



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, May 14, 2026, 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:+181369850) 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.

BUSINESS MEETING

- 1) Study Session - Enacting Chapter 19.03, Development Agreements. (Discussion only)
- 2) Study Session - Repealing and replacing Chapter 19.84, Conditional Uses. (Discussion only)
- 3) Approval of December 11, 2025, January 8, and February 12, and March 12, 2026, Planning Commission Meeting Minutes. (Motion/Voting)
- 4) **CLOSED SESSIONS IF NEEDED AS ALLOWED PURSUANT TO UTAH CODE §52-4-205**
 - A. Discussion of the character, professional competence or physical or mental health of an individual.
 - B. Strategy sessions to discuss pending or reasonably imminent litigation.
 - C. Strategy sessions to discuss the purchase, exchange, or lease of real property.

- D. Discussion regarding deployment of security personnel, devices, or systems; and
- E. Other lawful purposes as listed in Utah Code §52-4-205

Next meeting date: June 11, 2026

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 CITY COUNCIL

Ordinance No. _____

Date: _____

AN ORDINANCE ENACTING TITLE 19.03 OF THE EMIGRATION CANYON CODE FOR DEVELOPMENT AGREEMENTS

RECITALS

WHEREAS, Emigration Canyon (the “City”) is a municipality and has authority to adopt land use ordinances pertaining to Development Agreements pursuant to Utah Code §§ 10-20-101(2) and 10-20-508 of the Municipal Land Use, Development, and Management Act, Title 10, Section 20, Utah Code (“MLUDMA”); and

WHEREAS, the Council deems it necessary to amend its land use ordinances to authorize the use of Development Agreements under circumstances the City determines appropriate, consistent with MLUDMA, and for the protection and preservation of public health, safety and general welfare; and

WHEREAS, the Emigration Canyon Planning Commission held a public hearing on [insert date of hearing] to consider [insert description of proposed code change or action] in accordance with Utah Code §§ 10-20-205 and 10-20-502 [or identify other statute or ordinance that provides authority]; and

WHEREAS, the Planning Commission has recommended that the Council enact Title 19.03 of the Emigration Canyon Code.

BE IT ORDAINED BY THE EMIGRATION CANYON COUNCIL as follows:

1. Title 19.03 is hereby adopted as set forth in Exhibit A.
1. 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.
2. 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; (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; and (c) to renumber the enacted ordinance in Municode as proper organization dictates.
3. Effective Date. This ordinance will take effect immediately upon posting pursuant to Utah Code § 10-3-712.

PASSED AND ADOPTED this ____ day of _____ **[Month]** 202__.

EMIGRATION CANYON CITY COUNCIL

By: Mayor Brems

ATTEST

Diana Baun, Recorder

Voting:

Council Member _____ voting ____
Council Member _____ voting ____
Council Member _____ voting ____
Council Member _____ voting ____
Council Member _____ 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: _____

EXHIBIT A

TITLE 19.03 DEVELOPMENT AGREEMENTS

- (1) Development Agreements may be negotiated and executed between the City and a property owner to set forth specific requirements for a Development that accomplish the purposes of the Emigration Canyon Code.
- (2) Development Agreements are solely and exclusively the legislative action of the City Council and shall only be entered into upon the express legislative judgment that the execution of a Development Agreement by the City would promote the health, safety, and welfare of the residents of the City.
- (3) Development Agreements may authorize the amendment of the standards set forth by the Emigration Canyon Code in order to facilitate the goals set forth herein and the applicable laws of the State of Utah.
- (4) Property owners shall have no entitlement or right to a new Development Agreement, to the amendment of an existing Development Agreement, or to any particular term or restriction of a Development Agreement. Any execution, termination, amendment, extension, or substitution of a Development Agreement requires the voluntary consent of the property owner and the legislative approval of the City Council.
- (5) All Development Agreements shall be recorded with the Salt Lake County Recorder.
- (6) All Development Agreements shall run with the land and shall be binding upon any subsequent Owners, successors, heirs, assigns, or agents of the Person entering into the Development Agreement.
- (7) Approval of any Development Agreement that varies from existing Emigration Canyon Code standards shall follow the procedures in Title 19 for land use regulation amendments.

SUMMARY OF

[INSERT NAME OF MUNICIPALITY]
ORDINANCE NO. [insert number]

On [Date], the [insert name] Council enacted ordinance No. [insert number], [insert brief description of ordinance].

By: [insert name], Mayor

ATTEST

Diana Baun, Recorder

Commented [NB1]: Change to "clerk" for Brighton and Copperton.

Voting:

Council Member _____ voting ___
Council Member _____ voting ___
Council Member _____ voting ___
Council Member _____ voting ___
Council Member _____ voting ___

Commented [NB2]: With the exception of Magna, the Mayors are voting members and should be included here.

A complete copy of ordinance No. _____ is available in the office of the [City Name] Recorder, 860 Levoy Drive, Suite 300, Taylorsville, Utah 84123.

Commented [NB3]: Change to "clerk" for Brighton and Copperton.

EMIGRATION CANYON CITY COUNCIL

Ordinance No. _____

Date: _____

AN ORDINANCE ENACTING TITLE 19.84 OF THE EMIGRATION CANYON CODE FOR CONDITIONAL USES

RECITALS

WHEREAS, Emigration Canyon (the “City”) is a municipality and has authority to adopt land use ordinances pertaining to Development Agreements pursuant to Utah Code §§ 10-20-101(2) and 10-20-508 of the Municipal Land Use, Development, and Management Act, Title 10, Section 20, Utah Code (“MLUDMA”); and

WHEREAS, the Council deems it necessary to update its land use ordinances to comply with current law and as the City determines appropriate and for the protection and preservation of public health, safety and general welfare; and

WHEREAS, the Emigration Canyon Planning Commission held a public hearing on [insert date of hearing] to consider [insert description of proposed code change or action] in accordance with Utah Code §§ 10-20-205 and 10-20-502 [or identify other statute or ordinance that provides authority]; and

WHEREAS, the Planning Commission has recommended that the Council enact Title 19.84 of the Emigration Canyon Code.

BE IT ORDAINED BY THE EMIGRATION CANYON COUNCIL as follows:

1. Title 19.84 is hereby adopted as set forth in Exhibit A.
2. 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.
3. 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; (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; and (c) to renumber the enacted ordinance in Municode as proper organization dictates.

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

PASSED AND ADOPTED this ____ day of _____ [Month] 202__.

EMIGRATION CANYON CITY COUNCIL

By: Mayor Brems

ATTEST

Diana Baun, Recorder

Voting:

Council Member _____ voting ____
Council Member _____ voting ____
Council Member _____ voting ____
Council Member _____ voting ____
Council Member _____ 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: _____

EXHIBIT A

19.84 Conditional Uses

1. 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 this Ordinance, the Director is responsible for reviewing conditional use applications following the land use application review process outlined in section 19.02.130 to ensure the land development plan not only complies with the applicable codes and ordinances, but also that the final plan complies with 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.

2. Land Use Approval.

1. Approval Process.

1. 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.
2. 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.

3. The Planning Commission shall take action on a complete conditional use permit application within a reasonable time frame, not to exceed ninety (90) days from the date the application was first heard by the Planning Commission unless a further extension of time is requested by the applicant.
 4. 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 C may result in an application being denied.
2. 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.
 1. 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.
3. 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 in accordance with the following standards:
 1. The proposed site development plan complies with all applicable provisions of the zoning ordinance, including specific use standards, parking, building setbacks, and building height;
 2. The proposed use and site development plan complies with all other applicable laws and ordinances;
 3. The proposed use and site development plan does not present a serious traffic hazard or create anticipated traffic increases on the nearby road system which

exceeds the amounts called for under the adopted transportation engineering standards;

4. The proposed use and site development plan do not pose a serious threat to the safety of occupants or residents or properties in the vicinity by failure to adequately address the following issues: fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands; and
 5. The proposed use and site development plan do not adversely impact properties in the vicinity of the site through lack of compatibility with adopted community general plan standards.
4. 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; and
 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.
 5. Expiration and Extension of Time.
 1. A conditional use expires twelve (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 twelve (12) month extension may be granted upon the payment of an additional filing fee equal to the original filing fee. Such extension shall be filed before the end of the initial twelve (12) month period.
 6. 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 ten (10) days prior to the hearing.

7. Amendments to Conditional Uses. Applications may be submitted for amendments to previously approved conditional uses or to sites for which conditional uses have been approved. Applications for amendment will be reviewed and approved in harmony with the provisions of Subsection D above but shall be evaluated for the anticipated impacts that will result from the specific amendment being requested. Approval authority for conditional use amendments is as follows:
 1. Director Approval
 1. The Director has the authority to approve the following conditional use amendments:
 1. Changes of use from one conditional use to another, where no site modifications are proposed or required, and where no significant additional impact will result;
 2. Amendments to the site plan that do not involve changing the land use and that also meet the following criteria:
 1. The building footprint is not increased by more than twenty percent (20%);
 2. The site acreage is not increased;
 3. No dwelling units are being added; and
 4. No significant additional impact will result.
 3. Amendments to the conditions of approval imposed upon a conditional use that the Director previously approved if the proposed change in conditions is the result of a clear change in the circumstances of the property, and the change is in harmony with Subsection C above; and
 4. Approval of a use that is listed as a conditional use in the zone, but which is clearly accessory to another land use on the property, and no significant additional impact will result.
 2. Planning Commission Approval. The Planning Commission has the authority to approve:
 1. All other amendments to conditional uses, and
 2. Amendments that may meet the criteria for Director approval outlined above, but for which the Director determines the public interest is better served by referring the application to the Planning Commission.

 8. Appeals. Appeals may be made to the Land use hearing officer within ten (10) days of the date of the decision of the Planning Commission or Director, as applicable.



Planning and Development Services

860 West Levoy Drive, Suite 300
 Taylorsville, Utah 84123

**MEETING MINUTE SUMMARY
 EMIGRATION CANYON PLANNING COMMISSION MEETING
 Thursday, December 11, 2025, 8:30 a.m.**

Approximate meeting length: 2 hours 4 minutes
Number of public in attendance: 12
Summary Prepared by: Wendy Gurr
Meeting Conducted by: Commissioner Harpst

***NOTE:** Staff Reports referenced in this document can be found on the State website, or from Planning & Development Services.

ATTENDANCE

Commissioners and Staff:

Commissioners	Public Mtg	Business Mtg	Absent
Andrew Wallace	x	x	
Jim Karkut	x	x	
Dale Berreth	x	x	
Tim Harpst (Chair)	x	x	
Jodi Geroux (Vice Chair)	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Jim Nakamura	x	x
Brian Tucker	x	x
Curtis Woodward	x	x
Justin Smith	x	x
Polly McLean		
Claire Gillmor	x	x
Adam Long		

LAND USE APPLICATION(S)

Meeting began at – 8:33 a.m.

SUB2025-001345 – (Continued from November 13, 2025) - 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)

Speaker # 1: Applicant

Name: Evan Glassman

Address: 2030 South 900 East

Comments: Mr. Glassman said his background is in fine art and design, not a land or housing developer. Brought artwork that represents what his plan for the property is. Mr. Glassman said his proposal meets all codes and ordinances.

Speaker # 2: Citizen

Name: Amy Cutting

Address: 1121 North Burnt Fork Road

Comments: Ms. Cutting read from her statement and is speaking on behalf of herself and the neighbor's. (attached)

Speaker # 3: Citizen

Name: Laura Gray

Address: 1195 Pinecrest Canyon

Comments: Ms. Gray said she concurs with what Amy said. She believes the lots were never developed due to the slope. Has code been violated by not providing a bond? And why was work not able to be completed 2 ½ years with regards to excavation permit? Expressed concerns with Mr. Glassman’s behavior: Trespassed and parked on their property; Retaining walls have gone unfinished, and sediment has fallen into the creek and acted in bad faith. Trucks parked on their property.

Speaker # 4: Civil Engineer - CMT Technical Services

Name: Mathieu Perron

Address: South Jordan

Comments: Mr. Perron said he is the applicant’s civil engineer and here to answer questions. They have made an effort to follow the codes when planning and working with Evan for a year.

Speaker # 5: Citizen

Name: David Grunwald

Address: 1146 North Burnt Fork Road

Comments: Mr. Grunwald asked what the relationship between a pledge to build the road and retaining walls versus applying for the permit.

Greater Salt Lake Municipal Services District Senior Planner Curtis Woodward provided clarification from reviewing agencies.

Commissioners and staff had a brief discussion regarding parcel zones FR-0.5 and FR-20 staff recommendations, site plan, slope, and conditions, adding one additional condition “F” – septic drainage fields and slope protection waivers are not approved as part of this plat. Parcel 1146 needs access to 1128, condition number 4 should have referenced 18.10.040 not 18.16.010, buildable area, failure to record, findings as to applicable standards, and judgement.

Motion: To approve application #SUB2025-001345 Evan Glassman is applying for a three-lot subdivision with staff recommendations and additional conditions:

- 12.F. Septic drainage fields and slope protection waivers are not approved as part of this plat.
- 13. (4) The municipality may withhold an otherwise valid plat approval until the owner of the land provided the legislative body with a tax clearance indicating that all taxes, interest, and penalties owing on the land have been paid.
- 14. (b) A failure to record a plat within the time period designated by ordinance renders the plat voidable by the municipality

Motion by: Commissioner Geroux

2nd by: Commissioner Wallace

Vote: Commissioners voted unanimously in favor

One additional Note: the draft “Cross Access, Utilities Easement” uploaded April 21, 2023, will need to include the legal description and parcel number of all properties subject to or granted rights of access within the easement as described. It is also recommended that the easement specifically states that one of the conditions of granting the easement to the subject properties is that future maintenance and upkeep of the right of way is a shared responsibility of all property owners abutting and/or using the easement for access.

BUSINESS MEETING

Meeting began at – 9:55 a.m.

- 1) Approval of October 9, 2025, Planning Commission Meeting Minutes. (Motion/Voting)
Motion: To approve October 9, 2025, Planning Commission Meeting Minutes with amendments.

Motion by: Commissioner Berreth

2nd by: Commissioner Karkut

Vote: Commissioners voted unanimously in favor

Approval of November 13, 2025, Planning Commission Meeting Minutes. (Motion/Voting)

Motion: To approve November 13, 2025, Planning Commission Meeting Minutes with amendments.

Motion by: Commissioner Wallace

2nd by: Commissioner Karkut

Vote: Commissioners voted unanimously in favor

- 2) 2026 Planning Commission Schedule. (Discussion)

Motion: To approve 2026 Planning Commission Schedule as presented.

Motion by: Commissioner Berreth

2nd by: Commissioner Karkut

Vote: Commissioners voted unanimously in favor

- 3) Other Business Items. (As Needed)

Commissioners discussed the Forestry zone 19.24 and asked if the setback table should be applied to all the zoning chapters and that all setbacks are identified from a public or private right-of-way. The Commission would like legal counsel to discuss with the Emigration Canyon City Council to determine if setbacks shall be measured from road edge or center line and include on the January 8th agenda.

Two commissioner appointments expire March 1st. Commissioner Karkut and Commissioner Geroux both expressed interest in reappointment. Ms. Gurr will advise Diana to add reappointment to the Council agenda.

Chair and vice chair election in January. For chair and vice chair, both have expressed their interest in remaining.

Commissioner Karkut adjourned.

MEETING ADJOURNED

Time Adjourned – 10:37 a.m.

Amy Cutting & Neighbors

Recommendation to Deny the Current Preliminary Plat Application for Juniper Ridge Subdivision

Based on the submitted documents and regulations, we still believe that the current Preliminary Plat Application for the Juniper Ridge Subdivision should be **denied** in its current form due to concerns related to proposed building density, compliance with site standards, soil/fill usage, and potential negative impacts on adjacent properties.

1. Building Density and Insufficient Site Capability

While the formal application is for a three-lot subdivision, we are all aware that the true intent of the proposed purchaser is to build five homes to make the venture financially profitable.

- My neighbors and I feel that any more than 2 homes in the preliminary plat, and 3 homes in total, exceeds the available space and strains the site's capability.
- As a comparison, the neighboring Burr Fork Subdivision contains five average-sized homes (approximately 3,000 sq. ft. with 3 bedrooms/3 bathrooms). If you overlay the aerial photo from the County Assessors maps onto the Juniper Ridge Subdivision property, you can see that Juniper Ridge is considerably smaller.
- After a detailed review of the plans and my personal experience looking at the site, I believe that Building pad 5 is not a viable location for a home.
- If Building pad 5 is non-viable, only pads 3 and 4 are potentially usable within this application, which should prompt the Commission to reconsider this application for 3 homes. If the builder were to seek future approval for the two additional lots, there appears to be only one more (Building pad 2) that looks large enough, bringing the realistic total to 3 homes, not 5. Building pad 1 is in 2 parts, neither of which has enough land less than a 30% slope to be realistic sites.

2. Site Selection and Aesthetic Standards

The inclusion of Building Pad 5 as a viable site fundamentally conflicts with the Emigration Canyon Municipal Code 19.73.030 on Site Selection And Planning Standards.

- This code requires that buildings "**shall be sited off of highly visible places and designed so they are not obtrusive, do not loom out over the hillside and break prominent skylines**".
- Given the significant drop-off to the south, any structure on Building Pad 5 would be clearly visible from Pinecrest Canyon Road, from homes across the road, and from the adjacent Burnt Fork Subdivision property.
- A structure on this site would most certainly loom over the northernmost home in the Burnt Fork Subdivision and significantly impact sightlines for all adjacent homes.

3. Geotechnical and Soil Hazards

The known characteristics of the soil and the steep slopes present significant challenges that require substantial, disruptive engineering solutions, thereby increasing the risk and potential impact of development.

- The geotechnical report identified the top 12–18 inches of topsoil as Clayey Silt and Silty Sand soils that are moisture-sensitive.
- The problematic soils require removal and replacement with structural fill. Work progress would be significantly limited and difficult during wet and cold periods of the year due to the nature of the silt soils.
- References made by Mr. Glassman and Justin Smith that the Burr Fork Subdivision is precedent for this approval is not valid. The subdivision is 40 years old and was approved prior to many current regulations, including the FCOZ. It is our belief that if that subdivision were to be built today, there is a good chance it would not be approved for the same reasons I am raising about Juniper Ridge. Our history and experience building and maintaining the subdivision highlight the inherent, ongoing issues with the soil and slope angle in this specific area of the canyon.

We urge the Commission to look closely at the realistic density the site can support and the compliance issues related to visual standards before moving forward. The potential negative impacts on adjacent properties and the environment are too great to approve the application in its current form.



Planning and Development Services

2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050

Phone: (385) 468-6700 • Fax: (385) 468-6674

**MEETING MINUTE SUMMARY
EMIGRATION CANYON PLANNING COMMISSION MEETING
Thursday, January 8, 2026, 8:30 a.m.**

Approximate meeting length: 2 hours 13 minutes

Number of public in attendance: 12

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Harpst

**NOTE: Staff Reports* referenced in this document can be found on the State website, or from Planning & Development Services.

ATTENDANCE

Commissioners and Staff:

Commissioners	Public Mtg	Business Mtg	Absent
Andrew Wallace		x	
Jim Karkut		x	
Dale Berreth		x	
Tim Harpst (Chair)		x	
Jodi Geroux (Vice Chair)		x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr		x
Jim Nakamura		x
Brian Tucker		x
Polly McLean		
Claire Gillmor		x

BUSINESS MEETING

Meeting began at – 8:33 a.m.

- OAM2025-001463** - Consideration of removing the words 'from a public right of way' from the Front Yard and Street Side Yard Setback Requirements in Table 19.24.050. **Planner** Brian Tucker, Planning Manager (Discussion, Action)

Greater Salt Lake Municipal Services District Planning Manager Brian Tucker provided an analysis of the ordinance update.

Commissioners, counsel, and staff had a brief discussion regarding the public right of way or property line whichever is lesser and use the more restrictive requirement. Language that remains is maintain the 10- foot setback in the spirit of which it was written from any road, from edge of paved surface on private and public road. Add “site building setback requirements” to the top of the table.

Commissioner Harpst invited the public to speak.

Speaker # 1: Citizen

Name: Robert MacFarlane

Address: 6102 Emigration Canyon Road

Comments: Mr. MacFarlane said he sent a letter last evening (attached). Pavement is two feet from the property line. How many homes immediately become non-compliant or condemned? There is no rush and feels like an end around. Due diligence needs to be done and feels attacked. Take your time.

Speaker # 2: Citizen

Name: Gary Bowen

Address: 6486 Emigration Canyon Road

Comments: Mr. Bowen said he has a history of living in the canyon. Road up where they live is wider than when he was a child. The canyon is much narrower from the firehouse than it is where he lives. Even though he built a new house it qualified as a remodel. Right of way is 66 feet up the canyon and he found a map from 1931, and it was only 33 feet wide. Suggest the environmental variety does not govern the wideness of the road.

Speaker # 3: Citizen

Name: Jessica Steed

Address: 6111 Emigration Canyon Road

Comments: Ms. Steed said it feels this change is being brought forth and has nothing to do with road widening.

Speaker # 4: Citizen

Name: Justin Kahn

Address: 6586 East Emigration Canyon Road

Comments: Mr. Kahn said he echoes Jessica's sentiment and has many questions like Bob. Accusing the city council and planning commission to do this quickly and accept grant funds. He brought up the issue with the title and tax situation and now this. Who came up with this language? Suspicious and ridiculous. Not allowing the constituents proper time to challenge. Setback should be from the centerline and should be able to get a Variance. From the asphalt edge will encroach on all properties.

Speaker # 5: Citizen

Name: Trent Alvey

Address: 5705 Emigration Canyon Road

Comments: Ms. Alvey said concerned and confused about arbitrariness of setbacks and should serve the roadway and the resident. They lived there 25 years and installed the blacktop out as far as they could. The center has moved depending on the slope. The creek is right there six inches off the blacktop. The creek adds money to property value and endangered trout. How can you write 10 feet from what?

Commissioners and staff had a brief discussion regarding edge of front right of way is the property line. Consider adding the word "width" to number two at the right of way exceeds 66' and factors should be increased to include view corridors, stream corridors, water quality, traffic safety, septic system location and viability, and adding factors including but not limited to. Consider combining number one and two. Consider adding safety of the public and general character of the canyon. Add the word safety after public, and the goals of the Emigration Canyon General Plan. Determine measurement from "the edge of a public or private right of way". Staff will relate the level of discussion and thought of the planning commission and views from the public.

PUBLIC PORTION OF HEARING CLOSED

Motion: To recommend file #OAM2025-001463 Consideration of removing the words 'from a public right of way' from the Front Yard and Street Side Yard Setback Requirements in Table 19.24.050 to the Emigration Canyon Council for approval with the amendments and relate the level of discussion and thought of the planning commission and views from the public.

Motion by: Commissioner Karkut

2nd by: Commissioner Geroux

Vote: Commissioners voted unanimously in favor

2) Election of Chair and Vice Chair 2026. (Motion/Voting)

Election of Chair for 2026

Motion: To nominate Commissioner Harpst as Chair, Commissioner Harpst accepted.

Motion by: Commissioner Wallace

2nd by: Commissioner Berreth

Vote: Commissioners voted unanimously in favor

Election of Vice Chair for 2026

Motion: To nominate Commissioner Geroux as Vice Chair, Commissioner Geroux accepted.

Motion by: Commissioner Harpst

2nd by: Commissioner Berreth

Vote: Commissioners voted unanimously in favor

3) Discussion on prioritizing Title 19 Chapters. Brian Tucker and Claire Gillmor

Ms. Gillmor stated she met with Mayor Brems agreed with the subdivision ordinance and planning commission is involved much earlier and providing clarity to the developer early on and familiarize the planning commission with the proposal and clarify the requirements and if met. Ms. Gillmor would like to make the modifications and bring forth.

Second, it is worth looking at the general plan and identifying areas that the planning commission doesn't want developed at all. If there are areas controversial and problematic, see fit to keep open space in specific areas. Sit down with the general plan and determine worst case scenarios, most impactful from a land use standpoint. Priorities are whatever the strongest priorities are and what the council wants the planning commission to work on. Road improvement project is the current priority for the city council. A lot of misinformation out circulating, what it means, raised issues, and public clamor. Goal is to implement what the planning commission wants. New statute will cut into the way we look at architectural features and colors in design requirements.

Bring the Subdivision updates with changes and present at the February planning commission meeting. Break up the general plan, going zone by zone to begin at the March meeting. Map in the forestry zone as it is completely hidden and the undetermined zones.

4) Other Business Items. (As Needed)

No other business items to discuss.

MEETING ADJOURNED

Time Adjourned – 10:46 a.m.

Subject: Objection to Proposed Setback Amendment (OAM2025-001463)

Dear Emigration City Council and Planning Department,

My name is Robert Macfarlane, and I reside at [REDACTED]. I am writing to express strong opposition to the proposed zoning amendment OAM2025-001463, which would remove the words “from a public right-of-way” from the front-yard and street-side setback requirements in Table 19.24.050.

This change is improper, unnecessary, and carries significant implications for property rights, public trust, and the integrity of the City’s planning process.

First, removing the reference to the public right-of-way would fundamentally alter how setbacks are measured. Setbacks are intended to be tied to a legally defined boundary.

Eliminating that anchor point would give the City broad discretion to redefine where setbacks begin—whether from the edge of pavement, a future planned roadway, or any administratively chosen point. This would weaken long-standing protections for homeowners and create uncertainty about the status of existing structures.

Second, this amendment appears directly connected to the proposed road-widening project.

The City and County have acknowledged unresolved right-of-way and title issues dating back to the 1950s. Changing the setback definition now would effectively sidestep those unresolved legal deficiencies by allowing the City to treat private property as if it were already part of the roadway. This is not an appropriate use of zoning authority and risks being perceived as an attempt to expand the road footprint without formally acquiring land or compensating affected residents.

Third, the amendment would expose homeowners to significant risk. If setbacks are no longer tied to the public right-of-way, many existing homes could be reclassified as non-conforming through no fault of the owners. This could limit future improvements, reduce property values, and create conflict between residents and the City. Zoning changes should not retroactively disadvantage long-standing property owners.

Finally, this proposal runs counter to the overwhelming sentiment of canyon residents.

Ninety-six percent of residents surveyed by WFRC oppose the widening project, and more than one hundred residents have signed a petition against it. Introducing a zoning amendment that facilitates widening—before resolving right-of-way issues, before addressing resident concerns, and before any transparent public process—undermines confidence in the City’s stewardship.

For these reasons, I respectfully request that the City withdraw or vote against this amendment. Any changes to setback rules should be based on clear planning needs, legal clarity, and genuine community support—not as a workaround to unresolved issues related to the road-widening proposal.

Thank you for your attention and for considering the concerns of those who live directly along the affected corridor.

Sincerely,

Robert Macfarlane

[REDACTED]
Salt Lake City, UT 84108
[REDACTED]



Planning and Development Services

2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050

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**MEETING MINUTE SUMMARY
EMIGRATION CANYON PLANNING COMMISSION MEETING
Thursday, February 12, 2026, 8:30 a.m.**

Approximate meeting length: 1 hour 42 minutes

Number of public in attendance: 1

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Harpst

***NOTE:** Staff Reports referenced in this document can be found on the State website, or from Planning & Development Services.

ATTENDANCE

Commissioners and Staff:

Commissioners	Public Mtg	Business Mtg	Absent
Andrew Wallace		x	
Jim Karkut		x	
Dale Berreth		x	
Tim Harpst (Chair)		x	
Jodi Geroux (Vice Chair)		x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr		x
Jim Nakamura		x
Brian Tucker		x
Curtis Woodward		x
Polly McLean		
Claire Gillmor		x

BUSINESS MEETING

Meeting began at – 8:48 a.m.

Ms. Gillmor asked to address items out of order and request to move to the closed session as the first item. Commissioner Berreth motioned to approve, Commissioner Wallace seconded that motion.

- 1) Code Update Process. (Discussion)

Ms. Gillmor said we need to do housekeeping in reformatting and editorial. The supervisors from each public body need to assure the public that nothing nefarious related to ordinance updates is going on without going through the process. Will need to put into the process a developed spreadsheet to quail concern.

Commissioner Harpst motioned to adjourn, Commissioner Wallace seconded that motion.

MEETING ADJOURNED

Time Adjourned – 10:30 a.m.



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**MEETING MINUTE SUMMARY
EMIGRATION CANYON PLANNING COMMISSION MEETING
Thursday, March 12, 2026, 8:30 a.m.**

Approximate meeting length: 2 hours 15 minutes

Number of public in attendance: 0

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Harpst

**NOTE: Staff Reports* referenced in this document can be found on the State website, or from Planning & Development Services.

ATTENDANCE

Commissioners and Staff:

Commissioners	Public Mtg	Business Mtg	Absent
Andrew Wallace		x	
Jim Karkut		x	
Dale Berreth		x	
Tim Harpst (Chair)		x	
Jodi Geroux (Vice Chair)		x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr		x
Jim Nakamura		x
Brian Tucker		x
Curtis Woodward		x
Claire Gillmor		x
Adam Long		

BUSINESS MEETING

Meeting began at – 8:37 a.m.

- 1) Planning Commissioner Training – Conditional Uses. **Counsel:** Claire Gillmore

Ms. Gillmor provided Planning Commissioner Training on Conditional Uses. Ms. Gillmor will put together a handbook with the different standards. Substantive evidence is construing, for fact and opinion.

- 2) 19.84 Conditional Use Ordinance Update. (Discussion Only)

Ms. Gillmore provided an update on 19.84 Conditional Use Ordinance update. Discussed reasonably mitigated detrimental effects.

Commissioners, staff, and counsel had a brief discussion regarding statute and what applies set forth regarding the paper requirements and applicant to have the application process review and the process to go through with a completed application. Mr. Tucker will rewrite the actual process, summarize, application guides and processes online, and provide the SOPs.

MEETING ADJOURNED

Time Adjourned – 10:52 a.m.