



## EAGLE MOUNTAIN PLANNING COMMISSION MEETING

**January 26, 2021, 5:30 PM**

Eagle Mountain City Council Chambers

1650 East Stagecoach Run, Eagle Mountain, Utah 84005

### **5:30 P.M. Work Session - Electronic Meeting via Lifesize**

Public meetings will be held electronically in accordance with Executive Order 2020-1 Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 52-4-207 due to Infectious Disease COVID-19 Novel Coronavirus issued by Governor Herbert on March 18, 2020.

The public may monitor or listen to open portions of the meeting electronically by following the instructions below.

Lifesize electronic meeting through Granicus at <https://eaglemountaincity.com/city-recorder/city-meetings-portal/#meetingdocs>. Click the link to view the live stream and meeting documents.

### **1. Discussion Items**

#### **1.A DISCUSSION - Planning Commission Training**

An overview of Planning Commission role, duties, and responsibilities for the benefit of the new Commissioner and refresher for current Commissioners. References include EMMC 17.15.030 and 17.15.040 as well as Utah State Code 10-9a-302.

[PC Rules of Order and Procedure - 1-28-2020](#)

#### **1.B DISCUSSION - Community District Node Overlay Code Amendment**

A discussion of a new zoning chapter to create an overlay zoning element. The proposed code amendment is based on the General Plan's Framework Map and identification of potential community "nodes."

[17.34 Community District Node Overlay Zones - PROPOSED](#)

[General Plan Framework Map](#)

#### **1.C DISCUSSION - Zoning Transition Table**

A discussion regarding potential revisions to the zoning transition table (EMMC 17.60.160) to reduce the number of steps of transition between residential districts.

[17.60 Landscaping Buffering Fencing and Transitioning - PROPOSED](#)

### **6:30 P.M. Policy Session - Electronic Meeting via Lifesize**

### **2. Pledge of Allegiance**

**3. Declaration of Conflicts of Interest**

**4. Approval of Meeting Minutes**

- 4.A January 12, 2021, Planning Commission Minutes  
[PC Minutes 01.12.2021 - DRAFT](#)

**5. Status Report**

**6. Action and Advisory Items**

- 6.A PUBLIC HEARING - Eagle Commons (Rezone)

The item has been postponed until February 9, 2021.

- 6.B [Ault Farms \(Master Development Plan, Rezone, General Plan Amendment\)](#)

This is a request for a master development plan approval for the development of 750 acres of land on the east side of Pony Express Parkway and 3000 N, referred to as Ault Farms. The proposed project would include: single-family residential, multifamily (patio homes, townhomes, condos, and apartments), commercial, tech/light industry uses, and open spaces. The request includes rezoning and an amendment to the General Plan Land Use and Future Transportation maps.

The Planning Commission opened and closed a public hearing on the requests on January 12, 2021. The requests were then tabled to allow the applicant to make revisions to the plans.

[Master Development Plan exhibits \(revised\)](#)

[Open Space Descriptions](#)

[Master Development Plan tabulations](#)

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

[Traffic Generation Study \(January 2021\)](#)

[Environmental Impact Report](#)

**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.**

**CERTIFICATE OF POSTING**

The undersigned, duly appointed City Recorder, does hereby certify that the above agenda notice was posted on this 22nd day of January, 2021, on the Eagle Mountain City bulletin boards, the Eagle Mountain City website [www.emcity.org](http://www.emcity.org), posted to the Utah State public notice website <http://www.utah.gov/pmn/index.html>, and was emailed to at least one newspaper of general circulation within the jurisdiction of the public body.

Fionnuala B. Kofoed, MMC, City Recorder

Eagle Mountain City Planning Commission  
Rules of Order and Procedure

**I. ORGANIZATION**

- A. Appointment of Chair and Vice Chair: The Commission, at its first regular meeting in January of each year, shall elect a Chair and Vice Chair.
- B. The Chair presides at Commission meetings: The Chair shall preside at all meetings of the Commission and shall provide general direction for the meetings.
- C. Duties of the Chair:
  - 1. To conduct the meeting according to Appendix A of this document "Order of Procedures for Meetings".
  - 2. To call the Commission to order on the day and hour scheduled and proceed with the order of business.
  - 3. To announce the business before the Commission in the order in which it is to be acted upon.
  - 4. To receive and submit in the proper manner all motions presented by the members of the Commission.
  - 5. To put to vote all questions which are properly moved, or necessarily arise in the course of proceedings and to announce the results of motions.
  - 6. To inform the Commission, when necessary, on any point of order or practice. In the course of discharge of this duty, the Chair shall have the right to call upon legal counsel for advice.
  - 7. To authenticate by signature, when necessary, or when directed by the Commission, all of the acts, findings and orders, and proceedings of the Commission.
  - 8. To maintain order at the meetings of the Commission.
  - 9. To move the agenda along, hold down redundancy by limiting time allowed for comments if necessary, set guidelines for public input, and reference handouts and procedures during meetings.
  - 10. Recognize speakers and Commissioners prior to receiving comments and presentations.
  - 11. Oversee the training of the Commissioners.
    - a) Oversee routine training on Eagle Mountain City Code.
    - b) Oversee routine training on Utah State Land Use Code.
    - c) Coordinate opportunities for all Commissioners to attend training conferences regionally with the Planning Director
    - d) Coordinate State mandated training annually(Utah State

Code 52-4-104).

D. Duties of the Vice Chair:

1. The Vice Chair, during the absence of the Chair, shall perform all the duties and functions of the Chair.

E. Temporary Chair: In the event of the absence or disability of both the Chair and Vice Chair, the Chair or Vice Chair shall designate another planning commission member to serve as Temporary Chair. In such event, the Temporary Chair shall preside at the specific meeting to which they were designated.

F. Secretary: The duties of the secretary of the Planning Commission will be carried by city staff.

G. Secretary's Duties:

1. To post public notices of regular and special Planning Commission meetings, consisting of a Quorum, 24 hours prior to the meeting.
2. To attend every session of the Commission, to record roll, to receive and bring to the attention of the Commission all messages and other communications from the public or applicant.
3. To keep the minutes of the proceedings of the Commission and to record them.
4. To keep and maintain a permanent record file of all documents and papers pertaining to the work of the Commission.
5. To ensure Commissioners receive materials pertinent to regularly scheduled Commission meetings the Friday prior to the regularly scheduled Planning Commission meetings.
6. To perform such other duties as may be necessary

## **II. RIGHTS AND DUTIES OF MEMBERS**

A. Meeting Attendance:

1. Every member of the Commission shall attend the sessions of the Commission unless:
  - a) Duly excused.
  - b) Unable to attend because of extenuating circumstances.
2. Any member desiring to be excused shall notify the Chair at least 72 hours in advance of the meeting.
3. The Chair shall inform the Commission Members of excused absences for the record.

B. Conflict of Interest:

1. A Planning Commission Member must declare a conflict of interest on a specific matter on the agenda when required to do so by applicable law, as defined by the Utah State Code 10-3-13 and

Eagle Mountain City Code 2.15.080.

C. Explaining the Vote:

1. After the vote is taken any member of the Commission desiring to explain his/her vote shall be allowed an opportunity to do so.

D. Voting when absent:

1. No member of the Commission shall be permitted to vote on any question unless the member shall be present in person or via phone or teleconference, when the vote on any question is taken and when the result is announced.
2. No member shall give his/her proxy to any other person.

E. Location of Meeting:

1. All meetings of the Commission shall be held at such place as the Commission designates.
  - a) A meeting having been convened at the place designated, may be adjourned by the Commission to any other place within the Eagle Mountain City for the sole purpose of investigating some particular matter of business which may be more conveniently investigated at such other place, or may be adjourned to any other room more convenient for conducting the business of the Commission, so long as proper notice of the meeting location is posted for the general public.

F. Regular Meetings:

1. Time for Notice: Regular meetings of the Commission shall be held on the second and fourth Tuesday of the month at 6:30 p.m. for the regular policy session.
2. Work sessions will be held prior to the policy session at 5:30pm
  - a) Field Trips- When this occurs the Chair will instruct the Secretary to notice and identify the time and place of the field trip on the agenda.

G. Special Meetings:

1. The Secretary shall give public notice of the time and purpose of every special meeting of the Commission at least 24 hours prior to such meeting.

H. Meetings Matters to be Considered:

1. Other business items pertaining to the affairs of the Eagle Mountain City Planning Commission and within the authority and jurisdiction of the Commission may be considered and acted upon at any regular meeting of the Commission.

I. What constitutes a Quorum:

1. Three members of the Commission shall constitute a quorum for the transaction of business.

2. Any member disqualified because of a conflict of interest shall not be considered when determining whether a quorum is constituted.
3. Members abstaining from a vote, however, shall count toward consideration of a quorum.
4. Except as otherwise specifically provided in these rules, a majority vote of the Commission members present at a meeting shall be required and shall be sufficient to transact any business before the Commission.

J. Ratification of Actions Due to lack of Quorum:

1. All actions taken in the absence of a quorum will require ratification of a quorum later in the meeting or at the next meeting attended by a quorum.

### **III. PROCEDURE - ORDER OF BUSINESS**

A. Rules:

1. Meetings will follow the attached Order of Procedure for Meetings (Appendix A)

B. Order of business

1. Work Session.
  - a) Training
  - b) Review of Code requested by commission
  - c) Review of General Plan (Specified by members of the commission or staff)
  - d) Planning Staff items for consideration
2. Field trips:
  - a) On occasions when site inspections are deemed advisable, field trips shall be held prior to the Planning Commission meetings
  - b) The time of the field trips to be posted on the agenda.
  - c) The public shall be allowed at the sites of the field trip but are encouraged to present their case at the Planning Commission meeting, not during the field trip.
  - d) Field trips shall be for the purpose of gathering information, asking questions, not for discussing decisions.
3. Policy Session: The order of business shall be as follows for policy session:
  - a) Pledge of Allegiance.
  - b) Declaration of conflicts of interest.
  - c) Approval of minutes.
  - d) Planning Department report. This report shall contain the

following information:

- (1) Updated status of any previously requested help with Planning Commission business.
- (2) Update of City Council decisions on Planning Commission recommendations.
- e) Agenda items (Public Hearing items Schedule First).
- f) General Discussion/Questions/Announcements.
- g) Adjournment.

C. Agenda for Meetings:

1. The Chair presides in the preparation of the agenda for the Planning Commission meeting.
2. Two members of the Planning Commission may request an item to be added to the agenda by:
  - a) Sending a request by email or in writing to the Planning Director prior to the Wednesday before the next Planning Commission meeting
3. The Chair, with the assistance of the Planning Director (EMMC 17.15.020(D)), will prepare the agenda items including:
  - a) Site Plan review (EMMC 17.100).
  - b) Rezone requests with all application requirements (EMMC 17.90).
  - c) Variances. (EMMC 17.15.040(G), UC 10-9a-702).
  - d) All Conditional Use Permits. (EMMC 17.95).
  - e) Petitions for exceptions to the standards in EMMC 17.65.050 requiring Planning Commission approval before the license may be issued or renewed.
  - f) Any home business currently in operation that constitutes a nuisance may also be required to go before the Planning Commission for continued use of the license and operation of the business. (EMMC 17.65.050).
  - g) Appeals of aggrieved applicants for home businesses
    - (1) Applicants may appeal the decision of the license official, or designee to the Planning Commission within 10 days of the announced decision. (EMMC 17.165.100).
  - h) Accessory Apartment Approval. (EMMC 17.70).
  - i) Development or operation of group day care or preschool center approval. (EMMC 17.75.050).
  - j) Review Temporary Commercial Uses (EMMC 17.75.100).
    - (1) As part of approval of temporary commercial, the

Planning Commission may review length of time requested for the use to be conducted, proposed hours of operation, anticipated parking needs, traffic circulation or impacts on surrounding streets and neighborhoods, or any other regulation or condition necessary for the preservation of the public health, safety, and welfare.

k) Review of ancillary structures whose height is proposed to extend more than 10 feet above the primary structure. (EMMC 17.25.110(F)).

l) Code amendment recommendations (EMMC 17.05.120).

m) General plan or comprehensive general plan amendments (UC 10-9a-403(1)).

n) Appeal authority as designated in (17.05.190 Tables)

D. Agenda Deadline: Requests for Planning Commission consideration must be properly presented by meeting the following criteria:

1. Paying fees.
2. Applications and petitions filed to the Planning Department in the time period as required by the Development Code.
3. A complete application consists of all elements of EMMC 16.20.040, 17.60.050, 17.100.70, 17.95.040(where applicable).
4. Corrections or amendments for submitted applications must be delivered to the Planning Department on the Wednesday prior to the next regularly scheduled Planning Commission meeting by noon.

E. Staff Report: All issues presented to the Planning Commission for their consideration shall be accompanied by a staff report detailing:

1. Overview of Application.
2. Background, if any, of previous applications and vested rights.
3. Analysis of compliance with all applicable code.
4. Staff recommendations based on applicable code and General plan
  - a) Shall address the applicant's compliance with the standards and requirements of the Development Code, City's Construction Specifications and General plan.
5. Recommended motion which shall include findings of fact and conditions for approval that mitigate any code violations.
6. How the application fits within the guidelines of the applicable master development plan and/or master development agreement, where applicable.
7. Staff reports shall be as concise as possible while allowing for adequate coverage of the subject matter and shall be made available to anyone requesting a copy of the staff report.

8. Copies of staff reports and other pertinent materials including applicable Master Development Agreements and Master Development Plans shall be made available to the Planning Commission members the Friday prior to regularly scheduled Planning Commission meetings.

F. Notification of Public Hearings:

1. Notices of all items scheduled for Planning Commission informal hearings shall be mailed to the appropriate parties as required by the Development Code.
2. Anyone wishing to receive notice of Planning Commission meeting agendas may go to the public meeting notice website [www.utah.gov/pmn](http://www.utah.gov/pmn).
3. Persons who wish to have copies of minutes and/or staff reports may request them by contacting the Secretary.

#### IV. PROCEDURE - ORDER AND DECORUM

A. Order of Consideration of Items: The following procedure will normally be observed, however, it may be rearranged by the Chair for individual items if necessary for the expeditious conduct of business:

1. Item introduction by the Chair.
2. Staff presentation and recommendation.
3. Developer/Applicant presentation of proposal (10 min. max.).
4. Opening of the public portion of hearings.
5. Public Comment:
  - a) Timed by Secretary or a staff member assigned by the Chair.
  - b) 3 min. max. per person.
  - c) 5 min. max. for individuals representing a group.
6. Public hearing closed.
7. Developer response to public questions by invitation of the Chair.
8. Planning Commission discussion.
9. Motions entertained:
  - a) A motion is presented by a member of the Commission and can be:
    - (1) Have no action taken.
    - (2) Postponed Indefinitely by another member of the Commission (See Order of Procedure for meetings basic element 2).
    - (3) Seconded by another member of the Commission.
10. Motion discussion.



11. Vote.

- a) The discussion is closed to staff, the petitioner and public unless the Planning Commission requests additional information of any of these individuals.
  - (1) If additional information is required of the public, the public portion of the meetings may be reopened by a majority vote.
  - (2) If a member would like to ask further questions of the petitioner, the Chair may invite the applicant back to the lectern.
  - (3) Any questions of staff during this time may be done by requesting the time from the Chair.
- b) Chair may outline possible actions:
  - (1) Approval.
  - (2) Denial.
  - (3) Continuation (Table).
  - (4) Approval with conditions.

**V. PROCEDURE - MOTIONS**

A. Making motions:

- 1. Motions to follow the Order of Procedure for Meetings (Appendix A).
- 2. The motion may refer to the staff report for recommended conditions.

**VI. PROCEDURES DEBATE**

- A. Interruptions and Questions: No member of the Commission shall interrupt or question another member in debate without obtaining the Commissioner's consent, and to obtain such consent, shall first address the Chair.

**VII. PROCEDURES - VOTING**

A. Changing a vote:

- 1. No member shall be permitted to change their vote after the decision is announced by the Chair.

B. Conflict of Interest/Disqualification (Utah State Code 10-3-13 and Eagle Mountain City Code 1.15.020, 1.15.040):

- 1. Any member declaring a conflict of interest will normally leave the room and not participate in the discussion nor vote pertaining to that particular matter.
  - a) If a member is acting in the capacity of an applicant, the member will not sit at the dais and will not perform their duties as a planning commissioner, for that specific

application

2. Member that has declared a conflict of interest is not present nor votes.

C. Abstention:

1. Any member abstaining from a vote may remain seated at the table and participate in the discussion.
2. Reasons for abstention must be stated at the time of the abstention and such reason shall not be considered a conflict of interest.

## **VIII. PROCEDURES - SUSPENSION OF RULES**

A. Suspension or alteration of rules:

1. No standing rules of the commission shall be altered, amended, suspended or rescinded without the vote of a majority of all members of the Commission.

B. Amendment of Rules of Procedure: These rules of procedure may be amended at any meeting of the Planning Commission where:

1. A motion has been made by a member of the planning commission
2. The motion has been seconded
3. A majority vote of all planning commissioners is required for the motion to pass

## **IX. RECORDING OF RULES**

A. These rules, bylaws, policies and all subsequent amendments shall be

1. Recorded by the Secretary.
2. Included in the Planning Commission's Handbook.
3. Copies shall be furnished to each member of the Commission.

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Signature of Chair

Eagle Mountain Planning Commission

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Signature of Vice Chair

Eagle Mountain Planning Commission

## APPENDIX A

### Order of Procedure for Meetings

Here are the basic elements of the procedure to be used in planning commission meetings:

1. **Motion:** To introduce a new piece of business or propose a decision or action, a motion must be made by a group member ("I move that.....") A second motion must then also be made (raise your hand and say, "I second it.") After limited discussion the group then votes on the motion. A majority vote is required for the motion to pass (or quorum as specified in your bylaws.)
2. **Postpone Indefinitely:** This tactic is used to kill a motion. When passed, the motion cannot be reintroduced at that meeting. It may be brought up again at a later date. This is made as a motion ("I move to postpone indefinitely..."). A second is required. A majority vote is required to postpone the motion under consideration.
3. **Amend:** This is the process used to change a motion under consideration. Perhaps you like the idea proposed but not exactly as offered. Raise your hand and make the following motion: "I move to amend the motion on the floor." This also requires a second. After the motion to amend is seconded, a majority vote is needed to decide whether the amendment is accepted. Then a vote is taken on the amended motion. In some organizations, a "friendly amendment" is made. If the person who made the original motion agrees with the suggested changes, the amended motion may be voted on without a separate vote to approve the amendment.
4. **Commit:** This is used to place a motion in committee. It requires a second. A majority vote must rule to carry it. At the next meeting the committee is required to prepare a report on the motion committed. If an appropriate committee exists, the motion goes to that committee. If not, a new committee is established.
5. **Question:** To end a debate immediately, the question is called (say "I call the question") and needs a second. A vote is held immediately (no further discussion is allowed). A two-thirds vote is required for passage. If it is passed, the motion on the floor is voted on immediately.
6. **Table:** To table a discussion is to lay aside the business at hand in such a manner that it will be considered later in the meeting or at another time ("I make a motion to table this discussion until the next meeting. In the meantime, we will get more information so we can better discuss the issue.") A second is needed and a majority vote required to table the item being discussed.
7. **Adjourn:** A motion is made to end the meeting. A second motion is required. A majority vote is then required for the meeting to be adjourned (ended).

**Note:** If more than one motion is proposed, the most recent takes precedence over the ones preceding it. For example if #6, a motion to table the discussion, is proposed, it must be voted on before #3, a motion to amend, can be decided.

In a smaller meeting, like a committee or board meeting, often only four motions are used:

- To introduce (motion.)
- To change a motion (amend.)
- To adopt (accept a report without discussion.)
- To adjourn (end the meeting.)

Remember, these processes are designed to ensure that everyone has a chance to participate and to share ideas in an orderly manner. Order of Procedure should not be used to prevent discussion of important issues.

## **Tips in Order of Procedure**

The following summary will help you determine when to use the actions described in Order of Procedure

- **A main motion must be moved, seconded, and stated by the chair before it can be discussed.**
- **If you want to move, second, or speak to a motion,** address the chair.
- **If you approve the motion as is,** vote for it.
- **If you disapprove of the motion,** vote against it.
- **If you approve of the idea of the motion but want to change it,** amend it or submit a substitute for it.
- **If you want advice or information to help you make your decision,** move to refer the motion to an appropriate quorum or committee with instructions to report back.
- **If you feel that the pending question(s) should be delayed so more urgent business can be considered,** move to lay the motion on the table.
- **If you want time to think the motion over,** move that consideration be deferred to a certain time.
- **If you think that further discussion is unnecessary,** move the previous question.
- **If you do not agree with a decision rendered by the chair,** appeal the decision to the commission.
- **If you think that a matter introduced is not germane to the matter at hand,** a point of order may be raised.
- **If you think that too much time is being consumed by speakers,** you can move a time limit on such speeches.
- **If a motion has several parts, and you wish to vote differently on these parts,** move to divide the motion.

## Order of Procedure at a glance

| TO DO THIS                                      | YOU SAY THIS                                   | MAY YOU INTERRUPT SPEAKER | MUST YOU BE SECONDED | IS MOTION DEBATABLE | WHAT VOTE REQUIRED     |
|-------------------------------------------------|------------------------------------------------|---------------------------|----------------------|---------------------|------------------------|
| Adjourn meeting•                                | I move that we adjourn                         | No                        | Yes                  | No                  | Majority               |
| Recess meeting                                  | I move that we recess until ...                | No                        | Yes                  | No                  | Majority               |
| Complain about noise, room temperature etc. •   | Point of privilege                             | Yes                       | No                   | No                  | No vote                |
| Suspend further consideration of something•     | I move we table it                             | No                        | Yes                  | No                  | Majority               |
| End debate                                      | I move the previous question                   | No                        | Yes                  | No                  | Majority               |
| Postpone consideration of something             | I move we postpone this matter until...        | No                        | Yes                  | Yes                 | Majority               |
| Have something studied further                  | I move we refer this matter to committee       | No                        | Yes                  | Yes                 | Majority               |
| Amend a motion                                  | I move this motion be amended by...            | No                        | Yes                  | Yes                 | Majority               |
| Introduce business (a primary motion)           | I move that...                                 | No                        | Yes                  | Yes                 | Majority               |
| Object to procedure or personal affront         | Point of order                                 | Yes                       | No                   | No                  | No vote, Chair decides |
| Request information                             | Point of information                           | Yes                       | No                   | No                  | No vote                |
| Take up a matter previously tabled              | I move to take from the table                  | No                        | Yes                  | No                  | Majority               |
| Reconsider something already disposed of•       | I move we reconsider our action relative to... | Yes                       | Yes                  | Yes                 | Majority               |
| Consider something already out of its schedule* | I move we suspend the rules and consider...    | No                        | Yes                  | No                  | Majority               |
| Vote on a ruling by the Chair                   | I appeal the Chair's decision                  | Yes                       | Yes                  | Yes                 | Majority               |

\*Not amendable

## **IN THE MEETING**

### **TO INTRODUCE A MOTION:**

Wait when no one else has the floor.

Address the Chair by the proper title.

Wait until the chair recognizes you.

- Now that you have the floor and can proceed with your motion say "I move that...", state your motion clearly.
- Another member may second your motion. A second merely implies that the seconder agrees that the motion should come before the commission and not that he/she is in favor of the motion.
- If there is no second, the Chair says, "The motion is not before you at this time." The motion is not lost, as there has been no vote taken.
- If there is a second, the Chair states the question by saying "It has been moved and seconded that ... (state the motion). . . , is there any discussion?"

### **DEBATE OR DISCUSSING THE MOTION:**

- The member who made the motion is entitled to speak first.
- Every member has the right to speak in debate.
- The Chair should alternate between those "for" the motion and those "against" the motion.
- The discussion should be related to the pending motion.
- Avoid using a person's name in debate.
- All questions should be directed to the Chair.
- Unless there is a special rule providing otherwise, a member is limited to speak once to a motion.
- Asking a question or a brief suggestion is not counted in debate.
- A person may speak a second time in debate with the commission's permission.

### **VOTING ON A MOTION:**

- Before a vote is taken, the Chair puts the question by saying "Those in favor of the motion that ... (repeat the motion)... say "Aye." Those opposed say "No." Wait, then say "The motion is carried," or "The motion is lost."
- If a member is in doubt about the vote, he may call out "division." A division is a demand for a standing vote.
- A majority vote is more than half of the votes cast by persons legally entitled to vote.
- A tie vote is a lost vote, since it is not a majority.

## EMMC 17.34 Community District Node Overlay Zones

[PROPOSED]

### 17.34.010 What this chapter does.

This chapter establishes the land use regulations and protections for the Community District Node Overlay Zones in Eagle Mountain City. It establishes three types of community district node overlay zoning: City Center Node (N-CC), Community Node (N-C), and Neighborhood Node (N-N).

### 17.34.020 Purpose and objective.

The purpose of the Community District Node Overlay Zones is to create designated areas within the city's neighborhoods to act as focal points of activity and development. The development of the nodes can act as a way to relieve development pressure on other portions of the city that are intended to be protected or more rural while also improving the capacity for better transportation systems. These walkable, denser nodes are established in varying intensity levels and reflect the implementation of the Framework Map of the General Plan. They are typically served and located near existing and future major intersections, highways, and mass transit stops.

The node types of the Community District Node Overlay Zones are described as:

A. City Center Node. A "Downtown" Main Street style of commercial and office uses. Mixture of uses in a horizontal or vertical format (e.g. residential or office above retail; residential above office).

B. Community Node. A community business district style of commercial and office uses serving multiple surrounding neighborhoods. Mixture of uses in a horizontal or vertical format (e.g. residential or office above retail; residential above office).

C. Neighborhood Node. A small collection of retail and service uses focused on a corner or single block, serving the immediate surrounding neighborhood. Mixture of uses in a horizontal format (e.g. different uses adjacent to each other).

### 17.34.030 Area of designation.

The Community District Node Overlay Zones shall be applied to areas as noted by the Framework Map of the General Plan (see Figure 17.34.070(1)). Not all neighborhoods in the city may have a node, a neighborhood may include multiples of a node type, and not all node types may be within a neighborhood.

A node must be centered on an existing or future major intersection or mass transit stop. A future intersection or mass transit stop is defined as one identified in the current Transportation Master Plan at the time of a request for the overlay zone mapping.

Each node overlay shall be limited in land area by:

- A. City Center Node – 200 acres;
- B. Community Node – 150 acres; and
- C. Neighborhood Node – 100 acres.

#### 17.34.040 Land use table.

This land use table contains the various land uses that are permitted, special, and prohibited in the Community District Node Overlay Zones. The land use table supersedes the land uses of the underlying zoning. 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)

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

Blank = Prohibited

Land Use Table  
Community District Node Uses

| LAND USE                                                                                                         | CITY CENTER<br>NODE (N-CC) | COMMUNITY<br>NODE (N-C) | NEIGHBORHOOD<br>NODE (N-N) |
|------------------------------------------------------------------------------------------------------------------|----------------------------|-------------------------|----------------------------|
| <b>RESIDENTIAL USES</b>                                                                                          |                            |                         |                            |
| Dwelling (single-family)                                                                                         |                            |                         | P                          |
| Dwelling (multi-family, 10 to 30 units/bldg)                                                                     |                            |                         | P                          |
| Dwelling (multi-family, 20 to 40 units/bldg)                                                                     |                            | P                       |                            |
| Dwelling (multi-family minimum of 50 units/bldg)                                                                 | P                          |                         |                            |
| Accessory apartment (detached or within the primary residence)                                                   |                            |                         | P                          |
| Mixed-use residential <sup>1</sup>                                                                               | P                          | P                       | P                          |
| Assisted living facility (up to 12 residents)                                                                    | S                          | S                       | S                          |
| Assisted living facility (12+ residents)                                                                         | S                          | S                       |                            |
| Bed and Breakfast                                                                                                |                            | P                       | P                          |
| Residential facility for persons with a disability                                                               | S                          | S                       | S                          |
| Home businesses                                                                                                  | P                          | P                       | P                          |
| <b>CIVIC USES</b>                                                                                                |                            |                         |                            |
| Cultural and Entertainment Uses (theaters, museums, galleries, libraries, performing arts studios, movies, etc.) | P                          | P                       |                            |
| Public parks, trails, and recreation                                                                             | P                          | P                       | P                          |
| Public building or facilities (city owned)                                                                       | P                          | P                       | P                          |
| Religious or cultural meeting halls                                                                              | S                          | S                       | S                          |



|                                                                                                                  |   |   |   |
|------------------------------------------------------------------------------------------------------------------|---|---|---|
| School, public or charter                                                                                        | S | S | S |
| Transit stop (bus, light rail)                                                                                   | P | P | P |
| UTILITY USES                                                                                                     |   |   |   |
| Utilities, public and private                                                                                    | S | S | S |
| Communication facilities and towers                                                                              | S | S | S |
| COMMERCIAL USES                                                                                                  |   |   |   |
| Animal care service                                                                                              | S | S | S |
| Athletic instruction, including dance, gymnastics, martial arts, etc.                                            | P | P | P |
| Banks and credit unions                                                                                          | P | P | P |
| Brewery (ancillary to a restaurant)                                                                              | P | P |   |
| Child day care center or preschool                                                                               | P | P | P |
| Convenience store; corner market                                                                                 | P | P | P |
| Dialysis center                                                                                                  | P | P |   |
| Fitness center                                                                                                   | P | P | P |
| Food trucks                                                                                                      | P | P | P |
| Grocery store, small/neighborhood (generally < 30,000 sq. ft.)                                                   | P | P | P |
| Grocery store, medium/community (generally 30,000 – 75,000 sq. ft.)                                              | P | P |   |
| Grocery store, large/regional (generally > 75,000 sq. ft.)                                                       | P |   |   |
| Hotel <sup>2</sup>                                                                                               | P | P |   |
| Laundry services (no on-site dry cleaning)                                                                       | P | P | P |
| Mortuary                                                                                                         | P | P |   |
| Office (medical, health care, professional)                                                                      | P | P | P |
| Outdoor sales and display (including storage of materials, products, and equipment incidental to an allowed use) | S | S | S |
| Parking garage <sup>3</sup>                                                                                      | S | S |   |
| Pharmacy (retail)                                                                                                | P | P | P |
| Plant and tree nursery/garden center (with outside display; min. 1 acre lot)                                     | S | S |   |
| Reception/conference/meeting center                                                                              | S | S | S |
| Restaurant or bakery                                                                                             | P | P | P |
| Retail sales, general <sup>4</sup>                                                                               | P | P |   |
| Retail sales, neighborhood (generally < 5,000 sq. ft.) <sup>5</sup>                                              | P | P | P |
| Retail sales, regional (generally > 55,000 sq. ft.)                                                              | P |   |   |
| Salon (hair, nails, etc.)                                                                                        | P | P | P |
| State liquor store                                                                                               | P | P |   |
| Tobacco specialty business                                                                                       | S | S |   |

<sup>1</sup> A mixed-use residential building must include a minimum 50% of gross floor area for a permitted or special residential use and a minimum of 50% of ground floor gross floor area for any other non-residential permitted or special use allowed in the particular zoning overlay district.

<sup>2</sup> Hotels offering extended stay must include a mix of extended stay and standard rooms (maximum 70 percent extended stay).

<sup>3</sup> Parking garages that are incorporated into a building with other uses may not utilize more than 70% of the ground floor gross floor area.

<sup>4</sup> Includes arts and crafts sales, body art facility, electronic media rental and sales, hardware and home improvement, pet store, and uses deemed similar or appropriate by the city.

<sup>5</sup> Includes bookstore, copy center or postal center, floral sales, ice cream or dessert shop, and uses deemed similar or appropriate by the city.

#### 17.34.050 Development standards.

The development standards are required standards for the Community District Node Overlay Zones in the city. The development standards table below supersedes the development standards of the underlying zoning.

Community District Node Development Standards

|                                                            | CITY CENTER<br>NODE (N-CC)      | COMMUNITY<br>NODE (N-C)         | NEIGHBORHOOD<br>NODE (N-N)      |
|------------------------------------------------------------|---------------------------------|---------------------------------|---------------------------------|
| Maximum Land Area of Node for Residential Use <sup>1</sup> | 25%                             | 40%                             | 60%                             |
| Maximum Height of Structures <sup>2</sup>                  | 65' (50' <sup>3</sup> )         | 50' (45' <sup>3</sup> )         | 40' (35' <sup>3</sup> )         |
| Setback Requirements <sup>4</sup>                          |                                 |                                 |                                 |
| Front                                                      | 10' min; 40' max                | 10' min; 25' max                | 10' min; 15' max                |
| Rear                                                       | 15' min (35' min <sup>3</sup> ) | 15' min (30' min <sup>3</sup> ) | 15' min (25' min <sup>3</sup> ) |
| Side                                                       | None (20' min <sup>3</sup> )    | None (15' min <sup>3</sup> )    | None (10' min <sup>3</sup> )    |

<sup>1</sup> Excluding Mixed-use Residential

<sup>2</sup> Height is measured from the average of the highest finished grade and the lowest finished grade of the structure to the highest point of the roof, excluding ancillary structures.

<sup>3</sup> If adjacent to a residential use (existing or future based on General Plan designation) that is not in a Community District Node Overlay Zone.

<sup>4</sup> The city council, in consideration of a prior recommendation by the planning commission, may modify these requirements if in its judgment the modification comply with the following: does not interfere with the use, enjoyment, and character of adjacent properties; the success of the business necessitates the setbacks, proven by data or research; the setbacks are not solely to provide space for parking between the building and the street; and topography or natural features make it impossible or impracticable to place the building within the setback.

A. Parking. The required parking as identified in Table 17.55.120(c) shall be reduced by 10% for non-residential uses to determine parking requirements in a Community District Node Overlay Zone. Developments must comply with all other requirements of EMMC 17.55 for off-street parking. Shared

parking (EMMC 17.55.100) is highly encouraged to help minimize the amount of surface parking in the node.

B. Lighting. Developments must comply with the requirements of EMMC 17.56 for outdoor lighting. Light fixture style and design is encouraged to be consistent within node district, but may vary between each node as a way to provide a sense of identity and place that is distinctive and unique.

C. Landscaping, Buffering, Fencing and Transitioning.

1. Developments must comply with the requirements of EMMC 17.60.
2. Courtyards. Developments (except for single-family dwellings) are encouraged to be designed to incorporate plaza or courtyard areas to encourage use of the area as a resting, social, and relaxing space. Such areas shall be allowed on any side of a building. These areas are characterized as being well landscaped areas which include benches, shade features, and certain other amenities such as public art, water features, or a pedestrian-scale tower clock.
3. Rooftops. Developments (except for single-family dwellings) are encouraged to incorporate courtyards and landscaping on rooftops where possible.

D. Design Standards. Developments must comply with the requirements of EMMC 17.72 for site and architectural design. Architectural elements and language are encouraged to be repeated between developments within a node district, however each individual node district is encouraged to have its own unique look and style to set it apart from the other node districts in the city.

17.34.060 Conflict regulations.

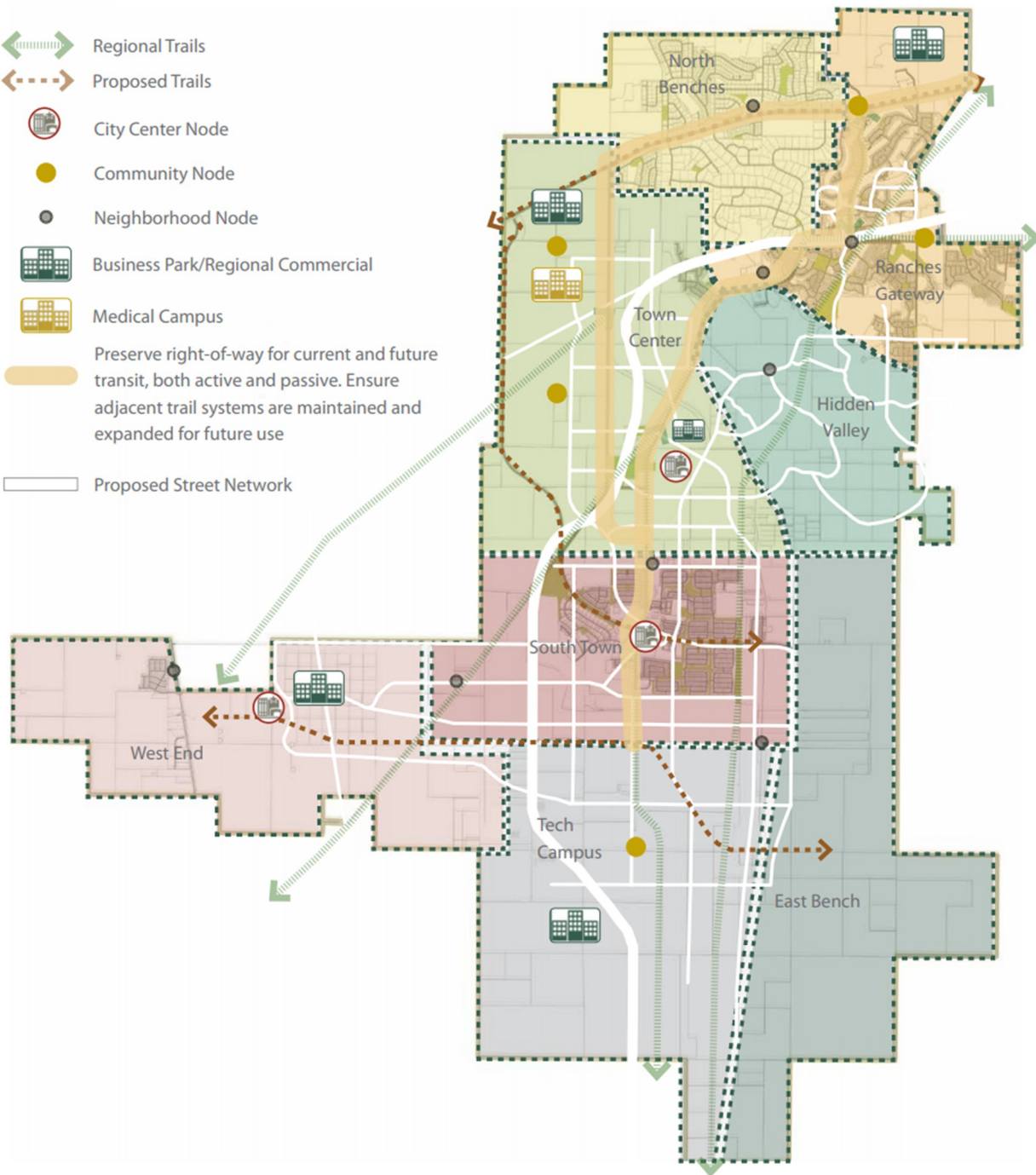
Where any provision of federal, state, county, or city statutes, codes, or laws conflicts with any provision of this chapter, this chapter shall govern unless enforcement will result in a violation of the federal, state, county or city statutes, codes, or laws.

17.34.070 General Plan Framework Map.

Figure 17.34.070(1)

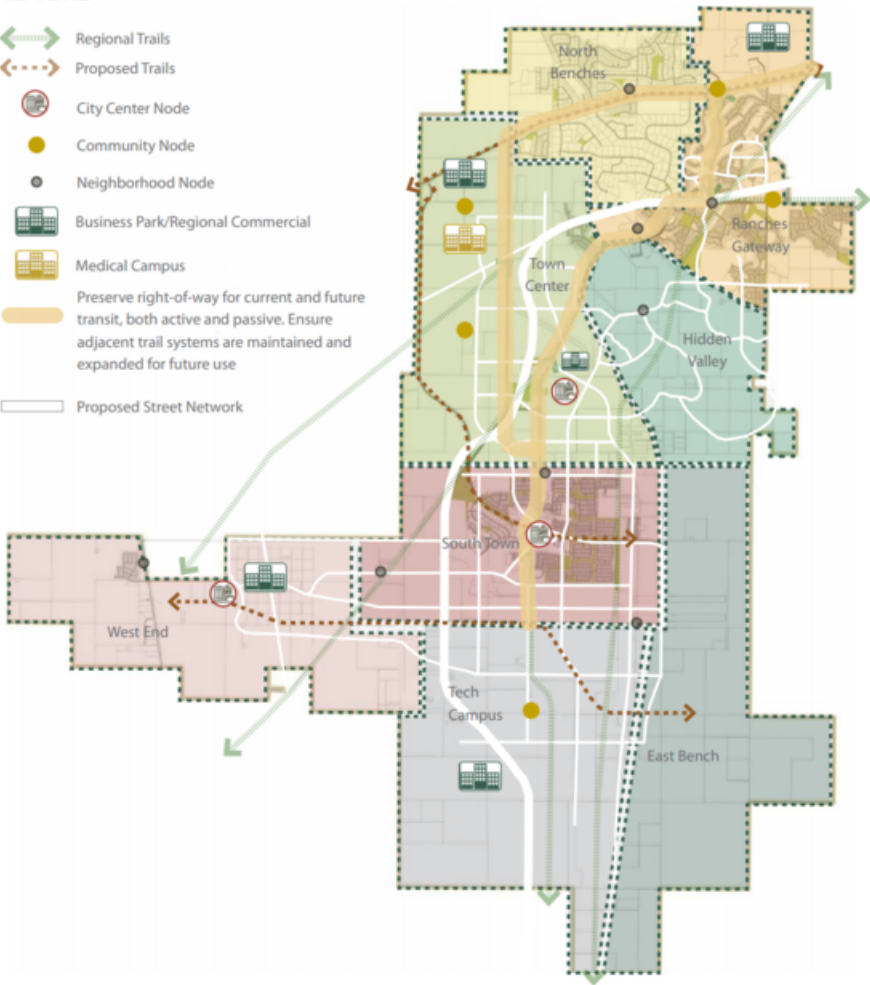
## LEGEND

-  Regional Trails
-  Proposed Trails
-  City Center Node
-  Community Node
-  Neighborhood Node
-  Business Park/Regional Commercial
-  Medical Campus
-  Preserve right-of-way for current and future transit, both active and passive. Ensure adjacent trail systems are maintained and expanded for future use
-  Proposed Street Network



LEGEND

- Regional Trails
- Proposed Trails
- City Center Node
- Community Node
- Neighborhood Node
- Business Park/Regional Commercial
- Medical Campus
- Preserve right-of-way for current and future transit, both active and passive. Ensure adjacent trail systems are maintained and expanded for future use
- Proposed Street Network



# Chapter 17.60

## Landscaping, Buffering, Fencing and Transitioning

### 17.60.160 Zones transitions.

The zone transition table found in Table 17.60.160(1) below identifies the compatible zones that may be adjacent to each zone. Each column is defined as:

A. Zone. The existing or proposed zone designation for the subject property.

B. Compatible Buffer. The permitted zones for land adjacent to the zone identified in the first column.

C. General Plan Category Compatibility. The future land use designation in the General Plan that the zone identified in the first column may be located within.

The “Zone Legend,” “Overlay Zone Legend,” and “General Plan Categories” found in Table 17.60.160(2) below are provided for reference.

**Table 17.60.160(1)**

| ZONE | COMPATIBLE BUFFER                                                               | GENERAL PLAN CATEGORY COMPATIBILITY |
|------|---------------------------------------------------------------------------------|-------------------------------------|
| AG   | RA1, RA2, RD1, RD2, FR, MEC, OS-I, OS-N                                         | ARD1, ARD2, FR, OS, PO              |
| RA1  | AG, RA2, OS-I, OS-N                                                             | ARD1                                |
| RA2  | AG, RA1, RD1, OS-I, OS-N                                                        | ARD1                                |
| RD1  | AG, RA2, RD2, OS-I, OS-N                                                        | ARD2                                |
| RD2  | AG, RD1, FR, R1, OS-I, OS-N                                                     | ARD2                                |
| FR   | AG, RD2, R1, CN, OS-I, OS-N                                                     | FR                                  |
| R1   | RD2, FR, R2, CN, OS-I, OS-N                                                     | NR1                                 |
| R2   | <u>R1</u> , R3, <u>RC</u> , CN, OS-I, OS-N                                      | NR1                                 |
| R3   | R2, RC, <u>MF1</u> , CN, OS-I, OS-N                                             | NR1                                 |
| RC   | <u>R2</u> , R3, MF1, MF2, CN, CC, OS-I, OS-N                                    | NR2                                 |
| MF1  | <u>R3</u> , RC, MF2, CN, CC, CR, CS, OS-I, OS-N                                 | NR2, CC, <u>RCR</u>                 |
| MF2  | RC, MF1, CN, CC, CR, MEC, OP, CS, OS-I, OS-N                                    | NR3, CC, <u>RCR</u> , TCM           |
| CN   | FR, R1, R2, R3, RC, MF1, MF2, CC, MEC, OP, OS-I                                 | CC, TCM                             |
| CC   | RC, MF1, MF2, CN, CR, MEC, OP, LMD, OS-I                                        | CC, ECC, TCM                        |
| CR   | MF1, MF2, CC, MEC, OP, LMD, CS, OS-I                                            | CR, ECC                             |
| MEC  | AG, MF2, CN, CC, CR, OP, OS-I                                                   | ECC                                 |
| OP   | MF2, CN, CC, CR, MEC, OS-I                                                      | TCM, CC, <u>RCR</u> , ECC           |
| I    | LMD, CS, OS-N                                                                   | BPLI                                |
| LMD  | I, CR, CC, CS, OS-N                                                             | BPLI                                |
| CS   | MF1, MF2, CC, CR, I, LMD, OS-N                                                  | BPLI                                |
| OS-I | AG, RA1, RA2, RD1, RD2, FR, R1, R2, R3, RC, MF1, MF2, CC, CN, CR, MEC, OP, OS-N | PO                                  |

|      |                                                                            |    |
|------|----------------------------------------------------------------------------|----|
| OS-N | AG, RA1, RA2, RD1, RD2, FR, R1, R2, R3, RC, MF1, MF2, OP, I, LMD, CS, OS-I | PO |
|------|----------------------------------------------------------------------------|----|

**Table 17.60.160(2)**

| <b>ZONE LEGEND</b>                                  |      |                                          |      |
|-----------------------------------------------------|------|------------------------------------------|------|
| Rural Agricultural 1                                | RA1  | Commercial Neighborhood                  | CN   |
| Rural Agricultural 2                                | RA2  | Commercial Community                     | CC   |
| Rural Density 1                                     | RD1  | Commercial Regional                      | CR   |
| Rural Density 2                                     | RD2  | Medical/Educational Campus               | MEC  |
| Foothill Residential                                | FR   | Office Professional                      | OP   |
| Residential 1                                       | R1   | Industrial                               | I    |
| Residential 2                                       | R2   | Light Manufacturing/Distribution         | LMD  |
| Residential 3                                       | R3   | Commercial Storage                       | CS   |
| Residential Cottage                                 | RC   | Improved Open Space                      | OS-I |
| Multi-Family 1                                      | MF1  | Natural Open Space                       | OS-N |
| Multi-Family 2                                      | MF2  | Agriculture                              | AG   |
| <b>OVERLAY ZONE LEGEND</b>                          |      |                                          |      |
| Ridgeline Protection Overlay                        | RL   | Equine Overlay                           | EQ   |
| Historical <del>Site and</del> Preservation Overlay | HP   | Regional Technology and Industry Overlay | RTI  |
| Extractive Industries Overlay                       | EIO  |                                          |      |
| <b>GENERAL PLAN CATEGORIES</b>                      |      |                                          |      |
| Agricultural/Rural Density One                      | ARD1 | Town Center Mixed Use                    | TCM  |
| Agricultural/Rural Density Two                      | ARD2 | Regional Commercial                      | RC   |
| Foothill Residential                                | FR   | Employment Center/Campus                 | ECC  |
| Neighborhood Residential One                        | NR1  | Business Park/Light Industry             | BPLI |
| Neighborhood Residential Two                        | NR2  | Civic Uses                               | CU   |
| Neighborhood Residential Three                      | NR3  | Parks and Open Space                     | PO   |
| Community Commercial                                | CC   |                                          |      |



# EAGLE MOUNTAIN Planning Commission MEETING MINUTES

January 12, 2021, 5:30 p.m.  
Eagle Mountain City Council Chambers  
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

## **5:30 P.M. Planning Commission Work Session – Electronic Meeting via Lifesize**

COMMISSION MEMBERS PRESENT: Matthew Everett, Christopher Pengra, Erin Wells, and Brett Wright. Commissioner Jeremy Bergener was excused.

CITY STAFF PRESENT: Steve Mumford, Assistant City Administrator/Community Development Director; Pete Kane, Planning Manager; Tayler Jensen, Senior Planner; Jessa Porter, Planner; Fionnuala Kofoed, City Recorder; and Elizabeth Fewkes, Recording Secretary.

Commissioner Wright called the meeting to order at 5:30 p.m.

Commissioner Wright recognized and welcomed Jeremy Bergener to the Commission and excused him from the meeting due to significant unexpected circumstances. He welcomed back former City employee Tayler Jensen to the Planning Department.

### **1. Discussion Items**

#### **1.A. DISCUSSION – Planning Commission Guidelines**

Planning Manager Pete Kane inquired if the item should be tabled until Commissioner Bergener was present.

The Planning Commission determined to postpone the item until Commissioner Bergener could be present.

Commissioner Wright adjourned the work session at 5:35 p.m.

## **6:30 P.M. Policy Session – Electronic Meeting via Lifesize**

Commissioner Wright called the meeting to order at 6:30 p.m.

### **2. Pledge of Allegiance**

City Recorder Fionnuala Kofoed led the Pledge of Allegiance.

### **3. Declaration of Conflicts of Interest**

For purposes of transparency, even though it did not pose a conflict of interest, Commissioner Wells stated that the applicant for item 6.B. has also developed in the City where she works.



#### 4. Approval of Meeting Minutes

##### 4.A. November 24, 2020, Planning Commission Minutes

**MOTION:** *Commissioner Wells moved to approve the November 24, 2020 minutes as amended. Commissioner Everett seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.*

##### 4.B. December 8, 2020, Planning Commission Minutes

**MOTION:** *Commissioner Pengra moved to approve the December 8, 2020 minutes. Commissioner Wright seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.*

#### 5. Status Report

Mr. Kane stated that during work session of the January 05, 2021 meeting, the City Council discussed the lot size transitioning table removal, the Historic Preservation Overlay Zone, the Ridgeline Protection Overlay Zone, and the Woodward Property Rezone. The items will all move forward to a future policy session. Discussions with the County determined that the division of Woodward property would not result in increased taxes. The Brylee Farms preliminary plat amenity amendment was approved 3 to 1 with one absentee with the Planning Commission recommended condition regarding the sidewalk/crosswalk. The Scenic Mountain master site plan was reviewed and continued until the elevations and design corrections and modifications desired by the Councilmembers were addressed and the conditional use permit decision was reversed and approved for the use.

#### 6. Action and Advisory Items

##### 6.A. Election of a Chair and Vice Chair for the Planning Commission

Commissioner Everett recommended Commissioner Wright for the position of Chair. He has served with Commissioner Wright for several years and appreciates Commissioner Wright's service as Vice Chair last year and the depth of thought Commissioner Wright implements in evaluating items.

**MOTION:** *Commissioner Everett moved to appoint Brett Wright as the Planning Commission Chairman for 2021. Christopher Pengra seconded the motion. Those voting aye: Matthew Everett, Christopher Pengra, and Erin Wells. Brett Wright abstained. The motion passed with a unanimous vote.*

**MOTION:** *Commissioner Pengra moved to appoint Matthew Everett as the Planning Commission Vice Chairman for 2021. Commissioner Wells seconded the*

***motion. Those voting aye: Matthew Everett, Brett Wright, Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.***

Commissioner Wright recognized Commissioner Everett's previous service and the tutelage Commissioner Everett has provided to him during their service together.

#### **6.B. PUBLIC HEARING – Hidden Hollow Phase C (Preliminary Plat & Site Plan)**

Assistant City Administrator/Community Development Director Steve Mumford presented the item. The property was zoned Village Core as part of the Ranches Master Development Plan and Agreement (MDA) along with other parcels. Of the 112 acres, 20 acres were designated commercial and 1,002 acres were designated as residential with a density of 8.9 dwelling units per acre. The Village Core zone allowed for multifamily uses but did not provide for a specific density associated with those uses because the density was established through The Ranches MDA. The Hidden Valley North preliminary plat was approved in 2006; however, the plan did not develop as approved due to Alpine School District purchasing land through eminent domain for Hidden Hollow Elementary. The new proposal includes 86 townhomes and 48 single-family units for a total of 134 lots with a unit density of 5.6 dwelling units per acre, representing a density reduction of over 60 percent.

The City owns property to the west obtained through a special improvement district tax default. The applicant has redirected a future 94-foot wide collector road to avoid steep terrain. The applicant has requested to purchase a 1.5-acre City-owned property at the appraised value to add to the Phase C plat.

The Future Land Use and Transportation maps were updated in 2018, following the Hidden Hollow Phase B approval. A portion of the property is now designated as Foothill Residential with a minimum lot size of one-quarter acre and an average lot size of one-half acre. The proposed preliminary plat and site plan for the project are based upon the applicant's reliance on the project history with the Commission and Council, the approved preliminary plat from 2006, and the consideration of the project as an extension of Phase B. Access requires improving a portion of Hidden Valley Parkway with this project, and the developer has agreed to grade the remainder of the right-of-way for future expansion, ensuring drainage flow is directed to the existing drainage channel that leads to the detention area, which reduces the future cost to the City of grading for the expansion.

The project requires 3.16 acres of improved open space and 316 amenity points. Amenities in Phase B of the project included two trailhead parking lots, a restroom, trail kiosk, bike rack, bike repair station, drinking fountain, tables and shade structure, trees, and wayfinding signs. Phase C amenities include a lighted pickleball court, playground, pavilion, trees, benches, trails, and 82 points for 4,100 linear feet of mountain bike trails, awarded two points per 100 linear feet, and approximately 37 acres of hillside natural open space. A condition of approval has been included that requires an agreement between the property owner and the City, allowing access to the trail systems and open space and agreeing to preserve the trail system, and/or replace removed trails, and dedicate ridgelines and hillside open spaces to the City in the future.

Municipal Code requires a clubhouse of a minimum of 1,500 square feet and a swimming pool of a minimum of 1,000 square feet to accommodate at least four-square feet per residential unit being served. The proposal offers a larger pool with additional amenities in lieu of a smaller pool and clubhouse. The alternate proposal includes a 1,260 square-foot pool with a kid area, a hot tub, a trellis with tables, a building that includes changing rooms/bathrooms, and two drinking fountains at a cost increase of \$12,200 over the minimal-sized pool and clubhouse. The applicant has provided 27 parking stalls and will need to provide an additional two off-street parking stalls. The parking in front of the pool contains 15 stalls without a landscaped island, which is required for every 12 stalls.

The townhomes were reviewed using the MF1 zone development standards. The applicant designed townhomes units in 2018 for the Phase B project and desires to construct the same units in Phase C as were approved in Phase B. The applicant requests an exemption from the 22-foot by 22-foot garage requirement in order to construct the same units. The applicant believes that he would face unreasonable financial costs if the updated requirements were enforced. The RC zone development standards require 58-foot frontages and 20 feet on cul-de-sacs or circles. The loop lots may be determined to be on a circle. The applicant considers Phase B and Phase C both to be a part of the same project/neighborhood. The elevation standards for multi-family design standards should be discussed for these buildings in relation to garage location, roofs, building articulation, architectural detailing, building materials, building colors, garage doors, lighting, mailbox structures, mechanical equipment, storage, loading areas, and trash enclosures. The applicant will be installing the same fence that will be installed in Phase B, which is The Ranches style cedar wood fencing.

Staff recommends the following conditions if the Planning Commission should determine to approve this application:

1. The approval is contingent upon the purchase of the 1.5 acres of City property at the appraised fair-market value;
2. An agreement must be approved and signed that allows access to the mountain bike trails and open space in the Hidden Valley area, and the applicant agrees to preserve and/or replace the trails and deed the hillside and ridgeline open space to the City in the future;
3. The developer shall grade and prepare the entire Hidden Valley Parkway right-of-way for future expansion, including providing a method to direct the stormwater to the existing retention basin;
4. At least two additional parking stalls shall be added, and stalls shall be redistributed to be more evenly spaced in the townhome area;
5. A cut-off ditch shall be built along the new mountain bike trail above the lots, directing stormwater to the existing drainage channel. Details shall be approved by the City Engineer;
6. Retaining walls shall be stepped to not exceed 5 feet high and include at least 5 horizontal feet between walls;
7. Townhome buildings shall be modified to comply with the multi-family design standards (condition to be amended at the meeting following a review of the colored renderings to be submitted);
8. The cluster mailboxes shall be located adjacent to the park and a structure shall be built that reflects the design of the buildings; and

9. The approximately 37 acres of open space near the project shall be dedicated to the City with the first final plat for this project.

If the Planning Commission feels there are sufficient findings of facts to recommend denial of the proposed site plan, then the following motion is appropriate: I move that the Planning Commission recommend denial of the Hidden Hollow Phase C preliminary plat and site plan based on the following findings of facts. If the Planning Commission feels that the applicant needs to make changes to the plan in order to comply with Municipal Code requirements, and the necessary changes are more extensive than can be placed in conditions, then the Commission may table the application to a future meeting with specific directions given to the applicant.

The appraisal of the City-owned property was completed on September 1, 2020. The cap for amenities points awarded for trails is no more than 33 percent of the point total. Most of the trails do not require improvement. One trail needs to be relocated.

Mr. Mumford said he believes The Ranches master development agreement (MDA) expired in 2017 and this property was not included as part of another MDA.

*It was later determined that The Ranches MDA expired on March 10, 2018.*

The property was going to be included in adjacent MDAs; however, the applicant chose to remove the property to retain the approval of the preliminary plat. He clarified that currently properties under 50 acres are not required to have an MDA, previous standards were for properties less than 160. Such properties require a rezone from the base agriculture zoning prior to allowing development. The City Council may require an MDA for any property should an MDA be deemed necessary through findings of facts. He clarified the zoning had been proposed as Village Core as a part of The Ranches MDA which allowed for multifamily uses, but the expiration of the MDA removed the density count vesting.

Applicant representative Ryan Bybee reviewed the history of the project. He stated that they generally do not build multifamily and desire to reduce the density and to be in harmony with other areas in Hidden Valley. The only change in the unit count is the inclusion of the unit count for the 1.5-acre City-owned property. Ten years ago, the City approached the applicant, the School and Institutional Trust Lands Administration (SITLA), and the Smith family to obtain easements for the mountain bike trail system at no cost. They have worked with the mountain bike team to locate the trails in areas of the City that are not intended to be developed as much as possible to prevent the need to relocate the trails. They intend to dedicate 30 to 40 acres of the surrounding open space to the City in correlation with the mountain bike trails in hopes to meet the intention of the amenity requirements. They believe the mountain bike trail system is a benefit to both the City and surrounding communities that use the trails and bring tax revenue to the City through gas station purchases. The dedication of the native open space to the City would remove the need for easement access to the property.

*Commissioner Wright opened the public hearing at 7:22 p.m. No comments were submitted to the City Recorder's Office and no public was in attendance to make comment. As there were no comments, Commissioner Wright closed the hearing.*

Commissioner Pengra expressed concern regarding the plan's failure to adhere to current Municipal Code standards in light of the expiration of the vested rights for the project and inquired why the applicant had not approached the City to obtain an MDA when The Ranches MDA expired.

Mr. Bybee stated he had frequently discussed the project with the City and the potential of The Ranches MDA expiration had not been mentioned. They thought the vested rights stood until several weeks ago. When they received approval for Phase B, the discussion regarding vesting had not included the loss of rights due to the expiration of The Ranches MDA. He said had he been aware of the expiration, he would have enacted methods to secure rights. They have been upfront with their plans for the area throughout the process. He requested to move forward in good faith to complete the project as it has been contemplated for ten years.

Commissioner Pengra stated that the purpose of MDAs is to secure rights for both parties as changes in politics and Municipal Codes impact projects. The Planning Commission is in a difficult situation with this project as the purview of the Planning Commission is to evaluate a project's adherence to Municipal Code standards.

Mr. Bybee stated he feels that their plan with the reduction in density from the original allowable density is a compromise. He hopes to prevent a legal battle with the City which is undesirable to either party. Had he been aware that their rights were expiring, they could have secured the vesting. They moved forward with the understanding their rights were secured and have strived to work with the City through dedicating wells sites and easements.

Commissioner Pengra stated that the City is not responsible for protecting developer rights, most of the early MDAs had unreasonable, unviable densities and the slopes of the land prohibit the density granted and the proposed project still has a high density.

Commissioner Everett voiced his frustration with approving projects that fail to comply with Municipal Code requirements. He inquired why the applicant is proposing a townhome product that is in opposition to Municipal Code due to the front-loaded garages that are the dominant feature and that are smaller than the required width.

Mr. Bybee stated that the project was in development prior to the rear-loaded product requirement. He dislikes alley-loaded products and finds them unsightly and feels alleys create maneuverability and other difficulties for residents. They upgraded the elevations in Phase B at an expense of \$180,000 in order to provide an attractive product that adhered to Municipal Code standards. He said that increasing the size of the garage size would require a redesign of the units and plat. The garages are larger than other single-family units they have developed and have full-sized driveways that provide two driveway parking spots. Alley-loaded products would eliminate the driveway parking stalls and reduce parking in the project. He said that clubhouses are not used as frequently as pools and he prefers to invest the money in an upgraded, useable pool facility rather than a clubhouse; however, he will develop with clubhouse if desired. He prefers not to use blasting whenever possible and stated that he will not use blasting in Phase C. He may need to blast in other areas in the Hidden Valley but hopes to find alternatives.



Commissioner Everett concurred with the logic of allowing an upgraded pool area rather than requiring the clubhouse.

Mr. Bybee explained the "kid area" is intended to be a zero-entry into the pool that is separate from the main area. The hot tub will likely be open year-round; however, hot tub operation will be determined by the homeowner's association (HOA).

Commissioner Wells stated her appreciation for the reduced density. She supports the amenity point calculation and thinks the applicant has been a good partner with the City. She stated although she agrees the elevations are attractive, the Planning Commission must evaluate the project in relation to Municipal Code standards.

Discussion ensued regarding the rear-loaded garage Municipal Code requirement.

Applicant attorney Kevin Anderson thanked the Commission for the tone and demeanor of the discussion. He said the Planning Commission's assumption that the developer does not have any vested rights is incorrect and recommended further discussions to clarify the developer rights based upon previous approvals over the course of the project and estoppel arguments.

Commissioner Everett concurred with the appreciation expressed regarding the density reduction in the project. He said that the project clearly has no MDA or zoning. He said Municipal Code compliance evaluation should be based upon the requirements and not personal preferences. He said that the garage size is a non-negotiable item for him and that the item needs to be tabled until the zoning for the area and the developer rights have been resolved.

Commissioner Wright stated that he empathizes with Mr. Bybee's position; however, he agrees with Commissioner Pengra that the City is not responsible to monitor development expirations. He concurred with Commissioner Everett's suggestion to table the item and recommended that the item return with a rezone and a plan that complies with Municipal Code standards.

Commissioner Wells stated she agrees with most of what has been said by the other Commissioners.

Commissioner Pengra expressed his desire to work with the applicant and hopes to prevent a legal action; however, he thinks that the proposal requests too many concessions to current standards.

Mr. Bybee stated the property has an approved preliminary plat that does not have an expiration date. They view this request as an amended preliminary plat. He said in 2018, density concerns were discussed and debated, and staff said in the meeting on record, after the expiration of The Ranches MDA, that they were vested with 657 units. As staff had stated the density was still vested, he assumed his rights were still in place. He said although he does not desire to be difficult, he also wants to protect their rights and investment in the project.

Commissioner Pengra stated that he did not feel qualified to make a decision based upon the applicant's assessment without legal counsel by the City Attorney.

**MOTION:** *Commissioner Pengra moved to table the Hidden Hollow Phase C preliminary plat and site plan until a future meeting with direction to the applicant to work with staff to bring the application into compliance with Municipal Code. Commissioner Wright seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.*

#### **6.C. PUBLIC HEARING – Brylee North (Rezone & General Plan Amendment)**

Mr. Kane presented the item. The subject property is about 22 acres in size and is located on the west side of Eagle Mountain Boulevard and north of the Brylee Farms development. The rezone application requests a change to Commercial Regional on about 10.63 acres of the property and MF2 on the remaining 11.4 acres. Brylee Farms to the south of the property is zoned MF1, the properties to the west and north have a future land use designation of Employment Center/Campus, the property to the east and northeast is zoned Commercial Storage, and the land to the southeast has been approved as a single-family development with zoning equivalent to the current R3 zone.

Desert Willow Drive, which is identified as a collector road, ends at Eagle Mountain Boulevard east of the subject property separating the approved commercial storage development and Sage Park. Staff recommends this road be carried in and through Brylee North to connect to the property to the west which has an Employment Center/Campus land use designation. Based on development to the south, the requested MF2 and CR zones are compatible. Requested CR zoning along Eagle Mountain Boulevard opposite the CS zone would be compatible. The Commercial Neighborhood (CN) zone is the only commercial zoning district that is compatible as an adjacent zone to R3 which is to the southeast unless Eagle Mountain Boulevard is determined to serve as a suitable zone buffer. The applicant requested a CR zoning designation for the land directly along Eagle Mountain Boulevard with a minimum depth of about 270 feet and an average lot size of about 1.5 acres based on the current lot division concept. The CR zone may be appropriate given the proximity of the subject property to the future freeway.

The requested future land use designations are appropriate land uses based on the requested rezone. Based on the current land use designation on the subject property, 65 percent is set for Employment Center/Campus and 35 percent is set for Neighborhood Residential Two which permits RC and MF1 residential zones. These applications would shift the land use by reducing the commercial use to 48 percent and increasing the residential use to 52 percent. The applicant has been working with the City on a plan to dedicate one of the central commercial parcels along East Mountain Boulevard to the City. This would allow the City to direct the potential development and use on that particular parcel.

The General Plan amendment requests changing the future land use designation to Regional Commercial on about 10.63 acres and Neighborhood Residential Three on the remaining 11.4 acres. The property currently has a future land use designation of Employment Center Campus on about 14.3 acres and Neighborhood Residential Two on the remaining 7.7 acres. The applicant provided two concept plans one with 12 units per building and one with 24 units per building; MF2 allows for a maximum of 12 units per building.

Initial discussions have begun with the United Fire Authority (UFA) for a potential firehouse in the northwest portion of the property. Contract negotiations are currently underway with a local businessman to open his business at the southeast parcel.

Staff recommends the Planning Commission recommend approval of the application to the City Council for the reasons set forth in the staff report and in the meeting, with the condition:

1. The General Plan amendment shall include continuing Desert Willow Drive through the subject property east to west as a minor collector.

Mr. Mumford stated City Administrator Paul Jerome and he had met with the applicant regarding the proposed land dedication to the City. Former City Administrator Ifo Pili had expressed interest in the property due to potential income generation for the City to purchase other property for the future Downtown area. It is a unique situation that the City has not faced previously, and part of the interest was due to the need for a UFA fire station; however, there are other properties under consideration. The planning staff has told all applicants that the City desires commercial property and would like to retain as much commercial acreage as possible; however, he does see the value of residential units within walking distance to commercial uses as mutually beneficial as the residential units would increase the viability of the commercial property. The current market might not be viable for commercial in the area, but the market is likely to change in the future.

Commissioner Pengra stated that previous discussions with UFA had indicated the desired location for a station was further north in the City to serve areas along Wride Memorial Highway.

Mr. Mumford stated that UFA is interested in both relocating and constructing additional fire stations. The Utah Department of Transportation is expanding into an area previously proposed for a fire station and current indications now propose the needed location of a fire station in the valley not in the north area of the City.

Mr. Kane stated that if the rezone were approved, City Engineer Chris Trusty would evaluate the need for turn lanes on Pony Express Parkway in conjunction with the site plan.

Commissioner Pengra expressed concern regarding access without impeding traffic flow on Pony Express Parkway or further condensing the commercial acreage for a right-of-way dedication due to the size of the proposed commercial lots.

*Commissioner Wright opened the public hearing at 8:19 p.m. No comments were submitted to the City Recorder's Office and no public was in attendance to make comment. As there were no comments, Commissioner Wright closed the hearing.*

Applicant representative Randy Smith stated they feel the location is appropriate for a mix of commercial and higher density residential units in the back, triangular area that is less than ideal for commercial access. He said that in the current market, most of the larger retailers are not actively building and the property is unlikely to attract a big box store. They desire to provide a quality product for the City. He said Mr. Pili suggested the land dedication to the City. They have continued discussions with Mr. Jerome who expressed the desire to ensure the agreement was



presented and discussed openly. The full width and right-of-way for Eagle Mountain Boulevard is in place. Eagle Mountain Boulevard will expand closer to their property during the widening phases as required. He acknowledged the request for the expansion of Desert Willow Drive and explained it had not been previously indicated on the City's transportation plan but expressed his willingness to comply with the request.

Commissioner Wright reminded the Commission that the application is for a rezone and General Plan amendment and the site plan was included for reference but is not a part of the approval and requested for the conversation to focus on the rezone and General Plan amendment.

Mr. Mumford stated that he is unaware if the City Attorney had any concerns with the application.

Mr. Smith verified that he has not been coerced into the sale of the property and sees the proposal as mutually beneficial.

Commissioner Pengra noted that the compatibility map was beneficial in determining the proposed uses were compatible with adjacent properties and expressed appreciation to staff.

Mr. Mumford stated he had requested to preserve Scenic Mountain Phase C for commercial development; however, due to the various developers involved the applicant was unable to make the concession, and this site was offered as an alternate.

Mr. Smith stated they would prefer not to amend the plan to accommodate Desert Willow Drive; however, they recognize and understand the importance to plan and provide for future City transportation needs.

Commissioner Wright stated he had concerns regarding trading a valuable commodity for zoning the City might have declined otherwise. He agrees that the NR2 designation could be compatible; however, the original plan allowed the MF1 zone as a buffer to the commercial property and he is hesitant regarding additional residential uses. He feels the Community Regional zone is appropriate for the entirety of the area.

Commissioner Everett stated his preference for commercial uses for the entire area; however, he could be persuaded to allow some higher density residential uses. He expressed concern that the trade of property to the City could be misconstrued as a bribe and desires to avoid misperceptions of quid pro quo deals. He desires to protect either party from a negative position and has heard concerns regarding the proposal.

Commissioner Pengra concurred with the concerns expressed by Commissioners Everett and Wells that the dedication of the parcel could appear to be an enticement to the City to approve a plan the City would object to otherwise. The General Plan Land Use Map has significantly large acreages of designated uses that require amendments and rezoning for the practical applications of use that require discernment regarding appropriate uses or an amendment to the General Plan with more specific uses for smaller areas. As the land uses are compatible, he does not have usage concerns with the request. He said he would be in favor of the rezone without including the dedication of the land as a condition of approval. The applicant could determine to dedicate the

land of his own inclination if desired. The benefits of the City owning property include the ability to attract non-viable, desired businesses through reduced leasing or other incentives as well as the other reasons presented in the staff report.

Commissioner Wells stated that she wants to prevent the City from being in the position of holding an applicant to verbal agreements without an MDA. She agrees the zoning is compatible and is a reasonable request. She noted that cities are frequently granted property, although the property is usually park property, and concurs the dedication of the property should not be a condition of approval.

Discussion ensued regarding the potential impacts of requiring the continuing Desert Willow Drive.

**MOTION:** *Commissioner Everett moved to recommend approval to the City Council of the Brylee North rezone and General Plan amendment to Commercial Regional on about 10.63 acres of the property and MF2 on the remaining 11.4 acres with the condition the General Plan amendment shall include continuing Desert Willow Drive through the subject property east to west as a minor collector. Commissioner Wells seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.*

Commissioner Wright recessed the meeting at 8:52 p.m. and reconvened the meeting at 8:57 p.m.

#### **6.D. PUBLIC HEARING – Ault Farms (Master Development Plan, Rezone, General Plan Amendment)**

Mr. Kane presented the item. The subject property is on about 750 acres of land on the east side of Pony Express Parkway at about 3000 North. The property is currently zoned Agriculture and is identified in the Future Land Use Map for Foothill Residential, Neighborhood Residential One, Parks and Open Space, and Business Park/Light Industry. Concept plans were submitted in 2019 and 2020 and the Planning Commission and the City Council requested the applicant focus on compliance with General Plan and request zone districts that exist within current Municipal Code.

A master development plan has been submitted and includes a rezone to R1 of 58.3 acres, R2 of 46.2 acres, R3 of 144.6 acres, MF1 of 166.2 acres, MF2 of 25 acres, Commercial Neighborhood of 11.7 acres, Open Space – Natural of 36.6 acres, and Open Space – Improved of 49.7 acres with the remaining parcel to remain Agriculture. As the master development application was received during the public hearing process of the amendment to EMMC 16.10; the application is subject to the new version of Municipal Code. The General Plan amendment includes 249.1 acres of Neighborhood Residential One, 166.2 acres of Neighborhood Residential Two, 25 acres of Neighborhood Residential Three, 11.7 acres of Community Commercial, 208.9 acres of Business Park/Light Industry, and 86.3 acres of Parks and Open Space.

The applicant submitted a waiver request from requirements if EMMC 16.10 allowing a maximum land area of 200 acres for a master development plan (MDP). Staff recommends the lower 208.9

acres be referenced in any approved MDP, but development details and rezoning be handled through a separate MDP. The criteria for approving the waiver to allow the primary MDP to cover a land area greater than 200 acres would require a finding by the City Council of one or more of the following: the concept plan review received feedback from Planning Commission and/or City Council in regards to reduced master development application requirements, the project will not require modification or additions to existing conditions, the project involved limited development requirements for infrastructure, and/or the application of this chapter would result in peculiar or exceptional difficulties or hardship, or the buildable area of the property is significantly reduced by topography or preexisting easement restrictions.

The development will include three access points from the existing Pony Express Parkway. All three of these roads will create connections into and through the development as well as to the future arterial road, Airport Road. The south collector should be included in the General Plan amendment request. Many of the interior roads have been developed with a combination of curving and straight roads.

The development to the northwest, Eagle Village, will have an east to west road along the property line with Ault Farms which should be incorporated into the Ault Farms plans along with a road connection to this road. The plan calls for a central park area with a possible water feature in the middle of the development on the northern side of Tiffany Lane.

Multiple trails and linear parks run throughout the development, connecting people to this main park as well as a number of other parks nestled within other portions of the development. Trails should include proposed widths. The applicant has discussed the development with the school district and The Church of Jesus Christ of Latter-Day Saints. Although not required, the school district and Church are encouraged to request a rezoning of selected sites to the Public Facilities zone.

The rezoning request should look at zoning transitions and existing/approved development adjacent to the subject property. The amendment calls for changing the land use designations within the project; no changes to the future transportation plan are noted on the exhibit. Based on the "Road Network" reviewed earlier, the plan exhibit should be updated to incorporate the south collector as a collector road designation in the General Plan. In general, the exhibit reflects the land use designations that are appropriate based on the requested zoning districts and EMMC 17.60.160. "Neighborhood Commercial" should be corrected to "Community Commercial." The open space areas should be corrected to "Parks and Open Space." Mr. Kane presented the incompatible transitioning and adjacencies, park sizes and locations, and trail connections that need to be remedied in the proposal.

Staff recommends the Planning Commission review the current application materials, discuss the requests with the applicant, and table the application to allow the applicant time to update the plans to comply with Municipal Code based on specific feedback from the Commission as well as:

1. If the Commission recommends compliance with the 200-acre size limit for a master development plan, an exhibit to demonstrate the multiple plan areas;
2. A revised master plan with proposed road widths;

3. A revised rezoning exhibit with corrections and changes as noted in the staff report;
4. A revised General Plan amendment exhibit with corrections and changes as noted in the staff report;
5. A revised open space exhibit with corrections and changes as noted in the staff report;
6. Outline of potential amenities and features for the development; and
7. Identification of necessary phasing with specificity as to what open space and infrastructure elements will be included for each phase.

Commissioner Pengra concurred with the staff recommendation to table as the application is not ready for the Planning Commission to make a recommendation to the City Council, although he does not necessarily object to the application.

*Commissioner Wright opened the public hearing at 9:14 p.m. No comments were submitted to the City Recorder's Office and no public was in attendance to make comment. As there were no comments, Commissioner Wright closed the hearing.*

Applicant representative Pete Evans with Flagship Homes reviewed the history of the project and said they have received both positive and conflicting feedback regarding the project. They desire to develop a life-style oriented community. He requested for the project to be allowed to remain as a single project rather than being subdivided due to the transportation corridors and the infrastructure development and said the community will flow better if retained as one plan.

Applicant representative Bronson Tatton with Flagship Homes presented the changes to the plan to accommodate previous feedback including the number of lots resulting in the reduction of the townhomes and redistribution of the multifamily products.

Mr. Evans said they amended the plan to utilize product that coincides with Municipal Code standards. They have excluded an RC product due to City Councilmember concerns regarding shared drives. He explained the reasoning for placing specific product types in certain areas of the project. He noted the transition requirements for buffering along all four sides of the project resulted in limited area in the middle for larger lots. They are in discussions with staff regarding transitioning options in consideration of transitioning impacts to the adjacent properties. Trails and sidewalks connect to the park spaces throughout the project. They desire to develop an incredible community with a diversity and balance of product types that provide an amazing lifestyle for residents that is compatible with the surrounding uses. The project has a density of 3.9 units and is less-dense than the Harmony development to the north of the project. Harmony has smaller lot sizes for the single-family detached. The MDA will incorporate the proposed restrictions for the project. They are interested in making sure that the project detail is included in the MDA to prevent assumptions and misinterpretations later in the process regarding product types and setbacks.

Commissioner Pengra stated that he is less concerned regarding the lack of clarity with the business park portion of the project due to the tenant-specific needs for the development of that area.

Mr. Evans clarified the MF1 single-family product will be a patio home similar to the units they are developing in the SilverLake area that they identify as cluster lots. The units will have full-

length driveways that appear from the road similar to single-family homes rather than shared drives.

Mr. Tatton explained the linear parks are 100-foot wide. The smaller parks are either identified as less than two or greater than two acres. The local parks will contain tot lots, pathways, and more passive areas and the neighborhood parks will have amenities to provide an appropriate neighborhood park levels of services.

Discussion ensued regarding the intentions for the parks, open space, trail system, and activity nodes with additional amenities along the trail corridors.

Mr. Evans explained they requested a waiver from the acreage requirements for MDPs, due to the investment required for the transportation corridor surrounding this property and associated infrastructure needs and amenities. They feel it would work better to address the area as a whole. The development of the commercial area will not heavily impact the residential area due to appropriate buffering; however, the development of residential areas will impact each other.

Commissioner Everett inquired if the project could be divided into two or three MDPs that develop simultaneously with one master HOA to facilitate dividing the property.

Mr. Evans stated it would not be impossible to divide the property into multiple MDPs but is preferable to approach the project as a cohesive whole and the divisions would be arbitrary rather than substantive.

Mr. Kane verified that single-family lot frontage requirements are not included in the MF1 section of Municipal Code, because the MF1 zone is not intended for fee-simple lots.

Commissioner Wright expressed concern regarding removing the Foothill Residential zoning due to the impact on the surrounding Foothill Residential areas, the proposed small lot frontages for an MF1 single-family product, and concern with granting the waiver for the MDP acreage requirement, especially as the developer has proposed a six to eight-year development period.

Commissioner Everett advocated for the development to be divided into three MDPs. Even though the applicants stated they can build the area within the six to eight-year timeframe, he expressed concern regarding the feasibility. Considering the time it has taken to develop other projects in the City and unforeseeable future conditions, he believes the proposed timeframe for the plan is overly ambitious.

Commissioner Wells stated she concurs with staff that there is more opportunity for community and neighborhood commercial uses along Pony Express Parkway and agrees with staff concerns regarding the zoning transitioning issues. Although she appreciates the applicants providing more single-family homes, she dislikes single-family homes along collector roads. The multifamily area needs a larger park area. She acknowledged both the futility of breaking the project into three MDPs and the concerns regarding the feasibility of the proposed six to eight-year development timeframe. She said that traffic concerns regarding Lake Mountain Road should be resolved by the expansion of the surrounding road infrastructure.



Commissioner Pengra stated he appreciates the applicants' efforts and what they are attempting to accomplish with the development; however, he recognizes the reason for the City limiting development sizes is due to previous issues with development timeframes for projects and the potential for amendments to the plan. The entitlements awarded today could cause concerns and contentions in the future. It is better to divide the project into smaller pieces even if the project develops exactly as planned to mitigate future problems.

Mr. Evan stated the proposed timeframe is based upon the build-out of a similar development in Vineyard in five years. He said they do not intend to renegotiate the plan in the future. The Vineyard project is similar to this project in regard to the variety of product offered and the variety of product had a direct impact on their ability to sell and develop the Vineyard project quickly.

Commissioner Pengra noted that Vineyard has many differences to Eagle Mountain. He said that Vineyard is the fastest growing community in the nation and is located closer to Interstate 15. He noted that Eagle Mountain does not desire to have a density similar to Vineyard.

Discussion ensued regarding the impact of product type on a development.

**MOTION:** *Commissioner Wells moved to table the Ault Farms master development plan, rezone, and General Plan amendment in order to allow the applicant to update the plans to comply with Municipal Code based upon the staff report and feedback in the meeting. Commissioner Everett seconded the motion. Those voting aye: Erin Wells. Those voting nay: Matthew Everett, Brett Wright, and Christopher Pengra. The motion failed with a vote of 1:3.*

**MOTION:** *Commissioner Everett moved to table the Ault Farms master development plan, rezone, and General Plan amendment based upon the staff report and the discussion in the meeting with direction to the applicant to work with staff to provide the following:*

- 1. An exhibit to demonstrate the multiple plan areas in compliance with the 200-acre size limit for master development plans;*
- 2. A revised master plan with proposed road widths;*
- 3. A revised rezoning exhibit with corrections and changes as noted in the staff report;*
- 4. A revised General Plan amendment exhibit with corrections and changes as noted in the staff report;*
- 5. A revised open space exhibit with corrections and changes as noted in the staff report;*
- 6. Outline of potential amenities and features for the development; and*
- 7. Identification of necessary phasing with specificity as to what open space and infrastructure elements will be included for each phase.*

*Commissioner Pengra seconded the motion. Those voting aye: Matthew Everett, Brett Wright, and Christopher Pengra. Those voting nay: Erin Wells. The motion carried with a vote of 3:1.*

6.E. PUBLIC HEARING – Scarlet Ridge Estates (Master Development Plan, Preliminary Plat, Rezone, and General Plan Amendment)

Mr. Kane presented the item. The subject property is made up of two parcels 59:019:0004 and 59:019:0005 totaling about 160 acres east of Lake Mountain Road and south of the future Tiffany Lane extension. The property is currently zoned Agriculture and is identified in the General Plan Future Land Use Map for Agriculture/Rural Density Two. The Planning Commission's review of the 2019 concept plan received feedback regarding concerns about the placement and distances of roads and equestrian trails, connectivity, and a recommendation of zoning the smaller lots to RD2 and the larger lots to RD1.

The concept plan was revised and reviewed by the City Council in August 2020. Feedback included a request for a minimum of 30 one-acre lots and aesthetic appeal by adjusting lot widths and including curved roads. A preliminary plat, rezone, and General Plan amendment have also been submitted. The preliminary plat request is for a residential subdivision that includes 36 one-acre and 178 half-acre lots along with the associated infrastructure and open space improvements. The two parcels are currently zoned Agriculture with a rezone request for RD2. The General Plan amendment would amend the future transportation plan classification for Tiffany Lane.

The applicant is seeking to amend the future transportation plan as it relates to plans for future road expansions to Tiffany Lane between Airport Road and the north-south collector along the eastern edge of the subject property. The request is to change the classification to a collector road for the portion between Airport Road and the northwest corner of the subject property and then to a residential road with a 53-foot width for the portion running along the northern edge of the property up to the north-south collector on the eastern edge of the property. Staff agrees with changing this to a collector road but for the entire length between Airport Road and the future north-south collector to the east.

The applicant is seeking a rezoning of the property from Agriculture to RD2. Per EMMC 17.25.020 and 17.60.160, the RD2 zone is an appropriate zone for this land use designation. The application identifies the development to be constructed and platted in seven phases.

The project proposes a large park of about 2.5 acres which would be dedicated to the City. The park includes asphalt/concrete pathways, eight pavilions, ten picnic tables spread among the pavilions, garbage receptacles, grills, a drinking fountain, two pickleball courts, one full basketball court, trees, landscaping, and open lawn space. The proposed location of the park results in 91 residential lots in the southern third of the subdivision and lot 101 in the far northeast corner being outside of the quarter-mile distance. Staff recommends a number of changes to the park plan in the staff report. The development is required to achieve 246 points; the plan achieves 248 points. The development includes five retention areas throughout; staff suggests considering park strip drainages, swales, or some other low impact development method rather than multiple retention areas. The application identifies the development to be constructed and platted in seven phases. One possible consideration may be that phases 1, 2, and 3 could be combined and re-divided into two phases so that the park feature is developed as part of phase 2 rather than 3.

The proposed road network includes multiple connections: two road connections at the north to Tiffany Lane, three connections to the east to the future collector road that will run along that side of the development, two connections to the south to the future collector road that will run along that side of the development, and three connections to the west to the concepted Triumph residential development. The plans are missing the half-width for the collector roads on the east and south of the property which should be included in the project. Collector roads are required to have street trees and residential lots with side or rear lot lines along collector roads are required to have privacy fencing. A couple of the proposed street names in the plans are already used/approved elsewhere in the City and will need to be renamed: Maverick Road and Wyatt Lane.

Staff recommends the Planning Commission recommend approval of the master development plan to the City Council, for the reasons set forth in the staff report and in the meeting, with the following conditions:

1. That phases 1, 2, and 3 are adjusted into two phases, and the park feature constructed as part of phase 2;
2. Revisions to the park plan as outlined in the staff report;
3. Consider utilizing park strip drainage, swales, or other low impact development method in place of multiple retention areas;
4. Incorporation of the half-width of the east and south collector roads; and
5. If retention areas are included, they shall be improved open space and maintained by the HOA.

Staff recommends the Planning Commission recommend approval of the preliminary plat to the City Council, for the reasons set forth in the staff report and in the meeting, with the following conditions:

1. Incorporation of the half-width of the east and south collector roads;
2. Renaming of Maverick Road and Wyatt Lane;
3. Streetlighting is required to comply with EMMC 15.10.390; and
4. Privacy fencing must be installed for residential lots with a rear and/or side lot adjacent to a collector road in compliance with EMMC 16.35.090.

Staff recommends the Planning Commission recommend approval of the rezone to the City Council, for the reasons set forth in the staff report and in the meeting.

Staff recommends the Planning Commission recommend approval of the General Plan amendment to the City Council, for the reasons set forth in the staff report and in the meeting, with the following condition:

1. That the amendment shall revise the Future Transportation Plan Map for the road running along the north edge of the subject property between the future Airport Road and the future collector road to the east of the subject property from a "major arterial" to a "collector."

*Commissioner Wright opened the public hearing at 10:22 p.m. No comments were submitted to the City Recorder's Office and no public was in attendance to make comment. As there were no comments, Commissioner Wright closed the hearing.*



Applicant representative Ryan Kent stated the development is for estate lots and the open space exceeds the Municipal Code requirements. He said they have worked closely with Flagship and the Triumph project partnering in infrastructure development and to offer a variety of product type. He clarified they are proposing a change from Airport Road to the eastern boundary of their property to be changed to a 53-foot right-of-way residential road. They have met with staff and hired a transportation engineer who determined that based upon traffic counts, a collector road is not deemed necessary. Accommodating the road right-of-way would reduce the lot sizes for the properties when the proposed roadways may not be built utilizing the full width.

Applicant representative Joseph Darger stated that the Master Transportation Plan was compiled prior to the land use being determined for the area and the recommended width for the collector road is incongruent with a large-lot development.

Commissioner Wells suggested including playground equipment at the park.

Mr. Kane verified that the proposed collector road would be two lanes requiring a 77-foot right-of-way dedication, not a three-lane collector road with a 94-foot dedication.

Commissioner Wright noted that the master transportation plan had indicated a major arterial road with five to seven lanes with a 152-foot to 176-foot dedication to clarify that staff's recommendation is for a narrower road width than initially contemplated in the Master Transportation Plan.

Mr. Kent clarified that the City hired a traffic engineer to perform the study. The study was not conducted by the City Engineer.

Mr. Kane verified that City Engineer had recommended retaining the full 77-foot width for the collector road, including the portion of the road the applicant is requested to have a 53-foot width, rather than reducing the width of the road for only that portion of the road.

Discussion ensued regarding the road width recommendations in relation to surrounding areas to the east designated as Foothill Residential and Bureau of Land Management (BLM) land.

Mr. Kent stated the development will most likely not have an HOA in relation to the staff recommended condition for the retention areas and improved open space to be maintained by the HOA.

Mr. Kane explained that the MDP recommendation item five "if retention areas are included, they shall be improved open space and maintained by the HOA" was included to indicate the need to address the maintenance of the retention areas should the development incorporate the areas.

Mr. Kent stated their engineer proposed the retention area to provide sufficient stormwater drainage due to the slope of the land and they are open to exploring other options.

Commissioner Pengra stated he concurred with the staff recommendations for the MDP and suggested removing item five to allow the applicants to propose other solutions. He stated as he

did not feel they had sufficient information to make an appropriate recommendation regarding the width of the collector road, he proposed retaining the staff recommendations in their recommendation to the City Council to allow the City Council to determine the appropriate road width as the City Engineer should be in attendance at the meeting and able to further advise the Council.

Commissioner Wells stated that she feels the staff recommendations regarding the width of the road is appropriate, especially due to the applicants' ability to discuss concerns with the City Council.

**MOTION:** *Commissioner Pengra moved to recommend approval to the City Council of the Scarlet Ridge Estates master development plan with the following conditions:*

- 1. That phases 1, 2, and 3 are adjusted into two phases, and the park feature constructed as part of phase 2;*
- 2. Revisions to the park plan as outlined in the staff report;*
- 3. The applicants consider utilizing park strip drainage, swales, or other low impact development method in place of multiple retention areas; and*
- 4. The incorporation of the half-width of the east and south collector roads.*

*Commissioner Wright seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.*

**MOTION:** *Commissioner Pengra moved to recommend approval to the City Council of the Scarlet Ridge Estates preliminary plat with the following conditions:*

- 1. Incorporation of the half-width of the east and south collector roads;*
- 2. Renaming of Maverick Road and Wyatt Lane;*
- 3. Streetlighting is required to comply with EMMC 15.10.390; and*
- 4. Privacy fencing must be installed for residential lots with a rear and/or side lot adjacent to a collector road in compliance with EMMC 16.35.090.*

*Commissioner Wells seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.*

**MOTION:** *Commissioner Pengra moved to recommend approval to the City Council of the Scarlet Ridge Estates General Plan amendment with the condition that the amendment shall revise the Future Transportation Plan Map for the road running along the north edge of the subject property between the future Airport Road and the future collector road to the east of the subject property from a "major arterial" to a "collector." Commissioner Wells seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.*

**MOTION:** *Commissioner Everett moved to recommend approval to the City Council of the Scarlet Ridge Estates rezone. Commissioner Wright seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.*

**6.F. PUBLIC HEARING – Development Code Amendment to Add EMMC 17.49 Wildlife Corridor Overlay Zone**

Mr. Kane presented the item. The Eagle Mountain General Plan includes a number of key initiatives, goals, and strategies in order to create the community residents desire and appreciate. One such strategy is to "preserve wildlife migration routes and habitat, where possible." This strategy, included in the "meaningful open space and amenities" initiative, is outlined as part of the goal to "preserve Eagle Mountain's scenic beauty, vistas, and wildlife habitat." The amendment establishes the purpose of the overlay, restrictions and requirements for the corridor, and methods of further protection. Upon adoption of the Municipal Code amendment, staff will work with property owners to establish and request rezoning of properties to apply the overlay zone and create a continuous migration and habitat corridor through the City. The standards "provides support for and methods by which to preserve wildlife migration routes and habitat in and through Eagle Mountain City."

Wildlife corridors preserve natural habitat areas or undeveloped lands that can facilitate movement, migration, foraging, breeding, and dispersal of animals, birds, insects, and reptiles. These areas of land permit wildlife such as raptors, deer, pronghorn, and other fauna to move from one area of their range to another. Habitat fragmented by subdivision and development, such as roads and structures, prevent wildlife from accessing their full home range and often lead to human/wildlife conflict. It is important that animals be able to move for food, access thermal and hiding cover, to preserve genetic diversity of the species. These corridors also help provide contiguous habitat for plants, invertebrates that are essential pollinators, and other wildlife. Preservation of these corridors, along with fencing and safe crossings, will also help to reduce vehicle-animal collisions. While supporting and protecting wildlife, these corridors also provide recreation opportunities, open space preservation, potential tourism, and education for students and the general public.

Mr. Kane noted that a section has been added to the amendment verbiage to allow amenity calculation if a developer were to apply the overlay to the development based upon the corresponding amenity allowance in the Ridgeline Protection Overlay Zone standards as well as edits to the construction period to protect mule deer migration and nesting season based upon the work session discussion during a previous meeting.

Staff recommends that the Planning Commission make a motion to recommend approval of the proposed code amendments to add EMMC 17.49 Wildlife Corridor Overlay Zone to the City Council as presented or with minor changes as agreed upon at the meeting.

*Commissioner Wright opened the public hearing at 10:52 p.m.*

Ashley Judd submitted the following email comment: "An eagle mountain wildlife corridor should be of the utmost importance to move forward with. It will greatly benefit the wildlife, the citizens, and visitors of our city. There have been countless deer collisions that would be avoided, and we can keep the diversity and beauty of the wildlife in our city. The wildlife is what makes EM desirable and sets us apart from the other cities in our county. I think I speak for almost everyone in EM that we all deserve to see the EM wildlife corridor become a reality."

Bettina Cameron with the Eagle Mountain Nature and Wildlife Alliance citizen group thanked the City for the Municipal Code requirements amendments to ridgeline, washes, and open space standards that make the wildlife corridor possible. In addition to the wildlife citizen group, the overlay has been reviewed by the Division of Wildlife Resources and BLM. The wildlife citizen group requests for the Planning Commission to revisit conservation developments in relation to the preservation of open space and wildlife to decrease infrastructure cost while preserving property values and developmental and density rights. She expressed her support for verbiage in the amendment to restrict off-highway vehicles (OHV) access to the narrow section of the migration corridor.

*Commissioner Wright closed the public hearing at 10:56 p.m.*

Commissioner Pengra thanked Ms. Cameron for her and the Eagle Mountain Nature and Wildlife Alliance citizen group efforts. He noted the beneficial impact to the Salt Lake Valley had it been developed with the same wildlife considerations. He stated he fully supports the corridor.

Commissioner Everett concurred with Commissioner Pengra. The corridor will assist with preserving the open space and open feel of the City which are some of the reasons people move to Eagle Mountain. He expressed his willingness to revisit conservation developments as requested; however, he is unsure if the public and the City Council share the sentiment. He encouraged like-minded residents to express their support to the City Council.

Commissioner Wright agreed with Ms. Cameron's recommendation to limit OHV traffic in narrow sections of the wildlife corridor. He expressed concern regarding the ability of developers to transfer density from the overlay zone areas to other areas within the project. He stated although the verbiage stipulates density transfers would be reviewed on a case-by-case basis, the codifications of density transfer provisions cause him concern.

Commissioner Everett concurred with concerns regarding the inclusion of the density transfers and the ambiguity regarding the OHV access restrictions.

Commissioner Wright advocated retaining flexibility in the standards regarding the OHV corridor restrictions rather than including a specific width.

Mr. Kane stated that flexibility in the standards might cause enforcement difficulties. The park usage could be more restrictive and did not need to be specified in the zoning regulations.

**MOTION:**        *Commissioner Wright moved to recommend approval to the City Council of the development code amendment to add EMMC 17.49 Wildlife Corridor*

***Overlay Zone with the amendment to control off-highway vehicle movements in narrow sections of the wildlife corridor to mitigate negative impacts and removing 17.49.070(A)(3) “Developer may transfer density from overlay zone areas to other areas within a project or development in the case where significant buildable property is made unbuildable by this overlay zone, as approved on a case-by-case basis by the City Council.” Christopher Pengra seconded the motion.***

Commissioner Pengra expressed concern that restricting OHV access could be interpreted as prohibiting OHV use of the wildlife corridor.

Commissioner Wells expressed concern that the ambiguity of the verbiage regarding OHV limitations could create enforcement burden to staff and confusion for residents.

Commissioner Wright clarified his desire for the inclusion of the provision control OHV movements was to allow staff to determine the appropriate restrictions for specific areas of the wildlife corridor.

Mr. Kane clarified that the density transfer allowance only permits transfers within the project.

***Those voting aye: Matthew Everett, Brett Wright, Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.***

7. Discussion Items

8. Next scheduled meeting

9. Adjournment

**MOTION:** ***Commissioner Everett moved to adjourn the meeting at 11:10 p.m. Commissioner Pengra seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.***

The meeting was adjourned at 11:10 p.m.

Approved by the Planning Commissioner on January 26, 2021.

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Steve Mumford, AICP  
Assistant City Administrator/Community Development Director

DRAFT



**EAGLE MOUNTAIN CITY**  
**PLANNING COMMISSION MEETING**  
**JANUARY 26, 2021**

|                   |                                                                      |
|-------------------|----------------------------------------------------------------------|
| <b>TITLE:</b>     | Ault Farms (Master Development Plan, Rezone, General Plan Amendment) |
| <b>ITEM TYPE:</b> | Master Development Plan, Rezone, and General Plan Amendment          |
| <b>APPLICANT:</b> | Becca Gifford (Flagship Homes)                                       |

**ACTION ITEM:**

Yes

**PUBLIC HEARING:**

No

**PREPARED BY:**

Pete Kane, Planning

**BACKGROUND:**

The subject property (~750 acres) is a large parcel of land on the east side of Pony Express Parkway at about 3000 N. The property is currently zoned Agriculture and is identified in the General Plan Future Land Use Map for "Foothill Residential," "Neighborhood Residential One," "Parks and Open Space," and "Business Park / Light Industry."

The applicant (Flagship Homes) for the proposed development (Ault Farms) has submitted concept plans in 2019 and 2020, most recently this past summer. Through those reviews, the Planning Commission and City Council have requested the applicant focus on compliance with the General Plan and requesting zone districts that exist within the current City Code. The mix of uses and level of development intensity was reduced through those concept plan reviews and revisions.

A master development plan has been submitted for the property. The plan includes a rezone and General Plan map amendment. The plan calls for:

Rezoning

The revised master development plan proposes a rezoning from Agriculture to a mix of: FR, R1, R2, R3, RC, MF1 (for both single-family detached and townhome), MF2, CN, OS-I, and OS-N. The applicant is not seeking a rezoning of the southern ~200 acres of the parcel at this time.

General Plan Amendment

The revised master development plan proposes an amendment to the

General Plan Land Use Map from "Foothill Residential," "Neighborhood Residential One," "Parks and Open Space," and "Business Park / Light Industry" to: "Foothill Residential," "Neighborhood Residential One," "Neighborhood Residential Two," "Neighborhood Residential Three," "Community Commercial," "Business Park / Light Industry," and "Parks and Open Space."

It also includes an amendment to the General Plan Future Transportation Map by changing 3400 North (Tiffany Lane) from a major arterial to a minor arterial and adding two collector roads (the "south collector" and a loop collector in the center of the development).

The Planning Commission opened and closed a public hearing on the requests on January 12, 2021. The requests were then tabled to allow the applicant to make revisions to the plans. The requested revisions identified by the Commission included:

1. An exhibit to demonstrate the multiple plan areas in compliance with the 200-acre size limit for master development plans;
2. A revised master plan with proposed road widths;
3. A revised rezoning exhibit with corrections and changes as noted in the staff report;
4. A revised General Plan amendment exhibit with corrections and changes as noted in the staff report;
5. A revised open space exhibit with corrections and changes as noted in the staff report;
6. Outline of potential amenities and features for the development; and
7. Identification of necessary phasing with specificity as to what open space and infrastructure elements will be included for each phase.

#### **ITEMS FOR CONSIDERATION:**

##### **CODE COMPLIANCE**

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

##### **WAIVER REQUEST**



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

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

At the public hearing, the Commission requested an exhibit outlining the potential division of the project into multiple master development plans to meet the code limitation of 200-acres. The applicant has submitted the requested exhibit. The proposed separate plans would be:

- Area 1 - About 147 acres and located north of Tiffany Lane and west of the proposed central linear park/trail.
- Area 2 - About 232 acres and located north of Tiffany Lane and east of the proposed central linear park/trail including the portion of the parcel east of the power corridor.
- Area 3 - About 163 acres and located south of Tiffany Lane and north of the proposed south collector.
- Area 4 (Business Park) - The southern most ~208 acres that the applicant intends to propose as a separate master development based on the waiver request.

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

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

exceptional difficulties, or exceptional and undue hardship, or the buildable area of the property is significantly reduced by topography or preexisting easement restrictions.

An overall 750-acre concept plan should be included in each separate master development agreement to ensure the overall context and benefits are considered for each separate plan.

#### ROAD NETWORK

The development will include three access points from the existing Pony Express Parkway. The central east-west roadway is identified in the city's Future Transportation Plan as a major arterial road (Tiffany Lane). There are also two primary east-west roadways to the north ("North Collector") and south ("South Collector") of Tiffany Lane. The Future Transportation Plan calls for the "North Collector" to be a collector. All three of these roads will create connections into and through the development as well as to the future arterial road, Airport Road, on the east. Many of the interior roadways throughout the development have been developed with a combination of curving and straight roads which provide easy access while increasing visual appeal and safety (EMMC 16.35.070(L)).

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

- Changing Pony Express Parkway from a minor arterial (122') to minor collector (77')
- Changing Airport Road from a major arterial (152-176') to a minor arterial (122')
- Changing Tiffany Lane from a major arterial (152-176') to a minor arterial (122')
- Adding a collector road for the "South Collector" running east to west
- Adding a collector road to create a loop access from the "South Collector" around the central park and to the proposed MF2 zone

Staff recommends that the first three recommended changes, while they may be appropriate, be taken up as part of the update to the city's Master Transportation Plan which is currently underway and not be included in the request/approval. It may also be appropriate that the loop collector not end within the MF2 (changing into a private road)

and instead continue south to connect back into the "South Collector."

#### TECHNICAL STUDIES

A traffic impact study was developed over the summer based on the most recent concept plan (the executive summary is attached, the full report is available upon request). The submitted master development plan has been reduced in its overall intensity. A revised traffic generation report has been submitted based on the revised development intensity. The revised report states the recommendations of the July study remain the same.

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

#### OPEN SPACE & PARKS

The plan calls for a central park area with possible water feature in the middle of the development on the northern side of Tiffany Lane. Multiple trails and linear parks run throughout the development, connecting people to this main park as well as a number of other parks nestled within other portions of the development. The electric power corridor would remain as a natural open space, and the applicant has discussed a trail through this corridor. Any park under two acres will need to be owned/operated by an HOA.

As requested, the applicant has provided an outline to describe the open space and amenities and has been attached to this report.

#### PUBLIC FACILITIES

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

## REZONE REQUEST

Based on the submitted materials, the southern portion (~200 acres) identified as "Tech Campus/Light Industry" is not requested for a rezoning at this time. As noted above, this portion should be handled through a separate master development plan.

As requested, the applicant has submitted a revised rezone exhibit to correct zone transitions and incorporate feedback. The updated zoning results in upzoning and downzoning of various parts when compared to the original plan submission.

Commercial zoning (CN) has been adjusted to be located north and south of Tiffany Lane as requested.

Multifamily zoning is proposed throughout the project west of the power corridor. The applicant has removed the proposed MF1 zone from the portion of the parcel east of the power corridor. The MF2 (condo/apartments) has been adjusted slightly and now also includes a portion of land adjacent to Pony Express Parkway. This zone is surrounded by proposed CN and MF1 zoning which are appropriate zone adjacencies. MF1 (townhomes) are proposed north of the central park area and has remained unchanged compared to the original plan submission. MF1 (single-family detached) is proposed along all collector/arterials, along the western edge of the power corridor, and adjacent to the MF2 and CN zone, and lining the north-south linear park south of the main central park. The MF1 is located to act as a transition to the single-family zoning districts. The applicant prefers the MF1 along the collector/arterials due to the traffic along those roads and the ability of that zone to buffer the single-family zones from the main roads.

RC zoning has been added to the plan as requested to create a transition between the multifamily districts and the larger residential lots. The RC zone is a single-family zoning district that requires minimum lot sizes of 4,500 sf and an average lot size of at least 6,000 sf. It's included throughout the project including a small portion on the eastern side of the project adjacent to the Eagle Heights Village development (twinhomes) to the north.

An FR (Foothill Residential) zone has also been added to the eastern portion of the development as requested by the Planning

Commission. The FR zone requires a minimum lot size of one-quarter acre and average lot size of at least one-half acre. This zoning request matches the current land use designation for this portion of land which is "Foothill Residential."

The remainder of the proposed residential zoning is broken up into R1 (min. lot size of one-quarter acre, average lot size of at least one-third acre), R2 (min. lot size of 8,000 sf, average lot size of at least one-quarter acre), and R3 (min. lot size of 6,500 sf, average lot size of at least 8,500 sf). R1 is proposed along the northern edge of the property as well as within the eastern portion of the development adjacent to the proposed FR zone. R2 is proposed in the remaining portion of the far eastern portion, just south of the R1 zone at the north, a small area east of the central park, and a larger area south of Tiffany Lane. The R3 zone is proposed throughout as a buffer between the R2 and RC zoning districts.

Open space uses/zones are proposed throughout the development, providing access to residents throughout. For zoning purposes, the open space for the electric power corridor should be zoned "Open Space - Natural." The large central park with water feature and all other parks and linear parks/trails as "Open Space - Improved."

In general, the revised zoning exhibit does meet the zoning transition as required by EMMC 17.60.160.

#### GENERAL PLAN AMENDMENT

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

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

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

The portion of land east of the power corridor currently is designated

at "Foothill Residential." The amendment requests changing this to a mix of "Neighborhood Residential One," "Neighborhood Residential Two," and keeping a portion as "Foothill Residential" based on the proposed zoning.

The power corridor would remain under the current land use designation of "Parks and Open Space."

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

**REQUIRED FINDINGS:**

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

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

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

**RECOMMENDATION:**

We recommend the Planning Commission make a motion to recommend approval of the master development plan to the City Council, for the reasons set forth in the staff report and in the meeting, with the following conditions:

1. If the Planning Commission recommends separated master development plans for the four planning areas, that the first plan should include the entire length of Tiffany Lane and the central park;
2. If the Planning Commission recommends separated master development plans, that a concept plan for the complete 750 acres be incorporated into each separate master development plan; and

3. That the southern ~208 acres be approved through a separate master development plan based on a future request by the applicant.

We recommend the Planning Commission make a motion to recommend approval of the rezone to the City Council, for the reasons set forth in the staff report and in the meeting, and with any conditions as determined by the Commission.

We recommend the Planning Commission make a motion to recommend approval of the General Plan amendments to the City Council, for the reasons set forth in the staff report and in the meeting, with the following conditions:

1. Approval of the land use designation changes as proposed (with any conditions as determined by the Commission);
2. Approval of the addition of the "South Collector" and loop collector roads as collector roads in the Future Transportation Plan; and
3. That the loop collector road continue as a collector road to connect the MF2 zone to the "South Collector."

**ATTACHMENTS:**

[Master Development Plan exhibits \(revised\)](#)

[Open Space Descriptions](#)

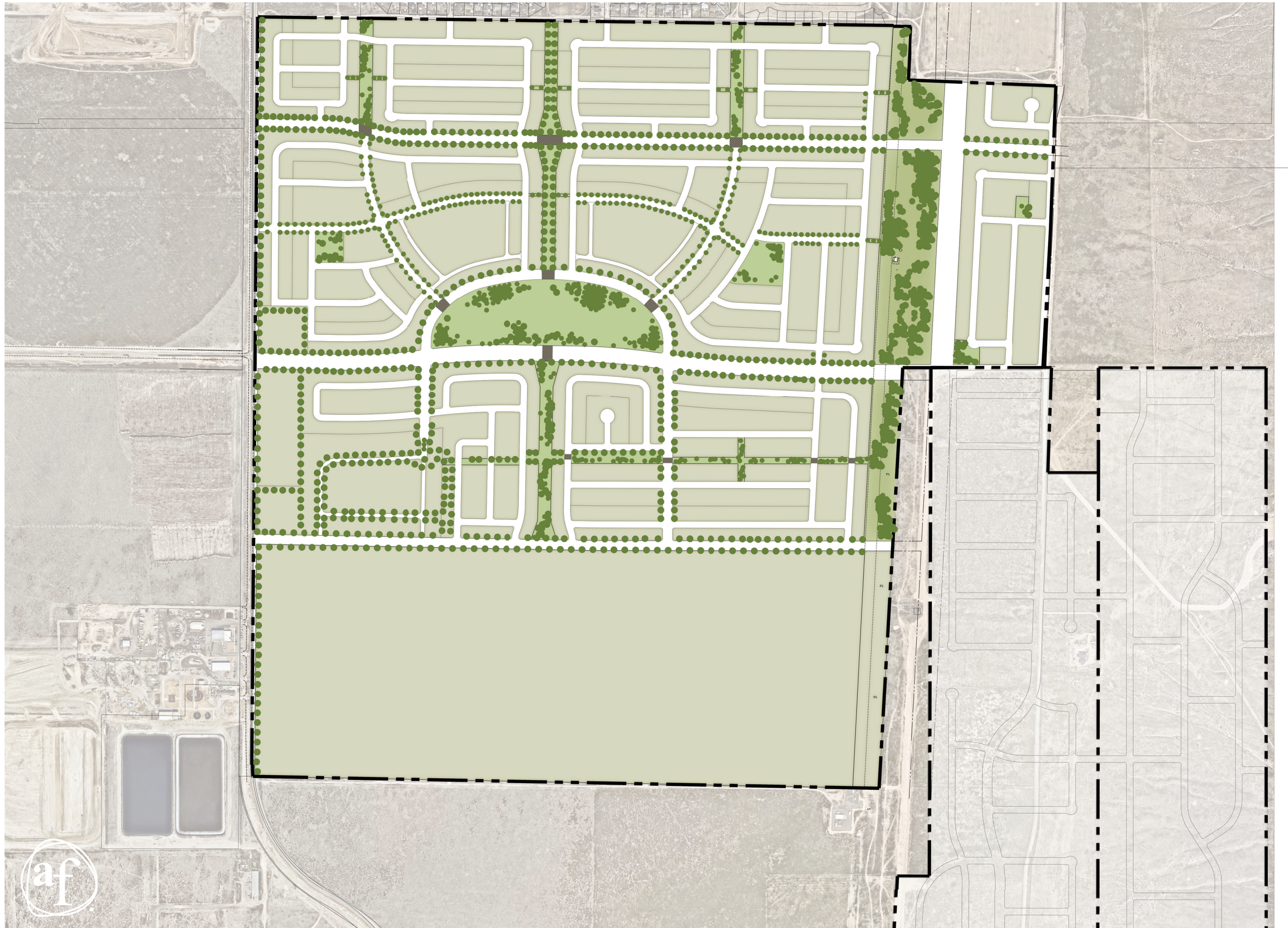
[Master Development Plan tabulations](#)

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

[Traffic Generation Study \(January 2021\)](#)

[Environmental Impact Report](#)







### Foothill Residential

### Neighborhood Residential 1

R3

## Neighborhood Residential 2

**MF1 Town Homes Attached**

### Neighborhood Residential 3

Other

**Open Space - Natural**





**LAND USE LEGEND**

Foothill Residential



Neighborhood Residential 1



Neighborhood Residential 2



Neighborhood Residential 3



Community Commercial



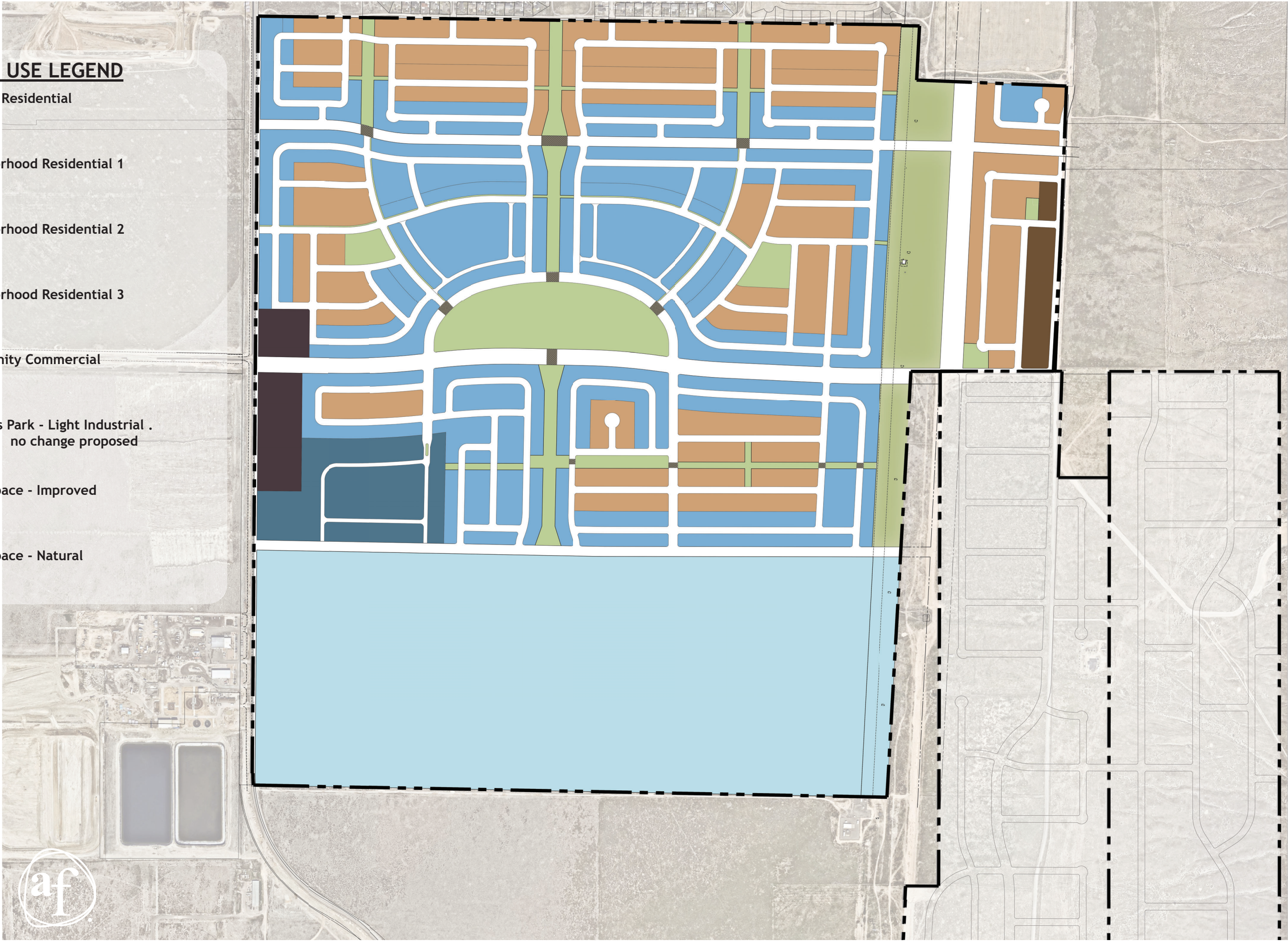
Business Park - Light Industrial .  
no change proposed



Open Space - Improved



Open Space - Natural





**PARK & OPEN SPACE**

Parks

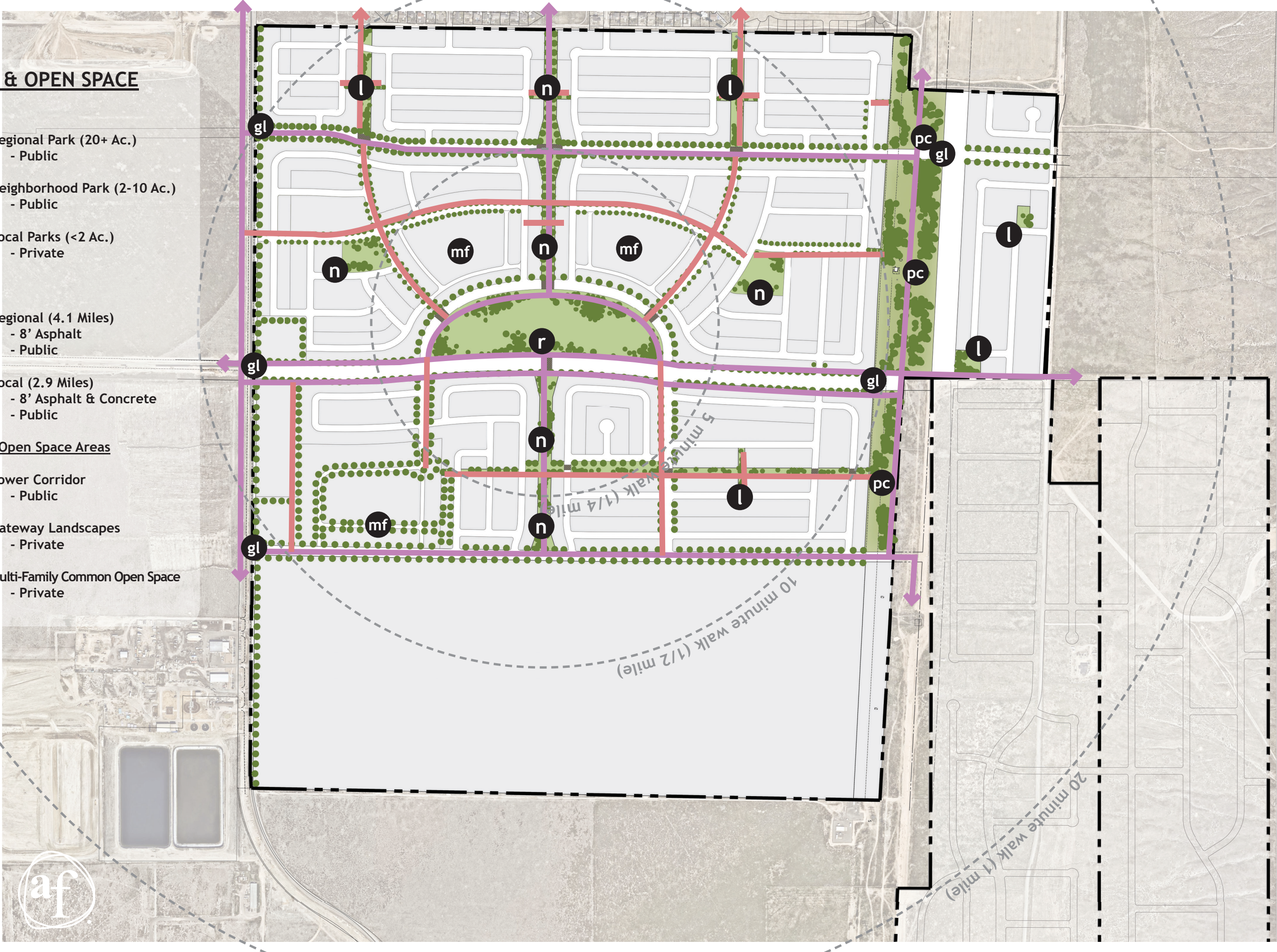
- r** Regional Park (20+ Ac.)  
- Public
- n** Neighborhood Park (2-10 Ac.)  
- Public
- l** Local Parks (<2 Ac.)  
- Private

Trails

- Regional (4.1 Miles)**  
- 8' Asphalt  
- Public
- Local (2.9 Miles)**  
- 8' Asphalt & Concrete  
- Public

Special Open Space Areas

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

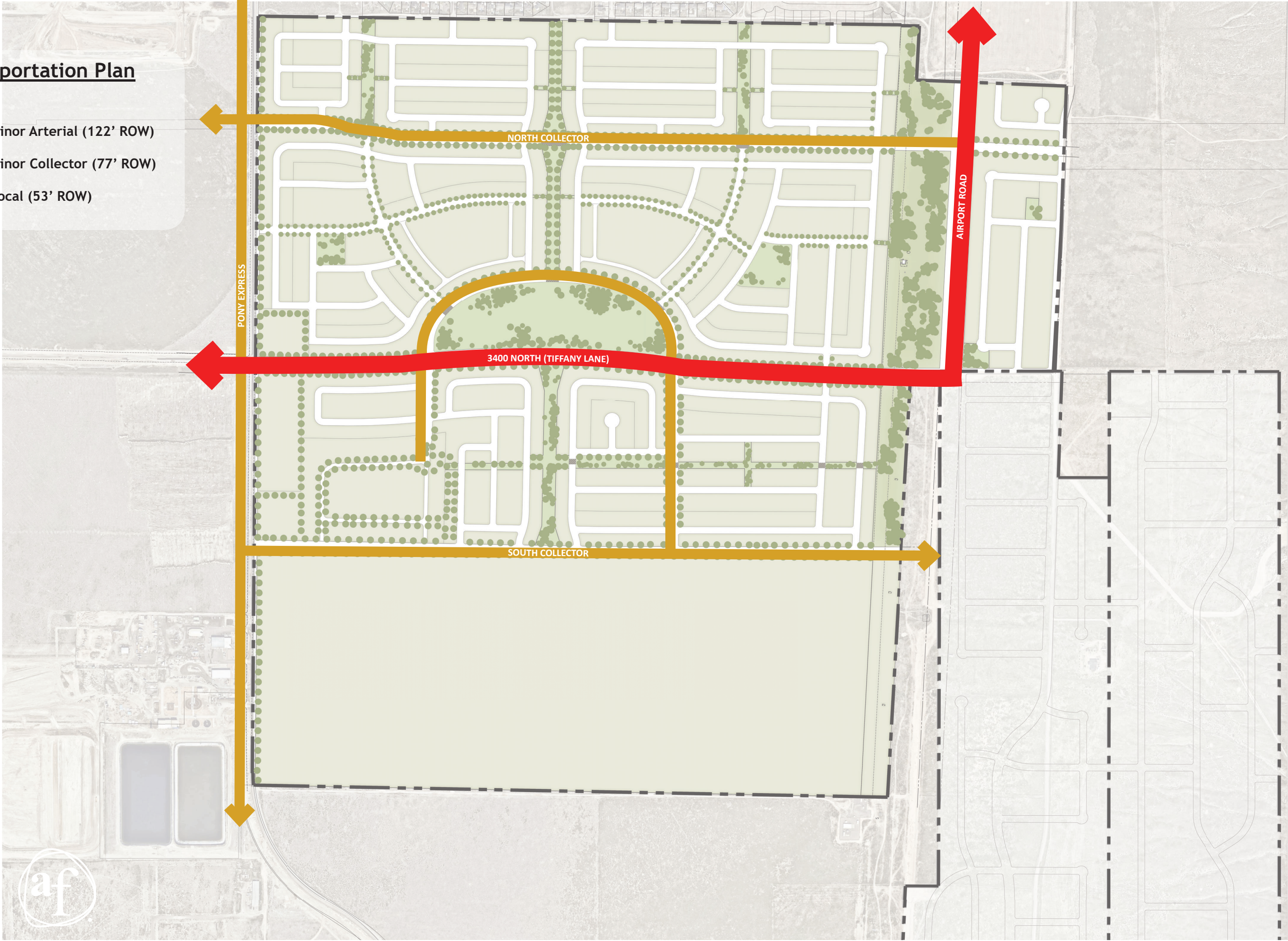




Transportation Plan

Parks

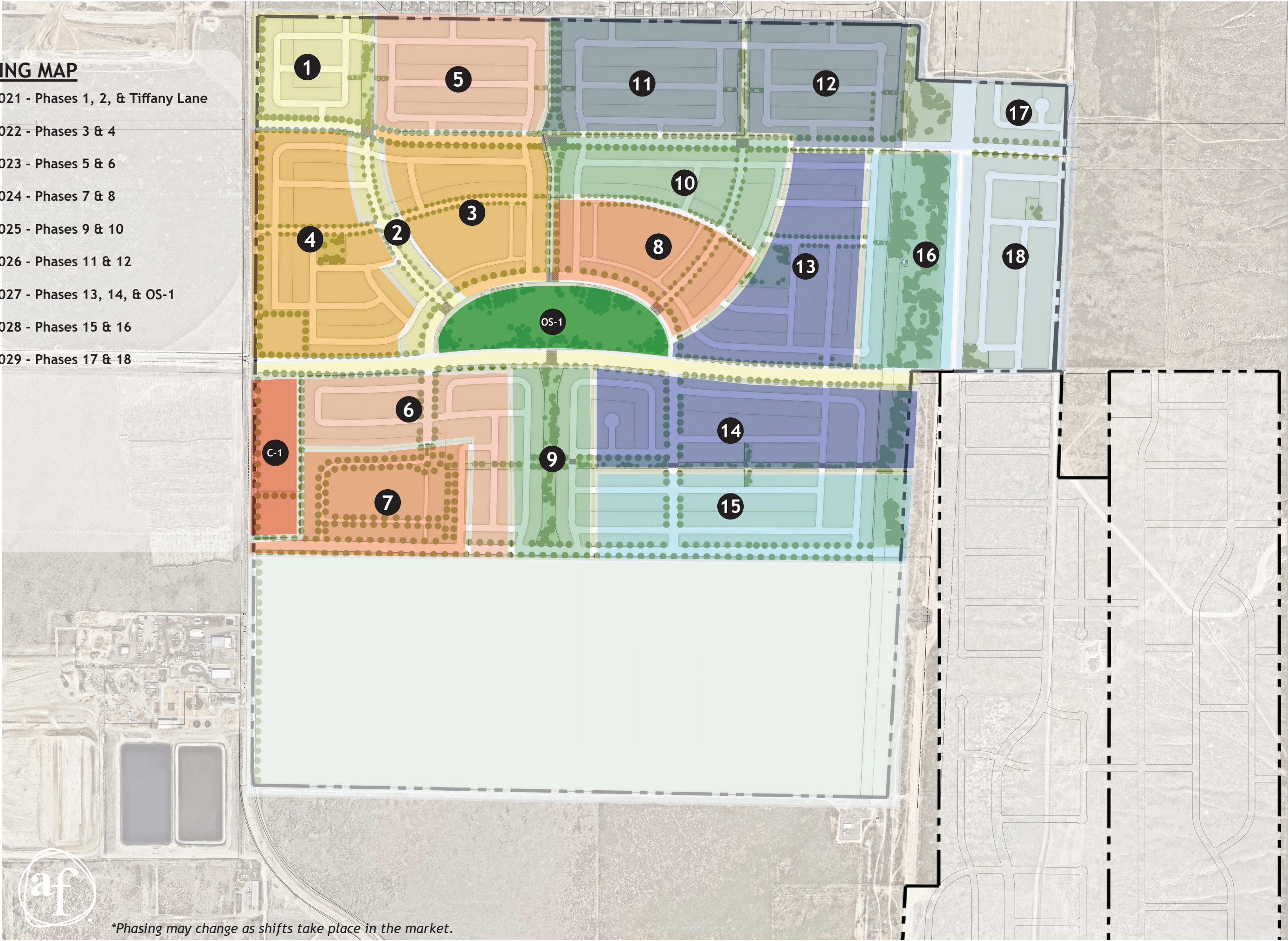
- Minor Arterial (122' ROW)
- Minor Collector (77' ROW)
- Local (53' ROW)





**PHASING MAP**

- 2021 - Phases 1, 2, & Tiffany Lane
- 2022 - Phases 3 & 4
- 2023 - Phases 5 & 6
- 2024 - Phases 7 & 8
- 2025 - Phases 9 & 10
- 2026 - Phases 11 & 12
- 2027 - Phases 13, 14, & OS-1
- 2028 - Phases 15 & 16
- 2029 - Phases 17 & 18



*\*Phasing may change as shifts take place in the market.*



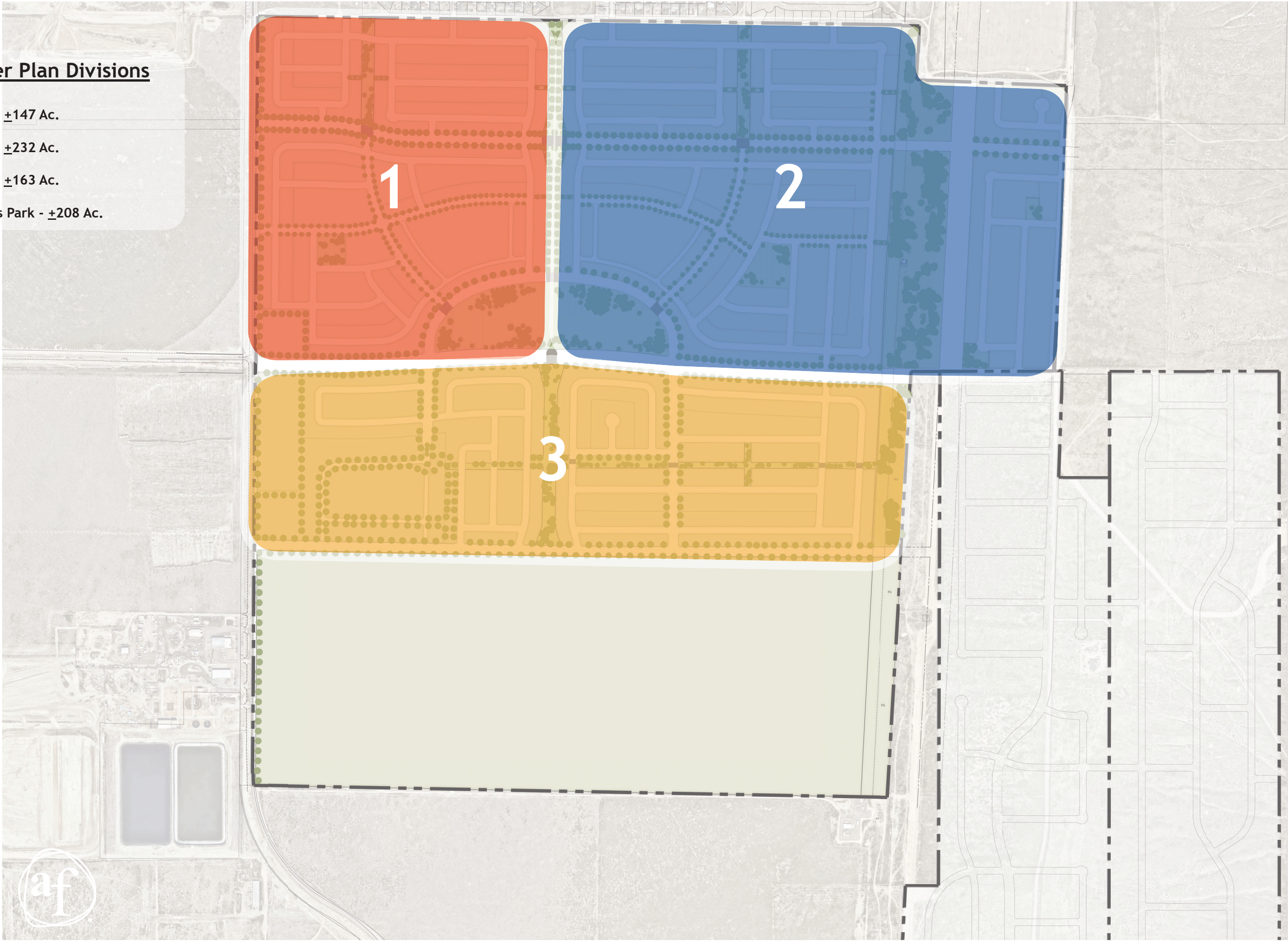
**Master Plan Divisions**

Area 1 - ±147 Ac.

Area 2 - ±232 Ac.

Area 3 - ±163 Ac.

Business Park - ±208 Ac.





## **PARK TYPES**

Ault Farms is designed with a variety of park types from regional park to the intimate residential garden. This section outlines the planned parks and amenity programming for each park type.

### **Regional Park (Public)**

The Ault Farm Master Plan contains a Regional Park at the center of the community. This regional destination will serve Ault Farm residents as well as surrounding Eagle Mountain Residents within a 2-mile radius. Uses in the regional park will be both passive and active. Amenities for this park may include the following:

- Water body for swimming/non-motorized boats/paddle boards with beaches
- Multi-Use Fields
- Sports Courts – Tennis, Pickleball, Basketball
- Large Group Gathering Spaces
- Destination Play Space
- Trails and Pathways
- Bike Facilities
- Parking
- Pavilions
- Splash Pad
- Skate Park or skateable art
- BBQ Grill
- Dog Facilities
- Restroom

### **Neighborhood Park (Public)**

Two neighborhood parks are designed for the north half of Ault Farms. These parks will be smaller in scale in terms of active recreation and amenities and will be geared more around the needs of the immediate neighborhoods. These parks



are located within a 10-minute walk for residents within a ½ mile radius.

Amenities in the neighborhood parks may include the following:

- Play Space
- Neighborhood Garden
- Pathways
- Bike Facilities
- Fire Pit
- Open Lawn for Unstructured Play
- Pavilion
- Bocce ball court
- Sports Court

#### **Local Parks (Less than 2 ac. Private)**

Seven local parks have been designed into the master development plan. Some of these parks are more linear in nature and provide green space connections into the Eagle Point neighborhood to the north. Others are more rectangular fitting the surrounding subdivision development pattern. Local parks serve residents within a ¼ mile radius and are held privately and maintained by the HOA.

Amenities in the local parks may include the following:

- Improved landscaping
- Trails and/or Pathways
- Seating
- Shade
- BBQ Grills
- Fire pits
- Play Space
- Open Lawn for Unstructured Play

## **Trails (Public)**

Trails through out Ault Farms provide the circulation to both pedestrians and bicyclists to move freely around the neighborhood to access parks, exercise, the commercial node, and more. Two north/south regional trails along Pony Express and Lake Mountain Boulevard are received from the north and built through the Ault Farm Development to the south. The trail network planned for the community is approximately 7 miles in length. Trails are planned to be the standard City width of 8'. Depending on their context the material may be asphalt, concrete, or road base.

## **Special Open Space Areas**

### *Power Corridor (Public)*

Conceptual design of the open space located under the high voltage Rocky Mountain Power transmission lines facilitates the Lake Mountain Boulevard Regional Trail, a trailhead, nodes of manicured landscape at major intersections, and natural vegetation. A mountain bike course or pump track would also be a suitable use in this open space area.

### *Gateway Landscapes (Private)*

Key areas around the master planned community called gateway landscapes are designed to create a distinct aesthetic of Ault Farms and communicate a sense of arrival and welcoming. Signage may be included in these open spaces as well.

### *Multi-Family Common Open Space (Private)*

Though not shown in the master development plans, common open space in multi-family areas will be designed and submitted with the Site Plan Applications with the adjacent phase of construction. We plan on including amenities consistent with neighborhood and local parks in the Multi-Family Common Open Space areas. In addition, these Common Open Spaces may include pools, clubhouses, spas, or sports courts.

**AULT FARMS**  
Master Plan Tabulations

| <i>Product Type &amp; Information</i> |                             |                                |                             |
|---------------------------------------|-----------------------------|--------------------------------|-----------------------------|
| Product                               | Min. Area<br><i>Sq. Ft.</i> | Average Area<br><i>Sq. Ft.</i> | Min. Frontage<br><i>Ft.</i> |
| FR Foothill Residential               | 10,890                      | 21,780                         | 90                          |
| R1 Single Family                      | 10,890                      | 14,520                         | 85                          |
| R2 Single Family                      | 8,000                       | 10,890                         | 80                          |
| R3 Single Family                      | 6,500                       | 8,500                          | 62                          |
| RC Single Family                      | 4,500                       | 6,000                          | 58                          |
| MF1 Single Family                     | 4,500                       |                                |                             |
| MF1 Townhomes                         |                             |                                |                             |
| MF2                                   |                             |                                |                             |
| Commercial                            |                             |                                |                             |
| Open Space - Natural                  |                             |                                |                             |
| Open Space - Improved                 |                             |                                |                             |

*Totals*

| <i>Lot / Unit Tabulation</i> |                          |
|------------------------------|--------------------------|
| Lots / Unit<br>#             | Percentage Lot/Unit<br>% |
| 13                           | 0.6%                     |
| 116                          | 5.1%                     |
| 94                           | 4.1%                     |
| 335                          | 14.6%                    |
| 397                          | 17.3%                    |
| 702                          | 30.7%                    |
| 252                          | 11.0%                    |
| 380                          | 16.6%                    |
|                              |                          |
|                              |                          |

*2,289*

*100.0%*

## EXECUTIVE SUMMARY

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

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

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

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



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

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

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

## SUMMARY OF KEY FINDINGS/RECOMMENDATIONS

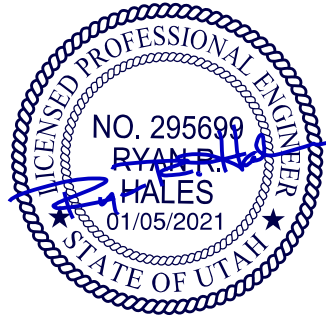
The following is a summary of key findings and recommendations:

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

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

## MEMORANDUM

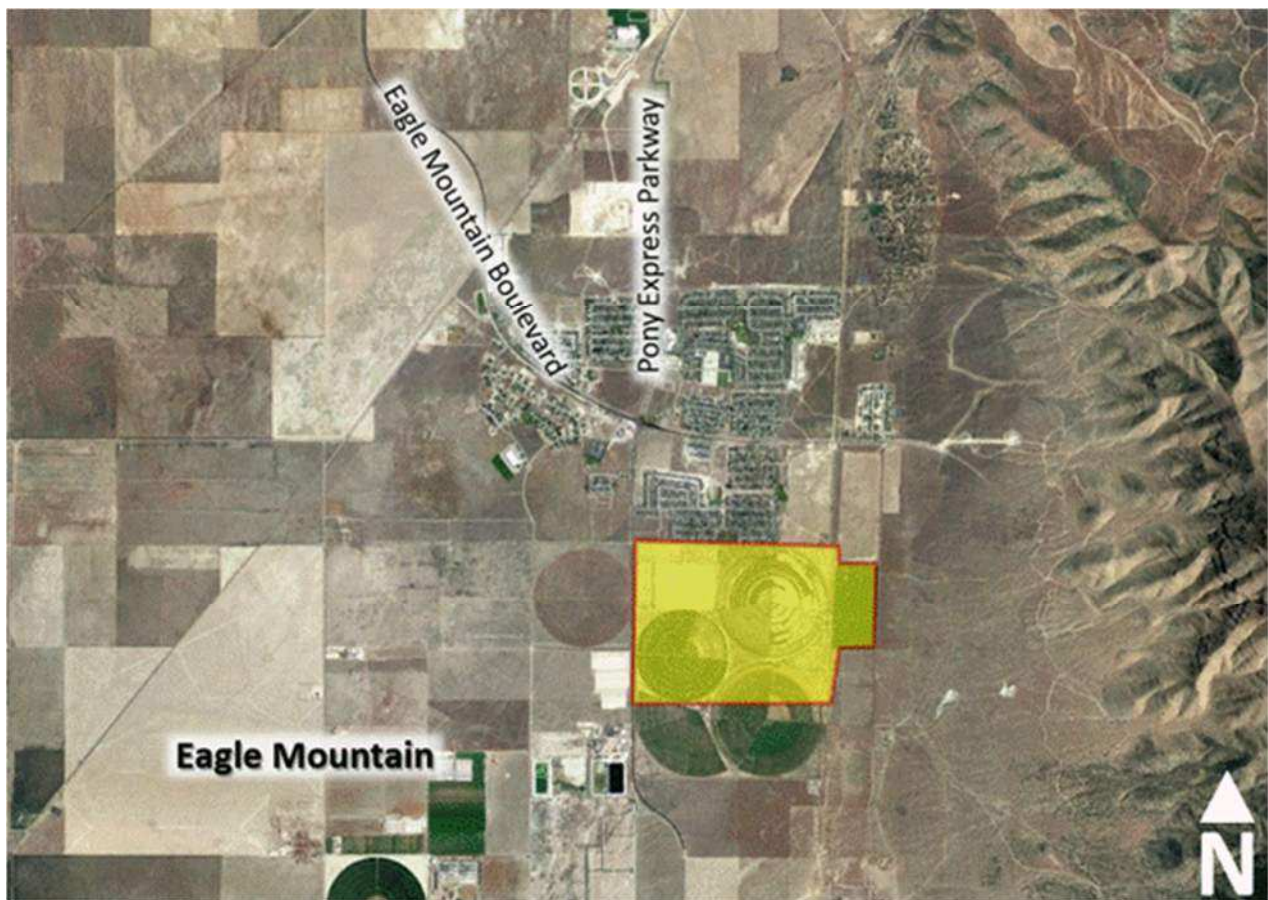
Date: January 5, 2021  
To: City of Eagle Mountain  
From: Hales Engineering



**Subject: Eagle Mountain - Ault Farm Updated Trip Generation Study**

UT20-1681

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



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



## Background

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

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

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

## Trip Generation

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

**Table 1: Trip Generation**

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

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

SOURCE: Hales Engineering, January 2021



**Table 2: Trip Generation Comparison**

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

## Conclusions

The findings of this study are as follows:

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

# APPENDIX A

## Site Plan

## LAND USE LEGEND

### Neighborhood Residential 1

R1 | 58.3 Ac.

R2 | 46.2 Ac.

R3 | 144.6 Ac.

### Neighborhood Residential 2

MF1 Single Family | 136.4 Acres

MF1 Town Homes | 29.8 Ac.

### Neighborhood Residential 3

MF2 Condo/Apartments | 25.0 Ac.

### Other

Commercial | 11.7 Ac.

Tech Campus/Light Ind. | 208.9 Ac.

Open Space | 86.3 Ac.

Improved | 49.7 Ac.



**AULT FARMS**  
Master Plan Tabulations

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

<sup>1</sup> Land Use Tabulations not including Tech of approximately 214 acres and 11.7 acres of commercial.  
<sup>2</sup> All areas are approximate and include adjacent road frontages.





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*Nebo Environmental, LLC*  
*Russell@NeboEnv.com*  
*801-602-9702*

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

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

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

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

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

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

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

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

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

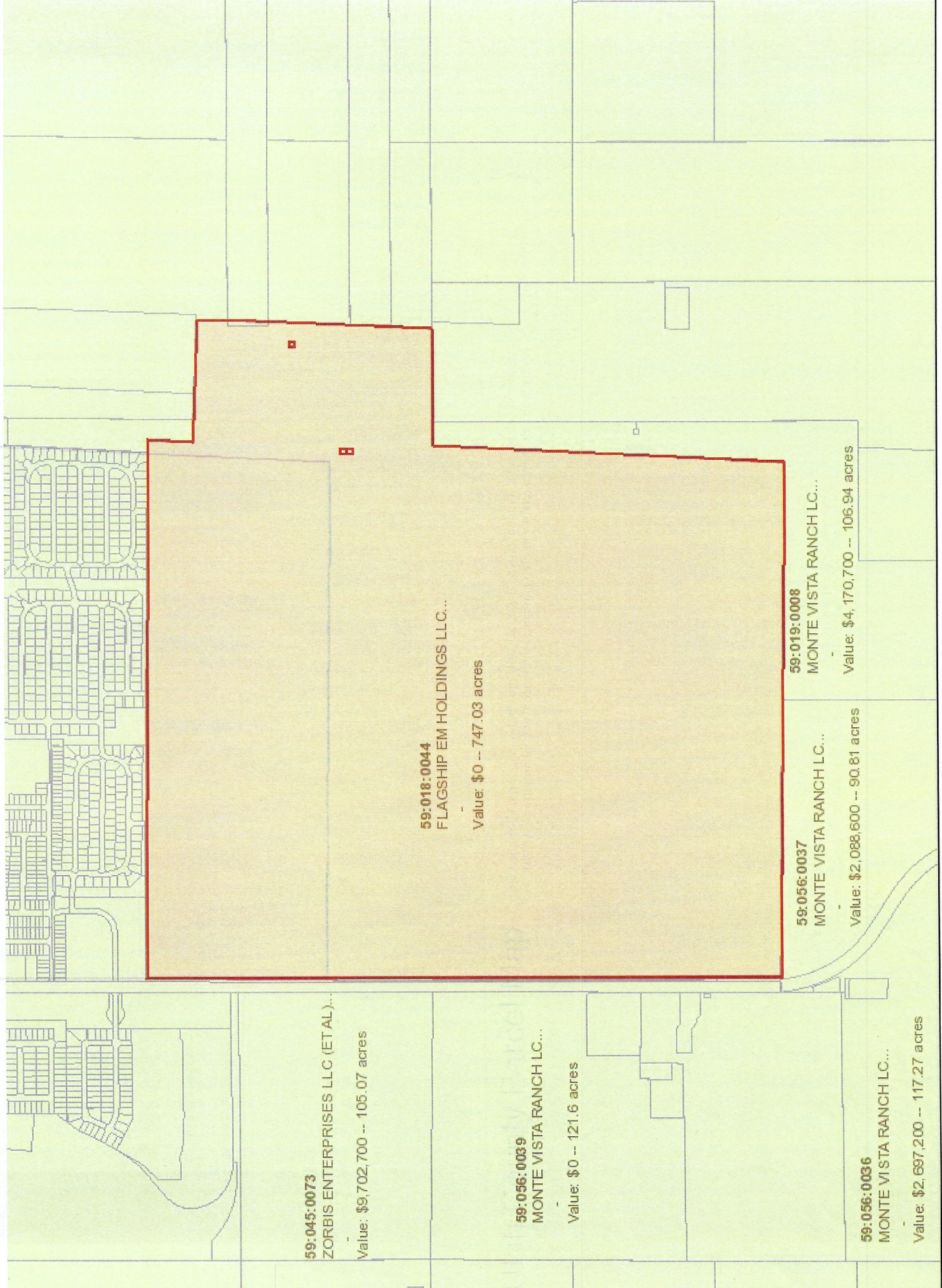
Submitted by:

Russell L. Christensen  
Environmental Professional  
Nebo Environmental LLC









Date: 5/22/2020

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





U.S. Fish and Wildlife Service

## National Wetlands Inventory

## Natl Wetlands Inv Eagle Mtn



May 25, 2020

### Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland

Freshwater Emergent Wetland

- Freshwater Forested/Shrub Wetland
- Freshwater Pond

Lake

- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

U.S. Fish and Wildlife Service, National Standards and Support Team.  
wetlands\_team@fws.gov





U.S. Fish &amp; Wildlife Service

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

## Species By County Report

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

County: **Utah, Utah**

CSV

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

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