

ORDINANCE NO. O-13-2024

AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH, ADOPTING AN
OFFICIAL ZONING MAP.

PREAMBLE

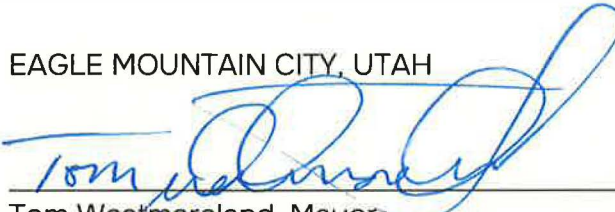
WHEREAS the City Council of Eagle Mountain City finds that it is in the public interest to Adopt an Official Zoning Map, as described in Exhibit A,

BE IT ORDAINED by the City Council of Eagle Mountain City, Utah:

1. The City Council finds that all required notices, public hearings, and other requirements have been completed for the City Council to consider adopting an Official Zoning Map.
2. The adoption described in Exhibit A is hereby approved.
3. This Ordinance shall take effect upon its first posting or publication.

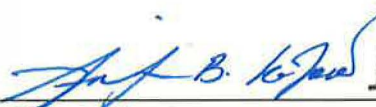
ADOPTED by the City Council of Eagle Mountain City on the 20th day of February 2024.

EAGLE MOUNTAIN CITY, UTAH



Tom Westmoreland, Mayor

ATTEST:



Fionnuala B. Kofoed, MMC
City Recorder



CERTIFICATION

The above Ordinance was adopted by the City Council of Eagle Mountain City, Utah on the 20th day of February 2024.

Those voting yes:

Those voting no:

Those excused:

Those abstaining:

☒ Donna Burnham

☐ Donna Burnham

☐ Donna Burnham

☐ Donna Burnham

☒ Melissa Clark

☐ Melissa Clark

☐ Melissa Clark

☐ Melissa Clark

☒ Jared Gray

☐ Jared Gray

☐ Jared Gray

☐ Jared Gray

☒ Rich Wood

☐ Rich Wood

☐ Rich Wood

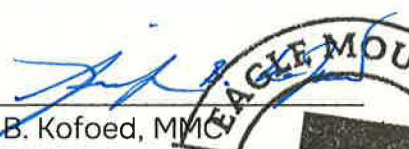
☐ Rich Wood

☒ Brett Wright

☐ Brett Wright

☐ Brett Wright

☐ Brett Wright



Fionnuala B. Kofoed, MMC
City Recorder



Posted on JB by 02/26/2023

Exhibit A



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
FEBRUARY 20, 2024**

TITLE: ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Adopting an Official Zoning Map

ITEM TYPE: Ordinance

FISCAL IMPACT:

APPLICANT: City

**GENERAL PLAN
DESIGNATION**

CURRENT ZONE

ACREAGE

COMMUNITY

PUBLIC HEARING:

Yes

PREPARED BY:

Steve Mumford, Planning

PRESENTED BY:

Steve Mumford

RECOMMENDATION:

Staff recommends the City Council approve an Ordinance of Eagle Mountain City, Utah Adopting an Official Zoning Map, allowing Staff to make edits to colors, labels, links to MDPs & MDAs, links to Code, and to fix any identified minor mistakes to zoning boundaries or zoning names.

BACKGROUND:

The City is adopting an official, updated, city-wide zoning map, which will be an interactive digital online map. Properties are not being rezoned with this approval. The City is simply clarifying the zoning and creating a user-friendly map. A huge research and GIS mapping project has been in process by City Staff to update the City's Zoning Map, with the goal of producing a digital, user-friendly, online map. This has been a much more difficult project than anticipated, as each approved master development plan was approved with unique zoning districts, leading to nearly 100 unique zoning districts that need to be properly displayed on a map. The map will still require some final adjustments and minor fixes before publishing for use by the public.

An approval of the map simply allows us to begin using the map to answer questions from the public, to review applications for compliance with City Code, and to make the map available for use by the City Council, Planning Commission, property owners, residents, etc. The map will be a living document that will be updated each time a rezone is approved, and the map will be continually adjusted to be more user friendly. We expect that there may be property owners or developers that will question the veracity of the zoning on their property. We will provide a simple process for them to submit a request for a zoning review, along with any zoning documentation that

they can provide. If an error is found through that process, a solution will be proposed by staff to the Planning Commission and City Council.

ITEMS FOR CONSIDERATION:

- Due to the nearly 100 unique zoning districts in the City, the zoning map was set up with the following "General Zoning" categories when you're looking at the map at a higher scale:
 - Residential
 - Agriculture
 - Open Space
 - Commercial
 - Business Park / Industrial
 - Other (includes Airpark, School, Church, etc.)
- You will notice that some neighborhood parks, churches, and even schools are technically located within a residential zone and haven't been rezoned to a more specific zone. These uses are allowed within residential zones, so that's not uncommon. For example, the Cedar Valley High School is located within a Residential zone. Although not necessary, a future city-initiated rezone could propose to change it to our Public Facilities zone, or some other similar future zone created for schools.
- Some master development plans designate parks and open spaces specifically as zones, while others just rezone the entire area to a zone and the parks are just approved as part of the development, but not zoned separately, which is perfectly legal.
- You will see that some roadways are zoned as Agriculture (Roads). This is simply because we do not have a zone for roads, so the City Attorney's opinion was that the roads are still zoned Agriculture if they were not shown as being rezoned to a specific zone.
- A code amendment is being drafted to add historical zones into the City Code, so it is clear that there are standards in place for each of the zones listed on the map, whether they are part of an active MDP/MDA, an expired one, or simply a historical zone that is no longer in the City Code. That should be coming to the Commission and Council in the near future.
- A few areas (Cedar Pass Ranch, White Hills, White Hills Country Estates) are now shown as "Under Review," to give us time to draft codes that are similar to the County zoning that existed at the time of annexation or incorporation, but possibly with some modifications to better match the existing character of these neighborhoods.
- Links have been added to the map to applicable master development agreements (MDAs), master development plans (MDPs), and applicable codes, with a placeholder link for the

forthcoming historic zoning code.

- Following approval, final cleanup tweaks will be made to the look and feel of the map and it will be posted on the City Website as soon as possible for use by the general public, landowners, appraisers, prospective business owners, developers, the Planning Commission, the City Council, and City Staff.

REQUIRED FINDINGS:

This isn't an official "rezone," as no property is being rezoned at this time. The map simply is being created and updated to accurately reflect the current zoning on the properties and created in a format that can be used as a tool to make better decisions and improve development reviews. We have chosen, for clarity and transparency, to have this map be adopted by the Commission and Council as the official City Zoning Map.

PLANNING COMMISSION ACTION/RECOMMENDATION:

On December 12, 2023, the Planning Commission voted to recommend approval (4-1, Commissioner Strong opposed) of the proposed zoning map as Eagle Mountain City's official zoning map, allowing Staff to make edits to colors, labels, links to MDPs & MDAs, links to Code, and to fix any identified minor mistakes to zoning boundaries or zoning names.

ATTACHMENTS:

ORD--Zoning Map