EAGLE MOUNTAIN
PLANNING COMMISSION MEETING

April 09, 2019, 5:30 PM
Eagle Mountain City Council Chambers
1650 East Stagecoach Run Eagle Mountain UT 84005

5:30 P.M. WORK SESSION

ADJOURN TO A CLOSED EXECUTIVE SESSION

The Planning Commission 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.

6:00 P.M. - EAGLE MOUNTAIN CITY PLANNING COMMISSION POLICY SESSION

1. PLEDGE OF ALLEGIANCE

2. DECLARATION OF CONFLICTS OF INTEREST

3. APPROVAL OF MEETING MINUTES

3.A. 3-26-19 PC Minutes
Minutes from the March 26th Planning Commission Meeting
03.26.2019 PC Minutes - DRAFT.docx

4. ACTION AND ADVISORY ITEMS

4.A. Eagle Heights Village -Conditional Use Permit,
A remanded appeal of a conditional use permit being sent back to the Planning Commission from the City Council

4.B. Agriculture and Definitions Development Code Amendment
An applicant proposed development code amendment, adding a conditional use to the agriculture zone and creating a definition for an "Equine Assisted Therapy Center"
Equine Assisted Therapy Center concept

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.

Proposed Code Change

4.C. Concept Plan (16.15) Development Code Amendment
A staff proposed development code amendment, clarifying that concept plans in addition to being taken to the Planning Commission may also be reviewed by the City Council
Draft_Code - Concept Plans.pdf

4.D. Residential Zone & Residential Zone Bonus Density Entitlements Development Code Amendment
A staff proposed development code amendment to chapters 17.25 and 17.30
Draft Residential Zone

4.E. Development Standards for Required Public Facilities Development Code Amendment
A staff proposed Development Code Amendment to chapter 16.35 Development Standards for Required Public Facilities, specifically 16.35.105 Park and Improved Open Space Requirements (Table 16.35.130 (c))
Draft_Code - Amenities Table (1).pdf

5. NEXT SCHEDULED MEETING

April 23rd 2019

6. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above agenda notice was posted on this **5th day of April, 2019,** 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	**EAGLE MOUNTAIN CITY** **PLANNING COMMISSION MEETING** **APRIL 9, 2019**
TITLE:	3-26-19 PC Minutes
ITEM TYPE:	Minutes
APPLICANT:	n/a

ACTION ITEM:
Yes

PUBLIC HEARING:
No

REQUIRED FINDINGS:

PREPARED BY:
Tayler Jensen, Planning

BACKGROUND:

ITEMS FOR CONSIDERATION:

RECOMMENDATION:

Attachments:

03.26.2019 PC Minutes - DRAFT.docx

EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

March 26, 2019, 5:30 PM
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

COMMISSION MEMBERS PRESENT: Matthew Everett, DeLin Anderson, Rich Wood, Brett Wright, and Jared Gray.

ELECTED OFFICIALS PRESENT: Councilmember Melissa Clark.

CITY STAFF PRESENT: Steve Mumford, Community Development Director; Michael Hadley, Planning Manager; Tayler Jensen, Planner; Aaron Sanborn, Economic Development Director; and Lianne Pengra, Recording Secretary.

Commissioner Everett called the meeting to order at 5:36 p.m.

1. Discussion Items

1.A. Discussion - Code Amendments: Residential & Residential Bonus Density Entitlements

Community Development Director Steve Mumford said staff has been drafting new zoning standards for residential development in the City. The new residential zones will match the General Plan's Future Land Use Map designations. The new zoning will maintain the bonus density concept, but will require rezones to increase allowed density. The draft includes a new land use table that shows which uses are permitted, conditional, special, and non-permitted within the new residential zones; staff is considering including commercial uses in the new land use table. The draft also contains new generally applicable provisions.

Mr. Mumford presented the new residential zoning and explained what each zone encompasses.

Rural Residential 1 (RR1) has a minimum lot size of 2.5 acres. Front and rear setbacks are 25 feet, and side setbacks must be a minimum of 12 feet with a combined minimum side setback of 30 feet. Lot frontages must be 150 feet, or 60 feet on a circle. There are no open space requirements. The City Council may exempt curb, gutter, sidewalk, or streetlights. A paved trail is required on one side of every road, and equestrian trails along each lot may be required.

Rural Residential 2 (RR2) has a minimum lot size of 0.5 acre. Front and rear setbacks are 25 feet, and side setbacks must be a minimum of 12 feet with a combined minimum side setback of 30 feet. Lot frontages must be 100 feet, or 40 feet on a circle. The open

space requirement in this zone is 1,000 square feet per lot; a fee-in-lieu may be required. Equestrian trails may be required along each lot, as well.

Foothill Residential (FR) has a minimum lot size of 0.25 acre and developments must have an average lot size of 0.5 acre. The setbacks are as follows: 15 feet in the front, 20 feet in the rear, 5 feet on the sides with 10 feet required on the garage side. Retaining walls shall be 10 feet away from the primary structure. Lot frontages must be 75 feet, or 40 feet on a circle; minor reductions may be approved if the frontage is 75 feet at the front setback. Lots and roads shall be arranged to best protect contiguous open space areas, ridgelines, hillsides, drainages, wildlife habitat, and useable open space or trail access to useable open space. The open space requirement is 1,000 square feet per lot; the City Council may consider alternative plans to be evaluated based upon benefit to the neighborhood or community and the unique nature of the site, and may include additional trails, preservation or dedication of additional open space areas, and unique improvements or amenities. This zone requires a minimum of three elevation schemes; houses on adjacent lots and across the street shall have different floor plans or elevations and different color schemes. Street trees are required in park strips along with front yard landscaping. Entry monument signs are required at major entrances and may include water features, sculptures, or monument signage with the name of the project; alternative amenities may be required.

Neighborhood Residential 1 (NR1) has a minimum lot size of 5,000 square feet, and developments must have an average lot size of 8,000 square feet. This zone requires 25% of the lots to be greater than 0.25 acre, unless otherwise approved. A variety of lot sizes is required. The front setback is 15 feet with 22 feet at the garage or driveway. The rear setback is 20 feet, and the side setback is 5 feet with 10 feet required on the garage side. Lot frontages must be 55 feet, or 20 feet on a circle; a quarter of the lots must have lot frontages of at least 62 feet. The open space requirement is 1,000 square feet per lot; the City Council may require a fee-in-lieu. Developments in this zone must have a minimum of three elevation schemes; houses on adjacent lots and across the street shall have different floor plans or elevations and different color schemes. Street trees are required in park strips along with front yard landscaping. Entry monument signs are required at major entrances and may include water features, sculptures, or monument signage with the name of the project; alternative amenities may be required.

Neighborhood Residential 2 (NR2) allows densities up to eight dwelling units per acre. Applicants are not automatically entitled to that density and must provide sufficient evidence that their proposed development is compatible with surrounding developments and provides an appropriate mix of housing (including lot sizes or housing types) and buffering or transitioning for the location. The City Council may approve slightly reduced density if supported by findings of fact. This zone does not contain minimum lot sizes or frontage requirements. The front setback is 15 feet with 22 feet at the garage or driveway. The rear setback is 20 feet, and the side setback is 5 feet with 10 feet required on the garage side. Developments must have 15 feet between multifamily buildings. The open space requirement is 1,000 square feet per lot; the City Council may require a fee-in-lieu. A clubhouse is required for all single-family attached projects and must be a minimum of 1,500 square feet. A swimming pool is required for 150 dwelling units or

more; no more than 250 units may utilize the pool unless it is sized to accommodate four square feet of pool space per dwelling unit. Site plans are required for all single-family attached and small-lot single-family home projects. Developments in this zone must have a minimum of three elevation schemes; houses on adjacent lots and across the street shall have different floor plans or elevations and different color schemes. Townhomes must comply with the City's multifamily design standards. Street trees are required in park strips along with front yard landscaping. Entry monument signs are required at major entrances and may include water features, sculptures, or monument signage with the name of the project; alternative amenities may be required. Projects in this zone must comply with visitor parking requirements as per Municipal Code.

Neighborhood Residential 3 (NR3) allows densities up to 22 dwelling units per acre. Applicants are not automatically entitled to this density and must provide sufficient evidence that their proposed development is compatible with surrounding developments and provides an appropriate mix of housing (including lot sizes or housing types) and buffering and transitioning for the location. The City Council may approve slightly reduced density if supported by findings of fact. This zone does not contain minimum lot sizes or frontage requirements. The front setback is 15 feet with 22 feet at the garage or driveway. The rear setback is 20 feet, and the side setback is 5 feet with 10 feet required on the garage side. Developments must have 15 feet between multifamily buildings. The open space requirement for this zone is determined by types of units; 1,000 square feet is required per 3-bedroom unit, 750 square feet per 2-bedroom unit, and 500 square feet per 1-bedroom unit. A clubhouse is required for all single-family attached projects and must be a minimum of 1,500 square feet. A swimming pool is required for 150 dwelling units or more; no more than 250 units may utilize the pool, unless it is sized to accommodate four square feet of pool space per dwelling unit. Site plans are required. Projects in this zone must comply with the City's multifamily design standards. Street trees are required in park strips along with front yard landscaping. Entry monument signs are required at major entrances and may include water features, sculptures, or monument signage with the name of the project; alternative amenities may be required. Projects in this zone must comply with visitor parking requirements as per Municipal Code. Covered parking, garage parking, and storage units are optional.

Mr. Mumford explained the updated generally applicable provisions within the new zones. The newly added provisions are as follows: buffers and transitions require compliance with the transitioning code, front and side yards must be improved prior to occupancy in accordance with approved typical yard landscaping plans, projects must comply with hillside and ridgeline ordinances, and projects must comply with dark-sky lighting standards.

The Commissioners requested larger minimum lot size requirements in the NR1 zone, larger side setbacks in the FR and RR1 zones, for plans to include building envelopes, and for set criteria regarding elevation and streetscape standards. They also requested a minimum of five elevation schemes for developments.

Discussion ensued regarding potentially requiring master development agreements for projects in the NR3 zone, and requiring central locations for improved open space.

Commissioner Wood asked if the Planning Commission can table rezone applications until the new zones are approved. Mr. Mumford said his understanding is new rezone applications will need to comply with the General Plan and with the updated residential zones. He explained staff is drafting a hillside ordinance as well. He asked the Planning Commission to send any recommendations and concerns to him; he hopes to present the new zones to the Planning Commission and City Council in the near future.

1.B. Scott's Subdivision

Planner Tayler Jensen said a project will be presented to the Planning Commission in the next month to split one 5-acre lot into two 2.5-acre lots. The lot is currently zoned Agriculture, so the project will require a rezone. The potential rezone complies with the Future Land Use Plan; the lot is designated as Agriculture Rural Density One which allows 2.5- to 5-acre lots.

6:00 P.M. - Eagle Mountain City Planning Commission Policy Session

COMMISSION MEMBERS PRESENT: Matthew Everett, DeLin Anderson, Rich Wood, Brett Wright, and Jared Gray.

ELECTED OFFICIALS PRESENT: Councilmember Melissa Clark.

CITY STAFF PRESENT: Steve Mumford, Community Development Director; Michael Hadley, Planning Manager; Tayler Jensen, Planner; Aaron Sanborn, Economic Development Director; and Lianne Pengra, Recording Secretary.

Commissioner Everett called the policy session to order at 6:19 p.m.

2. Pledge of Allegiance

Commissioner Everett led the Pledge of Allegiance.

3. Declaration of Conflicts of Interest

None.

4. Approval of Meeting Minutes

4.A. March 12, 2019 Minutes

MOTION: ***Commissioner Wood moved to approve the March 12, 2019 Planning Commission meeting minutes. Commissioner Gray seconded the motion. Those voting aye: Matthew Everett, DeLin Anderson, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.***

5. Action and Advisory Items

5.A. Amendment to the Future Land Use & Transportation Corridors Map of the Eagle Mountain City 2018 General Plan

Mr. Mumford said the General Plan was adopted in July 2018. While drafting the map, the consultants used high-level terrain and slope maps along the East bench to differentiate between Parks and Open Space and Foothill Residential. The City was recently presented more detailed terrain information for this area showing more land is buildable than previously thought. Additionally, areas around City Hall were always envisioned as Community Commercial but were mistakenly designated Residential 3 and Civic Uses/Schools. The proposed map changes those areas to Community Commercial.

Commissioner Wood asked if the addition of the Foothill Residential area would encroach on hillsides. Mr. Mumford said if lots do not comply with the hillside ordinance, structures will not be permitted.

Commissioner Wright asked if City staff will independently verify the newly presented slope information. Mr. Mumford explained the information will be confirmed when preliminary plats are presented.

Discussion ensued regarding BLM exchanging land with SITLA, and if SITLA could potentially develop land that is currently designated Parks and Open Space.

Commissioner Wood asked about the Community Commercial land that now has the Regional Technology and Industry Overlay applied to it. Planning Manager Michael Hadley clarified that the overlay has been applied, but the original zone is still in place. Mr. Mumford stated the land owner may choose to develop commercial business on that site and explained the General Plan still shows that area as Community Commercial. Discussion ensued regarding maintaining levels of each zone designation within the Future Land Use Map throughout the City.

Commissioner Everett opened the public hearing at 6:32 p.m. As there were no comments, he closed the hearing.

MOTION: ***Commissioner Gray moved to approve an amendment to the Future Land Use and Transportation Corridors Map of the Eagle Mountain City 2018 General Plan. Commissioner Wright seconded the motion. Those voting aye: Matthew Everett, DeLin Anderson, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.***

6. Discussion Items

6.A. Gateway Park Phase 4 (Affordable Housing) Concept Plan

Mr. Jensen introduced applicants Isaac Patterson, Dan Ford and Scot Hazard to present an affordable housing concept plan. He said Gateway Park Phase 4 is east of Spring Run Plat D.

Mr. Patterson explained affordable housing should be placed with consideration of large transportation infrastructure, close proximity to commercial development, available open space, and cooperative land owners. He said in Utah, a home worth $125,000 in 1991 now averages a value of $347,00, as opposed to the national average of $183,000. Utah housing costs are 20% higher than in Boise, Las Vegas, and Phoenix; those locations are top competitors in attracting new jobs and businesses.

Mr. Ford explained workforce housing is a key component for site selection when businesses evaluate Eagle Mountain as a potential location. Economic Development Director Aaron Sanborn agreed that workforce housing is an important aspect and said affordable housing is a component of those discussions.

Mr. Ford stated many types of people live in affordable housing communities. He said common myths include the ideas that affordable housing increases crime, that it is only for the poor, and that it is run down and unattractive.

Mr. Hazard said the City needs to plan for generational differences from Baby Boomers to Millennials in housing preferences. He explained the State's affordable housing approval process requires centrally managed projects to ensure a higher quality product. Centrally managed properties differ greatly from HOA-managed properties. He said this system creates a consistent, fair filtering process as well as maintains high levels of service to the tenants. He stated some of the most attractive new projects in Salt Lake and Utah County are affordable housing projects.

Mr. Hazard explained the proposed project in Gateway Park includes four-story buildings on top of covered parking structures. He said the buildings' height would be above the allowed 35-foot height limit currently stated in Municipal Code. They propose an alternate plan to transition from Spring Run to Gateway Park, as adding townhomes as required in Municipal Code does not fit into their plan of affordable housing. He said the building elevation sinks as the buildings go farther away from the Spring Run subdivision, which mitigates the height issue. If all units are included within three buildings, the plan would include ten acres of improved open space. The improved open space, along with the distance from Spring Run, provides for better transition than townhomes would. The site is 19.5 acres and meets the density limit of 22.7 dwelling units per acre.

Mr. Hazard said the intent is to include one parking stall under each unit, plus an additional uncovered parking stall assigned to every unit. The parking requirement in the City's Municipal Code is 2.33 parking stalls per unit; they are requesting an amended parking plan allowance of 1.5 parking stalls per unit, as 35% of the units will be 1-bedroom, 50% will be 2-bedroom units, and 15% will be 3-bedroom units. He explained families are not necessarily the target audience for this plan, which is why they are building so few 3-bedroom units.

Mr. Hazard said the proposed plan is next to the Wride Memorial Highway expansion area. Residents in this project would not travel through the surrounding residential development. He said if commuter rail is built in Eagle Mountain, it will likely be along Wride Memorial Highway.

Commissioner Gray said he loves the project, but the best location would be in a downtown area. He stated this location is not in proximity to the large construction projects in the City, and since it is in an industrial area, is not close enough to commercial services to allow residents to walk to businesses. He explained similar projects in Chicago were unsafe and eventually demolished; traditionally, government-funded projects like this do not work.

Mr. Hazard agreed that the industrial component is not synergistic; however, the commercial component is. He stated they will not rent to those who do not have jobs, and all renters will go through a screening process. He manages Section 8 housing throughout the state and the renters are good people who simply cannot afford homes in the area. He said he did not want to paint those who need affordable housing as bad people or as criminals.

Commissioner Wood stated affordable housing will be needed in the City in the future, but the City does not have the services needed to support affordable housing at this time. He said it is uncertain if the adjacent commercial area will contain the needed services to support this project. Additionally, light rail will not be installed along the highway; it will likely go along Pony Express Parkway. His opinion is that the City needs to discuss regular apartments, not affordable housing. Mr. Hazard asked if he would approve of the project if it was presented as regular apartments and not affordable housing. Commissioner Wood said he would if the buildings were only three stories.

Discussion ensued regarding buffering for industrial development adjacent to Spring Run, versus buffering for high-density housing.

Commissioner Wood confirmed with staff that the homes adjacent to this project in Spring Run are on less than 0.20-acre lots. He said he is not willing to give up industrial space for residential development, and stated the intent of affordable housing is to place residents near their work locations.

Commissioner Gray said better location options are adjacent to Rock Creek or near the new high school, as more services will develop in those locations. Mr. Hazard explained that rooftops drive retail development. The commercial area adjacent to the proposed location will likely develop due to this project and it allows room for the necessary services while maintaining close proximity to Wride Memorial Highway. He said this housing project adds to the City's economic development plan. Mr. Ford stated the Rock Creek and new high school locations will not allow development of the commercial services under discussion.

Commissioner Wood stated ample rental homes exist in the area and the City does not need additional rental options. Commissioner Gray said the City has many starter homes but there is a need for larger lots. He expressed concern that the City is overbuilt with townhomes and cluster homes but limited on estate housing.

Commissioner Everett stated he preferred the apartment model versus rental homes. He said this project is not intended for contractors working at the Facebook construction site; this is for all types of people. Mr. Hazard confirmed their market is not construction workers, rather the employees of surrounding companies.

Commissioner Wright agreed that this plan may be early, and it is better to be early than late; however, he isn't certain this is the correct timing.

Mr. Ford said affordable housing is not cheap housing. Affordable housing projects require State designation; this project may take years to come to fruition. He explained it is a complex process and there are many requirements to obtain the designation.

Commissioner Gray asked what would happen if the project did not have the funds necessary to continue for fifty years, as required by the State. Mr. Ford said the answer is very complex, but the State heavily vets each project and maintains funds to assist them. He explained affordable housing is needed and stated only one affordable housing apartment building exists in Utah County that has any availability.

Commissioner Everett stated he likes the project and acknowledged that Midvale City has been revitalized with their newer apartment buildings. He expressed concern that the Municipal Code requires 1,030 parking stalls but the proposal only includes approximately 600 stalls. Since the City does not have mass transit, he explained he would have a difficult time limiting the parking as proposed. He expressed appreciation for the proposed improved open space plan, and stated he prefers that to including townhomes for transitioning, and said he is willing to consider four-story structures along major transportation corridors.

Commissioner Wright asked the applicants to consider connectivity to the south of the plan.

Mr. Hazard said even with the City's approval, it may take years to obtain approval from the State for the project.

6.B. Sage Park Storage - Concept Plan

Applicant Isaac Patterson explained the residential aspect of Sage Park is currently under development. He said the proposed storage facility is noted as Employment Center/Campus on the General Plan. The facility would employ two to three people, and may offer moving trailers, as well. This is an opportunity to accommodate City Center residents, as well as jump start Employment Center/Campus development in the area. They have included a second access point at the request of the Fire Department, and may

add another on Eagle Mountain Boulevard, if needed. The lots adjacent to the proposed plan are approximately 8,000 to 12,000 square feet.

Applicant Wayne Patterson explained they are willing to adjust the plans according to the Planning Commission's recommendations. Mr. Mumford noted the plan has been adjusted to comply with the City's General Plan and according to the Design Review Committee's feedback.

Commissioner Wright asked what the required zone is for storage facilities. Mr. Jensen said this parcel would be rezoned to either Industrial or Commercial Storage.

Commissioner Wood expressed concerns that the storage facility will be adjacent to large lots. Commissioner Wright said that while he does not want storage facilities spread throughout the City, there is a need for RV parking and storage space. Isaac Patterson explained their current facility on Wride Memorial Highway is at 70% capacity after one year in business. They are working on the second phase of development for that location.

Commissioner Everett noted the other storage facilities are near larger lots and do not appear to pose problems with the adjacent residents.

Discussion ensued regarding potential business types that may develop within the Employment Center/Campus area.

Commissioner Wood stated the facility is needed and would approve of the project in its proposed location. Commissioner Gray said he likes the project, but expressed the desire that development stay consistent with the General Plan.

Discussion ensued regarding noticing requirements for this project.

Wayne Patterson explained that the applicants own the residential development adjacent to the proposed storage facility; if they did not believe the business was compatible with their undeveloped residential lots, they would not build at this location.

Commissioner Wood recommended the applicant provide adequate screening between the storage facility and the residential lots to the south. Commissioner Everett recommended moving the second entrance to the northeast side of the project.

Wayne Patterson said office warehouse units are needed in the City and they may consider adding those to a future plan.

7. Next scheduled meeting: April 9, 2019

8. Adjournment

MOTION: ***Commissioner Gray moved to adjourn the meeting at 8:35 p.m. Commissioner Wood seconded the motion. Those voting aye: Matthew***

Everett, DeLin Anderson, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.

Approved by the Planning Commission on April 9, 2019.

_____

Steve Mumford
Community Development Director

EAGLE MOUNTAIN	**EAGLE MOUNTAIN CITY** **PLANNING COMMISSION MEETING** **APRIL 9, 2019**
TITLE:	Eagle Heights Village -Conditional Use Permit,
ITEM TYPE:	Conditional Use Permit
APPLICANT:	Kirt Peterson (Horizon Development)

ACTION ITEM:
Yes

PUBLIC HEARING:
No

REQUIRED FINDINGS:
Conditions applied by the Land Use Authority (Planning Commission) may apply reasonable conditions on an Conditional Use Permit that reasonable relates to mitigating anticipated detrimental effects of the proposed use.

This determination should include findings of:
1) What detrimental effects are being mitigated;
2) How the condition(s) mitigates the detrimental effects;
3) What applicable standards in the Municipal Code support the condition(s)

PREPARED BY:
Tayler Jensen, Planning

BACKGROUND:
On March 12th 2019 the Planning Commission approved a Conditional Use Permit for the Eagle Heights Village project with the condition: "The eastern row of homes be changed to single-family homes, according to current Municipal Code"

The applicant appealed this decision and the appeal was heard by the City Council on April 2nd 2019, the City Council remanded the item back to the Planning Commission to determine Findings of Fact and Conclusions of law

By code, Tier III developments in Eagle Mountain require a conditional use permit. According to EMMC 17.95.020, the purpose of the conditional use permit is "to ensure that land uses designated as conditional in the zoning districts of this title are properly integrated with permitted land uses within the same zone, and to establish provisions to prevent nuisances from arising between existing and proposed land uses."

EMMC 17.95.060 states that "in approving any conditional use, the Planning Commission may impose such requirements and conditions necessary for the protection of adjacent properties and the public interest."

Utah State Code Title 10 Chapter 9a Part 5 section 507(2)(a)(i) states, "A land use authority shall approve a conditional use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards."

Utah State Code Title 10 Chapter 9a Part 5 Section 507(2)(b) states, "If a land use authority proposed reasonable conditions on a proposed conditional use, the land use authority shall ensure that the conditions are stated on the record and reasonably relate to mitigating the anticipated detrimental effects of the proposed use."

Utah State Code Title 10 Chapter 9a Part 5 Section 507(2)(c) states, "If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable

conditions to achieve compliance with applicable standards, the land use authority may deny the conditional use."

ITEMS FOR CONSIDERATION:

RECOMMENDATION:

In accordance with Eagle Mountain City Code 17.05.180, the appeal authority may remand the application with their findings back to the land use authority for further action. As the appeal authority, the City Council finds that the planning commission failed to issue written findings of fact and conclusions of law regarding the detrimental impacts of the conditional use, or how the conditions imposed by the planning commission mitigate the reasonable anticipated detrimental effects. Therefore, it is the decision of the City Council to remand the conditional use permit back to the planning commission to issue written findings of fact and conclusion of law in support of the approval and the conditions imposed by the planning commission.

Attachments:

EAGLE MOUNTAIN	**EAGLE MOUNTAIN CITY** **PLANNING COMMISSION MEETING** **APRIL 9, 2019**
TITLE:	Agriculture and Definitions Development Code Amendment
ITEM TYPE:	Development Code Amendment
APPLICANT:	Marley Juarez

ACTION ITEM:
Yes

PUBLIC HEARING:
Yes

REQUIRED FINDINGS:

PREPARED BY:
Tayler Jensen, Planning

BACKGROUND:
The applicant currently has an option to buy parcel 59:051:0019 and has submitted a concept plan of the "Equine Assisted Therapy Center" they'd like to run on the parcel, but it is conditional upon the approval of this code change.

ITEMS FOR CONSIDERATION:

RECOMMENDATION:
If the Planning Commission believes the code change is appropriate the following is an acceptable motion:

I Move that the Planning Commission recommends approval of the Development Code Amendments to chapters 17.10 and 17.20 of the Eagle Mountain Municipal Code with the following changes:
(1) any changes the Planning Commission feels appropriate

If the Planning Commission doesn't believe the code change is appropriate the following is an acceptable motion:
I move that the Planning Commission recommends denial of the Development Code Amendments to chapters 17.10 and 17.20 of the Eagle Mountain Municipal Code

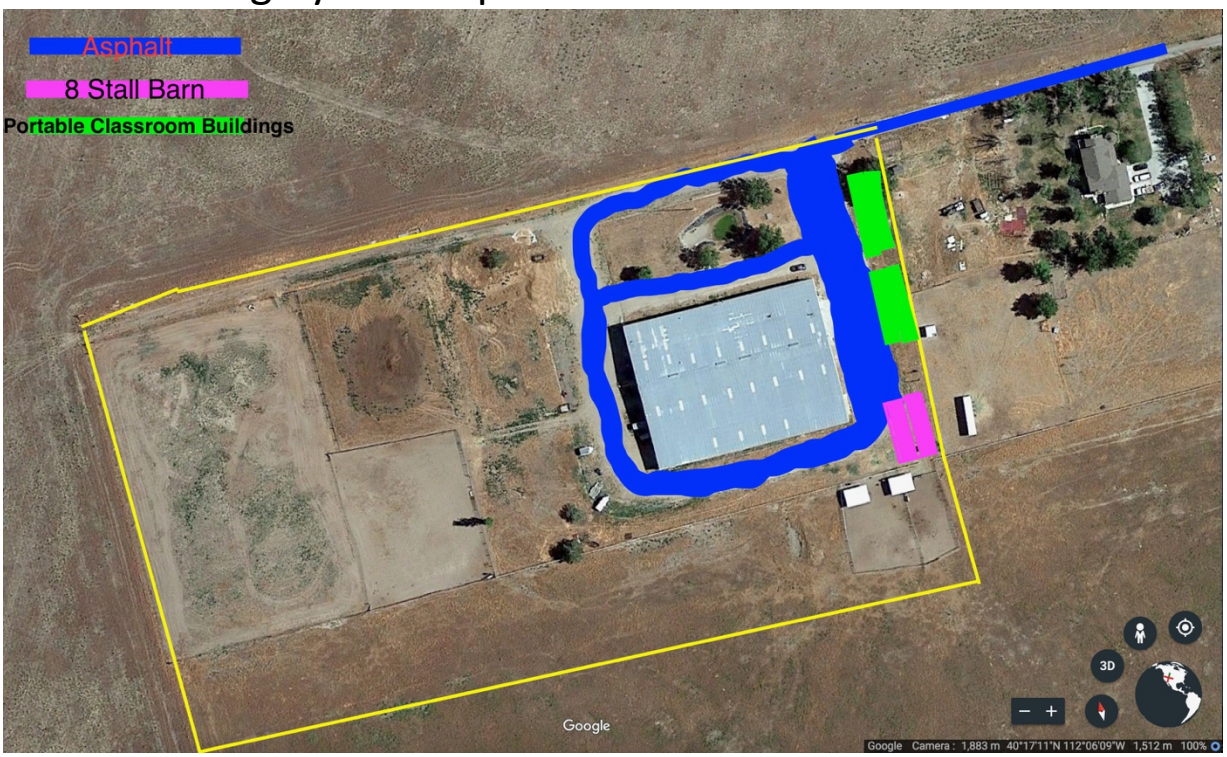
Attachments:
Equine Assisted Therapy Center concept
Proposed Code Change

Strides Pediatric Therapy Concept Plan

Strides Pediatric Therapy will be a therapy center providing occupational therapy, physical therapy, speech therapy, and psychotherapy to individuals under 21 with disabilities.

Below is a google earth image of the property now:

Here is a roughly drawn picture of what we intend:



The yellow line represents the property line. I have drawn it wider than the current property line because we plan to buy a few extra acres that Mr. Lee Brown has offered next to the property. Mr. Brown told us that the driveway (in blue) that runs past the house to the east is on our property, however I am unsure of how that works and therefore did not include it in the property line.

The blue represents where we plan to lay asphalt.

The pink rectangle is a small metal eight stall barn that we currently own and plan to place on the property.

The green rectangles represent portable classroom/office buildings which we plan to place on the property. These will be offices for our therapists to work with patients when they are doing activities that can be done in an office.

We will keep horses in the stalls and any equine assisted therapy activities will take place in the indoor arena.

All of the other open space will just be pastures for the horses.

We are prepared to put a closed fence along the property line that backs onto the house so as to prevent disruption for them. We will also mitigate parking so that it is organized and controlled.

We intend to make other small renovations to the property (fixing fences, repairing doors to the arena, planting grass, etc.) but this concept plan outlines the major changes and our intentions with the property.

17.10.030 Definitions

"Equine Assisted Therapy Center" means a facility that offers therapeutic equestrian riding, clinical therapy services, equine assisted services, and equine facilitated therapeutic services.

17.20.050 Conditional Uses

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

A. Limited processing of agricultural products.

B. Religious or cultural meeting hall.

C. Radio, microwave or other transmission towers.

D. Home businesses (as allowed by this title).

E. Accessory apartments in accordance with the standards contained in this title.

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

G. Stables.

H. Commercial riding arena.

I. Equestrian center.

J. Equine Assisted Therapy Center

EAGLE MOUNTAIN	**EAGLE MOUNTAIN CITY** **PLANNING COMMISSION MEETING** **APRIL 9, 2019**
TITLE:	Concept Plan (16.15) Development Code Amendment
ITEM TYPE:	Development Code Amendment
APPLICANT:	City Staff

ACTION ITEM:
Yes

PUBLIC HEARING:
Yes

REQUIRED FINDINGS:

PREPARED BY:
Tayler Jensen, Planning

BACKGROUND:
Staff wishes to clarify in code that Concept Plans may be taken to the City Council, after having been reviewed by the Planning Commission.

ITEMS FOR CONSIDERATION:

RECOMMENDATION:
I move that the Planning Commission recommends approval of the Concept Plan 16.15 development code amendment to City Council

Attachments:
Draft_Code - Concept Plans.pdf

16.15.020 Purpose.

The concept plan review is an optional process (except when making application for a master development plan) that is offered as a means for applicants, developers or property owners to receive input from the planning director ~~and~~, planning commission, and City Council on a proposed development prior to incurring the costs associated with further stages of the approval process. A concept plan is a required process prior to making application for a master development plan.

16.15.030 No vesting with concept plan review.

The concept plan review does not create any vested rights to proceed with development in any particular configuration and developers may anticipate that the planning director, ~~and~~ planning commission, and City Council will raise other issues not addressed at the concept plan stage.

16.15.050 Review of concept plans.

The concept plan review shall include an informal conference with the developer and the city's assigned staff, as well as an informal review of the plan by the planning commission and the City Council. The developer shall receive comments from the assigned staff and other participants to guide the developer in the preparation of subsequent development applications. The planning commission and City Council shall not take any action on the concept plan review. Further, the commission's and Council's comments shall not be binding, but shall only be used for information in the preparation of future development applications.

EAGLE MOUNTAIN	**EAGLE MOUNTAIN CITY** **PLANNING COMMISSION MEETING** **APRIL 9, 2019**
TITLE:	Residential Zone & Residential Zone Bonus Density Entitlements Development Code Amendment
ITEM TYPE:	Development Code Amendment
APPLICANT:	Staff

ACTION ITEM:
Yes

PUBLIC HEARING:
Yes

REQUIRED FINDINGS:

PREPARED BY:
Steve Mumford, Planning

BACKGROUND:
Last year the City Council approved the Eagle Mountain City General Plan 2018, and since that time we have been working to implement the goals and strategies set forth in the plan. In order to implement the General Plan's land use strategies, we need to amend our Residential Zone and Residential Zone Bonus Density Entitlements.

On October 9 we held a discussion with the City Council and Planning Commission concerning the City's residential zoning, and as a result of that meeting we continued drafting amendments to the EMMC 17.25 and 17.30. On March 26th we provided an update on our progress and held a brief discussion with you. Thank you for the feedback and suggestions provided at that meeting. We've made several changes since that meeting as a result of your feedback. Although this most recent draft hasn't yet undergone a thorough legal review, that review will take place prior to the City Council taking final action. We are prepared to present these code amendments to you for your review and action at this time.

The proposed code amendments create a land use table that more clearly displays all of the allowed uses by residential zone. They also include a section of provisions that are generally applicable to all residential zones (garage dimensions, driveway lengths, minimum architectural design standards, street tree standards, yard landscaping standards, landscaped entryways and monument signs, unbuildable lands, hillside development standards, parking standards, and lighting). Mainly, the amendments create residential zones that more closely match the future land use categories in the General Plan.

The proposed code amendments to Chapter 17.25 are attached as an exhibit to this report. Since the bonus density entitlements have now been built into Chapter 17.25 (and modified) in this proposal, we are also recommending that Chapter 17.30 be eliminated, as it would be redundant.

We understand that additional code amendments will need to take place to fine tune these residential zone development standards, and we will begin working on those right away, but we believe it is important to have these new zones in

place as soon as possible.

ITEMS FOR CONSIDERATION:

RECOMMENDATION:
If you (the Planning Commission) believe the code change is appropriate the following is an acceptable motion: I Move that the Planning Commission recommends approval of the Development Code Amendments to chapters 17.25 and 17.30 of the Eagle Mountain Municipal Code as proposed (or with the following changes...). If you believe that there are still major changes to be made prior to recommending approval, then the following is an acceptable motion: I move that the Planning Commission tables the Development Code Amendments to chapters 17.25 and 17.30 of the Eagle Mountain Municipal Code.

Attachments:
Draft Residential Zone

Chapter 17.25
RESIDENTIAL ZONES

Sections:

17.25.010 What this Chapter Does

17.25.020 Land Use Table

17.25.030 Generally Applicable Provisions

17.25.040 Residential Bonus Density Entitlements

17.25.050 Rural Residential 1 (RR1) Zone Development Standards

17.25.060 Rural Residential 2 (RR2) Zone Development Standards and Bonus Density Entitlements

17.25.070 Foothill Residential (FR) Zone Development Standards and Bonus Density Entitlements

17.25.080 Neighborhood Residential 1 (NR1) Zone Development Standards and Bonus Density Entitlements

17.25.090 Neighborhood Residential 2 (NR2) Zone Development Standards and Bonus Density Entitlements

17.25.100 Neighborhood Residential 3 (NR3) Zone Development Standards and Bonus Density Entitlements

17.25.110 Projection into Setbacks

17.25.010 What this chapter does.

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

17.25.020 Land Use Table.

This land use table contains the various land uses that are allowed in the residential zones. Uses that are not listed in this table are prohibited.

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

C = Conditional (Due to their unique characteristics or negative effects that may not be compatible without conditions to mitigate or eliminate the detrimental impacts. Must comply with EMMC 17.95).
S = Special (Special uses are permitted as long as they comply with the standards listed in the code that are specific to that type of use)
N = Prohibited

Land Use Table

Land Use	Rural Residential 1	Rural Residential 2	Foothill Residential	Neighborhood Residential 1	Neighborhood Residential 2	Neighborhood Residential 3
Public Parks & Trails	P	P	P	P	P	P
Public & Private Utility Structures or Facilities	S	S	S	S	S	S
Home Businesses in compliance with Ch. 17.65 EMMC	P	P	P	P	P	P
Single-Family Detached Dwellings	P	P	P	P	P	N
Cluster Homes, Garden Courts, Patio Homes (Lots w/ less than 55 feet of frontage)	N	N	N	N	P	N
Duplexes, Twinhomes	N	N	N	N	P ≤ 8 DU/AC	P ≤ 18 DU/AC
Townhomes	N	N	N	N	P ≤ 8 DU/AC	P ≤ 18 DU/AC
Condominiums, Apartments	N	N	N	N	N	P
Religious or Cultural Meeting Halls	S	S	S	S	S	S
Public/Private Schools	S	S	S	S	S	S
Radio, Microwave, or other Transmission Towers	C	C	C	C	C	C
Detached Accessory Apartments in compliance with Ch 17.70 EMMC	P	P	P ≥ 1 Acre Lot	P ≥ 1 Acre Lot	N	N
Accessory Apartments within the Primary Residence in compliance with Ch 17.70 EMMC	P	P	P	P	P in SF Detached Homes	N
Sexually Oriented Businesses	N	N	N	N	N	N
Cannabis/Marijuana Dispensaries	N	N	N	N	N	N
Commercial Offices/Services	N	N	N	N	N	N

17.25.030 Generally applicable provisions.

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

A. Garage Dimensions. Two-car garages shall be a minimum of 20 feet wide by 20 feet deep. Garages that are 18 feet wide may be allowed if the total square footage is at least 400 square feet. Two-car garage door openings shall be a minimum of 16 feet wide by seven feet tall. Single-car garages shall be a

minimum of 10 feet wide by 20 feet deep. Single-car garage door openings shall be a minimum of eight feet wide by seven feet tall.

B. Buffers and Transitions Between Developments and Uses. All residential zone developments shall comply with the transitioning and buffering requirements as set forth in Chapter 17.60 EMMC.

Where commercial development is allowed as a conditional use in a residential zone, the more restrictive of the residential or commercial buffering and transitioning requirements shall apply.

C. Minimum Architectural Design Standards. All residential dwellings shall incorporate elements of masonry, siding, windows and main entry doors on front elevation. All single-family attached buildings and multi-family buildings shall comply with EMMC 17.72.

D. Driveways. Residential driveways on all single-family detached dwellings and twinhomes shall comply with the following standards:

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

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

3. Driveway Length. Residential driveways shall be a minimum of 22 feet in length from the property line.

E. Yard Landscaping. The front and side yards must be improved prior to occupancy of each home in accordance with an approved typical yard landscaping plan, approved along with the Final Plat as part of each development. Improvements shall include sod, irrigation, trees, and shrubs, and may include some water wise landscaping. In cases of inclement weather, the builder shall pay a $3,000 cash escrow per lot to the City, and shall complete the landscaping no later than six months after the issuance of the certificate of occupancy.

F. Unbuildable Lands. In considering the layout of any development in the city, the developer shall conform to the following restrictions with respect to environmentally sensitive lands or lands that are unsuitable for development. No construction may occur on lots with an average slope exceeding 25 percent (lots with average natural grades of 25 percent or greater may not be graded to become buildable), land restricted by power lines, canyons and washes, streams, high volume floodplains, alluvial discharge areas, storm drain retention/detention areas, floodplains and floodways, geologically sensitive

areas that require special engineering considerations for safe habitation, and wetlands. Land in excess of 15 percent shall be ineligible for inclusion in improved open space requirements unless the planning commission recommends and the city council approves specific improvements on land in excess of 15 percent which these bodies determine to be an approved amenity. In this case, only the acreage of land in excess of 15 percent which is improved will be considered towards the improved open space requirements.

G. Hillside Development. Development projects that include hillsides, ridgelines, or retaining walls must comply with the standards in EMMC 15.80 and EMMC 17.62.

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

17.25.040 Residential Bonus Density Entitlements

Bonus density entitlements or increases in the number of residential units/lots a developer is entitled to build on an acre (above the density allowed in the Rural Residential 1 Zone) shall be permitted when a project provides improvements and amenities as outlined in the development standards for each residential zoning district. All bonus density entitlements granted by the City Council are density maximums. It is the responsibility of the developer to demonstrate that a parcel designated for higher densities can accommodate the requested densities in compliance with all of the generally applicable requirements of this title and EMMC Title 16. All bonus density entitlements are subject to the applicable standards and limitations of this code, including EMMC 16.40.090, restricting construction and impermeable surfaces on sloped land. Bonus density will not be granted when the proposed improvement, facility, or amenity is an otherwise required improvement for a land use as found in this title and EMMC Title 16.

A. Criteria & Approval Process. Density and lot sizes are approved/granted along with an application for a preliminary plat or a master development plan. The burden to demonstrate compliance with the criteria and standards in the applicable zoning district is upon the applicant. It shall be the role of the staff, Planning Commission, and City Council to determine substantial compliance with the criteria. Notwithstanding these provisions the applicant may propose, and the planning commission may recommend to the City Council, awarding density when a proposal diverges from the general criteria but an equivalent value to the City and its residents can be demonstrated. Upon receipt of this recommendation, the City Council may award density once it has been determined that the proposed improvement, facility, amenity, or payment is within the public's interest.

17.25.050 Rural Residential 1 (RR1) Zone Development Standards.

All lots in the Rural Residential 1 Zone shall comply with the following development standards.

A. Minimum lot size = 2.5 acres (108,900 square feet)

B. Setbacks – Primary Structures (Setbacks shall only apply to structures that require a city building permit or approval. No structure which cannot be removed shall be constructed across an easement. Up to a 10 percent variation in setbacks may be approved by the Planning Director and Building Official if the variation is deemed appropriate due to an issue with slope, unique lot configuration, or other unique circumstance. Home design is not considered a unique circumstance.). Guidance regarding allowed projections into setbacks is outlined in EMMC 17.25.180.

Front	Rear	Side
➢25 Feet	➢25 Feet	➢20 Feet

C. Setbacks – Accessory Structures (Setbacks shall only apply to structures that require a city building permit or approval. No structure which cannot be removed shall be constructed across an easement.)

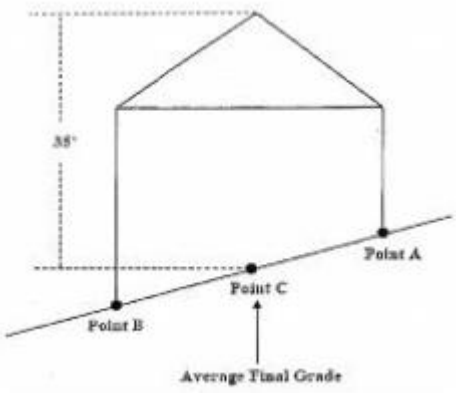
1. Front = Not allowed in front of the home

2. Rear & Side = No less than 10 feet; 15 feet if the lot is on a corner

D. Lot Frontage (measured at the street property line) = A minimum of 150 feet; a minimum of 60 feet on a cul-de-sac or circle

E. Building Height.

1. Primary structures = maximum of 35 feet, measured from the average of the highest finished grade and the lowest finished grade of the structure to the highest point of the roof, excluding ancillary structures.



2. Ancillary structures = maximum of 10 feet above the primary structure (Chimneys, antennas, flagpoles, church towers or any ancillary structures not used for human occupancy shall be excluded when determining the height.

3. Accessory structures = maximum of 35 feet.

F. Open Space Requirements. No improved open space is required in this zone.

G. Infrastructure. At their discretion the approval authority may exempt the project from installing curb, gutter, sidewalk, and streetlights. If sidewalks are not required, a paved trail shall be required on one side of every road in the project. Equestrian trails that adjoin each lot may be required by the approval authority when the subdivision is designed to accommodate horse raising and keeping.

17.25.060 Rural Residential 2 (RR2) Zone Development Standards and Bonus Density Entitlements

All lots in the Rural Residential 2 Zone shall comply with the following development standards.

A. Residential Bonus Density Entitlements. Developers desiring the lot sizes and densities allowed in the RR2 zone are required to comply with the development standards, improvements, and amenities detailed in this code section. Density or lot size approval is granted by the land use authority for master development plans (when required) or preliminary plats.

B. Minimum lot size = 0.5 acres (21,780 square feet)

C. Setbacks – Primary Structures (Setbacks shall only apply to structures that require a city building permit or approval. No structure which cannot be removed shall be constructed across an easement. Up to a 10 percent variation in setbacks may be approved by the Planning Director and Building Official if the variation is deemed appropriate due to an issue with slope, unique lot configuration, or other unique circumstance. Home design is not considered a unique circumstance.). Guidance regarding allowed projections into setbacks is outlined in EMMC 17.25.180.

Front	Rear	Side
➢25 Feet	➢25 Feet	➢15 Feet

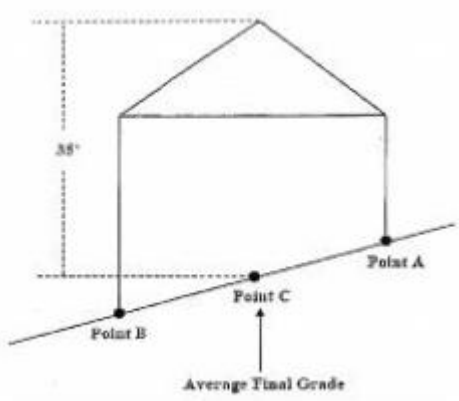
D. Setbacks – Accessory Structures (Setbacks shall only apply to structures that require a city building permit or approval. No structure which cannot be removed shall be constructed across an easement.)

1. Front = Not allowed in front of the home

2. Rear & Side = No less than 10 feet; 15 feet if the lot is on a corner

E. Lot Frontage (measured at the street property line) = A minimum of 100 feet; a minimum of 40 feet on a cul-de-sac or circle.

F. Building Height.



1. Primary structures = maximum of 35 feet, measured from the average of the highest finished grade and the lowest finished grade of the structure to the highest point of the roof, excluding ancillary structures.

2. Ancillary structures = maximum of 10 feet above the primary structure (Chimneys, antennas, flagpoles, church towers or any ancillary structures not used for human occupancy shall be excluded when determining the height.

3. Accessory structures = maximum of 35 feet for agriculture- or farm-related buildings; maximum of 20 feet for detached garages, sheds, and other buildings.

G. Open Space & Trails. A minimum of 1,000 square feet per lot shall be provided as improved open space. The approval authority may require the developer to pay a fee in lieu according to EMMC 16.35.105(A)(11). Parks and trails must be improved as required by the standards set forth in EMMC Chapter 16.35. Equestrian trails that adjoin each lot may be required by the approval authority when the subdivision is designed to accommodate horse raising and keeping.

H. Size of Accessory Structures. The combined square footage of accessory structures on lots that are between one-half acre and one acre in size is limited to 75 percent of the square footage of the footprint of the residential dwelling, including attached garage. Lots larger than one acre have no limit on the square footage of accessory structures.

17.25.070 Foothill Residential (FR) Zone Development Standards and Bonus Density Entitlements. All lots in the Foothill Residential (FR) Zone shall comply with the following development standards.

A. Residential Bonus Density Entitlements. Developers desiring the lot sizes and densities allowed in the FR zone are required to comply with the development standards, improvements, and amenities detailed in this code section. Density or lot size approval is granted by the land use authority for master development plans (when required) or preliminary plats.

B. Lot Sizes. Minimum lot size = 0.25 acres (10,890 square feet); Average lot size in any development (preliminary plat) must be greater than or equal to 0.5 acres (21,780 square feet).

C. Open Space & Trails. Lots and roads shall be arranged to best protect contiguous open space areas, ridgelines, hillsides, drainages, wildlife habitat, and provide useable open space or trail access to useable open space. Rather than including large areas of unbuildable land in lots, developers are encouraged to preserve and dedicate these areas as public open space. A minimum of 1,000 square feet per lot shall also be provided as improved open space. The approval authority may require the developer to pay a fee in lieu according to EMMC 16.35.105(A)(11), or may consider alternative open space plans. Alternative plans will be evaluated based upon the benefit to the neighborhood/community and the unique nature of the site, and may include additional trails, preservation/dedication of additional open space areas, and unique improvements/amenities. Parks and trails must be improved as required by the standards set forth in Chapter 16.35 EMMC.

D. Setbacks – Primary Structures (Setbacks shall only apply to structures that require a city building permit or approval. No structure which cannot be removed shall be constructed across an easement. Up to a 10 percent variation in setbacks may be approved by the Planning Director and Building Official if the variation is appropriate due to an issue with slope, unique lot configuration, or other unique circumstance. Home design is not considered a unique circumstance.). Setbacks are measured from property lines. Guidance regarding allowed projections into setbacks is outlined in EMMC 17.25.180. Retaining walls on steep slopes must be placed at least 10 feet away from the primary structure to allow for proper drainage away from the structure.

Front	Front Garage	Rear	Corner Side	Side	Garage Side
≥15 Feet	≥22 Feet	≥20 Feet	≥15 Feet	≥8 Feet	≥10 Feet

E. Setbacks – Accessory Structures (Setbacks shall only apply to structures that require a city building permit or approval. No structure which cannot be removed shall be constructed across an easement.)

1. Front = Not allowed in front of the home

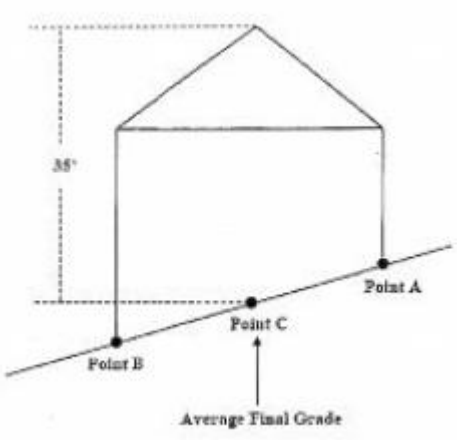
2. Rear & Side = No less than 5 feet; 15 feet if the lot is on a corner

3. Primary Structure = No less than 6 feet away from the primary structure

F. E. Lot Frontage (measured at the street property line) = A minimum of 80 feet; Minimum lot frontage on a cul-de-sac or circle = 40 feet. Minor reductions in frontages may be approved if the lot frontage at the front setback is ≥ 75 feet.

G. Building Height.

1. Primary structures = maximum of 35 feet, measured from the average of the highest finished grade and the lowest finished grade of the structure to the highest point of the roof, excluding ancillary structures.



2. Ancillary structures = maximum of 10 feet above the primary structure (Chimneys, antennas, flagpoles, church towers or any ancillary structures not used for human occupancy shall be excluded when determining the height.

3. Accessory structures = maximum of 35 feet for agriculture- or farm-related buildings; maximum of 20 feet for detached garages, sheds, and other buildings.

H. Size of Accessory Structures. The combined square footage of accessory structures on lots smaller than one-half acre shall be no greater than 50 percent of the square footage of the footprint of the residential dwelling, including attached garage. The combined square footage of accessory structures on lots that are between one-half acre and one acre in size is limited to 75 percent of the square footage of the footprint of the residential dwelling, including attached garage. Lots larger than one acre have no limit on the square footage of accessory structures.

I. Elevation and Streetscape Standards. Developments should produce diverse yet compatible homes with equal design quality on all sides. If a floor plan is to be repeatedly built within a development, a minimum of five elevation schemes shall be developed. Elevation schemes shall be approved by the planning director or his/her delegated representative. Houses sited on adjacent lots, or directly across the street (sharing frontage) shall have different floor plans or elevations and different color schemes. Prefabricated metal carports are prohibited in front yards.

J. Street Trees. Trees shall be planted in park strips along all public streets and shall be included in a landscape plan submitted along with a preliminary plat application. Planting shall be done along with the front yard landscaping and in accordance with the standards found in EMMC 16.35.080.

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

17.25.080 Neighborhood Residential 1 (NR1) Zone Development Standards and Bonus Density Entitlements.

Developments in this zone are intended to provide detached single-family homes on a variety of lot sizes that provide for move-up opportunities within neighborhoods. In addition to the generally applicable standards in this chapter, all lots in the Neighborhood Residential 1 Zone shall comply with the following development standards.

A. Residential Bonus Density Entitlements. Developers desiring the lot sizes and densities allowed in the NR1 zone are required to comply with the development standards, improvements, and amenities detailed in this code section. Density or lot size approval is granted by the land use authority for master development plans (when required) or preliminary plats.

B. Lot Sizes. Minimum lot size = 6,500 square feet; Average lot size in any development must be greater than or equal to 8,000 square feet. At least 25% of the lots in a development must be greater than ¼ acre (10,890 square feet), unless approved otherwise by the approval authority in a preliminary plat or master development plan. A variety of lot sizes shall be included in a development.

C. Open Space. A minimum of 1,000 square feet per lot shall be provided as improved open space. The approval authority may require the developer to pay a fee in lieu according to EMMC 16.35.105(A)(11). Parks and trails must be improved as required by the standards set forth in Chapter 16.35 EMMC.

D. Setbacks – Primary Structures (Setbacks shall only apply to structures that require a city building permit or approval. No structure which cannot be removed shall be constructed across an easement. Up to a 10 percent variation in setbacks may be approved by the Planning Director and Building Official if the variation is appropriate due to an issue with slope, unique lot configuration, or other unique circumstance. Home design is not considered a unique circumstance.). Setbacks are measured from property lines. Guidance regarding allowed projections into setbacks is outlined in EMMC 17.25.180.

Front	Front Garage	Rear	Corner Side	Side	Garage Side
≥15 Feet	≥22 Feet	≥20 Feet	≥15 Feet	≥5 Feet *	≥10 Feet

** If a structure is constructed with less than an eight-foot setback, piping or other approved drainage system shall be installed in that side yard prior to occupancy, sending the water at least 10 feet downhill away from the foundation (in conformance to the current International Residential Code).*

E. Setbacks – Accessory Structures (Setbacks shall only apply to structures that require a city building permit or approval. No structure which cannot be removed shall be constructed across an easement.)

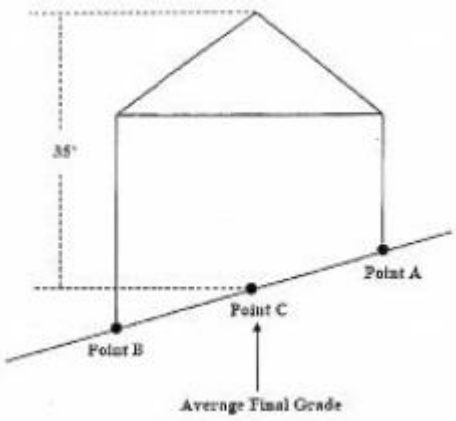
1. Front = Not allowed in front of the home

2. Rear & Side = No less than 5 feet; 15 feet if the lot is on a corner

3. Primary Structure = No less than 6 feet away from the primary structure

F. Lot Frontage Requirements. Minimum lot frontage along a street = 55 feet. At least 25% of lots = minimum lot frontage of 62 feet (distributed throughout a development and not clustered together). Minimum lot frontage on a cul-de-sac or circle = 20 feet.

G. Building Height.



1. Primary structures = maximum of 35 feet, measured from the average of the highest finished grade and the lowest finished grade of the structure to the highest point of the roof, excluding ancillary structures.

2. Ancillary structures = maximum of 10 feet above the primary structure (Chimneys, antennas, flagpoles, church towers or any ancillary structures not used for human occupancy shall be excluded when determining the height.

3. Accessory structures = maximum of 20 feet for detached garages, sheds, and other buildings.

H. Size of Accessory Structures. The combined square footage of accessory structures on lots smaller than one-half acre shall be no greater than 50 percent of the square footage of the footprint of the residential dwelling, including attached garage. The combined square footage of accessory structures on

lots that are between one-half acre and one acre in size is limited to 75 percent of the square footage of the footprint of the residential dwelling, including attached garage. Lots larger than one acre have no limit on the square footage of accessory structures.

I. Elevation and Streetscape Standards. Developments should produce diverse yet compatible homes with equal design quality on all sides. If a floor plan is to be repeatedly built within a development, a minimum of five elevation schemes shall be developed. Elevation schemes shall be approved by the planning director or his/her delegated representative. Houses sited on adjacent lots, or directly across the street (sharing frontage) shall have different floor plans or elevations and different color schemes. Prefabricated metal carports are prohibited in front yards.

J. Street Trees. Trees shall be planted in park strips along all public streets and shall be included in a landscape plan submitted along with a preliminary plat application. Planting shall be done along with the front yard landscaping and in accordance with the standards found in EMMC 16.35.080.

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

17.25.090 Neighborhood Residential 2 (NR2) Zone Development Standards and Bonus Density Entitlements.

Developments in this zone are intended to provide small-lot detached homes and single-family attached housing, generally as buffers between NR1 developments and NR3 or commercial areas. In addition to the generally applicable standards in this chapter, all development in the Neighborhood Residential 2 Zone shall comply with the following development standards.

A. Residential Bonus Density Entitlements. Developers desiring the lot sizes and densities allowed in the NR2 zone are required to comply with the development standards, improvements, and amenities detailed in this code section. Density or lot size approval is granted by the land use authority for master development plans (when required) or preliminary plats.

B. Density. Overall project densities shall not exceed 8 units per acre (excluding unbuildable areas, institutional areas, etc.). Applicants are not automatically entitled to the maximum 8 units per acre, and

must provide sufficient evidence that their proposed development is compatible with surrounding developments and provides an appropriate mix of housing (lot sizes or housing types) and buffering/transitioning for the location. The approval authority may approve a slightly reduced density if supported by findings of fact.

C. Open Space & Amenities. A minimum of 1,000 square feet per lot shall be provided as improved open space. The approval authority may require the developer to pay a fee in lieu according to EMMC 16.35.105(A)(11). Parks and trails must be improved as required by the standards set forth in Chapter 16.35 EMMC.

D. Clubhouse & Swimming Pool. All single-family attached developments in this zone are required to provide a clubhouse. Developments of more than 150 single-family attached units shall include a swimming pool in addition to the clubhouse. The approval authority of a preliminary plat or site plan may consider and approve alternatives to the clubhouse and swimming pool if the improvements are considered comparable in cost and in benefit to the future residents.

1. Clubhouse or Community Center. A clubhouse facility that is centrally located in the development is intended to provide a recreational and social amenity to residents. No clubhouse shall serve more than 250 residential units. Developments may therefore require multiple clubhouses. The clubhouse does not count towards fulfilling the amenity requirements found in EMMC 16.35.

a. Clubhouse Size & Improvements. Minimum clubhouse size = 1,500 square feet. Clubhouses shall include food serving facilities, large gathering areas suited to community meetings and events, restroom facilities, and amenities that may include exercise equipment, multimedia equipment, facilities to accommodate the arts, indoor recreation (basketball, volleyball, etc.), or upgraded food preparation or service facilities.

b. Clubhouse Completion. The construction of the clubhouse shall commence no later than the recording of 50% of the units in the project. The clubhouse shall be bonded for with the subdivision improvements. Applicants shall submit a building permit application prior to constructing this improvement.

c. Submittal & Evaluation. Clubhouse elevations and a floor plan stamped by a licensed architect along with an improvement estimate shall be submitted. The approval authority shall review and approve the clubhouse structure during the site plan review process.

2. Swimming Pool. An in-ground swimming pool that is centrally located in the development is intended to provide a recreational and social amenity to residents. No pool shall serve more than 250

units, unless it is sized to accommodate 4 square feet of pool space per dwelling unit. Developments may therefore require multiple pools. The swimming pool does not count towards fulfilling the amenity requirements found in EMMC 16.35.

a. Pool Size & Improvements. The pool shall be a minimum of 1,000 square feet in size, but may be required to be larger to accommodate at least 4 square feet of pool space per residential unit being served by the pool. It shall also include a concrete patio, patio furniture, a non-sight-obscuring fence, and comply with all required building codes. Applicants shall obtain a building permit prior to constructing this improvement.

b. Swimming Pool Completion. The construction of the pool shall commence no later than the recording of 50% of the units in the project, and shall be completed prior to occupancy of 50% of the units. The swimming pool shall be bonded for with the subdivision improvements.

c. Submittal & Evaluation. The swimming pool facility plans, stamped by the appropriate professionals, along with an improvement estimate shall be submitted. The approval authority shall review and approve the swimming pool facility during the site plan review process.

E. Site Plan Approval. All developments that include single-family attached housing or small-lot single-family homes with less than 55 feet of frontage shall be subject to a site plan review and approval in accordance with the standards in EMMC 17.100 and other applicable standards.

F. Setbacks – Primary Structures (Setbacks shall only apply to structures that require a city building permit or approval. No structure which cannot be removed shall be constructed across an easement. Up to a 10 percent variation in setbacks may be approved by the Planning Director and Building Official if the variation is appropriate due to an issue with slope, unique lot configuration, or other unique circumstance. Home design is not considered a unique circumstance.). Setbacks are measured from property lines. Guidance regarding allowed projections into setbacks is outlined in EMMC 17.25.180.

Front	Front Garage	Rear	Corner Side	Side	Garage Side
≥15 Feet	≥22 Feet***	≥20 Feet	≥15 Feet	≥5 Feet *	≥10 Feet**

** If a structure is constructed with less than an eight-foot setback, piping or other approved drainage system shall be installed in that side yard prior to occupancy, sending the water at least 10 feet downhill away from the foundation (in conformance to the current International Residential Code).*

*** A minimum of 15 feet is required between single-family attached buildings.*

**** Driveway length exceptions for townhomes may be requested and considered at the discretion of the approval authority with a preliminary plat.*

G. Setbacks – Accessory Structures (Setbacks shall only apply to structures that require a city building permit or approval. No structure which cannot be removed shall be constructed across an easement.)

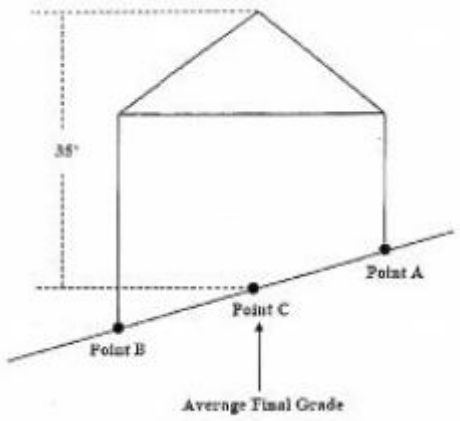
1. Front = Not allowed in front of the home

2. Rear & Side = No less than 5 feet; 15 feet if the lot is on a corner

3. Primary Structure = No less than 6 feet away from the primary structure

H. Building Height.

1. Primary structures = maximum of 35 feet, measured from the average of the highest finished grade and the lowest finished grade of the structure to the highest point of the roof, excluding ancillary structures.



2. Ancillary structures = maximum of 10 feet above the primary structure (Chimneys, antennas, flagpoles, church towers or any ancillary structures not used for human occupancy shall be excluded when determining the height.

3. Accessory structures = maximum of 20 feet for detached garages, sheds, and other buildings.

I. Size of Accessory Structures. The combined square footage of accessory structures shall be no greater than 50 percent of the square footage of the footprint of the residential dwelling, including attached garage.

J. Elevation and Streetscape Standards. Developments shall produce diverse yet compatible homes with equal design quality on all sides. If a floor plan is to be repeatedly built within a development, a minimum of five elevation schemes shall be developed. Elevation schemes shall be approved by the planning director or his/her delegated representative. Houses sited on adjacent lots, or directly across the street (sharing frontage) shall have different floor plans or elevations and different color schemes. Prefabricated metal carports are prohibited in front yards. Townhouses or other attached housing shall comply with the applicable standards found in EMMC 17.72.

K. Street Trees. Trees shall be planted in park strips along all public streets and shall be included in a landscape plan submitted along with a preliminary plat application. Planting shall be done according to the approved landscape plan and in accordance with the standards found in EMMC 16.35.080.

L. Parking. Visitor parking shall be provided in attached housing developments in accordance with the standards in EMMC 17.55.

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

17.25.100 Neighborhood Residential 3 (NR3) Zone Development Standards and Bonus Density Entitlements.

Developments in this zone are intended to provide townhome and condominium developments in locations that are within walking distance of retail/office development, transit facilities, a major recreation facility or park, adjacent to major roadways or intersections, and locations designated in the City's General Plan. In addition to the generally applicable standards in this chapter, all development in the Neighborhood Residential 3 Zone shall comply with the following development standards.

A. Density. Overall project densities shall not exceed 18 units per acre (excluding unbuildable areas, institutional areas, and major roads). Applicants are not automatically entitled to the maximum 18 units per acre, and must provide sufficient evidence that their proposed development is compatible with surrounding developments, provides an appropriate mix of housing (housing types or unit sizes), appropriate buffering/transitioning for the location, and improvements in this code section. The approval authority may approve a slightly reduced density if supported by specific findings of fact.

B. Open Space & Amenities. A minimum of 1,000 square feet per residential unit shall be provided as improved open space for units with 3 bedrooms or more, 750 square feet for 2-bedroom units, and 500 square feet for 1-bedroom units. The approval authority may require the developer to pay a fee in lieu according to EMMC 16.35.105(A)(11). Parks and trails must be improved as required by the standards set forth in Chapter 16.35 EMMC. Common open space areas within projects shall not count towards this requirement, unless a large area is planned that meets the criteria found in EMMC 16.35.105.

C. Clubhouse & Swimming Pool (Required; Alternatives Considered). All single-family attached or multi-family developments in this zone are required to provide a clubhouse or community center. Developments of more than 150 single-family attached units shall include a swimming pool in addition to the clubhouse. The approval authority of a preliminary plat or site plan may consider and approve alternatives to the clubhouse and swimming pool if the improvements are considered comparable in cost and in benefit to the future residents.

1. Clubhouse or Community Center. A clubhouse facility that is centrally located in the development is intended to provide a recreational and social amenity to residents. No clubhouse shall serve more than 250 residential units. Developments may therefore require multiple clubhouses. The clubhouse does not count towards fulfilling the amenity requirements found in EMMC 16.35.

a. Clubhouse Size & Improvements. Minimum clubhouse size = 1,500 square feet. Clubhouses shall include food serving facilities, large gathering areas suited to community meetings and events, restroom facilities, and amenities that may include exercise equipment, multimedia equipment, facilities to accommodate the arts, indoor recreation (basketball, volleyball, etc.), or upgraded food preparation or service facilities.

b. Clubhouse Completion. The construction of the clubhouse shall commence no later than the recording of 50% of the units in the project. The clubhouse shall be bonded for with the subdivision improvements. Applicants shall submit a building permit application prior to constructing this improvement.

c. Submittal & Evaluation. Clubhouse elevations and a floor plan stamped by a licensed architect along with an improvement estimate shall be submitted. The approval authority shall review and approve the clubhouse structure during the site plan review process.

2. Swimming Pool. An in-ground swimming pool that is centrally located in the development is intended to provide a recreational and social amenity to residents. No pool shall serve more than 250 units, unless it is sized to accommodate 4 square feet of pool space per dwelling unit. Developments may therefore require multiple pools. The swimming pool does not count towards fulfilling the amenity requirements found in EMMC 16.35.

a. Pool Size & Improvements. The pool shall be a minimum of 1,000 square feet in size, but may be required to be larger to accommodate at least 4 square feet of pool space per residential unit being served by the pool. It shall also include a concrete patio, patio furniture, a non-sight-obscuring fence, and comply with all required building codes. Applicants shall obtain a building permit prior to constructing this improvement.

b. Swimming Pool Completion. The construction of the pool shall commence no later than the recording of 50% of the units in the project, and shall be completed prior to occupancy of 50% of the units. The swimming pool shall be bonded for with the subdivision improvements.

c. Submittal & Evaluation. The swimming pool facility plans, stamped by the appropriate professionals, along with an improvement estimate shall be submitted. The approval authority shall review and approve the swimming pool facility during the site plan review process.

C. Site Plan Approval (Required). The diverse types of potential housing products require that all developments in this category shall be subject to a site plan review and approval. The review and approval shall include, but not be limited to, setbacks of primary and accessory structures, building height, dwelling size, and building elevations and materials (in compliance with Chapter 17.72 EMMC). The minimum distance between single-family attached housing structures shall be 15 feet, and the minimum distance between multifamily housing structures shall be 20 feet.

D. Parking. Projects shall comply with the off-street parking standards found in EMMC 17.55, and may be awarded density if covered or garage parking is provided.

1. Covered Parking. If the project is providing covered parking as part of the bonus density entitlements, one covered parking stall shall be required for each unit. The parking structure shall completely cover the City's standard parking stall dimension of 9'x20', and shall be constructed of colors that are similar to the residential structures in the project. The construction of the covered parking shall occur with the construction of each phase of development. Applicants shall submit a building permit application prior to constructing this improvement. The approval authority shall review and approve the covered parking structures during the site plan review process.

2. Garages. If the project is providing garages as part of the bonus density entitlements, one parking stall per unit shall be in an enclosed garage. A separate single garage may be constructed for each unit or a common enclosed garage to accommodate all units in a building. The garage doors shall be automated. Enclosed garages may be either detached or attached to the residential structure, and shall comply with the minimum size requirements in 17.25.080(A). The construction of garage parking shall occur with the construction of each phase of development. The approval authority shall review and approve the garage parking structures during the site plan review process.

E. Storage Units (optional for higher density). If the project is providing storage units as part of the bonus density entitlements, a secured storage unit with no less than 100 square feet of contiguous floor area shall be provided for each unit. Secured storage units are intended to provide residents with a space to secure personal items. The storage units may be incorporated into garages or covered parking; provided,

that it meets the floor area requirement. The construction of the storage space for each unit shall occur with the construction of each phase of the development. The approval authority shall review and approve the storage units during the site plan review process.

F. Projection into Setbacks. Guidance regarding allowed projections into setbacks outlined in EMMC 17.25.180.

G. Street Trees. Trees shall be planted in park strips along all public streets and shall be included in a landscape plan submitted along with a preliminary plat application. Planting shall be done according to the approved landscape plan and in accordance with the standards found in EMMC 16.35.080.

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

~~**17.25.170 Previous zoning district equivalents.**~~

~~The equivalent zoning districts contained in previous development codes include the country residential (CR) zone, town core residential (TCR), commercial core (CC), and village core (VC). Properties zoned prior to the adoption of this title shall only be entitled to the permitted and conditional uses permissible under the land use ordinance in which the property was zoned. With the exception of the land uses, property zoned under previous development codes shall comply with all other regulations and standards contained in this chapter so long as they do not restrict density entitlements that are solidified in a master development agreement. Property zoned under the development code of the town of Eagle Mountain adopted on September 28, 1999, is entitled to the following land uses:~~

~~A. Country Residential (CR). Permitted uses within the CR zone will be single-family detached dwellings on individual building lots. Conditional uses within the zone are multiple-family dwellings, commercial uses as identified in the town core residential not to exceed 10 percent, places of worship, bed and breakfast and public and private schools.~~

~~B. Town Core Residential (TCR). Single-family dwellings, both attached and detached, and recreational facilities designed to service a group of residential structures are the only permitted uses in the TCR zone. The following conditional uses and such uses as the planning commission may recommend as~~

~~similar and consistent in character, scale and impact will be considered: multiple-family dwellings, restaurants, office uses, day care centers, art galleries, museums, places of worship and public and private schools. All other uses are expressly prohibited.~~

~~C. Commercial Core (CC). Permitted uses in this zone are retail sales, business offices, banks, restaurants, apartments or condominiums, and professional offices. The following conditional uses and such uses as the planning commission may recommend as similar and consistent with the scale, character and impact of existing uses will be considered: retail service establishments, restaurants, theaters, hotels, motels, bed and breakfast facilities, retail goods establishments and places of worship. All other uses are expressly prohibited.~~

~~D. Village Core (VC). Single-family dwellings, detached and attached, will be a permitted use in this zone. All uses that are included in the commercial core will be allowed on a conditional basis in the village core. Public and private schools will also be a conditional use. [Ord. O-05-2011 § 2 (Exh. A); Ord. O-11-2010 § 2 (Exh. A); Ord. O-18-2008 § 2 (Exh. A § 5.17); Ord. O-10-2007 § 2 (Exh. A § 5.17); Ord. O-18-2006 § 2 (Exh. 1 § 5.17); Ord. O-02-2006 § 3 (Exh. 1 § 5.17); Ord. O-23-2005 § 3 (Exh. 1(1) § 5.17)].~~

17.25.110 Projection into setbacks.

A. Residential Setbacks. The minimum distance measured from the property line to the outer foundation wall of a structure. Setbacks are defined in Chapter 17.10 EMMC (Definitions) and tier level setback requirements are found in Chapters 17.25 (Residential Zone) and 17.30 (Residential Bonus Density Entitlements) EMMC.

Table 17.25.110(A) Residential Setbacks

Setbacks				
Zone	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	Minimum Street Side Yard (Corner)
RR1	25'	25'	20'	20'
RR2	25'	25'	15'	15'
FR	15'/22'***	20'	8' & 10' on Garage Side	15'
NR1	15'/22'***	20'	5'* & 10' on Garage Side	15'
NR2	15'/22'***	20'	5'* & 10'** on Garage Side	15'
Distance Between Multifamily Housing Structures				
NR3 (Multifamily)		20' Council may approve a standard that differs		
** if a structure is constructed with less than an eight-foot setback, piping or other approved drainage system shall be installed in that side yard prior to occupancy, sending the water at least 10 feet downhill away from the foundation (in conformance to the current International Residential Code).*				
*** A minimum of 15 feet is required between single-family attached buildings*				
**** Driveway length exceptions for townhomes may be requested and considered at the discretion of the approval authority with a preliminary plat*				

B. Allowed Projection into Setbacks.

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

Projecting Feature	Allowed Projection into Setbacks									
	RR1 and RR2 Front Yards	RR1 and RR2 Rear Yards	RR1 and RR2 Side Yards	FR Front Yards	FR Rear Yards	FR Side Yards	NR1 & NR2 Front Yards	NR1 and NR2 Rear Yards	NR1 & NR2 Side Yards	Nearest Property Line
Awnings/Canopies	5'	5'	5'	5'	5'	5'	3'	3'	2'	3'*

2. Balconies – Open and Unenclosed.

Projecting Feature	Allowed Projection into Setbacks									
	RR1 and RR2 Front Yards	RR1 and RR2 Rear Yards	RR1 and RR2 Side Yards	FR Front Yards	FR Rear Yards	FR Side Yards	NR1 & NR2 Front Yards	NR1 and NR2 Rear Yards	NR1 & NR2 Side Yards	Nearest Property Line
Balconies (Unenclosed)	2'	2'	2'	2'	2'	2'	2'	2'	2'	3'*

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

Projecting Feature	Allowed Projection into Setbacks									
	RR1 and RR2 Front Yards	RR1 and RR2 Rear Yards	RR1 and RR2 Side Yards	FR Front Yards	FR Rear Yards	FR Side Yards	NR1 & NR2 Front Yards	NR1 and NR2 Rear Yards	NR1 & NR2 Side Yards	Nearest Property Line
Bay Windows	3'	3'	3'	3'	3'	3'	3'	3'	2'	3'*

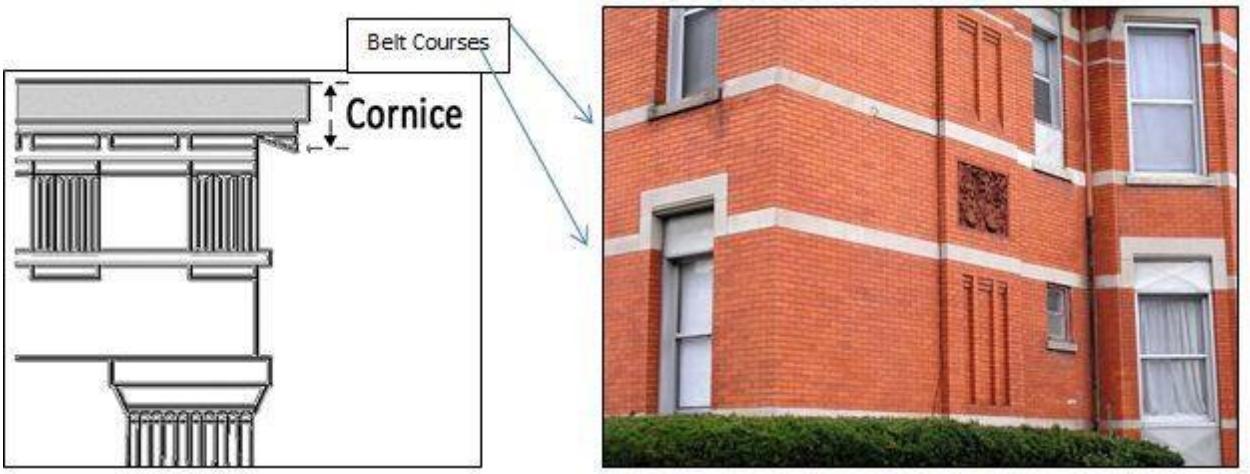
4. Cantilevered Building Projections. Also known as micro-additions, or pop-outs. Shall not exceed eight feet in length.

Projecting Feature	Allowed Projection into Setbacks									
	RR1 and RR2 Front Yards	RR1 and RR2 Rear Yards	RR1 and RR2 Side Yards	FR Front Yards	FR Rear Yards	FR Side Yards	NR1 & NR2 Front Yards	NR1 and NR2 Rear Yards	NR1 & NR2 Side Yards	Nearest Property Line
Cantilever	2'	2'	2'	2'	2'	2'	2'	2'	2'	3'*

5. Chimney or Fireplace.

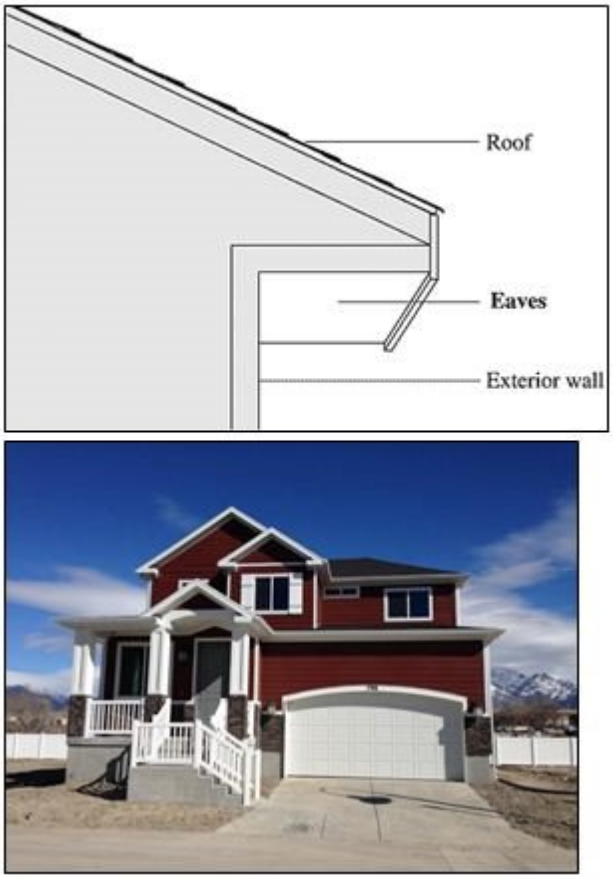
Projecting Feature	Allowed Projection into Setbacks									
	RR1 and RR2 Front Yards	RR1 and RR2 Rear Yards	RR1 and RR2 Side Yards	FR Front Yards	FR Rear Yards	FR Side Yards	NR1 & NR2 Front Yards	NR1 and NR2 Rear Yards	NR1 & NR2 Side Yards	Nearest Property Line
Chimney/Fireplace	2.5'	2.5'	2.5'	2.5'	2.5'	2.5'	2.5'	2.5'	2.5'	2.5'*

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



Projecting Feature	Allowed Projection into Setbacks									
	RR1 and RR2 Front Yards	RR1 and RR2 Rear Yards	RR1 and RR2 Side Yards	FR Front Yards	FR Rear Yards	FR Side Yards	NR1 & NR2 Front Yards	NR1 and NR2 Rear Yards	NR1 & NR2 Side Yards	Nearest Property Line
Cornices, Belt Courses	1'	1'	1'	1'	1'	1'	1'	1'	1'	n/a

7. Eaves, Roof Overhangs.



Projecting Feature	Allowed Projection into Setbacks									
	RR1 and RR2 Front Yards	RR1 and RR2 Rear Yards	RR1 and RR2 Side Yards	FR Front Yards	FR Rear Yards	FR Side Yards	NR1 & NR2 Front Yards	NR1 and NR2 Rear Yards	NR1 & NR2 Side Yards	Nearest Property Line
Eaves, Roof Overhangs	3'	3'	3'	3'	3'	3'	3'	3'	3'	n/a

8. Porch, Deck, Landing.

a. Uncovered.

b. Covered.

Projecting Feature	Allowed Projection into Setbacks									
	RR1 and RR2 Front Yards	RR1 and RR2 Rear Yards	RR1 and RR2 Side Yards	FR Front Yards	FR Rear Yards	FR Side Yards	NR1 & NR2 Front Yards	NR1 and NR2 Rear Yards	NR1 & NR2 Side Yards	Nearest Property Line
Eaves, Roof Overhangs	3'	3'	3'	3'	3'	3'	3'	3'	3'	n/a
Porch, Deck, Landings (Uncovered)	10'	10'	10'	5'	5'	3'	5'	5'	-	n/a
Porch, Deck, Landings (Covered)	6'	6'	6'	5'	5'	3'	5'	5'	-	n/a

Table 17.25.110(B)

Projecting Feature	Allowed Projection into Setbacks									
	RR1 and RR2 Front Yards	RR1 and RR2 Rear Yards	RR1 and RR2 Side Yards	FR Front Yards	FR Rear Yards	FR Side Yards	NR1 & NR2 Front Yards	NR1 and NR2 Rear Yards	NR1 & NR2 Side Yards	Nearest Property Line
Awnings/Canopies	5'	5'	5'	5'	5'	5'	3'	3'	2'	3'*
Balconies (Unenclosed)	2'	2'	2'	2'	2'	2'	2'	2'	2'	3'*
Bay Windows	3'	3'	3'	3'	3'	3'	3'	3'	2'	3'*
Cantilever	2'	2'	2'	2'	2'	2'	2'	2'	2'	3'*
Chimney/Fireplace	2.5'	2.5'	2.5'	2.5'	2.5'	2.5'	2.5'	2.5'	2.5'	2.5'*
Cornices, Belt Courses	1'	1'	1'	1'	1'	1'	1'	1'	1'	n/a
Eaves, Roof Overhangs	3'	3'	3'	3'	3'	3'	3'	3'	3'	n/a
Porch, Deck, Landings (Uncovered)	10'	10'	10'	5'	5'	3'	5'	5'	-	n/a
Porch, Deck, Landings (Covered)	6'	6'	6'	5'	5'	3'	5'	5'	-	n/a
** At least one five-foot access must be maintained from the front yard to the rear yard through a side yard*										

[Ord. O-02-2018 § 2 (Exh. A); Ord. O-16-2016 § 2 (Exh. A); Ord. O-05-2016 § 2 (Exh. A)].

EAGLE MOUNTAIN	**EAGLE MOUNTAIN CITY** **PLANNING COMMISSION MEETING** **APRIL 9, 2019**
TITLE:	Development Standards for Required Public Facilities Development Code Amendment
ITEM TYPE:	Development Code Amendment
APPLICANT:	City Staff

ACTION ITEM:
Yes

PUBLIC HEARING:
Yes

REQUIRED FINDINGS:

PREPARED BY:
Steve Mumford, Planning

BACKGROUND:
A recent review of Table 16.35.130(c) by the City Parks and Recreation Director has led us to believe that not enough amenity points are being assigned to restrooms. The City has installed 2-stall 190-square foot restrooms in several parks in the last couple of years; the cost of these restrooms, with installation of utilities, is approximately $50,000 - $65,000. The current amenities table assigns 100 points to a 600 square-foot restroom. The cost of a 600-square foot restroom is approximately $150,000 - $200,000. A majority of the amenity points have been calculated based upon $500/point. We recommend assigning 100 points to a 2-stall restroom and 80 points per 2 additional stalls.

ITEMS FOR CONSIDERATION:

RECOMMENDATION:
If the Planning Commission believes the code change is appropriate the following is an acceptable motion: I Move that the Planning Commission recommends approval of the Development Code Amendment to chapter 16.35 Development Standards for Required Public Facilities as proposed. Recommended changes can also be included in the motion, if necessary.

Attachments:
Draft_Code - Amenities Table (1).pdf

Table 16.35.130(c) Park and Improved Open Space Elements

Park Feature/Improvement	Points
Bench/picnic table (w/ shade structure or trees)	2
Bicycle rack (4+ bikes)	2
Trees (5)	2
Shade structure	4
Drinking fountain	5
Asphalt or concrete trails – 8 ft. wide, excluding sidewalks along streets (per 100 linear feet)	6
Parking* (5 stalls)	6
Swings (4+ swings)	7
Concrete basketball court (1/2)	20
Pavilion w/ tables, garbage receptacles, barbeques (per 100 sq. ft.)	4
Playground equipment* per $1,000	2
Splash pad* per $1,000	2
Tennis court (6,600 sq. ft. or 55' x 120')	100
Sports court (6,600 sq. ft. or 55' x 120')	100
Restroom (min. 190 sq. ft. & 2 stalls) (80 points per additional 2 stalls) ~~(600+ sq. ft.)~~	100
~~Restroom (2 Stalls on each side) 1,200+ sq. ft.)~~	~~200~~
Public art*	Varies
Other developer-proposed improvement	Varies