

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA

TUESDAY, JANUARY 26, 2016 AT 6:00 P.M.

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

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

1. Pledge of Allegiance
2. Declaration of Conflicts of Interest
3. Approval of Meeting Minutes
 - A. December 8th 2015
4. Action and Advisory Items (Recommendations to the City Council)
 - A. Eagle Mountain Benches Rezone, Public Hearing, Recommendation to City Council, Action Item
An applicant proposed rezone of approximately 101 acres of property from Agriculture to Residential. The proposed project is for lots 1 acre or larger.
 - B. Porter's Crossing Town Center Sign, Action Item, Recommendation to City Council
An applicant proposed community entrance sign for the Porter's Crossing Town Center development
 - C. Silverlake Sign, Action Item, Recommendation to City Council
An applicant proposed community entrance sign for the Silverlake development
5. Discussion Items (No Action)
 - A. Brandon Park Estates Concept Plan
A proposed 1 acre minimum lot size subdivision located North of the Rodeo Grounds West of Eagle Mountain Boulevard. The applicant is seeking feedback on their proposal before bringing forward a Preliminary Plat application
6. Action and Advisory Items (Recommendations to the City Council)
 - A. Development Code Amendments – Chapter 17.10 Definitions, Public Hearing, Action Item
City-proposed changes to the Definitions Chapter including: adding and clarifying definitions, correcting grammar, and increasing consistency throughout the chapter.
 - B. Development Code Amendments – Chapter 17.25 Residential Zone, Public Hearing, Action Item
City-proposed addition to the Development Code providing clarification on allowed projections into setbacks.
7. Next scheduled meeting: February 9th, 2016
8. Adjournment

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EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, DECEMBER 8TH, 2015 AT 6:00 P.M.
Eagle Mountain City Council Chambers; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

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

COMMISSION MEMBERS: Wendy Komoroski, John Linton, Daniel Boles, Miriam Allred (arrived at 6:04 p.m.), and Matthew Everett.

CITY STAFF PRESENT: Mike Hadley, Senior Planner; Tayler Jensen, Planner, and Johna Rose, Deputy Recorder.

ELECTED OFFICIAL PRESENT: Tom Westmoreland

1. Pledge of Allegiance

Commissioner Linton led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes

A. November 24, 2015

MOTION: *Wendy Komoroski moved to approve the November 24, 2015 meeting minutes. Matthew Everett seconded the motion. Those voting aye: Daniel Boles, John Linton, Wendy Komoroski, and Matthew Everett. The motion passed with a unanimous vote*

4. Action and Advisory Items (Recommendations to the City Council)

A. Evans Ranch North MDP Amendment - Public Hearing, Recommendation to City Council Action Item.

Tayler Jensen went through item A. An amendment to the approved Master Development Plan, reducing the number of townhomes to 122 units, and increasing the number of single family dwellings to 51 units. He said City staff had a concern that was not in the staff report, that the minimum setback for tier III structures is 20 ft. between structures. The majority of the Evans Ranch North Plan structures have only a 10 ft. setback. He explained that the Commissioners could recommend a decrease if they felt that it was appropriate for this development. City staff was also concerned about the parcel to the southeast of the project. The parcel must be accessible by a right-of-way that meets minimum City street standards.

Nate Shipp, applicant, explained that the stub road would lead to a City park and would allow public access to the City park. He preferred to keep a lot and have a trail system

1 that would access the park. Commissioner Boles asked if the reduction of units was part
2 of the increase in the size of the townhomes.

3
4 Andy Flamn, Fieldstone Homes, said that they reviewed many product designs and felt
5 that the larger townhomes fit their clientele. Commissioner Boles asked what was the
6 justification on the 10 ft. setbacks. Mr. Flamn explained that most of the setback are
7 along curbs. Also the 10 ft. setback are the same as their other projects in Eagle
8 Mountain.

9
10 Commissioner Linton asked if the Fire Chief has had a chance to sign off on the project.
11 Mr. Jensen stated that the Fire Chief's two conditions are:

- 12 1. Alleys must be signed as no parking at the entrances.
- 13 2. Minimum drivable surface on a private road shall be 26 feet. Parking restricted
14 on the hydrant side of the road.

15
16 *Commissioner Linton opened the public hearing at 6:12 p.m.*

17
18 None

19
20 *Commissioner Linton closed the public hearing at 6:12 p.m.*

21
22 Commissioner Everett was concerned about the stubbed road. Mr. Flamn explained that
23 Fieldstone would lose a lot but the City's parcel would be land locked without the
24 stubbed road.

25
26 **MOTION:** *Wendy Komoroski moved to recommend approval of the Evans Ranch*
27 *North MDP Amendment to the City Council with the following conditions:*
28 *1. A clubhouse is provided for the townhomes (Tier III developments*
29 *require clubhouses).*
30 *2. The applicant must indicate what bonus density requirements will*
31 *be used to gain the additional density, and such requirements must*
32 *meet City standards.*
33 *3. The developer shall contribute \$2,000 per buildable acre with each*
34 *recorded plat that will be used towards further parks and open space in*
35 *excess of the required open space improvements. The City will hold*
36 *these funds in escrow until improvements are agreed upon*
37 *4. Alleys must be signed as no parking at the entrances.*
38 *5. Minimum drivable surface on a private road shall be 26 feet.*
39 *Parking restricted on the hydrant side of the road.*
40 *6. The parcel to the southeast of the project (in the Evans Ranch*
41 *Project) must be accessible by a right-of-way that meets minimum City*
42 *street standards.*

43 *Matthew Everett seconded the motion. Those voting aye: Wendy*
44 *Komoroski, John Linton, Daniel Boles, Matthew Everett, and Miriam*
45 *Allred. The motion passed with a unanimous vote.*

- 46
47 B. Development Code Amendments – Chapter 17.25 Residential Zone & Chapter 17.30
48 Residential Bonus Density Entitlements, Public Hearing, Action Item (Recommendation
49 to City Council): These City-proposed code amendments would update the language in

1 Chapter 17.25 to be consistent with current open space requirements. A change to a table
2 in Chapter 17.30 will clarify when swimming pools are required amenities.
3 Mr. Jensen explained that the City Attorney has suggested a change from the packet. The
4 Eagle Mountain Municipal Code (EMMC) has been changed to require 1,000 square feet
5 of improved Open Space for every lot/unit in all subdivisions. This replaced the various
6 percentage requirements under each level of the Tier system. Staff has recently
7 discovered the language in Chapter 17.25 was not updated to be consistent with current
8 requirements. This amendment is to correct and ensure language is consistent from
9 chapter to chapter. A change is also made to *Table 17.30.110 (C) Tier III Residential*
10 *Bonus Density Entitlements (Required)* that clarifies swimming pools are required only in
11 Tier III developments where there are more than 150 units in a development pod or
12 grouping, making the table consistent with language in the chapter.
13

14 *Commissioner Linton opened the public hearing at 6:18 p.m.*

15
16 None

17
18 *Commissioner Linton closed the public hearing at 6:18 p.m.*

19
20 **MOTION:** *Daniel Boles moved to recommend approval of the Development Code*
21 *Amendment for Chapter 17.25 Residential Zone & Chapter 17.30*
22 *Residential Bonus Density Entitlements. Wendy Komoroski seconded*
23 *the motion. Those voting aye: Miriam Allred, Daniel Boles, John*
24 *Linton, Wendy Komoroski, and Matthew Everett. The motion passed*
25 *with a unanimous vote*
26

27 C. Development Code Amendments – Chapter 17.10 Definitions & Chapter 17.75 Standards
28 for Special Uses, Public Hearing, Action Item (Recommendation to City Council): These
29 City-proposed code amendments will define the term “Temporary Construction Trailers”
30 and will allow for them in the City.
31

32 Mr. Jensen explained that the Eagle Mountain Municipal Code doesn’t currently define
33 temporary construction trailers, nor does the code specifically permit temporary
34 construction trailers. He reviewed the changes in the code.
35

36 Commissioner Everett was concerned about the temporary construction trailers still being
37 on-site 30 days after the project was finished. Mr. Jensen said that from research they
38 determined that 30 days is consistent with other codes and cities.
39

40 Commissioner Linton was concerned about dormant and abandoned projects.
41 Commissioners and City staff talked about putting a deadline on the projects and when
42 the construction trailers should be removed.
43

44 *Commissioner Linton opened the public hearing at 6:29 p.m.*

45
46 None

47
48 *Commissioner Linton closed the public hearing at 6:29 p.m.*
49

1 **MOTION:** *Wendy Komoroski moved to recommend approval of the Development*
2 *Code Amendment for Chapter 17.10 Definitions & Chapter 17.75*
3 *Standards for Special Uses with the conditions that staff include a*
4 *provision that construction trailers be removed if the project is dormant*
5 *or abandoned. Miriam Allred seconded the motion. Those voting aye:*
6 *Miriam Allred, Daniel Boles, John Linton, Wendy Komoroski, and*
7 *Matthew Everett. The motion passed with a unanimous vote*
8

9 D. Development Code Amendment- Chapter 17.80 Sign Regulations and Sign Permits,
10 Public Hearing, Action Item (Recommendation to City Council): This City-proposed
11 code amendment will codify the notice and fine structure for violations of ordinance
12 17.80 Sign Regulations and Sign Permits
13

14 Mr. Jensen explained that the Code Enforcement Officer has requested that changes be
15 made to the sign ordinance.
16

17 Commissioner Linton felt that ten dollars is not enough for the amount of work that goes
18 into enforcing the sign ordinance.
19

20 Commissioner Allred felt that enforcing the yard sale signs is a waste of time and not
21 worth the ten dollar fine.
22

23 Commissioners Boles and Komoroski felt that there needed to be something in the code
24 to motivate the sign applicant to remove the sign.
25

26 *Commissioner Linton opened the public hearing at 6:38 p.m.*
27

28 None
29

30 *Commissioner Linton closed the public hearing at 6:38 p.m.*
31

32 **MOTION:** *Wendy Komoroski moved to recommend approval of the Development*
33 *Code Amendment for Chapter 17.80 Sign Regulations and Sign Permits.*
34 *Daniel Boles seconded the motion. Those voting aye: Daniel Boles,*
35 *John Linton, Wendy Komoroski, and Matthew Everett. Those voting*
36 *nay: Miriam Allred. The motion passed with 4 ayes and 1 nay.*
37

38 5. Next scheduled meeting: January 12th, 2016
39

40 Commissioner Allred resigned from the Planning Commission.
41

42 6. Adjournment
43

44 The meeting was adjourned at 6:42 p.m.
45

46 APPROVED BY THE PLANNING COMMISSION ON JANUARY 12, 2015
47

48 _____
49 Steve Mumford, Planning Director
50

DRAFT



EAGLE MOUNTAIN CITY Planning Commission Staff Report

JANUARY 26, 2016

Project: **Eagle Mountain Benches - Rezone**
Applicant: Jeff & Karen Scott
Request: Rezone land from Agriculture to Residential
Type of Action: Public Hearing; Recommendation to the City Council

Background

This project originally came before the Planning Commission on June 9th 2015. It included a concept plan of residential and commercial storage components. At that time the Planning Commission recommended approval for the residential portion of the rezone and recommended to deny the commercial storage portion. The rezone went before the City Council and was denied. The applicant reapplied with an adjusted proposal dropping the commercial storage component and not submitting a concept plan with the proposal. This rezone went before the Planning Commission on August 25th 2015, Planning Commission tabled the item so City Council, administration and staff could review and discuss the future of Lake Mountain Road. The rezone was brought back to the Planning Commission on October 27th 2015 the Planning Commission recommended approval to the City Council. The City Council could not come to agreement on an acceptable approval so the rezone was denied.

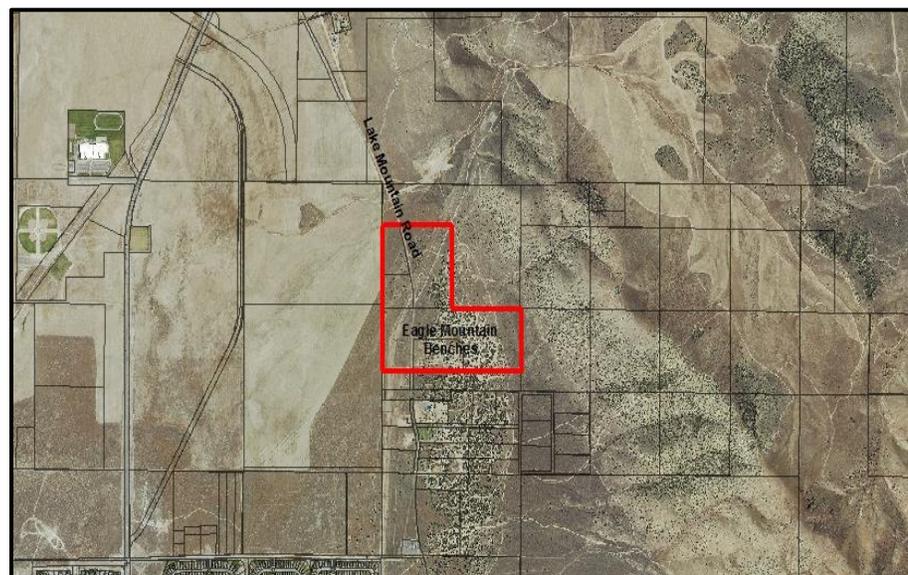
This is a new rezone application requesting a rezone of property from agricultural to residential. The proposal includes a concept plan consisting of 63 lots 1 acre or larger in size.

Location

The property is located along Lake Mountain Road east of Pony Express Pkwy.

Proposal

The applicant is proposing rezoning approximately 101.62 acres+- of land currently zoned agricultural to residential. The proposal is for residential zoning with lots of 1 acre or more. The residential zoning complies with the City's Future Land Use General Plan. The General Plan land use designation for this area is Rural Residential.



Surrounding Zoning

North: Agriculture
East: Agriculture
South: Agriculture
West: Agriculture

*It is important to note that all of the land within Eagle Mountain City that has not been previously rezoned for development is zoned Agriculture. This does not mean that all agriculturally zoned properties are in active agricultural use.

Rezone Criteria for Approval

The rezoning of property does not require the Planning Commission or the City Council to take action based upon findings of facts. The decision made by the Planning Commission and the City Council is considered valid by the courts if it is reasonably debatable that the action could promote the general welfare. Rezone proposals are evaluated using the following criteria:

- A. Compliance with Future Land Use Plan (General Plan). The rezone complies with the City's Future Land Use Plan which designates the area as Rural Residential.
- B. Compatibility Determination. At this time the surrounding property is all zoned agriculture. The proposed residential zone would be compatible with the future proposed uses of the surrounding land and could be considered to be fairly compatible with the existing uses. The property is also located fairly close to a future major arterial road (to be located to the southwest). These conditions should all be considered in the decision.
- C. Buffering of Incompatible Uses. Surrounding uses include the Friends in Need Animal Sanctuary, existing homes on 5 acre lots, and vacant agriculturally zoned property.

Noteworthy Items / Items to Consider

1. Regional Trail. A regional trail is planned within the power line corridor, which crosses portions of this property. Discussion of construction of the trail and dedication of the property would take place during the future platting process.
2. Power Line and Gas Line Corridor. This property is considered unbuildable, and will restrict the uses and layout of lots in this project. Certain restrictions are also placed on the property by PacifiCorp, Kern River Gas, and the City.
3. Lake Mountain Road. The City Council designated that Lake Mountain Road will be a rural residential road and as development along Lake Mountain Road occurs each development will be required to pave its portion of the road.

Unbuildable Land

Due to this project's location, there are portions of the project that are considered "unbuildable land." City Code addresses this:

17.25.100 Unbuildable lands

In considering the layout of any development in the city, the developer shall conform to the following restrictions with respect to environmentally sensitive lands or lands that are unsuitable for development. No construction may occur in areas that have slopes in excess of 25 percent, land restricted by power lines, canyons and washes, streams, high volume floodplains, alluvial discharge areas, storm drain retention/detention areas, floodplains and floodways, geologically sensitive areas that require special engineering considerations for safe habitation, and wetlands.

Development Codes

It is important to note that a rezone does not guarantee approval for development. The applicant or developer still must comply with all of the development standards and requirements found in the City Code, and all requirements of the Fire Code, including improvement and paving of Lake Mountain Road from the nearest paved road and construction of public roads that meet City standards.

Possible Motions

The following motions are provided for the benefit of the Planning Commission. They may be read as the motions or referenced when making motions.

If you, the Planning Commission, feel that the proposed rezones comply with the rezone criteria found in the City Code (and in this report), and that it is reasonably debatable that this rezone could promote the general welfare, then the following motion is appropriate:

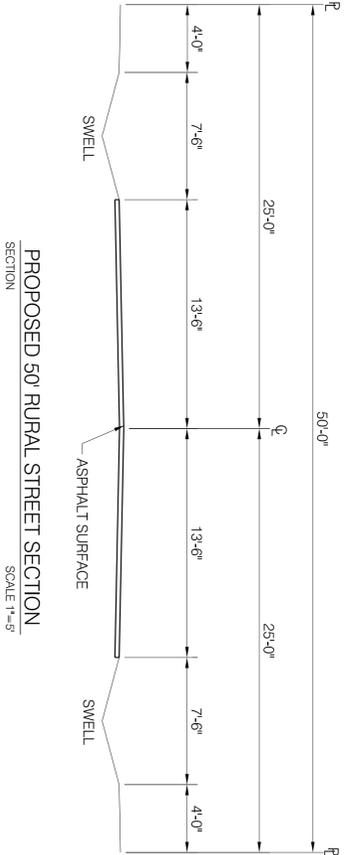
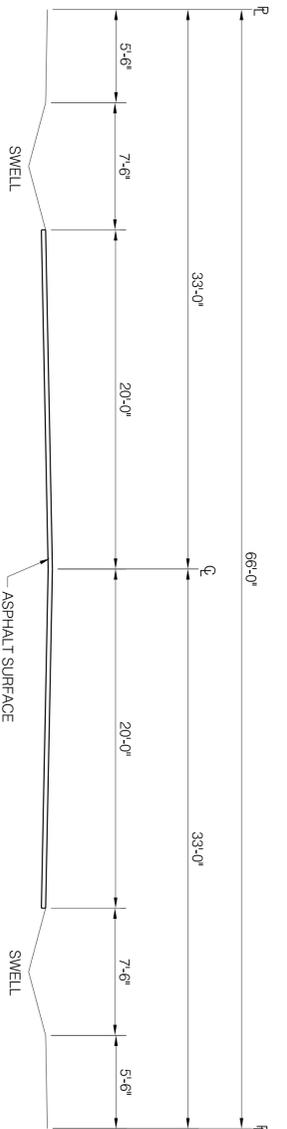
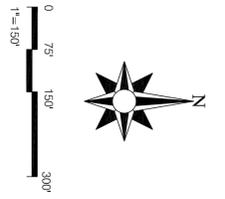
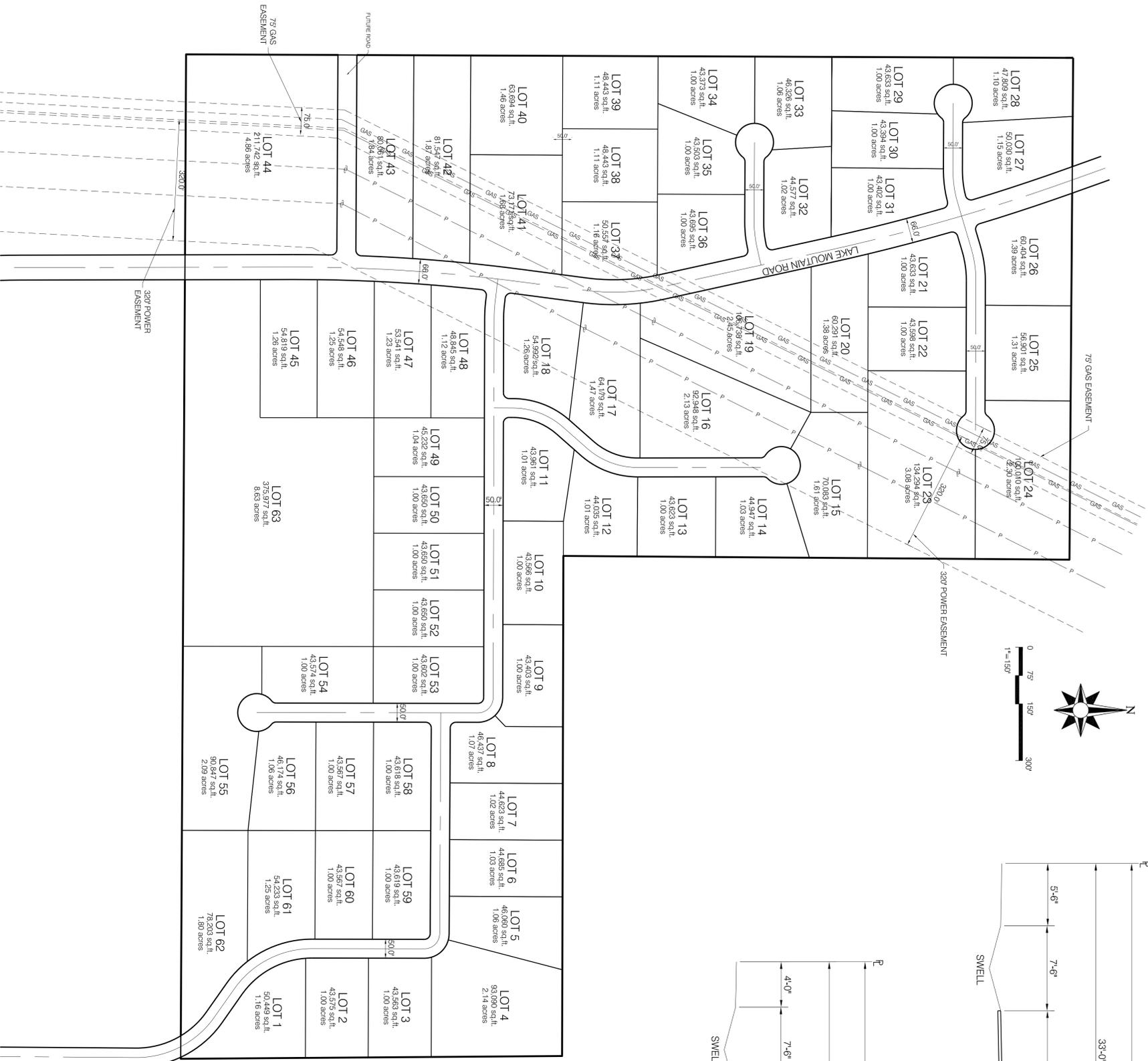
I move that the Planning Commission recommend approval to the City Council of the proposed Eagle Mountain Benches application with the following conditions:

1. *The lot size minimum for the proposed rezone is 1 acre or larger.*

If you, the Planning Commission, feel that the proposed rezone does not comply with the rezone criteria found in the City Code (and in this report), and that it is reasonably debatable that this rezone would not promote the general welfare, then the following motion is appropriate:

I move that the Planning Commission recommend denial to the City Council of the proposed Eagle Mountain Benches application for the following reasons...

Attachments: Concept Plan.



Development Summary

Proposed Zoning: Tier 1 Residential
 Minimum Lot Size: 1.0 acre
 Min. Lot Width/Frontage: 150 ft.
 Min. Front Yard Setback: 50 ft.
 Min. Rear Yard Setback: 50 ft.
 Min. Side Yard Setback: 50 ft.
 Min. Cor. Side Yard: 50 ft.
 Max. Building Height: 35 ft.

Residential Development:
 Total Developed Area: 4,426,560 sq. ft., +-
 Total Number of Lots: 101.62 acres +-
 Density: 63 Lots
 0.62 lots/acre

Lot Size Summary:
 Minimum Lot Size: 43,373 sf
 Maximum Lot Size: 373,977 sf
 Average Lot Size: 63,054 sf
 Median Lot Size: 46,326 sf

NO.	DATE	DESCRIPTION
5	12-15-15	Revised Concept Layout
6	10-09-15	Revised Concept Layout
4	07-09-15	Revised Concept Layout
3	06-26-15	Revised Concept Layout
2	06-05-15	Revised Concept Layout
1	04-27-15	Revised Concept Layout

H&H
ENGINEERING & SURVEYING, INC.

42 NORTH 200 EAST, SUITE 1
 AMERICAN FORK, UTAH 84003
 TEL: (801) 756-2488
 FAX: (801) 756-3499

PROJECT NAME:
EAGLE MOUNTAIN BENCHES
 5500 N LAKE MOUNTAIN ROAD
 EAGLE MOUNTAIN, UTAH

PROJECT NO.: 15-457-01
 DATE: Apr 23, 2015
 HOR SCALE: As Noted
 VERT SCALE: As Noted
 ENGINEER: JH
 DRAWN: BS
 CHECKED: JH

TITLE
CONCEPT SITE PLAN

SHEET
 2 OF 3
C-02



EAGLE MOUNTAIN CITY
Planning Commission Staff Report

JANUARY 26, 2016

Project: Porter’s Crossing Town Center Project Entrance Sign
Applicant: Pony Express Land Development (Agent – Larry Shelton)
Type of Action: Action Item; Recommendation to the City Council

PROPOSAL

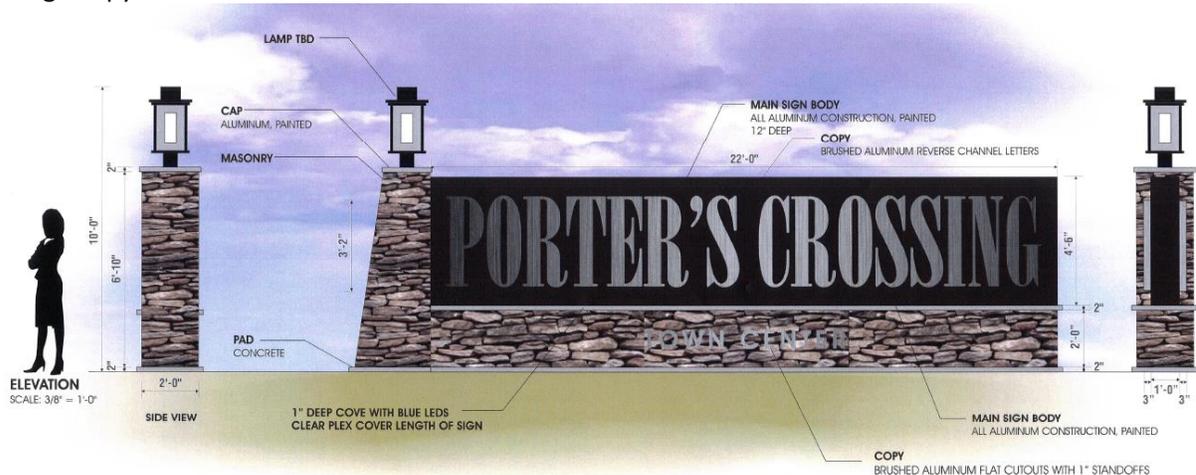
The applicant is proposing a community entrance sign for the Porter’s Crossing Town Center development. Community entrance signs are approved under the following guidelines and according to the following process found in the City Code:

17.80.110 Community entrance signs.

Community entrance signs located in the median or shoulder of the city’s right-of-way (ROW) along streets classified as arterials or collectors shall only be allowed under specific agreement with the city. Community entrance signs shall be constructed, installed, and maintained at the expense of the original applicant in accordance with the specifications outlined in the submitted application and as determined by the city council. The exact location of each sign and the sign copy shall be subject to review and approval by the Eagle Mountain planning commission and city council.

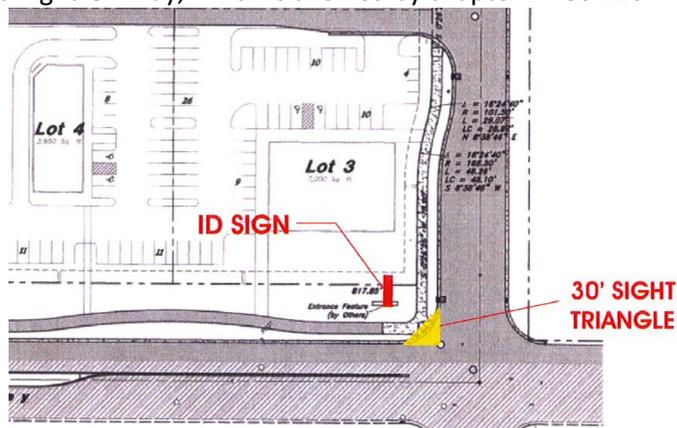
A. Approval Process. Community entrance signage shall not be construed as an absolute right upon submission of an application and does not require the approval body to take action based upon findings of fact. At their discretion, the planning commission may recommend and the city council may approve community entrance signs along streets classified as arterials and collector roads. The placement of the signs shall not create a traffic hazard. Since these signs are within the city’s right-of-way, the applicant must enter into an agreement to lease the city’s property. The city council shall approve the agreement, which will detail the terms and conditions of the property lease as well as the design of the signage. The lease fee shall be equal to the fee established in the city’s current consolidated fee schedule for off-premises ladder signs. [Ord. O-06-2010 § 2 (Exh. A); Ord. O-12-2009 § 2 (Exh. A); Ord. O-26-2008 § 2 (Exh. A § 16.9); Ord. O-18-2008 § 2 (Exh. A § 16.9); Ord. O-17-2006 § 2 (Exh. 1 § 16.9). Formerly 17.80.100].

The applicant is proposing a sign that is six feet ten inches tall (6’-10”) from the base to the top of the sign, ten feet (10’) to the top of the proposed lamp, and twenty-two feet long (22’) with ninety-nine (99) square feet of sign copy area.





The sign is located at the corner of Pony Express Parkway, and Porter's Crossing Road. The sign does extend onto the public Right-Of-Way, which is allowed by chapter 17.80.110



Concerns

Lighting must meet dark sky standards detailed in chapter **17.56 Outdoor lighting standards** as well as sign illumination standards found in chapter **17.80 Sign regulations and sign permits**

Recommendation

Staff recommends approval of the community entrance sign as presented by the applicant with the following conditions:

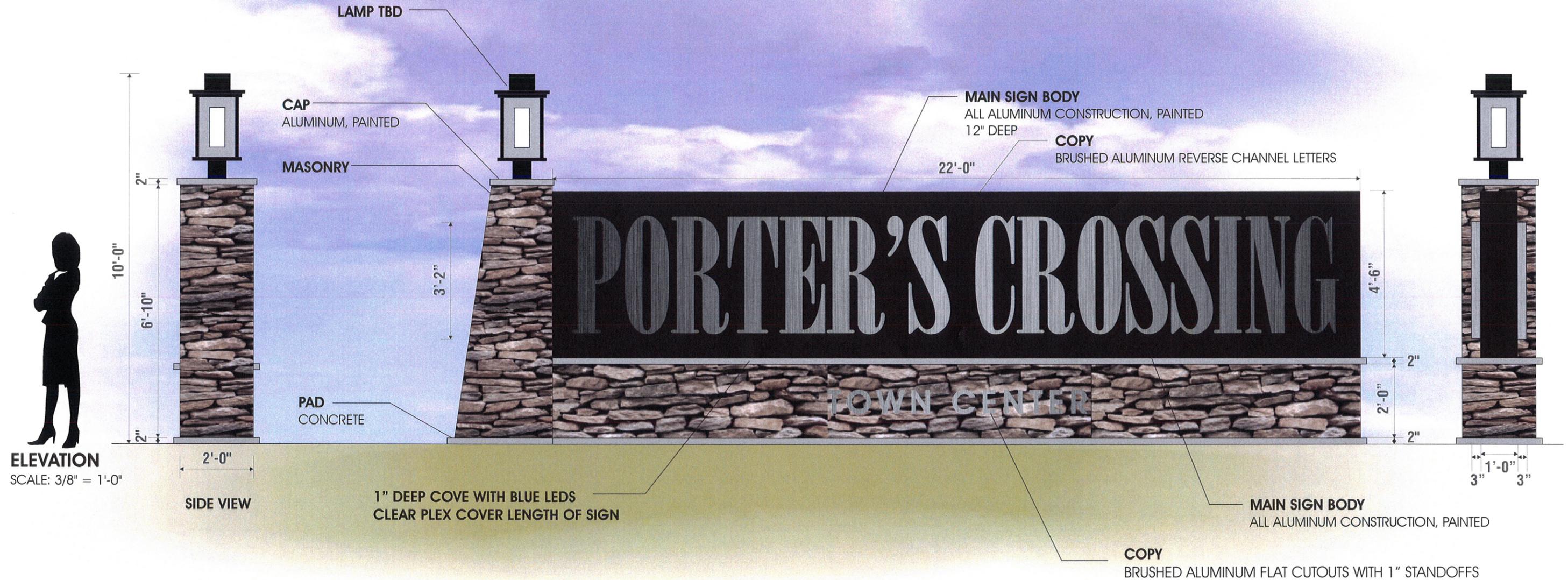
1. Sign lamp/lighting be consistent with chapter **17.56 Outdoor lighting standards**
2. Sign illumination be consistent with standards in chapter **17.80 Sign regulations and sign permits**
3. The applicant enter into an agreement to lease the city's property on which the sign is built

ATTACHMENTS:

- Proposed Porter's Crossing project entrance sign

ID SIGN

MANUFACTURE AND INSTALL
(1) D/F MONUMENT SIGN



Utah Contractors: 375809-5501 • Nevada:60486 • Colorado:237787 • Idaho:RCE-29969

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DRAWING STEPS	
<input type="checkbox"/>	CONCEPT
<input type="checkbox"/>	ESTIMATING
<input type="checkbox"/>	PERMIT/LANDLORD
<input type="checkbox"/>	PRODUCTION/INSTALL

DRAWING REVIEW	
<input type="checkbox"/>	SURVEY
<input type="checkbox"/>	PRODUCTION REVIEW
<input type="checkbox"/>	INSTALL REVIEW

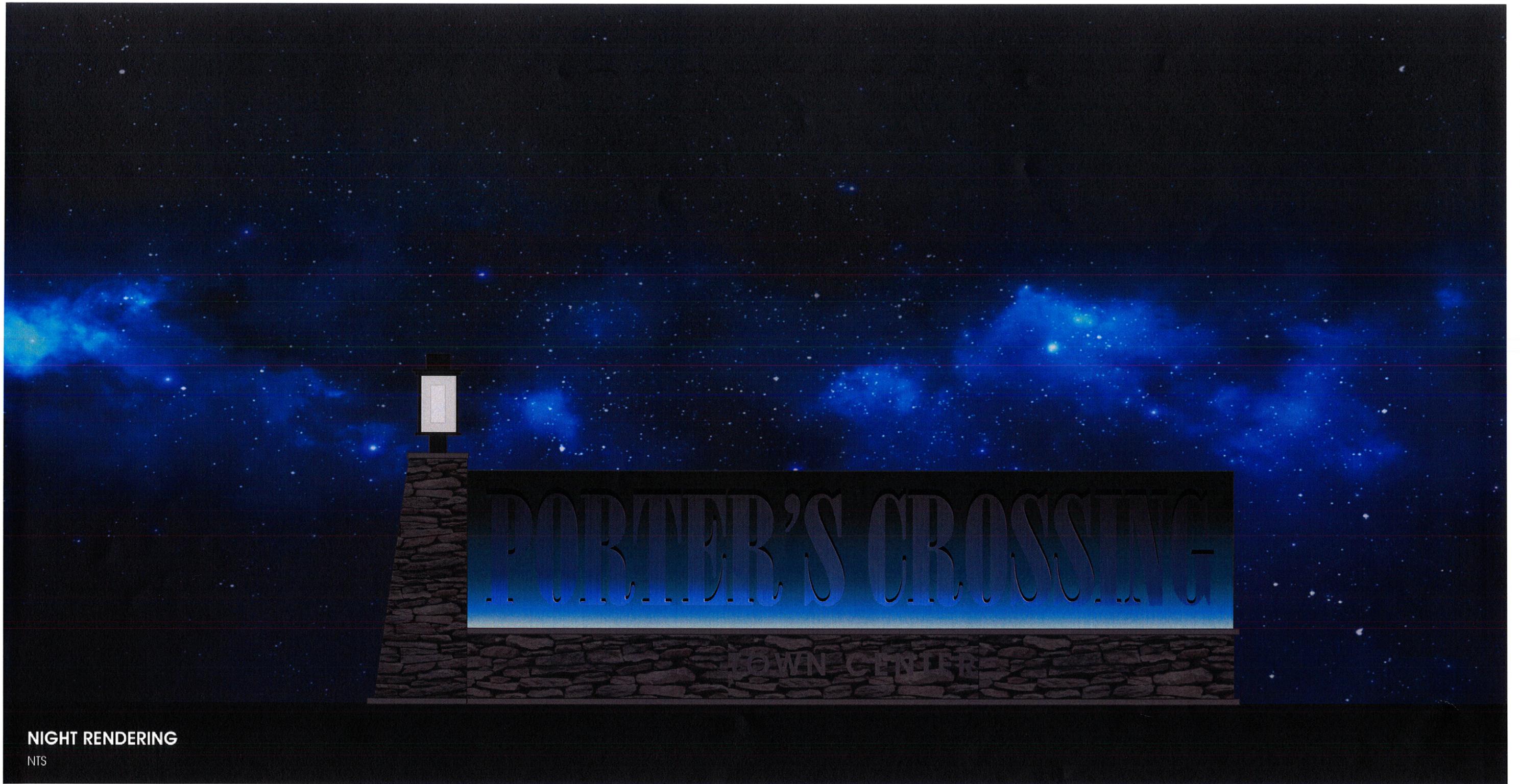
Client: Porter's Crossing
Address: 4000 E Pony Express Pkwy
Eagle Mountain, UT
File Name: Porter's Crossing - Sign Package - 1-19-16 (REV 1)

SALES APPROVAL:
Designer: Jason (Rev Nik)
Sales: Cindy

CUSTOMER APPROVAL	REVISIONS
SIGNATURE	

UTAH COUNTY: 1852 N. Parkway Court, Springville, UT 84663 • (801) 489-3645 **OGDEN:** 2924 Pennsylvania Avenue • (801) 621-4612





NIGHT RENDERING

NTS

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 PRODUCTION/INSTALL

DRAWING REVIEW
 SURVEY
 PRODUCTION REVIEW
 INSTALL REVIEW

Client: Porter's Crossing
Address: 4000 E Pony Express Pkwy
 Eagle Mountain, UT
File Name: Porter's Crossing - Sign Package - 1-19-16 (REV 1)

SALES APPROVAL:
Designer: Jason (Rev Nik)
Sales: Cindy

CUSTOMER APPROVAL

SIGNATURE

REVISIONS

UTAH COUNTY: 1852 N. Parkway Court, Springville, UT 84663 • (801) 489-3645 **OGDEN:** 2924 Pennsylvania Avenue • (801) 621-4612





EAGLE MOUNTAIN CITY
Planning Commission Staff Report

JANUARY 26, 2016

Project: Silverlake Entry Sign
Applicant: Bronson Tatton
Type of Action: Action Item; Recommendation to the City Council

PROPOSAL

The applicant is proposing a community entrance sign for the Silverlake development, more specifically Silverlake 14. Community entrance signs are approved under the following guidelines and according to the following process found in the City Code:

17.80.110 Community entrance signs.

Community entrance signs located in the median or shoulder of the city's right-of-way (ROW) along streets classified as arterials or collectors shall only be allowed under specific agreement with the city. Community entrance signs shall be constructed, installed, and maintained at the expense of the original applicant in accordance with the specifications outlined in the submitted application and as determined by the city council. The exact location of each sign and the sign copy shall be subject to review and approval by the Eagle Mountain planning commission and city council.

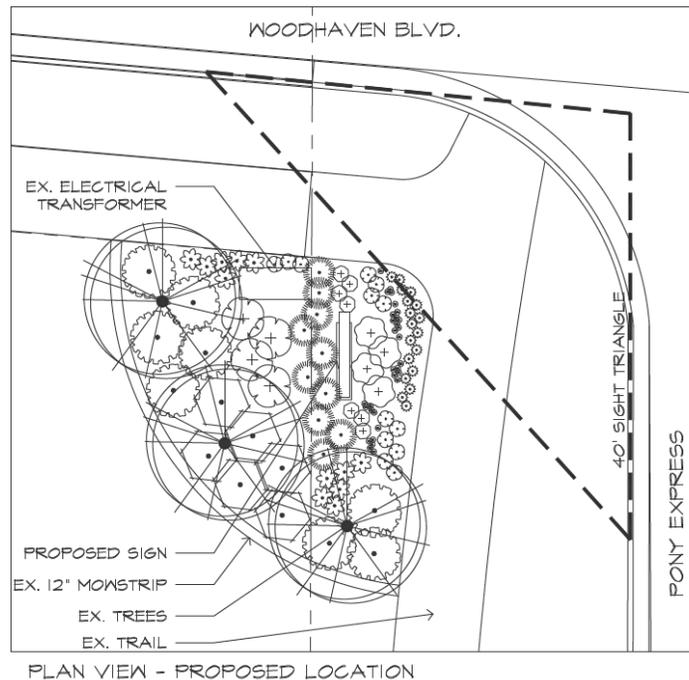
A. Approval Process. Community entrance signage shall not be construed as an absolute right upon submission of an application and does not require the approval body to take action based upon findings of fact. At their discretion, the planning commission may recommend and the city council may approve community entrance signs along streets classified as arterials and collector roads. The placement of the signs shall not create a traffic hazard. Since these signs are within the city's right-of-way, the applicant must enter into an agreement to lease the city's property. The city council shall approve the agreement, which will detail the terms and conditions of the property lease as well as the design of the signage. The lease fee shall be equal to the fee established in the city's current consolidated fee schedule for off-premises ladder signs. [Ord. O-06-2010 § 2 (Exh. A); Ord. O-12-2009 § 2 (Exh. A); Ord. O-26-2008 § 2 (Exh. A § 16.9); Ord. O-18-2008 § 2 (Exh. A § 16.9); Ord. O-17-2006 § 2 (Exh. 1 § 16.9). Formerly 17.80.100].

The applicant is proposing a sign that is six tall (6') from the base to the top of the sign, ten foot and three inches (10'-3") long with eighteen (18) square feet of sign copy area.





The sign is located at the corner of Pony Express Parkway, and Woodhaven Boulevard, facing toward Pony Express Parkway. The sign does extend onto the public Right-Of-Way, which is allowed by chapter 17.80.110



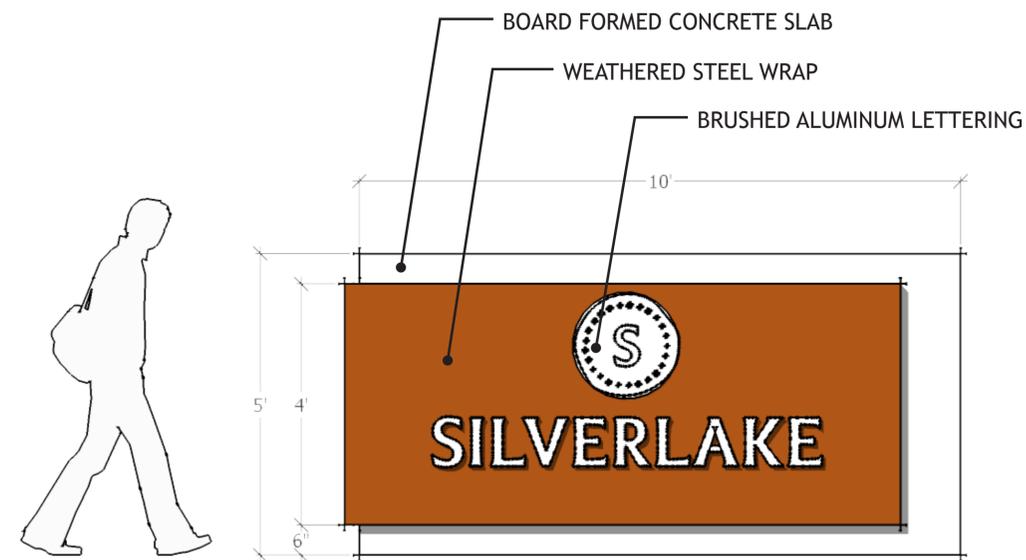
Recommendation

Staff recommends approval of the community entrance sign as presented by the applicant with the following conditions:

1. The applicant enter into an agreement to lease the city's property on which the sign is built

ATTACHMENTS:

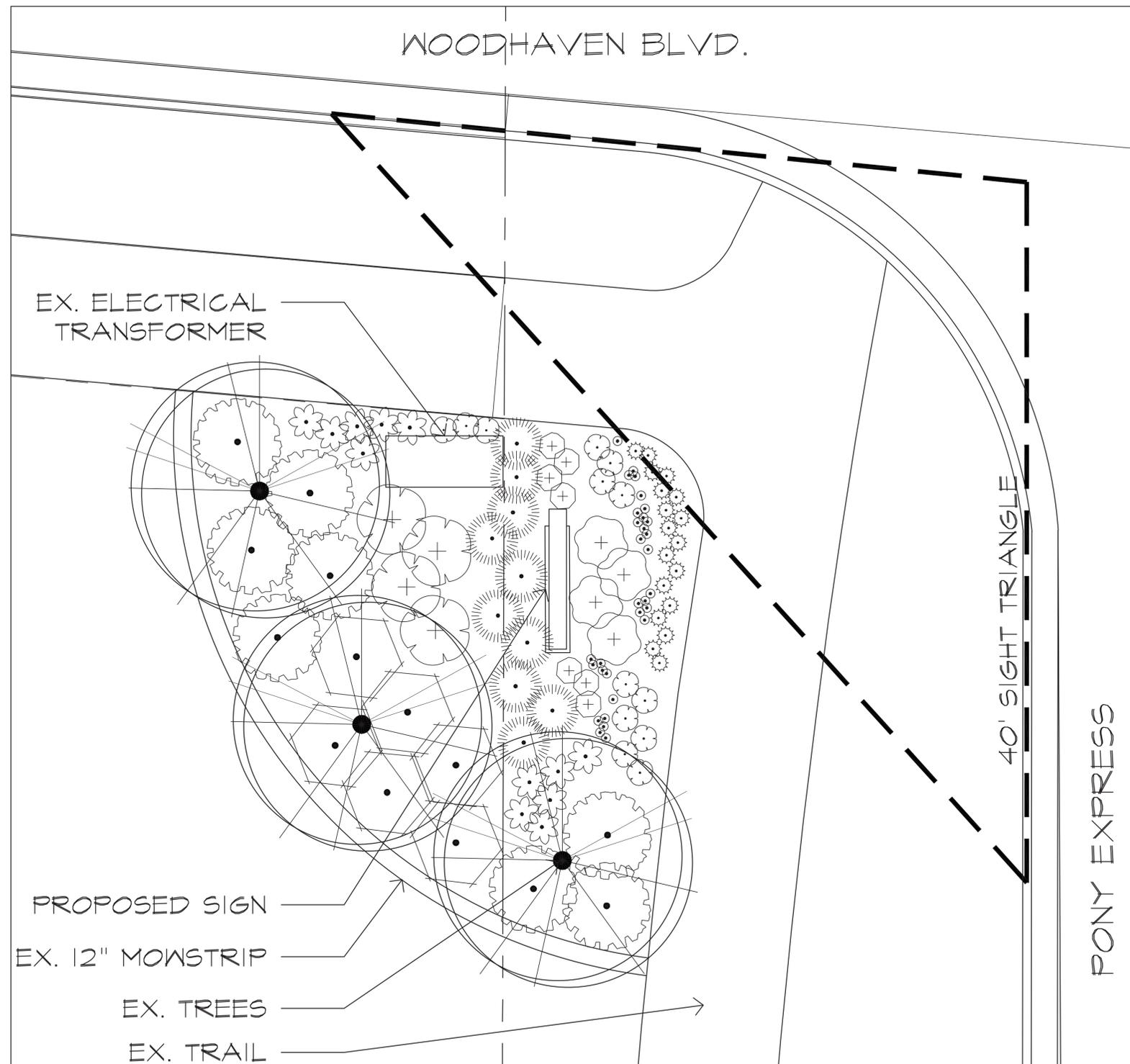
- Proposed Silverlake Entry Sign
- Proposed Location of Entry Sign



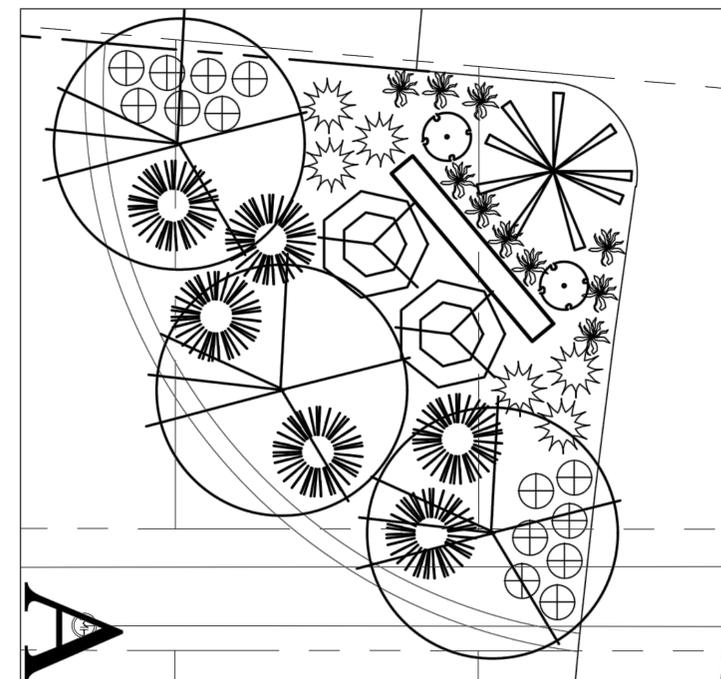
SILVER LAKE SECONDARY ENTRY SIGN | Eagle Mountain, Utah

Conceptual Rendering, prepared by Flagship Homes





PLAN VIEW - PROPOSED LOCATION



PLAN VIEW - EXISTING PLANTING

PLANT SCHEDULE

TREES	BOTANICAL NAME / COMMON NAME	CONT.	QTY.
	Existing Tree - Malus sp. / Estimated size	--	3
SHRUBS	BOTANICAL NAME / COMMON NAME	SIZE	QTY.
	Rhus aromatica 'Gro-Low' / Gro-Low Fragrant Sumac Mature Size: H3' W3'	5 gal	8
	Taxus x media 'Dark Green Spreading' / Dark Green Spreader Yew Mature Size: H3-4' W4-6'	5 gal	6
ANNUALS/BULBS	BOTANICAL NAME / COMMON NAME	SIZE	QTY.
	Allium aflatanense 'Purple Sensation' / Purple Sensation Ornamental Onion Mature Size: H20-30"	Bulb	31
GRASSES	BOTANICAL NAME / COMMON NAME	SIZE	QTY.
	Calamagrostis x acutiflora 'Karl Foerster' / Feather Reed Grass Mature Size: H3-5' W2-3'	1 gal	10
	Festuca glauca 'Boulder Blue' / Boulder Blue Fescue Mature Size:	1 gal	18
PERENNIALS	BOTANICAL NAME / COMMON NAME	SIZE	QTY.
	Agastache aurantiaca 'Apricot Sprite' / Apricot Sprite Hyssop	1 gal	12
	Hemerocallis x 'Stella de Oro' / Stella de Oro Daylily	1 gal	13
	Oenothera missouriensis 'Ozark Sundrops' / Missouri Primrose	1 gal	4
	Perovskia atriplicifolia / Russian Sage Mature Size: H3-4' W3-4'	1 gal	4
	Perovskia atriplicifolia 'Little Lace' / Little Lace Russian Sage Mature Size: H12-14' W12-14'	1 gal	7

SILVER LAKE SECONDARY ENTRY SIGN | Eagle Mountain, Utah

Planting Concept, prepared by Flagship Homes



SILVERLAKE





EAGLE MOUNTAIN CITY Planning Commission Staff Report

JANUARY 26, 2016

Project: **Brandon Park Estates**
Applicant: Paul Linford/Plumb Holdings EM LLC
Request: Concept Plan Review
Type of Action: Discussion Item

Recommendation

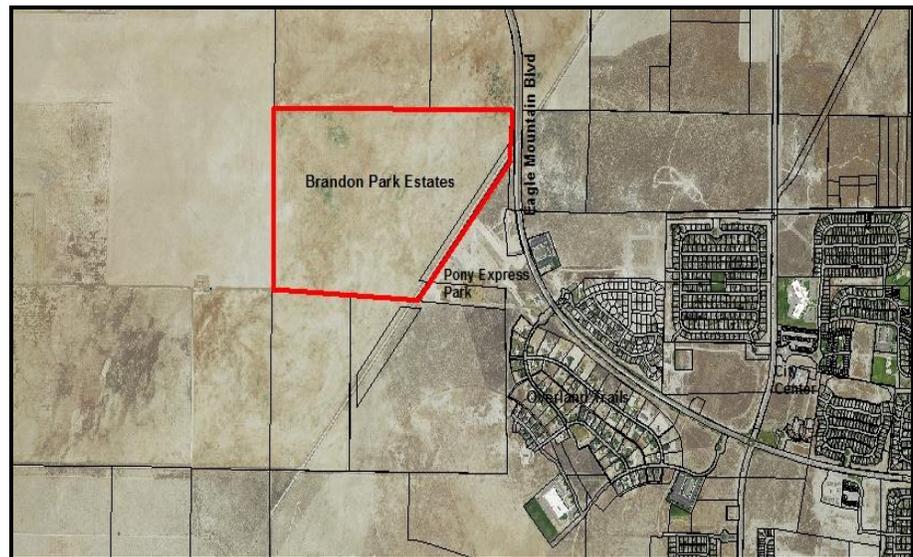
The Planning Department recommends that the Planning Commission review the proposed Brandon Park Estates Subdivision Concept Plan. Concept Plan reviews are not to receive action by motion, but commissioners are highly encouraged to express any questions, concerns, or comments and give the applicant useful feedback.

Background

This proposal was previously known as Equestrian Estates and was brought to the City in 2007 for approval. The proposal for Equestrian Estates was never completed. Brandon Park Estates is similar in concept.

Proposal

The project is located on the west side of Eagle Mountain Blvd adjacent to the City cemetery and Pony Express Regional Park. The project is on approximately 215 acres and includes 179 single family lots that are an acre or larger in size. The project has a density of .83 units per acre. This current proposal would fall under the Tier I development standards. The proposal is for this project to be a gated community.



Roads

According to the City's General plan this proposal is surrounded by three separate minor collector roads. There are roads to the north, south and west of the proposal. As this project moves forward the property for these roads will need to be dedicated to the City at the proper time. The proposed collector road to the south is to be constructed through a portion of Pony Express Park and connect into Majors Street in the Overland Trails development. There is a deed restriction on the park property requiring approval from the original property owner; staff feels that there should be no road access through the park. Any private roads within the project will be required to be dedicated as public utility easements and all underground improvements shall be constructed in compliance with the city's standards.

Open Space/Landscape

With the current density of this project at .83 units per acre, 3.9 acres of improved open space will be required. The applicant is proposing to have open space including a clubhouse and swimming pool. This proposal also includes walking/horse trail with split rail fencing surrounding the project. The trail would be an easement on the rear end of the property owners land. The property for Pony Express trail will need to be dedicated to the City.

Secondary Access

The applicant can begin the project with a maximum of 30 home-sites off of a single access. In order for the applicant to get approval for more than 30 lots two accesses into the project must be provided per fire code. The applicant has spoken with the Fire Marshal and is proposing the two accesses are located on the road to the north of the project. One thing to be aware of is the road to the north with the two accesses connects with Eagle Mountain Blvd at only one location.

Surrounding Property

Staff has concerns with the surrounding properties having access. At this time none of the surrounding proposed collector roads have been built. The applicant is proposing this project as a gated community with private roads; access would only be through two gate houses. With none of the collector roads being built at this time access to the property to the south and possibly to the west would be restricted. Staff feels that some sort of access should be provided to these properties until the roads are built.

Future Reviews

Future review for development of this project shall include a Preliminary Plat, and Final Plat.

Attachments

Concept Plan



EAGLE MOUNTAIN CITY
Planning Commission Staff Report

JANUARY 26TH, 2016

Project: Development Code Amendment: Chapter 17.10 (Definitions)
Applicant: City Staff
Type of Action: Action Item (Recommendation to the City Council); Public Hearing

Background

Staff has been reviewing the Eagle Mountain Municipal Code (EMMC) and making changes to ensure it is consistent, easy to understand, and useful. In review of the definitions chapter staff noticed several formatting, and grammar errors, and that the code was missing a definition of “Kitchen”.

Proposed Amendments

Staff recommends that the code be adopted adding a definition of kitchen, to ensure every definition is in quotes e.g. “word”, and that all numbers are both spelled out and written in numerical form e.g. twenty-five (25). Proposed changes may be seen here:

Chapter 17.10
DEFINITIONS

17.10.030 Definitions.

“Clear vision triangle” means a clear line of sight provided at intersections by delineating triangular areas adjacent to all intersections, within which no parking, building, structure, berming, or landscaping over three feet in height above the street shall be permitted. Single-trunk trees may be planted within such areas, but only where the tree will be pruned to eliminate all branches and foliage below eight feet (8’). Driveways are prohibited within the clear vision triangle of local streets unless there is no other feasible placement of a driveway on a lot. Clear vision triangles may not be required if an approved chain link or other non-sight-obscuring fence is used. See Chapter [17.60](#)EMMC for more information.

“Conditional Use” A conditional use allows certain structures in zones which may be acceptable under special conditions and in specific locations within the zoning district. Conditional uses require a special permit that is approved subject to the use meeting standards contained in this title.

“Constrained land” means all land with a slope greater than **twenty-five percent (25%)** or encumbered by floodplains.

“Day care center – child, large” means an establishment providing care and maintenance to **fifty (50)** or more children separate from their parents or guardians, and as licensed by the Office of Licensing of the Utah State Department of Human Services.

“Day care center – child, small” means an establishment providing care and maintenance to more than **twelve (12)**, but fewer than **fifty (50)**, children separate from their parents or guardians, and as licensed by the Office of Licensing of the Utah State Department of Human Services.

“Day care establishment – family, child” means an establishment providing care and maintenance to four **(4)** or more, but fewer than **twelve (12)**, children separate from their parents or guardians, and as licensed by the Office of Licensing of the Utah State Department of Human Services to be provided within a single-family residence.

“Degree of nonconformity” means the measured extent to which an existing use or building fails to comply with a requirement of this title. For example, the degree of nonconformity of a parking lot that has four **(4)** spaces, but serves a commercial use requiring nine **(9)**, is five **(5)** parking spaces. No change in the nonconforming use that would reduce the number of parking spaces could be permitted, because that would increase the degree of nonconformity.

“Development” means any activity or construction, excluding normal agricultural activities, that changes the basic character or use of the land, including the division of land into two **(2)** or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any regulated mining, excavation, landfill, or substantial land disturbance; and any use or extension of the use of land. The following operations or uses shall not be taken to be development for the purposes of this title:

1. Work by a highway or road agency for the maintenance of a road, if the work is carried out on land within the boundaries of the right-of-way;
2. Utility installations;
3. Landscaping for residential uses; and
4. Work involving the maintenance of existing landscaped areas and existing rights-of-way such as setbacks and other planted areas.

“Family” is defined as follows:

1. One **(1)** or more persons related by blood, marriage, adoption or legal guardianship, including foster children, living together as a single housekeeping unit in a dwelling unit; or
2. A group of not more than three **(3)** persons not related by blood, marriage, adoption, or legal guardianship living together as a single housekeeping unit in a dwelling unit; or
3. Two **(2)** unrelated persons and their children living together as a single housekeeping unit in a dwelling unit.

“Garden court” means a detached housing development consisting of a courtyard or park surrounded on two (2) or three (3) sides by homes. These homes are generally facing/fronting the courtyard, are located on small lots or areas of common open space, and are accessed from a residential alley behind the homes.

“Group home” means a residential facility established as a single housekeeping unit and shared by no more than eight (8) unrelated persons, exclusive of staff, who require assistance and supervision. A group home is licensed by the state of Utah and provides counseling, therapy and specialized treatment through this temporary living arrangement, along with habilitation or rehabilitation services for physically or mentally disabled persons. See Chapter [17.75](#) EMMC for regulations concerning group homes.

“Interior lot” means any lot that is bordered by only one (1) street.

“Kitchen” means any room and/or other place used, or intended or designed to be used for cooking or the preparation of food that is at a minimum comprised of a set of fixed cooking facilities other than hot plates or other portable cooking units, includes kitchenettes, and wet bars. Second Kitchens in a single family dwelling are only allowed with a recorded deed restriction, or an approved accessory apartment permit.

“Land Use Application” See “Application.”

“Manufacturing, light” means the assembly, fabrication or processing of goods and materials using processes that ordinarily do not create noise, dust, smoke, fumes, odors, glare or health or safety hazards outside of the building or lot where such activities take place, where such uses are housed entirely within a building or where the area occupied by outdoor storage of goods and materials used in such processes does not exceed twenty-five percent (25%) of the floor area of all buildings on the property. Light manufacturing generally includes processing and fabrication of finished products, predominantly from previously prepared materials. This term shall include uses such as electronic equipment production and printing plants.

“Motel” See “Hotel.”

“Multifamily dwelling” means all attached housing products and types, including condominiums, apartments, townhomes, and twinhomes. All multifamily dwellings shall be considered Tier III or Tier IV residential. Multifamily dwellings may include dwelling units intended to be rented and maintained under central ownership or management, or cooperative apartments, condominiums and the like. Any multifamily dwelling in which dwelling units are available for rental or lease for periods of less than one (1) month shall be considered a hotel/motel. See also “Family.”

“Office use” means a type of business use, which may or may not offer services to the public that is engaged in the processing, manipulation or application of business information or professional expertise. An office use is not materially involved in fabrication, assembly or warehousing of physical products for the retail or wholesale market, nor is an office engaged in the repair of products or retail services. Examples include accounting, investment services, architecture, engineering, legal services and real estate services.

“Setback” means the minimum required distance between the property line and the building, excluding porches, window wells, verandas, uncovered decks, and other similar structures. Currently recorded or approved subdivisions at the time of enactment of the ordinance codified in this title by the City Council shall continue to be subject to side setback requirements of the development code of Eagle Mountain City adopted on September 28, 1999.

1. For interior lots:

a. Front. The front setback is the distance, at the nearest point, from the street right-of-way to the outer foundation wall of the principal building, or to any projection that extends more than two feet (2') beyond the outer foundation wall, including basement stairwells.

b. Rear. The rear setback is the distance, at the nearest point, from the alley right-of-way or the property line that is parallel, or more or less parallel, to the street, to the outer foundation wall of the principal building, or to any projection that extends more than two feet (2') beyond the outer foundation wall, including basement stairwells.

c. Side. The side setback is the distance, at the nearest point, from a property line that is perpendicular, or more or less perpendicular, to the street, to the outer foundation wall of the principal building, or to any projection that extends more than two feet (2') beyond the outer foundation wall, including basement stairwells.

2. For corner lots:

a. Front. The front setback is the distance, at the nearest point, from the street right-of-way on which the principal building has its address to the outer foundation wall of the principal building, or to any projection that extends more than two feet (2') beyond the outer foundation wall, including basement stairwells.

b. Rear. The rear setback is the distance, at the nearest point, from the property line opposite the street on which the principal building has its address to the outer foundation wall of the principal building, or to any projection that extends more than two feet (2') beyond the outer foundation wall, including basement stairwells.

c. Side. The side setback is the distance, at the nearest point, from a property line that is perpendicular, or more or less perpendicular, to the street on which the building has its address, or to any projection that extends more than two feet (2') beyond the outer foundation wall, including basement stairwells.

“Single-family detached dwelling” means any detached single-family residence that averages Twenty (20') or more feet in width as measured across the front of the foundation, is attached to a permanent

foundation, is permanently connected to the municipal utilities (where available), and is clearly designed, **with one (1) front door entrance**, for occupancy by one **(1)** family related by blood or marriage. This specifically includes manufactured homes that meet the foregoing definition and comply with the National Manufactured Home Construction and Safety Standards Act ([40USC 1504](#)) and the International Building Code or the International Residential Code. Manufactured homes that do not comply with the standards set forth above, such as recreational vehicles and travel trailers, are multifamily dwellings. See also “Family.”

“Slope” Slope shall be determined before any site clearing, excavation, ~~or~~ grading, and expressed as a percentage (rise/run x 100). Measurement shall be made perpendicular to the contours of the land, between natural (changes in slope as landforms change) or manmade (road cuts and similar breakpoints) breakpoints.

“Subdivision” means any land that is divided, resubdivided or proposed to be divided into two **(2)** or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms and conditions for the purposes of sale or development. The following are not considered subdivisions where no new streets or public infrastructure is created or is required to be created: (1) divisions of land for agricultural purposes where the resulting parcels are in excess of **one-hundred and sixty (160)** acres in size; (2) divisions of property by testamentary provisions; (3) divisions of property by court order; (4) consolidation of existing properties by deed or other recorded instrument; (5) a legally approved lot split as defined in this title.

“Temporary use” means a land use that is less than **thirty (30)** days in duration and is most commonly related to specific events such as Pony Express Days, festivals, special sales or other activities.

“Unbuildable land” means land with slopes in excess of **twenty-five percent (25%)**, land restricted by power lines, canyons and washes, streams, alluvial discharge areas, storm drain retention/detention areas, floodplains and floodways, geologically sensitive areas that require special engineering considerations for safe habitation, and wetlands. For the purpose of determining what land may qualify as improved open space only, unbuildable land is any land with slopes in excess of **fifteen percent (15%)**.

“Uplighting” means where a landscape feature, sign, building, or architectural feature is illuminated by a luminary that is directed upward at an angle of more than **fifty (50)** degrees.

“Variance” Variances provide relief for landowners who, because of some unique physical characteristic of their property, would have no beneficial use of that property if the provisions of this title are strictly enforced. A variance is a deviation from the basic land use requirements that apply to the property and its structures.



EAGLE MOUNTAIN CITY
Planning Commission Staff Report

JANUARY 26TH, 2016

Project: Development Code Amendment: Chapter 17.25 (Residential Zone)
Applicant: City Staff
Type of Action: Action Item (Recommendation to the City Council); Public Hearing

Background

The Eagle Mountain Municipal Code (EMMC) measures setbacks to foundation walls or to any projection that extends more than two feet (2') from the foundation wall. Staff believes there are desirable architectural features that should be allowed to extend beyond two feet (2') into the setbacks, and also aims to provide clear and beneficial guidance to residents, and developers on allowed projections into setbacks.

Proposed Amendments

Staff recommends that the code be adopted allowing for certain projections into setbacks of more than two feet (2'), while maintaining clear access from front to rear yards, and providing clear and useful guidance to residents and developers. Here is the proposed amendment:

17.25

Residential Zone

17.25.110 Base density residential development standards

C. Setbacks

1. Guidance regarding allowed projections into setbacks outlined in section 17.25.180

17.25.120 Tier I residential development standards

D. Setbacks

3. Guidance regarding allowed projections into setbacks outlined in section 17.25.180

17.25.130 Tier II residential development standards

C. Setbacks

6. Guidance regarding allowed projections into setbacks outlined in section 17.25.180

17.25.140 Tier III residential development standards

- D. Setbacks - Primary Structures. Setbacks shall only apply to structures that require a city permit or approval. No structure which cannot be removed shall be constructed across an easement. Up to a 10 percent variation in setbacks may be approved by the planning director and building official if the variation is appropriate due to an issue with slope, unique lot configuration, or other unique circumstance. Home design is not considered a unique circumstance.

1. Guidance regarding allowed projections into setbacks outlined in section 17.25.180

17.25.150 Tier IV residential development standards

- A. Projection into setbacks – Guidance regarding allowed projections into setbacks outlined in section 17.25.180

17.25.180 Projection into Setbacks

A) Residential Setbacks

The minimum distance measured from the property line to the outer foundation wall of a structure. Setbacks are defined in chapter 17.10 (Definitions) and Tier level setback requirements are found in chapters 17.25 (Residential Zone) & 17.30 (Residential Bonus Density Entitlements).

Table 17.25.180 (A) Residential Setbacks

Setbacks				
Tier Level	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	Minimum Street Side Yard
Base	50' *	50'	25'	25'
Tier I	50' *	50'	25'	25'
Tier II	15' / 22' **	20'	5' Min 15' Total	15'
Tier III (Single Family)	15' / 22' **	20'	5' Min 15' Total	15'
Distance between Multi-Family Housing Structures				
Tier III (Multi-Family)	20' Council may approve a standard that differs			
Tier IV	20' Council may approve a standard that differs			
* Front setback may be reduced to 35' on lots that range from .5 AC to .75 AC if road is constructed with curb, gutter, and a trailway				
** If accessed from the front, garage shall have a minimum front setback of 22'				

B) Allowed Projection into setbacks

A. **Awnings and Canopies:** Over the windows, no wider than 12” beyond edges of window or door



Allowed Projection into Setbacks							
Projecting Feature	Base & Tier I Front Yard	Base & Tier I Rear Yard	Base & Tier I Side Yard	Tier II & III Front Yard	Tier II & III Rear Yard	Tier II & III Side Yards	Nearest Property line
Awnings/Canopies	5'	5'	5'	3'	3'	2'	3' *

B. Balconies: Open and unenclosed



Allowed Projection into Setbacks							
Projecting Feature	Base & Tier I Front Yard	Base & Tier I Rear Yard	Base & Tier I Side Yard	Tier II & III Front Yard	Tier II & III Rear Yard	Tier II & III Side Yards	Nearest Property line
Balconies unenclosed	2'	2'	2'	2'	2'	2'	3' *

C. Bay Windows: Width of window shall not exceed 10' in front or rear yards, or 7' in side yards



Allowed Projection into Setbacks							
Projecting Feature	Base & Tier I Front Yard	Base & Tier I Rear Yard	Base & Tier I Side Yard	Tier II & III Front Yard	Tier II & III Rear Yard	Tier II & III Side Yards	Nearest Property line
Bay Windows	3'	3'	2'	3'	3'	2'	3' *

D. Cantilevered Building Projections: Also known as micro-additions, or pop-outs. Shall not exceed 8' in length.



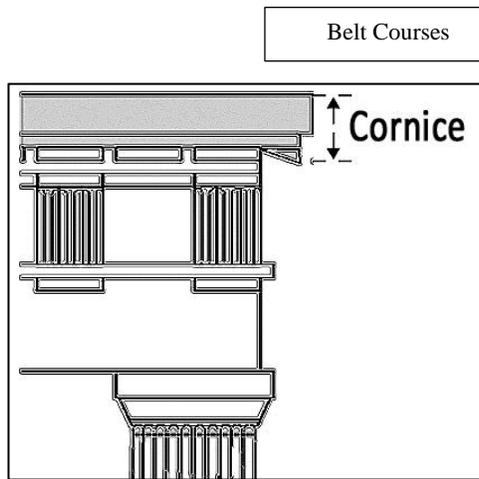
Allowed Projection into Setbacks							
Projecting Feature	Base & Tier I Front Yard	Base & Tier I Rear Yard	Base & Tier I Side Yard	Tier II & III Front Yard	Tier II & III Rear Yard	Tier II & III Side Yards	Nearest Property line
Cantilever	2'	2'	2'	2'	2'	2'	3' *

E. Chimney or Fireplace



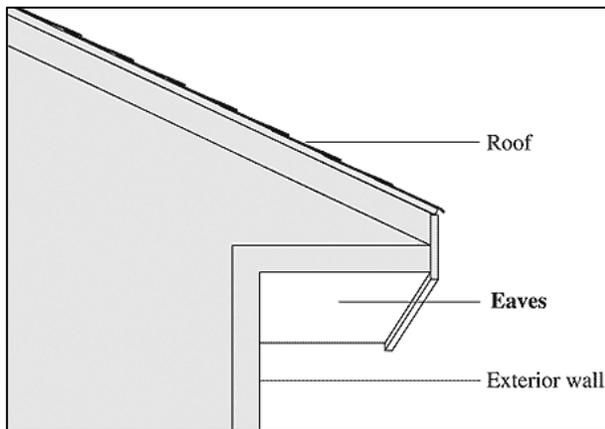
Allowed Projection into Setbacks							
Projecting Feature	Base & Tier I Front Yard	Base & Tier I Rear Yard	Base & Tier I Side Yard	Tier II & III Front Yard	Tier II & III Rear Yard	Tier II & III Side Yards	Nearest Property line
Chimney/Fireplace	2.5'	2.5'	2.5'	2.5'	2.5'	2.5'	2.5' *

F. Cornices, Belt Courses: and similar architectural features.



Projecting Feature	Allowed Projection into Setbacks						
	Base & Tier I Front Yard	Base & Tier I Rear Yard	Base & Tier I Side Yard	Tier II & III Front Yard	Tier II & III Rear Yard	Tier II & III Side Yards	Nearest Property line
Cornices, Belt Courses	1'	1'	1'	1'	1'	1'	N/A

G. Eaves, roof overhangs



Projecting Feature	Allowed Projection into Setbacks						
	Base & Tier I Front Yard	Base & Tier I Rear Yard	Base & Tier I Side Yard	Tier II & III Front Yard	Tier II & III Rear Yard	Tier II & III Side Yards	Nearest Property line
Eaves	3'	3'	3'	3'	3'	3'	N/A

H. Porch, Deck, Landing

a. – Uncovered



b. Porch, Deck, Landing – Covered



*At least one 5' access must be maintained from the front yard to the rear yard through one side yard.

Projecting Feature	Allowed Projection into Setbacks						
	Base & Tier I Front Yard	Base & Tier I Rear Yard	Base & Tier I Side Yard	Tier II & III Front Yard	Tier II & III Rear Yard	Tier II & III Side Yards	Nearest Property line
Uncovered Porch/Deck/Landing	10'	10'	10'	5'	5'	-	N/A
Covered Porch/Deck/Landing	6'	6'	6'	5'	5'	-	N/A

Table 17.25.180 (B) Allowed Projections into Setbacks

Allowed projections into Setbacks							
Projecting Feature	Base & Tier I Front Yard	Base & Tier I Rear Yard	Base & Tier I Side Yards	Tier II & III Front Yard	Tier II & III Rear Yard	Tier II & III Side Yards	Minimum distance of projection from Property Line
Awnings, canopies, Only over windows, no wider than 12' beyond edges of window or door	5'	5'	5'	3'	3'	2'	3' *
Balconies, open and unenclosed.	2'	2'	2'	2'	2'	2'	3' *
Bay windows (Width of window shall not exceed 10' in front and rear yards, or 7' in side yard)	5'	5'	2.5'	5'	5'	2'	3' *
Cantilevered building projections (shall not exceed 8' in length)	2'	2'	2'	2'	2'	2'	3' *
Chimney or fireplace	2.5'	2.5'	2.5'	2.5'	2.5'	2.5'	2.5' *
Cornices, belt courses, and similar architectural features	1'	1'	1'	1'	1'	1'	N/A
Eaves, roof overhangs	3'	3'	3'	3'	3'	3'	N/A
Porch, deck, landing - covered	6'	6'	6'	5'	5'	-	N/A
Porch, deck, landing - uncovered	10'	10'	10'	5'	5'	-	N/A
* At least 5' wide access must be maintained from front yard to rear yard through one side yard.							