



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

October 11, 2022, 5:30 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

COMMISSION MEMBERS PRESENT: Jason Allen, Jeremy Bergener, Matthew Everett, and Erin Wells, and Alternate Commissioner Brent Strong. Commissioner Christopher Pengra was excused.

ELECTED OFFICIALS PRESENT ELECTRONICALLY: Councilmember Colby Curtis, Liaison to the Planning Commission.

CITY STAFF PRESENT: Steve Mumford, Assistant City Administrator/Community Development Director; Todd Black, Wildlife Biologist/Environmental Planner; and Robert Hobbs, Planning Manager.

CITY STAFF PRESENT ELECTRONICALLY: Elizabeth Fewkes, Recording Secretary.

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

Commissioner Everett called the meeting to order at 6:37 p.m.

1. Pledge of Allegiance

Commissioner Everett led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None.

3. Approval of Meeting Minutes

3.A. September 27, 2022 Planning Commission Minutes

MOTION: *Commissioner Allen moved to approve the September 27, 2022 minutes. Commissioner Wells seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Jason Allen</i>	☐ <i>Jason Allen</i>	☐ <i>Jason Allen</i>	☐ <i>Jason Allen</i>
☒ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>
☒ <i>Matthew Everett</i>	☐ <i>Matthew Everett</i>	☐ <i>Matthew Everett</i>	☐ <i>Matthew Everett</i>
☐ <i>Chris Pengra</i>	☐ <i>Chris Pengra</i>	☐ <i>Chris Pengra</i>	☒ <i>Chris Pengra</i>
☒ <i>Erin Wells</i>	☐ <i>Erin Wells</i>	☐ <i>Erin Wells</i>	☐ <i>Erin Wells</i>
☒ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>

The motion passed with a unanimous vote.

As Commissioner Pengra was absent, Alternate Commissioner Brent Strong voted.

4. Status Report

Planning Manager Robert Hobbs reviewed the planning items discussed and voted upon during the October 4, 2022 City Council meeting.

Wildlife Biologist/Environmental Planner Todd Black gave an update on cooperative agreements that were approved during the October 4, 2022 City Council meeting between Eagle Mountain City, the Utah Department of Transportation, and the Utah Department of Natural Resources Division of Wildlife Resources for the first Thermal IR/Li-DAR advanced warning system in Utah installed on Wride Memorial Highway. Upcoming projects to protect the Tickville Wash include restoration, erosion control, revegetation of the Tickville Wash, and the installation of dams. The check dams and beaver dam analogs (BDAs) disburse the energy and flow of flash flooding to spread out sediment to revegetate the wash. The efficacy of the dams will be monitored and more will be installed if the test dams are successful.

5. Discussion Items

5.A. DISCUSSION ITEM – Review of Proposed Draft Text Amendments Regarding the Wildlife Corridor Overlay Zone

Mr. Black presented the item. With input from the Division of Wildlife Resources and the Eagle Mountain Nature and Wildlife Alliance, the Wildlife Corridor Overlay Zone was established in Eagle Mountain Municipal Code Chapter 17.49 in March of 2021. As written, the standards address the mule deer migration through the City. Proposed revisions maintain the intent of the overlay, clarify standards, and add Section 17.49.090 Noncompliance with a Wildlife Overlay Zone. The overlay provides a means to reduce the continuing loss and fragmentation of these corridors and wildlife habitats while simultaneously accommodating acceptable and appropriate improvements to the area without changing the underlying zoning.

The proposed amendment:

- Adds 29 additional definitions of words and phrases;
- Provides a methodology to identify areas appropriate for the overlay;
- Expands on partial coverage;
- Adds recommendations for owners of land adjacent to the overlay to consult with a wildlife biologist or environmental planner and use Eagle Mountain seed mix to revegetate undeveloped areas;
- Adds new language to EMMC 17.49.080 concerning motorized vehicles, new roads, OHV trails, seasonal closures, hours of use, and domesticated animals; and
- Adds a penalty of \$5,000 to \$25,000 per day for each day of violation until the violation has been resolved and the disturbed area has been restored to an acceptable natural state as approved by the Eagle Mountain Wildlife Biologist and the City Council.

Mr. Black noted that the proposed amendments are a draft that has yet to be reviewed by legal counsel and the language for EMMC 17.49.090 was adapted from stormwater standards.

Commissioner Allen supported the addition of standards for noncompliance to demonstrate the importance of the overlay to the City.

Commissioner Wells expressed concern with the severity of the proposed penalties, the prohibiting of new roads except for those identified in the 2022 Transportation Master Plan, and domesticated animal restrictions. She feels that EMMC 17.49.030(C)(2), “In areas where any street or street systems (see 16.35.070) are deemed necessary, wildlife crossing structures shall be constructed using the best available science,” may create too high of a burden for developers. She recommended changing the verbiage to allow the developers to work with staff to determine the appropriate wildlife crossing.

Mr. Black said the high penalty amount is meant as a deterrent and to serve as an available option for enforcement rather than a requirement. He explained that threatened and endangered species are determined by the U.S. Fish and Wildlife Service and species of concern are determined by the Utah Division of Wildlife Resources. Domesticated animal restrictions are intended to be seasonal to prohibit interference with migration. He plans to present mitigation strategies at a future meeting to balance the functionality of the corridor with property owner rights. Elk avoid conflicts with humans better than mule deer and over and underpasses could be built to accommodate larger animals.

Commissioner Bergener said he appreciates the refinement of the standards and looks forward to input from the City Attorney and the public to assist with directing revisions. Because of the way the standards are written, he is unconcerned with the potential penalty amounts.

Commissioner Everett invited interested parties to continue to work with the City and Mr. Black throughout the process.

5.B. DISCUSSION ITEM – Pole Canyon Project Concept Update

Applicant representatives Nate Shipp with DAI Utah, David Vitek the president of the homebuilding division of DAI Utah, and Jared Westhoff with Oquirrh Wood Ranch presented the item. They partnered with other groups to redesign their 2,700-acre project with 9,659 vested units located within the existing Pole Canyon Master Development Area to center around over 420 acres of connected parks, trails, and open space, double the Municipal Code requirement, to create a community to encourage youth to spend time outside. Key features of the plan include:

- A northern sports park that offers a regional trail, multipurpose sports fields, playground, concessions, restroom, parking, pickleball courts, basketball courts, skatepark, pump track, and underpass;
- A themed homeowner’s association playland amenity with an indoor/outdoor playground, underpass amphitheater, amenity building, splash pad, entry plaza, boulder climbing feature, event/sports lawn, parking, and regional trail; and

- An outdoor adventure area, located in a portion of the property currently dedicated to the Boy Scouts of America that will revert back to the developer. The amenity will have a viewing platform, shade overlook, beginner downhill bike course, intermediate downhill bike course, advanced downhill bike course, parking lot, water tower, and access road.

The landscaping will have a combination of grass areas and native, drought-tolerant plants. The density of the new plan remains at the same total of 9,659 residential dwelling units but relocates 1,358 residential dwelling units from the western portion of the development to the east of Wride Memorial Highway. The west side of the development has 105 horse properties and equestrian trails. They plan to partner with 4H, Future Farmers of America, and high school rodeo programs. The regional commercial uses will be moved to the east near the anticipated location of the future freeway. Neighborhood Commercial uses will be centered around collector roads and multifamily areas. Their model is to plan for public schools and work with private schools to have elementary schools open when the homes are built. Currently, Pole Canyon has a local area district that will be bonding for the master infrastructure associated with the project. Due to legislative and financial changes, the amended MDA requests to create a public improvement district (PID).

Discussion ensued regarding the following:

- The need to consider land and locations for schools;
- The maintenance and availability of the amenities;
- The 20-to-30-year estimated timeframe to complete the project and the potential for the development to take longer than anticipated;
- Requests for exceptions to Municipal Code standards to permit a wider variety of products on more narrow, smaller lots with shorter driveways that will be presented at the next meeting;
- Concerns with animal conflicts with ATVs;
- Apprehension with PIDs; and
- The terms of the Pole Canyon annexation require the local area district to be responsible for the infrastructure expansions only serving Pole Canyon.

6. [Action and Advisory Items](#)

None.

7. [Next scheduled meeting](#)

The next scheduled Planning Commission meeting is scheduled for October 25, 2022.

The Commission discussed upcoming items, Planning Commissioner training requirements, and potentially canceling or rescheduling the November 22, 2022 meeting due to the Thanksgiving holiday.

Commissioner Everett requested to have training requirements added to an agenda as a discussion item and for the Commissioners to inform him of any Municipal Code amendments they would like added to an agenda.

8. Adjournment

MOTION: *Commissioner Strong moved to adjourn the meeting at 9:09 p.m.
Commissioner Allen seconded the motion.*

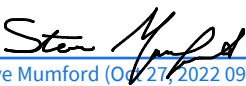
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The motion passed with a unanimous vote.

As Commissioner Pengra was absent, Alternate Commissioner Brent Strong voted.

The meeting was adjourned at 9:09 p.m.

Approved by the Planning Commission on October 25, 2022.


Steve Mumford (Oct 27, 2022 09:54 MDT)
Steve Mumford, AICP
Assistant City Administrator/Community Development Director

10.11.22 PC Approved Minutes-not signed

Final Audit Report

2022-10-27

Created:	2022-10-26
By:	Shawna Ellis (sellis@emcity.org)
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"10.11.22 PC Approved Minutes-not signed" History

-  Document created by Shawna Ellis (sellis@emcity.org)
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-  Document emailed to Steve Mumford (smumford@emcity.org) for signature
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-  Email viewed by Steve Mumford (smumford@emcity.org)
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