



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

March 14, 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; David Stroud, Senior Planner; Steven Lehmitz, Planner; and Todd Black, Wildlife Biologist/Environmental Planner.

CITY STAFF PRESENT ELECTRONICALLY: Elizabeth Fewkes, Recording Secretary.

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

Commissioner Everett called the meeting to order at 5:35 p.m.

1. Discussion Items

1.A. DISCUSSION ITEM – Upcoming Code Amendments

Senior Planner David Stroud presented the proposed amendments.

17.60.040 General Landscape Provisions – require commercial and industrial property owners to maintain park strips adjacent to their properties unless otherwise approved by the City.

- Implementing water-wise landscaping requirements in response and State encouragement to remove landscaping from park strips;
- Concern with the suggestion to remove park strips because park strips serve as a safety buffer between pedestrians and traffic;
- The ability to use xeriscape designs with drip irrigation for trees;
- The Economic Development Director has been working on water-wise standards for the City that have been reviewed by but not approved by the City Council;
- Central Utah Water Conservancy District (CUWCD) City-wide water-wise standards;
- Clearly defining park strip and the areas to which the standards would apply;
- Concern with requiring a property owner to assume responsibility for areas designed by and currently maintained by the City; and
- The cost of the rehabilitation of improperly maintained areas and the potential for legal battles.

17.70.030 Accessory Dwelling Unit Standards – remove the 50% of the primary home's footprint (including garage) limitation for the size of detached accessory dwelling units (ADUs) but maintain 400 square foot minimum and 1,200 square foot maximums and two-bedroom limitations.

- The size of the lot will limit the size of a detached ADU that can fit on the property;
- Possible reasons for the two-bedroom limitations are to reduce additional parking needs and for the ADU to serve as an accessory to the primary dwelling rather than a secondary full-sized dwelling; and
- The proposed amendment is in response to a resident on a .82-acre lot with a 1,900-square-foot home requesting to build a detached ADU larger than 50% of the primary dwelling.

12.25.040 Residential Development Standards – allow three-story buildings to have a height of 45 feet to accommodate a 4/12 pitched roof to allow taller or vaulted ceilings or other architectural features for the benefit of the residents.

Commissioner Pengra advocated for the City to consider the economic and other benefits of permitting four-story buildings in appropriate areas in the City in a future amendment in addition to this proposal.

Commissioner Everett supported the amendment to allow 45-foot-high buildings while retaining a three-story maximum for multifamily buildings.

Commissioner Bergener stated that although he had originally been against four-story multifamily buildings, he is now willing to entertain consideration of such projects due to the economic benefits.

The following items were presented and discussed during the policy session after item 8.

7.100.050 Site Plan Development Standards – clarify the measurement location for the 100-foot minimum distance between accesses onto public rights-of-way and intersections.

Table 17.05.200(d) Application Expiration – add that an application shall be expired if inactive for a period of 6 to 12 months with no substantial action. The expiration timeframe is dependent upon the type of application – 12 months for land use applications and 6 months for other planning applications.

- The potential for the standards to be onerous due to unforeseen delays and economic impacts beyond the applicant's control;
- Concern with the definition of "substantial action;" and
- Clarification that the standards would apply to applications that have not been approved and have vested rights; and
- One purpose of the amendment is to prevent inactive applications from qualifying for outdated development standards.

1.B. Open Space – Wildlife Corridor GIS Layer

Wildlife Biologist/Environmental Planner Todd Black gave an update on the plan for the Wildlife Corridor Overlay Zone and proposed amendments to EMMC 17.49. He presented draft GIS layer data showing open space, wildlife corridors, non-developed parks, connectivity of habitat, and unconnected areas. The GIS data will be made available to the public once it is finalized and approved. The City needs to work with property owners to hopefully preserve corridor areas with

development agreements that predate the implementation of the Wildlife Corridor Overlay Zone. His focus is to find the areas with the least amount of conflict to preserve and connect and fence the critical mule deer migration route to direct wildlife to migrate through the City in the designated locations. Other wildlife corridors and open space will be preserved for wildlife use. The migration route will be closed during migration season but open the rest of the year as a trail for resident recreation.

Commissioner Pengra requested to have preserved or protected land indicated differently on the map from land that needs agreements.

Commissioner Everett adjourned the work session at 6:34 p.m.

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

Commissioner Everett called the policy session to order at 6:34 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. February 28, 2023 Planning Commission Minutes

MOTION: *Commissioner Pengra moved to approve the February 28, 2023 minutes. Commissioner Strong 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

Assistant City Administrator/Community Development Director Steve Mumford reviewed the planning items discussed and voted upon during the March 7, 2023 City Council meeting and upcoming planning items on future City Council meeting agendas.

6. Action and Advisory Items

6.A. ACTION ITEM – PUBLIC HEARING: AMENDING EMMC SECTION 17.55.080.

Mr. Stroud presented the amendment to further clarify on-site landscaping requirements when a site is adjacent to a public right-of-way and emphasize headlight screening standards. Landscaping adjacent to a public right-of-way shall be ten feet wide and boundary strips not adjacent to a public right-of-way along parcels that have the same land use shall be a minimum of six feet wide. Businesses would be permitted to have shared parking excluding boundary strips.

Commissioner Everett opened the public hearing at 6:46 p.m. As there were no comments, he closed the hearing.

MOTION: *Commissioner Bergener moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code 17.55.080 changing “adjacent on the right-of-way line” within the first sentence within 17.55.080(A) to “adjacent to the right-of-way line.” Commissioner Strong 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: CODE AMENDMENTS TO TITLES 17.20.050, 17.25.040, and 17.40.040.

Planner Steve Lehmitz presented the amendments. The amendment to EMMC 17.25.040 adds footnote 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,” to minimum setbacks for accessory structures. The amendments to EMMC 17.20.050 and 17.40.040 add kennels to the list of conditional uses in agriculture and industrial zones to align the lists with EMMC 6.05.270 which states that kennels are conditional uses within the agriculture and industrial zones.

Commissioner Everett opened the public hearing at 6:50 p.m. As there were no comments, he closed the hearing.

MOTION: *Commissioner Allen moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code Sections 17.20.050, 17.25.040, and 17.40.040. 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.

8. Discussion Items

Commissioner Everett urged the City Council to move forward with the water conservation standards.

Staff and the Commission discussed water concerns, the impact of landscaping requirements on water usage, infrastructure damage caused by street trees, and proposed water-wise standards and CUWCD requirements.

9. Next Scheduled Meeting

The next Planning Commission Meeting is scheduled for March 28, 2023.

10. Adjournment

MOTION: *Commissioner Allen moved to adjourn at 7:15 p.m. Commissioner Strong 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>
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☒ <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 7:15 p.m.

Approved by the Planning Commission on March 28, 2023.


Steve Mumford (SM) 03/28/23 (8/1 & MDT)

Steve Mumford, AICP
Assistant City Administrator/Community Development Director

03.14.23 PC Approved Minutes

Final Audit Report

2023-03-30

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