

³ Setbacks shall only apply to structures that require a city building permit or approval. No structure which cannot be removed shall be constructed across an easement. Up to a 10 percent variation in setbacks may be approved by the planning director and building official if the variation is deemed appropriate due to an issue with slope, unique lot configuration, or other unique circumstance. Guidance regarding allowed projections into setbacks is outlined in EMMC [17.25.060](#).

⁴ Maximum footprint coverage is the total coverage on the lot of all accessory structures.

⁵ Driveway length exceptions for multifamily developments may be requested and considered at the discretion of the approval authority with a preliminary plat or site plan.

⁶ Ancillary structures include chimneys, television antennas, or other structures that are generally located on the roof of a residential building.

⁷ For approval of a preliminary plat or amended preliminary plat, the minimum average lot size is calculated across an entire preliminary plat or large neighborhood, and is verified by the approval authority of a preliminary plat. If a preliminary plat exceeds 80 acres, the average lot size may be required in smaller neighborhoods/plats. Each original final plat does not have to comply with the average lot size, but shall include some variation of lot sizes in the plat. Outlier lots that are substantially larger than the others will not be counted in the average lot size calculation. Amended final plats shall comply with the average lot size requirements of this section. For amended final plats, the minimum average lot size is calculated using only the portion of the plat that the amendment changes.

⁸ Multifamily dwelling structures shall contain no more than three stories.

⁹ Multifamily dwelling structures with a minimum roof pitch of 5/12 or flat roofs with rooftop amenities may be constructed with three stories up to 45 feet high.

¹⁰ Structures housing animals may be closer to neighboring residences with an approved alternative animal management plan. Accessory structure minimum setbacks will still apply.

17.65.050 Approval process.

Home business licenses shall be approved by the ~~L~~icense ~~e~~Official, or designee. Any petition for a minor exception from the standards listed in EMMC [17.65.060](#)(A) through (F) may be approved administratively at the discretion of the ~~L~~icense ~~e~~Official if the exception does not adversely impact surrounding residents or affect the residential characteristics of the neighborhood, or significantly increase traffic or the demand on utilities. Any other petition for an exception from the standards in this chapter requires approval by the ~~p~~lanning ~~e~~Commission before the license may be issued or renewed. In addition, any home business currently in operation that constitutes a nuisance may also be required to go before the ~~p~~lanning ~~e~~Commission for continued use of the license and operation of the

business. If the ~~p~~Planning ~~e~~Commission denies the continued use of the license, the license shall not be renewed.

17.65.100 Appeals.

Aggrieved applicants may appeal the decision of the license official, or designee, to the ~~p~~Planning ~~e~~Commission within 10 days of the announced decision. In all cases, the appeal board shall ~~conduct a public hearing and~~ review the application of the proposed business. The ~~p~~Planning ~~e~~Commission may approve, approve with conditions, or deny the application of the proposed home business.

Aggrieved applicants may appeal the decision of the ~~p~~Planning ~~e~~Commission to the ~~e~~City ~~e~~Council within 10 days of the announced decision. In all cases, the appeal board shall ~~conduct a public hearing and~~ review the application of the proposed business. The ~~e~~City ~~e~~Council may approve, approve with conditions, or deny the application of the proposed home business.

Aggrieved applicants of the ~~e~~City ~~e~~Council's decision may appeal to district court within 30 days of the announced decision.

17.70.040 Accessory dwelling unit permit.

Any person owning an existing accessory dwelling unit that has not been permitted by the eCity, or any person constructing or causing construction of a residence that has an accessory dwelling unit, or any person remodeling or causing the remodeling of a residence for an accessory dwelling unit, shall obtain an accessory dwelling unit permit from the pPlanning dDivision of the eCity's eCommunity dDevelopment dDepartment. This shall be in addition to any required building permit for the work to be performed. The applicant shall obtain all necessary building permits and pay all applicable fees prior to constructing the ADU, including permits for a basement that was finished previously without a permit. Accessory dwelling units constructed without an approved accessory dwelling unit permit shall be considered illegal until a permit is submitted to and approved by the eCity.

A. Applications. Applicants for an accessory dwelling unit shall submit a complete application and the supporting materials listed in this section to the pPlanning dDivision of the eCommunity dDevelopment dDepartment.

1. Owner Signature. The owner shall sign the application, agreeing to occupy the dwelling (either the primary unit or the ADU), except for bona fide temporary absences, and agreeing to comply with the standards in this chapter.
2. Site Plan. A site plan shall be provided that shows property lines, dimensions, the location of existing buildings and building entrances, proposed buildings or additions, dimensions from buildings to property lines, the location of required off-street parking, and utility meters.
3. Floor Plan. A detailed floor plan, to scale, showing the floor in which the accessory dwelling unit will be located, including labels on rooms indicating uses or proposed uses, shall be provided.
4. Evidence of Building Permit. Evidence shall be provided that a building permit was obtained for the building and/or area containing the accessory dwelling unit.
5. Fee. The processing fee required by the current eConsolidated fFee sSchedule approved by the eCity eCouncil shall be paid in full.

B. Planning Director or Designee Approval. The pPlanning dDirector or designee shall approve an accessory dwelling unit application if it is in complete compliance with all the approval criteria standards identified in this chapter. As part of the pPlanning dDirector's or designee's review, inspections may be required by the pPlanning, or bBuilding Divisions, and/or fFire dDepartments.

C. Exceptions to Standards. Accessory dwelling unit applications that deviate from the approval criteria may be considered by the **pP**lanning **eC**ommission in a public meeting. After conducting a public hearing and reviewing the application, the **pP**lanning **eC**ommission may approve, approve with conditions, or deny the application exception request. Applicants requesting exceptions are not guaranteed approval and must provide evidence that the exceptions will not create negative impacts on neighboring properties. Conditions must be connected to the exceptions being requested, and may include increased setbacks, limitations on windows and doors adjacent to abutting property lines, privacy fencing, and additional parking. Exceptions shall not be granted for the number of accessory dwelling units, owner occupation, permanent utility connections, attachment to permanent foundations, building permit requirements, exterior appearance, off-street parking, addressing, and for short-term rentals.

D. Transfer of Ownership. Upon sale of the home or transfer of ownership, accessory dwelling unit permits shall remain valid so long as the accessory dwelling unit is in compliance with the **eC**ity's ordinances and conditions of approval.

17.70.050 Noncompliance.

Owners of the single-family dwelling where the accessory dwelling unit use has been approved shall be responsible for their property's compliance with the **eC**ity's ordinances and conditions of approval. Property owners who fail to maintain or violate the **eC**ity's ordinances regulating accessory dwelling unit use or conditions upon which approval was contingent may have the accessory dwelling unit permit revoked by the **pP**lanning **eD**irector, designee or **pP**lanning **eC**ommission. Enforcement will occur in accordance with Chapter 4.10 EMMC, Article V, Administrative Code Enforcement Hearing Program.

17.105.050 Approval process.

A. Upon receipt of a complete application, the ~~p~~Planning ~~d~~Director shall set a date for the ~~p~~Planning ~~e~~Commission to consider the request for a variance. ~~Upon receipt of a complete application, the planning director shall schedule the application for a public hearing before the planning commission. The planning director shall cause all property owners within 600 feet of the boundaries of the proposed application area (including a minimum of at least 25 adjacent property owners and affected entities if there be any) to be notified by first class mail of the time and place of the public hearing at least 10 days prior to the planning commission meeting. A copy of the public notice of the hearing shall also be posted in three public places (including the city offices) within the city at least 10 days prior to the hearing.~~

B. Prior to the ~~p~~Planning ~~e~~Commission meeting at which the variance application is scheduled to be heard, the ~~p~~Planning ~~d~~Director shall transmit the application materials together with a written analysis of the variance application, pertinent facts, a review of applicable regulations and a formal ~~s~~Staff recommendation to the ~~p~~Planning ~~e~~Commission.

C. The ~~p~~Planning ~~e~~Commission shall consider the variance request, together with all pertinent facts, applicable regulations and the ~~s~~Staff recommendation and shall take action to approve, approve with modifications, disapprove or request further information prior to rendering a final determination on the variance application.