

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, APRIL 14, 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: Present: Wendy Komoroski, Miriam Allred, John Linton, and Matthew Everett. Excused: Daniel Boles

CITY STAFF PRESENT: Steve Mumford, Planning Director; Mike Hadley, City Planner; Ken Sorenson, City Planner; and Johna Rose, Deputy Recorder.

1. Pledge of Allegiance

Commissioner Linton led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes
A. March 10, 2015

MOTION: *Matthew Everett moved to approve the March 10, 2015 meeting minutes. Wendy Komoroski seconded the motion. Those voting aye: John Linton, Wendy Komoroski, and Matthew Everett. Miriam Allred abstained. The motion passed with 3 ayes and 1 abstention.*

4. Election of Chair & Vice-Chair

MOTION: *Wendy Komoroski moved to appoint John Linton as Planning Commission Chair for the 2015 year. Matthew Everett seconded the motion. Those voting aye: Miriam Allred, Wendy Komoroski, and Matthew Everett. John Linton abstained. The motion passed with 3 ayes and 1 abstention.*

MOTION: *Miriam Allred moved to appoint Wendy Komoroski as Planning Commission Vice Chair for the 2015 year. Matthew Everett seconded the motion. Those voting aye: John Linton, Miriam Allred, and Matthew Everett. Wendy Komoroski abstained. The motion passed with 3 ayes and 1 abstention.*

5. Development Items

A. Agricultural Protective Area Rezone; Public Hearing, Action Item

An application for an Agriculture Protection Area for a property located in the southern portion of Eagle Mountain City just south of the Community Development Building and the sewer treatment plant.

Mike Hadley explained that the applicant is proposing to create an agricultural protection area. Creating an agricultural protection area guarantees the property owner the right to continued agricultural use regardless of what happens with future development surrounding the property. If development of the surrounding property occurs new development cannot infringe on the agricultural protection area. The rights of the agricultural protection area supersede any of the new developments rights. The property owner/owners can request that the protection be removed and the property rezoned at any time before it is reviewed in twenty years.

In evaluating the proposal and determining whether or not to create or recommend creating the following criteria should apply as per Utah State Code:

1. Whether or not the land is currently being used for agriculture production.
2. Whether or not the land is zoned for agriculture use.
3. Whether or not the land is viable for agriculture production.
4. The extent and nature of existing or proposed farm improvements.
5. In agriculture protection area anticipated trends in agriculture and conditions.

Commissioner Linton opened the public hearing at 6:07 p.m.

Keith Jonsson, applicant, explained that he has been here for 20 years with about 700 acres and has a major investment in the agricultural land. He felt that the land meets the State and City criteria for an agricultural protection area.

Commissioner Linton closed the public hearing at 6:13 p.m.

MOTION:

Wendy Komoroski moved to recommend approval to the City Council of the Jonsson Property Agricultural Protective Area Rezone. Miriam Allred seconded the motion. Those voting aye: Wendy Komoroski, John Linton, Miriam Allred, and Matthew Everett. The motion passed with a unanimous vote.

B. Willis Miller Site Plan; Public Hearing, Action Item

Ken Sorenson presented the Willis Miller site plan project, The applicant submitted an application to install a storage shed for construction equipment on the 131.7 acre parcel owned by Monte Vista Ranch LC. The building is a steel structure that is approximately 56' x 40'. The site is located to the west of the City's Public Works facilities and is accessed via Pony Express Parkway. The applicant states that the shed will be used to store construction equipment used for his business; currently, the applicant stores construction equipment on the site. The applicant has the consent of the landowner to seek a site plan approval for this structure and has indicated that he will be leasing the 5 acres that the site plan is located on. Since the property is located in an area that has historically been an agricultural use, current zoning notwithstanding, the applicant has elected to proceed with an application that the applicant believes is compatible with the surrounding area despite not meeting development standards for a property in the Industrial Zone.

Zoning

The property is located within the Monte Vista Ranch, LC & Eagle Mountain Properties, LLC Master Development Plan and is zoned 'Industrial.' A storage shed would be a permitted use within this zone; however, there are typically development standards that are required when an individual proceeds with development in certain zones

Access/Parking

The applicant is providing an asphalt entrance with 30-foot radius in the right-of-way. The applicant's site plan identifies the project access road as impervious; it is unclear if this means current or future plans for paving the access road.

Fire

The Fire Marshal has required that the applicant maintains a gravel access road to provide year-round emergency access. Additionally, the Fire Marshal has stipulated that the structure is to be used only for storage purposes, meaning that the structure cannot be used as a repair garage. If used as a repair facility, the Fire Marshal would require asphalt throughout the site and a fire hydrant.

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

Willis Miller, applicant, explained that he has worked in the area since 1998 and has had a construction yard with his equipment for about five years on the property. He explained that he has had problems with theft and vandalism. He also needs to get his equipment out of the weather. He said that the storage shed would look similar to the public works and sewer buildings. It is out of his means to make it an industrial zone. Commissioner Linton asked Mr. Miller if he would comply with the staff reports conditions. Mr. Miller is willing to accept the conditions.

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

MOTION:

Wendy Komoroski moved to recommend approval to the City Council of the Willis Miller Site Plan with the following conditions:

- 1. Only storage of equipment is allowed within the structure.***
- 2. Maintain gravel access road to provide year-round emergency access.***
- 3. Provide portable fire extinguishers inside the building.***
- 4. Provide street improvements for frontage as required by the City Engineer.***

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

C. Development Code Amendments – Septic Systems; Public Hearing, Action Item

This City-proposed code amendment changes the City's septic system standards with which developers must comply. It amends Chapter 13.20, 15.45, & 17.25.

Steve Mumford presented the septic system code amendment. He said that the EPA estimates that 25% of U.S. homes operate with a septic system and 10% - 20% of these systems fail each year. He explained that the Utah County Health Department has concerns.

Health Department Concerns:

- Oversaturation (too many septic tanks in one area)
- Eventual groundwater pollution
- Bedrock prevents percolation
- Not enough room for a replacement septic system on ½ acre lots

Currently:

- Septic tanks allowed on lots as small as ½ acre
- Allowed if located further than 300 feet from a sewer line
- Examples: Valley View Ranch, North Ranch, Sage Valley, Meadow Ranch, Cedar Pass Ranch
- A large majority of cities in Utah County do not allow septic tanks

Proposal:

- City may require property owners to connect to the sewer system at the property owner's expense if the septic system is polluting the storm water or groundwater, impairing any culinary wells, or violating the Water Source Protection Overlay Zones.
- Only allowed in the following situations:
 - Lots in an existing septic system subdivision
 - Larger than 5 acre lot not in a subdivision
 - Lot larger than 2 acres & at least ¼ mile from existing sewer line
- Plat note will require owner to connect once a sewer line is within 300 feet of the building, and to support an assessment area, if proposed.

Commissioner Everett asked how the City would determine the source of the pollution from the septic tanks. Mr. Mumford explained that the City would have to require a study of the area to determine the source of the pollution. He said that the City could add wording to the Code to require the proper scientific study be performed.

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

None

Commissioner Linton closed the public hearing at 6.38 p.m.

MOTION:

Wendy Komoroski moved to recommend approval to the City Council of the Development Code Amendments – septic systems. Matthew Everett seconded the motion. Those voting aye: John Linton, Wendy Komoroksi, Miriam Allred, and Matthew Everett. The motion passed with a unanimous vote.

- D. Development Code Amendments – Parks & Open Space; Public Hearing, Action Item
This City-proposed code amendment changes the City's parks and open space standards with which developers must comply. It amends Chapter 16.30, 16.35, 17.10, & 17.30.

Mr. Mumford presented the Parks and Open Space amendments.

Goals:

- Creative, unique, destination parks

- Better improvements & amenities (not just the bare minimum or the basics)
- Parks improved earlier in the process
- Finished parks
- Parks to be designed as a key feature in the development, not the left-over or unbuildable pieces
- Encourage larger parks, combined with other projects
- Simplify the process

Goal: Simplify the Process

- Easier calculation = 1,000 sq ft / unit
- Simplify Parks & Open Space worksheet (submitted with preliminary plat)
- Park Classification
 - Simply requiring “improved open space” instead of pocket parks, neighborhood parks, etc.
- Requiring park acreage per unit rather than per buildable acre – 1,000 sq ft per unit/lot
 - Average Master Plan / Prelim Plat Acreage = 993 sq ft / unit
 - Scenic Mountain = 789 sq ft / unit
 - Oquirrh Mountain = 1,181 sq ft / unit
 - Evans Ranch = 1,196 sq ft / unit
 - Hidden Valley = 1,023 sq ft / unit
 - Clearview Estates = 1,249 sq ft / unit
 - Pole Canyon = 873 sq ft / unit
 - SilverLake (new section) = 781 sq ft / unit
 - Porter’s Crossing Town Center = 898 sq ft / unit
 - Sunset Ridge = 1,175 sq ft / unit
 - Harmony = 584 sq ft / unit

Goal: Finished Parks

- Allow developers to “buy-down” acreage by providing extra amenities/improvements at a ratio of 150 points / acre, at the discretion of the PC & CC.
- If less than 2 acres are required, and no HOA exists or will exist, then City may require a fee-in-lieu or improvement of an existing park.
- Don’t count natural open space areas as “improved open space.”

Goal: Parks Improved Earlier in the Process

- Require parks to be completed with project infrastructure, or bonded 200% with first two plats.

Goal: Better Improvements & Amenities

- Point system = 100 points/acre
- Points based upon cost of improvements (approx. \$500/point)
- More points may be given for creativity & unique improvements
- Allow developers to “buy-down” acreage by providing extra amenities/improvements at a ratio of 150 points / acre, at the discretion of the PC & CC.

Goal: Parks Designed as Key Features of Development

- Point Values & Cost do not include grading, excavation, clearing, grubbing, or utility costs
- Included as a requirement in 16.35.105

Goal: Encourage Larger Parks

- Reducing the fee-in-lieu to \$3.50 / sq ft of required park space

- Park size minimum of 2 acres for City-owned parks
- If less than 1 acre is required, a fee-in-lieu is required
- PC & CC may require a fee-in-lieu for Tier I open space requirements (encouraged)

Goal: Creative, Unique, Destination Parks

- Impact fees
- Put together a packet of amenities or improvements that are desired by the City, from which developers & City staff can choose when designing parks

Commissioners were concerned with getting away from pocket parks all together. They realized that some pocket parks were under-utilized, where others were highly utilized. Commissioner Linton requested that the word maybe be used for pocket parks, because in some subdivisions it makes more sense to have a pocket park than a larger park farther away.

Commissioner Linton opened the public hearing at 7:15 p.m.

Elise Erler, SITLA, explained how important preserving parks and open space is for the future of Eagle Mountain.

Her suggestions and concerns:

- She understands how hard it is to complete large parks. She suggested that the City leave unfinished areas as lawn for parks, to help with longevity and new generations' needs for parks.
- The City should give developers incentive to help develop larger parks.
- The City should look at getting land up front from the developer.
- She liked the idea of consolidating parks.
- She was concerned with reducing the fee-in-lieu to \$3.50.
- The City should put more value on natural open space like ridges and hill tops. She said the code only gives the developer value for trails.
- City shall determine the timing and location of park improvements with the fee-in-lieu.
- The City should add water-wise landscaping to the Code.
- Putting park concept plan on the City web.
- 110 percent for the bond need to be clarified in the code.

Commissioner Linton closed the public hearing at 7:43 p.m.

Commissioner Komoroski liked the idea of having long term plans for parks in the Code.

Commissioner Linton was concerned about reducing the fee-in-lieu to \$3.50. Mr. Mumford explained that Eagle Mountain City is higher than other cities. The developers have been discouraged from paying the fee-in-lieu, and the City is left with small, undesirable parks the developers just throw in anywhere. Commissioner Allred suggested that the City leave the \$5.75 fee-in-lieu.

Commissioners liked the idea of giving credits to developers for natural open space like ridges and hill tops at the Commissioners' and City Council discretion. Mr. Mumford said that he would look into preserving ridge tops.

Commissioners recommended water-wise landscaping.

MOTION:

Wendy Komoroski moved to recommend approval to the City Council of the Development Code Amendments – parks & open space with the recommendations that were discussed in the meeting. Miriam Allred seconded the motion. Those voting aye: John Linton, Wendy Komoroksi, Miriam Allred, and Matthew Everett. The motion passed with a unanimous vote.

6. Adjournment

The meeting was adjourned at 7:58 p.m.

APPROVED BY THE PLANNING COMMISSION ON MAY 26, 2015



Steve Mumford, Planning Director