



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

September 22, 2020, 5:30 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

5:30 PM Work Session – Electronic Meeting via Lifesize

COMMISSION MEMBERS PRESENT: Matthew Everett, Christopher Pengra, Erin Wells, Rich Wood, and Brett Wright.

CITY STAFF PRESENT: Steve Mumford, Assistant City Administrator/Community Development Director; Pete Kane, Long-Range Planning Manager; Michael Hadley, Planning Manager; Jessa Porter, Planner; Fionnuala Kofoed, City Recorder; and Elizabeth Fewkes, Recording Secretary.

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

1. Discussion Items

1.A. DISCUSSION ITEM – Proposed Code Amendment for Fencing Requirements and Standards

Long-Range Planning Manager Pete Kane presented proposed changes to clarify fencing requirements and standards, including material type and durability, based upon the development type and roadway classification. With consideration to the changes to single-property fences in projects that have already been completed, Staff proposes the following addition to the first paragraph in EMMC 16.35.090, “Any changes or replacements to existing fences along arterial or collector roads in completed residential developments must be done on a neighborhood-wide basis to ensure consistency of the look of replaced fencing,”

Mr. Kane clarified the party owning the fence would be responsible for the cost of fence replacement. Damaged fences can be repaired with the corresponding style of fencing and are not required to be replaced with the preferred styles indicated in the current fencing standards.

Commissioner Wright suggested permitting an eight-foot fence height and including razor wire and barbed wire standards as separate listed items. He requested clarification regarding chain link fencing height standards for animal enclosures.

Commissioner Wood verified that Commissioner Wright’s suggestions were concerning sections of the Fencing Requirements and Standards not included in the proposed amendment.

Commissioner Wells recommended that the requirement to replace all fencing along arterial or collector roads be limited to homeowner association-owned fencing and not individually owned residential fencing due to cost concerns.

Assistant City Administrator/Community Development Director Steve Mumford stated that the ownership of and maintenance responsibility for arterial fencing is unclear and has been disputed. He explained the intention of the proposed amendment is to ensure fencing uniformity along major roadways and suggested standard requirement options for the Planning Commission consideration.

Commissioner Wells expressed concern that requiring fencing installation before building permits being issued may be onerous to the developers and suggested including a specific standard for fencing material and color.

Mr. Kane stated fencing might inhibit property access; however, the cost of fencing should be included in the project budget and is required to screen residential areas. He explained the durability section of the standards is intended to address material options and recommended allowing some flexibility regarding fencing colors.

Discussion ensued regarding fencing heights; barbed wire; chain link fencing for animal enclosures and industrial uses; and maintenance, upkeep, and repair responsibilities for fencing along major roadways.

Mr. Kane stated a recommendation was made to exclude wood and wood composite fencing material, in addition to the vinyl prohibition, along rear or side lot lines abutting an arterial or collector road. He explained the exclusion could prove problematic due to the use of a faux food polyethylene plastic with steel reinforcement used in a current development in the City that could be considered a composite fencing material.

Commissioner Wood requested for the Planning Commission to discuss the performance and durability of fencing materials at a future meeting.

1.B. DISCUSSION ITEM – Proposed Code Amendment to Add Open Space Zoning Districts

1.C. DISCUSSION ITEM – Proposed Code Amendment to Add a Public Facilities Zoning District

Items 1.B. and 1.C. were presented and discussed concurrently.

Mr. Kane presented the item. The proposed Municipal Code amendments create an Open Space Zone chapter with two zoning designations within that category, improved open space and natural open space. The second amendment creates a Public Facilities Zone for public gathering land uses such as churches, museums, and meeting halls. The purpose of the creation of these zones is to identify how the land is being utilized and to set the related permitted uses and development standards. Open space and public facilities uses are currently zoned as residential. Land designated for open space and public facilities will be zoned accordingly during the master development phase of projects (MDA).

Commissioner Everett expressed concern that requiring public facility zoning during the MDA approval could be onerous as developers have stated the location designated for religious or

educational uses frequently changes due to requests from the organizations. He inquired if cultural uses require permanent structures as the City had received a request for an ongoing project for the installation of a temporary theater structure.

Mr. Kane stated relocating a public facilities zone would require a rezone; however, requiring the zone designation during the MDA process allows the Planning Commission and City Council to evaluate and determine if the relocation of a public facilities zone requests are desirable or problematic. He stated that the zoning districts establish the allowed uses and if the structure adhered to the permitted use, it would likely be allowed; structure considerations could be included in the standards if desired.

Discussion ensued regarding temporary and semi-permanent structure requests.

Mr. Mumford concurred that temporary or semi-permanent structures are only problematic if the intended use for the structure conflicts with the permitted land uses of the location's zone designation.

Commissioner Pengra advocated to move forward with the amendments as proposed and address temporary and semi-permanent structures with a future Municipal Code amendment to mitigate unintended consequences.

1.D. DISCUSSION ITEM – Proposed Code Amendment for Master Development Plans and Agreements

Mr. Kane stated an updated document had been provided in the packet to address concerns expressed during the previous meeting. The changes include setting a maximum project size which will mitigate the timeframe concerns while allowing for timeframe extensions when warranted. Larger projects would be required to be divided into smaller projects with individual master development plans. The updated language specifies the amendment process including exemption waiver requests for a master development approval or a particular master development application requirement and excludes the superfluous noticing standards as the requirements are included in State Code. The proposed standards establish a six-year standard timeframe and allow up to two requests for a two-year extension.

Commissioner Wells recommended for the timeframe extension in EMMC 16.10.100(C)(2) to include a provision for delays due to “uncontrolled circumstances including but not limited to economic or natural disaster” in addition to the proposed criteria.

Commissioner Wood suggested for City, State, or Federal emergency declarations to also be included.

Mr. Kane verified the timeframe extension would require approval and not be automatically granted under the specified circumstances.

Mr. Kane explained a public notification fee is still required, even though the section explaining the public notification requirements is being removed and is included with the application fee.

Mr. Kane verified the applicant retains the ability to review the MDA throughout the process and explained the applicant's ability to review the document does not need to be codified as it is a standard operating procedure; however, it can be included if desired.

Mr. Kane confirmed the Planning Commission was in support of the 200-acre maximum development size limitation provision.

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

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

Commissioner Wood called the meeting to order at 6:38 p.m.

2. Pledge of Allegiance

City Recorder Fionnuala Kofoed led the Pledge of Allegiance.

3. Declaration of Conflicts of Interest

None.

4. Approval of Meeting Minutes

4.A. September 8, 2020, Planning Commission Minutes

MOTION: *Commissioner Pengra moved to approve the September 8, 2020, Planning Commission minutes. Commissioner Wright seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Christopher Pengra. Erin Wells abstained. The motion passed with a unanimous vote.*

Commissioner Wells clarified her abstention was due to her absence from the September 8, 2020 meeting.

5. Status Report

Mr. Kane stated the City Council policy session did not include any Planning Commission items. The City Council continued discussion on and tabled the Parks, Open Space, and Trails Master Plan for further review and edits.

6. Action and Advisory Items

6.A. PUBLIC HEARING – SilverLake 28 (Site Plan)

Mr. Mumford presented the item. The SilverLake South Preliminary Plat was recommended for approval on September 24, 2019, and approved by the City Council on October 1, 2019. Plat 28 is

part of the SilverLake South Preliminary Plat and has a total of 74 lots/units consisting of 10 single-family lots and 64 townhouse units. The Planning Commission reviewed and held a public hearing on August 25, 2020, and expressed concerns that the lighting plan and MDA were excluded from the packet materials, the townhome development did not provide the required guest parking stalls, Silver Spring Way was planned as a private road but used as a public road, the fencing was aesthetically unappealing, questions regarding open space, and concerns regarding the architectural features.

The overall general landscape plan for SilverLake South was approved with the preliminary plat. The SilverLake South development includes 12.2 acres of improved open space, in addition to the open space corridors and other areas that are not included in the required open space calculation. Nine acres of improved open space is required for the project. The Planning Commission must determine if the submitted elevations, which have been approved in other areas of SilverLake, comply with the Master Development Agreement (MDA) requirements and are fundamentally consistent with the renderings from the MDA. Municipal Code requires 22 guest parking stalls. The proposed site plan includes 15 guest parking stalls; an additional seven stalls are required. Staff has worked with the applicant to provide additional parking and to widen Silver Spring Way to include park strips, 5-foot sidewalks, and 27 feet of asphalt, which is a foot narrower than a standard public road, due to the limitation of 27-foot wide existing road connections.

Staff recommends the Planning Commission recommend approval of the SilverLake South Plat 28 site plan with the conditions the applicant shall pay a landscape cash escrow to the City of \$2,810.40 per lot/unit at the plat recording, an additional seven parking stalls shall be added for a total of 22 stalls, the property line shall be shifted farther west to ensure a minimum of 10 feet between the townhome rear-yard fencing and the adjacent property line, and Silver Spring Way shall be a public road.

Commissioner Everett asked if Silver Spring Way could have prohibited parking along one side of the street due to the narrower width and inquired if the City stipulated a style of signage to meet the upgrade street sign requirement in the MDA.

Mr. Mumford stated that staff had discussed prohibiting parking along the west side of the road due to the road not meeting the fire department width requirement. He explained that at the time the SilverLake MDA was drafted, the City required street signage to complement the previously required wooden fencing. The Streets Department installed lower maintenance, rustic-style metal signage in other parts of the City that became the preferred, recommended style.

Commissioner Wells inquired if retaining the Silver Spring Way as private would be financially beneficial to the City due to maintenance costs.

Mr. Mumford stated making Silver Spring Way a public road would increase costs to the City but also allows for the City to plow the road which is beneficial as the road will likely be used as a connection to other roadways. He said the applicant has requested for the road to remain private; however, signage is the only deterrent available to mitigate nonlocal, through-traffic.

Commissioner Wood stated that the inadequate plowing of private roads is a frequent resident concern and complaint.

Applicant representative Bronson Tatton with Flagship Homes stated they have discussed potential locations for the additional seven required stalls such as in between units or on the north end of the island by the trees. They had previously misunderstood the number of parking stalls required for the project.

Commissioner Wood advocated for locating the parking between the units to prevent the single-family homes near the north end of the townhomes from using the parking.

Commissioner Wright thanked the applicant for addressing concerns.

Commissioners Pengra, Wright, and Everett concurred with the recommendation to locate the parking throughout the project.

Commissioner Everett inquired regarding the signage in the SilverLake development.

Mr. Tatton explained the portion of the development on the north side of the Tickville Wash has the previously required style of street signage and that they are planning on using the same sign fabricator as the City to ensure the signage adheres to the City's updated standard.

Commissioner Everett cited a portion of the SilverLake MDA regarding the approved elevations for the development. He inquired if the request for front-loading garages was due to the approved elevation rendering elevations in the MDA.

Mr. Tatton stated they developed rear-loading garages along a collector road and the front-loading units could be considered an alley-loading product as they are installed along private roadways. He said a front-loaded garage allows for private, fenced backyards which are preferred by residents. Site plan approvals for several of the phases of the SilverLake development have required significant elevation changes, such as increases in articulation, and they have accommodated the desired adjustments.

Commissioner Everett expressed appreciation for the applicant addressing elevation changes to create unique products for the various develops. He said Flagship included renderings for both a compliant and non-compliant product in the MDA and agreed to abide by Municipal Code standards, including requiring rear-loading townhome products, with the MDA agreement. He expressed concern regarding the number of developer requests for front-loading townhome products that have been allowed by the City. He advocated for the City to require adherence to the Municipal Code standards; if the City desires to allow front-loaded products, Municipal Code should be amended accordingly. He stated he is not in favor of changing the standards or allowing exceptions to the standards and reiterated his concerns the elevations in this application and other areas of the SilverLake development fail to adhere to Municipal Code front-loading garage standards for townhome developments.

MOTION: *Commissioner Everett moved to recommend denial to the City Council of the SilverLake 28 site plan as it does not comply with the Municipal Code standards due to the inclusion of front-loading garages. The motion died for lack of a second.*

MOTION: *Commissioner Wright moved to recommend approval to the City Council of the SilverLake 28 site plan with the following conditions:*

- 1. The applicant shall pay a landscape cash escrow to the City of \$2,810.40 per lot/unit at the plat recording;*
- 2. An additional seven guest parking stalls shall be dispersed throughout the development, for a total of 22 stalls;*
- 3. The property line shall be shifted farther west to ensure a minimum of ten feet between the townhome rear-yard fencing and the adjacent property line;*
- 4. Silver Springs Way shall be a public road;*
- 5. Parking along the west side of Silver Spring Way shall be prohibited due to the width of the road; and*

Commissioner Wells seconded the motion. Those voting aye: Brett Wright, Rich Wood, Christopher Pengra, and Erin Wells. Those voting nay: Matthew Everett. The motion carried with a vote of 4:1.

Commissioner Everett stated the following for the record: "I've dissented on this because the townhome product does not comply with the City Code as it is currently is read and it's my understanding that it does not comply with the MDA as presented by the applicant."

6.B. Cascade Collision Auto Repair (Concept Plan)

Planner Jessa Porter presented the item and explained the applicant provided updated renderings prior to the meeting that were not included in the staff report. This concept plan is for lot 1 on the southwest corner of Pony Express Parkway and Porter's Crossing and consists of a two-story autobody shop on the northeast corner and an enclosed parking area for car repairs on the south portion of the property between the parking lot and the Tickville Wash. The parcel is zoned as Commercial Community and the proposed use is permitted. The applicant is seeking feedback for lot 1. The concept plan includes a rendering for a building on lot 2 as an example of potential future development of the site.

The updated concept plan includes the trash enclosure and renderings with increased architectural articulation in response to the DRC review that noted a lack of articulation. The business model does not employ the standard service bay operation, so an alternative parking requirement could be implemented to determine the number of vehicles that may be in service. The updated elevations demonstrate the additional articulation for the building façade. It was noted the site plan should adhere to the requirement for a landscape island for every 12 parking stalls. This concept plan includes accesses to the property via Porter's Crossing Parkway and Pony Express Parkway.

Commissioner Wells requested clarification regarding the parking recommendation.

Ms. Porter explained that Municipal Code standards require two stalls per service bay for autobody uses.

Mr. Kane clarified that autobody use standards require one parking stall per 500 square feet of building space and two additional spaces per service bay; however, the concept floor plan for the autobody does not use the standard "service bay" concept and suggested the need to clarify which, if not all, stalls within the building can be used to service vehicles. If all interior stalls are not service space, it could reduce the need for the standard number of required parking spaces on the property.

Applicant representative Trevor Sharp explained the site plan and parking design is based upon site plans for other Cascade Collision Auto Repair sites and is in accordance with the number of vehicles they intend to service at this location. He believes the number of parking stalls should be sufficient for the intended services.

Applicant representative John Heiner stated he believed they had exceeded the parking requirement.

Commissioner Wells clarified her questions were regarding the staff report and the proposed parking appeared to meet Municipal Code requirements.

Mr. Heiner stated their purpose in presenting the concept plan was to ensure they had met the City requirements for the project and to obtain feedback to determine if the City found the project desirable.

Commissioner Wood expressed concern regarding vehicle fluids leaking into the Tickville Wash and noise pollution.

Mr. Heiner stated that the designs and standards will adhere to the requirement to prevent fluid leakage onto adjacent properties. He explained that Cascade Collision does short-term repairs and some bodywork but not salvage, scrap, or long-term vehicular storage.

Mr. Mumford stated the Eagle Mountain Nature and Wildlife Alliance had requested a 50-foot structure setback for the Tickville Wash for the AutoZone location and recommended a 330-foot wide wildlife corridor. The proposed Parks, Open Space, and Trails Master Plan includes recommendations for the wildlife corridor; however, the recommended requirements have not been codified. He expressed concern regarding the proximity of the parking lot to the wash and said a slope stability study would be required as a part of the site plan.

Commissioner Wright stated he has been pleased with the vehicle work he has had completed by Cascade Collision and said the company is reputable. He recommended for the applicants to review City elevation standards. He requested block fencing similar to the Cascade Collision Lehi location for this project. He concurred with fluid contamination concerns due to the proximity to the wash. He expressed concerns regarding traffic flow and volume and recommended for the applicants to confer with the City Engineer.

Mr. Sharp explained the building orientation options were limited due to the Tickville Wash and stated an access to Pony Express Parkway would be beneficial for the project.

Mr. Kane stated the City Engineer Chris Trusty advocated for the Porter's Crossing Parkway access to align with Bridleway Road to increase safety.

Mr. Heiner said the proposed use generates lower traffic, proportionally to the building and location size, relative to other uses.

Commissioner Everett verified with the applicants that asphalt would be installed on the vehicle parking area and said the installation of asphalt reduces his fluid contamination concerns. He inquired regarding the fence height, expressed approval of the trash enclosure location, and directed the applicant to verify site plan compliance with lighting and wash setback requirements.

Commissioner Wood stated the City Council had expressed concerns regarding a previous project's proximity to the Tickville Wash and directed the applicants to comply with the City Council's direction regarding wash setbacks.

Commissioner Pengra noted that a 50-foot setback was the recommendation Eagle Mountain Nature and Wildlife Alliance citizen group and is not a current requirement, although he is in favor of the standard. He reiterated the directive for the applicants to submit compliant elevations and lighting plan with the site plan application.

Commissioner Wells requested for the applicants to submit compliant elevations with extra consideration for the north side of the building that fronts on Pony Express Parkway, a major roadway. She inquired regarding locating the handicapped parking in the middle of the parking area.

Mr. Sharp explained the parking along the building is for completed vehicles and the handicapped parking is located across from the building entry.

Discussion ensued regarding building articulation Municipal Code standards and Commission recommendations.

6.C. Parkway Plaza (Concept Plan)

Mr. Kane presented the item. This commercial concept plan includes two buildings, with three commercial spaces per building, located on 1.52 acres northwest of North Ranches Parkway and East Stonebridge Lane. The property is within The Ranches master development plan/agreement which has expired. The intended zoning district for the subject property is Commercial Community.

The concept plan includes 54 parking stalls. If all of the tenant spaces were used as retail, 47 spaces are required. The plan includes at least two drive-through restaurants, which based on the tenant square footage, would require 69 spaces in total. The plan does not demonstrate the required building articulation for the two buildings. The location of the trash enclosure may be difficult for

trucks to access. Staff recommends for the applicant to work with the adjacent property owner to the west to install a private road along the western edge with a connection to Campus Drive to improve access, allow parking lot access off the private road, and remove the near 180-degree turn required for the southern drive-through.

Commissioner Everett expressed concerns regarding the number of retail sites in relation to the trash receptacle provided.

Mr. Kane stated he was unaware of trash receptacle standards requirements regarding the number of dumpsters in relation to the number of retail locations and explained sufficient trash collection is the responsibility of the property owner or tenants to provide additional dumpsters or to schedule more frequent trash collection. He verified that drive-through queue standards require appropriate accommodation but do not specify a queue length.

Applicant Jon Jensen said he hopes the development will be a positive addition to Eagle Mountain and expressed a willingness to address the private drive recommendation with the adjacent property owners.

Commissioner Everett inquired regarding the applicant's trash collection plan and directed the applicant to provide a compliant, attractive product and lighting plan. He stated the project is appropriate for the location and the recommended private road would increase accessibility of the site.

Mr. Jensen stated they strive to provide accessible trash disposal locations for both the tenants and the trash collectors and that trash quantity concerns are usually addressed with increased collection frequency.

Commissioner Pengra expressed concern regarding the egress layout as it is problematic for access and drive-through queuing. He stated he would likely deny the application based upon the parking and egress if it were brought before the Planning Commission if presented as currently designed.

Commissioner Wright concurred with Commissioner Pengra's concerns and expressed concern the proposed plan will be unable to accommodate the required 69 parking stalls. He suggested reducing the number of retail spaces or one of the drive-throughs to reduce the number of required parking required and to improve traffic flow.

Mr. Jensen explained that restaurants with drive-throughs will stabilize the site's viability.

Commissioner Wright clarified his concerns are regarding adequate parking, traffic flow within the site and to external roadways, and how the project will be incorporated into and function in relation to existing and future City infrastructure.

Commissioner Wood stated the parking standard requirements might be onerous, especially for restaurants with drive-throughs. He advocated for business-specific parking standards.

Mr. Mumford stated the Economic Development Director is working to contact the adjacent landowner to establish a relationship with that property owner.

Commissioner Pengra stated that although some restaurants and businesses are struggling during the pandemic, many others, particularly restaurants have adapted and are experiencing increased revenue; he expects the applicant to be successful in filling the drive-through restaurant locations; however, the problematic layout and egress will discourage retailers from leasing space.

Mr. Kane explained Municipal Code Off-Street Parking standards allow for the Planning Commission to approve a deviation from the parking requirement if they determine the exception will not impair the service; however, he cautioned against approving an exemption due to current conditions as it relates to potential long-term, post-pandemic effects. He recommended reducing the restaurant square footage to decrease the parking requirement if the applicant's intent is to lease to tenants with a predominately pick up, drive-through service model.

Commissioner Wells said drive-through usage had increased prior to the pandemic and advocated for the adaption of development standards to address the need for longer drive-through queues. She concurred with the expressed parking and traffic flow concerns and stated the east parking area lacks adequate space for a vehicle to turn around and exit the area if all of the parking stalls are occupied as the eastern exit enters the drive-through lanes.

Commissioner Wood recessed the meeting from 8:33 p.m. to 8:40 p.m.

6.D. PUBLIC HEARING – Development Code Amendment for Zoning and Lot Transitions (EMMC 17.60)

Mr. Kane presented the item. The proposed zoning transition table proposes compatible adjacent zoning districts. This type of transition is best incorporated into EMMC 17.60 which also includes lot size transitioning identifying required lot size transitions that can be permitted within and between residential zoning districts. The amendment also includes updates to the lot size transition table to reflect the lot sizes established by current residential zoning districts.

Mr. Kane explained the proposed amendments to EMMC 17.60 presented and discussed during previous work sessions include the incorporation of the zoning transition table, updates to the lot size transitioning tables, and correlating updates to the verbiage. He said the amendment includes the staff recommendation regarding City Council ability to modify the lot size transitioning requirement with additional language to stipulate the criteria for consideration of an exception such as unique terrain, size, and density of the project, allowance for incentives for larger lots, utility easements or power corridors, major road divisions, natural or artificial buffers, or open space buffers.

Mr. Kane explained the intent of indicating a minimum rather than a maximum requirement for the "Minimum Lot Size for Adjacent Lots" designation on the Lot Size Transitioning from Smaller to Large Lots heading for Table 17.60.150(2) is to encourage the City's preference for larger lot development.

Mr. Kane stated the proposed amendment was discussed during the previous City Council work session. The Councilmembers expressed concern that nine transition steps may be onerous to developers. They discussed combining the 6,000 square foot and 8,500 square foot and the MF1 and MF2 lot size categories.

Commissioner Wood requested for the Planning Commission to provide feedback regarding the City Council's recommendation to combine some of the lot size categories.

Commissioner Pengra expressed concern the lot size transitioning requirements have become onerous and problematic as development product will be limited and determined by surrounding uses. He said adopting or removing the standards would result in consequences to City development and advocated for a compromise.

Commissioner Wood opened the public hearing at 8:49 p.m. No comments were submitted to the City Recorder's Office and no public was in attendance to make comment. As there were no comments, Commissioner Wood closed the hearing.

Commissioner Wood suggested the Planning Commission could recommend approval to the City Council with the suggested option that the lot size transitioning table could be removed as lot sizes could be regulated and determined by the zone transitioning table. He noted the impact of the variance of setback and frontage requirements on adjacent properties. He advocated for the retention of the lot size designation standards in order to protect existing landowner rights while adapting to the existing residential zone standards.

Discussion ensued regarding regulating lot sizes through the zone transition table requirements and concerns regarding the lot size transitioning table.

Commissioner Wells expressed concern removing the lot size transitioning table would reduce lot size transition protections for larger lots. She said she concurs the number of transitions is onerous and expressed her preference to address concerns through the combination of lot size categories.

Commissioner Wright stated the lot size tables should be simplified and clarified and expressed concern the transition standards for larger lots are problematic as a one-acre lot could be developed adjacent to a 4.99-acre lot.

Commissioner Pengra expressed concern that the large lot transition standard recommendations were elitist and unnecessarily prescriptive.

Commissioner Wright clarified his concern was due to the proposed change in the standards as previously lots over four acres required a two-acre minimum for adjacent lots and felt residents with larger lots would object to allowing one-acre lots adjacent to their properties.

Commissioner Pengra stated the City currently has developments with five-acre and one-acre lot adjacencies and the homes on the one-acre lot are frequently more expensive than the homes on the five-acre lots. He rejected the argument that allowing one-acre lots adjacent to five-acre lots has a negative impact on land value or quality of life.

Commissioner Wood stated allowing a one-acre lot adjacent to a 4.99-acre lot would reduce the value of the 4.99-acre lot. He clarified that his concerns were with the rights for existing homeowners regarding development on adjacent land and not new developments which include a combination of unpurchased lots with a mixture of one and five-acre parcels.

Commissioner Wells clarified her concerns were regarding the animal and agricultural rights and the adjacency of compatible uses of the properties rather than home values.

Commissioner Pengra conceded to the validity of Commissioner Well's concerns; however, due to current land values and the restrictiveness of City standards, he said the development of additional five-acre lots is unlikely.

Commissioner Wood stated lot transitioning standards are necessary due to recent developer requests for incompatible, noncompliant lot sizes.

Commissioner Everett stated that although the lot size transitioning table has flaws that need to be addressed, he preferred to include the table in the recommendation to the City Council to allow the Councilmembers to make their desired amendments.

Commissioner Wells inquired if Commissioner Wood would amend the motion to include the recommendations she emailed the Commissioners.

Commissioners Wood and Pengra declined to include the amendment as they had not received the email in time to review the contents before the meeting.

MOTION: *Commissioner Wood moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code Chapter 17.60 Zoning and Lot Transitions. Commissioner Pengra seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Christopher Pengra. Those voting nay: Erin Wells. The motion carried with a vote of 4:1.*

Commissioner Wells clarified her dissention was due to concerns regarding the large to small lot transitions on the Lot Size Transitioning Table.

6.E. PUBLIC HEARING – Development Code Amendment for Master Development Plans and Agreements (EMMC 16.10)

Mr. Kane presented the item. The proposed amendments address questions and process flow concerns that have been identified over the years. The amendment sets standards for all master developments going forward. Proposed amendments within the standards mitigate concerns through reducing the size requirements for properties that would need an MDA, decreasing the size of master development properties, setting a time limit (potentially under five years) for agreements, establishing development benchmarks, outlining phasing requirements, and focusing development on properties with existing roads prior to the development of areas requiring new roadways, including addressing changes public uses (schools, churches, roads) or

topographic/geologic challenges that were unknown prior to the agreement being finalized through standardized processes, and adding a requirement for compliance with Municipal Code.

Commissioner Wells recommended for 16.10.100(C)(2) to include “or by uncontrolled circumstances including but not limited to economic or natural disaster or City, State, or Federal Emergency Declaration.”

Commissioner Wood opened the public hearing at 9:24 p.m. No comments were submitted to the City Recorder's Office and no public was in attendance to make comment. As there were no comments, Commissioner Wood closed the hearing.

MOTION: *Commissioner Wood moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code Chapter 16.10 Master Development Plans and Agreements with the following condition 16.10.100(C)(2) shall be amended to include “or by uncontrolled circumstances including but not limited to economic or natural disaster or City, State, or Federal Emergency Declaration.” Commissioner Wright seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.*

6.F. PUBLIC HEARING – Development Code Amendment for Open Space Zone Districts

Mr. Kane presented the item. Current Municipal Code development standards include zoning districts for residential, commercial, agricultural, and industrial uses. Other land uses are currently permitted across each of the zones rather than set as their own use. One example is open space which includes parks, trails, and natural open space. By establishing Municipal Code standards for these zoning districts, the City can establish the uses and development requirements for the land zoned as open space and provide a clear indication of the actual land use.

Commissioner Wood opened the public hearing at 9:29 p.m. No comments were submitted to the City Recorder's Office and no public was in attendance to make comment. As there were no comments, Commissioner Wood closed the hearing.

Mr. Kane explained that Municipal Code includes a definition for improve open space and said a definition of natural open space could be added through a future amendment if desired. He explained that outdoor storage would only be allowed for the permitted uses and would be required to adhere to special use standard requirements including screening.

Commissioner Wright recommended prohibiting outdoor storage.

Commissioner Wood concurred with Commissioner Wright's concerns regarding outdoor storage.

MOTION: *Commissioner Wright moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code Chapter 17.23 Open Space*

Zones removing the outdoor storage as a special use from 17.23.040 Land use table for both the Improve Open Space and the Natural Open Space zones and recommended for staff to draft a definition for natural open space to be included in the standards. Commissioner Wood seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.

6.G. PUBLIC HEARING – Development Code Amendment for a Public Facilities Zone District

Mr. Kane presented the item. Current Municipal Code development standards include zoning districts for residential, commercial, agricultural, and industrial uses. Other land uses are currently permitted across each of the zones rather than set as their own use. One example is public facilities which includes civic and public-gathering locations such as a city hall, libraries, churches, meeting halls, and museums. By establishing Municipal Code standards for these zoning districts, the City can establish the uses and development requirements for the land zoned as public facility and provide a clear indication of the actual land use.

Commissioner Wood opened the public hearing at 9:39 p.m. No comments were submitted to the City Recorder's Office and no public was in attendance to make comment. As there were no comments, Commissioner Wood closed the hearing.

Commissioner Wood inquired regarding the outdoor storage especially concerning cultural and art uses and recommended being more specific regarding outdoor storage standards and uses.

Mr. Kane recommended removing outdoor storage as a special use and potentially inserting amended standard criteria for outdoor storage at a future date.

Commissioner Wells requested clarification regarding outdoor storage allowance concerns as the use was required to adhere to current screening requirements.

Commissioner Wood clarified his concerns regarding outdoor storage was due to open storage standard adherence and enforcement.

Commissioner Pengra concurred with the concerns regarding the unsightliness of outdoor storage items.

Commissioner Wells advocated to permit outdoor storage for public facilities due to the likelihood of a legitimate need for outdoor storage options.

Commissioner Wood clarified he is concerned with permitting outdoor storage for cultural not public or civic uses.

Commissioner Everett expressed concern that outdoor storage for cultural uses, such as theater scenery, may exceed screening height requirements and be visually unappealing.

Commissioner Wright expressed concern regarding the recommendation for no side setback requirements when the building is not adjacent to residential uses.

Mr. Kane explained the property line setbacks were based upon commercial zone standards. He said he did not feel a setback requirement would be onerous to development; however, it might not be desirable especially in a city center setting.

MOTION: *Commissioner Everett moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code Chapter 17.32 Public Facilities Zones removing subsection B. Outdoor Storage from 17.31.040 Special Uses. Commissioner Wood seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Christopher Pengra. Those voting nay: Erin Wells. The motion carried with a vote of 4:1.*

Commissioner Wells clarified her dissenting vote was due to the removal of outdoor storage due to the need for outdoor storage for civic uses.

Commissioner Wood requested for staff to prepare an amendment with more specific outdoor storage criteria to be discussed at a future meeting.

7. Discussion Items

Commissioner Pengra expressed concern regarding the number of items on the work session agendas and stated that efficiency will be improved with fewer items.

8. Next scheduled meeting

9. Adjournment

MOTION: *Commissioner Pengra moved to adjourn the meeting at 9:52 p.m. Commissioner Wells seconded the motion. No vote was called.*

The meeting was adjourned at 9:52 p.m.

Approved by the Planning Commission on October 13, 2020.


Steve Mumford (01/14/2020 10:34 MST)
Steve Mumford, AICP
Assistant City Administrator/Community Development Director