



EAGLE
M O U N T A I N

EAGLE MOUNTAIN CITY PLANNING COMMISSION MEETING MINUTES

March 10, 2020, 5:30 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

COMMISSION MEMBERS PRESENT: Matthew Everett, Christopher Pengra, Rich Wood, and Brett Wright. Commissioner Erin Wells was excused.

ELECTED OFFICIALS PRESENT: City Councilmembers Melissa Clark and Carolyn Love.

CITY STAFF PRESENT: Steve Mumford, Community Development Director; Michael Hadley, Planning Manager; Jessa Porter, Planner; and Elizabeth Fewkes, Recording Secretary.

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

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

1. Discussion Items

1.A. Development Code Amendments - Office Professional and Business Park Zones

Commissioner Wood stated the Commission would be discussing amendments to Municipal Code, including creating categories within Eagle Mountain Municipal Code Chapter 17.37 Business Park Zones.

Commissioner Wood explained his amendment suggestions for Chapter 17.37.020 Purpose and asked the Commission for suggestions and feedback on his proposed changes. Discussion ensued regarding possibilities for a name alteration of the proposed Educational/Medical Campus Zone for improved clarity.

Commissioner Pengra expressed concerns that creating an excess of zones would be ineffective and create prescriptive restrictions requiring rezoning. He stated some differentiation within the Business Zone is desirable to prevent unwanted uses but did not feel qualified to evaluate context and determine the most effective zone restrictions.

Commissioner Wood stated Eagle Mountain City has fewer zones than comparable Utah cities, and expressed the desire to be more prescriptive in zoning regulations. This would prevent uses that would negatively impact City residents and commercial growth and provide cohesive buffering between business and residential areas, because the Business Park Zone, as written, is too broad.

Discussion ensued regarding the direction and scope the Commission desired to use while drafting zone amendments.

Commissioner Wright said Commissioner Pengra had valid concerns regarding becoming too prescriptive, but the Planning Commission should help prepare for and guide cohesive City growth in accordance with the General Plan and staff input.

Community Development Director Steve Mumford confirmed most of the City's undeveloped land is zoned as agricultural or is included as part of a community master development plan.

Commissioner Wright stated the City is transitioning from a rural town, encouraging any and all development, into a larger city and has the opportunity and responsibility to strategically plan for and appropriately direct growth.

Mr. Mumford said the zones are intended to implement the General Plan and said in creating zones one should strive to maximize flexibility without permitting incompatible uses; the commercial categories within the General Plan may include a mix of allowable zones to separate noncompatible uses.

Discussion ensued regarding considerations to include in discussion and drafting of zone amendments to remain in accordance with the General Plan, compatible uses to allow within various zones, and zone buffering.

Commissioner Pengra expressed concern regarding losing potential capital investment interest in the City should restrictions require rezoning due to the accompanying time delays. Commissioner Wood stated his intention for the Commission drafting Municipal Code amendments is to preemptively plan to prevent such possibilities.

Discussion ensued regarding the inclusion of Commissioner Wood's suggested Light Manufacturing/Distribution Zone, Educational/Medical Campus Zone, and Office Professional Zone within the Business Park Zone and in relation to the General Plan and appropriate zone buffering.

Commissioner Everett suggested the inclusion of extended care health facilities as permitted or special uses in the Educational/Medical Campus Zone. Discussion ensued regarding extended care health facilities and the Commissioners determined to allow them as special uses in the Educational/Medical Campus Zone.

Commissioner Pengra suggested combining the Educational/Medical Campus and Office Professional Zone and asked staff for feedback. Mr. Mumford said he would research implications of the combination of the zones, especially in regard to allowances and buffering requirements to residential zones.

Mr. Mumford asked Commissioner Wood for clarification on his intended locations within the General Plan for the Light Manufacturing/Distribution Zone. Commissioner Wood said near warehouses and distribution centers.

Commissioner Wood requested that amendments to Eagle Mountain Municipal Code Chapter 17.37 Business Park Zones be included in the next Planning Commission work session.

Commissioner Wood adjourned the work session at 6:30 p.m.

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

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

2. Pledge of Allegiance

Commissioner Wood led the Pledge of Allegiance.

3. Declaration of Conflicts of Interest

None.

4. Approval of Meeting Minutes

4.A. February 25, 2020 Minutes

Commissioner Everett requested a correction to condition number four on the motion to recommend approval of the Hidden Hollow Phase B amended site plan, “The applicant shall work with staff to record the plat amendment for a lot line adjustment for the townhomes due to removal of the trail,” changing “the townhomes” to “single-family lots 113 and 114.”

MOTION: *Commissioner Everett moved to approve the February 25, 2020 meeting minutes as amended. Commissioner Wright seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Christopher Pengra. The motion passed with a unanimous vote.*

5. Status Report

The City Council meeting scheduled for March 3, 2020 was cancelled due to the Utah 2020 Presidential Primary election.

6. Action and Advisory Items

6.A. The Ranches Event Barn (at the Golf Course) - Site Plan - Public Hearing

Planning Manager Michael Hadley presented The Ranches Golf Course Event Barn site plan. The Ranches Estates preliminary plat was approved by the City Council on October 2, 2018. The addition of an event barn was stipulated as part of the approval/agreement with the City. The purpose of developing The Ranches Estates was to provide the money needed to build the event barn and golf course park, adjacent to the existing clubhouse. The Ranches Estates development consists of 27 residential units in five development pods around Ranches Golf Course. This application is a site plan for the proposed event barn.

Mr. Hadley explained the site has a total of 147 existing parking stalls. Based on the Parks and Open Space Master Plan recommendations, it is recommended that the golf course provide 159 stalls. An additional 46 to 48 parking stalls would be needed to match that recommendation.

Mr. Hadley stated the elevations shown to the City Council during The Ranches Estates approval/agreement are consistent with this proposal, except the currently proposed building provides a similar sized event space with additional space for a fitness center, kitchen, restrooms, and office area. Discussion should be held concerning whether the fitness center should be open to the public or only open to golf course members. He stated the Commission may want to consider the timing of the proposed installation of Golf Course Park that is to coincide with building of event barn. City Attorney Jeremy Cook reviewed the proposal and concluded the proposed building and uses are permitted and appropriate in this location as secondary uses to the golf course.

Applicant representative Matt Pehrson with GreatLIFE Golf and Fitness Club explained their business model combines golf and fitness with the goal to promote fitness and to grow the game of golf.

Commissioner Pengra asked Mr. Pehrson what his involvement was with the original applicant.

Mr. Pehrson explained GreatLIFE took 51% ownership of The Ranches Golf Course from Vanguard Golf Management about a year ago and has transitioned to a current 90% ownership. The addition of the fitness center to the previously planned event center was to align the facility with GreatLIFE's business model.

Commissioner Wood expressed concern that this site plan does not coincide with the site plan approved by the City Council in October 2, 2018 due to a significant square footage reduction and lack of approved amenities including a restaurant.

Commissioner Wood opened the public hearing at 6:42 p.m.

Tammy Larsen expressed frustration due to the impact to their lot during excavation, concern regarding the lack of privacy fencing and noise pollution from events, and the impact of the event barn on the resale value of her home.

Shawn Richards stated, as a business owner and a member of the Eagle Mountain City Chamber of Commerce, his support for project and that the event barn venue and the augmentation and improvement of the existing golf course facilities benefit other City businesses. He said during his dealings with the applicants, he has been impressed with their characters and believes they will work with the owners of adjacent properties to resolve concerns, and the family-friendly facilities provide an active, outdoor activity for families to spend time together.

John Beutler stated that during the excavation in October 2018, the previous company pushed dirt up against the fence between the golf course property and his property and the resulting rock would have fallen through the gap in the fence and onto his property had deer netting not been installed on his property to contain his dogs. He spoke with the Director of Golf for Vanguard Golf

Management Mark Whetzel and was told the issue would be resolved, but then construction stopped, and the dirt was never moved.

Commissioner Wood advised Mr. Beutler to speak with Mr. Mumford or City Engineer Chris Trusty regarding the issues. Mr. Beutler said he had emailed employees in the Planning Department regarding the problem. Mr. Hadley stated he spoke with Mr. Pehrson today regarding the issue, and Mr. Pehrson said he would work with the homeowner on a resolution.

The Ranches Golf Course employee Christine Denkers said she has worked at the golf course for seven seasons and has seen a lot of growth. Approval of the site plan would enable the golf course to offer and support more community and family activities.

Judy Thomas stated her preference for the plan approved in October 2018 with a larger event center to accommodate tournament attendees and was expressed disappointment that the fine dining restaurant would now be a prep center for processed foods.

Cliff Hansen stated support for the new ownership and plans and that the new and upgraded facilities will be an asset to the community.

Commissioner Wood closed the public hearing at 6:51 p.m.

Mr. Pehrson stated he will work with the homeowners who spoke this evening regarding remedies to the concerns expressed. Commissioner Pengra expressed appreciation for Mr. Pehrson's willingness to work with homeowners to resolve concerns.

Commissioner Everett expressed concern that large events or tournaments would exceed facility capacity.

Mr. Pehrson explained the company model of selling affordable golf course and fitness facility memberships: \$50 for an individual, \$60 for a couple and \$70 for a family per month. He said the members have key fobs that allow use of the fitness facility as desired and memberships for only the golf course or the fitness center are also available. He explained the company does not oversell memberships or allow the facilities to fall into disrepair to ensure member satisfaction and continued patronage.

Mr. Pehrson explained tournament function and said a full tournament would include 140 people, and it is rare to fill a tournament. He said GreatLIFE strives to balance tournament frequency to ensure members have course access, and he explained that tournaments usually occur during the day and most non-golf events are held in the evenings.

Mr. Pehrson said that the existing clubhouse and kitchen will continue as currently functioning, and explained the layout, functionality, connectivity, and division of the event and fitness centers, and the limited number of showers due to the proximity to members' homes. He said the second-floor office space is designed for approximately five offices with the intent of leasing some of the space to other business entities. He said staffing varies with the season with a maximum of two

full-time, ten part-time, and three ground staff for a total of fifteen employees with expansion plans for the prep kitchen on the main floor to a full kitchen, which would necessitate additional staff.

Mr. Pehrson explained GreatLIFE acquires struggling golf courses and adds a fitness facility, onsite when possible, and event centers, when needed. Their model includes a desire to remove the elitist stigma, make golf accessible to more people, and to be involved within the community with golf and other events. He said plans include use of the existing golf cart trails and storage and the addition of a putting green and a decorative retaining wall on the southwest end of the property.

Discussion ensued regarding accommodating the greenspace requirement through the inclusion of a putting green.

Mr. Pehrson explained the golf course, putting green, and driving range would all be open for public use, not members only, and plans have been on hold pending City Council approval. Soil compaction studies and drainage will be addressed. He said due to variance in peak usage times, parking should be sufficient and a reduction of a two-way lane to the rear of the parking lot would allow for an addition of eleven parallel parking spots in the rear of the parking lot, and four spots near the entry.

Discussion ensued regarding parking requirements, concerns, and potential solutions.

Jeff Habertson with GreatLIFE Golf and Fitness Club said that golf tournaments occur during May to September and the event center has doors that open allowing for flow to an outdoor area.

Commissioner Wood said the fine dining restaurant was one of the key amenities for the approval of the Golf Course preliminary plat in October 2018, and expressed the desire for a timely construction of the kitchen expansion and for GreatLIFE to consider the previous agreement and community benefit in their plans to ensure a favorable outcome with the City Council.

Commissioner Pengra suggested Mr. Pehrson listen to the October 2, 2018 City Council meeting to determine his interpretation of the City Council's guidelines and concerns and said the Ranches Golf Course and Event Barn site plan appears to comply with Municipal Code requirements. Commissioner Wood said the site plan needs to adhere to the original agreement in addition to the Municipal Code.

Commissioner Everett said this event space will help make the golf course viable which will benefit the community and expressed preference for a larger event space to attract larger golf tournaments. In spite of his reservations, including parking, he suggested recommending approval to the City Council. He expressed concern that the aesthetics of existing club house conflicts with the proposed elevations for the event barn and fitness center.

Mr. Pehrson said in order to attract weddings, the facilities need to look beautiful and plans are in place to improve the existing clubhouse elevation aesthetics in conjunction with the construction of the event barn and fitness center facility, until the existing clubhouse can be replaced at a future date. He said the exterior elevations for the barn include wood and Hardie board siding to maintain a traditional barn-like appearance.

Mr. Pehrson expressed willingness to agree to a condition to increase parking by approximately fifteen spaces. He apologized to the homeowners impacted by previous excavation and said the dirt will be removed from the area.

Mr. Hadley said the area is currently zoned as Golf Course Open Space. City Attorney Jeremy Cook has indicated that the additional amenities in the event barn and fitness center are permitted per Municipal Code as ancillary uses to the golf course.

Discussion ensued regarding the permissibility of tenant use of the second-floor office space, and it was determined that the Golf Course Open Space zone is vague when it comes to office space, and doesn't specifically prohibit it.

Commissioner Wright suggested the City Council verify parking sufficiency.

MOTION: *Commissioner Pengra moved to recommend approval of The Ranches Event Barn (at the Golf Course) site plan to the City Council with the following condition:*

- 1. A full set of engineering plans shall be submitted to staff, which includes drainage, a detailed design for the putting green, and no less than ten additional parking stalls, but as may as can reasonably fit in the existing parking lot.*

Commissioner Everett seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Christopher Pengra. The motion passed with a unanimous vote.

[6.B. Development Code Amendment - Airpark Zone - Public Hearing](#)

Mr. Mumford presented the item and stated an applicant has requested a rezone of his property to the Airpark zone. The Planning Commission recently requested that the Airpark Zone be placed on this agenda for consideration of removal from the Municipal Code due to concerns regarding permitted and conditional uses within the zone. The Airpark zone appears to have been created years ago and was intended for a much more robust airpark than has been recently considered by landowners and applicants. The current zone allows for manufacturing, distribution, research and development, shopping centers, and aircraft manufacturing.

Commissioner Wood requested the Commission consider if the City should have an Airpark zone and, if allowed, where in the City the Airpark zone should be permitted, as the zone is not currently included in the General Plan.

Commissioner Pengra said he is in favor of the inclusion of an Airpark zone in the Municipal Code and General Plan to attract and permit light aircraft hobbies and interests within the City; however, amendments to the current Airpark zone uses are needed.

Commissioner Wood explained the Airpark Zone was created for the Jake Garn Airport, which closed in 2018; the Facebook datacenter is being constructed near this location. He said he is not

against allowing a light aircraft airport within the City, but feels the zoning, as written, would be inappropriate for the location the applicant has requested to be rezoned to Airpark.

Commissioner Wood opened the public hearing at 7:58 p.m. As there were no comments, he closed the hearing.

Commissioner Pengra stated that due to land and airspace limitations, Eagle Mountain is unlikely to be allowed an executive airport, even if one should be desired.

Commissioner Wright asked if the applicant has met the conditions included when the Planning Commission previously tabled the request. Mr. Mumford said Mr. Cook recommended the removal of the zone concur with the presentation of the applicant's returning request. Commissioner Wright stated the active application should be resolved before amending or removing the Airpark zone.

Commission Everett stated his support of retaining and amending the Airpark zone to accommodate a light aircraft airport and to determine an appropriate land use area within the General Plan.

Commission Pengra offered to research aircraft zone uses in other cities to assist the Commission in their decision.

MOTION: *Commissioner Wright moved to table the amendment to the Eagle Mountain Municipal Code Chapter 17.45 Airpark Zone until the next scheduled Planning Commission work session meeting. Commissioner Wood seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Christopher Pengra. The motion passed with a unanimous vote.*

6.C. Commercial Zones - Creating and Amending the Commercial Code - Public Hearing

The Planning Commission and City staff discussed the Eagle Mountain Municipal Code Chapter 17.35 Commercial Zones as presented in Exhibit A, and made amendments as presented in Exhibit B.

MOTION: *Commissioner Pengra moved to recommend approval of the amendment to Eagle Mountain Municipal Code Chapter 17.35 Commercial Zones to the City Council as discussed and amended in the working document (see Exhibits A and B). Commissioner Wright seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Christopher Pengra. The motion passed with a unanimous vote.*

7. Discussion Items

8. Next scheduled meeting

Mr. Hadley stated the next scheduled meeting will include discussion of the Business Park and Air Park Zones, retaining walls, Overland Village Phase 2 Concept Plan, and Marketplace Town Center.

9. Adjournment

MOTION: *Commissioner Everett moved to adjourn. Commissioner Pengra seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Christopher Pengra. The motion passed with a unanimous vote.*

The meeting was adjourned at 9:39 p.m.

Approved by the Planning Commission on April 14, 2020.

Steve Mumford

Steve Mumford, AICP
Community Development Director

Exhibit A

Chapter 17.35 COMMERCIAL ZONES

Sections:

17.35.010 What this Chapter Does

17.35.020 Commercial Zones

17.35.030 Land Use Table

17.35.040 Commercial Development Standards

17.35.050 Generally Applicable Provisions

17.35.010 What this chapter does.

In order to further the purposes of LUDMA (Utah’s Municipal Land Use, Development, and Management Act) and the City’s General Plan, the city is divided into various zones, including a number of commercial and office zones. This chapter establishes the land use regulations for these zones in Eagle Mountain City, including allowed uses, minimum land use standards, and other development provisions.

17.35.020 Commercial Zones.

1. Zone: **Commercial Neighborhood (CN)**. This zone provides small scale commercial retail, office, and services, located to accommodate the daily needs of local residents. Uses should be integrated with adjacent neighborhoods and impose minimal impacts resulting from traffic, lighting, noise, etc. This zone is generally appropriate within some areas designated as Community Commercial on the City’s Future Land Use Map.
2. Zone: **Commercial Community (CC)**. This zone provides areas of commercial retail, office, and services, located near transportation hubs and major intersections and designed to buffer neighboring residential areas. Developments should incorporate coordinated circulation, architecture, and landscaping, and a balance of uses oriented to local residents and passing motorists. This zone is generally appropriate within some areas designated as Community Commercial on the City’s Future Land Use Map.

17.35.030 Land Use Table.

This land use table contains the various land uses that are permitted, special, and prohibited uses in the commercial zones. Uses that are not listed in this table are prohibited.

P = Permitted (Permitted uses may still require approval through an application process as detailed in this chapter and other chapters)

S = Special (Special uses are permitted uses that must also comply with the standards listed in Chapter 17.75 EMMC that are specific to that type of use)

BLANK = Prohibited

Land Use Table

LAND USE	ZONING DISTRICT	
	Commercial Neighborhood (CN)	Commercial Community (CC)
RESIDENTIAL USES		
Assisted Living Facility (Residential Facility for Elderly Persons)	P	P
Bed and Breakfast	P	P
Caretaker / security guard dwelling unit		
Residential Juvenile Group Home; Residential Facility for Persons with a Disability; Residential Rehabilitation and Treatment Facility		S
Skilled Nursing Facility; Transitional Care Facility		P
CIVIC / INSTITUTIONAL		
Cultural & Entertainment Uses (Theaters, Museums, Galleries, Libraries, Performing Arts Studios, Movies, etc.)		P
Schools (Public / Charter / Private)	S	S
Public / Civic buildings & facilities (City Owned)	P	P
Public parks, plazas, trails, and open space	P	P
Religious or Cultural Meeting Halls	S	S
Sports Facilities / Arenas / Fields (Indoor)		P
Transit Stop (Bus, Light-Rail)	P	P
COMMUNICATION & UTILITIES		
Communication Facilities & Towers	S	S
Electrical Substations & Power Transmission Lines		S
Public and Private (with franchise agreement) Utility Underground Lines, Utility Buildings, and other Above Ground Structures	S	S
Public and private utility equipment and inventory storage, fenced or enclosed	S	S
COMMERCIAL / NONRESIDENTIAL USES		
Adult Group Care Facility (Nonresidential)		
Animal Care Service		S
Athletic Instruction, including Dance, Gymnastics, Martial Arts, etc.	P	P
Automobile gas/service stations	P	P
Automobile sales and/or minor service		P
Automobile Service & Repair (minor)		P
Automobile Service & Repair (including auto body)		
Banks & Credit Unions	P	P
Brewery		P
Car Wash		P
Check Cashing and Deferred Deposit Lenders ³		
Child Day Care Center or Preschool	P	P

Construction and Equipment Sales / Rental		
Convenience Store	P	P
Corner Market	P	P
Fitness Center	P	P
Flex Office / Retail / Warehouse		
Grocery Store	P	P
Hospital		
Hotel ⁴		P
Laundry Services (No Dry Cleaning)	P	P
Laundry & Dry Cleaning Services		P
Mortuary		P
Moving and storage facilities and businesses		
Office (Medical, Health Care, Professional)	P	P
Outdoor Sales and Display (including storage of materials, products, and equipment incidental to an allowed use)	S	S
Outdoor storage/parking of recreational vehicles, trailers, boats, and similar vehicles		
Parking Garage		S
Pawn Shop		
Pharmacy ³		P
Plant & Tree Nursery / Garden Center (with outside display)		S
Portable Storage Container		
Race Tracks for Go-Carts, ATVs, and other Motorized Sports Recreational Facilities		
Reception/Conference/Meeting Center	S	S
Recreation (indoor)		P
Recreational Vehicle Sales/Rentals		P
Research and Development Facilities, including medical or electronic assembly and associated light manufacturing		
Restaurant or Bakery (without drive-through services)	P	P
Restaurant (with drive-through services)		P
Retail Sales, General ¹		P
Retail Sales, Neighborhood (generally < 5,000 sq ft) ²	P	P
Retail Sales, Regional (generally > 55,000 sq ft)		
Salon (hair, nails, etc.)	P	P
Sexually Oriented Business		
State Liquor Store		
Storage Units (self-storage or mini-storage)		
Temporary Sales (Christmas tree lots, farmers market or fruit/vegetable stands, fireworks, food trucks, snow cones, etc.)	S	S
Tobacco Specialty Business		

¹ Includes arts & crafts sales, body art facility, electronic media rental & sales, hardware and home improvement, pet store, and uses deemed similar or appropriate by the City

² Includes bookstore, copy center or postal center, floral sales, ice cream or dessert shop, and uses deemed similar or appropriate by the City

³ Check cashing and deferred deposit lenders include any business that must register in accordance with Utah Code Ann. § 7-23-101, *et seq.*

⁴ Hotels offering extended stay must include a mix of extended stay and standard rooms (maximum 70% extended stay)

17.35.040 Commercial Development Standards.

This Development Standards table contains required standards for each commercial zone in the city. More details and clarification are included as footnotes and as generally applicable provisions later in this chapter.

Commercial Development Standards

General Plan Category	Community Commercial	
	CN (Commercial Neighborhood)	CC (Commercial Community)
Zone Designation	CN (Commercial Neighborhood)	CC (Commercial Community)
Maximum Height of Structures	35' ¹	50' ¹
Minimum Setback Requirements ²		
Front	5' Min; 20' Max	5' Min; 20' Max
Rear	20'	20' (35' ³)
Side	None (20' ³)	None (Equal to building height ³)

¹ Height is measured from the average of the highest finished grade and the lowest finished grade of the structure to the highest point of the roof, excluding ancillary structures.

² The approval authority may approve alternative setbacks if, in its judgment, the setbacks comply with the following:

1. Does not interfere with the use, enjoyment, and character of adjacent properties;
2. The success of the business necessitates the setbacks, proven by data or research;
3. The setbacks are not solely to provide space for parking between the building and the street;
4. Topography or natural features make it impossible or impracticable to place the building within the setback

*Maximum setback does not apply to anchor buildings if pad sites are provided which comply with this standard.

³ If adjacent to residential

17.35.050 Generally applicable provisions.

All development projects within the commercial zones in this chapter shall conform to the following general requirements:

A. Site Plan Approval. All permitted or special uses in the commercial zones must comply with Chapter 17.100 EMMC, Site Plan Review, unless exempted in that chapter.

B. Architecture & Site Design. All permitted or special uses in the commercial zones shall comply with Chapter 17.72 EMMC, Commercial and Multifamily Design Standards. Exceptions include communication & utility structures, transit stops, temporary commercial uses, and similar uses.

C. Lighting. All exterior lighting, including parking lot lights, building lights, and other lighting must comply with the standards found in Chapter 17.56 EMMC, Outdoor Lighting Standards. Streetlights are required to be paid for by developers and installed by the City's contractor along all roads in and surrounding a project, in accordance with Section 15.10.390 EMMC.

D. Parking. Parking stalls, including ADA stalls, and parking lot improvements shall be provided in accordance with the standards in Chapter 17.55 EMMC, Off-Street Parking.

E. Landscaping. All landscaping shall comply with the standards in Chapter 17.60 EMMC, Landscaping, Buffering, Fencing and Transitioning. Landscaping in parking lots shall comply with Chapter 17.55 EMMC, Off-Street Parking. All landscaping shall be installed prior to the issuance of a certificate of occupancy for the building. The City Building Official may approve exceptions as seasonal conditions warrant. It shall be the responsibility of the property owner to maintain all approved landscaping in accordance with the approved site plan and in compliance with the City's parking and landscaping requirements.

F. Buffers and Transitions Between Developments and Uses. Commercial and other non-residential uses require buffering or transitioning when built adjacent to residential uses. Buffering standards can be found in Chapter 17.60 EMMC, and include walls or fences, landscaping, and distance separations. Screening walls shall be built by the developer/builder of the commercial or non-residential use, when adjacent to a residential use.

G. Hillside Development and Sensitive Lands. No construction, development, or earthwork may occur on land restricted by utility corridors, natural washes, storm drain retention/detention areas, geologically sensitive areas that require special engineering considerations for safe habitation, and steep slopes, unless in full compliance with Chapters 15.80, 17.62, other applicable City Codes, and approved by the approval authority for site plans. The approval authority may consider, at their discretion, approval of uses on land restricted by utility corridors, including parking lots, recreation (trails, plazas, open space), appropriate temporary uses, and transit stops. Development projects that include hillsides, ridgelines, or retaining walls must comply with the standards in Chapters 15.80 and 17.62 EMMC. Development near natural washes must include significant setbacks from the edge of the wash to any structure, unless approved to pipe the wash. Utility corridors shall be preserved and deeded to the City whenever possible for trails and open space corridors.

H. Signs. Permanent monument signs for a project shall comply with the standards in Chapter 17.80, Sign Regulations and Sign Permits, and sign locations shall be reviewed along with the site plan review. All business signs require submittal and approval of a sign permit application, and signs may require a building permit.

I. Street Trees. Developers and/or builders shall plant appropriate trees in park strips along all public streets. Planting shall be done along with the project landscaping and in accordance with

the standards found in EMMC 16.35.080. Street trees are required along all collector and arterial roads.

J. Uses within Buildings. All uses in the commercial zones shall be conducted entirely within a fully enclosed building except those uses deemed by the approval authority to be customarily and appropriately conducted outside (merchandise, gas pumps, plant nurseries, home improvement material yards, automobile sales, etc.). No trash, used materials, wrecked or abandoned vehicles or equipment shall be stored in an open area. All such materials shall be kept within an opaque enclosure that is architecturally compatible with the main building. Trash enclosures, compactors, truck loading areas, and outdoor storage shall be oriented away from residential uses to the extent practical.

K. Bicycle Parking. Convenient bicycle parking shall be provided in locations that do not interfere with pedestrian circulation. Bicycle parking facilities shall be disbursed throughout larger sites and located in convenient and visible areas.

L. Drive-Through Lanes. Drive-through lanes shall be located away from adjoining residential developments. Speakers and menu boards shall be located so that noise is not directed toward residential uses and shall incorporate a screen wall and landscaping to mitigate noise. Where possible, public access doors shall not be located in an area that requires pedestrians/customers to cross drive-through lanes. Where unavoidable, improvements shall be provided to slow vehicles or improve visibility for pedestrians.

Exhibit B

Chapter 17.35 COMMERCIAL ZONES

Sections:

17.35.010 What this Chapter Does

17.35.020 Commercial Zones

17.35.030 Land Use Table

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17.35.050 Generally Applicable Provisions

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Bed and Breakfast	P	P
Caretaker / security guard dwelling unit		
Residential Juvenile Group Home; Residential Facility for Persons with a Disability; Residential Rehabilitation and Treatment Facility		S
Skilled Nursing Facility; Transitional Care Facility		P
CIVIC / INSTITUTIONAL		
Cultural & Entertainment Uses (Theaters, Museums, Galleries, Libraries, Performing Arts Studios, Movies, etc.)		P
Schools (Public / Charter / Private)	S	S
Public / Civic buildings & facilities (City Owned)	P	P
Public parks, plazas, trails, and open space	P	P
Religious or Cultural Meeting Halls	P	P
Sports Facilities / Arenas / Fields (Indoor)		P
Transit Stop (Bus, Light-Rail)	P	P
COMMUNICATION & UTILITIES		
Communication Facilities & Towers	S	S
Electrical Substations & Power Transmission Lines		S
Public and Private (with franchise agreement) Utility Underground Lines, Utility Buildings, and other Above Ground Structures	S	S
Public and private utility equipment and inventory storage, fenced or enclosed	S	S
COMMERCIAL / NONRESIDENTIAL USES		
Adult Group Care Facility (Nonresidential)		P
Animal Care Service		S
Athletic Instruction, including Dance, Gymnastics, Martial Arts,	P	P

etc.		
Automobile gas/service stations	P	P
Automobile sales and/or minor service		P
Automobile Service & Repair (minor)		P
Automobile Service & Repair (including auto body)		P
Banks & Credit Unions	P	P
Brewery		P
Car Wash		P
Car Wash (Ancillary to a gas/service station)	S	P
Check Cashing and Deferred Deposit Lenders ³		
Child Day Care Center or Preschool	P	P
Construction and Equipment Sales / Rental		
Convenience Store; Corner Market	P	P
Fitness Center	P	P
Flex Office / Retail / Warehouse		
Grocery Store	P	P
Hospital		
Hotel ⁴		P
Laundry Services (No On-Site Dry Cleaning)	P	P
Mortuary		P
Moving and storage facilities and businesses		
Office (Medical, Health Care, Professional)	P	P
Outdoor Sales and Display (including storage of materials, products, and equipment incidental to an allowed use)	S	S
Outdoor storage/parking of recreational vehicles, trailers, boats, and similar vehicles		
Parking Garage		S
Pawn Shop		
Pharmacy (Retail)	P	P
Plant & Tree Nursery / Garden Center (with outside display; min. 1 acre lot)	S	P
Portable Storage Container		
Race Tracks for Go-Carts, ATVs, and other Motorized Sports Recreational Facilities		
Reception/Conference/Meeting Center	S	S
Recreation (indoor)		P
Recreational Vehicle Sales/Rentals		P
Research and Development Facilities, including medical or electronic assembly and associated light manufacturing		

Restaurant or Bakery (without drive-through services)	P	P
Restaurant (with drive-through services)	S	P
Retail Sales, General ¹		P
Retail Sales, Neighborhood (generally < 5,000 sq ft) ²	P	P
Retail Sales, Regional (generally > 55,000 sq ft)		
Salon (hair, nails, etc.)	P	P
Sexually Oriented Business		
State Liquor Store		P
Storage Units (indoor climate-controlled)		P
Temporary Sales (Christmas tree lots, farmers market or fruit/vegetable stands, fireworks, food trucks, snow cones, etc.)	S	S
Tobacco Specialty Business		S

¹ Includes arts & crafts sales, body art facility, electronic media rental & sales, hardware and home improvement, pet store, and uses deemed similar or appropriate by the City

² Includes bookstore, copy center or postal center, floral sales, ice cream or dessert shop, and uses deemed similar or appropriate by the City

³ Check cashing and deferred deposit lenders include any business that must register in accordance with Utah Code Ann. § 7-23-101, *et seq.*

⁴ Hotels offering extended stay must include a mix of extended stay and standard rooms (maximum 70% extended stay)

17.35.40 Commercial Development Standards.

This Development Standards table contains required standards for each commercial zone in the city. More details and clarification are included as footnotes and as generally applicable provisions later in this chapter.

Commercial Development Standards

General Plan Category	Community Commercial	
	CN (Commercial Neighborhood)	CC (Commercial Community)
Maximum Height of Structures	35' ¹	50' ¹
Minimum Setback Requirements ²		
Front	5' Min; 20' Max	5' Min; 20' Max
Rear	20'	20' (35' ³)

Side	None (20 ³)	None (Equal to building height ³)
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¹ Height is measured from the average of the highest finished grade and the lowest finished grade of the structure to the highest point of the roof, excluding ancillary structures.

² The approval authority may approve alternative setbacks if, in its judgment, the setbacks comply with the following:

1. Does not interfere with the use, enjoyment, and character of adjacent properties;
2. The success of the business necessitates the setbacks, proven by data or research;
3. The setbacks are not solely to provide space for parking between the building and the street;
4. Topography or natural features make it impossible or impracticable to place the building within the setback

*Maximum setback does not apply to anchor buildings if pad sites are provided which comply with this standard.

³ If adjacent to residential

17.35.050 Generally applicable provisions.

All development projects within the commercial zones in this chapter shall conform to the following general requirements:

A. Site Plan Approval. All permitted or special uses in the commercial zones must comply with Chapter 17.100 EMMC, Site Plan Review, unless exempted in that chapter.

B. Architecture & Site Design. All permitted or special uses in the commercial zones shall comply with Chapter 17.72 EMMC, Commercial and Multifamily Design Standards. Exceptions include communication & utility structures, transit stops, temporary commercial uses, and similar uses.

C. Lighting. All exterior lighting, including parking lot lights, building lights, and other lighting must comply with the standards found in Chapter 17.56 EMMC, Outdoor Lighting Standards. Streetlights are required to be paid for by developers and installed by the City’s contractor along all roads in and surrounding a project, in accordance with Section 15.10.390 EMMC.

D. Parking. Parking stalls, including ADA stalls, and parking lot improvements shall be provided in accordance with the standards in Chapter 17.55 EMMC, Off-Street Parking.

E. Landscaping. All landscaping shall comply with the standards in Chapter 17.60 EMMC, Landscaping, Buffering, Fencing and Transitioning. Landscaping in parking lots shall comply with Chapter 17.55 EMMC, Off-Street Parking. All landscaping shall be installed prior to the issuance of a certificate of occupancy for the building. The City Building Official may approve exceptions as seasonal conditions warrant. It shall be the responsibility of the property owner to maintain all

approved landscaping in accordance with the approved site plan and in compliance with the City's parking and landscaping requirements.

F. Buffers and Transitions Between Developments and Uses. Commercial and other non-residential uses require buffering or transitioning when built adjacent to residential uses. Buffering standards can be found in Chapter 17.60 EMMC, and include walls or fences, landscaping, and distance separations. Screening walls shall be built by the developer/builder of the commercial or non-residential use, when adjacent to a residential use.

G. Hillside Development and Sensitive Lands. No construction, development, or earthwork may occur on land restricted by utility corridors, natural washes, storm drain retention/detention areas, geologically sensitive areas that require special engineering considerations for safe habitation, and steep slopes, unless in full compliance with Chapters 15.80, 17.62, other applicable City Codes, and approved by the approval authority for site plans. The approval authority may consider, at their discretion, approval of uses on land restricted by utility corridors, including parking lots, recreation (trails, plazas, open space), appropriate temporary uses, and transit stops. Development projects that include hillsides, ridgelines, or retaining walls must comply with the standards in Chapters 15.80 and 17.62 EMMC. Development near natural washes must include significant setbacks from the edge of the wash to any structure, unless approved to pipe the wash. Utility corridors shall be preserved and deeded to the City whenever possible for trails and open space corridors.

H. Signs. Permanent monument signs for a project shall comply with the standards in Chapter 17.80, Sign Regulations and Sign Permits, and sign locations shall be reviewed along with the site plan review. All business signs require submittal and approval of a sign permit application, and signs may require a building permit.

I. Street Trees. Developers and/or builders shall plant appropriate trees in park strips along all public streets. Planting shall be done along with the project landscaping and in accordance with the standards found in EMMC 16.35.080. Street trees are required along all collector and arterial roads.

J. Uses within Buildings. All uses in the commercial zones shall be conducted entirely within a fully enclosed building except those uses deemed by the approval authority to be customarily and appropriately conducted outside (merchandise, gas pumps, plant nurseries, home improvement material yards, automobile sales, etc.). No trash, used materials, wrecked or abandoned vehicles or equipment shall be stored in an open area. All such materials shall be kept within an opaque enclosure that is architecturally compatible with the main building. Trash enclosures, compactors, truck loading areas, and outdoor storage shall be oriented away from residential uses to the extent practical.

K. Bicycle Parking. Convenient bicycle parking shall be provided in locations that do not interfere with pedestrian circulation. Bicycle parking facilities shall be disbursed throughout larger sites and located in convenient and visible areas.

I. Drive-Through Lanes. Drive-through lanes shall be located away from adjoining residential developments. Speakers and menu boards shall be located so that noise is not directed toward residential uses and shall incorporate a screen wall and landscaping to mitigate noise. Where possible, public access doors shall not be located in an area that requires pedestrians/customers to cross drive-through lanes. Where unavoidable, improvements shall be provided to slow vehicles or improve visibility for pedestrians.

Signature: *Steve Mumford*
Steve Mumford (Apr 16, 2020)

Email: smumford@emcity.org



PC Minutes 03.10.2020

Final Audit Report

2020-04-16

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