



EAGLE MOUNTAIN PLANNING COMMISSION MEETING

SEPTEMBER 23, 2025, 5:30 PM

EAGLE MOUNTAIN CITY COUNCIL CHAMBERS
1650 EAST STAGECOACH RUN, EAGLE MOUNTAIN, UTAH 84005

5:30 PM – PLANNING COMMISSION WORK SESSION

1. DISCUSSION ITEMS

- 1.A. DISCUSSION/TRAINING - Open Meetings and Ethics Training

6:30 PM PLANNING COMMISSION POLICY SESSION

2. CALL TO ORDER

3. PLEDGE OF ALLEGIANCE

4. DECLARATION OF CONFLICTS OF INTEREST

5. MINUTES

- 5.A. September 2, 2025 Special Planning Commission Minutes

- 5.B. September 9, 2025 Planning Commission Minutes

6. STATUS REPORT

7. ACTION AND ADVISORY ITEMS

- 7.A. PUBLIC HEARING / RECOMMENDATION - Meritage Homes Development Agreement

BACKGROUND: (*Presented by City Attorney Marcus Draper*) Meritage Homes purchased land from the Harmony Subdivision developer covering three plats. Two of those plats have lots that abut arterial and/or collector roads. Pursuant to the Harmony Development Agreement and City Code, privacy fencing is required on the property lines of those lots at the time the subdivision infrastructure is installed and prior to the issuance of a building permit.

- 7.B. PUBLIC HEARING / MINOR SITE PLAN - Hidden Hollow Clubhouse Amenity Swap

BACKGROUND: (*Presented by Senior Planner Robert Hobbs*) A request by Cadence Homes to amend an approved site plan pertaining to the Hidden Hollow clubhouse amenity. Proposed is the substitution of a gym and additional lawn games for a swimming pool. The property under consideration is Parcel D in Hidden Hollow Phase C Plat 5 (County parcel/serial # 68:202:0536) at the southeast corner of the intersection of N. Smooth Way and N. Carlton Way in Eagle Mountain, UT 84005.

- 7.C. PUBLIC HEARING / ORDINANCE - An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code sections 6.05.260, 6.10.080, and creating Chapter 6.15 for establishing standards for alternative animal management plans. It also amends Tables 17.05.200(a), 17.05.200(b), and 17.05.200(c), as well as sections 17.65.050, 17.65.100, 17.70.040, 17.70.050, and 17.105.050.

BACKGROUND: (*Presented by Planner Steven Lehmitz*) A proposal to amend EMMC 6.05.260, 6.10.080, and create Chapter 6.15 for establishing standards for alternative animal management plans. It also amends 17.65.050, 17.65.100, 17.70.040, 17.70.050, and 17.105.050 to address exceptions to home business license and accessory dwelling unit standards, as well as eliminating public hearings for variances and land use appeals pursuant to UCA 10-9a-701(5). Tables 17.05.200(a), 17.05.200(b), and 17.05.200(c) are being amended to coincide with the other proposed changes.

8. DISCUSSION ITEMS

9. NEXT SCHEDULED MEETING

10. ADJOURNMENT

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

In accordance with the Americans with Disabilities Act, Eagle Mountain City will make reasonable accommodations for participation in all Public Meetings and Work Sessions. Please call the City Recorder's Office at least 3 working days prior to the meeting at 801-789-6611. This meeting may be held telephonically to allow a member of the public body to participate. This agenda is subject to change with a minimum 24-hour notice.



**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING
SEPTEMBER 23, 2025**

TITLE:	Planning Commission Open Meeting and Ethics Training
ITEM TYPE:	Discussion Item
FISCAL IMPACT:	
APPLICANT:	N/A

CURRENT GENERAL PLAN DESIGNATION & ZONE	ACREAGE
N/A	N/A

PUBLIC HEARING

No

PREPARED BY

Marcus Draper, City Attorney

PRESENTED BY

Marcus Draper

RECOMMENDATION:

N/A

BACKGROUND:

N/A

ITEMS FOR CONSIDERATION:

N/A

PLANNING COMMISSION ACTION/RECOMMENDATION:

N/A

ATTACHMENTS:

None



**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING
SEPTEMBER 23, 2025**

TITLE:	September 02, 2025 Special Planning Commission meeting minutes
ITEM TYPE:	Minutes
FISCAL IMPACT:	
APPLICANT:	N/A

CURRENT GENERAL PLAN DESIGNATION & ZONE	ACREAGE
N/A	N/A

PUBLIC HEARING

No

PREPARED BY

Megan Green, Planning
Secretary

PRESENTED BY

RECOMMENDATION:

N/A

BACKGROUND:

N/A

ITEMS FOR CONSIDERATION:

N/A

PLANNING COMMISSION ACTION/RECOMMENDATION:

N/A

ATTACHMENTS:

1. PCPH 9.2.2025 Draft Minutes



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

September 2, 2025 12:30 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

COMMISSION MEMBERS PRESENT: Commissioners Jason Allen, Rod Hess, Robert Fox, Brent Strong, and Alternate Commissioner Bryan Free.

CITY STAFF PRESENT: Brandon Larsen, Community Development Director; Marcus Draper, City Attorney; Steven Lehmitz, Planner; and Megan Green, Planning Secretary.

12:30 P.M. – Eagle Mountain City Planning Commission Work Session

1. Commissioner Allen called the policy session to order at 12:31 p.m.
2. Pledge of Allegiance

Commissioner Fox led the Pledge of Allegiance.

3. Declaration of Conflicts of Interest

None.

4. Action and Advisory Items

4.A. Development Agreement - 1st Amendment to Ault Farms MDA

Presentation summary points (from staff report): Flagship Homes is requesting to post a bond for the fencing due to supplier issues, with the fencing still being required by City code.

Discussion summary points:

- City Attorney Marcus Draper explained the development agreement regarding durable fencing required by city code for lots abutting arterial or collector roads.
- The amendment would allow Flagship Homes to post a bond, with the Certificate of Occupancy (C of O) being withheld until the fencing is installed.

Commissioner Allen opened the public hearing at 12:33 p.m. As there were no comments, he closed the hearing.

MOTION: *Commissioner Hess moved to recommend approval to the City Council of Item 4.A., Development Agreement-1st Amendment to Ault Farms MDA. Commissioner Strong seconded the motion.*

Jason Allen	Yes
Robert Fox	Yes
Rod Hess	Yes
Brent Strong	Yes
Craig Whiting	Excused
Bryan Free	Absent

The motion passed with a unanimous vote.

4.B. PRELIMINARY PLAT - Alpine School District Elementary 133

Presentation Summary points: Steven Lehmitz presents the Preliminary Plat for Alpine School District's new Elementary school.

Applicant's statements summary: Scott Johnson from Alpine School District discussed the school's busing and traffic plans. The school district is aware of the traffic concerns and plans to utilize drop-off areas as turnarounds.

Discussion summary points:

- The Preliminary Plat includes widening Slate River Road and creating a loop for ingress and egress points.
- The timing of road construction and traffic concerns were discussed.
- Commissioner Fox expressed concerns with the current access plan but acknowledged the fire and engineering approvals.
- The Commissioners discussed the importance of prioritizing road construction to address traffic issues.

Commissioner Allen opened the public hearing at 12:54 p.m. As there were no comments, he closed the hearing at 12:55 p.m.

MOTION: *Commissioner Hess moved to recommend approval to the City Council of Item 4.B., Preliminary Plat-Alpine School District 133. Commissioner Strong seconded the motion.*

Jason Allen	Yes
Robert Fox	Yes
Rod Hess	Yes
Brent Strong	Yes
Craig Whiting	Excused
Bryan Free	Yes

The motion passed with a unanimous vote.

4.C. SITE PLAN - Alpine School District Elementary 133

Presentation summary points: The school will be located north of the Pinnacles development, with the surrounding area zoned as employment center campus.

Discussion summary points:

- City Planner Steven Lehmitz presented the Site Plan and elevations, with recommendations for each item to receive a positive recommendation to the city council.
- Concerns were raised about traffic bottlenecks and the need for additional roads to alleviate congestion.
- Commissioner Fox and others express concerns about fire and emergency vehicle access during peak times.
- City Planner Steven Lehmitz explained that the school will not be responsible for off-site roads, which will be added as other properties develop.
- The traffic study and the need for future road extensions were also discussed.

Commissioner Allen opened the public hearing at 12:55 p.m. As there were no comments, he closed the hearing.

MOTION: *Commissioner Hess moved to recommend approval to the City Council of Item 4.C., Site Plan-Alpine School District Elementary 133. Commissioner Strong seconded the motion.*

Jason Allen	Yes
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Robert Fox	Yes
Rod Hess	Yes
Brent Strong	Yes
Craig Whiting	Excused
Bryan Free	Yes

The motion passed with a unanimous vote.

4.D. ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Rezoning Certain Lands Known as Alpine School District Elementary 133.

Presentation Summary Points: Rezone approval from Agriculture to Public Facilities for a new elementary school to be located on Parcel No. 59:034:0186, directly north of the Pinnacles residential development.

Discussion summary points:

- The rezoning from agriculture to public facilities is necessary to allow the school to be built.

Commissioner Allen opened the public hearing at 12:54 p.m. As there were no comments, he closed the hearing.

MOTION: *Commissioner Fox moved to recommend approval to the City Council of Item 4.D., An Ordinance of Eagle Mountain City, Utah, Rezoning Certain Lands Known as Alpine School District Elementary 13. Commissioner Allen seconded the motion.*

Jason Allen	Yes
Robert Fox	Yes
Rod Hess	Yes
Brent Strong	Yes
Craig Whiting	Excused
Bryan Free	Yes

The motion passed with a unanimous vote.

5. Next Scheduled Meeting

The next Planning Commission meeting is scheduled for September 9, 2025.

6. Adjournment

MOTION: *Commissioner Allen moved to adjourn the meeting at 1:01 p.m. Commissioner Strong seconded the motion.*

Jason Allen	Yes
Robert Fox	Yes
Rod Hess	Yes
Brent Strong	Yes
Craig Whiting	Excused
Bryan Free	Yes

The motion passed with a unanimous vote.

The meeting was adjourned at 1:01 p.m.

Approved by the Planning Commission on

Brandon Larsen
Planning Director

DRAFT



**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING
SEPTEMBER 23, 2025**

TITLE:	September 09, 2025 Planning Commission minutes
ITEM TYPE:	Minutes
FISCAL IMPACT:	N/A
APPLICANT:	N/A

CURRENT GENERAL PLAN DESIGNATION & ZONE	ACREAGE
N/A	N/A

PUBLIC HEARING

No

PREPARED BY

Megan Green, Planning
Secretary

PRESENTED BY

RECOMMENDATION:

N/A

BACKGROUND:

N/A

ITEMS FOR CONSIDERATION:

N/A

PLANNING COMMISSION ACTION/RECOMMENDATION:

N/A

ATTACHMENTS:

1. PC Meeting Minutes 9.9.2025 Draft Brandon's corrections



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

September 9, 5:30 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

COMMISSION MEMBERS PRESENT: Commissioners Jason Allen, Robert Fox, Brent Strong, and Craig Whiting; and Alternate Commissioner Bryan Free.

ELECTED OFFICIALS PRESENT: Councilmember Melissa Clark.

CITY STAFF PRESENT: Brandon Larsen; Community Development Director; Marcus Draper, City Attorney; Todd Black, Wildlife Biologist/Environmental Planner; Robert Hobbs, Senior Planner; David Stroud, Senior Planner; Steven Lehmitz, Planner; and Megan Green, Planning Secretary.

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

Commissioner Allen called the meeting to order at 5:31 p.m.

1. Discussion Items

1.A. DISCUSSION ITEM – CONCEPT PLAN - Bishop Project (Upper Hidden Valley)

- City Planner, Steven Lehmitz, presented the Upper Hidden Valley Project and history of the project, starting with the Hidden Valley Master Plan in 2008 and the Upper Hidden Valley development agreement in 2015.
- The project involves 217 units, a mix of single-family detached homes and townhouses, with Hidden Valley Parkway extending from the Hidden Hollow development.
- Concerns about the topography and the need for feedback on meeting the plan's requirements.
- The applicant requested feedback to ensure the project meets the plan's requirements and emphasizes the inclusion of mountain bike trails and the higher-end product proposed for the area.
- Commissioners Allen and Whiting discussed the reduction in lot count, traffic concerns, particularly on Pony Express, the impact of traffic studies on density, and the need for a temporary fire truck turnaround.
- The feasibility of building on sloped areas and the need for retaining walls and the need for attractive designs, particularly on townhome side elevations were discussed.

Commissioner Allen adjourned the work session at 6:03 p.m.

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

2. Commissioner Allen called the policy session to order at 6:30 p.m.

3. Pledge of Allegiance

Commissioner Allen led the Pledge of Allegiance.

4. Declaration of Conflicts of Interest

None.

5. Approval of Meeting Minutes

5.A.

MOTION: *Commissioner Strong moved to approve the minutes of the August 26, 2025 Planning Commission meeting. Commissioner Fox seconded the motion.*

Jason Allen	Yes
Robert Fox	Yes
Rod Hess	Excused
Brent Strong	Yes
Craig Whiting	Yes
Bryan Free	Yes

The motion passed with a unanimous vote.

6. Status Report

Community Development Director, Brandon Larsen, reviewed the planning items discussed and voted upon during the City Council meeting.

7. Action and Advisory Items

7.A. Trails at Hidden Valley MDP Staff report

Presentation summary: The Lower Hidden Valley project [with 1,256 residential units] was approved by the City in 2011. A Master Development Plan (MDP) and a Master Development Agreement (MDA) memorialized that action. Vesting was made in perpetuity. The Agreement was later amended, in minor form(s), in 2023.

A new Second Amendment is proposed. The new amendment proposes to re-configure the approved layout of the project [topography and codes being a factor]. Associated with the changes is a reduction in building lot density count (with a resultant increase in unimproved open space), right-of-way changes (e.g., deletion of the Hidden Valley Parkway) and open spaces' dimensioning and positioning alterations. Because the changes are seemingly substantial on the whole, Staff believes there is cause to require the plan to be submitted as a MDP and MDA Amendment set and to require compliance with the City's adopted hillside, ridge line and wildlife corridor standards - besides regular subdivision/zoning design rules (save as may be allowed otherwise via Development Agreement). Nothing in the original Agreement (or 1st Amendment thereto) seems to contradict that stance.

Last year, the City began an effort to rezone properties that were once assigned a zoning district that is now no longer part of the City's code. Those historical zones included the "Residential" Zone which, by Agreement, was assigned to the Lower Hidden Valley project in 2007. The Residential Zone features a tier system. Each tier has its own density, setback and other zoning controls. Since the Applicant wants to amend the old Agreement, it would seem logical to, at the same time, to update the zoning for the property. However, some of the currently proposed smaller building lots do not dovetail well with adopted residential development standards - particularly with respect to rows of building lots intended to have but 40' of street frontage (vs. meeting a 58' minimum with variations in street frontage widths every three or four lots a la EMMC 17.25.040). Thus, to entertain the proposed Master Plan redo, the City may invoke changes to the Applicant's designs, or, accept what is desired and use the Firefly model to accommodate non-standard building lots [use or assignment of the MF-1 and MF-2 zones to the lots in question won't help as they are strictly for multi-family buildings].

On April 1st of this year, the Applicant's representative appeared before City Council to show the concept version of the plan under consideration. Council was also interested in preserving the prior Agreements' open space amenity(ies) - including a clubhouse. They noted the impact of the future mid-valley road on the project. An apparent change between the two versions (April to September) is the elimination of a number of building lots in places - including on the south of the main entry road off/onto Pony Express as well as on the north side of the entry road.

along the Monkey Brass trail, and, along Pony Express [residential pod adjustments]. Elimination of a "one preliminary plat" for the whole development condition from the MDA is also being asked for by the developer.

Commented [BL1]: I fine with this, but in the future I would like a more slimmed down, abridged version. Rob can get pretty word in his reports.

Applicant's statements summary: Lynsi Neve representing Perry Homes presented the Trails and Hidden Valley Plan. There has been a series of multiple engineering reviews, soil studies, traffic studies, that have been done to create a better plan that fits this piece of land. Perry Homes is reducing from 1200 units down to 709 units. The previous project had pods that were provided across the land, and we're trying to give layouts, larger single-family lots and additional product that we think will be a benefit to the project overall.

Public Hearing Comments:

- Several residents express concerns about the project's impact on their property values, traffic, and safety.

Discussion summary:

- Commissioner Whiting and other commissioners discussed the need for updated traffic studies and the potential for rezoning to single-family dwellings.
- The applicant agreed to provide additional information and consider the Commission's feedback on refining the project.

Commissioner Allen opened the public hearing at 6:44 p.m.

Shandrea Hall, Joshua Hall, and Cynthia Dalton spoke at the public hearing voicing their concerns. Christ Turner spoke on behalf of White Birch Drive Citizen Group.

Commissioner Allen left the public hearing open.

MOTION: *Commissioner Allen moved to table Item 7.A., Trails at Hidden Valley. Commissioner Strong seconded the motion.*

Jason Allen	Yes
Robert Fox	Yes
Rod Hess	Excused
Brent Strong	Yes
Craig Whiting	Yes
Bryan Free	Yes

The motion passed with a unanimous vote.

7.B. Rush Creek Industrial Phase A Plat 1 Amendment

Presentation summary: Request to divide two platted lots into two additional lots. The proposed new lots (4) meet the standards of the LMD zone. The item was inadvertently noticed as a public hearing, so it has remained as such on the agenda.

Applicant's statements summary: The applicant, Dan Ford, explained the demand for one-acre lots and the high standards for architectural design in the area.

Discussion summary:

- City Planner, David Stroud, presented the Rush Creek Industrial Phase A Plat Amendment, proposing to split two lots into four.
- Commissioner Whiting recused himself.

Commented [BL2]: Remember to write in the past tense.

Commissioner Allen opened the public hearing at 7:10 p.m. As there were no comments, he closed the hearing.

MOTION: *Commissioner Strong moved to recommend approval to the City Council of Item 7.B., Rush Creek Industrial Phase A Plat 1 Amendment. Commissioner Allen seconded the motion.*

Jason Allen	Yes
Robert Fox	Yes
Rod Hess	Excused
Brent Strong	Yes
Craig Whiting	Abstain
Bryan Free	Yes

The motion passed 4-0.

7.C. Mountainland Development Agreement

Presentation summary: Mountainland Supply is developing a lot in the Rush Creek Industrial development. Mountainland needs to construct a retaining wall on their property. City Code requires a 3-foot setback for retaining walls. Mountainland would like to construct the retaining wall on the property line. The proposed development Agreement would provide a legal path to allow them to do so.

Applicant's statements summary: Matthew Cook, project manager, explained the need for the retaining wall to maintain the area and be a good neighbor. They would like to beautify the area and keep it clean.

Discussion summary:

- Marcus Draper presented the development agreement with Mountainland Supply for a retaining wall exemption.
- Commissioner Whiting questioned if neighbors need to be notified.
- Commissioner Strong has no concerns being in the industrial zone.

Commissioner Allen opened the public hearing at 7:13 p.m. As there were no comments, he closed the hearing.

MOTION: *Commissioner Strong moved to recommend approval to the City Council of Item 7.C., Mountainland Development Agreement. Commissioner Free seconded the motion.*

Jason Allen	Yes
Robert Fox	Yes
Rod Hess	Excused
Brent Strong	Yes
Craig Whiting	Yes
Bryan Free	Yes

The motion passed with a unanimous vote.

7.D. Hansen Retaining Wall Variance

Presentation summary: Several months ago, the Applicant had multiple conversations with Staff to determine what would be required to install a retaining wall with a fence on top. The information provided to the applicant was that if the retaining wall was less than 4 feet high (measured from the bottom of the wall to the top of the wall), then a building permit would not be required. The applicant was never informed by Staff that the retaining wall would need to be 3 feet away from property lines per EMMC 17.60.130(E). The Applicant applied for and was issued a fence permit on June 5, 2025. The plan submitted by the Applicant showed a 5-foot fence atop a 1-foot concrete base. It was unknown to Staff that the 1-foot concrete base was actually the top section of a larger retaining wall. Work on the wall and fence commenced on June 10th.

Following up on a complaint received by the Community Development Department, it was determined that the Applicant was building a retaining wall out of compliance with City Code and without a building permit. A Stop Work order was issued on August 20th. The Applicant was informed that, 1) the wall was too close to the property lines;

and, 2) a building permit would be required since, prior to July 1, retaining wall height was measured from the bottom of the footing to the top of the wall. The Applicant's wall had sections that exceeded the 4-foot height threshold. A building permit is also required if the wall supports a surcharge (in this case, a fence). The Applicant is willing to apply for a building permit but is seeking a Variance from the locational requirements found in EMMC 17.60.130(E).

Applicant's statements summary: Robert Hansen explained the initial purpose of the project was to create a concrete base for a fence due to grade changes. The applicant followed the code's height measurement from finished grade to top of the wall. An engineer assessed the wall, deeming it over-built and structurally sound. The applicant has already invested significantly in materials and construction. The applicant offers to add decorative elements to the wall facing the neighbor's property. Due to poor information received from the City and a breakdown of communications, Robert is requesting a variance.

Discussion summary:

- Steven Lehmitz explained that the applicant was informed that a retaining wall under four feet would not require a building permit and that the wall was initially measured from the bottom to the top, which was under four feet, so no permit was needed.
- The city code regarding retaining walls and the 3-foot setback were discussed.
- Commissioner Strong questioned the structural integrity of the wall if it exceeds four feet.
- The applicant addressed neighbor concerns and explained the construction process and efforts to communicate.
- The Commissioners discussed the need for a code change to address the three-foot setback requirement.
- The criteria required to approve a variance were discussed with majority of the Commission agreed that they had been met.

This item is not a public hearing.

MOTION:

Commissioner Whiting moved to grant Item 7.D., Hansen Retaining Wall Variance Request with the given findings:

- *Relative to Criteria 1 - Literal enforcement of this title would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of this title: the applicant's neighbor caused undue hardship on the applicant that caused the applicant to come up with a current solution with the fence/retaining wall.*
- *Relative to Criteria 2 - There are special circumstances attached to the property that do not generally apply to other properties in the same district: the applicant's neighbor caused undue hardship on the applicant that caused the applicant to come up with a current solution with the fence/retaining wall.*
- *Relative to Criteria 3 - Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same district: that the enjoyment of his property was affected by what the neighbor had done, solving it through what the applicant did with this wall.*
- *Relative to Criteria 4 - The variance will not substantially affect the general plan and will not be contrary to the public interest: there is not much that needs to be justified there, as it does not affect the general public, and not contrary to the public interest.*
- *Relative to Criteria 5 - The spirit of this title is observed and substantial justice is done: This title is observed, substantial justice is done. Commissioner Fox seconded the motion.*

Jason Allen	Yes
Robert Fox	Yes
Rod Hess	Excused

Brent Strong	No
Craig Whiting	Yes
Bryan Free	Yes

The motion passed with a 4-1 vote.

7.E. Parkway Fields Stake Center

Presentation summary: The applicant is seeking site plan approval for a new church to be located at 2858 N Pony Express Parkway (Parcel No. 70:028:7065).

Discussion summary:

- The application includes a front setback of 39 feet, exceeding the minimum and maximum requirements.
- The city council has the authority to approve alternative setbacks.
- The landscaping plan includes trees and shrubs to screen light poles and meet code requirements.
- The Commission shared that they liked the setback and landscaping along Pony Express.

Commissioner Allen opened the public hearing at 8:10 p.m. As there were no comments, he closed the hearing.

MOTION: *Commissioner Whiting moved to recommend approval to the City Council of Item 7.E., Parkway Fields Stake Center, with the consideration that the City Council determine if they would like to approve an alternate setback. Commissioner Fox seconded the motion.*

Jason Allen	Yes
Robert Fox	Yes
Rod Hess	Excused
Brent Strong	Yes
Craig Whiting	Yes
Bryan Free	Yes

The motion passed with a unanimous vote.

7.F. Ordinance Amending EMMC 17.72 Architectural Standards

Presentation summary: The City has been working with VCBO to amend architectural standards regarding commercial and multi-family residential development(s). The consultant has met with the Planning Commission and City Council as the draft has progressed to the final draft, which is to be reviewed and, if deemed acceptable, forwarded to the City Council.

Discussion summary:

- VCBO presented Architectural Standards and changes after meeting with City Council.
- The standards address site and setting, building location, parking, drive-throughs, landscaping, signage, and activity zones.
- The Commissioners discussed specific modifications and changes, including drive-through requirements and building height standards.
- The multifamily design standards prioritize rear access for garages and include specific requirements for window proportions and material warranties.
- The Commission agreed that brick or rock veneer not be permitted.

Commissioner Allen opened the public hearing at 8:36 p.m. As there were no comments, he closed the hearing.

MOTION: *Commissioner Whiting moved to recommend approval to the City Council of Item 7.F., Ordinance Amending EMMC 17.72 Architectural Standards, with noted changes. Commissioner Allen seconded the motion.*

Jason Allen	Yes
Robert Fox	Yes
Rod Hess	Excused
Brent Strong	Yes
Craig Whiting	Yes
Bryan Free	Yes

The motion passed with a unanimous vote.

7. Discussion Items
 - The upcoming Planning Conference in Salt Lake City

8. Next Scheduled Meeting

The next Planning Commission meeting is scheduled for September 23, 2025.

9. Adjournment

MOTION: *Commissioner Allen moved to adjourn the meeting at 8:38 p.m. Commissioner Whiting seconded the motion.*

Jason Allen	Yes
Robert Fox	Yes
Rod Hess	Excused
Brent Strong	Yes
Craig Whiting	Yes
Bryan Free	Yes

The motion passed with a unanimous vote.

The meeting was adjourned at 8:38 p.m.

Approved by the Planning Commission on

Brandon Larsen
Planning Director



**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING
SEPTEMBER 23, 2025**

TITLE:	Meritage Homes Development Agreement
ITEM TYPE:	Master Development Agreement
FISCAL IMPACT:	N/A
APPLICANT:	Meritage Homes

CURRENT GENERAL PLAN DESIGNATION & ZONE	ACREAGE
N/A	N/A

PUBLIC HEARING

Yes

PREPARED BY

Marcus Draper, City Attorney

PRESENTED BY

Marcus Draper

RECOMMENDATION:

That the Planning Commission recommend to the City Council adoption of the Development Agreement

BACKGROUND:

Meritage Homes purchased land from the Harmony Subdivision developer covering three plats. Two of those plats have lots that abut arterial and/or collector roads. Pursuant to the Harmony Development Agreement and City Code, privacy fencing is required on the property lines of those lots at the time the subdivision infrastructure is installed and prior to the issuance of a building permit. The parties dispute what material is required to be used for the privacy fencing. To resolve the dispute, the parties are proposing a development agreement specific to the Meritage parcels that would allow Meritage to receive building permits prior to installing the fence and they would bond for it. Meritage would have to start the installation within 6 months and proceed with reasonable diligence to completion.

ITEMS FOR CONSIDERATION:

Development Agreement terms in relation to EMMC 16.35.090 & 17.60.120.E.

PLANNING COMMISSION ACTION/RECOMMENDATION:

N/A

ATTACHMENTS:

1. Development Agreement - Meritage

WHEN RECORDED, RETURN TO:

Eagle Mountain City
Attn: Gina L. Olsen, City Recorder
1650 Stagecoach Run
Eagle Mountain, UT 84005

**DEVELOPMENT AGREEMENT
FOR MERITAGE HOMES IN HARMONY SUBDIVISION**

This Development Agreement for Meritage Homes in Harmony Subdivision (“Agreement”) is made and entered into as of the _____ day of _____, 2025, by and between Eagle Mountain City, a political subdivision of the State of Utah (“City”) and Meritage Homes of Utah, Inc., an Arizona Corporation (“Developer”).

RECITALS

A. On or about January 6, 2015, Eagle Mountain entered into a development agreement (“Harmony DA”) with Eagle Mountain Properties, LLC regarding the Harmony Preliminary Plat.

B. Meritage purchased the land encompassing Plats A-12, A-15, and A-16 (“Meritage Parcels”) that is subject to the Harmony DA. Plats A-15 and A-16 abut Walden Parkway and Johnny Circle, which are collector and arterial roads.

C. Eagle Mountain alleges that Section 19 of the Harmony DA requires that the developer install six-foot privacy fencing or a decorative wall for all rear lots that abut a collector or arterial road (“Privacy Fencing”) during the installation of the subdivision infrastructure and as a result, the building permits in Plats A-15 and A-16 have not yet been issued, resulting in unanticipated delays.

D. The Parties dispute the meaning of Section 19. Eagle Mountain alleges that Meritage is responsible for the construction and installation of Privacy Fencing made out of stone, masonry or decorative concrete pursuant to Section 19. Meritage is willing to build Privacy Fencing made out of Other Privacy Fencing Materials (defined below), but denies that it is required to install Privacy Fencing made out of stone, masonry or decorative concrete. These relative positions are collectively the “Dispute.”

E. To resolve the Dispute, the Parties desire to enter into this Agreement to clarify and amend the requirements in relation to the Privacy Fencing.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agrees as follows.

AMENDMENT

1. **Recitals.** The above-stated recitals are incorporated herein as part of this Agreement.
2. **Fence Completion and Security Timing.**

2.1. *Bond.* Developer shall post a surety or cash bond in an amount equal to 110 percent of the estimated cost of the Privacy Fencing to guarantee the performance of its obligation to install the Privacy Fencing within the timelines and in the manner required by this Agreement.

2.2. *Start Date.* Within six (6) months of the Effective Date, provided that such deadline shall be extended by any delays resulting from a Force Majeure Event (defined below), Meritage shall begin installing Privacy Fencing made of durable materials consisting of either stone, masonry or decorative concrete (including precast concrete) along the rear lot lines of the lots identified with a pink line on Exhibit A attached hereto (the “Meritage Privacy Fencing”). After beginning to install the Privacy Fencing, Meritage shall proceed with reasonable diligence to complete the installation. Installation shall be complete within two (2) months after beginning the process, unless a Force Majeure Event occurs.

2.3. *Municipal Approvals.* Upon posting of the bond described in Section 2.1 above, the City shall agree to not withhold issuance of municipal approvals in relation to the Meritage Parcels, including without limitation building permits, inspections, and certificates of occupancy, solely on the basis that the Privacy Fencing has not yet been completed. Notwithstanding the foregoing, the City may withhold municipal approvals if Developer fails to comply with the requirement of Sections 2.1 and 2.2 above. Notwithstanding anything to the contrary in this Agreement, if Meritage’s deadline to begin installing Meritage Privacy Fencing is extended due to a delay caused by a Force Majeure Event as set forth in section (2)(b), then the six-month period contemplated in this section (2)(c) shall also be extended by an amount of time equal to the delay caused by such Force Majeure Event.

2.4. *Force Majeure.* Meritage shall be excused for the period of any delay in performing any obligation under this Agreement caused by any of the following: (a) strikes, lockouts, work stoppages, acts of God, inability to obtain labor or materials, enemy action, acts of terrorism (whether of foreign, domestic or unknown origin), civil commotion, fire, unavoidable casualty, delays resulting from investigations relating to, or remediation or mitigation of, known or unknown environmental conditions, delays in obtaining demolition, construction and similar permits, approvals or licenses, (b) a resurgence in COVID-19 or other epidemic, pandemic or similar health matters that results in cessation of some or all construction activities or restrictions on the use of labor and (c) labor and materials shortages and delays (each, a “Force Majeure Event”).

3. **Recording.** The Parties shall cause this Agreement to be recorded in the records of the Utah County Recorder.

4. **Default.**

4.1. *Notice.* If Developer or Eagle Mountain fails to perform their respective obligations hereunder or to comply with the terms hereof, the Party believing that a Default has occurred shall provide Notice to the other Party.

4.2. *Contents of the Notice of Default.* The Notice of Default shall:

4.2.1. Specific Claim. Specify the claimed event of Default;

4.2.2. Applicable Provisions. Identify with particularity the provisions of any applicable law, rule, regulation or provision of this Agreement that is claimed to be in Default; and

4.2.3. **Optional Cure.** If City chooses, in its discretion, it may propose a method and time for curing the Default which shall be of no less than thirty (30) days duration.

4.3. **Mediation.** Upon the issuance of a Notice of Default the parties may engage a mediation or other dispute resolution process. Neither side shall be obligated to mediate if doing so would delay or otherwise prejudice any remedy available at law.

5. Developer's Exclusive Remedy. Developer's sole and exclusive remedy under this Agreement shall be specific performance of the rights granted in this Agreement and City's obligations under this Agreement. IN NO EVENT SHALL CITY BE LIABLE TO DEVELOPER, ITS SUCCESSORS OR ASSIGNS, FOR ANY INDIRECT, SPECIAL, PUNITIVE, INCIDENTAL OR CONSEQUENTIAL DAMAGES, INCLUDING, WITHOUT LIMITATION, LOST PROFITS, COSTS OF DELAY, OR LIABILITIES TO THIRD PARTIES.

6. Severability. Except as specifically stated herein, any provision of this Agreement, or portion thereof, that is declared by a court of competent jurisdiction to be invalid or unenforceable shall not affect the validity of the remainder of this Agreement and each paragraph of this Agreement will be valid and enforceable to the fullest extent permitted by law.

7. Time is of the Essence. Time shall be of the essence with respect to the duties imposed on the parties under this Agreement. Unless a time limit is specified for the performance of such duties each party shall commence and perform its duties in a diligent manner in order to complete the same as soon as reasonably practicable.

8. Construction of the Agreement. This Agreement shall be construed so as to effectuate its public purpose of ensuring the Meritage Parcels are developed as set forth herein to protect health, safety, and welfare of the citizens of City. This Agreement has been reviewed and revised by legal counsel for each of the Parties and no presumption or rule that ambiguities shall be construed against the drafting Party shall apply to the interpretation or enforcement of this Agreement.

9. No Waiver. Failure of a Party hereto to exercise any right hereunder shall not be deemed a waiver of any such right and shall not affect the right of such party to exercise at some future time said right or any other right it may have hereunder. The provisions may be waived only in writing and signed by the party intended to be benefited by the provisions being waived.

10. Entire Agreement. This Agreement shall supersede all prior agreements with respect to the subject matter herein, and all prior agreements and understandings are merged herein. This Agreement shall not be modified or amended except in written form mutually agreed to and signed by each of the parties.

11. Applicable Law. This Agreement and the construction thereof, and the rights, remedies, duties, and obligations of the parties which arise hereunder, are to be construed and enforced in accordance with the laws of the State of Utah.

12. Notices. Any notices required or permitted to be given pursuant to this Agreement shall be in writing and shall be deemed to have been sufficiently given or served for all purposes when presented personally, or four (4) days after being sent by registered or certified mail, properly addressed to the parties as follows:

To the Developer:

with a copy to:

To the City:

City Recorder
Eagle Mountain City
1650 E. Stagecoach Run
Eagle Mountain, UT 84005

13. Execution of the Agreement. This Agreement may be executed in multiple parts as originals or by facsimile copies of executed originals; provided, however, if executed and evidence of execution is made by facsimile copy, then an original shall be provided to the other party within seven (7) days of receipt of said facsimile copy.

14. Hold Harmless. Developer shall hold City, its officers, agents, employees, consultants, special counsel, and representatives harmless from liability for damages or equitable relief arising out of claims for personal injury or property damage arising from direct or indirect operations of Developer or its contractors, subcontractors, agents, employees or other persons acting on its behalf, in connection with the Meritance Parcels.

15. Relationship of the Parties. This Agreement is not intended to create any partnership, joint venture or other arrangement between City and Developer. This Agreement is not intended to create any third party beneficiary rights for any person or entity not a party to this Agreement. It is specifically understood by the parties that: (i) all rights of action and enforcement of the terms and conditions of this Agreement shall be reserved to City and Developer, (ii) the development of the Meritance Parcels is a private development; (iii) City has no interest in or responsibilities for or duty to third parties concerning any improvements to the Meritance Parcels; and (iv) Developer shall have the full power and exclusive control of the Meritance Parcels subject to the obligations of Developer set forth in this Agreement.

16. Title and Authority. Developer expressly warrants and represents to City that it is a limited liability company in good standing and that such company owns or controls all right, title and interest in and to the Meritance Parcels and that no portion of the Meritance Parcels, or any right, title or interest therein has been sold, assigned or otherwise transferred to any other entity or individual. Developer warrants that the undersigned individual has full power and authority to enter into this Agreement on behalf of Developer. Developer understands that City is relying on such representations and warranties in executing this Agreement.

17. Further Assurances, Documents, and Acts. Each of the Parties agrees to cooperate in good faith with the other and to execute and deliver such further documents, and to take all further acts reasonably necessary in order to carry out the intent and purposes of this Agreement and the actions contemplated hereby. All provisions and requirements of this Agreement shall be carried out by each party as allowed by law.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement by and through their respective, duly authorized representatives as of the day and year first herein above written.

[signatures on following pages]

CITY

EAGLE MOUNTAIN CITY

TOM WESTMORELAND, Mayor

ATTEST

GINA L. OLSEN, City Recorder

City Attorney
Approved as to form and legality

CITY ACKNOWLEDGEMENT

STATE OF UTAH)
:ss
COUNTY OF UTAH)

On the _____ day of _____, 2025, personally appeared before me
TOM WESTMORELAND, who being by me duly sworn, did say that he is the MAYOR OF EAGLE
MOUNTAIN CITY, a political subdivision of the State of Utah, and that said instrument was signed in
behalf of the City by authority of its City Council and said Mayor acknowledged to me that the City
executed the same.

NOTARY PUBLIC

DEVELOPER

MERITAGE HOMES OF UTAH, INC
An Arizona Corporation

_____, _____

DEVELOPER ACKNOWLEDGMENT

STATE OF UTAH)
:ss
COUNTY OF UTAH)

On the _____ day of _____, 2025, personally appeared before me
_____ duly sworn, did say that he is the _____ of MERITAGE HOMES OF UTAH INC, an
Arizona corporation and that the foregoing instrument was duly authorized by the corporation and signed
in behalf of said corporation.

NOTARY PUBLIC



**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING
SEPTEMBER 23, 2025**

TITLE:	Hidden Hollow Clubhouse Amenity Conversion
ITEM TYPE:	Site Plan
FISCAL IMPACT:	N/A to City
APPLICANT:	Cadence Homes; Hunter Smith representing

CURRENT GENERAL PLAN DESIGNATION & ZONE	ACREAGE
Foothill Residential/Parks and Open Space	3.1

PUBLIC HEARING

Yes

PREPARED BY

Robert Hobbs, Senior Planner

PRESENTED BY

Robert Hobbs

RECOMMENDATION:

That the Planning Commission consider the Applicant's proposal and make a recommendation concerning the same to the City Council.

BACKGROUND:

(Justification - see Applicant's narrative)

Although a recent code amendment permits administrative (Staff-level) review of site plans, the specific criteria outlined in that amendment—along with the code referenced in the 'Items for Consideration' section of this report—necessitated processing the Applicant's request as a standard site plan amendment. As such, review by both the Planning Commission and City Council is required, since site plans in our City must be reviewed sequentially by these two bodies. That said, Staff considers the proposed amenity swap to be minor in nature and scope, especially when compared to other types of possible site plan revisions.

ITEMS FOR CONSIDERATION:

Code Matter(s):

"17.25.050 Generally applicable provisions.

All development projects within any residential zone shall conform to the following general requirements:

...
L. Clubhouse and Swimming Pool. All multifamily developments in the MF1 and MF2 zones shall include a swimming pool in addition to the clubhouse. The approval authority of a preliminary plat or site plan may consider and approve alternatives to these improvements if the improvements are considered comparable or equivalent in cost and in benefit to the future residents. For this determination they should consider the size of units, the type of units, the proximity to other recreational amenities, and any unique attributes of the property.

...
2. Swimming Pool. An in-ground swimming pool that is centrally located in the development is

intended to provide a recreational and social amenity to residents. The pool shall be a minimum of 1,000 square feet in size and must accommodate at least four square feet of pool space per residential unit being served by the pool [Staff - based on plat C, this would equate to 128 sq. ft. of pool area]. At the discretion of the council, developments may be required to provide multiple pools to fulfill this requirement, depending on the number of units served and overall project densities and layout. It shall also include a concrete patio, patio furniture, a non-sight-obscuring fence, and comply with all required building codes (including a building permit). The swimming pool does not count towards fulfilling the amenity requirements found in Chapter 16.35 EMMC. The approval authority shall review and approve the swimming pool facility during the site plan review process. The construction of the pool shall commence prior to the thirty-first building permit being issued in the development, or a cash or improvement bond shall be placed with the city to cover the cost of construction. If multiple pools are being provided in a development the additional pools shall begin construction along with the phase of development that includes the pools."

Comments:

Assessment of the Applicant's proposal relegates the City to subjectively assessing, generally, whether the cost and demand for the proposed 600 sq. ft. gym, covered outdoor patio and cornhole courts [in the grass by the clubhouse, under the patio cover, in the clubhouse add-on?] would offset the cost and appeal of a pool. The pool, expectedly, would cost more to construct and maintain (e.g., pool deck, board, ladder, furniture, insurance, fencing, keyed gate, etc.) than a 600 sq. ft., inset gym. Further, the pool would only have seasonal availability — but may be more universally accessible or desirable than a gym (which has a more limited target user group but its own initial fixed expenses — especially equipment). A gym would likely be a lesser long-term maintenance expense. The Applicant indicates they surveyed their residents to ascertain the desirability of a pool vs. other amenities they desire. Staff does not have a copy of that survey document.

The space to be devoted to the proposed substitute amenities would roughly be the same as, or less than, that required for the pool per code. The Applicant notes in their narrative that they already have [separate] plans for "a large playground and pickleball court" on Parcel D.

Cornhole "Court" Examples:



Other than a couple of minor plan correction items cited by Public Works Staff, outside departments had no comments respecting the proposed pool conversion. Site plan standards stemming from EMMC 17.100 are not germane to this matter, the clubhouse being separately reviewed through plan review.

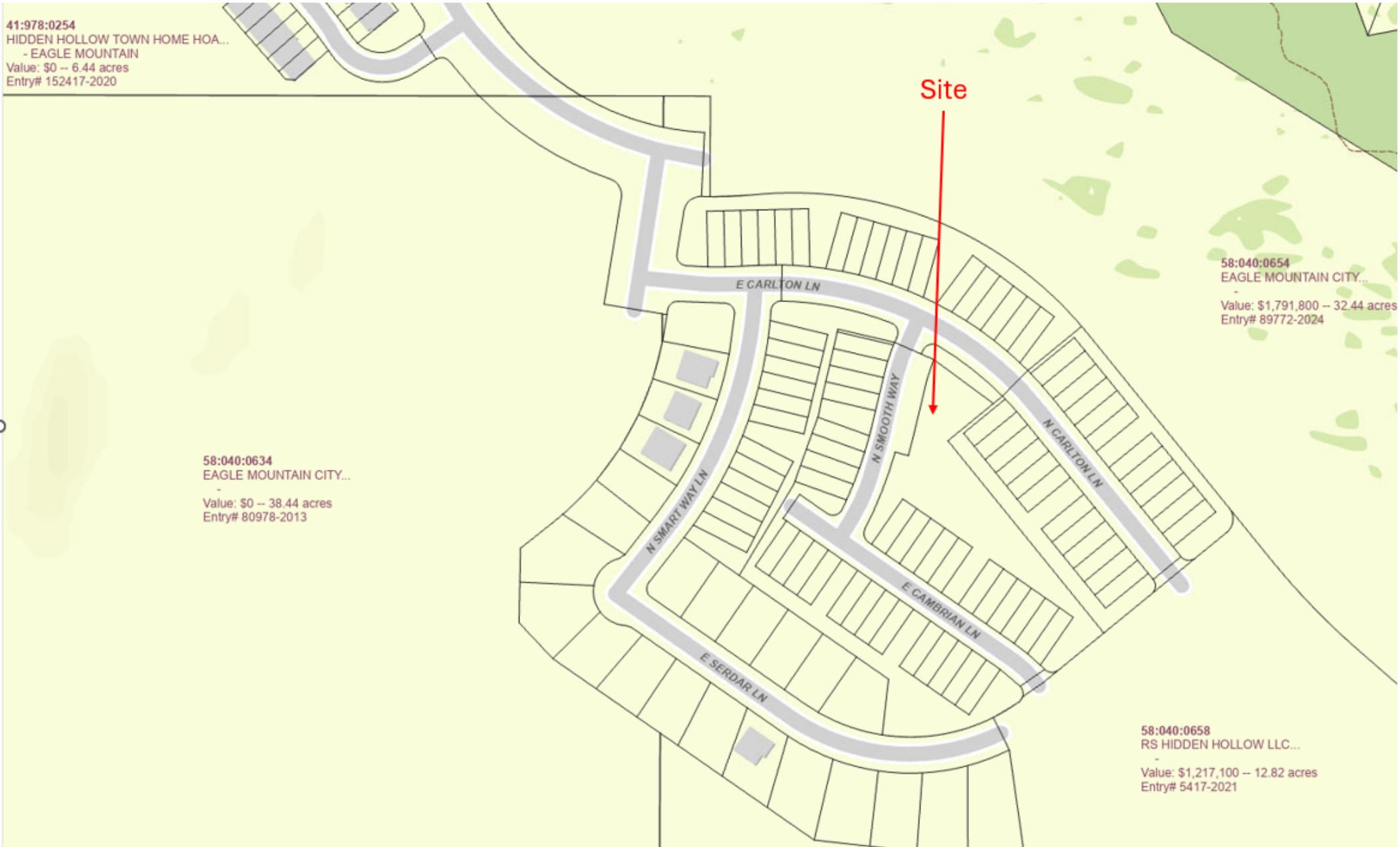
PLANNING COMMISSION ACTION/RECOMMENDATION:

N/A

ATTACHMENTS:

1. Hidden Hollow Clubhouse Vicinity Map High Level
2. Hidden Hollow Clubhouse Vicinity Map Low Level
3. Hidden Hollow Clubhouse Vicinity Map Plat
4. Justification Narrative
5. CADENCE CLUBHOUSE 09.02.25

Vicinity Map Zoom

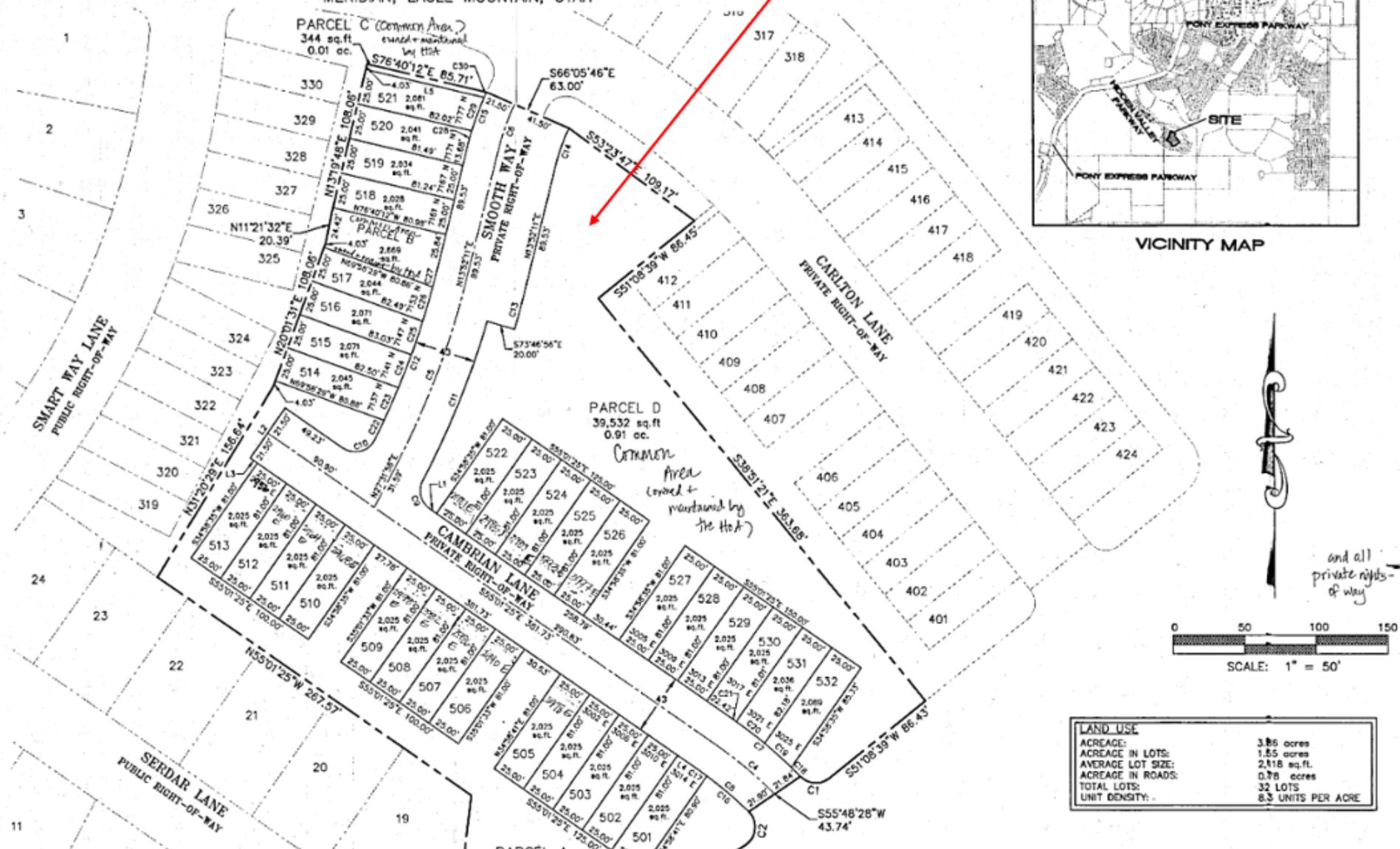


Vicinity Map Plat

HIDDEN HOLLOW PHASE C PLAT 5

SITUATED IN THE SOUTHEAST QUARTER OF SECTION 30,
TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND
MERIDIAN, EAGLE MOUNTAIN, UTAH

Site

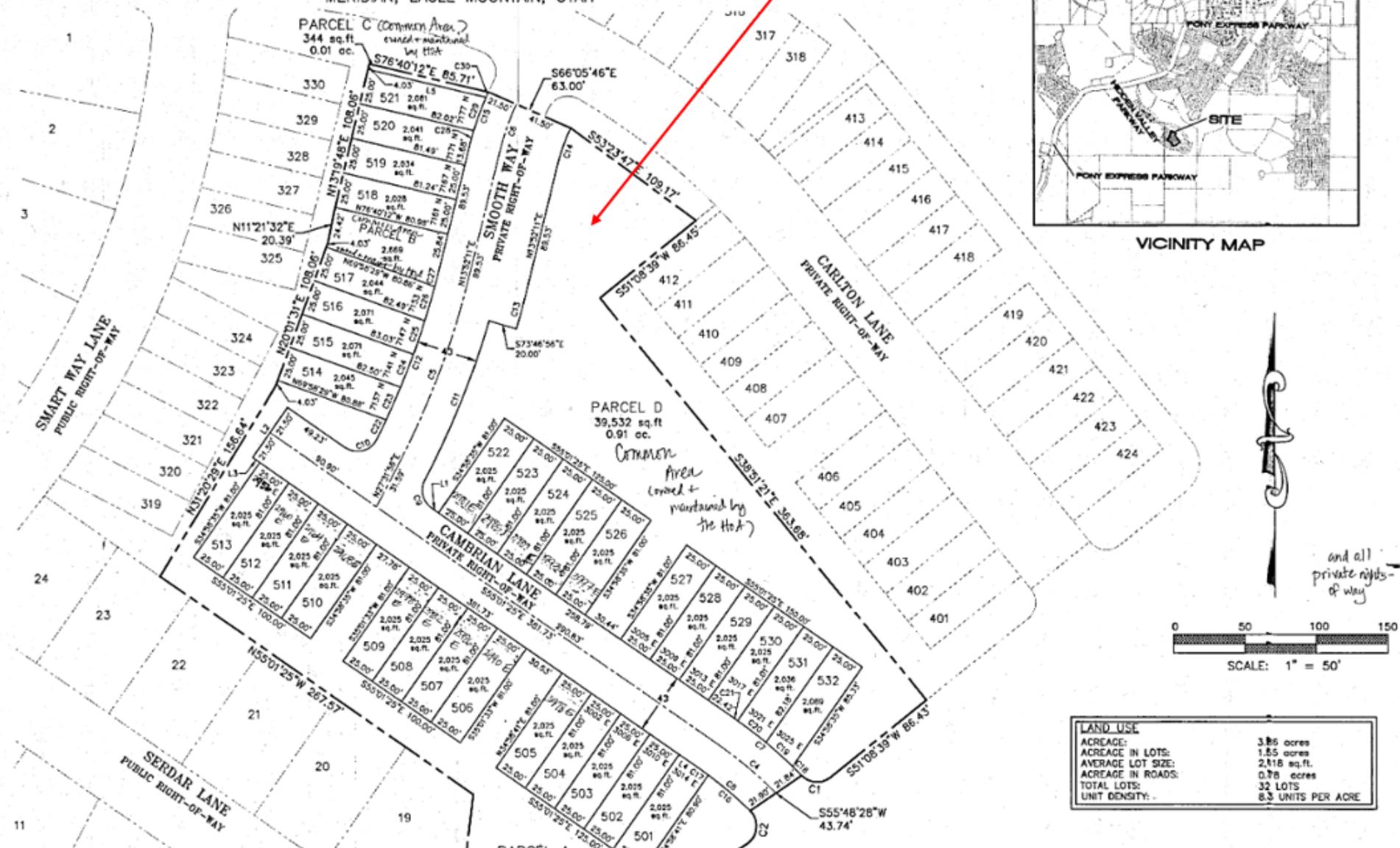


Vicinity Map Plat

HIDDEN HOLLOW PHASE C PLAT 5

SITUATED IN THE SOUTHEAST QUARTER OF SECTION 30,
TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND
MERIDIAN, EAGLE MOUNTAIN, UTAH

Site



To the City of Eagle Mountain,

Thank you for taking the time to review our request to make adjustments to the amenity at the Hidden Hollow Community. As you know, the city requires all multifamily developments to include a clubhouse and a swimming pool per code 17.25.050. Included in this code is the ability to approve alternatives that are “considered comparable or equivalent in cost and benefit” to the residents and future residents of the community. We would like to request an alternative to a swimming pool and instead construct a gym, additional outdoor uses, and a covered patio as part of the clubhouse.

A few reasons we suggest an alternative to a swimming pool include:

- The community experiences a lot of wind and the landscape surrounding the community is dry and dusty, which combined with the wind will result in increased maintenance costs for the HOA
- Seasonality of pool operations would allow it to be accessible for only a few months of the year (typically Memorial Day to Labor Day)
- Community feedback suggests other uses instead of pool
- Want to maintain HOA fees

As we thought about alternatives to a swimming pool, we wanted to find something that would allow residents the ability to use the amenity throughout the entire year. We decided a survey of the current residents in the community would give us a good idea of what will be used. The survey showed most respondents requesting a larger playground, with other respondents asking for a larger clubhouse and gathering space, additional pickleball courts, and a basketball court. Our currently approved amenity does include a large playground and pickleball court which will be constructed with the amenity and open space known as “Parcel D” on Plat 5. A follow-up question asked for additional ideas and a gym was the most frequent suggestion with other suggestions including a splash pad and outdoor games area. The survey results showed the most interest in more gathering space and a gym.

This led us to our current proposal of a 600 sf gym, a covered patio and grill attached to the clubhouse, and cornhole courts. The gym will include machines, free weights, and a yoga/stretching area. The covered patio will include tables, a grill, and storage accessible by residents. We feel that including each of these provides amenities to the residents that can be used year round and accommodate all residents and future residents.

One of the stipulations for the city code is the alternative must be “considered comparable or equivalent in cost and benefit.” With this in mind, we asked a pool contractor to give us a quote on the pool which came back between \$150,000 and \$175,000. We also asked for

bids on the gym, covered patio and grill, and cornhole courts. The total of these estimates came back between \$145,000 and \$167,000.

For the above reasons, we request the city consider and approve our proposed alternative amenities to the Hidden Hollow community. By approving this proposal we will provide the residents with amenities to their community that can be used year round and accommodate any resident who lives in the community now or in the future.

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GENERAL SITE NOTES

- A. ALL FINISH GRADING TO SLOPE AWAY FROM PROPOSED STRUCTURES AT MIN 5% SLOPE FOR AT LEAST 10'-0" ON ALL SIDES OF STRUCTURES.
- B. DRAINAGE SYSTEM OF FINISHED GRADING SHALL NOT DRAIN ONTO ANY ADJACENT PROPERTIES.
- C. CONTRACTOR TO PRESERVE AS MUCH OF THE NATURAL VEGETATION ON SITE AS POSSIBLE & CONFORM TO ALL NATURAL VEGETATION.
- D. DUST, MUD, & EROSION SHALL BE CONTROLLED BY WHATEVER MEANS NECESSARY, AND THE ROADWAY SHALL BE KEPT FREE OF MATERIALS AND DEBRIS AT ALL TIMES.
- E. PROVIDE GAS LINE AS SHOWN. COORDINATE FINAL SIZES.

A



A
G002

SITE PLAN

SCALE: 1" = 20'-0"

CADENCE
HOMES



280 N. THANKSGIVING WAY
SITE #00
LEHI, UTAH 84043
BUS: 801.768.0503
FAX: 801.440.1565
EMAIL: RYAN@CADENCEHOMES.COM

CADENCE HOMES - CLUBHOUSE
EAGLE MOUNTAIN
N. CARLTON LN
HIDDEN HOLLOW

PLOT SCALE:
1"=20'-0"
DATE:
09.02.25
JOB:
TOWN-HOA
0536
RM

ISSUES/REVISES:
DATE:

SITE
PLAN



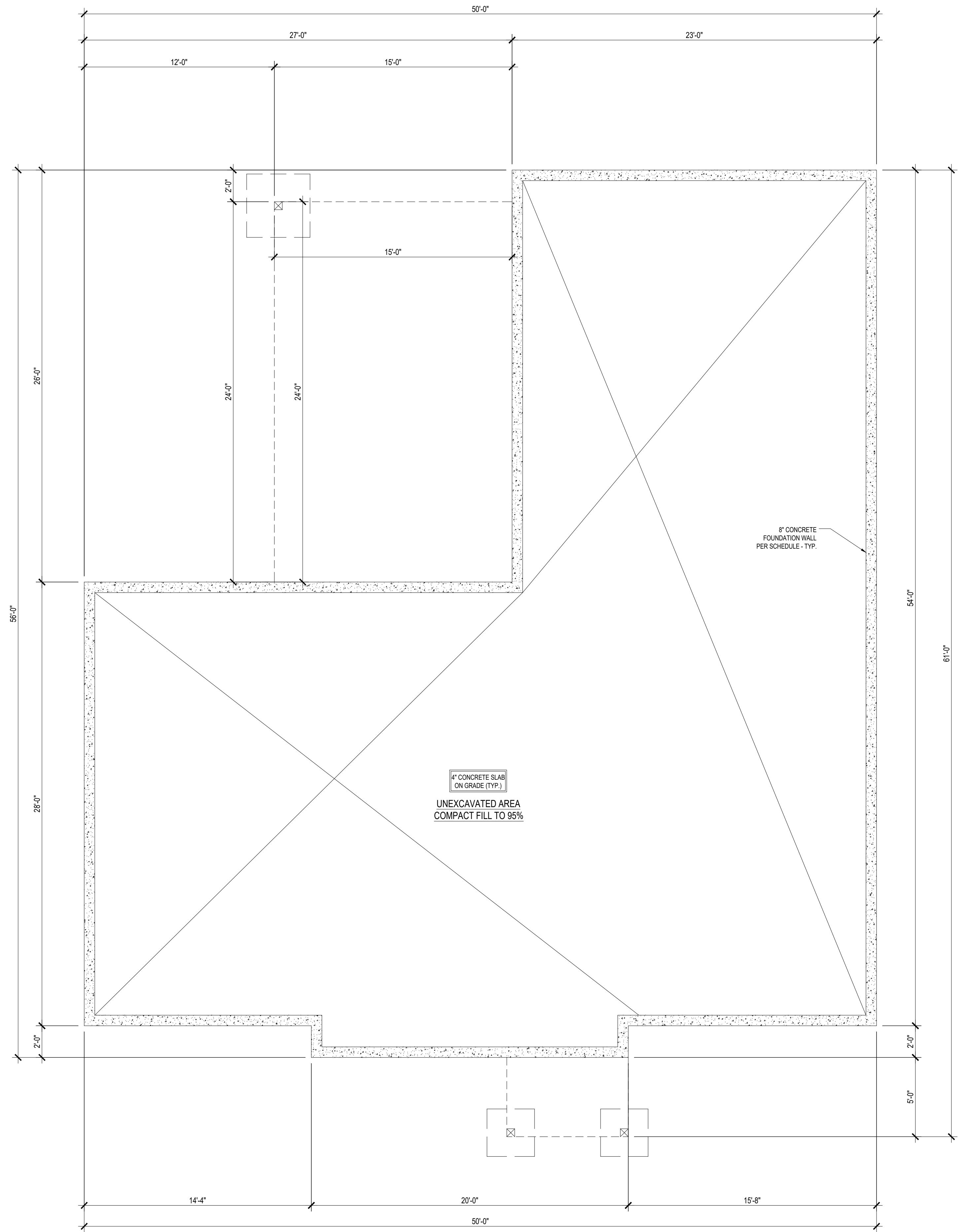
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CADENCE
HOMES

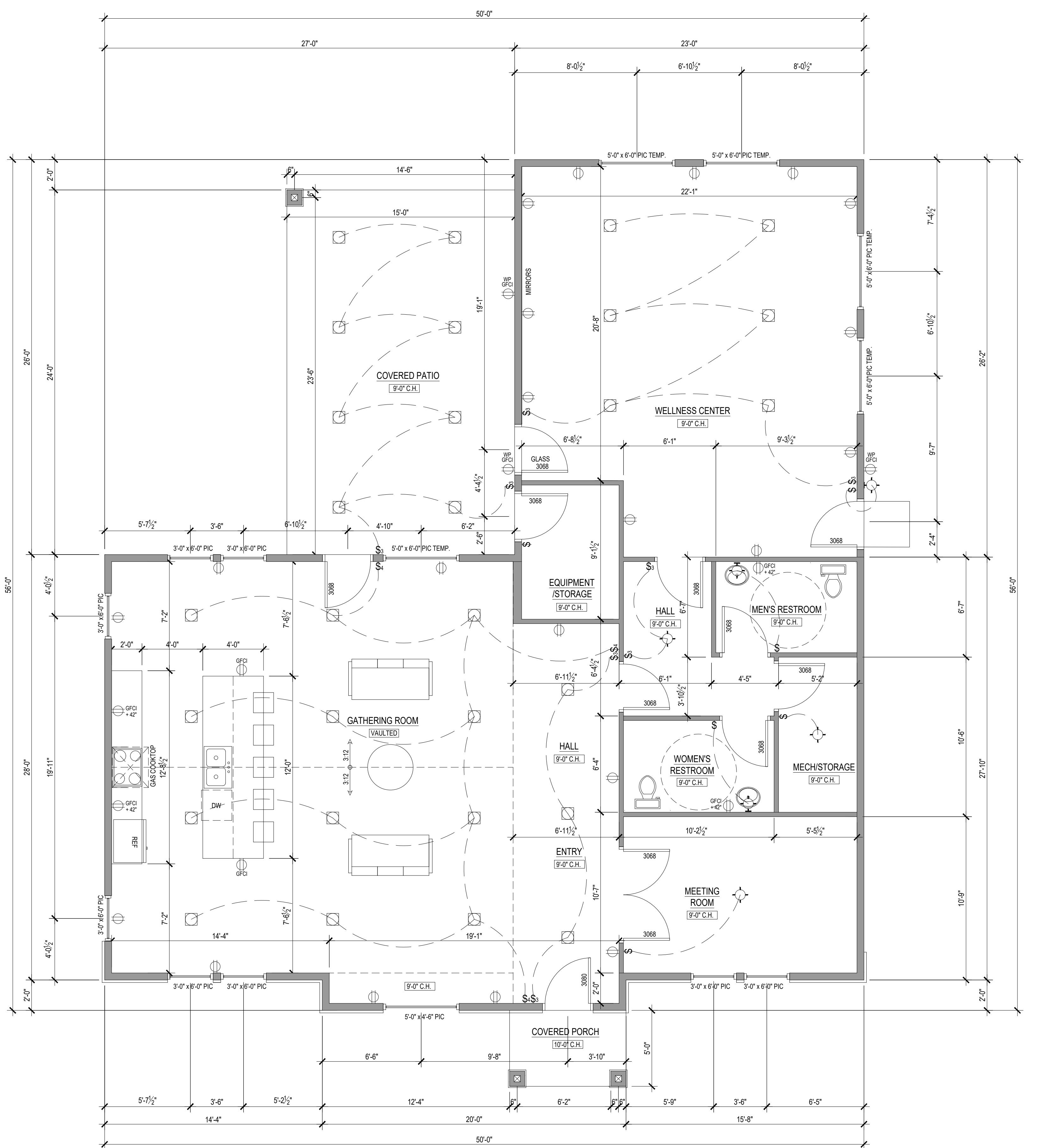
2801 N. THANKSGIVING WAY
SITE #100
LEHI, UTAH 84043
BUS: 801.768.0503
FAX: 801.449.1565
RYAN@CADENCEHOMES.COM

UTAH
CADENCE HOMES - CLUBHOUSE
EAGLE MOUNTAIN
N CARLTON LN
HIDDEN HOLLOW

PLOT SCALE: 1/4"=1'-0"
DATE: 09.02.25
JOB: TOWN-HOA
0536
RM

ISSUES/REVISIONS: DATE:

A100



STRUCTURAL NOTES

A. PLANS ARE NOT COMPLETE WITHOUT STRUCTURAL CALCULATIONS.
 B. REFER TO SHEET SD.0 FOR GENERAL STRUCTURAL NOTES.
 C. ROOF SHEATHING TO BE APA RATED 7/16" OSB OR CDX PLYWOOD WITH 8d NAILS @ 6" O.C. EDGE, 12" O.C. FIELD.
 D. FLOOR SHEATHING TO BE APA RATED 1/2" T&G W/ 10d NAILS OR SIMPSON STW12LS#6 WOOD SCREWS @ 6" O.C. EDGES, 12" O.C. FIELD.
 E. EXTERIOR STUD WALLS TO BE 2X6 @ 16" O.C. U.N.O. GARAGE WALLS MAY BE 2X4 @ 16" O.C. UP TO 10'6" TALL U.N.O.
 F. USE (14) 16d NAILS BETWEEN TOP PLATE SPLICE POINTS, 4" O.C. LAP SPLICE (MIN 6").
 G. INSURE ALL SIMPSON HARDWARE PER MANUFACTURER'S SPECIFICATIONS.
 H. HOLDOWNS SHALL BE INSTALLED ON (2) FULL HEIGHT KING STUDS (MIN 6").
 I. FLOOR JOISTS TO BE 14" FLOOR TRUSSES BY OTHERS.
 J. ROOF RAFTERS TO BE 2X8 DF-12 @ 24" O.C. U.N.O.
 K. PROVIDE 2X SQUASH BLOCKING AT FLOOR FRAMING TO MATCH DIMENSIONS OF POST ABOVE.
 L. ALL DETAILS SHALL APPLY AT ALL SIMILAR SITUATIONS.
 M. IF SUSPENDED PORCH SLAB EXCEEDS 6" THICKNESS, PROVIDE #4 BARS @ 8" O.C. 1 1/2" FROM TOP OF SLAB IN ADDITION TO BOTTOM STEEL AS NOTED ON PLANS.
 N. ALL LUMBER NOT PERMANENTLY PROTECTED FROM THE ELEMENTS SHALL BE PRESERVATIVE TREATED OR OF A DECAY RESISTANT SPECIES. CONTACT LEI ENGINEERING AND SURVEYORS, INC. IF A DIFFERENT SPECIES IS TO BE USED.

FLOOR PLAN GENERAL NOTES:

- SEE GENERAL NOTES ON SHEET G002 FOR ADDITIONAL REQUIREMENTS.
- EXTERIOR DIMENSIONS ARE FROM EXTERIOR FACES OF FOUNDATION WALLS AND FROM ROUGH FRAMING DIMENSIONS PRECLUDE SHEATHING, STONE AND BRICK.
- ALL INTERIOR DIMENSIONS ARE TO FACE OF STUD WALL.
- INTERIOR STUD WALL TO BE 3 1/2" (2X4 FRAMING @ 16 O.C.), UNLESS OTHERWISE NOTED.
- EXTERIOR STUD WALL & PLUMBING WALLS TO BE 1/2" (2X6 FRAMING @ 16 O.C.), UNLESS OTHERWISE NOTED.
- GENERAL CONTRACTOR TO VERIFY ALL CONDITIONS BEFORE CONSTRUCTION.
- SEE STRUCTURAL DRAWINGS AND CALCULATIONS FOR ALL STRUCTURAL REQUIREMENTS, INCLUDING FOUNDATION WALL SPECIFICATIONS, SHEARWALL AND HOLDOWN REQUIREMENTS.

FLOOR PLAN KEY NOTES:

SYMBOL	HOLDOWN/STRAP
■	STHD10/10RJ HOLDOWN SEE DETAIL 15/SD.1

- FLOOR DRAIN, COORDINATE WITH PLUMBING CONTRACTOR.
- SEISMIC STRAPS FOR WATER HEATER AS REQUIRED. STRAPS SIZED AS PERIRC P2001.2.
- MILKWORK COUNTER/CABINETS, COORDINATE STYLE AND FINISH WITH OWNER.
- INSTALL ROD AND SHELF OR CLOSET ORGANIZER SYSTEM. OWNER TO SELECT CONFIGURATION.
- RAILING TO CONFORM WITH CURRENTIRC REQUIREMENTS. COORDINATE FINISHES. OPEN GUARDS SHALL HAVE BALUSTERS OR ORNAMENTS PATTERN SUCH THAT A 4" DIAMETER SPHERE CANNOT PASS THROUGH ANY OPENING.IRC 312.2.
- WALL LINE ABOVE/BELOW.
- PROVIDE 5/8" TYPE X GYPSUM BOARD FOR 1 HOUR FIRE RATING TAPE AT SEPARATION WALLS AND CEILING BETWEEN HOUSE AND GARAGE AS REQUIRED BYIRC.
- 22X30 ATTIC ACCESS.
- PROVIDE MECHANICAL & ELECTRICAL ACCESS PANEL TO JETTED TUB AS REQUIRED BY MANUFACTURER.
- STRUCTURAL COLUMN, SEE STRUCTURAL.
- WALK-IN SHOWER. GLASS TO BE TEMPERED PERIRC.
- PROVIDE HOOD ABOVE STOVE. COORDINATE WITH MECHANICAL & OWNER FOR STYLE & REQUIREMENTS.
- PRE-MANUFACTURED WINDOW WELL. SEE 9A801 FOR DETAILS.
- PROVIDE DRAINAGE PAN FOR WASHER.
- PROVIDE VENTILATION FOR DRYER PERIRC.
- COORDINATE CONCRETE STAIRS WITH FINAL GRADING AND LANDSCAPING.
- CONCRETE STOOP.
- MECHANICAL EQUIPMENT TO RUN IN SHAFT TO ROOF.
- OPTIONAL FEATURES VERIFY WITH OWNER.
- PROVIDE 5/8" TYPE X GYPSUM BOARD ANYWHERE STAIRS ARE ACCESSED FROM BELOW.
- DOOR TO BE 20 MIN FIRE RATED OR BETTER. R30.2.
- SLOPE GARAGE FLOOR TO FRONT OF GARAGE @ 2% SLOPE MIN. OR TO F.D. COORDINATE WITH CONTRACTOR.
- WHITEWATER WHIRLPOOL JETTED TUB.
- COORDINATE WOOD PORCH & STEPS WITH FINAL GRADING AND LANDSCAPING.
- FRAME WALL FOR FUTURE REMOVAL.
- PAINTED HALF WALL WITH WOOD CAP. VERIFY WITH CONTRACTOR.
- REPLACE (GAS, ELECTRIC, WOOD) VERIFY DESIGN WITH CONTRACTOR.
- 12" FURR DOWN @ CEILING FOR MECHANICAL. COORDINATE FINAL DESIGN WITH MECHANICAL CONTRACTOR.

ELECTRICAL LEGEND	
○	DUPLEX OUTLET (GROUNDED)
○WP	WEATHER PROTECTED GFCI DUPLEX OUTLET
○MF	WALL MOUNTED FIXTURE
○GFCI	GROUND FAULT CIRCUIT INTERRUPTER
○AFI	ARC FAULT CIRCUIT INTERRUPTER
○220	220V OUTLET
○FAN	FAN
SM602	SMOKE DETECTOR WIRED IN SERIES W/ CO2 DETECTOR
S S	SWITCH, 3 WAY SWITCH, 4 WAY SWITCH
○PL	PULL LIGHT FIXTURE
○RL	RECESSED LIGHT
○CF	CEILING FIXTURE
○PC	PULL CHORD INCANDESCENT
○CF	CEILING FAN

- OWNER IS TO DETERMINE ALL LOCATION OF OUTLETS AND SWITCHES.
- FINISH MATERIAL PER OWNER.
- ALL ELECTRICAL ON THIS SHEET IS SCHEMATIC FOR PERMIT PURPOSES ACTUAL LOCATIONS AND AMOUNT IS PER OWNER.
- ALL ELECTRICAL WORK IS DESIGN BUILD AND IS TO MEET ALL CURRENT CODE REQUIREMENTS.

# SHEAR WALL SCHEDULE 1.3.4							
DESIGN.	MATERIAL	8d NAILS	1/2" 16 GAGE STAPLES	CAPACITY	NOTE	EDGE	FIELD
1	7/16" OSB OR CDX PLYWOOD	6"	12"	3 1/2"	12"	360	260
2	7/16" OSB OR CDX PLYWOOD	4"	12"	2 1/2"	12"	530	350
3	7/16" OSB OR CDX PLYWOOD	3"	12"	-	-	685	490
4	7/16" OSB OR CDX PLYWOOD	2"	12"	-	-	895	640
5	1/2" SHEET ROCK OR BETTER	6"	12"	-	-	90	90
6	1/2" SHEET ROCK	4"	12"	-	-	155	155

NOTES:

- WALL STUDS ARE TO BE SPACED AT 16" O.C. U.N.O.
- SHIEST ABOVE AND BELOW OPENINGS IN PERFORATED SHEAR WALLS AS PER THE ADJACENT SHEAR WALL DESIGNATION ON EACH SIDE OF OPENING.
- USE (2) KING STUDS AT EACH END OF SHEAR PANELS (SHEAR WALL CHORDS) U.N.O.
- ALL PANEL EDGES SHALL BE BLIND TO 2X OR LARGER FRAMING WITH EDGE NAILING AT ALL SUPPORTS AND PANEL EDGES U.N.O. BE OFFSET TO FALL ON DIFFERENT FRAMING MEMBERS.
- WALLS ARE TO BE APPLIED TO BOTH FACES OF A WALL LESS THAN 8" O.C. ON EITHER SIDE. PANEL JOINTS SHALL BE SPACED EQUAL TO THE SHEAR WALL EDGE NAILING.
- FRAMING ADJOINING PANELS AND SHEAR PLATES SHALL BE 3X OR WIDER FOR EDGE NAILING 3" O.C. OR LESS. NAILS AT ADJOINING PLATE EDGES SHALL BE PLATED SHEAR PLATES. SHEAR PLATES SHALL BE SECURED (DOUBLE 2X FRAMING STITCH-NAILED WITH SPACING EQUAL TO THE SHEAR WALL EDGE NAILING IS AN ADEQUATE SUBSTITUTE FOR 3X FRAMING.)
- FASTENERS FOR SHEET ROCK SHEARWALLS SHALL BE NO. 6 T-S OR W DRYWALL SCREWS 1 1/2" LONG IN LIEU OF 8d NAILS.

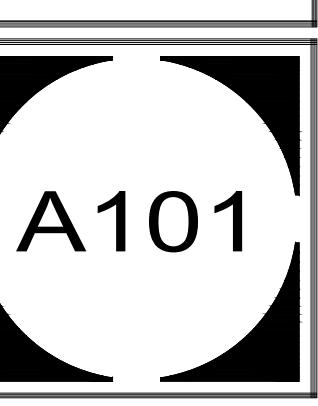
CADENCE HOMES

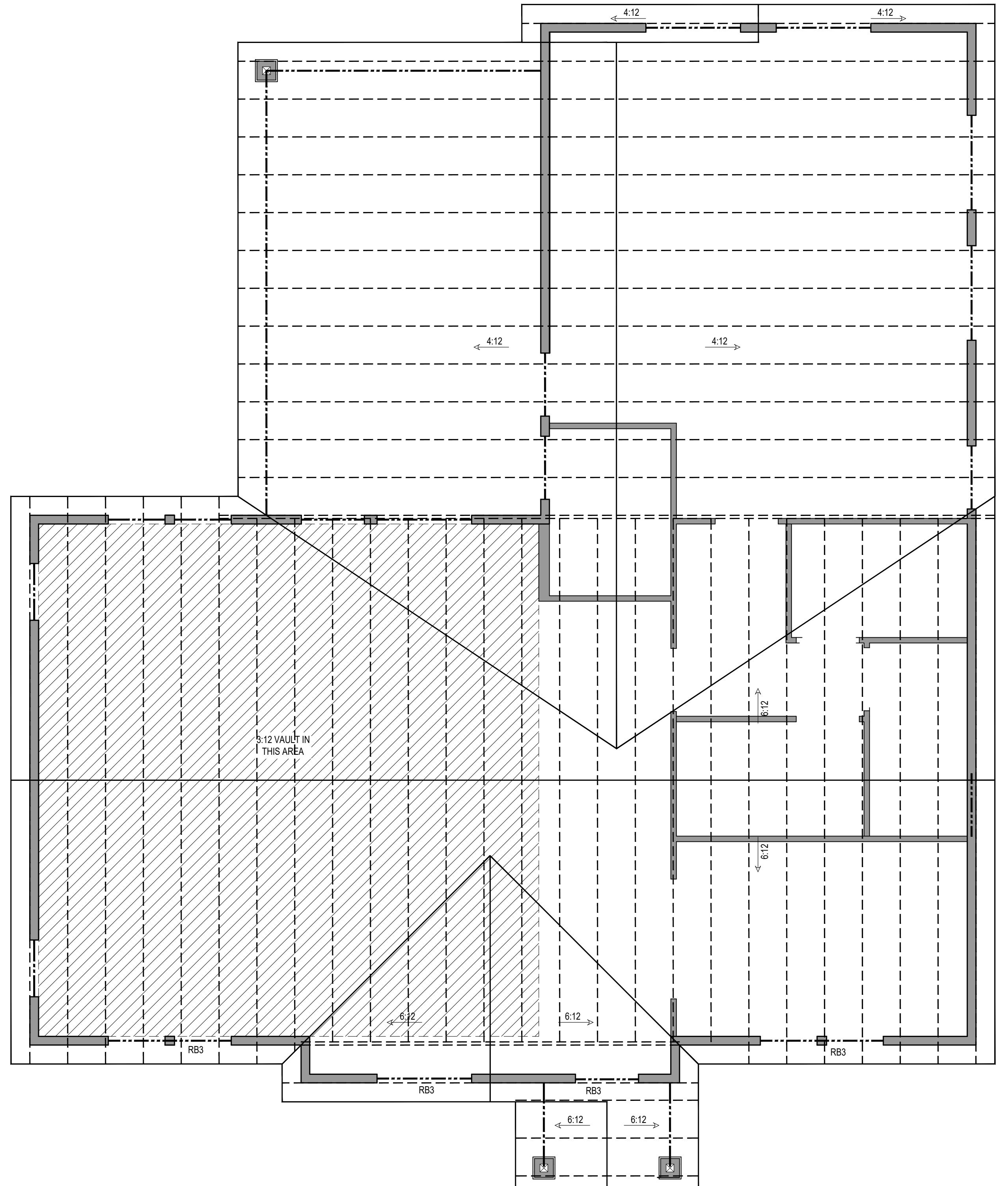
280 N. THANKSGIVING WAY
SITE #00
LEHI, UTAH 84043
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FAX: 801.419.1565
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EAGLE MOUNTAIN
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PLOT SCALE: 1/4"=1'-0"
DATE: 09.02.25
JOB: TOWN-HOA
0536
RM
ISSUES/REVISONS: DATE:

MAIN FLOOR PLAN




STRUCTURAL NOTES:

- A. PLANS ARE NOT COMPLETE WITHOUT STRUCTURAL CALCULATIONS.
 B. REFER TO SHEET 'SD-0' FOR GENERAL STRUCTURAL NOTES.
 C. ROOF SHEATHING TO BE APA RATED 7/16" OSB OR CDX PLYWOOD WITH 8d NAILS @ 6" O.C.
 D. FLOOR FRAMING TO BE APA RATED 3/4" T&G W/ 10d NAILS OR SIMPSON WSNTL2LS# WOOD SCREWS @ 6" O.C. EDGES, 12 O.C. FIELD.
 E. EXTERIOR STUD WALLS TO BE 2X6 @ 16" O.C. U.N.O. GARAGE WALLS MAY BE 2X4 @ 16" O.C. UP TO 10'-0" TALL U.N.O.
 F. USE (14) 16d NAILS BETWEEN TOP PLATE SPLICE POINTS, 4"-0" LAP SPLICE (MIN)
 G. INSTALL ALL SIMPSON HARDWARE PER MANUFACTURERS SPECS.
 H. HOLD DOWNS SHALL BE INSTALLED ON (2) FULL HEIGHT KING STUDS.
 I. FLOOR JOISTS TO BE 2X8 DF-L#2 @ 24" O.C. J.N.O.
 J. ROOF RAFTERS TO BE 2X8 DF-L#2 @ 24" O.C. J.N.O.
 K. PROVIDE 2X SQUASH BLOCKING AT FLOOR FRAMING TO MATCH DIMENSIONS OF POST ABOVE.
 L. ALL DETAILS SHALL APPLY AT ALL SIMILAR SITUATIONS.
 M. IF SUSPENDED PORCH SLAB EXCEEDS 6" THICKNESS, PROVIDE #4 BARS @ 18" O.C. 1 1/2" FROM TOP OF SLAB IN ADDITION TO BOTTOM STEEL AS NOTED ON PLANS.
 N. ALL LUMBER NOT PERMANENTLY PROTECTED FROM THE ELEMENTS SHALL BE PRESERVATIVE TREATED OR OF A DECAY RESISTANT SPECIES. CONTACT LEI ENGINEERING AND SURVEYORS, INC. IF A DIFFERENT SPECIES IS TO BE USED.

POST SCHEDULE

DESIG.	POST SIZE
P1	(1) 2x
P2	(2) 2x
P3	(3) 2x
P4	(4) 2x
P5	(5) 2x
P6	4x4
P7	6x6
P8	3 1/2" x 6 1/2" PARALLAM POST
P9	5 1/2" x 6 1/2" PARALLAM POST

- NOTES: 1. POSTS INDICATE NUMBER OF TRIMMER STUDS WHEN SPECIFIED AT HEADERS. ALL OTHER POST DESIGNATIONS REFER TO FULL HEIGHT KING STUDS U.N.O.
 2. INSTALL (1) TRIMMER AND (1) KING STUD EACH SIDE OF EACH OPENING U.N.O.
 3. INSTALL (2) TRIMMER STUDS AT EACH SIDE OF OPENINGS GREATER THAN 6'-0" WIDE U.N.O.
 4. INSTALL (2) KING STUDS EACH SIDE OF OPENINGS GREATER THAN 8'-0" WIDE U.N.O.
 5. 2x BUILT-UP POSTS SHALL BE THE SAME WIDTH OF THE WALL IN WHICH THEY ARE FRAMED U.N.O.
 6. NAIL EACH PLY OF 2x BUILT-UP POSTS W/ 16d NAILS @ 6" O.C. STAGGERED U.N.O.
 7. POSTS THAT ARE NOT FRAMED WITHIN A STUD WALL SHALL BE BRACED WITH BC OR AC POST CAP AND PB OR ABA POST BASE U.N.O.

BEAM SCHEDULE

DESIG.	QTY.	SIZE	TYPE
RB1	2	2x6	DF-L#2
RB2	2	2x10	DF-L#2
RB3	2	2x8	DF-L#2
RB4	1	3 1/2" x 9"	GLULAM
RB5	1	5 1/2" x 12"	GLULAM
OR	1	6 1/4" x 12"	GLULAM
RB6	2	1 1/4" x 9 1/2"	MICROLLAM
OR	1	3 1/2" x 9"	GLULAM
RB7	2	1 1/4" x 9 1/2"	TIMBERSTRAND
OR	1	3 1/2" x 9"	GLULAM
RB8	1	5 1/2" x 9"	GLULAM
RB9	2	2x10	DF-L#2
RB10	2	2x10	DF-L#2
RB11	2	2x10	DF-L#2
RB12	-	NOT USED	-
RB13	2	1 1/4" x 9 1/2"	TIMBERSTRAND
OR	1	3 1/2" x 10 1/2"	GLULAM
RB14	2	2x10	DF-L#2
RB15	-	NOT USED	-
RB16	2	2x10	DF-L#2

A103 ROOF FRAMING PLAN

SCALE: 1/4" = 1'-0"

 PLOT SCALE: 1/4" = 1'-0"
 DATE: 09.02.25
 JOB: TOWN-HOA
 0536
 RM

 ISSUES/REVISES: DATE:

 ROOF
 FRAMING PLAN

A103

 280 N. THANKSGIVING WAY
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 CADENCE
 HOMES



A FRONT ELEVATION
A201

SCALE: 1/4" = 1'-0"



B LEFT ELEVATION
A201

SCALE: 1/4" = 1'-0"

ELEVATION GENERAL NOTES:

1. FIREPLACE CHIMNEYS SHALL EXTEND AT LEAST 2'-0" ABOVE THE ROOF OR ANY PART OF THE BUILDING WITHIN 10'-0"IRC 1001.1
2. PROVIDE METAL FLASHING AT ALL INTERSECTIONS OF SIDING, STUCCO, BRICK, STONE, ETC.
3. FULL RAIN GUTTERS WITH DOWNSPOUTS EXTENDED 10'-0" AWAY FROM FOUNDATION WALLS OR AS REQUIRED BY LOCAL CODE.
4. ROOFING TO BE ARCHITECTURAL GRADE 30 YR. ASPHALT SHINGLES WITH (6) NAILS PER SHINGLE.
5. ALL EAVES AND VALLEYS TO HAVE ICE & WATER SHIELD.
6. ALL WINDOWS & GLASS UNITS TO BE DOUBLE GLAZED LOW-E.

ELEVATION KEY NOTES:

1. HARDI PLANK LAP SIDING - CEDARMILL.
2. HARDI TRIM.
3. HARDI PANEL VERTICAL SIDING - CEDARMILL WITH HARDI BATTON STRIPS @ 16" O.C.
4. HARDI SHINGLES - SHAKE STAGGERED.
5. HARDI SOFFIT & 2x6 FASCIA UNLESS OTHERWISE SPECIFIED - CEDARMILL. COORDINATE WITH GUTTER SYSTEM.
6. 30" USED.
7. 30 YEAR ARCHITECTURAL GRADE SHINGLE. COORDINATE STYLE AND COLOR WITH OWNER.
8. CULTURED STONE. COORDINATE WITH OWNER.
9. PRE-MANUFACTURED ROOF VENT. PROVIDE REQUIRED AMOUNT FROM VENTING CALCULATIONS AND I.R.C.
10. DECORATIVE COLUMN. SEE DETAIL 7/A01.
11. RAILING TO CONFORM WITH CURRENT IRC REQUIREMENTS. COORDINATE FINISHES. OPEN GUARDS SHALL HAVE BALUSTERS OR ORNAMENTAL PATTERN SUCH THAT A 4" DIAMETER SPHERE CANNOT PASS THROUGH ANY OPENING.IRC 312.2
12. OVERHEAD GARAGE DOOR. SEE PLANS FOR SIZE. NOTCH FOUNDATION AS REQUIRED. STYLE AS PER OWNER.
13. CONCRETE STOOP.
14. COORDINATE CONCRETE STAIRS WITH FINAL GRADING AND LANDSCAPING.
15. CONCRETE FOOTING. SEE SHEET A100 FOR STRUCTURAL.
16. SLOPE GRADE 1" PER FOOT AWAY FROM STRUCTURE.
17. 12" POP-OUT.
18. CONCRETE FOUNDATION WALL. SEE SHEET A100 FOR STRUCTURAL.
19. PRE-MANUFACTURED STONE CAP.
20. WOOD BRACKET.
21. COORDINATE WOOD PORCH & STEPS WITH FINAL GRADING AND LANDSCAPING.
22. DOUBLE GLAZED LOW-E VINYL WINDOW. SEE PLANS FOR SIZES.
23. STEPPED FOUNDATION WALL. SEE STRUCTURAL SHEETS FOR DETAILS.
24. WOOD BEAM. SEE STRUCTURAL.

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EXTERIOR ELEVATIONS

A201



**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING
SEPTEMBER 23, 2025**

TITLE:	Animal, Exceptions, Public Hearings, and Appeals Code Amendment
ITEM TYPE:	Development Code Amendment
FISCAL IMPACT:	N/A
APPLICANT:	City-initiated

CURRENT GENERAL PLAN DESIGNATION & ZONE	ACREAGE
N/A	N/A

PUBLIC HEARING

Yes

PREPARED BY

Steven Lehmitz, Planner

PRESENTED BY

Steven Lehmitz

RECOMMENDATION:

Staff recommends that the Planning Commission forward a positive recommendation to the City Council respecting the proposed amendments.

BACKGROUND:

Recent situations brought to the City regarding animals have prompted this code amendment to provide clarification and add standards. Additionally, a recent change to State code (UCA 10-9a-701(5)) requires the City to remove public hearings for variances and land use appeals.

This item was tabled at the July 22, 2025, Planning Commission meeting — with direction given to Staff to make a few changes. Staff is bringing this back to the Planning Commission with the following changes (highlighted in yellow in the attached draft):

1. The way a property can have a mix of animals is better defined;
2. The possibility of having animals on 1/4-acre lots was added;
3. Animal management plans will be placed on the Planning Commission's agenda within 45 days;
4. The Planning Commission will be notified and have the ability to revoke their approval of animal management plans;
5. The ability to seek exceptions to business license standards was reinstated;
6. The ability to seek exceptions to accessory dwelling unit standards was reinstated, though with limits for what exceptions may be granted.

ITEMS FOR CONSIDERATION:

The Planning Commission should consider the potential consequences associated with the proposed code changes if later recommended for adoption. Ordinances pertaining to Development Code Amendments, and processing of the same, may be found in EMMC 17.05.120 & UCA 10-9a-501.

PLANNING COMMISSION ACTION/RECOMMENDATION:

N/A

ATTACHMENTS:

1. Draft Code Amendment - Version 2

6.05.260 Number of animals.

No person may harbor or possess more than the number of dogs shown in Table 6.05.260(a) or more than four cats, four months of age or older, without acquiring a short-term pet sitting license, kennel license, or a hobby breeder license for such use or facility from the city. Ownership of more than four cats without said licenses must be approved by the animal regulation coordinator for a legitimate business purpose.

Table 6.05.260(a)

Maximum Permitted Number of Dogs by Lot Size		Dogs Allowed as Pets (No License Required)	Hobby Breeder License*	Short-Term Dog Kennel Sitting*	
Dog Size	Lot Size				
Small Large	Condos/Apartments or Townhomes	2	n/a N/A	2	n/a N/A
		2	n/a N/A	2	n/a N/A
Small Large	Under 5,500 SF	2	4	4	n/a N/A
		2	3	3	n/a N/A
Small Large	5,501 – 8,000 SF	3	4	4	n/a N/A
		3	4	4	n/a N/A
Small Large	8,001 – 21,780 SF	4	6	6	n/a N/A
		4	5	5	n/a N/A
Small Large	21,781 SF – 1 Acre	4	6	6	n/a N/A
		4	6	6	n/a N/A
Small Large	> 1 Acre to < 10 Acres	4	8	8**	n/a N/A
		4	8	8**	n/a N/A
Small Large	> 10 Acres to < 20 Acres	6	12**	12**	As approved by PC
		6	12**	12**	As approved by PC
Small Large	> 20 Acres	8	16**	16**	As approved by PC
		8	16**	16**	As approved by PC

~~* Total number of dogs allowed on property~~

~~** Additional dogs may be approved by the planning commission~~

~~* Total number of dogs allowed on property~~

** Exceptions to these standards must be presented by the property owner through an alternative animal management plan to be heard by the Planning Commission. If an approved plan is violated or causes situations that become a nuisance to adjoining property owners, the approval shall be subject to revocation by the Planning Director or Code Enforcement Officer.

6.10.080 Residential livestock requirements.

A residential property may have a proportional mix of the permitted animals so long as the required fencing area is provided. (Chickens, ducks, and similar fowl are exempted from these regulations and are allowed per EMMC 17.25.030, residential land use table.)

Proportional refers to maintaining a balanced mix of different types of animals on the property, based on the lot size.

Example: On a 2-Acre lot, 4 horses would be 1/2 (50%) of the maximum number allowed. That would mean that the lot could also have up to 2 buffalo, which is 1/2 (50%) of the maximum number allowed.

Table 6.10.080 – Residential Livestock Requirements*

Animal***	Max. Number Allowed on Lots					Available Fenced Area per Animal	Minimum Lot Size
	1/4 to 0.49 Acres	1/2 to 0.99 Acres	1 to 1.99 Acres	2 to 2.99 Acres	3 or More Acres		
Horse/Mule	0	0**	4	8	12	2,500 s.f.	1 Acre**
Buffalo	0	0	2	4	6	2,500 s.f.	1 Acre
Cattle	0	2	4	8	12	2,500 s.f.	1/2 Acre
Donkey	0	2	4	8	12	2,500 s.f.	1/2 Acre
Llama	0	2	4	8	12	2,500 s.f.	1/2 Acre
Emu/Ostrich	1****	4	8	12	16	500 s.f.	1/2 1/4 Acre
Sheep/Goat	2****	4	8	12	16	500 s.f.	1/2 1/4 Acre
Pig (all kinds)	1****	2	4	6	8	500 s.f.	1/2 1/4 Acre

* Exceptions to these standards must be presented by the property owner through an alternative animal management plan to be heard by the Planning Commission. Approval of the plan by the commission shall be considered a conditional use and shall be subject to all required conditions. If an approved plan is violated or causes situations that become a nuisance to adjoining property owners, the conditional use approval shall be subject to revocation by the Planning Director or Code Enforcement or animal control Officer.

** Two horses/mules allowed on one-half-acre+ properties within the equine overlay zone.

*** Any animal that a reasonable person would define as a half-size (or smaller) of an average adult animal shall count as a half-unit including offspring and miniature animals. Offspring shall not count towards maximum animal numbers until weaned.

****** An animal management plan shall be submitted and approved by the Planning Commission.**

Chapter 6.15

ALTERNATIVE ANIMAL MANAGEMENT PLANS

6.15.010 Application.

Individuals may propose an alternative animal management plan to the Planning Commission for their review and approval. Interested persons shall submit an application for an alternative animal management plan on forms prepared by the Planning Director. No alternative animal management plan shall be processed without the submission of the application and all supporting materials (including processing fee) as required by this chapter.

A. Supporting Materials. The alternative animal management plan application shall be submitted with the materials listed in this section. The Planning Director may determine and require that additional items not listed herein be submitted in order to evaluate the alternative animal management plan application.

1. Narrative. A detailed narrative explaining the reasons for an alternative animal management plan proposal.
2. Site Plan. A detailed site plan showing the entirety of the property. Provide locations of animals and their distances from the property lines and all adjacent residential dwellings.
3. Mitigation Plan. A detailed plan that describes mitigation efforts to reduce the impacts caused by animals or animal-related home businesses (i.e. sound, refuse, smell, flies, traffic, parking, etc.)
4. Applicable Photos. Detailed photos of where the animals are being housed, applicable fencing, etc.
5. Fee. The processing fee required by the current consolidated fee schedule approved by the City Council.

6.15.020 Approval process.

The approval process for an alternative animal management plan shall be as follows:

A. Planning Commission Public Hearing. Upon receipt of a completed application and subsequent review by the Planning Director or designee, the application shall be placed on the next available Planning Commission agenda for a public hearing no more than 45 days after a complete application has been submitted. 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) 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.

B. Planning Commission Review. The Planning Commission will review each application and may approve, approve with conditions, or deny the application based upon findings of facts. The Planning Commission may also defer action if an applicant fails to appear at the Commission meeting or there is insufficient application information provided.

C. City Council Review. The action of the Planning Commission shall be final unless a member of the City Council requests that the alternative animal management plan be reviewed by the City Council within 15 days of the Planning Commission's action. If an alternative animal management plan application is placed upon a City Council meeting for action, the City Council shall be the land use authority.

6.15.030 Determination

The Planning Commission may approve an alternative animal management plan located within an agriculture or single-family residential zone. In approving an alternative animal management plan, the Planning Commission may impose such requirements and conditions necessary for the protection of adjacent properties and the public interest. The Planning Commission may approve an alternative animal management plan upon determining the following:

A. Health, Safety, and Welfare. That such use will not, under the circumstances, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity and will not institute a nuisance to property owners;

B. General Plan. That the proposed use does not conflict with the intent of the Eagle Mountain City general plan.

6.15.040 Considerations and standards.

In reviewing an application for an alternative animal management plan, the Staff and Planning Commission shall review, but not limit their review to, the following considerations and standards. Some considerations and standards may only apply to animal-based home businesses:

A. The Site of the Structures or Use, and in Particular:

1. Adequacy of Site. The adequacy of the site to accommodate the proposed use and all related activities.

2. Screening. The location and possible screening of all outdoor accommodations and activities.

3. Adjoining Uses. The relation of the proposed buildings or use to any adjoining buildings with particular attention to protection of light, air, noise, and odor.

B. Traffic Circulation and Parking:

1. Street. The type of street serving the proposed use in relation to the amount of traffic expected to be generated.

2. Access. The adequacy, convenience, and safety of provisions for vehicular access and parking, including the location of driveway entrances and exits.

3. Truck Traffic. The amount, timing, and nature of associated truck traffic.

C. The Impact of the Proposed Buildings or Use on Surrounding Uses, and in Particular:

1. Impact of Patrons. The number of customers or users and the suitability of the resulting activity level to the surrounding uses and especially to any neighboring uses of public importance such as schools, libraries, playgrounds, religious or cultural meeting halls, and hospitals.

2. Hours of operation.

3. Off-Site Effects. Adequacy of provisions for the control of any off-site effects such as noise, dust, odors, light, or glare, etc.

4. Special Hazards. Adequacy of provisions for protection of the public against any special hazards arising from the intended use.

6.15.050 Optional conditions.

Applicants for alternative animal management plans shall meet all applicable requirements of this title. In addition, the Planning Commission may establish conditions and requirements as part of the approval that address concerns regarding safety for persons and property, health and sanitation, nuisances, master plan proposals, and neighborhood characteristics. Specifically, the Planning Commission may require:

A. Conditions Relating to Safety of Persons and Property.

1. Increased Setbacks. Increased setback distances from lot lines where the Planning Commission determines it to be necessary to ensure the public safety and to prevent nuisances to adjacent properties.

2. Lighting. Limitations and control of the number, location, color, brightness, and height of lighting units used on the property.

B. Conditions Relating to Health and Sanitation.

1. Culinary Water. A guarantee of sufficient culinary water to serve the intended land use and a water delivery system meeting standards adopted by the City Council.

2. Wastewater. A wastewater disposal system and a solid waste disposal system meeting standards adopted by the City Council.

3. Sizing of Utilities. Construction of water mains, sewer mains, and drainage facilities serving the proposed use, in sizes necessary to protect existing utility users in the vicinity and to provide for an orderly development of land.

C. Conditions Relating to Environmental Issues.

1. Pollution. Processes for the control, elimination, or prevention of land, water, or air pollution; the prevention of soil erosion; and control of objectionable odors and noise.

2. Dust and Erosion. The planting of ground cover or other surfacing to prevent dust and erosion.

D. Conditions Relating to Compliance with the Intent of the General Plan and Characteristics of the Vicinity or Neighborhood.

1. Removal of Incompatible Materials. The removal of structures, debris, or other materials incompatible with the intended characteristics of the applicable zone.

2. Fences and Screening. Limitations or controls on the location, heights, and materials of walls, fences, hedges, and screen plantings to ensure a buffer between adjacent properties.

3. Landscaping. Landscaping to ensure compatibility with the intended characteristics of the applicable zone.

6.15.060 Inspection.

Following the approval of an alternative animal management plan by the Planning Commission, the City Staff shall ensure that site development and uses are conducted in

compliance with the approved plan and any conditions that were applied. Upon request made by City Staff, property owners shall allow, within reasonable hours, an inspection of the property to determine compliance with the approved alternative animal management plan. The Planning Commission may request that alternative animal management plans be placed upon their agenda for review to ensure compliance with the conditions or requirements of approval as necessary. Failure to comply with the conditions or requirements of approval may result in the approval being revoked.

6.15.070 Noncompliance.

Owners of property where an alternative animal management plan has been approved shall be responsible for their property's compliance with the approval, conditions of approval, and the City's ordinances. Property owners that fail to maintain or violate the approval, conditions of approval, and City ordinances may have the approval revoked by the Planning Commission. Notice shall be given to the property owner that they have 14 days to correct a violation before the approval is revoked.

17.05.200 Tables.

Table 17.05.200(a) Public Hearing

	P.C. Hearing	C.C. Hearing	Notice Type	Notice Period	Affected Entities**
GENERAL PLAN					
General Plan*	Yes	Yes	Published in paper – Direct mailed notice to affected entities – Post notice in 3 public places	10 Days	Yes – Check definition of affected entity
LAND USE ORDINANCE					
EMMC Titles 16, Subdivisions, and 17, Zoning: Requirements and Approvals	Yes	Yes	Published in paper – Direct mailed notice, with summary to be understood by a lay person, to property owners within 600 feet including at least 25 property owners and to affected agencies – Post notice in 3 public places	10 Days	Perhaps – Check definition of affected entity
HOME BUSINESS					
License Official Approval	No	No	N/A	N/A	N/A
Planning Commission Approval	Yes	No	Direct mailed notice to property owners within 300 feet including at least 15 property owners – Post notice in 3 public places	10 Days	N/A
ACCESSORY DWELLING UNITS (ADUs)					
Planning Director Approval	No	No	N/A	N/A	N/A
Planning Commission Approval	Yes	No	Direct mailed notice to property owners within 600 feet – Post notice in 3 public places	10 Days	N/A

Table 17.05.200(a) Public Hearing

	P.C. Hearing	C.C. Hearing	Notice Type	Notice Period	Affected Entities**
SIGN REGULATIONS					
Sign Permit – Planning Director Approval	No	No	N/A	N/A	N/A
Model Home Signage	No	No	N/A	N/A	N/A
Directional/Advertising Business Signage	No	No	N/A	N/A	N/A
ANIMAL MANAGEMENT PLANS					
Planning Commission	Yes	No	Direct mailed notice to property owners within 600 feet including at least 25 property owners – Post notice in 3 public places	10 Days	N/A
REZONING OF PROPERTY					
Rezoning	Yes	Yes	Published in paper – Direct mailed notice, with summary to be understood by a lay person, to property owners within 600 feet including at least 25 property owners and to affected entities – Post notice in 3 public places	10 Days	Perhaps – Check definition of affected entity (required if rezoning to a multi-unit residential, commercial, and industrial)
CONDITIONAL USE					
Conditional Use	Yes	No	Direct mailed notice to property owners within 600 feet including at least 25 property owners and to affected entities – Post notice in 3 public places	10 Days	Perhaps – Check definition of affected entity (required if rezoning to a multi-unit residential, commercial, and industrial)

Table 17.05.200(a) Public Hearing

	P.C. Hearing	C.C. Hearing	Notice Type	Notice Period	Affected Entities**
SITE PLAN REVIEW					
Site Plan Review	Yes	No	Direct mailed notice to property owners within 600 feet including at least 25 property owners and to affected entities – Post notice in 3 public places	10 Days	Perhaps – Check definition of affected entity (required if rezoning to a multi-unit residential, commercial, and industrial)
VARIANCES					
Variance	<u>Yes</u> <u>No</u>	No	<u>Direct mailed notice to property owners within 600 feet including at least 25 property owners and to affected entities – Post notice in 3 public places</u> <u>N/A</u>	<u>10 Days</u> <u>N/A</u>	<u>Perhaps –</u> <u>Check</u> <u>definition of</u> <u>affected entity</u> <u>N/A</u>

NOTES: Posting the agenda for a public meeting on the website (<http://emcity.org> <https://eaglemountain.gov/>) counts as a public place.

* The general plan requires a notice of intent of 10 days to prepare a plan amendment which is mailed or e-mailed to the affected entities.

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

Table 17.05.200(b) Land Use Authority

	Land Use Authority	
	Advisory Body	Land Use Authority
GENERAL PLAN		
General Plan	Planning Commission	City Council
LAND USE ORDINANCE		

Table 17.05.200(b) Land Use Authority

	Land Use Authority	
	Advisory Body	Land Use Authority
EMMC Title 17 , Zoning	Planning Commission	City Council
EMMC Title 16 , Subdivisions: Requirements and Approvals	Planning Commission	City Council
HOME BUSINESS		
License Official Approval	None	License Official
Planning Commission Approval	License Official	Planning Commission*
ACCESSORY DWELLING UNITS (ADUs)		
Planning Director Approval	None	Planning Director
Planning Commission Approval	Planning Director	Planning Commission*
SIGN REGULATIONS		
Sign Permit – Planning Director	None	Planning Director
Model Home Signage	Planning Commission	City Council
Directional/Advertising Business Signage	Planning Commission	City Council
ANIMAL MANAGEMENT PLANS		
Animal Management Plan	Planning Commission <u>Planning Director</u>	City Council <u>Planning Commission*</u>
REZONING OF PROPERTY		
Rezoning	Planning Commission	City Council
CONDITIONAL USE		
Conditional Use Permit	Planning Director	Planning Commission*
SITE PLAN REVIEW		
Site Plan	Planning Commission	City Council
VARIANCES		
Variance	Planning Director	Planning Commission

* The ~~e~~City ~~e~~Council reserves the right to become the land use authority by requesting that the item be scheduled for review and action by the ~~e~~Council within 15 calendar days of the ~~e~~Planning ~~e~~Commission's action. See EMMC [17.05.170](#) for additional details.

Table 17.05.200(c) Appeal Authority

	Land Use Authority	1st Appeal		2nd Appeal		3rd Appeal	
		Days to Appeal	Body	Days to Appeal	Body	Days to Appeal	Body
GENERAL PLAN							
General Plan	City Council	30	District Court	N/A	None	N/A	None
LAND USE ORDINANCE							
EMMC Title 17 , Zoning	City Council	30	District Court	N/A	None	N/A	None
EMMC Title 16 , Subdivisions: Requirements and Approvals	City Council	30	District Court	N/A	None	N/A	None
HOME BUSINESS							
License Official Approval	License Official	10	Planning Commission	10	City Council	30	District Court
Planning Commission Approval	Planning Commission	10	City Council	30	District Court	N/A	None
ACCESSORY DWELLING UNITS (ADUs)							
Planning Director Approval	Planning Director	10	Planning Commission	10	City Council	30	District Court
Planning Commission Approval	Planning Commission	10	City Council	30	District Court	N/A	None
SIGN REGULATIONS							
Sign Permit – Planning Director	Planning Director	10	Planning Commission	10	City Council	30	District Court
Model Home Signage	City Council	30	District Court	N/A	None	N/A	None
Directional/Advertising Business Signage	City Council	30	District Court	N/A	None	N/A	None

Table 17.05.200(c) Appeal Authority

	Land Use Authority	1st Appeal		2nd Appeal		3rd Appeal	
		Days to Appeal	Body	Days to Appeal	Body	Days to Appeal	Body
ANIMAL MANAGEMENT PLANS							
Animal Management Plan	Planning Commission	10	City Council	30	District Court	N/A	None
REZONING OF PROPERTY							
Rezoning	City Council	30	District Court	N/A	None	N/A	None
CONDITIONAL USE							
Conditional Use Permit	Planning Commission	10	City Council	30	District Court	N/A	None
SITE PLAN REVIEW							
Site Plan	City Council	30	District Court	N/A	None	N/A	None
VARIANCES							
Variance	Planning Commission	10	City Attorney	30	District Court	N/A	None
ADMINISTRATIVE DECISIONS							
Nonconforming Use or Structure	Planning Director	10	City Attorney	30	District Court	N/A	None
Vested Rights	Planning Director	10	City Attorney	30	District Court	N/A	None
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 and the zoning map, etc.

17.65.050 Approval process.

Home business licenses shall be approved by the ~~the license official~~, or designee. Any petition for a minor exception from the standards listed in EMMC [17.65.060\(A\)](#) through (F) may be approved administratively at the discretion of the ~~the license official~~ if the exception does not adversely impact surrounding residents or affect the residential characteristics of the neighborhood, or significantly increase traffic or the demand on utilities. ~~Any other petition for an exception from the standards in this chapter requires approval by the pPlanning eCommission before the license may be issued or renewed.~~ In addition, any home business currently in operation that constitutes a nuisance may also be required to go before the ~~pPlanning eCommission~~ for continued use of the license and operation of the business. If the ~~pPlanning eCommission~~ denies the continued use of the license, the license shall not be renewed.

17.65.100 Appeals.

Aggrieved applicants may appeal the decision of the license official, or designee, to the ~~pPlanning eCommission~~ within 10 days of the announced decision. In all cases, the appeal board shall ~~conduct a public hearing and~~ review the application of the proposed business. The ~~pPlanning eCommission~~ may approve, approve with conditions, or deny the application of the proposed home business.

Aggrieved applicants may appeal the decision of the ~~pPlanning eCommission~~ to the ~~eCity eCouncil~~ within 10 days of the announced decision. In all cases, the appeal board shall ~~conduct a public hearing and~~ review the application of the proposed business. The ~~eCity eCouncil~~ may approve, approve with conditions, or deny the application of the proposed home business.

Aggrieved applicants of the ~~eCity eCouncil~~'s decision may appeal to district court within 30 days of the announced decision.

17.70.040 Accessory dwelling unit permit.

Any person owning an existing accessory dwelling unit that has not been permitted by the ~~e~~City, or any person constructing or causing construction of a residence that has an accessory dwelling unit, or any person remodeling or causing the remodeling of a residence for an accessory dwelling unit, shall obtain an accessory dwelling unit permit from the ~~p~~lanning ~~a~~Division of the ~~e~~City's ~~e~~Community ~~a~~Development ~~a~~Department. This shall be in addition to any required building permit for the work to be performed. The applicant shall obtain all necessary building permits and pay all applicable fees prior to constructing the ADU, including permits for a basement that was finished previously without a permit. Accessory dwelling units constructed without an approved accessory dwelling unit permit shall be considered illegal until a permit is submitted to and approved by the ~~e~~City.

A. Applications. Applicants for an accessory dwelling unit shall submit a complete application and the supporting materials listed in this section to the ~~p~~lanning ~~a~~Division of the ~~e~~Community ~~a~~Development ~~a~~Department.

1. Owner Signature. The owner shall sign the application, agreeing to occupy the dwelling (either the primary unit or the ADU), except for bona fide temporary absences, and agreeing to comply with the standards in this chapter.
2. Site Plan. A site plan shall be provided that shows property lines, dimensions, the location of existing buildings and building entrances, proposed buildings or additions, dimensions from buildings to property lines, the location of required off-street parking, and utility meters.
3. Floor Plan. A detailed floor plan, to scale, showing the floor in which the accessory dwelling unit will be located, including labels on rooms indicating uses or proposed uses, shall be provided.
4. Evidence of Building Permit. Evidence shall be provided that a building permit was obtained for the building and/or area containing the accessory dwelling unit.
5. Fee. The processing fee required by the current ~~e~~Consolidated ~~f~~Fee ~~s~~chedule approved by the ~~e~~City ~~e~~Council shall be paid in full.

B. Planning Director or Designee Approval. The ~~p~~lanning ~~a~~Director or designee shall approve an accessory dwelling unit application if it is in complete compliance with all the approval criteria standards identified in this chapter. As part of the ~~p~~lanning ~~a~~Director's or designee's review, inspections may be required by the ~~p~~lanning, ~~or~~ ~~b~~Building Divisions, and/or ~~f~~ire ~~a~~Departments.

C. Exceptions to Standards. Accessory dwelling unit applications that deviate from the approval criteria may be considered by the pPlanning eCommission in a public meeting. After conducting a public hearing and reviewing the application, the pPlanning eCommission may approve, approve with conditions, or deny the application exception request. Applicants requesting exceptions are not guaranteed approval and must provide evidence that the exceptions will not create negative impacts on neighboring properties. Conditions must be connected to the exceptions being requested, and may include increased setbacks, limitations on windows and doors adjacent to abutting property lines, privacy fencing, and additional parking. Exceptions shall not be granted for the number of accessory dwelling units, owner occupation, permanent utility connections, attachment to permanent foundations, building permit requirements, exterior appearance, off-street parking, addressing, and for short-term rentals.

DC. Transfer of Ownership. Upon sale of the home or transfer of ownership, accessory dwelling unit permits shall remain valid so long as the accessory dwelling unit is in compliance with the eCity's ordinances and conditions of approval.

17.70.050 Noncompliance.

Owners of the single-family dwelling where the accessory dwelling unit use has been approved shall be responsible for their property's compliance with the eCity's ordinances and conditions of approval. Property owners who fail to maintain or violate the eCity's ordinances regulating accessory dwelling unit use or conditions upon which approval was contingent may have the accessory dwelling unit permit revoked by the pPlanning dDirector, designee or pPlanning eCommission. Enforcement will occur in accordance with Chapter [4.10](#) EMMC, Article V, Administrative Code Enforcement Hearing Program.

17.105.050 Approval process.

- A. Upon receipt of a complete application, the ~~p~~Planning ~~a~~Director shall set a date for the ~~p~~Planning ~~e~~Commission to consider the request for a variance. ~~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.~~
- B. Prior to the ~~p~~Planning ~~e~~Commission meeting at which the variance application is scheduled to be heard, the ~~p~~Planning ~~a~~Director shall transmit the application materials together with a written analysis of the variance application, pertinent facts, a review of applicable regulations and a formal ~~s~~Staff recommendation to the ~~p~~Planning ~~e~~Commission.
- C. The ~~p~~Planning ~~e~~Commission shall consider the variance request, together with all pertinent facts, applicable regulations and the ~~s~~Staff recommendation and shall take action to approve, approve with modifications, disapprove or request further information prior to rendering a final determination on the variance application.