



EMIGRATION CANYON

Planning and Development Services

860 Levoy Drive, Suite 300 • Taylorsville, UT 84123

Phone: (385) 910-5600

Emigration Canyon Planning Commission

Public Meeting Agenda

Thursday, November 13, 2025, 8:30 A.M.

Location:

Microsoft Teams

https://teams.microsoft.com/join/19%3ameeting_ZjZiMmYwZWUtODYzNy00MzViLWJkMjAtNWVIZjZiNjNhY2Q2%40thread.v2/0?context=%7b%22Tid%22%3a%22fac3e0b8-c4a6-4120-b366-ee6cb2fb76a8%22%2c%22Oid%22%3a%22f8a001a5-21cc-482a-9f5a-682bacd87641%22%7d

Meeting ID: 227 188 171 077 8

Passcode: 8yd9xN9C

Dial in by phone

[+1 213-357-4434](tel:+12133574434), [181369850#](tel:+1181369850) United States, Los Angeles

[Find a local number](#)

Phone conference ID: 181 369 850#

**Anchor Location: Emigration Canyon Fire Station
5025 Emigration Canyon Road**

UPON REQUEST, WITH 5 WORKING DAYS NOTICE, REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED. PLEASE CONTACT WENDY GURR AT 385-391-8268. TTY USERS SHOULD CALL 711.

The Planning Commission Public Meeting is a public forum where, depending on the agenda item, the Planning Commission may receive comment and recommendations from applicants, the public, applicable agencies and MSD staff regarding land use applications and other items on the Commission’s agenda. In addition, it is where the Planning Commission takes action on these items, which may include: approval, approval with conditions, denial, continuance, or recommendation to other bodies as applicable.

LAND USE APPLICATION(S)

SUB2025-001345 - Evan Glassman is applying for a three-lot subdivision. **Acres:** 1.68. **Location:** 1128-1162 North Pinecrest Canyon Road. **Zone:** FR-1. **Planner:** Justin Smith (Motion/Voting)

PUBLIC MEETING(S)

OAM2025-001464 - Consideration of an ordinance repealing Chapter 19.60, C-V Commercial Zone and Chapter 19.62, C-2 Commercial Zone with Chapter 19.32, Commercial Zones. **Planner** Brian Tucker, Planning Manager (Discussion/Action)

PUBLIC HEARING(S)

OAM2025-001465 - Consideration of an ordinance: repealing Chapter 19.05, Planning Commission and Chapter 19.92, Land Use Hearing Officer, replacing them with Chapter 19.12, Administrative Bodies Powers and Duties; repealing Chapter 19.06 Zones, Maps, and Zone Boundaries and replacing it with Chapter 19.14, Zones, Zoning Map, and Boundaries; and repealing Chapter 19.84, Conditional Uses and 19.90, Amendments and Rezoning, replacing them with Chapter 19.16, Land Use Processes and Procedures. **Planner:** Brian Tucker, Planning Manager (Discussion, Hearing, Action)

BUSINESS MEETING

- 1) Approval of September 24, and October 9, 2025, Planning Commission Meeting Minutes. (Motion/Voting)
- 2) Other Business Items. (As Needed)

Next meeting date: December 11, 2025

ADJOURN

Rules of Conduct for Planning Commission Meetings

PROCEDURE FOR PUBLIC COMMENT

1. Any person or entity may appear in person or be represented by an authorized agent at any meeting of the Commission.
2. Unless altered by the Chair, the order of the procedure on an application shall be:
 - a. The supporting agency staff will introduce the application, including staff's recommendations and a summary of pertinent written comments and reports concerning the application.
 - b. The applicant will be . up to 15 minutes to make their presentation.
 - c. The Community Council representative can present their comments as applicable.
 - d. Where applicable, persons in favor of, or not opposed to, the application will be invited to speak.
 - e. Where applicable, persons opposing the application, in whole or in part will be invited to speak.
 - f. Where applicable, the applicant will be allowed 5 minutes to provide concluding statements.
 - g. Surrebuttals may be allowed at the discretion of the Chair.

CONDUCT FOR APPLICANTS AND THE PUBLIC

1. Speakers will be called to the podium by the Chair.
2. Each speaker, before talking, shall give his or her name and address.
3. All comments should be directed to the Commissioners, not to the staff or to members of the audience.
4. For items where there are several people wishing to speak, the Chair may impose a time limit, usually 3 minutes per person, or 5 minutes for a group spokesperson. If a time limit is imposed on any member or spokesperson of the public, then the same time limit is imposed on other members or spokespersons of the public, respectively.
5. Unless otherwise allowed by the Chair, no questions shall be asked by the speaker or Commission Members.
6. Only one speaker is permitted before the Commission at a time.
7. The discussion must be confined to essential points stated in the application bearing on the desirability or undesirability of the application.
8. The Chair may cease any presentation or information that has already been presented and acknowledge that it has been noted in the public record.
9. No personal attacks shall be indulged in by either side, and such action shall be sufficient cause for stopping the speaker from proceeding.
10. No applause or public outbursts shall be permitted.
11. The Chair or supporting agency staff may request police support to remove offending individuals who refuse to abide by these rules.
12. After the public comment portion of a meeting or hearing has concluded, the discussion will be limited to the Planning Commission and Staff.



EMIGRATION
CANYON

Subdivision Staff Report

Meeting Body: Emigration Canyon Planning Commission

Meeting Date: November 13, 2025

File Number & Project Type: SUB2025-001345

Juniper Ridge, 3-Lot Subdivision

Address: 1128 – 1146 N Pinecrest Canyon Rd

Planner: Justin Smith

Applicant: Evan Glassman

Exhibits:

- A. Preliminary Plat
- B. Agency Review
Comments
- C. Watershed Letter

PROJECT DESCRIPTION

The applicant, Evan Glassman, is applying for preliminary plat approval for a 3-lot subdivision in Emigration Canyon. The Subdivision is approximately 1.68 acres in size and is along the eastern side of Pinecrest Canyon Road.

Mr. Glassman does own two additional lots to the north of this subdivision that were originally included in the subdivision. However, the applicant will pursue a simple boundary adjustment for those two lots and keep the subdivision to just these three lots.

SITE MAP

The subdivision is located along the east side of Pinecrest Canyon Road just north of the Burr Fork subdivision.
(vicinity map below)



SITE VICINITY AND DESCRIPTION

The surrounding land uses to the proposed subdivision are mostly residential or undeveloped. The land to the east is owned by the US Federal Government and is undeveloped. The land to the north is owned by Mr. Glassman and is currently undeveloped. The land to the west, across Pinecrest Canyon Road and the land to the south have private residences and cabins.

There was a separate FCOZ application and approval for the road that is currently being built. That road will be the primary access for the lots that are in this subdivision. In addition, this road will also serve the other two lots that are owned by Mr. Glassman. In addition, when Mr. Glassman started the application there were two more properties included. Those two properties were both removed from this subdivision and will go through the lot line adjustment process to change the boundaries without changing the acreage.

FINDINGS AS TO APPLICABLE STANDARDS

18.08.080.B outlines the standards for approval of preliminary plats:

Standard	Finding
The plans, documents and other submission materials (including technical reports where required) are sufficiently detailed for proper consideration of the project	Y
The submitted plans, documents and submission materials conform to applicable municipal standards.	Y
The proposed development conforms to municipal zoning ordinances and subdivision design standards.	Y
The combination of natural or manmade conditions, encumbrances, easements, setbacks, geometry, or the dimensions of the lot leave an adequate buildable area for a reasonably sized main structure.	Y
The natural or manmade conditions exist on or in the vicinity of the site defined in the preliminary plat that, without remediation, do not render part or all of the property unsuitable for development.	Y
The preliminary plat provides for safe and convenient traffic circulation and road access to adjacent properties under all weather conditions.	Y
The preliminary plat does not impose an undue financial burden upon the municipality.	Y
The location and arrangement of the lots, roads, easements and other elements of the subdivision contemplated by the preliminary plat are consistent with the municipality 's general street system, transportation master plan and/or applicable elements of the general plan.	Y
The preliminary plat recognizes and accommodates the existing natural conditions.	Y
The public facilities, including public utility systems serving the area defined in the preliminary plat are adequate to serve the proposed development.	Y
The project contemplated in the preliminary plat conforms to the purposes and intent of this Title as stated in Chapter 18.02.	Y

SUMMARY AND RECOMMENDATION

Summary of issues:

The Killyons and Pinecrest area of Emigration Canyon were two of the first sections of Emigration Canyon to be developed with the Killyons Subdivision being recorded in 1909. Many of the lots within the Killyons subdivision do not meet the current minimum zoning requirements, but the three lots in this subdivision do meet the minimum area requirement of the FR-0.5 zone.

The applicant has provided a preliminary plat, civil plans, an easement agreement for the road that runs through the lots, and a water availability letter. The applicant has received a watershed letter from Salt Lake City Department of Public Utilities.

The applicant has provided a preliminary plat and the provided materials were found sufficient for preliminary plat approval during the application review. The preliminary plat showed the contour lines of the area as well a slope analysis that highlighted areas of steeper slope.

The proposed building pads that are shown on the plat are not intended to illustrate exact layout of future homes, but to show feasibility of construction for each lot. The indicate areas of 30% slope or less and spaces for septic systems as well. One of the properties does have an easement for their septic to be located on one of the other lots within the subdivision. The Health Department does not have any concerns over the ability to install septic systems on these proposed lots and have provided a feasibility letter to that effect.

The applicant has not proposed anything that would render the site to be undevelopable or make it impossible to develop. The building pads on the plat demonstrate sufficient areas on which to potentially construct homes.

The preliminary plat shows the private road in the same overall configuration as was originally approved. as PER2021-000249. The applicant is working with Unified Fire Authority for code modifications and Unified Fire Authority will require that all the lots have automatic sprinkler systems due to the number of residential dwellings and the turn radius from Pinecrest to the proposed subdivision being less than the required 28 foot inside turning radius. The road will remain private and be maintained by a homeowners association. Emigration Canyon would not be responsible for the future maintenance of the road.

The most recent comment sheets for the subdivision do show some items being needed, prior to final plat approval, but the items for the Salt Lake County Health Department have been resolved as they requested a watershed letter from Salt Lake City and the Health Department has completed their feasibility report. Planning also requested additional items, but those items have been submitted by the applicant. Traffic has conceptually ok'd the subdivision application, but it is dependent on the applicant receiving a fire code modification approval.

The preliminary plat calls out several geographic features, such as a drainage swale and includes the proper setback distance from the drainage swale.

The MSD does not typically regulate the location of utilities, but the applicant has provided letters from Enbridge, Emigration Canyon Improvement District that they will be able to provide utilities to this subdivision.

The applicant has made it known to Planning Staff that there is a desire to get the plat approved by Emigration Canyon Planning Commission and to transfer ownership of the project to a builder to develop the required improvements and the three lots. When the time comes for those three lots to be developed (after final plat approval and recordation) they will be required to submit a Permitted Use-FCOZ application to ensure compliance with all applicable FCOZ and zoning standards.

Recommendation:

MSD Planning Staff recommends that the Emigration Canyon Planning Commission approve of the subdivision subject to the following conditions:

1. Lots 32 and 34, Killyons Subdivision, are not included with this approval. The lot line adjustment between those lots requires a “simple boundary adjustment” application as set forth in 10-92-523 of the Utah Code.
2. The following must be completed as part of the final subdivision review process:
 - a. Upon review and approval of the geotechnical report by the municipal geologist, all recommendations regarding grading, construction, and building design must be included as notes on the final plat.
 - b. Final grading and drainage plans must be approved by the municipal engineer, and all required road and drainage improvements must be either installed or bonded for prior to recording the final plat.
 - c. Final approval of the road design must be approved by the municipal engineer (with consent from the Unified Fire Authority) prior to recording the final plat.
 3. The final plat must comply with the requirements of Section 18.16.010 of the Emigration Canyon Code.
 4. The final plat must comply with the accuracy/completeness requirements of the Salt Lake County Surveyor.
 5. The name of the subdivision shall be subtitled “Amending lots 28, 30, and half of lot 26, Block 2, Killyons Subdivision.”
 6. A right of way and access easement shall be provided for all lots within the subdivision and for lots 32 and 34 of Killyons Subdivision for the entire private roadway shown on the preliminary plat.
 7. Driveway design for individual lots is not approved as part of the subdivision plat, but will be reviewed at the time of site plan review for each dwelling.
 8. A performance bond for the retaining walls, grading, roads, on-site storm drain and retention, and all other required public improvements will be required if not installed prior to the final plat being recorded.
 9. The following notes must be included on the final plat:

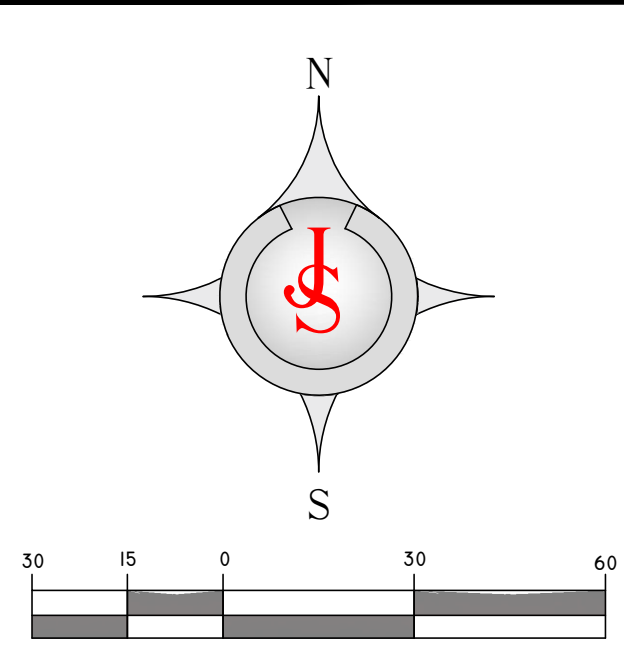
- a. All homes require fire sprinklers and code modification review by Unified Fire Authority at the time of site plan review for permits.
- b. Plans submitted for building permits must show compliance with Wildland Urban Interface and Fire Resistant construction codes.
- c. Survey certificates will be required at the time of all footing inspections.
- d. Plans submitted for building permits must show compliance with IRC 403.1.7 regarding setbacks from ascending and descending slopes.
- e. Separate permits are required for all retaining walls.

PLANNING COMMISSION OPTIONS:

Subdivision:

As the administrative approval authority for subdivisions, the planning commission has the following options:

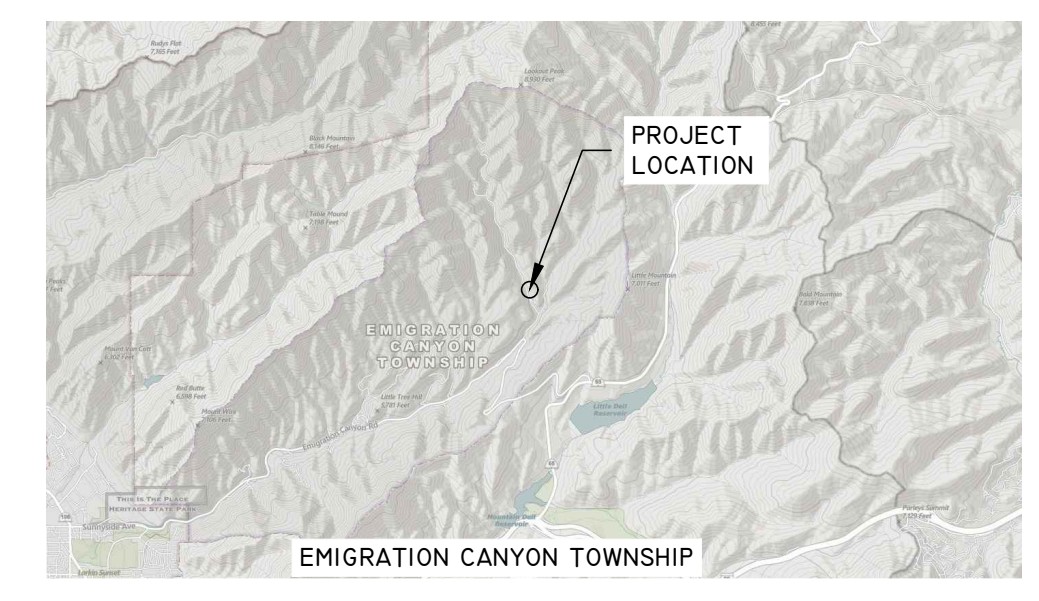
1. **Approval:** The planning commission finds that subdivision application SUB2025-001345 complies with all applicable standards as proposed and approves the preliminary plat.
2. **Approval with conditions:** The planning commission finds that upon compliance with the following conditions, subdivision application SUB2025-001345 will comply with all applicable standards, and approves the plat subject to the following conditions:
 - a. [Condition #1]
 - b. [Condition #2, etc.]
3. **Denial:** The planning commission finds that subdivision application SUB2025-001345 does not comply with the following applicable standards and therefore denies the application.
 - a. Issue #1
 - b. Issue #2, etc.



JUNIPER RIDGE SUBDIVISION

LOCATED WITHIN, EMIGRATION CANYON TOWNSHIP SALT LAKE COUNTY,
UTAH. A PART OF THE N.W. 1/4 SEC. 27, T. 1 N., R. 2. E. S.L.B.&M.

VICINITY MAP



SURVEYORS CERTIFICATE

I, Shane Johanson with Johanson Surveying, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold License No. 7075114 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act; I further certify that by authority of the owners I have completed a survey of the property described on this subdivision plat in accordance with Section 17-23-17 and have verified all measurements; that the reference monuments shown on this plan are located as indicated and are sufficient to retrace or reestablish this plat; and that the information shown herein is sufficient to accurately establish the lateral boundaries of the herein described tract of real property now known as JUNIPER RIDGE SUBDIVISION. This plat meets or exceeds the minimum tolerance requirement of 1":15,000".



BOUNDARY DESCRIPTION

Parcel # 10-27-126-019
Upper half of Lot 26 Block 2 Killyons Subdivision; on file within the official records of Salt Lake County
Containing 0.40 +/- Acres

Parcel # 10-27-126-076
Lot 28 Block 2 Killyons Subdivision on file within the official records of Salt Lake County
Containing 0.44 +/- Acres

Parcel # 10-27-126-089 (Unchanged)
Lot 34 Block 2 Killyons Subdivision, Less and excepting the Southerly 20 feet more or less; on file within the official records of Salt Lake County
Containing 0.71 +/- Acres

Parcel # 10-27-126-090 (Unchanged)
Southerly 20 feet more or less of Lot 34 Block 2 Killyons Subdivision; on file within the official records of Salt Lake County
Containing 0.17 +/- Acres

Parcel # 10-27-126-076
Lot 30 Block 2 Killyons Subdivision on file within the official records of Salt Lake County
Containing 0.83 +/- Acres

Parcel # 10-27-126-014 (Unchanged)
Lot 32 Block 2 Killyons Subdivision on file within the official records of Salt Lake County
Containing 0.85 +/- Acres

Total Area = 148,638 sq./ft or 3.41 +/- acres
Total Area Subdivided = 73,210 sq./ft. or 1.68 +/- acres

OWNERS DEDICATION

Evan Glassman being the owner of the described tract of land, do hereby dedicate, for the perpetual use of the public, all streets, public improvements, as reflected and shown on this plat to be expressly dedicated for public use, if any. Owners hereby consent and give approval to the recording of this plat for all purposes shown herein.

In witness whereof, I have hereunto set my hand this ___ day of _____, 2025.

OWNER:
EVAN GLASSMAN

ACKNOWLEDGEMENT

STATE OF UTAH)
)SS
COUNTY OF SALT LAKE)

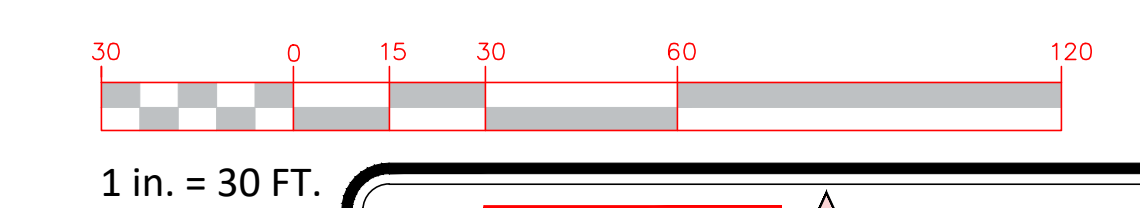
On this ___ day of _____, in the year 2025, before me _____, a notary public, personally appeared Evan Glassman, proved on the basis of satisfactory evidence to be the person whose name is subscribed to in the foregoing Owner's Dedication regarding the Evan Glassman Subdivision, and was signed by them and acknowledged that they executed the same.

Commission Number _____
My Commission Expires _____

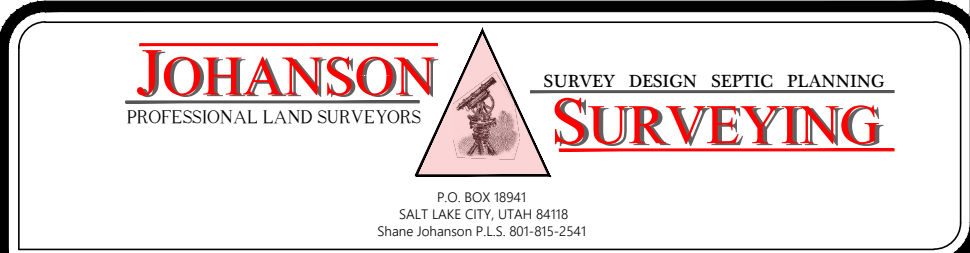
Print Name: _____
A Notary Public Commissioned in Utah

JUNIPER RIDGE SUBDIVISION

LOCATED WITHIN, EMIGRATION CANYON TOWNSHIP SALT LAKE COUNTY, UTAH. A PART OF THE THE N.W. 1/4 SEC. 27, T. 1 N., R. 2. E. S.L.B.&M.



1 in. = 30 FT.



LEGEND

- = STREET MONUMENT
- = FOUND PROPERTY MARKER
- = REPRESENTS PROPERTY LINE
- = EXISTING FIRE HYDRANT
- = EXISTING WATER VALVE
- = PHONE UTILITY SERVICE
- = CABLE BOX
- = EXISTING UTILITY POLE

SUB. NOTES:
1. See Record of survey recorded in the Salt Lake County Surveyor Office, ROS File # S2023-04-0380 for further details

SALT LAKE COUNTY ADDRESSING AUTHORITY

APPROVED AS TO FORM
THIS ___ DAY OF _____, 2025.

SALT LAKE COUNTY ADDRESSING AUTHORITY

County Engineering Division

I hereby certify that I have had this plat examined by this office and it is correct in accordance with information on file.

Salt Lake County Surveyor Date _____

County Engineer Date _____

Enbridge Gas

Approved this _____ day
of _____ A.D., 20____.

Enbridge Gas

Pacificorp

Approved this _____ day
of _____ A.D., 20____.

Pacificorp

Qwest Communications

Approved this _____ day
of _____ A.D., 20____.

Qwest Communications

Salt Lake County Health Department

Approved this _____ day
of _____ A.D., 20____.

Salt Lake County, Health Department.

Emigration Canyon Planning Commission

Approved this _____ day
of _____ A.D., 20____ by
the Emigration Planning Commission

Planning Director

UNIFIED FIRE AUTHORITY

APPROVED THIS ___ DAY OF
_____, 20____,
with the following conditions:

Fire Marshal

SALT LAKE COUNTY RECORDER

Recorded # _____
State of Utah, County of Salt Lake, recorded and filed at the request of _____

Date _____ Time _____ Book _____ Page _____

Fee \$ _____ Deputy _____ Salt Lake County Recorder

Number _____
Account _____
Sheet 1 of 1



Planning and Development Services

860 Levoy Drive, Suite 300

Taylorsville, UT 84123

Phone: (385) 910-5600

www.msd.utah.gov

Circle as Applicable:

Plans are Conceptually O.K.

Revisions Required

Additional Items Required

Agency Review Comment Sheet

Planning Comments

Reviewer Name: **Justin Smith**

Phone Number: **385-459-7602**

Email Address: **jismith@msd.utah.gov**

Date of Review:

Comments on Conceptual Plans:

No longer reviewing Lot 32 and 34 as part of this subdivision with the lot line adjustment

Will need SLCDPU comments resolved before Planning Commission

The submitted plat looks like a final plat, not a preliminary plat, we'll need a plat that shows the slope analysis and contours with the new three lot configuration

Comments and Items for Technical Review:



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SUB2025-001345

Circle as Applicable:

Plans are Conceptually O.K.

Revisions Required

Additional Items Required

Agency Review Comment Sheet

Geology Comments

Reviewer Name: **Greta Hamilton, PG**
Phone Number: **801.554.1396**
Email Address: **ghamilton@msd.utah.gov**
Date of Review: **09/10/2025**

Comments on Conceptual Plans:

Comments and Items for Technical Review:

Geotech report has been submitted and will be reviewed during the technical review.



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Circle as Applicable:

Plans are Conceptually O.K.

Revisions Required

Additional Items Required

Agency Review Comment Sheet

Grading Comments

Reviewer Name:

Phone Number:

Email Address:

Date of Review:

Comments on Conceptual Plans:

Comments and Items for Technical Review:



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Circle as Applicable:

Plans are Conceptually O.K.

Revisions Required

Additional Items Required

Agency Review Comment Sheet

Urban Hydrology Comments

Reviewer Name: **Ahmed Dahir**

Phone Number: **385-584-7487**

Email Address: **Adahir@msd.utah.gov**

Date of Review: **09/11/20225**

Comments on Conceptual Plans:

Comments and Items for Technical Review:



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Circle as Applicable:

Plans are Conceptually O.K.

Revisions Required

Additional Items Required

Agency Review Comment Sheet

Traffic Comments

Reviewer Name: **Ian Hartman, PE, PTOE**

Phone Number: **385-522-5725**

Email Address: **ihartman@msd.utah.gov**

Date of Review: **09/11/2025**

Comments on Conceptual Plans:

Comments and Items for Technical Review:

Roadway width does not meet firecode, please acquire an approval letter for the substandard width from the fire marshal.

See Sheet C2.0 and C3.0 of the Killyon Subdivision Civil 8-20-2025 (1).pdf plans for additional comments.



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Circle as Applicable:

Plans are Conceptually O.K.

Revisions Required

Additional Items Required

Agency Review Comment Sheet

Surveyor Comments

Reviewer Name:

Phone Number:

Email Address:

Date of Review:

Comments on Conceptual Plans:

Comments and Items for Technical Review:



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Circle as Applicable:

Plans are Conceptually O.K.

Revisions Required

Additional Items Required

Agency Review Comment Sheet

Unified Fire Authority Comments

Reviewer Name:

Phone Number:

Email Address:

Date of Review:

Comments on Conceptual Plans:

Comments and Items for Technical Review:



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Circle as Applicable:

Plans are Conceptually O.K.

Revisions Required

Additional Items Required

Agency Review Comment Sheet

Health Department Comments

Reviewer Name: **Tyler Rutner**

Phone Number: **385-468-3862**

Email Address: **trutner@saltlakecounty.gov**

Date of Review: **9/2/25**

Comments on Conceptual Plans:

Septic feasibility report is currently under review with SLCoHD.

Watershed letter from SLCPU is required.

Comments and Items for Technical Review:



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Circle as Applicable:

Plans are Conceptually O.K.

Revisions Required

Additional Items Required

Agency Review Comment Sheet

Building Comments

Reviewer Name: **Lori Jessop**

Phone Number: **801-678-1811**

Email Address: **ljessop@msd.utah.gov**

Date of Review: **9/10/25**

Comments on Conceptual Plans:

Plan review for code compliance will not be completed at this time. At the time of building permit application, please provide the following:

Fire flow verification and/or show how compliance is going to be made with any Unified Fire District Guidelines.

Documents that were approved during the Land Use process.

Plans that show compliance with current building code requirements. Plans must show how fire-resistance ratings will be met for any portion of the building (wall pop outs, eaves, etc) that project closer than 5 feet to the property line or fire separation distance line.

At the time of building permit application, plans must show how fire-resistance ratings and their listings on the plans.

The geotechnical report for this subdivision with each building permit application.

Survey certificates will be required to be provided at the footing inspection for buildings located 6' or less from a property line or 12' or less from another building.

Separate permits are required for any retaining walls over 4 feet in height or retaining walls of any height supporting a surcharge.

Comments and Items for Technical Review:

NOTE: During the permitted use application for each property, the applicant must show the required setbacks from ascending and descending slopes per IRC Section 403.1.7 for technical approval.



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Circle as Applicable:

Plans are Conceptually O.K.

Revisions Required

Additional Items Required

Agency Review Comment Sheet

Public Works Operations Comments

Reviewer Name:

Phone Number:

Email Address:

Date of Review:

Comments on Conceptual Plans:

Comments and Items for Technical Review:



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Circle as Applicable:

Plans are Conceptually O.K.

Revisions Required

Additional Items Required

Agency Review Comment Sheet

Public Utility Comments

Reviewer Name:

Phone Number:

Email Address:

Date of Review:

Comments on Conceptual Plans:

Comments and Items for Technical Review:



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Circle as Applicable:

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Revisions Required

Additional Items Required

Agency Review Comment Sheet

Other Comments

Reviewer Name:

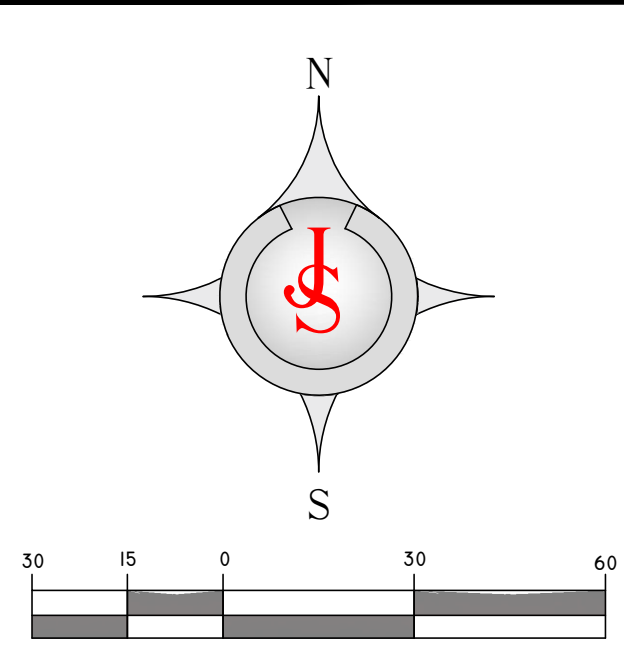
Phone Number:

Email Address:

Date of Review:

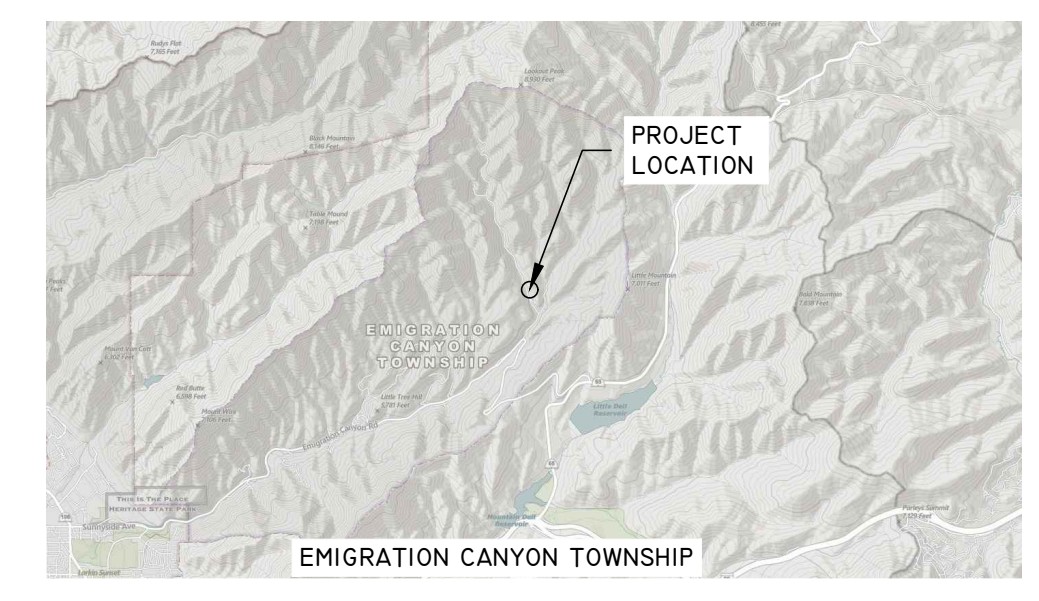
Comments on Conceptual Plans:

Comments and Items for Technical Review:

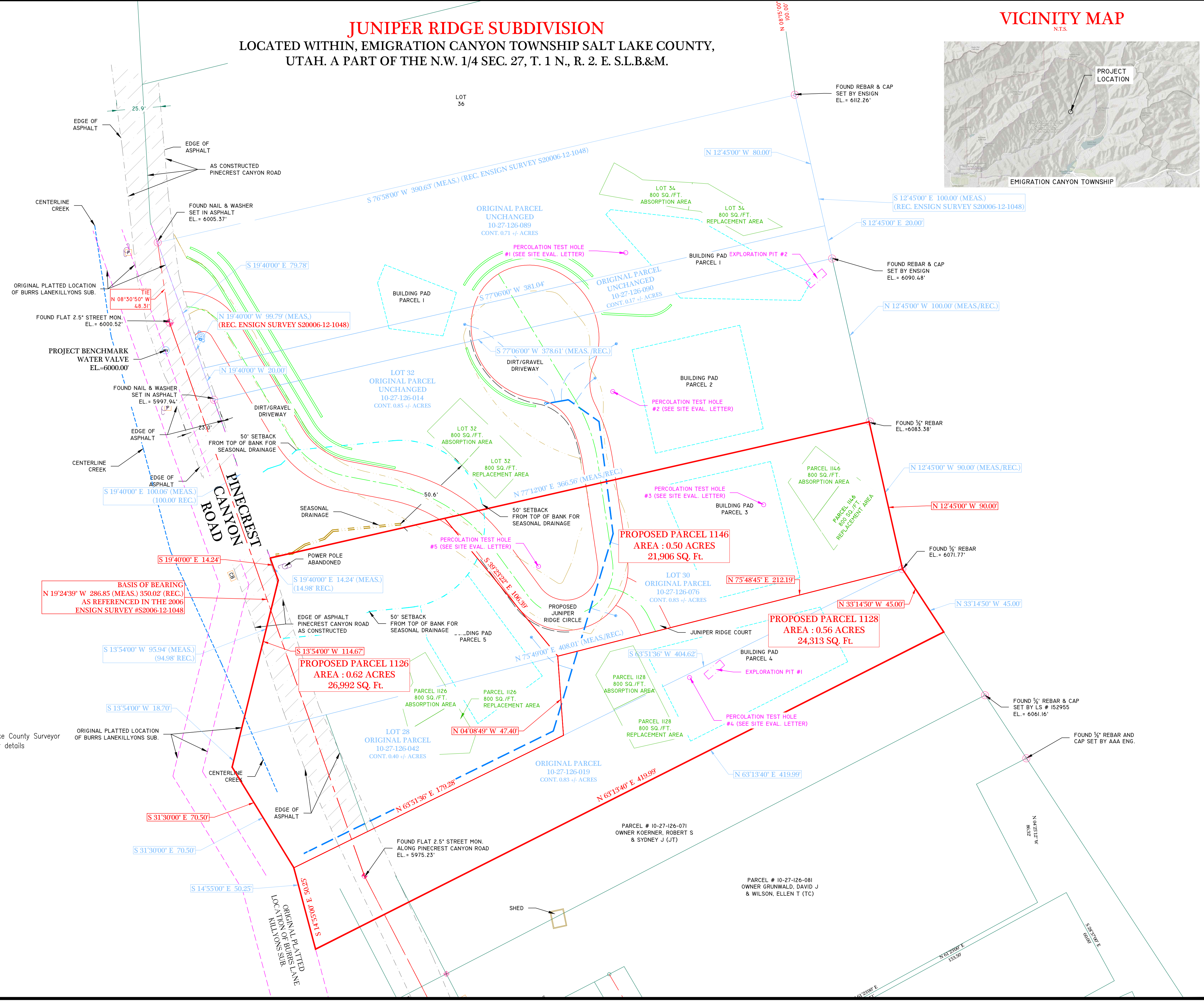


JUNIPER RIDGE SUBDIVISION
 LOCATED WITHIN, EMIGRATION CANYON TOWNSHIP SALT LAKE COUNTY,
 UTAH. A PART OF THE N.W. 1/4 SEC. 27, T. 1 N., R. 2. E. S.L.B.&M.

VICINITY MAP
NTS



- LEGEND**
- = STREET MONUMENT
 - = FOUND PROPERTY MARKER
 - = REPRESENTS PROPERTY LINE
 - = EXISTING FIRE HYDRANT
 - = EXISTING WATER VALVE
 - = PHONE UTILITY SERVICE
 - = CABLE BOX
 - = EXISTING UTILITY POLE



SUB. NOTES:
 1. See Record of survey recorded in the Salt Lake County Surveyor Office, ROS File # S2023-04-0380 for further details

SALT LAKE COUNTY ADDRESSING AUTHORITY
 APPROVED AS TO FORM
 THIS ___ DAY OF _____, 2025.
 SALT LAKE COUNTY ADDRESSING AUTHORITY

SURVEYORS CERTIFICATE

I, Shane Johanson with Johanson Surveying, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold License No. 7075114 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act; I further certify that by authority of the owners I have completed a survey of the property described on this subdivision plat in accordance with Section 17-23-17 and have verified all measurements; that the reference monuments shown on this parcel are located as indicated and are sufficient to retrace or reestablish this plat; and that the information shown herein is sufficient to accurately establish the lateral boundaries of the herein described tract of real property now known as JUNIPER RIDGE SUBDIVISION. This plat meets or exceeds the minimum tolerance requirement of 1:15,000'.



BOUNDARY DESCRIPTION

Parcel # 10-27-126-019
 Upper half of Lot 26 Block 2 Killyons Subdivision; on file within the official records of Salt Lake County
 Containing 0.40 +/- Acres

Parcel # 10-27-126-076
 Lot 28 Block 2 Killyons Subdivision on file within the official records of Salt Lake County
 Containing 0.44 +/- Acres

Parcel # 10-27-126-089 (Unchanged)
 Lot 34 Block 2 Killyons Subdivision, Less and excepting the Southerly 20 feet more or less; on file within the official records of Salt Lake County
 Containing 0.71 +/- Acres

Parcel # 10-27-126-090 (Unchanged)
 Southerly 20 feet more or less of Lot 34 Block 2 Killyons Subdivision; on file within the official records of Salt Lake County
 Containing 0.17 +/- Acres

Parcel # 10-27-126-076
 Lot 30 Block 2 Killyons Subdivision on file within the official records of Salt Lake County
 Containing 0.83 +/- Acres

Parcel # 10-27-126-014 (Unchanged)
 Lot 32 Block 2 Killyons Subdivision on file within the official records of Salt Lake County
 Containing 0.85 +/- Acres

OWNERS DEDICATION

Evan Glassman being the owner of the described tract of land, do hereby dedicate, for the perpetual use of the public, all streets, public improvements, as reflected and shown on this plat to be expressly dedicated for public use, if any. Owners hereby consent and give approval to the recording of this plat for all purposes shown herein.

In witness whereof, I have hereunto set my hand this ___ day of _____, 2025.

OWNER:
 EVAN GLASSMAN

ACKNOWLEDGEMENT

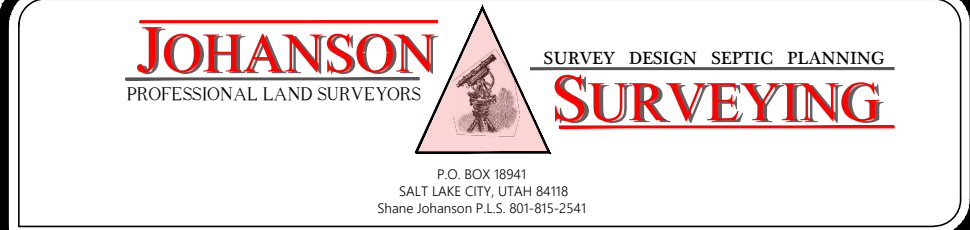
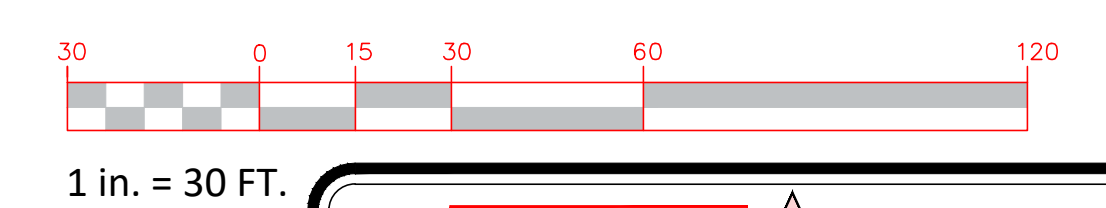
STATE OF UTAH)
) SS
 COUNTY OF SALT LAKE)

On this ___ day of _____, in the year 2025, before me _____, a notary public, personally appeared Evan Glassman, proved on the basis of satisfactory evidence to be the person whose name is subscribed to in the foregoing Owner's Dedication regarding the Evan Glassman Subdivision, and was signed by them and acknowledged that they executed the same.

Commission Number _____
 My Commission Expires _____

Print Name: _____
 A Notary Public Commissioned in Utah

JUNIPER RIDGE SUBDIVISION
 LOCATED WITHIN, EMIGRATION CANYON TOWNSHIP SALT LAKE COUNTY, UTAH. A PART OF THE THE N.W. 1/4 SEC. 27, T. 1 N., R. 2. E. S.L.B.&M.



County Engineering Division
 I hereby certify that I have had this plat examined by this office and it is correct in accordance with information on file.
 Salt Lake County Surveyor _____ Date _____
 County Engineer _____ Date _____

Enbridge Gas
 Approved this _____ day of _____ A.D., 20____.

Pacificorp
 Approved this _____ day of _____ A.D., 20____.

Qwest Communications
 Approved this _____ day of _____ A.D., 20____.

Salt Lake County Health Department
 Approved this _____ day of _____ A.D., 20____.

Emigration Canyon Planning Commission
 Approved this _____ day of _____ A.D., 20____ by the Emigration Planning Commission
 Planning Director _____

UNIFIED FIRE AUTHORITY
 APPROVED THIS ___ DAY OF _____, 20____, with the following conditions:

 Fire Marshal _____

SALT LAKE COUNTY RECORDER
 Recorded # _____
 State of Utah, County of Salt Lake, recorded and filed at the request of _____
 Date _____ Time _____ Book _____ Page _____
 Fee \$ _____ Deputy _____ Salt Lake County Recorder

Number _____
 Account _____
 Sheet 1 of 1

ORDINANCE 2025-O-__

Ordinance No. 2025-O-__

Date: _____, 2025

**AN ORDINANCE OF THE EMIGRATION CANYON CITY COUNCIL
REPEALING CHAPTER 19.60 C-V COMMERCIAL ZONE AND CHAPTER
19.62 C-2 COMMERCIAL ZONE AND ENACTING CHAPTER 19.32
COMMERCIAL ZONE.**

RECITALS

WHEREAS, Emigration Canyon is a municipality and has authority to adopt land use regulations pursuant to Utah Code Annotated § 10-9a-501 Municipal Land Use, Development, and Management Act; and

WHEREAS, the Council deems it necessary to update and consolidate Chapter 19.60 C-V Commercial Zone and Chapter 19.62 C-2 Commercial Zone in a new Chapter 19.32; and

WHEREAS, the Emigration Canyon Planning Commission held a public hearing on _____, to consider repealing Chapter 19.60 C-V Commercial Zone and Chapter 19.62 C-2 Commercial Zone and replacing them with Chapter 19.32 Commercial Zone (the “Proposed Action”) in accordance with Utah Code Annotated §§ 10-9a-205 and 10-9a-502; and

WHEREAS, the Planning Commission recommends the Proposed Acton to the Emigration Canyon City Council for the protection and preservation of the public health, safety, and general welfare of the citizens of Emigration Canyon.

BE IT ORDAINED BY THE EMIGRATION CANYON CITY COUNCIL as follows:

1. Repeal. Chapter 19.60 C-V Commercial Zone is hereby repealed and Chapter 19.62 C-2 Commercial Zone is hereby repealed.
2. Enact. Chapter 19.32 Commercial Zone is hereby enacted in substantially the form set forth in **Attachment A** of this Ordinance, subject only to administrative or grammatical corrections
4. Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.
5. Direction to Staff. Staff are authorized and directed to: (i) Correct any administrative or grammatical errors within this Ordinance and Attachment A; and (ii) Codify and publish this Ordinance and Attachment A pursuant to all governing law, including, but not limited to, Utah Code Annotated § 10-3-711.

6. Effective Date. This Ordinance will take effect immediately upon posting pursuant to Utah Code § 10-3-712.

PASSED AND ADOPTED this ___ day of _____ 2025.

EMIGRATION CANYON CITY COUNCIL

By: Joe Smolka, Mayor

ATTEST

Diana Baun, Recorder

Voting:

Mayor Smolka	voting	___
Deputy Mayor Hawkes	voting	___
Council Member Brems	voting	___
Council Member Harris	voting	___
Council Member Pinon	voting	___

(Complete as Applicable)

Date ordinance summary was posted to the [insert name] website, the Utah Public Notice website, and in a public place within [insert name] per Utah Code §10-3-711: _____

Effective date of ordinance: _____

SUMMARY OF
EMIGRATION CANYON CITY
ORDINANCE NO. 2025-O-

On _____, 2025, the Emigration Canyon Council approved Ordinance No. 2025-O-__, repealing Chapter 19.60 C-V Commercial Zone and Chapter 19.62 C-2 Commercial Zone and enacting Chapter 19.32 Commercial Zone.

By: Joe Smolka, Mayor

ATTEST

APPROVED AS TO FORM

Diana Baun, Recorder

Polly McLean, City Attorney

Voting:

Mayor Smolka	voting ___
Deputy Mayor Hawkes	voting ___
Council Member Brems	voting ___
Council Member Harris	voting ___
Council Member Pinon	voting ___

A complete copy of Ordinance No. _____ is available in the office of the Emigration Canyon Recorder, 860 Levoy Drive, Suite 300 Taylorsville, UT 84123.

ATTACHMENT A

CHAPTER 19.32 COMMERCIAL ZONE

19.32.010 Purpose of Provisions.

The purpose of the Commercial Zone is to designate areas in Emigration Canyon for a wide range of commercial and retail trades and uses, offices, businesses, professional services, and other uses that contribute to the economic stability of the community. The Commercial Zone is intended to provide employment opportunities and expand the municipal tax base, while also encouraging sustainable development and providing an attractive transition between residential and non-residential uses.

19.32.020 Establishment of the Commercial Zone.

The Commercial Zone is identified as district C-2 and intended to provide areas in appropriate locations where commercial centers may be established, maintained, and protected. The regulations of the Commercial Zone are designed to encourage the provision of restaurants, retail and service-oriented spaces, and other commercial activities.

19.32.030 Schedule of Permitted Uses.

- A. Schedule of Permitted Uses. The specific uses listed in Table 19.32.030 are permitted in the C-2 Zone and designated as either Permitted Use or Conditional Use, and are subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Title.
- B. Procedure for Multiple Uses (Combination of Uses). If a development proposal involves a combination of both Permitted and Conditional Uses as identified in Table 19.32.030, the development proposal shall be considered a Conditional Use.
- C. Abbreviations. The abbreviations in Table 19.32.030 are defined as follows:
 - 1. P = Permitted Use. Uses allowed in the C-2 Zone, but may be subject to additional restrictions and approval processes as provided in this Title.
 - 2. C = Conditional Use. Uses that because of their unique characteristics or potential impacts on Emigration Canyon, surrounding neighbors, or adjacent uses, may not be compatible in some areas of the C-2 Zone, or may be compatible only if certain conditions are imposed to mitigate the reasonably anticipated detrimental impacts of the proposed use. Conditional Uses are subject to the requirements of this Chapter, all general and specific conditions, criteria, and approval procedures set forth in Chapter 19.84 Conditional Uses. The Planning Commission is the approval authority for Conditional Uses.
 - 3. Uses not specifically permitted in Table 19.32.030 are prohibited in the C-2 Zone.

Table 19.32.030 – Schedule of Permitted Uses in the C-2 Zone	
Use Categories	
RETAIL AND SERVICE:	
Liquor and/or Wine Store and Package Agency	P

Retail and Service Commercial	C
Retail Shops or Galleries where Primary Product is Produced On-Site	C
Child Care Center	P
Office, Medical	P
FOOD AND DRINK:	
Bars	P
Breweries and Distilleries in association with a Restaurant	P
Restaurant, Sit-Down with or Without Alcohol	P
OFFICE:	
Office, General	P
INSTITUTIONAL USES:	
Church, Synagogue, Mosque, Temple, Cathedral, or other religious buildings	P
Parks/Open Space	P
Public or Quasi-Public Uses	P
Public Utilities, Minor	P
ACCESSORY USES:	
Accessory Outside Storage	C
Outdoor dining appurtenant to a permitted restaurant use	P
Temporary buildings subject to requirements in Chapter 19.44.030	P

19.32.040 Development Standards.

- A. All lots in the C-2 Zone must be accessible to the public either directly from a public street or by way of a recorded easement or right-of-way in favor of, or appurtenant to, the lot.
- B. The C-2 zone has no Minimum Project Area, Minimum Lot Size, Minimum Lot Width, or Frontage requirements.

19.32.050 Site Standards.

The following site standards shall apply in the C-2 Zone:

- A. Limits of Disturbance. Building footprint areas shall comply with the Foothills and Canyons Overlay Zone, Section 19.72.160 Limits of Disturbance.
- B. Setbacks. Site Setback Requirements are set forth in Table 19.32.050:

Table 19.32.050 – Site Setback Requirements	
Location	Setback
Front Yard Setback, Emigration Canyon Road	20' landscaped setback from a public right-of-way
Front Yard Setback, All Other Streets	10' landscaped setback from a public right-of-way
Side Yard Setback – Corner Lots	10' landscaped setback from a public right-of-way
Side Yard Setback – Interior Lots	8' setback to the property line or 16' between buildings where building pads are used. 10' landscaped buffer required to separate residential uses from commercial uses.
Rear Yard Setback	10' setback to the property line or 20' between buildings where building pads are used. 10' Landscaped buffer required to separate residential uses from commercial uses.
Perennial Stream, Ephemeral Stream, and Wetland Setbacks	See Subsection 19.72.130(D)

C. Walkways or Trails.

1. Public Entrances. Walkways or Trails shall be at least six feet (6') wide and are required along the entire length of the parking area to provide continuous access to the public entrance.
2. Pedestrian Buffer. A landscaped strip at least six feet (6') wide is required between a public street and a walkway or trail.
3. Fences. Fences parallel to any walkway or trail are prohibited within two feet (2') of the edge of the walkway or trail.

D. Outdoor Dining. If outdoor dining is permitted, the patio or dining area may encroach into the applicable required setback up to fifty percent (50%) of the width of the setback.

E. Utilities. All utilities shall be placed underground, except as may be provided in Chapter 19.79 Utility and Facility System Placement Regulations.

F. Screening.

1. All trash or recycling receptacles, dumpsters, or bins shall be enclosed by a gated wall or architectural design with materials complementary to the building's materials and the natural environment. The gated enclosure shall comply with the following standards:
 - a. The enclosure gate shall be accessible to service vehicles.
 - b. The enclosure wall and gate shall be a minimum of twelve inches (12") higher than the receptacle, dumpster or bin, but may not exceed the fence height requirements in 19.72.100.

- c. Chain link or transparent materials are prohibited materials for screening.
 2. Service areas, mechanical equipment, and meters shall be completely screened from the street.
- G. Benches, Bike Racks, and Receptacles. Development in the C-2 Zone requires the following furnishings:
1. Seating/Benches. Each development proposal shall provide outdoor seating with a minimum capacity to seat four (4) persons per commercial building that is twenty thousand (20,000) square feet or smaller. For each commercial building that is greater than twenty thousand (20,000) square feet, outdoor seating with a minimum capacity to seat eight (8) persons is required. Seating/Benches are encouraged in places where people congregate and at pedestrian intersections and nodes. Benches shall be durable and permanently installed on a hardscape surface such as concrete, pavers, etc.
 2. Bike Racks. One bike rack with three (3) stalls is required for each development. Additional bike racks with a minimum of three (3) stalls are required for every twenty (20) vehicle parking stalls. Bike racks shall be located near the entrance to the building and visible from the street or drive. Bike racks shall be durable and permanently installed over a hardscape surface.
 3. Trash and Recycle Receptacles. A minimum of two receptacles, one (1) trash and one (1) recycle, are required for each public entrance of commercial buildings.

H. Turf Area Limitations.

1. Turf areas shall not exceed 20% of the total landscaped area, outside of active recreation areas.

19.32.060 Architectural Requirements.

All new development must present a coordinated streetscape and architectural and site design elements that provide for the safety and convenience of pedestrians. All new development in the C-2 Zone shall comply with the following architectural requirements:

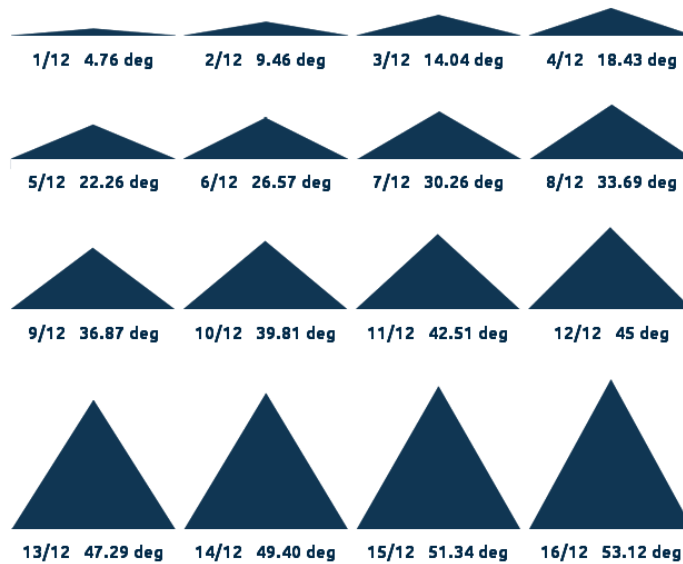
A. General Design Requirements.

1. Walls.
 - a. No more than three materials shall be used for primary wall surfaces.
 - b. Exterior finishes shall be of traditional, time and weather-tested techniques.
 - c. Retaining and screening walls shall be of materials complementary to the building's materials and the natural environment.
 - d. Buildings shall use a cohesive palette of colors that complements nearby buildings and the natural environment and comply with the design requirements in the Foothills and Canyons Overlay Zone in Chapter 19.72.
2. Building Height. New commercial buildings adjacent to existing neighborhoods shall step down in height to help minimize the visual impact on residential areas. Building Height requirements are set forth in Table 19.32.060A.

Table 19.32.060A - Commercial Development Requirements	
Standard	C-2
Building Height	<p>Minimum: Commercial buildings shall be a minimum of fifteen feet (15') above grade.</p> <p>Maximum: Commercial buildings shall not exceed thirty-five (35') above grade.</p>
Step-down Height Adjacent to Residential Areas.	Commercial buildings within thirty feet (30') of any of the Forestry Zones, or a parcel used as a residential dwelling, shall not exceed thirty feet (30') above grade.

3. Roofs. All roofs and dormer roofs of a commercial building shall be constructed of the same material. Roof slopes shall be of equal pitch if a gable or hip roof is employed. All metal roofs must be of a subdued color. Painted roof shingles are prohibited.
 - a. Low Slope (Flat) Roofs (less than 2" of vertical rise per 12" of horizontal run; 2:12 slope) on stand-alone buildings are allowed when variation to the roof line is provided using parapets, towers, step-backs, or accessory structures.
 - b. Large roofs shall have parapets and enclosures concealing flat roofs and rooftop equipment from public view. Parapet and enclosure materials shall match the building in quality and detail.
 - c. For pitched roofs that slope 2:12 or steeper, the slope is measured with the vertical rise divided by the horizontal span or run.
 - d. All roofs may not be sloped more than 16:12 (Rise/Run) 53.12 deg.
 - e. Any first-story roof may not be sloped flatter than a 4:12 (rise: run) 18.43 deg.
 - f. Slopes less than 4:12 (rise: run) 18.43 deg. are permitted to occur on second-story or higher roofs.

SLOPE ILLUSTRATION TABLE



CREDIT: RAMCO ROOF PITCH ANGLES: <https://www.famcomfg.com/resources/roof-pitch-angles/>

- g. Hipped, gabled, and combination of hips and gables with or without dormers are permitted.
 - h. Gambrel, butterfly (inverted gable roof), and mansard roofs are not permitted.
 - i. A gabled end or perpendicular ridge line shall occur at least every one-hundred feet (100') of a roof when the ridge line runs parallel to the front lot line.
- B. Exterior Structure Requirements. All exterior walls of all structures shall be constructed in compliance with the following:
1. Materials.
 - a. All structures shall use one or more of the following durable materials as significant finish: architectural precast concrete, architecturally treated concrete masonry units (CMU), brick cladding, natural and cast stone, architectural metals, and glazing.
 - b. Architectural site-cast concrete may be allowed if designed, articulated, and architecturally finished.
 - c. At least fifty percent (50%) of any portion of a structure façade visible from Emigration Canyon Road shall be composed of one or more of the following materials: brick, stone, architecturally treated CMU, architectural precast concrete, architectural metals, and glazing.
 2. Exterior Insulation and Finish System (EIFS)/Stucco. The design and application of EIFS or synthetic stucco shall be of a high enough quality to allow for crisp detailing and substantial relief.
 3. Detail and Finish. Structure façades that face a public street, but do not have public entrances, shall be composed of high-quality materials such as brick or stone and shall provide variety and interest in the façade through the introduction of such elements as pilasters, recessed or

protruding bays, changes in materials and/or colors, display windows with products or product graphics, transparent windows or clerestories, and well-designed signs and graphics.

4. Façade Articulation.

- a. Continuous exterior wall surfaces shall be relieved with significant variations of wall planes or overhangs that create shadow areas and add visual interest.
- b. Variations from significant dimensional changes in plane, color, or detail as accomplished by such devices as protruding bays, recessed entries, upper-level step-backs, arcades, offsets in the general plane of the façade, changes in materials or color, bay windows, vestibules, porches, balconies, exterior shading devices, nonretractable canopies or awnings, projecting cornices, or eaves are required.

5. Visual Height of Façade.

- a. Buildings in excess of two (2) stories in height shall exhibit architectural detailing that establishes a separation between the lower and upper stories to reduce the visual height of the facade. This may be accomplished by a mid-façade cornice or trim, a change in material, style or color, a façade step-back or roof pitch with dormer windows, or other methods of incorporating architectural detailing within twelve feet (12') of the ground plane.

6. Façade Features.

- a. All retail building façades visible from public streets shall include architectural treatments that add detail, character, and reduce the appearance of blank walls. Techniques such as color and material changes, expression of structure, shifts in plane, offsets and projections, belt courses, reveals, pilasters, windows, doors, arcades, canopies, and other similar elements may achieve this standard.
- b. Opaque or solid storefront security closures, such as rolling doors, are not permitted.

C. Public Entrances. Public entrances shall comply with the following standards:

1. Street front entrances are required for new buildings on Emigration Canyon Road.
2. Primary public entrances shall be architecturally emphasized and identifiable.
3. Weather protection features such as awnings, canopies, doors inset by at least three feet (3'), or arcades are required for all public entrances.

19.32.070 Off-Street Parking Requirements.

The parking requirements set forth in Chapters 19.72 and 19.73 of this Title shall apply in the C-2 Zone. In addition, the following standards are required:

- A. Change Of Use. Whenever the existing use of a structure or the existing use of land is changed to another use or another occupancy, parking and loading facilities shall be provided as required by this Title.

- B. Screening. Except for approved street parking, surface parking areas located within thirty feet (30') of a public right-of-way shall be screened by grading, landscaping, walls/fences, or a combination of these, with a minimum height of three feet (3') above the surface of the parking area.
- C. Cross Access. All commercial development shall be designed to allow for cross-access to adjacent properties to encourage shared parking and shared access points on public or private streets. When cross-access is deemed impractical by the Planning Commission on the basis of topography, the presence of natural features, or vehicular safety factors, this requirement may be waived provided that the appropriate bicycle and pedestrian connections are provided between adjacent developments or land uses.
- D. The Planning Commission may approve an exception to the requirements of this Section 19.32.070 Off-Street Parking Requirements if the requirements are not reasonably possible based on the unique characteristics of the site such as topography, geological hazards, or flood zones.

19.32.080 Connections and Landscaping for Parking

All landscaping and parking in the C-2 Zone shall be designed and installed in accordance with Chapter 19.72 Foothills and Canyons Overlay Zone. In addition, the following standards are required:

- A. Physical Connections. Each lot shall have a system of pedestrian walkways and trails that provide connections between the public entrances, neighboring public entrances, walkways, parking areas, open spaces, and public trails.
- B. Landscaped Setback from the Edge of a Public or Private Street.
 - 1. The entirety of the required setback between a building or parking lot and a street or drive shall consist of landscaping, walkways, bike lanes, or a combination thereof.
 - a. Courtyard or plaza areas shall be deemed to be a part of the front setback of the building.
- C. Prohibitions. Maintenance buildings, trash collection, recycling areas, storage and service areas, mechanical equipment, and off-street loading areas shall not be permitted in the front setback of any building and shall be located behind the main building structure or completely screened from public view.
- D. Building Foundation Landscaping. The ground adjacent to the building foundation shall be landscaped if it is visible from public vantage points.
- E. Visual Separation between Commercial and Residential Uses. A landscaped buffer shall be required to separate residential uses from commercial uses.
 - 1. The landscape buffer area must be a minimum of six feet (6') wide to provide adequate screening, buffering, and separation of these uses. The landscape treatment shall use a combination of high and low-level screening to separate the uses to soften the visual impact of the commercial use.
 - 2. The landscaped buffer area shall include a minimum of one tree for every two hundred fifty square feet (250 sq. ft).
 - 3. Landscape plant material shall be local/native compatible.

19.32.090 – Lighting

All new development must comply with 19.73.110 Night Lighting.

19.32.100 – Fences, Hedges and Walls.

Fences, hedges, and walls in the C-2 Zone shall comply with the requirements set forth in Foothills and Canyons Overlay Zone, Section 19.72.100 and the following standards:

- A. Required Setbacks. A fence, hedge, wall, column, pier, post, or any similar structure or any combination of such structures (herein individually “Structure” and collectively “Structures”) are permitted provided all of the following conditions are met:
1. The Structures are located within the required setback in Table 19.32.050;
 2. The Structures do not extend beyond or across a property line without a recorded agreement with the abutting property owner;
 3. Only one Structure is permitted per property line.
 4. Barbed wire or other sharp, pointed, or electrically charged fence is not permitted.
 5. Temporary fences on construction sites are allowed during the construction period and may not exceed eight feet (8') in height. Temporary fences must be removed when the certificate of occupancy is issued or when the construction is complete.
- B. Athletic Facilities. Fencing around athletic facilities, including, without limitation, tennis courts, shall be a maximum of fourteen feet (14') in height and all portions of the fence above six feet (6') shall be constructed with a minimum of fifty percent (50%) nonopaque materials.

19.32.110 General Information.

Compliance with all other requirements of Title 19 and all other Emigration Canyon ordinances is required.

ORDINANCE 2025-O-__

Ordinance No. 2025-O-__

Date: _____, 2025

AN ORDINANCE OF THE EMIGRATION CANYON COUNCIL REPEALING CHAPTER 19.05, PLANNING COMMISSION AND CHAPTER 19.92, LAND USE HEARING OFFICER, REPLACING THEM WITH CHAPTER 19.12, ADMINISTRATIVE BODIES POWERS AND DUTIES; REPEALING CHAPTER 19.06 ZONES, MAPS, AND ZONE BOUNDARIES AND REPLACING IT WITH CHAPTER 19.14, ZONES, ZONING MAP, AND BOUNDARIES; AND REPEALING CHAPTER 19.84, CONDITIONAL USES AND 19.90, AMENDMENTS AND REZONING, REPLACING THEM WITH CHAPTER 19.16, LAND USE PROCESSES AND PROCEDURES.

RECITALS

WHEREAS, Emigration Canyon is a municipality and has authority to adopt land use regulations, pursuant to Utah Code § 10-9a-501 in accordance with the Municipal Land Use, Development, and Management Act, Title 10, Section 9a, Utah Code; and

WHEREAS, the Council deems it necessary to amend its land use ordinances to consolidate and update its chapters regulating the powers and duties of administrative bodies; and

WHEREAS, the Council deems it necessary to amend its land use ordinances to update the chapter establishing the zones used in Emigration Canyon; and

WHEREAS, the Council deems it necessary to amend its land use ordinances to consolidate and update its chapters regulating the land use processes and procedures; and

WHEREAS, the Emigration Canyon Planning Commission held a public hearing on August 14, 2025, to consider repealing Chapter 19.05, Planning Commission and Chapter 19.92, Land Use Hearing Officer, replacing them with Chapter 19.12, Administrative Bodies Powers and Duties; repealing Chapter 19.06 Zones, Maps, and Zone Boundaries and replacing it with Chapter 19.14, Zones, Zoning Map, and Boundaries; and repealing Chapter 19.84, Conditional Uses and 19.90, Amendments and Rezoning, replacing them with Chapter 19.16, Land Use Processes and Procedures (the “Proposed Action”) in accordance with Utah Code §§ 10-9a-205 and 10-9a-502; and

WHEREAS, the Planning Commission has recommended that the Council repeal Chapter 19.05, Planning Commission and Chapter 19.92, Land Use Hearing Officer, replacing them with Chapter 19.12, Administrative Bodies Powers and Duties for the protection and preservation of the public health, safety and general welfare.

WHEREAS, the Planning Commission has recommended that the Council repeal Chapter 19.06 Zones, Maps, and Zone Boundaries and replacing it with Chapter 19.14,

Zones, Zoning Map, and Boundaries for the protection and preservation of the public health, safety and general welfare.

WHEREAS, the Planning Commission has recommended that the Council repeal Chapter 19.84, Conditional Uses and 19.90, Amendments and Rezoning, replacing them with Chapter 19.16, Land Use Processes and Procedures for the protection and preservation of the public health, safety and general welfare.

BE IT ORDAINED BY THE EMIGRATION CANYON CITY COUNCIL as follows:

1. Chapter 19.05, Planning Commission and Chapter 19.92, Land Use Hearing Officer are hereby repealed and replaced with Chapter 19.12, Administrative Bodies Powers and Duties, which is adopted to read as shown in **Attachment A** to this Ordinance.
2. Chapter 19.06, Zones, Maps and Zoning Boundaries, is hereby repealed and replaced with Chapter 19.14, Zones, Zoning Map, and Boundaries, which is adopted to read as shown in **Attachment B** to this Ordinance.
2. Chapter 19.84, Conditional Uses and 19.90, Amendments and Rezoning are hereby repealed and replaced by Chapter 19.16, Land Use Processes and Procedures, which is adopted to read as shown in **Attachment C** to this Ordinance.
4. Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.
5. Direction to Staff. Staff are authorized and directed to take such steps as may be needed: (a) for this ordinance to become effective under Utah law, including but not limited to compliance with the requirements of Utah Code § 10-3-711; and (b) to finalize and post the ordinance to Municode, including but not limited to making non-substantive edits to correct any scrivener's, formatting, and numbering errors.
6. Effective Date. This Ordinance will take effect immediately upon posting pursuant to Utah Code § 10-3-712.

PASSED AND ADOPTED this ___ day of _____ 2025.

EMIGRATION CANYON CITY COUNCIL

By: Joe Smolka, Mayor

ATTEST

Diana Baun, Recorder

Voting:

Mayor Smolka voting ___
Deputy Mayor Hawkes voting ___
Council Member Brems voting ___
Council Member Harris voting ___
Council Member Pinon voting ___

(Complete as Applicable)

Date ordinance summary was posted to the [insert name] website, the Utah Public Notice website, and in a public place within [insert name] per Utah Code §10-3-711: _____

Effective date of ordinance: _____

SUMMARY OF
EMIGRATION CANYON CITY
ORDINANCE NO. 2025-O-

On _____, 2025, the Emigration Canyon Council enacted Ordinance No. 2025-O-____, repealing Chapter 19.05, Planning Commission and Chapter 19.92, Land Use Hearing Officer, replacing them with Chapter 19.12, Administrative Bodies Powers and Duties; repealing Chapter 19.06 Zones, Maps, and Zone Boundaries and replacing it with Chapter 19.14, Zones, Zoning Map, and Boundaries; and repealing Chapter 19.84, Conditional Uses and 19.90, Amendments and Rezoning, replacing them with Chapter 19.16, Land Use Processes and Procedures.

By: Joe Smolka, Mayor

ATTEST

APPROVED AS TO FORM

Diana Baun, Recorder

Polly McLean, City Attorney

Voting:

Mayor Smolka	voting	___
Deputy Mayor Hawkes	voting	___
Council Member Brems	voting	___
Council Member Harris	voting	___
Council Member Pinon	voting	___

A complete copy of Ordinance No. _____ is available in the office of the Emigration Canyon Recorder, 860 Levoy Drive, Suite 300 Taylorsville, UT 84123.

ATTACHMENT A

CHAPTER 19.12: ADMINISTRATIVE BODIES AND POWERS AND DUTIES

19.12.010 - Purpose

The purpose of this chapter is to outline the specific powers and duties of the different boards, commissions and officials having administrative, legislative, or quasi-judicial roles set forth in this Ordinance.

19.12.020 - Council

The council has the authority to enact and amend land use ordinances and to enact and amend a zoning map for the Emigration Canyon.

19.12.030 - Planning Commission

A. Term Appointed

1. The Emigration Canyon planning commission shall consist of five members and up to two alternate members.
2. Commissioners shall serve five-year terms (except for the initial terms as provided below) or longer until successors are appointed.
3. The initial members of the Commission shall be staggered and appointed as follows:
 - a. One appointee shall serve an initial term which shall expire on May 14, 2023, one appointee shall serve an initial term which shall expire on May 14, 2024, one appointee shall serve an initial term which shall expire on May 14, 2025, one appointee shall serve an initial term which shall expire May 14, 2026, and one appointee shall serve an initial term which shall expire May 14, 2027.
4. Terms shall commence on May 15 of each year.
5. In the event a term of a member shall expire before a successor is appointed, the member shall continue to serve until a successor is appointed.
6. The members and alternate members of the planning commission are not required to reside within the Emigration Canyon.
7. Upon expiration of a Commissioner's term, the seat shall be appointed by the mayor with the advice and consent of the City council.
8. Members of the Commission may serve successive terms.

B. Vacancy—Removal.

1. Any vacancy occurring on the Planning Commission by reason of death, resignation, removal or disqualification shall be filled by the mayor with the advice and consent of the council for the unexpired term of such member.
2. The mayor, with the advice and consent of the council, may remove a member of the Planning Commission for cause after filing written charges against the member. The member will be provided with a hearing on the charges if requested by the member being removed.

C. Organization—Procedures.

1. The Planning Commission shall elect a chairperson from its members who shall serve a one-year term. The chairperson is a voting member.
2. The Planning Commission shall elect a vice chairperson from its members who shall serve a one-year term. The vice chairperson is the designated chair pro-tempore and a voting member.
3. The Planning Commission may create and fill any other necessary offices it deems necessary and may adopt policies and procedures for the conduct of its meetings, the processing of applications, and for any other purpose the Planning Commission considers necessary for its proper function.
4. A minimum of three (3) full and/or alternate members in attendance at the meeting is required to constitute a quorum.
5. The minimum number of "yes" votes necessary to carry an action of the commission shall be a majority of the members of the quorum in attendance but shall never be less than three (3).
6. Alternate members shall be designated to sit as voting members of the commission at any time one or more regular members are absent from the meeting. The designation of the alternate member to voting status shall be made by the chairman at the commencement of the meeting in accordance with the seniority of the alternate members in attendance at the time, and any alternate so designated shall serve as a voting member until the conclusion of the meeting.

D. Powers and Duties. The Planning Commission shall:

1. Prepare and recommend a general plan and amendments to the general plan to the council;
2. Prepare and recommend zoning ordinances and maps and amendments to zoning ordinances and maps to the council;
3. Prepare and recommend subdivision ordinances and amendments to those ordinances to the council;
4. Review subdivision plats as set forth in Title 18 Subdivisions;
5. Approve or deny conditional use permits;
6. Advise the council on matters that the council directs;
7. To make, at the request of the Director, an interpretation of the zone map regarding the location of zone boundary lines;
8. To decide, at the request of the Director, the meaning of disputed terms or phrases within the text of the zoning regulations;
9. To make a determination whether a change of a non-conforming use is more intensive pursuant to 19.06.050;
10. To hear appeals of administrative determinations by the Director as to the classification of uses not specifically listed in this Ordinance;

11. Determine building height for conditional uses pursuant to 19.24.050;
12. Review waivers for slope requirements pursuant to 19.24.140 , 19.38.060 (D)and 19.38.080 (C);
13. Review modifications of setbacks pursuant to 19.38.130 (G);
14. Determinations for Mandatory Design Standards pursuant to 19.38.170;
15. Make determinations as required in the Commercial (CV) zone pursuant Chapter 19.32;
16. Make determinations as required in Chapter 19.58 Geologic Hazards; and
17. Provide other functions as specified in this chapter or as directed by the council.

19.12.040 - Land Use Hearing Officer

A. Creation.

1. The position of Land Use Hearing Officer is created pursuant to the enabling authority granted by the Land Use, Development, and Management Act, § 10-9a-701 of the Utah Code Annotated.
2. The Land Use Hearing Officer shall be an administrative law judge appointed as provided in the Municipal Code.
3. The Land Use Hearing Officer shall act in a quasi-judicial manner.

B. Procedures.

1. The Land Use Hearing Officer may administer oaths and compel the attendance of witnesses.
2. Hearings the Land Use Hearing Officer holds on appeals of a land use decision are open to the public.
 - a. The Land Use Hearing Officer shall:
 - (1) Keep minutes of all proceedings;
 - (2) Keep records of all examinations and other official actions; and
 - (3) File all records in the office of Planning and Development Services. All such records are public records.
3. Decisions of the Land Use Hearing Officer become effective immediately on the date when the written decision is issued, unless a different time is designated at the time the decision is made.

C. Powers and Duties. The Land Use Hearing Officer shall:

1. Act as the appeal authority for zoning ordinance decisions applying this Title as provided in Section 19.16.020
2. Act as the appeal authority for conditional use decisions by a Planning Commission;
3. Hear and decide the special exceptions to the terms of the zoning ordinance set forth in Section 19.20.020.B.3;

4. Hear and decide variances from the terms of the zoning ordinance as set forth in Section 19.20.010;
5. Hear and decide appeals, interpretation of the zone map regarding the location of zone boundary lines or decision of the meaning of disputed terms or phrases within the text of the zoning regulations by either the director or the Planning Commission.
6. Hear and decide appeals of determinations made by the Director for Non Complying Structure or Nonconforming Use pursuant to 19.06.020.
7. Provide other functions as specified in this Title or as directed by the council.

19.12.050 - Director

The Director has the following powers:

- A. To make an interpretation of the zoning map regarding the location of zone boundary lines, or decide the meaning of disputed terms or phrases within the text or the zoning regulations. The Director, at his or her discretion, may request the Planning Commission make the determination of interpretations of the zoning map or the meaning of disputed terms or phrases within the text of the zoning regulations to the Planning Commission;
- B. To make a determination on granting an extension for an inactive application pursuant to 19.02.060.
- C. To make administrative determinations as to the classification of uses not specifically listed in this Ordinance subject to appeal to the Planning Commission. Administrative determinations shall be based upon a comparison of the nature and characteristics of the proposed use with those uses specifically authorized in the intended zone;
- D. To review conditional use amendments as set forth in 19.16.040.G.1
- E. To review and make decisions on occupancy permits;
- F. To review and make decisions on permitted uses
- G. To review and make decisions ordinance interpretations and other duties outlined in Chapter 19.16 Land Use Processes and Procedures
- H. To receive and forward applications for zoning amendments, variances, conditional uses, takings petitions, zoning appeals and other administrative reviews required by this Title to the appropriate board, commission or official;
- I. To maintain permanent and current records as required by this Ordinance including, but not limited to, all relevant information and official action on zoning amendments, variances, conditional uses, zoning appeals and other administrative reviews;
- J. To conduct inspections of structures or the use of land to determine whether there is compliance with this Title, and, in case of any violation, to order corrective action;
- K. To enforce the requirements of this Title.
- L. To administer application review procedures as set forth in chapter 19.16; and

- M. To review and make determinations of a Noncomplying Structure or a Nonconforming use pursuant to 19.06.020 or Abandonment pursuant to 19.06.040.
- N. Make determinations as required in the Commercial (C-V) zone pursuant Chapter 19.32
- O. Hold pre-application meetings and make determinations as required in Chapter 19.38 FCOZ
- P. Make determinations as required in Chapter 19.42 Specific Use Standards
- Q. Make determinations as required in Chapter 19.46 Site Development Standards
- R. Make determinations as required in Chapter 19.48 Off Street Parking
- S. Make determinations as required in Chapter 19.52 Signs
- T. Make determinations as required in Chapter 19.54 Dark Skies
- U. Act as the Floodplain Administrator for Floodplain Hazards pursuant to Chapter 19.56
- V. Make determinations as required in Chapter 19.58 Geological Hazards
- W. Provide other functions as specified in this Title or as directed by the Council.

ATTACHMENT B

19.14 ZONES, ZONING MAP, AND BOUNDARIES

19.14.010 - Zones Established

For the purpose of this Title, the Emigration Canyon is divided into classes of zones, as follows:

FR-0.5	Forestry and Recreation Zone
FR-1	Forestry and Recreation Zone
FR-2.5	Forestry and Recreation Zone
FR-5	Forestry and Recreation Zone
FR-10	Forestry and Recreation Zone
FR-20	Forestry and Recreation Zone
C-2	Commercial Zone

19.14.020 - Zoning Maps

Each of the sections of Emigration Canyon City which are zoned by this Title are shown on the maps on file with Planning and Development Services, and such maps are made by this reference, as such, a part of this Title as if fully described and detailed herein. Said maps may be in an electronic or Geographic Information System (GIS) format. Amendments to the zoning map shall follow the process outlined in Section 19.16.080 of this Title.

19.14.030 - Filing of This Title and Zoning Maps

This Title and the maps shall be filed in the custody of the City Clerk and may be examined by the public subject to any reasonable regulations established by the City Clerk.

19.14.040 - Boundary Location Rules

- A. Where uncertainty exists as to the boundary of any zone, the following rules shall apply:
1. Wherever the zone boundary is indicated as being approximately upon the centerline of a street, alley or block, or along a property line, then, unless otherwise definitely indicated on the map, the centerline of the street, alley or block, or such property line, shall be construed to be the boundary of the zone;
 2. Whenever such boundary line of such zone is indicated as being approximately at the line of any river, irrigation canal or other waterway or railroad right-of-way, or public park, or other public land, or any section line, then in such case the center of the stream, canal or waterway, or of the railroad right-of-way, or the boundary line of such public land or such section line shall be deemed to be the boundary of the zone;
- B. Where the application of the above rules does not clarify the zone boundary location, the Land Use Hearing Officer shall interpret the map.

19.14.050 - Zoning of Annexed Areas

Properties that are annexed into the Emigration Canyon shall be given a zoning designation by action of the Council at the time of annexation. The Council shall be guided by the general plan and by the criteria set forth in Table 19.16-2 in zoning the subject property. Annexations of multiple parcels may result in more than one zone applying to the annexation area; however, except in the case of overlay zones, only one zone may apply to each parcel.

ATTACHMENT C

19.16 LAND USE PROCESSES AND PROCEDURES

19.16.010 - Purpose

The purpose of this chapter is to delineate the procedures, requirements and approval standards that apply to land use and zoning applications and approvals.

19.16.015 - Table of Land Use Decision Processes

This table is an illustrative summary of the administrative and legislative decision processes in Title 19. If there are any inconsistencies between this table and the other provisions of this Title, the other provisions of the Title govern.

TABLE 19.16.010: LEGISLATIVE AND ADMINISTRATIVE DECISION PROCESSES.					
REFERENCE TABLE: APPLICATIONS & APPROVALS	ZONING TEXT AND MAP AMENDMENTS AND OTHER LEGISLATIVE ACTS	PERMITTED USE	CONDITIONAL USE	VARIANCES	SPECIAL EXCEPTIONS
APPLICATION INITIATION	Property owner, person authorized in writing by the property owner, Council or Planning Staff	Property owner or a person authorized in writing by the property owner	Property owner or a person authorized in writing by the property owner	Property owner or a person authorized in writing by the property owner	Property owner or a person authorized in writing by the property owner
NOTICE (1)	In accordance with Utah Code 10-9a	Not required	Required (1)	Required (1)	Required (1)
RECOMMENDATION	Planning Commission, public input	Public agency review	Public agency review	Public agency review	Public agency review
FINAL DECISION	Council	Director or designee	Planning Commission	Land Use Hearing Officer	Land Use Hearing Officer, or Director (dependent on application type)
APPEAL BODY	3rd District Court	Land Use Hearing Officer	Land Use Hearing Officer	3rd District Court	3rd District Court

TABLE 19.16-1: FOOTNOTES

(1) Courtesy Notices shall be mailed ten (10) days prior to the meeting to property owners within three hundred feet (300') of the subject property's boundary.

19.16.020 - General Administrative Procedures

The Director is the administrator of the Zoning Ordinance with power to review and make decisions on zoning ordinance interpretations. The authority and responsibility of the Director shall include the following:

- A. Review of Development Plans. The Director shall establish development plan review processes to ensure that proposed land uses and development plans comply with the provisions of this Ordinance and protect the public health, safety, and general welfare. At the discretion of the Director or Designee, review of permit or license applications may be conducted without submittal of a land use application if compliance can be ascertained based on the permit or license application documents.
- B. Interpretation of Permitted and Conditional Uses – Administrative Determination. The Director shall determine whether proposed uses of property are consistent with the permitted and conditional uses within each zone. The procedure to request the Director's determination shall be as follows:
 1. Written Request. A written request for a determination shall be filed with the Director or Designee, which shall include a detailed description of the proposed use and such other information as the Director may require.
 2. Investigation. The Director shall undertake such investigations as deemed necessary to compare the proposed use with those uses specifically listed in this Title, and to make a determination of the proper classification.
 3. Determination. Within 30 days of the filing of a written request, the Director shall prepare a written determination, which shall be provided to the applicant. The determination shall state the zone classification in which the proposed use will be permitted as well as the basis for finding that such use is of the same character as uses allowed in that zone classification. The determination and all information related thereto shall become a permanent public record in the office of the Director.
 4. Effect. The use as specified in the determination of the Director shall thereafter become a permitted or conditional use in the class of zoning district specified in the determination, and shall have the same status as a permitted or conditional use specifically named in the regulations for the zone classification.
 5. Appeal. The Director's determination may be appealed to the Land Use Hearing Officer. Such appeal shall be filed in writing within 10 days after written notification to the applicant of the Director's determination.

19.16.030 - Land Use Applications

- A. Pre-Application. At any time prior to or during the Completeness Review process outlined below, a pre-application meeting may be requested by the applicant or Director or Designee to discuss the application, plans, and anticipated review process, However, such pre-application meeting does not result in vesting of the pre-application or the application. In order to facilitate efficiency of review

process, the Director or Designee may invite representatives from other reviewing agencies as well as the applicant's design professionals to the meeting.

B. Applications. A property owner, or other person expressly authorized in writing by the property owner, may file for a land use permit. All land use applications for permitted or conditional uses shall be filed with the Director or Designee. Applications shall contain:

1. An application form provided by Planning and Development Services which form may be via online submitting software.
2. Property identification documents such as a legal description, plat map, and if applicable, site survey. This is not required for text amendments.
3. A title report of the property from within 6 months of the application.
4. Plans and other documents as necessary to evaluate the proposed application for compliance with applicable codes, including a site plan (see Subsection 19.16.030.C), building elevations, preliminary landscape and amenities plans, preliminary grading/drainage plan, and any other pertinent documents.
5. Applications are subject to the Completeness Review process outlined in 19.16.030.D. An application is considered as having been accepted only when deemed a complete application and the applicable application fees have been paid. The payment of a partial fee and preliminary plans for a pre-submittal review does not constitute a complete application.

C. Plans.

1. Site Plan. A detailed site plan is required as part of all applications for land use or development approval, including conditional uses, permitted uses, variances, special exceptions, site development plans for the Foothills and Canyons Overlay Zone, and building permits. The Director may specify the number of plans required and the medium (electronic, paper, etc.) in which site plans may be submitted. The site plan shall show:
 - a. Scale;
 - b. Direction of Cardinal North;
 - c. Lot lines and adjacent streets, roads and rights-of-way;
 - d. Location of all existing structures on subject property and adjoining properties, completely dimensioned, including utility lines, poles, fire hydrants, etc;
 - e. Location and building elevations of any proposed construction and improvements, including the location of all signs;
 - f. Vehicle access, including circulation patterns and the location of individual parking stalls, curbs, gutters, and sidewalks or trails;
 - g. Any necessary explanatory notes, including calculations of lot coverage, parking ratios, gross floor area of buildings, easements, floodplains, topography, rights of way and other notes necessary to evaluate for compliance with all applicable land use requirements;

- h. Areas for snow storage;
 - i. Name, address and telephone number of builder and owner, and;
 - j. Any other information required by the Director or indicated on the application form.
2. Building Elevations. Building elevations, when required, shall show:
- a. Note of scale used;
 - b. Orientation of each elevation, including distance to nearest property line;
 - c. Explanatory notes describing building, cladding and trim materials;
 - d. Original and finished grade at all points along each elevation of the building;
 - e. A building envelope that describes that maximum buildable height of all elevations as measured from original grade;
 - f. Finished floor elevations of all levels of a building including, but not limited to, basements, garages, patios, and decks;
 - g. Top of footing elevations at each corner of the building;
 - h. Total height of building, as measured from original ground surface to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the highest point of pitched or hipped roofs, or gambrel roofs;
 - i. Necessary explanatory notes to address any requirements particular to the zone in which the property is located, and;
 - j. All other information that may be required, as determined by the Director.
3. Preliminary Landscape or Reclamation Plan. Preliminary landscape or reclamation plans, when required, shall show:
- a. Note of scale used, north arrow and preparation date;
 - b. Project name and address;
 - c. General reclamation of area intent statement including the general character and location of proposed reclamation of the land and open areas;
 - d. A legend showing all plant types and sizes, symbols, line types, hatching and abbreviations used in the plan set;
 - e. Site boundary, property lines, and any construction phasing lines;
 - f. All existing significant vegetation, including an indication of what is proposed to be removed;
 - g. All existing and proposed structures;
 - h. All proposed softscape and hardscape areas;

- i. A tabulation of the total project area, reclaimed area, impervious areas, building coverage areas and building coverage percentage;
 - j. Detailed landscape improvements with planting symbols clearly drawn to indicate each plant, and;
 - k. The name and contact information of the landscape design professional who prepared the plan.
4. Other plans and documents. Other plans and documents may be required in order to verify compliance with this Title or other applicable codes, ordinances, statutes and regulations.

D. Completeness Review for a complete application.

1. Upon receipt of an application request and associated documents, the Director or Designee shall review the application to determine whether:
 - a. Complete and accurate plans have been submitted;
 - b. The application itself contains complete information regarding the property, applicant, proposed land use;
 - c. Evidence that all prerequisite conditions for the specific land use have been addressed, and;
 - d. The property owner or authorized agent has authorized the submittal of the application.
2. If the application is determined to be incomplete, the Director or Designee shall notify the applicant by mailing a written notice in writing within thirty (30) days:
 - a. That the application is incomplete, and;
 - b. The specific components of the application deemed insufficient.
 - c. If this notice is not timely mailed, the application shall be considered complete, for the purposes of further substantive land use authority review.
3. Upon notice being given, an application deemed incomplete shall be terminated after 60 days if the necessary components to complete the application have not been submitted.
4. The applicant may raise and resolve in a single appeal any determination made under this Subsection to Land Use Hearing Officer, including an allegation that a reasonable period of time has elapsed under Subsection 2.
5. If the application is determined to be complete, the Director or Designee shall authorize the payment of the applicable application fees.

E. Application Review. The application review process may include:

1. The creation of a planning file for reference by the applicant, Staff and the public.
2. An on-site review by the Director or Designee as allowed in Utah Code § 10-9a-303.
3. Review of the submitted site plan and elevations for compliance with this Ordinance.

4. Referral of the application and site plans to those government agencies and development review agency authorized to protect the health, safety and welfare of the public and to ensure the project's compliance with this Ordinance and all other applicable ordinances and codes.
5. Referral of the application for conditional uses to the appropriate decision-making body as set forth in section 19.16.040.
6. An action letter informing the applicant as to whether the application has been approved, approved with conditions, denied, or tabled pending the submittal of additional information or amended plans. An application requiring submittal of additional information or amended plans shall be terminated after 60 days if the necessary components to complete the application have not been submitted, unless an extension is granted by the Director in writing.

19.16.035 - Allowed or Permitted Uses

- A. Initiation. A property owner, or other person expressly authorized in writing by the property owner, must file a complete application, as required in 19.16.030 (D).
- B. Determination. On any application to construct a building or other improvement to property which is defined by this Code as an Allowed or Permitted Use in the Zone in which the Building is proposed, the Director or Designee must review the Application to determine whether the proposal:
 1. Is an Allowed Use within the zone for which it is proposed;
 2. Complies with all applicable Development requirements of that zone, including Building Height, Front, Side, and Rear Setbacks, and Lot coverage;
 3. Respects Lot Lines of a Legal Lot;
 4. Meets the applicable parking requirements;
 5. Can be adequately serviced by roads, and existing or proposed utility systems or lines;
 6. Pertains to land in which all tax assessments have been paid, and;
 7. The plans shall be reviewed for Building Code compliance and permit issuance procedures. Approval of Allowed Uses must be noted by the issuance of a Building Permit in compliance with the provisions of the International Building Code, as adopted by Emigration Canyon.
- C. If the Application does not comply with the requirements of the zone, the Director or designee shall notify the Owner of the project or the Owner's Agent, if any, stating specifically what requirements of the zone have not been satisfied.
- D. **DISCLAIMER**. No permit issued shall be valid if any of the criteria listed in this section have not been met.

19.16.040 - Conditional Uses

- A. Requirement. A conditional use permit shall be required for all uses listed as conditional uses in Title 19.

B. Initiation.

1. A property owner, or other person expressly authorized in writing by the property owner, may file for a conditional use permit for that property. In addition to the request for land use approval, a conditional use application may include a request for land development plan approval.
2. The Planning Commission is the land use authority and shall take formal action on requests for conditional use permits. When a land development plan is submitted in conjunction with a conditional use application, the land development plan shall be included in the materials presented to the Planning Commission. In rendering an approval, conditions of approval may be imposed by the Planning Commission that necessitate changes to the land development plan.
3. As administrator of the zoning ordinance, the director is responsible to ensure the land development plan not only complies with the applicable codes and ordinances, but also complies to the conditions of approval imposed by the Planning Commission. If, during the course of land development plan review, the director finds changes are made to the site plan not in harmony with the conditions imposed by the Planning Commission, the Director may, at their discretion, refer the land development plan to the Planning Commission for review.

C. Land Use Approval.

1. Approval Process.

- a. The Planning Commission shall consider applications for a conditional use permit in a public meeting and shall make a decision on the proposed conditional use, evaluating the application in accordance with the standards in subsection D below.
- b. MAILED NOTICE. Courtesy notice shall be mailed ten (10) days prior to the public meeting to adjacent and surrounding Property Owners within three hundred feet (300') of the subject property's boundary. The Property Owner or agent must provide the Planning Department with an electronic list of each Property Owner of record of each Parcel located entirely or partly within three hundred feet (300') of the subject property's boundary. The addresses for neighboring Property Owners must be as shown on the most recently available Salt Lake County tax assessment rolls. Any defect in such courtesy mailed notice shall not affect or invalidate any hearing or action by the Planning Commission on the Conditional Use Permit.
- c. The Planning Commission shall take action in the form of approval, modified approval or denial on applications for conditional uses. Unless otherwise designated, a decision by the Planning Commission approving a conditional use application authorizes the director to proceed with approval of the land development plan.
- d. Failure by the applicant to provide information that has been requested by the Planning Commission or the Director to resolve conflicts with the standards in Subsection D may result in an application being denied.
- e. The Director, under authority of the Planning Commission, shall grant final approval of conditional use permit applications after all of the conditions and requirements of the

preliminary approval have been met. Applications with a land development plan element shall not receive final conditional use approval until the land development plan has been approved by the director. As a condition of preliminary approval, the Planning Commission may require that final land development plan be brought before the Planning Commission for final approval.

- f. Final approval of a conditional use permit application is in the form of a letter to the applicant, which, together with the approved land development plan if required, constitutes the conditional use permit. Final approval shall not modify or invalidate any of the conditions or terms imposed by the Planning Commission.
2. Approval Standards. The Planning Commission shall review the site plan and other information submitted to evaluate the impacts of the proposed conditional use. The Planning Commission may impose conditions to mitigate the reasonably anticipated detrimental impacts of the proposed use. A conditional use permit shall be approved unless the imposition of conditions cannot mitigate reasonably anticipated detrimental effects as stated in Utah Code 10-9a-507.
- D. Rules for Approved Conditional Uses. The following general rules apply to all approved conditional uses:
1. Approval of a conditional use authorizes only the particular use for which the conditional use is issued.
 2. No use authorized by a conditional use may be enlarged, extended or relocated, unless an application is made for approval of a new conditional use in accordance with the procedures set forth in this section.
 3. Development of the property shall not commence until the applicant has secured all the permits and approvals required by municipal ordinances and any permits required by regional, state, and federal agencies.
- E. Expiration and Extension of Time.
1. A conditional use expires 12 months from the date of final approval by the Director, unless a building permit is obtained within such period and substantial construction is started or the use is commenced within such period in compliance with all required conditions and this Ordinance.
 2. One 12-month extension may be granted upon the payment of an additional filing fee equal to the original filing fee. Such an extension shall be filed before the end of the initial 12-month period.
- F. Revocation of Conditional Use.
1. The Planning Commission may revoke a conditional use permit upon a finding of failure to comply with the terms and conditions of the original approval or for any violation of this Ordinance or other applicable law.

2. The Planning Commission shall hold a public hearing prior to taking action on revocation. Notice of the hearing and the grounds for consideration of revocation shall be mailed to the permittee and affected entities at least 10 days prior to the hearing.

G. Appeals. Appeals may be made to the Land Use Hearing Officer within 10 days of the date of the decision of the Planning Commission.

19.16.050 - Withdrawal of Application

A. An applicant may withdraw an application at any time prior to the final decision on the application, including any time during which the application has been tabled.

B. An applicant may request a refund of fees at the time the application is withdrawn. The Director shall consider the amount of work performed by Staff on the application when determining whether or to what extent fees may be refunded. Fees associated with a public meeting or hearing shall not be refunded if the item is heard at a public meeting or hearing.

C. A notice of withdrawal of an application and a request for refund of fees shall be in writing and submitted to the Director.

19.16.060 - Performance Bonds

A. Any required improvements such as curb, gutter and sidewalk (or pedestrian paths), fences, and landscaping shall be satisfactorily installed prior to the Emigration Canyon authorizing electrical service or, if no electrical service is required, prior to issuance of any occupancy permit.

B. In lieu of completing such improvements, the developer may file a cash or surety bond, escrow agreement, or letter of credit with the Planning and Development Services Director, in an amount sufficient to ensure completion of improvements within one year.

1. Ten percent (10%) of a bond amount for public improvements shall extend for a one-year period beyond the date the improvements are completed to guarantee replacement of any defective public improvements.

2. Ten percent (10%) of a bond amount for live plants shall extend for a one-year period beyond the date of planting to guarantee replacement of diseased or dead plants.

3. Upon completion of the improvements for which a bond or escrow agreement has been filed, the developer may call for inspections of the improvements by the Director.

C. Whenever necessary in order to protect the health, safety and welfare of City residents from traffic, flood, drainage or other hazards, the Land Use Authority may require as part of bond approval that improvements be completed in a specified sequence and in less than one year. Such requirements shall be incorporated into the bond.

D. Bonds will be processed and released in accordance with the procedures set forth in Section 18.24.170 of the Municipal Code.

E. When the developer is a school district, Emigration Canyon, service area, special-purpose district or other political subdivision of the State, the Mayor may waive the bond and accept in lieu thereof a

letter from the governing body guaranteeing installation of the improvements. Before approving any such waiver, the Mayor shall receive a recommendation from the Director.

19.16.070 - Occupancy Permits

- A. A permit of occupancy is required prior to the occupancy of any building hereafter erected, enlarged or structurally altered, or where any vacant land is hereafter proposed to be occupied or used for anything other than permitted agricultural uses.
- B. The permit of occupancy shall be issued by the Chief Building Official and the Director if the use and/or building or premises conforms to the provisions of this Title and related ordinances.
- C. A permit of occupancy shall be required whenever the character or use of any building or land is proposed to be changed from one use to another use.
- D. Upon written request from the owner, a permit of occupancy shall also be issued covering any lawful use of a building or premises existing on the effective date of this Ordinance, including nonconforming buildings and uses.

19.16.080 - Zoning Text, Land Use Regulation and Map Amendments

- A. Initiation. A zoning text, land use regulation, or map amendment may be initiated the Council, the Planning Commission, the Director, a property owner(s) in Emigration Canyon, or a person authorized in writing by the property owner(s).
- B. Authority. The Council shall take formal action on requests for zoning text, land use regulation, or map amendments after receiving a recommendation from the Planning Commission.
- C. Procedure.
 - 1. Filing of Application.
 - a. All zoning map or text amendment applications shall be filed with the Director or Designee in accordance with this Chapter. The Director or Designee shall forward the application to the Planning Commission for further review and recommendation after the date the application is deemed complete.
 - b. Disapproval of an application to amend the zoning map shall preclude the filing of another application to amend the zoning map to reclassify the same parcel of property, or any portion thereof to the same zone classification, or if the application is for a commercial classification to the same or any other commercial classification, within one year of the date of the final disapproval of the application unless the council finds that there has been a substantial change in the circumstances or sufficient new evidence since the disapproval of the application to merit consideration of a second application within the one-year time period.
 - 2. Notice. The Director or designee shall provide notice of proposed zoning text or map amendments in accordance with Utah Code §10-9a-205. An “adjacent property owner” under this section of State law is an owner of property located within three hundred feet (300’) of land that is directly affected by the land use ordinance change.

3. Action by Planning Commission.

- a. The Planning Commission shall consider a proposed zoning text or map amendment in a public hearing.
- b. After the close of the public hearing, the Planning Commission may evaluate the application against the applicable considerations in subsection D below and shall make a recommendation to the Council for approval, modified approval, or denial.

4. Action by Council.

- a. After considering the recommendation of the Planning Commission at a public meeting, the Council may approve, deny, alter, or remand for further review and consideration any application.

D. Approval Considerations. Table 19.16-2: Guidelines for Zoning Map and Text Amendments. The Planning Commission recommendation and the Council decision on any zoning text or map amendment are matters of legislative discretion. In making a recommendation and decision, the Planning Commission and the Council, respectively, may consider one or more of the factors in Table 19.16-2 below.

TABLE 19.16-2: GUIDELINES FOR CONSIDERING ZONING MAP & TEXT AMENDMENTS		
FACTORS	MAP AMENDMENTS	TEXT AMENDMENTS/ LAND USE REGULATIONS
1. The proposed amendment is compatible with the Adopted General Plan.	X	X
2. The proposed amendment promotes the public health, safety and welfare.	X	X
3. The proposed amendment is a more suitable zoning classification for the property than the current classification.	X	
4. The proposed amendment is compatible with the intent and general purposes of this Ordinance.	X	X
5. The proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.	X	X
6. The proposed amendment benefits the citizens of Emigration Canyon as a whole.	X	X
7. The proposed amendment does not create a significant number of nonconformities.	X	X

8. The proposed amendment is compatible with the trend of development, if any, in the general area of the property in question.	X	
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- E. Appeals. Any person adversely affected by a zoning amendment decision of the Council may appeal the decision to the 3rd District Court of Salt Lake County as provided for in § 10-9a-801 of the Utah Code, as amended.