



EAGLE MOUNTAIN PLANNING COMMISSION MEETING

March 14, 2023, 5:30 PM

Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

1. Discussion Items

1.A DISCUSSION ITEM -- Upcoming Code Amendments

Planning Commission review of various draft code amendments currently in process of being prepared by Staff.

[General landscape req's](#)

[Detached ADU size](#)

[Multi-family building height](#)

[Drive intersection distance](#)

[Expiration of Applications after inactivity](#)

1.B Open space -- wildlife corridor GIS layer

Planning Commission receipt of wildlife code and/or GIS update by Staff.

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

2. Pledge of Allegiance

3. Declaration of Conflicts of Interest

4. Approval of Meeting Minutes

4.A February 28, 2023 Planning Commission Minutes

[PC 02.28.23 DRAFT Minutes](#)

5. Status Report

6. Action and Advisory Items

6.A ACTION ITEM -- PUBLIC HEARING: AMENDING EMMC SECTION 17.55.080, LANDSCAPING IN PARKING AREAS.

An amendment to further clarify on-site landscaping requirements when a site is adjacent to a public right-of-way.

[17.55.080 Landscaping in parking areas](#)

6.B [ACTION ITEM -- PUBLIC HEARING: CODE AMENDMENTS TO TITLES 17.20.050, 17.25.040, and 17.40.040.](#)

Planning Commission review and decision regarding two proposed minor code changes relating to setbacks of accessory structures and kennels.

[17.25.040 Residential development standards](#)

[17.20.050 and 17.40.040 Conditional uses](#)

7. **Discussion Items**

8. **Next scheduled meeting**

9. **Adjournment**

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

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



EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING
MARCH 14, 2023

TITLE: DISCUSSION ITEM -- Upcoming Code Amendments

ITEM TYPE: Development Code Amendment

APPLICANT: City of Eagle Mountain -- Staff

ACTION ITEM:

No

PUBLIC HEARING:

No

PREPARED BY:

Robert Hobbs, Planning

BACKGROUND:

Up for continued discussion is an assortment of Title 16 and/or Title 17 code amendment drafts in process of being prepared by Staff...the items on the agenda are those which did not receive time or attention during the Planning Commission's last meeting. Other amendments not shown are also being prepped.

ITEMS FOR CONSIDERATION:

Landscape buffer on-site
ADU maximum size(s)
Expiration of inactive applications
Multiple-family building heights
Site plan standard - driveway/roadway access intersection proximity
Wildlife codes and GIS

REQUIRED FINDINGS:

n/a

RECOMMENDATION:

n/a

ATTACHMENTS:

[General landscape req's](#)
[Detached ADU size](#)
[Multi-family building height](#)
[Drive intersection distance](#)
[Expiration of Applications after inactivity](#)

17.60.040 General landscape provisions.

The following landscape provisions shall be adhered to by all land uses unless otherwise noted:

A. Park Strips. Park strips adjacent to ~~all land uses residential dwellings~~ shall be landscaped and maintained by the property owner whose property abuts the park strip unless otherwise approved by the City.

B. Landscape Maintenance. All landscaped areas shall be maintained by watering of landscaping, removal of weeds, the cutting of lawn or any other activities required to maintain healthy and aesthetically pleasing landscaping. Topping of trees as a pruning technique is prohibited.

C. Tree Clearance. Trees which project over any sidewalk shall be pruned clear of all branches between the ground and a height of eight feet for that portion of the foliage located over the sidewalk.

D. Clear Vision Triangles. No landscaping over three feet in height shall be allowed within a clear vision triangle as shown in this chapter except trees with single trunks that are pruned such that all branches and foliage are removed to a height of at least eight feet.

17.70.030 Accessory dwelling unit standards.

D. Location and Type. Accessory dwelling units may be allowed within or attached to the main single-family residential dwelling (basement or addition), over the garage (attached or detached), or in a detached accessory structure (cottage home, casita, guest house), where permitted by EMMC 17.25.030.

1. ADU – Basement. An accessory dwelling unit in a basement must have a separate exterior entrance located on either the side or the rear of the building.

2. ADU – Attached. Accessory dwelling units attached to the primary dwelling as an addition shall meet all minimum setback standards required for the primary dwelling, as found in EMMC 17.25.040. Attached ADUs must have a separate entrance located on the side or in the rear of the building.

3. ADU – Detached.

a. Maximum Height. Maximum height of accessory dwelling units located above a garage is 35 feet. Stand-alone units may not exceed two stories and 35 feet in height.

b. Size. The living space of a detached accessory dwelling unit must be a minimum of 400 square feet ~~and may not be larger than 50 percent of the primary home's footprint (including garage)~~, up to a maximum of 1,200 square feet. Detached accessory dwelling units may not have more than two bedrooms and must be permanently connected to utilities, attached to a site-built permanent foundation which complies with building code, and must comply with all other applicable standards of this chapter. A building permit and inspections are required for construction of the foundation and installation of the structure and connection to utilities.

c. Setbacks. Detached accessory dwelling units must meet the same front, side, and rear yard setbacks as the primary dwelling and be located at least six feet from the primary dwelling.

d. Street Frontage. The lot must have a minimum street frontage of 70 feet to receive approval for a detached accessory dwelling unit. A smaller-frontage lot may be approved if, at the discretion of the approval authority, the lot configuration is unique and/or the primary dwelling unit is unique in size or location on the lot, and the impacts to neighbors and the street are substantially similar to those on a 70-foot-wide lot.

12.25.040 Residential development standards

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

General Plan Residential Category	Ag/Rural Density 1		Ag/Rural Density 2		Foothill Residential	Neighborhood Residential 1			Neighborhood Residential 2		Neighborhood Residential 3
Zone Designation	RA1	RA2	RD1	RD2	FR	R1	R2	R3	RC	MF1	MF2
Type of Housing	SF detached	SF detached	SF detached	SF detached	SF detached	SF detached	SF detached	SF detached	SF detached (small lot)	MF 2-6 units/building	MF ≤ 12 units/building
Minimum Residential Lot Sizes	5+ acres (217,800 sq ft)	2.5 acres (108,900 sq ft)	1 acre (43,560 sq ft)	1/2 acre (21,780 sq ft)	1/4 acre (10,890 sq ft)	1/4 acre (10,890 sq ft)	8,000 sq ft	6,500 sq ft	4,500 sq ft		
Primary Structure Maximum Height ¹	35'	35'	35'	35'	35'	35'	35'	35'	35'	35'	35'/45' ⁸
Ancillary Structure Maximum Height ⁶	10' above primary structure										

¹ Height is measured from the average of the highest finished grade and the lowest finished grade of the structure to the highest point of the roof, excluding ancillary structures. Where permitted by EMMC [17.25.030](#), the maximum height of accessory dwelling units (ADUs) located above a detached garage is 35 feet.

⁶Ancillary structures include chimneys, television antennas, or other structures that are generally located on the roof of a residential building.

⁸ [Buildings with a minimum roof pitch of 4/12 may be constructed with 3 stories up to 45 feet high.](#)

17.100.050 Site plan development standards

C. Access Requirements.

1. Access onto a Public Street. Access onto public rights-of-way shall not be closer than 100 feet from a public right-of-way intersection or another driveway intersection on the same side of the street. This shall be measured from the curblin~~ne~~e of the driveway at the point of intersection with the public right-of-way to the nearest point of the public right-of-way. In the instance of driveway to driveway separation, the measurement shall be from closest curblin~~ne~~e to closest curblin~~ne~~e at the point of intersection with the public right-of-way.

When a parcel has less than 200 feet of frontage on a public right-of-way, then all necessary efforts shall be made to work collaboratively with adjacent property owners to share a common ingress and egress straddling the common property line.

2. Access Dimensions. For each commercial lot, access shall be provided and shall meet the following requirements: each roadway shall not be more than 40 feet in width, measured at right angles to the centerline of the driveway except as increased by permissible curb return radii. The entire flare of any return radii shall fall within the right-of-way.

3. Interconnection. All parking and other vehicular use areas shall be interconnected with adjacent properties in order to allow maximum off-street vehicular circulation.

4. Acceleration and Deceleration Lanes. Acceleration and deceleration lanes shall be required on arterials and collectors when deemed necessary by the city engineer.

TABLE 17.05.200(d) Application Expiration

An application shall be expired if inactive for a period of 6 or 12 months with no substantial action. Substantial action is a plan review submittal, return of a plan review to the applicant, or action by the Eagle Mountain City Planning Commission or Eagle Mountain City Council. If an application is deemed to be expired, any subsequent review must be accompanied by a new application and resubmittal fee. Any vested rights accrued thereunder shall also terminate.

LAND USE APPLICATION TYPES:	EXPIRES AFTER INACTIVITY OF:
Concept Plan	12 months
Conditional Use	
Final Plat	
General Plan Code Amendment	
Lot Line	
Master Development Application	
Master Development Plan	
Master Site Plan	
Preliminary Plat	
Recorded Plat Amendment	
Rezone	
Site Plan	
Variance	
OTHER PLANNING APPLICATIONS:	EXPIRES AFTER INACTIVITY OF:
Accessory Dwelling Units (ADU's)	6 months
Construction Trailer	
Hobby Breeder	
Kennel License/Pet Sitting	
Second Kitchen	
Signs	



EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING
MARCH 14, 2023

TITLE: Open space -- wildlife corridor GIS layer

ITEM TYPE: Discussion

APPLICANT: City-initiated

ACTION ITEM:

No

PUBLIC HEARING:

No

PREPARED BY:

Todd Black, Planning

BACKGROUND:

Information will be shared with the Planning Commission on what the various open space and wildlife corridors look like in GIS. These GIS layers will allow administration, staff, City Council, developers, and citizens to see how the city may connect habitat for wildlife corridors, recreation, and open space. Additionally, these GIS layers will also show areas of conflict, what areas have gaps, and potential action needed to close these gaps and resolve conflicts. These layers will assist the Planning Department and the Parks and Recreation Department as they work on planning and development.

ITEMS FOR CONSIDERATION:

The benefit of having a GIS data layer showing open space, wildlife corridors, non-developed parks, connectivity of habitat and areas where these are not connected.

REQUIRED FINDINGS:

RECOMMENDATION:

This is informational only to get feedback from the Planning Commission and recommendations will come as code amendments are suggested in the future.

ATTACHMENTS:



EAGLE MOUNTAIN Planning Commission MEETING MINUTES

February 28, 2023, 5:30 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

COMMISSION MEMBERS PRESENT: Commissioners Jason Allen, Jeremy Bergener, Matthew Everett, Christopher Pengra, Brent Strong, and Alternate Commissioner Robert Fox.

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

CITY STAFF PRESENT ELECTRONICALLY: Elizabeth Fewkes, Recording Secretary.

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

Commissioner Everett called the work session to order at 5:31 p.m.

1. Discussion Items

1.A. DISCUSSION ITEM: REVIEW OF DRAFT CODE AMENDMENTS

Staff presented and discussed the proposed amendments to Eagle Mountain Municipal Code with the Planning Commission and received the corresponding feedback:

Items presented by Planning Manager Robert Hobbs:

- 16.56 Vacations: A developer requested to combine several residential lots into a single lot for a charter school. Current standards would require the full plat amendment process to combine the lots. The proposed changes would allow applicants or the City to initiate an alternative process for similar situations.
 - Discussion – required public hearings listed in 16.56.60 and concern with the wording in 16.56.030 including “other interested parties.”
- 17.10.30 Definitions: adds definitions for alleyways and service drives.
- 17.25.050(M) Fire Access for Exclusively Rear-Loaded Only Homes: limits parking to one side of the street on alleys and service drives under 35 feet wide, requires a paved walkway to be installed at each end of a building leading from the garage and roadway to the main access door, and stipulates that address numbering shall be provided above the garage bay door as well as the main access door to any rear-loaded home.
- 17.55.040(I) Service Drives: the changes align the service drive standards with parking code standard dimensions and require service drives longer than 150 feet to have a fire department-approved turnaround.
 - Discussion – Simplifying service drive width requirements.
- 17.55.070 Handicapped Accessible Parking: clarifies the City standards and reinforces Federal requirements.

- o Discussion – concern with reducing the dimension of ADA parking stalls in Subsection E to be in harmony with other cities' impact on vehicle accessibility, clarification that the table on page 10 of the packet materials will replace the table on page 9, and the financial impacts of having a stall width requirement greater than other cities.
- 17.55.130 Drive-Thru Regulations: adds additional standards for drive-thru establishments and specifies the need for a bypass or escape lane to provide for motorists to leave the queue in emergencies.
 - o Discussion – concern that the requirement for a bypass or escape lane would be financially onerous on the business, especially on smaller parcels, and have a negative impact on economic development in the City.
 - o Direction – Amend Subsection A to clarify the Planning Director is the director evaluating or assigning a designee to assess compliance.
- 17.72.030(C)(1): Fire Access: forbids parking along both sides of alleys or service drives equal to or under 26 feet wide.

Items presented by Planner Steven Lehmitz:

- 17.20.050 Conditional Uses: 6.05.270 states that kennels are conditional uses within the agriculture and industrial zones. This amendment adds kennels to the list of conditional uses in 17.20.050.
 - o Commissioner Everett requested staff to include this amendment as an action item on the agenda of the next Planning Commission meeting.
- 17.25.050 Generally Applicable Provisions: adds a stipulation that accessory structures shall be constructed after or at the same time as the primary structure on a lot or parcel.
 - o Discussion – whether to allow accessory structures used for livestock and agricultural purposes to be built prior to the completion of a primary structure, State permit requirements for agricultural accessory structures, and concerns about the needs for and impacts of the prohibition.
 - o Direction – have the language reference State Code and delineate between accessory structures for agricultural and nonagricultural uses.
- 17.25.040 Residential Development Standards: adds a new footnote 3 to the table to clarify setbacks and structure easement for accessory structures.
 - o Commissioner Everett requested staff to include this amendment as an action item on the agenda of the next Planning Commission meeting.

Items presented by Senior Planner David Stroud:

- 17.55.080 Landscaping in Parking and Drive Lane Areas: requires all parking and drive lane areas for nonresidential or multifamily residential uses, which are adjacent to a public right-of-way, to have a landscaped berm strip or planting width of not less than 10 feet placed on-site and adjacent on the right-of-way line to preserve right-of-way for possible future road widening.
 - o Discussion – concern with requiring landowners to buy and preserve property for the City reducing the amount of useable land on the site limiting the commercial viability, possibly only enacting the requirement for properties along major roadways, prioritizing impacts on residents, having the 10-foot landscape easement be a part of subdivision applications rather than an individual site plan requirement, and existing business locations that do not have landscaping along their drive aisles.

Due to time limitations, the review of proposed amendments to Municipal Code standards in 17.25.050(A), 17.60.070, 17.60.100, 12.25.040, and 17.100.050 was delayed to a future meeting.

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

Commissioner Everett called the policy session to order at 6:35 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. January 24, 2023 Planning Commission Minutes

Commissioner Strong requested a correction to his vote on page six of the minutes to the amended motion for the Firefly Master Development Plan and Master Development Agreement.

MOTION: *Commissioner Strong moved to approve the January 24, 2023 minutes as amended. Commissioner Everett seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
<i>Jason Allen</i>	☐ <i>Jason Allen</i>	☐ <i>Jason Allen</i>	☐ <i>Jason Allen</i>
<i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>
<i>Matthew Everett</i>	☐ <i>Matthew Everett</i>	☐ <i>Matthew Everett</i>	☐ <i>Matthew Everett</i>
<i>Chris Pengra</i>	☐ <i>Chris Pengra</i>	☐ <i>Chris Pengra</i>	☐ <i>Chris Pengra</i>
<i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>

The motion passed with a unanimous vote.

5. Status Report

Staff reviewed the planning items discussed and voted upon during the February 21, 2023 City Council meeting.

6. Action and Advisory Items

6.A. ACTION ITEM – PUBLIC HEARING: REVIEW OF A REQUEST FOR SITE PLAN APPROVAL FOR A NEW 100' MONOLITHIC CELL TOWER

Mr. Hobbs presented the item. AT&T has submitted a site plan for a new 100-foot monolithic cell tower as a replacement for one of the 75-foot-high light poles that abut the Cedar Valley High School football field adjacent to Pony Express Parkway. The easement area for needed tower-related equipment and electrical lines has or will be procured. The applicant has requested to install an 8-foot-high fence around the tower, to place a lightning rod on the top of the tower, and to have an emergency power generator. The City has received letters from the School and Institutional Trust Lands Administration and Ivory Homes indicating that neither has objections to the tower as long as it complies with City standards.

Staff recommends a favorable recommendation, made contingent upon applicant compliance with any conditions the Planning Commission prefers regarding the proposed tower and associated equipment, be advanced to the Mayor and City Council and the motion should also:

1. Sanction the lightning rod;
2. Specify where the equipment for the tower will be positioned; and
3. State whether an 8-foot-high surround fence is agreeable.

Applicant representative Jason Evans stated they plan to work with Alpine School District to determine the electrical needs for the lighting before submitting a plan for a new foundation for the tower and the location will not impede existing public utilities. The lightning rod would ground and disseminate energy from a lightning strike into the ground. The generator will run a monthly test that can be scheduled at the most appropriate time and will only be used in cases where the power is out for longer than eight hours. A Federal mandate requires the towers to have backup generators. This structure will not require special lighting for aircraft.

Commissioner Everett opened the public hearing at 7:03 p.m. As there were no comments, he closed the hearing.

Commissioner Allen advocated for future applicants to be required to provide the radio frequency engineering review per Municipal Code. He supports this location as it is utilizing an existing pole and the site is being leased through the school district but has some apprehension due to the proximity to the bleachers.

Commissioner Pengra stated that although he has no apprehensions about the location of the tower, he agrees with Commissioner Allen that future applicants should be required to provide the study results to comply with City standards.

Commissioner Everett agreed with the benefits of the colocation of the equipment on an existing pole. He prefers the proposed location for the equipment shed closer to the parking lot for maintenance accessibility and supports the 8-foot fence as preferential.

MOTION: *Commissioner Bergener moved to recommend approval to the City Council of the site plan request for a new 100-foot monolithic cell tower to the City Council with the following conditions:*

- 1. The relocation of the equipment as proposed in the cell tower drawings shall be approved;*
- 2. A lightning rod shall be allowed;*

3. *Eight-foot fencing shall be approved; and*
4. *A radio frequency engineering review as required by EMMC 17.75.091(I)(3) shall be submitted to the City Council.*

Commissioner Allen seconded the motion.

AMENDED MOTION: *Commissioner Bergener moved to recommend approval to the City Council of the site plan request for a new 100-foot monolithic cell tower to the City Council with the following conditions:*

1. *The relocation of the equipment as proposed in the cell tower drawings shall be approved;*
2. *A lightning rod shall be allowed;*
3. *Eight-foot fencing shall be approved;*
4. *A radio frequency engineering review as required by EMMC 17.75.091(I)(3) shall be submitted to the City Council; and*
5. *An emergency generator shall be permitted.*

Commissioner Allen seconded the motion.

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
<i>Jason Allen</i>	☐ <i>Jason Allen</i>	☐ <i>Jason Allen</i>	☐ <i>Jason Allen</i>
<i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>
<i>Matthew Everett</i>	☐ <i>Matthew Everett</i>	☐ <i>Matthew Everett</i>	☐ <i>Matthew Everett</i>
<i>Chris Pengra</i>	☐ <i>Chris Pengra</i>	☐ <i>Chris Pengra</i>	☐ <i>Chris Pengra</i>
<i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>

The motion passed with a unanimous vote.

6.B. ACTION ITEM – PUBLIC HEARING: DEVELOPMENT CODE AMENDMENTS - CHAPTER 17 - HOME BUSINESSES

Grants Coordinator/Management Analyst Natalie Winterton presented the item. Under current Municipal Code, Eagle Mountain citizens who are business owners cannot park their personal vehicles on their property if the vehicle is used by the business. This has created parking difficulties for Eagle Mountain residents. In order to create a more business-friendly environment in Eagle Mountain City, it is proposed that the standards be amended to allow vehicles used by businesses to be parked on the owner's property. Staff suggests that the Commission recommend approval of the proposed code amendment to Eagle Mountain City Code 17.65.060.

Commissioner Strong expressed concern with signage on large vehicles such as tractor-trailers, vans, and buses being used as advertising billboards in neighborhoods causing property value reduction.

Ms. Winterton explained that EMMC 10.10 limits the types of vehicles that can be parked in residential areas and should help mitigate residents using vehicles solely for advertising.

Commissioner Pengra noted that vehicles with signage for a company that a resident works for but does not own are allowed and can be found throughout the City. The prohibition of parking a commercial vehicle on a public street for longer than 24 hours will prevent vehicles from being used exclusively as signage for businesses.

Commissioner Bergener noted that the City using a definition of a commercial vehicle differing from State definitions could cause confusion.

Ms. Winterton stated that the amendment retains the existing Municipal Code definition of a commercial vehicle and the definition could be altered in the amendment if desired. She is aware of an instance in which a local business purchased a business location outside of Eagle Mountain for the purpose of being able to park their vehicles at their home and the current standards could impede small businesses locating in the City.

Commissioner Everett opened the public hearing at 7:26 p.m. As there were no comments, he closed the hearing.

Commissioner Everett said although he agrees with Commissioner Strong's concerns, he is in favor of the changes as there have been unintended negative consequences for home business owners.

Commissioner Allen stated he is in favor of the amendment as a way to support local business owners.

Commissioner Bergener expressed concern about an unintended consequence of the approval increasing the number of vehicles causing additional congestion and creating safety issues in residential areas.

Commissioner Pengra noted that code enforcement can address safety issues. However, he thinks negative impacts will be limited and doubts the number of vehicles will increase.

Ms. Winterton explained that the City has the option to limit parking to one side of a street to help limit traffic congestion.

Commissioner Strong said he would feel more comfortable with the amendment if the allowance were limited to personal vehicles.

Discussion ensued regarding adding a stipulation in a future amendment to EMMC 10 allowing only commercial vehicles used as personal vehicles to be parked at a home business.

MOTION: *Commissioner Allen moved to recommend approval to the City Council of an amendment to EMMC 17.65.060 Generally Applicable Standards for All Home Businesses. Commissioner Pengra seconded the motion.*

Those Voting Yes
Jason Allen

Those Voting No
☐ ***Jason Allen***

Those Abstaining
☐ ***Jason Allen***

Those Absent
☐ ***Jason Allen***

<i>Jeremy Bergener</i>	☐	<i>Jeremy Bergener</i>	☐	<i>Jeremy Bergener</i>	☐	<i>Jeremy Bergener</i>
<i>Matthew Everett</i>	☐	<i>Matthew Everett</i>	☐	<i>Matthew Everett</i>	☐	<i>Matthew Everett</i>
<i>Chris Pengra</i>	☐	<i>Chris Pengra</i>	☐	<i>Chris Pengra</i>	☐	<i>Chris Pengra</i>
<i>Brent Strong</i>	☐	<i>Brent Strong</i>	☐	<i>Brent Strong</i>	☐	<i>Brent Strong</i>

The motion passed with a unanimous vote.

7. Discussion Items

8. Next scheduled meeting

The next Planning Commission meeting is scheduled for March 14, 2023.

9. Adjournment

MOTION: *Commissioner Pengra moved to adjourn the meeting at 7:38 p.m. Commissioner Allen seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
<i>Jason Allen</i>	☐ <i>Jason Allen</i>	☐ <i>Jason Allen</i>	☐ <i>Jason Allen</i>
<i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>
<i>Matthew Everett</i>	☐ <i>Matthew Everett</i>	☐ <i>Matthew Everett</i>	☐ <i>Matthew Everett</i>
<i>Chris Pengra</i>	☐ <i>Chris Pengra</i>	☐ <i>Chris Pengra</i>	☐ <i>Chris Pengra</i>
<i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>

The motion passed with a unanimous vote.

The meeting was adjourned at 7:38 p.m.

Approved by the Planning Commission on March 14, 2023.

Steve Mumford, AICP
Assistant City Administrator/Community Development Director



EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING
MARCH 14, 2023

TITLE: ACTION ITEM -- PUBLIC HEARING: AMENDING EMMC SECTION 17.55.080, LANDSCAPING IN PARKING AREAS.

ITEM TYPE: Development Code Amendment

APPLICANT: City-initiated

ACTION ITEM:

Yes

PUBLIC HEARING:

Yes

PREPARED BY:

David Stroud, Planning

BACKGROUND:

EMMC Section 17.55.080 outlines landscaping requirements in parking areas. This section of code can be interpreted to accept right-of-way landscaping as the required landscaping. Recent site plans have been approved with parking and or drive lanes at property line with no landscape buffer other than what is in the right-of-way. The issue that comes up is when a right-of-way is widened, the off-site landscaping is then removed causing a little or no landscaping between the development and the right-of-way. The proposed changes clarify that there shall be an on-site landscape buffer of ten feet when parking and/or drive lanes are adjacent to a public right-of-way.

ITEMS FOR CONSIDERATION:

n/a

REQUIRED FINDINGS:

Ordinances pertaining to zoning code amendments, and processing of the same, may be found in EMMC 17.05.120 & USC 10-9a-501.

RECOMMENDATION:

Staff recommends the Planning Commission in-turn consider recommending to the City Council that they approve the proposed amendments, subject to Commission or Council revisions.

ATTACHMENTS:

[17.55.080 Landscaping in parking areas](#)

17.55.080 Landscaping in parking and drive lane areas

The following requirements shall apply to all landscaping of off-street parking and drive lane areas:

A. Parking and Drive Lane Areas Adjacent to Public Streets. All parking and drive lane areas for nonresidential or multifamily residential uses which are adjacent to a public streetsright-of-way shall have a landscaped bermed strips or planting width of not less than 10 feet placed ~~between the on-site and adjacent on the right-of-way lines~~sidewalk and the parking area. A shrub or hedge screen at least 3.5 feet in height at maturity shall be located in the landscape strip. Trees, both deciduous and/or evergreen, shall be placed in the strip with spacing of no less than 30-foot intervals or the width of the two adjacent trees' canopy or foliage when mature. This spacing requirement is used for calculating the number of trees required to be installed along frontages and is not meant to dictate the design of the landscaping. Required street trees may be clustered so long as trees have sufficient space to grow to maturity without encroachment of other vegetation. The layout of the landscaping shall not be in close proximity to public facilities such as overhead power lines, fire hydrants, traffic control signage, etc., that would be obstructed when the vegetation reaches maturity. The following are sizes of planting standards for required landscaping that shall be followed for all new development:

1. Deciduous Trees. All deciduous trees shall have a minimum trunk size of one and one-half inches in caliper measured eight inches above the soil line.
2. Curbs. All landscaped areas abutting any paved surface shall be curbed according to the city's construction specification.

B. Clear Sight Triangles. Clear lines of sight shall be provided at intersections by delineating triangular areas adjacent to all intersections, within which no parking, building, structure, berming, or landscaping over three feet in height above the street shall be permitted. Single-trunk trees may be planted within such areas, but only where the tree will be pruned to eliminate all branches and foliage below eight feet. Driveways, when feasible, are prohibited within the clear vision triangle of local streets.

1. Local Streets. At intersections of local streets the triangle shall be defined by drawing a line between two points that are 30 feet from the intersection along the lot (property) lines.
2. Alleys and Driveways. At intersections of alleys and driveways (this includes private driveways) the triangle shall be defined by drawing a line between two points that are 15 feet from the intersection along the lot lines (along alleys) or 15 feet from the intersection along the lot line and outer edge of the driveway.
3. Alleys or Driveways and Local Streets. At intersections of alleys or driveways (this includes private driveways) and local streets the triangle shall be defined by drawing a line between two points that are 15 feet from the intersection along the lot lines (along alleys) or driveways and 30 feet on the street side.

4. Other Streets. Larger clear sight triangles may be required by the city engineer where local streets enter arterial streets, major collector streets, or parkways.

C. Required Parking Islands.

1. Islands on Doubled Rows of Parking. On doubled rows of parking stalls, there shall be one 40-foot-long by five-foot-wide landscaped island on each end of the parking rows, plus one 40-foot-long by five-foot-wide landscaped island to be placed at minimum of every 12 parking stalls. Each island on doubled parking rows shall include a minimum of two deciduous trees per planter having a minimum trunk size of one and one-half inches in caliper measured eight inches above the soil line. Other landscape installed in the island shall include shrubbery and an acceptable ground cover. No hard surface improvements such as concrete or asphalt are allowed within any landscape islands. Xeriscaping is encouraged in these areas.

2. Islands on Single Rows of Parking. On single rows of parking there shall be one 20-foot-long by five-foot-wide landscaped island a minimum of every 12 stalls. Islands on a single parking row shall have a minimum of one deciduous tree having a minimum trunk size of one and one-half inches in caliper measured eight inches above the soil line. Other landscaping installed in the island shall include shrubbery and an acceptable ground cover. No hard surface improvements such as concrete or asphalt are allowed within any landscaped islands. Xeriscaping is encouraged in these areas.

3. Traffic Circulation. Landscaped islands at the ends of parking rows shall be placed and shaped in such a manner as to help direct traffic through the parking area. There shall be a break in parking rows at a minimum of 48 parking stalls for each double row of parking for the purpose of facilitating traffic circulation on the site.

4. Interior Landscaped Boundary Strips. ~~All landscaped boundary strips along street frontages shall be a minimum of 10 feet in width.~~ The minimum landscaped boundary strips width when not adjacent to a public right-of-way and along parcels that have the same land use shall be a minimum of six feet. A fence, landscaped screen, or berm is required around the perimeter of the parking area to mitigate escape of light from headlights and other lighting on surrounding property. A headlight screen or berm shall be at least three and one-half feet in height and capable of blocking headlight glare.

5. Completion of Landscaping. All landscaping improvements shall be completed in accordance with the approved site plan, landscaping plan, and irrigation plan and occur prior to the issuance of a certificate of occupancy for the associated structure(s). Exceptions may be permitted and certificates of occupancy issued where weather conditions prohibit the completion of required landscaping improvements. In such cases an extension period of six months is permitted but a bond shall be posted for not less than 110 percent of the value of the landscaping and shall be held until the requirements of this chapter are met.

6. Snow Stacking Capacity. Every parking lot design shall plan for a snow stacking area to accommodate the stacking volume of a four-inch snow base over the entire parking lot.
[Ord. [O-23-2005](#) § 3 (Exh. 1(1) § 11.8)].



**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING
MARCH 14, 2023**

TITLE: ACTION ITEM -- PUBLIC HEARING: CODE AMENDMENTS TO TITLES 17.20.050, 17.25.040, and 17.40.040.

ITEM TYPE: Development Code Amendment

APPLICANT: Staff

ACTION ITEM:

Yes

PUBLIC HEARING:

Yes

PREPARED BY:

Steven Lehmitz, Planning

BACKGROUND:

According to Section 17.05.120 "Amendments to this title [17]" may be initiated and proposed by the city through the planning director, planning commission or city council. Individuals may also propose amendments by submitting such amendments in writing and paying an application fee as adopted in the city's consolidated fee schedule. The process for amending this title shall be that process allowed for and required by the Utah Code, as amended from time to time, for changing the city's land use title."

Setback Footnote

EMMC 17.25.040 has footnote 3 already applied to "Minimum Setbacks for Primary Structures." The restrictions described in footnote 3 apply to both primary and accessory structures, so it's fitting to have it attached to both.

Kennels in Agriculture and Industrial Zones

EMMC 6.05.270 states that kennels are conditional uses in the Agriculture zone and Industrial zone. This code amendment adds kennels to the conditional use list in the respective zones.

ITEMS FOR CONSIDERATION:

1. Setback footnote of accessory structures.
2. Adding kennels to the conditional use lists of the Agriculture zone and Industrial zone.

REQUIRED FINDINGS:

Ordinances pertaining to zoning code amendments, and processing of

the same, may be found in EMMC 17.05.120 & USC 10-9a-501.

RECOMMENDATION:

Staff suggests that the Planning Commission recommends approval of the proposed code amendments to the City Council.

ATTACHMENTS:

[17.25.040 Residential development standards](#)

[17.20.050 and 17.40.040 Conditional uses](#)

17.25.040 Residential development standards.

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

Residential Development Standards

General Plan Residential Category	Ag/Rural Density 1		Ag/Rural Density 2		Foothill Residential	Neighborhood Residential 1			Neighborhood Residential 2		Neighborhood Residential 3
Zone Designation	RA1	RA2	RD1	RD2	FR	R1	R2	R3	RC	MF1	MF2
Type of Housing	SF detached	SF detached	SF detached	SF detached	SF detached	SF detached	SF detached	SF detached	SF detached (small lot)	MF 2-6 units/building	MF ≤ 12 units/building
Maximum Gross Density										10 units/acre	20 units/acre
Minimum Residential Lot Sizes	5+ acres (217,800 sq ft)	2.5 acres (108,900 sq ft)	1 acre (43,560 sq ft)	1/2 acre (21,780 sq ft)	1/4 acre (10,890 sq ft)	1/4 acre (10,890 sq ft)	8,000 sq ft	6,500 sq ft	4,500 sq ft		
Minimum Average Lot Sizes ⁷				3/4 acre (32,670 sq ft)	1/2 Acre (21,780 sq ft)	1/3 Acre (14,520 sq ft)	1/4 Acre (10,890 sq ft)	8,500 sq ft	6,000 sq ft		
Required Improved Open Space (in compliance with EMMC 16.35.105)				500 sq ft per lot	750 sq ft per lot	750 sq ft per lot	900 sq ft per lot	1,000 sq ft per lot	1,000 sq ft per lot	1,000 sq ft per 3 bd; 750 sq ft per 1 and 2 bd	1,000 sq ft per 3 bd; 750 sq ft per 1 and 2 bd
Primary Structure Maximum Height ¹	35'	35'	35'	35'	35'	35'	35'	35'	35'	35'	35'
Accessory Structure Maximum Height ¹	35'	35'	35'	25'	20'	20'	20'	20'	20'	20'	20'

Ancillary Structure Maximum Height ⁶	10' above primary structure										
Minimum Lot Frontage ²	150'	150'	125'	100'	90'	85'	80'	62'	58'		
Minimum Lot Frontage (cul-de-sac or circle)	100'	100'	75'	60'	50'	45'	40'	20'	20'		
Minimum Dwelling Size (excluding garage)	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft	800 sq ft	800 sq ft	800 sq ft	650 sq ft	650 sq ft
Minimum Setbacks for Primary Structures ³											
Front	35'	35'	30'	25'	25'	25'	25'	15'	15'	15'	15'
Front Garage	45'	45'	40'	30'	25'	25'	25'	22'	22'	22' ⁵	22' ⁵
Rear	35'	35'	35'	35'	35'	25'	20'	20'	20'	30' between buildings	
Side	20'	20'	15'	10'	10'	10'	8'	8'	8'	15' between buildings	20' between buildings
Garage Side	20'	20'	15'	15'	10'	10'	10'	10'	10'	15' between buildings	20' between buildings
Street Side	25'	25'	25'	25'	15'	15'	15'	15'	15'	15'	15'
Maximum Size of Accessory Structure				75% of dwelling footprint ⁴	50% of dwelling footprint ⁴						
Minimum Setbacks for Accessory Structures ⁵											
Front	Same as principal structure										
Rear	10'	10'	10'	10'	5'	5'	5'	5'	5'	5'	5'
Side	10'	10'	10'	10'	5'	5'	5'	5'	5'	5'	5'
Street Side	Same as principal structure										
Distance from a Residential Dwelling	Structures housing animals: 50' from neighboring residences; 6' for all other structures					6'	6'	6'	6'	6'	6'

Site Plan Approval Required (See Chapter 17.100 EMMC)										Yes	Yes
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¹ Height is measured from the average of the highest finished grade and the lowest finished grade of the structure to the highest point of the roof, excluding ancillary structures. Where permitted by EMMC [17.25.030](#), the maximum height of accessory dwelling units (ADUs) located above a detached garage is 35 feet.

² Lot frontage is measured at the street property line. Lot frontage shall vary by at least five feet every three or four lots in the R3 and RC zones.

³ 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. Guidance regarding allowed projections into setbacks is outlined in EMMC [17.25.060](#).

⁴ Square footage of the footprint of the residential dwelling, including attached garage.

⁵ Driveway length exceptions for multifamily developments may be requested and considered at the discretion of the approval authority with a preliminary plat or site plan.

⁶ Ancillary structures include chimneys, television antennas, or other structures that are generally located on the roof of a residential building.

⁷ The minimum average lot size is calculated across an entire preliminary plat or large neighborhood, and is verified by the approval authority of a preliminary plat. If a preliminary plat exceeds 80 acres, the average lot size may be required in smaller neighborhoods/plats. Each final plat does not have to comply with the average lot size, but shall include some variation of lot sizes in the plat. Outlier lots that are substantially larger than the others will not be counted in the average lot size calculation.

[Ord. [O-41-2021](#) § 1 (Exh. A); Ord. [O-15-2021](#) § 2 (Exh. A); Ord. [O-24-2019](#) § 2 (Exh. A)].

6.05.270 Kennels, short-term pet sitters, and hobby breeder licenses required.

A city-issued license shall be required for all kennels, short-term pet sitting, and hobby breeders. Pet sitters and hobby breeders are both permitted subject to the standards of this chapter and shall be approved by the community development director or his/her designee in accordance with this title.

Kennels are conditional uses within the agriculture and industrial zones and may only be permitted on lots greater than 40 acres in size. Kennels shall be approved as a conditional use permit by the planning commission in accordance with this title.

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 dwelling units (ADUs) 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.

K. Kennels.

17.40.040 Conditional uses.

The following conditional uses and such uses as the planning director and planning commission may recommend as similar and consistent with the scale, character and impact of the area and special uses as defined in Chapter [17.75](#) EMMC will be considered:

- A. Automobile gas/service stations;
- B. Automobile sales and/or service;
- C. Auto and truck repair, including auto body;

- D. Convenience store;
- E. Motels and hotels;
- F. Restaurants and banks (with drive-through service facilities);
- G. Printing, lithography and publishing establishments;
- H. Wholesale trade, warehousing, distribution and other operations characterized by the need for large truck and shipping establishments;
- I. Laundry and dry cleaning establishments;
- J. Contract construction services establishments;
- K. Commercial and industrial laundries;
- L. Self-storage or mini-storage units;
- M. Light manufacturing of finished products or parts, including processing, fabrication, assembly, treatment, packaging, and incidental storage of such products. Such uses include, but are not limited to, food, beverages, apparel, textiles, pharmaceuticals, household appliances and plastics;
- N. Recycling facilities;
- O. Other businesses retailing goods and services or rendering personal services for a fee, except as otherwise regulated by the city's ordinances;
- P. Other manufacturing businesses;
- Q. Sexually oriented businesses;
- R. Moving and storage facilities and businesses;
- S. Indoor shooting range – special use;
- T. Kennels.