



EAGLE MOUNTAIN CITY COUNCIL MEETING

July 20, 2021, 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 UPDATE - City Administrator Items
- 1.B DISCUSSION - UFA Fire Station 253
- 1.C DISCUSSION - Smith Ranch Park Design

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

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. APPOINTMENTS

- 9.A [Youth Council Advisors](#)
1. Jennifer Shimakonis - 1-year term
 2. Tyler Shimakonis - 1-year term

CONSENT AGENDA

10. BOND RELEASES

- 10.A [Sunset Ridge Phase A, Plat 7 - Into Warranty
Bond Release Letter
Recorded Plat](#)

11. MINUTES

- 11.A [July 6, 2021 Minutes - Regular City Council Meeting
07.06.2021 City Council Minutes - DRAFT](#)

SCHEDULED ITEMS

12. ORDINANCE/PUBLIC HEARING

- 12.A [ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah,
Approving the First Amendment to the Fiscal Year 2021-2022 Budget.](#)

BACKGROUND: *(Presented by Finance Director Kimberly Ruesch)* State statute requires the City to amend its budget to appropriate funds for increased expenses. The proposed ordinance is the first amendment for Fiscal Year 2021-2022 and includes increases in the General and Water Funds.

[ORD--FY 2022 Budget Amendment #1
Budget Amendment #1](#)

13. AULT FARMS

- 13.A [ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah,
Amending the Future Land Use Map of the General Plan for Certain Lands Known as
Ault Farms.](#)

BACKGROUND: *(Presented by Assistant City Administrator / Community Development Director Steve Mumford)* The proposed ordinance amends the Future Land Use Map of the General Plan for Ault Farms. The project includes approximately 752 acres located east of Pony Express Parkway and south of the Eagle Point and Eagle Village neighborhoods. The proposed land uses include a mix of Foothill Residential, Neighborhood Residential One, Neighborhood Residential Two, Community Commercial, Business Park/Light Industry, and Parks and Open Space.

13.B [ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Approving a Master Development Plan and Rezone for Ault Farms.](#)

BACKGROUND: *(Presented by Assistant City Administrator / Community Development Director Steve Mumford)* The proposed ordinance approves Master Development Plan and Rezone for Ault Farms. The master development plan proposes a rezone from Agriculture to a mix of FR, R1, R2, R3, RC, MF1 (townhomes), CN, OS-I, and OS-N. The applications do not include a rezone of the southern 214 acres (the future business park/light industry area) at this time.

[ORD--Ault Farms General Plan Amendment](#)
[ORD--Ault Farms Rezone and Master Development Plan](#)
[General Plan Amendment, Rezone, & MDP Exhibits](#)
[Master Plan Tabulations](#)
[Waiver Request](#)
[Traffic Impact Study Executive Summary \(July 2020\)](#)
[Traffic Generation Study \(January 2021\)](#)
[Environmental Impact Report \(June 2020\)](#)

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

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

15. **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.

16. **COMMUNICATION ITEMS**

16.A Financial Report
[Executive Summary June 2021](#)

16.B Upcoming Agenda Items
[CI--Upcoming Agenda Items](#)

17. **ADJOURNMENT**

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

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

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above agenda notice was posted on this 15th day of July, 2021, on the Eagle Mountain City bulletin boards, the Eagle Mountain City website 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
JULY 20, 2021**

TITLE:	Youth Council Advisors		
ITEM TYPE:	Appointment		
FISCAL IMPACT:			
APPLICANT:			
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Fionnuala Kofoed, Recorder's
Office

PRESENTED BY:

Fionnuala Kofoed

RECOMMENDATION:

Staff recommends that the City Council approve the proposed Eagle Mountain Youth Council appointments for a one year term.

BACKGROUND:

The proposed appointments are to fill the positions for the Eagle Mountain Youth Council Advisors, for a term of one year.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:



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

Monday, July 12, 2021

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

SUBJECT: Sunset Ridge phase "A" plat 7 into warranty Bond Release

City Recorder,

The above referenced subdivision has completed 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
Sunset Ridge phase A plat 7
Reduced

Engineering Division
2565 North Pony Express Parkway
Eagle Mountain City, Utah 84005
(801) 789-8671

1st Bond Release		
Original Bond Amount:	\$	36,590.20
Previous Release Amount:	\$	-
Amount to Release this Period:	\$	595.00
Amount Remaining in Bond:	\$	35,995.20

Bond Releases Summary		
#1	\$	595.00
#2	\$	-
#3	\$	-
#4	\$	-
TOTAL	\$	595.00

7/12/2021

ITEM	DESCRIPTION	ORIGINAL QUANTITY	REDUCED QUANTITY	UNIT	UNIT COST	TOTAL	QUANTITIES COMPLETED			MONIES RELEASED	
							Previous Period	This Period	% to date	This Period	To Date
1	SITE PREP.										
a	Mobilization	1	0	LS	\$10,000.00	\$0.00	0	0%	100%	\$0.00	\$0.00
b	Clear & grub	321034	0	SF	\$0.05	\$0.00	0	0%	100%	\$0.00	\$0.00
2	STREET IMPROVEMENTS										
a	9" road base, place & compacted	1756	0	TON	\$10.00	\$0.00	0	0%	100%	\$0.00	\$0.00
b	3" Asphalt w/6" road base	30104	0	SF	\$1.30	\$0.00	0	0%	100%	\$0.00	\$0.00
c	6" road base under curb & gutter	1442	0	TON	\$17.00	\$0.00	0	0%	100%	\$0.00	\$0.00
d	30" curb & gutter	1308	0	LF	\$24.00	\$0.00	0	0%	100%	\$0.00	\$0.00
e	Rough Grading	51217	0	SF	\$0.30	\$0.00	0	0%	100%	\$0.00	\$0.00
f	5' sidewalk w/prep	1714	0	LF	\$30.00	\$0.00	0	0%	100%	\$0.00	\$0.00
3	SEWER										
a	8" PVC sewer line	766	0	LF	\$22.00	\$0.00	0	0%	100%	\$0.00	\$0.00
b	48" manhole w/concrete collar	3	0	EA	\$3,500.00	\$0.00	0	0%	100%	\$0.00	\$0.00
c	60" manhole w/concrete collar	2	0.1	EA	\$4,200.00	\$420.00	2	100%	95%	\$420.00	\$0.00
d	4" sewer lateral	22	0	EA	\$1,200.00	\$0.00	0	0%	100%	\$0.00	\$0.00
e	Connect to existing sewer manhole	2	0	EA	\$1,000.00	\$0.00	0	0%	100%	\$0.00	\$0.00
f	Imported pipe bedding	388	0	TON	\$12.00	\$0.00	0	0%	100%	\$0.00	\$0.00
g	Imported trench backfill	776	0	TON	\$8.00	\$0.00	0	0%	100%	\$0.00	\$0.00
4	WATER										
a	8" C-900 water main	775	0	LF	\$22.00	\$0.00	0	0%	100%	\$0.00	\$0.00
b	Connect to existing culinary line	3	0	EA	\$1,000.00	\$0.00	0	0%	100%	\$0.00	\$0.00
c	Fire Hydrant w/valve	2	0	EA	\$4,500.00	\$0.00	0	0%	100%	\$0.00	\$0.00
d	3/4" water service	22	0	EA	\$700.00	\$0.00	0	0%	100%	\$0.00	\$0.00
e	Blow off valve	3	0	EA	\$1,750.00	\$0.00	0	0%	100%	\$0.00	\$0.00
f	Imported pipe bedding	118	0	TON	\$12.00	\$0.00	0	0%	100%	\$0.00	\$0.00
g	Imported trench backfill	235	0	TON	\$8.00	\$0.00	0	0%	100%	\$0.00	\$0.00
5	STORM DRAIN										
a	18" RCP storm drain	234	0	LF	\$55.00	\$0.00	0	0%	100%	\$0.00	\$0.00
b	Curb inlet box	2	0	EA	\$2,500.00	\$0.00	0	0%	100%	\$0.00	\$0.00
c	48" manhole	1	0.05	EA	\$3,500.00	\$175.00	1	100%	95%	\$175.00	\$0.00
d	Connect to existing	1	0	EA	\$1,500.00	\$0.00	0	0%	100%	\$0.00	\$0.00
e	Import pipe bedding	99	0	TON	\$12.00	\$0.00	0	0%	100%	\$0.00	\$0.00
f	Import trench backfill	118	0	TON	\$8.00	\$0.00	0	0%	100%	\$0.00	\$0.00
6	MISC.										
a	Street signs	3	0	EA	\$500.00	\$0.00	0	0%	100%	\$0.00	\$0.00
TOTAL CONSTRUCTION COST						\$595.00					
Original 10% Bond Coverage						\$35,995.20					
TOTAL BOND AMOUNT:						\$36,590.20					
							Released this Period		\$595.00		

APPROVED BY EAGLE MOUNTAIN:

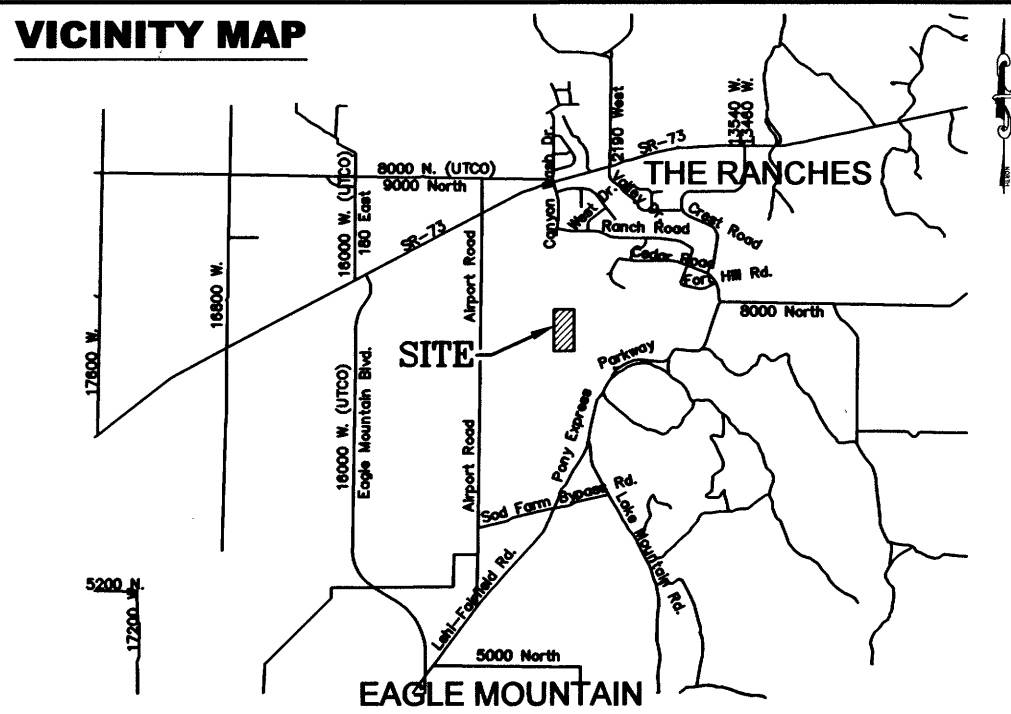
Christopher T. Trusty P.E.
Engineering Director

Date

Robert Ballif
Engineering Tech. 1

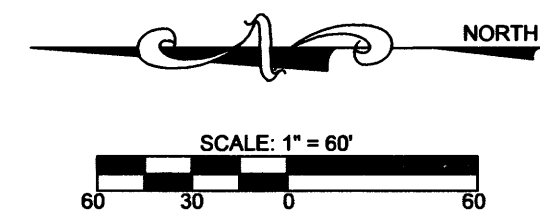
7/12/21
Date

VICINITY MAP



SUNSET RIDGE - PHASE A PLAT 7

A PORTION OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 5 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN



SURVEYOR'S CERTIFICATE

I, CHAD A. POULSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 501182 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF UTAH STATE CODE. I FURTHER CERTIFY BY AUTHORITY OF THE OWNER(S), THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17, OF SAID CODE, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS, AND THE SAME HAS, OR WILL BE, CORRECTLY SURVEYED, STAKED, AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT, AND THAT THIS PLAT IS TRUE AND CORRECT.

BOUNDARY DESCRIPTION

A PORTION OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 5 SOUTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, LOCATED IN EAGLE MOUNTAIN, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT LOCATED 389°15'07"E ALONG THE SECTION LINE 385.54 FEET AND SOUTH 237.02 FEET FROM THE NORTH QUARTER CORNER OF SECTION 25, TOWNSHIP 5 SOUTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN; THENCE S89°15'07"E 197.35 FEET; THENCE N1°40'00"E 3.70 FEET; THENCE S89°15'07"E 155.36 FEET TO THE WESTERLY BOUNDARY LINE OF SUNSET RIDGE PHASE "A", PLAT 2 TOGETHER WITH SUNSET RIDGE PHASE "A", PLAT 1 ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE UTAH COUNTY RECORDER; THENCE ALONG SAID WESTERLY PLAT LINES THE FOLLOWING THREE (3) COURSES: SOUTH 333.41 FEET; THENCE S22°06'30"E 454.20 FEET; SOUTH 125.53 FEET TO THE NORTHEAST CORNER OF SUNSET RIDGE PHASE "A", PLAT 4 ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE UTAH COUNTY RECORDER; THENCE ALONG THE NORTHERLY LINE OF SAID PLAT THE FOLLOWING FIVE (5) COURSES: N89°59'29"W 147.86 FEET; THENCE N1°40'00"E 7.37 FEET; THENCE ALONG THE ARC OF A 374.50 FOOT RADIUS CURVE TO THE LEFT 28.19 FEET THROUGH A CENTRAL ANGLE OF 4°18'45" (CHORD: N0°28'23"W 28.18 FEET); THENCE S84°33'24"W 91.96 FEET; THENCE S86°52'30"W 120.89 FEET; THENCE N0°41'03"W 303.56 FEET; THENCE WEST 184.73 FEET; THENCE N89°15'07"W 2.16 FEET; THENCE N1°40'00"E 435.26 FEET TO THE POINT OF BEGINNING.

CONTAINS: ±7.37 ACRES

MARCH 22, 2021
DATE

Chad A. Poulsen
SURVEYOR
(See Seal Below)
ENT 102608102021 Map # 17705
ANDREA ALLEN
UTAH COUNTY RECORDER
2021 Jun 03 12:51 pm FEE \$4.00 BY SA
RECORDED FOR EAGLE MOUNTAIN CITY

OWNERS DEDICATION

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

IN WITNESS WHEREOF WE HAVE HERETO SET OUR HANDS THIS 10th DAY OF May, A.D. 2021

REDEVELOPMENT, LLC
Al Rafati
Al Rafati, mgr.

LIMITED LIABILITY COMPANY ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF UTAH

ON THE 10 DAY OF May, A.D. 2021 PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF Salt Lake IN SAID STATE OF UTAH, AL RAFATI WHO AFTER BEING DULY SWORN ACKNOWLEDGE TO ME THAT RS Development, LLC A LIMITED LIABILITY COMPANY(), THAT HE SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSE THEREIN.

NOTARY PUBLIC FULL NAME: Brian Rammel
COMMISSION NUMBER: 774307
MY COMMISSION EXPIRES: 12-15-25
A NOTARY PUBLIC COMMISSIONED IN UTAH

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 22nd day of May, A.D. 2021

APPROVED BY MAYOR: *Tommy Thompson*
APPROVED BY CITY ATTORNEY: *John B. Koff*
APPROVED: *Chad A. Poulsen* ENGINEER (See Seal Below)
ATTEST: *John B. Koff* CLERK-RECORDER (See Seal Below)

PHASE A PLAT "7"

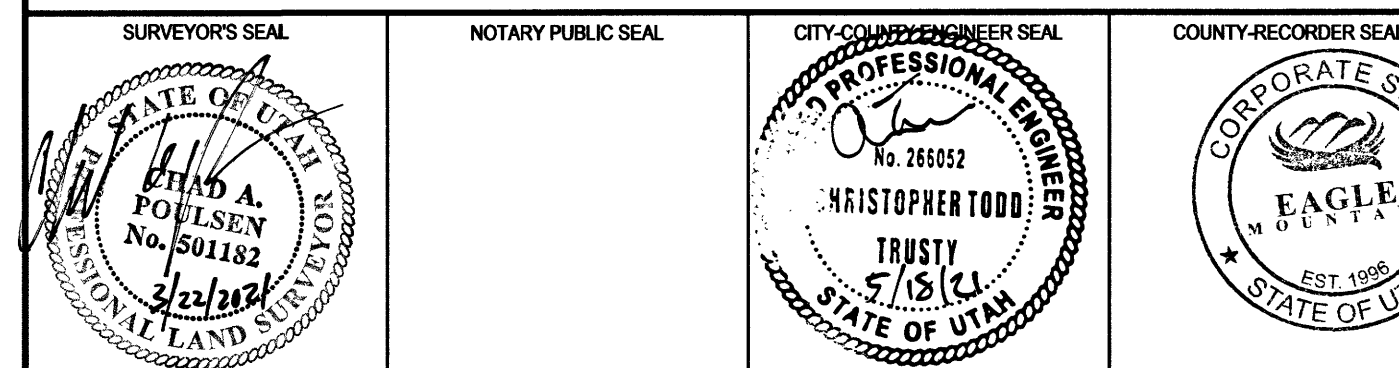
SUNSET RIDGE

SUBDIVISION

EAGLE MOUNTAIN

UTAH COUNTY, UTAH

SCALE: 1" = 60' FEET



This form approved by Utah County and the municipalities therein.

SECTION LINE BASIS OF BEARING:
S89°15'07"E 385.54

THUNDER GULCH ROAD
(PUBLIC 53' WIDE)

SOUTH 237.02

POINT OF BEGINNING

NORTH 1/4 CORNER
SECTION 25,
T5S, R2W, SLB&M

DIRECT COMMUNICATIONS APPROVAL

DIRECT COMMUNICATIONS CEDAR VALLEY, LLC CERTIFIES 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. 1 TARIFF

Maureen Cufford 4/7/21
DATE

DOMINION ENERGY APPROVAL

DOMINION ENERGY APPROVES THE 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 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 ENERGY'S RIGHT OF WAY DEPARTMENT AT 1-800-366-8532

APPROVED THIS 7 DAY OF April, 2021

DOMINION ENERGY GAS COMPANY

By: *Beverly Eldredge*

TITLE: *Pro - Con*

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	15.00	46°37'59"	12.21	S21°39'00"E 11.87
C2	60.00	21°57'46"	23.00	N33°59'07"W 22.86
C3	60.00	64°09'00"	67.18	N9°04'17"E 63.72
C4	60.00	76°54'30"	80.54	N79°53'02"E 74.63
C5	60.00	19°19'36"	20.24	S52°16'55"E 20.14
C6	60.00	182°20'52"	190.95	S46°12'26"W 119.97
C7	15.00	46°37'59"	12.21	N65°56'07"W 11.87
C8	15.00	89°04'53"	23.32	N46°12'26"E 21.04
C9	60.00	3°20'00"	3.49	N1°40'00"E 3.49
C10	60.00	49°14'55"	51.57	N24°37'28"W 50.00

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C11	60.00	54°01'22"	56.57	N76°15'36"W 54.50
C12	60.00	44°26'28"	46.57	S54°28'29"W 45.41
C13	60.00	49°14'55"	51.57	S73°47'47"W 50.00
C14	60.00	65°53'52"	69.01	S49°56'36"E 65.27
C15	60.00	266°13'32"	278.79	S50°13'14"W 87.60
C16	15.00	80°06'14"	20.97	S42°50'25"E 19.30
C17	374.50	0°08'33"	0.93	S2°43'02"E 0.93

TABULATIONS

TOTAL SITE ACREAGE	7.37
TOTAL ACREAGE IN LOTS	6.20
TOTAL ACREAGE IN OPEN SPACE	0.00
TOTAL ACREAGE IN PUBLIC STREETS	1.17
TOTAL NUMBER OF LOTS	22
AVERAGE LOT SIZE	12,268 SF (0.28 ACRES)
LARGEST LOT SIZE	30,641 SF
SMALLEST LOT SIZE	6,952 SF
OVERALL DENSITY	2.99 UNITS PER ACRE

NOTES

- SEE LOT DETAIL FOR BUILDING SETBACKS AND PUBLIC UTILITY EASEMENTS (P.U.E.).
- #6 REBAR & CAP TO BE SET AT ALL LOT CORNERS
- NAIL AND WASHER TO BE SET IN TOP OF CURB @ PROJECTION OF SIDE LOT LINES.
- TYPE II MONUMENT (ALUMINUM CAP & REBAR) TO BE SET.
- EACH LOT WILL REQUIRE A SOILS REPORT PRIOR TO OBTAINING A BUILDING PERMIT.
- LOTS WITH SLOPE EXCEEDING 2:1 WILL REQUIRE ENGINEERED RETAINING WALLS.
- EJECTOR PUMPS SHALL BE APPROVED BY THE BUILDING OFFICIAL PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. ONLY BASEMENT FIXTURES ALLOWED ON EJECTOR PUMPS.
- DRIVEWAYS TO BE MINIMUM 22' LONG.

ROCKY MOUNTAIN POWER APPROVAL

- 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 THE RIGHTS AND DUTIES DESCRIBED THEREIN.
- PURSUANT TO UTAH CODE ANN § 17-27A-603(4)(C)(II) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE P.U.E. AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENT 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:

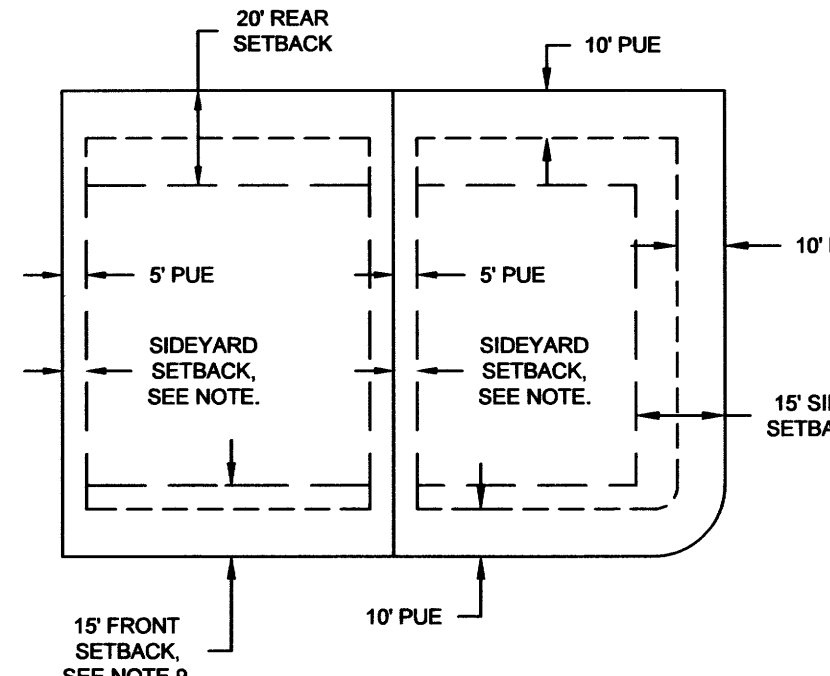
- A RECORDED EASEMENT OR RIGHT-OF-WAY
- THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
- TITLE 54, CHAPTER 8A, DAMAGE TO UNDERGROUND UTILITY FACILITIES, OR
- ANY OTHER PROVISION OF LAW

Patricia A. Howard 4/13/21
ROCKY MOUNTAIN POWER DATE

17705

SIDEYARD SETBACK NOTE:

THE TWO INTERIOR SIDE YARDS ON ALL LOTS SHALL NOT BE LESS THAN A COMBINATION OF 15 FEET TOTAL, 5' & 10' (10' ON GARAGE SIDE). 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.



LOT DETAIL

LEI
A Utah Corporation -
ENGINEERS
SURVEYORS
PLANNERS
3302 N. Main Street
Spanish Fork, UT 84660
Phone: 801.798.0555
Fax: 801.798.9393
office@lei-eng.com
www.lei-eng.com



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

July 6, 2021, 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 Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love.

CITY STAFF PRESENT: Paul Jerome, City Administrator; Steve Mumford, Assistant City Administrator/Community Development Director; Tayler Jensen, Senior Planner; Fionnuala Kofoed, Director of Administrative Services/City Recorder; Elizabeth Fewkes, Recording Secretary; Chris Trusty, City Engineer; Jeremy Cook, City Attorney; Brad Hickman, Parks and Recreation Director; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager; Jeff Weber, Fleet and Facilities Operations Director; Embret Fossum, UFA Battalion Chief; Eric McDowell, Chief Deputy Sheriff; Tyler Maffitt, Communications Manager; and Robert Ballif, Engineering Assistant.

CITY STAFF PRESENT ELECTRONICALLY: Aaron Sanborn, Economic Development Director.

Mayor Westmoreland called the meeting to order at 4:24 p.m.

1. CITY ADMINISTRATOR INFORMATION ITEMS

Mayor Westmoreland said work is progressing on the Airport Road project and the southern portion connecting an existing development with Pony Express Parkway will be completed in 2021. He stated he was impressed with the responsibility and understanding of the residents regarding the firework restrictions and applauded the City Council for taking a stand in the interest of public safety.

1.A. UPDATE – City Administrator Items

City Administrator Paul Jerome updated the City Council on the following items:

General

- Resident complaints shared through social media versus through City channels have reduced response efficacy and impact work-life balance for staff. The resident portal on the City website is being improved to facilitate communication and track responses.
- The annual utility rate study was delayed to resolve the Central Utah Water Conservatory District annual maintenance fee issue and potential bonding for wastewater projects. The rate study will be completed prior to the issues being resolved, as staff feels enough information is available accurately complete the study.
- Funding is in place for the City to purchase property for the sewer treatment plan expansion.

- Right-of-way is being secured for the second phase of Airport Road to Wride Memorial Highway. The design will begin soon with construction scheduled April through September of 2022. Lewis, Young, Robertson, and Burningham, Inc is working on securing bonding.
- The City is working with Unified Fire Authority to build a fire station near Mid Valley Road.

Parks

- Cory B. Wride Memorial Park – Substantial completion of Phase 2 is expected by August 1.
- SilverLake Woodhaven Park – Power sourcing from Rocky Mountain Power is needed. Safety surfacing should be installed this week. Low water usage sod is being placed.
- Smith Ranch Community Park – The revised concept plan will be presented to the City Council for feedback on July 20, 2021.

Events

- July 10, 2021 – Concert in the park at the SilverLake Amphitheater
- July 31, 2021 – Beat the Heat Bonanza – The City is expanding the event due to the firework restrictions.

Engineering

- Pony Express Parkway – the northbound lanes have been paved. The contractor is working on storm drain in the southbound lanes between Bobby Wren Boulevard and Eagle Mountain Boulevard.
- Lone Tree Parkway Signal – The City has submitted inspections and a request for an electrical meter to be placed by Rocky Mountain Power. All other work is substantially completed.
- Airport Road Phase 1 – Material shortages delayed the project until mid-July.
- White Hills Well Upgrade – The design contract will be on the July 20, 2021 Council agenda.
- Tickville Wash – The stream alteration permit submittal to the State began a 20-day public review period ending on July 12, 2021, with an expected approval on the same date. Staff discussed the dirt placed in the wash prematurely with the State and asked if they intended to take any action or to ask the City to take action. The State was also informed that the City has notified the contractor that they are in violation of the State stream alteration process and to cease operations immediately; the contractor complied. The State suggested that the best course of action was to leave the dirt in place in anticipation of an approved stream alteration permit due to concern that removing the dirt would cause additional disturbance to the area. The City has directed Flagship to obtain a consultant to perform an environmental and wildlife evaluation of the site; however, Flagship has had difficulties in finding a consultant due to the uniqueness of the field.

Streets

- The spray-applied micro-surface project is projected to be completed July 15, 2021.
- The micro-surface project for Pony Express Parkway, Aviator Avenue, and Hidden Hollow Parkway will begin on Thursday, July 15, 2021. Due to high speeds and volume of traffic on Pony Express Parkway and construction near Aviator Avenue, the work will be performed at night from 7:00 p.m. to 7:00 a.m. daily.

1.B. PLANNING UPDATE – Upcoming Items

Senior Planner Tayler Jensen updated the City Council on the following items:

- The Planning Commission recommended approval with a unanimous vote on June 22, 2021 for a site plan and rezone for a 7-Eleven at the corner of Campus Drive and Ranches Parkway. The proposed rezone to Community Commercial complies with the General Plan Future Land Use Map.
- The Planning Commission recommended approval with a unanimous vote on June 22, 2021 for a rezone and recorded plat amendment to split a 5.51-acre lot in the White Hills Country Estates. The lot is in the Pole Canyon area but is not part of or subject to the Pole Canyon Master Development Agreement. The Future Land Use Map designation for the area is Neighborhood Residential Two. The applicant is proposing to rezone the eastern lot to RD1 which is an appropriate zone designation. The applicant has worked with the adjacent homeowner to the west to split the northwestern sliver of land to allow for water to be stubbed to the new eastern lot. The other utilities include septic and propane located on the western lot with the established home.

2. AGENDA REVIEW

11. CHANGE ORDERS

11.A. SilverLake Woodhaven Community Park Change Order #1 – Stratton & Bratt

Parks and Recreation Director Brad Hickman explained that the original bid schedule excluded items and other changes in the scope resulted in both charges and credits with a net increase in cost. Alterations included changing seed to sod, artificial turf to a pour-in-place rubber, as well as changes to the dirt work, canal easement accommodations, and the detention pond grading and drainage. At the time of the bid, the plan included the best information available; however, inevitable adjustments are required once the actual work begins to ensure the best final product. He explained that the access behind the homes near the park was required by the canal company and will be resolved and cleaned up once the project is complete. Supply delays have impacted the development schedule. The sod requires additional watering during the heat of the day when it is placed and watering needs reduce once the sod is established. The plan was in motion prior to watering restrictions and staff is moving forward with water conservation considerations. He receives conflicting public input regarding City watering practices and tries to balance resident concerns with an appropriate watering schedule.

Councilmember Clark requested a public service announcement to explain why new sod requires watering during the day. Councilmember Curtis clarified that he supports staff and understands that residents may not understand City watering practices. He concurred with Councilmember Clark's request to communicate with residents regarding the watering schedule.

Mayor Westmoreland noted that when addressing City water issues, sometimes the best solutions can appear contradictory to what residents are asked to do; providing information to residents will better communicate the reasons to residents.

13. PRELIMINARY PLATS & SITE PLANS

13.A. SITE PLAN – A to Z Building Blocks

Councilmember Curtis expressed concern about the distance between the parking stalls and the business. Mr. Jensen said he does not believe Municipal Code has a standard for parking proximity.

Discussion ensued regarding potentially creating standard amendments to require parking proximity to businesses and multifamily units while allowing flexibility to avoid unintended consequences.

Councilmember Curtis stated his larger concern is addressing traffic flow issues.

Councilmember Gray inquired regarding the grade of the property and landscaping near the play area. Discussion ensued regarding the concerns.

Assistant City Administrator/Community Development Director Steve Mumford said the applicant had indicated they will install fencing between the play area and the native landscaping drainage area.

Mr. Jensen said the existing trail will be relocated and the crosswalk will remain at the same location.

13.B. SITE PLAN – Marketplace at Eagle Mountain Town Center Lot 1 Pad G

13.C. SITE PLAN – Marketplace at Eagle Mountain Town Center Lot 4 Pad E

Items 13.B. and 13.C. were discussed concurrently.

Councilmember Gray expressed concerns with headlight screening for traffic on Eagle Mountain Boulevard and the location of the existing crosswalk. Mr. Jensen stated the Planning Commission recommended headlight screening be required for both locations. The applicants agreed to add berms if headlight screening was not included in the master landscape plan.

Mayor Westmoreland said that the design and placement of the crosswalk were in relation to the roundabout and would need to be relocated should a traffic light replace the roundabout in the future.

Discussion ensued regarding the trail location, width, and material.

Mr. Mumford explained the current trail connecting the two crosswalks needs to be relocated to a public right-of-way and both asphalt and concrete are acceptable materials for the Safe Routes to School Grant program. Either the City or the master developer will install an eight-foot trail along both Pony Express Parkway and Eagle Mountain Boulevard. An asphalt trail is the minimum standard requirement; however, concrete has improved longevity and lower maintenance.

13.D. SITE PLAN – Maverik at Marketplace

Councilmember Gray inquired if the approval includes additional future gas pumps and for clarification regarding access to the pad site from the north. Mr. Jensen verified that the plan meets all the development standards for a gas station and the City has an approval process for adding additional pumps.

Discussion ensued regarding direct and indirect access routes to the pad sites.

Mr. Mumford said the entrance was relocated to increase the stacking distance for the drive-through.

The City Council determined they were comfortable approving the item with an eight-foot trail regardless of the material used due to City standards permitting either asphalt or concrete.

City Attorney Jeremy Cook later clarified that the Marketplace development agreement specifies an eight-foot asphalt trail.

13.E. SITE PLAN – Pony Express Dental at Porters Crossing

Councilmember Burnham inquired if the company was relocating or expanding. Mr. Jensen said this is the business' fifth location and the lot is adjacent to Eagle Vision.

Councilmember Love expressed regarding the parking and drive aisle to the south and requested clarification regarding the location and the alignment of the drive aisle to adjacent properties. As the elevation of the parking lot is lower than the existing six-foot fence, she does not have concerns regarding headlight screening.

Mr. Jensen said the location will share an access off Pony Express Parkway with the undeveloped lot and cross-connection requirements will be addressed with the approval of the lot between Pony Express Dental and the O'Reilly Auto Parts.

Councilmember Curtis expressed concern with the transition from the front and rear retention basins between businesses. Mr. Jensen explained that the retention area was proposed at the front, but staff requested the applicant move the retention area to the rear of the property.

13.F. Jeppson Auto

Councilmember Curtis said that he had a discussion with applicant Bryan Jeppson and Mr. Jeppson said he was willing to limit vehicle drop off and pick up during the elementary school's drop off and pick up times. Councilmember Curtis asked if the recommendation could be added as a non-binding condition of approval.

Mr. Mumford clarified for the City Councilmembers that commercial locations are not required to have fire suppressant sprinklers and he was unsure if Jeppson Auto had elected to install them. Mr. Jensen verified that Unified Fire Authority (UFA) approved the plan.

Discussion ensued verifying that page C4 of the plan includes an additional fire hydrant within the required spacing.

Mr. Jensen stated the trash enclosure is located along the border with the existing lot and the intent is that it will be shared between the two locations.

Councilmember Gray expressed concern regarding splitting the lot as the remaining portion will be landlocked and will limit the type of business that could locate there.

Mr. Mumford said additional access to the south had been discussed with Holiday Oil; however, he was unsure if the access had been preserved. The responsibility of maintenance and ownership of the trash receptacles would be resolved in conjunction with approval of a future business on the adjacent lot.

Mr. Jensen verified that a six-foot masonry wall will run along the length of the western border.

Councilmember Love noted the applicant had requested a waiver for a refund of some of the City fees for the application due to resubmitting the same application at multiple locations. She expressed concern regarding granting the request due to staff time to reevaluate the plan in relation to conditions at each new location.

Mr. Mumford said he had not conducted an analysis of the amount of staff time spent on the project; however, each application required limited review of the building, as it has not changed, but each application did require site plan review, UFA review, development review committee evaluation, and Planning Commission and City Council time.

Discussion ensued regarding the ambiguity in the conditions of approval and whether to approve the fee waiver.

Councilmember Curtis expressed empathy for the applicant as the second application had been denied by the Planning Commission at a location he felt was appropriate. However, the applicant chose to withdraw the application rather than appeal to the Council. He clarified he was not criticizing the Planning Commission but interpreted the Municipal Code standards differently. Due to the circumstances surrounding this project, he would be in favor of granting a full or partial waiver, as he feels additional City efforts could have assisted with moving the project forward sooner.

Councilmember Gray stated that he would be comfortable refunding half of the fees for all three applications as the only change in the application has been the location. Councilmembers Burnham and Clark concurred. Councilmember Love expressed concern with setting a precedence for waiving City fees.

Director of Administrative Services/City Recorder Fionnuala Kofoed verified that the item could remain on the consent agenda with the amount of the fee refund noted as a condition of approval.

Councilmember Gray requested the item be removed from the consent agenda and placed as a scheduled item.

SCHEDULED ITEMS

15. HIDDEN HOLLOW

15.A. MOTION/PUBLIC HEARING – Disposal of Significant Real Property Identified as a Portion of Utah County Parcel Number 58:040:0013.

15.B. MOTION – Hidden Hollow Phase C Preliminary Plat and Site Plan

Councilmember Love requested clarification lot frontages for the homes on the curved portion of the street and the grade of driveways.

Mr. Mumford said that the lot frontages comply with the curve or cul-de-sac lot frontage standards. The steepest lots have an average of approximately 17% slope and could be of concern but will be required to comply with existing driveway grade standards.

16. AULT FARMS

16.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending the Future Land Use Map of the General Plan for Certain Lands Known as Ault Farms.

16.B. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Approving a Master Development Plan for Ault Farms.

Items 16.A. and 16.B. were presented and discussed concurrently.

Mr. Mumford presented the item. The proposal is to amend the General Plan and to rezone approximately 752 acres of property located east of Pony Express Parkway and south of Eagle Point and Eagle Valley and includes a master development plan application. The proposal contains a mix of FR, R1, R2, R3, RC, MF1, and CN zones as well as open space and a future business park area. He reviewed the changes to the plan since previously presented to the Council. The multifamily area has been reduced dramatically from the previous plan. Community Commercial uses were shifted to locations to the north and south of Tiffany Lane at the western edge of the development, and the improved park space was reduced in proportion to the reduced unit count.

Staff recommends revising the northwest corner of the development to connect with the east-west road on the Eagle Village property line. A City-owned parcel of open space exists between this project and the development to the north and potential uses or improvement of the land should be considered due to the potential of vehicular use or other issues with the area.

The master development application was received during the public hearing process of the code amendment to EMMC 16.10. Based upon the filing date, the application should be subject to the

new code. The applicant has submitted a waiver request of the requirements of EMMC 16.10 as allowed by EMMC 16.10.050. The request is to waive the code requirement of permitting a maximum land area of 200 acres for a master development plan (MDP). The request states the applicant would like to move forward with the over 550-acre residential component of the development. The applicant notes that comprehensive planning, cohesive design, timing, and amenity offerings should be considered. The Planning Commission requested an exhibit demonstrating possible MDP divisions. The applicant proposed four divisions of the property starting with the northern portion segmenting the plan into Area A of approximately 131 acres, Area B of approximately 243 acres, Area C of approximately 162 acres, and Area D of approximately 214 acres. Area D includes the business park and light industrial component. The phasing map proposes completion of the first areas in 2022 with full buildout in 2028, which would be within the time frame allowed for an MDP.

Councilmember Curtis stated that he would prefer to remand the application to the Planning Commission due to the Planning Commission having not reviewed the changes and in consideration of the Commission recommending denial of the previous application with a vote of 4 to 0. He approves of the changes to the project but feels having an in-depth review by both bodies is preferable due to the scale of the project. He expressed concern with granting the waiver in part due to consideration of the HOA being controlled by an outside entity rather than by residents.

Councilmember Clark concurred with Councilmember Curtis.

Councilmember Love suggested providing the applicant with feedback from the Council before remanding the plan to the Planning Commission. Councilmember Gray advocated for discussing the item during the policy session due to the public hearing noticing.

17. DEER HAVEN

17.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending the Future Land Use Map of the General Plan and Rezoning Certain Lands Known as Deer Haven.

17.B. MOTION – Deer Haven Preliminary Plat

Councilmember Curtis requested clarification regarding the conservation easement should the land not be dedicated to the City.

Mayor Westmoreland confirmed the intent is for the conservation easement to be held by the City, regardless of the land ownership.

18. ORDINANCES/PUBLIC HEARINGS

18.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending the Future Land Use Map of the General Plan for Certain Lands Known as Rush Creek.

Mr. Jensen explained the entire parcel is currently designated Employment Center Campus in the General Plan. The proposal requests an amendment to Business Park/Light Industry and Community Commercial for a portion of the property and includes a concept plan for the Council to provide feedback; however, no action will be taken on the concept plan.

18.B. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Rezoning Certain Lands Known as The District at Eagle Mountain Town Center.

Mr. Jensen explained the proposal is to rezone the majority of the subject property to CC, and to rezone the area east of Heritage Drive and west of The Landing subdivision to CN in order to comply with transition requirements.

19. ORDINANCE

19.A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Approving a Temporary Land Use Regulation Delaying a Requirement for Front and Side Yard Landscaping due to Drought Conditions.

Councilmember Curtis inquired who would be responsible for completing landscaping, should the work not be completed by the end of the delay period.

Mr. Mumford explained that should the Council vote to deny the ordinance, front and side landscaping will be required prior to the City issuing certificates of occupancy. Keeping the requirement could result in resident frustration should sod shortages or other impediments to installing the landscaping result in delayed home occupancy. Approving the ordinance would result in additional staff time needed to verify sod installation.

Councilmember Curtis expressed concern that larger builders may pay the money but not finish the landscaping, passing the burden onto the City. He is in favor of allowing the delay but has concerns with the logistics of ensuring the yards are eventually completed.

Mayor Westmoreland directed Mr. Cook to explore recourse options to be discussed during policy session.

Councilmember Love suggested possibly charging a higher escrow amount as a better incentive completion.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

MOTION: *Councilmember Clark moved to adjourn to 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. Councilmember Burnham seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*

The meeting was adjourned at 6:13 p.m.

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

ELECTED OFFICIALS PRESENT: Mayor Tom Westmoreland, Councilmembers Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love.

CITY STAFF PRESENT: Paul Jerome, City Administrator; Steve Mumford, Assistant City Administrator/Community Development Director; Tayler Jensen, Senior Planner; Fionnuala Kofoed, Director of Administrative Services/City Recorder; Elizabeth Fewkes, Recording Secretary; Chris Trusty, City Engineer; Jeremy Cook, City Attorney; Embret Fossum, UFA Battalion Chief; and Eric McDowell, Chief Deputy Sheriff.

CITY STAFF PRESENT ELECTRONICALLY: Kimberly Ruesch, Finance Director; Aaron Sanborn, Economic Development Director; Brad Hickman, Parks and Recreation Director; and Zac Hilton, Streets and Storm Drain Manager.

4. CALL TO ORDER

Mayor Westmoreland called the meeting to order at 7:10 p.m.

5. PLEDGE OF ALLEGIANCE

Councilmember Gray led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- Shopfest will be held on August 7, 2021. Businesses are welcome to promote themselves, their products, and their mission at this event, which is open and available to the public. Additional details about vendors, dates, times, and locations will be forthcoming.
- Construction work on Pony Express Parkway continues. If there are questions or problems, don't hesitate to reach out through the City's social media and we'll be happy to get information for you.
- Thank you to everyone who refrained from igniting fireworks in Eagle Mountain this Independence Day holiday weekend. Eagle Mountain reported zero wildfires and we have our residents to thank for maintaining safety.

To receive City notifications, including emergency info, news events, and traffic alerts, sign up at emcity.org/notifyme.

7. PUBLIC COMMENTS

Mayor Westmoreland opened public comment at 7:12 p.m.

Tiffany Ulmer expressed her support of Jeppson Auto due to the courteous, conscientious, and safe operation of the business by Bryan Jeppson at its current location. She spoke against the

request to prohibit drop off and pickups during the same time as school drop off and pickup as it is discriminatory to his business as it is not required of Holiday Oil or other businesses in the area.

Meghan Hess submitted the following comment: Please allow small businesses in Eagle Mountain flourish. Specially La Petite Grooming.

Angela Washborn submitted the following comment: I send my dog to LA Petite grooming, I have loved all that Emma does for the city. I am really getting tired of the crap the city is putting them through!!! It makes it difficult to want to start a business in Eagle Mountain and to have any kind of pride for my city!!! You are putting the Izatts family through so much turmoil!! They are trying really hard to keep their fault afloat!!! They have done all that you ask and yet you continue to harrass and threaten their lively hood!! You know their plans to move, you know they are doing their best. I know, you know they have a neighbor working his hardest to put them through hell. Since when do we let cranky people control us?? Leave them alone!!! Allow us to continue bringing our animals to LA Petite here in Eagle Mountain!!! Let small businesses build and flourish!!! Allow us to enjoy the horses costume and all roam the city!!!!

Brie Saunders submitted the following comment: Hello Eagle Mountain City, I'm emailing regarding concerns I have about the Spring Run park here in Eagle Mountain. The park is in my neighborhood and as such is of importance to me and my family. Our concerns are as follows: 1. The park overall is poorly maintained - there is regularly broken glass over the walkways, dead grass (even before the drought), and obnoxious noises coming from the utility boxes close to the roundabout. 2. The playground structure has markings that say something to the effect of: "ground must be above this line" however the ground cover never is above that line. On one occasion it appeared that someone mounded the bark to cover the line but as Eagle Mountain winds are, it did not stay. (Nor is mounding bark an effective safety compliance measure. I am informing the city of this for a third time and ask that it be properly and safely resolved). 3. My main goal in emailing: The playground structure is unshaded and baking in the 90+ degree summer sun all day making it essentially useless during summer months (when we'd like to use it most) unless early in the morning or late at night. I would like to petition the city to add shade structures similar to those at Cory Wride Park over the Splash Pad section to our Spring Run Park. Adding shade will provide not only longevity to the equipment but also utilization of the equipment because its metal material will no longer be "too hot" to [slide down, climb on, hang on, etc]. We want to use our park safely and enjoyably. Our taxes are meant to provide this safety and joy to our city parks. Please provide us with that right. Best, Brie Saunders.

Ms. Kofoed noted that Parks and Recreation Director Brad Hickman has responded to Ms. Saunders regarding drought restriction watering practices, shade structures, and other concerns regarding parks and park equipment.

Brett Pack submitted a request to comment regarding accessory apartments Municipal Code standards but was unable to attend the meeting.

Mayor Westmoreland closed public comment at 7:18 p.m.

8. CITY COUNCIL/MAYOR'S ITEMS

Mayor Westmoreland

Mayor Westmoreland welcomed the public and thanked them for sharing their thoughts and concerns. He applauded the City Council for taking a stand and banning fireworks and thanked the residents for adhering to restrictions in light of water supply concerns, and especially in consideration of the rural nature and wildlands adjacent to the community. He reviewed the status of City projects presented during the work session.

Councilmember Burnham

Councilmember Burnham thanked the public in attendance. She thanked Tiffany Ulmer for her comments and Bryan Jeppson for working to be a good neighbor in his business practices. She noted that many of the residents were in attendance due to concerns the City Council would approve a road connecting the Cedar Pass Ranch and Lone Tree neighborhoods. She assured the residents the Council had no intention of requiring the connection.

Councilmember Curtis

Councilmember Curtis welcomed the public in attendance and concurred with not wanting to connect the road to Cedar Pass Ranch.

Councilmember Love

Councilmember Love confirmed she also was against requiring the road connection to Cedar Pass Ranch. She joined the Mayor in thanking the residents that respected the fireworks ban and for their personal sacrifice in breaking from tradition. She informed residents that Utah has \$180 million in rent assistance due to impacts from COVID-19 available for tenants and landlords on behalf of their renters. Details are available at rentrelief.utah.gov.

Councilmember Clark

Councilmember Clark said she is also excited to see so many people in attendance and confirmed she also supports not requiring the road connection. Residents have contacted her regarding desired improvements such as landscaping for sound buffers, converting park strips to xeriscape, restoring the natural landscape, or improving play amenities. In response, she advocated for the restoration of the Match Grant program as a mechanism to assist residents with resources to complete the requested projects. She invited the public to attend the Be Ready Eagle Mountain wildland fire protection class presented by a Unified Fire Authority member on Thursday, July 8, 2021, at 7:00 p.m. at City Hall to learn how to prevent wildfires and to get to know other preparedness-minded people.

Councilmember Curtis expressed his support for the reinstatement of the Match Grant program.

Councilmember Gray

Councilmember Gray said it is fun to see so many people in attendance. He said as a Cedar Pass Ranch resident, he is opposed to the road connection. He agrees that Jeppson Auto should not be restricted in their business operation hours. He said that Pony Express Days was awesome and thanked staff and other participants.

9. APPOINTMENTS

9.A. Youth Council Appointments

- MOTION:** *Councilmember Gray moved to appoint Madi Haslam as Youth Mayor. Councilmember Clark seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*
- MOTION:** *Councilmember Gray moved to appoint Macy Campos as a Youth Councilmember. Councilmember Curtis seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*
- MOTION:** *Councilmember Gray moved to appoint Adrian Fulkerson as a Youth Councilmember. Councilmember Clark seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*
- MOTION:** *Councilmember Gray moved to appoint Gabriella Pengra as a Youth Councilmember. Councilmember Clark seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*
- MOTION:** *Councilmember Gray moved to approve Salem Shimakonis as a Youth Councilmember. Councilmember Curtis seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*
- MOTION:** *Councilmember Gray moved to approve Kayson Welch as a Youth Councilmember. Councilmember Clark seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*

CONSENT AGENDA

10. BOND RELEASES

- 10.A. SilverLake Plat 28 – Into Warranty
- 10.B. SilverLake Plat 17 – Out of Warranty

11. CHANGE ORDERS

- 11.A. SilverLake Woodhaven Community Park Change Order #1 – Stratton & Bratt

12. MINUTES

12.A. June 15, 2021 Minutes – Regular City Council Meeting

13. PRELIMINARY PLATS & SITE PLANS

13.A. SITE PLAN – A to Z Building Blocks

13.B. SITE PLAN – Marketplace at Eagle Mountain Town Center Lot 1 Pad G

13.C. SITE PLAN – Marketplace at Eagle Mountain Town Center Lot 4 Pad E

13.D. SITE PLAN – Maverik at Marketplace

13.E. SITE PLAN – Pony Express Dental at Porters Crossing

13.F. SITE PLAN - Jeppson Auto Site Plan and Fee Waiver Request

14. RESOLUTIONS

14.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Consolidated Fee Schedule for New Asphalt Seal Coats.

MOTION: *Councilmember Clark moved to approve the consent agenda removing item 13.F. and placing it as a scheduled item. Councilmember Love seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*

13.F. Jeppson Auto

Councilmember Curtis explained that his suggestion to limit the vehicle drop off and pickup times was based upon his conversation with Jeppson Auto in response to resident concerns. He feels the request is reasonable as it is not legally binding and noted the adjacent Holiday Oil had additional requirements due to proximity to Black Ridge Elementary School. He explained the area was zoned and intended for commercial uses and Alpine School District determined, despite City opposition, to locate a school in a commercial area which has resulted in conflicts.

Councilmember Love said that it can be difficult to arrange car drop offs and does not want to complicate the issue; including Councilmember Curtis' suggestion would be onerous to the business without much of a benefit to the residents.

Councilmember Curtis conceded to Councilmember Love's view; however, he wants to be able to address resident concerns in some way to mitigate future conflicts.

Councilmember Clark said although she does not desire to put a restriction on the business, it might be to the benefit of the business to warn his customers of the traffic flow issues during school drop off and pick times. She advocated for the City to work with the Utah Department of

Transportation and Alpine School District to determine measures to mitigate the traffic issues in the area.

Councilmember Gray concurred with Councilmember Love's desire to not restrict the business hours as it is outside the purview of the Council. Although he respects the concerns of the residents in the area, the problem was due to the school location and should be addressed with and resolved by the school district. He noted that other business uses would have a much higher traffic increase and the undeveloped lot will likely increase traffic issues once developed.

Councilmember Clark said the residents have a valid safety concern that has not been addressed by the school district and requested for a future discussion regarding the issue as the concern is separate from the approval of this item.

MOTION: *Councilmember Burnham moved to approve the site plan for Jeppson Auto and to reimburse one-half of the fees paid to the City by the applicant in the amount of \$4,405. Councilmember Curtis seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, and Jared Gray. Those voting nay: Carolyn Love. The motion carried with a vote of 4:1.*

Councilmember Love clarified she is not opposed to the site plan; nevertheless, she dissented due to her belief the City should not waive fees for any reason.

SCHEDULED ITEMS

15. HIDDEN HOLLOW

15.A. MOTION/PUBLIC HEARING – Disposal of Significant Real Property Identified as a Portion of Utah County Parcel Number 58:040:0013.

Mr. Mumford presented the item. The 1.5 acres of City-owned land is adjacent to the Hidden Hollow development and has been requested to be added to the development due to the rerouting of the road. The City Council must hold a public hearing to consider the disposition of City-owned property considered "significant" per EMMC 3.30. The City Council shall determine the best method to dispose of the property to maximize the value to the City. Two recent appraisals have been included in the meeting packet. Staff recommends approval of the disposal for \$300,000.

Councilmember Gray stated that he believes the land is more valuable than presented and feels the Council should ask more for the land. The City would gain more money by selling the lots individually.

Discussion ensued regarding Councilmember Gray's appraisal of the land value, the difficulty in the City selling lots individually, the cost of staff efforts and time to sell the lots individually, and the good faith negotiations to sell the land as proposed.

Councilmember Curtis verified that blasting would not be allowed.

Mayor Westmoreland opened the public hearing at 8:05 p.m. As there were no comments, he closed the hearing.

MOTION: *Councilmember Clark moved to approve the disposal of significant real property identified as a portion of Utah County Parcel Number 58:020:0013 for the amount of \$300,000. Councilmember Burnham seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, and Carolyn Love. Those voting nay: Jared Gray. The motion carried with a vote of 4:1.*

15.B. MOTION – Hidden Hollow Phase C Preliminary Plat and Site Plan

Mr. Mumford presented a change to the roads in the project since the previous review by the Council. The previously proposed 40-foot-wide private roads have been redesigned as 43-foot-wide public roads without park strips. The sidewalks have also been increased by a foot to the standards five-foot width. Staff recommends approval of Planning Commission conditions 1 through 10, removing condition 11 that the private roads shall be converted to a 53-foot public right-of-way, as the issue has been resolved.

MOTION: *Councilmember Love moved to approve the preliminary plat and site plan for Hidden Hollow Phase C with the following conditions:*

- 1. This project is contingent upon the sale/purchase of the 1.5 acres of City property at fair-market value, based upon a new appraisal. The applicant shall be reimbursed the cost of the large gravel parking lot, once complete;*
- 2. The garage sizes shall comply with EMMC 17.25.050(C);*
- 3. No blasting shall be permitted within Phase C;*
- 4. The cluster mailboxes shall be located adjacent to the park, near the parking stalls;*
- 5. The over 35 acres of open space near the project shall be dedicated to the City with the first final plat for this project;*
- 6. Retaining walls shall be stepped to not exceed five feet high and include at least five horizontal feet between the walls;*
- 7. The developer shall grade and prepare the entire Hidden Valley Parkway right-of-way for future expansion, including providing a method to direct the storm water to the existing retention basin;*
- 8. Additional architectural detailing shall be provided on the townhomes in order to comply with EMMC 17.72.040(E)(2);*
- 9. The applicant shall obtain approval from Kern River Gas and Rocky Mountain Power (and provide it to the City) and coordinate with them during construction of the gravel parking lot within the utility corridor; and*
- 10. The developer shall install a six-foot, Simtek privacy fence at the rear lot line of lots 129 through 134, as required by EMMC 17.60.170(b).*

Councilmember Curtis seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.

16. AULT FARMS

16.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending the Future Land Use Map of the General Plan for Certain Lands Known as Ault Farms.

Items 16.A. and 16.B. were discussed concurrently.

Councilmember Curtis stated the item had been presented to the Planning Commission and recommended denial with a vote of 4 to 0. The applicant has since made changes to the application. The updated plan is not legally required to return to the Planning Commission; nevertheless, he thinks it would be beneficial for the Planning Commission to review the changes to the plan prior to review by the Council considering the size and scope of the project.

Discussion ensued regarding the proposal to remand the plan back to the Planning Commission and whether to give Council feedback to the applicant during this meeting. Mayor Westmoreland recommended the Council provide individual feedback to the applicant outside of the meeting in consideration of time and the intent to remand the item back to the Planning Commission.

Mayor Westmoreland opened the public hearing at 8:16 p.m.

Tiffany Ulmer suggested installing a trail on the City-owned land to the north of the project that would be plowed by the City as a safe option for children traveling to and from school. She noted if the 700 acres resulted in one elementary child per acre, the City would add an additional 700 elementary school students. She requested to have the developer work with Alpine School District to accommodate the students.

Mayor Westmoreland closed the public hearing at 8:19 p.m.

Councilmembers Curtis expressed concern with granting unit counts based upon a table and with having an HOA for the entire area that will be in place for 15 years. Councilmember Gray concurred with Councilmember Curtis' concerns with granting density based upon tabulations.

MOTION: ***Councilmember Gray moved to remand the proposed amendment of the Future Land Use Map of the General Plan, for Ault Farm, back to the Planning Commission. Councilmember Curtis seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.***

16.B. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Approving a Master Development Plan for Ault Farms.

Mayor Westmoreland opened the public hearing at 8:19 p.m. As there were no comments, Mayor Westmoreland closed the hearing.

MOTION: *Councilmember Gray moved to remand the proposed master development plan for Ault Farms, back to the Planning Commission. Councilmember Love seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*

17. DEER HAVEN

17.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending the Future Land Use Map of the General Plan and Rezoning Certain Lands Known as Deer Haven.

Senior Planner Taylor Jensen presented the item. Deer Haven is a 40-acre parcel located west of Cedar Pass Ranch and north of Lone Tree. The project was previously known as Stratton Estates when it was proposed in 2019 and included 74 single-family lots. The Deer Haven preliminary plat proposes 14 lots of at least one acre.

The applicant has requested to change the future land use designation of approximately 19.5 acres from Agricultural/Rural Density One to Agricultural/Rural Density Two which allows for the possibility of rezoning to the RD1 and RD2 zones. Pending the approval of the General Plan amendment, the applicant is proposing to rezone the entire Agricultural/Rural Density Two portion of the development to the RD1 zone. The remainder would remain Agricultural. If the remainder is to be rezoned, staff recommends that it be rezoned to RA2. RA1 has a minimum lot size of five acres, RA2 has a minimum lot size of 2.5 acres, and RD1 has a minimum lot size of one acre.

The applicant is proposing approximately 17.9 acres to have the Wildlife Corridor Overlay added and is proposing a majority of that land to remain in private lots under an easement. EMMC 17.49.090(A)(1) states the preferred method of protection is the dedication of the land to the City or another public agency. EMMC 17.49.090(A)(2) allows for a conservation easement of land to be held by the City or another public agency. EMMC 17.49.030 requires all areas within 50 feet of a wash to be included within the Wildlife Corridor Overlay zone. Rather than deed the property in the Wildlife Corridor Overlay zone with slopes in excess of 25% to the City as recommended by the Planning Commission, the applicant is proposing to place deed restrictions on the real estate contracts for the properties or a conservation easement in favor of the City.

The Planning Commission unanimously recommended approval of the General Plan amendment with no conditions. The Planning Commission voted 3 to 2 to recommend approval of the rezone of the western portion of the lot to the RD1 zone with the condition that the area remaining under the Agricultural/Rural Density One Future Land Use designation be rezoned to RA2. Commissioner Pengra voted against the rezone due to connectivity concerns. Commissioner Wright dissented due to his belief that the area remaining under Agricultural/Rural Density One should remain Agriculture in zoning.

Applicant representative Scot Hazard clarified that he never requested a rezone for the lots on the east of the project as the uses of interest for those areas would not be available with the Planning Commission-recommended RA2 zoning. He feels Agricultural zoning is appropriate for the area and surrounding uses. He made a commitment to the Izatts to relocate their dog grooming and boarding business which would only be available in the Agricultural zone and desires to be honorable in his commitment. The conditional use permit for the business has yet to be reviewed or approved by the City. He expressed willingness to adjust lot 106 to meet the 50-foot easement recommendation for the wildlife corridor. The slope stability study recommended a 50-foot setback from the top of the embankment for the construction of any structures, so he would disallow construction within 50-feet of the wash.

Mr. Jensen explained that should the Council elect to adopt the Planning Commission recommendation to dedicate the areas with slopes in excess of 25% to the City, lots 109 and 110 would be under the minimum five-acre minimum lot size requirement for the Agricultural zone and was one of the reasons for the recommended RA2 zone with a 2.5 minimum acre requirement.

Mr. Mumford explained that developers frequently dedicate unbuildable land to the City as most developers are not interested in keeping small acreages of unbuildable land. He verified that the applicant had not volunteered to dedicate the proposed unbuildable land to the City in the case of this application.

Councilmember Love clarified that Agricultural is a compatible buffer to the RD1 zone.

Mayor Westmoreland opened the public hearing at 8:42 p.m. Email communications received regarding this item prior to the meeting are attached to the minutes.

Eagle Mountain representative for the Utah Valley Trails Alliance Adam Clark said he coaches a local mountain bike team. This piece of property is important to the mountain bike trail system and the proposed road connection to Cedar Pass Ranch would disconnect the trail system. The application of a conservation easement would provide the best long-term trail planning and protection.

Tiffany Ulmer said that some animal businesses are not allowed in areas other than in the Agricultural zone and this area is an important area for wildlife. She expressed concern with the City requesting a developer to donate a significant amount of land and being overly prescriptive with applying non-appropriate City standards such as making the nature trail ADA accessible. She supports an easement rather than a donation.

Michael Izatt noted that the Council took the same oath as the recently sworn in Youth Councilmember. The project has involved a lot of compromise. He requested for the area over a 25% slope to remain privately-owned in order to adhere to the minimum lot size requirements for their desired zoning to meet the requirements for their business needs. He beseeched for the item to move forward as proposed by the applicant.

Aimee Peterson said she supports the development and believes it has been thoughtfully and carefully designed to meet the needs of both neighborhoods. She is grateful the Council recognizes

that an access through Cedar Pass Ranch would not be good for either neighborhood and that excluding the road provides a zoning buffer that protects the wildlife. She is excited about the traffic light at Lone Tree Parkway and Pony Express Parkway and for the plans for a future connection of Airport Road to Wride Memorial Highway to divide school and work traffic. She thanked the developer for the thoughtful design and the legacy created by the plan.

Habitat Biologist with the Division of Wildlife Resources (DWR) Shane Hill spoke representing the DWR investment in this area collaring deer, restoring habitat, and installing wildlife fencing for deer migration. All the parts of the corridor are important for wildlife investment. He asked the Council to maximize the conservation benefit in their decision to set a precedent for the future in the approval of the first plat located within the corridor.

Christopher Loch explained the many ways the natural area is a benefit and provides recreation for his family and their personal efforts and attachment to the land and their desire and efforts to improve and protect it. It is important to them that the land stays intact not only for the wildlife but also for the people.

AshLee Lindsay desired to speak on behalf of the wildlife and the people that use and find camaraderie on the trails and the peace found in nature. She shared a story of her experience in the area and read a poem inspired by a hike on Lake Mountain.

Mayor Westmoreland reassured the residents that the City and the developer were in harmony with the desire to protect the wildlife. The difficulties come in balancing the responsibilities and feasibilities of implementing the vision.

Marian Burningham noted the trials and travails in bringing about the Wildlife Corridor Overlay to try to develop a plan that would work for the corridor and the City and to add value to every resident and the developer. She reminded the City that we are pioneers regarding the corridor and have tremendous challenges that the City should not be afraid to face and overcome. She advocated for working and sacrificing to bring about their vision for the benefit of future generations.

Bettina Cameron referenced a letter and video the Eagle Mountain Nature and Wildlife Alliance citizen group sent to the Council. She said that although dedicating the land is optimal, EMMC 17.49.090(3) allows for private ownership within a homeowners' association (HOA) of land within the corridor. She said she had been told that the Deer Haven HOA covenants, conditions, and restrictions (CC&Rs) will include provisions regarding the corridor, include a reinvestment fee, and all the residents residing within the corridor will be notified of the requirements and restrictions, and the developer will place visual indicators of the boundaries of the wildlife corridor. She cited State code information include in the citizen group letter and requested to have their recommendations in the letter be included as conditions of approval for the item. She advocated against requiring dedication of the land to the City.

Mayor Westmoreland closed the public hearing at 9:16 p.m.

Councilmember Curtis asked if his fellow Councilmembers had any concerns with the recommendations in the letter that was sent.

Councilmember Gray stated that as he was unable to open the attachment including the letter, he has been unable to review its contents. He expressed concern with including conditions of approval in a motion that were not included in the packet materials nor made available to the public to review before the meeting.

Discussion ensued regarding the content of the letter sent to the Council by Ms. Cameron on behalf of the Eagle Mountain Nature and Wildlife Alliance.

City Attorney Jeremy Cook verified that it would be beyond the purview of the Council to stipulate the content of the Deer Haven CC&Rs as recommended in the letter as the City has no authority to enforce CC&Rs terms. The Deer Haven HOA will also have the authority to change the terms of the CC&Rs. He recommended that the Council review the conservation easement prior to the recordation of the final plat to address concerns such as pedestrian access. The Council could regulate uses of the land through the conservation easement rather than HOA CC&Rs.

Councilmember Gray expressed concern with the citizen group's recommendations to limit the uses in the zone in reference to the recommendation to limit the number of animals permitted on the land.

Councilmember Curtis acknowledged that several of the requested conditions in the letter are outside the purview of the Council.

Discussion ensued regarding and clarifying potential regulations to include with the conservation easement, the applicant proposed reinvestment fee, and the rights granted with approving the General Plan amendment and rezone.

Ms. Cameron explained that the citizen group only desires to restrict the number of animals allowed on personal property within the wildlife corridor, not on the remainder of the landowner's property. Discussion determined that animal restrictions would not be addressed with this item and would be appropriate to discuss during the conservation easement or overlay zone.

The Council determined to pause discussion on this item until after the approval of item 17.B. The following motion was made after the 17.B. discussion.

MOTION: *Councilmember Clark moved to approve an ordinance of Eagle Mountain City, Utah, amending the Future Land Use Map of the General Plan and rezoning certain lands known as Deer Haven to the future land use designation Agricultural/Rural Density Two leaving the eastern portion of the property with Agricultural zoning. The approval shall be contingent upon bringing back the conservation and trail easement for Council review and approval prior to recordation of the final plat. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*

17.B. MOTION – Deer Haven Preliminary Plat

The discussion and vote on item 17.B. occurred after the discussion and prior to the motion for item 17.A.

Mr. Jensen presented the item. The preliminary plat proposes 14 units. The smallest lot is 1.02 acres. The minimum lot size for the RD1 zone is one acre, the minimum lot size in the RA1 zone is five acres, the minimum lot size in the RA2 zone is 2.5 acres, and the minimum lot size in the Agricultural zone is five acres. If the eastern half of the project were to be rezoned to the RA2 zone and the land in the Wildlife Corridor Overlay were to be deeded to the City, both lots 109 and 110 would remain over three acres in size and would be in compliance with minimum RA2 lot size requirements without losing any proposed lots.

The applicant is proposing to use the rural 50-foot right-of-way; however, Lone Tree uses the standard 53-foot right-of-way. It is the opinion of staff that if there is no connection into Cedar Pass Ranch, the standard right-of-way shall be used, but if a connection to Cedar Drive is made it would be appropriate to use the narrower 50-foot right-of-way. The applicant currently shows a trail on private property, staff recommends the trail be deeded to the City.

EMMC 16.30.090(A) requires a circulation plan for all developments over one acre in size or with more than ten units that addresses street connectivity, pedestrian circulation, emergency access, parking movements, and traffic calming measures if cut-through traffic is expected. Connectivity index including block length, cul-de-sac lengths, access, and connectivity to adjacent parcels must be accounted for in the plan. Per EMMC 16.30.090(B), the RA1 zone requires a minimum connectivity index score of 1.25 and the RD1 zone requires a minimum connectivity score of 1.5. The project shows one node and two links, which results in a connectivity score of 2. EMMC 16.30.090(C) requires all new subdivisions with ten or more units (or larger than one acre) to meet the following standards: connectivity index, block length, and cul-de-sac length for public roads. The connectivity index score of 2 meets connectivity index requirements. The maximum block length is 1,000 feet; the longest block in the project is approximately 550 feet which complies with this standard. The maximum length of a cul-de-sac is 400 feet, Bristle Cone Circle is over 500 feet long and does not comply with this standard.

Discussion ensued regarding the recommended dedication of the trail to the City and the difficulty in relocating the trail on lot 110 to another location on the property due to the topography of the land.

Councilmember Gray expressed concern with the potential of a landowner installing fencing across the trail making it impassable to pedestrians due to the uses granted within the Agricultural zone. He requested for the inclusion of a condition that the trail access could not be impeded and fencing must be seven and a half feet from the center of the trail.

Discussion ensued regarding concerns with trail accessibility and location and determined the applicant-proposed location is preferable.

Mr. Hazard said he is willing to stipulate that a 15-foot fencing gap requirement for trail access.

Mr. Mumford said that having the trail dedicated to the City can make fewer liability issues for property owners and is preferable in more instances. However, in this situation, an easement with public access is suitable. He encouraged flexibility for the owner to work with staff to determine a location for the trail to allow hiking and biking.

Councilmember Love suggested making a stub road instead of a cul-de-sac between lots 105 and 106 for a potential future connection. Discussion determined due to the rural nature of the development, the connectivity was sufficient.

Mr. Mumford noted that the approval would only allow accesses from the south and the west and it is the Council's purview to determine if the connectivity is adequate.

Discussion ensued regarding connectivity concerns and obstacles and potential connections.

Mr. Jensen clarified that the surrounding area is designated in the General Plan for Agricultural uses and the Planning Commission recommended a full 53-foot, public right-of-way due to connecting to a standard City road.

Councilmember Curtis said the landowner in the area is more likely to develop higher density and reduced connectivity may promote lower density in the area.

Councilmember Gray advocated for the 53-foot, public right-of-way.

Mr. Hazard said that a 50-foot, right-of-way is allowable in the requested zone and widening the road will reduce the lot sizes. The originally proposed road, pursuant to staff recommendations, was modified to allow better ADA and ramp access on the side of the roads. An eight-foot-wide asphalt trail will run along one side of the road with a park strip to better accommodate the cross slope of driveways for ADA compliance.

MOTION: *Councilmember Gray moved to approve the preliminary plat for Deer Haven with the following conditions:*

- 1. The roads shall be built to a 50-foot, public right-of-way standard;*
- 2. Language shall be added specifying an unimpeded, 15-foot trail right-of-way access; and*
- 3. The approval shall be contingent upon bringing back the conservation and trail easement for Council review and approval prior to recordation of the final plat.*

Councilmember Clark seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.

Mayor Westmoreland recessed the meeting from 10:08 p.m. to 10:22 p.m.

18. ORDINANCES/PUBLIC HEARINGS

18.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending the Future Land Use Map of the General Plan for Certain Lands Known as Rush Creek.

Mr. Jensen presented the item. The Rush Creek properties area is located north of Sage Park and west of Overland. Eagle Mountain Boulevard runs through the middle of the parcels. The parcels encompass approximately 234.14 acres, all of which have a future land use designation of Employment Center/Campus. A portion of parcel 59:034:0011 is currently located outside of Eagle Mountain City and would need to be annexed into the City prior to the Western Industrial concept being able to develop. The applicant has applied to amend the Future Land Use Plan calling for approximately 18.6 acres to move from Employment Center/Campus to Community Commercial and approximately 79.14 acres from Employment Center/Campus to Business Park/Industrial. The applicant is not proposing any rezoning with this General Plan amendment.

The proposed eastern industrial subdivision is located adjacent to residential property. Per EMMC 17.60.160, the LMD zone is not appropriate adjacent to residential. Staff anticipates another north to south collector road in this area and the road stub in Pod B should be expanded to a collector road. Pod A will need to provide road stubs to the north and south. It is anticipated that the Utah Department of Transportation (UDOT) highway/freeway will move slightly to the west thus slightly changing the applicant's exhibit. The Planning Commission recommended approval of the General Plan amendment.

Applicant representative Dan Ford said this application revised a residential application that had been previously submitted to the Planning Commission and City Council. He noted a storage unit facility is planned to the south of the property. He said they will follow the Municipal Code transitioning requirements and will address buffering and transitioning with the site plan application. They intend to find commercial uses for the areas near the off-ramps for the UDOT highway/freeway.

Councilmember Gray thanked the applicant for his willingness to comply with the code. He expressed concern with the possibility of the UDOT highway/freeway being relocated and suggested making the approval of the plan contingent on the road. He expressed his support of the industrial uses but was unsure if commercial uses in the area were desirable.

Mr. Ford said that they have not determined the southeast access. They have not been able to confirm the location of the future highway/freeway because UDOT does not anticipate building the road for at least ten years. If the proposed highway/freeway alignment changes, they would adjust their plan accordingly. He requested the approval not be contingent upon the road. He clarified the "To Be Determined" area is remaining with the Employment Center/Campus General Plan designation and business park/commercial uses would be allowed in the area even without the requested rezoning.

Discussion ensued clarifying that appropriate uses for land outside of the City boundaries are contemplated in the General Plan; however, the county land included in the proposal would still require annexation prior to development.

Councilmember Curtis stated his support for the proposed Employment Center/Campus designation in an area where those uses are projected to be successful and he is pleased to see a proposal with nonresidential uses. He is more willing to entertain changes in business uses and types rather than commercial to residential.

Councilmember Love said that the area along Eagle Mountain Boulevard would still be appropriate for commercial zoning regardless of the location of the future UDOT highway/freeway.

Discussion ensued regarding the desired and appropriate uses in the area and transitioning and buffering consideration.

Councilmember Burnham advocated for commercial uses as appropriate regardless of the future freeway location as preserving land for a future freeway would increase the likelihood of the installation of the freeway in the future.

Discussion ensued regarding the potential location of the future freeway and that adjustments to the proposed location would likely occur to the north due to the need to intersect Eagle Mountain Boulevard and other development in the area.

Councilmember Curtis explained he is less concerned with commercial uses should the highway/freeway be relocated than with density vesting for transit-oriented multifamily housing development.

Mayor Westmoreland opened the public hearing at 10:39 p.m. As there were no comments, Mayor Westmoreland closed the hearing.

Tyler Shimakonis said that there is a charter school in the area with the potential for over 1,000 students and the impact of industrial and commercial uses on the school should be a consideration.

Mayor Westmoreland closed the public hearing at 10:41 p.m.

Mr. Jensen explained the updated transportation plan includes a north-to-south collector that would bisect the east and west portions of this project in both proposed industrial areas.

Mr. Ford said he did not think incorporating two north-to-south collector roads would be problematic. The central, east to west roads in the industrial areas are planned at a greater than required width to accommodate larger vehicular traffic needed in an industrial area.

City Engineer Chris Trusty said he believes that as the purpose of upsizing the east to west industrial roads is to provide a wider road for truck traffic, the cost would not be reimbursed unless a traffic study indicated the width was necessary for increased capacity.

Mr. Mumford explained that if the traffic study determines the increase of the road is warranted only due to development traffic, the developer would be responsible for funding the full width of the road; however, if the study concluded other City traffic impacted the required road width, the City would assist with funding.

MOTION: *Councilmember Burnham moved to approve an ordinance of Eagle Mountain City, Utah, amending the Future Land Use Map of the General Plan for certain lands known as Rush Creek. Councilmember Clark seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*

18.B. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Rezoning Certain Lands Known as The District at Eagle Mountain Town Center.

Mr. Jensen presented the item. The applicant is proposing to rezone approximately 19.27 acres. The property in question was previously included in the Eagle Mountain Properties Master Development Plan and Agreement which has since expired. The future land use for all the parcels included in the rezone is CC. The CC zone is an appropriate use within the Community Commercial land use designation. The project is bordered by The Landing on the east, which would be zoned R3 under the current City zoning ordinance. CC is not appropriate adjacent to the R3 residential zone. Staff recommended to the applicant to rezone property to the east of Heritage Drive to CN which provides compatible buffering with The Landing.

On June 8, 2021, the Planning Commission held a public meeting and unanimously recommended approval with the condition that the CN zone be used to buffer The Landing on the east side of Heritage Drive and for the zone to continue generally in a straight line south of the fire station rather than following the road farther to the west.

Mr. Mumford explained that the new United Fire Authority fire station will be constructed farther south along Pony Express Parkway on the east side closer to Shadow Drive. This area is intended as a pedestrian, commercial district with potential two to three-story, mixed-use with either office space or residential above commercial uses.

Applicant representative Bill Gaskill said that their vision is to create a main-street style shopping district with nose-in parking and 15-to-18-foot sidewalks with street-front shops and restaurants allowing for outside dining. The buildings would be two to three stories with smaller 50-foot frontages and office or residential uses on the upper floors. An interested tenant has proposed a second level of outdoor restaurant seating. They are hoping to apply the community node overlay, which is still in discussion, which would allow their desired mixed and retail uses. The Bown Crossing development outside of Boise, Idaho is similar to what they desire in this area. Some tenants desire smaller spaces than the pad sites and proximity to be mixed in with other retail and residential uses for increased synergy and in a pedestrian area. Traditional retail is intended for along Pony Express Parkway with an east-to-west cross street with the mixed-use area. The pads site on the west side of Pony Express Parkway are mostly full.

Councilmember Curtis said that he has high standards for allowing mixed-use.

Mayor Westmoreland said that this is crossing a milestone for the City. The feasibility of the project is driven by demand and salability of the development and City economic growth and economic development.

Mr. Gaskill stated that the City population has now reached the necessary level to attract an anchor grocery store and high interest from retail tenants. It is helpful to have a landowner that wants to help and participate in the projects. A lot of the agreements are based upon the recording of the plat with the grocery store and then they can release names of the pad businesses. Material shortages and cost increases have delayed the grocery store which was scheduled to begin in May. Construction is scheduled for next week pending the delivery of the delayed steel shipment. The approved pad sites will return in a few weeks for building permits.

Ms. Kofoed said the Recorder's Office is working on recording the plat with the County.

Councilmember Burnham stated it was an interesting idea and expressed her support of walkable neighborhoods.

Councilmember Gray inquired if the City-owned open space near the Senior Center and the road would be sufficient buffering between the CC and residential areas.

Mr. Gaskill said they are amenable to the proposal of zoning the area to the east as CN as it will not impact their plans as they hope to be granted the community node overlay.

Councilmember Curtis noted that as the Council has not yet been presented with the node overlay amendment and he would require significant changes to the proposal prior to the approval of the adoption of the standards, he has no objection to the application as proposed.

Councilmember Gray said that either zone will require a six-foot masonry wall for buffering.

Mayor Westmoreland opened the public hearing at 11:08 p.m. As there were no comments, Mayor Westmoreland closed the hearing.

MOTION: *Councilmember Burnham moved to approve an ordinance of Eagle Mountain City, Utah, rezoning certain lands known as The District at Eagle Mountain Town Center in accordance with the exhibit in the staff report indicating the division in the CC and CN zoning. Councilmember Curtis seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*

19. ORDINANCE

19.A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Approving a Temporary Land Use Regulation Delaying a Requirement for Front and Side Yard Landscaping due to Drought Conditions.

Mr. Mumford said that the items are at the request of the public utilities manager and builders due to the difficulties in obtaining sod. Staff recommends that the City Council approve a temporary land use regulation that due to drought conditions, the requirement for front and side yard

landscaping prior to the issuing of the certificate of occupancy per EMMC 17.25.050(A) be delayed until September 15, 2021, with a required cash escrow payment of \$2,000. The request is due to the amount of water necessary to establish new sod during the heat of the summer. Inclement weather considerations in Municipal Code standards allow for a six-month delay and the Council may extend the recommended delay period if desired.

Mr. Mumford said he believes the \$2,000 escrow amount was set with residential Municipal Code changes in 2018 but the implementation was delayed due to the high growth, the number of plats under construction, and push back from the home building community. Other builders expressed support of the landscaping requirements as it is also mandatory in other cities. Earlier this year, the City sent a letter that any building permit issued after January 1, 2021, would be required to adhere to the landscaping ordinance. He noted the significant expense to larger lots.

Councilmember Clark expressed concern with the escrow amount, due to \$2,000 being insufficient should the City be required to finish the yards because the developers decide to not put in the landscaping as it would cost over \$2,000 for most lots. She clarified that she is in support of the recommendations to address drought conditions.

Mr. Cook clarified that the City could change the amount of the escrow and that the responsibility of installing the landscaping would remain the responsibility of the landowner and would not be completed by the City regardless of the escrow amount charged. The escrow would either be returned to the homebuilder or the homeowner depending upon who had paid the escrow and the agreement between the homebuilder and homeowner.

Councilmember Clark expressed concern regarding the expectations of homeowners and the situation assumed by the City due to the City installing parks that were not completed by developers.

Mr. Mumford estimated that 200 to 300 hundred homes are expected to be completed and apply for a certificate of occupancy during the impacted time period. Some builders have had difficulties in finding sod while others have a reliable supply. The City informed the builders that water-wise landscaping is encouraged; however, it is more expensive.

Mr. Cook explained that withholding the certificate of occupancy is the best way to ensure compliance; however, issuing fines or retaining deposits is an alternative; albeit less effective method. The risk of the yard not being installed in a timely manner is likely higher with smaller developers. The Council should determine if the water conservation merits the risk and additional enforcement efforts to ensure completion of the landscaping. He suggested requiring the sprinkler system and items other than sod be installed.

Mr. Jerome said that staff is working on water-wise landscaping requirements.

Discussion ensued regarding the probable impacts to larger lots and homeowner builders, sod supply and cost increases, potentially requiring sprinkler systems and/or other landscaping other than sod, watering of partial landscaping, the size increase of curvilinear design on front yard square footage, clarification regarding the date the landscaping would be required to be installed

by for the application, the amount of escrow to charge, and ambiguity regarding the party responsible for installing the landscaping and additional penalties.

Mr. Mumford clarified that the six-month codified landscaping installation timeframe is intended for homes completing during winter months.

Councilmember Love suggested requiring an application to clarify the responsible party.

Mr. Mumford clarified that the money will be returned to the party that paid the escrow. Collecting escrow is easy to track but is an additional burden to staff; however, staff is willing to assume the work if the Council determines the benefit is merited due to the drought situation. The builder may require the homeowner to post the escrow and the money would then be returned to the homeowner.

Councilmember Gray recommended added a deadline for sod installation, increasing the escrow amount to \$4,000, and/or adding additional penalties.

Mr. Mumford clarified that the escrow amount was meant to be an incentive and the money would not be returned if the landscaping were not installed and the intent could be clarified in the motion.

Discussion ensued regarding the prevalence of the issue with incomplete yards currently in the City, the desired timeframe for yard installation, and the appropriate terms to include in the motion.

MOTION: *Councilmember Gray moved to approve an ordinance of Eagle Mountain City, Utah, approving a temporary land use regulation delaying a requirement from front and side yard landscaping for sod, trees, and shrubs due to drought conditions and allowing certificates of occupancy to be applied for with the exemption for new residential units through September 15, 2021, with the payment of a \$2,000 escrow, refundable upon the completion of the landscaping by October 30, 2021, after which time the escrow will no longer be refundable. Councilmember Curtis seconded the motion.*

Discussion ensued regarding City requirements for irrigation and whether to include sprinkler systems be installed.

Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.

20. CITY COUNCIL/MAYOR'S BUSINESS

Mayor Westmoreland

Mayor Westmoreland informed the Council that staff is working to provide a supplemental activity during the Beat the Heat event due to the firework restrictions that will appear on the upcoming agenda for a budget amendment.

21. CITY COUNCIL BOARD LIAISON REPORTS

Councilmember Gray

Councilmember Gray said the Eagle Mountain Arts Alliance emailed the events staff with a request to use the SilverLake amphitheater and stage for a theatrical performance.

Councilmember Curtis

Councilmember Curtis said that Jeff Ruth attended a meeting regarding the Military and Veterans Advisory Board.

Councilmember Burnham

Council Burnham said the Senior Council Advisory Council has a board vacancy and they requested for the City to clear a walking path to the Senior Center.

Councilmember Love

Councilmember Love announced that the Eagle Mountain Chamber of Commerce recognized the Zion's Bank as the business of the quarter and have a luncheon scheduled on Thursday at the Garden on the Green with Ryan Beck from Envision Utah.

Councilmember Clark

Councilmember Clark said the installation of the Be Ready Eagle Mountain repeater is almost complete. The Ham radio training had an excellent turnout. The Parks and Recreation Advisory Board is meeting on Thursday and is awaiting guidance and/or an invitation to discuss open space considerations with the City Council.

22. COMMUNICATION ITEMS

22.A. Upcoming Agenda Items

23. ADJOURNMENT

MOTION: *Councilmember Gray moved to adjourn the at 12:00 a.m. Councilmember Curtis seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*

The meeting was adjourned at 12:00 a.m.

Approved by the City Council on July 20, 2021.

Fionnuala B. Kofoed, MMC
City Recorder

DRAFT

The following comments were submitted electronically regarding items 17.A. and 17.B. Deer Haven General Plan amendment, rezone, and preliminary plat:

Mark and Erin Orr: We have lived here in Cedar Pass Ranch for 16 years and have owned our parcel for 22 years. We have watched our little city grow and develop into a wonderful place to enjoy the peaceful country life. Not only do we have an abundance of wildlife to enjoy we also need to be good stewards of the land and protect it when we can. Our little cedar pass community was never intended for high volumes of traffic. Our roads are not designed with sidewalks and curb and gutter. We jog, walk, walk our dogs, bicycle, skateboard, horseback ride, etc all through our neighborhood. Additional traffic would not only expose everyone to a higher risk of auto pedestrian accidents, it would also interfere with the wildlife preservation. Please consider EVERYONE this will affect when making your decision tonight.

Heather Beck: I would like to voice my support as it is presented for the Deer Haven Development. I do not want to see this project connected to Cedar Pass Ranch for the many reasons that will be voiced in person by the many residents of Cesar Pass Ranch that have been working to create the Wildlife Corridor and hand in hand with the developer to design a project that works for everyone. Thank you for your consideration, Heather Beck and family.

Bettina Cameron: I will be speaking on behalf of the EM Nature and Wildlife Alliance in support of the Deer Haven Preliminary Plat map as proposed. I hope to address any concerns City Staff or City Council Members may have. I will be available to answer any questions they may have after the public comment. Thank you.

Christopher Loch: My wife and I spend many many hours every week in the wildlife corridor. On Wednesday evenings and Saturday mornings we run the dirt trails up and down the mountains, across the valleys and even into the washes -- and as we do we observe wildlife and wildflowers. On Sunday nights we carry a total of 160 lb of water up the mountain (in four trips) to water the 400 new sage plants that were planted in the spring -- in hopes of bringing back the rabbits, which will bring back the eagles to Eagle Mountain. On other days we take our kids up there to hike, observe wildlife and wildflowers, fly kites, look at the petroglyphs, watch sunrises and sunsets and stargaze. The wild spaces of Eagle Mountain are vital part of the physical, mental, and spiritual health of our family of eight.

AshLee Lindsay: The wildlife corridors of Eagle Mountain are very special to me. They are my refuge. I've spent countless hours running and hiking, praying and meditating, doing conservation work, taking photographs, and writing poetry inspired by the area. At the city council meeting I'd like to recite a poem about my hike to the top of Lake Mountain, and also some excerpts of a children's book I'm writing about the wildlife found in Eagle Mountain.

Louise Innocenti: I am in support of the wildlife area and not connecting to Cedar Pass Ranch. Please waive my comment time to Bettina Cameron or Mare Birmingham since I am unable to attend. Thank you.

Eric Gardner: Please approve the preliminary Deer Haven map, as it preserves the safety and nature of the Cedar Pass Ranch (CPR) area. CPR provides unique opportunities to its residents that are exceedingly difficult to find elsewhere in the County - or even far outside the County. It is residential horse property with long term protections for a way of life that is also close to many work areas. There is a wildlife corridor. Traffic is minimal, which protects our families and animals especially where there is no curb, gutter, or sidewalk. We have horse trails throughout the community. Many of us moved here with the expectation that the HOA, along with EM City, would protect these opportunities. There are so few options anywhere nearby that are similar, making it nearly impossible for us to simply move away to another similar situation. We believe this area provides something that is positive for the residents of CPR, and also for the nearby citizens and for the City as a whole. I ask that you vote in support of the Deer Haven proposal that would preserve this area.

Heather Swanger: I have been a resident of Cedar Drive for over 15 years. In that time, I have seen this neighborhood become of value to the city of Eagle Mountain and its citizens. It brings value by offering quiet mountainsides to hike, quiet roads to bring children safely to view the variety of animals in this neighborhood. Hills for bicycles to ride safely on our roads because of minimal traffic. This neighborhood is a GEM. And I invite the City Council and the City Planners to please take a walk around the neighborhood to see what I'm talking about. While you're walking around, please pay attention to the infrastructure of this neighborhood (particularly Cedar Drive, where the proposed connector road will be placed). Please notice, there are no sidewalks, no curb and gutter, no street lights (it is VERY dark when the sun goes down), and NOWHERE FOR OUR CHILDREN TO WALK SAFELY while 100's more cars speed down our quiet neighborhood. What happens when the snow comes. Now, where do they walk? Right now, they walk on the side of the street because the snow is on the side. When there isn't snow and a car comes, they move to the side of the road with weeds and where the horses walk (this is a neighborhood designed for horse riding). It is crucial to consider a different connector road other than Cedar Drive or anywhere in this neighborhood. Crucial to keep our citizens, children, and animals safe.

Charles Webster: The proposal presented by the developer that is before you tonight should, by ALL rights, take little consideration - both the concerned residents and the developer are satisfied with this well thought out proposal. Given the named concerns (the preservation of the native habitat and the Wildlife Corridor, the existing well used trails and the rural community that is Cedar Pass Ranch) it makes sense AND it is the right thing to do. Your relatively brief consideration tonight can either preserve the Cedar Pass Ranch area and all the benefits it has to offer, or change it FOREVER. Please PASS this proposal and do the right thing.

Shane Swanger: It is very difficult for me to understand why this issue keeps coming up about the connector road through Cedar Pass Ranch. THIS IS A HUGE SAFETY RISK TO OUR CHILDREN. Not to mention wildlife and farm animals. Due to having absolutely no street lighting nor sidewalks, nor curb and gutter, our children have no way to get out of the street from on coming cars. Winter is worse as the streets are plowed there is now a natural barrier of snow on each side

of the road that prohibits our children from moving off of the street. Compounding the issue is the fact that cars traveling through a neighborhood they do not belong to tend to speed through, raising the risk of severe injury to our children or worse. This high probability risk to our children far exceeds any other benefit other neighboring subdivisions would gain. Traffic ultimately needs to get out to the highway not around through more subdivisions. Thanks, Shane Swanger, PE.

Elise Riggle: I am a resident of the Sunset Ridge neighborhood (located in the Lonetree subdivision) and I wholeheartedly support the wildlife corridor and ask you to do the same. This corridor would preserve a safe space for the wildlife and a recreation area for residents of Eagle Mountain. The wildlife is a part of what makes this a great place to live, and I would love to see the city do all we can to preserve the habitat for them as we grow. As a relatively young and growing city, Eagle Mountain has an opportunity to set ourselves apart from other cities in Utah. By preserving open space for wildlife and recreation we set ourselves apart from other cities that have utilized every square inch of land for homes and commercial business. While these things are necessary, I believe it is imperative that we work WITH nature, not against it. I love being able to teach my children about the natural world and our ecosystem in our own backyard, which was a huge selling point for us to settle in Eagle Mountain. I believe as stewards of this land we need to do the best we can to preserve as much as we can for wildlife. Please vote in support of the Wildlife Corridor.

Michael Karr: I am in support of Deer Haven development as proposed and would like to give my 3 minutes to Bettina Cameron to speak in my behalf.

Arlon and Lisa Miller: Please approve the Deer Haven Development so that it DOES NOT connect to Cedar Pass Ranch. Our neighborhood is not suited for the type of traffic that this would bring to our equestrian community. Scott Hazard has come up with an excellent plan for his Deer Haven Development so that it doesn't impact CPR with additional traffic & safety issues.

Deborah Painter: On Jan 17, 2016 my two kids, who were 8 and 12, were crossing the street in front of our house (3044 Cedar Pass Rd) and were hit by a car. Because the roads are bumpy, curvy and hilly the driver did not see them and hit them without braking. My kids were life flighted to Primary Children's Hospital- and were diagnosed with Traumatic Brain Injuries. It has been 5 years and my two children still struggle with the effects of this accident. In September 2016, Jordan Peak, a 12 year old, was riding her horse in Cedar Pass Ranch and a car zoomed passed and honked excessively spooking the horse and making her and the horse fall onto the concrete. Jordan was taken to the hospital and suffered from a rib and elbow fracture. <https://www.ksl.com/article/41433078/group-of-people-honk-horn-at-horse-causing-girl-to-be-thrown-off>. The staff report reviewed at the Planning Commission on Tuesday, June 8th 2021 mentioned that the Lone Tree/Deer Haven egress road will also be a path that "children can use to get to their friends house". There are 206 children residing in our Cedar Pass Ranch and using our streets that are without sidewalks or street lights, and then if as the staff report stated that the Lone Tree/Deer Haven egress road will also be a path for children-that is putting a lot of kids on a road

that has already sent three kids to the hospital in the last 5 years. This one way egress road from Lone Tree /Deer Haven into Cedar Pass Ranch will be used as a route to get to SR 73 in the mornings when kids are waiting for the bus on hilly, curvy bumpy roads without sidewalks and street lights and many blind corners and hills. In the Winter it is still dark when kids are waiting for the bus and in the Fall and Spring, the morning sun is shining in the driver's eyes during the time kids are waiting for the bus. Which adds another layer of risk to our kids on the streets. I ask as you contemplate an egress road from the Lone Tree/Deer Haven neighborhood into Cedar Pass Ranch neighborhood, please take in consideration, the unsafe conditions and incidents the residents of Cedar Pass Ranch have already had because of traffic and speeding (Not just the possibility). Thank you for considering Cedar Pass Ranch Residents stake in this matter. Sincerely, Deborah Painter.

Jacinda Montano: I wanted to write a quick summary of why I am in support of the Deer Haven project as is and that NO connector road should be made. Regarding the connector stub road, the way I see it, you have two opposing safety concerns for the citizens. One safety concern that will come up occasionally and the other that will be a threat daily. Fire Safety – How often, is that connection going to be needed for a house fire? Once every 5 -10 years? Hard to say. Most of the fires in Eagle Mountain are wild fires and it is about containment. We don't get a lot of house fires. DAILY danger to Equestrians and pedestrians. How often will the additional traffic on that road pose a threat to the residence and their riders? With the increase in traffic that connection is going to bring, it will affect them 30,000 times a day. Horses get spooked easily and someone coming down the road too fast can endanger the rider. Also cars need to slow WAY down and move to the other side of the road when horses are present. The residents of this community know the dangers and are VERY respectful of the conditions surrounding the equestrian paths. Not to mention the joggers, walkers, and other pedestrians that come to Cedar Pass Ranch to recreate. Protection to Property Rights – The residents that purchased their homes in an equestrian community with the equestrian trails expect to have those rights protected. Making that connection would permanently sever those rights and privileges as it would no longer be able to be used that way.

Michael Robinson: I live in Cedar Pass Ranch. I fully support the Deer Haven Development plan because it promotes the wildlife corridor, safety for our equestrian neighborhood, and the rural nature of our neighborhood. It is bad enough that visitors speed through our neighborhood endangering horseback riders, our children on bicycles and those of us enjoying or trying to enjoy a walk through our neighborhood. We certainly do not need additional traffic that would result from connector roads to our neighborhood.



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
JULY 20, 2021**

TITLE:	ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Approving the First Amendment to the Fiscal Year 2021-2022 Budget.		
ITEM TYPE:	Ordinance		
FISCAL IMPACT:	\$5,539,250		
APPLICANT:			
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

Yes

PREPARED BY:

Kimberly Ruesch, Admin

PRESENTED BY:

Kimberly Ruesch

RECOMMENDATION:

It is recommended that the fiscal year 2021-2022 budget be amended to add funding for the following items:

- Beat the Heat Bonanza \$25,000 - This special event is being proposed to provide an opportunity for residents to come together as a community as a result of the ban on fireworks. This event is an item that was not originally proposed with the budget.
- iWorkQ Software \$2,250 - We have a need to upgrade this software to add tools that are needed for the Administrative Code Enforcement Court.
- Library Grant \$12,000 - The library has received ARPA (American Rescue Plan Act) funds from the Utah State Library to be used for collection development. There is no match required for this grant.
- Well #1 Relocation \$1.5 mil - Well #1 needs to be relocated. Well #1 is a critical well for providing water throughout the City. This well sits underneath a power line that limits the ability for maintenance to occur. In the current location if this well were to go down the City may not be able to gain the access needed to make the repairs.
- Drill Well #7 \$2 mil - In order to meet the ongoing needs of the community a new well needs to be drilled. The location as not yet been determined.

- New Water Storage Tank \$2 mil - Construction of a 4 million gallon water storage tank is being proposed in Pole Canyon.

BACKGROUND:

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

[ORD--FY 2022 Budget Amendment #1](#)
[Budget Amendment #1](#)

ORDINANCE NO. O- -2021

**AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH
AMENDING THE FISCAL YEAR 2021-2022 ANNUAL BUDGET
(FIRST AMENDMENT)**

PREAMBLE

WHEREAS, the City Council of Eagle Mountain City, Utah finds that it is in the public interest to amend the budget for fiscal year 2021-2022; and

WHEREAS, the City Council finds that procedures for the amendments, pursuant to Section 10-6-127 of the Utah Code, Annotated have been followed, including a public hearing if budgetary funds are increasing;

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

1. The City Council finds that all required notices have been given and that a public hearing has been conducted, public comment received and considered and that the Council may consider and amend the budget of Eagle Mountain City as follows:

2. “FISCAL YEAR” means that year which began on the first day of July, 2021, and ends on the last day of June, 2022.

3. APPROPRIATIONS. The budget set and adopted by the City for the fiscal year is hereby amended and re-enacted with respect to the specific items set forth on Exhibit A hereto. From the effective date of this budget ordinance, as outlined in the attached Exhibit A, the several amounts stated therein as proposed expenditures shall be appropriated for the several objects and purposes therein named.

4. This Ordinance shall be effective for fiscal year 2021-2022.

ADOPTED by the City Council of Eagle Mountain City this 20th day of July, 2021.

EAGLE MOUNTAIN CITY, UTAH

Tom Westmoreland, Mayor

ATTEST:

Fionnuala B. Kofoed, MMC
Director of Administrative Services/City Recorder

CERTIFICATION

The above Ordinance was adopted by the City Council of Eagle Mountain City, Utah on this 20th day of July, 2021.

Those voting aye:

☐ Donna Burnham

☐ Melissa Clark

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

Those voting nay:

☐ Donna Burnham

☐ Melissa Clark

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

Those excused:

☐ Donna Burnham

☐ Melissa Clark

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

Those abstaining:

☐ Donna Burnham

☐ Melissa Clark

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

Fionnuala B. Kofoed, MMC

Director of Administrative Services/City Recorder

Posted on _____ by _____.

Exhibit A



Eagle Mountain City Budget Amendments for FY 2022

July 20, 2021

<u>Fund Name</u>		<u>Original Budget</u>	<u>Proposed Budget</u>	<u>Increase</u>	<u>Detail</u>
General Fund					
Special Events-Special Events Projects	10-18-41990-5856	\$ 65,000.00	\$ 90,000.00	\$ 25,000.00	Add funding for Beat the Heat Bonanza
Attorney - Professional & Technical	10-11-41220-4531	\$ 15,000.00	\$ 17,250.00	\$ 2,250.00	Add funding for iWorQ software used in administrative code enforcement court
Library-Grants.	10-18-45008-5795	\$ 15,000.00	\$ 27,000.00	\$ 12,000.00	State Library Grant American Rescue Plan funds for collection development
Subtotal General Government:		<u>\$ 95,000.00</u>	<u>\$ 134,250.00</u>	<u>\$ 39,250.00</u>	
Enterprise Funds					
Water Fund - Capital Outlay	51-45-51000-7000	\$ 1,900,000.00	\$ 7,400,000.00	\$ 5,500,000.00	Add funding for new well and water storage tank and relocation of Well #1
Subtotal Enterprise Funds:		<u>\$ 1,900,000.00</u>	<u>\$ 7,400,000.00</u>	<u>\$ 5,500,000.00</u>	
Total Increase (All Funds):		<u>\$ 1,995,000.00</u>	<u>\$ 7,534,250.00</u>	<u>\$ 5,539,250.00</u>	



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
JULY 20, 2021**

TITLE:	ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Amending the Future Land Use Map of the General Plan for Certain Lands Known as Ault Farms.		
ITEM TYPE:	General Plan Amendment and Rezone		
FISCAL IMPACT:			
APPLICANT:	Flagship Homes		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

Yes

PREPARED BY:

Lianne Pengra, Planning

PRESENTED BY:

Steve Mumford

RECOMMENDATION:

BACKGROUND:

See Staff Report for the Ault Farms Rezone and Master Development Plan.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
JULY 20, 2021**

TITLE:	ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Approving a Master Development Plan and Rezone for Ault Farms.		
ITEM TYPE:	Ordinance		
FISCAL IMPACT:			
APPLICANT:	Flagship Homes (Pete Evans)		
GENERAL PLAN DESIGNATION Business Park / Light Industry, Parks and Open Space, Foothill Residential, and Neighborhood Residential One	CURRENT ZONE Agriculture	ACREAGE 752 acres	COMMUNITY South Town

PUBLIC HEARING:

Yes

PREPARED BY:

Steve Mumford, Planning

PRESENTED BY:

Steve Mumford

RECOMMENDATION:

This is a combined staff report for both items for Ault Farms. The City Council can hold one public hearing for both items. The City Council will make two individual motions: one for the General Plan Amendment and one for the Rezone and Master Development Plan.

The City Council has the following options:

1. Approve the proposal as one master development plan, including any necessary changes or conditions of approval.
2. Table the proposal with clear direction and feedback for necessary changes.
3. Deny the proposal with clear findings of facts and direction for the applicant.

If you choose to approve the project, we recommend you consider the following items:

- Consider adding in an affordable housing element near the commercial properties.
- The northwest corner should be modified to utilize the approved road along the north property line.
- Modify the R3 areas adjacent to MF1 to be compatible with

EMMC 17.60.160 zone transitions.

- Consider modifying the area along the northern boundary to be R3 or R2 rather than R1 (existing lots are similar to R3 zoning), then redistribute the R1 elsewhere.
- The 214 acres to the south should be submitted separately in the future for a master development plan and/or rezone.
- A possible 10-acre elementary school site should be included on the plan, to be reviewed by the Alpine School District staff prior to approval of the master development agreement.
- A parks plan shall be submitted that includes potential park improvements and example linear park improvements, to be approved by the City Council as an exhibit to the master development agreement.
- Consider shifting some of the park areas to expand the size of the neighborhood parks.
- This approval is contingent upon a master development agreement being approved by the City Council.

BACKGROUND:

The subject property (~752 acres) is a large parcel of land on the east side of Pony Express Parkway at about 3000 N. The property is currently zoned Agriculture and is identified in the General Plan Future Land Use Map for "Foothill Residential," "Neighborhood Residential One," "Parks and Open Space," and "Business Park / Light Industry."

The applicant (Flagship Homes) for the proposed development submitted concept plans in 2019 and 2020. Through those reviews, the Planning Commission and City Council have requested the applicant focus on compliance with the General Plan and requesting zone districts that exist within the current City Code. The mix of building types and proposed density were reduced as well through those concept plan reviews and revisions.

An updated master development plan has been submitted for the property that has significantly reduced the proposed densities and includes a mix of residential zones. The plan also includes a rezone and General Plan map amendment.

Rezoning

The master development plan proposes a rezoning from Agriculture

to a mix of: FR, R1, R2, R3, RC, MF1 (townhomes), CN, OS-I, and OS-N. The applicant is not seeking a rezoning of the southern ~214 acres of the parcel at this time (the future business park / light industry area).

General Plan Amendment

The master development plan proposes an amendment to the General Plan Land Use Map from "Foothill Residential," "Neighborhood Residential One," "Parks and Open Space," and "Business Park / Light Industry" to: "Foothill Residential," "Neighborhood Residential One," "Neighborhood Residential Two," "Community Commercial," "Business Park / Light Industry," and "Parks and Open Space."

It also includes an amendment to the General Plan Future Transportation Map by adding a collector road and reducing the size of Tiffany Lane and Airport Road.

ITEMS FOR CONSIDERATION:

CODE COMPLIANCE

The master development application was received during the public hearing process on the code amendment to EMMC 16.10. Based on the filing date and the City Council adoption of the code amendment ordinance, the application is subject to the new version of the code.

WAIVER REQUEST

The applicant has submitted a waiver request from the requirements of EMMC 16.10, as permitted by EMMC 16.10.050. The applicant is seeking a waiver from the code requirement allowing a maximum land area of 200 acres for a master development plan. The request states the applicant would like to move forward with a master development plan for the +/- 500-acre residential component (they have noted this was meant to refer to the +/- 550-acre residential/commercial/open space component). The applicant notes the following for consideration to recommend this waiver:

1. Comprehensive planning and cohesive design
2. Timing
3. Amenity offering

Based on Planning Commission feedback, the applicant has submitted an exhibit for separated plans (see the "Master Plan Divisions" exhibit, which would be:

- Area A - About 131 acres located north of the northern collector road.
- Area B - About 243 acres located between the northern collector road and Tiffany Lane.
- Area C - About 162 acres and located south of Tiffany Lane and north of the proposed south collector.
- Area D - The Business Park area is the southern most ~214 acres that the applicant intends to propose as a separate master development based on the waiver request.

The criteria for approving the waiver to allow the primary master development plan to cover a land area greater than 200 acres would require a finding by City Council of one or more of the following:

1. The project's concept plan review (pursuant to Chapter 16.15 EMMC) received feedback from the planning commission and/or city council in regards to reduced master development application requirements;
2. The project will not require modification or additions to existing conditions (zoning designation, land use designation, roadways);
3. The project involves limited development requirements for infrastructure; or
4. The strict application of this chapter would result in peculiar or exceptional difficulties, or exceptional and undue hardship, or the buildable area of the property is significantly reduced by topography or preexisting easement restrictions.

An overall 550-acre concept plan should be included in each separate master development agreement to ensure the overall context and benefits are considered for each separate plan.

ROAD NETWORK

The development will include three access points from Pony Express Parkway. The central east-west roadway is identified in the City's Future Transportation Plan as a major arterial road (Tiffany Lane). There are also two primary east-west roadways to the north ("North Collector") and south ("South Collector") of Tiffany Lane. The Transportation Master Plan calls for the "North Collector" to be a collector. All three of these roads will create connections into and through the development as well as to the future arterial road, Airport Road, on the east. Many of the interior roadways throughout the development have been developed with a combination of curving and

straight roads which provide easy access while increasing visual appeal and safety (EMMC 16.35.070(L)).

Based on the submitted Transportation Plan, the applicant is requesting to amend the General Plan's Future Transportation Plan by:

- Adding a collector road for the "South Collector" running east to west
- Reducing Tiffany Lane from a Major Arterial to a Minor Arterial
- Reducing Airport Road from a Major Arterial to a Minor Arterial

Staff is currently working with Horrocks Engineers on an update to the Transportation Master Plan, and these proposed changes are generally consistent with the draft changes in process with our consultants.

TECHNICAL STUDIES

A traffic impact study was developed last year based on a previous concept plan with nearly double the number of proposed units (the executive summary is attached, the full report is available upon request). The submitted master development plan has been reduced significantly in its overall intensity.

A geotechnical study has also been provided. Due to the size of that study, it is available upon request.

OPEN SPACE & PARKS

The plan calls for a ± 3 -acre central park in the northern area, connected to linear paseo park areas extending in all directions. The southern area also contains a square park (+2.5-acres) with connected linear paseos. The electric power corridor would mainly be unimproved, but will include a regional asphalt trail. The interconnected trail system will be an excellent amenity for the neighborhood. The question, however, is whether some of the area in the paseos or linear parks should be combined with the square parks to provide more useable recreation space for playfields, etc. EMMC 16.35.105A2 states *"Developers are encouraged, whenever possible, to consolidate improved open space into larger parks that may be used by more than one neighborhood, or improve existing nearby parks..."* At a minimum, the applicant should provide examples of

potential improvements for the paseos / linear parks to help the Council make a determination on whether to combine some of the area for larger fields, etc.

PUBLIC FACILITIES

The submitted materials do not currently include designation for potential public facilities. The applicant has discussed the development with the school district and The Church of Jesus Christ of Latter-Day Saints. These entities are interested in possible inclusion within the development, but have not determined desired locations or sizes. Any rezoning to commercial or residential zoning would allow for these uses (permitted in commercial districts; special use in residential districts). The applicant is aware that granting the zoning for the requested districts that are then used for these public and civic uses will not result in permitted additional density within the district. Although not required, the school district and Church are encouraged to request a rezoning of selected sites to the Public Facilities Zone. We recommend that the applicant include a potential location for an elementary school on the master development plan map, after working with the school district to determine the best location.

REZONE REQUEST

Based on the submitted materials, the southern portion (~214 acres) identified as "Tech Campus/Light Industry" is not requested for a rezoning at this time. As noted above, this portion should be handled through a separate master development plan.

Through the review with the Planning Commission and discussions with Council members, the applicant has revised the rezoning request several times to reduce the density and incorporate particular zoning lots (including 55 FR lots). The applicant has provided a "master plan tabulations" document that includes an outline of the use of the property by area.

Commercial zoning (CN) is proposed to be located north and south of Tiffany Lane along Pony Express Parkway. We recommend that the applicant provide examples of commercial developments that justify the layout and dimensions of these commercial areas.

The multifamily areas have been reduced to two areas surrounding Tiffany Lane. All other multifamily areas, including potential

affordable housing units (apartments, condos) have been removed from the plan. This zone is surrounded by proposed RC and R3 zoning. Technically the R3 zone is not appropriate adjacent to the MF1 zone (EMMC 17.60.160(1)).

RC zoning is located to create a transition between the multifamily districts and the larger residential lots. The RC zone is a single-family zoning district that requires minimum lot sizes of 4,500 sf and an average lot size of at least 6,000 sf. It's included throughout the project.

The plans call for FR zoning for the entire portion of the property east of Airport Road. The FR zone requires a minimum lot size of one-quarter acre and average lot size of at least one-half acre. This zoning request matches the current land use designation for this portion of land which is "Foothill Residential." Although the foothill residential zoning is not compatible with the approved duplex project to the north (Eagle Heights Village), the applicant is complying with the general plan and the Council's comments in this area by designating it as FR.

The remainder of the proposed residential zoning is broken up into R1 (min. lot size of one-quarter acre, average lot size of at least one-third acre), R2 (min. lot size of 8,000 sf, average lot size of at least one-quarter acre), and R3 (min. lot size of 6,500 sf, average lot size of at least 8,500 sf). The R1 lots are all shown at the north, adjacent to the existing neighboring lots in Eagle Point. The existing lots are 7,000 - 8,000 square feet in size. The R2 or R3 zone would be perfect next to these, based on lot sizes. The R1 areas could be moved to mix-in better throughout the project.

The Eagle Village project that is under development to the northwest will construct an east-west road on the property line. Ault Farms should revise their plans to utilize that roadway.

Open space uses/zones are proposed throughout the development, providing access to residents throughout. For zoning purposes, the open space for the major utility corridor should be zoned "OS-N" (natural open space). The larger parks and linear parks/trails as "OS-I" (improved open space).

In general, the zoning exhibit does meet the zoning transition as

required by EMMC 17.60.160, with the exception of the R3 and MF1 adjacency.

GENERAL PLAN AMENDMENT

In addition to the Transportation Master Plan amendment noted above, the master development plan includes a request to amend the Land Use Plan.

In general, the exhibit reflects the land use designations that are appropriate based on the requested zoning districts and EMMC 17.60.160.

The portion of land designated as "Business Park / Light Industry" in the current General Plan north of the "South Collector" is requested to be amended to "Neighborhood Residential One," "Neighborhood Residential Two," and "Community Commercial" based on the proposed zoning.

The portion of land east of the power corridor currently is designated as "Foothill Residential." Based on the plan, this area's land use designation would not require a change.

The major utility corridor would remain under the current land use designation of "Parks and Open Space" based on the updated proposal.

The remainder of the property is currently designated as "Neighborhood Residential One." The proposal would keep portions of that land as the "Neighborhood Residential One" designation with the rest being designated as "Neighborhood Residential Two," and "Parks and Open Space" based on the proposed zoning.

REQUIRED FINDINGS:

Amendments to the General Plan are legislative actions and do not require approval based upon findings of facts. The Commission should consider the health, safety, and welfare of the community.

A rezone is a legislative decision and is considered valid if reasonably debatable and not illegal. The criteria for approval for a rezone are listed in EMMC 17.90.060.

Master development plan approvals are based upon compliance with City Code requirements. The approval criteria for a master development plan can be found in EMMC 16.10.070.

PLANNING COMMISSION ACTION/RECOMMENDATION:

On July 6 the City Council remanded the proposal to the Planning Commission for their review and recommendation. The Commission reviewed the plan on July 13, and following a robust discussion the Commission made the following motions:

- Recommended approval of the General Plan Amendment as proposed in the Future Land Use Map Exhibit and the General Plan Future Transportation Map Amendments as proposed. (4-0; Dissenting Vote - Commissioner Wells)
 - Commissioner Wells felt that while the plan was much improved, it wasn't quite where it should be, and she would have liked to table it to make some additional changes before sending it back to the City Council.
- Recommended approval (4-0; Dissenting Vote - Commissioner Wells) of the Master Development Plan and Rezone with the following conditions:
 - 1. The development must be broken up into four master development plan areas, with Area A to increase in size with a portion of Area B in order to be within the 200-acre requirement of City Code, and allowing Areas C and D to move forward as presented (keeping all areas within or near the 200 acre maximum).
 - 2. The area immediately west of the power line corridor in areas A4 and B6 of the Phasing Map, between the corridor and the road, to be zoned as R1.
 - 3. The remaining zoning as indicated in the application.
 - Commissioner Wells felt that the plan was not quite ready to be presented to the City Council.

ATTACHMENTS:

[ORD--Ault Farms General Plan Amendment](#)

[ORD--Ault Farms Rezone and Master Development Plan
General Plan Amendment, Rezone, & MDP Exhibits](#)

[Master Plan Tabulations](#)

[Waiver Request](#)

[Traffic Impact Study Executive Summary \(July 2020\)](#)

ORDINANCE NO. O- -2021

**AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH,
AMENDING THE FUTURE LAND USE MAP OF THE GENERAL PLAN
FOR CERTAIN LANDS KNOWN AS AULT FARMS**

PREAMBLE

WHEREAS, the City Council of Eagle Mountain City finds that it is in the public interest to amend the Future Land Use Map of the General Plan for certain lands known as Ault Farms, as set forth more specifically in Exhibit A.

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

1. The City Council finds that all required notices, public hearings, and other requirements have been completed for the City Council to consider an amendment to the Future Land Use Map of the General Plan for certain lands known as Ault Farms, as set forth in Exhibit A.
2. The General Plan 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 this 20th day of July, 2021.

EAGLE MOUNTAIN CITY, UTAH

ATTEST:

Tom Westmoreland, Mayor

Fionnuala B. Kofoed, MMC
Director of Administrative Services/City Recorder

CERTIFICATION

The above Ordinance was adopted by the City Council of Eagle Mountain City, Utah on this 20th day of July, 2021.

Those voting aye:

☐ Donna Burnham

☐ Melissa Clark

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

Those voting nay:

☐ Donna Burnham

☐ Melissa Clark

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

Those excused:

☐ Donna Burnham

☐ Melissa Clark

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

Those abstaining:

☐ Donna Burnham

☐ Melissa Clark

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

Fionnuala B. Kofoed, MMC

Director of Administrative Services/City Recorder

Posted on _____ by _____ .

Exhibit A

ORDINANCE NO. O- -2021

**AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH,
REZONING CERTAIN LANDS KNOWN AS AULT FARMS
AND APPROVING THE MASTER DEVELOPMENT PLAN**

PREAMBLE

WHEREAS, the City Council of Eagle Mountain City finds that it is in the public interest to rezone certain lands known as Ault Farms and approve the Master Development Plan, as set forth more specifically in Exhibit A.

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

1. The City Council finds that all required notices, public hearings, and other requirements have been completed for the City Council to consider and approve the rezone of certain lands known as Ault Farms and the Ault Farms Master Development Plan, as set forth in Exhibit A.
2. The lands depicted and described in Exhibit A are hereby rezoned to the density and uses as set forth more specifically in Exhibit A.
3. The Ault Farms Master Development Plan is hereby approved, as set forth more specifically in Exhibit A.
4. This Ordinance shall take effect upon its first posting or publication.

ADOPTED by the City Council of Eagle Mountain City this 20th day of July, 2021.

EAGLE MOUNTAIN CITY, UTAH

ATTEST:

Tom Westmoreland, Mayor

Fionnuala B. Kofoed, MMC
Director of Administrative Services/City Recorder

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☐ Carolyn Love

Those excused:

☐ Donna Burnham

☐ Melissa Clark

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

Those abstaining:

☐ Donna Burnham

☐ Melissa Clark

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

Fionnuala B. Kofoed, MMC
Director of Administrative Services/City Recorder

Posted on _____ by _____ .

Exhibit A

Master Plan



Zoning Map

Foothill Residential

FR

Neighborhood Residential 1

R1

R2

R3

Neighborhood Residential 2

RC

MF1 Townhomes

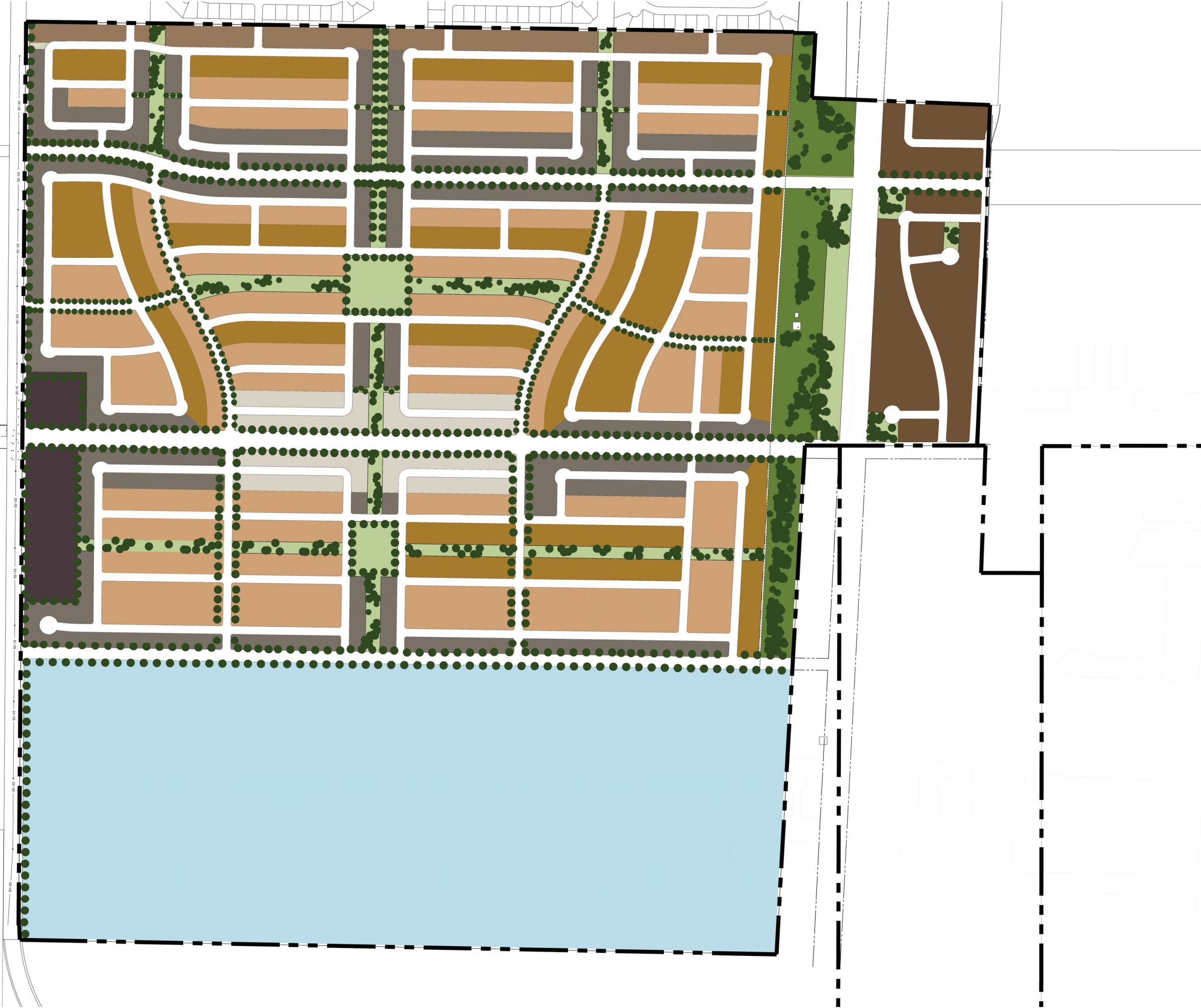
Other

Commercial Neighborhood

Business Park - Light Industrial
Not requesting change

Open Space - Improved

Open Space - Natural

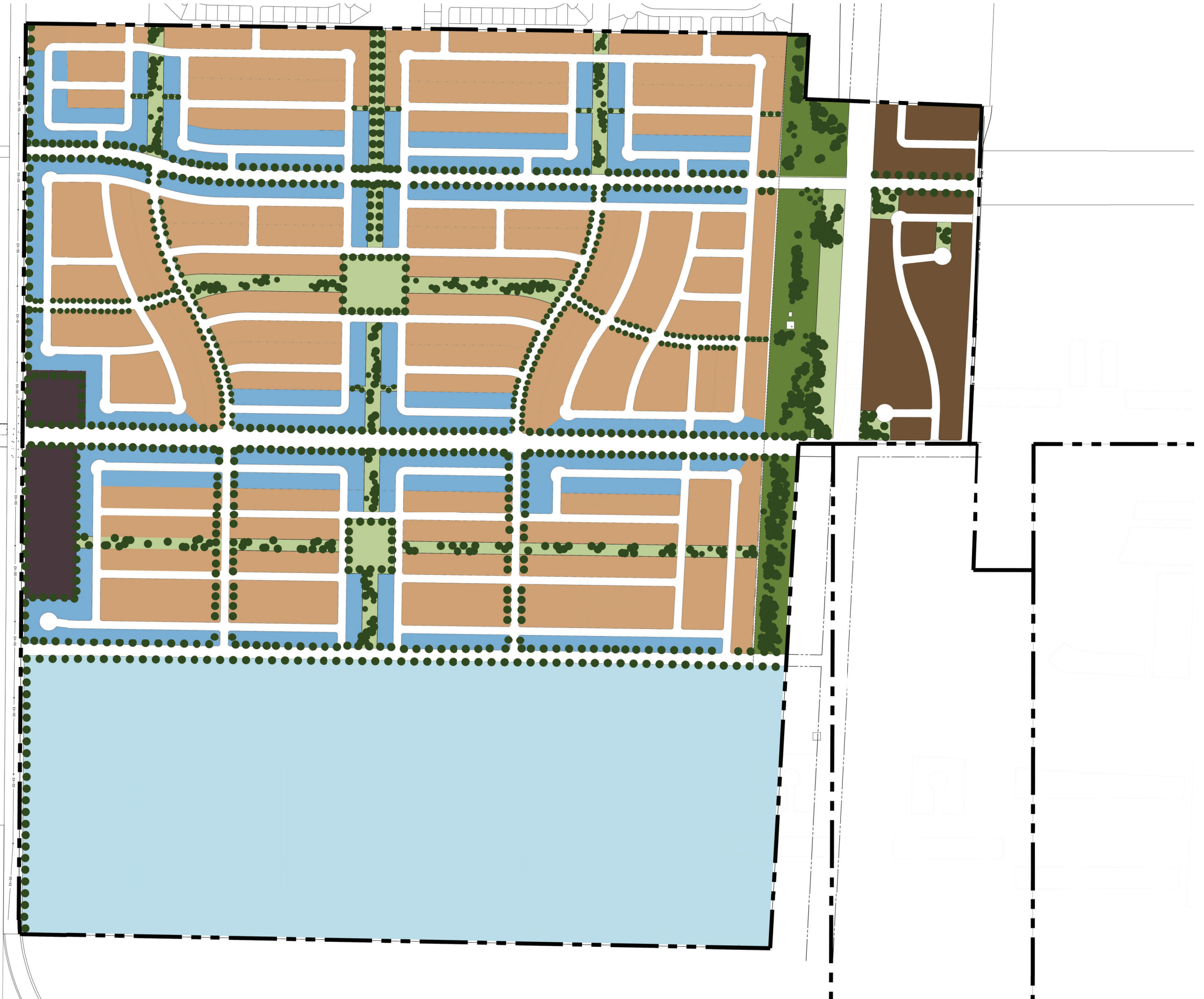


Foothill Residential

Foothill Residential



9



Park & Open Space Map

Parks

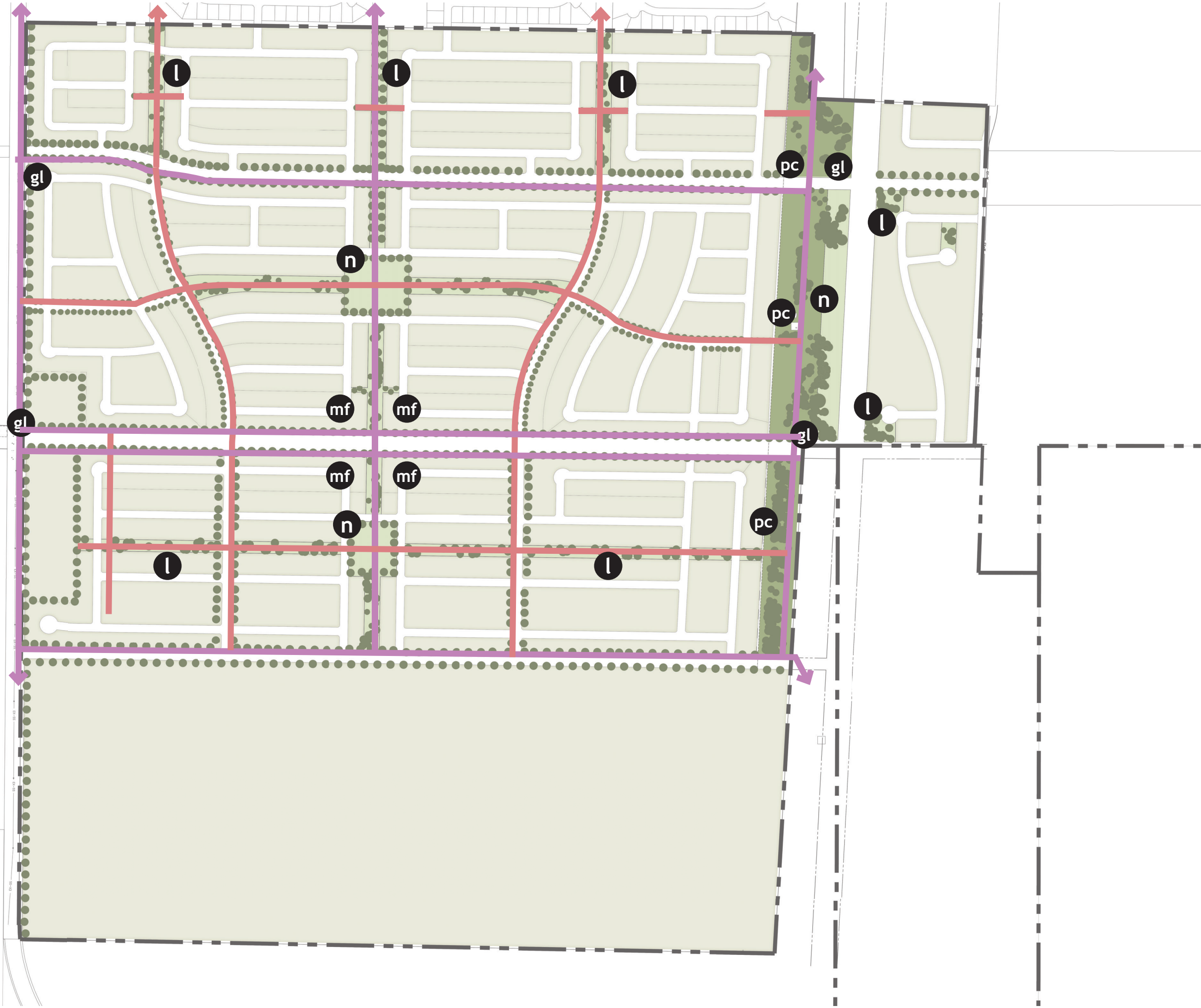
- n** Neighborhood Park (2-10 Ac.)
- Public
- l** Local Parks (<2 Ac.)
- Private

Trails

- Regional (4.6 Miles)**
- 10' Asphalt
- Public
- Local (3.8 Miles)**
- 10' Asphalt
- Public

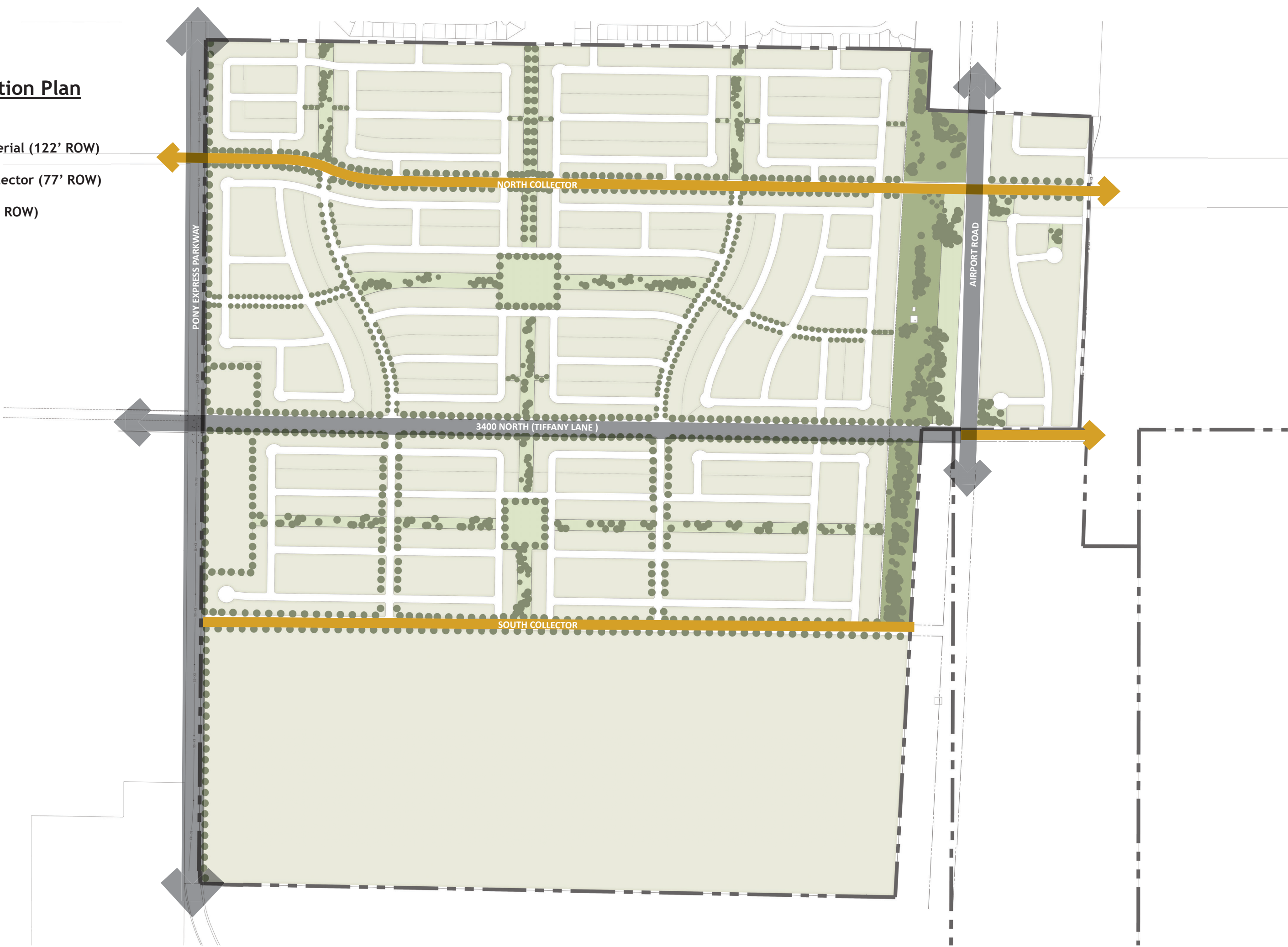
Special Open Space Areas

- pc** Power Corridor
- Public/Private
- gl** Gateway Landscapes
- Private
- mf** Multi-Family Common Open Space
- Private



Transportation Plan

- Minor Arterial (122' ROW)
- Minor Collector (77' ROW)
- Local (53' ROW)



PHASING MAP

- 2022 - Phases A1, B1, & Tiffany Lane
- 2023 - Phases A2, B2, & B3
- 2024 - Phases A3, B4, & B5
- 2025 - Phases A4 & B6
- 2026 - Phases A5, B7, C1, & C2
- 2027 - Phases B8, C3, C4
- 2028 - Phases C5, C6



**Phasing may change at the discretion of the developer.*

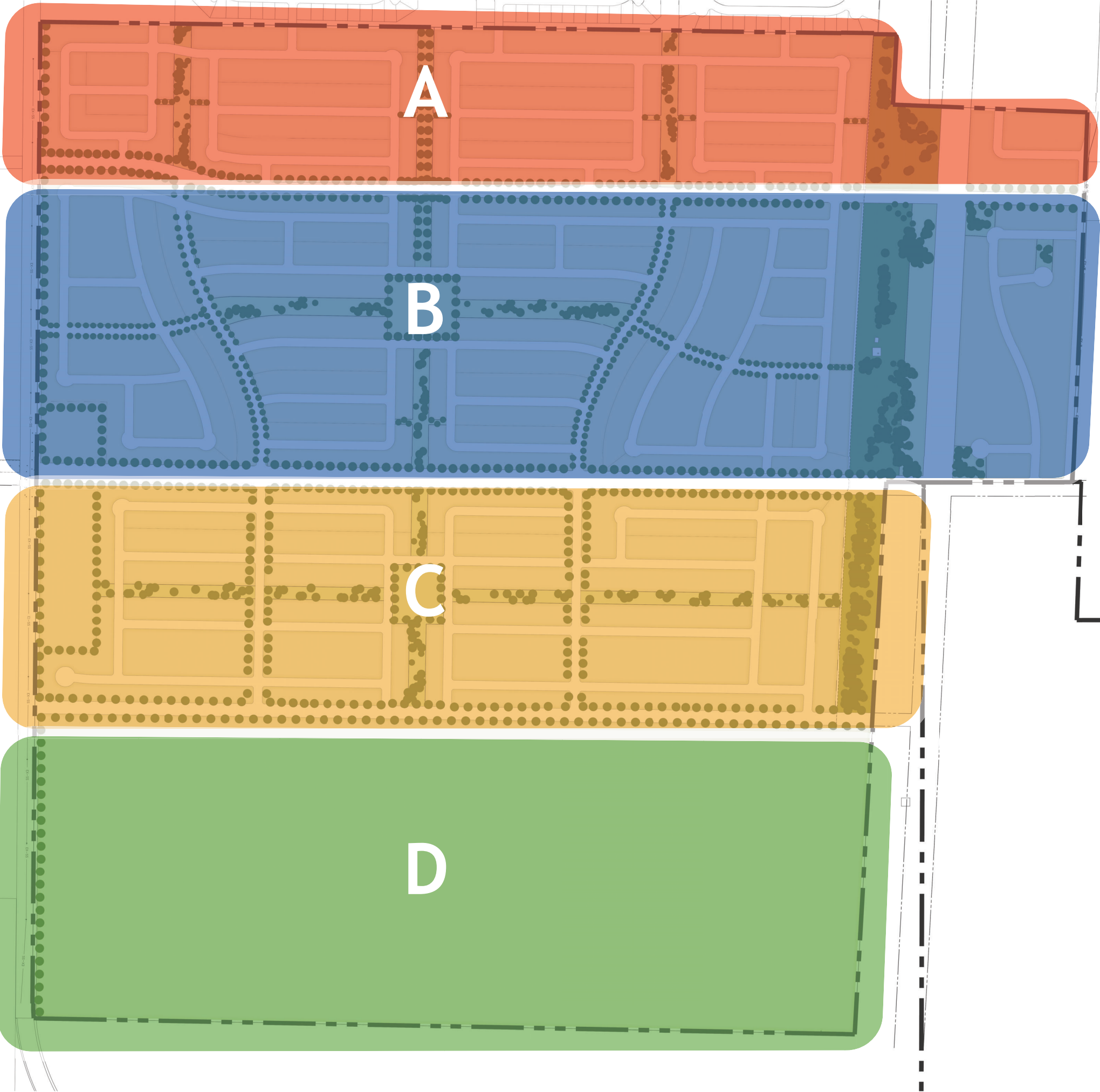
Master Plan Divisions

Area A ±131 Ac.

Area B ±243 Ac.

Area C ±162 Ac.

Area D ±214 Ac.



AULT FARMS 16B
Master Plan Tabulations

<i>Product Type & Information</i>			
Product	Min. Area <i>Sq. Ft.</i>	Average Area <i>Sq. Ft.</i>	Min. Frontage <i>Ft.</i>
FR Foothill Residential	10,890	21,780	90
R1 Single Family	10,890	14,520	85
R2 Single Family	8,000	10,890	80
R3 Single Family	6,500	8,500	62
RC Single Family	4,500	6,000	58
MF1 Single Family	4,500		
MF1 Townhomes			
Commercial			
Open Space - Natural			
Open Space - Improved			

Totals

<i>Lot / Unit Tabulation</i>	
Lots / Unit #	Percentage Lot/Unit %
55	3.2%
49	2.9%
256	15.0%
604	35.4%
509	29.8%
235	13.8%

1,708

100.0%

<i>Residential Land Use Tabulation¹</i>		
Product Area ² <i>Acres</i>	Percentage Area %	Gross Density <i>Lots/Units per Ac.</i>
37.40	7.1%	1.5
18.30	3.5%	2.7
156.90	29.9%	1.6
89.70	17.1%	6.7
124.10	23.6%	4.1
26.80	5.1%	8.8
27.40	5.2%	
44.80	8.5%	

525.4

100.0%

<i>Open Space Tabulation</i>	
O.S. Per Lot/Unit <i>Sq. Ft.</i>	Required O.S. <i>Acres</i>
750	0.9
750	0.8
900	5.3
1,000	13.9
1,000	11.7
1,000	
1,000	5.4

38.0

¹ Land Use Tabulations not including Tech of approximately 214 acres and 13.0 acres of commercial.

² All areas are approximate and include adjacent road frontages.

AULT FARM MASTER DEVELOPMENT PLAN

Waiver request | January 5th, 2021

Since commencing concept and master development planning on the 750 Acre Ault Farm master planned community July of 2019, City code changed to limit Master Plans to 200 Acre parcels.

We are seeking a waiver to this requirement in order to plan and construct the $\pm$ 500 acre residential component of the 750 acres. The southern most $\pm$ 200 acres is anticipated to be non-residential use. We ask the Planning Commission and City Council to consider the following points in granting this waiver:

1. Comprehensive Planning & Cohesive Design
2. Timing
3. Amenity Offering

Comprehensive Planning & Cohesive Design

Many of the same benefits that come from regional planning are captured by looking at the Ault Farm parcel comprehensively vs. breaking it into 3 or 4 pieces. By planning and designing the $\pm$ 500 acre residential portion together we are able to coordinate traffic impacts, infrastructure, open space, product types, and financing on a larger scale and along with finding efficiencies in each of these categories.

Timing

With the additional consideration of the new expiration component, we understand this came about to only approve what can reasonably be constructed in a 6-8 year time period. Our projections lead us to believe we can build out the $\pm$ 500 acre residential component in this amount of time. We share the same concerns the City does in setting this expiration window due to market shifts, this is why we think a variety of product will help us adapt to market shifts. We have large and small lots, detached and attached product, and as wide a price range as can be provided.

Amenity Offering

By granting the waiver, we are able to create a Master HOA that will encompass the full master planned community which allows us for a larger amenity offering. Amenity cost sharing drives the price of entry down helping with the affordability for potential buyers and gives buyer additional buying power.

Thank you for considering this waiver and look forward to discussing this further during planning commission and city council in upcoming meetings.

Best Regards,

Flagship EM Holdings

EXECUTIVE SUMMARY

This study addresses the traffic impacts associated with the proposed Ault Farm development located in Eagle Mountain, Utah. The Ault Farm project is located on the east side of Pony Express Parkway, to the south of Eagle Mountain Boulevard.

Included within the analyses for this study are the traffic operations and recommended mitigation measures for existing conditions and plus project conditions (conditions after development of the proposed project) at key intersections and roadways near the site. Future 2025 and 2040 conditions were also analyzed.

The peak hour levels of service (LOS) was computed for each study intersection. The results of this analysis are shown in Table ES-1. Recommended storage lengths are shown in Table ES-2.

Intersection		Table ES-1															
		Level of Service Results - Ault Farm TIS															
		Existing (2020)						Future (2025)						Future (2040)			
		Background			Plus Project			Background			Plus Project			Background		Plus Project	
		AM	PM	PM Mit	AM	PM	AM	PM	PM Mit	AM	PM	PM Mit	AM	PM	PM Mit	AM	PM
A	Eagle Mountain Boulevard / Pony Express Parkway	A	A	A	A	B	A	B	B	A	F	B	A	E	B	A	B
B	Eagle Mountain Boulevard / SR-73	c	e	B	B	B	B	B	B	B	C	C	B	C	C	C	D
C	Lone Tree Parkway / Pony Express Parkway	b	f	A	A	A	A	A	A	A	A	A	A	A	A	A	A
D	Ranches Parkway / Pony Express Parkway	B	C	C	B	C	B	E	D	B	F	D	B	F	C	C	D
E	North Collector / Pony Express Parkway	-	-	-	a	a	a	a	a	b	b	c	b	b	b	d	e
F	Road 1 / Pony Express Parkway	-	-	-	a	a	-	-	-	a	a	a	-	-	-	c	a
G	3400 North / Pony Express Parkway	-	-	-	a	a	a	a	a	a	b	b	c	c	c	B	B
H	South Collector / Pony Express Parkway	-	-	-	a	a	-	-	-	a	a	a	a	a	a	a	a
I	Road 2 / 3400 North	-	-	-	a	a	-	-	-	a	a	a	-	-	-	a	c
J	Road 3 / 3400 North	-	-	-	a	a	-	-	-	a	a	a	-	-	-	b	c
K	Road 4 / 3400 North	-	-	-	a	a	-	-	-	a	a	a	-	-	-	c	d
L	Airport Road / Pony Express Parkway	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	D
M	Eagle Mountain Boulevard / Airport Road	-	-	-	-	-	-	-	-	-	-	-	c	d	c	B	B
N	North Collector / Airport Road	-	-	-	-	-	-	-	-	-	-	-	a	a	a	B	B
O	3400 North / Airport Road	-	-	-	-	-	-	-	-	-	-	-	b	b	b	C	C
P	South Collector / Airport Road	-	-	-	-	-	-	-	-	-	-	-	a	a	a	a	a

TABLE ES-2
Recommended Storage Lengths
Eagle Mountain - Ault Farms TIS

Intersection	Storage Length (feet)							
	Northbound		Southbound		Eastbound		Westbound	
	LT	RT	LT	RT	LT	RT	LT	RT
Eagle Mountain Blvd / Pony Express Pkwy	175	50	100	125	150	275	200	100
Eagle Mountain Blvd / SR-73	250	125	100	100	125	280 / 300	75 / 500	100
Lone Tree Pkwy / Pony Express Pkwy	70 / 100	-	-	70 / 125	100 / 200	-	-	-
Ranches Pkwy / Pony Express Pkwy	125	-	125 / 525	500	100 / 350	100	110 / 425	425
North Collector / Pony Express Pkwy	50	-	50	-	75	50	50	50
Road 1 / Pony Express Pkwy	-	-	50	-	-	-	-	50
3400 North / Pony Express Pkwy	50	-	150	100	100	50	50	75
South Collector / Pony Express Pkwy	-	-	50	-	-	-	-	50
Road 2 / 3400 North	-	50	-	50	50	-	50	-
Road 3 / 3400 North	-	50	-	50	50	-	50	-
Road 4 / 3400 North	-	50	-	50	50	-	50	-
Airport Road / Pony Express Pkwy	325	175	425	100	250	425	425	200
Eagle Mountain Blvd / Airport Road	50	-	225	75	125	75	50	75
North Collector / Airport Road	50	50	100	125	150	50	50	50
3400 North / Airport Road	50	50	75	175	275	50	50	50
South Collector / Airport Road	50	-	-	-	-	75	-	-

Current storage length (if applicable) / Recommended storage length
 Source: Hales Engineering, July 2020

SUMMARY OF KEY FINDINGS/RECOMMENDATIONS

The following is a summary of key findings and recommendations:

- The Eagle Mountain Boulevard / SR-73 and Lone Tree Parkway / Pony Express Parkway intersections are currently operating at an unacceptable LOS during the evening peak hour in existing (2020) background conditions.
 - Recommendation: Install a signal at the Eagle Mountain Boulevard / SR-73 intersection with permissive/protected left-turn phasing on the westbound approach.
 - Recommendation: Install a signal at the Lone Tree Parkway / Pony Express Parkway intersection.
- The development will consist of residential townhome, condo, apartment, and single-family units, and a commercial area.
- All study intersections are anticipated to operate at an acceptable LOS during the morning and evening peak hour with project traffic added.
- The Ranches Parkway / Pony Express Parkway intersection is anticipated to operate at an unacceptable LOS during the evening peak hour in future (2025) background conditions
 - Recommendation: Construct dual eastbound protected left-turn lanes at the Ranches Parkway / Pony Express Parkway intersection.
- The Eagle Mountain Boulevard / Pony Express Parkway and Ranches Parkway / Pony Express Parkway intersections are anticipated to operate at unacceptable LOS during the future (2025) evening peak hour with project traffic added.

- Recommendation: Add a right-turn pocket on the westbound approach of the Ranches Parkway / Pony Express Parkway intersection.
 - Recommendation: Convert the current roundabout at the Eagle Mountain Boulevard / Pony Express Parkway intersection to a signalized intersection.
- The following changes to the roadway network were anticipated to be warranted in future (2040) background traffic conditions:
 - Dual westbound left-turn and northbound channelized free right-turn at the Eagle Mountain Boulevard / SR-73 intersection.
 - According to MAG plans, it was assumed that Eagle Mountain Boulevard was widened to two lanes in each direction by 2040.
- The Eagle Mountain Boulevard / Pony Express Parkway and Ranches Parkway / Pony Express Parkway intersections are anticipated to operate at unacceptable LOS during the future (2040) background conditions.
 - Recommendation: Install a southbound channelized free right-turn at the Ranches Parkway / Pony Express Parkway intersection.
 - Recommendation: Install an additional northbound and southbound through lane at the Eagle Mountain Boulevard / Pony Express Parkway intersection.
 - Recommendation: Consistent with MAG TDM results, which projects over 45,000 vehicles per day on Pony Express Parkway between Ranches Parkway and Airport Road, Hales Engineering recommends widening Pony Express Parkway to 3-lanes in each direction from Ranches Parkway to south of Airport Road.
- The following changes to the roadway network were found to be warranted in future (2040) plus project traffic conditions during the evening peak hour:
 - A traffic signal at the Eagle Mountain Boulevard / Airport Road intersection
 - A traffic signal at the North Collector / Airport Road intersection
 - A traffic signal at the 3400 North / Airport Road intersection
 - A traffic signal at the 3400 North / Pony Express Parkway intersection
 - Dual southbound left-turn lanes at the Airport Road / Pony Express intersection.
- The North Collector / Pony Express Parkway intersection is anticipated to operate at an unacceptable LOS during the evening peak hour in future (2040) plus project conditions.
 - Recommendation: Install a traffic signal at the North Collector / Pony Express Parkway intersection when warrants are met.

MEMORANDUM

Date: January 5, 2021
To: City of Eagle Mountain
From: Hales Engineering



Subject: Eagle Mountain - Ault Farm Updated Trip Generation Study

UT20-1681

This memorandum discusses a comparison of the updated trip generation traffic volumes with those from the previous Traffic Impact Study completed for the proposed Ault Farm development in Eagle Mountain, Utah. A vicinity map of the proposed development is shown in Figure 1.

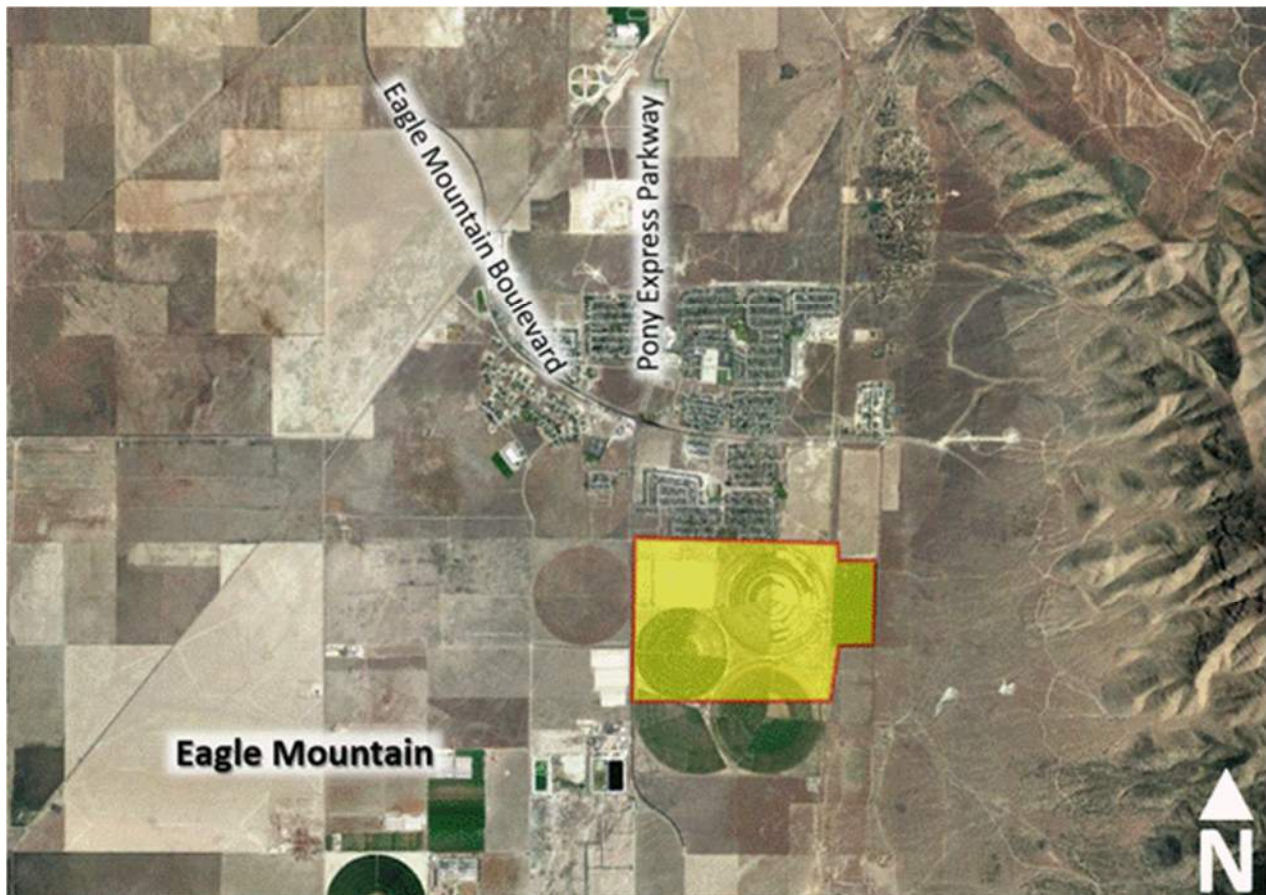


Figure 1: Vicinity map of the proposed development in Eagle Mountain, Utah

Background

The proposed Ault Farm development is located in on the east side of Pony Express Parkway, to the south of Eagle Mountain Boulevard in Eagle Mountain, Utah. The project includes residential single family, residential multi-family, and commercial land use. A floor-to-area ratio of 0.3 was assumed to estimate the commercial square footage. A site plan for the proposed development is included in Appendix A.

The proposed land use for the development has been identified as follows:

- Residential Single Family 1,533 Units
- Residential Multi Family (Townhomes) 252 Units
- Residential Multi Family (Apartments/Condos) 380 Units
- Commercial 153,000 Sq. Ft.

Trip Generation

Trip generation for the updated development was calculated using trip generation rates published in the Institute of Transportation Engineers (ITE) *Trip Generation (10th Edition, 2017)*. Trip generation for the proposed project is included in Table 1. It is anticipated that the proposed residential single and multi-family and commercial land use will generate approximately 22,526 trips on an average weekday, including 1,493 trips during the morning peak hour, and 2,286 trips during the evening peak hour. The comparison with the previous study is included in Table 2.

Table 1: Trip Generation

Trip Generation Eagle Mountain - Ault Farm								
Weekday Daily Land Use ¹	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Total Daily Trips
Single-Family Detached Housing (210)	1533	Dwelling Units	12,814	50%	50%	6,407	6,407	12,814
Multifamily Housing (Low-Rise) (220)	252	Dwelling Units	1,866	50%	50%	933	933	1,866
Multifamily Housing (Mid-Rise) (221)	380	Dwelling Units	2,070	50%	50%	1,035	1,035	2,070
Shopping Center (820)	153	1,000 Sq. Ft. GLA	5,776	50%	50%	2,888	2,888	5,776
Project Total Daily Trips						11,263	11,263	22,526
Morning Peak Hour Land Use ¹	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Total a.m. Trips
Single-Family Detached Housing (210)	1533	Dwelling Units	1,094	25%	75%	274	821	1,095
Multifamily Housing (Low-Rise) (220)	252	Dwelling Units	116	23%	77%	27	89	116
Multifamily Housing (Mid-Rise) (221)	380	Dwelling Units	138	26%	74%	36	102	138
Shopping Center (820)	153	1,000 Sq. Ft. GLA	144	62%	38%	89	55	144
Project Total a.m. Peak Hour Trips						426	1,067	1,493
Evening Peak Hour Land Use ¹	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Total p.m. Trips
Single-Family Detached Housing (210)	1533	Dwelling Units	1,398	63%	37%	881	517	1,398
Multifamily Housing (Low-Rise) (220)	252	Dwelling Units	136	63%	37%	86	50	136
Multifamily Housing (Mid-Rise) (221)	380	Dwelling Units	168	61%	39%	102	66	168
Shopping Center (820)	153	1,000 Sq. Ft. GLA	584	48%	52%	280	304	584
Project Total p.m. Peak Hour Trips						1,349	937	2,286

1. Land Use Code from the Institute of Transportation Engineers (ITE) *Trip Generation*, 10th Edition, 2017.

SOURCE: Hales Engineering, January 2021

Table 2: Trip Generation Comparison

Trip Generation Eagle Mountain - Ault Farm						
Weekday Daily Land Use ¹	Updated			Previous		
	# of Units	Unit Type	Trip Generation	# of Units	Unit Type	Trip Generation
Single-Family Detached Housing (210)	1533	Dwelling Units	12,814	893	Dwelling Units	7,794
Multifamily Housing (Low-Rise) (220)	252	Dwelling Units	1,866	1274	Dwelling Units	9,592
Multifamily Housing (Mid-Rise) (221)	380	Dwelling Units	2,070	938	Dwelling Units	5,112
Shopping Center (820)	153	1,000 Sq. Ft. GLA	5,776	157	1,000 Sq. Ft. GLA	5,928
Project Total Daily Trips			22,526			28,426
Morning Peak Hour Land Use ¹	Updated			Previous		
	# of Units	Unit Type	Trip Generation	# of Units	Unit Type	Trip Generation
Single-Family Detached Housing (210)	1533	Dwelling Units	1,094	893	Dwelling Units	640
Multifamily Housing (Low-Rise) (220)	252	Dwelling Units	116	1274	Dwelling Units	536
Multifamily Housing (Mid-Rise) (221)	380	Dwelling Units	138	938	Dwelling Units	338
Shopping Center (820)	153	1,000 Sq. Ft. GLA	144	157	1,000 Sq. Ft. GLA	148
Project Total a.m. Peak Hour Trips			1,492			1,662
Evening Peak Hour Land Use ¹	Updated			Previous		
	# of Units	Unit Type	Trip Generation	# of Units	Unit Type	Trip Generation
Single-Family Detached Housing (210)	1533	Dwelling Units	1,398	893	Dwelling Units	832
Multifamily Housing (Low-Rise) (220)	252	Dwelling Units	136	1274	Dwelling Units	570
Multifamily Housing (Mid-Rise) (221)	380	Dwelling Units	168	938	Dwelling Units	414
Shopping Center (820)	153	1,000 Sq. Ft. GLA	584	157	1,000 Sq. Ft. GLA	600
Project Total p.m. Peak Hour Trips			2,286			2,416
1. Land Use Code from the Institute of Transportation Engineers (ITE) <i>Trip Generation</i> , 10th Edition, 2017.						
SOURCE: Hales Engineering, January 2021						

Conclusions

The findings of this study are as follows:

- The proposed update to the development includes 640 more units of residential single family; 1,022 fewer units of multi-family townhomes; 558 fewer units of multi-family apartments/condos; and 4,000 fewer square feet of commercial.
- It is anticipated that the proposed update to the project will generate approximately 22,526 trips on an average weekday, including 1,492 trips during the morning peak hour, and 2,286 trips during the evening peak hour.
- Compared to the previous study, this land use update decreases trips by approximately 20% overall, 10% during the morning peak hour and 5% during the evening peak hour. This results in 5,900 fewer trips on an average weekday, including 170 fewer trips during the morning peak hour, and 130 fewer trips during the evening peak hour. The previous recommendations for road classifications remain unchanged with the decrease.

APPENDIX A

Site Plan

LAND USE LEGEND

Neighborhood Residential 1

- R1 | 58.3 Ac.
- R2 | 46.2 Ac.
- R3 | 144.6 Ac.

Neighborhood Residential 2

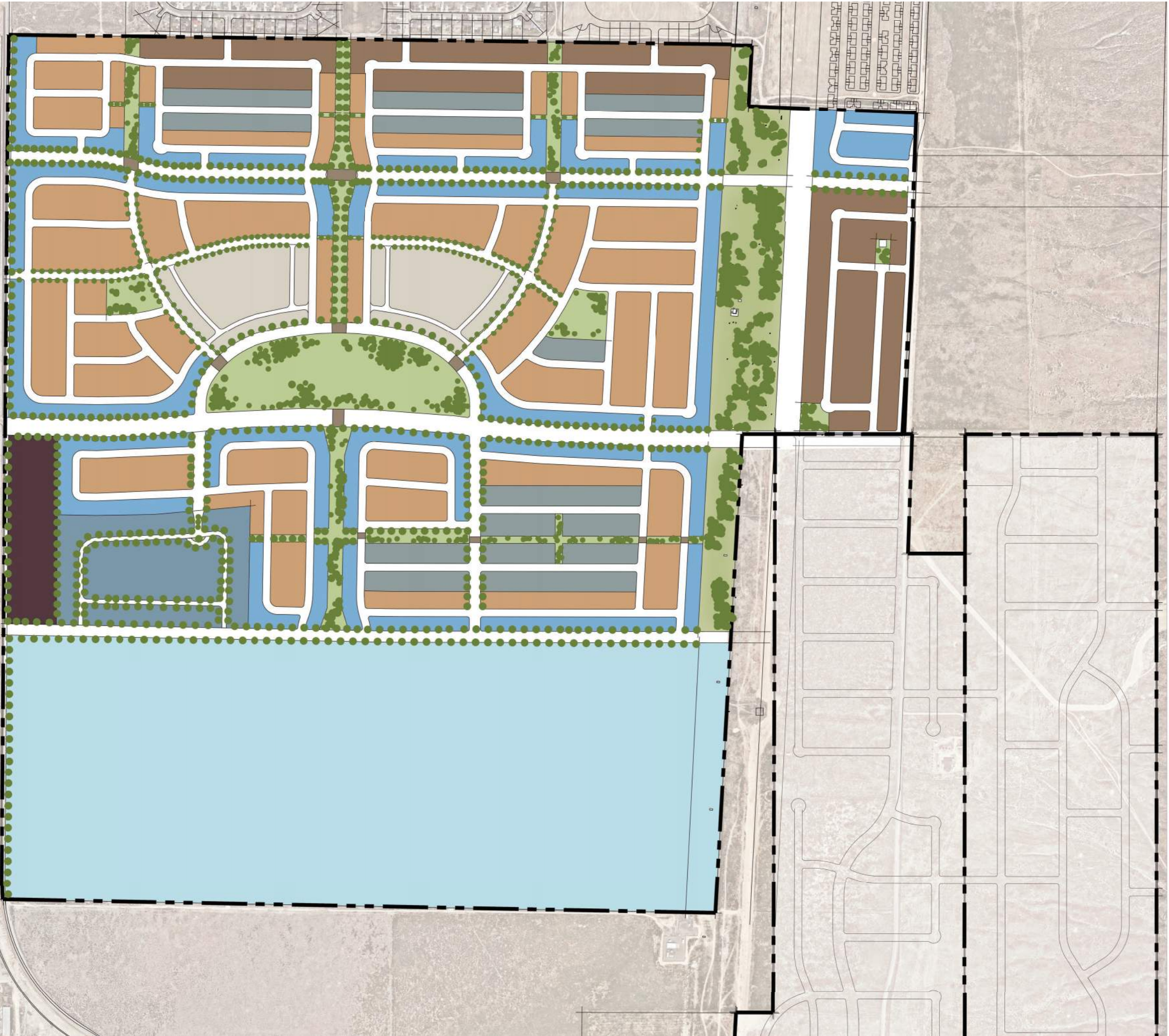
- MF1 Single Family | 136.4 Acres
- MF1 Town Homes | 29.8 Ac.

Neighborhood Residential 3

- MF2 Condo/Apartments | 25.0 Ac.

Other

- Commercial | 11.7 Ac.
- Tech Campus/Light Ind. | 208.9 Ac.
- Open Space | 86.3 Ac.
Improved | 49.7 Ac.



AULT FARMS
Master Plan Tabulations

Product Type & Information				Lot / Unit Tabulation		Residential Land Use Tabulation ¹			Open Space Tabulation	
Product	Min. Area <i>Sq. Ft.</i>	Average Area <i>Sq. Ft.</i>	Min. Frontage <i>Ft.</i>	Lots / Unit #	Percentage Lot/Unit %	Product Area ² <i>Acres</i>	Percentage Area %	Gross Density <i>Lots/Units per Ac.</i>	O.S. Per Lot/Unit <i>Sq. Ft.</i>	Required O.S. <i>Acres</i>
R1 Single Family	10,890	14,520	85	136	6.3%	58.3	11.1%	2.3	750	2.3
R2 Single Family	8,000	10,890	80	141	6.5%	46.2	8.8%	3.1	900	2.9
R3 Single Family	6,500	8,500	65	549	25.4%	144.6	27.5%	3.8	1,000	12.6
MF1	4,500		45	707	32.7%	136.4	25.9%	5.2	1,000	16.2
MF1 Townhomes				252	11.6%	29.8	5.7%	8.5	1,000	5.8
MF2				380	17.6%	25.0	4.7%	15.2	900	7.9
Commercial						11.7				
Open Space - Natural						36.6	7.0%			
Open Space - Improved						49.7	9.4%			
Totals				2,165	100.0%	526.6	100.0%			47.7

¹ Land Use Tabulations not including Tech of approximately 214 acres and 11.7 acres of commercial.

² All areas are approximate and include adjacent road frontages.



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801-602-9702

Environmental Impact Report to Eagle Mountain City in support of Land Use Plan for Flagship EM Holding LLC, Parcel 59:018:0044, Eagle Mountain, Utah County, Utah

This Environmental Impact Report is prepared by Nebo Environmental LLC in behalf of Flagship EM Holdings LLC (Flagship) as part of Flagship's Land Use Plan for a master development to be undertaken in Eagle Mountain, Utah County, Utah and fulfills requirements of Eagle Mountain Municipal Code Section 16.10.050 paragraph B.3.

The subject property is a 747.03 acre Parcel #59:018:0044 located roughly in the south portion of Eagle Mountain and east of Pony Express Pkwy. The entire parcel is currently used for agricultural purposes including farmland and cropland. It is bounded on the north by residential housing; on the west by cropland and public works facilities; on the south and east by agricultural grazing land. The land is essentially level to be conducive with sprinkler irrigation supplied by onsite or adjacent water well systems.

The parcel has substantially agricultural vegetation on the surface with no open watercourses, surface impoundments, debris, or waste repositories.

Land development activities are anticipated to be consistent with other residential, commercial, industrial and recreational land development activities recently or currently being performed in the area.

The Utah County land use records show this land being used historically for agricultural purposes.

No areas of this parcel have been identified as being sensitive lands including no wetlands determination as shown on the National Wetlands Inventory of the U.S. Fish and Wildlife Service.

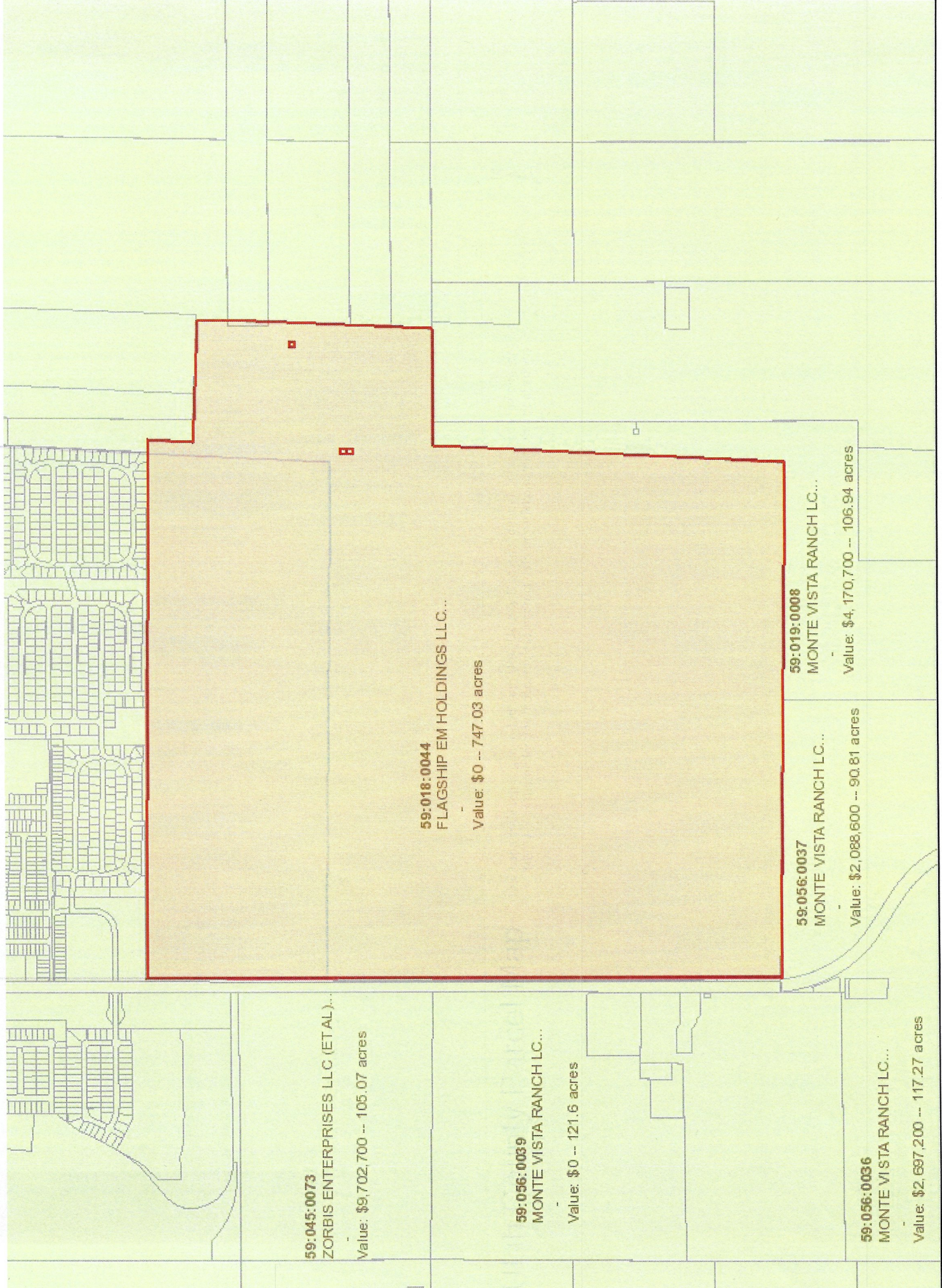
No areas of this parcel are included on the National Register of Historical Places listing in Utah County, Utah.

Because the entire parcel has been used for agricultural use, it is not expected that the land is conducive to threatened or endangered plant species that are known to occur or are believed to occur in Utah County. No endangered plant species were identified during a site visit in May 2020.

Submitted by:

Russell L. Christensen
Environmental Professional
Nebo Environmental LLC





Date: 5/22/2020

This cadastral map is generated from Utah County Recorder data. It is for reference only and no liability is assumed for any inaccuracies, incorrect data or variations with an actual survey



U.S. Fish and Wildlife Service

National Wetlands Inventory

Natl Wetlands Inv Eagle Mtn



May 25, 2020

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland

Freshwater Emergent Wetland

- Freshwater Forested/Shrub Wetland
- Freshwater Pond

Lake

- Other
- Riverine



U.S. Fish & Wildlife Service

ECOS[ECOS](#) / [Species Reports](#) / Species By County Report

Species By County Report

The following report contains Species that are known to or are believed to occur in this county. Species with range unrefined past the state level are now excluded from this report. If you are looking for the Section 7 range (for Section 7 Consultations), please visit the [IPaC](#) application.

County: **Utah, Utah**

CSV

Need to contact a FWS field office about a species? Follow [this link](#) to find your local FWS Office.

Group	Name	Population	Status	Lead Office	Recovery Plan	Recovery Plan Action Status	Recovery Plan Stage
Birds	Yellow-billed Cuckoo (<i>Coccyzus americanus</i>)	Western U.S. DPS	Threatened	Arizona Ecological Services Field Office			
Fishes	June sucker (<i>Chasmistes liorus</i>)	Wherever found	Endangered	Utah Ecological Services Field Office	June Sucker	Implementation Progress	Final
Flowering Plants	Deseret milkvetch (<i>Astragalus desereticus</i>)	Wherever found	Recovery	Utah Ecological Services Field Office			
Flowering Plants	Clay phacelia (<i>Phacelia argillacea</i>)	Wherever found	Endangered	Utah Ecological Services Field Office	Clay Phacelia	Implementation Progress	Final
Flowering Plants	Ute ladies'-tresses (<i>Spiranthes diluvialis</i>)	Wherever found	Threatened	Utah Ecological Services Field Office	Ute Ladies'-Tresses Draft Recovery Plan	Implementation Progress	Draft

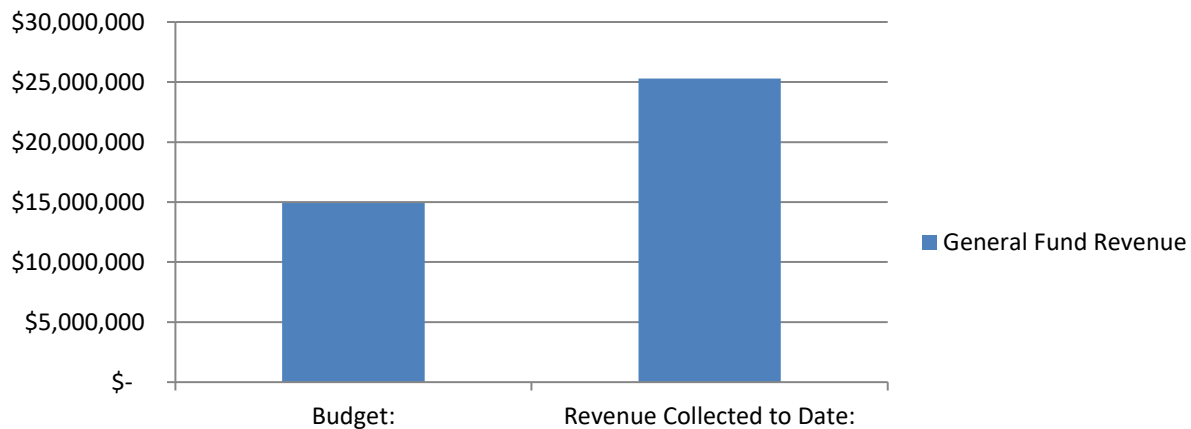
EXECUTIVE SUMMARY OF REVENUES AND EXPENSES*

Through June 2021

GENERAL FUND

General Fund Revenues

Budget:	\$ 14,909,749
Revenue Collected to Date:	\$ 25,281,853
Percent of Total Budget Collected:	170%
Percent of Year Completed:	100%



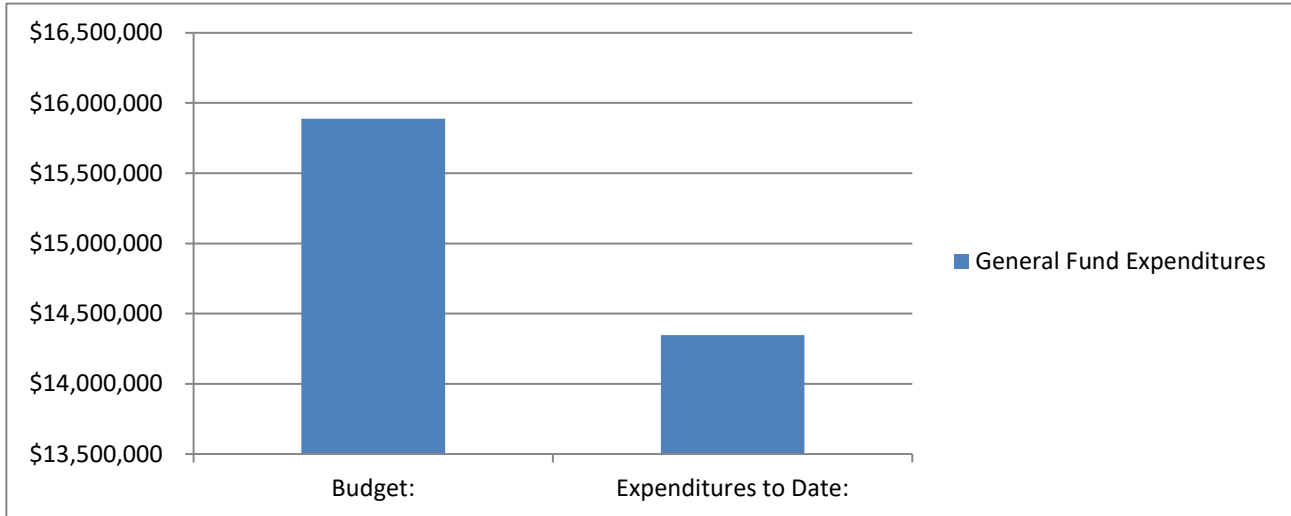
Revenue Analysis

Major Revenue Sources	Budget	To Date	% Collected
Property Taxes:	\$ 1,880,000	\$ 2,093,177	111.34%
Sales and Use Tax:	\$ 4,500,000	\$ 7,256,346	161.25%
Energy Tax:	\$ 1,200,000	\$ 1,925,511	160.46%
Class B&C Road Fund Allotment	\$ 1,300,000	\$ 1,577,154	121.32%
Development:	\$ 3,722,900.00	\$ 7,553,190.00	202.88%

Note:

General Fund Expenditures

Budget: \$ 15,887,577
Expenditures to Date: \$ 14,348,102
Percent of Total Budget Expended: 90%
Percent of Year Completed: 100%



Expense Analysis

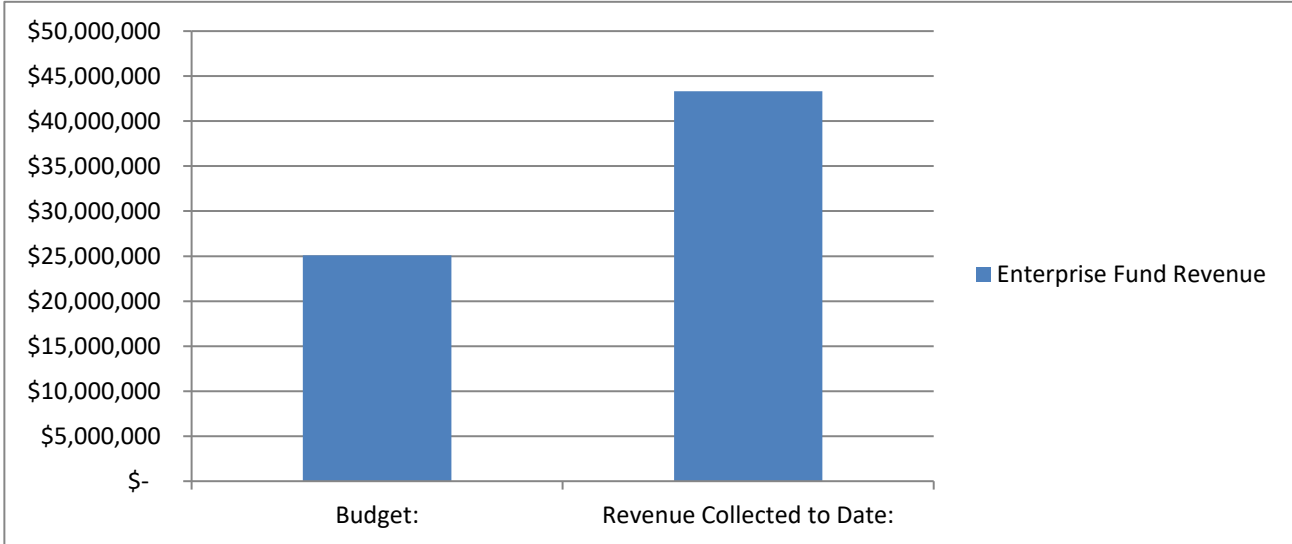
	Budget	To Date	% Expended	% Yr. Completed
Sub 11 - General Administration	\$ 2,459,381	\$ 2,390,001	97%	100%
Sub 18 - Community Services	\$ 1,208,873	\$ 987,611	82%	100%
Sub 19 - Non-Departmental	\$ 1,601,559	\$ 1,735,339	108%	100%
Sub 21 - Public Safety	\$ 3,802,799	\$ 3,492,515	92%	100%
Sub 32 - Planning/Zoning	\$ 638,952	\$ 514,310	80%	100%
Sub 33 - Building	\$ 1,173,917	\$ 1,155,613	98%	100%
Sub 41 - Public Works	\$ 5,002,096	\$ 4,072,713	81%	100%

Note: Additional expenditures related to Fiscal Year 2021
 will continue to be received through August.

ENTERPRISE FUNDS

Enterprise Fund Revenues

Budget:	\$ 25,080,300
Revenue Collected to Date:	\$ 43,324,480
Percent of Total Budget Collected:	173%
Percent of Year Completed:	100%



Revenue Analysis

	Budget	To Date	% Received	% Yr. Completed
Fund 51 - Water Fund	\$ 17,522,300	\$ 27,800,182	159%	100%
Fund 52 - Wastewater Fund	\$ 5,200,000	\$ 12,671,929	244%	100%
Fund 57 - Solid Waste Fund	\$ 1,700,000	\$ 2,090,228	123%	100%
Fund 59 - Storm Water Fund	\$ 658,000	\$ 762,140	116%	100%

Fund 51 - Water Fund:

Includes revenue reimbursement from water impact fee related to debt service payments FY 2014-2020.

Fund 52 - Wastewater Fund:

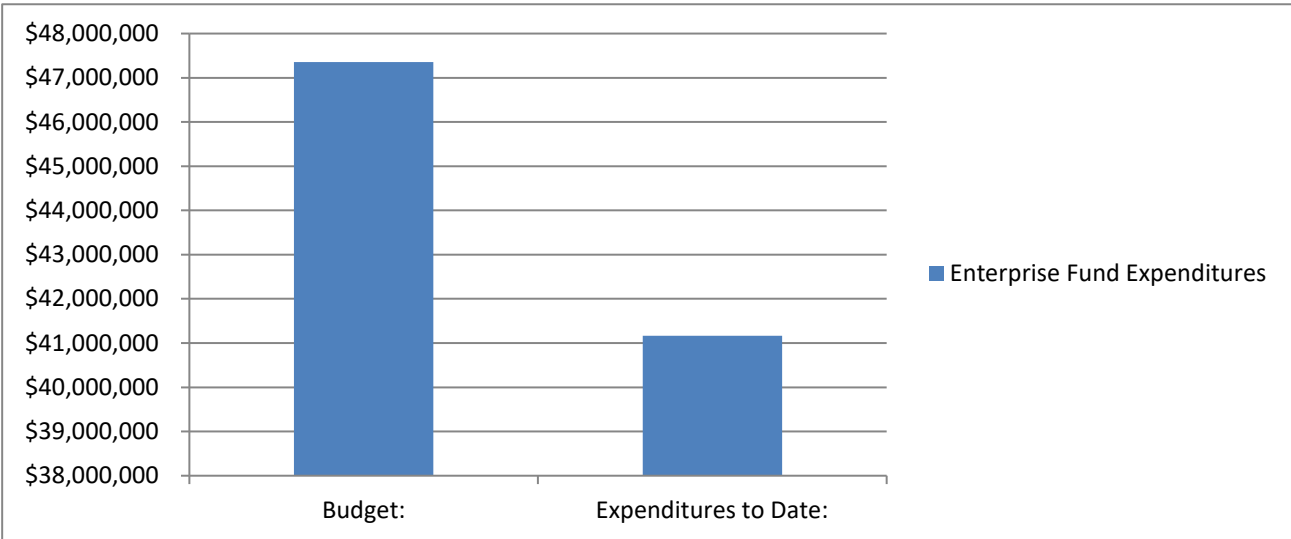
Includes revenue reimbursement from sewer impact fee related to debt service payments FY 2014-2020.

Fund 57 - Solid Waste Fund:

Fund 59 - Storm Water Fund:

Enterprise Fund Expenditures

Budget: \$ 47,357,218
Expenditures to Date: \$ 41,165,505
Percent of Total Budget Expended: 87%
Percent of Year Completed: 100%



Expense Analysis

				% Yr.
	Budget	To Date	% Expended	Completed
Fund 51 - Water Fund	\$ 34,979,153	\$ 29,465,252	84%	100%
Fund 52 - Wastewater Fund	\$ 9,443,221	\$ 9,717,050	103%	100%
Fund 57 - Solid Waste Fund	\$ 2,349,052	\$ 1,415,297	60%	100%
Fund 59 - Storm Water Fund	\$ 585,792	\$ 567,905	97%	100%

Note:

Additional expenses may post to these funds through August as part of the fiscal year close out.

IMPACT FEE FUNDS

Fund Balance - current total balance in the fund.

Committed Balance - restricted to pay reimbursement agreements, and budgeted expenses

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.

FUND NAME	Fund Balance as of 06/30/2021	Committed Balance	Available Balance	Projected Available Balance by 6/30/21**
11 - Water Impact Fee Fund	\$15,934,109	\$4,894,402	\$11,039,708	\$11,039,708
12 - Wastewater Impact Fee Fund	\$3,679,289	\$206,235	\$3,473,054	\$3,473,054
15 - Parks/Trails Impact Fee Fund	\$7,158,976	\$6,670,767	\$488,209	\$488,209
17 -Stormwater Impact Fee Fund	\$2,226,254	\$53,943	\$2,172,311	\$2,172,311
18 -Transportation Impact Fee Fund	\$4,704,194	\$4,833,663	(\$129,469)	(\$129,469)

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

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

UPCOMING PLANNING-RELATED AGENDA ITEMS

Active Projects

Angel Landing Concept Plan
Eagle Quest East Concept Plan
Eagle Quest West Concept Plan
Oquirrh Mountain Ranch Phase B MDP Amendment and Preliminary Plat
Overland E-1 Preliminary Plat
Pole Canyon NPA 17 General Plan Amendment, Rezone, MDP, and Preliminary Plat
Porters Crossing Retail Center Concept Plan
Ranches Crossing Concept Plan
SilverLake Plat 31 Site Plan
Smith Property Concept Plan
Stonebridge Montessori Rezone & Site Plan
White Hills Country Estates Recorded Plat Amendment and Rezone

Other Projects

Eagle Commons/MF 3 Zone
La Petite Pet Grooming – Conditional Use Permit
Spring Run MDP and Preliminary Plat Amendment
Sunset Flats Amended Preliminary Plat

Code Amendments

Animal Code
Change “Base Zoning” to “Underlying Zoning” throughout
Community District Node Overlay
Detached Accessory Apartments
Driveway Width Restriction
Expiration of Applications
Flags and Flagpoles
General Plan Land Use Adjacency Updates
Industrial Zone
Landlord Licensing / Accessory Apartments
Landscape Completion
Multifamily Amenities Distance Requirements
Public Noticing Requirements
Rezone Redesignations
Shooting Range Ordinance
Wash Protection Overlay Zone