

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA

TUESDAY, MAY 27, 2014 AT 6:00 P.M.

Eagle Mountain City Council Chambers; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

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

1. Pledge of Allegiance
2. Declaration of Conflicts of Interest
3. Approval of Meeting Minutes
 - A. May 13, 2014
4. Development Items
 - A. Meadow Ranch V Plat 3 Final Plat – Action Item The project includes 41 single-family lots, with an average lot size of 31,714 sq.ft. All lots are greater than ½ acre in size. The smallest lot is 0.55 acres and the largest is 1.10 acres. This plat is located north and east of Meadow Ranch V Plats 2 & 3.
 - B. Valley View Phase A Plat 7 Final Plat Amendment -- Action Item The approved Final Plat 7 is 15 lots on 14.40 acres. The proposed Amended Final Plat 7 is a 19.38 acre configuration that includes 23 lots. The developer is proposing amending the approved Final Plat 7 to add one lot from the approved Final Plat 6 as well as seven lots from the approved Final Plat 8.
 - C. Eagle Mountain Business Park Preliminary Plat -- Public Hearing, Action Item The proposed 28.6-acre preliminary plat includes 14 total lots or parcels. Lot 103 is planned as a storage unit lot, lots 401 and 402 are planned as future multi-family, and the remaining lots are intended for retail, office, and office-warehouse.
 - D. Porter’s Crossing Town Center Master Development Plan Amendment – Public Hearing, Recommendation to the City Council (CONTINUED) An amendment to the Porter’s Crossing Town Center Master Development Plan, removing 39.9 acres of commercial space, a 7.98 acre reduction in gross open space, and an increase in total residential units from 443 to 888. The proposal includes the introduction of new residential designations ranging from single- to multi-family dwelling units.
 - E. Development Review Process Code Amendment – Public Hearing, Action Item Proposed amendments to the City’s Development Code concerning development review and approval authority (including but not limited to Chapters 16.05, 16.10, 16.15, 16.20, 16.25, 17.05, 17.95, 17.100 of the Municipal Code).
5. Next Scheduled Meeting: June 10
6. Adjournment

1 **6:00 P.M. - Eagle Mountain City Planning Commission Policy Session**

2
3 COMMISSION MEMBERS PRESENT: John Linton, Preston Dean, Miriam Allred, Wendy
4 Komoroski, and Matthew Everett.

5
6 CITY STAFF PRESENT: Steve Mumford, Planning Director; Mike Hadley, City Planner;
7 Ken Sorenson, City Planner; and Johna Rose, Deputy Recorder.

8
9 ELECTED OFFICIAL PRESENT: Adam Bradley

10
11 1. Pledge of Allegiance

12
13 Commissioner Linton led the Pledge of Allegiance.

14
15 2. Declaration of Conflicts of Interest

16
17 None

18
19 3. Approval of Meeting Minutes

20 A. April 22, 2014

21
22 **MOTION:**

Preston Dean moved to approve the April 22, 2014 meeting minutes with the following changes: on page 3 line 2 the words impact fees to be replaced with the words special assessments. Matthew Everett seconded the motion. Those voting aye: Preston Dean, Miriam Allred, Wendy Komoroski, John Linton and Matthew Everett. The motion passed with a unanimous vote.

23
24
25
26
27
28
29 4. Development Items:

30
31 A. Rockwell Seminary Site Plan—Public Hearing, Recommendation to the City Council

32 The proposal is for a one-room seminary building located on a .536 acre-parcel next to
33 Rockwell Charter High School. The site includes a 1,740 square-foot structure and a 5-
34 stall parking lot.

35
36 Mike Hadley explained that the Planning Department has received an application for a site
37 plan for the Rockwell LDS Seminary building designed for the use of Rockwell Charter High
38 School students. The site currently has a temporary portable building for seminary classes
39 and has a conditional use permit from the City. The site is located just east of the charter
40 school in the Saddle Junction subdivision, Lot 104. The conditional use permit for the
41 seminary building was originally approved by the Planning Commission on June 10, 2008
42 and then in 2009 was given a two year extension. The site plan was approved by the City
43 Council on July 15, 2008. The original proposal was for a temporary building until they
44 could calculate the enrollment numbers and evaluate the impact of the seminary building
45 being built at the high school and junior high school in Saratoga Springs. The applicant
46 wanted to make sure that it was feasible to build a permanent building. In July of 2013 the

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, MAY 13, 2014 AT 6:00 P.M.
Eagle Mountain City Council Chambers; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

1 applicant submitted for another two year extension because of the new middle school that
2 was built in Eagle Mountain. They were granted a one year extension. Since the approval is
3 about to expire the applicant has decided to build a permanent building.
4

5 Access/Parking

6 The current temporary building is accessed by using the Rockwell Charter school
7 access/parking lot. The lot the permanent building is on will now be accessed by
8 connecting to Stonebridge Lane to the south of the lot. The applicant has an easement
9 with the property owner that will allow an access road to be built. The application
10 meets the City's parking standards.
11

12 Zoning

13 The zoning on the proposed site is Satellite Commercial (SC). The seminary building is
14 not a permitted use but can be approved with a conditional use permit if the Planning
15 Commission finds it to be similar and compatible.
16

17 Landscape

18 The applicant has submitted a detailed landscape plan that staff feels meets the requirements
19 of the City's code. The landscape with the permanent building will be more comprehensive
20 than what is currently on the site.
21

22 Fencing

23 Privacy fencing will be required to separate the proposed seminary building from the
24 commercial development to the north and east. The required materials and colors must
25 receive Ranches HOA approval.
26

27 Paul Evans with EA Architecture explained that the Ranches HOA required a linen color for
28 the fascia and trim instead of the white coloring.
29

30 *Commissioner Linton opened the public hearing at 6:12 p.m.*
31

32 None
33

34 *Commissioner Linton closed the public hearing at 6:12 p.m.*
35

36 **MOTION:** *Preston Dean moved to recommend approval of the Rockwell*
37 *Seminary Site Plan to City Council. Wendy Komoroski seconded*
38 *the motion. Those voting aye: Preston Dean, Miriam Allred,*
39 *Wendy Komoroski, John Linton and Matthew Everett. The*
40 *motion passed with a unanimous vote.*
41

42 B. The Cove at Rock Creek – Public Hearing, Recommendation to the City Council

43 The proposed application consists of 82 townhome units on 6.54 acres for a density of
44 12.5 units per acre in the remaining portion of the Rock Creek development.

- 45 • Site Plan
- 46 • Preliminary Plat – Action Item

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, MAY 13, 2014 AT 6:00 P.M.
Eagle Mountain City Council Chambers; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

1 • Final Plat

2
3 Mr. Hadley explained that the proposed Cove at Rock Creek Site Plan, Preliminary and Final
4 Plat is located just south of the existing Rock Creek development off of Rock Creek Rd and
5 Clear Rock Rd in the Ranches Master Development. The proposed application consists of 82
6 townhome units on 6.53 ac for a density of 12.5 units per acre on the overall project. The density
7 for the first plat is 13.9 units per acre. This proposed development is the remaining portion of
8 the original Rock Creek development. The original Rock Creek development was approved with
9 276 total units. Ph.1 consisted of 96 units and Ph.2 consisted of 84 units for a total of 180 platted
10 units. There are a total of 96 possible units left that could be built. The remaining portion was
11 approved as 12-plex units similar to the existing Rock Creek development. The Cove at Rock
12 Creek is proposing 82 townhome units instead of the 12-plex buildings. The Planning
13 Commission reviewed this as a concept plan on January 14, 2014. Since that time the applicant
14 has been to DRC committee on two different occasions.

15
16 Site Plan & Final Plat

17 Site plans and subdivision plats are required for all multi-family residential and/or townhome
18 projects. The review for these projects includes landscaping, road and frontage improvements,
19 open space, building layout and architecture, parking, emergency access, storm drainage, and
20 more.

21
22 Building Elevation/Architecture

23 There are four 6-unit buildings, two 5-unit buildings, nine 4-unit buildings, and four 3-unit
24 buildings. The applicant will need to submit detailed elevations and architectural materials
25 for the proposed buildings.

26
27 Utilities

28 The utilities for each building will need to have gang meters, electric on one side of the
29 building and gas on the other side of the building. A plan showing how each unit is going to be
30 metered needs to be submitted and approved. All of the utilities and easements need to be
31 included on the plat.

32
33 Open Space/Community Improvements

34 This project is a Tier IV development which requires 10% of the area acreage as improved open
35 space. The calculated improved open space for this project would be .654 ac. For the improved
36 park space a total of 77 points are required from the table for pocket and neighborhood parks
37 16.35.130(c). A final approved overall landscape plan needs to be submitted for final approval of
38 the project. The Development Code requires community improvements, or \$2,000 per buildable
39 acre, in the form of public buildings/facilities or regional parks. Split rail fencing around the tot
40 lot is required. Staff recommends that the improved open space and amenities are located all
41 together and not spread throughout the development. The developer is working with the Rock
42 Creek HOA to sign an agreement which would allow the townhome residents to use the
43 swimming pool and amenities located adjacent to this project.

44
45 Water

46 The applicant will need to provide water rights to the City before the plat can receive final

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, MAY 13, 2014 AT 6:00 P.M.
Eagle Mountain City Council Chambers; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

1 approval and be recorded.

2

3 Parking

4 The City Code requires two parking stalls per unit and the proper handicapped accessible parking
5 stalls. Snow stacking is also required for each parking lot design.

6

7 Travis Taylor, J. Thomas Homes, presented a basketball court underneath the power line corridor
8 and explained that he was not aware that he could build anything under the power line corridor.

9 He stated that there is a basketball court to the north of the project that is being used by residents,
10 and that basketball court is located under the power line corridor. He explained that he could
11 understand not allowing the ten trees that were planned to be located under the power line
12 corridor. He requested that the Planning Commission allow him to work with City staff on
13 replacing those amenities with others like benches or tables.

14

15 Commissioner Everett asked what type of landscape the developer is planning around the
16 basketball court. Mr. Taylor explained that the developer plans to provide native landscape
17 around the back, xeriscaping as a buffer and then grass.

18

19 Commissioner Linton stated that his understanding and experience is that no permanent
20 structures could be placed under the power line corridor or in their easements. Mr. Mumford
21 explained that they would need to talk to Rocky Mountain Power before allowing the basketball
22 court to be placed in the corridor. Commissioner Linton requested that they make a condition
23 that the developer contact Rocky Mountain Power and get approval before building under the
24 power line corridor.

25

26 Commissioner Allred asked how many phases are planned for the area. Mr. Taylor explained that
27 it's hard to plat the lots of the whole area because it's difficult to make changes to the plan or fix
28 problems to the plan. He stated that he prefers that the concept plan and the Preliminary Plat be
29 approved and then cut the final plat and go phase by phase. Commissioner Dean explained that
30 the Planning Commission does not want to be in a position where they have to approve building
31 by building. Mr. Taylor said that the developer hopes for no more than three phases.

32

33 Commissioner Dean asked when the amenities would go into the development. Mr. Taylor
34 explained that an escrow amount would be collected for every unit. The amenities should go in
35 when 50% of the units are built and that could affect the way the phasing is completed.

36

37 Commissioner Komoroski asked if this development would be part of the Rock Creek HOA. Mr.
38 Taylor explained that there will be an amenity sharing plan set up for the development. The
39 residents of the development would pay a fee to use the existing amenity in Rock Creek and then
40 a sub HOA would be set up for this development.

41

42 Commissioner Dean asked what type of fencing is planned for the development. Mr. Taylor and
43 Commissioners asked if a fence would be required along the power line corridor. Mr. Hadley
44 explained that the only fencing required is around the amenities. Steve Mumford explained that
45 the bonus density standards in the City Code require an open face fence (split rail fence) around
46 open space areas that are adjacent to a main road. He explained that the City could require

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, MAY 13, 2014 AT 6:00 P.M.
Eagle Mountain City Council Chambers; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

1 fencing around the tot lot.

2

3 Mr. Mumford stated that he would like feedback on the amenities, location of the amenities,
4 parking, and the amenities point system for this development.

5

6 Commissioner Dean questioned how many residents would use the tot lot and the basketball
7 court because the location of the amenities is hidden. Mr. Taylor stated that the residents that live
8 in the area would know where to find the amenities. Commissioner Dean was more concerned
9 about the development layout and the tot lot in the development layout. Commissioner Everett
10 felt that the basketball court location and the court would be good for the area and would be well
11 used by the residents.

12

13 Commissioner Allred was concerned about approving a development that is not a set plat. Mr.
14 Taylor explained that he has had other developments like Heatherwood that were completely
15 platted and they have found mistakes that were unable to be fixed (like: nowhere to push snow,
16 utility line problems, parking issues, etc.) He explained that any changes would be minor, he just
17 does not want to have a flaw throughout the project that cannot be remedied.

18

19 Mr. Mumford explained that it easier on the City when a full landscape plan is submitted before
20 the Final Plat.

21

22 *Commissioner Linton opened the public hearing at 6:56 p.m.*

23

24 None

25

26 *Commissioner Linton closed the public hearing at 6:56 p.m.*

27

28 **MOTION:**

29

30

31

*Preston Dean moved to approve the Cove at Rock Creek
Preliminary Plat and recommend the Cove at Rock Creek Site
Plan and Final Plat to City Council with the following
conditions:*

32

33

34

1. *That a comprehensive landscape plan be provided to
City staff with the amenities presented tonight to be
included within the plan.*

35

36

37

38

*Matthew Everett seconded the motion. Those voting aye:
Preston Dean, Miriam Allred, Wendy Komoroski, John Linton
and Matthew Everett. The motion passed with a unanimous vote.*

39

40

41

C. Porter's Crossing Town Center Master Development Plan Amendment – Public Hearing,
Recommendation to the City Council

42

43

44

45

46

Mr. Mumford explained that this 145-acre project is located north of Pony Express Parkway,
centered around Porter's Crossing in the Ranches. It is an amendment to the Porter's Crossing
Town Center Master Development Plan, removing 39.9 acres of commercial space, a 7.98 acre
reduction in gross open space, and an increase in total residential units from 443 to 888. The
Gross density is increasing from 3.06 to 6.13 du/ac. The proposal also includes the introduction

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, MAY 13, 2014 AT 6:00 P.M.
Eagle Mountain City Council Chambers; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

1 of new residential designations ranging from single- to multi-family dwelling units. The high
2 density residential is relocated from the western side of the project and moved to the former
3 commercial area.

4
5 The Development Code specifies the following criteria for evaluation of master development
6 plans:

7 General Criteria

- 8 • Slopes, Natural Hazards, Natural Channels, Storm Water Runoff – There is a minor storm
9 drainage wash on this property. The developer must obtain any required stream alteration
10 permits from the State prior to making any changes, and the wash must either be piped
11 according to City standards or all development must be kept 100 feet away from the top
12 bank of the wash on either side
- 13 • Soil Characteristics – A geotechnical study will be reviewed along with each plat.

14
15 Infrastructure Criteria

16 • Utilities

- 17 ○ Water & Sewer – An updated water model will be required for this project. The
18 City Engineer and Public Works Director have not expressed any other concerns
19 with the wet utilities.
- 20 ○ Electric and Natural Gas – No concerns have been expressed by the Energy
21 Department for this project. There is a Kern River Gas line that passes through
22 this property (shown on the plan as an open space corridor). Concerns remain
23 about any required buffer distance between this high-pressure pipeline and
24 buildings or parks. Rocky Mountain Power must dedicate the space to the City
25 along with the subdivision plats.
- 26 ○ Storm Drainage – see slopes/natural channels category above.

27 • Streets

- 28 ○ A traffic study has been completed for this development by Hales Engineering,
29 although with a slightly different mix of housing types and numbers than the
30 proposed master plan (378 single-family homes, 240 apartments, 244 townhouses,
31 commercial square feet 111,000). The developer will have to comply with traffic
32 study recommendations, a summary of key findings and recommendations as
33 followed (these must be detailed in the master development agreement):
 - 34 ■ Both major intersections on Pony Express Parkway (Porters Crossing
35 Parkway and Smith Ranch Road) fail in the future conditions
 - 36 ❖ The Porters Crossing Parkway /Pony Express intersection
37 should be signalized sometime before the year 2020 with
38 project traffic. This intersection will need a signal before 2040
39 without project traffic.
 - 40 ❖ All-way-stop control should be removed on Smith Ranch Road
41 when the signal is installed on Porter’s Crossing Parkway. It is
42 recommended that this be replaced with north-south stop
43 control. This could also be replaced with a signal if desired.
 - 44 ■ The eastbound and westbound left-turn storage length needs to be
45 increased to 200 feet plus the taper length at the Porters Crossing Parkway
46 / Pony Express Parkway intersection. This should be completed before

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, MAY 13, 2014 AT 6:00 P.M.
Eagle Mountain City Council Chambers; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

1 2020 with project traffic, and is needed for the 2040 conditions with and
2 without project traffic.

- 3 ■ The east and west RIRO intersections fail only when blocked due to
4 downstream queuing. No changes are recommended for these
5 intersections.
- 6 ■ The Porters Crossing / Turnburry Road intersection operates at excellent
7 levels of service in all conditions.

- 8
- 9 ○ The conceptual Site Plan includes a lot layout and road layout for Area 14, but
10 does not provide access to the neighboring landlocked property. A stub road will
11 be required to this property.
- 12 ○ It should be noted that Areas 6 and 7 will be limited based upon the Code's
13 restriction of a maximum of 30 units/lots on one access, and a 500-foot maximum
14 cul-de-sac or dead-end road length.
- 15 ○ Area 6 should provide a stub road to the vacant property to the north and/or east.
- 16 ○ The Pony Express Townhomes (approved project to the east of Area 2) have
17 provided a stub road for future access to a road in this development. Area 2
18 should connect with this road.

19

- 20 ● Water Rights

- 21 ○ Water rights are required (or purchased of City water) for each project at plat
22 recording or building permit, depending on the type of development.

23

24 Compatibility Criteria

- 25 ● Compatible Densities – The site is bordered by the following land uses:
 - 26 ○ North – Electrical substation, power line and gas corridor, and vacant property in
27 Saratoga Springs City.
 - 28 ○ West – Power line and gas corridor, Eagle's Gate neighborhood, Plum Creek
29 multi-family neighborhood.
 - 30 ○ South – Pony Express Parkway
 - 31 ○ East – The approved Pony Express Townhomes project and vacant property in
32 Saratoga Springs City.

33

34 The land uses in the proposed master development plan include sixteen planning areas
35 with varying degrees of density. The following areas raise concerns or are noteworthy:

- 36 ● Northern SF Residential Areas: The northern section of the project retains a
37 similar density and land uses as the adopted plan; and remains exclusively single-
38 family residential. This matches the character and density of existing
39 neighborhoods and proposed projects. Single family residential uses, however,
40 may not be the best use adjacent to the power substation, and some thought
41 should be given to the use of this property.
- 42 ● Area 10: The density of Area 10 may be incompatible with Eagle's Gate to the
43 west, which is all single-family (6,600 square-foot lots). The number of lots in
44 this triangle should be reduced to something more appropriate.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, MAY 13, 2014 AT 6:00 P.M.
Eagle Mountain City Council Chambers; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

- 1 • Area 14: The change from high density residential to single family residential on
2 the western side of the project does not create any incompatible uses; however,
3 circulation into neighboring projects, which may include townhomes, raises
4 concerns over uncharacteristic traffic patterns for a single-family neighborhood.
- 5 • Areas 2, 3, 13 (Commercial changed to MF Residential): The central core of the
6 master plan has been changed from Commercial to a mix of higher-density
7 residential products. Although this type of density may match the infrastructure
8 demands of commercial properties, the density and site location may not be the
9 most ideal for a variety of reasons. The two residential products that may present
10 compatibility problems are the townhouses and apartments or condominiums. The
11 proposed townhouses include 244 units on the eastern edge of the project, and
12 although townhouses serve as an effective buffer between single family and more
13 intensive uses like Commercial, the proposed number of units may dwarf the
14 surrounding residential areas. However, the townhouses are buffered on all sides
15 by open space, limiting spillover traffic. Lastly, the multifamily area located in
16 the southeastern portion of the project is compatible with the adjacent commercial
17 and townhouse areas, but its volume may be inconsistent with the smaller
18 townhouse development (Pony Express Townhomes) to the east. The multi-family
19 in Area 2 will also serve as the gateway to the City and may create an
20 overwhelming massing of buildings along one of the City’s main entrances. City
21 Code Section 17.30.100 also states that Tier IV projects may be developed in
22 pods of no more than 250 units served by one clubhouse and buffered from other
23 residential or commercial uses.

24
25 In addition, the areas proposed as townhouses, multi-family, and condensed
26 family cluster are in a zone designated on the future land use map as Mixed Use
27 Commercial. The definition intends this zone to be used for retail, office, and
28 commercial development with a provision for some residential incorporated into
29 this zone. As proposed, the townhouses, multi-family, and condensed family
30 cluster are exclusively residential and do not meet the intent of the General Plan’s
31 Mixed Use Commercial designation:

32
33 **MIXED USE: COMMERCIAL-** This category is for areas where retail and
34 office development occurs at traditionally desirable locations including the
35 intersections of major streets, appropriate neighborhood activity centers, or
36 adjacent to other compatible land uses. Appropriate industrial uses will be
37 considered for compatibility with surrounding developments. It is anticipated
38 that development will primarily be non-residential; however, mixed-use
39 developments that incorporate medium and high-density housing types may
40 be recommended by the Planning Commission and approved by the City
41 Council during the zoning process.

42
43 Although all of the commercial property may take some time to develop in this
44 area, it is an appropriate location for office and retail use, and a good portion of
45 the “Mixed-Use Commercial” property should be preserved for commercial uses
46 rather than developed as residential.

1
2 Design Criteria

3 • Open Space

- 4 ○ Required Open Space: This development is required to provide 8% of the
5 buildable area (excluding commercial areas, major roads, and utility corridors) +
6 10% of Tier III and Tier IV development (densities higher than 5.2 units per acre).
7 ▪ 8% x approximately 104.3 = 8.344 acres
8 ▪ 10% of 82.5 = 8.25 acres (within the Tier III and Tier IV areas)
9
- 10 ○ Provided Open Space: The proposed project includes approximately 15.65 acres
11 of improved open space, although some of that is located within the Tickville
12 Wash, along Smith Ranch Road (which has a standard 4-foot sidewalk), in the
13 smaller wash, and on the gas and power line easements.
14
- 15 ○ Does the proposed pattern of uses and densities attempt to make effective use of
16 the planned community open space?
17 ▪ The open space and park areas are being relegated to the areas that are
18 either unbuildable or left over after the developments are planned. Public
19 spaces, including parks and other gathering places, should be planned as
20 central or important features in a development. They should be
21 consolidated, where possible, to provide large and creative amenities
22 along with recreation fields. Neighborhood parks are also recommended
23 to be between three and five acres in size.
24 ▪ We do not believe the proposed locations and design of the open space
25 and parks attempt to make effective use of the planned community open
26 space.
27
- 28 ○ Amenities: This development would be required to provide 584 points towards
29 park amenities found in Table 16.35.130(c) Pocket and Neighborhood Park
30 Elements, and an additional 577 points within the Tier III and IV areas. We
31 recommend that a more detailed park plan be presented that includes the
32 amenities to meet the point values provided in the park and open space areas.
33
- 34 ○ Residential Bonus Density: Each residential development within this project must
35 comply with the bonus density entitlement requirements found in Tables
36 17.30.110 of the City Code. The Code states that “All Tier III residential
37 developments are required to provide the Tier III clubhouse.” The following items
38 should be considered by the developer, and included as requirements in the master
39 development agreement for the project:
40 ▪ Fund or construct community improvements/amenities
41 ▪ Entryways and monuments
42 ▪ Residential lot landscaping
43 ▪ Recreational amenities
44 ▪ Clubhouse
45 ▪ Swimming pool
46 ▪ Garages / covered parking

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, MAY 13, 2014 AT 6:00 P.M.
Eagle Mountain City Council Chambers; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

1 ▪ Storage units

2
3 Trevor Hull, applicant, explained that the traffic study does include the Evans Ranch
4 development. He felt that Porters Crossing and Pony Express Parkway should already have a
5 traffic signal. The developer felt that moving Area 14 over to the other side and Porters Crossing
6 would create a natural buffer between commercial and residential. He reviewed his ideas and
7 plans for the amenities from the plat map, and stated that the amenities layout is not set in stone.
8 The developer is working with Kern River on the easement through the property. He would like
9 to steer clear of putting in a HOA for the area. This development is not part of the Ranches
10 Master Plan HOA.

11
12 He explained that the trade-off with commercial is a balancing act. He stated that you need the
13 right amount of commercial versus rooftops that will help drive the commercial. He explained
14 that the 3.1 acres would continue all the way, causing commercial to connect to the townhomes
15 that were just approved. He would like to see office space between the areas instead of
16 commercial. He would like to expand the 3 acres to about 8 acres for that area. He has talked to
17 Steve Mumford about possibly having mixed use residential commercial area throughout the
18 project.

19
20 He reviewed how the developer would be stubbing in to the development and showed the
21 Planning Commission where they would require connectivity on the map. He also explained that
22 there are higher lots in the development that are placeholder at this time for potential clients.

23
24 Commissioner Linton asked who would maintain the pocket parks in the development. Mr. Hull
25 explained that it would depend on the area. The townhomes would have an HOA, but the other
26 part of the developments parks would be turned over to the City. He also explained the idea of
27 having a City recreation center in the area instead of clubhouses. Commissioner Dean felt that it
28 would be taking amenities away from the residents in that area.

29
30 Commissioner Dean questioned how wide Pony Express Parkway would need to be in the future.
31 Mr. Mumford explained that it's a five lane road now, but every time the City does a master
32 transportation plan or study it finds that Pony Express would need to be a seven-lane road. The
33 timeline for requiring a seven lane road is not clear at this time. The City classifies Pony Express
34 as a major arterial road which is a five lane road. Mr. Hull explained with the commercial in the
35 area it would be easy to expand Pony Express to a seven lane road.

36
37 Staff and Planning Commissioners reviewed other commercial sites, comparing the size to what
38 would be needed for potential commercial sites for Eagle Mountain. Mr. Hull felt that the City
39 would not need another big box store in this area and that the City should plan a big box store
40 closer to SR 73. Commissioner Dean explained that if Pony Express is planned to be a seven lane
41 road the City would want to plan more commercial for the area.

42
43 Mr. Mumford shared Mountainland Association of Government's projection for the upcoming
44 years. The projection for Pony Express is about 13,000 daily trips for that area and 16,000 daily
45 trips the closer you get to Saratoga Springs (SilverLake). The projection shows 25,000 daily trips
46 for that area in 2025 which is about what SR 73 is at now.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, MAY 13, 2014 AT 6:00 P.M.
Eagle Mountain City Council Chambers; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

1
2 Commissioner Dean was concerned with the density of the project. Mr. Hull explained that the
3 townhomes would have a finished area of 1700 sq. ft., an unfinished basement of 650 sq. ft., and
4 have a two car garage. The density for the development is 11.3 units per acre.
5

6 Commissioner Linton was concerned that the plan had no potential church sites. Mr. Hull
7 explained how hard it was to reserve a future church site. He explained that putting the church
8 site in the master plan hurts the developer's density number. Mr. Mumford explained that most
9 developers let the LDS church know or give the church or school district the first option to buy
10 for the reserved space. He also stated that it would not hurt the developer's density for the master
11 plan.
12

13 *Commissioner Linton opened the public hearing at 8:17 p.m.*
14

15 None
16

17 *Public hearing was continued as per motion.*
18

19 **MOTION:** *Preston Dean moved that the Planning Commission continue the*
20 *public hearing for the Porter's Crossing Town Center Master*
21 *Development Plan Amendment to the May 27, 2014 meeting.*
22 *Wendy Komoroski seconded the motion. Those voting aye:*
23 *Preston Dean, Miriam Allred, Wendy Komoroski, John Linton*
24 *and Matthew Everett. The motion passed with a unanimous vote.*
25

26 5. Next Scheduled Meeting: May 27, 2014
27

28 6. Adjournment
29

30 The meeting was adjourned at 8:18 p.m.
31

32 APPROVED BY THE PLANNING COMMISSION ON May 27, 2014.
33

34 _____
35 Steve Mumford, Planning Director
36
37



EAGLE MOUNTAIN CITY
Planning Commission Staff Report

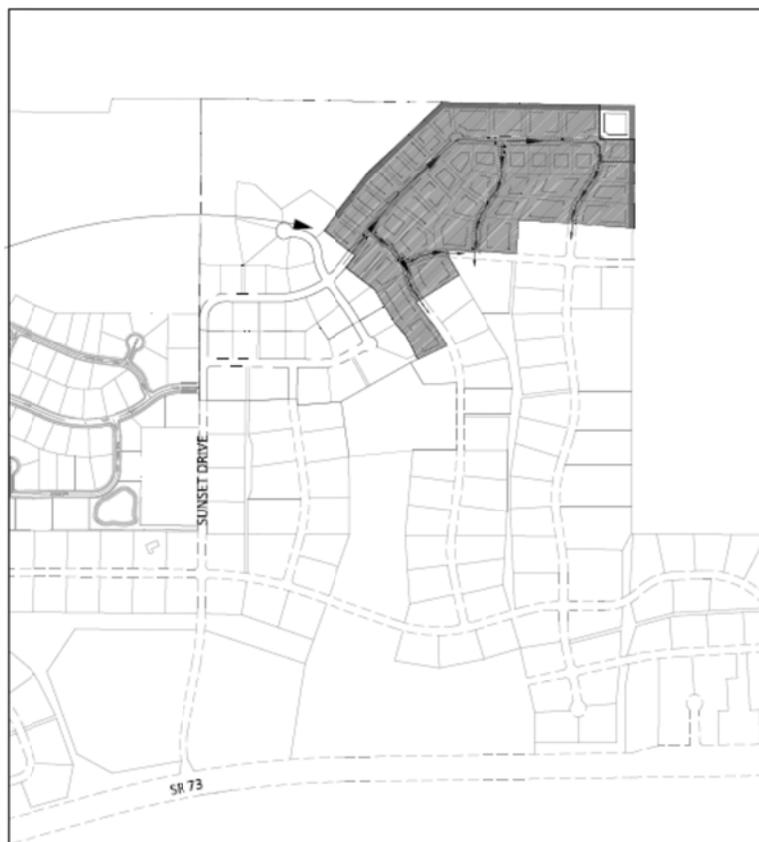
MAY 27, 2014

Project: **Meadow Ranch V Plat 3 Final Plat**
Applicant: Monte Kingston/Ames Construction
Request: Final Plat – Recommendation of Approval to the City Council
Type of Action: Action Item

PROPOSAL

The Meadow Ranch V preliminary plat was approved on July 8, 2008 by the Planning Commission as a 72 lot development over 79.957 acres within the Meadow Ranch Master Development Plan area. Meadow Ranch V is located at the north end of the Meadow Ranch Development bordering Camp Williams to the north, Valley View to the west, and the existing Meadow Ranch development to the south and east. This proposal is to approve the final plat for the third phase of construction.

The project includes 41 single-family lots, with an average lot size of 31,714 sq.ft. All lots are greater than ½ acre in size. The smallest lot is 0.55 acres and the largest is 1.10 acres. This plat is located north and east of Meadow Ranch V Plats 2 & 3.



Lot 313

The proposed final plat abuts an existing lot in the northeast corner. The developer is including this lot in the plat as Lot 313 and is providing an elbow in the street for access to the lot. As this lot is included within the final plat, the lot owner will need to provide proof of water rights; this is in addition to the proof of water rights that the developer is providing. Also, the developer should add a private utility easement for the benefit of existing power and water facilities that serve Lot 313.

Open Space & Parks

The preliminary plat is required to provide 0.976 acres of improved open space (calculated from the acreage of the ½ acre lots x 4%). As an alternative to dedicating additional property for a park, the developer proposed to improve portions of the existing City property to the southeast of this project. A third-party appraisal of the property determined the current value to be \$1.43 per square foot, resulting in a land value of \$60,795. The community improvements requirement (\$2,000/buildable acre) equals \$122,180. If these are to be combined and put into the existing park, a total of \$182,975 would be required.

City Code requires that the park improvements be installed by 50% of the project, or in this case, prior to the 37th building permit of the overall Meadow Ranch V project being issued. The park, then, would need to be installed prior to, or during the initial construction of the 3rd phase of development. The applicant has received comments from the Parks and Recreation Board, as well as from some of the nearby residents. The park includes a parking area, pavilion, tennis/basketball sport court, trails, grass, and trees.

Trails

Trails will be provided along one side of each street within this plat. The trails will match existing trails and continue into neighboring developments.

Roads

The existing roads in Meadow Ranch are a rural cross-section with drainage swales on each side and no improved sidewalks or trails along the roadways, nor streetlights. This plat continues those cross-sections, and the Preliminary Plat was approved with these cross-sections.

Utilities

The utility plans have been reviewed by Public Works and Energy departments, and the applicant will have to comply with all of their requirements and comments pertaining to utilities.

Site Design

The plans have been reviewed by Engineering & Public Works and departments, and the applicant will have to comply with all of their requirements and comments. A 30-foot space is designated on the hillside above the lots as an urban wildland interface zone, where certain restrictions exist for vegetation and construction, according to the Utah Urban Wildland Interface Code.

RECOMMENDATIONS

The following are the current recommended conditions of approval for the Meadow Ranch V Plat 2 Final Plat:

- 1) Add lot dimensions and public utility easements on plat.
- 2) Road E needs a street name.
- 3) Change setback note to remove curb/gutter.
- 4) Provide proof of water rights for plat and lot 313.
- 5) Add a private utility easement for the benefit of existing power and water facilities that serve Lot 313.

Recommended Motion

The recommended motion is provided for the benefit of the Planning Commission and may be read or referenced when making a motion.

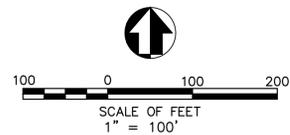
I move that the Planning Commission recommend to the City Council approval of the Meadow Ranch V Plat 3 Final Plat with the recommended conditions.

ATTACHMENTS:

- Proposed Final Plat

MEADOW RANCH V PLAT 3

A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN



SURVEYORS CERTIFICATE

I, Brian Arnold, do hereby certify that I am a Professional Land Surveyor, and that I hold certificate number 187007 as prescribed under the laws of the State of Utah. I further certify by authority of the owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots, streets and open spaces and the same has been correctly depicted on this plat.

Brian D. Arnold PLS #187007

Date

BOUNDARY DESCRIPTION

Beginning at the northeast corner of Section 18, Township 5 South, Range 1 West, Salt Lake Base and Meridian and running thence south 00°13'53" west 749.08 feet along the section line to the northeast corner of Meadow Ranch Plat 4 (recorded October 8, 1999 entry# 109334 map# 8261 Utah county recorders office); thence the following 10 courses along the north boundary (1) north 89°59'33" west 694.81 feet (2) south 04°00'27" west 206.30 feet (3) north 89°59'33" west 422.20 feet (4) south 00°19'26" east 50.14 feet (5) south 30°48'10" east 126.32 feet (6) south 57°26'23" west 309.12 feet (7) southerly 55.20 feet along the arc of a 650.00 foot radius curve to the left, chord bears south 34°59'35" east 55.18 feet, through a central angle of 04°51'56" (8) south 37°25'33" east 146.82 feet (9) southerly 124.57 feet along the arc of a 600.00 foot radius curve to the right, chord bears south 31°28'42" east 124.34 feet, through a central angle of 11°53'43" (10) south 64°28'09" west 194.68 feet to the southeast corner of Meadow Ranch v plat 1 (recorded march 3, 2014 entry# 14119 map# 14167 Utah county recorders office); thence the following 3 courses along the east boundary (1) north 25°31'51" west 158.02 feet (2) north 40°59'32" west 101.94 feet (3) north 31°26'13" west 126.02 feet to the southeast corner of Meadow Ranch v plat 2 (recorded march 3, 2014 entry# 14120 map# 14168 Utah county recorders office); thence the following 7 courses along the east boundary (1) north 30°17'49" west 116.52 feet (2) north 52°18'44" west 220.79 feet (3) northeasterly 2.58 feet along the arc of a 550.00 foot radius curve to the left, chord bears north 37°49'20" east 2.58 feet, through a central angle of 00°16'07" (4) north 37°41'16" east 88.77 feet (5) north 52°18'44" west 250.00 feet (6) north 37°41'16" east 457.75 feet (7) north 46°32'56" east 611.74 feet to the north line of said section 18; thence thence south 89°07'25" east 1169.88 feet along said north line to the Point of Beginning.

Contains 1,542,811 square feet, 35.418 acres.

OWNERS DEDICATION

We, the undersigned owners of all the real property depicted on this plat and described in the surveyor's certificate on this plat, have caused the land described on this plat to be divided into lots, streets, parks, open spaces, easements and other public uses as designated on the plat and now do hereby dedicate under the provisions of 10-9a-607, Utah Code, without condition, restriction or reservation to Eagle Mountain City, Utah, all streets, water, sewer and other utility easements and improvements, open spaces shown as public open spaces, parks and all other places of public use and enjoyment to Eagle Mountain City, Utah together with all improvements required by the Development Agreement between the undersigned and Eagle Mountain City for the benefit of the City and the inhabitants thereof.

OWNER(S):
PRINTED NAME OF OWNER AUTHORIZED SIGNATURE(S)

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH } s.s.
COUNTY OF UTAH

On the _____ day of _____, 2014 personally appeared before me, the persons signing the foregoing Owners Dedication known to me to be authorized to execute the foregoing Owners Dedication for and on behalf of the owners who duly acknowledge to me that the Owners Dedication was executed by them on behalf of the Owners.

MY COMMISSION EXPIRES _____

Notary Public
Residing in _____

OWNERS DEDICATION

We, the undersigned owners of all the real property depicted on this plat and described in the surveyor's certificate on this plat, have caused the land described on this plat to be divided into lots, streets, parks, open spaces, easements and other public uses as designated on the plat and now do hereby dedicate under the provisions of 10-9a-607, Utah Code, without condition, restriction or reservation to Eagle Mountain City, Utah, all streets, water, sewer and other utility easements and improvements, open spaces shown as public open spaces, parks and all other places of public use and enjoyment to Eagle Mountain City, Utah together with all improvements required by the Development Agreement between the undersigned and Eagle Mountain City for the benefit of the City and the inhabitants thereof.

OWNER(S):
PRINTED NAME OF OWNER AUTHORIZED SIGNATURE(S)

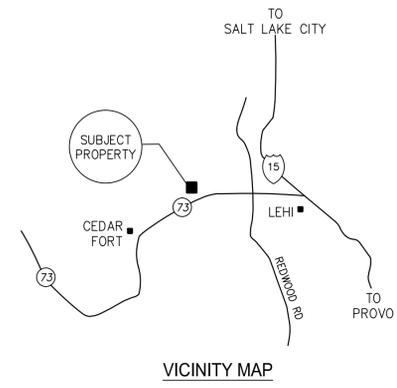
INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH } s.s.
COUNTY OF UTAH

On the _____ day of _____, 2013 personally appeared before me, the persons signing the foregoing Owners Dedication known to me to be authorized to execute the foregoing Owners Dedication for and on behalf of the owners who duly acknowledge to me that the Owners Dedication was executed by them on behalf of the Owners.

MY COMMISSION EXPIRES _____

Notary Public
Residing in _____

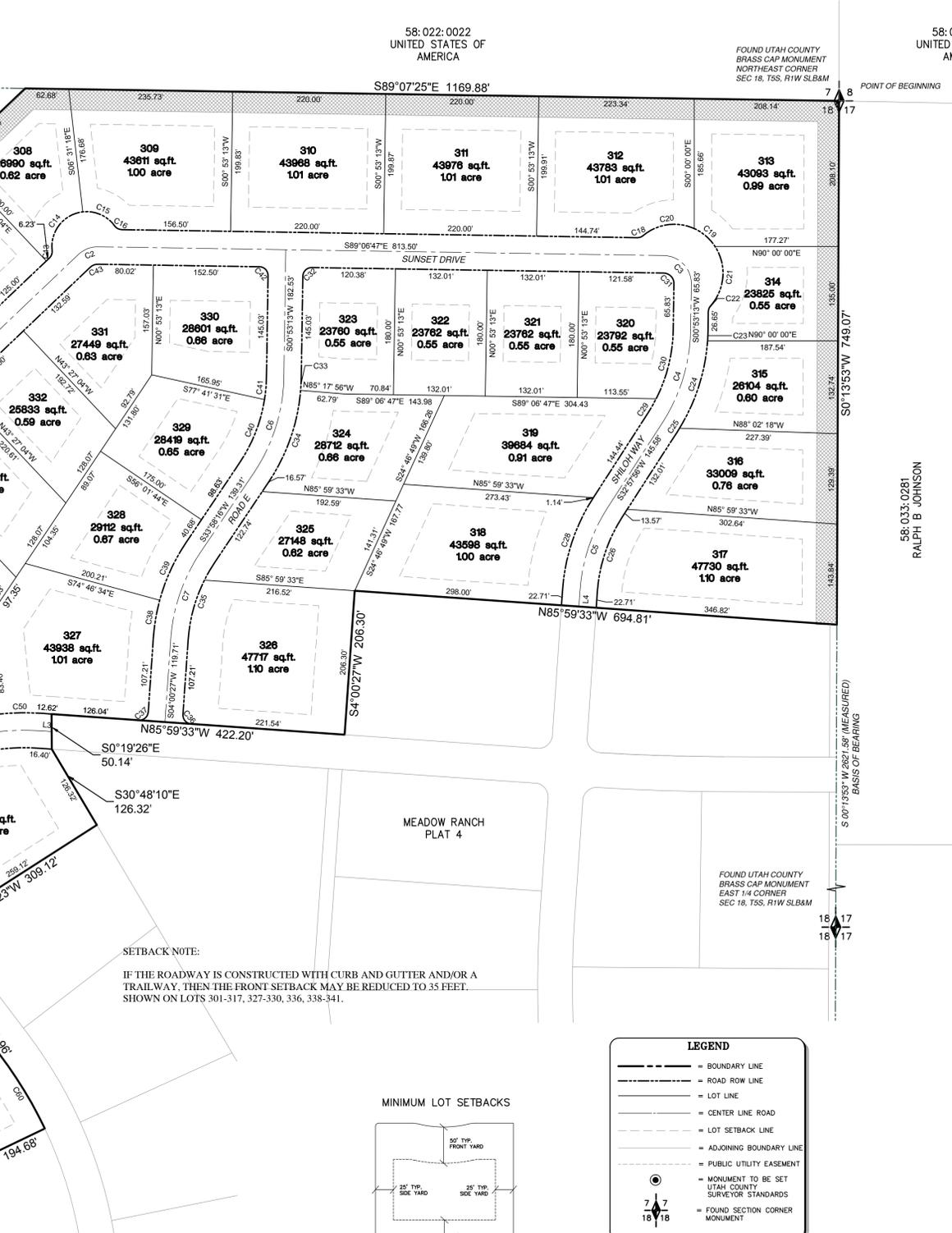


MEADOW RANCH V PLAT 3	
Total Acreage	35.42 Ac.
Total Acreage of Lots	29.85 Ac.
Total Open Space	0.069 Ac.
Total Improved Open Space	0.069 Ac.
Average Lot Size	31,714 Sq Ft./0.728 Ac.
Largest Lot Size	1.10 Ac.
Smallest Lot Size	0.55 Ac.
Overall Density	1.16 Lots Per Acre
Total Number of Lots	41

PSOMAS
4179 S. Riverboat Road, Suite 200
Salt Lake City, Utah 84123
(801) 270-5777 (801) 270-5782 (FAX)

ACCEPTANCE BY LEGISLATIVE BODY
THE EAGLE MOUNTAIN CITY, COUNTY OF UTAH APPROVES THIS SUBDIVISION AND ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES AND FOR THE PERPETUAL USE OF THE PUBLIC.
THIS _____ DAY OF _____ A.D., 2014

MAYOR OF EAGLE MOUNTAIN
APPROVED _____ 2014 ATTEST _____
CLERK-RECORDER



58:022:0022 UNITED STATES OF AMERICA

58:022:0019 UNITED STATES OF AMERICA

58:033:0281 RALPH B JOHNSON

CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING
C1	46.40	300.00	8°51'39"	46.35 S42°07'06"W
C2	30.95	40.00	44°20'17"	S68°43'04"W
C3	62.83	40.00	90°00'00"	N44°06'47"W
C4	139.97	250.00	32°04'43"	N16°55'34"E
C5	126.35	250.00	28°57'29"	S18°29'11"W
C6	144.36	250.00	33°05'03"	N17°25'45"E
C7	130.74	250.00	29°57'49"	S18°59'22"W
C8	215.83	300.00	41°13'16"	N31°42'06"W
C9	93.68	250.00	21°28'09"	S21°49'32"E
C10	178.70	350.00	29°15'10"	S79°22'54"W
C11	50.26	325.00	8°51'39"	S42°07'06"W
C13	11.59	12.50	53°07'48"	N19°59'02"E
C14	78.59	50.00	90°03'34"	S38°28'54"W
C15	52.83	50.00	60°32'20"	S04°16'59"W
C16	11.59	12.50	53°07'48"	S62°32'53"E
C18	8.89	12.50	40°44'57"	N70°30'45"E
C19	40.00	70.00	32°44'26"	N49°29'58"W
C20	78.18	70.00	63°59'33"	S41°08'03"W
C21	91.71	70.00	75°04'00"	N4°24'15"E
C22	8.96	12.50	41°03'03"	S71°24'44"W
C23	15.17	275.00	3°09'39"	N2°28'02"E
C24	132.56	275.00	27°37'04"	N17°51'24"E
C25	6.24	275.00	1°18'00"	N32°18'56"E
C26	113.72	225.00	28°57'29"	S18°29'11"W
C28	138.99	275.00	28°57'29"	S18°29'11"W
C29	23.27	225.00	5°53'34"	N30°00'09"E
C30	102.70	225.00	26°09'09"	N13°57'47"E
C31	23.56	15.00	90°00'00"	N44°06'47"W
C32	19.63	12.50	90°00'00"	S45°53'13"W
C33	18.31	275.00	3°48'51"	N2°47'39"E
C34	140.49	275.00	29°16'12"	S38°34'21"E
C35	88.88	225.00	22°38'01"	S15°19'28"W
C36	19.44	12.50	89°07'32"	S40°33'19"E
C37	19.45	12.50	89°07'48"	S40°33'19"E
C38	53.83	275.00	11°12'59"	S9°36'56"W
C39	89.98	275.00	18°44'51"	N24°35'51"E
C40	97.45	225.00	24°48'53"	N21°33'50"E
C41	32.47	225.00	8°16'11"	S5°01'18"E
C42	19.63	12.50	90°00'00"	N44°06'47"W
C43	11.61	15.00	44°20'17"	S68°43'04"W
C44	42.53	275.00	8°51'39"	S42°07'06"W
C45	19.63	12.50	90°00'00"	S71°18'44"E
C46	6.16	325.00	1°05'10"	N51°46'09"W
C47	109.05	325.00	19°13'30"	S08°54'11"E
C48	21.79	15.00	83°14'37"	S73°37'22"E
C49	125.91	375.00	19°14'15"	S74°22'27"W
C50	65.55	375.00	10°00'55"	S89°00'02"W
C51	165.93	325.00	29°15'10"	S79°22'54"W
C52	21.79	15.00	83°14'37"	S23°08'00"W
C53	41.96	325.00	7°23'51"	N14°47'23"W
C54	84.31	225.00	21°28'09"	S31°49'32"E
C55	100.73	275.00	20°59'15"	S22°04'00"E
C56	2.31	275.00	0°28'55"	S11°19'55"E
C57	197.15	274.03	41°13'16"	S31°37'33"W
C58	0.73	275.00	0°09'06"	S52°14'11"E
C59	55.20	650.00	4°51'56"	S34°59'39"E
C60	124.56	600.00	11°53'42"	N31°28'42"W
C61	19.63	12.50	89°59'49"	N82°41'16"E

LINE TABLE		
Line #	Length	Direction
L1	15.00	N48°32'26"E
L2	15.00	N48°32'26"E
L3	14.01	S80°59'31"E
L4	22.71	S04°00'27"W

CITY ATTORNEY
APPROVED THIS _____ DAY OF _____ A.D., 2014
BY THE _____ CITY ATTORNEY

CITY ENGINEER
APPROVED THIS _____ DAY OF _____ A.D., 2014
BY THE _____ CITY ENGINEER

UTAH COUNTY RECORDER
NO. _____ BOOK _____ PAGE _____ DATE _____
A.D., 2014
STATE OF UTAH, COUNTY OF UTAH, TIME _____ FEE _____
RECORDED AND FILE AT THE REQUEST OF _____
COUNTY RECORDER

SURVEYORS STAMP
NOTARY PUBLIC SEAL
CITY ENGINEERS SEAL
CLERK-RECORDER SEAL



EAGLE MOUNTAIN CITY
Planning Commission Staff Report

MAY 27, 2014

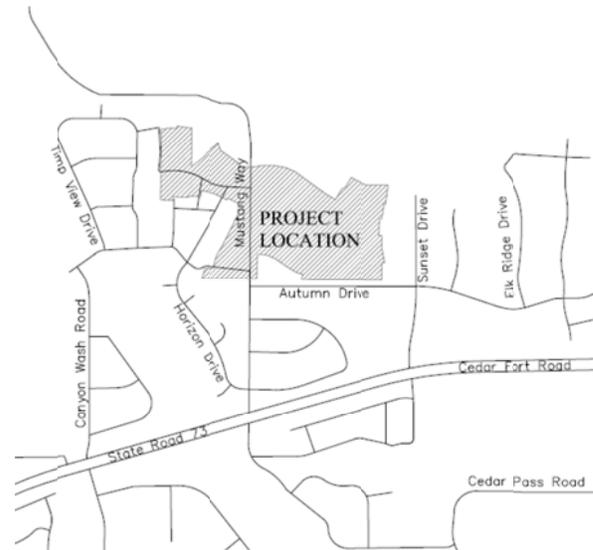
Project: **Valley View Ranch Phase A Plat 7 – Final Plat Amendment**
Applicant: Steve Maddox – Edge Homes
Type of Action: Action Item; Recommendation to the City Council

PROPOSAL

Valley View Ranch Phase A Plat 7 is part of the approved Valley View Master Development Plan. Previously, in March 2006, the Planning Commission approved the Valley View North preliminary plat. Approval of the preliminary plat allowed 177 lots on 132.77 acres with an average lot size of 24,665 sq. ft. Valley View North Final Plats A-1, A-2, A-3, A-4, B and 4-7 have been approved and are within the preliminary plat.

Previously, the developer received City Council approval for Valley View Ranch Phase A Final Plats 4-7 on April 1, 2014. The approved Final Plat 7 is 15 lots on 14.40 acres.

The proposed Amended Final Plat 7 is a 19.38 acre configuration that includes 23 lots. The developer is proposing amending the approved Final Plat 7 to add one lot from the approved Final Plat 6 as well as seven lots from the approved Final Plat 8. The lots in this plat substantially conform to the approved preliminary plat, and the tabulations are shown below:



SITE TABULATION

• TOTAL # OF LOTS:	23 LOTS & 1 PARCEL
• TOTAL ACREAGE:	19.38 ACRES
• TOTAL ACREAGE IN LOTS:	14.39 ACRES
• TOTAL OPEN SPACE:	1.99 ACRES
• TOTAL IMPROVED OPEN SPACE:	0.00 ACRES
• AVERAGE LOT SIZE:	0.63 ACRES OR 27,443 SQFT.
• LARGEST LOT SIZE:	1.02 ACRES
• SMALLEST LOT SIZE:	0.50 ACRES
• OVERALL DENSITY:	1.19 UNITS/ACRE

Noteworthy Items

Utilities —The utility plans have been reviewed by Public Works and Energy departments, and the applicant will have to comply with all of their requirements and comments pertaining to utilities.

- Sewer – All lots in Phases 7 will have sewer.
- Fire -- Fire flow test required prior to receiving building permits.

- Water Rights – The developer must submit a letter indicating either the banked water rights that he plans to use for this plat, or a commitment to purchase water from the City.
- Park Improvement – Park completion is required prior to 150 building permits being issued in all of Valley View. 72 homes have been built or permits issued; approximately 16 vacant improved lots remain. Final plat recordation requires a cash escrow for park improvements in the amount of \$1,219.68 per lot.
- Community Improvements – Improve the equestrian trail on the west side (condition of preliminary plat approval).
- Roads – No parking along Hummer Drive (condition of preliminary plat). The preliminary plat was approved with a gate between Mustang Way and Hummer Drive to limit access for Camp Williams' use. Current military installation security requirements preclude gated access points. As this access point will now remain open across unimproved City property, a solution needs to be identified whether to improve the dirt road.
- Lots – A soils report is required for every lot. Lots that are one-half to three-quarters of an acre shall have a front and rear setback of no less than 50 feet and a side yard setback no less than 25 feet. If a road is constructed with curb and gutter and/or a trailway, then the front setback may be reduced to 35 feet. Lots with a slope greater than 2:1 will require engineered retaining walls.

Procedures and Future Applications

The Planning Commission is the approval authority for Preliminary Plats and the recommending body for Final Plats. A final plat approval is valid for one year, unless it is recorded within that time.

Recommended Motion

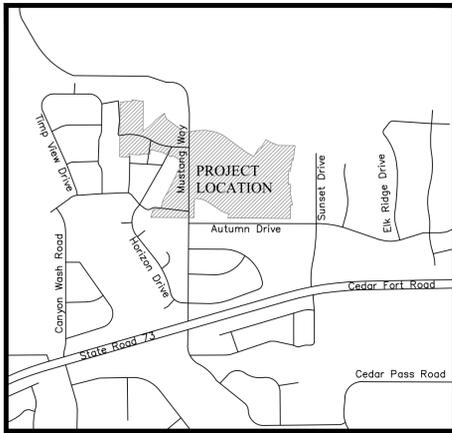
If the Planning Commission chooses to approve the proposed plat, the following is a recommended motion provided for the benefit of the Planning Commission and may be read or referenced when making a motion.

I move that the Planning Commission recommend to the City Council approval of the Valley View Ranch Phase A Plats 7 with the following conditions:

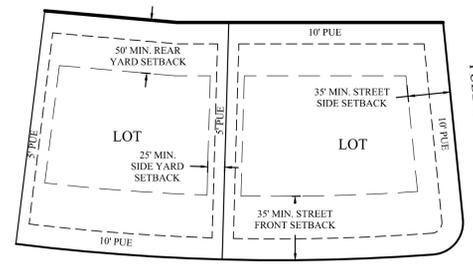
1. *Master Plan Compliance. That this subdivision complies with all conditions of the Valley View Master Plan and Agreement.*
2. *Neighborhood Park. That the entire Neighborhood Park is completed by the developer prior to the issuance of the 150th Valley View building permit. That berms are added to help buffer the park areas from the streets. That the park area shows grass as ground cover. That they will have to improve the equestrian trail with the final plat.*
3. *Military Vehicle Access. That access is maintained for military and emergency vehicles along the current Camp Williams road alignment (Mustang Way). No Parking along Hummer Dr.*
4. *Water pressure and tank. That the developer remains in compliance with section 3.3 of the Master Development Agreement regarding water pressure.*
5. *Cul-de-sacs. That the minimum radius on a cul-de-sac is 60 feet.*
6. *Lots. A soils report is required for every lot. Lots that are one-half to three-quarters of an acre shall have a front and rear setback of no less than 50 feet and a side yard setback no less than 25 feet. If a road is constructed with curb and gutter and/or a trailway, then the front setback may be reduced to 35 feet. Lots with a slope greater than 2:1 will require engineered retaining walls.*

ATTACHMENTS:

- Proposed final plat/plans



VICINITY MAP



TYPICAL BUILDING SETBACKS
N.T.S.

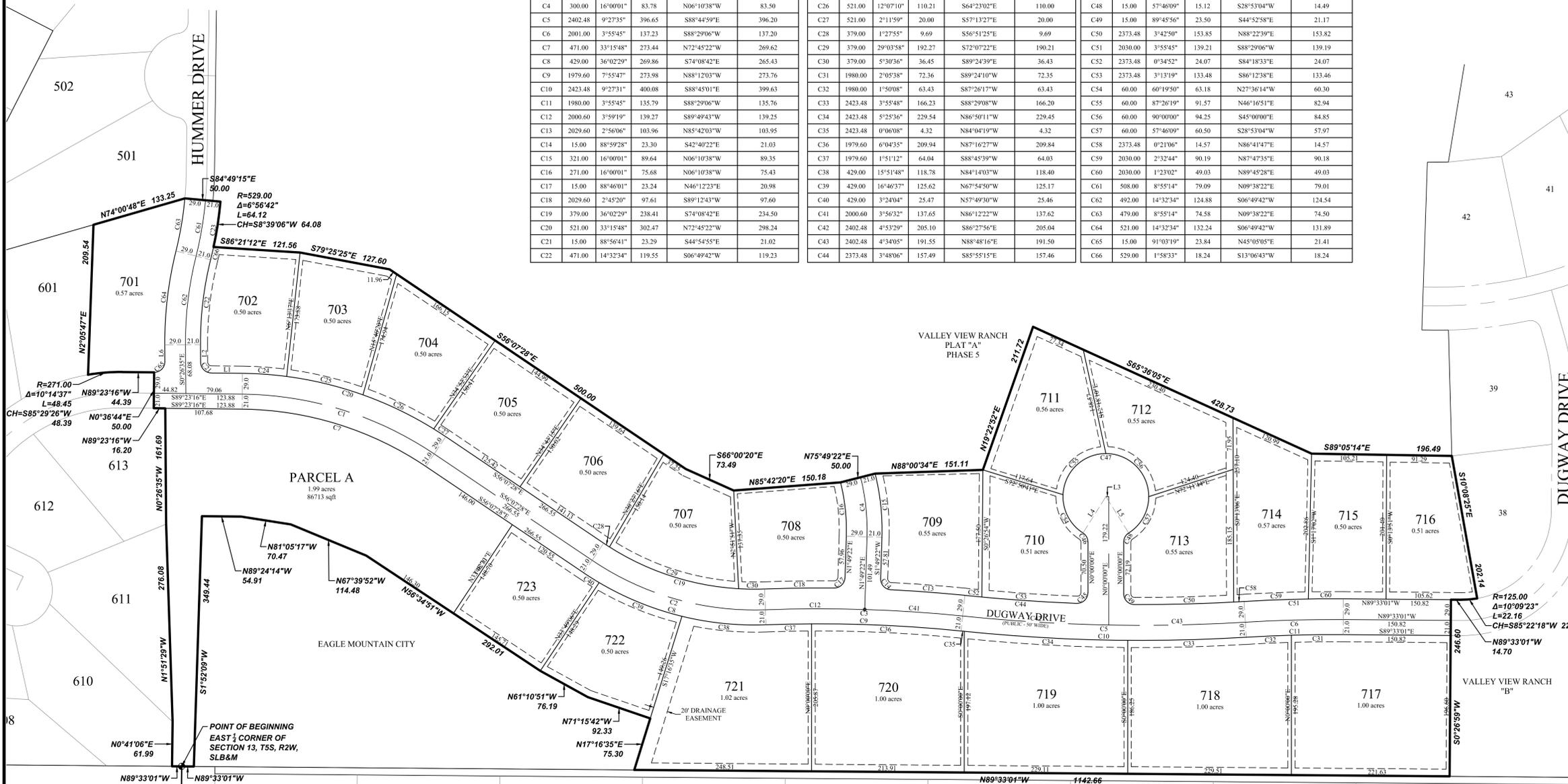
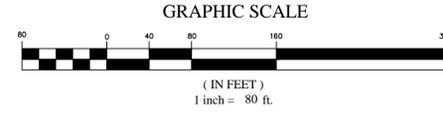
SITE TABULATION

- TOTAL # OF LOTS: 23 LOTS & 1 PARCEL
- TOTAL ACREAGE: 19.38 ACRES
- TOTAL ACREAGE IN LOTS: 14.39 ACRES
- TOTAL OPEN SPACE: 1.99 ACRES
- TOTAL IMPROVED OPEN SPACE: 0.00 ACRES
- AVERAGE LOT SIZE: 0.63 ACRES OR 27,443 SQFT.
- LARGEST LOT SIZE: 1.02 ACRES
- SMALLEST LOT SIZE: 0.50 ACRES
- OVERALL DENSITY: 1.19 UNITS/ACRE

NOTES:

- STREET MONUMENT TO BE SET
- REBAR AND CAP (FOCUS ENG) TO BE SET AT ALL LOT CORNERS. LEAD PLUGS TO BE SET IN THE TOP BACK OF CURB ON THE PROJECTION OF SIDE LOT LINES.
- PARCEL A IS DEDICATED TO AND MAINTAINED BY EAGLE MOUNTAIN CITY AS A PUBLIC UTILITY AND DRAINAGE EASEMENT.
- NO PARKING ALONG HUMMER DRIVE.

LINE	DIRECTION	LENGTH
L1	S89°23'16"E	43.87
L2	S00°26'35"E	24.73
L3	N90°00'00"W	4.00
L4	N32°13'51"E	60.00
L5	S32°13'51"E	60.00
L6	N00°26'35"W	23.26



CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	492.00	33°15'48"	285.63	N72°45'22"W	281.64
C2	408.00	36°02'29"	256.65	S74°08'42"E	252.44
C3	2000.60	7°55'51"	276.92	N88°12'01"W	276.70
C4	300.00	16°00'01"	83.78	N06°10'38"W	83.50
C5	2402.48	9°27'35"	396.65	S88°44'59"E	396.20
C6	2001.00	3°55'45"	137.23	S88°29'06"W	137.20
C7	471.00	33°18'48"	273.44	N72°45'22"W	269.62
C8	429.00	36°02'29"	269.86	S74°08'42"E	265.43
C9	1979.60	7°55'47"	273.98	N88°12'03"W	273.76
C10	2423.48	9°27'31"	400.08	S88°45'01"E	399.63
C11	1980.00	3°55'45"	135.79	S88°29'06"W	135.76
C12	2000.60	3°59'19"	139.27	S89°49'43"W	139.25
C13	2029.60	2°56'06"	103.96	N85°42'03"W	103.95
C14	15.00	88°59'28"	23.30	S42°40'22"E	21.03
C15	321.00	16°00'01"	89.64	N06°10'38"W	89.35
C16	271.00	16°00'01"	75.68	N06°10'38"W	75.43
C17	15.00	88°46'01"	23.24	N46°12'23"E	20.98
C18	2029.60	2°45'20"	97.61	S89°12'43"W	97.60
C19	379.00	36°02'29"	238.41	S74°08'42"E	234.50
C20	521.00	33°15'48"	302.47	N72°45'22"W	298.24
C21	15.00	88°56'41"	23.29	S44°54'55"E	21.02
C22	471.00	14°32'34"	119.55	S06°49'42"W	119.23

CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C23	529.00	8°55'14"	82.36	N09°38'22"E	82.28
C24	521.00	6°49'28"	62.06	S85°58'32"E	62.02
C25	521.00	12°07'10"	110.21	S76°30'13"E	110.00
C26	521.00	12°07'10"	110.21	S64°23'02"E	110.00
C27	521.00	2°11'59"	20.00	S57°13'27"E	20.00
C28	379.00	1°27'55"	9.69	S56°51'25"E	9.69
C29	379.00	29°03'58"	192.27	S72°07'22"E	190.21
C30	379.00	5°30'36"	36.45	S89°24'39"E	36.43
C31	1980.00	2°05'38"	72.36	S89°24'10"W	72.35
C32	1980.00	1°50'08"	63.43	S87°26'17"W	63.43
C33	2423.48	3°55'48"	166.23	S88°29'08"W	166.20
C34	2423.48	5°25'36"	229.54	N86°50'11"W	229.45
C35	2423.48	0°06'08"	4.32	N84°04'19"W	4.32
C36	1979.60	6°04'35"	209.94	N87°16'27"W	209.84
C37	1979.60	1°51'12"	64.04	N88°45'39"W	64.03
C38	429.00	15°51'48"	118.78	N84°14'03"W	118.40
C39	429.00	16°46'37"	125.62	N67°54'50"W	125.17
C40	429.00	3°24'04"	25.47	N57°49'30"W	25.46
C41	2000.60	3°56'32"	137.65	N86°12'22"W	137.62
C42	2402.48	4°53'29"	205.10	S86°27'56"E	205.04
C43	2402.48	4°34'05"	191.55	N88°48'16"E	191.50
C44	2373.48	3°48'06"	157.49	S85°55'15"E	157.46

CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C45	15.00	92°10'42"	24.13	N46°05'21"E	21.61
C46	15.00	57°46'09"	15.12	N28°53'04"W	14.49
C47	60.00	295°32'17"	309.49	N90°00'00"W	64.00
C48	15.00	57°46'09"	15.12	S28°53'04"W	14.49
C49	15.00	89°45'56"	23.50	S44°52'58"E	21.17
C50	2373.48	3°42'50"	153.85	N88°22'39"E	153.82
C51	2030.00	3°55'45"	139.21	S88°29'06"W	139.19
C52	2373.48	0°34'52"	24.07	S84°18'33"E	24.07
C53	2373.48	3°13'19"	133.48	S86°12'38"E	133.46
C54	60.00	60°19'50"	63.18	N27°36'14"W	60.30
C55	60.00	87°26'19"	91.57	N46°16'51"E	82.94
C56	60.00	90°00'00"	94.25	S45°00'00"E	84.85
C57	60.00	57°46'09"	60.50	S28°53'04"W	57.97
C58	2373.48	0°21'06"	14.57	N86°41'47"E	14.57
C59	2030.00	2°32'44"	90.19	N87°47'35"E	90.18
C60	2030.00	1°23'02"	49.03	N89°45'28"E	49.03
C61	508.00	8°55'14"	79.09	N09°38'22"E	79.01
C62	492.00	14°32'34"	124.88	S06°49'42"W	124.54
C63	479.00	8°55'14"	74.58	N09°38'22"E	74.50
C64	521.00	14°32'34"	132.24	S06°49'42"W	131.89
C65	15.00	91°03'19"	23.84	N45°05'05"E	21.41
C66	529.00	1°58'33"	18.24	S13°06'43"W	18.24

SURVEYOR'S CERTIFICATE
I, DENNIS P. CARLISLE, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 172675 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF UTAH STATE CODE. I FURTHER CERTIFY BY AUTHORITY OF THE OWNER(S), THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAN IN ACCORDANCE WITH SECTION 17-23-17 OF SAID CODE, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS, AND THE SAME HAS, OR WILL BE, CORRECTLY SURVEYED, STAKED, AND THE MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAN, AND THAT THIS PLAN IS TRUE AND CORRECT.

BOUNDARY DESCRIPTION
A portion of Section 13, Township 5 South, Range 2 West, and Section 18, Township 5 South, Range 1 West, Salt Lake Base & Meridian, more particularly described as follows:
Beginning at the East 1/4 Corner of Section 13, T5S, R2W, S.L.B. & M. (Basis of Bearing: S0°41'06"W along the Section line from the East 1/4 Corner to the Southeast Corner of said Section 13); thence N89°33'01"W 13.50 feet; thence S0°41'06"E 61.99 feet; thence N1°51'29"W 276.08 feet; thence N0°26'35"W 161.69 feet; thence N89°23'16"W 16.20 feet; thence N0°36'44"E 50.00 feet; thence N89°23'16"W 44.39 feet; thence along the arc of a 271.00 foot radius curve to the left 48.45 feet through a central angle of 10°14'37" (chord: S85°29'26"W 48.39 feet; thence N2°05'47"E 209.54 feet; thence N74°00'48"E 133.25 feet; thence S84°49'15"E 50.00 feet; thence Southwesterly along the arc of a 529.00 foot radius non-tangent curve (radius bears: N84°49'15"W) 64.12 feet through a central angle of 6°56'42" (chord: S85°39'06"W 64.08 feet); thence S86°21'12"E 121.56 feet; thence S79°25'25"E 127.60 feet; thence S56°07'28"E 500.00 feet; thence S66°00'20"E 73.49 feet; thence N85°42'20"E 150.18 feet; thence N75°49'22"E 50.00 feet; thence N88°00'34"E 151.11 feet; thence N10°22'32"E 211.72 feet; thence S65°36'05"E 428.72 feet; thence S89°01'47"E 196.50 feet to the westerly line of VALLEY VIEW RANCH Subdivision, "Plan B", as constructed, according to the Official Plat thereof, on file in the Office of the Utah County Recorder; thence along said Plat the following 3 (three) courses and distances: S10°08'25"E 202.14 feet; thence Southwesterly along the arc of a 125.00 foot radius non-tangent curve (radius bears: N9°42'24"W) 22.16 feet through a central angle of 10°09'23" (chord: S85°22'18"W 22.13 feet); thence N89°33'01"W 14.70 feet; thence S0°26'59"W along said Plat and extension thereof 246.60 feet to the north line of MEADOW RANCH Plat 3, as constructed, according to the Official Plat thereof on file in the Office of the Utah County Recorder; thence N89°33'01"W along said Plat 1,142.66 feet to the southeast corner of that Real Property described in Deed Entry 907852006 of the Official Records of Utah County; thence N17°16'35"E 75.29 feet; thence N71°15'42"W 92.33 feet; thence N61°10'51"W 76.19 feet; thence N56°34'51"W 292.01 feet; thence N67°39'52"W 114.48 feet; thence N81°05'17"W 70.47 feet; thence N89°24'14"W 54.91 feet; thence S1°52'09"W 349.44 feet; thence N89°33'01"W 16.99 feet to the point of beginning.

OWNERS DEDICATION
WE, THE UNDERSIGNED OWNERS OF ALL OF THE REAL PROPERTY DEPICTED ON THIS PLAN AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE ON THIS PLAN, HAVE CAUSED THAT THE LAND DESCRIBED ON THIS PLAN TO BE DIVIDED INTO LOTS, STREETS, PARKS, OPEN SPACES, EASEMENTS AND OTHER PUBLIC USES AS DESIGNATED ON THE PLAN AND NOW DO HEREBY DEDICATE UNDER THE PROVISIONS OF 10-9a-607, UTAH CODE, WITHOUT CONDITION, RESTRICTION OR RESERVATION TO EAGLE MOUNTAIN CITY, UTAH, ALL STREETS, WATER, SEWER AND OTHER UTILITY EASEMENTS AND IMPROVEMENTS, OPEN SPACES SHOWN AS PUBLIC OPEN SPACES, PARKS AND ALL OTHER PLACES OF PUBLIC USE AND ENJOYMENT TO EAGLE MOUNTAIN CITY, UTAH TOGETHER WITH ALL IMPROVEMENTS REQUIRED BY THE DEVELOPMENT AGREEMENT BETWEEN THE UNDERSIGNED AND EAGLE MOUNTAIN CITY FOR THE BENEFIT OF THE CITY AND THE INHABITANTS THEREOF.
IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, A.D. 20____.

ACKNOWLEDGMENT
STATE OF UTAH
S.S.
COUNTY OF UTAH
ON THE _____ DAY OF _____, A.D. 20____ PERSONALLY APPEARED BEFORE ME, THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.
MY COMMISSION EXPIRES _____ A NOTARY PUBLIC COMMISSIONED IN UTAH
NOTARY ADDRESS _____ PRINTED FULL NAME OF NOTARY _____

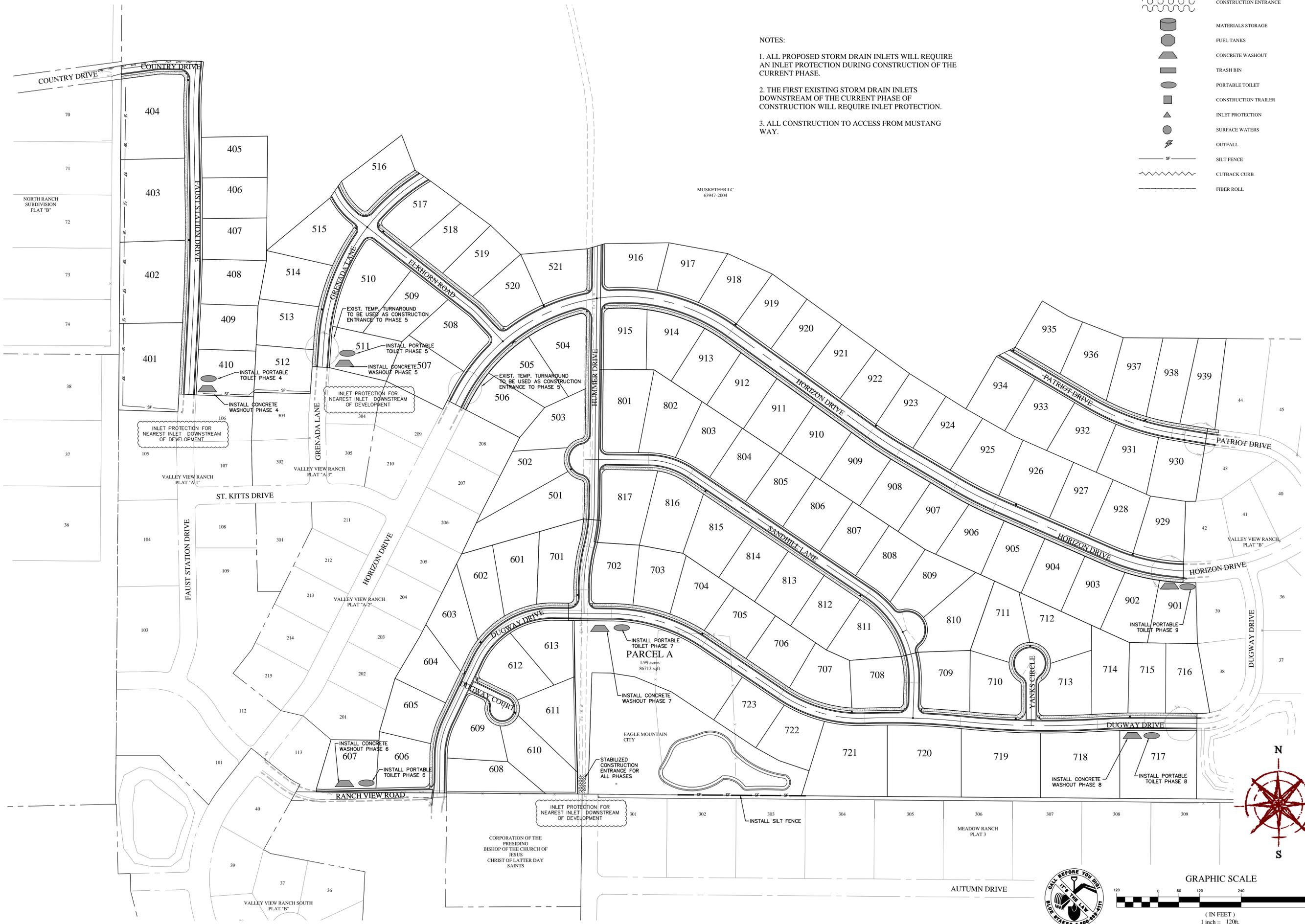
ACCEPTANCE BY LEGISLATIVE BODY
THE _____ OF EAGLE MOUNTAIN CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL ROADS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS _____ DAY OF _____, A.D. 20____.
APPROVED: _____ ATTEST: _____
MAYOR (SEE SEAL BELOW) _____ CLERK/RECORDER (SEE SEAL BELOW) _____

CITY ENGINEER APPROVAL
I CERTIFY THAT THE PLAN AND IMPROVEMENT PLANS MEET THE MINIMUM CITY STANDARDS FOR SUBDIVISION WITHIN THE BOUNDARY OF THE CITY OF EAGLE MOUNTAIN APPROVED THIS _____ DAY OF _____, A.D. 20____.
CITY ENGINEER _____
CITY ATTORNEY APPROVAL
APPROVED THIS _____ DAY OF _____, A.D. 20____, BY THE CITY ATTORNEY OF EAGLE MOUNTAIN CITY
CITY ATTORNEY _____

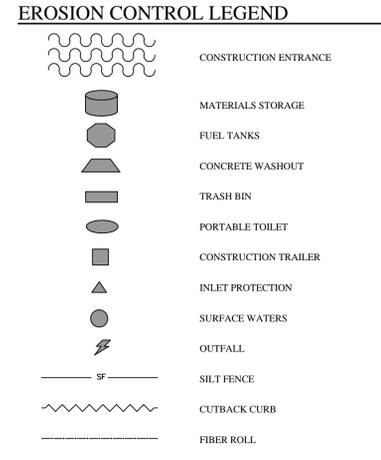
PLAT "A" PHASE 7
VALLEY VIEW RANCH
SUBDIVISION
EAGLE MOUNTAIN, UTAH COUNTY, UTAH

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY-COUNTY ENGINEER SEAL	COUNTY RECORDER SEAL

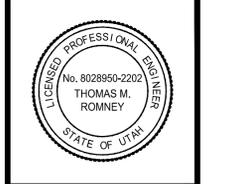
CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
SOUTHEAST CORNER OF SECTION 13, T5S, R2W, SLB&M 2009 UTAH COUNTY MONUMENT
SOUTH 1/2 CORNER OF SECTION 13, T5S, R2W, SLB&M 2005 UTAH COUNTY MONUMENT
BASIS OF BEARING: S0°41'06"W
S89°19'12"E 2,673.41



- NOTES:**
1. ALL PROPOSED STORM DRAIN INLETS WILL REQUIRE AN INLET PROTECTION DURING CONSTRUCTION OF THE CURRENT PHASE.
 2. THE FIRST EXISTING STORM DRAIN INLETS DOWNSTREAM OF THE CURRENT PHASE OF CONSTRUCTION WILL REQUIRE INLET PROTECTION.
 3. ALL CONSTRUCTION TO ACCESS FROM MUSTANG WAY.



FOCUS
 ENGINEERING AND SURVEYING, LLC
 502 WEST 8360 SOUTH
 SANDY, UTAH 84070 PH: (801) 352-0075
 www.focusutah.com



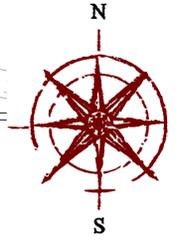
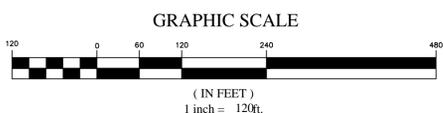
VALLEY VIEW RANCH
 EAGLE MOUNTAIN
 SWPP Plan

#	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		

SWPP PLAN

Scale: 1"=120'
 Date: 05/05/2014
 Sheet: C11

Drawn: TMR
 Job #: 13-209



MUSKETEER LC
 63947-2004

PARCEL A
 1.99 acres
 86713 sqft

EAGLE MOUNTAIN CITY

CORPORATION OF THE
 PRESIDING
 BISHOP OF THE CHURCH OF
 JESUS
 CHRIST OF LATTER DAY
 SAINTS

AUTUMN DRIVE

MEADOW RANCH
 PLAT 3

VALLEY VIEW RANCH SOUTH
 PLAT "B"

ST. KITTS DRIVE

VALLEY VIEW RANCH
 PLAT "A-1"

VALLEY VIEW RANCH
 PLAT "A-3"

VALLEY VIEW RANCH
 PLAT "A-2"

DUGWAY DRIVE

HORIZON DRIVE

HORIZON DRIVE

HORIZON DRIVE

SANDHILL LANE

HORIZON DRIVE

HUNNIBER DRIVE

GRENADA LANE

ELEPHANT ROAD

COUNTRY DRIVE

COUNTRY DRIVE

COUNTRY DRIVE

NORTH RANCH
 SUBDIVISION
 PLAT "B"

INLET PROTECTION FOR
 NEAREST INLET DOWNSTREAM
 OF DEVELOPMENT

INLET PROTECTION FOR
 NEAREST INLET DOWNSTREAM
 OF DEVELOPMENT

INLET PROTECTION FOR
 NEAREST INLET DOWNSTREAM
 OF DEVELOPMENT

INSTALL CONCRETE
 WASHOUT PHASE 7

INSTALL PORTABLE
 TOILET PHASE 7

INSTALL CONCRETE
 WASHOUT PHASE 6

INSTALL PORTABLE
 TOILET PHASE 6

INSTALL CONCRETE
 WASHOUT PHASE 4

INSTALL PORTABLE
 TOILET PHASE 4

INSTALL CONCRETE
 WASHOUT PHASE 5

INSTALL PORTABLE
 TOILET PHASE 5

EXIST. TEMP. TURNAROUND
 TO BE USED AS CONSTRUCTION
 ENTRANCE TO PHASE 5

EXIST. TEMP. TURNAROUND
 TO BE USED AS CONSTRUCTION
 ENTRANCE TO PHASE 5

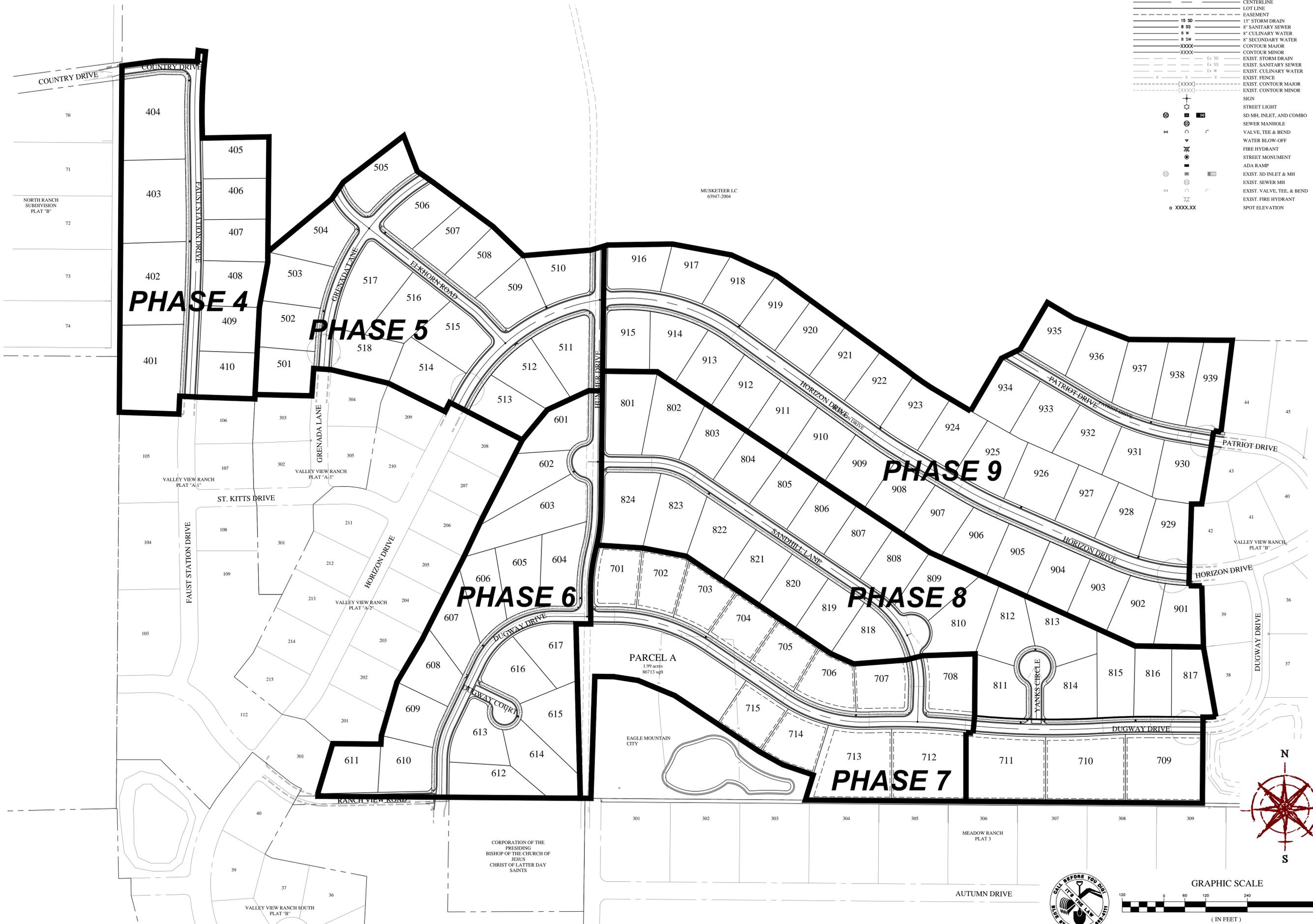
INSTALL CONCRETE
 WASHOUT PHASE 8

INSTALL PORTABLE
 TOILET PHASE 8

INSTALL PORTABLE
 TOILET PHASE 9

STABILIZED
 CONSTRUCTION
 ENTRANCE FOR
 ALL PHASES

INSTALL SILT FENCE



LEGEND

---	BOUNDARY
---	ROW
---	CENTERLINE
---	LOT LINE
---	EASEMENT
15 SD	15" STORM DRAIN
8 SS	8" SANITARY SEWER
8 W	8" CULINARY WATER
8 SW	8" SECONDARY WATER
XXXX	CONTOUR MAJOR
XXXX	CONTOUR MINOR
---	EXIST. STORM DRAIN
---	EXIST. SANITARY SEWER
---	EXIST. CULINARY WATER
---	EXIST. FENCE
---	EXIST. CONTOUR MAJOR
---	EXIST. CONTOUR MINOR
+	SIGN
+	STREET LIGHT
+	SD MH, INLET, AND COMBO
+	SEWER MANHOLE
+	VALVE, TEE & BEND
+	WATER BLOW-OFF
+	FIRE HYDRANT
+	STREET MONUMENT
+	ADA RAMP
+	EXIST. SD INLET & MH
+	EXIST. SEWER MH
+	EXIST. VALVE, TEE, & BEND
+	EXIST. FIRE HYDRANT
+	SPOT ELEVATION

FOCUS
 ENGINEERING AND SURVEYING, LLC
 502 WEST 8360 SOUTH
 SANDY, UTAH 84070 PH: (801) 352-0075
 www.focusutah.com



VALLEY VIEW RANCH
 EAGLE MOUNTAIN
 Phasing Plan

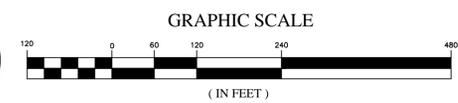
REVISION BLOCK

#	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		

PHASING PLAN

Scale: 1"=120'
 Date: 03/20/2014
 Sheet: C8

Drawn: TMR
 Job #: 13-209



21_2013\13-209 Eagle Mountain Valley View Ranch-Eagle Mountain Phasing Plan.dwg



EAGLE MOUNTAIN CITY
 Planning Commission Staff Report

MAY 27, 2014

Project: **Eagle Mountain Business Park – Preliminary Plat**
Applicant: Autumn Valley Land LC (Agent – Ken Berg or Scot Hazard)
Type of Action: Action Item

PREFACE

The proposed 28.6-acre preliminary plat includes 14 total lots or parcels. Lot 103 is planned as a storage unit lot, lots 401 and 402 are planned as future multi-family, and the remaining lots are intended for retail, office, and office-warehouse.

The purpose of the preliminary plat application is to review the specific layout of the lots, ensure proper coordination of public and private street systems and circulation, review demand and availability of public utilities, review park and recreation sites, and review project densities.

Adjacent Properties:

- East: Vacant property and Staker Parsons mining operation
- North: Gravel pit operation; future industrial or business park
- West: Vacant commercial & industrial property
- South: SR73

PROPOSAL

The preliminary plat is proposed as follows:

Noteworthy Items/Concerns

Zoning

This property was rezoned in May, 2013, to Commercial and Commercial Storage. The proposed uses comply with these zones.

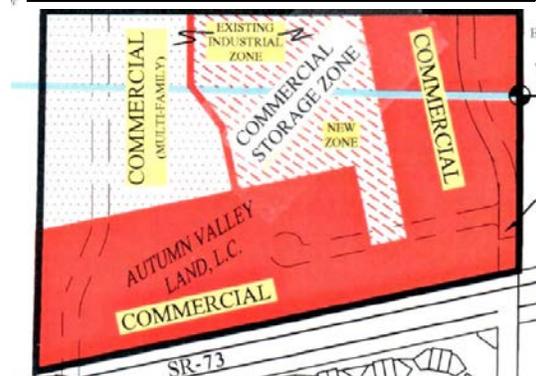
Lot Layout

The lots have been situated to hide the storage units as much as possible, take advantage of the SR73 frontage, and deal with the natural grade of the property.

Roads

A second access will be required into this subdivision, and no final plat will be approved without the Fire Marshal's approval. According to the Fire Marshal, buildings that exceed 62,000 square feet would require a second access road into the business park, as well as buildings that are 30 feet high or 3 or more stories. According to City Code Section 16.35.070, the multi-family development will require an additional access if more than 30 residential units are proposed.

<u>TABULATIONS</u>	
TOTAL ACREAGE	28.605 AC
TOTAL ACREAGE IN LOTS	24.783 AC
TOTAL ACREAGE IN STREETS	3.822 AC
AVERAGE LOT SIZE	1.76 AC
LARGEST LOT SIZE	6.12 AC
SMALLEST LOT SIZE	1.00 AC
TOTAL # OF LOTS	14



Section 16.35.0701. One-Access Roads. The number of dwelling units on a single fire apparatus access road shall not exceed 30. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with separate and approved fire apparatus access roads.

Mt. Airey Drive is shown as a 77-foot minor collector road, which complies with the Future Land Use and Transportation Corridors map.

SR73

This property is located at the entrance to the City along SR73. As you know, SR73 (now known as the Cory B. Wride Memorial Highway) is a state highway owned and maintained by UDOT, and the UDOT Region 3 Director has stated their intent to continue widening that road, as needed, until it cannot be widened any more. In other words, SR73 is the priority road into and out of the city. Traffic data and projections will be presented at the meeting.

Staff has met with UDOT and Mountainland Association of Governments (MAG) to discuss future right-of-way needs for a higher capacity road in this area, and UDOT plans to eventually construct a 2100-North Lehi-style freeway/expressway with frontage roads in this location. In order to achieve this, they need approximately an additional 228-282 feet. Because there are existing buildings and the golf course at the edge of the right-of-way on the south side of the highway, a majority (if not all) of the right-of-way must be obtained on the north.

In the proposed preliminary plat, the distance from the edge of the SR73 highway and the northern property line of Business Park Blvd is approximately 240 feet. This means that lots 101, 201, 202, 203, and 204 would be within the future freeway right-of-way, with Business Park Boulevard being the approximate location of the westbound 2-lane frontage road.

The City has received approval from Mountainland Association of Governments to obtain funds from the Local Option Corridor Preservation Funds (from Utah County) to purchase some of the property necessary for future right-of-way in this area. The purchase of raw ground, prior to development, saves taxpayers substantial amounts of money, and reduces the need for UDOT to use eminent domain to obtain property or buildings in the future. An appraisal has already been completed for this property, and we have been assured by UDOT that the price per square foot will not increase with the approval of a preliminary plat.

Although UDOT does not currently own the property, they are in ongoing negotiations with the property owners concerning the future design of the roadway and the purchase of obtaining of the property for right-of-way. The Commission must consider the implications of approving a plat that contains five lots within a future right-of-way. One option would be to approve a plat that combines those five lots into one, or else contains some restriction on the timing of final plat approvals for those lots, in order to complete negotiations. If the plat is approved, it is likely that the applicant will return in the future to amend this preliminary plat based upon the outcome of the negotiations.

Utilities & Drainage

The City Engineer has some concerns with the sewer line that is shown in the existing SR73 right-of-way. The developer must provide an agreement with UDOT for utilities that are located within the UDOT right-of-way or install the utilities outside of the right-of-way with approval by the City Engineer. All off-site sewer infrastructure must be installed prior to construction of any phase.

There are some natural drainage paths on the property that will have to be properly handled with the storm drainage system, especially on lots 103 and 207. Developer must work closely with the City Engineer during the final plat and site plan stages to appropriately handle the drainage.

Several lots contain fairly steep slopes, including lots 202, 203, 204, and 207. Building pads (on less than 25% slope) must be shown on these lots on the final plat.

Conceptual Master Site Plan

The applicant was requested to show buildings and parking on the plan to provide the Commission with an idea of the feasibility of the lots for different types of retail/office/warehouse buildings, and the

relationship of these improvements to the future SR73 right-of-way. These will be evaluated more thoroughly in the future, following any necessary redesign as a result of the property purchase negotiations. The conceptual site plan is not part of this approval, and simply provides enough information to make a more educated decision concerning the lot sizes and locations. For instance, the City's commercial design standards recommend that no parking should be in front of commercial buildings. The specific site plans, however, will be presented with the development of each lot.

Parks

The multi-family area will require 0.92 acres (5.12 acres x 18%) of improved park space. The landscaping plans for this park space will be required with the future preliminary plat and site plan applications.

RECOMMENDATION SECTION

The Planning Commission can approve the proposed plat, approve it with conditions, deny, or table based upon clear findings of facts.

Conditions of Approval

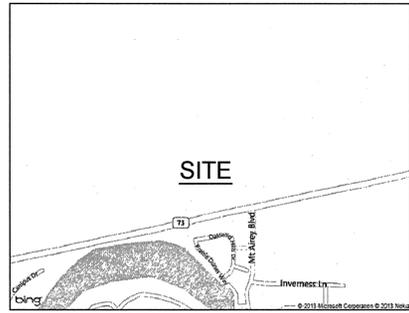
If the Planning Commission chooses to approve this project, the following conditions of approval are recommended:

1. A second access shall be provided into the project when required by the Fire Marshal or the City Code (30 or more residential units).
2. The developer must provide an agreement with UDOT for utilities that are located within the UDOT right-of-way or install the utilities outside of the right-of-way with approval by the City Engineer.
3. Since ongoing negotiations for right-of-way expansion and acquisition may have a substantial impact on Lots 101, 201, 202, 203, 204, and on the future of the city's transportation network, no building permits may be issued on those lots until _____ (date or occurrence).

ATTACHMENTS:

- Proposed preliminary plans
- Conceptual master site plan

EAGLE MOUNTAIN BUSINESS PARK



VICINITY SKETCH
SCALE 1" = 5000'

BOUNDARY DESCRIPTION

A PARCEL OF LAND BEING IN THE NE AND SE QUARTER OF SECTION 17, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS THE EAST QUARTER CORNER OF SAID SECTION 17. RUNNING;

THENCE S 00°16'01" W 509.03 FEET ALONG THE SECTION LINE;;
THENCE S 78°14'08" W 1368.90 FEET;
THENCE N 00°16'27" E 293.43 FEET TO A POINT ALONG A NON-TANGENT CURVE.

THENCE ALONG THE ARC OF 525.50 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 70.50 FEET (CURVE HAVING A CENTRAL ANGLE OF 7°41'13" AND A CHORD S75°46'50" W 70.45 FEET);

THENCE N 01°06'37" E 538.90 FEET;
THENCE N 00°16'27" E 220.71 FEET;
THENCE EAST 1397.92 FEET;
THENCE S 00°13'47" W 247.62 ALONG THE SECTION LINE TO THE POINT OF BEGINNING.

CONTAINS: 28.605 ACRES

TABULATIONS

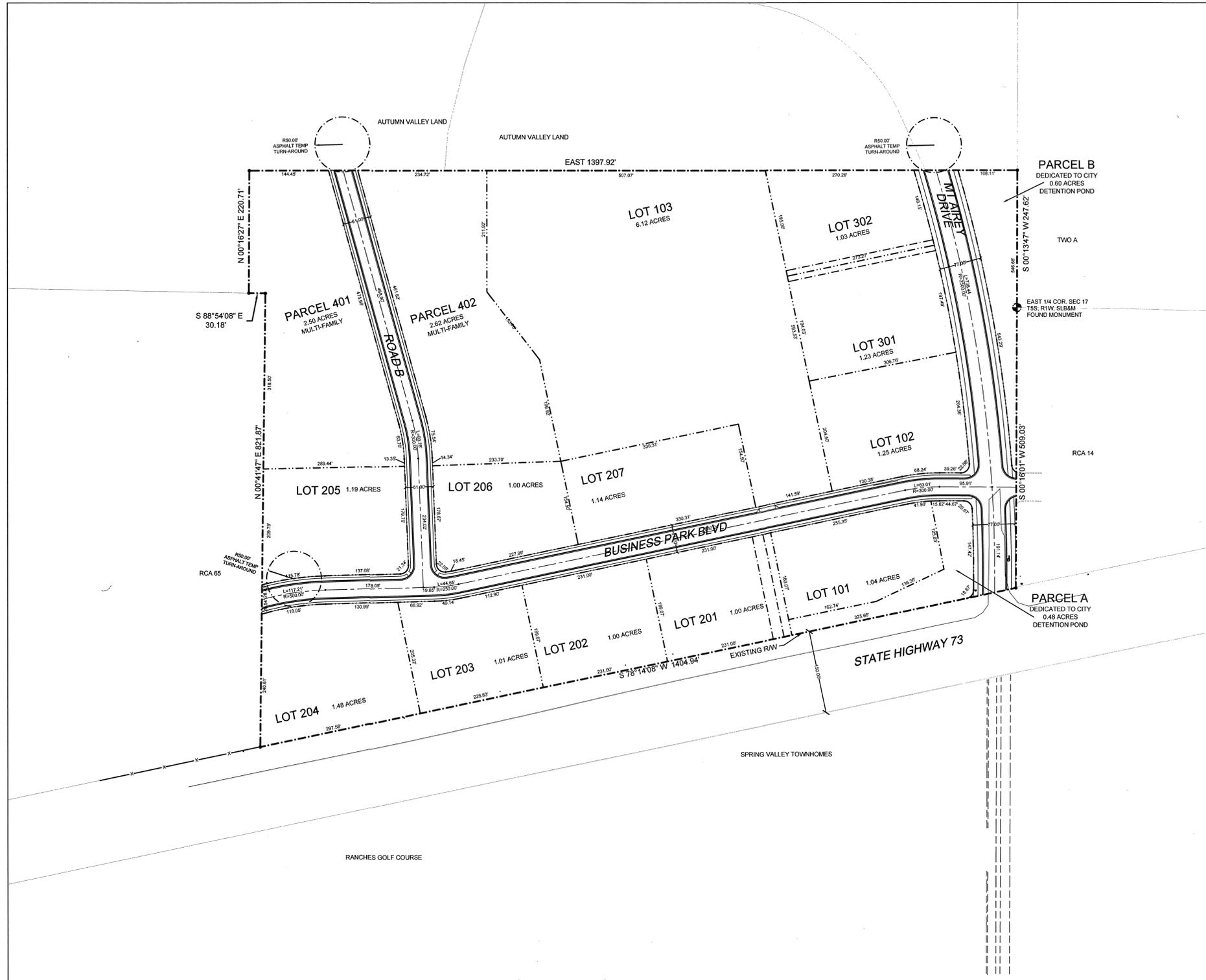
TOTAL ACREAGE	28.605 AC
TOTAL ACREAGE IN LOTS	24.783 AC
TOTAL ACREAGE IN STREETS	3.822 AC
AVERAGE LOT SIZE	1.76 AC
LARGEST LOT SIZE	6.12 AC
SMALLEST LOT SIZE	1.00 AC
TOTAL # OF LOTS	14

SHEET INDEX

C1	PRELIMINARY PLAT
C2	UTILITY PLAN
C3	GRADING & DRAINAGE PLAN
C4	PHASING PLAN
C5	SIGNAGE

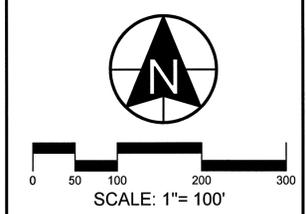
PRELIMINARY NOTES:

1. THE FOLLOWING DEVELOPMENT STANDARDS SHALL APPLY TO THE COMMERCIAL ZONE: LANDSCAPING. ALL LANDSCAPING SHALL BE COMPLETED IN ACCORDANCE WITH THE APPROVED SITE PLAN AND ALL CITY ORDINANCES, AND SHALL BE INSTALLED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE BUILDING. THE CITY BUILDING OFFICIAL MAY APPROVE EXCEPTIONS AS SEASONAL CONDITIONS WARRANT. IT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER TO MAINTAIN ALL APPROVED LANDSCAPING IN ACCORDANCE WITH THE APPROVED SITE PLAN AND IN COMPLIANCE WITH THE CITY'S PARKING AND LANDSCAPING REQUIREMENTS.



DEVELOPMENT
EAGLE MOUNTAIN BUSINESS PARK

DEVELOPER
AUTUMN VALLEY LAND, LC
11038 N. Highland Blvd Suite 100
Highland, UT 84003
(801) 642-0119



BERG
CIVIL ENGINEERING
11038 N Highland Blvd Suite 400
Highland Ut, 84003
office (801) 492-1277
cell (801) 616-1677

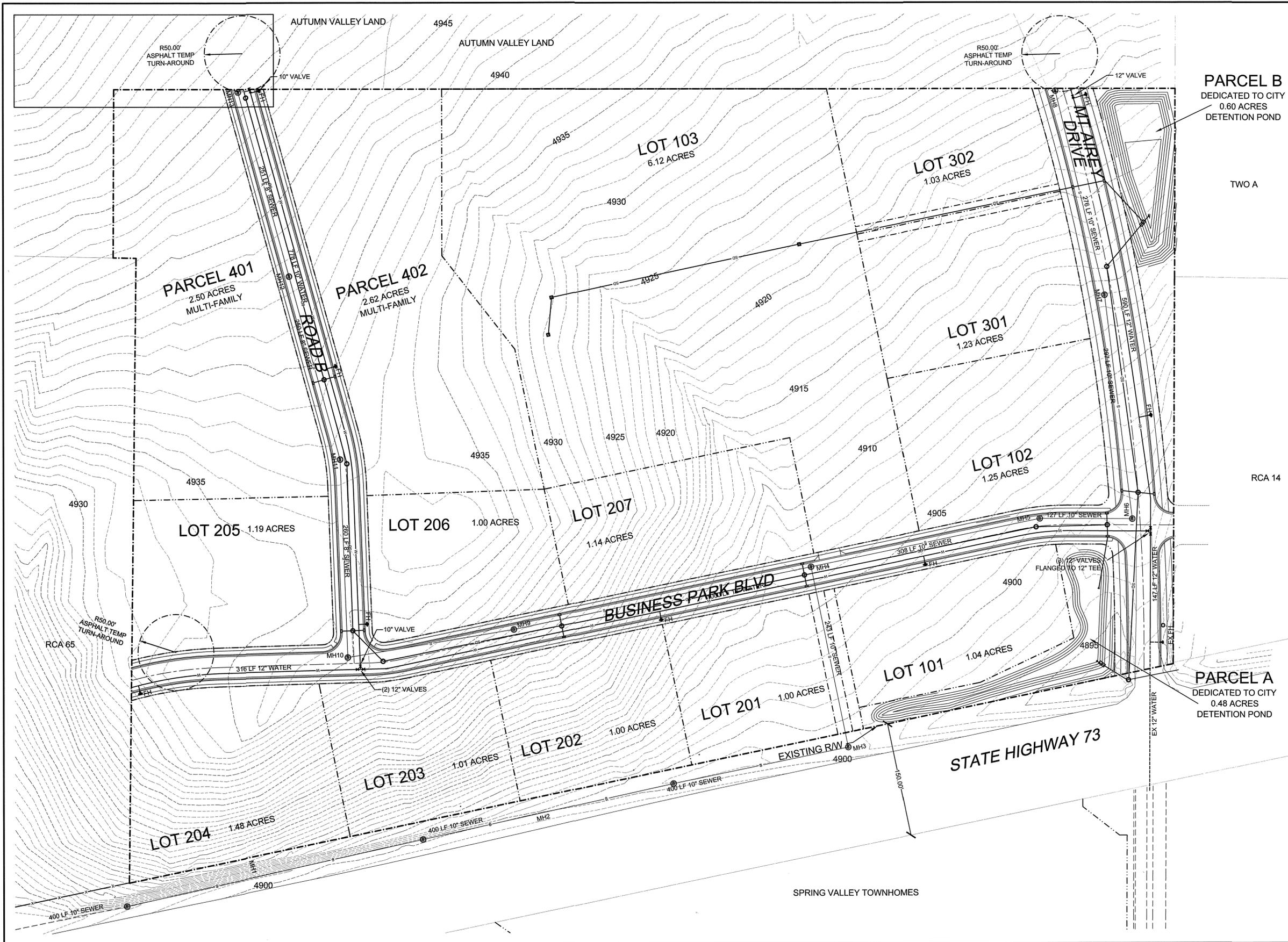
NO.	DATE	DESCRIPTION	SEAL
1			
2			
3			
4			
5			
6			
7			

ACTION	DATE
PRELIMINARY PLAN	4/17/14

PROJECT
EAGLE MOUNTAIN BUSINESS PARK

DESCRIPTION
PRELIMINARY PLANS

SHEET NAME	SHEET NUMBER
PRELIMINARY PLAT	C1



DEVELOPMENT

EAGLE MOUNTAIN BUSINESS PARK

DEVELOPER

AUTUMN VALLEY LAND, LC

11038 N. Highland Blvd Suite 100
Highland, UT 84003
(801) 642-0119

SCALE: 1" = 60'

BERG
CIVIL ENGINEERING
11038 N Highland Blvd Suite 400
Highland Ut, 84003
office (801) 482-1277
cell (801) 616-1877

REVISIONS		SEAL
NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		

ACTION	DATE
PRELIMINARY PLAN	4/17/24

PROJECT

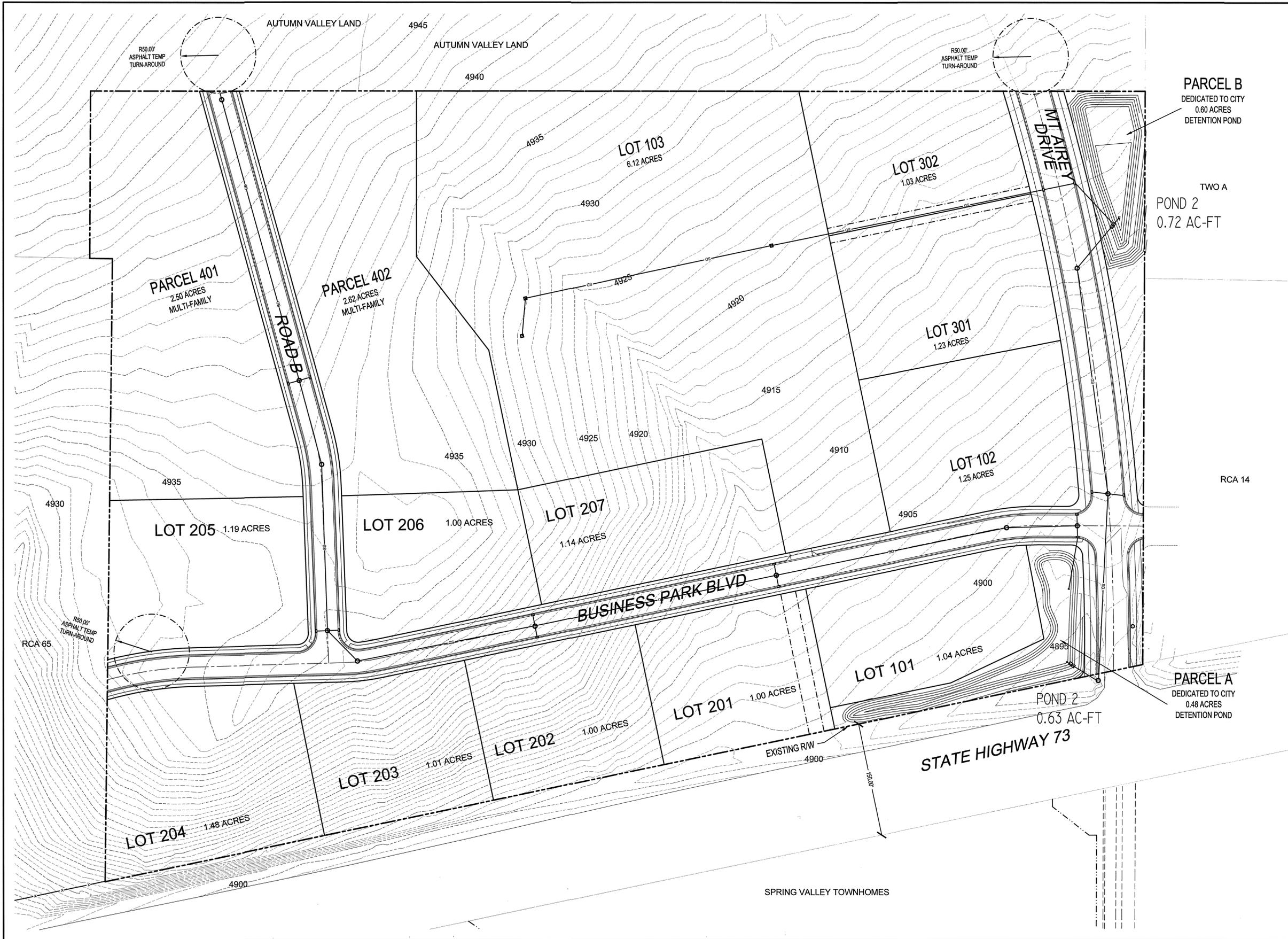
EAGLE MOUNTAIN BUSINESS PARK

DESCRIPTION

PRELIMINARY PLANS

SHEET NAME	SHEET NUMBER
UTILITY PLAN	C2

130326422 PL - UTILITY (PRELIMINARY) (2) (17) (24)



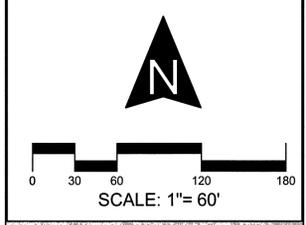
DEVELOPMENT

EAGLE MOUNTAIN BUSINESS PARK

DEVELOPER

AUTUMN VALLEY LAND, LC

11038 N. Highland Blvd Suite 100
Highland, UT 84003
(801) 642-0119



BERG
CIVIL ENGINEERING
11038 N Highland Blvd Suite 400
Highland Ut, 84003
office (801) 492-1277
cell (801) 616-1877

NO.	DATE	DESCRIPTION	SEAL
1			
2			
3			
4			
5			
6			
7			

ACTION	DATE
PRELIMINARY PLAN	4/17/14

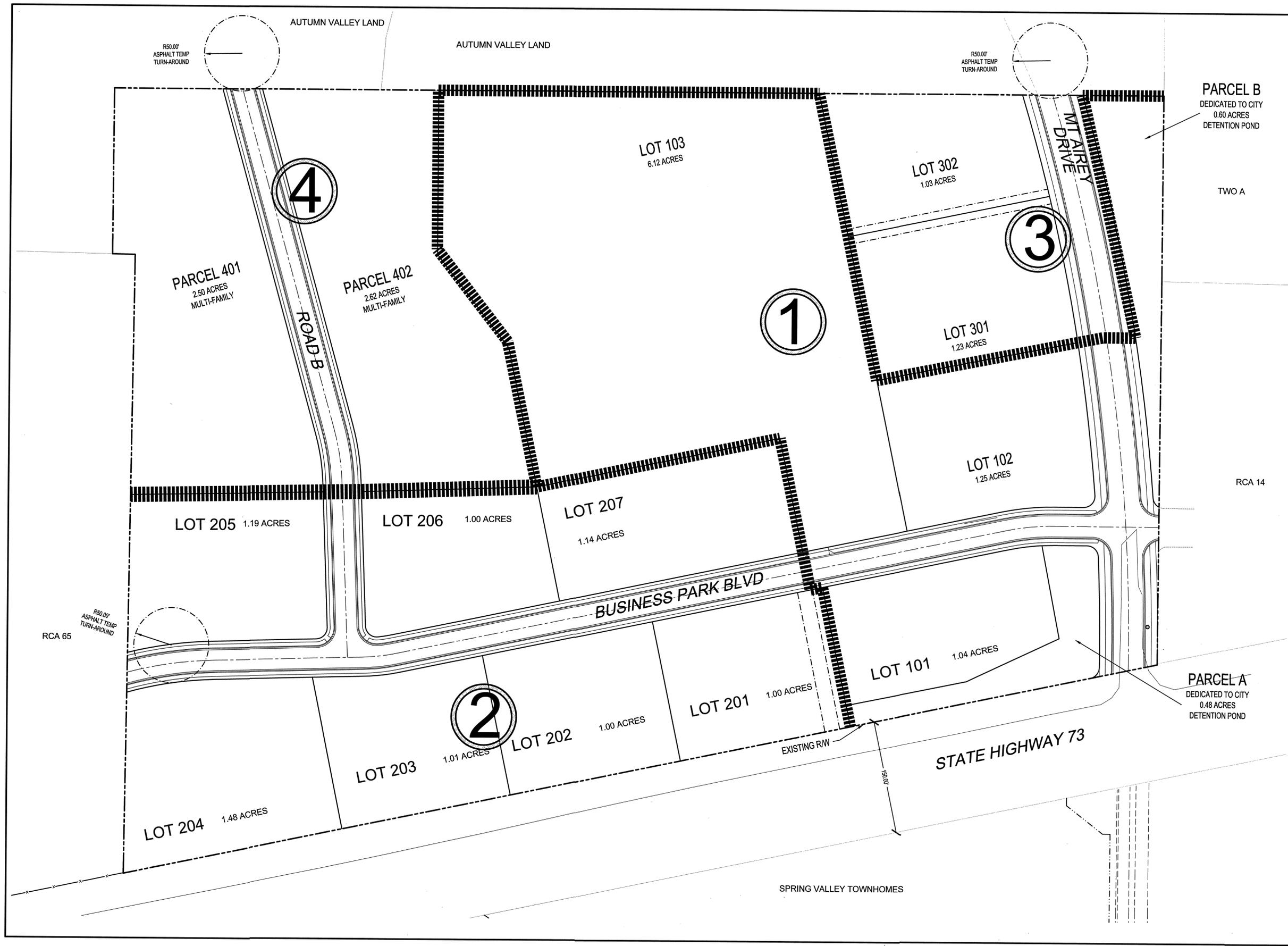
PROJECT

EAGLE MOUNTAIN BUSINESS PARK

DESCRIPTION

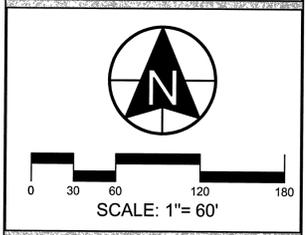
PRELIMINARY PLANS

SHEET NAME	SHEET NUMBER
GRADING PLAN	C3



DEVELOPMENT
EAGLE MOUNTAIN BUSINESS PARK

DEVELOPER
AUTUMN VALLEY LAND, LC
 11038 N. Highland Blvd Suite 100
 Highland, UT 84003
 (801) 642-0119



BERG
 CIVIL ENGINEERING
 11038 N. Highland Blvd Suite 400
 Highland UT, 84003
 office (801) 492-1277
 cell (801) 616-1677

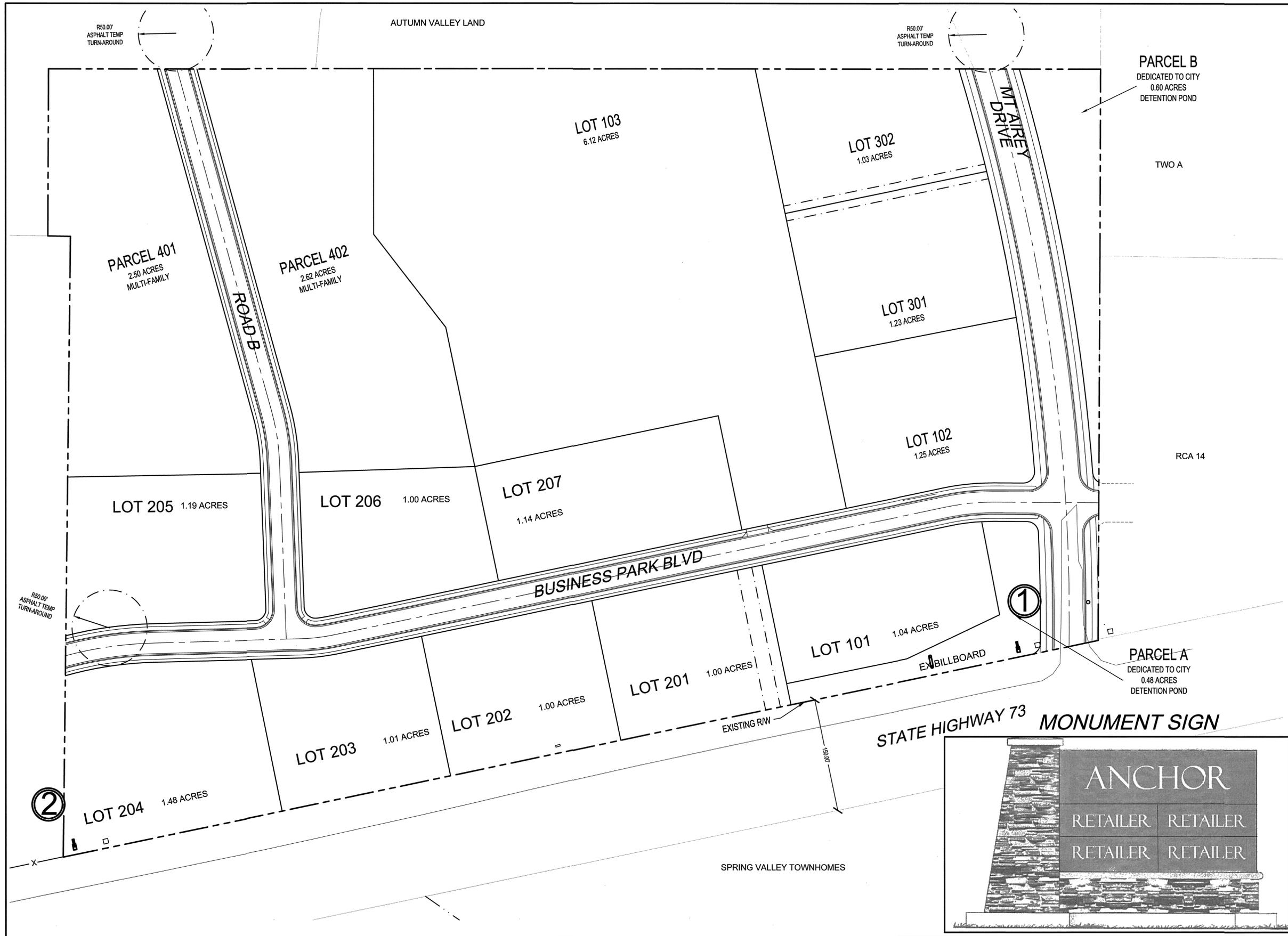
REVISIONS		SEAL
NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		

ACTION	DATE
PRELIMINARY PLAN	4/17/16

PROJECT
EAGLE MOUNTAIN BUSINESS PARK

DESCRIPTION
PRELIMINARY PLANS

SHEET NAME	SHEET NUMBER
PHASING PLAN	C4



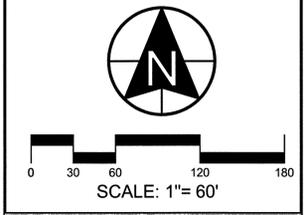
SIGNAGE NOTES:

1. COMBINED MONUMENT SIGNAGE LOCATIONS ARE SHOWN ON THIS PLAN.
2. EACH COMMERCIAL LOT WILL ALSO BE ALLOWED TO CONSTRUCT AN INDIVIDUAL MONUMENT SIGN TO BE LOCATED ON EACH LOT AS APPROVED DURING SITE PLAN.

DEVELOPER

AUTUMN VALLEY LAND, LC

11038 N. Highland Blvd Suite 100
Highland, UT 84003
(801) 642-0119



berg

CIVIL ENGINEERING
11038 N Highland Blvd Suite 400
Highland Ut, 84003
office (801) 492-1277
cell (801) 616-1677

REVISIONS		SEAL
NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		

PROFESSIONAL ENGINEER
343802
Kenneth Ray
Berg
11-17-14
STATE OF UTAH

ACTION	DATE
PRELIMINARY PLAN	4/17/14

PROJECT

EAGLE MOUNTAIN BUSINESS PARK

DESCRIPTION

PRELIMINARY PLANS

SHEET NAME	SHEET NUMBER
SIGNAGE PLAN	C5

EAGLE MOUNTAIN GATEWAY

LOT 101	
BUILDING SF TYPE	= 12,000 SF = RETAIL
REQUIRED PARKING	1/200 = 60 SPACES
PROVIDED PARKING	= 63 SPACES
LANDSCAPE %	0.68 AC = 44%
LOT 102	
BUILDING SF TYPE	= 17,170 SF = OFFICE-WAREHOUSE
3500 SF OFFICE 13670 SF WAREHOUSE	
REQUIRED PARKING	1/250 OFFICE 1/2000 WH = 21 SPACES
PROVIDED PARKING	= 28 SPACES
LANDSCAPE %	0.25 AC = 20%
LOT 103	
BUILDING SF TYPE	= 126,740 SF = SELF STORAGE
REQUIRED PARKING	= TBD
PROVIDED PARKING	= 8 SPACES
LANDSCAPE %	0.15 AC = 2.3%
LOT 201	
BUILDING SF TYPE	= 8,100 SF = RETAIL
REQUIRED PARKING	1/200 RETAIL = 41 SPACES
PROVIDED PARKING	= 56 SPACES
LANDSCAPE %	0.33 AC = 33%
LOT 202	
BUILDING SF TYPE	= 7,200 SF = RETAIL
REQUIRED PARKING	1/200 RETAIL = 36 SPACES
PROVIDED PARKING	= 60 SPACES
LANDSCAPE %	0.30 AC = 30%
LOT 203	
BUILDING SF TYPE	= 7,800 SF = RETAIL
REQUIRED PARKING	1/200 RETAIL = 39 SPACES
PROVIDED PARKING	= 48 SPACES
LANDSCAPE %	0.31 AC = 31%
LOT 204	
BUILDING SF TYPE	= 10,000 SF = RETAIL
REQUIRED PARKING	1/200 RETAIL = 50 SPACES
PROVIDED PARKING	= 78 SPACES
LANDSCAPE %	0.43 AC = 29%
LOT 205	
BUILDING SF TYPE	= 12,000 SF = OFFICE
REQUIRED PARKING	1/250 OFFICE = 48 SPACES
PROVIDED PARKING	= 67 SPACES
LANDSCAPE %	0.32 AC = 27%
LOT 206	
BUILDING SF TYPE	= 10,000 SF = OFFICE
REQUIRED PARKING	1/250 OFFICE = 40 SPACES
PROVIDED PARKING	= 51 SPACES
LANDSCAPE %	0.29 AC = 29%
LOT 207	
BUILDING SF TYPE	= 11,750 SF = OFFICE
REQUIRED PARKING	1/250 OFFICE = 47 SPACES
PROVIDED PARKING	= 57 SPACES
LANDSCAPE %	0.39 AC = 34%
LOT 301	
BUILDING SF TYPE	= 16,360 SF = OFFICE-WAREHOUSE
3300 SF OFFICE 13060 SF WAREHOUSE	
REQUIRED PARKING	1/250 OFFICE 1/2000 WH = 18 SPACES
PROVIDED PARKING	= 31 SPACES
LANDSCAPE %	0.21 AC = 18%
LOT 302	
BUILDING SF TYPE	= 17,170 SF = OFFICE-WAREHOUSE
2500 SF OFFICE 10175 SF WAREHOUSE	
REQUIRED PARKING	1/250 OFFICE 1/2000 WH = 15 SPACES
PROVIDED PARKING	= 22 SPACES
LANDSCAPE %	0.25 AC = 24%



MASTER SITE PLAN

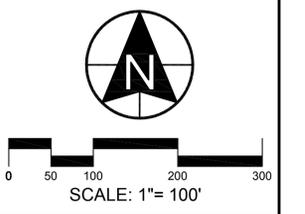
- SITE PLAN ON INDIVIDUAL LOTS SHALL MET ALL APPLICABLE ELEMENTS OF THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES.
- UDOT APPROVAL OF SR-73 IMPROVEMENTS ARE REQUIRED.

EAGLE MOUNTAIN GATEWAY

DEVELOPER

AUTUMN VALLEY LAND, LC

11038 N. Highland Blvd Suite 100
Highland, UT 84003
(801) 642-0119



BERG

CIVIL ENGINEERING

11038 N Highland Blvd Suite 400
Highland UT, 84003
office (801) 492-1277
cell (801) 616-1677

REVISIONS			SEAL
NO.	DATE	DESCRIPTION	
1			
2			
3			
4			
5			
6			
7			

ACTION	DATE
PRELIMINARY PLAN	11/18/13

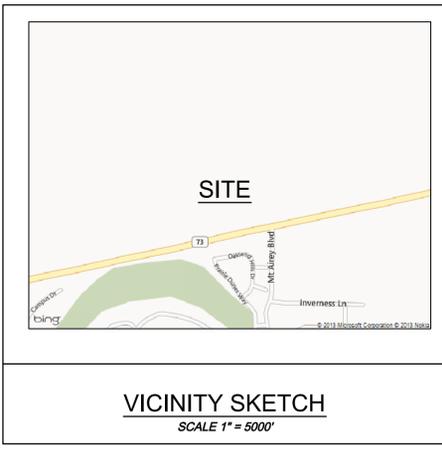
PROJECT

EAGLE MOUNTAIN GATEWAY

DESCRIPTION

MASTER SITE PLAN

SHEET NAME	SHEET NUMBER
MASTER SITE PLAN	C1



VICINITY SKETCH
SCALE 1" = 5000'

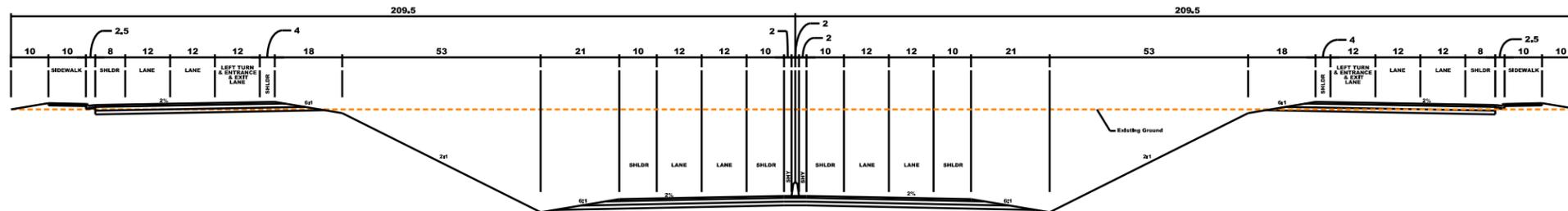
SR-73 FRONTAGE/FWY CONCEPT

OPTION w/o BARRIER

DRAFT
12/03/2013



SECTION A-A





EAGLE MOUNTAIN CITY

Planning Commission Staff Report

MAY 27, 2014

Project: Porter's Crossing Master Development Plan Amendment
Applicant: Trevor Hull / SK Hart
Request: Master Development Plan Amendment – Recommendation of Approval to the City Council
Type of Action: Action Item, Public Hearing

NOTE: The applicant has not yet submitted any new materials for review.

Recommendation

Due to a variety of concerns discussed in this report, Staff recommends that this item be tabled and brought back when the concerns have been appropriately addressed. Please provide the applicant with specific feedback concerning the issues of land use (commercial land changing to residential land, single family residential adjacent to a large sub-station), densities, park locations and amenities, project layout/design, and any other area discussed in this report.

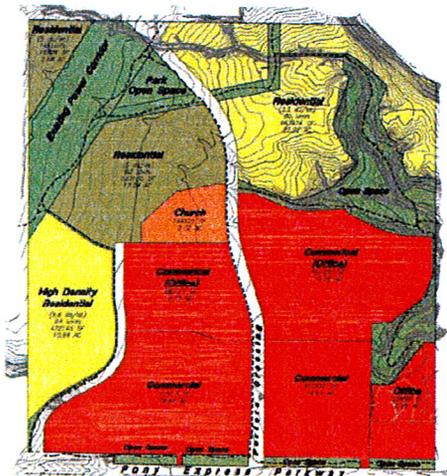
Location

This 145-acre project is located north of Pony Express Parkway, centered on Porter's Crossing in the Ranches.

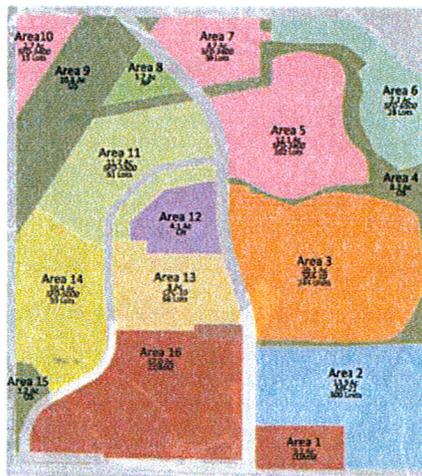
Proposal

An application for an amendment to the Porter's Crossing Town Center Master Development Plan has been submitted and reviewed by the City's Development Review Committee. This Master Development Plan was last amended by the City Council in September, 2013. At that time the Council approved changes allowing a minor increase in a residential area (5 du//ac) from 61 t to 76 units, achieved by a slight reduction in commercial/office that accommodated the inclusion of a church site and additional area available for residential development. The proposed amendment to the Porter's Crossing Master Development Plan is to include the following amended land uses in the plan as shown here (and attached as an exhibit):

EXISTING LAND USE PLAN



PROPOSED LAND USE PLAN



The proposed amendments to the land use element of the master development plan are substantial and significantly change the land uses and densities. Some of the more noteworthy changes are listed below. A more detailed overview can be seen in the included land use tables for both the existing and proposed land uses and densities.

- Removal of 39.9 acres of commercial/office.
- 39.9 acres of commercial is replaced with 3 residential products including multi-family, townhouses and condensed family cluster.
- Reduction in overall open space from 29.04 acres to 21.06 acres.
- High density residential relocated from western side of project moved to former commercial area.
- Minor changes in density for residential zones in northern section of project.
- Total residential units increasing from 443 to 888.
- Gross density increasing from 3.06 to 6.13 du/ac.

Existing			
Total Site Area	144.83 AC		
Total Open Space	29.04 AC		
Total Commercial	28.59 AC		
Total Professional Office	32.12 AC		
Church	3.32 AC		
Residential 1	22.22 AC	80 Lots	3.5
Residential 2	14.92	76 Lots	5
High Density Residential	10.84 AC	287 Units	9.6
Total Residential Units	443		
Gross Density	3.06 du/ac		

Proposed			
Total Site Area	144.83 AC		
Total Open Space	21.6 AC		
Total Commercial	20.8 AC		
Total Professional Office	0		
Church	4.1 AC		
Residential Single Family Detached 3400	19.5 AC	147 Lots	7.5 du/ac
Residential Single Family Detached 5000	10.4 AC	59 Lots	5.7 du/ac
Residential Single Family Detached 5500	11.2 AC	61 Lots	5.4 du/ac
Residential Single Family Detached 6500	7.2 AC	28 Lots	3.9 du/ac
Multi-Family Residential	13.9 AC	300 Units	21.6 du/ac
Townhomes	20.1 Acres	227 Units	11.3 du/ac
Condensed Family Cluster	7.4 AC	66 Lots	8.9 du/ac
Total Residential Units	888		
Gross Density	6.13 du/ac		

In total, the project contains a maximum potential of 888 dwelling units and 20.8 acres of commercial land uses, along with improved and natural open space areas, and the existing utility corridors. This amendment is a result of the developer changing land uses to respond to anticipated market demands. See the proposed Master Development Plan for the areas to be changed.

CRITERIA FOR REVIEW

The Development Code specifies the following criteria for evaluation of master development plans.

General Criteria

- **Slopes, Natural Hazards, Natural Channels, Storm Water Runoff** – There is a minor storm drainage wash on this property. The developer must obtain any required stream alteration permits from the State prior to making any changes, and the wash must either be piped according to City standards or all development must be kept 100 feet away from the top bank of the wash on either side.
- **Soil Characteristics** – A geotechnical study will be reviewed along with each plat.

Infrastructure Criteria

- **Utilities**

Water & Sewer – An updated water model will be required for this project. The City Engineer and Public Works Directors have not expressed any other concerns with the wet utilities.

Electric & Natural Gas – No concerns have been expressed by the Energy Department for this project. There is a Kern River Gas line that passes through this property (shown on the plan as an open space corridor). Concerns remain about any required buffer distance between this high-pressure pipeline and buildings or parks. Rocky Mountain Power and Eagle Mountain City power lines also cross this property. These areas are shown as open space areas and must be deeded to the City along with subdivision plats.

Storm Drainage – See slopes/natural channels category above.

- **Streets**

- A traffic study has been completed for this development by Hales Engineering, although with a slightly different mix of housing types and numbers than the proposed master plan (378 Single-family homes, 240 Apartments, 244 Townhouses, Commercial square feet 111,000). The developer will have to comply with the traffic study recommendations, as included below (these must be detailed in the master development agreement):

SUMMARY OF KEY FINDINGS/RECOMMENDATIONS

The following is a summary of key findings and recommendations:

- Both major intersections on Pony Express Parkway (Porters Crossing Parkway and Smith Ranch Road) fail in the future conditions.
 - The Porters Crossing Parkway / Pony Express Parkway intersection should be signalized sometime before the year 2020 with project traffic. This intersection will need a signal before 2040 without project traffic.
 - All-way-stop control should be removed on Smith Ranch Road when the signal is installed on Porters Crossing Parkway. It is recommended that this be replaced with north-south stop control. This could also be replaced with a signal if desired.
- The eastbound and westbound left-turn storage length needs to be increased to 200 feet plus the taper length at the Porters Crossing Parkway / Pony Express Parkway intersection. This should be completed before 2020 with project traffic, and is need for the 2040 conditions with and without project traffic.
- The east and west RIRO intersections fail only when blocked due to downstream queuing. No changes are recommended for these intersections.
- The Porters Crossing Parkway / Tumbury Road intersection operates at excellent levels of service in all conditions.

- The conceptual site plan includes a lot layout and road layout for Area 14, but does not provide access to the neighboring landlocked property. A stub road will be required to this property.
 - It should be noted that Areas 6 and 7 will be limited based upon the Code's restriction of a maximum of 30 units/lots on one access, and a 500-foot maximum cul-de-sac or dead-end road length.
 - Area 6 should provide a stub road to the vacant property to the north and/or east.
 - The Pony Express Townhomes (approved project to the east of Area 2) have provided a stub road for future access to a road in this development. Area 2 should connect with this road.
- **Water Rights** – water rights are required (or purchase of City water) for each project at plat recording or building permit, depending on the type of development.

Compatibility Criteria

- **Compatible Densities** – The site is bordered by the following land uses:
 - North – Electrical substation, power line and gas corridor, and vacant property in Saratoga Springs City.
 - West – Power line and gas corridor, Eagle's Gate neighborhood, Plum Creek multi-family neighborhood.
 - South – Pony Express Parkway
 - East – The approved Pony Express Townhomes project and vacant property in Saratoga Springs City.

The land uses in the proposed master development plan include sixteen planning areas with varying degrees of density. The following areas raise concerns or are noteworthy:

- Northern SF Residential Areas: The northern section of the project retains a similar density and land uses as the adopted plan; and remains exclusively single-family residential. This matches the character and density of existing neighborhoods and proposed projects. Single-family residential uses, however, may not be the best use adjacent to the power substation, and some thought should be given to the use of this property.
- Area 10: The density of Area 10 may be incompatible with Eagle's Gate to the west, which is all single-family (6,600 square-foot lots). The number of lots in this triangle should be reduced to something more appropriate.
- Area 14: The change from high density residential to single family residential on the western side of the project does not create any incompatible uses; however, circulation into neighboring projects, which may include townhomes, raises concerns over uncharacteristic traffic patterns for a single-family neighborhood.
- Areas 2, 3, 13 (Commercial changed to MF Residential): The central core of the master plan has been changed from commercial to a mix of higher-density residential products. Although this type of density may match the infrastructure demands of commercial properties, the density and site location may not be the most ideal for a variety of reasons. The two residential products that may present compatibility problems are the townhouses and apartments or condominiums. The proposed townhouses include 244 units on the eastern edge of the project, and although townhouses serve as an effective buffer between single-family and more intensive uses like commercial, the proposed number of units may dwarf the surrounding residential areas. However, the townhouses are buffered on all sides by open space, limiting spillover traffic. Lastly, the multifamily area located in the southeastern portion of the project is compatible with the adjacent commercial and townhouse areas, but its volume may be inconsistent with the smaller townhouse development (Pony Express Townhomes) to the east. The multi-family in Area 2 will also serve as the gateway to the City

and may create an overwhelming massing of buildings along one of the City's main entrances. City Code Section 17.30.100 also states that Tier IV projects may be developed in pods of no more than 250 units served by one clubhouse and buffered from other residential or commercial uses.

In addition, the areas proposed as townhouses, multi-family, and condensed family cluster are in a zone designated on the future land use map as Mixed Use Commercial. The definition intends this zone to be used for retail, office, and commercial development with a provision for some residential incorporated into this zone. As proposed, the townhouses, multi-family, and condensed family cluster are exclusively residential and do not meet the intent of the General Plan's Mixed Use Commercial designation:

MIXED USE: COMMERCIAL- This category is for areas where retail and office development occurs at traditionally desirable locations including the intersections of major streets, appropriate neighborhood activity centers, or adjacent to other compatible land uses. Appropriate industrial uses will be considered for compatibility for surrounding developments. It is anticipated that development will primarily be non-residential; however, mixed-use developments that incorporate medium and high-density housing types may be recommended by the Planning Commission and approved by the City Council during the zoning process.

Although all of the commercial property may take some time to develop in this area, it is an appropriate location for office and retail use, and a good portion of the "Mixed-Use Commercial" property should be preserved for commercial uses rather than developed as residential.

Design Criteria

- **Open Space** –

- **Required Open Space**: This development is required to provide 8% of the buildable area (excluding commercial areas, major roads, and utility corridors) + 10% of Tier III and Tier IV development (densities higher than 5.2 units per acre).
 - 8% x approximately 104.3 = **8.344 acres**
 - 10% of 82.5 = **8.25 acres** (within the Tier III and Tier IV areas)
- **Provided Open Space**: The proposed project includes approximately 15.65 acres of improved open space, although some of that is located within the Tickville Wash, along Smith Ranch Road (which has a standard 4-foot sidewalk), in the smaller wash, and on the gas and power line easements.
- **Does the proposed pattern of uses and densities attempt to make effective use of the planned community open space?**
 - The open space and park areas are being relegated to the areas that are either unbuildable or left over after the developments are planned. Public spaces, including parks and other gathering places, should be planned as central or important features in a development. They should be consolidated, where possible, to provide large and creative amenities along with recreation fields. Neighborhood parks are also recommended to be between three and five acres in size.
 - We do not believe the proposed locations and design of the open space and parks attempt to make effective use of the planned community open space.
- **Amenities**: This development would be required to provide 584 points towards park amenities found in *Table 16.35.130(c) Pocket and Neighborhood Park Elements*, and an additional 577 points within the Tier III and IV areas. We recommend that a more detailed park plan be presented that includes the amenities to meet the point values provided in the park and open space areas.

- **Residential Bonus Density:** Each residential development within this project must comply with the bonus density entitlement requirements found in *Tables 17.30.110* of the City Code. The code states that “*All Tier III residential developments are required to provide the Tier III clubhouse.*” The following items should be considered by the developer, and included as requirements in the master development agreement for the project:
 - Fund or Construct Community Improvements/Amenities
 - Entryways and Monuments
 - Residential Lot Landscaping
 - Recreational amenities
 - Clubhouse
 - Swimming pool
 - Garages / Covered parking
 - Storage Units

Motions

The Planning Commission can table the item with specific findings of fact, or recommend to the City Council that the proposal be denied or approved with conditions of approval. Staff’s recommendation is located at the beginning of this report.

Attachments

Existing Land Use Plan
Proposed Land Use Plan
Proposed Concept Site Plan
Proposed Open Space Plan
Proposed Land Use Table



EAGLE MOUNTAIN CITY
Planning Commission Staff Report

MAY 27, 2014

Project: **Development Code Amendments:**
Chapter 16.05.220 Tables (Public Hearing, Land Use Authority, Appeal Authority)
Chapters 16.20 Preliminary Plats, 16.25 Final Plats, 16.30 General Requirements for all Subdivisions

Applicant: **City Staff**

Request: **Recommendation of Approval to City Council**

Type of Action: **Action Item, Public Hearing**

Background

As you know, there are two different kinds of actions or decisions that the Planning Commission and City Council are involved in concerning development:

- (1) Legislative Actions with public hearings (valid if reasonably debatable that it advances the general welfare);
- (2) Administrative or Quasi-Judicial Actions (valid if supported by substantial evidence in the record).

Legislative Actions

The State Code governs the process for legislative actions, including rezoning and amendments to the City's General Plan and Development Code. The rezoning portion of a Master Development Plan is also considered a legislative action. The City Council is the approval authority for these decisions, and public hearings must be provided. Decisions for these applications also contain the most flexibility, as a decision has to be reasonably debatable that it advances the general welfare. Citizens should be involved in these public hearings, as their "reasonably debatable" opinions can make a difference. We are not proposing any changes to the approval process of these types of applications at this time.

Administrative Actions

Administrative applications include preliminary plats, final plats, site plans, and conditional uses. Although it has been considered to be generally acceptable practice in many cities, administrative applications do not require approval by the City Council. In fact, many cities have streamlined approval processes of these applications for the following reasons (among others):

- To reduce or eliminate frustration of the City Council when they review plans. The Council can become frustrated when they cannot make substantial changes to a final plat because a preliminary plat was already approved by the Planning Commission. Changes sometimes may not be made if the proposed subdivision plat complies with the City Code.
- To reduce frustration of residents. Residents come to public hearings expecting that their voices are heard and their concerns reflected in the Planning Commission or City Council's decision, but if a subdivision plat or site plan complies with the City Code requirements, they may not be able to implement any of the residents' concerns.
- To reduce "government red tape." Each year various applications are reviewed by the Planning Commission and City Council that seem to be more of a formality than a necessary process, since the decisions are fairly "cut-and-dry."
- To free up time for the Planning Commission to focus on actual planning, rather than only subdivision review. The Planning Commission should be spending a majority of their time on the General Plan, the Future Land Use and Transportation Corridors Map, the City Code, and other

planning-related items. Subdivision and site plan reviews are important, but the real planning for the City happens long before these applications are even submitted.

- To free up some time for the City Staff to get more involved in future/long range planning, capital improvement projects, community development, and other important duties. A majority of the Planning Department's time is taken up with receiving & routing applications for review, reviewing plans, writing and preparing staff reports, putting together packets for both the Planning Commission and City Council, preparing the proper notices for public hearings, and preparing PowerPoint presentations for meetings. Any simplification of the review/approval process will be beneficial to the future planning of the city.

Proposal

This proposal may be changed or modified prior to the meeting, and any changes will be presented at the meeting.

The following proposed changes are noteworthy:

1. Preliminary Plats
 - a. Preliminary plats will be reviewed by both the Commission and the Council, with a public hearing at the Planning Commission.
 - b. Major amendments to a plat would require approval by the Commission and Council.
 - i. Major amendments include an increase in lots or units, a decrease in improved open space, or a significant change to a road or lot configuration.
 - c. Minor amendments would be approved by the Development Review Committee (DRC).
 - i. Minor amendments include changes that do not fall into the category of "major amendments."
2. Final Plats & Final Plat Amendments
 - a. Final Plats would be reviewed for approval by the Development Review Committee (DRC). These plats should conform to the approved preliminary plat. If they do not (except for minor modifications), an amendment to the preliminary plat would be required prior to any approval of the final plat.
3. Development Agreements
 - a. Development agreements have become a cursory document that simply takes up more time for the staff, Council, and developer, and potentially delays a project.
 - b. Development agreements would be replaced by a "notice of decision," which would include all of the conditions of approval, including timing of open space / park improvements, fencing requirements, etc. It would also include some legal protections for the City. A notice of decision would be produced after the preliminary plat approval and the final plat approval. These would be sent to the developer and filed with the City Recorder. We have contemplated whether these should be recorded at the County Recorder's office on the property, but we are awaiting the City Attorney's advice on that issue.
4. Site Plans and Conditional Uses
 - a. We are not proposing any changes at this time to these applications. Changes will likely be forthcoming.

The City Attorney is reviewing this proposal and has not yet provided his feedback. We have also contacted the development community several months ago and received feedback. This will be a public hearing, and any resident feedback will be considered as well.

The proposed code changes are included in the rest of this document. Recommended additions to the code are shown in red, and deletions are shown with a strikethrough.

Motion

The Planning Commission and City Staff recommend that the Planning Commission review, make changes (if necessary), and recommend approval of the proposed amendments to the Development Code as proposed or as modified by the Commission.

Attachments

Proposed changes to:

- Chapter 16.05.220 Tables (Public Hearing, Land Use Authority, Appeal Authority)
- Chapter 16.20 Preliminary Plats
- Chapter 16.25 Final Plats
- Chapter 16.30 General Requirements for all Subdivisions

Table 16.05.220(b) Land Use Authority		
	Land Use Authority	
	Advisory Body	Land Use Authority
MASTER DEVELOPMENT PLANS		
Master Development Plan	Planning Commission	City Council
CONCEPT PLANS		
Concept Plan	None	Planning Commission
PRELIMINARY PLATS		
Preliminary Plat	Planning Director	Planning Commission*
	Planning Commission	City Council
Preliminary Plat Major Amendment	Planning Commission	City Council
Preliminary Plat Minor Amendment	None	Development Review Committee
FINAL PLATS		
Final Plat & Final Plat Amendments	Planning Commission	City Council
	None	Development Review Committee
LOT SPLITS		
Lot Split	None	Planning Director
LOT LINE ADJUSTMENTS		
Lot Line Adjustment	None	Planning Director
APPROVED-RECORDED PLAT AMENDMENTS		
Approved Preliminary Plat	Planning Director	Planning Commission*
Approved Final Plat	Planning Commission	City Council
Recorded Plat Amendment	Planning Commission	City Council
Recorded Plat Amendment – Vacating Street	Planning Commission	City Council
BUILDING PERMITS		
Building Permit	None	Building Official

* The city council reserves the right to become the land use authority by requesting that the item be scheduled for review and action by the council within 15 calendar days of the planning commission's action. See EMMC 16.05.200 for additional details.

* A major amendment includes an increase in lots or units, a decrease in improved open space, or a significant change to a road or lot configuration.

Proposed Amendments to Chapter 16.05.220 Tables, Chapter 16.20 Preliminary Plat, Chapter 16.25 Final Plats, Chapter 16.30 General Requirements for all Subdivisions

Table 16.05.220(a) Public Notice					
	P.C.Hearing	C.C.Hearing	Notice Type	NoticePeriod	Affected Entities*
MASTER DEVELOPMENT PLANS					
Master Development Plan	Yes	Yes	Published in paper –Direct mailed notice to property owners within 600 feet including at least 25 property owners and to affected entities –Post notice in three public places	10 Days	Perhaps – Check definition of “affected entity”
Master Development Plan Amendments	Yes	Yes	Published in paper –Direct mailed notice to property owners within 600 feet including at least 25 property owners and to affected entities –Post notice in three public places	10 Days	Perhaps – Check definition of “affected entity”
CONCEPT PLANS					
Concept Plans	No	No	N/A	N/A	N/A
PRELIMINARY PLATS					
Preliminary Plat	Yes	No	Direct mailed notice to property owners within 600 feet including at least 25 property owners and to affected entities –Post notice in three public places	10 Days	Perhaps – Check definition of “affected entity” – (Yes, if subdivision is multi-unit residential, commercial, or industrial) N/A
Preliminary Plat Major Amendment	Yes	No	Direct mailed notice to property owners within 600 feet including at least 25 property owners and to affected entities – Post notice in three public places	10 Days	N/A
Preliminary Plat Minor Amendment	N/A	N/A	N/A	N/A	N/A
FINAL PLATS					
Final Plats & Final Plat Amendments	No N/A	No N/A	N/A	N/A	N/A
LOT SPLITS					
Lot Split – Planning Director	No N/A	No N/A	Direct mailed notice to property owners within 300 feet including at least 15 property owners –Post notice in three public places	10 Days	N/A
LOT LINE ADJUSTMENTS					
Lot Line Adjustments	No N/A	No N/A	N/A	N/A	N/A
APPROVED RECORDED PLAT AMENDMENTS					
Preliminary Plat	Yes	No	Direct mailed notice to property owners within 600 feet including at least 25 property owners and affected entities –Post notice in three public places	10 Days	Perhaps – Check definition of “affected entity” – (Yes, if subdivision is multi-unit residential, commercial, or industrial)
Final Plat	No	No	N/A	N/A	N/A
Recorded Plat	No	Yes	Direct mailed notice to property owners within 600 feet including at least 25 property owners and to affected entities –Post notice in three public places	10 Days	Perhaps – Check definition of “affected entity”
Recorded Plat –Vacating Street	Yes	Yes	Published in newspaper one week for four consecutive weeks and posted in three public places –Direct mailed notice to property owners and affected entities	28 Days	Perhaps – Check definition of “affected entity”
BUILDING PERMITS					
Building Permit	No N/A	No N/A	N/A	N/A	N/A

NOTES: Posting the agenda for a public meeting on the website (<http://emcity.org>) counts as a public place, as does the State’s public notice website.

* “Affected entities” may include but are not limited to: State Planning Coordinator, Automated Geographic Reference Center, Camp Williams (Utah National Guard), Utah Department of Transportation, Utah County, Mountainland Association of Governments, Alpine School District, Timpanogos Special Service District, Saratoga Springs, Fairfield, and Cedar Fort.

Proposed Amendments to Chapter 16.05.220 Tables, Chapter 16.20 Preliminary Plat, Chapter 16.25 Final Plats, Chapter 16.30 General Requirements for all Subdivisions

Table 16.05.220(c) Appeal Authority							
	Land Use Authority	1st Appeal		2nd Appeal		3rd Appeal	
		Days to Appeal	Body	Days to Appeal	Body	Days to Appeal	Body
MASTER DEVELOPMENT PLANS							
Master Development Plan	City Council	30	District Court	N/A	None	N/A	None
Master Development Plan Amendments	City Council	30	District Court	N/A	None	N/A	None
CONCEPT PLANS							
Concept Plan	N/A	N/A	N/A	N/A	N/A	N/A	N/A
PRELIMINARY PLATS							
Preliminary Plat	Planning Commission	40	City Council	30	District Court	N/A	None
	City Council	30	District Court	N/A	None		
Preliminary Plat Major Amendment	City Council	30	District Court	N/A	None	N/A	None
Preliminary Plat Minor Amendment	Development Review Committee	10	Planning Commission	10	City Council	30	District Court
FINAL PLATS							
Final Plat & Plat Amendments	City Council	30	District Court	N/A	None	N/A	None
	Development Review Committee	10	Planning Commission	10	City Council	30	District Court
LOT SPLITS							
Lot Split	Planning Director	10	Planning Commission	10	City Council	30	District Court
LOT LINE ADJUSTMENTS							
Lot Line Adjustment	Planning Director	10	Planning Commission	10	City Council	30	District Court
APPROVED PLAT AMENDMENTS							
Preliminary Plat	Planning Commission	40	City Council	30	District Court	N/A	None
Final Plat	City Council	30	District Court	N/A	None	N/A	None
Recorded Plat	City Council	30	District Court	N/A	None	N/A	None
Recorded Plat – Vacating Street	City Council	30	District Court	N/A	None	N/A	None
BUILDING PERMITS							
Building Permit	Building Official	30	District Court	N/A	None	N/A	None
ADMINISTRATIVE DECISIONS							
Administrative Decisions*	Planning Director	10	Planning Commission	10	City Council	30	District Court

*Administrative decisions include but are not limited to: interpretations of this title, etc.

Chapter 16.20 PRELIMINARY PLATS

Sections:

- [16.20.010](#) What this chapter does.
- [16.20.020](#) Purpose.
- [16.20.030](#) Preliminary plat approval required.
- [16.20.040](#) Application.
- [16.20.050](#) Approval process.
- [16.20.060](#) Expirations and extensions of approvals.

16.20.010 What this chapter does.

This chapter establishes the preliminary plat review and approval process, submittal requirements, and duties of the planning director, planning commission and city council regarding the review and processing of preliminary plats. [Ord. O-16-2010 § 2 (Exh. A); Ord. O-23-2005 § 3 (Exh. 1(2) § 4.1)].

16.20.020 Purpose.

The purpose of the preliminary plat application is to: review the specific layout of the lots created by the subdivision; ensure proper coordination of public and private street systems and circulation; review demand and availability of public utilities; review park and recreation sites; and review project densities. [Ord. O-16-2010 § 2 (Exh. A); Ord. O-23-2005 § 3 (Exh. 1(2) § 4.2)].

16.20.030 Preliminary plat approval required.

All proposed subdivision plats must receive preliminary plat approval by the Planning Commission and City Council prior to action on the final plat application. The approved preliminary plat vests the applicant with density for the subdivision, street configuration, and lot layouts. [Ord. O-16-2010 § 2 (Exh. A); Ord. O-23-2005 § 3 (Exh. 1(2) § 4.3)].

16.20.040 Application.

Only property owners or their duly authorized agents shall make application for a preliminary plat. All applications shall be filed on forms prepared by the planning director. No preliminary plat application shall be processed without the submission of the completed application and all supporting materials as required by this chapter, including the processing fee. Incomplete applications shall not be processed under any circumstance.

A. Supporting Materials. The preliminary plat application shall be submitted with the materials listed below. However, the planning commission or city council may require additional supporting materials, if necessary, to demonstrate that the proposed development complies with this title and EMMC Title [17](#). The number of hard copies and electronic copies, as well as the appropriate format of each, will be determined by the planning director.

1. Preliminary Plat. A preliminary plat drawing will be required which shows accurate alignments, boundaries and monuments as certified by a land surveyor registered in Utah. Preliminary plats shall be prepared at a scale no smaller than one inch equals 100 feet. Plats of

large areas may be prepared on multiple, serially numbered sheets with match lines and an index map. The vicinity and index maps shall appear on the first of the serially numbered sheets. The following data shall be included on the preliminary plat:

- a. A title block showing the name of the proposed development and its location by lot, block, and subdivision, or quarter-quarter section, section, township, range, principal meridian, county, and state;
- b. The name and address of a registered engineer licensed in the state of Utah who prepared the plat, together with a professional registration number;
- c. A north point and scale, including both graphic and written scales;
- d. The exterior boundaries of the proposed development;
- e. The location, nature, and boundaries of existing public streets and public or private easements in or adjacent to the proposed development, and ~~for preliminary plats,~~ county book and page number references to the instruments establishing the easements;
- f. A vicinity map that locates the proposed development within the city and its subdivision or section showing major streets, ~~watercourses, and other~~ landmarks, and ~~for preliminary plats,~~ boundaries and recorded names of adjacent or nearby subdivisions;
- g. Existing contours at two-foot intervals. Elevations will be based on National Geodetic Survey area level data;
- h. The layout of streets, their proposed names and grades. Plats should not contain lots fronting onto arterial or collector streets. Proposed streets must provide connectivity to adjacent properties under other ownership if within 200 feet;
- i. The location, exterior dimensions to the nearest foot, and number of proposed lots and blocks, or other parcels to be created by the proposed development;
- j. The acreage of each proposed lot or parcel, and a table showing the total number of lots, total acreage of the area proposed for development, **the total buildable acreage (excluding slopes greater than 25%, major utility corridors, and natural washes)**, the total acreage in lots, the average lot size, the total acreage in streets, and the total acreage of neighborhood parks, neighborhood squares, and other parcels proposed for dedication to public use or to be held in common by the owners;

<u>PLAT CALCULATIONS</u>	
TOTAL ACREAGE:	42.56 ACRES
BUILDABLE ACREAGE:	40.72 ACRES
TOTAL ACREAGE IN LOTS:	16.19 ACRES
TOTAL OPEN SPACE:	18.07 ACRES
TOTAL IMPROVED OPEN SPACE:	3.56 ACRES
AVERAGE LOT SIZE:	8,388 SF/0.19 ACRES
LARGEST LOT SIZE:	16,941 SF/0.39 ACRES
SMALLEST LOT SIZE:	6,592 SF/0.15 ACRES
OVERALL DENSITY:	1.97 LOTS/ACRE
TOTAL # OF LOTS:	84 LOTS

k. The location of irrigation structures and watercourses within or adjacent to the proposed development;

l. The location and exterior dimensions of existing and proposed buildings;

m. The location on each lot of the buildable area when the natural grade is in excess of 25 percent;

n. Sites, if any, to be reserved, dedicated for parks, playgrounds, schools, churches, public or natural open space or other public purposes, together with proposed ownership of such sites;

o. Sites intended for conditional uses within the underlying zone, such as commercial sites or other business establishments.

B. Landscaping & Parks Plan. A landscaping plan, prepared and stamped by a licensed landscape architect, indicating the location, spacing, types and sizes of landscaping elements, existing trees, if any, and showing compliance with the landscaping or buffering requirements of the appropriate zoning district. **The plan must include the proposed park equipment/amenities and a breakdown of how the plan meets the point values required for the subdivision.** The landscaping plan shall include, at a minimum, the following information:

1. The location and dimension of all existing and proposed structures (when feasible), property lines, easements, parking lots, power lines, rights-of-way, ground signs, refuse areas, and lighting.

2. The plant names (both botanical and common name), location, quantity, and size of all existing and proposed plants.

3. ~~The landscaping plan should also exhibit~~ The existing landscaping 20 feet beyond the property lines.

4. Existing and proposed grading of the site indicating contours at two-foot intervals.

5. Proposed and existing fences and identification of the fencing materials, **color, and design.**

6. A summarization of the total percentage of landscaped areas, domestic turf grasses, and drought-tolerant plant species.

7. **The proposed park equipment/amenities, a table showing how the plan meets the point values**

Example Proposed Park Improvements	
Required Points: 120	
Feature/Improvement	Points
Pavilion (900 sq ft) w/ tables, garbage receptacles, barbeques	20
Sports court (6,600 sq ft)	40
Playground Equipment	20
Trees (35)	21
Trails (550 linear feet)	22
Total	123

required for the subdivision in accordance with Table 16.35.130(c), and pictures (including make and model) of any structures (playgrounds, pavilions, benches, etc.).

C. Ownership Affidavit. An affidavit (certificate of clear title) that the applicant is the owner, the equitable owner, or authorized by the owner in writing to make application for the proposed development.

D. Water Rights. Water rights documentation showing availability of water rights sufficient to serve the development, or acknowledgement in the form of a signed letter that the developer intends and commits to purchase water from the city.

E. Utility Plan. A map showing all the proposed locations of utilities including water, ~~and sewer~~, and storm drainage. The gas, electrical and telecommunication lines are not a required element of the preliminary utility plans; however, off-site capacity of these systems shall be provided. The location and size of existing and proposed utility lines and facilities in or adjacent to the proposed development shall also be shown.

F. Grading, Drainage, and Erosion Plan. A grading, drainage, and erosion plan shall be submitted. The report shall contain the drainage basin map and a plan view of the overall storm water system. The grading, drainage, and erosion plan shall address the following issues: description of features and hydrological conditions; drainage basin and subbasin; drainage facility design criteria; infrastructure design criteria; grading plan; and erosion control. Specifically, the report shall contain at a minimum the following information:

1. The existing roadways, drainage ways, vegetation and hydrological conditions of a 10-year, 24-hour event and a 100-year, 24-hour event.

2. The major basin descriptions referencing all major drainage reports such as FEMA, major drainage planning reports, or flood insurance maps and the basin characteristics and planned land uses.

3. The subbasin description showing the historical drainage pattern and off-site drainage patterns both upstream and downstream of the property.

4. A general discussion of how the proposed system conforms to existing drainage patterns and off-site upstream drainage will be collected to protect development.

5. Grading plan showing: soil map depicting unique soil features such as collapsible soil, rock features, etc.; a grading plan showing all cut and fill areas within development including the identification of slopes, fill and cut depths, and rock features within 10 feet of post grade soil surface.

G. Easements. The proposed grants of easements to be imposed on any land within the development.

~~H. Covenants, Conditions, and Restrictions. The proposed covenants, conditions, and restrictions may be required in EMMC Title 17.~~

~~I.H. Traffic Plan. A traffic report prepared by a licensed traffic engineer plan~~ showing anticipated trip generation and the level of service provided to SR 73 or other arterial and collector roads.

~~J.I. Signage Plan. A signage plan (if signage is being proposed for the project) shall be submitted. The signage plan shall include a site plan drawn to scale showing the proposed location of on-premises and off-premises directional signage and color graphics showing the proposed sign copy, type of sign, and dimensions of signs. Permission from property owners to locate any off-site signs on their property shall be submitted.~~

~~K.J. Public Notice. Addressed and stamped envelopes (the city's address will be the return addresses on the envelopes) of property owners located within 600 feet of the proposed preliminary plat area (including a minimum of at least 25 adjacent property owners).~~

~~L.K. Fee. The processing fee required by the current consolidated fee schedule approved by the city council. [Ord. O-13-2012 § 2 (Exh. A); Ord. O-16-2010 § 2 (Exh. A); Ord. O-23-2005 § 3 (Exh. 1(2) § 4.4)].~~

16.20.050 Approval process.

Upon completion of the master development plan or rezoning of property, the developer shall file a completed preliminary plat application, which includes a proposed preliminary plat, all required supporting materials and the required application fee at least 28 calendar days before the planning commission meeting at which a hearing on the application is requested.

~~A. Complete Application. The planning director shall determine whether the application is complete within seven calendar days after its filing. If the application is complete, the planning director shall schedule a hearing for the application at the next planning commission meeting once the applicable public notice requirements have been met. The planning director shall notify the developer of additional materials that are required within one week of the submittal date.~~

B. Development Review Committee (DRC) Staff Review. The application shall be scheduled for the next available development review committee (DRC) meeting, and the submitted materials provided to City staff, consultants, or agencies for their review. Once the DRC recommends that the project is ready for the Planning Commission's review, the Planning Director shall schedule the project for the next available meeting. The DRC includes the department head or assigned representative from each of the following Departments or groups: Attorney, Building, Energy, Engineering, Fire, Parks, Planning, Public Works. Prior to the planning commission hearing, the planning director shall refer a copy of the application and all accompanying materials for review by city staff, consultants or agencies the planning director determines to have an interest in the review process. All reviews must be returned to the planning director five working days before the hearing.

C. Staff Report. The planning director shall prepare, or contract with appropriate professionals for the preparation of, a written report that explains how, in the professional opinion of the planning director or the contractors, the proposed development complies, or fails to comply, with state statutes, this title or other city ordinances. Upon completion, but not less than ~~five~~ **four** working days before the scheduled hearing, a draft report shall be transmitted to the developer and to the planning commission. These reports will also be placed on file for public review with the application materials. In the event that the **City** contracts with professionals for assistance, the costs of report preparation shall be added to the application fee required for preliminary plats.

D. Public Hearing. ~~Upon receipt of a complete application, the planning director shall schedule the application for a public hearing before the planning commission.~~ The planning director shall cause all property owners within 600 feet of the boundaries of the proposed application area (including a minimum of at least 25 adjacent property owners and affected entities, if there be any) to be notified by first class mail of the time and place of the public hearing at least 10 days prior to the planning commission meeting. A copy of the public notice of the hearing shall also be posted in three public places (including the city offices) within the city at least 10 days prior to the hearing.

E. Planning Commission Approval. If the proposed development complies with all applicable development requirements and utility standards for the site, is in the public interest and is fully consistent with any applicable master development plan and development agreement previously approved by the city, and the submission is complete in all respects, the planning commission shall take action on the proposed development application as allowed by this title. The planning commission may **recommend** approve, approve with conditions, disapprove based upon findings of facts, or table the application and request further information to resolve any issues or questions prior to approval.

F. City Council Approval. The City Council shall review the application, consider the Planning Commission's recommendations, and take action on the proposed development application. The Council may approve, approve with conditions, disapprove based upon findings of facts, or table the application and request further information to resolve any issues or questions prior to approval.

~~F.G.~~ Additional Development Processes. Granting of preliminary plat approval by the planning commission (or city council, as applicable) shall not constitute final acceptance of the subdivision by the planning commission or city council, nor shall approval of the preliminary plat relieve the subdivider of the responsibility to comply with all required conditions, ordinances, requirements or policies in order to meet all city standards. [Ord. O-16-2010 § 2 (Exh. A); Ord. O-23-2005 § 3 (Exh. 1(2) § 4.5)].

16.20.060 Expirations and extensions of approvals.

Preliminary plat approvals shall expire two years from the date of approval by the **City Council** ~~planning commission~~ if a final plat application has not been approved by the city council within that time. If the preliminary plat contains more than one phase, this plat will expire if each phased final plat application is not approved within two years of the most recent final plat approval.

A. Extensions of Time. An extension of time may be requested by an applicant for any of the applications listed above with the following requirements:

1. A written, signed request for an extension of time shall be received by the planning director prior to the expiration date of the project.

2. The request for an extension of time shall specify any progress made on the project's conditions of approval and the reasons for the extension request, along with supporting documentation.

B. Criteria for Approving Extensions of Time. It is the responsibility of the applicant to request an extension of time prior to a project's expiration. The city is not responsible to remind applicants of expiration dates. The planning director shall approve or deny a request for an extension of time within a reasonable period of time after receiving the request. The planning director may grant up to a single one-year extension of time to any project that meets one of the following criteria:

1. The applicant must have shown a good faith effort to initiate the project by systematically completing predevelopment conditions.

2. The applicant's initiation of development activities is based on an action by the city or other public agency which has not taken place or was delayed, resulting in a time delay beyond the permit holder's control.

C. Appeals. An applicant may appeal the planning director's decision to the planning commission within 15 days of the date of the decision. The applicant may then appeal a decision of the planning commission to the city council within 15 days of the planning commission's decision. In no case shall the planning commission or city council approve more than a single one-year extension of time.

D. Resubmitting an Expired Project. A project that has expired may be resubmitted within two years of the expiration date for a fee to cover time and materials, not to exceed 50 percent of the original fee, if the project is substantially similar to the expired plan. The resubmitted project must be in compliance with the current development code at the time of resubmittal. [Ord. O-16-2010 § 2 (Exh. A)].

Chapter 16.25 FINAL PLATS

Sections:

- [16.25.010](#) What this chapter does.
- [16.25.020](#) Purpose.
- [16.25.030](#) Final plat approval required.
- [16.25.040](#) Application.
- [16.25.050](#) Approval process.
- [16.25.060](#) Prior to recordation.
- [16.25.070](#) Security for public improvements.
- [16.25.080](#) Changing an approved final plat.
- [16.25.090](#) Vacating or changing a recorded subdivision plat.
- [16.25.100](#) Expirations and extensions of approvals.

16.25.010 What this chapter does.

This chapter establishes the final plat review and approval process, submittal requirements and duties of the planning director, ~~planning commission and city council~~ regarding the review and processing of final plats. [Ord. O-16-2010 § 2 (Exh. A); Ord. O-23-2008 § 2 (Exh. A § 5.1); Ord. O-23-2005 § 3 (Exh. 1(2) § 5.1)].

16.25.020 Purpose.

The purpose of the final plat process is to ~~require a formal recommendation by the planning commission and approval by the city council before any subdivision plat is recorded in the office of the Utah County recorder.~~ The verify that the final plat application and the accompanying construction plans submitted shall conform in all respects to those regulations and requirements set forth in the state statutes, city ordinances and any other applicable regulations **before the plat is recorded in the office of the Utah County Recorder**. The final plat process is also provided to ensure compliance with the previously approved master development plan and its accompanying agreement and the conditions of previous preliminary plat approvals. [Ord. O-16-2010 § 2 (Exh. A); Ord. O-23-2008 § 2 (Exh. A § 5.2); Ord. O-23-2005 § 3 (Exh. 1(2) § 5.2)].

16.25.030 Final plat approval required.

Final plat approval entitles the applicant to recordation of the final plat subject to compliance with the city ordinances for installation of public improvements and dedication of water rights for the plat. [Ord. O-16-2010 § 2 (Exh. A); Ord. O-23-2008 § 2 (Exh. A § 5.3); Ord. O-23-2005 § 3 (Exh. 1(2) § 5.3)].

16.25.040 Application.

Only property owners or their duly authorized agents shall make application for a final plat on forms prepared by the planning director. No final plat application shall be processed without **approval or** submission of the preliminary plat, the submission of the application, all the supporting materials as required by this chapter, and the processing fee. Incomplete applications shall not be processed under any circumstance.

A. Supporting Materials. The final plat application shall be submitted with the materials listed below. The planning director ~~or development review committee (DRC) members~~ and ~~planning commission~~ may determine that additional items be submitted in order to properly evaluate the proposed final plat application. The number of hard copies and electronic copies, as well as the appropriate format of each, will be determined by the planning director.

1. Final Plat. The final plat prepared at a scale of not less than one inch equals 100 feet, with all dimensions shown in feet and decimals thereof, will be required for final approval prior to recordation. Plats of large areas may be prepared on multiple, serially numbered sheets with match lines and an index map, with vicinity and index maps appearing on the first of the serially numbered sheets. Final plats must show trails, roads, sidewalks and other public facilities, which will be deeded to the city in accordance with the requirements of this title. The city shall provide a set of standard cross-sections for roads, trails and sidewalks. The final plat submission must conform in all major respects to the preliminary plat as previously reviewed and approved by the planning commission or city council as applicable (unless processed simultaneously). Final plat submissions shall include all information listed below, delineated in permanent ink on waterproof tracing cloth or Mylar for recordation (which can be submitted after the city council grants final approval) and submitted in an electronic format:

- a. A title block showing the name of the proposed subdivision and its location by quarter-quarter section, section, township, range, principal meridian, city, county, and state;
- b. The name, address, telephone number, stamp, signature and registration number of a land surveyor registered in the state of Utah who prepared or reviewed the final plat;
- c. A north point, and both graphic and written scales;
- d. A vicinity map that locates the proposed subdivision within its township and the section, shows major roads and watercourses adjacent to or near the subdivision, and shows the boundaries of and recorded names of adjacent or nearby subdivisions;
- e. The point of beginning for the survey, which shall be tied to a section or quarter-section corner, and the location and a description of all existing monuments found during the course of the survey;
- f. The location, nature, and boundaries, with bearings and distances, of all existing public ways and public or private easements in or adjacent to the subdivision, including the county book and page number references of the instruments establishing those ways or easements;
- g. The exterior boundaries of the subdivision, with all bearings and distances, including curve data for curving boundaries;

h. The location, exterior dimensions, and consecutive number of all lots and blocks, or other parcels created by the subdivision, including bearings and distances and curve data for curving boundaries (with all curve dimensions for boundary lines shown outside any such boundaries);

i. The acreage of each lot and a table showing the total number of lots, total acreage of the subdivided area, the total acreage in lots, the average lot size, the total acreage in streets, and the total acreage of any parcels dedicated to public use or held in common by the lot owners;

<u>PLAT CALCULATIONS</u>	
TOTAL ACREAGE:	42.56 ACRES
BUILDABLE ACREAGE:	40.72 ACRES
TOTAL ACREAGE IN LOTS:	16.19 ACRES
TOTAL OPEN SPACE:	18.07 ACRES
TOTAL IMPROVED OPEN SPACE:	3.56 ACRES
AVERAGE LOT SIZE:	8,388 SF/0.19 ACRES
LARGEST LOT SIZE:	16,941 SF/0.39 ACRES
SMALLEST LOT SIZE:	6,592 SF/0.15 ACRES
OVERALL DENSITY:	1.97 LOTS/ACRE
TOTAL # OF LOTS:	84 LOTS

j. The names of all streets and widths and boundaries of all street and trail rights-of-way and utility easements, including bearings and distances and curve data for curving boundaries;

k. The location and a description of all monuments set during the course of the survey;

l. A signed and dated owner's dedication in the form approved by the city which includes a complete legal description of the parcel being subdivided, and in which the owners of record dedicate all open space, public ways, utilities and other public spaces to public use;

m. A public notary's acknowledgment of the owner's certificate;

n. A signed and dated certificate of consent in which all mortgagors, lienholders, and other parties with any real property interest, including the holders of mineral rights, in the property consent to its subdivision;

o. A public notary's acknowledgment of the certificate of consent;

p. Signature blocks for approval by the city council, city engineer and city attorney;

q. An owner's dedication certificate, notary public acknowledgement for each signature on the plat, a correct metes and bounds description of all property included within the subdivision, other affidavits, certificates, acknowledgements, endorsements and notarial seals as required by law, this title or by the city recorder or city attorney;

r. A certificate for use by the county recorder in recording the plat after its approval;

s. Building envelopes for each lot shall be shown on the final plat;

t. Water rights conforming to the city's requirements or a public water supply agreement shall be submitted to the city attorney for approval.

2. Construction Plans. Construction drawings for required public improvements will include the following and are required to be submitted with all final plat applications:

- a. Plan, profile and construction detail drawings prepared by a licensed professional engineer, with his/her signature and seal.
- b. Control data shall be referenced to information contained on county area reference plats.
- c. Elevations shall be tied to an existing Utah County benchmark. Drawings shall show an elevation benchmark for the project.
- d. The drawing scale shall be one inch equals 20 feet horizontal and one inch equals two feet vertical. The vertical scale may be smaller if warranted by unusual circumstances.
- e. Stationing shall increase from left to right.
- f. Centerline data and property line data shall be shown, including details of all curves.
- g. Existing ground profiles shall be shown a minimum of 300 feet each way from the ends of subdivision streets.
- h. All existing and proposed improvements within the project or within 100 feet of the project or adjoining the subdivision shall be shown. This includes curb, gutter, sidewalk and underground pipes and utilities, ditches, canals, fire hydrants, street lights, water valves, etc.
- i. All proposed structures such as manholes, catch basins, clean-outs, etc., shall be shown. If city standard structure details exist, they may be referenced in lieu of detail.
- j. All proposed drainage facilities, including pipe and boxes, shall be shown. This includes plan and profile of the system showing the method of drainage water disposal.
- k. All vertical curves and horizontal distances shall be constructed in accordance with AASHTO requirements and standards.
- l. Elevations shall be shown on all horizontal and vertical curves at approximately 25-foot intervals and at the points of curvature and points of tangency.
- m. The minimum grade for curb and gutter shall be one-half percent identified on all curb returns and cross gutters. Percent of grade shall also be shown on straight grades with elevations at approximately 50-foot intervals with flow arrows to indicate the direction of drainage.
- n. All street names shall be shown.
- o. Show typical roadway cross-sections.

- p. The existing grade elevations shall be shown in the profile.
- q. Construction standards and specifications shall be referenced.
- r. Road signs and stop signs shall be shown.

3. Landscaping and Irrigation Plan. A landscaping plan, prepared and stamped by a licensed landscape architect, indicating the location, spacing, types and sizes of landscaping elements, sprinkler system plans, existing trees if any, and showing compliance with the landscaping or buffering requirements of the appropriate zoning district. The landscaping plan shall include, at a minimum, the following information:

- a. The location and dimension of all existing and proposed structures (when feasible), property lines, easements, parking lots, power lines, rights-of-way, ground signs, refuse areas, and lighting.
- b. The plant names (both botanical and common name), location, quantity, and size of all existing and proposed plants. The proposed plan should indicate the size of the plant material at maturation (see Chapter [17.60](#) EMMC for more landscaping standards).
- c. The landscaping plan should also exhibit the existing landscaping 20 feet beyond the property lines.
- d. Existing and proposed grading of the site indicating contours at two-foot intervals.
- e. Plans showing the irrigation system shall also be included in the landscaping plan submittal.
- f. Proposed and existing fences and identification of the fencing materials.
- g. A summary of the total percentage of landscaped areas, domestic turf grasses, drought-tolerant plant species along with the estimated cost of all the improvements.

4. Final Utility Plan. Utility plans showing all the utilities including but not limited to water, sewer, and storm drain, ~~gas, electrical, and telecommunication lines~~. The location and size of existing and proposed utility lines and facilities in or adjacent to the proposed development shall also be shown.

5. Grading, Drainage, and Erosion Plan. A grading, drainage, and erosion plan prepared and stamped by a licensed engineer shall be submitted. The report shall contain the drainage basin map and a plan view of the overall storm water system. The grading, drainage, and erosion plan shall address the following issues: description of features and hydrological conditions; drainage basin and subbasin; drainage facility design criteria; infrastructure design criteria; grading plan; and erosion control. Specifically, the report shall contain at a minimum the following information:

- a. The existing roadways, drainage ways, vegetation and hydrological conditions of a 10-year, 24-hour event and a 100-year, 24-hour event.
 - b. The major basin descriptions referencing all major drainage reports such as FEMA, major drainage planning reports, or flood insurance maps and the basin characteristics and planned land uses.
 - c. The subbasin description showing the historical drainage pattern and off-site drainage patterns both upstream and downstream of the property.
 - d. A general discussion of how the proposed system conforms to existing drainage patterns and off-site upstream drainage will be collected to protect development.
 - e. The water quality evaluation showing the water quality shall not be degraded from existing storm water quality including how solids are collected and not allowed to be discharged into downstream waters and how oils and greases are separated from storm water.
 - f. Maintenance plan and procedure for storm water system; thorough narrative of all charts, graphs, tables or other information included in the report describing how it affects the proposed development.
 - g. Infrastructure design criteria showing the piping is sized to handle the peak intensity of the 10-year storm event; all detention basins are sized to handle a 100-year storm while discharging at a maximum 10-year, 24-hour historical rate; a 10-foot traffic lane in both directions is maintained at all locations within the development; and that the roadway and infrastructure will handle a 100-year storm event without flooding homes or damaging public property.
 - h. Grading plan showing soil map depicting unique soil features such as collapsible soil, rock features, etc.; a grading plan showing all cut and fill areas within development including: the identification of slopes; fill and cut depths; and rock features within 10 feet of post-grade soil surface.
 - i. The grading plan shall also show how the grades will allow water to run off of lot areas without ponding and creating flooding problems for homes.
 - j. Erosion control shall: show how erosion will be controlled during construction; explain and design such that construction debris and silts will not be collected by storm water system; show and design for all cut and fill slopes will not be eroded and how these areas will be revegetated.
6. Easements. The proposed grants of easement to be imposed on any land within the development.

~~7. Covenants, Conditions, and Restrictions. The proposed covenants, conditions, and restrictions to be imposed including the requirement of dwellings within subdivisions being of the same type of construction.~~

8. Soils Report. A soils report prepared and stamped by a licensed engineer.

9. Engineer's Estimate. An engineer's estimate prepared by the design engineer, **including detailed estimates of park amenities and landscaping improvements.**

10. Fee. The processing fee required by the current consolidated fee schedule approved by the city council. [Ord. O-13-2012 § 2 (Exh. A); Ord. O-16-2010 § 2 (Exh. A); Ord. O-23-2008 § 2 (Exh. A § 5.4); Ord. O-23-2005 § 3 (Exh. 1(2) § 5.4)].

16.25.050 Approval process.

Upon completion and approval of a preliminary plat, the developer shall file a properly completed final plat application that includes a proposed final plat and all required supporting materials and the required application fee at least 28 calendar days before the planning commission meeting at which the application is to be reviewed.

A. Planning Director's Responsibilities. The planning director shall review the application for completeness and distribute the application materials to the **development review committee (DRC) members** ~~appropriate assigned staff members~~ for review, comment and recommendation. If the application materials are complete, all required fees are paid and the final plat conforms to the requirements of the applicable master development plan or master development plan agreement and is in compliance with the approved preliminary plat, the **DRC shall review the proposed application** ~~planning director shall submit the proposed final plat to be presented to the planning commission~~ at its next regularly scheduled meeting when materials may be adequately distributed.

B. City Engineer's Responsibilities. The city engineer shall review the final plat and construction plans and decide whether or not the submittal complies with the engineering and surveying standards and criteria set forth in this title, the proposed development agreement and all other applicable state statutes and city ordinances. The city engineer shall determine if the survey description is correct and that all easements are correctly described and located on the plat. If the plat conforms to the required standards, the city engineer shall prepare an estimate of the construction costs for all proposed public improvements. The city engineer shall forward this cost estimate to the city attorney, **city recorder**, and planning department for inclusion in the final development and improvement collateral. ~~The city engineer shall also forward their recommendation of approval (or approval with conditions) of the final plat to the planning commission.~~ If the final plat and/or construction plans do not comply, the city engineer shall return the plat to the applicant or the subdivider's engineer with comments. ~~The applicant or the applicant's engineer shall return any revised plans to the planning department at least 10 days prior to the planning commission meeting where the final plat application is to be reviewed.~~

~~C. Development Review Committee (DRC) Planning Commission-Responsibility. The DRC planning commission shall review the final plat to determine whether the plat conforms to the requirements of the preliminary plat, with all requested changes or conditions of approval and any requirements of the master development plan agreement. If the DRC planning commission determines that the final plat is in conformity with all requirements and the ordinances of the city, the DRC members shall sign off on the approval checklist and the Planning Director shall prepare a notice of decision to be sent to the applicant and filed with the City Recorder. The DRC includes the department head or assigned representative from each of the following Departments or groups: Attorney, Building, Energy, Engineering, Fire, Parks, Planning, Public Works. it shall recommend approval, approval with conditions, or it may table action on the final plat to obtain revised plans or additional information. If the final plat submittal is not in conformance, then the planning commission shall recommend denial of the final plat based upon findings of fact and cause that the reasons for the denial be noted and forwarded with the final plat to the city council.~~

~~D. Culinary and Sewer Authority Approval. The culinary and sewer authority shall review and approve the subdivision subject to the authority's ability to provide services to the subdivision.~~

~~D.E. City Attorney's Responsibilities. The city attorney shall review the final plat for compliance with the state statutes and any applicable city ordinances, the master development plan, and the conditions of the preliminary plat and the proposed conditions, covenants and restrictions. The city attorney shall also prepare a project development agreement and bond agreement that shall accompany the final plat when it is reviewed and acted on by the city council.~~

~~F. City Council's Responsibilities. The city council shall review the final plat, accompanying development agreement, estimated construction costs of proposed public facilities, conditions, covenants and restrictions (CC&Rs) and any other applicable state statutes and city ordinances. If the city council determines that the final plat meets all conditions of previous approvals and complies with all state and local regulations, they shall approve the plat and authorize the mayor to sign the original Mylar plat document when it is presented to him/her for their signature prior to recording. If the city council determines that the final plat is not in conformance, then the city council shall table final action until such time as the applicant corrects the deficiencies in the final plat, deny the final plat application or request that the planning commission review and make recommendations regarding specific final plat issues or concerns, particularly changes in the design and layout of the final plat.~~

~~E.G. City Recorder's Responsibilities. The city recorder, subsequent to the approval of a final plat by the city council DRC, shall be responsible to collect original documents and all required signatures on such documents which include, but are not limited to, the original Mylar plat, development agreement, improvement collateral, CC&Rs, current title report as defined in this chapter, submittal of required water rights (as certified by the city engineer and city attorney), submittal of any required fees including recording and inspection fees and any other applicable documents. When all documents and signatures have been collected, the applicant has executed the improvement collateral including the posting of security required, the payment of all outstanding fees for this development or any other business transaction with the city has been received, and all other outstanding conditions have been met, the city~~

recorder shall record the final plat and any other documents that the city determines should be recorded with the subdivision ~~(such as CC&Rs, improvement collateral, and development agreements, etc.)~~. [Ord. O-16-2010 § 2 (Exh. A); Ord. O-23-2008 § 2 (Exh. A § 5.5); Ord. O-23-2005 § 3 (Exh. 1(2) § 5.5)].

16.25.060 Prior to recordation.

Prior to recordation, the applicant shall submit the following:

- A. Recorded Boundary Survey. A boundary survey that is recorded with Utah County that defines the out boundary of the proposed subdivision.
- B. Past Taxes. Documentation that all the taxes for the subject parcel have been paid to the Utah County tax commission.
- C. Title Report Required. A current title report to be reviewed by the city attorney. A “current title report” is considered to be one which correctly discloses all recorded matters of title regarding the property and which is prepared and dated not more than 30 days before the proposed recordation of the final plat.
- D. If the plat has not been recorded within 180 days of its approval, a staff review is required and a fee charged (according to the consolidated fee schedule) to assure that the cost estimates and construction standards are current. [Ord. O-16-2010 § 2 (Exh. A); Ord. O-23-2008 § 2 (Exh. A § 5.6); Ord. O-23-2005 § 3 (Exh. 1(2) § 5.6)].

16.25.070 Security for public improvements.

Prior to recordation by the city recorder of any final plat, the applicant shall either (A) install all required improvements ~~from the construction documents under the terms of a development agreement~~ before the final plat is recorded; or (B) comply with the security provisions of this title which require full approved collateral or approved surety in the form of a corporate bond approved by the city attorney to assure completion of all improvements before building permits are issued by the City. Under option (B) above, the developer shall be required to enter into an improvement collateral agreement. This agreement shall be in a form approved by the city council and may contain specific provisions approved by the city attorney and shall include, but not be limited to, provisions that address timing and phasing of construction, time allowed for the completion of required improvements, expiration date, amount of funds to be used, a method and schedule for the release of funds, city access to funds, warranty amounts and period of warranty, maintenance of improvements during bonding and warranty periods and final acceptance of improvements. Improvement collateral requirements shall be recalculated if the subdivision was approved more than 180 days prior to the date of proposed recordation. [Ord. O-16-2010 § 2 (Exh. A); Ord. O-23-2008 § 2 (Exh. A § 5.7); Ord. O-23-2005 § 3 (Exh. 1(2) § 5.7)].

16.25.080 Changing an approved final plat.

Minor modifications to an approved final plat may be administratively approved at the discretion of the planning director. ~~Major c~~Changes ~~require an amendment to the preliminary plat (see Chapter 16.20 for the preliminary plat approval process)~~. ~~Major changes include must go to the planning commission and city council for an increase of lots/units, reduction of improved open space, changes to the general street~~

layout, or any major changes to **these elements** of the plat. [Ord. O-16-2010 § 2 (Exh. A); Ord. O-23-2008 § 2 (Exh. A § 5.8)].

16.25.090 Vacating or changing a recorded subdivision plat.

Proposals to vacate or change a recorded subdivision plat shall follow the process outlined in Chapter [16.55](#) EMMC. [Ord. O-16-2010 § 2 (Exh. A); Ord. O-23-2008 § 2 (Exh. A § 5.9); Ord. O-23-2005 § 3 (Exh. 1(2) § 5.8). Formerly 16.25.080].

16.25.100 Expirations and extensions of approvals.

Final plat approvals shall expire one year from the date of approval by the city council if the plat has not been recorded at the county.

A. Extensions of Time. An extension of time may be requested by an applicant with the following requirements:

1. A written, signed request for an extension of time shall be received by the planning director prior to the expiration date of the project.
2. The request for an extension of time shall specify any progress made on the project's conditions of approval and the reasons for the extension request, along with supporting documentation.

B. Criteria for Approving Extensions of Time. It is the responsibility of the applicant to request an extension of time prior to a project's expiration. The city is not responsible to remind applicants of expiration dates. The planning director shall approve or deny a request for an extension of time within a reasonable period of time after receiving the request. The planning director may grant up to a single one-year extension of time to any project that meets one of the following criteria:

1. The applicant must have shown a good faith effort to initiate the project by systematically completing predevelopment conditions.
2. The applicant's initiation of development activities is based on an action by the city or other public agency which has not taken place or was delayed, resulting in a time delay beyond the permit holder's control.

C. Appeals. An applicant may appeal the planning director's decision to the planning commission within 15 days of the date of the decision. The applicant may then appeal a decision of the planning commission to the city council within 15 days of the planning commission's decision. In no case shall the planning commission or city council approve more than a single one-year extension of time.

D. Resubmitting an Expired Project. A project that has expired may be resubmitted within two years of the expiration date for a fee to cover time and materials, not to exceed 50 percent of the original fee, if the project is substantially similar to the expired plan. The resubmitted project must be in compliance with the current development code at the time of resubmittal. [Ord. O-16-2010 § 2 (Exh. A)].

Division III. Generally Applicable Requirements/Standards
Chapter 16.30
GENERAL REQUIREMENTS FOR ALL SUBDIVISIONS

Sections:

- [16.30.010](#) What this chapter does.
- [16.30.020](#) Purpose.
- [16.30.030](#) Eagle Mountain City Construction Specifications and Standards.
- [16.30.040](#) Required improvements defined.
- [16.30.050](#) Installation at developer's expense.
- ~~[16.30.060](#) Development agreements defined.~~
- ~~[16.30.0760](#) Guarantees.~~
- ~~[16.30.0870](#) Warranty of improvements.~~
- ~~[16.30.0980](#) Rural residential subdivisions.~~

16.30.010 What this chapter does.

This chapter requires the installation, contribution and dedication, at no cost to the city, of required improvements in developments at the developer's expense, sets improvement standards or refers to other standards, permits the phased installation of improvements pursuant to a development agreement, and requires the perpetual maintenance of required improvements which are not dedicated to the city. [Ord. O-07-2006 § 2 (Exh. 1 § 6.1); Ord. O-23-2005 § 3 (Exh. 1(2) § 6.1)].

16.30.020 Purpose.

The purpose of this chapter is to set forth the general requirements for all subdivisions in Eagle Mountain City. This chapter identifies required improvements, provides for a method of constructing required improvements, and provides for the construction bonding and warranty of public facilities. [Ord. O-07-2006 § 2 (Exh. 1 § 6.2); Ord. O-23-2005 § 3 (Exh. 1(2) § 6.2)].

16.30.030 Eagle Mountain City Construction Specifications and Standards.¹

The city has adopted a publication titled, "Eagle Mountain City Construction Specifications and Standards." The provisions, standards and specifications found in this manual (and as amended in the future) are hereby incorporated herein by reference. The city engineer shall use this manual in the review of proposed construction plans for public facilities. Developers and subdividers shall also use this manual in the preparation of their construction plans. In addition, required improvements shall be installed in compliance with this title and any capital facilities plans, designs, and engineering standards separately adopted by the city or other agencies responsible for providing services to the development. [Ord. O-07-2006 § 2 (Exh. 1 § 6.3); Ord. O-23-2005 § 3 (Exh. 1(2) § 6.3)].

16.30.040 Required improvements defined.

A "required improvement" is any legal entitlement such as water rights or other legal or tangible physical improvements required for compliance with state or local statutes and ordinances. Required improvements include, but are not limited to:

- A. Drainage System. A drainage system that addresses the impacts of the project on both off-site and on-site surface runoff water and that meets the requirements of Chapter [16.40](#) EMMC;
- B. Buffers and Screens. Landscaped buffers, screening fences or walls, and similar improvements required to mitigate potential nuisances;
- C. Culinary Water and Wastewater Facilities. Water and sewer mains and related improvements, water storage, lift stations, and other utilities;
- D. Water Rights and Sources. Sufficient water, including sources if necessary, and water rights conveyed to the city and usable by the city for municipal purposes acceptable to the city attorney, and to meet all applicable city and other government regulatory standards for the uses proposed;
- E. Off-Street Parking Areas. Off-street parking and loading areas, including any required landscaping;
- F. Transportation Improvements. Roads and related improvements, including bridges, culverts, traffic control signs, and street trees (when applicable);
- G. Sidewalk and Trail Systems. Sidewalks and trail systems, including signage;
- H. Parks and Open Space. Parks and open space as required in the preliminary approval of the project;
- I. Restoration of Native Plants. Restoration of native plant materials and species in natural open space areas when they are disturbed (a temporary irrigation system may be required by the city engineer to stabilize plant material);
- J. Utilities. Utilities such as telecommunications, electric power, natural gas, and any required conduit;
- K. Street lighting;
- L. Fire hydrants. [Ord. O-07-2006 § 2 (Exh. 1 § 6.4); Ord. O-23-2005 § 3 (Exh. 1(2) § 6.4)].

16.30.050 Installation at developer's expense.

The installation of required improvements shall be at the developer's expense except that the city may choose to participate in the cost of certain improvements in order to correct deficiencies in areas outside the development, or to provide capacity for future development in accordance with the capital facilities plan or general plan. Where off-site improvements, such as utility extensions, are constructed at the developer's expense, provisions may be included in an ~~development~~ agreement for reimbursement by landowners whose property subsequently benefits from the improvements. [Ord. O-07-2006 § 2 (Exh. 1 § 6.5); Ord. O-23-2005 § 3 (Exh. 1(2) § 6.5)].

~~**16.30.060 Development agreements defined.**~~

~~Development agreements shall be required for each final plat. Applicants may elect to have the final plat approved prior to the development agreement for the subdivision. All development agreements shall be approved by the city council prior to the recordation of the plat. The effect of~~

~~a development agreement shall be to create vested rights as described in said agreement. Development agreements do not exempt developments from changes in state or federal regulations or changes in the city development code or construction specifications and standards, International Fire Code, International Building Code or International Residential Code. Development agreements shall, at a minimum, include the following:~~

~~A. Plat and Construction Drawings. A copy of the final plat document, record of survey, or site plan as applicable and accompanying construction drawings of the initial phase;~~

~~B. Engineer's Estimate for Required Improvements. A description of all required improvements, including parks and trails, in the initial phase and an estimate by the city engineer of their cost;~~

~~C. Completion Schedule. A schedule for completion of the required improvements;~~

~~D. Maintenance Period. Provisions defining required maintenance activities which include, but are not limited to, general upkeep of landscaping, sidewalks, streets, parks, utility infrastructure and the repair of such facilities as needed and as may be required by the city during and/or near the end of the maintenance period. These activities may also be specifically defined in the development agreement;~~

~~E. Guarantee. A process by which the city may, if necessary, complete required improvements using the guarantee provided;~~

~~F. Transfer Provision. A process by which the development agreement may be transferred, with city approval, to the developer's successors;~~

~~G. Voiding Agreement. A statement that provides that the development agreement and the vested rights it confers shall be void if the city is required to "call" a guarantee to complete required improvements or if the anticipated schedule required above is not met or renegotiated. The developer shall have the right to renegotiate the anticipated schedule without losing vested rights; provided, that such negotiations are initiated, by the developer, within 90 days after failure to initiate or complete a phase as scheduled. Also, a statement that provides that in the event the developer fails to comply with the terms of the agreement, the city may withhold approval of building permits within the project;~~

~~H. Dedication of Rights-of-Way. A statement that provides for dedication to the city of rights-of-way to adjacent properties and construction of temporary cul-de-sacs as needed to ensure adequate egress from stub streets;~~

~~I. Covenants, Conditions, and Restrictions. Declaration of covenants, conditions, and restrictions, declaration of condominium, or applicable architectural elevation plans;~~

~~J. Special Conditions. Special conditions shall be included in all development agreements. These conditions may relate to the timing of certain improvements, lot design, performance standards applying specifically to the project, necessary off-site conditions or improvements, conditions relating to shared open space or parks, special circumstances due to location of utilities, physical characteristics of the~~

~~subject property or other conditions needing to be specifically identified within the development agreement. [Ord. O-07-2006 § 2 (Exh. 1 § 6.6); Ord. O-23-2005 § 3 (Exh. 1(2) § 6.6)].~~

16.30.0760 Guarantees.

Completion of the improvements identified in **a notice of decision and approved plans** ~~a development agreement~~ shall be guaranteed by one of the methods listed below. A separate guarantee shall be required for each phase of the development ~~identified in the development agreement.~~

A. Bond. The developer may place an amount equal to 110 percent of the estimated cost of the required improvements in escrow or improvement bond, with that amount and the accumulated interest (for a cash escrow bond) being released only after the city has inspected and accepted the required improvements. ~~A development agreement may provide for the~~ **The City Council may approve a** phased release of portions of the funds of the bond as work proceeds, but at least 10 percent of the total shall be retained until all required improvements are installed, inspected, and accepted. If any required improvements are not completed ~~as provided in the development agreement~~, the city shall use as much as necessary of the escrow account or improvement bond to complete those improvements, then return any remaining balance to the developer or bonding agency.

1. Parks, Trails, and Open Space Improvements. All required parks, trails, and open space improvements require a separate cash bond for each phase of the development ~~identified in the development agreement.~~

B. City Attorney's Approval. Each escrow agreement, improvement bond or other security shall be in a form approved by the city attorney.

C. Inspections. Required improvements shall be inspected by the city engineer before acceptance. Such acceptance of required improvements shall be by approval of a bond release by the city council, following submission of the developer's written request for acceptance and receipt of the city engineer's report that all improvements have been inspected and are in compliance with this title and EMMC Title **17**. Fees for the inspection of required improvements shall be remitted prior to the recordation of any final plats or prior to the construction of any public improvements in the case of construction not related to subdivision plats.

D. As-Built Drawings. The applicant shall pay the costs associated with the city preparing the as-built drawings of the public improvements prior to the release of any bonding amounts. [Ord. O-07-2006 § 2 (Exh. 1 § 6.7); Ord. O-23-2005 § 3 (Exh. 1(2) § 6.7)].

16.30.0870 Warranty of improvements.

A. Each required improvement shall be warranted by the developer for both materials and workmanship for two years after their acceptance. ~~Such a warranty provision shall be included in all development agreements.~~ Enforcement of the warranty shall be assured by one of the following:

1. Ten Percent Retention – Escrow. Retention of 10 percent of an escrow account established to comply with this title; or

2. Ten Percent Retention – New Account. Establishment of a new escrow account, in which an amount no less than 10 percent of the cost of the required improvements is deposited, and which shall be released, with accumulated interest, upon expiration of the warranty.

B. Other construction, warranty and maintenance issues include:

1. Maintenance until Final Acceptance. The developer shall be responsible for the maintenance of improvements until there has been a final acceptance of the improvement.

2. Maintenance by Homeowners' Association. Any development that is subject to continuing maintenance requirements – such as multifamily residential developments or condominiums – shall create a homeowners' association. The developer shall submit the proposed declaration of covenants, conditions and restrictions, condominium declarations, articles of incorporation, and bylaws for the community association for review and approval by the city attorney.

3. Maintenance as Required by Title. The maintenance of any developed and/or landscaped open space required for compliance with this title or other city ordinances shall include, but not be limited to, upkeep of landscaping, parks, trails, and fencing, where required; control of noxious weeds; litter removal; and wildfire suppression. Maintenance activities shall not diminish the protected open space values (wetlands, slopes, etc.).

4. Landscape Maintenance. Maintenance of landscaped areas includes the installation and maintenance of an irrigation system, timely irrigation, weed and pest control, and all other activities required to maintain the function of the landscaped area. Sufficient water rights for the maintenance of landscaped areas shall be dedicated to the city.

5. Two-Year Completion. Improvements must be completed within two years of recording the final plat, unless a shorter period is otherwise provided in ~~the development~~ an agreement.

6. Improvements before Building Permits. Road access must be provided as approved by the city engineer, and fire hydrants must be operational with adequate fire flow as specified in the International Fire Code before any construction within the subdivision will be allowed to proceed above foundation level. Other restrictions contained in the International Building Code or the International Residential Code may also apply.

7. Infrastructure Completed before Certificates of Occupancy. Residential occupancy of structures within a subdivision shall not be allowed until all roads are asphalted, street signs installed, utilities (except telephone) and other required public infrastructure are installed and operable (see EMMC 16.05.100(D)). The completion of required public parks may be governed by **a notice of decision** ~~development agreement~~ and shall not necessarily restrict residential occupancy. The city may allow residents to occupy a home when the weather precludes the streets from being asphalted so long as there is a guarantee that the streets will be asphalted when the weather permits.

8. Excavation Permits. Subdivisions that have received final plat approval may obtain an excavation permit to begin construction prior to recordation of final plats. [Ord. O-07-2006 § 2 (Exh. 1 § 6.8); Ord. O-23-2005 § 3 (Exh. 1(2) § 6.8)].

16.30.0980 Rural residential subdivisions.

Subdivisions that are to be reviewed under agricultural, base density, or Tier I residential zone development standards (see Chapters [17.20](#), [17.25](#) and [17.30](#) EMMC) may not be required to install the same public improvements as subdivisions developed in other zones. Requirements to install curbs, gutters, sidewalks, water and sewer utilities, and street lights may be waived by the city council after a recommendation from the planning commission, upon condition that the developer provides for pedestrian circulation and accommodates water and sewer utilities and surface drainage throughout the subdivision. Necessary facilities may include, but not be limited to, trails and pathways, storm drainage detention ponds or secondary water facilities. [Ord. O-07-2006 § 2 (Exh. 1 § 6.9); Ord. O-23-2005 § 3 (Exh. 1(2) § 6.9)].