



## EAGLE MOUNTAIN CITY COUNCIL MEETING

**August 20, 2019, 4:00 PM**

Eagle Mountain City Council Chambers

1650 East Stagecoach Run, Eagle Mountain, Utah 84005

### **4:00 P.M. WORK SESSION – CITY COUNCIL CHAMBERS**

#### **1. CITY ADMINISTRATOR INFORMATION ITEMS**

This is an opportunity for the City Administrator to provide information to the City Council. These items are for information only and do not require action by the City Council.

- 1.A. PRESENTATION - Bureau of Land Management Project Briefing  
This is not an action item.
- 1.B. PRESENTATION - UDOT Redwood Road Bike Box Project  
This is not an action item.
- 1.C. PRESENTATION - Public Arts Program  
This is not an action item.

#### **2. AGENDA REVIEW**

The City Council will review items on the Consent Agenda and Policy Session Agenda.

#### **3. ADJOURN TO A CLOSED EXECUTIVE SESSION**

The City Council will adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation, the purchase, lease or exchange of real property pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

### **7:00 P.M. POLICY SESSION – CITY COUNCIL CHAMBERS**

#### **4. CALL TO ORDER**

#### **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.

5. **PLEDGE OF ALLEGIANCE**

6. **INFORMATION ITEMS/UPCOMING EVENTS**

7. **PUBLIC COMMENTS**

Time has been set aside for the public to express their ideas, concerns and comments. (Please limit your comments to three minutes each.)

8. **CITY COUNCIL/MAYOR'S ITEMS**

Time has been set aside for the City Council and Mayor to make comments.

9. **PRESENTATION**

- 9.A. PRESENTATION - Limitless Car Show  
CBRS

**CONSENT AGENDA**

10. **BID AWARDS**

- 10.A. Design & Engineering Professional Services Agreement for the 2019 Pole Canyon Water Line Extension.  
Jackson Engineering
- 10.B. Design & Engineering Professional Services Agreement for the SilverLake Woodhaven Park.  
EPG Design

11. **BOND RELEASES**

- 11.A. SilverLake Plat 19 - Into Warranty  
Motion to approve.  
[SL 19 Recorded Plat Map](#)  
[BR--SL 19 Into Warranty](#)
- 11.B. Cedar Corners Phase A Plat 2 - Into Warranty  
Motion to approve.  
[BR--CC A-2 Into Warranty](#)  
[CC A-2 Recorded Plat](#)

12. **CHANGE ORDER**

- 12.A. Pony Express Widening Project - Porters Crossing to Redwood Road.  
Knife River Construction Change Order #2

### **13. MINUTES**

- 13.A. August 6, 2019 Minutes - Regular City Council Meeting  
Motion to approve.  
[08.06.2019 City Council Minutes - DRAFT](#)  
[08.06.2019 City Council Minutes Attachment](#)

### **SCHEDULED ITEMS**

### **14. ORDINANCE/PUBLIC HEARING**

- 14.A. ORDINANCE - An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code, Chapter 17.25 Residential Zone and Chapter 17.30 Residential Zone Bonus Density Entitlements.

BACKGROUND: (Presented by Community Development Director Steve Mumford) The proposed Development Code amendments to Chapters 17.25 and 17.30 create new residential zones and development standards within the City. This item was tabled at the July 16, 2019 City Council meeting.

[Residential Code Amendments 8-20-19](#)  
[ORD--Residential\\_Zone](#)  
[Development Standards 8-20-19](#)  
[Residential Land Use Table 8-20-19](#)  
[PC Minutes - Residential Code 5-28-19](#)

### **15. RESOLUTIONS**

- 15.A. RESOLUTION - A Resolution of Eagle Mountain City, Utah Approving the First Amendment to the Amended and Restated Master Development Agreement for the Overland Development and Pony Express Parcel.

BACKGROUND: (Presented by Staff) The Ivory development is located west of Pony Express Parkway and north of Frontier Middle School. The proposed resolution amends the number of building permits approved prior to completion of Club Ivory and an approximately 4-acre park in Village 1.

[MDA--Overland-Pony Express MDA First Amendment](#)  
[RES--Overland-Pony Express MDA First Amendment](#)

- 15.B. RESOLUTION - A Resolution of Eagle Mountain City, Utah Amending the Policies and Procedures Manual for Live Chat.

BACKGROUND: (Presented by Management Analyst Evan Berrett) Eagle Mountain City staff would like to pilot live chat functionality with the Utility Billing department on the City website.

The proposed resolution documents the terms of the live chat policy and procedures.

[LiveChat\\_PolicyDraft\\_07082019](#)

[RES--Policies & Procedures Manual re Live Chat](#)

**16. CITY COUNCIL/MAYOR’S BUSINESS**

This time is set aside for the City Council’s and Mayor’s comments on City business.

**17. CITY COUNCIL BOARD LIAISON REPORTS**

This time is set aside for Councilmembers to report on the boards they are assigned to as liaisons to the City Council.

**18. COMMUNICATION ITEMS**

18.A. Upcoming Agenda Items

This is not an action item.

[A.CI--Upcoming Agenda Items](#)

18.B. Financial Report

This is not an action item.

[Executive Summary of Revenues and Expenses](#)

**19. ADJOURNMENT**

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above agenda notice was posted on this **15th day of August, 2019**, on the Eagle Mountain City bulletin boards, the Eagle Mountain City website [www.emcity.org](http://www.emcity.org), posted to the Utah State public notice website <http://www.utah.gov/pmn/index.html>, and was emailed to at least one newspaper of general circulation within the jurisdiction of the public body.

Fionnuala B. Kofoed, MMC, City Recorder



**EAGLE MOUNTAIN CITY  
CITY COUNCIL MEETING  
AUGUST 20, 2019**

|                                 |                                                                                                     |                |                  |
|---------------------------------|-----------------------------------------------------------------------------------------------------|----------------|------------------|
| <b>TITLE:</b>                   | Design & Engineering Professional Services Agreement for the 2019 Pole Canyon Water Line Extension. |                |                  |
| <b>ITEM TYPE:</b>               | Bid Award                                                                                           |                |                  |
| <b>FISCAL IMPACT:</b>           | \$74,740.00                                                                                         |                |                  |
| <b>APPLICANT:</b>               | Chris Trusty                                                                                        |                |                  |
| <b>GENERAL PLAN DESIGNATION</b> | <b>CURRENT ZONE</b>                                                                                 | <b>ACREAGE</b> | <b>COMMUNITY</b> |

**PUBLIC HEARING:**

No

**REQUIRED FINDINGS:**

**PLANNING COMMISSION  
ACTION /  
RECOMMENDATION**

**PREPARED BY:**

Chris Trusty, Public  
Works

**RECOMMENDATION:**

Staff recommends that the City Council approves the bid award for the design of the 2019 Pole Canyon Water Line Extension to Jackson Engineering in the amount of \$74,740 and authorizes the Mayor to sign the agreement.

**BACKGROUND:**

BACKGROUND: The City has solicited proposals from qualified engineering firms to design a water line that would connect the Pole Canyon area with the main City water system. This will allow the City to have more flexibility and redundancy within the system. The contract includes design to be completed this fall to be bid for construction in early 2020.

The City received 7 proposals and ranked the submittals to make a recommendation to City Council. A summary of the ranking is shown below:

Jackson Engineering; Rank: 96/120; Proposal: \$74,740  
Psomas Engineering; Rank: 96/120; Proposal: \$195,777  
Sunrise Engineering; Rank: 94/120; Proposal: \$153,500  
Jones and DeMille; Rank 93/120; Proposal: \$262,177  
Horrocks Engineers; Rank 75/ 100; Proposal: \$156,271  
Epic Engineering; Rank 73.3/ 100; Proposal: \$192,824.50  
JWO Engineering; Rank 72.7/100; Proposal: \$107,700

**Attachments:**



**EAGLE MOUNTAIN CITY  
CITY COUNCIL MEETING  
AUGUST 20, 2019**

|                                 |                                                                                         |                |                  |
|---------------------------------|-----------------------------------------------------------------------------------------|----------------|------------------|
| <b>TITLE:</b>                   | Design & Engineering Professional Services Agreement for the SilverLake Woodhaven Park. |                |                  |
| <b>ITEM TYPE:</b>               | Bid Award                                                                               |                |                  |
| <b>FISCAL IMPACT:</b>           | \$47,199.00                                                                             |                |                  |
| <b>APPLICANT:</b>               | Brad Hickman                                                                            |                |                  |
| <b>GENERAL PLAN DESIGNATION</b> | <b>CURRENT ZONE</b>                                                                     | <b>ACREAGE</b> | <b>COMMUNITY</b> |

**PUBLIC HEARING:**

No

**REQUIRED FINDINGS:**

**PLANNING COMMISSION  
ACTION /  
RECOMMENDATION**

**PREPARED BY:**

Brad Hickman, Parks and  
Recreation

**RECOMMENDATION:**

Staff recommends that the City Council awards a bid to EPG Design, in the amount of \$47,199.00, for the design of the SilverLake Woodhaven Park and preparation of construction documents.

**BACKGROUND:**

BACKGROUND: As part of the fiscal year 2020 budget, money was allocated to design and complete the first phase of the SilverLake Woodhaven park. After seeking requests for proposals, the City received ten submittals for the project. After scoring the proposals the selection review committee selected two firms to come and give formal presentations (Think Architecture, EPG Design). After the formal presentations were completed the selection review committee selected the best firm based on qualifications, presentation and cost. The firm the committee selected after evaluating all criteria was EPG Design.

| No. | Firm Name             | Bid Price |
|-----|-----------------------|-----------|
| 1   | Epic Engineering      | \$49,800  |
| 2   | PEC                   | \$65,210  |
| 3   | Civil Solutions Group | \$40,906  |
| 4   | Sunrise Engineering   | \$64,100  |
| 5   | Blu                   | \$37,750  |
| 6   | Landform Design Group | \$44,340  |
| 7   | Think Architecture    | \$56,900  |
| 8   | Landmark Design Group | \$69,900  |
| 9   | In Site Design Group  | \$68,910  |
| 10  | EPG Design            | \$47,199  |

**Attachments:**

# SILVERLAKE PLAT "19"

SITUATED IN THE SOUTHEAST QUARTER OF SECTION 28,  
TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE  
AND MERIDIAN, EAGLE MOUNTAIN, UTAH

| Curve # | Length  | Radius   | Delta      | CHORD   | CHORD BEARING |
|---------|---------|----------|------------|---------|---------------|
| C1      | 237.61' | 756.50'  | 17°59'47"  | 236.64' | N77°47'40"W   |
| C2      | 242.16' | 557.50'  | 24°53'16"  | 240.26' | N70°50'12"W   |
| C3      | 26.82'  | 15.00'   | 101°41'22" | 23.26'  | S70°45'45"W   |
| C4      | 16.94'  | 1226.50' | 0°47'29"   | 16.94'  | N20°18'46"E   |
| C5      | 20.71'  | 15.00'   | 79°06'07"  | 19.10'  | N18°50'31"W   |
| C6      | 25.40'  | 15.00'   | 97°01'10"  | 22.47'  | N73°05'51"E   |
| C7      | 71.62'  | 1226.50' | 3°20'44"   | 71.61'  | N28°15'37"E   |
| C8      | 225.67' | 415.00'  | 31°09'21"  | 222.90' | S67°42'11"E   |
| C9      | 73.03'  | 184.50'  | 22°40'45"  | 72.55'  | S71°56'30"E   |
| C10     | 308.97' | 615.50'  | 28°45'41"  | 305.74' | S74°58'58"E   |
| C11     | 74.91'  | 1039.50' | 4°07'44"   | 74.89'  | S03°08'06"W   |
| C12     | 24.12'  | 15.00'   | 92°08'13"  | 21.61'  | S47°08'20"W   |



FOUND SECTION CORNER

PUBLIC OPEN SPACE DEDICATED TO  
EAGLE MOUNTAIN CITY

COMMON AREA

SUBDIVISION BOUNDARY

SECTION LINE

ROAD CENTER LINE

| LAND USE                    | ACREAGE            |
|-----------------------------|--------------------|
| ACREAGE:                    | 7.35 acres         |
| ACREAGE IN LOTS:            | 3.64 acres         |
| OPEN SPACE:                 | 2.25 acres         |
| ACREAGE IN ROADS:           | 1.46 acres         |
| SINGLE FAMILY LOTS:         | 16 LOTS            |
| AVE. SINGLE FAMILY LOT:     | 5,581 SF           |
| TOWNHOME UNITS:             | 36 UNITS           |
| TOTAL LOTS:                 | 52 LOTS            |
| LARGEST SINGLE FAMILY LOT:  | 6,143 SF           |
| SMALLEST SINGLE FAMILY LOT: | 5,088 SF           |
| UNIT DENSITY:               | 7.0 UNITS PER ACRE |

Basis of Bearing: the line between the Southeast Corner and the South Quarter Corner of Section 28, Township 5 South, Range 1 West, Salt Lake Base and Meridian which bears North 89°20'14" West taken from the State Plane Coordinate & Dependent Resurvey Plot found at the Utah County Surveyors Office, (NAD 83)

## DOMINION GAS COMPANY APPROVAL

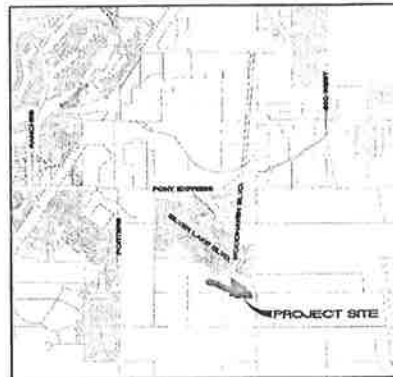
Dominion approves this plat solely for the purpose of confirming that the plat contains public utility easements. Dominion may require other easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgment of any terms contained in the plat, including those set forth in the Owners Dedication and the Notes and does not constitute a guarantee of particular terms of natural gas service. For further information please contact Dominion's right-of-way department at 1-800-366-8532

Approved this 9th day of July, 2013 Dominion Gas Company  
By: [Signature] Title: MANAGING SPECIALIST

## DIRECT COMMUNICATIONS APPROVAL

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

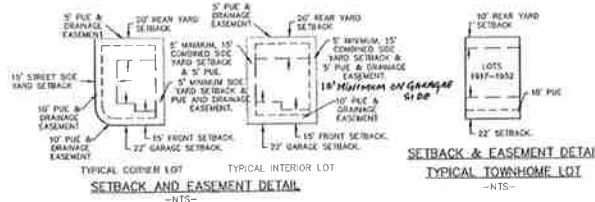
Approved this 7/10/13 day of July  
By: [Signature] Title: DIRECT COMMUNICATIONS



VICINITY MAP  
NTS

FOUND UTAH COUNTY BRASS CAP 1959  
SOUTH QUARTER CORNER OF SECTION 28,  
TOWNSHIP 5 SOUTH, RANGE 1 WEST,  
SALT LAKE BASE AND MERIDIAN.

FOUND UTAH COUNTY BRASS CAP 1971  
SOUTHEAST CORNER OF SECTION 28,  
TOWNSHIP 5 SOUTH, RANGE 1 WEST,  
SALT LAKE BASE AND MERIDIAN.



- NOTES:
- 1- STUCCO SHALL NOT EXCEED 25% OF ANY FRONT ELEVATION AND ELEVATION FACING A PUBLIC STREET.
  - 2- ALL EXTERIOR LIGHTING MUST COMPLY WITH EMMC CHAPTER 17.56 OUTDOOR LIGHTING STANDARDS.
  - 3- PRIVACY FENCING FACING SILVERLAKE PARKWAY MUST BE CONSISTENT IN LOOK, MATERIALS, COLOR, AND CONSTRUCTION WITH THE RANCHES FENCING ALONG SILVERLAKE PARKWAY UNLESS AN ALTERNATIVE FENCE IS APPROVED.
  - 4- PARCELS A DEDICATED TO EAGLE MOUNTAIN CITY.
  - 5- THE ACCESS BETWEEN LOTS 1910 & 1911 (PARCEL A) AND THE LANDSCAPING ALONG SILVERLAKE PARKWAY TO BE MAINTAINED BY SILVERLAKE HOA.
  - 6- ALL COMMON AREAS INCLUDING PRIVATE ROADWAYS WILL BE A PUBLIC UTILITY AND DRAINAGE EASEMENT.

SCALE: 1" = 60'

TRANE ENGINEERING, P.C.  
CONSULTING ENGINEERS AND LAND SURVEYORS  
27 EAST MAIN LBN, UTAH 84043 (801) 768-4544

## SURVEYOR'S CERTIFICATE

I, TRAVIS TRANE, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 5152741, as prescribed under the laws of the State of Utah. I further certify that by authority of the owners, I have made a survey of the tract of land shown on this plat and described herein, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as SILVERLAKE PLAT "19", and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

## BOUNDARY DESCRIPTION

Beginning at a point which is North 89°20'14" West 1049.87 feet along the section line and North 1189.24 feet from the Southeast Corner of Section 28, Township 5 South, Range 1 West, Salt Lake Base and Meridian; thence North 66°47'24" West 15.74 feet; thence Northwesterly 237.61 feet along the arc of a 756.50 foot radius curve to the right, through a central angle of 17°59'47" the chord of which bears North 77°47'40" West 236.64 feet; thence South 08°03'15" West 326.72 feet; thence North 72°59'45" West 451.92 feet; thence North 02°49'43" East 171.45 feet; thence North 13°49'42" East 224.18 feet; thence North 83°16'50" West 38.72 feet; thence Northwesterly 242.16 feet along the arc of a 557.50 foot radius curve to the right, through a central angle of 24°53'16" the chord of which bears North 70°50'12" West 240.26 feet; thence North 58°23'34" West 8.49 feet; thence Southwesterly 26.62 feet along the arc of a 15.00 foot radius curve to the left, through a central angle of 101°41'22" the chord of which bears South 70°45'45" West 23.26 feet; thence North 70°04'56" West 53.00 feet; thence Northwesterly 16.94 feet along the arc of a 1226.50 foot radius curve to the right, through a central angle of 0°47'29" the chord of which bears North 20°18'46" East 16.94 feet; thence Northwesterly 20.71 feet along the arc of a 15.00 foot radius curve to the left, through a central angle of 79°06'07" the chord of which bears North 18°50'31" West 19.10 feet; thence North 58°23'34" West 13.08 feet; thence North 31°36'26" East 53.00 feet; thence Northwesterly 25.40 feet along the arc of a 15.00 foot radius curve to the left, through a central angle of 97°01'10" the chord of which bears North 73°05'51" East 22.47 feet; thence Northwesterly 71.62 feet along the arc of a 1226.50 foot radius curve to the right, through a central angle of 3°20'44" the chord of which bears North 28°15'37" East 71.61 feet; thence South 67°42'11" East 222.90 feet; thence Southwesterly 225.67 feet along the arc of a 415.00 foot radius curve to the left, through a central angle of 31°09'21" the chord of which bears South 67°42'11" East 222.90 feet; thence South 83°16'52" East 38.72 feet; thence Southwesterly 73.03 feet along the arc of a 184.50 foot radius curve to the right, through a central angle of 22°40'45" the chord of which bears South 71°56'30" East 72.55 feet; thence South 60°36'07" East 282.74 feet; thence Southwesterly 308.97 feet along the arc of a 615.50 foot radius curve to the left, through a central angle of 28°45'41" the chord of which bears South 74°58'58" East 305.74 feet; thence Southerly 74.91 feet along the arc of a 1039.50 foot radius curve to the left, through a central angle of 04°07'44" the chord of which bears South 03°08'06" West 74.89 feet; thence Southwesterly 24.12 feet along the arc of a 15.00 foot radius curve to the right, through a central angle of 92°08'13" the chord of which bears South 47°08'20" West 21.61 feet; thence South 01°38'20" East 53.19 feet to the point of beginning.

Parcel contains: 7.35 acres more or less.

July 6, 2018  
DATE

## 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.

OWNER(S):

PRINTED NAME OF OWNER

Nathan Hultman  
President, Rockness Development, Inc.

AUTHORIZED SIGNATURE(S)

[Signature]

STATE OF UTAH )  
COUNTY OF UTAH )

## ACKNOWLEDGEMENT

EX-67728-2018 Rev. 1/15/14  
JEFFERY SMITH  
UTAH COUNTY RECORDER  
2018 JUL 19 10:54 AM PZT 111-01-11-14  
RECEIVED FOR EAGLE MOUNTAIN CITY

On the 6th day of July, 2018, personally appeared before me the persons signing the foregoing Owners Dedication known to me to be authorized to execute the foregoing Owners Dedication for and on behalf of the owners who duly acknowledge to me that the Owners Dedication was executed by them on behalf of the Owners.

My Commission Expires 6/11/2021

695504  
COMMISSION NUMBER

NOTARY PUBLIC SIGNATURE

Matthew Rasband  
PRINTED NAME OF NOTARY

## ACCEPTANCE BY LEGISLATIVE BODY

The City Council of Eagle Mountain City, County of Utah, Approves this subdivision and hereby accepts the dedication of all streets, easements, and other parcels of land intended for public purpose to the people of the public this 12th day of July, 2018.

APPROVED BY MAYOR  
[Signature]  
APPROVED BY CITY ENGINEER  
[Signature]  
(See Seal Below)

APPROVED BY CITY ATTORNEY  
[Signature]  
ATTEST BY CITY RECORDER  
(See Seal Below)

PLAT "19"  
SHEET 1 OF 2  
**SILVERLAKE**  
A RESIDENTIAL SUBDIVISION

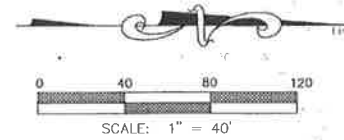
EAGLE MOUNTAIN UTAH COUNTY, UTAH



Sec. 2P-5-1W TO-03P

# SILVERLAKE PLAT "19"

SITUATED IN THE SOUTHEAST QUARTER OF SECTION 28,  
TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE  
AND MERIDIAN, EAGLE MOUNTAIN, UTAH

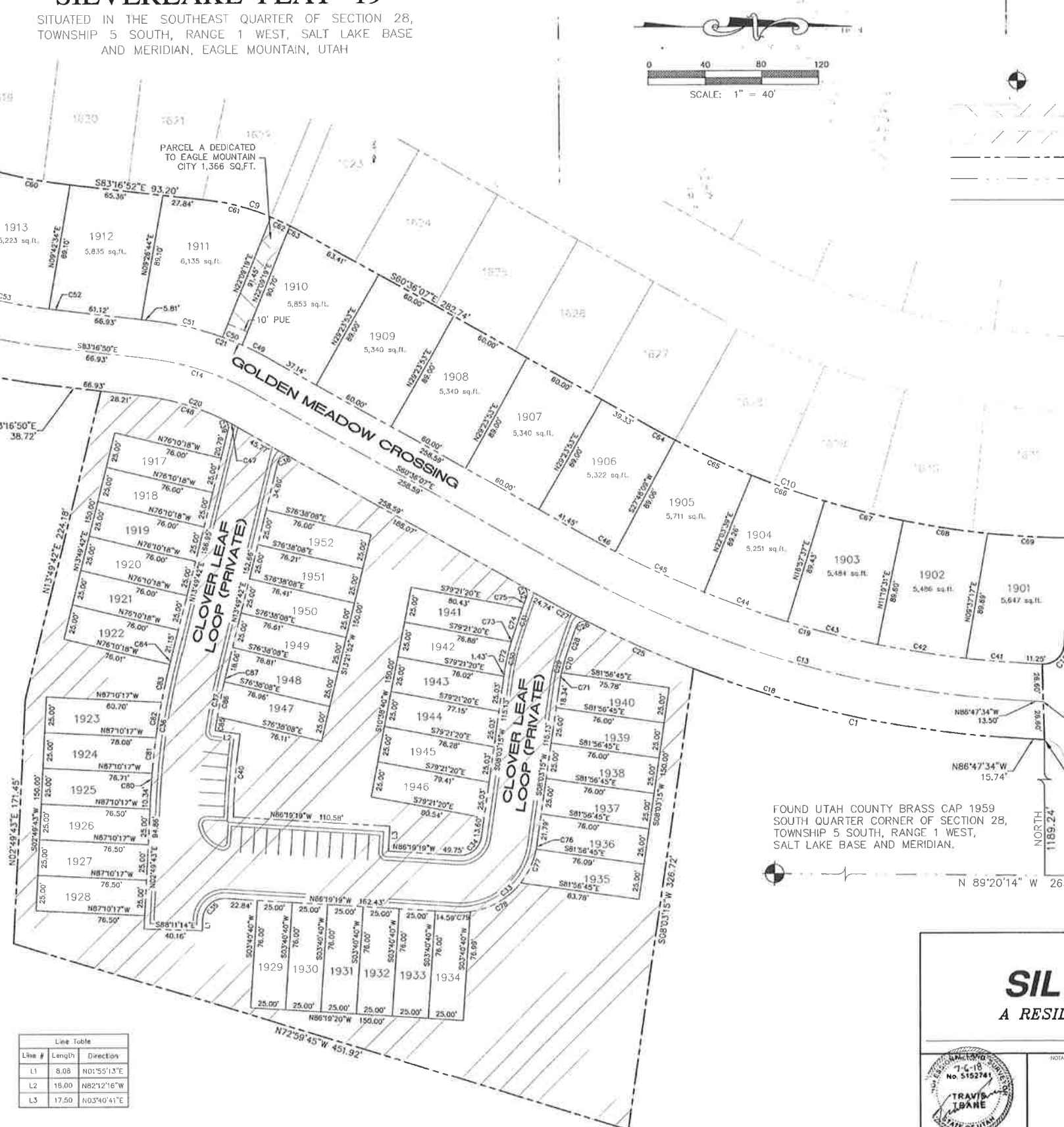


- FOUND SECTION CORNER
- PUBLIC OPEN SPACE DEDICATED TO EAGLE MOUNTAIN CITY
- COMMON AREA
- SUBDIVISION BOUNDARY
- SECTION LINE
- ROAD CENTER LINE

| Curve # | Length  | Radius   | Delta      | CHORD   | CHORD BEARING |
|---------|---------|----------|------------|---------|---------------|
| C1      | 237.61' | 756.50'  | 17°59'47"  | 236.64' | N77°47'40"W   |
| C2      | 242.16' | 557.50'  | 24°53'16"  | 240.26' | N70°50'12"W   |
| C3      | 26.62'  | 15.00'   | 101°41'22" | 23.26'  | S70°45'45"W   |
| C4      | 16.94'  | 1226.50' | 0°47'29"   | 16.94'  | N20°18'48"E   |
| C5      | 20.71'  | 15.00'   | 79°06'07"  | 19.10'  | N18°50'31"W   |
| C6      | 25.40'  | 15.00'   | 97°01'10"  | 22.47'  | N73°05'51"E   |
| C7      | 71.62'  | 1226.50' | 3°20'44"   | 71.61'  | N26°15'37"E   |
| C8      | 225.67' | 415.00'  | 31°09'21"  | 222.90' | S67°42'11"E   |
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| C10     | 309.97' | 615.50'  | 28°45'41"  | 305.74' | S74°58'58"E   |
| C11     | 74.91'  | 1039.50' | 4°07'44"   | 74.89'  | S03°08'06"W   |
| C12     | 24.12'  | 15.00'   | 92°08'13"  | 21.61'  | S47°08'20"W   |
| C13     | 333.89' | 730.00'  | 26°11'26"  | 330.79' | S73°41'51"E   |
| C14     | 79.16'  | 200.00'  | 22°40'43"  | 76.65'  | N71°56'29"W   |
| C15     | 230.65' | 531.00'  | 24°53'16"  | 228.84' | S70°50'12"E   |
| C16     | 50.76'  | 1200.00' | 2°25'25"   | 50.75'  | S21°07'46"W   |
| C17     | 117.12' | 1200.00' | 5°35'31"   | 117.07' | S25°08'14"W   |
| C18     | 345.81' | 756.50'  | 26°11'26"  | 342.80' | S73°41'51"E   |
| C19     | 321.58' | 703.50'  | 26°11'26"  | 318.79' | S73°41'51"E   |
| C20     | 68.67'  | 173.50'  | 22°40'43"  | 68.23'  | N71°56'29"W   |
| C21     | 89.65'  | 226.50'  | 22°40'43"  | 89.07'  | N71°56'29"W   |
| C22     | 219.14' | 504.50'  | 24°53'16"  | 217.42' | S70°50'12"E   |
| C23     | 21.59'  | 15.00'   | 82°28'29"  | 19.78'  | S17°09'20"E   |
| C24     | 78.88'  | 1173.50' | 3°51'04"   | 78.88'  | S26°00'27"W   |
| C25     | 80.52'  | 756.50'  | 6°05'54"   | 80.48'  | S65°44'50"E   |
| C26     | 10.23'  | 6.00'    | 97°40'20"  | 9.03'   | S68°27'57"W   |
| C27     | 27.68'  | 756.50'  | 2°05'46"   | 27.67'  | S61°39'00"E   |
| C28     | 23.68'  | 772.50'  | 1°45'22"   | 23.68'  | S18°45'06"W   |
| C29     | 17.14'  | 100.00'  | 9°49'10"   | 17.12'  | S12°57'50"W   |
| C30     | 23.99'  | 140.00'  | 9°49'10"   | 23.96'  | S12°57'50"W   |
| C31     | 33.27'  | 812.50'  | 2°20'46"   | 33.27'  | S19°02'48"W   |
| C32     | 8.46'   | 6.00'    | 80°49'18"  | 7.78'   | N20°11'28"W   |
| C33     | 82.19'  | 55.00'   | 85°37'26"  | 74.76'  | N50°51'58"E   |
| C34     | 22.42'  | 15.00'   | 85°37'26"  | 20.39'  | N50°51'58"E   |
| C35     | 24.02'  | 15.00'   | 91°45'28"  | 21.54'  | S47°47'57"W   |
| C36     | 95.99'  | 500.00'  | 10°59'59"  | 95.84'  | S08°19'42"W   |
| C37     | 41.93'  | 460.00'  | 51°32'31"  | 41.92'  | S11°13'00"W   |
| C38     | 11.06'  | 6.00'    | 105°34'11" | 9.56'   | S66°36'47"W   |
| C39     | 8.09'   | 6.00'    | 77°13'13"  | 7.49'   | N24°46'55"W   |
| C40     | 58.19'  | 442.00'  | 7°32'36"   | 58.15'  | S04°52'00"W   |
| C41     | 42.55'  | 703.50'  | 3°27'56"   | 42.54'  | S85°03'36"E   |
| C42     | 62.50'  | 703.50'  | 5°05'26"   | 62.48'  | S80°46'55"E   |
| C43     | 65.67'  | 703.50'  | 5°20'54"   | 65.64'  | S75°33'46"E   |
| C44     | 62.75'  | 703.50'  | 5°06'37"   | 62.73'  | S70°20'00"E   |

| Curve # | Length | Radius  | Delta     | CHORD  | CHORD BEARING |
|---------|--------|---------|-----------|--------|---------------|
| C45     | 68.52' | 703.50' | 5°34'51"  | 68.50' | S64°59'16"E   |
| C46     | 19.59' | 703.50' | 1°35'43"  | 19.59' | S61°23'59"E   |
| C47     | 8.45'  | 173.50' | 2°47'24"  | 8.45'  | N61°59'49"W   |
| C48     | 60.23' | 173.50' | 19°53'19" | 59.92' | N73°20'11"W   |
| C49     | 22.75' | 226.50' | 5°45'18"  | 22.74' | N63°28'47"W   |
| C50     | 15.00' | 15.00'  | 3°47'43"  | 15.00' | N68°15'17"W   |
| C51     | 51.90' | 226.50' | 13°07'41" | 51.78' | N76°42'59"W   |
| C52     | 4.65'  | 504.50' | 0°31'42"  | 4.65'  | S63°00'59"E   |
| C53     | 62.87' | 504.50' | 7°08'25"  | 62.83' | S79°10'55"E   |
| C54     | 62.37' | 504.50' | 7°05'01"  | 62.33' | S72°04'12"E   |
| C55     | 61.79' | 504.50' | 7°01'04"  | 61.75' | S65°01'10"E   |
| C56     | 27.45' | 504.50' | 3°07'03"  | 27.45' | S59°57'06"E   |
| C57     | 65.06' | 415.00' | 8°58'56"  | 64.99' | S56°36'58"E   |
| C58     | 52.52' | 415.00' | 7°15'05"  | 52.49' | S64°43'59"E   |
| C59     | 53.58' | 415.00' | 7°23'50"  | 53.54' | S72°03'26"E   |
| C60     | 54.51' | 415.00' | 7°31'31"  | 54.47' | S79°31'07"E   |
| C61     | 50.13' | 184.50' | 15°34'07" | 49.98' | N75°29'49"W   |
| C62     | 15.02' | 184.50' | 4°39'50"  | 15.01' | S65°22'51"W   |
| C63     | 7.88'  | 184.50' | 2°26'49"  | 7.88'  | N61°49'31"W   |
| C64     | 19.23' | 615.50' | 1°47'24"  | 19.23' | S61°29'49"E   |
| C65     | 59.59' | 615.50' | 5°32'49"  | 59.57' | S65°09'56"E   |
| C66     | 54.79' | 615.50' | 5°06'02"  | 54.77' | S70°29'22"E   |
| C67     | 56.86' | 615.50' | 5°17'36"  | 56.84' | S75°41'11"E   |
| C68     | 59.84' | 615.50' | 5°34'15"  | 59.82' | S61°07'06"E   |
| C69     | 58.65' | 615.50' | 5°27'35"  | 58.63' | S66°58'01"E   |
| C70     | 10.47' | 100.00' | 5°59'58"  | 10.47' | S14°52'27"W   |
| C71     | 6.67'  | 100.00' | 3°49'14"  | 6.67'  | S09°57'52"W   |
| C72     | 23.62' | 140.00' | 9°38'55"  | 23.59' | S12°53'13"W   |
| C73     | 0.38'  | 140.00' | 0°09'15"  | 0.38'  | S17°47'48"W   |
| C74     | 24.88' | 812.50' | 1°45'15"  | 24.88' | S18°45'03"W   |
| C75     | 8.39'  | 812.50' | 0°55'31"  | 8.39'  | S19°55'26"W   |
| C76     | 3.21'  | 55.00'  | 3°20'34"  | 3.21'  | N09°43'32"E   |
| C77     | 26.41' | 55.00'  | 27°30'41" | 26.16' | N25°09'10"E   |
| C78     | 42.11' | 55.00'  | 43°51'47" | 41.08' | N60°50'24"E   |
| C79     | 10.47' | 55.00'  | 10°54'24" | 10.45' | N88°13'29"E   |
| C80     | 14.66' | 500.00' | 1°40'48"  | 14.66' | S03°40'07"W   |
| C81     | 25.04' | 500.00' | 2°52'10"  | 25.04' | S05°56'36"W   |
| C82     | 25.14' | 500.00' | 2°52'51"  | 25.14' | S06°49'06"W   |
| C83     | 27.30' | 500.00' | 3°07'43"  | 27.30' | S11°49'23"W   |
| C84     | 3.85'  | 500.00' | 0°26'28"  | 3.85'  | S13°36'28"W   |
| C85     | 9.98'  | 460.00' | 1°14'35"  | 9.98'  | S09°13'36"W   |
| C86     | 25.02' | 460.00' | 3°06'58"  | 25.01' | S11°24'23"W   |
| C87     | 6.94'  | 460.00' | 0°51'50"  | 6.94'  | S13°22'47"W   |

| Line # | Length | Direction   |
|--------|--------|-------------|
| L1     | 8.08'  | N01°55'13"E |
| L2     | 18.00' | N82°12'16"W |
| L3     | 17.50' | N03°40'41"E |



FOUND UTAH COUNTY BRASS CAP 1959  
SOUTH QUARTER CORNER OF SECTION 28,  
TOWNSHIP 5 SOUTH, RANGE 1 WEST,  
SALT LAKE BASE AND MERIDIAN.

FOUND UTAH COUNTY BRASS CAP 1971  
SOUTHEAST CORNER OF SECTION 28,  
TOWNSHIP 5 SOUTH, RANGE 1 WEST,  
SALT LAKE BASE AND MERIDIAN.

PLAT "19"  
SHEET 2 OF 2

## SILVERLAKE

A RESIDENTIAL SUBDIVISION

EAGLE MOUNTAIN UTAH COUNTY, UTAH

NOTARY PUBLIC SEAL

ENGINEER SEAL

CLIENT-RECORDED SEAL



Engineering Division  
2565 North Pony Express Parkway  
Eagle Mountain City, Utah 84005  
(801) 789-6671

Wednesday, July 31, 2019

City Recorder's Office  
Eagle Mountain City  
1650 East Stage Coach Run  
Eagle Mountain City, UT 84005

**SUBJECT: Silverlake plat 19 into warranty Bond Release**

City Recorder:

The above referenced subdivision has completed the all required improvements as of this date. With the approval of the installed infrastructure, we are recommending this subdivision begin the required one year warranty period. A reduced bond letter has been generated; reducing all bond items's which have been completed. A warranty bond for the remaining warranty amount must be issued and maintained until released from the warranty period by the city.

Please contact me should you have any comments, questions, or concerns. Thank you.

Sincerely,

Christopher T. Trusty, P.E.  
Engineering Director  
Eagle Mountain City

Cc: Fionnuala Kofoed, City Recorder



Engineering Division  
2565 North Pony Express Parkway  
Eagle Mountain City, Utah 84005  
(801) 789-6671

Monday, August 12, 2019

City Recorder's Office  
Eagle Mountain City  
1650 East Stage Coach Run  
Eagle Mountain City, UT 84005

SUBJECT: **Cedar Corners phase "A" plat 2 into warranty Bond Release**

City Recorder:

The above referenced subdivision has completed the all required improvements as of this date. With the approval of the installed infrastructure, we are recommending this subdivision begin the required one year warranty period. A reduced bond letter has been generated, reducing all bond items which have been completed. A warranty bond for the remaining warranty amount must be issued and maintained until released from the warranty period by the city.

Please contact me should you have any comments, questions, or concerns. Thank you.

Sincerely,

Christopher T. Trusty, P.E.  
Engineering Director  
Eagle Mountain City

Cc: Fionnuala Kofoed, City Recorder



**BOND RELEASE REQUEST LETTER**  
Cedar Corners phase "A" plat 2 Bond  
Reduced

Engineering Division  
2565 North Pony Express Parkway  
Eagle Mountain City, Utah 84005  
(801) 789-6671

| 1st Bond Release               |              |
|--------------------------------|--------------|
| Original Bond Amount:          | \$ 80,410.90 |
| Previous Release Amount:       | \$ 0.00      |
| Amount to Release this Period: | \$ 42,832.00 |
| Amount Remaining in Bond:      | \$ 37,578.90 |

| Bond Releases Summary |                     |
|-----------------------|---------------------|
| #1                    | \$ 42,832.00        |
| #2                    | \$ -                |
| #3                    | \$ -                |
| #4                    | \$ -                |
| <b>TOTAL</b>          | <b>\$ 42,832.00</b> |

8/12/2019

| ITEM                           | DESCRIPTION                          | ORIGINAL QUANTITY | REDUCED QUANTITY | UNIT | UNIT COST   | TOTAL              | QUANTITIES COMPLETED |             |           | MONIES RELEASED |             |
|--------------------------------|--------------------------------------|-------------------|------------------|------|-------------|--------------------|----------------------|-------------|-----------|-----------------|-------------|
|                                |                                      |                   |                  |      |             |                    | Previous Period      | This Period | % to date | This Period     | To Date     |
| <b>1</b>                       | <b>SITE PREP.</b>                    |                   |                  |      |             |                    |                      |             |           |                 |             |
| a                              | SWPPP                                | 1                 | 0.5              | LS   | \$5,000.00  | \$2,500.00         | 0                    | 1           | 100%      | \$2,500.00      | \$2,500.00  |
| b                              | Mobilization                         | 1                 | 0.25             | LS   | \$18,128.00 | \$4,532.00         | 0                    | 1           | 100%      | \$4,532.00      | \$4,532.00  |
| <b>2</b>                       | <b>ROADWAY IMPROVEMENTS</b>          |                   |                  |      |             |                    |                      |             |           |                 |             |
| a                              | 3 inch Surface Course                | 33310             | 0                | SF   | \$1.10      | \$0.00             | 0                    | 33310       | 100%      | \$0.00          | \$0.00      |
| b                              | 8 inch Road base(also behind curb)   | 1240              | 0                | TON  | \$14.00     | \$0.00             | 0                    | 1240        | 100%      | \$0.00          | \$0.00      |
| c                              | 9 inch sub-base(e-fill)9behind curb) | 7087              | 0                | TON  | \$10.00     | \$0.00             | 0                    | 7087        | 100%      | \$0.00          | \$0.00      |
| d                              | 30" curb & gutter                    | 2200              | 0                | LF   | \$14.00     | \$0.00             | 0                    | 2200        | 100%      | \$0.00          | \$0.00      |
| e                              | Install 5 foot sidewalk              | 2200              | 2200             | LF   | \$16.00     | \$35,200.00        | 0                    | 2200        | 100%      | \$35,200.00     | \$35,200.00 |
| f                              | Street monuments                     | 5                 | 0                | EA   | \$250.00    | \$0.00             | 0                    | 5           | 100%      | \$0.00          | \$0.00      |
| g                              | Street signs                         | 2                 | 0                | EA   | \$350.00    | \$0.00             | 0                    | 2           | 100%      | \$0.00          | \$0.00      |
| h                              | Stop signs                           | 2                 | 0                | EA   | \$350.00    | \$0.00             | 0                    | 2           | 100%      | \$0.00          | \$0.00      |
| i                              | ADA access ramps                     | 4                 | 0                | EA   | \$1,000.00  | \$0.00             | 0                    | 4           | 100%      | \$0.00          | \$0.00      |
| j                              | Clear and grub                       | 1                 | 0                | LS   | \$12,000.00 | \$0.00             | 0                    | 1           | 100%      | \$0.00          | \$0.00      |
| k                              | Street monuments                     | 2                 | 2                | EA   | \$300.00    | \$600.00           | 0                    | 2           | 100%      | \$600.00        | \$600.00    |
| <b>3</b>                       | <b>CULINARY WATER</b>                |                   |                  |      |             |                    |                      |             |           |                 |             |
| a                              | 8" culinary water c-900              | 1180              | 0                | LF   | \$30.00     | \$0.00             | 0                    | 1180        | 100%      | \$0.00          | \$0.00      |
| b                              | Fire Hydrant                         | 2                 | 0                | EA   | \$5,000.00  | \$0.00             | 0                    | 2           | 100%      | \$0.00          | \$0.00      |
| c                              | 8" gate valves                       | 8                 | 0                | EA   | \$1,500.00  | \$0.00             | 0                    | 8           | 100%      | \$0.00          | \$0.00      |
| d                              | connect to existing water            | 1                 | 0                | LS   | \$900.00    | \$0.00             | 0                    | 1           | 100%      | \$0.00          | \$0.00      |
| e                              | 3/4 inch water service               | 27                | 0                | EA   | \$800.00    | \$0.00             | 0                    | 27          | 100%      | \$0.00          | \$0.00      |
| f                              | 2" blow off with valve               | 2                 | 0                | EA   | \$750.00    | \$0.00             | 0                    | 2           | 100%      | \$0.00          | \$0.00      |
| g                              | Install sampling station             | 1                 | 0                | EA   | \$1,000.00  | \$0.00             | 0                    | 1           | 100%      | \$0.00          | \$0.00      |
| <b>4</b>                       | <b>STORM DRAIN</b>                   |                   |                  |      |             |                    |                      |             |           |                 |             |
| a                              | 15" storm drain pipe                 | 113               | 0                | LF   | \$30.00     | \$0.00             | 0                    | 113         | 100%      | \$0.00          | \$0.00      |
| b                              | Curb Inlet                           | 3                 | 0                | EA   | \$1,600.00  | \$0.00             | 0                    | 3           | 100%      | \$0.00          | \$0.00      |
| c                              | Combo box                            | 2                 | 0                | EA   | \$3,200.00  | \$0.00             | 0                    | 2           | 100%      | \$0.00          | \$0.00      |
| <b>5</b>                       | <b>SEWER</b>                         |                   |                  |      |             |                    |                      |             |           |                 |             |
| a                              | 8" PVC sewer main                    | 790               | 0                | LF   | \$25.00     | \$0.00             | 0                    | 790         | 100%      | \$0.00          | \$0.00      |
| b                              | 48" sewer manhole                    | 2                 | 0                | EA   | \$2,200.00  | \$0.00             | 0                    | 2           | 100%      | \$0.00          | \$0.00      |
| c                              | 4" service                           | 27                | 0                | EA   | \$800.00    | \$0.00             | 0                    | 27          | 100%      | \$0.00          | \$0.00      |
| <b>TOTAL CONSTRUCTION COST</b> |                                      |                   |                  |      |             | <b>\$42,832.00</b> |                      |             |           |                 |             |
| Original 10% Bond Coverage     |                                      |                   |                  |      |             | \$37,578.90        |                      |             |           |                 |             |
| <b>TOTAL BOND AMOUNT:</b>      |                                      |                   |                  |      |             | <b>\$80,410.90</b> |                      |             |           |                 |             |
|                                |                                      |                   |                  |      |             |                    | Released This Period |             |           | \$42,832.00     |             |

Christopher T. Lusty P.E.  
Engineering Director

8/13/19  
Date

Marty Bahr  
Eagle Mountain City Inspector

8/13/19  
Date

# CEDAR CORNERS - PHASE A PLAT 2

## A RESIDENTIAL SUBDIVISION

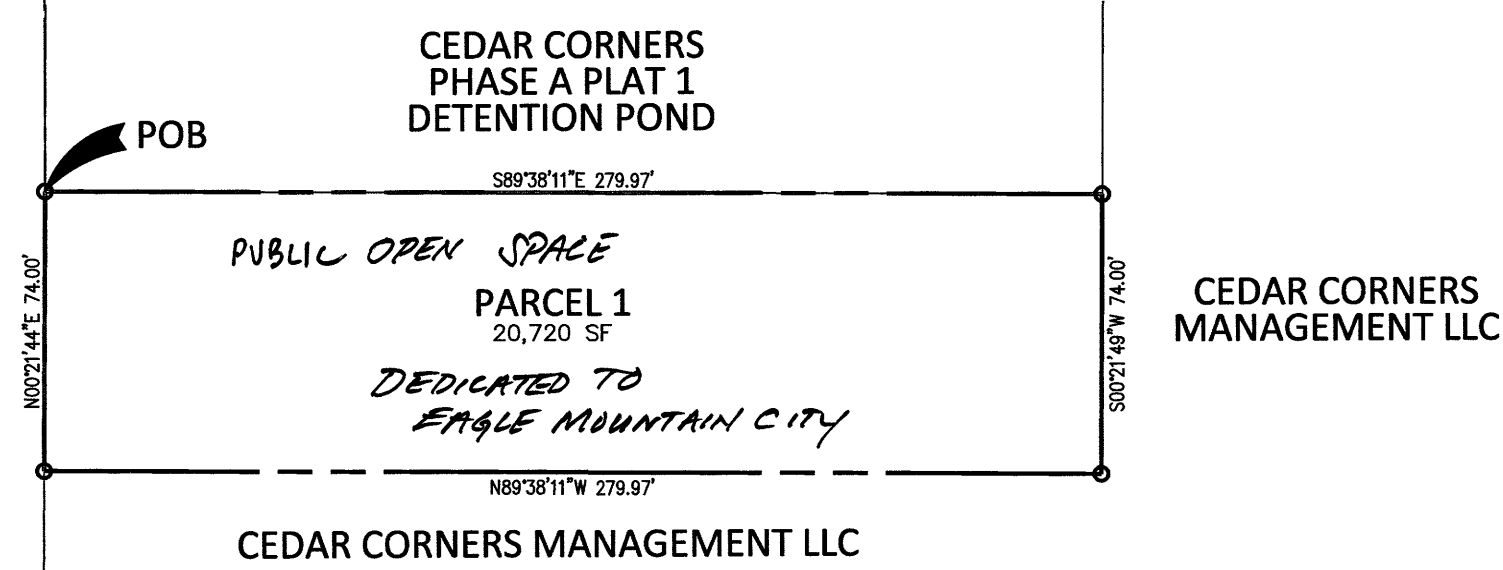
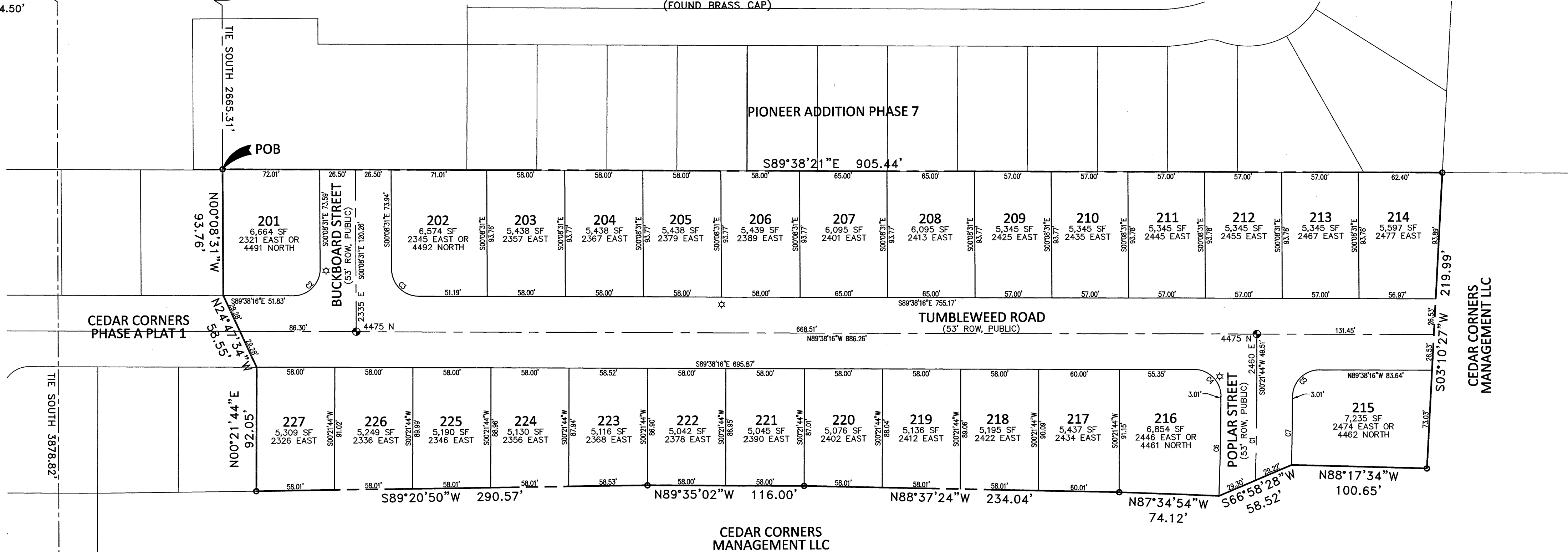
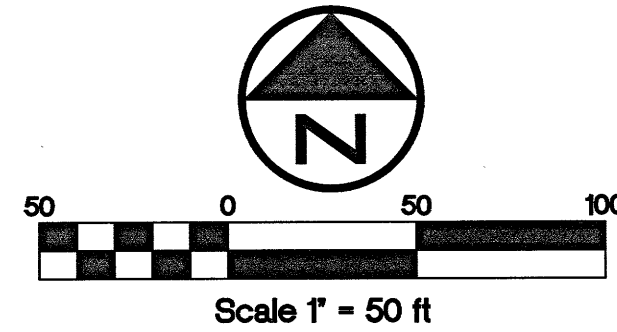
LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST  
QUARTER, SECTION 7, TOWNSHIP 6 SOUTH, RANGE 1 WEST, SALT  
LAKE BASE AND MERIDIAN  
EAGLE MOUNTAIN CITY, UTAH COUNTY, UTAH

NORTHWEST CORNER OF  
SECTION 7, TOWNSHIP 6  
SOUTH, RANGE 1 WEST SALT  
LAKE BASE AND MERIDIAN  
(FOUND BRASS CAP)

TIE (27 LOTS) S89°31'31"E 1640.33'  
TIE (OPEN SPACE  
PARCEL 1)  
S89°31'31"E 1304.50'

BASIS OF BEARING S89°31'31"E  
2658.99' (MEASURED MON TO MON)

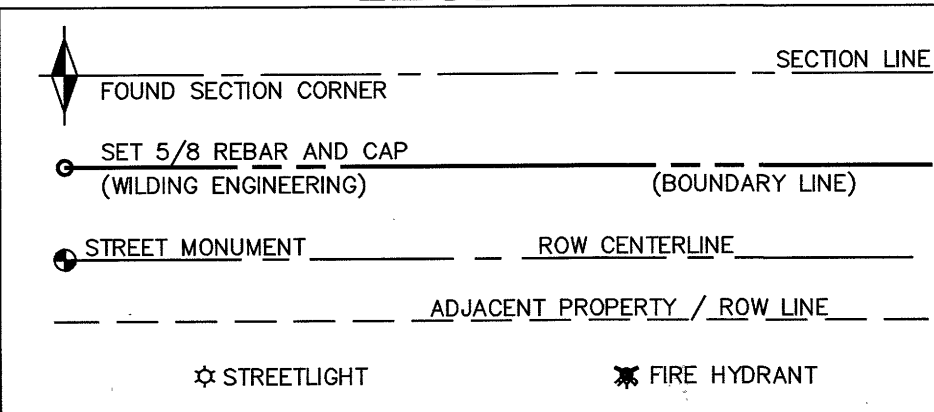
NORTH QUARTER CORNER OF  
SECTION 7, TOWNSHIP 6  
SOUTH, RANGE 1 WEST SALT  
LAKE BASE AND MERIDIAN  
(FOUND BRASS CAP)



### TABULATIONS

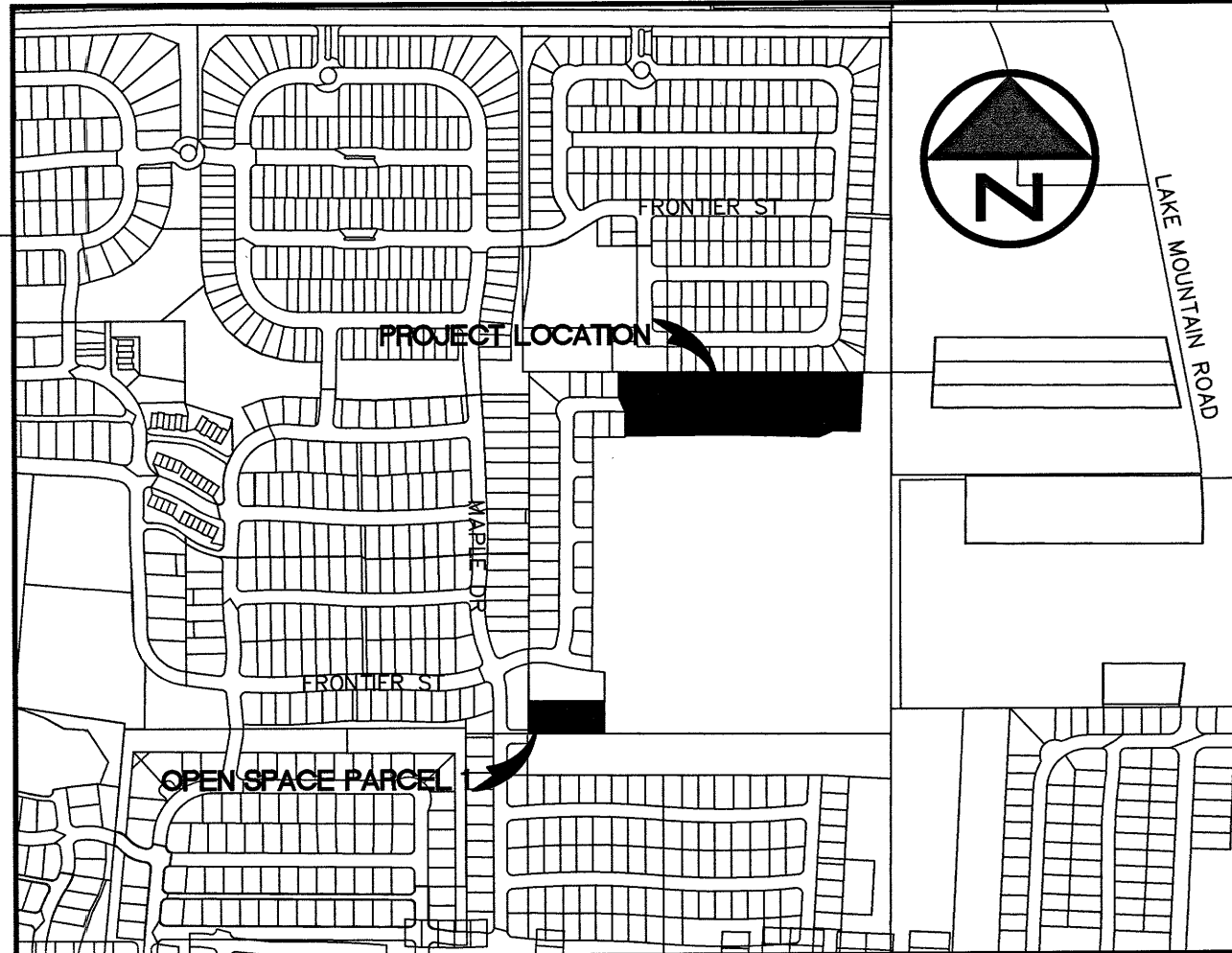
|                   |                |
|-------------------|----------------|
| TOTAL AREA        | 5.24 ACRES     |
| 27 LOTS           | 3.46 ACRE      |
| OVERALL DENSITY   | 5.15 LOTS/ACRE |
| SMALLEST LOT SIZE | 5,042 SQ FT    |
| LARGEST LOT SIZE  | 7,235 SQ FT    |
| AVERAGE LOT SIZE  | 5,575 SQ FT    |
| ROW DEDICATION    | 1.30 ACRES     |
| OPEN SPACE        | 0.48 ACRES     |

### LEGEND



| CURVE TABLE |        |          |           |               |                |
|-------------|--------|----------|-----------|---------------|----------------|
| CURVE #     | LENGTH | RADIUS   | DELTA     | CHORD BEARING | CHORD DISTANCE |
| C1          | 59.18' | 2000.00' | 1°41'43"  | N01°12'36"E   | 59.18'         |
| C2          | 31.59' | 20.00'   | 90°30'15" | N45°06'37"E   | 28.41'         |
| C3          | 31.24' | 20.00'   | 89°29'45" | S44°53'23"E   | 28.16'         |
| C4          | 31.42' | 20.00'   | 90°00'00" | N44°38'16"W   | 28.28'         |
| C5          | 31.42' | 20.00'   | 90°00'00" | S45°21'44"W   | 28.28'         |
| C6          | 70.82' | 1973.50' | 2°03'22"  | N01°23'25"E   | 70.81'         |
| C7          | 47.58' | 2026.50' | 1°20'42"  | N01°02'05"E   | 47.57'         |

### VICINITY MAP



### DIRECT COMMUNICATIONS

DIRECT COMMUNICATIONS CEDAR VALLEY, LLC CERTIFIED THAT IT WILL PROVIDE TELECOMMUNICATIONS SERVICES TO THIS SUBDIVISION UTILIZING THE TRENCHES PROVIDED BY THE DEVELOPER AS PER THE DIRECT COMMUNICATIONS CEDAR VALLEY P.S.C. UTAH NO. 17-276-602X(4)(C)(I) 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. DOMINION ENERGY MAY REQUIRE OTHER 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 ACKNOWLEDGEMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY'S RIGHT-OF-WAY DEPARTMENT.

### DOMINION ENERGY

APPROVED THIS 8 DAY OF January A.D. 2019  
DOMINION ENERGY BY: [Signature] TITLE: gas account supervisor

### ROCKY MOUNTAIN POWER

1. PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL RIGHTS AND DUTIES DESCRIBED THEREIN.  
2. PURSUANT TO UTAH CODE ANN. § 17-276-602X(4)(C)(I) 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 EASEMENT, 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  
(1) A RECORDED EASEMENT OR RIGHT OF WAY  
(2) THE LAW APPLICATION TO PRESCRIPTIVE RIGHTS  
(3) TITLE 54, CHAPTER 80, DAMAGE TO UNDERGROUND UTILITY FACILITIES, OR  
(4) ANY OTHER PROVISION OF LAW

[Signature] DATE: 1/8/19  
ROCKY MOUNTAIN POWER

### SURVEYOR'S CERTIFICATE

I, KAGAN M. DIXON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 9061091 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE 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 INTO LOTS, STREETS, AND EASEMENTS TO BE KNOWN AS CEDAR CORNERS - PHASE A PLAT 2 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

CEDAR CORNERS (27 LOTS)  
A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 6 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, THE BASIS OF BEARINGS IS SOUTH 89°31'31" EAST BETWEEN THE NORTHWEST CORNER AND THE NORTH QUARTER CORNER OF SAID SECTION 7, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT SOUTH 89°31'31" EAST 1640.33 FEET ALONG THE SECTION LINE AND SOUTH 2665.31 FEET FROM THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 6 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN (SAID POINT ALSO BEING THE NORTHEAST CORNER OF "CEDAR CORNERS-PHASE A PLAT 1" SUBDIVISION), AND RUNNING THENCE SOUTH 89°38'21" EAST 905.44 FEET ALONG THE SOUTHERN BOUNDARY OF THE "PIONEER ADDITION PHASE 7C"; THENCE SOUTH 03°10'27" WEST 219.99 FEET; THENCE NORTH 88°17'34" WEST 100.65 FEET; THENCE SOUTH 68°58'28" WEST 58.52 FEET; THENCE NORTH 87°34'54" WEST 74.12 FEET; THENCE NORTH 88°57'22" WEST 234.04 FEET; THENCE NORTH 89°35'02" WEST 116.00 FEET; THENCE SOUTH 89°20'50" WEST 290.57 FEET TO AN EASTERN BOUNDARY OF "CEDAR CORNERS - PHASE A PLAT 1"; THENCE ALONG SAID EASTERN BOUNDARY THE FOLLOWING THREE CALLS: (1) NORTH 00°21'44" EAST 92.05 FEET; (2) NORTH 24°47'34" WEST 58.55 FEET; (3) NORTH 00°08'31" WEST 83.76 FEET TO THE POINT OF BEGINNING.

CONTAINING 4.76 ACRES, MORE OR LESS.  
CEDAR CORNERS/OPEN SPACE PARCEL 1 (DEDICATED TO EAGLE MOUNTAIN CITY)

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 6 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, THE BASIS OF BEARINGS IS SOUTH 89°31'31" EAST BETWEEN THE NORTHWEST CORNER AND THE NORTH QUARTER CORNER OF SAID SECTION 7, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT SOUTH 89°31'31" EAST 1304.50 FEET ALONG THE SECTION LINE AND SOUTH 3878.82 FEET FROM THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 6 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN (SAID POINT ALSO BEING THE SOUTHWEST CORNER OF "CEDAR CORNERS-PHASE A PLAT 1" SUBDIVISION), AND RUNNING THENCE SOUTH 89°38'11" EAST 279.97 FEET; THENCE SOUTH 00°21'49" WEST 74.00 FEET; THENCE NORTH 89°38'11" WEST 279.97 FEET; THENCE NORTH 00°21'44" EAST 74.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.48 ACRES MORE OR LESS

NOTE: THE WEST LINE OF OPEN SPACE PARCEL 1 RUNS TO AND ALONG THE EAST LINE OF PIONEER SUBDIVISION PHASE II

DECEMBER 5, 2018  
DATE

[Signature]  
SURVEYOR  
(SEE SEAL BELOW)

### OWNERS' 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 10-90-607, 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.

AMH Cedar Crossing Development, LLC  
PRINTED NAME OF OWNER  
[Signature]  
AUTHORIZED SIGNATURE(S)  
JEFF Bailey  
PRINTED NAME OF OWNER  
AUTHORIZED SIGNATURE(S)

### ACKNOWLEDGEMENT

STATE OF UTAH }  
COUNTY OF UTAH } S.S.  
ON THE 17 DAY OF December A.D. 2018, PERSONALLY APPEARED BEFORE ME THE PERSONS SIGNING THE FOREGOING OWNERS DEDICATION KNOWN TO ME TO BE AUTHORIZED TO EXECUTE THE FOREGOING OWNERS DEDICATION FOR AND ON BEHALF OF THE OWNERS WHO DULY ACKNOWLEDGE TO ME THAT THE OWNERS DEDICATION WAS EXECUTED BY THEM ON BEHALF OF THE OWNERS.

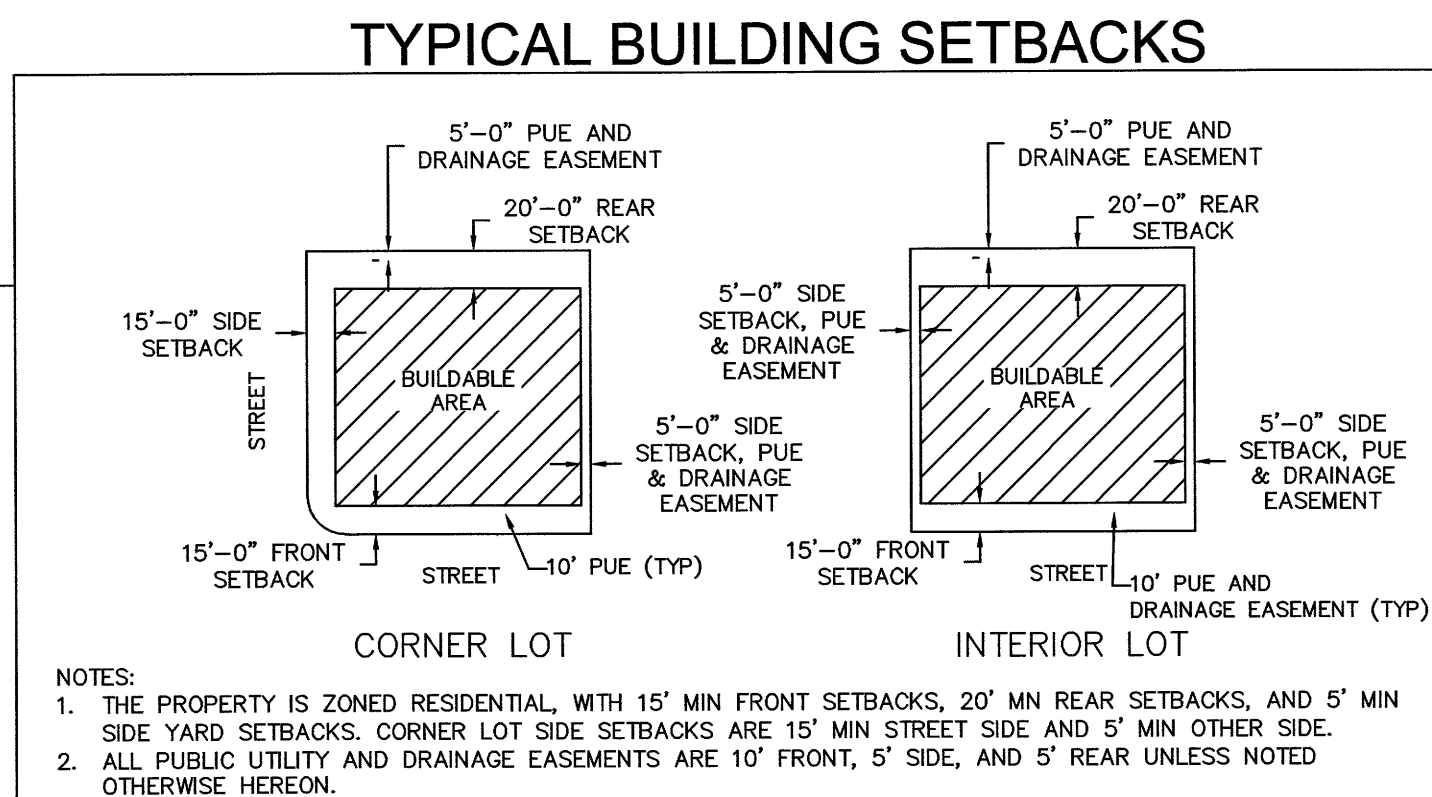
MY COMMISSION EXPIRES 6/6/20  
689479  
COMMISSION NUMBER  
[Signature]  
Shauna Billings  
PRINTED FULL NAME OF NOTARY

### ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF EAGLE MOUNTAIN CITY, 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 6 DAY OF March 2019.

APPROVED BY MAYOR [Signature]  
APPROVED BY CITY ATTORNEY [Signature]  
APPROVED BY CITY ENGINEER [Signature]  
APPROVED BY CITY RECORDER [Signature]  
(SEE SEAL BELOW)

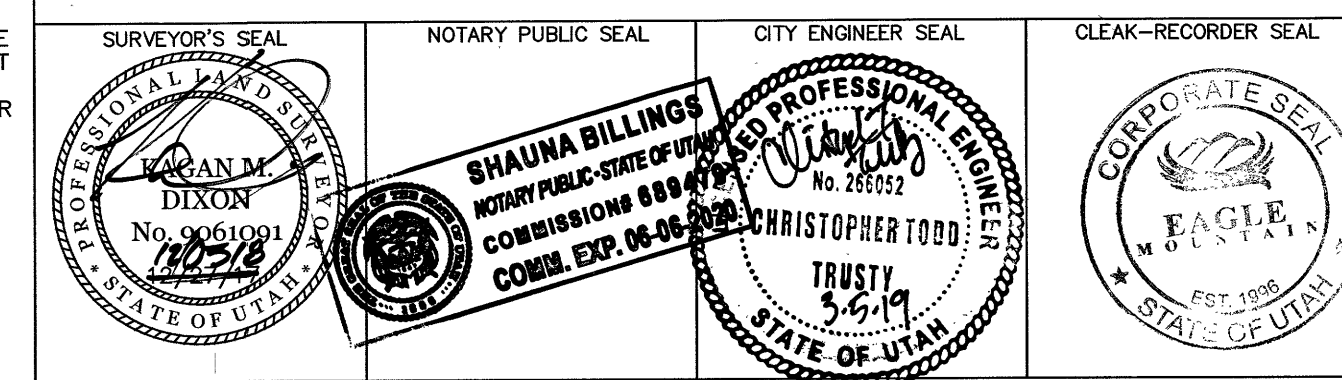
DEVELOPER / OWNER  
DESERT PEAK MANAGEMENT GROUP  
947 SOUTH 500 EAST SUITE 100  
AMERICAN FORK, UT 84003  
801-764-9000



ENT 566612019 Map # 16596  
JEFFERY SMITH  
UTAH COUNTY RECORDER  
2019 Jun 21 11:35 am FEE 106.00 BY SH  
RECORDED FOR EAGLE MOUNTAIN CITY

16596  
CEDAR CORNERS - PHASE A PLAT 2  
A RESIDENTIAL SUBDIVISION

LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, SECTION  
7, TOWNSHIP 6 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN  
EAGLE MOUNTAIN CITY, UTAH COUNTY, UTAH



880-N-16-1-33P  
SEC-7-6-1-33P



**EAGLE MOUNTAIN CITY  
CITY COUNCIL MEETING  
AUGUST 20, 2019**

|                                 |                                                                   |                |                  |
|---------------------------------|-------------------------------------------------------------------|----------------|------------------|
| <b>TITLE:</b>                   | Pony Express Widening Project - Porters Crossing to Redwood Road. |                |                  |
| <b>ITEM TYPE:</b>               | Change Order                                                      |                |                  |
| <b>FISCAL IMPACT:</b>           | \$289,58.42 (funded by MAG)                                       |                |                  |
| <b>APPLICANT:</b>               |                                                                   |                |                  |
| <b>GENERAL PLAN DESIGNATION</b> | <b>CURRENT ZONE</b>                                               | <b>ACREAGE</b> | <b>COMMUNITY</b> |

**PUBLIC HEARING:**

No

**REQUIRED FINDINGS:**

**PLANNING COMMISSION  
ACTION /  
RECOMMENDATION**

**PREPARED BY:**

Chris Trusty, Public  
Works

**RECOMMENDATION:**

Staff recommends that the City Council approves Change Order #2 for Knife River Construction, for the Pony Express Parkway widening project (Porters Crossing) in the amount of \$289,518.42.

**BACKGROUND:**

**BACKGROUND:** (Presented by City Engineer Chris Trusty) Eagle Mountain City has an interlocal agreement with Saratoga Springs on widening Pony Express Parkway from Porters Crossing to Redwood Road. Knife River was the low bidder for this project with an original contract amount of \$5,951,869.55. An earlier change order added \$713,704.42 to the contract amount. This change order for \$289,518.42 consists of the following additions:

CO24 \$18,600- Add sewer stub into Eagle Vision

CO25 \$14,415- Reroute irrigation and storm drain at Redwood due to conflict with gas line

CO26 \$29,450.75- Additional drainage along north side Pony Express west of 800 West

CO27 \$6,450- Add left turn light at Thunder Blvd

CO28 \$25,923.77- Replace settled areas along Pony Express

CO29 \$194,678.90- Measure in place quantities in excess of planned quantities, specifically with asphalt amounts and concrete at signals lights

Total Change Order \$289,518.42

**Attachments:**



# EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

August 6, 2019, 4:00 p.m.  
Eagle Mountain City Council Chambers  
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

## **4:00 P.M. WORK SESSION – CITY COUNCIL CHAMBERS**

ELECTED OFFICIALS PRESENT: Mayor Tom Westmoreland, Councilmembers Colby Curtis, Benjamin Reaves, Donna Burnham, Melissa Clark, and Stephanie Gricius.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Deputy Recorder; Steve Mumford, Community Development Director; Michael Hadley, Planning Manager; Aaron Sanborn, Economic Development Director; Chris Trusty, City Engineer; Mack Straw, Public Utilities Manager; Brad Hickman, Parks and Recreation Director; Linda Peterson, Communications Director; Zac Hilton, Streets and Storm Drain Manager; Jeff Weber, Facilities Operations Director; Ross Fowlks, Fire Chief; and Eric McDowell, Chief Deputy.

Mayor Westmoreland called the meeting to order at 4:13 p.m.

### 1. CITY ADMINISTRATOR INFORMATION ITEMS

#### 1.A. PRESENTATION – City Emergency Plan

Facilities Operations Director Jeff Weber explained the City's emergency operations plan is being rewritten. The City has hired Matthew Chase, an Eagle Mountain resident, to write the updated plan. Mr. Chase has written emergency plans for other municipalities, including American Fork City.

Mr. Chase said he is the Deputy Fire Marshal for South Salt Lake City, and the Assistant Fire Chief for Cedar Valley Fire. He will send out surveys to obtain information and will then shadow key personnel. Once that is completed, he will have a tabletop discussion with City staff and elected officials. His goal is to create a self-sufficient community.

#### 1.B. UPDATE – Municipal Code Residential Zone Amendment

*This item was discussed after item 13.A. during the agenda review.*

Community Development Director Steve Mumford informed the Council that the Utah Valley Home Builder Association communicated concerns regarding setbacks, architectural standards, the landscaping cash escrow, minimum lot sizes, buffer requirements, square footage minimums, and number of units per building in the proposed draft ordinance.

Mr. Mumford explained after reviewing the previous City Council meeting minutes, he believes the Council's concerns regarding architectural standards related to the number of required

building materials, the use of stucco, and street-facing and rear elevations. Regarding the number of required building materials, he said an option is to state single-family developments should include variation in exterior materials (fiber cement siding, board and batten or vertical siding, stone, brick, stucco) and/or colors, instead of requiring at least three building materials.

Councilmember Curtis stated he would not approve that language as it is less restrictive than the current Municipal Code. Councilmember Clark stated the word “should” does not allow the City to require that variation.

Councilmember Gricius expressed concern that requiring variation would prohibit all brick or log homes, and stated requiring three materials is too restrictive. Councilmember Clark asked if the amendment could exempt all brick or log homes from the variation requirement.

Councilmember Burnham stated residents should be able to build what they want to build; the Council should not be legislating building material preferences. Councilmember Curtis stated residents do not have the options they want when building homes. He said protecting home values is the job of the Council.

Councilmember Gricius said homeowners associations will have architectural requirements; if residents are concerned about surrounding home types, they will chose to build in a development with a homeowners association. Councilmember Burnham agreed and stated the variety of homes seen in Eagle Park would never be built again in the City if three building materials are required, which would be a shame.

Mr. Mumford said another concern from the previous meeting was regarding buildable square footage of large lots. He proposed at least twenty percent of lot area be buildable. This would require that one acre of a 5-acre lot, 0.5 acres of a 2.5-acre lot, and 8,712 square feet of a 1-acre lot be buildable.

Councilmember Curtis stated his concern is that residents on large lots may not be able to build outbuildings. Councilmember Clark expressed concern that approved large lots with animal rights may be too encumbered by a wash or ridgelines to have room for animals.

Councilmember Burnham stated the amendment could require the lot to have enough room for a primary structure and an outbuilding, instead of a percentage of buildable land. She said if a home and barn could be built on 8,712 square feet on a one-acre lot, it can also be built in that amount of space on a five-acre lot.

Mr. Mumford confirmed that the Council would like a buildable footprint for a home and a buildable footprint for an outbuilding for all large lots, regardless of lot size.

Mr. Mumford stated the Council requested that MF1 and MF2 be combined and MF3 be eliminated. The MF1 zone now allows single-family homes and multifamily structures up to six units per building, and MF2 allows multifamily structures up to twelve units per building. Councilmember Curtis expressed concern that developers will only build six units per building and asked if the amendment could require a variety. Mr. Mumford explained this proposed

change was a result of the Council's input at the previous meeting, and stated he would need to break the zones up again to require fewer than the allowed six units per building. Most projects in the City have a variety of number of units per building; the exact number in each building depends on the land topography, space available, as well as other limitations.

Discussion ensued regarding what types of units currently sell; the Council requested staff obtain more information regarding the current market for multifamily units.

Regarding potentially prohibiting one-bedroom units, Mr. Mumford said the only reason this is a point of discussion is because staff added a minimum square footage requirement and an open space requirement for one-, two-, and three-bedroom units. One-bedroom units are not currently prohibited in Municipal Code. An option regarding limiting one-bedroom units is to let the market dictate the number of bedrooms in units. He explained there are no one-bedroom units in the City at this time.

Councilmember Curtis expressed concern that this will incentivize developers to build one-bedroom units because they require less open space than three-bedroom units. Councilmember Gricius stated one-bedroom units have less density and fewer people to use the open space.

Discussion ensued regarding whether or not one-bedroom units fit the vision of the City.

Mr. Mumford said the minimum dwelling sizes include the garage and unfinished basement area. He has reduced the minimum dwelling size requirement in MF1 to the same as MF2. He presented current minimum dwelling sizes that are being built in subdivisions throughout the City.

Councilmember Burnham stated some residents won't have basements or second stories due to accessibility concerns. This minimum dwelling size will prohibit single-story homes with no stairs in smaller lots.

Mr. Mumford explained the intent of this requirement is to protect home values. He stated Saratoga Springs has smaller minimum dwelling size requirements, which mainly prohibit tiny homes.

Discussion ensued regarding resale difficulties of one-bedroom homes.

Mr. Mumford explained the current minimum garage standard is 20 feet by 20 feet. The Planning Commission requested the minimum standard be increased to 22 feet by 20 feet. He stated it can be reworded to require a minimum of 440 square feet, or the required driveway length can be increased from 22 feet to 24 feet to allow larger vehicles in driveways, if preventing on-street parking is the reason for the garage size increase.

Councilmember Clark stated she received information that the larger garage would cost six to eight dollars a month over the lifetime of the home mortgage.

Mr. Mumford asked the Council if they would prefer large pools that serve more people or smaller pools that serve fewer people, and if the amendment should include a maximum pool size. The current proposal is a minimum of 1,000 square feet and at least four square feet per unit. The Planning Commission also included a hot tub requirement.

The Council agreed that the ordinance should not require a hot tub. Councilmember Curtis expressed concern that pools will serve single-family homes as well as multifamily units. He asked that any additional homes outside of the multifamily project which will be served by the pool be included in the four square feet per unit.

Councilmember Burnham stated she would prefer more flexibility in amenity options, as pools can only be used a portion of the year. Mr. Mumford said the draft allows for flexibility as long as the proposed alternative amenity is similar in cost and value to the residents. Councilmember Clark said clubhouses are required when pools are required, so there is useable space year-round. Councilmember Curtis recommended outlining four or five alternate options. Mr. Mumford explained it would be difficult to codify all of the creative options developers could propose, especially as the market changes.

Regarding lot sizes, Mr. Mumford said the Council expressed concern that large outlier lots can increase lot size averages. He proposed adding a footnote that states the average lot size requirement is intended to result in some variety in lot sizes in a development. If the average lot size is increased by several large outlier lots, then those lots may be removed in calculating the average lot size. Councilmember Curtis asked if the draft could include a maximum size of the outlier lots to be included in the average calculation, such as 150% of the median lot size in the project; any lots over that size would not be counted in the average lot size.

Mr. Mumford said the current required lot frontage for the base density is the same as is required for large lots in the proposed draft. The current required frontage for half-acre lots is 125 feet; the draft requires 100 feet.

Discussion ensued regarding lot frontages that currently exist within the City. Councilmember Curtis requested that smaller frontages that may cause potential flooding issues not be included.

Mr. Mumford asked the Council to send their preferences to him, and he will attempt to draft an ordinance with the input.

## 2. AGENDA REVIEW

### 9. BID AWARD

#### 9.A. SilverLake Pressure Reducing Valve

Councilmember Reaves asked if this item is for a replacement valve. City Engineer Chris Trusty said this is a new valve, not a replacement. It will better manage the water pressure in the area.

## 10. BOND RELEASES

### 10.A. Overland Phase A, Plats 2 & 3 – Into Warranty

Councilmember Clark asked if the developer has completed all required items to allow this release. Mr. Trusty said the inspectors have cleared the development for this bond release. There is some landscaping that is not complete, and the clubhouse construction has been delayed. Councilmember Clark asked when the clubhouse is required to be completed. City Recorder Fionnuala Kofoed stated that, according to the Master Development Agreement, the park and Club Ivory must be completed by the 150th building permit. Mr. Mumford said there was an amendment to that requirement; he will inform the Council of the current requirement during the policy session.

## 12. MOTION

### 12.A. Carson Commercial Corner Master Site Plan

Planning Manager Michael Hadley explained this commercial project is located within the Oak Hollow Master Development Plan along Pony Express Parkway. The developer has suggested widening Bridleway Road at the entrance to the Oak Hollow subdivision to install a right-turn lane at that intersection. Mr. Hadley noted that the community mailbox is located across the street from that access point. The traffic impact study recommends including the fifth access, as well as relocating the community mailbox. The traffic impact study states this access point will increase traffic during peak hours by a total of five vehicles per hour. This access point will provide better traffic flow for vehicles heading south of the commercial site.

Councilmember Curtis asked City Attorney Jeremy Cook if this project needs to go through the significant land disposal process. Mr. Cook said it does not; the City owns the land and will continue to own the land. The City will re-designate its use. He said this land is more similar to a park strip, versus a park.

Ms. Kofoed explained if there are deed restrictions, the City will request approval from the entity that conveyed the land to convert the land's use. This process was followed for the cemetery to change its use from public use to a cemetery, as the City felt the use was similar.

Councilmember Curtis stated Fieldstone Homes has informed him that they will no longer dedicate land to the City if it is used for other purposes. Ms. Kofoed said there are limitations if the City disposes of conveyed property, but that situation has not occurred.

Mr. Cook explained he has spoken with Fieldstone Homes' attorneys and he understands their concerns. He reiterated that this land is more of a park strip area, instead of a park. It is common to use park strip land to expand road widths. The City is not conveying the land to a private developer; the City will retain ownership of the land.

Councilmember Curtis stated that the sole purpose of allowing this is for the benefit of a private developer. Mayor Westmoreland disagreed and explained the reason for allowing this is to allow for traffic management for residents' safety concerns.

Councilmember Clark said roads in the City with commercial access points are wider and do not have driveways adjacent to the commercial access points. She stated access number four is similar to the Maverik gas station access point on Ranches Parkway.

Councilmember Gricius stated that turning left on Pony Express Parkway—a five-lane road—is not safer than widening the road to allow for the additional turn lane on Bridleway Road. She said widening Bridleway Road to three lanes can allow for a designated mailbox lane or can ease the current traffic queuing.

Discussion ensued regarding required distances between access points.

Councilmember Gricius explained she does not believe access point #5 is needed for the commercial development to be successful; she believes it will provide a safer turn for the residents who will return home to the south. Councilmember Clark stated residents often make left-hand turns at uncontrolled intersections.

Councilmember Reaves stated he does not want to fundamentally change the established residential area.

### 13. ORDINANCES/PUBLIC HEARINGS

#### 13.A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code, Chapter 16.35.080 Street Trees and Chapter 17.60.140 Clear Vision Triangle.

Parks and Recreation Director Brad Hickman explained staff worked to implement the Council's direction from the previous meeting. He said the amendment will apply to new development only to stop problems that exist now from happening in the future. The specifications relate to spacing standards, tree types and tree locations. The required clearances presented at the previous meeting were eight feet over sidewalks and fourteen feet over roadways. Staff researched those clearance heights and believes they are appropriate. Mr. Hickman explained they have removed the required \$600 escrow per tree. With new developments, before the development can be recorded, required street trees need to be installed, or the developer is required to put funds in an escrow until the trees are installed. The other change is to the residential street tree standards. It simply states the City's requirements for trees; the intent is to explain to residents which trees are appropriate in order to prevent issues the City currently has with existing residential trees.

Mr. Hickman explained some stop signs in the City can be up to fifteen feet from the intersection, due to road curvature. Trees must be thirty feet from regulatory signs, so the clear vision triangle, on the side of the intersection with the stop sign, will be forty-five feet long.

Councilmember Curtis expressed concern regarding placing an undue burden on residents. He requested staff research a process to enforce or inform residents of the tree requirements. Mr. Hickman explained the standard needs to be set in order to inform residents of the requirement. The City is not requiring residents to install street trees, but if residents choose to install one, they need to comply with the same standards established by the City.

Discussion ensued regarding a green waste program.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

No closed session was held. Mayor Westmoreland adjourned the meeting at 6:30 p.m.

**7:00 P.M. POLICY SESSION – CITY COUNCIL CHAMBERS**

ELECTED OFFICIALS PRESENT: Mayor Tom Westmoreland, Councilmembers Colby Curtis, Benjamin Reaves, Donna Burnham, Melissa Clark, and Stephanie Gricius.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Melanie Lahman, Deputy Recorder; Steve Mumford, Community Development Director; Michael Hadley, Planning Manager; Aaron Sanborn, Economic Development Director; Chris Trusty, City Engineer; Brad Hickman, Parks and Recreation Director; Linda Peterson, Communications Director; Ross Fowlks, Fire Chief; and Eric McDowell, Chief Deputy. City Recorder Fionnuala Kofoed was excused.

4. CALL TO ORDER

Mayor Westmoreland called the meeting to order at 7:15 p.m.

5. PLEDGE OF ALLEGIANCE

Councilmember Curtis led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- **Farmer's Market** – The Eagle Mountain Farmers Market is held each Saturday from 9:00 a.m. to 1:00 p.m. at Wride Memorial Park. Information and vendor or entertainer applications are available at [eaglemountainfarmersmarket.org](http://eaglemountainfarmersmarket.org).
- **Back to School Safety Night** – Be Ready Eagle Mountain, Utah County Sheriff's Office and Alpine School District are hosting a Back to School Safety Night on Thursday, August 8 at Frontier Middle School from 6:00 p.m. to 8:00 p.m. Mike Browning from Alpine School District will speak at 6:00 p.m. in the Auditorium. From 7:00 to 8:00 p.m. there will be booths from participating schools, bus drivers, and other organizations to

answer questions in the cafeteria. There will be a bike safety rodeo; bring your bikes, scooters and helmets to practice safety.

- **Beat the Heat Bonanza** – Our annual Beat the Heat Bonanza will be held Saturday, August 10 at Nolen Park from 11:00 a.m. to 2:00 p.m. This event offers free inflatable water slides. Don Taco and We Ice food trucks will be on site.
- **Cedar Valley High School Grand Opening** – A grand opening event will be held Saturday, August 17 from 7:00 a.m. to 3:00 p.m. at Cedar Valley High School. It is open to the public. A variety of activities are planned, including aircraft flyovers, tours of the school, booths, and special guests including the Candy Bomber Gail Halvorsen and Brigadier General Jake Garn.
- **End of Summer Dance Party** – Eagle Mountain City will hold its End of Summer Dance Party on Saturday, August 24. There will be glow sticks while supplies last, lots of prizes, food trucks and great music! This is for all ages.
- **City Notifications** – We encourage residents to sign up for City notifications to be aware of public safety emergencies and stay informed about road construction projects, City news and events. Register at [www.emcity.org/notifyme](http://www.emcity.org/notifyme). Notifications can be received by email and/or text.

## 7. PUBLIC COMMENTS

*Mayor Westmoreland opened public comment at 7:24 p.m.*

Bettina Cameron spoke against high-density housing and stated she prefers campus-style multifamily projects. She would prefer the City remain rural. She said the City owns an easement on the west side of Lone Peak on parcel 58:054:0004. It can be connected to Airport Road as a much better access point between Pony Express Parkway and Wride Memorial Highway.

Zac Summers said regarding Carson Commercial Corner, if property is being rezoned to allow additional road width for access five, it has not gone through the correct process. He stated left turns are not difficult and should not be used as a reason to allow access five. The property was part of the master development plan and should not be changed.

Steve Pew spoke against the Carson Commercial Corner access point #5 and said it would increase safety hazards in the area.

Rashel Cherry requested the Council deny access point #5 in Carson Commercial Corner as the City does not mix commercial and residential areas. She stated left turns are not difficult on Pony Express Parkway.

Troy Gabler with Fieldstone Homes spoke against changing the use of the open space dedicated to the City by Fieldstone Homes for access point #5 in the Carson Commercial Corner project. He stated it is a taking and referenced an email from Kirton McConkie, attached.

Joshua Utykanski spoke against allowing access five in the Carson Commercial Corner project.

Joshua Hansen spoke against access point #5 in the Carson Commercial Corner project. He stated a home will be built off Bridleway Road with the driveway located immediately opposite this access point. In his opinion, four access points are sufficient, and the original master development plan did not include the fifth access point. They gathered sixty signatures on a petition opposing the access point.

Jacob Summers stated the Oak Hollow subdivision is opposed to access point #5. He stated the land being used for the access point is either significant property being disposed, or is a rezone, and stated it violates the City's Municipal Code.

Justin Ricks submitted the following comment: I am opposed to access five because it will introduce unnecessary safety problems to our community. It's not right or fair to punish the residents for a developer's poor choice in location.

Pankaj Bhardwaj submitted the following written comment: Access # 5, for the new commercial development, is going to increase traffic and cause safety concerns for kids playing in the community.

Jesse Clark submitted the following written comment: I oppose access five as it connects to a residential street and takes away from our development's already limited open space.

Daniel Carrell submitted the following written comment: I disagree with access five because of safety, the precedent of allowing commercial access on a residential street, and the City selling land given to them in good faith by an HOA, against resident wishes.

Colin Slate submitted the following written comment: The developer needs to follow all legal requirements for the use of the open space designated for the HOA. Moreover, it is the burden of the developer to prove the need for access five, not the HOA/homeowners to fight against it.

Annette Webster submitted the following written comment: Please vote no on building access five through Bridleway.

Kevin Webster submitted the following written comment: I strongly urge the Council to vote "no" on Item 12. A.

Sarah Hansen submitted the following written comment: Opposed to access five.

Mandy Stephen submitted the following written comment: Against having access five. Safety concerns for neighborhood, commercial access on residential, City taking park space that HOA maintains. Plenty of access to the commercial center without it. Possibility of a light at

Clydesdale. Residential owners shouldn't have to fight developers for rights, property values for homes still being built will decrease as well as those finished.

Kathryn Porter submitted the following written comment: I am opposed to access five. It is a safety issue, will affect property values, will increase traffic flow and will provide more negatives to our community than positives for a few businesses.

Scott Porter submitted the following written comment: I am opposed to this due to increased traffic and it doesn't make sense to dump traffic into a neighborhood when they don't want to be there. Also, I'm worried about the children not being able to play in the front yards.

Mariah Pew submitted the following written comment: Lots of reasons. We do not want a fifth access point on Bridleway.

*Mayor Westmoreland closed public comment at 7:56 p.m.*

## **8. CITY COUNCIL/MAYOR'S ITEMS**

### Councilmember Gricius

Councilmember Gricius thanked those who spoke and said she has read every email received. The Council is listening to their concerns.

### Councilmember Clark

Councilmember Clark thanked those in attendance. She stated residents have expressed appreciation for Zac Hilton and the Streets Department, and for Brad Hickman and Paul Jerome regarding their efforts in mowing weeds before the 24th of July. She received another email from a resident thanking the Parks Department for their care of City parks.

### Councilmember Reaves

Councilmember Reaves thanked the residents for their input and their attendance at the meeting.

### Councilmember Burnham

Councilmember Burnham thanked those in attendance for expressing their views. She said she thanks residents for their emails and wanted to explain that the decisions are made at Council meetings, instead of through emails, which is why her responses are limited to "thank you."

### Councilmember Curtis

Councilmember Curtis said the appropriate place for discussions is during meetings and explained that even if the Council does not want to approve an item, it still needs to be heard during a meeting.

### Mayor Westmoreland

Mayor Westmoreland thanked residents for their comments and recognized the youth in attendance. He said there are often multiple perspectives on issues and inevitably someone may approve of a decision while another does not. He explained it is important to respect each other. He requested that residents not text the Councilmembers during City Council meetings. He said

it is not appropriate, as these are public meetings and side or private conversations should not happen.

## **CONSENT AGENDA**

### 9. BID AWARD

9.A. SilverLake Pressure Reducing Valve

### 10. BOND RELEASES

10.A. Overland Phase A, Plats 2 & 3 - Into Warranty

10.B. Lake View Estates Phase A, Plat 2 - Out of Warranty

### 11. MINUTES

11.A. July 16, 2019

**MOTION:** *Councilmember Curtis moved to approve the consent agenda. Councilmember Reaves seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

## **SCHEDULED ITEMS**

### 12. MOTION

#### **12.A. Carson Commercial Corner Master Site Plan.**

Mr. Hadley explained the property was zoned commercial with the Oak Hollow Master Development Plan and stated the items for consideration have been discussed during the work session and during public comment.

Dan Ford, owner representative, said concerns discussed by residents included restricted access at Bridleway Road and Porters Crossing. He said Bridleway Road is 26 feet wide at that point, making it difficult for residents to pick up mail, or to turn right if a vehicle is waiting to turn left onto Porters Crossing. A suggested proposal by Councilmember Curtis is to remove the median at access four to allow left turns in and out of the property. Mr. Ford asked if that is a viable option for the City, if they remove access point #5.

Mr. Trusty said it may be viable as long as it meets required distances from other access points. He stated a potential concern would be vehicle stacking on southbound Porters Crossing turning left into the site, but moving access four to the south would mitigate that issue.

Councilmember Burnham stated her understanding is that would not meet distance requirements. Mr. Trusty said it is a driveway and not an intersection, so it would meet Municipal Code.

Mr. Ford said access and flow are important to the project and stated it could be difficult to turn left from Pony Express Parkway into the site. The traffic impact study stated access point #5 would have minimal impact, but they looked at other options due to resident concerns. He said the owner would approve moving access four to the south, if left turns are feasible.

Mr. Cook stated there are valid concerns from residents and stated he can go into more detail regarding legal issues, if the Council has specific questions.

Councilmember Burnham stated she has concerns about access four and would be more comfortable if it is moved to the south and has left turn access. She stated the City needs to support the Oak Hollow residents in moving the community mailbox. It is in a poor location and is not safe.

Councilmember Gricius asked how far south access point #4 will be moved. Councilmember Clark said a similar intersection is located near Six Sisters on Ranches Parkway. Councilmember Burnham recommended leaving the final location to staff.

Mr. Trusty requested residents email him regarding potential locations for the community mailbox.

**MOTION:** *Councilmember Curtis moved to approve the Carson Commercial Corner master site plan with the following conditions:*

- 1. Access five be removed; and*
- 2. Access four be moved to the south, removing the median on Porters Crossing and adding a turn lane to allow left turns in and out of the site.*

*Councilmember Clark seconded the motion.*

Mr. Cook stated if condition number two is not feasible, the applicant should be allowed to bring the item back to the City Council.

*Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

### 13. ORDINANCES/PUBLIC HEARINGS

#### 13.A. [ORDINANCE - An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code, Chapter 16.35.080 Street Trees and Chapter 17.60.140 Clear Vision Triangle.](#)

Mr. Hickman explained staff wants to create a guide for the City and for residents to avoid issues that currently exist. The amendment defines types of trees allowed, appropriate spacing, and

clearance requirements. The street side clearance requirement is fourteen feet and the sidewalk side requirement is eight feet. A significant change from the previously presented draft is the tree escrow. This version removes the required \$600 per tree. If a development requires street trees, the trees must be installed upfront, or the developer will be required to bond for the improvements. The escrow is based on the State's standard landscape estimate.

Mr. Hickman explained the intent of the residential portion of the ordinance is to inform residents that they are responsible to maintain the same standards that the City is maintaining.

*Mayor Westmoreland opened the public hearing at 8:35 p.m.*

Rod Hess explained he is a landscape architect and stated the City should consider the minimum width of the park strip when requiring street trees. He also recommended the ordinance clarify that the roadway includes all paved roadway, to include parking areas. He recommended removing amur maple, paperbark maple, and crataegus from the approved small park strip trees. In the approved large park strip trees, he recommended either replacing the green ash with white ash, or adding white ash. In this same table, he recommended adding a note to only plant male ginkgo trees, as the female trees produce smelly, messy fruit. The dawn redwood should be replaced with blady cypress because it is more tolerant to high pH soil. Finally, he recommended removing callery pear from the list because it is over planted and susceptible to iron chlorosis and other problems.

Zac Summers spoke in favor of a green waste program and asked how the ordinance would be communicated to residents.

*Mayor Westmoreland closed the public hearing at 8:43 p.m.*

Councilmember Curtis asked if residents would be penalized if a developer plants an unapproved tree. Mr. Mumford said the builder is required to landscape the front yard, including the park strip. Street trees are not required, but if a developer or builder installs street trees, the City requires a plan detailing the tree types and locations.

Councilmember Reaves asked if the trees are checked before the bond release, and stated he approved of Mr. Hess' recommendations. Mr. Mumford said if the trees are included in a park, in open space, or along collector or arterial roads, they are checked. The City does not require an escrow for trees along residential roads.

Councilmember Clark asked if the road width clarification Mr. Hess brought up needs to be in the ordinance. Mr. Hickman explained the curb should be the end point, not a line in the roadway. He explained the tree list can evolve as more research is done. Staff can bring amendments to the Council as more information is obtained.

Mr. Cook stated "roads or parking" as it is noted in the ordinance is clear that it includes the entire asphalt width of the road, including parking areas. Mr. Mumford said on residential roads no road striping exists, so he would interpret the ordinance to mean the entire road width. Councilmember Curtis asked staff to add "entire asphalt area" or language that clarifies the

ordinance's intent. Mr. Hickman recommended noting that roadway is all the way to the curb and gutter.

**MOTION:** *Councilmember Clark moved to approve an ordinance of Eagle Mountain City, Utah, amending the Eagle Mountain Municipal Code, Chapter 16.35.080 Street Trees and Chapter 17.60.140 Clear Vision Triangle, and to direct staff to make changes as discussed. Councilmember Reaves seconded the motion.*

Councilmember Burnham asked if the motion included the tree changes Mr. Hess presented. Mr. Cook stated the Council can direct staff to consider the list of trees to be included in the ordinance and make appropriate changes, as needed, and bring amendments back to the Council.

Mr. Hickman recommended approving the list as it was presented, as the list is included as part of the ordinance. Staff can research additional trees and present changes to the Council at a future meeting.

Councilmember Curtis asked if the motion can authorize the Urban Forester to amend the tree list for a specific period without returning to the Council for approval. Mr. Cook explained that the table is a part of the ordinance. The ordinance can be amended to state the approved tree list may be amended periodically by the Urban Forester. The Council approved of that amendment.

*Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

### **13.B. [ORDINANCE - An Ordinance of Eagle Mountain City, Utah, Approving the First Amendment to the Fiscal Year 2019-2020 Budget.](#)**

Assistant City Administrator/Finance Director Paul Jerome explained two amendments are included in the General Government Fund. One is an increase of \$5,000 for the Utah South Pacific Celebration Event, and one is an increase of \$5,000 for the Independence Day Fireworks. He explained that both events were organized on short notice and have already taken place.

Mr. Jerome explained that there was a need for updated impact fees for both water and sewer. Both Impact Fee Funds were increased by \$25,000 for impact fee analyses/impact fee facilities plans.

Regarding amendments in the Capital Projects and Impact Fees Funds, Mr. Jerome explained the City was approved for a \$2 million loan from the Utah Department of Transportation for the Pony Express Parkway widening project from Lake Mountain Road to Frontier Middle School. Before the loan was approved, staff discussed possible options with the Council regarding funding. He stated one option considered was transferring funds from the Solid Waste Fund and loaning the City funds to be paid back with interest to some of the Enterprise Funds. Now that the City has received the loan from the Utah Department of Transportation, the City will no longer loan the funds to itself.

The transportation loan payment of \$235,000 has been included in the Transportation Impact Fee Fund amendment, as well as \$2 million for the widening project in the Capital Projects Fund. However, before the funds can be transferred from the Solid Waste Fund to the Transportation Impact Fee Fund, the City needs to notice the changes to residents through utility bills. Once the noticing requirements have been met, another amendment will be brought to the Council to transfer the funds from the Solid Waste Fund to the Transportation Impact Fee Fund.

Mr. Jerome explained that the Solid Waste Fund will be used to fund the first one or two loan payments. If the City is spending money on an impact fee-eligible project, which this project is, and funds outside of impact fees are being utilized, the funds are reimbursable. Once the Transportation Impact Fee Fund has a healthy balance and there are no projects pending for that fund, the loan payments can be paid back to the Solid Waste Fund. As the Solid Waste Fund will not be jeopardized by these loan payments, the current plan is to not pay the Solid Waste Fund back and allow the Transportation Impact Fee Fund to grow. This is tracked and is part of the City's record, so in the future, the funds can be paid back to the Solid Waste Fund, if so desired.

The Capital Projects Fund also includes an increase of \$5,000 for accommodation and storage renovations to City Hall to provide an area for nursing mothers, as well as changes to the downstairs storage room. This fund also includes an increase of \$50,000 for three trail connections in City Center to provide safe routes to school. One connection is funded fully through grants, and staff is researching grant possibilities for the other two.

The transportation impact fees also need to be updated, so the Transportation Impact Fee Fund was increased by \$25,000 for an impact fee analysis/impact fee facilities plan.

*Mayor Westmoreland opened the public hearing at 9:08 p.m. As there were no comments, he closed the hearing.*

**MOTION:** *Councilmember Reaves moved to approve an ordinance of Eagle Mountain City, Utah, approving the first amendment to the Fiscal Year 2019-2020 budget, as presented. Councilmember Clark seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

#### 14. CITY COUNCIL/MAYOR'S BUSINESS

Councilmember Curtis  
See Board Liaison report.

Councilmember Burnham  
Councilmember Burnham explained residents were concerned regarding potential smells of the Tyson Foods plant. She visited the Tyson Foods plant in Sherman, Texas and no smells were present, even at the front doors. She asked residents if they noticed a smell, and no residents reported any smells. Another resident concern was that if a manufacturing plant is developed at

the Tyson Foods site, no additional technology companies will locate there. She explained there is a wide mix of uses in Sherman, Texas, and the Tyson Foods plant has helped the city's tax base.

Councilmember Reaves

None.

Councilmember Clark

Councilmember Clark recommended inviting Representative Moss, Senator Anderegg, UDOT and MAG to the joint meeting with Saratoga Springs. She stated the Be Ready Utah Back to School event will bring many entities together and encouraged residents to add the event to their neighborhood pages.

Councilmember Gricius

None.

Mayor Westmoreland

Mayor Westmoreland said he has spoken with the Department of Natural Resources and grant money is available to preserve the City's wildlife open space habitat and migration routes. Mr. Mumford is attending a meeting tomorrow to discuss mapping. The previous meeting was attended by representatives of the Department of Wildlife Resources, the Department of Natural Resources, the Utah Department of Transportation, and Camp Williams. He explained there should be more information regarding this project in the coming months.

## 15. CITY COUNCIL BOARD LIAISON REPORTS

Councilmember Curtis

Councilmember Curtis said Shawn Seager with Mountainland Association of Governments suggested the City work with Representative Jefferson Moss and Senator Jake Anderegg to assist in the process of the Utah Department of Transportation designating Pony Express Parkway as a state road.

Councilmember Burnham

Councilmember Burnham said the Eagle Mountain Chamber of Commerce is hosting a tour of Cedar Valley High School, and encouraged business owners to join the Chamber.

Councilmember Reaves

Nothing to report.

Councilmember Clark

Councilmember Clark said the Military and Veterans Board held an unofficial meeting, as there are only two current members, which is not enough for a quorum. The Council has discussed allowing the American Legion to replace the Military and Veterans Board, but those at the informational meeting were clear that there are military members who will not qualify to be a part of the VFW or the American Legion and requested the board remain active. Several people have submitted their names to Mayor Westmoreland for board appointment consideration.

Councilmember Gricius

Nothing to report.

16. COMMUNICATION ITEMS

16.A. Upcoming Agenda Items

17. ADJOURNMENT

**MOTION:** *Councilmember Curtis moved to adjourn the meeting at 9:18 p.m. Councilmember Gricius seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

The meeting was adjourned at 9:18 p.m.

Approved by the City Council on August 20, 2019.

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Fionnuala B. Kofoed, MMC  
City Recorder

# KIRTON | McCONKIE

Tyler L. Buswell  
tbuswell@kmclaw.com  
801.321.4820

August 6, 2019

## VIA EMAIL

Eagle Mountain City Council  
Attn: Ifo Pili, City Administrator  
Attn: Steve Mumford, Development Director  
1650 E. Stagecoach Run  
Eagle Mountain, Utah 84005  
Email: ipili@emcity.org  
Email: smumford@emcity.org

Cohne Kinghorn  
Attn: Jeremy Cook  
111 East Broadway, 11<sup>th</sup> Floor  
Salt Lake City, Utah 84111  
Email: jcook@cohnekinghorn.com

**Re: Opposition to Taking Open Space from Oak Hollow Subdivision**

Dear All:

Our firm serves as counsel to Fieldstone Oak Hollow, LLC ("Fieldstone"). As you may know, Fieldstone is the developer of the Oak Hollow Phase A Plat 1 subdivision (the "Project"). Eagle Mountain City (the "City") required Fieldstone to dedicate certain open space to the City in order to obtain the necessary land use approvals for the Project, including those areas identified as Parcel A, Parcel B and Parcel C on the Project's plat (the "Common Areas"). Fieldstone objected to the City requiring the dedication of the Common Areas because it was always anticipated that such parcels were amenities to the Project that would primarily benefit the Project's homeowners and such would be maintained by the Project's homeowners association (the "HOA"). As a result, parcels such as the Common Areas are typically included as common area that is owned, maintained and operated by the HOA in other Utah municipalities. However, the City refused to approve the Project unless Fieldstone dedicated the Common Areas to the City and included a note in the Project's plat that stated the Common Areas would be maintained by the HOA. Fieldstone ultimately dedicated the Common Areas to the City for the sole purpose of obtaining the necessary City approvals.

The City is now proposing to take a portion of Parcel A of the Common Areas for an access road to and from the Carson Commercial Corner development (see Item #12 on Eagle Mountain City Council Meeting Agenda for August 6, 2019) (the "Taking"). This Taking is being proposed without giving any compensation or deference to Fieldstone or the HOA. Fieldstone objects to the Taking for the following reasons: (i) it is completely contrary to the intent of having such open space like the Common Areas in residential subdivisions, (ii) it is potentially an illegal governmental taking without just compensation, and (iii) it sets a very dangerous precedent that could allow the City to unilaterally take open space and common areas from other homeowners associations.

First, Fieldstone objects to the Taking because it is completely contrary to the intent of having such open space like the Common Areas in residential subdivisions. The purpose of open space like the Common Areas is that it is an amenity for certain uses that benefits the homeowners in the relevant residential project. It is our understanding that the City recognizes this fact and that is one of the reasons why the City said they were requiring the HOA to maintain the Common Areas. However, with the Taking, the City is unilaterally changing the use of Parcel A of the Common Areas from (i) a nice open area that provides a buffer between the busy Porters Crossing right-of-way and the homes in the Project to (ii) a road that will likely increase the traffic in the Project and be an eyesore at the Project's entrance. It is not clear whether the City will still

ATTORNEYS AT LAW  
www.kmclaw.com

Kirton McConkie Building, 50 East South Temple, Salt Lake City, UT 84111  
Key Bank Tower, 36 South State Street, Suite 1900, Salt Lake City, UT 84111  
Thanksgiving Park Four, 2600 W Executive Parkway, Suite 400, Lehi, UT 84043  
St. George Office, 301 North 200 East, Suite 3A, St. George, UT 84770

801.328.3600 *tel* 801.321.4893 *fax*  
801.328.3600 *tel* 801.321.4893 *fax*  
801.426.2100 *tel* 801.426.2100 *fax*  
435.574.5672 *tel* 385.501.4989 *fax*

require the HOA to maintain Parcel A of the Common Areas after this undesired change in use, but the Project's plat and covenants, conditions and restrictions never contemplated the possibility of such a change. In short, the Taking would make the Project's plat and covenants, conditions and restrictions that govern the Project irrelevant for the management and operation of the Common Areas.

Second, Fieldstone objects to the Taking because it is potentially an illegal governmental taking without just compensation. As noted above, in order to obtain the City's land use approvals for the Project and the Common Areas are maintained by the HOA pursuant to the Project's plat. The City should compensate Fieldstone for the Taking because the proposed road has nothing to do with the Project. Similarly, the City should potentially compensate the HOA for the Taking because it is losing an area that was intended to be an amenity of the Project and has been maintained at the HOA's cost.

Lastly, Fieldstone objects to the Taking because it sets a very dangerous precedent that could allow the City to unilaterally take open space and common areas from other homeowners associations. It is our understanding that the City's rationale for the Taking is that it owns Parcel A of the Common Area and so it can use such area completely in the City's discretion. The result of such reasoning also means that any community pools, parks and other amenities built by developers in the City could potentially be taken by the City for any reason even though they were built, paid for and maintained by the developer and relevant homeowners association. This would give the City the ability to completely wipe out millions of dollars of community investment by developers, which is wholly opposed by Fieldstone and we anticipate will be wholly opposed by all developers that have or will work in the City.

I have spoken at length regarding these issues with the City's attorney, Jeremy Cook. Based on such conversations, I believe that the City is willing to consider making some changes in their land use approvals and documenting how homeowners associations will maintain any area dedicated to the City. Fieldstone looks forward to working with the City to address these issues. However, in the meantime, we urge the City Council to deny the Taking at this time until these issues can be resolved. Please let me know if you have any questions.

Sincerely,

KIRTON McCONKIE



Tyler L. Buswell

cc: Troy Gabler (via email)  
Jason Harris (via email)



**EAGLE MOUNTAIN CITY  
CITY COUNCIL MEETING  
AUGUST 20, 2019**

|                                 |                                                                                                                                                                                                  |                |                               |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------------------------|
| <b>TITLE:</b>                   | ORDINANCE - An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code, Chapter 17.25 Residential Zone and Chapter 17.30 Residential Zone Bonus Density Entitlements. |                |                               |
| <b>ITEM TYPE:</b>               | Ordinance                                                                                                                                                                                        |                |                               |
| <b>FISCAL IMPACT:</b>           | NA                                                                                                                                                                                               |                |                               |
| <b>APPLICANT:</b>               | City Staff                                                                                                                                                                                       |                |                               |
| <b>GENERAL PLAN DESIGNATION</b> | <b>CURRENT ZONE</b>                                                                                                                                                                              | <b>ACREAGE</b> | <b>COMMUNITY</b><br>City-wide |

**PUBLIC HEARING:**

Yes

**REQUIRED FINDINGS:**

Code amendments are legislative actions and shall be valid if reasonably debatable and not illegal.

**PLANNING COMMISSION  
ACTION /  
RECOMMENDATION**

**RECOMMENDATION:**

If the Council feels that this proposal resolves a majority of the concerns and properly implements the goals and strategies of the General Plan, then we recommend approval along with any additional changes that are necessary. We understand that additional code amendments will need to take place in the future to fine tune these residential zone development standards (special use standards, creating a transit-oriented zone, etc.), and we will begin working on those soon, but we believe it is important to have these new zones and standards in place as soon as possible.

Recommended motion: I move to approve an ordinance of Eagle Mountain City approving the Development Code amendments to Chapters 17.25 and 17.30 of the Eagle Mountain Municipal Code as proposed (or with the following changes...).

**BACKGROUND:**

Last year the City Council approved the Eagle Mountain City General Plan 2018, and since that time we have been working to implement the goals and strategies set forth in the plan. In order to implement the General Plan's land use strategies, we need to amend our Residential Zone and Residential Zone Bonus Density Entitlements. This proposal has been discussed by the Planning Commission in various forms multiple times, including but not limited to a joint meeting with the City Council on October 9th, 2018, as well as Planning Commission discussions and/or public hearings on March 26th, April 9th, April 23rd, and May 28th. Various Council members have been present for many of those meetings and have provided feedback. This item was tabled by the City Council at the July 16th meeting and additional feedback was provided by the Council at the August 6th meeting.

On May 28th the Planning Commission held a public hearing on this item, and following quite a bit of discussion and no public comments, recommended approval (4-0; 1 absent)) to the City Council along with some direction to staff to make some modifications to the proposal. Conditions of approval included:

- (1) The minimum dimensions for single-car garages shall be increased to 12 feet wide by 20 feet deep of usable space;
- (2) Hot tubs shall accommodate a minimum of 12 people and shall be built in-ground;
- (3) The amendment shall prohibit vinyl and aluminum siding as building materials;
- (4) All RR1 and RR2 zones shall be required to install walking paths on both sides of the road;
- (5) Staff shall follow specific instructions regarding pools (square footage minimum based on the number of units, not to exceed a certain size, as determined by staff).

Changes have been made to the proposal since that meeting to address the City Council's concerns.

**PREPARED BY:**

Steve Mumford,  
Planning

While reviewing this code amendment, please note the following significant items:

- (1) This proposal removes the bonus density and tier system completely (removes chapter 17.30) and instead creates 12 residential zones of differing lot sizes, densities, and standards.
- (2) It includes a land use table that specifies permitted, conditional, special, and prohibited uses by zone.
- (3) It includes a table containing a majority of the residential development standards by zone, including but not limited to setbacks, building heights, lot sizes, open space requirements, units per building in multi-family zones, lot frontage, dwelling size minimums, and more. We were able to remove many sections of the chapter and consolidate them instead into this single table. It will be much easier to interpret by developers, builders, the general public, the planning staff, and the PC/CC.
- (4) Generally applicable provisions have been included that address the following items:

- Minimum architectural standards
- Yard landscaping
- Open space and trails
- Parking and garage dimensions
- Buffers and transitions
- Minimum architectural standards
- Hillside development and sensitive lands
- Lighting
- Rural infrastructure
- Street trees
- Landscaped entryways and monument signs
- Clubhouse and swimming pool

After receiving feedback from City Council members, as well as additional research that has been completed, we are recommending some changes to the version of the code amendment that was discussed at the last meeting. Some of the changes include:

- Leaving the bedroom count for multi-family units to the real estate market (no restrictions on number of bedrooms)
- Changing the name of the lowest density zones to RA1 (Rural Agriculture), RA2, RD1 (Rural Density), RD2.
- Requiring at least 20,000 square feet of buildable area on large lots, allowing enough space for a home, two outbuildings, and a horse corral.
- Allowing detached accessory apartments on lots of 8,000 square feet or larger.
- Reducing the minimum dwelling size substantially, and specifying that it does not include the garage area.
- Increasing the minimum garage size to 22' x 22' or 400 square feet of useable space for parking, excluding stairs, cantilevers, or other projections.
- Removing hot tubs as a requirement. The swimming pool and clubhouse requirements allow for an alternative plan to be approved by the Council, at

their discretion.

- Adding a note that specifies that the minimum average lot size is calculated across an entire preliminary plat or large neighborhood, and is verified by the approval authority of a preliminary plat. If a preliminary plat exceeds 80 acres, the average lot size may be required in smaller neighborhoods/plats. Each final plat does not have to comply with the average lot size, but shall include some variation of lot sizes in the plat. Outlier lots that are substantially larger than the others will not be counted in the average lot size calculation.
- Changing the architectural design standards for single-family homes to require variation in exterior materials and/or colors on all front and side facades that face a public road, as well as additional architectural detailing on those facades. Restrictions on stucco and vinyl siding were removed.
- The projections into setbacks are currently being updated to match the name changes and removal of one of the multi-family zones. If not updated by the meeting, please note in your motion that they be updated to reflect those changes.

**Attachments:**

[Residential Code Amendments 8-20-19](#)

[ORD--Residential\\_Zone](#)

[Development Standards 8-20-19](#)

[Residential Land Use Table 8-20-19](#)

[PC Minutes - Residential Code 5-28-19](#)

## Chapter 17.25 RESIDENTIAL ZONES

Sections:

- 17.25.010 What this Chapter Does**
- 17.25.020 Future Land Uses and Residential Zones**
- 17.25.030 Land Use Table**
- 17.25.040 Residential Development Standards**
- 17.25.050 Generally Applicable Provisions**
- 17.25.060 Projection into Setbacks**

### **17.25.010 What this chapter does.**

In order to further the purposes of LUDMA (Utah's Municipal Land Use, Development, and Management Act) and the City's General Plan, the city is divided into various zones, including a number of residential zones. This chapter establishes the land use regulations for the residential zones in Eagle Mountain City, including permitted and conditional uses, minimum land use standards, and other development provisions.

### **17.25.020 Future Land Uses and Residential Zones.**

All land planned for residential use in Eagle Mountain City is located within one of the following future land use categories and must be located within one of the following residential zoning districts:

1. Future Land Use: Agricultural/Rural Density One
  - a. Zone: **RA1**. The RA1 zone is for large lot residential developments that preserve open space, animal rights, and a semi-rural character. To achieve these goals the minimum lot size is 5 acres (217,800 square feet).
  - b. Zone: **RA2**. The RA2 zone is for large lot residential developments that preserve open space, animal rights, and a semi-rural character, as well as providing a transition area between 5-acre-lot neighborhoods and 1-acre-lot neighborhoods. To achieve these goals the minimum lot size is 2.5 acres (108,900 square feet).
2. Future Land Use: Agricultural/Rural Density Two
  - a. Zone: **RD1**. The RD1 zone is for large lot residential developments that preserve open space, animal rights, a semi-rural character, and provide a proper transition from large lots, hillsides, or other natural areas to more suburban neighborhoods. The minimum lot size is 1 acre (43,560 square feet).

- b. Zone: **RD2**. The RD2 zone is for single-family large lots in traditional suburban neighborhoods with parks, trails, and other open space. The minimum lot size is ½ acre (21,780 square feet).
- 3. Future Land Use: Foothill Residential
  - a. Zone: **Foothill Residential (FR)**. The Foothill Residential (FR) zone is for single-family residential view lots, generally on hillsides or foothills. Lots should be arranged to protect open space areas, ridgelines, hillsides, wildlife habitat, and provide useable open space or trail access to useable open space. The minimum lot size is ¼ acre (10,890 square feet), and an average lot size of ½ acre (21,780 square feet) is required.
- 4. Future Land Use: Neighborhood Residential One
  - a. Zone: **R1**. The R1 zone is for large single-family homes on medium-sized lots arranged in walkable suburban neighborhoods with improved parks and trails that connect the neighborhoods with surrounding land uses. The minimum lot size is ¼ acre (10,890 square feet) and an average lot size of at least 1/3 acre (14,520 square feet) is required.
  - b. Zone: **R2**. The R2 zone is for medium to large single-family homes on medium-sized lots arranged in walkable neighborhoods with improved parks and trails that connect the neighborhoods with surrounding land uses. The minimum lot size is 8,000 square feet, and an average lot size of at least ¼ acre (10,890 square feet) is required.
  - c. Zone: **R3**. The R3 zone is for single-family homes on small lots arranged in walkable neighborhoods with improved parks and trails that connect the neighborhoods with surrounding land uses. The minimum lot size is 6,500 square feet, and an average lot size of at least 8,500 square feet is required.
- 5. Future Land Use: Neighborhood Residential Two
  - a. Zone: **RC**. The RC zone is for single-family homes on small lots in walkable neighborhoods with improved parks and trails that connect the neighborhoods with surrounding land uses. These neighborhoods can provide a transition between multi-family developments and neighborhoods with medium-sized lots. The minimum lot size is 4,500 square feet and an average lot size of at least 6,000 square feet is required.
  - b. Zone: **MF1**. The MF1 zone is for “footprint” single family homes (not on fee simple lots; sometimes defined as patio homes), twin homes, duplexes, triplexes, and townhomes with no more than 6 units per building, with common/shared open space between buildings, and a home owners’ association that maintains the open space. The maximum density is 10 dwelling units per acre.
- 6. Future Land Use: Neighborhood Residential Three
  - a. Zone: **MF2**. The MF2 zone is for townhomes, condominiums, and apartments with no more than 12 units per building. Developments in this zone should be within immediate

walking distance of a park, retail/office development, transit facilities, or adjacent to major roadways or intersections. The maximum density is 20 dwelling units per acre.

#### **17.25.030 Land Use Table.**

This land use table contains the various land uses that are permitted, conditional, special, and prohibited uses in the residential zones. Uses that are not listed in this table are prohibited.

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

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

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

Blank = Prohibited

#### **Land Use Table**

### Residential Land Uses

| Land Use                                                                                                       | RA1 | RA2 | RD1 | RD2                 | FR                  | R1 | R2 | R3 | RC | MF1                    | MF2                     |
|----------------------------------------------------------------------------------------------------------------|-----|-----|-----|---------------------|---------------------|----|----|----|----|------------------------|-------------------------|
| Home Businesses in compliance with Ch. 17.65 EMMC                                                              | P   | P   | P   | P                   | P                   | P  | P  | P  | P  | P                      | P                       |
| Dwelling (single-family)                                                                                       | P   | P   | P   | P                   | P                   | P  | P  | P  | P  | P                      |                         |
| Dwelling (multi-family)                                                                                        |     |     |     |                     |                     |    |    |    |    | P ≤ 6 units / building | P ≤ 12 units / building |
| Assisted Living Facility                                                                                       | S   | S   | S   |                     |                     |    |    |    |    | S                      | S                       |
| Public Parks, Trails, & Recreation                                                                             | P   | P   | P   | P                   | P                   | P  | P  | P  | P  | P                      | P                       |
| Public & Private Utility Structures or Facilities                                                              | S   | S   | S   | S                   | S                   | S  | S  | S  | S  | S                      | S                       |
| Public Building or Facilities (City Owned)                                                                     | P   | P   | P   | P                   | P                   | P  | P  | P  | P  | P                      | P                       |
| Religious or Cultural Meeting Halls                                                                            | S   | S   | S   | S                   | S                   | S  | S  | S  | S  | S                      | S                       |
| Public/Charter School                                                                                          | S   | S   | S   | S                   | S                   | S  | S  | S  | S  | S                      | S                       |
| Private School                                                                                                 | S   | S   | S   |                     |                     |    |    |    |    |                        |                         |
| Radio, Microwave, or other Transmission Towers                                                                 | S   | S   | S   | S                   | S                   | S  | S  | S  | S  | S                      | S                       |
| Detached Accessory Apartments in compliance with Ch 17.70 EMMC                                                 | P   | P   | P   | P ≥ 8,000 Sq Ft Lot | P ≥ 8,000 Sq Ft Lot |    |    |    |    |                        |                         |
| Accessory Apartments within the Primary Residence in compliance with Ch 17.70 EMMC                             | P   | P   | P   | P                   | P                   | P  | P  | P  |    |                        |                         |
| Residential Facility for Persons with a Disability (up to 4 unrelated adults) in compliance with Ch 17.75 EMMC | S   | S   | S   | S                   | S                   | S  | S  | S  | S  | S                      | S                       |
| Plant and Tree Nursery / Garden Center                                                                         | S   | S   | S   |                     |                     |    |    |    |    |                        |                         |
| Chickens                                                                                                       | P   | P   | P   | P                   | P                   | P  | P  | P  |    |                        |                         |
| Livestock / Farm Animals (see Section 6.10.090)                                                                | P   | P   | P   | P                   |                     |    |    |    |    |                        |                         |
| Riding Arena (Commercial)                                                                                      | C   | C   |     |                     |                     |    |    |    |    |                        |                         |
| Stables (Commercial)                                                                                           | C   | C   |     |                     |                     |    |    |    |    |                        |                         |
| Equestrian Center                                                                                              | C   | C   |     |                     |                     |    |    |    |    |                        |                         |
| Animal Care Service                                                                                            | S   | S   | S   |                     |                     |    |    |    |    |                        |                         |
| Temporary Sales Trailer                                                                                        | P   | P   | P   | P                   | P                   | P  | P  | P  | P  | P                      | P                       |
| Model Home Sales Office                                                                                        | P   | P   | P   | P                   | P                   | P  | P  | P  | P  | P                      | P                       |

#### 17.25.040 Residential Development Standards.

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

## Residential Development Standards

**Residential Development Standards**

| General Plan Residential Category                                      | Ag / Rural Density 1                                                                     |                              | Ag / Rural Density 2     |                                        | Foothill Residential                   | Neighborhood Residential 1 |                            |                     | Neighborhood Residential 2 |                                                                  | Neighborhood Residential 3                                       |
|------------------------------------------------------------------------|------------------------------------------------------------------------------------------|------------------------------|--------------------------|----------------------------------------|----------------------------------------|----------------------------|----------------------------|---------------------|----------------------------|------------------------------------------------------------------|------------------------------------------------------------------|
| Zone designation                                                       | RA1                                                                                      | RA2                          | RD1                      | RD2                                    | FR                                     | R1                         | R2                         | R3                  | RC                         | MF1                                                              | MF2                                                              |
| Type of housing                                                        | SF Detached                                                                              | SF Detached                  | SF Detached              | SF Detached                            | SF Detached                            | SF Detached                | SF Detached                | SF Detached         | SF Detached (Small Lot)    | SF Detached <sup>5</sup> , MF 2-6 units/building                 | MF ≤ 12 units/building                                           |
| Maximum Gross Density                                                  |                                                                                          |                              |                          |                                        |                                        |                            |                            |                     |                            | 10 units/acre                                                    | 20 units/acre                                                    |
| Minimum Residential Lot Sizes                                          | 5+ Acres<br>(217,800 sq ft)                                                              | 2.5 Acres<br>(108,900 sq ft) | 1 Acre<br>(43,560 sq ft) | 1/2 acre<br>(21,780 sq ft)             | 1/4 Acre<br>(10,890 sq ft)             | 1/4 Acre<br>(10,890 sq ft) | 8,000 sq ft                | 6,500 sq ft         | 4,500 sq ft                |                                                                  |                                                                  |
| Minimum Average Lot Sizes <sup>9</sup>                                 |                                                                                          |                              |                          |                                        | 1/2 Acre<br>(21,780 sq ft)             | 1/3 Acre<br>(14,520 sq ft) | 1/4 Acre<br>(10,890 sq ft) | 8,500 sq ft         | 6,000 sq ft                |                                                                  |                                                                  |
| Required Improved Open Space<br>(in compliance with Section 16.35.105) |                                                                                          |                              |                          | 500 sq ft per lot                      | 750 sq ft per lot                      | 750 sq ft per lot          | 900 sq ft per lot          | 1,000 sq ft per lot | 1,000 sq ft per lot        | 1,000 sq ft per 3bd;<br>750 sq ft per 2bd;<br>500 sq ft per 1 bd | 1,000 sq ft per 3bd;<br>750 sq ft per 2bd;<br>500 sq ft per 1 bd |
| Primary Structure Maximum Height <sup>1</sup>                          | 35'                                                                                      | 35'                          | 35'                      | 35'                                    | 35'                                    | 35'                        | 35'                        | 35'                 | 35'                        | 35'                                                              | 35' <sup>6</sup>                                                 |
| Accessory Structure Maximum Height <sup>1</sup>                        | 35'                                                                                      | 35'                          | 35'                      | 25'                                    | 20'                                    | 20'                        | 20'                        | 20'                 | 20'                        | 20'                                                              | 20'                                                              |
| Ancillary Structure Maximum Height <sup>1</sup>                        | 10' above primary structure                                                              |                              |                          |                                        |                                        |                            |                            |                     |                            |                                                                  |                                                                  |
| Minimum Lot Frontage <sup>2</sup>                                      | 150'                                                                                     | 150'                         | 125'                     | 100'                                   | 90'                                    | 85'                        | 80'                        | 62'                 | 58'                        |                                                                  |                                                                  |
| Minimum Lot Frontage (Cul-de-sac or circle)                            | 100'                                                                                     | 100'                         | 75'                      | 60'                                    | 50'                                    | 45'                        | 40'                        | 20'                 | 20'                        |                                                                  |                                                                  |
| Minimum Dwelling Size (excluding garage)                               | 1000 sq ft                                                                               | 1000 sq ft                   | 1000 sq ft               | 1000 sq ft                             | 1000 sq ft                             | 1000 sq ft                 | 1000 sq ft                 | 1000 sq ft          | 1000 sq ft                 | 650 sq ft                                                        | 650 sq ft                                                        |
| Minimum Setbacks for Primary Structures <sup>3</sup>                   |                                                                                          |                              |                          |                                        |                                        |                            |                            |                     |                            |                                                                  |                                                                  |
| Front                                                                  | 35'                                                                                      | 35'                          | 30'                      | 25'                                    | 25'                                    | 25'                        | 25'                        | 15'                 | 15'                        | 15'                                                              | 15'                                                              |
| Front Garage                                                           | 45'                                                                                      | 45'                          | 40'                      | 30'                                    | 25'                                    | 25'                        | 25'                        | 22'                 | 22'                        | 22' <sup>7</sup>                                                 | 22' <sup>7</sup>                                                 |
| Rear                                                                   | 35'                                                                                      | 35'                          | 35'                      | 35'                                    | 35'                                    | 25'                        | 20'                        | 20'                 | 20'                        | 30' between buildings                                            |                                                                  |
| Side                                                                   | 20'                                                                                      | 20'                          | 15'                      | 10'                                    | 10'                                    | 10'                        | 8'                         | 8'                  | 8'                         | 15' between buildings                                            | 20' between buildings                                            |
| Garage Side                                                            | 20'                                                                                      | 20'                          | 15'                      | 15'                                    | 10'                                    | 10'                        | 10'                        | 10'                 | 10'                        | 15' between buildings                                            | 20' between buildings                                            |
| Street Side                                                            | 25'                                                                                      | 25'                          | 25'                      | 25'                                    | 15'                                    | 15'                        | 15'                        | 15'                 | 15'                        | 15'                                                              | 15'                                                              |
| Maximum Size of Accessory Structures                                   |                                                                                          |                              |                          | 75% of dwelling footprint <sup>4</sup> | 50% of dwelling footprint <sup>4</sup> |                            |                            |                     |                            |                                                                  |                                                                  |
| Minimum Setbacks for Accessory Structures                              |                                                                                          |                              |                          |                                        |                                        |                            |                            |                     |                            |                                                                  |                                                                  |
| Front                                                                  | Same as principal structure                                                              |                              |                          |                                        |                                        |                            |                            |                     |                            |                                                                  |                                                                  |
| Rear                                                                   | 10'                                                                                      | 10'                          | 10'                      | 10'                                    | 5'                                     | 5'                         | 5'                         | 5'                  | 5'                         | 5'                                                               | 5'                                                               |
| Side                                                                   | 10'                                                                                      | 10'                          | 10'                      | 10'                                    | 5'                                     | 5'                         | 5'                         | 5'                  | 5'                         | 5'                                                               | 5'                                                               |
| Street Side                                                            | Same as principal structure                                                              |                              |                          |                                        |                                        |                            |                            |                     |                            |                                                                  |                                                                  |
| Distance from a Residential Dwelling                                   | Structures housing animals: 50' from neighboring residences; 6' for all other structures |                              |                          |                                        |                                        | 6'                         | 6'                         | 6'                  | 6'                         | 6'                                                               | 6'                                                               |
| Site Plan Approval Required (see Chapter 17.100 EMMC)                  |                                                                                          |                              |                          |                                        |                                        |                            |                            |                     |                            | Yes                                                              | Yes                                                              |

<sup>1</sup> Height is measured from the average of the highest finished grade and the lowest finished grade of the structure to the highest point of the roof, excluding ancillary structures. Where permitted by EMMC 17.25.030, the maximum height of accessory apartments located above a detached garage is 35 feet.

<sup>2</sup> Lot Frontage is measured at the street property line. Lot frontage shall vary by at least 5 feet every 3 or 4 lots in the R3 and RC zones.

<sup>3</sup> Setbacks shall only apply to structures that require a city building permit or approval. No structure which cannot be removed shall be constructed across an easement. Up to a 10% variation in setbacks may be approved by the Planning Director and Building Official if the variation is deemed appropriate due to an issue with slope, unique lot configuration, or other unique circumstance. Guidance regarding allowed projections into setbacks is outlined in Section 17.25.060 EMMC.

<sup>4</sup> Square footage of the footprint of the residential dwelling, including attached garage.

<sup>5</sup> Only "footprint" single-family detached units - no homes on fee simple lots. These are sometimes referred to as patio homes.

<sup>6</sup> Maximum height may be increased to 45 feet if the building is located more than 150 feet from existing single-family homes. However, no building may exceed three liveable stories/levels plus an underground parking level.

<sup>7</sup> Driveway length exceptions for multi-family developments may be requested and considered at the discretion of the approval authority with a preliminary plat or site plan.

<sup>8</sup> Ancillary structures include chimneys, television antennas, or other structures that are generally located on the roof of a residential building.

<sup>9</sup> The minimum average lot size is calculated across an entire preliminary plat or large neighborhood, and is verified by the approval authority of a preliminary plat. If a preliminary plat exceeds 80 acres, the average lot size may be required in smaller neighborhoods/plats. Each final plat does not have to comply with the average lot size, but shall include some variation of lot sizes in the plat. Outlier lots that are substantially larger than the others will not be counted in the average lot size calculation.

### 17.25.050 Generally applicable provisions.

All development projects within the residential zones in this chapter shall conform to the following general requirements:

**A. Yard Landscaping.** The front and side yards must be improved prior to occupancy of each home in accordance with the approved yard landscaping plan approved in conjunction with the Final Plat for the development. Improvements shall include sod, irrigation, trees, and shrubs, and may include some water

wise landscaping. In cases of inclement weather, the builder or property owner may pay a \$2,000 cash escrow per lot to the City and shall complete the landscaping no later than six months after the issuance of the certificate of occupancy.

**B. Open Space & Trails.** Lots and roads shall be arranged to best protect contiguous open space areas, ridgelines, hillsides, drainages, wildlife habitat and corridors, and provide useable open space or trail access to useable open space. All developments shall connect to existing adjacent trails and wildlife corridors and continue them through the development and shall provide regional trails and corridors if included in the City's General Plan, Parks and Open Space Plan, or Bike and Pedestrian Plan. Rather than including large areas of unbuildable land in lots, developers are encouraged to preserve and dedicate these areas as public open space. The approval authority may require the developer to pay a fee in lieu according to EMMC 16.35.105(A)(11), or may consider, at their discretion, alternative open space plans. Alternative plans will be evaluated based upon the benefit to the neighborhood/community, proximity to existing amenities or natural features, and the unique nature of the site, and may include additional trails, preservation/dedication of additional open space areas, and unique improvements/amenities. Alternative plans may include a proposed "buy-down" of open space acreage with additional amenities at a rate of 150 points per acre (required acreage x 100 points + "bought-down" acreage x 150 points). Parks and trails must be improved as required by the standards set forth in Chapter 16.35 EMMC. Common open space areas within multi-family projects shall not count towards the open space requirement, unless a large area is planned that meets the criteria found in Section 16.35.105 EMMC. Land in excess of 15 percent slope shall be ineligible for inclusion in improved open space requirements unless the planning commission recommends and the city council approves specific improvements on land in excess of 15 percent slope which these bodies determine to be an approved amenity. In this case, only the acreage of land in excess of 15 percent slope which is improved will be considered towards the improved open space requirements.

**C. Parking & Garage Dimensions.** Projects shall comply with the off-street parking standards found in EMMC 17.55, which includes standards for enclosed parking, covered parking, and visitor parking. Minimum dimensions of two-car garages shall be 22 feet by 22 feet or provide a minimum of 400 square feet of actual useable parking area, excluding stairs, cantilevers, or other encroachments. Two-car garage door openings shall be a minimum of 16 feet wide by 8 feet tall. Single-car garages shall be a minimum of 12 feet wide by 20 feet deep of useable parking area. Single-car garage door openings shall be a minimum of 9 feet wide by 8 feet tall.

**D. Driveways.** Residential 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. Residential driveways, when feasible, shall not be permitted in the clear

vision triangle at local streets as described in this title. Minimum residential driveway length is included in the Residential Development Standards Table.

E. Buffers and Transitions Between Developments and Uses. All residential zone developments shall comply with the transitioning and buffering requirements as set forth in Chapter [17.60](#) EMMC. If commercial development is allowed as a conditional use in a residential zone, the more restrictive of the residential or commercial buffering and transitioning requirements shall apply.

F. Architectural Design Standards. All multi-family buildings shall comply with Chapter 17.72 EMMC. Single-family developments should produce diverse yet compatible homes with similar design quality on all front and side elevations that face a public road and shall include variation in exterior materials (fiber cement siding, board and batten or vertical siding, stone, brick, stucco) and/or colors. All front and side elevations that face a public road shall include additional architectural detailing, and may include decorative shutters, bay windows, popouts, trellis or arbor structures, decorative gables, dormer windows, balconies, decorative trim and moldings, window grids, etc. Aluminum siding is prohibited. All residential dwellings shall include windows and main entry doors on the front elevation. If a floor plan is to be repeatedly built within a development, a minimum of five elevation schemes shall be developed. Elevation schemes shall be approved by the planning director or his/her delegated representative. Houses sited on adjacent lots, or directly across the street (sharing frontage) shall have different floor plans or elevations and different color schemes. Prefabricated metal carports are prohibited in front yards.

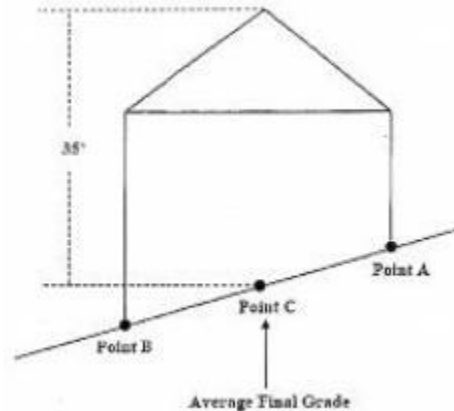
G. Hillside Development and Sensitive Lands. No construction, development, or earthwork may occur on land restricted by utility corridors, natural washes, storm drain retention/detention areas, geologically sensitive areas that require special engineering considerations for safe habitation, and steep slopes, unless in full compliance with Chapters 15.80, 17.62, other applicable City Codes, and approved by the approval authority for preliminary plats. Development projects that include hillsides, ridgelines, or retaining walls must comply with the standards in Chapters 15.80 and 17.62 EMMC. Development near natural washes must include significant setbacks from the edge of the wash to any structure. Utility corridors shall be preserved and deeded to the City whenever possible for trails and open space corridors. Lots in the RA1, RA2, and RD1 zones shall include a buildable footprint of at least 20,000 square feet, which generally includes enough area for a home, two accessory buildings (garages or animals), and a horse corral.

H. Lighting. All exterior lighting, including parking lot lights, building lights, and other lighting must comply with the standards found in Chapter 17.56 EMMC. Streetlights are required to be paid for by developers and installed by the City's contractor along all roads in and surrounding a project, in accordance with Section 15.10.390 EMMC.

I. Infrastructure. At their discretion the approval authority may exempt projects in the RA1, RA2, and RD1 zones from installing curb, gutter, and streetlights. Equestrian trails that adjoin each lot may be required by the approval authority when the subdivision is designed to accommodate horse raising and keeping. Streetlights are still required along all collector and arterial roads.

J. Street Trees. Developers and/or builders are encouraged to plant appropriate trees in park strips along all public streets. Planting shall be done along with the front yard landscaping and in accordance with the standards found in EMMC 16.35.080. Street trees are required along all collector and arterial roads.

K. Landscaped Entryways and Monument Signs. All developments shall provide a landscaped entryway and neighborhood/project monument sign at each main entrance to the neighborhood. This may consist of a water feature, sculpture, or monument sign with the name of the project. The ongoing maintenance of the landscaped entryway shall be by the project's homeowners' association. This feature shall be approved along with a preliminary plat, site plan, or master development plan. At their discretion, the approval authority may approve an alternative amenity or improvement in place of this requirement.



L. Clubhouse and Swimming Pool. All multi-family developments in the MF1 and MF2 zones shall include a swimming pool in addition to the clubhouse. The approval authority of a preliminary plat or site plan may consider and approve alternatives to these improvements if the improvements are considered comparable or equivalent in cost and in benefit to the future residents. For this determination they should consider the size of units, the type of units, the proximity to other recreational amenities, and any unique attributes of the property.

1. Clubhouse or Community Center. A clubhouse facility that is centrally located in the development is intended to provide a recreational and social amenity to residents. Clubhouses or community centers shall be a minimum of 1,500 square feet (not including leasing office area) and accommodate at least 7.5 square feet of clubhouse area per residential unit being served by the clubhouse. Developments may provide multiple clubhouses to fulfill this requirement. The clubhouse does not count towards fulfilling the amenity requirements found in Chapter 16.35 EMMC.

a. Clubhouse Improvements & Completion. Clubhouses shall include food serving facilities, large gathering areas suited to community meetings and events, restroom facilities, and

amenities that may include exercise equipment, multimedia equipment, facilities to accommodate the arts, indoor recreation (basketball, volleyball, etc.), or upgraded food preparation or service facilities. The clubhouse shall be adjacent to the pool. The approval authority shall review and approve the clubhouse structure during the site plan review process. Construction of the clubhouse shall commence prior to issuing the 31<sup>st</sup> building permit in the project or a cash or improvement bond shall be placed with the City to cover the cost of construction. Applicants shall submit a building permit application prior to constructing this improvement. If multiple clubhouses are being provided in a development the additional clubhouses shall begin construction along with the phase of development that includes the clubhouses.

2. **Swimming Pool.** An in-ground swimming pool that is centrally located in the development is intended to provide a recreational and social amenity to residents. The pool shall be a minimum of 1,000 square feet in size and must accommodate at least 4 square feet of pool space per residential unit being served by the pool. At the discretion of the Council, developments may be required to provide multiple pools to fulfill this requirement, depending on the number of units served and overall project densities and layout. It shall also include a concrete patio, patio furniture, a non-sight-obscuring fence, and comply with all required building codes (including a building permit). The swimming pool does not count towards fulfilling the amenity requirements found in EMMC 16.35. The approval authority shall review and approve the swimming pool facility during the site plan review process. The construction of the pool shall commence prior to the 31<sup>st</sup> building permit being issued in the development, or a cash or improvement bond shall be placed with the City to cover the cost of construction. If multiple pools are being provided in a development the additional pools shall begin construction along with the phase of development that includes the pools.

#### **17.25.060 Projection into setbacks.**

A. **Residential Setbacks.** The minimum distance measured from the property line to the outer foundation wall of a structure. Setbacks are defined in Chapter [17.10](#) EMMC (Definitions) and setback requirements for the various residential zones are found in Section 17.25.040 (Residential Development Standards) EMMC.

**Table 17.25.110(A) Residential Setbacks**

| <b>Setbacks</b>                                                                                                                                                                                                                                                                                            |                           |                         |                          |                          |                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-------------------------|--------------------------|--------------------------|------------------------------------------|
| <b>Zone</b>                                                                                                                                                                                                                                                                                                | <b>Minimum Front Yard</b> | <b>Minimum Driveway</b> | <b>Minimum Rear Yard</b> | <b>Minimum Side Yard</b> | <b>Minimum Street Side Yard (Corner)</b> |
| <b>RR1-1</b>                                                                                                                                                                                                                                                                                               | 35                        | 45                      | 35                       | 20                       | 25                                       |
| <b>RR1-2</b>                                                                                                                                                                                                                                                                                               | 35                        | 45                      | 35                       | 20                       | 25                                       |
| <b>RR2-1</b>                                                                                                                                                                                                                                                                                               | 30                        | 40                      | 35                       | 15                       | 25                                       |
| <b>RR2-2</b>                                                                                                                                                                                                                                                                                               | 25                        | 30                      | 35                       | 10 & 15 on Garage Side   | 25                                       |
| <b>FR</b>                                                                                                                                                                                                                                                                                                  | 25                        | 25                      | 35                       | 10                       | 15                                       |
| <b>NR1</b>                                                                                                                                                                                                                                                                                                 | 25                        | 25                      | 25                       | 10                       | 15                                       |
| <b>NR2</b>                                                                                                                                                                                                                                                                                                 | 25                        | 25                      | 20                       | 8 & 10 on Garage Side    | 15                                       |
| <b>NR3</b>                                                                                                                                                                                                                                                                                                 | 15                        | 22                      | 20                       | 8 & 10 on Garage Side    | 15                                       |
| <b>RC</b>                                                                                                                                                                                                                                                                                                  | 15                        | 22                      | 20                       | 8 & 10 on Garage Side    | 15                                       |
| <b>MF1</b>                                                                                                                                                                                                                                                                                                 | 15                        | 22                      | 30 Between Buildings     | 15 Between Buildings     | 15                                       |
| <b>MF2</b>                                                                                                                                                                                                                                                                                                 | 15                        | 22                      | 30 Between Buildings     | 15 Between Buildings     | 15                                       |
| <b>MF3</b>                                                                                                                                                                                                                                                                                                 | 15                        | 22                      | 30 Between Buildings     | 20 Between Buildings     | 15                                       |
| *If a structure is constructed with less than an eight-foot setback, piping or other approved drainage system shall be installed in that side yard prior to occupancy, sending the water at least 10 feet downhill away from the foundation (in conformance to the current international Residential code) |                           |                         |                          |                          |                                          |
| ** A minimum of 15 feet is required between single-family attached buildings                                                                                                                                                                                                                               |                           |                         |                          |                          |                                          |
| *** Driveway length exceptions for townhomes may be requested and considered at the discretion of the approval authority with a preliminary plat                                                                                                                                                           |                           |                         |                          |                          |                                          |

B. Allowed Projection into Setbacks.

1. Awnings and Canopies. Over the windows, no wider than 12 inches beyond edges of window or door.



| Projecting Feature | Allowed Projection into Setbacks |                       |                       |                      |                     |                     |               |              |              |                           |                          |                          |               |              |              |     | MF1 & MF2 | Nearest Property Line |
|--------------------|----------------------------------|-----------------------|-----------------------|----------------------|---------------------|---------------------|---------------|--------------|--------------|---------------------------|--------------------------|--------------------------|---------------|--------------|--------------|-----|-----------|-----------------------|
|                    | RR1 (1&2) Front Yard             | RR1 (1 & 2) Rear Yard | RR1 (1 & 2) Side Yard | RR2 (1&2) Front Yard | RR2 (1&2) Rear Yard | RR2 (1&2) Side Yard | FR Front Yard | FR Rear Yard | FR Side Yard | NR (1, 2, & 3) Front Yard | NR (1, 2, & 3) Rear Yard | NR (1, 2, & 3) Side Yard | RC Front Yard | RC Rear Yard | RC Side Yard |     |           |                       |
| Awnings/Canopies   | 5                                | 5                     | 5                     | 5                    | 5                   | 5                   | 5             | 5            | 5            | 3                         | 3                        | 3                        | 3             | 3            | 3            | n/a | 5'        |                       |

2. Balconies – Open and Unenclosed.



| Projecting Feature     | Allowed Projection into Setbacks |                       |                       |                      |                     |                     |               |              |              |                           |                          |                          |               |              |              |     | MF1 & MF2 | Nearest Property Line |
|------------------------|----------------------------------|-----------------------|-----------------------|----------------------|---------------------|---------------------|---------------|--------------|--------------|---------------------------|--------------------------|--------------------------|---------------|--------------|--------------|-----|-----------|-----------------------|
|                        | RR1 (1&2) Front Yard             | RR1 (1 & 2) Rear Yard | RR1 (1 & 2) Side Yard | RR2 (1&2) Front Yard | RR2 (1&2) Rear Yard | RR2 (1&2) Side Yard | FR Front Yard | FR Rear Yard | FR Side Yard | NR (1, 2, & 3) Front Yard | NR (1, 2, & 3) Rear Yard | NR (1, 2, & 3) Side Yard | RC Front Yard | RC Rear Yard | RC Side Yard |     |           |                       |
| Balconies (Unenclosed) | 2                                | 2                     | 2                     | 2                    | 2                   | 2                   | 2             | 2            | 2            | 2                         | 2                        | 2                        | 2             | 2            | 2            | n/a | 6'        |                       |

3. Bay Windows. Width of window shall not exceed 10 feet in front or rear yards, or seven feet in side yards.



| Projecting Feature | Allowed Projection into Setbacks |                       |                       |                      |                     |                     |               |              |              |                           |                         |                         |               |              |              |           | Nearest Property Line |
|--------------------|----------------------------------|-----------------------|-----------------------|----------------------|---------------------|---------------------|---------------|--------------|--------------|---------------------------|-------------------------|-------------------------|---------------|--------------|--------------|-----------|-----------------------|
|                    | RR1 (1&2) Front Yard             | RR1 (1 & 2) Rear Yard | RR1 (1 & 2) Side Yard | RR2 (1&2) Front Yard | RR2 (1&2) Rear Yard | RR2 (1&2) Side Yard | FR Front Yard | FR Rear Yard | FR Side Yard | NR (1, 2, & 3) Front Yard | NR (1,2, & 3) Rear Yard | NR (1,2, & 3) Side Yard | RC Front Yard | RC Rear Yard | RC Side Yard | MF1 & MF2 |                       |
| Bay Window         | 3                                | 3                     | 3                     | 3                    | 3                   | 3                   | 3             | 3            | 3            | 3                         | 3                       | 2                       | 3             | 3            | 2            | n/a       | 5'                    |

4. Cantilevered Building Projections. Also known as micro-additions, or pop-outs. Shall not exceed eight feet in length.



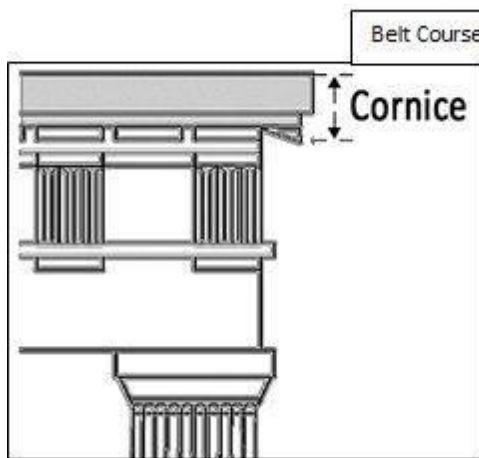
| Projecting Feature               | Allowed Projection into Setbacks |                       |                       |                      |                     |                     |               |              |              |                           |                          |                          |               |              |              | Nearest Property Line |           |
|----------------------------------|----------------------------------|-----------------------|-----------------------|----------------------|---------------------|---------------------|---------------|--------------|--------------|---------------------------|--------------------------|--------------------------|---------------|--------------|--------------|-----------------------|-----------|
|                                  | RR1 (1&2) Front Yard             | RR1 (1 & 2) Rear Yard | RR1 (1 & 2) Side Yard | RR2 (1&2) Front Yard | RR2 (1&2) Rear Yard | RR2 (1&2) Side Yard | FR Front Yard | FR Rear Yard | FR Side Yard | NR (1, 2, & 3) Front Yard | NR (1, 2, & 3) Rear Yard | NR (1, 2, & 3) Side Yard | RC Front Yard | RC Rear Yard | RC Side Yard |                       | MF1 & MF2 |
| Cantilevered Building Projection | 2                                | 2                     | 2                     | 2                    | 2                   | 2                   | 2             | 2            | 2            | 2                         | 2                        | 2                        | 2             | 2            | 2            | n/a                   | 6'        |

## 5. Chimney or Fireplace.



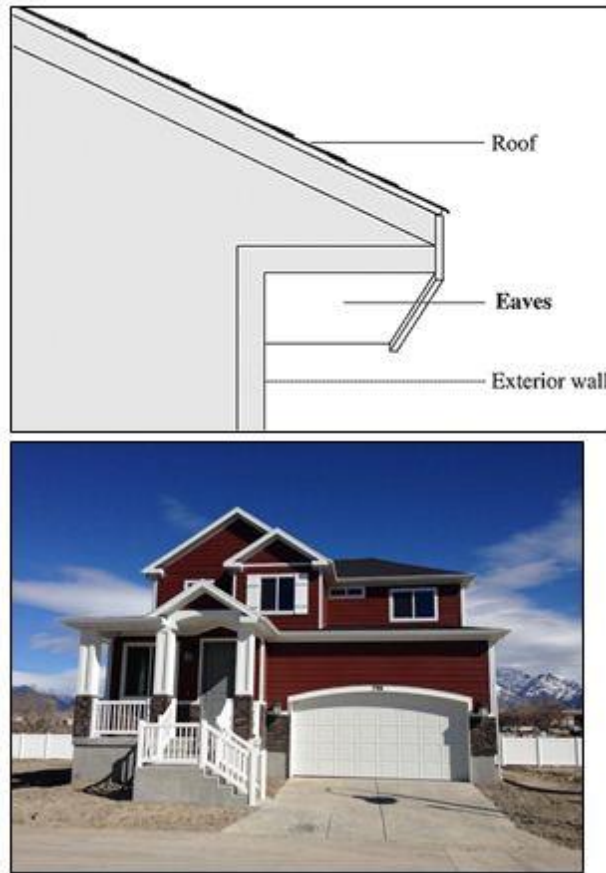
| Projecting Feature   | Allowed Projection into Setbacks |                          |                          |                         |                        |                        |                  |                 |                 |                              |                             |                             |                  |                 |                 |
|----------------------|----------------------------------|--------------------------|--------------------------|-------------------------|------------------------|------------------------|------------------|-----------------|-----------------|------------------------------|-----------------------------|-----------------------------|------------------|-----------------|-----------------|
|                      | RR1 (1&2)<br>Front Yard          | RR1 (1 & 2)<br>Rear Yard | RR1 (1 & 2)<br>Side Yard | RR2 (1&2)<br>Front Yard | RR2 (1&2)<br>Rear Yard | RR2 (1&2)<br>Side Yard | FR<br>Front Yard | FR<br>Rear Yard | FR<br>Side Yard | NR (1, 2, & 3)<br>Front Yard | NR (1, 2, & 3)<br>Rear Yard | NR (1, 2, & 3)<br>Side Yard | RC<br>Front Yard | RC<br>Rear Yard | RC<br>Side Yard |
| Chimney or Fireplace | 2.5                              | 2.5                      | 2.5                      | 2.5                     | 2.5                    | 2.5                    | 2.5              | 2.5             | 2.5             | 2.5                          | 2.5                         | 2.5                         | 2.5              | 2.5             | 2.5             |

## 6. Cornices, Belt Courses. And similar architectural features.



| Projecting Feature                  | Allowed Projection into Setbacks |                          |                          |                         |                        |                        |                  |                 |                 |                              |                             |                             |                  |                 |                 |
|-------------------------------------|----------------------------------|--------------------------|--------------------------|-------------------------|------------------------|------------------------|------------------|-----------------|-----------------|------------------------------|-----------------------------|-----------------------------|------------------|-----------------|-----------------|
|                                     | RR1 (1&2)<br>Front Yard          | RR1 (1 & 2)<br>Rear Yard | RR1 (1 & 2)<br>Side Yard | RR2 (1&2)<br>Front Yard | RR2 (1&2)<br>Rear Yard | RR2 (1&2)<br>Side Yard | FR<br>Front Yard | FR<br>Rear Yard | FR<br>Side Yard | NR (1, 2, & 3)<br>Front Yard | NR (1, 2, & 3)<br>Rear Yard | NR (1, 2, & 3)<br>Side Yard | RC<br>Front Yard | RC<br>Rear Yard | RC<br>Side Yard |
| Cornices, Belt Courses, and Similar | 1                                | 1                        | 1                        | 1                       | 1                      | 1                      | 1                | 1               | 1               | 1                            | 1                           | 1                           | 1                | 1               | 1               |

## 7. Eaves, Roof Overhangs.



| Projecting Feature    | Allowed Projection into Setbacks |                       |                       |                      |                     |                     |               |              |              |                           |                          |                          |               |              |              |           | Nearest Property Line |
|-----------------------|----------------------------------|-----------------------|-----------------------|----------------------|---------------------|---------------------|---------------|--------------|--------------|---------------------------|--------------------------|--------------------------|---------------|--------------|--------------|-----------|-----------------------|
|                       | RR1 (1&2) Front Yard             | RR1 (1 & 2) Rear Yard | RR1 (1 & 2) Side Yard | RR2 (1&2) Front Yard | RR2 (1&2) Rear Yard | RR2 (1&2) Side Yard | FR Front Yard | FR Rear Yard | FR Side Yard | NR (1, 2, & 3) Front Yard | NR (1, 2, & 3) Rear Yard | NR (1, 2, & 3) Side Yard | RC Front Yard | RC Rear Yard | RC Side Yard | MF1 & MF2 |                       |
| Eaves, roof Overhangs | 3                                | 3                     | 3                     | 3                    | 3                   | 3                   | 3             | 3            | 3            | 3                         | 3                        | 3                        | 3             | 3            | 3            | n/a       | n/a                   |

## 8. Porch, Deck, Landing.

### a. Uncovered.



b. Covered.



| Projecting Feature               | Allowed Projection into Setbacks |                       |                       |                      |                     |                     |               |              |              |                           |                          |                          |               |              |              |           |                       |
|----------------------------------|----------------------------------|-----------------------|-----------------------|----------------------|---------------------|---------------------|---------------|--------------|--------------|---------------------------|--------------------------|--------------------------|---------------|--------------|--------------|-----------|-----------------------|
|                                  | RR1 (1&2) Front Yard             | RR1 (1 & 2) Rear Yard | RR1 (1 & 2) Side Yard | RR2 (1&2) Front Yard | RR2 (1&2) Rear Yard | RR2 (1&2) Side Yard | FR Front Yard | FR Rear Yard | FR Side Yard | NR (1, 2, & 3) Front Yard | NR (1, 2, & 3) Rear Yard | NR (1, 2, & 3) Side Yard | RC Front Yard | RC Rear Yard | RC Side Yard | MF1 & MF2 | Nearest Property Line |
| Porch, Deck, Landing (uncovered) | 10                               | 10                    | 10                    | 10                   | 10                  | 10                  | 5             | 5            | -            | 5                         | 5                        | -                        | 5             | 5            | -            | n/a       | n/a                   |
| Porch, Deck, Landing (covered)   | 6                                | 6                     | 6                     | 6                    | 6                   | 6                   | 5             | 5            | -            | 5                         | 5                        | -                        | 5             | 5            | -            | n/a       | n/a                   |

Table 17.25.110(B)

| Projecting Feature                  | Allowed Projection into Setbacks |                       |                       |                      |                     |                     |               |              |              |                           |                          |                          |               |              |              | MF1 & MF2 | Nearest Property Line |
|-------------------------------------|----------------------------------|-----------------------|-----------------------|----------------------|---------------------|---------------------|---------------|--------------|--------------|---------------------------|--------------------------|--------------------------|---------------|--------------|--------------|-----------|-----------------------|
|                                     | RR1 (1&2) Front Yard             | RR1 (1 & 2) Rear Yard | RR1 (1 & 2) Side Yard | RR2 (1&2) Front Yard | RR2 (1&2) Rear Yard | RR2 (1&2) Side Yard | FR Front Yard | FR Rear Yard | FR Side Yard | NR (1, 2, & 3) Front Yard | NR (1, 2, & 3) Rear Yard | NR (1, 2, & 3) Side Yard | RC Front Yard | RC Rear Yard | RC Side Yard |           |                       |
| Awnings/Canopies                    | 5                                | 5                     | 5                     | 5                    | 5                   | 5                   | 5             | 5            | 5            | 3                         | 3                        | 3                        | 3             | 3            | 3            | n/a       | 5'                    |
| Balconies (Unenclosed)              | 2                                | 2                     | 2                     | 2                    | 2                   | 2                   | 2             | 2            | 2            | 2                         | 2                        | 2                        | 2             | 2            | 2            | n/a       | 6'                    |
| Bay Window                          | 3                                | 3                     | 3                     | 3                    | 3                   | 3                   | 3             | 3            | 3            | 3                         | 3                        | 2                        | 3             | 3            | 2            | n/a       | 5'                    |
| Cantilevered Building Projection    | 2                                | 2                     | 2                     | 2                    | 2                   | 2                   | 2             | 2            | 2            | 2                         | 2                        | 2                        | 2             | 2            | 2            | n/a       | 6'                    |
| Chimney or Fireplace                | 2.5                              | 2.5                   | 2.5                   | 2.5                  | 2.5                 | 2.5                 | 2.5           | 2.5          | 2.5          | 2.5                       | 2.5                      | 2.5                      | 2.5           | 2.5          | 2.5          | n/a       | 5.5'                  |
| Cornices, Belt Courses, and Similar | 1                                | 1                     | 1                     | 1                    | 1                   | 1                   | 1             | 1            | 1            | 1                         | 1                        | 1                        | 1             | 1            | 1            | 1         | n/a                   |
| Eaves, roof Overhangs               | 3                                | 3                     | 3                     | 3                    | 3                   | 3                   | 3             | 3            | 3            | 3                         | 3                        | 3                        | 3             | 3            | 3            | n/a       | n/a                   |
| Porch, Deck, Landing (uncovered)    | 10                               | 10                    | 10                    | 10                   | 10                  | 10                  | 5             | 5            | -            | 5                         | 5                        | -                        | 5             | 5            | -            | n/a       | n/a                   |
| Porch, Deck, Landing (covered)      | 6                                | 6                     | 6                     | 6                    | 6                   | 6                   | 5             | 5            | -            | 5                         | 5                        | -                        | 5             | 5            | -            | n/a       | n/a                   |

**ORDINANCE NO. O-   -2019**

**AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH  
AMENDING CHAPTER 17.25 AND 17.30  
OF THE EAGLE MOUNTAIN MUNICIPAL CODE  
FOR RESIDENTIAL ZONE AND RESIDENTIAL ZONE BONUS DENSITY  
ENTITLEMENTS**

*PREAMBLE*

WHEREAS, the City Council of Eagle Mountain City, Utah finds that it is in the public interest to amend Chapter 17.25 and 17.30 of the Eagle Mountain Municipal Code Residential Zone an Residential Zone Bonus Density Entitlements;

BE IT ORDAINED by the City Council of Eagle Mountain City, Utah:

1. The City Council finds that all required public hearings have been held and all legal requirements have been met to amend Chapter 17.25 and 17.30 of the Eagle Mountain Municipal Code, which is attached to this Ordinance as Exhibit A.
2. Chapter 17.25 and 17.30 of the Eagle Mountain Municipal Code is hereby amended as set forth more specifically in Exhibit A.
3. This Ordinance shall take effect upon its first posting or publication.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 20<sup>th</sup> day of August 2019.

EAGLE MOUNTAIN CITY, UTAH

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Tom Westmoreland, Mayor

ATTEST:

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Fionnuala B. Kofoed, MMC  
City Recorder

## CERTIFICATION

The above Ordinance was adopted by the City Council of Eagle Mountain City, Utah on this 20<sup>th</sup> day of August 2019.

Those voting aye:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves

Those voting nay:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves

Those excused:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves

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Fionnuala B. Kofoed, MMC  
City Recorder

# Exhibit A

Residential Development Standards

| General Plan Residential Category                               | Ag / Rural Density 1                                                                     |                           | Ag / Rural Density 2  |                                        | Foothill Residential                   | Neighborhood Residential 1 |                         |                     | Neighborhood Residential 2 |                                                            | Neighborhood Residential 3                                 |
|-----------------------------------------------------------------|------------------------------------------------------------------------------------------|---------------------------|-----------------------|----------------------------------------|----------------------------------------|----------------------------|-------------------------|---------------------|----------------------------|------------------------------------------------------------|------------------------------------------------------------|
| Zone designation                                                | RA1                                                                                      | RA2                       | RD1                   | RD2                                    | FR                                     | R1                         | R2                      | R3                  | RC                         | MF1                                                        | MF2                                                        |
| Type of housing                                                 | SF Detached                                                                              | SF Detached               | SF Detached           | SF Detached                            | SF Detached                            | SF Detached                | SF Detached             | SF Detached         | SF Detached (Small Lot)    | SF Detached <sup>5</sup> , MF 2-6 units/building           | MF ≤ 12 units/building                                     |
| Maximum Gross Density                                           |                                                                                          |                           |                       |                                        |                                        |                            |                         |                     |                            | 10 units/acre                                              | 20 units/acre                                              |
| Minimum Residential Lot Sizes                                   | 5+ Acres (217,800 sq ft)                                                                 | 2.5 Acres (108,900 sq ft) | 1 Acre (43,560 sq ft) | 1/2 acre (21,780 sq ft)                | 1/4 Acre (10,890 sq ft)                | 1/4 Acre (10,890 sq ft)    | 8,000 sq ft             | 6,500 sq ft         | 4,500 sq ft                |                                                            |                                                            |
| Minimum Average Lot Sizes <sup>9</sup>                          |                                                                                          |                           |                       |                                        | 1/2 Acre (21,780 sq ft)                | 1/3 Acre (14,520 sq ft)    | 1/4 Acre (10,890 sq ft) | 8,500 sq ft         | 6,000 sq ft                |                                                            |                                                            |
| Required Improved Open Space compliance with Section 16.35.105) | (in                                                                                      |                           |                       | 500 sq ft per lot                      | 750 sq ft per lot                      | 750 sq ft per lot          | 900 sq ft per lot       | 1,000 sq ft per lot | 1,000 sq ft per lot        | 1,000 sq ft per 3bd; 750 sq ft per 2bd; 500 sq ft per 1 bd | 1,000 sq ft per 3bd; 750 sq ft per 2bd; 500 sq ft per 1 bd |
| Primary Structure Maximum Height <sup>1</sup>                   | 35'                                                                                      | 35'                       | 35'                   | 35'                                    | 35'                                    | 35'                        | 35'                     | 35'                 | 35'                        | 35'                                                        | 35' <sup>6</sup>                                           |
| Accessory Structure Maximum Height <sup>1</sup>                 | 35                                                                                       | 35                        | 35'                   | 25'                                    | 20'                                    | 20'                        | 20'                     | 20'                 | 20'                        | 20'                                                        | 20'                                                        |
| Ancillary Structure Maximum Height <sup>8</sup>                 | 10' above primary structure                                                              |                           |                       |                                        |                                        |                            |                         |                     |                            |                                                            |                                                            |
| Minimum Lot Frontage <sup>2</sup>                               | 150'                                                                                     | 150'                      | 125'                  | 100'                                   | 90'                                    | 85'                        | 80'                     | 62'                 | 58'                        |                                                            |                                                            |
| Minimum Lot Frontage (Cul-de-sac or circle)                     | 100'                                                                                     | 100'                      | 75'                   | 60'                                    | 50'                                    | 45'                        | 40'                     | 20'                 | 20'                        |                                                            |                                                            |
| Minimum Dwelling Size (excluding garage)                        | 1000 sq ft                                                                               | 1000 sq ft                | 1000 sq ft            | 1000 sq ft                             | 1000 sq ft                             | 1000 sq ft                 | 1000 sq ft              | 1000 sq ft          | 1000 sq ft                 | 650 sq ft                                                  | 650 sq ft                                                  |
| Minimum Setbacks for Primary Structures <sup>3</sup>            |                                                                                          |                           |                       |                                        |                                        |                            |                         |                     |                            |                                                            |                                                            |
| Front                                                           | 35'                                                                                      | 35'                       | 30'                   | 25'                                    | 25'                                    | 25'                        | 25'                     | 15'                 | 15'                        | 15'                                                        | 15'                                                        |
| Front Garage                                                    | 45'                                                                                      | 45'                       | 40'                   | 30'                                    | 25'                                    | 25'                        | 25'                     | 22'                 | 22'                        | 22' <sup>7</sup>                                           | 22' <sup>7</sup>                                           |
| Rear                                                            | 35'                                                                                      | 35'                       | 35'                   | 35'                                    | 35'                                    | 25'                        | 20'                     | 20'                 | 20'                        | 30' between buildings                                      |                                                            |
| Side                                                            | 20'                                                                                      | 20'                       | 15'                   | 10'                                    | 10'                                    | 10'                        | 8'                      | 8'                  | 8'                         | 15' between buildings                                      | 20' between buildings                                      |
| Garage Side                                                     | 20'                                                                                      | 20'                       | 15'                   | 15'                                    | 10'                                    | 10'                        | 10'                     | 10'                 | 10'                        | 15' between buildings                                      | 20' between buildings                                      |
| Street Side                                                     | 25'                                                                                      | 25'                       | 25'                   | 25'                                    | 15'                                    | 15'                        | 15'                     | 15'                 | 15'                        | 15'                                                        | 15'                                                        |
| Maximum Size of Accesory Structures                             |                                                                                          |                           |                       | 75% of dwelling footprint <sup>4</sup> | 50% of dwelling footprint <sup>4</sup> |                            |                         |                     |                            |                                                            |                                                            |
| Minimum Setbacks for Accessory Structures                       |                                                                                          |                           |                       |                                        |                                        |                            |                         |                     |                            |                                                            |                                                            |
| Front                                                           | Same as principal structure                                                              |                           |                       |                                        |                                        |                            |                         |                     |                            |                                                            |                                                            |
| Rear                                                            | 10'                                                                                      | 10'                       | 10'                   | 10'                                    | 5'                                     | 5'                         | 5'                      | 5'                  | 5'                         | 5'                                                         | 5'                                                         |
| Side                                                            | 10'                                                                                      | 10'                       | 10'                   | 10'                                    | 5'                                     | 5'                         | 5'                      | 5'                  | 5'                         | 5'                                                         | 5'                                                         |
| Street Side                                                     | Same as principal structure                                                              |                           |                       |                                        |                                        |                            |                         |                     |                            |                                                            |                                                            |
| Distance from a Residential Dwelling                            | Structures housing animals: 50' from neighboring residences; 6' for all other structures |                           |                       |                                        |                                        | 6'                         | 6'                      | 6'                  | 6'                         | 6'                                                         | 6'                                                         |
| Site Plan Approval Required (see Chapter 17.100 EMMC)           |                                                                                          |                           |                       |                                        |                                        |                            |                         |                     |                            | Yes                                                        | Yes                                                        |

<sup>1</sup> Height is measured from the average of the highest finished grade and the lowest finished grade of the structure to the highest point of the roof, excluding ancillary structures. Where permitted by EMMC 17.25.030, the maximum height of accessory apartments located above a detached garage is 35 feet.

<sup>2</sup> Lot Frontage is measured at the street property line. Lot frontage shall vary by at least 5 feet every 3 or 4 lots in the R3 and RC zones.

<sup>3</sup> Setbacks shall only apply to structures that require a city building permit or approval. No structure which cannot be removed shall be constructed across an easement. Up to a 10% variation in setbacks may be approved by the Planning Director and Building Official if the variation is deemed appropriate due to an issue with slope, unique lot configuration, or other unique circumstance. Guidance regarding allowed projections into setbacks is outlined in Section 17.25.060 EMMC.

<sup>4</sup> Square footage of the footprint of the residential dwelling, including attached garage.

<sup>5</sup> Only "footprint" single-family detached units - no homes on fee simple lots. These are sometimes referred to as patio homes.

<sup>6</sup> Maximum height may be increased to 45 feet if the building is located more than 150 feet from existing single-family homes. However, no building may exceed three liveable stories/levels plus an underground parking level.

<sup>7</sup> Driveway length exceptions for multi-family developments may be requested and considered at the discretion of the approval authority with a preliminary plat or site plan.

<sup>8</sup> Ancillary structures include chimneys, television antennas, or other structures that are generally located on the roof of a residential building.

<sup>9</sup> The minimum average lot size is calculated across an entire preliminary plat or large neighborhood, and is verified by the approval authority of a preliminary plat. If a preliminary plat exceeds 80 acres, the average lot size may be required in smaller neighborhoods/plats. Each final plat does not have to comply with the average lot size, but shall include some variation of lot sizes in the plat. Outlier lots that are substantially larger than the others will not be counted in the average lot size calculation.

## Residential Land Uses

| Land Use                                                                                                       | RA1 | RA2 | RD1 | RD2                       | FR                        | R1 | R2 | R3 | RC | MF1                          | MF2                           |
|----------------------------------------------------------------------------------------------------------------|-----|-----|-----|---------------------------|---------------------------|----|----|----|----|------------------------------|-------------------------------|
| Home Businesses in compliance with Ch. 17.65 EMMC                                                              | P   | P   | P   | P                         | P                         | P  | P  | P  | P  | P                            | P                             |
| Dwelling (single-family)                                                                                       | P   | P   | P   | P                         | P                         | P  | P  | P  | P  | P                            |                               |
| Dwelling (multi-family)                                                                                        |     |     |     |                           |                           |    |    |    |    | P ≤ 6<br>units /<br>building | P ≤ 12<br>units /<br>building |
| Assisted Living Facility                                                                                       | S   | S   | S   |                           |                           |    |    |    |    | S                            | S                             |
| Public Parks, Trails, & Recreation                                                                             | P   | P   | P   | P                         | P                         | P  | P  | P  | P  | P                            | P                             |
| Public & Private Utility Structures or Facilities                                                              | S   | S   | S   | S                         | S                         | S  | S  | S  | S  | S                            | S                             |
| Public Building or Facilities (City Owned)                                                                     | P   | P   | P   | P                         | P                         | P  | P  | P  | P  | P                            | P                             |
| Religious or Cultural Meeting Halls                                                                            | S   | S   | S   | S                         | S                         | S  | S  | S  | S  | S                            | S                             |
| Public/Charter School                                                                                          | S   | S   | S   | S                         | S                         | S  | S  | S  | S  | S                            | S                             |
| Private School                                                                                                 | S   | S   | S   |                           |                           |    |    |    |    |                              |                               |
| Radio, Microwave, or other Transmission Towers                                                                 | S   | S   | S   | S                         | S                         | S  | S  | S  | S  | S                            | S                             |
| Detached Accessory Apartments in compliance with Ch 17.70 EMMC                                                 | P   | P   | P   | P ≥<br>8,000 Sq<br>Ft Lot | P ≥<br>8,000 Sq<br>Ft Lot |    |    |    |    |                              |                               |
| Accessory Apartments within the Primary Residence in compliance with Ch 17.70 EMMC                             | P   | P   | P   | P                         | P                         | P  | P  | P  |    |                              |                               |
| Residential Facility for Persons with a Disability (up to 4 unrelated adults) in compliance with Ch 17.75 EMMC | S   | S   | S   | S                         | S                         | S  | S  | S  | S  | S                            | S                             |
| Plant and Tree Nursery / Garden Center                                                                         | S   | S   | S   |                           |                           |    |    |    |    |                              |                               |
| Chickens                                                                                                       | P   | P   | P   | P                         | P                         | P  | P  | P  |    |                              |                               |

|                                                 |   |   |   |   |   |   |   |   |   |   |   |
|-------------------------------------------------|---|---|---|---|---|---|---|---|---|---|---|
| Livestock / Farm Animals (see Section 6.10.090) | P | P | P | P |   |   |   |   |   |   |   |
| Riding Arena (Commercial)                       | C | C |   |   |   |   |   |   |   |   |   |
| Stables (Commercial)                            | C | C |   |   |   |   |   |   |   |   |   |
| Equestrian Center                               | C | C |   |   |   |   |   |   |   |   |   |
| Animal Care Service                             | S | S | S |   |   |   |   |   |   |   |   |
| Temporary Sales Trailer                         | P | P | P | P | P | P | P | P | P | P | P |
| Model Home Sales Office                         | P | P | P | P | P | P | P | P | P | P | P |





Mr. Hadley explained the City's business licenses previously expired throughout the year, but the renewal process became burdensome to staff. The City now issues business licenses for one year, with the renewal due on the first day of the thirteenth month. Commissioner Wood said the City can offer six-month and twelve-month leases. Commissioner Wright stated his preference that the lease period remains one year.

**MOTION:** *Commissioner Wood moved to recommend approval to the City Council the Chapter 17.80.080 Off-premises Ladder Signs Municipal Code amendment with the following changes:*

- 1. Section E shall be changed to "Eagle Mountain City may bill advertisers on a semiannual or annual basis; signs may be removed for nonpayment"; and*
- 2. Staff shall change the lettering and numbering to be consistent with existing Municipal Code structure.*

*Commissioner Wright seconded the motion. Those voting aye: Matthew Everett, DeLin Anderson, Brett Wright, and Rich Wood. The motion passed with a unanimous vote.*

The meeting went into recess at 8:00 p.m. and reconvened at 8:05 p.m.

5.E. Residential Zone & Residential Zone Bonus Density Entitlements Development Code Amendment

Mr. Mumford said this version of the amendment removes the bonus density system and creates twelve residential zones. It includes a land use table that specifies permitted, conditional, special, and prohibited uses by zone. Standards will need to be created for special uses. It includes a table containing a majority of the residential development standards by zone, including setbacks, building heights, lot sizes, open space requirements, units per building in multifamily zones, lot frontage, and dwelling size minimums. Generally applicable provisions have been included as well. These include minimum architectural standards, yard landscaping, open space and trails, parking and garage dimensions, buffers and transitions, minimum architectural standards, hillside development/sensitive lands, parking and garage standards, buffers, transitions, lighting, rural infrastructure, street trees, landscaped entryways, monument signs, clubhouse, swimming pools and hot tubs. Standards regarding projections into setbacks are being updated and will be included for City Council review.

Mr. Mumford said he will add the average lot size of 6,500 square feet to the language regarding the RC zone. Commissioner Wood asked that language referencing cottage lots be removed in that section.

Mr. Mumford explained in the Residential Development Standards table, the lot frontage on cul-de-sacs and circles was mistakenly entered as 40 feet in the RR2-2 zone and stated that will be updated to 60 feet. He said the language was cut off on footnote number three on the table as well. That will be corrected to state the Planning Director has approval authority.

Commissioner Wood said the Rural Residential zones need to require asphalt trails on both sides of the road for safe walking routes. Mr. Mumford said that would require a change to the rural street cross section requirements, as Municipal Code currently only requires an 8-foot trail along one side of the road.

Commissioner Wright asked if aluminum and vinyl siding should be restricted building materials. Commissioner Wood said they should be prohibited, and said stucco should be limited, as it is not an attractive material.

Commissioner Wright expressed concern that a restrictive Code regarding building materials may negatively affect home buyers and home builders. He stated the front and sides of homes that face public roads should have a higher standard.

Commissioner Wood asked if the amendment included a standard for usable space in garages. He stated a requirement of 22 feet wide by 20 feet deep of usable space may get pushback from builders, but it is a reasonable standard. Commissioner Anderson agreed that garage standards should be 22 feet wide by 20 feet deep of usable space with a 16-foot garage door.

Mr. Mumford said he would prefer the standard only include garage dimensions and not include a requirement of usable space. He explained that an analysis of ten current building permits from multiple areas and multiple builders in the city found that custom homes in larger lot subdivisions have larger garages, up to 24 feet by 24 feet; homes in Spring Run have garages that are 22 feet wide by 23 feet deep, homes in Sage Park have garages that are 20 feet wide by 22 feet deep, and homes in Scenic Mountain have garages that are 22 feet by 22 feet.

Commissioner Wood said pools should only be allowed to serve 100 to 150 units. He stated his preference that multiple pools be required and said the Municipal Code should not allow larger pools based on square feet per unit.

Mr. Mumford explained a clubhouse, pool, and hot tub are required for all multifamily projects in the MF2 and MF3 zones that include 150 units or more. The code can be amended to require a pool for a certain number of units and the pool size be increased for additional units up to a maximum pool size.

Commissioner Wood stated the MF1 zone should also require a pool for multifamily projects. He said single-family homes should not exist in the same projects as twin homes and said the MF1 zone should prohibit single-family detached homes.

Commissioner Wood said clubhouses should have a requirement that dictates size of the community gathering room. He said the increase from 1,200 square feet to 1,500 square feet may just create larger kitchens and bathrooms.

*Commissioner Everett opened the public hearing at 9:01 p.m. As there were no comments, he closed the hearing.*

Commissioner Everett recognized staff has put much effort into the current draft of the amendment. He stated discussions have brought new items to the Commission's attention, which have been addressed, and said future applications will likely bring other concerns to staff's attention and will need to be addressed at that time.

Commissioner Wright said ten feet is not enough clearance for a single-car garage and stated it should be increased to twelve feet. He said exclusions should be in place regarding siding on homes, and said hot tubs should have a size requirement of a minimum capacity of twelve people. He said the pool requirement should be a square footage minimum based on the number of units, not to exceed a certain size, as determined by staff.

**MOTION:** *Commissioner Wood moved to recommend approval to the City Council the Chapter 17.25 and 17.30 Residential Zone and Residential Zone Bonus Density Entitlements Development Code amendments with the following conditions:*

- 1. The minimum dimensions for single-car garages shall be increased to 12 feet wide by 20 feet deep of usable space;*
- 2. Hot tubs shall accommodate a minimum of 12 people and shall be built in-ground;*
- 3. The amendment shall prohibit vinyl and aluminum siding as building materials;*
- 4. All RR1 and RR2 zones shall be required to install walking paths on both sides of the road; and*
- 5. Staff shall follow specific instructions regarding pools.*

*Commissioner Wright seconded the motion. Those voting aye: Matthew Everett, DeLin Anderson, Brett Wright, and Rich Wood. The motion passed with a unanimous vote.*

## **6. Discussion Items**

Mr. Mumford said staff will begin the process of amending additional zones after the Residential Zone amendment is finalized.

## **7. Next Scheduled Meeting – June 11, 2019.**

## **8. Adjournment**

**MOTION:** *Commissioner Wood moved to adjourn the meeting at 9:20 p.m. Commissioner Anderson seconded the motion. Those voting aye: Matthew Everett, DeLin Anderson, Brett Wright, and Rich Wood. The motion passed with a unanimous vote.*

The meeting was adjourned at 9:20 p.m.



**EAGLE MOUNTAIN CITY  
CITY COUNCIL MEETING  
AUGUST 20, 2019**

|                                 |                                                                                                                                                                                                     |                |                  |
|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|------------------|
| <b>TITLE:</b>                   | RESOLUTION - A Resolution of Eagle Mountain City, Utah Approving the First Amendment to the Amended and Restated Master Development Agreement for the Overland Development and Pony Express Parcel. |                |                  |
| <b>ITEM TYPE:</b>               | Resolution                                                                                                                                                                                          |                |                  |
| <b>FISCAL IMPACT:</b>           |                                                                                                                                                                                                     |                |                  |
| <b>APPLICANT:</b>               |                                                                                                                                                                                                     |                |                  |
| <b>GENERAL PLAN DESIGNATION</b> | <b>CURRENT ZONE</b>                                                                                                                                                                                 | <b>ACREAGE</b> | <b>COMMUNITY</b> |

**PUBLIC HEARING:**

No

**REQUIRED FINDINGS:**

**PLANNING COMMISSION  
ACTION /  
RECOMMENDATION**

NA

**PREPARED BY:**

Steve Mumford,  
Planning

**RECOMMENDATION:**

Staff recommends that the City Council considers the proposed First Amendment to the Amended and Restated Master Development Agreement for the Ivory development.

**BACKGROUND:**

The City Council approved the Amended and Restated Master Development Agreement for Overland Development on December 5, 2017. Club Ivory and an approximately 4-acre park in Village 1 will begin construction by December 15, 2019 and will be completed prior to the earlier of the recording of a plat containing the 350th Building Permit or June 30th, 2020.

Ivory shall work with Eagle Mountain City Parks Department to pay for and install one hundred (100) trees in the Pony Express median from Lake Mountain Road to Bobby Wren Blvd. The trees shall be installed by November 30, 2019.

**Attachments:**

[MDA--Overland-Pony Express MDA First Amendment](#)

[RES--Overland-Pony Express MDA First Amendment](#)

**FIRST AMENDMENT TO THE AMENDED AND RESTATED  
MASTER DEVELOPMENT AGREEMENT FOR THE  
OVERLAND DEVELOPMENT AND PONY EXPRESS PARCEL**

This First Amendment to the Amended and Restated Master Development Agreement for the Overland Development and Pony Express Parcel ("First Amendment") is entered into this \_\_\_\_ day of August, 2019 ("Effective Date"), by and between Eagle Mountain City ("City"), a political subdivision of the State of Utah, the State of Utah, School and Institutional Trust Lands Administration, and Ivory Homes, Ltd, ("Ivory") a Utah limited partnership, sometimes referred to jointly herein as "Parties."

**RECITALS:**

WHEREAS The Parties previously entered into that certain Amended and Restated Master Development Agreement for the Overland Development and Pony Express Parcel dated December 5, 2017 ("Agreement") with respect to real property located in Eagle Mountain City, State of Utah ("Property");

WHEREAS the Parties have cooperated in the preparation of this First Amendment and desire to enter into this First Amendment to modify and add certain terms to the Agreement;

NOW, THEREFORE, in consideration of the promises, covenants, representations and warranties hereinafter set forth, and for other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties agree as follows:

1. Definitions. All capitalized terms used but not otherwise defined herein shall have the same meanings assigned such terms in the Agreement.

2. Timing for Construction of Amenities. Section 11.3.1 of the Agreement shall be amended and restates as follows:

A Club Ivory and an approximately 4-acre park in Village 1 will begin construction by December 15, 2019 and will be completed prior to the earlier of the recording of a plat containing the 350th Building Permit or June 30th, 2020;

3. Trees. A Section 12.9 shall be added to the Agreement and shall state as follows:

Ivory shall work with Eagle Mountain City Parks Department to pay for and install one hundred (100) trees in the Pony Express median from Lake Mountain Road to Bobby Wren Blvd. The trees shall be installed by November 30, 2019.

4. Subordination of Conflicting Terms. In the event of a conflict in the terms and conditions of this First Amendment with the terms and conditions of the Agreement, the terms and conditions of this First Amendment shall be binding and govern the conduct of the parties.

5. No Other Changes. All provisions in the Agreement as it may have been previously amended not specifically amended by this First Amendment shall remain in full force and effect.

6. Counterparts. This First Amendment may be executed in any number of counterparts, each of which when so executed and delivered, shall be deemed an original, but with all such counterparts being taken together to constitute a single original.

*[signatures on following page(s)]*

By: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF UTAH )  
 )  
 ) ss.  
COUNTY OF SALT LAKE )

NOTARY PUBLIC  
Residing at: \_\_\_\_\_

By: Tom Westmoreland  
Its: Mayor

Approved as to form and legality:

City Attorney

STATE OF UTAH )  
 )  
 ) :ss.  
 )  
COUNTY OF UTAH )

NOTARY PUBLIC  
Residing at: \_\_\_\_\_

By: David Ure  
Its: Director

Special Assistant Attorney General

STATE OF UTAH )  
 )  
 ) ss.  
COUNTY OF SALT LAKE )

Residing at: \_\_\_\_\_

**RESOLUTION NO. R-        -2019**

**A RESOLUTION OF EAGLE MOUNTAIN CITY, UTAH APPROVING  
THE FIRST AMENDMENT TO THE AMENDED AND RESTATED  
MASTER DEVELOPMENT AGREEMENT  
FOR THE OVERLAND DEVELOPMENT AND PONY EXPRESS PARCEL**

*PREAMBLE*

WHEREAS, the City Council of Eagle Mountain City, Utah finds that it is in the public interest to approve the First Amendment to the Amended and Restated Master Development Agreement for the Overland Development and Pony Express Parcel, as set forth herein;

BE IT RESOLVED by the City Council of Eagle Mountain City, Utah:

1. The City Council finds that all required notices and hearings have been completed as required by law to consider and approve the First Amendment to the Amended and Restated Master Development Agreement for the Overland Development and Pony Express Parcel, as set forth in Exhibit A.
2. The First Amendment to the Amended and Restated Master Development Agreement for the Overland Development and Pony Express Parcel is hereby approved as set forth more specifically in Exhibit A.
3. This Resolution shall take effect upon its first publication or posting.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 20<sup>th</sup> day of August, 2019.

EAGLE MOUNTAIN CITY, UTAH

\_\_\_\_\_  
Tom Westmoreland, Mayor

ATTEST:

\_\_\_\_\_  
Fionnuala B. Kofoed, MMC  
City Recorder

## CERTIFICATION

The above resolution was adopted by the City Council of Eagle Mountain City on the 20<sup>th</sup> day of August, 2019.

Those voting aye:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves

Those voting nay:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves

Those excused:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves

---

Fionnuala B. Kofoed, MMC  
City Recorder

# Exhibit A



**EAGLE MOUNTAIN CITY  
CITY COUNCIL MEETING  
AUGUST 20, 2019**

|                                 |                                                                                                                   |                |                  |
|---------------------------------|-------------------------------------------------------------------------------------------------------------------|----------------|------------------|
| <b>TITLE:</b>                   | RESOLUTION - A Resolution of Eagle Mountain City, Utah Amending the Policies and Procedures Manual for Live Chat. |                |                  |
| <b>ITEM TYPE:</b>               | Motion                                                                                                            |                |                  |
| <b>FISCAL IMPACT:</b>           | \$0                                                                                                               |                |                  |
| <b>APPLICANT:</b>               |                                                                                                                   |                |                  |
| <b>GENERAL PLAN DESIGNATION</b> | <b>CURRENT ZONE</b>                                                                                               | <b>ACREAGE</b> | <b>COMMUNITY</b> |

**PUBLIC HEARING:**

No

**REQUIRED FINDINGS:**

**PLANNING COMMISSION  
ACTION /  
RECOMMENDATION**

**PREPARED BY:**

Evan Berrett, Admin

**RECOMMENDATION:**

**BACKGROUND:**

**Attachments:**

[LiveChat\\_PolicyDraft\\_07082019](#)

[RES--Policies & Procedures Manual re Live Chat](#)

# Website Live Chat Policy

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1. DEFINITIONS
2. PURPOSE
3. PERSONAL INFORMATION
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4. RETENTION
5. DISCRIMINATION
6. COMMUNICATION PRACTICES
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  - b. HONESTY & TRANSPARENCY
  - c. PROFANITY
  - d. RESPONSE TIMES
  - e. MULTIPLE CHATS
  - f. CUSTOMER INACTIVITY
  - g. AGENT FORWARDING
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  - i. BANNING CUSTOMERS
7. WORK HOURS & SAFEGUARDS
8. HANDLING IMPROPER CONVERSATIONS
9. OTHER GENERAL POLICIES
10. PENALTIES

## DEFINITIONS

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1. “Agent” is any Eagle Mountain City employee or elected official representing the City through the live chat tools on the City website.
2. “Chat” is a two-way conversation held between an agent and another individual on a digital platform such as the live-chat platform used on the City website.
3. “Chat Session” is the digital conversation between a customer and agent, with its beginning being initiated at the time a customer requests assistance and ending when the customer disengages from the chat tool.
4. “City” is Eagle Mountain City.
5. “Customer” is any individual who initiates a chat session with an Eagle Mountain City agent.
6. “Discrimination” is the act of selectively and deliberately altering the normal customer service practices to demean, degrade, or otherwise commit harm to individuals of a race, sex, age, disability, religion, veteran status, or other federally protected classes.

7. "Forwarding" is the act of one agent orchestrating the disengagement of a chat with a customer following the initiation of a new agent being presented to continue the conversation.
8. "Harass or Harassment" is unwelcome conduct that is severe or pervasive enough to create an environment where a reasonable person would feel intimidated, threatened, abused, or annoyed. Conduct can include offensive jokes, slurs, epithets or name calling, threats of physical assault to an individual or members of their family, intimidation, ridicule or mockery, insults or put-downs, and interference with work performance.
9. "Live Chat" is a chat session happening in real-time on the City website via the Live Chat tool.
10. "Script" is a prepared text to be used in conversation.
11. "Transient Communication" is any record with temporary value and serve to convey information of temporary importance. Transient communications are not retained.

## PURPOSE

---

The policies found herein are intended to ensure proper use of live-chat functionality found on the Eagle Mountain City website. When followed, the policies aid in the reduction of risk of a poor customer service experience, inadvertently transmitting or retaining sensitive information, or creating improper expectations of the use of the tool.

Live chat is a very powerful capability that can be a significant component in communication with residents or otherwise, but it also requires careful management.

## PERSONAL INFORMATION & PAYMENTS

---

- A. Agents should at no times share personal information with the customer including their personal contact information, address, age, and so forth. Agents are permitted to share their work phone number and email to improve support as needed.
- B. Agents should at no times request personal information from the customers except information necessary for serving the customer such as a service address, account number, name, and basic contact information.
  - a. Any personal information collected for the purpose of serving the customer should not be retained or shared by the agent except with other City employees who are providing assistance.
- C. Payment information is not to be shared on the live chat tool. If a customer requests to make a utility payment or other payment, they are to be directed to the online means of payment such as Xpress Bill-Pay, or the Agent should provide a call-in number for the customer to make a payment over the phone.

## RETENTION

---

- A. Live Chat sessions shall be treated as transient communications. Any logs of chat sessions with customers shall be removed daily.
- B. Agents shall not keep records on their computers, in print, or otherwise of any chat logs.
  - a. Exception when customers are being evaluated for a potential ban from the live chat tool and records of conversations become necessary in properly assessing that decision.
    - i. Chat transcripts may begin to be preserved beginning with the first transcript that contains harassment as defined herein or any other improper conduct described in this policy.
      - 1. Chat transcripts to be preserved for evaluation of a ban should be marked for retention within the chat tool.
    - ii. Individuals that are banned but do not reside within Eagle Mountain City may have records destroyed following the decision.
    - iii. Records of the decision to ban a customer that resides in Eagle Mountain City, including the chat session transcripts that led to the decision must be retained for two years.

## DISCRIMINATION

---

- A. Agents should not discriminate by demeaning, ignoring, or otherwise providing substandard service to those of a particular race, sex, age, disability, religion, veteran status, or other federally protected classes.
- B. Agents should not transfer a customer to another agent based on race, sex, age, disability, religion, veteran status, or other federally protected classes.

## COMMUNICATION PRACTICES

---

- A. Agents shall maintain a behavior of professionalism in conversations with all customers.
  - a. Agents shall maintain a high level of professionalism in their communication, avoiding casual speaking.
  - b. Agents should refrain from sharing opinions on the City, City staff or elected officials, businesses, policies, and so forth.
  - c. Positive attitudes should prevail, ensuring that professionalism also includes a courteous, kind, and respectful interaction.
- B. Agents should always remain honest and transparent. In instances where it is inappropriate to share information, or the agent does not have the full information needed to provide an adequate or accurate response, the agent should refer the customer to a staff member or other entity as required that would have the answers needed.
- C. Agents should not use profanity or other vulgar language at any time.

- D. Agents should respond quickly to live chat requests, treating an incoming request the same as an incoming phone call. If an Agent must leave their computer for more than five minutes, they should change their status on the live chat tool to offline to not receive additional live chat requests until they have returned.
  - a. Management of time dedicated to phone calls, live chat, and in-person conversations is the responsibility of the supervisor who may elect to dedicate staff to certain communication channels permanently or for periods of time or allow staff to balance all three.
    - i. Communication priorities are as follows:
      1. In-person communication
      2. Phone calls
      3. Live chats
    - ii. As with typical phone conversations, a request for a customer to hold can be used. If all staff are occupied and cannot quickly respond to a live chat request, an agent should communicate the following or something similar: "We are currently assisting others at this time and cannot immediately respond. If you are able to wait, someone will be with you shortly, otherwise you are welcome to send an email to [department email address]."
  - b. Agents should not frequently be offline but instead remain online for most of their workday. Agents who are unable to be online for most of their workday may be removed as an agent.
- E. Agents may engage in up to three live chat sessions concurrently after meeting performance requirements.
  - a. Agents will start with one live chat session at a time. If after 100 chats their satisfaction score is over 80% and their first response time is under 1 minute, they may begin to chat with two customers concurrently.
  - b. Agents who maintain 80% satisfaction score and a first response time under 1 minute after 500 chats will be permitted to chat with up to three customers concurrently.
  - c. Agents whose scores fall below the performance levels indicated will need to step down to a lower number of concurrent chats until performance improves.
- F. If a customer becomes unresponsive for more than two minutes, the agent should verify the customer is still present and kindly make them aware that the chat session will be terminated for inactivity after two further minutes. If inactive for four total minutes, the agent may recommend to the customer to reach back out or call at a suggested phone number and then terminate the chat session.
- G. Agents may forward customers to other agents who may be able to provide greater assistance on a particular topic.
  - a. Agents should ensure that the customer was successfully transferred.
- H. Customers requiring service in another language should be transferred to bilingual agents when available.
- I. Agents should not in any way harass a customer.

- a. Additionally, customers are not permitted to harass agents. If an agent believes they are being harassed, they should contact a supervisor and retain the chat transcript. The supervisor will determine if the harassment warrants further action and address the needs of the harassed agent.
- b. In cases where customers continue to harass after being asked to cease, a supervisor may request the agent transfer the chat to them in an attempt to resolve the issue. If the customer continues the harassment, the supervisor may authorize the ban of the customer from the live chat tool.
  - i. Agents are not permitted to ban customers without first speaking with their supervisor.

#### WORK HOURS & SAFEGUARDS

---

- A. Agents are only permitted to accept live chat requests during established work hours.
  - a. The last chat session should begin no later than 30 minutes prior to closing time.
- B. Agents are not permitted to click on any links shared by a customer.
- C. Supervisors should daily select random live chats to examine for improper conduct, customer service quality, and any trends of common questions that might require preparing a response template or using other communications methods to educate the public.

#### HANDLING IMPROPER CONVERSATIONS

---

- A. Customers may at times request to chat with an agent about a subject in which they have no expertise, familiarity, or is otherwise more appropriate for a different department. In these cases, the Agent should advise the customer of the appropriate department and share a link to the page associated with that department from within the City Website.
- B. If customers are requesting to discuss topics that are completely unrelated to City operations, the Agent should ask the customer if they have any question related to City operations. If they have no question, the Agent should kindly inform the customer of the purpose of the live chat tool, recommend they request a chat again when they have a question that would benefit from the live chat tool, and then terminate the chat.

#### OTHER GENERAL POLICIES

---

- A. Agents are permitted to create and use scripts to expedite the response to frequently asked questions.
- B. Agents are not emergency dispatchers. Customers reporting medical, police, or fire emergencies should be directed to immediately call 911 if there is risk to life or property. If there is no risk to life or property, they should be advised to call the appropriate non-emergency line. Customers reporting City emergencies including fallen or ruptured utilities, damaged roads, flooding, or otherwise should be advised to immediately call 801-789-5959.

## PENALTIES

---

- A. Supervisors shall evaluate penalties for actions contrary to policy on a case by case basis.
- B. Agents are encouraged to self-report when they have not adhered to policy to receive further training.
- C. Should an Agent violate policy in more than one occasion, a Supervisor may elect to suspend the Agent from using the live chat tool or permanently prohibit use if deemed appropriate.

**RESOLUTION NO. R- -2019**

***PREAMBLE***

**A RESOLUTION OF THE CITY COUNCIL OF EAGLE MOUNTAIN CITY, UTAH,  
AMENDING AND APPROVING THE  
2008 PERSONNEL POLICIES AND PROCEDURES MANUAL**

WHEREAS, the City Council of Eagle Mountain City, Utah, finds that it is in the public interest and in the interest of the management of the City and the employees of the City to revise and amend the Personnel Policies and Procedures Manual in use up to the date of this Resolution; and

WHEREAS, the *2008 Eagle Mountain City Personnel Policies and Procedures Manual* has been edited, reviewed and compiled to represent the needs of the City and the rights and responsibilities of its employees and should be amended as presented in Exhibit A;

NOW THEREFORE, be it resolved by the City Council of Eagle Mountain City, Utah, that the *2008 Eagle Mountain City Personnel Policies and Procedures Manual* hereby is amended and adopted as set forth specifically in Exhibit A.

This Resolution shall take effect upon its enactment by the City Council.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 20<sup>th</sup> day of August, 2019.

EAGLE MOUNTAIN CITY, UTAH

---

Tom Westmoreland, Mayor

ATTEST:

---

Fionnuala B. Kofoed, MMC  
City Recorder

## CERTIFICATION

The above Resolution was adopted by the City Council of Eagle Mountain City on this 20<sup>th</sup> day of August, 2019.

Those voting aye:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves

Those voting nay:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves

Those excused:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves

---

Fionnuala B. Kofoed, MMC  
City Recorder

# Exhibit A

## UPCOMING AGENDA ITEMS

### AUGUST 27, 2019

- 2019 Primary Election Canvass
- Joint Meeting with Saratoga Springs CC

### SEPTEMBER 3, 2019

- Code Amendment - RTI Overlay zone
- Code Amendment - Master Transportation Plan
- Silverlake South – Site Plan and Conditional Use Permit
- Cedar Farms – Zone Change

### SEPTEMBER 17, 2019

### OTHER PROJECTS

- Business Licensing
- Oquirrh Mountain Ranch
- Stratton Estates

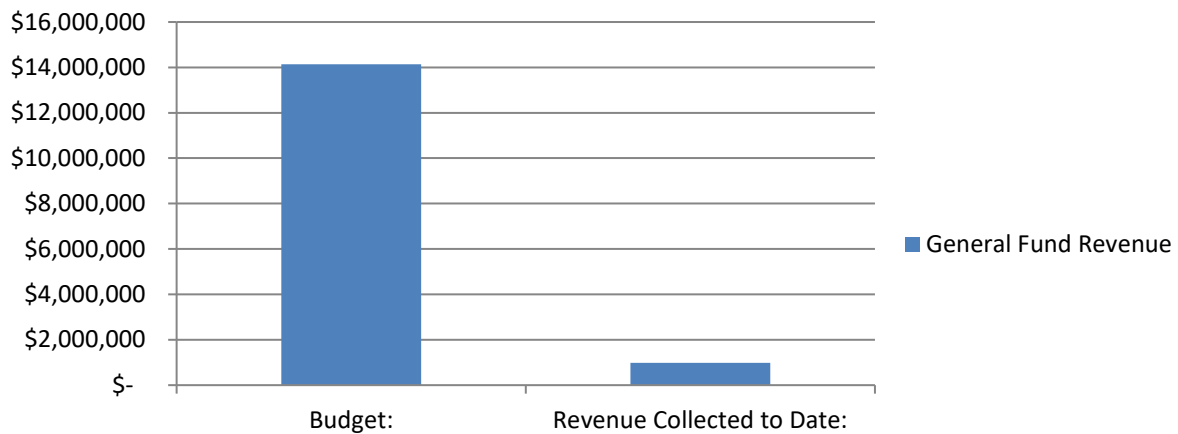
# EXECUTIVE SUMMARY OF REVENUES AND EXPENSES\*

## 31-Jul-19

### GENERAL FUND

#### General Fund Revenues

**Budget:** \$ 14,132,683  
**Revenue Collected to Date:** \$ 984,137  
**Percent of Total Budget Collected:** 7%  
**Percent of Year Completed:** 8%



#### **Revenue Analysis**

Property Taxes:

Sales Tax:

B&C Road Funds:

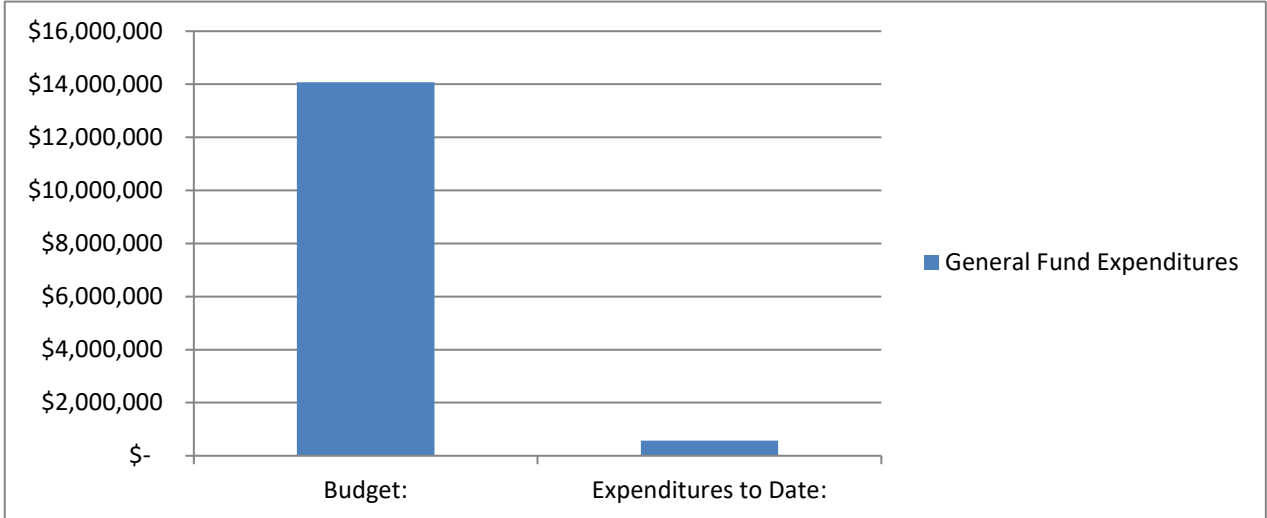
Transfers:

Development: Development revenue outpacing budgeted revenues.

Miscellaneous:

### General Fund Expenditures

**Budget:** \$ 14,072,683  
**Expenditures to Date:** \$ 571,839  
**Percent of Total Budget Expended:** 4%  
**Percent of Year Completed:** 8%



### **Expense Analysis**

|                                 | Budget       | To Date    | % Expended | % Yr.<br>Completed |
|---------------------------------|--------------|------------|------------|--------------------|
| Sub 11 - General Administration | \$ 2,225,000 | \$ 149,854 | 7%         | 8%                 |
| Sub 18 - Community Services     | \$ 1,191,318 | \$ 65,643  | 6%         | 8%                 |
| Sub 19 - Non-Departmental       | \$ 1,337,376 | \$ 63,615  | 5%         | 8%                 |
| Sub 21/25 - Public Safety       | \$ 3,206,450 | \$ 28,140  | 1%         | 8%                 |
| Sub 32 - Planning/Zoning        | \$ 567,746   | \$ 34,242  | 6%         | 8%                 |
| Sub 33 - Building               | \$ 1,130,528 | \$ 45,283  | 4%         | 8%                 |
| Sub 41 - Public Works           | \$ 4,414,265 | \$ 185,062 | 4%         | 8%                 |

Sub 11 - General Administration:

Sub 18 - Community Services:

Sub 19 - Non-Departmental:

Sub 21/25 - Public Safety: Utah County invoice delay in receiving invoices (Sheriff costs)

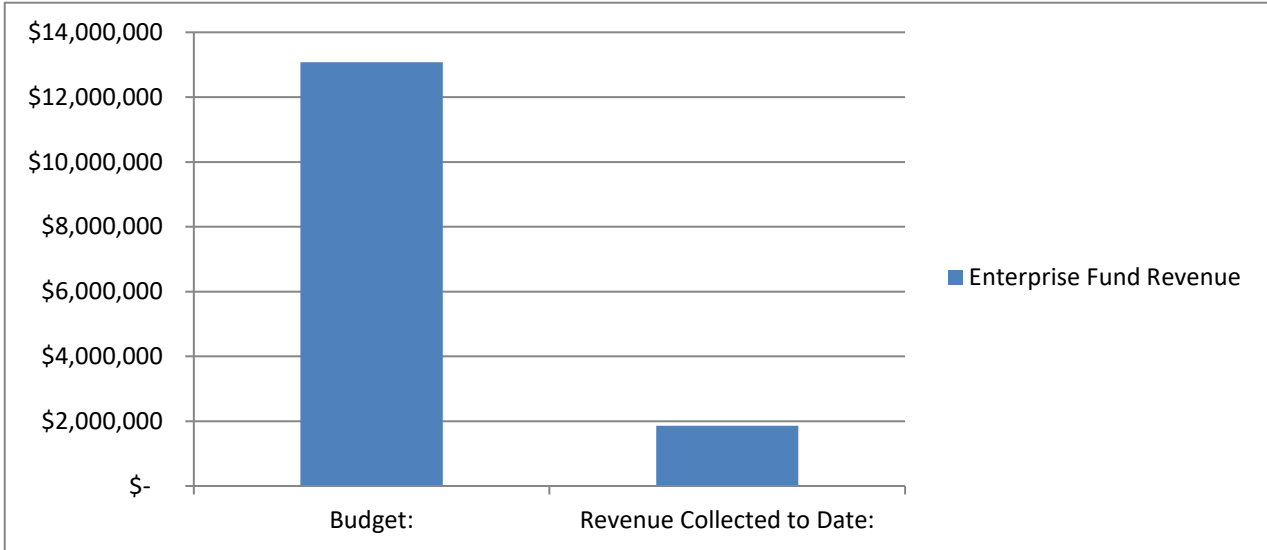
Sub 32/33 - Planning/Zoning/Building:

Sub 41 - Streets/Parks/Recreation: Improvement project invoices still to come.

## ENTERPRISE FUNDS

### Enterprise Fund Revenues

**Budget:** \$ 13,073,800  
**Revenue Collected to Date:** \$ 1,862,235  
**Percent of Total Budget Collected:** 14%  
**Percent of Year Completed:** 8%



### **Revenue Analysis**

|                            | Budget       | To Date      | % Received | % Yr.<br>Completed |
|----------------------------|--------------|--------------|------------|--------------------|
| Fund 51 - Water Fund       | \$ 6,178,300 | \$ 1,299,932 | 21%        | 8%                 |
| Fund 52 - Wastewater Fund  | \$ 4,579,000 | \$ 381,804   | 8%         | 8%                 |
| Fund 57 - Solid Waste Fund | \$ 1,523,500 | \$ 131,318   | 9%         | 8%                 |
| Fund 59 - Storm Water Fund | \$ 793,000   | \$ 49,181    | 6%         | 8%                 |

Fund 51 - Water Fund: Reflects CWP Shares sold.

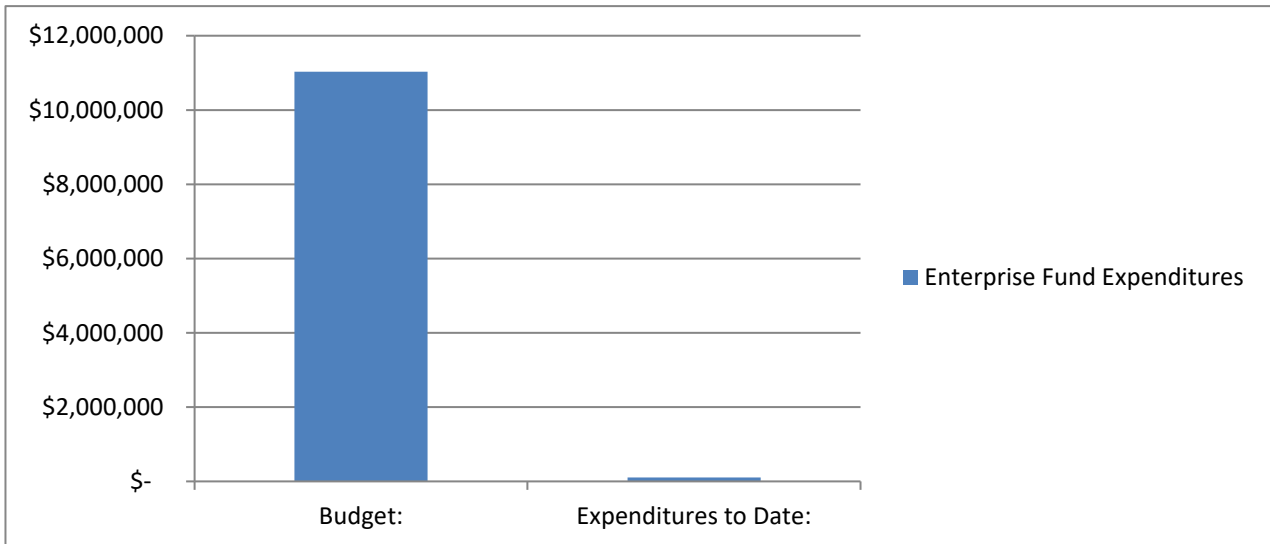
Fund 52 - Wastewater Fund:

Fund 57 - Solid Waste Fund:

Fund 59 - Storm Water Fund:

### Enterprise Fund Expenditures

**Budget:** \$ 11,033,070  
**Expenditures to Date:** \$ 103,466  
**Percent of Total Budget Expended:** 1%  
**Percent of Year Completed:** 8%



### **Expense Analysis**

|                            | Budget       | To Date   | % Expended | % Yr.<br>Completed |
|----------------------------|--------------|-----------|------------|--------------------|
| Fund 51 - Water Fund       | \$ 5,414,738 | \$ 39,836 | 1%         | 8%                 |
| Fund 52 - Wastewater Fund  | \$ 3,788,075 | \$ 34,049 | 1%         | 8%                 |
| Fund 57 - Solid Waste Fund | \$ 1,451,057 | \$ -      | 0%         | 8%                 |
| Fund 59 - Storm Water Fund | \$ 379,200   | \$ 29,581 | 8%         | 8%                 |

Fund 51 - Water Fund:

Fund 52 - Wastewater Fund:

Fund 57 - Solid Waste Fund: Ace Disposal invoice for July not reflected.

Fund 59 - Storm Water Fund:

## IMPACT FEE FUNDS

Fund Balance - current total balance in the fund.

Restricted Balance - current amount that is restricted to pay reimbursement agreements, etc.

Available Balance - amount in the fund that is available for projects in the Capital Facilities plan.

Projected Available Balance - amount projected through building trends to be available for projects in the Capital Facilities Plan by the end of the current fiscal year.

| <b>FUND NAME</b>               | <b>Fund Balance as of 7/31/19</b> | <b>Restricted Balance as of 7/31/19</b> | <b>Available Balance as of 7/31/19</b> | <b>Projected Available Balance by 6/30/20**</b> |
|--------------------------------|-----------------------------------|-----------------------------------------|----------------------------------------|-------------------------------------------------|
| Water Impact Fee Fund          | \$9,384,354                       | \$2,387,000                             | \$6,997,354                            | \$9,749,873                                     |
| Wastewater Impact Fee Fund     | \$3,933,949                       | \$60,000                                | \$3,873,949                            | \$4,382,446                                     |
| Parks/Trails Impact Fee Fund   | \$1,608,388                       | \$625,820                               | \$982,568                              | \$1,845,056                                     |
| Stormwater Impact Fee Fund     | \$1,151,054                       | \$275,464                               | \$875,590                              | \$1,054,582                                     |
| Transportation Impact Fee Fund | \$2,249,838                       | \$974,343                               | \$1,275,495                            | \$2,144,649                                     |
|                                |                                   |                                         |                                        |                                                 |

**\*\*Available balance + the average of the future facilities impact fee collected and projected out.**

## CITY PROJECT STATUS

|                                   |                |
|-----------------------------------|----------------|
| Recreation Center in Aggregate    | Planning Stage |
| Three Library Meeting Rooms       | Planning Stage |
| CD Bldg Wash Bay                  | Planning Stage |
| CW Park Improvements              | Planning Stage |
| Trail and Sidewalk Improvements   | Planning Stage |
| City Center Median/Streetscapes   | Planning Stage |
| Skyline Ridge Pavillion           | Planning Stage |
| Valley View Park Bathrooms        | Planning Stage |
| Northmoor Detention Pond and Park | Planning Stage |
| City Center Orchard in Paseos     | Planning Stage |
| Woodhaven Park Improvements       | Planning Stage |
| Smith Ranch Park Improvements     | Planning Stage |
| Rodeo Ground Bathrooms            | Planning Stage |
|                                   |                |
|                                   |                |

\*Unaudited figures - adjusting entries will be done throughout the fiscal year.