



## EAGLE MOUNTAIN PLANNING COMMISSION MEETING

**October 10, 2023, 5:30 PM**

Eagle Mountain City Council Chambers

1650 East Stagecoach Run, Eagle Mountain, Utah 84005

### **5:30 P.M. - Eagle Mountain City Planning Commission Work Session**

#### **DISCUSSION -- Agriculture Zone Land Use Allowances**

Planning Review of and discussion regarding the land use allowances contained in the AG Zone. Should additional use types/categories be added to the zone, conversion of some or all of any CUP requirements to Special Uses instead, prohibition or elimination of certain uses or previously allowed uses etc.

[Ag zone](#)

#### **1. Discussion Items**

##### **1.A [DISCUSSION - City Trails Database](#)**

##### **1.B [DISCUSSION -- Industrial Zone Code Amendments](#)**

Planning Commission review and discussion of a draft Industrial Zone code amendment intended to reformat the Industrial district chapter -- including consideration of appropriate land uses and controls thereof compared to current allowances and restrictions.

[Draft Industrial Zone Amendments](#)

##### **1.C [DISCUSSION -- Agriculture Zone Code Amendments](#)**

Planning Commission review and discussion regarding land use allowances in the Agriculture zone. Consideration regarding adding or eliminating land use types, conversion of CUP to Special Uses, changing what is allowed or prohibited for already listed uses, etc.

[Ag zone](#)

### **6:30 P.M. - Eagle Mountain City Planning Commission Policy Session**

#### **2. Pledge of Allegiance**

#### **3. Declaration of Conflicts of Interest**

#### **4. Approval of Meeting Minutes**

##### **4.A September 26, 2023 Planning Commission Minutes**

5. **Status Report**

6. **Action and Advisory Items**

6.A **ACTION ITEM -- Cedar Pass Ranch Plat F Amendment Recommendation**

Planning Commission review and recommendation concerning a proposed plat note amendment pertinent to Lot 85 in Cedar Pass Ranch Plat F. The change is intended to allow Lot 85 to have a 35' front setback in lieu of the 50' setback originally required by the plat.

[Jewkes Signed Petition](#)

[Jewkes aerial view.Oct 2023](#)

[Jewkes Plat amendment proposal](#)

[Jewkes Amended Plat](#)

[Site plan](#)

[Jewkes site plan - HOA](#)

7. **Discussion Items**

7.A **DISCUSSION -- Multiple-Family Maximum Building Height Change to 45 Feet**

Planning Commission Review and Discussion Concerning Amending Code to Allow Multiple-Family Buildings in the MF-1 and MF-2 Zones to be up to 45 Feet vs. 35 Feet.

8. **Next scheduled meeting**

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



**EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING  
OCTOBER 10, 2023**

**TITLE:** DISCUSSION -- Agriculture Zone Land Use Allowances

**ITEM TYPE:** Discussion

**APPLICANT:** Eagle Mountain City

**ACTION ITEM:**

No

**PUBLIC HEARING:**

No

**PREPARED BY:**

Robert Hobbs, Planning

**BACKGROUND:**

**ITEMS FOR CONSIDERATION:**

**REQUIRED FINDINGS:**

**RECOMMENDATION:**

**ATTACHMENTS:**

[Ag zone](#)

# Chapter 17.20

## AGRICULTURE ZONE

Sections:

- 17.20.010 What this chapter does.**
- 17.20.020 Purpose and objective.**
- 17.20.030 Permitted uses.**
- 17.20.040 Permitted accessory uses and structures.**
- 17.20.050 Conditional uses.**
- 17.20.060 Prohibited uses.**
- 17.20.070 Right to farm.**
- 17.20.080 Lot size requirements.**
- 17.20.090 Setbacks – Primary structures.**
- 17.20.100 Setbacks – Accessory structures.**
- 17.20.110 Driveways.**
- 17.20.120 Lot frontage and width requirements.**
- 17.20.130 Building height.**
- 17.20.140 Minimum dwelling size.**
- 17.20.150 Open space requirements.**
- 17.20.160 Supplementary regulations.**
- 17.20.170 Previous zoning district equivalents.**

### 17.20.010 What this chapter does.

This chapter establishes the land use regulations for the agriculture zone in Eagle Mountain City, including permitted and conditional uses, minimum land use standards, and other agriculture-related provisions. [Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.1)].

### 17.20.020 Purpose and objective.

The purpose and objective of this chapter is to allow for the continuation of agricultural pursuits on parcels that are currently being used for such purposes and to provide areas for large open lands where residents may live, own farm animals and otherwise use large parcels for agricultural purposes and other uses deemed to be appropriate in the zone. Agriculture as a land use in Eagle Mountain City is encouraged. [Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.2)].

### 17.20.030 Permitted uses.

The following land uses shall be permitted uses in the agriculture zone. Any use not specifically permitted in this chapter shall be prohibited.

- A. Single-family detached dwellings.

B. Agricultural uses such as row crops, livestock boarding, grazing and associated cultivating and herding activities; provided, that such grazing and associated activities are not part of, nor conducted in conjunction with, any livestock feed yard, livestock sales yard, or any other confined feeding facilities, fur-bearing operation, or animal by-product business.

C. Public and private utility structures or facilities.

D. Public parks.

E. Religious or cultural meeting hall.

F. Home Businesses (as allowed by this title).

G. Accessory Dwelling Units (ADUs) in accordance with the standards contained in this title.

H. Stables

I. Commercial riding arena.

J. Equestrian center.

K. Equine assisted therapy center.

L. Public/Charter school.

[Ord. O-04-2023 § 2 (Exh. A); Ord. O-11-2017 § 2 (Exh. A); Ord. O-23-2005 § 3 (Exh. 1(1) § 4.3)].

## **17.20.040 Permitted accessory uses and structures.**

Accessory uses and structures are permitted in the agriculture zone; provided, that they are incidental to, and do not substantially alter the character of, the permitted principal uses or structures. Such permitted accessory uses include, but are not limited to, the following:

A. Accessory buildings such as barns, garages, greenhouses, gardening sheds, recreation rooms, and similar structures that are customarily used in conjunction with the primary uses in this district.

B. Windmills, silos, tank houses, buildings or shelters for farm equipment and machinery, water wells, water reservoirs and storage tanks.

C. Stands for the purpose of displaying and selling agricultural or farming products that are grown or produced on the premises on which the stand is located. Such stand shall not exceed 300 square feet in size and shall be limited to one stand per parcel of property.

D. Structures required for the housing, nurture, confinement or storage of animals, crops or products that are lawfully permitted or produced on the property. [Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.4)].

## **17.20.050 Conditional uses.**

The following conditional uses and such uses as the planning director and planning commission may recommend as similar and consistent with the scale, character and impact of the area will be considered:

A. Limited processing of agricultural products.

B. Radio, microwave or other transmission towers.

~~C. Home businesses (as allowed by this title).~~

~~D. Accessory dwelling units (ADUs) in accordance with the standards contained in this title.~~

~~E. Commercial hunting areas as a temporary land use with no long-term vesting.~~

~~F. Stables.~~

~~G. Commercial riding arena.~~

~~H. Equestrian center.~~

~~I. Equine assisted therapy center.~~ [Ord. [O-04-2023](#) § 2 (Exh. A); Ord. [O-41-2021](#) § 1 (Exh. A); Ord. [O-09-2019](#) § 2 (Exh. A); Ord. [O-21-2017](#) § 2 (Exh. A); Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.5)].

## **17.20.060 ~~Prohibited uses Reserved.~~**

~~The following are prohibited uses and such uses as the planning director and planning commission determine to be similar or consistent with the prohibited use:~~

~~A. Large-scale packaging or processing operations.~~

~~B. The raising or keeping of fur-bearing animals, or the operation of commercial stockyards, or feed yards, slaughterhouses, rendering facilities, or concentrated animal production operations such as hog or poultry farms (except as allowed as pre-existing nonconforming uses).~~

~~C. On-site sale of agricultural products in excess of what is allowed by this chapter.~~

~~D. Multifamily dwellings.~~

~~E. Sexually oriented businesses. [Ord. O-23-2005 § 3 (Exh. 1(1) § 4.6)].~~

## **17.20.070 Right to farm.**

Property owners of parcels that are zoned agriculture in Eagle Mountain City shall be deemed to have the right to conduct agricultural activities as allowed in this zone. Unless agricultural activities are creating a health or safety concern for the general public, such activities may continue without interruption in this zone. While residents residing adjacent to or near agricultural activities may experience noxious smells, noise or late and early hours of operation, such intrusions are understood to be a common element of routine and permissible agricultural activities. [Ord. O-23-2005 § 3 (Exh. 1(1) § 4.7)].

## **17.20.080 Lot size requirements.**

The following lot size requirements shall apply to this district:

The minimum lot size for single-family detached dwellings in this zone is five acres. Other uses may require a minimum size greater than five acres and will be evaluated by the planning commission on an individual basis to determine if more property is required to reasonably accommodate the proposed use. [Ord. O-23-2005 § 3 (Exh. 1(1) § 4.8)].

## **17.20.090 Setbacks – Primary structures.**

Primary structures in this zone shall maintain a setback of no less than 50 feet from any property line. ~~Setbacks shall only apply to structures that require a city permit or approval.~~ No structure which ~~requires a building permit cannot be removed~~ shall be constructed across an easement. [Ord. O-23-2005 § 3 (Exh. 1(1) § 4.9)].

## **17.20.100 Setbacks – Accessory structures.**

Accessory structures in this zone shall not be located within 50 feet of the front property line ~~any front yard~~ and shall maintain a setback of not less than 10 feet from any side or rear property line, or 15 feet if the lot is on a corner. Setbacks shall only apply to structures that require a city permit or approval. No structure which cannot be removed shall be constructed across an easement. [Ord. O-23-2005 § 3 (Exh. 1(1) § 4.10)].

## **17.20.110 Driveways.**

Residential driveways shall comply with the following standards:

A. Slopes. Driveways shall not exceed grades of 12 percent. The building official may approve driveway slopes that exceed 12 percent in circumstances that are deemed necessary because of the topographical conditions.

B. Clear Vision Triangle. Residential driveways when feasible shall not be permitted in the clear vision triangle at local streets as described in this title.

C. Driveway Length. Residential driveways shall be a minimum of 22 feet from the property line. [Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.11)].

### **17.20.120 Lot frontage and width requirements.**

All property within this zone shall have a lot frontage of no less than 100 feet. [Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.12)].

### **17.20.130 Building height.**

No primary structures shall exceed 35 feet in height. No accessory structures shall exceed 50 feet in height, except windmills as approved by staff. [Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.13)].

### **17.20.140 Minimum dwelling size.**

The minimum dwelling size in the agriculture zone for single-story dwellings shall be 1,000 square feet on the main floor plus a 400-square-foot garage. Two-story dwellings shall be 800 square feet on the main floor, 200 square feet on the second floor and shall have a 400-square-foot garage. Garages shall be a minimum of 20 feet wide by 20 feet deep. Garages that are 18 feet wide may be allowed if the total square footage is at least 400 square feet. Garage door openings shall be a minimum of 16 feet wide by seven feet tall. [Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.14)].

### **17.20.150 Open space requirements.**

There is no minimum open space requirement for properties in this zone. This does not exempt owners or developers of agriculturally zoned property from complying with other provisions that may require public improvements including, but not limited to, parks, drainage facilities or entry features. [Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.15)].

### **17.20.160 Supplementary regulations.**

All properties in Eagle Mountain City are also subject to the supplemental land use regulations of this title. [Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.16)].

### **17.20.170 Previous zoning district equivalents.**

The equivalent zoning district contained in previous development codes include the agriculture (AG) zone. Properties zoned prior to the adoption of the ordinance codified in this title shall only be entitled to the permitted and conditional uses permissible under the land use

ordinance in which the property was zoned. With the exception of the land uses, property zoned under previous development codes shall comply with all other regulations and standards contained in this chapter so long as it does not restrict density entitlements that are solidified in a master development agreement. Property zoned under the development code of Eagle Mountain City adopted on September 28, 1999, is entitled to the following land uses:

A. Agriculture (AG). Permitted uses in the AG zone will be single-family dwellings on existing parcels of at least five acres as an accessory use to agriculture, such as the cultivation of row crops and other agricultural products, livestock grazing and associated cultivation or herding activities. Limited processing of agricultural products will be authorized on a conditional use basis, but large-scale packing or processing operations will only be allowed in the industrial zone. Confined feeding operations, such as poultry farms, swine farms or feedlots, will not be allowed, except as a continuation of a pre-existing use. [Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.17)].



**EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING  
OCTOBER 10, 2023**

**TITLE:** DISCUSSION - City Trails Database

**ITEM TYPE:** Discussion

**APPLICANT:** Eagle Mountain City Staff

**ACTION ITEM:**

No

**PUBLIC HEARING:**

No

**PREPARED BY:**

Todd Black, Planning

**BACKGROUND:**

**ITEMS FOR CONSIDERATION:**

**REQUIRED FINDINGS:**

**RECOMMENDATION:**

**ATTACHMENTS:**



**EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING  
OCTOBER 10, 2023**

**TITLE:** DISCUSSION -- Industrial Zone Code Amendments

**ITEM TYPE:** Discussion

**APPLICANT:** Eagle Mountain City Staff

**ACTION ITEM:**

No

**PUBLIC HEARING:**

No

**PREPARED BY:**

Robert Hobbs, Planning

**BACKGROUND:**

The attached code amendments were finalized in current form at the end of 2021. Staff's intent has been to bring them forward for discussion when the Planning Commission's calendar and Staff work tasks allowed for the time to consider them. Primary focus should be given to re-structuring the use allowances the district provides (now noted in table form).

**ITEMS FOR CONSIDERATION:**

n/a

**REQUIRED FINDINGS:**

n/a

**RECOMMENDATION:**

n/a

**ATTACHMENTS:**

[Draft Industrial Zone Amendments](#)

# **Chapter 17.40**

## **INDUSTRIAL ZONE**

Sections:

~~17.40.010 What this chapter does.~~

~~17.40.020 Purpose.~~

~~17.40.030 Permitted uses.~~

~~17.40.040 Conditional uses.~~

~~17.40.050 Prohibited uses.~~

~~17.40.060 Area requirements.~~

~~17.40.070 Setback requirements.~~

~~17.40.080 Building height.~~

~~17.40.090 Development standards.~~

~~17.40.100 Previous zoning district equivalents.~~

### **17.40.010 What this chapter does.**

This chapter contains land use provisions for the development of industrial land uses in areas that are zoned to accommodate such uses. Development entitlements are set forth and processes for approval are also specified. [Ord. ~~O-23-2005~~ § 3 (Exh. 1(1) § 8.1)].

### **17.40.020 Purpose.**

The purpose of the industrial zone is to provide for industrial opportunities which are reasonably separated from residential development and other incompatible land uses. [Ord. ~~O-23-2005~~ § 3 (Exh. 1(1) § 8.2)].

### **17.40.030 Permitted uses.**

The following land uses shall be permitted uses in the industrial zone. Any use not specifically permitted in this chapter shall be prohibited.

A. Industrial parks and warehouses;

B. Office buildings including medical, dental or professional offices, corporate offices or corporate campuses;

C. Research and development uses, including medical or electronic assembly and manufacturing;

D. Public and private utility structures or facilities;

~~E. Public parks, plazas, or squares. [Ord. O-11-2017 § 2 (Exh. A); Ord. O-23-2005 § 3 (Exh. 1(1) § 8.3)].~~

## **17.40.040 Conditional uses.**

The following conditional uses and such uses as the planning director and planning commission may recommend as similar and consistent with the scale, character and impact of the area will be considered:

~~A. Automobile gas/service stations;~~

~~B. Automobile sales and/or service;~~

~~C. Auto and truck repair, including auto body;~~

~~D. Convenience store;~~

~~E. Motels and hotels;~~

~~F. Restaurants and banks (with drive-through service facilities);~~

~~G. Printing, lithography and publishing establishments;~~

~~H. Wholesale trade, warehousing, distribution and other operations characterized by the need for large truck and shipping establishments;~~

~~I. Laundry and dry cleaning establishments;~~

~~J. Contract construction services establishments;~~

~~K. Commercial and industrial laundries;~~

~~L. Self-storage or mini-storage units;~~

~~M. Light manufacturing of finished products or parts, including processing, fabrication, assembly, treatment, packaging, and incidental storage of such products. Such uses include, but are not limited to, food, beverages, apparel, textiles, pharmaceuticals, household appliances and plastics;~~

~~N. Recycling facilities;~~

~~O. Other businesses retailing goods and services or rendering personal services for a fee, except as otherwise regulated by the city's ordinances;~~

P. Other manufacturing businesses;

Q. Sexually-oriented businesses;

R. Moving and storage facilities and businesses. [~~Ord. O-21-2018 § 2 (Exh. A); Ord. O-23-2005 § 3 (Exh. 1(1) § 8.4).~~]

### **~~17.40.050 Prohibited uses.~~**

A. Any use(s) not specifically permitted in this chapter shall be prohibited. [~~Ord. O-11-2017 § 2 (Exh. A).~~]

### **~~17.40.060 Area requirements.~~**

~~There is no minimum lot size requirement for developments in this district. However, all uses, lots or parcels in the industrial zone shall be of sufficient size to assure compliance with the city's parking, landscaping, utilities, site plan and other land development regulations that may govern all or a portion of each project. All developments in this district are required to submit a master site plan that includes maps and descriptions of construction and uses (see Chapter 17.100 EMMC for more information on the site plan process). [Ord. O-11-2017 § 2 (Exh. A); Ord. O-23-2005 § 3 (Exh. 1(1) § 8.5). Formerly 17.40.050].~~

### **~~17.40.070 Setback requirements.~~**

~~The following setback requirements are intended to describe the amount of space required between buildings and property lines. All buildings in this zone, including accessory buildings, are required to maintain a minimum distance from property lines as set forth below. Conditional uses may require greater setbacks so as to prevent a nuisance as determined by the city council.~~

~~A. Front: 25 feet. The city council, in consideration of a prior recommendation by the planning commission, may reduce this if in its judgment the reduction does not interfere with the use, enjoyment and character of adjacent properties.~~

~~B. Sides: 50 feet, where adjacent to a residential or agricultural zone. Lots adjoining within the industrial zone require no side lot setbacks.~~

~~C. Rear: 20 feet for all uses except where a rear yard is located adjacent to a residential or agricultural district. In those cases, the rear yard shall be increased to 100 feet. In the event that the rear of a building faces an arterial or collector street, there shall be a setback of 50 feet. The city council, in consideration of a prior recommendation by the planning commission, may reduce this if in its judgment the reduction does not interfere with the use, enjoyment and character of adjacent properties.~~

D. Other General Requirements. In addition to the specific setback requirements noted above, no building shall be closer than 10 feet from any private road, driveway or parking space. The intent of this requirement is to provide for building foundation landscaping and to provide protection to the building. Exceptions may be made for any part of the building that may contain an approved drive-up window. [Ord. O-11-2017 § 2 (Exh. A); Ord. O-23-2005 § 3 (Exh. 1(1) § 8.6). Formerly 17.40.060].

### **17.40.080 Building height.**

No building in this zone shall be over five stories. [Ord. O-11-2017 § 2 (Exh. A); Ord. O-23-2005 § 3 (Exh. 1(1) § 8.7). Formerly 17.40.070].

### **17.40.090 Development standards.**

The following development standards shall apply to the industrial zone:

A. Architectural Review. The planning commission shall review the site plan and building elevations. The planning commission shall confirm compliance with architectural design standards for buildings and structures to assure compliance with the general plan and with the city's generally applicable policies and regulations.

B. Landscaping. All landscaping shall be completed in accordance with the approved site plan and all city ordinances, and shall be installed prior to the issuance of a certificate of occupancy for the building. The city building official may approve exceptions as seasonal conditions warrant. It shall be the responsibility of the property owner to maintain all approved landscaping in accordance with the approved site plan and in compliance with the city's parking and landscaping requirements.

C. Uses within Buildings. All uses in the industrial zone shall be conducted entirely within a fully enclosed building except those uses deemed by the planning commission and city council to be customarily and appropriately conducted outside. Such uses include service stations, gas pumps, plant nurseries, home improvement material yards, automobile sales, etc. Outside storage of merchandise shall be accommodated entirely within an enclosed structure unless the planning commission and city council deem such storage to be customarily and appropriately conducted outside.

D. Trash Storage. No trash, used materials, wrecked or abandoned vehicles or equipment shall be stored in an open area. All such materials shall be kept within an opaque enclosure that is architecturally compatible with the main building. Garbage dumpsters shall be located out of sight and away from major roads.

E. Screening Requirements. A wall, fence and/or landscaping of acceptable design shall effectively screen the borders of any commercial or industrial lot, which abuts an agricultural or residential use. Such a wall, fence or landscaping shall be at least six feet in height, unless a wall

or fence of a different height is required by the city council in consideration of a prior recommendation by the planning commission as part of a site plan review. Such wall, fence or landscaping shall be maintained in good condition with no advertising thereon, except as permitted by the city's signage regulations.

F. Moving and Storage Facilities Standards. A maximum of three moving vehicles may be displayed outside of a building or in front of a six-foot privacy fence or wall. All vehicles must be parked upon an improved parking area within designated parking stalls. Up to 10 additional rental vehicles may be placed inside a structure or behind a minimum of a six-foot privacy fence or wall.

Vehicles located outside of a structure and in front of a wall or fence shall be located in a manner so as to not obstruct drive aisles, doors, or pedestrian pathways. [Ord. ~~Q-21-2018~~ § 2 (Exh. A); Ord. ~~Q-11-2017~~ § 2 (Exh. A); Ord. ~~Q-23-2005~~ § 3 (Exh. 1(1) § 8.8). Formerly 17.40.080].

## **17.40.100 Previous zoning district equivalents.**

The equivalent zoning districts contained in previous development codes include the business park (BP) and manufacturing and industrial (M&I) zones. Properties zoned prior to the adoption of the ordinance codified in this title shall only be entitled to the permitted and conditional uses permissible under the land use ordinance in which the property was zoned. With the exception of the land uses, property zoned under previous development codes shall comply with all other regulations and standards contained in this chapter so long as it does not restrict density entitlements that are solidified in a master development agreement. Property zoned under the development code of Eagle Mountain City adopted on September 28, 1999, is entitled to the following land uses:

A. Business Park (BP). Permitted uses within the business park are banks, business and corporate offices not to exceed three stories in height. The following conditional uses and such uses as the planning commission may recommend as similar and consistent with the scale, impact and character of existing uses will be considered: restaurants, retail services establishments, hotels, motels, bed and breakfast facilities, day care center, medical and health care offices, veterinary offices, electronics repair shop and residential group homes. All other uses are expressly prohibited.

B. Manufacturing and Industrial (M&I) Zone. Warehousing and construction trades or services will be permitted uses in the manufacturing and industrial zone. This designation can also accommodate large warehouse-style retailing operations, manufacturing facilities and other uses requiring large buildings or structures that would otherwise not be permitted within the commercial core or satellite commercial areas. The following conditional uses and such uses as the planning commission may recommend as similar and consistent with existing uses will be considered: manufacturing and retail services establishments. All other uses are expressly prohibited. [Ord. ~~Q-11-2017~~ § 2 (Exh. A); Ord. ~~Q-23-2005~~ § 3 (Exh. 1(1) § 8.9). Formerly 17.40.090].

# **Chapter 17.40**

## **INDUSTRIAL ZONE**

### Sections:

- 17.40.010 What this chapter does.**
- 17.40.020 Purpose.**
- 17.40.030 Permitted uses.**
- 17.40.040 Conditional uses.**
- 17.40.050 Prohibited uses.**
- 17.40.060 Area requirements.**
- 17.40.070 Setback requirements.**
- 17.40.080 Maximum building height.**
- 17.40.090 Development standards.**
- 17.40.100 Previous zoning district equivalency.**

### **17.40.010 What this chapter does.**

This chapter contains land use provisions for the development of industrial land uses in the City's Industrial (I) Zone. Development entitlements pertaining to the I Zone are set forth and processes for approval are also specified hereafter. [Ord. O-23-2005 § 3 (Exh. 1(1) § 8.1)].

### **17.40.020 Purpose.**

The purpose of the Industrial Zone is to provide for industrial opportunities which are at best reasonably separated from residential, or general commercial development and other incompatible land uses. [Ord. O-23-2005 § 3 (Exh. 1(1) § 8.2)].

### **17.40.030 Land use table.**

The land use table in this section specifies the various land uses that are permitted, special, or conditionally permitted within the I Zone. Uses that are not listed in the table are prohibited.

P = Permitted (Permitted uses may still require approval through an application process as detailed in this chapter and other chapters)...

S = Special (Special uses are permitted as long as they comply with standards listed in Chapter 17.75 EMMC that are specific to that type of use)...

C = Conditional (Due to their unique characteristics or negative effects they may not be compatible without conditions to mitigate or eliminate the detrimental impacts. Must comply with Chapter 17.95 EMMC)...

Land Use Table  
Industrial Land Uses

| <u>Land Use(s)</u>                                                                                                                                                                                                                                                                                      | <u>Land Use Controls</u> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| <u>Assembly (i.e., electronic or medical)</u>                                                                                                                                                                                                                                                           | <u>P</u>                 |
| <u>Automobile Sales/Service</u>                                                                                                                                                                                                                                                                         | <u>C</u>                 |
| <u>Commercial Laundry(ies)</u>                                                                                                                                                                                                                                                                          | <u>S</u>                 |
| <u>Contractor and/or Construction [including vehicles] Yard(s)</u>                                                                                                                                                                                                                                      | <u>C</u>                 |
| <u>Flex-space Structure or Park(s)</u>                                                                                                                                                                                                                                                                  | <u>P</u>                 |
| <u>Gas/Service Station/Convenience or Fuel Center(s)</u>                                                                                                                                                                                                                                                | <u>C</u>                 |
| <u>Heavy/Large Product Manufacturing</u>                                                                                                                                                                                                                                                                | <u>C</u>                 |
| <u>Industrial (including research) Park(s)</u>                                                                                                                                                                                                                                                          | <u>P</u>                 |
| <u>Laundry and Dry-Cleaning Facility(ies)</u>                                                                                                                                                                                                                                                           | <u>S</u>                 |
| <u>Light manufacturing of finished products or parts, including processing, fabrication, assembly, treatment, packaging, and incidental storage of such products. Such uses include, but are not limited to, food, beverages, apparel, textiles, pharmaceuticals, household appliances and plastics</u> | <u>S</u>                 |
| <u>Medical Office(s)</u>                                                                                                                                                                                                                                                                                | <u>P</u>                 |
| <u>Mixed-use Park(s) (i.e., office, light industrial, research, flex-space, etc.)</u>                                                                                                                                                                                                                   | <u>P</u>                 |
| <u>Motels/Hotel(s)</u>                                                                                                                                                                                                                                                                                  | <u>C</u>                 |
| <u>Moving Company Facilities and Storage Yard/Building(s)</u>                                                                                                                                                                                                                                           | <u>C</u>                 |
| <u>Office Park(s)</u>                                                                                                                                                                                                                                                                                   | <u>P</u>                 |
| <u>Printing, lithography and publishing</u>                                                                                                                                                                                                                                                             | <u>C</u>                 |
| <u>Professional Office(s)</u>                                                                                                                                                                                                                                                                           | <u>P</u>                 |
| <u>Public Building or Facilities (City Owned)</u>                                                                                                                                                                                                                                                       | <u>P</u>                 |
| <u>Public Parks, Plazas or Squares</u>                                                                                                                                                                                                                                                                  | <u>P</u>                 |
| <u>Public and Private Utility Structures or Facilities</u>                                                                                                                                                                                                                                              | <u>P</u>                 |

| <u>Land Use(s)</u>                                                                                                                           | <u>Land Use Controls</u> |
|----------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| <u>Recycling Yard/Facility(ies)</u>                                                                                                          | <u>C</u>                 |
| <u>Restaurant (only drive-thru)</u>                                                                                                          | <u>C</u>                 |
| <u>Self-Service Storage Facility(ies)</u>                                                                                                    | <u>C</u>                 |
| <u>Sexually Oriented Business(es)</u>                                                                                                        | <u>C</u>                 |
| <u>Vehicle Repair (including auto body)</u>                                                                                                  | <u>C</u>                 |
| <u>Warehouse(s)</u>                                                                                                                          | <u>P</u>                 |
| <u>Wholesale trade, warehousing, distribution and other operations characterized by the need for large truck and shipping establishments</u> | <u>C</u>                 |

### **17.40.040 Area requirements.**

No minimum property size required. Nevertheless, all uses, lots or parcels in the industrial zone shall be of sufficient size to assure compliance with the city's development regulations. All developments in the district are required to submit a master site plan, pre-development, in accordance with provisions in EMC § 17.100 EMMC. [Ord. O-11-2017 § 2 (Exh. A); Ord. O-23-2005 § 3 (Exh. 1(1) § 8.5). Formerly 17.40.050].

### **17.40.050 Setback requirements.**

Developments on properties within the Industrial Zone shall comply with the setback requirements as set forth hereafter. In the case of uses requiring a special or conditional use permit, the planning commission may require greater setbacks than code minimums in order to mitigate potential compatibility conflicts between uses.

| <u>Yard Area</u> | <u>Minimum Setback Required</u> | <u>Note(s)</u>                                                                                                                                                                                                                    |
|------------------|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Front</u>     | <u>25'</u>                      | <u>The city council, in consideration of a prior recommendation by the planning commission, may reduce this if in its judgment the reduction does not interfere with the use, enjoyment and character of adjacent properties.</u> |
| <u>Sides</u>     | <u>50'</u>                      | <u>Lots adjoining within the industrial zone require no side lot setbacks.</u>                                                                                                                                                    |

|             |                 |                                                                                                                                                                                                                                                                                                                                                                              |
|-------------|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Rear</u> | <u>20'/50'*</u> | <p><u>*In the event that the rear of a building faces an arterial or collector street, there shall be a setback of 50 feet.</u></p> <p><u>The city council, in consideration of a prior recommendation by the planning commission, may reduce this if in its judgment the reduction does not interfere with the use, enjoyment and character of adjacent properties.</u></p> |
|-------------|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Other General Requirements. In addition to setback requirements in 17.40.050, no building shall be closer than 10 feet to any private road, driveway or parking space. The intent of this requirement is to provide for building foundation landscaping and to provide protection to the building. Exceptions may be made for any part of the building that may contain an approved drive-up window. [Ord. O-11-2017 § 2 (Exh. A); Ord. O-23-2005 § 3 (Exh. 1(1) § 8.6). Formerly 17.40.060].

### **17.40.060 Maximum building height.**

No building in the I Zone shall exceed five stories. [Ord. O-11-2017 § 2 (Exh. A); Ord. O-23-2005 § 3 (Exh. 1(1) § 8.7). Formerly 17.40.070]. Structures formerly within the BP Zone shall not exceed three stories.

### **17.40.070 Development standards.**

The following development standards shall apply to the industrial zone:

A. Architectural Review. The planning commission shall review the site plan and building elevations to confirm compliance with architectural design standards pertinent to structures.

B. Landscaping. All landscaping shall be completed in accordance with the approved landscape plan and all city ordinances, and, shall be installed prior to the issuance of a certificate of occupancy for a/the building. The city building official may approve exceptions as seasonal conditions warrant. It shall be the responsibility of the property owner to maintain all approved landscaping in accordance with the approved site plan and in compliance with the city's parking and landscaping requirements.

C. Uses within Buildings. All uses in the industrial zone shall be conducted entirely within a fully enclosed building except those uses deemed by the planning commission and city council to be customarily and appropriately conducted outside. Such uses include service stations, gas pumps, plant nurseries, home improvement material yards, automobile sales, etc. Outside storage of merchandise shall be accommodated entirely within an enclosed structure unless the planning commission and city council deem such storage to be customarily and appropriately conducted outside.

D. Trash Storage. No trash, used materials, wrecked or abandoned vehicles or equipment shall be stored in an open area. All such materials shall be kept within an opaque enclosure that is architecturally compatible with the main building. Garbage dumpsters shall be located out of sight and away from major roads.

E. Screening Requirement(s). A wall, fence and/or landscaping of acceptable design shall effectively screen the borders of any commercial or industrial lot, which abuts an agricultural or residential use. Such a wall, fence or landscaping shall be at least six feet in height, unless a wall or fence of a different height is required by the city council in consideration of a prior recommendation by the planning commission as part of a site plan review. Such wall, fence or landscaping shall be maintained in good condition with no advertising thereon, except as permitted by the city's signage regulations.

F. Moving and Storage Facilities Standards. A maximum of three moving vehicles may be displayed outside of a building or in front of a six-foot privacy fence or wall. All vehicles must be parked upon an improved parking area within designated parking stalls. Up to 10 additional rental vehicles may be placed inside a structure or behind a minimum of a six-foot privacy fence or wall.

Vehicles located outside of a structure and in front of a wall or fence shall be located in a manner so as to not obstruct drive aisles, doors, or pedestrian pathways. [Ord. O-21-2018 § 2 (Exh. A); Ord. O-11-2017 § 2 (Exh. A); Ord. O-23-2005 § 3 (Exh. 1(1) § 8.8). Formerly 17.40.080].

## **17.40.80 Previous zoning district equivalency.**

The equivalent zoning districts contained in previous development codes include the business park (BP) and manufacturing and industrial (M&I) zones. Properties zoned prior to the adoption of the ordinance codified in this title shall only be entitled to the permitted and conditional uses permissible under the land use ordinance in which the property was zoned.

Property zoned under the development code of Eagle Mountain City adopted on September 28, 1999, is entitled to the following land uses:

### A. Former Business Park Zone Land Use Allowances Table:

| <b><u>Land Use</u></b>                                                                               | <b><u>Business Park<br/>Zone -- Land<br/>Use(s) Controls</u></b> |
|------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| <u>Bed and Breakfast(s)</u>                                                                          | <u>C</u>                                                         |
| <u>Business Park (including<br/>banks,<br/>business/professional<br/>offices, corporate offices)</u> | <u>P</u>                                                         |
| <u>Day Care Center(s)</u>                                                                            | <u>C</u>                                                         |

|                                                 |          |
|-------------------------------------------------|----------|
| Electronics Repair Shop(s)                      | <u>C</u> |
| Hotels/Motel(s)                                 | <u>C</u> |
| Medical Office(s)                               | <u>C</u> |
| Residential Group Home(s)                       | <u>C</u> |
| Restaurant(s)                                   | <u>C</u> |
| Retail Service(s)                               | <u>C</u> |
| Manufacturing & Industrial Zone – Land (Use(s)) | <u>C</u> |

Note: All other non-specified/identified in the Table above uses are/were expressly prohibited on properties formerly zoned Business Park.

B. Former Manufacturing & Industrial Zone Land Use Allowances Table:

| <u>Land Use</u>                                                 | <u><b>Manufacturing &amp; Industrial Zone --<br/>Land Use(s)<br/>Controls</b></u> |
|-----------------------------------------------------------------|-----------------------------------------------------------------------------------|
| <u>Warehousing</u>                                              | <u>C</u>                                                                          |
| <u>Construction Trades or Services Offices, Yards, or Shops</u> | <u>P</u>                                                                          |
| <u>Manufacturing &amp; Retail Establishments</u>                | <u>C</u>                                                                          |

Note: All other non-specified/identified in the Table above uses are/were expressly prohibited on properties formerly zoned Business Park.

C. Conformity Required: With the exception of the land uses, property zoned under previous development codes shall comply with all other regulations and standards contained in this chapter so long as it does not restrict density entitlements stated in a relevant master development agreement.



**EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING  
OCTOBER 10, 2023**

**TITLE:** DISCUSSION -- Agriculture Zone Code Amendments

**ITEM TYPE:** Discussion

**APPLICANT:** Eagle Mountain City Staff

**ACTION ITEM:**

No

**BACKGROUND:**

n/a

**PUBLIC HEARING:**

No

**ITEMS FOR CONSIDERATION:**

**PREPARED BY:**

David Stroud, Planning

**Current Listing(s):**

**17.20.030 Permitted uses.**

The following land uses shall be permitted uses in the agriculture zone. Any use not specifically permitted in this chapter shall be prohibited.

A. Single-family detached dwellings.

B. Agricultural uses such as row crops, livestock boarding, grazing and associated cultivating and herding activities; provided, that such grazing and associated activities are not part of, nor conducted in conjunction with, any livestock feed yard, livestock sales yard, or any other confined feeding facilities or animal by-product business.

C. Public and private utility structures or facilities.

D. Public parks.

E. Religious or cultural meeting hall. [Ord. [O-04-2023](#) § 2 (Exh. A); Ord. [O-11-2017](#) § 2 (Exh. A); Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.3)].

**17.20.040 Permitted accessory uses and structures.**

Accessory uses and structures are permitted in the agriculture zone; provided, that they are incidental to, and do not substantially alter the character of, the permitted principal uses or structures. Such permitted accessory uses include, but are not limited to, the following:

- A. Accessory buildings such as barns, garages, greenhouses, gardening sheds, recreation rooms, and similar structures that are customarily used in conjunction with the primary uses in this district.
- B. Windmills, silos, tank houses, buildings or shelters for farm equipment and machinery, water wells, water reservoirs and storage tanks.
- C. Stands for the purpose of displaying and selling agricultural or farming products that are grown or produced on the premises on which the stand is located. Such stand shall not exceed 300 square feet in size and shall be limited to one stand per parcel of property.
- D. Structures required for the housing, nurture, confinement or storage of animals, crops or products that are lawfully permitted or produced on the property. [Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.4)].

#### **17.20.050 Conditional uses.**

The following conditional uses and such uses as the planning director and planning commission may recommend as similar and consistent with the scale, character and impact of the area will be considered:

- A. Limited processing of agricultural products.
- B. Radio, microwave or other transmission towers.
- C. Home businesses (as allowed by this title).
- D. Accessory dwelling units (ADUs) in accordance with the standards contained in this title.
- E. Commercial hunting areas as a temporary land use with no long-term vesting.
- F. Stables.

G. Commercial riding arena.

H. Equestrian center.

I. Equine assisted therapy center. [Ord. [O-04-2023](#) § 2 (Exh. A); Ord. [O-41-2021](#) § 1 (Exh. A); Ord. [O-09-2019](#) § 2 (Exh. A); Ord. [O-21-2017](#) § 2 (Exh. A); Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.5)].

**17.20.060 Prohibited uses.**

The following are prohibited uses and such uses as the planning director and planning commission determine to be similar or consistent with the prohibited use:

A. Large-scale packaging or processing operations.

B. The raising or keeping of fur-bearing animals, or the operation of commercial stockyards, or feed yards, slaughterhouses, rendering facilities, or concentrated animal production operations such as hog or poultry farms (except as allowed as pre-existing nonconforming uses).

C. On-site sale of agricultural products in excess of what is allowed by this chapter.

D. Multifamily dwellings.

E. Sexually oriented businesses. [Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.6)].

**REQUIRED FINDINGS:**

n/a

**RECOMMENDATION:**

n/a

**ATTACHMENTS:**

[Ag zone](#)

# Chapter 17.20

## AGRICULTURE ZONE

Sections:

- 17.20.010 What this chapter does.**
- 17.20.020 Purpose and objective.**
- 17.20.030 Permitted uses.**
- 17.20.040 Permitted accessory uses and structures.**
- 17.20.050 Conditional uses.**
- 17.20.060 Prohibited uses.**
- 17.20.070 Right to farm.**
- 17.20.080 Lot size requirements.**
- 17.20.090 Setbacks – Primary structures.**
- 17.20.100 Setbacks – Accessory structures.**
- 17.20.110 Driveways.**
- 17.20.120 Lot frontage and width requirements.**
- 17.20.130 Building height.**
- 17.20.140 Minimum dwelling size.**
- 17.20.150 Open space requirements.**
- 17.20.160 Supplementary regulations.**
- 17.20.170 Previous zoning district equivalents.**

### 17.20.010 What this chapter does.

This chapter establishes the land use regulations for the agriculture zone in Eagle Mountain City, including permitted and conditional uses, minimum land use standards, and other agriculture-related provisions. [Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.1)].

### 17.20.020 Purpose and objective.

The purpose and objective of this chapter is to allow for the continuation of agricultural pursuits on parcels that are currently being used for such purposes and to provide areas for large open lands where residents may live, own farm animals and otherwise use large parcels for agricultural purposes and other uses deemed to be appropriate in the zone. Agriculture as a land use in Eagle Mountain City is encouraged. [Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.2)].

### 17.20.030 Permitted uses.

The following land uses shall be permitted uses in the agriculture zone. Any use not specifically permitted in this chapter shall be prohibited.

- A. Single-family detached dwellings.

B. Agricultural uses such as row crops, livestock boarding, grazing and associated cultivating and herding activities; provided, that such grazing and associated activities are not part of, nor conducted in conjunction with, any livestock feed yard, livestock sales yard, or any other confined feeding facilities, fur-bearing operation, or animal by-product business.

C. Public and private utility structures or facilities.

D. Public parks.

E. Religious or cultural meeting hall.

F. Home Businesses (as allowed by this title).

G. Accessory Dwelling Units (ADUs) in accordance with the standards contained in this title.

H. Stables

I. Commercial riding arena.

J. Equestrian center.

K. Equine assisted therapy center.

L. Public/Charter school.

[Ord. O-04-2023 § 2 (Exh. A); Ord. O-11-2017 § 2 (Exh. A); Ord. O-23-2005 § 3 (Exh. 1(1) § 4.3)].

## **17.20.040 Permitted accessory uses and structures.**

Accessory uses and structures are permitted in the agriculture zone; provided, that they are incidental to, and do not substantially alter the character of, the permitted principal uses or structures. Such permitted accessory uses include, but are not limited to, the following:

A. Accessory buildings such as barns, garages, greenhouses, gardening sheds, recreation rooms, and similar structures that are customarily used in conjunction with the primary uses in this district.

B. Windmills, silos, tank houses, buildings or shelters for farm equipment and machinery, water wells, water reservoirs and storage tanks.

C. Stands for the purpose of displaying and selling agricultural or farming products that are grown or produced on the premises on which the stand is located. Such stand shall not exceed 300 square feet in size and shall be limited to one stand per parcel of property.

D. Structures required for the housing, nurture, confinement or storage of animals, crops or products that are lawfully permitted or produced on the property. [Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.4)].

## **17.20.050 Conditional uses.**

The following conditional uses and such uses as the planning director and planning commission may recommend as similar and consistent with the scale, character and impact of the area will be considered:

A. Limited processing of agricultural products.

B. Radio, microwave or other transmission towers.

~~C. Home businesses (as allowed by this title).~~

~~D. Accessory dwelling units (ADUs) in accordance with the standards contained in this title.~~

~~E. Commercial hunting areas as a temporary land use with no long-term vesting.~~

~~F. Stables.~~

~~G. Commercial riding arena.~~

~~H. Equestrian center.~~

~~I. Equine assisted therapy center.~~ [Ord. [O-04-2023](#) § 2 (Exh. A); Ord. [O-41-2021](#) § 1 (Exh. A); Ord. [O-09-2019](#) § 2 (Exh. A); Ord. [O-21-2017](#) § 2 (Exh. A); Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.5)].

## **17.20.060 ~~Prohibited uses Reserved.~~**

~~The following are prohibited uses and such uses as the planning director and planning commission determine to be similar or consistent with the prohibited use:~~

~~A. Large-scale packaging or processing operations.~~

~~B. The raising or keeping of fur-bearing animals, or the operation of commercial stockyards, or feed yards, slaughterhouses, rendering facilities, or concentrated animal production operations such as hog or poultry farms (except as allowed as pre-existing nonconforming uses).~~

~~C. On-site sale of agricultural products in excess of what is allowed by this chapter.~~

~~D. Multifamily dwellings.~~

~~E. Sexually oriented businesses. [Ord. O-23-2005 § 3 (Exh. 1(1) § 4.6)].~~

## **17.20.070 Right to farm.**

Property owners of parcels that are zoned agriculture in Eagle Mountain City shall be deemed to have the right to conduct agricultural activities as allowed in this zone. Unless agricultural activities are creating a health or safety concern for the general public, such activities may continue without interruption in this zone. While residents residing adjacent to or near agricultural activities may experience noxious smells, noise or late and early hours of operation, such intrusions are understood to be a common element of routine and permissible agricultural activities. [Ord. O-23-2005 § 3 (Exh. 1(1) § 4.7)].

## **17.20.080 Lot size requirements.**

The following lot size requirements shall apply to this district:

The minimum lot size for single-family detached dwellings in this zone is five acres. Other uses may require a minimum size greater than five acres and will be evaluated by the planning commission on an individual basis to determine if more property is required to reasonably accommodate the proposed use. [Ord. O-23-2005 § 3 (Exh. 1(1) § 4.8)].

## **17.20.090 Setbacks – Primary structures.**

Primary structures in this zone shall maintain a setback of no less than 50 feet from any property line. ~~Setbacks shall only apply to structures that require a city permit or approval.~~ No structure which ~~requires a building permit cannot be removed~~ shall be constructed across an easement. [Ord. O-23-2005 § 3 (Exh. 1(1) § 4.9)].

## **17.20.100 Setbacks – Accessory structures.**

Accessory structures in this zone shall not be located within 50 feet of the front property line ~~any front yard~~ and shall maintain a setback of not less than 10 feet from any side or rear property line, or 15 feet if the lot is on a corner. Setbacks shall only apply to structures that require a city permit or approval. No structure which cannot be removed shall be constructed across an easement. [Ord. O-23-2005 § 3 (Exh. 1(1) § 4.10)].

## **17.20.110 Driveways.**

Residential driveways shall comply with the following standards:

A. Slopes. Driveways shall not exceed grades of 12 percent. The building official may approve driveway slopes that exceed 12 percent in circumstances that are deemed necessary because of the topographical conditions.

B. Clear Vision Triangle. Residential driveways when feasible shall not be permitted in the clear vision triangle at local streets as described in this title.

C. Driveway Length. Residential driveways shall be a minimum of 22 feet from the property line. [Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.11)].

### **17.20.120 Lot frontage and width requirements.**

All property within this zone shall have a lot frontage of no less than 100 feet. [Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.12)].

### **17.20.130 Building height.**

No primary structures shall exceed 35 feet in height. No accessory structures shall exceed 50 feet in height, except windmills as approved by staff. [Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.13)].

### **17.20.140 Minimum dwelling size.**

The minimum dwelling size in the agriculture zone for single-story dwellings shall be 1,000 square feet on the main floor plus a 400-square-foot garage. Two-story dwellings shall be 800 square feet on the main floor, 200 square feet on the second floor and shall have a 400-square-foot garage. Garages shall be a minimum of 20 feet wide by 20 feet deep. Garages that are 18 feet wide may be allowed if the total square footage is at least 400 square feet. Garage door openings shall be a minimum of 16 feet wide by seven feet tall. [Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.14)].

### **17.20.150 Open space requirements.**

There is no minimum open space requirement for properties in this zone. This does not exempt owners or developers of agriculturally zoned property from complying with other provisions that may require public improvements including, but not limited to, parks, drainage facilities or entry features. [Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.15)].

### **17.20.160 Supplementary regulations.**

All properties in Eagle Mountain City are also subject to the supplemental land use regulations of this title. [Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.16)].

### **17.20.170 Previous zoning district equivalents.**

The equivalent zoning district contained in previous development codes include the agriculture (AG) zone. Properties zoned prior to the adoption of the ordinance codified in this title shall only be entitled to the permitted and conditional uses permissible under the land use

ordinance in which the property was zoned. With the exception of the land uses, property zoned under previous development codes shall comply with all other regulations and standards contained in this chapter so long as it does not restrict density entitlements that are solidified in a master development agreement. Property zoned under the development code of Eagle Mountain City adopted on September 28, 1999, is entitled to the following land uses:

A. Agriculture (AG). Permitted uses in the AG zone will be single-family dwellings on existing parcels of at least five acres as an accessory use to agriculture, such as the cultivation of row crops and other agricultural products, livestock grazing and associated cultivation or herding activities. Limited processing of agricultural products will be authorized on a conditional use basis, but large-scale packing or processing operations will only be allowed in the industrial zone. Confined feeding operations, such as poultry farms, swine farms or feedlots, will not be allowed, except as a continuation of a pre-existing use. [Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 4.17)].



# EAGLE MOUNTAIN Planning Commission MEETING MINUTES

September 26, 2023, 5:30 p.m.  
Eagle Mountain City Council Chambers  
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

COMMISSION MEMBERS PRESENT: Commissioners Jason Allen, Jeremy Bergener, Robert Fox, and Brent Strong, and Alternate Commissioner Jimmy Eaton.

COMMISSION MEMBERS PRESENT ELECTRONICALLY: Commissioner Matthew Everett.

CITY STAFF PRESENT: Steve Mumford, Deputy City Administrator/Community Development Director; Marcus Draper, City Attorney; Robert Hobbs, Planning Manager; and Steven Lehmitz, Planner.

CITY STAFF PRESENT ELECTRONICALLY: Elizabeth Fewkes, Recording Secretary.

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

Commissioner Bergener called the meeting to order at 5:52 p.m.

### 1. Discussion Items

#### 1.A. Planning Commission Training

City Attorney Marcus Draper presented training on the Open and Public Meetings Act and the Municipal Officers' and Employees' Ethics Act.

Commissioner Bergener adjourned the work session at 6:30 p.m.

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

Commissioner Bergener called the policy session to order at 6:30 p.m.

### 2. Pledge of Allegiance

Commissioner Bergener led the Pledge of Allegiance.

### 3. Declaration of Conflicts of Interest

None.

### 4. Approval of Meeting Minutes

#### 4.A. August 22, 2023 Planning Commission Minutes

**MOTION:**        *Commissioner Fox moved to approve the August 22, 2023 minutes.  
Commissioner Strong 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>      | <input type="checkbox"/> <i>Jason Allen</i>     | <input type="checkbox"/> <i>Jason Allen</i>     | <input type="checkbox"/> <i>Jason Allen</i>     |
| <i>Jeremy Bergener</i>  | <input type="checkbox"/> <i>Jeremy Bergener</i> | <input type="checkbox"/> <i>Jeremy Bergener</i> | <input type="checkbox"/> <i>Jeremy Bergener</i> |
| <i>Matthew Everett</i>  | <input type="checkbox"/> <i>Matthew Everett</i> | <input type="checkbox"/> <i>Matthew Everett</i> | <input type="checkbox"/> <i>Matthew Everett</i> |
| <i>Robert Fox</i>       | <input type="checkbox"/> <i>Robert Fox</i>      | <input type="checkbox"/> <i>Robert Fox</i>      | <input type="checkbox"/> <i>Robert Fox</i>      |
| <i>Brent Strong</i>     | <input type="checkbox"/> <i>Brent Strong</i>    | <input type="checkbox"/> <i>Brent Strong</i>    | <input type="checkbox"/> <i>Brent Strong</i>    |

*The motion passed with a unanimous vote.*

5.        Status Report

Staff reviewed the planning items discussed and voted upon during the September 19, 2023 City Council meeting.

6.        Action and Advisory Items

6.A.    ORDINANCE/PUBLIC HEARING – Panter Rezone

*Items 6.A. and 6.B. were presented and discussed concurrently.*

Planner Steven Lehmitz presented the item. Near the end of July, staff was contacted by the applicants with questions about how to pursue dividing their 1.45-acre property, Lot 16 in Sage Valley Plat A, to create an additional lot. The applicants expressed that this change would fit within their neighborhood as many of the lots are smaller. It was found that Sage Valley was zoned Residential and developed through the Sage Valley Master Development Agreement (MDA), entered into on July 6, 1999. The MDA vested 67 units across the development and Plat A with 21 lots and was developed with one-acre minimum lots. On September 6, 2005, the MDA was amended, increasing the total vested units to 98, meaning an additional 77 lots could be developed. Sage Valley Plat B platted all 77 of those lots, with ½-acre minimum lot sizes. Sage Valley Plat B Phase 2 combined Lots 36 and 37 to create one two-acre lot. Staff recommended that the applicants propose a rezone of the property from Residential to RD2, a current zone designation with ½-acre minimum lot sizes. To further pursue their request, the applicants would need to apply for a recorded plat amendment to divide their current lot and create an additional lot.

If the proposed rezone is approved, the recorded plat amendment application should be considered under RD2 zoning standards. Both newly created lots would be over the ½-acre lot size minimum; both lots would have street frontages of at least 100 feet; neither of the new lots would have issues with setbacks making the lot unbuildable. A petition was prepared by the applicants to inform the adjacent and proximate neighbors of their intention to subdivide the lot and was signed by three of the four property owners. Mr. Lehmitz was unsure whether the applicants had been unable to get ahold of Brandon Reda or if he objected to the proposal. The owners of the other properties in Plat A were not presented with the petition, but they were sent public notices through the City of

the plat amendment and rezone request. The City does not receive confirmation of the delivery of public notices. Public notices are also posted on the City's website and at City Hall.

*Commissioner Bergener opened the public hearing at 6:47 p.m.*

Leslie Austin spoke against the application due to concerns with the approval changing the integrity of the neighborhood intended for one-acre and larger lots and setting a precedent for additional subdivision of lots.

Blaine and Susan Hartwell sent an email to the City in opposition to the rezone.

*Commissioner Bergener closed the public hearing at 6:50 p.m.*

Mr. Lehmitz explained that the email address on the public notices was inadvertently incorrect and has been corrected for future notifications.

Commissioner Eaton agreed with Ms. Austin's concerns regarding the alteration of the neighborhood.

Commissioner Everett concurred with upholding the original design of the plat and the original approval of the property.

Applicant Todd Panter explained that they have had their property for sale for a while and have found that they are unable to get the value of their property because they are the largest lot in the area. He believes that none of the other lots would be able to meet the 100-foot frontage width, setbacks, and ½-acre lot minimum criteria for the RD2 Zone necessary to be subdivided. Plat B originally had also been planned with one-acre lots. Developing ½-acre lots to the east negatively impacted their property and resale value. They invested a lot of money into surveying the property to find the ideal division line that meets City standards for the RD2 Zone.

Mr. Lehmitz said that without further research he is unable to verify the assertion that only this property could be subdivided to meet the standards for the RD2 Zone. However, it is unlikely that most of the properties in Plat A could be subdivided and meet the 100-foot-wide frontage requirement.

**MOTION:** *Commissioner Everett moved to recommend denial to the City Council of the rezone for Sage Valley Plat A Lot 16 from residential to RD2 as it does not conform with the approved plat for the original development. Commissioner Allen 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>                           | <input type="checkbox"/> <i>Jason Allen</i>     | <input type="checkbox"/> <i>Jason Allen</i>     | <input type="checkbox"/> <i>Jason Allen</i>     |
| <i>Jeremy Bergener</i>                       | <input type="checkbox"/> <i>Jeremy Bergener</i> | <input type="checkbox"/> <i>Jeremy Bergener</i> | <input type="checkbox"/> <i>Jeremy Bergener</i> |
| <i>Matthew Everett</i>                       | <input type="checkbox"/> <i>Matthew Everett</i> | <input type="checkbox"/> <i>Matthew Everett</i> | <input type="checkbox"/> <i>Matthew Everett</i> |
| <i>Robert Fox</i>                            | <input type="checkbox"/> <i>Robert Fox</i>      | <input type="checkbox"/> <i>Robert Fox</i>      | <input type="checkbox"/> <i>Robert Fox</i>      |
| <input type="checkbox"/> <i>Brent Strong</i> | <i>Brent Strong</i>                             | <input type="checkbox"/> <i>Brent Strong</i>    | <input type="checkbox"/> <i>Brent Strong</i>    |

***The motion passed with a vote of 4:1.***

6.B. ORDINANCE – Panter Recorded Plat Amendment

**MOTION:** ***Commissioner Bergener moved to recommend denial to the City Council of the plat amendment for Sage Valley Plat A to divide Lot 16 into two separate lots. Commissioner Allen seconded the motion.***

| <b><i>Those Voting Yes</i></b> | <b><i>Those Voting No</i></b>                          | <b><i>Those Abstaining</i></b>                         | <b><i>Those Absent</i></b>                             |
|--------------------------------|--------------------------------------------------------|--------------------------------------------------------|--------------------------------------------------------|
| <b><i>Jason Allen</i></b>      | <input type="checkbox"/> <b><i>Jason Allen</i></b>     | <input type="checkbox"/> <b><i>Jason Allen</i></b>     | <input type="checkbox"/> <b><i>Jason Allen</i></b>     |
| <b><i>Jeremy Bergener</i></b>  | <input type="checkbox"/> <b><i>Jeremy Bergener</i></b> | <input type="checkbox"/> <b><i>Jeremy Bergener</i></b> | <input type="checkbox"/> <b><i>Jeremy Bergener</i></b> |
| <b><i>Matthew Everett</i></b>  | <input type="checkbox"/> <b><i>Matthew Everett</i></b> | <input type="checkbox"/> <b><i>Matthew Everett</i></b> | <input type="checkbox"/> <b><i>Matthew Everett</i></b> |
| <b><i>Robert Fox</i></b>       | <input type="checkbox"/> <b><i>Robert Fox</i></b>      | <input type="checkbox"/> <b><i>Robert Fox</i></b>      | <input type="checkbox"/> <b><i>Robert Fox</i></b>      |
| <b><i>Brent Strong</i></b>     | <input type="checkbox"/> <b><i>Brent Strong</i></b>    | <input type="checkbox"/> <b><i>Brent Strong</i></b>    | <input type="checkbox"/> <b><i>Brent Strong</i></b>    |

***The motion passed with a unanimous vote.***

6.C. PRELIMINARY PLAT – Firefly 5 Phase A

Planning Manager Robert Hobbs presented the request for a preliminary plat approval for Firefly NPA 5 Phase A, a 110-acre subdivision within the Firefly Planned Community, proposing 71 single-family, agricultural-style building lots with 3.87 acres of open space. The lots, roads, intersections, connectivity, and open space adhere to City standards. The applicants have made the minor revisions requested by the Development Review Committee. Access to the property will be along the northern road section that will tie into Pole Canyon Boulevard. The parking lot for the equestrian trailhead will be gravel and owned and maintained by the homeowners' association (HOA).

Applicant representative David Vitek with Candlelight Homes verified that the gravel parking lot and equestrian trail behind and between the lots will be owned and maintained by the HOA and is common property separate from the individual lots. The maintenance plan and schedule for the trail and parking lot will be outlined in the HOA documents. In the exhibits, Lots 60 and 61 were erroneously labeled as a single lot and are divided as illustrated by the line in the center of the lot labeled 60. The unique design of Lots 30 and 31 is for usability benefiting Lot 31 as the space would have been unusable if included in Lot 30. NPA 5 was designed to maximize space for large lots and is the only numbered planning area (NPA) that excludes a park amenity.

Discussion clarified that gravel is the intended material for the horse trailers and all-terrain vehicle (ATV) parking lot and loading and unloading area as it is preferable for horses to a hard surface such as asphalt.

*Commissioner Everett Bergener opened the public hearing at 7:19 p.m. As there were no comments, he closed the hearing.*

Mr. Vitek explained that ½-acre, equestrian lots will be developed in the adjacent phase to buffer and transition between these lots and smaller lots. The ½ acre lot property owners will have access to the equestrian trails in this phase. The trails will have signage indicating the trails are exclusively for equestrian use and prohibit motorized vehicles and bicycles. The trails do not connect to Bureau of Land Management (BLM) land.

Commissioner Strong recommended designating separate areas in the parking lot for horse trailers and ATVs to prevent conflicts and vehicles blocking trailer access to load and unload horses.

**MOTION:** *Commissioner Allen moved to recommend approval to the City Council of the preliminary plat for Firefly NPA 5 Phase A. Commissioner Fox seconded the motion.*

**AMENDED MOTION:** *Commissioner Allen moved to recommend approval to the City Council of the preliminary plat for Firefly NPA 5 Phase A with the following conditions:*

- 1. The labeling error for lots 60 and 61 shall be corrected; and*
  - 2. The applicant shall determine and make updates to the plans for the gravel parking lot prior to presenting the item to the City Council.*
- Commissioner Fox 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>      | <input type="checkbox"/> <i>Jason Allen</i>     | <input type="checkbox"/> <i>Jason Allen</i>     | <input type="checkbox"/> <i>Jason Allen</i>     |
| <i>Jeremy Bergener</i>  | <input type="checkbox"/> <i>Jeremy Bergener</i> | <input type="checkbox"/> <i>Jeremy Bergener</i> | <input type="checkbox"/> <i>Jeremy Bergener</i> |
| <i>Matthew Everett</i>  | <input type="checkbox"/> <i>Matthew Everett</i> | <input type="checkbox"/> <i>Matthew Everett</i> | <input type="checkbox"/> <i>Matthew Everett</i> |
| <i>Robert Fox</i>       | <input type="checkbox"/> <i>Robert Fox</i>      | <input type="checkbox"/> <i>Robert Fox</i>      | <input type="checkbox"/> <i>Robert Fox</i>      |
| <i>Brent Strong</i>     | <input type="checkbox"/> <i>Brent Strong</i>    | <input type="checkbox"/> <i>Brent Strong</i>    | <input type="checkbox"/> <i>Brent Strong</i>    |

*The motion passed with a unanimous vote.*

Mr. Hobbs stated that due to the size and scope of the Firefly development, he will compile the approved documents for the project and provide them to the Planning Commission to allow the Commissioners to evaluate and compare each future application to the overall approved MDA.

#### 7. Discussion Items

Discussion ensued clarifying the City's drainage requirements and evaluation process, Planning Commission training requirements and opportunities, methods to adhere to the Open and Public Meetings Act, and the rarity of circumstances arising that would require the Planning Commission to hold a closed session.

Deputy City Administrator/Community Development Director Steve Mumford announced that the City hired Brandon Larsen as Planning Director and he will begin work on September 27, 2023.

#### 8. Next Scheduled Meeting

The next Planning Commission meeting is scheduled for October 10, 2023.

9. Adjournment

**MOTION:** *Commissioner Allen moved to adjourn at 7:41 p.m. Commissioner Strong 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>      | <input type="checkbox"/> <i>Jason Allen</i>     | <input type="checkbox"/> <i>Jason Allen</i>     | <input type="checkbox"/> <i>Jason Allen</i>     |
| <i>Jeremy Bergener</i>  | <input type="checkbox"/> <i>Jeremy Bergener</i> | <input type="checkbox"/> <i>Jeremy Bergener</i> | <input type="checkbox"/> <i>Jeremy Bergener</i> |
| <i>Matthew Everett</i>  | <input type="checkbox"/> <i>Matthew Everett</i> | <input type="checkbox"/> <i>Matthew Everett</i> | <input type="checkbox"/> <i>Matthew Everett</i> |
| <i>Robert Fox</i>       | <input type="checkbox"/> <i>Robert Fox</i>      | <input type="checkbox"/> <i>Robert Fox</i>      | <input type="checkbox"/> <i>Robert Fox</i>      |
| <i>Brent Strong</i>     | <input type="checkbox"/> <i>Brent Strong</i>    | <input type="checkbox"/> <i>Brent Strong</i>    | <input type="checkbox"/> <i>Brent Strong</i>    |

*The motion passed with a unanimous vote.*

The meeting was adjourned at 7:41 p.m.

Approved by the Planning Commission on October 10, 2023.

---

Steve Mumford, AICP  
Deputy City Administrator/Community Development Director



**EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING  
OCTOBER 10, 2023**

**TITLE:** ACTION ITEM -- Cedar Pass Ranch Plat F Amendment Recommendation

**ITEM TYPE:** Recorded Plat Amendment

**APPLICANT:** Rebecca and Christopher Jewkes, Danielle Peterson representing

**ACTION ITEM:**

Yes

**PUBLIC HEARING:**

No

**PREPARED BY:**

Robert Hobbs, Planning

**BACKGROUND:**

Applicants began constructing a house earlier this year. It was discovered after commencement that the house was placed too close to the street. No disagreement on the setback requirement exists, the building was simply, accidentally started too close to the front property line. As use of a 35' setback as proposed (versus 50' as required by the plat) cannot be sanctioned through a Variance process in the case of the Applicant's situation, a plat amendment application has been submitted for review and approval.

**ITEMS FOR CONSIDERATION:**

Cedar Pass Ranch was originally approved in Utah County. During its entitlement, a 50' circuitous building setback was imposed and memorialized by the plat [see original plat note # 3]. While interest in being allowed to use lesser setbacks for primary and accessory structures has been expressed by a few Cedar Pass Ranch residents, no formal allowance to enjoy such has been approved by the City which now controls development in the subdivision post annexation. Most lots in the whole of Cedar Pass Ranch are built-out and presumably positioned so as to be compliant with the plat's required setbacks.

Placement of the Applicants' house made the subject of this report was approved based on plan depiction of a [correctly shown] 50' front setback. Unfortunately, actual siting of the home on the Applicants' property was done in error. The house foundation and exterior shell framing are now in (set some 35' back from the front property line), but construction has been delayed pending outcome of the proposed plat amendment. There appears to not be any real topographical hardship that would hinder having the building

[moved] back another 15' from the front property line.

There are no formal criteria found in the plat amendment section of City code (EMMC 16.55); accordingly, the City may freely approve, approve with conditions or deny the Applicants' petition.

Consideration to the unique circumstance of the situation associated with this application and also the harmonious placement of other structures in the balance of the subdivision must be weighed against each other in considering whether to recommend approval or not of the requested setback relief. Staff does not consider any ultimate decision to approve the amendment as establishing any legal precedent to the allow the same for another property in Cedar Pass Ranch. Any claim to precedence can only be construed to be one that would be psychological in nature.

**REQUIRED FINDINGS:**

n/a

**RECOMMENDATION:**

Given the situation pertaining to this matter, and its "one-off" nature, Staff recommends approval of the proposed setback adjustment.

**ATTACHMENTS:**

[Jewkes Signed Petition](#)

[Jewkes aerial view.Oct 2023](#)

[Jewkes Plat amendment proposal](#)

[Jewkes Amended Plat](#)

[Site plan](#)

[Jewkes site plan - HOA](#)

Petition to Amend the plat,

Before we dive into any of the details surrounding this request, I'd like to say that it was never my intent to do anything outside of the guidelines. The placement of this house happened through a series of unfortunate coincidences. If it wouldn't now cost hundreds of thousands of dollars to correct and potentially cause the homeowner to lose the entire project, we would be correcting this instead of asking for a variance.

We are petitioning the city of Eagle Mountain to give Rebecca Jewkes a variance on the front set back of her home. The current set back is 36 feet from property line and 50 feet from back of road.

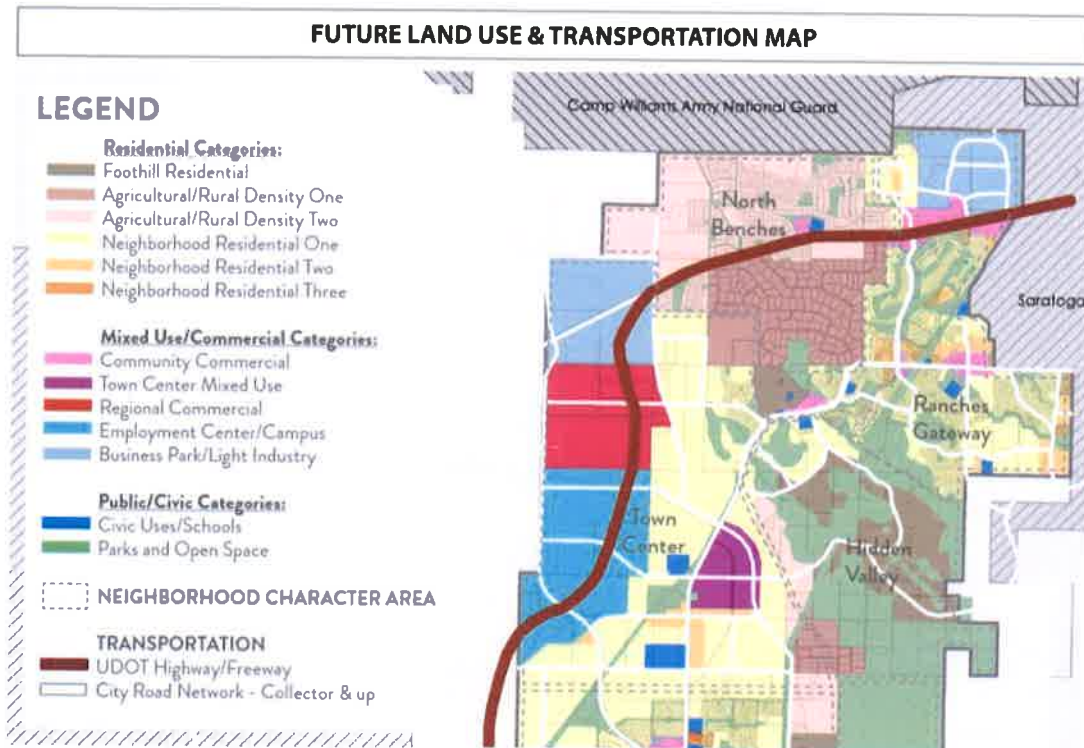
When Empress Homes had the property staked for excavation, the company that staked it went based off the architectural draws that were approved by the building department. The architectural site plan shows the existing driveway ending at the dotted line, which ends at the road on the property. The assumption of the company was that the line drawn was the road since there were no indications that the property line was set back from the road. The building department made no redlines on the approved plans to indicate the property line was set back off the road. Also when both the AUD and the barn permits were submitted, they also showed the home layout 50' off the road. When we had our footings, foundation, sub rough plumbing and SWPPP inspections, the building inspectors did not make any indication or notice of an incorrect set back.

Much work and money has been spent by Rebecca to get to this point. Her life savings is tied to this home build. Without a variance, there is a possibility of Rebecca losing everything. This was an honest and unexpected mistake due to cumulative errors.

A few facts:

- Placement was approved by HOA as is
- Permit was issued with no redlining
- Accessory building permit was issued showing home where it is, no redlining
- Septic permit issued and inspected
- Footing inspection completed.
- Slab inspection completed.

City Planning Maps show the lot is in RA1 zoning

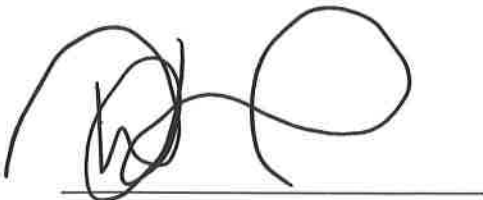


Designated setbacks according to code are

| General Plan<br>Residential<br>Category           | Ag/Rural Density 1 |                |
|---------------------------------------------------|--------------------|----------------|
|                                                   | RA1                | RA2            |
| Zone<br>Designation<br>(de-sac or circle)         |                    |                |
| Minimum<br>Dwelling Size<br>(excluding<br>garage) | 1,000 sq<br>ft     | 1,000 sq<br>ft |
| Minimum Setbacks for Primary Structure            |                    |                |
| Front                                             | 35'                | 35'            |
| Front Garage                                      | 45'                | 45'            |
| Rear                                              | 35'                | 35'            |
| Side                                              | 20'                | 20'            |
| Garage Side                                       | 20'                | 20'            |
| Street Side                                       | 25'                | 25'            |

*Chris and Rebecca Jewkes*

Rebecca and Christopher Jewkes



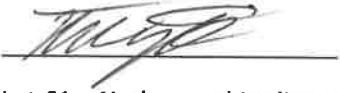
Danielle Peterson

Cedar Pass Ranch Property Owners



Lot 57 – William and Melissa Robertson

Fort Hill Rd, Eagle Mountain



Lot 61 – Nathan and Melissa Yates

2852 E Fort Hill Rd, Eagle Mountain

Not Home - tried 4 times

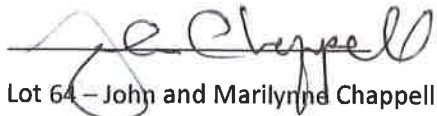
Lot 62 – Douglas and Kathleen Grover

2804 E Fort Hill Rd, Eagle Mountain



Lot 63 – Cameron and Carlee Jensen

2766 E Fort Hill Rd, Eagle Mountain

  
Lot 64 - John and Marilynne Chappell

8189 E Fort Hill Rd, Eagle Mountain

Not home - tried 3 times

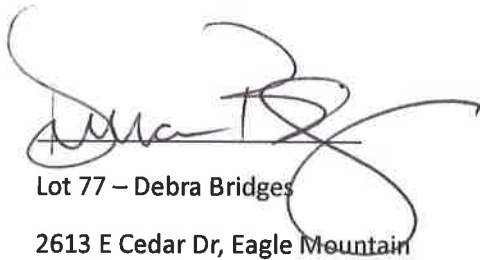
Lot 65 - David and Ann Watson

→ 8257 N Fort Hill Rd, Eagle Mountain

This is a second home  
was there

→ Lot 66 - Craig Moyes

2692 E Cedar Dr, Eagle Mountain

  
Lot 77 - Debra Bridges

2613 E Cedar Dr, Eagle Mountain

tried 2 times - Not home

Lot 78 - Messerly Ranch Investments

→ 2711 E Cedar Dr, Eagle Mountain

would not sign

Lot 79 – Arlon and Lisa Miller

8381 N Ranch Rd, Eagle Mountain

Peggy Burt

Lot 80 -Douglas and Peggy Burt

2843 E Fort Hill Rd, Eagle Mountain

would not sign

Lot 81 – Paul and Cheryl Karr

X 2812 E Cedar Dr, Eagle Mountain

wasn't home -

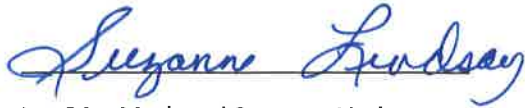
Lot 82 – Michael and Bettina Cameron

2871 E Cedar Dr, Eagle Mountain

wasn't home

Lot 83 – Mark and Erin Orr

8410 N Ranch Rd, Eagle Mountain



Lot 84 – Mark and Suzanne Lindsay

2854 N Ranch Rd, Eagle Mountain



, Lot 86 – Brady and Ramona Williams

2764 E Ranch Rd, Eagle Mountain

wasn't home - tried 4 times

, Lot 87 – Curtis and Amber Weller

2660 E Ranch Rd, Eagle Mountain



Lot 88 – Eagle Mountain Enterprises LP

2713 E Ranch Rd, Eagle Mountain



Lot 89 – Mark and Ingrid Andromidas

2646 E Ranch Rd, Eagle Mountain



Lot 90 – Randall and Rhonda Bennett

8510 N Pass Rd, Eagle Mountain

Wasn't home - tried 4 times

Lot 91 – Carl and Kathryn Allred

2577 E Ranch Rd, Eagle Mountain

Vacant lot - approved 35' set back

Lot 92 – Jared Johnson

Ranch Rd, Eagle Mountain



Lot 93 – James Rohan

2440 E Ranch Rd, Eagle Mountain

- New construction

Wouldn't sign

Lot 112 – Myron and Daniel Burton

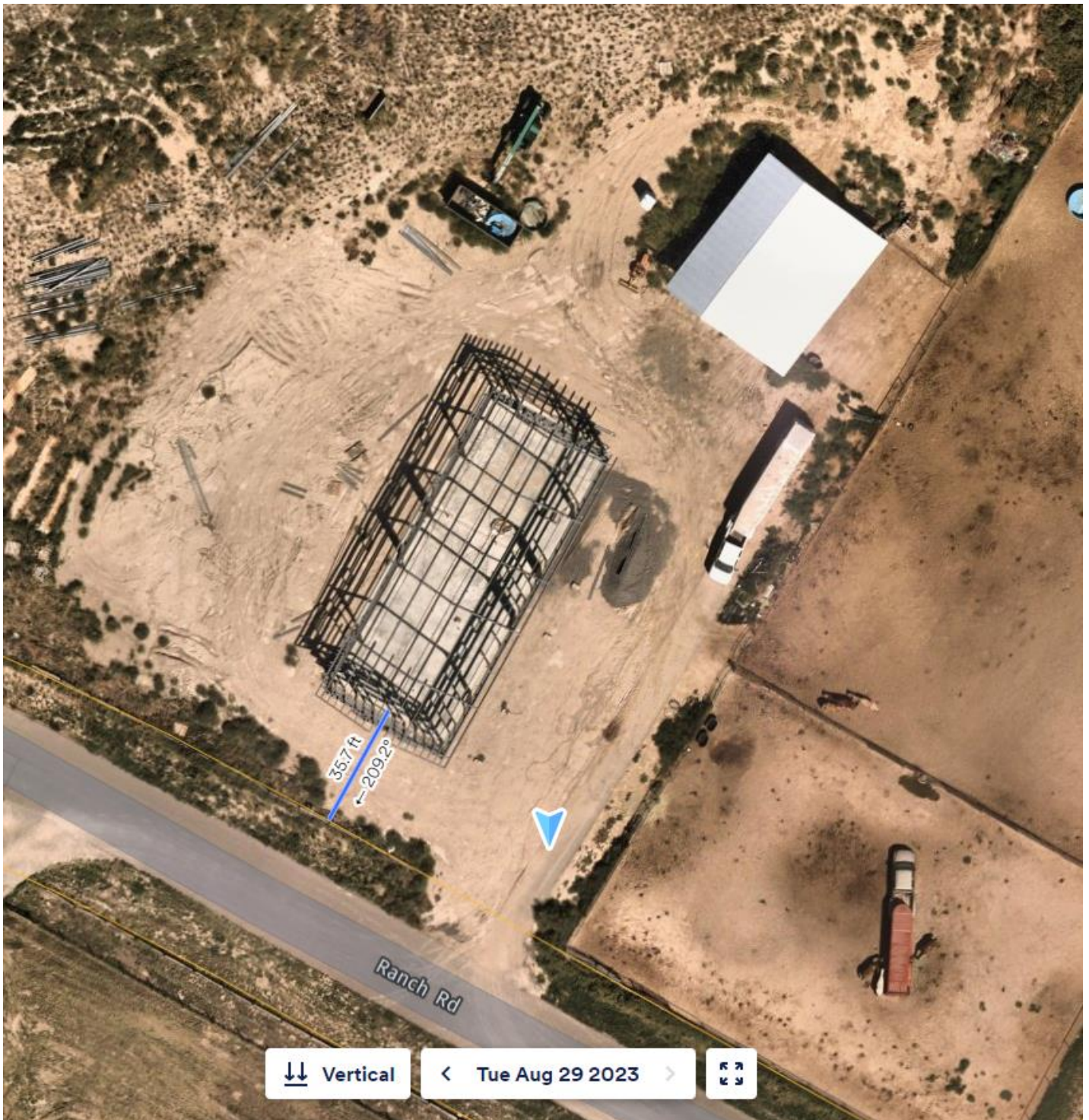
2441 E Ranch Rd, Eagle Mountain

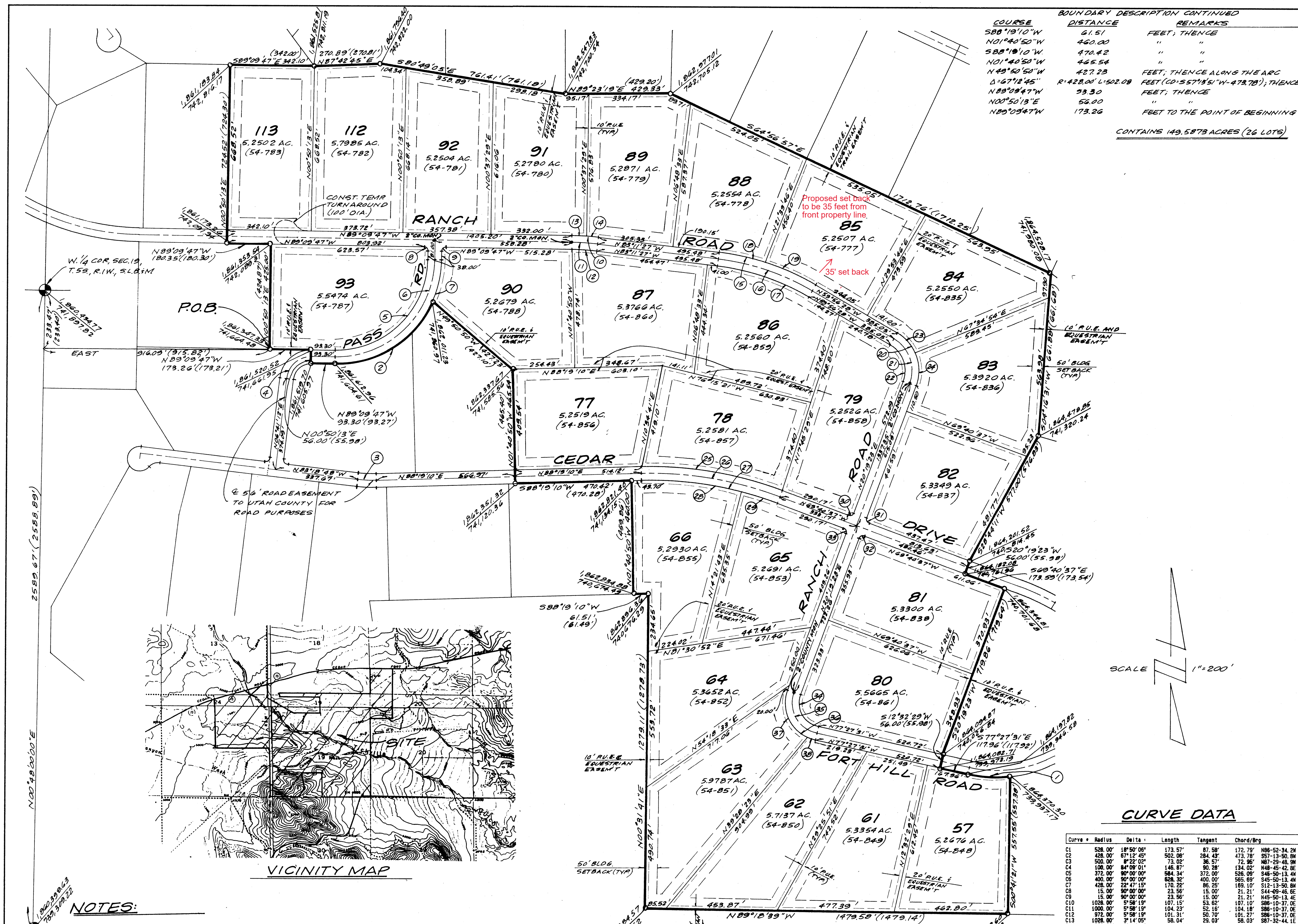
A handwritten signature in cursive script, reading "Vicki Baldwin". The signature is written in dark ink and is positioned above a horizontal line.

/ Lot 113 – Larry and Vicki Baldwin

2371 E Ranch Rd, Eagle Mountain

## Aerial View of Applicants' Property





**SURVEYOR'S CERTIFICATE**

I, DAVID V. THOMAS, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE # 163947 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND IN LOTS, BLOCKS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

**BOUNDARY DESCRIPTION**

COMMENCING AT A POINT WHICH IS 5004.820' N 233.47' ALONG SECTION LINE AND EAST 216.09' FROM THE W 1/4 COR SEC. 19, T.5S, R.1W, SALT LAKE BASE & MERIDIAN; THENCE AS FOLLOWS:

| COURSE      | DISTANCE                                           | REMARKS                    |
|-------------|----------------------------------------------------|----------------------------|
| N00°50'13"E | 426.00                                             | FEET; THENCE               |
| N02°09'47"W | 180.35                                             | " "                        |
| N00°50'13"E | 724.52                                             | " "                        |
| S80°09'47"E | 342.10                                             | " "                        |
| N07°42'45"E | 270.89                                             | " "                        |
| S80°42'05"E | 761.41                                             | " "                        |
| N02°23'19"E | 429.33                                             | " "                        |
| S64°56'57"E | 1712.76                                            | " "                        |
| S04°16'31"W | 661.88                                             | " "                        |
| S28°44'11"W | 577.00                                             | " "                        |
| S20°19'23"W | 56.00                                              | " "                        |
| S68°40'37"E | 173.59                                             | " "                        |
| S20°19'23"W | 713.86                                             | " "                        |
| S12°32'29"W | 56.00                                              | " "                        |
| S77°27'31"E | 117.86                                             | FEET; THENCE ALONG THE ARC |
| Δ-10°50'06" | R-528.00 L-173.71 (CD-586°52'34"E-172.70'); THENCE |                            |
| S00°41'21"W | 557.55                                             | FEET; THENCE               |
| N88°18'30"W | 1479.58                                            | " "                        |
| N00°31'41"E | 1279.11                                            | " "                        |

(CONTINUED AT LEFT)

BASIS OF BEARING = STATE PLANE COORDINATE SYSTEM

APRIL 15, 1996  
DATE

*David V. Thomas*  
SURVEYOR (See Seal Below)

**OWNER'S DEDICATION**

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS 15 DAY OF APRIL 1996

*Cedar Pass, L.C. By*  
*Scott Kierland*

**ACKNOWLEDGEMENT**

STATE OF UTAH S.S.  
COUNTY OF UTAH

ON THE 15 DAY OF April, A.D. 1996 PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES 8/27/96

*Dusan G. Palmer*  
NOTARY PUBLIC (See Seal Below)

**ACCEPTANCE BY LEGISLATIVE BODY**

THE Board of Commissioners COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS 30 DAY OF April, A.D. 1996

*John D. Coram*  
COUNTY CLERK

APPROVED *John D. Coram* ATTEST *John D. Coram*  
ENGINEER (See Seal Below) CLERK-RECORDER (See Seal Below)

**PLANNING COMMISSION APPROVAL**

APPROVED THIS DAY OF \_\_\_\_\_, A.D. 19\_\_\_\_, BY THE \_\_\_\_\_  
PLANNING COMMISSION.

DIRECTOR-SECRETARY CHAIRPERSON, PLANNING COMMISSION

**CEDAR PASS RANCH**

PLAT # 10996 NW 1/4 3595

RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
JAN 15 10 10 AM '96

SCALE: 1" = 200 FEET

UTAH COUNTY, UTAH

Notary Public Seal City Engineer's Seal Clerk-Recorder Seal

**NOTES:**

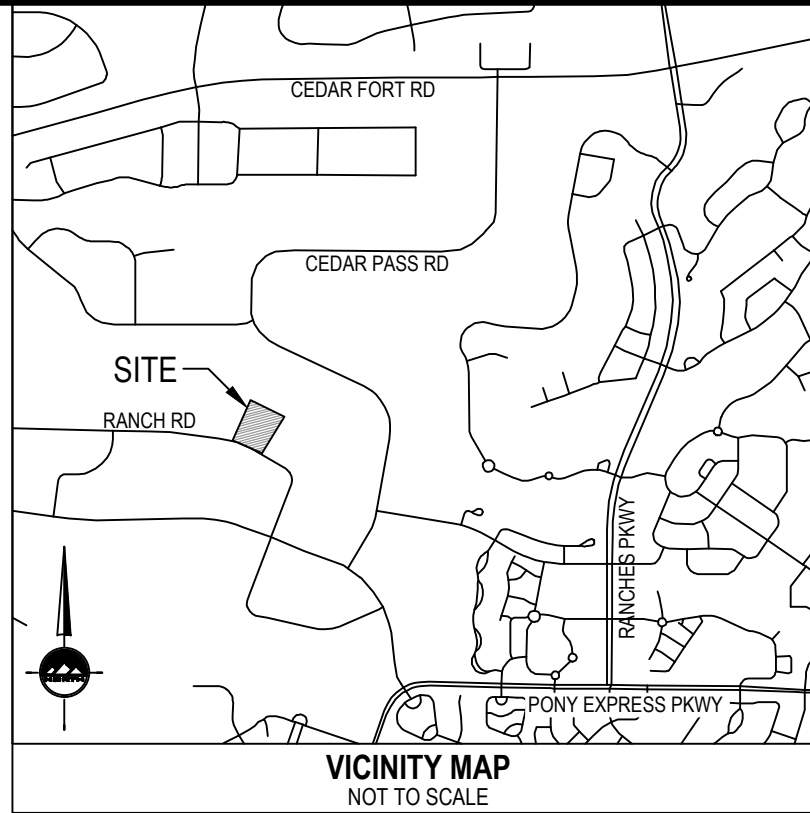
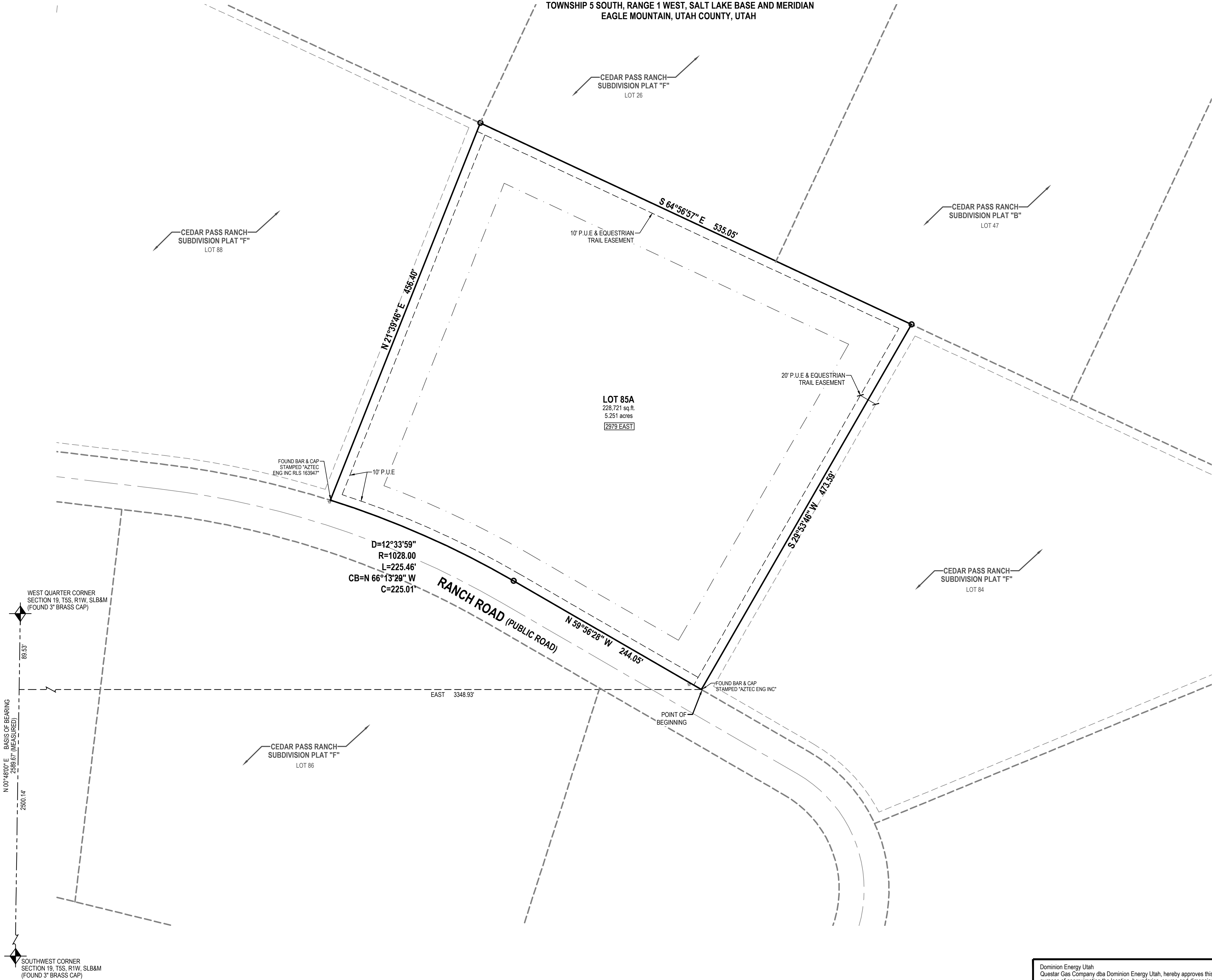
- ALL DRAINAGE GENERATED BY SUBDIVISION TO BE HANDLED ON SITE OR THROUGH EXISTING NATURAL DRAINAGE PATTERNS.
- EACH LOT OWNER WILL BE RESPONSIBLE FOR THEIR OWN TRASH REMOVAL.
- EACH LOT HAS A 50' FRONT YARD SETBACK AND A 50' SETBACK FOR SIDE AND REAR YARDS. THOSE LOTS THAT BACK UP TO TICKVILLE GULCH WILL HAVE A 50' SETBACK FROM TOP OF GULCH.
- EACH LOT WILL HAVE ITS OWN WATER WELL AND WILL BE DRILLED UNDER APPROVED CHANGE APPLICATION NO. AS SHOWN ON EACH LOT.
- NO BUILDING PERMIT FOR A DWELLING OR OTHER OCCUPIED BUILDING WILL BE ISSUED UNTIL THE WELL IS DRILLED AND FOUND TO PRODUCE THE REQUIRED FLOW OF WATER.
- APPROVED WATER RIGHTS CANNOT BE TRANSFERRED APART FROM THE LOTS OF THE PROPOSED SUBDIVISION.
- PERCENTAGE OF SUBDIVISION IN ROADWAYS = 6%.
- NO BUILDING PERMIT FOR A DWELLING OR OTHER OCCUPIED BUILDING WILL BE ISSUED UNTIL THE WELL IS DRILLED AND FOUND TO PRODUCE THE REQUIRED FLOW OF WATER.

6595-78

# CEDAR PASS RANCH PLAT "F" AMENDED LOT 85

## VACATING LOT 85 OF CEDAR PASS RANCH PLAT "F"

LOCATED IN THE NORTHWEST QUARTER OF SECTION 19,  
TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN  
EAGLE MOUNTAIN, UTAH COUNTY, UTAH



### LEGEND

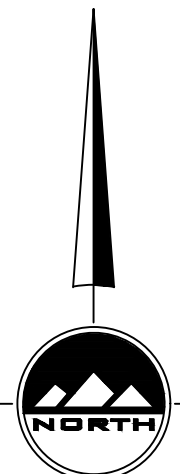
- SECTION CORNER  
SET 5/8\"/>

### NOTES:

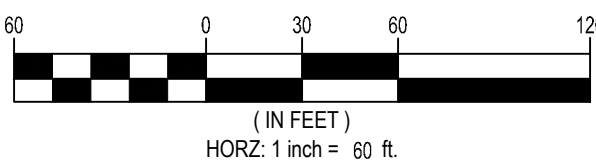
- ALL DRAINAGE GENERATED BY SUBDIVISION TO BE HANDLED ON SITE OR THROUGH EXISTING NATURAL DRAINAGE PATTERNS.
- EACH LOT OWNER WILL BE RESPONSIBLE FOR THEIR OWN TRASH REMOVAL.
- EACH LOT HAS A 35' FRONT YARD SETBACK AND A 50' SETBACK FOR SIDE AND REAR YARDS. THOSE LOTS THAT BACK UP TO TICKVILLE GULCH WILL HAVE A 50' SETBACK FROM THE GULCH.
- EACH LOT WILL HAVE ITS OWN WATER WELL AND WILL BE DRILLED UNDER APPROVED CHANGE APPLICATION NO. AS SHOWN ON EACH LOT.
- NO BUILDING PERMIT FOR A DWELLING OR OTHER OCCUPIED BUILDING WILL BE ISSUED UNTIL THE WELL IS DRILLED AND FOUND TO PRODUCE THE REQUIRED FLOW OF WATER.
- APPROVED WATER RIGHTS CANNOT BE TRANSFERRED APART FROM THE LOTS OF THE PROPOSED SUBDIVISION.

### CONDITIONS OF APPROVAL

- ALL HOMES SHALL BE SURROUNDED BY A MINIMUM OF 30 FEET ON IRRIGATED GREEN SPACE.
- ALL HOMES SHALL BE SETBACK A MINIMUM OF 50 FEET FROM THE SIDE AND REAR LOT LINES.
- SIDE AND REAR LOT LINES SHALL HAVE A MINIMUM FIRE OR FUEL BREAK OF 25 FEET. AN APPROPRIATE FIRE BREAK SHALL BE DEFINED AS THINNING NATIVE VEGETATION, REMOVAL OF DEAD PLANT MATERIAL, AND RESTRICTING VEGETATION HEIGHT TO NO GREATER THAN SIX INCHES.
- LOTS THAT HAVE A REAR LOT LINE ALONG THE OUTSIDE BOUNDARY SHALL HAVE A MINIMUM FUEL BREAK OF 50 FEET.
- ALL HOMES SHALL HAVE FIRE RETARDANT ROOFING MATERIALS.
- DWELLING EXTERIORS SHALL BE OF A NONCOMBUSTIBLE MATERIAL. NONCOMBUSTIBLE MATERIALS SHALL INCLUDE, BUT NOT BE LIMITED TO MASONRY, STUCCO, AND ALUMINUM SIDING.
- THERE SHALL BE A 4,000 GALLON WATER TANK MEETING UTAH COUNTY STANDARDS FOR DESIGN AND LOCATION ON EACH LOT PRIOR TO OCCUPANCY OF THE LOT.



### HORIZONTAL GRAPHIC SCALE



### PLAT CALCULATIONS

TOTAL ACREAGE: 5.25 ACRES  
TOTAL ACREAGE IN LOTS: 5.25 ACRES  
TOTAL OPEN SPACE: N/A  
AVERAGE LOT SIZE: 5.25 ACRES  
LARGEST LOT SIZE: 5.25 ACRES  
SMALLEST LOT SIZE: 5.25 ACRES  
TOTAL # OF LOTS: 1 LOT

DEVELOPER  
DANIELLE PETERSON  
2797 EAST RANCH ROAD  
EAGLE MOUNTAIN, UTAH

DIRECT COMMUNICATIONS  
Direct Communications Cedar Valley, LLC certifies that it will provide telecommunication services to this subdivision utilizing the trenches provided by the developer as per the Direct Communications Cedar Valley P.S.C. Utah No. 1 Tariff.

Dominion Energy Utah  
Quistler Gas Company dba Dominion Energy Utah, hereby approves this plat for the purpose of approximating the location, boundaries, course and dimensions of the Rights-of-Way and Easement Grants and existing underground facilities. Nothing herein shall be construed to warrant or verify the precise location of such items. The Rights-of-Way and easements are subject to numerous restrictions appearing on the recorded right-of-way and easement grant(s). Dominion Energy Utah also hereby approves this plat for the purpose of confirming that the plat contains public utility easements; however, Dominion Energy Utah may require additional easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgment of any terms contained in the plat, including those set in the Owners Dedication or in the Notes, and does not constitute a guarantee of particular terms or conditions of natural gas service. For further information please contact Dominion Energy Utah's Right-of-Way Department at 800-366-8532.

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_  
DOMINION ENERGY, INC.

### ROCKY MOUNTAIN POWER

- PURSUANT TO UTAH CODE ANN. § 4-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
- PURSUANT TO UTAH CODE ANN. § 10-9A-603 ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
  - A RECORDED EASEMENT OR RIGHT-OF-WAY
  - THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
  - TITLE 54, CHAPTER 8A, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR
  - ANY OTHER PROVISION OF LAW.

### SURVEYOR'S CERTIFICATE

I, PATRICK M. HARRIS, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold License No. 286882 in accordance with Title 58, Chapter 22, of the Utah State Code. I further certify that by authority of the Owner(s), that I have completed a survey of the property described on this plat in accordance with Section 17-23-17, or said code, and have subdivided said tract of land into lots, blocks, streets, and easements, and the same has, or will be, correctly surveyed, staked and monumented on the ground as shown on this plat, and that this plat is true and correct.

### BOUNDARY DESCRIPTION

All of Lot 85 of Cedar Pass Ranch Plat "F", recorded May 16, 1996 as Entry No. 40996 and as Map No. 6595 in the Office of the Utah County Recorder, being more particularly described as follows:

Beginning at a point being South 00°48'00\"/>

thence North 59°56'28\"/>

Contains 228,721 Square Feet or 5.251 Acres and 1 Lot

Basis of Bearing = State Plane Coordinate System

DATE

PATRICK M. HARRIS  
(SEE SEAL BELOW)

### OWNER'S DEDICATION

WE, THE UNDERSIGNED OWNERS OF ALL THE REAL PROPERTY DEPICTED ON THIS PLAT AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE ON THIS PLAT, HAVE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE DIVIDED INTO LOTS, STREETS, PARKS, OPEN SPACES, EASEMENTS AND OTHER PUBLIC USES AS DESIGNATED ON THE PLAT AND NOW DO HEREBY DEDICATE UNDER THE PROVISIONS OF 10-9A-607, UTAH CODE, WITHOUT CONDITION, RESTRICTION OR RESERVATION TO EAGLE MOUNTAIN CITY, UTAH, ALL STREETS, WATER, SEWER AND OTHER UTILITY EASEMENTS AND IMPROVEMENTS, OPEN SPACES SHOWN AS PUBLIC OPEN SPACES, PARKS AND ALL OTHER PLACES OF PUBLIC USE AND ENJOYMENT TO EAGLE MOUNTAIN CITY, UTAH TOGETHER WITH ALL IMPROVEMENTS REQUIRED BY THE DEVELOPMENT AGREEMENT BETWEEN THE UNDERSIGNED AND EAGLE MOUNTAIN CITY FOR THE BENEFIT OF THE CITY AND THE INHABITANTS THEREOF.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_.

NAME  
COMPANY

### LIMITED LIABILITY ACKNOWLEDGMENT

STATE OF UTAH  
COUNTY OF \_\_\_\_\_ } S.S.

ON THE \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_, I, \_\_\_\_\_, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF \_\_\_\_\_, IN SAID STATE OF UTAH, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE/SHE IS THE \_\_\_\_\_ OF \_\_\_\_\_, A LIMITED LIABILITY COMPANY AND THAT \_\_\_\_\_ SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED AND ACKNOWLEDGED TO ME THAT SAID LIMITED LIABILITY COMPANY EXECUTED THE SAME.

NOTARY PUBLIC

RESIDING IN \_\_\_\_\_ COUNTY

MY COMMISSION EXPIRES: \_\_\_\_\_

NAME

NO: \_\_\_\_\_

A NOTARY PUBLIC COMMISSION IN UTAH

### APPROVAL BY LEGISLATIVE BODY

THE CITY COUNCIL OF EAGLE MOUNTAIN CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL THE STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_.

APPROVED BY MAYOR

APPROVED BY CITY ATTORNEY

CITY ENGINEER  
(SEE SEAL BELOW)

ATTEST:

CLERK - RECORDER  
(SEE SEAL BELOW)

APPROVED

## CEDAR PASS RANCH PLAT "F" AMENDED LOT 85

### VACATING LOT 85 OF CEDAR PASS RANCH PLAT "F"

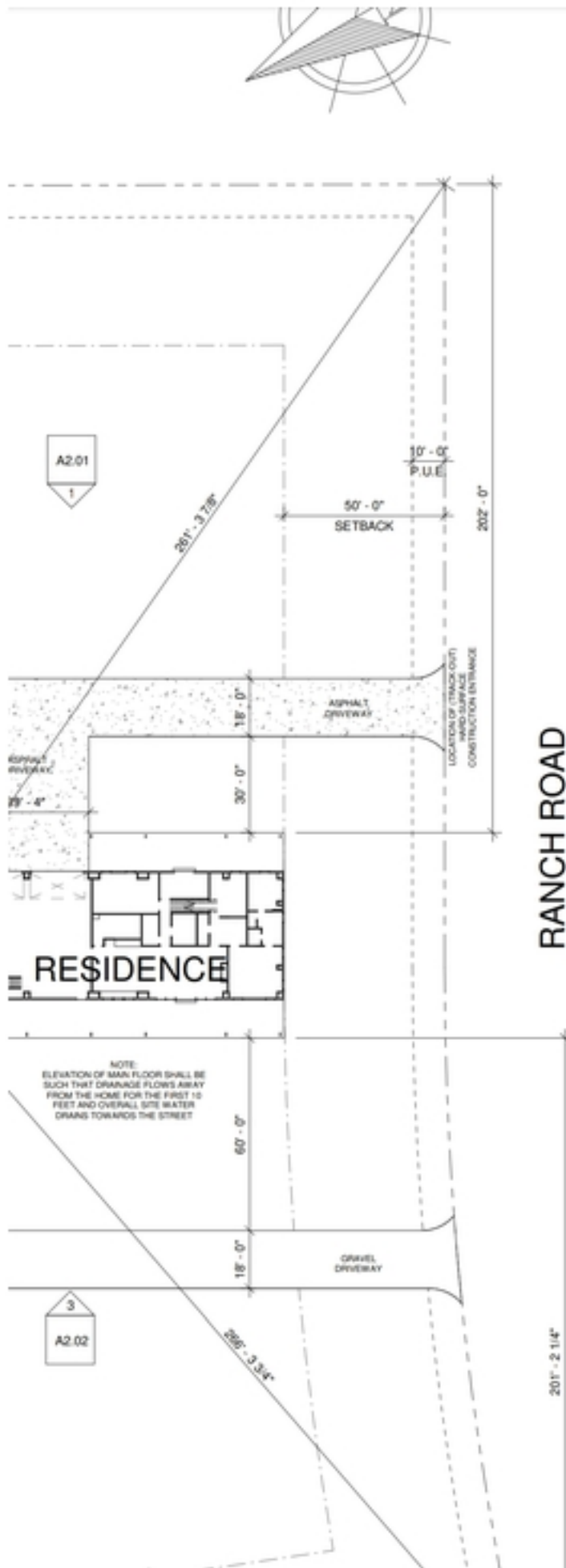
LOCATED IN THE NORTHWEST QUARTER OF SECTION 19,  
TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN  
EAGLE MOUNTAIN, UTAH COUNTY, UTAH

SURVEYORS SEAL

CITY ENGINEER SEAL

COUNTY-RECORDER SEAL





SMALL FALL A MINIMUM  
10 FEET (5%)

STREET, CURB AND C  
AND CLEANED OF ALL  
END OF **EVERY** DAY

GRAVEL BAGS TO BE  
AROUND ANY STORM  
OR IMMEDIATELY DON  
DURING CONSTRUCT

SILT FENCES OR BEE  
PROPERTY LINES TO  
FLOW ONTO ADJACE

ADD EXTERNAL ACCE  
BONDING TERMINAL I  
BONDING OF COMMU  
IS A GROUNDING BUS  
ELECTRICAL SERVICE

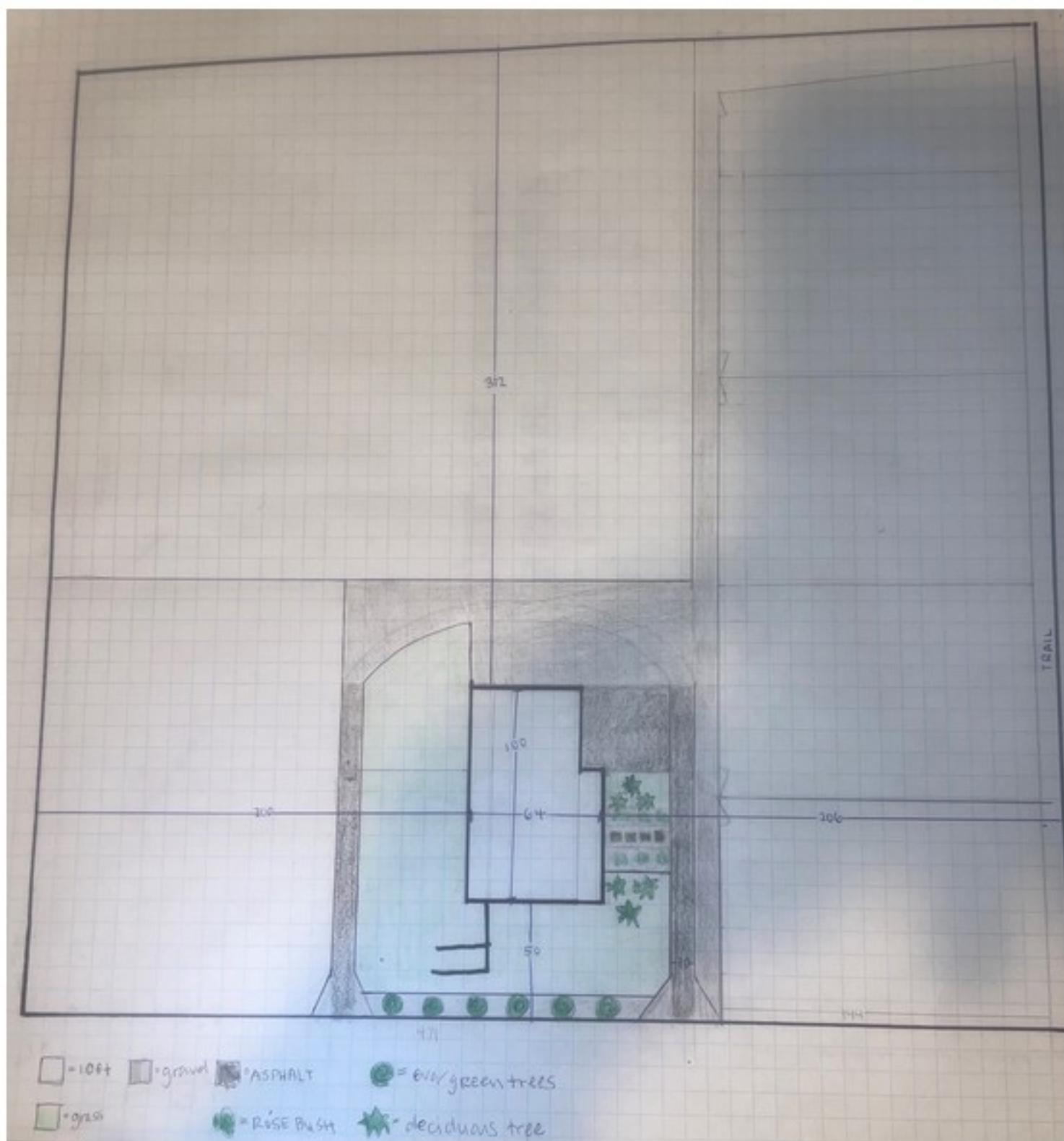
A LINED CONCRETE V  
PROVIDED AT THE ST  
WORK, WASHOUT INT  
GROUND IS PROHIBIT

WINDOW WELLS TO E  
FINISHED GRADE

**NOTE:**  
GRADE LOT S  
WATER IS PRI  
CROSSING PF

RANCH ROAD

2 A2.01





**EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING  
OCTOBER 10, 2023**

**TITLE:** DISCUSSION -- Multiple-Family Maximum Building Height  
Change to 45 Feet

**ITEM TYPE:** Discussion

**APPLICANT:** Eagle Mountain City Staff

**ACTION ITEM:**

No

**PUBLIC HEARING:**

No

**PREPARED BY:**

David Stroud, Planning

**BACKGROUND:**

**ITEMS FOR CONSIDERATION:**

**REQUIRED FINDINGS:**

n/a

**RECOMMENDATION:**

n/a

**ATTACHMENTS:**