

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, JUNE 12, 2012 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: Daniela Camacho, Scott Langford, Preston Dean, John Linton and Tom Maher

CITY STAFF PRESENT: Steve Mumford, Mike Hadley, Deputy Garrett Dutson, Sergeant Eldon Packer and Johna Rose

ELECTED OFFICIALS PRESENT: Ryan Ireland and Donna Burnham

1. Pledge of Allegiance

Tom Maher led the Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes – May 22, 2012

MOTION:

John Linton moved to approve the May 22, 2012, meeting minutes. Preston Dean seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, Daniela Camacho and Tom Maher. The motion passed with a unanimous vote.

4. City Council Action Update

Steve Mumford stated that a joint meeting with Saratoga Springs and Eagle Mountain will be held June 13, 2012 at Saratoga Springs City Office. They will be discussing a boundary adjustment, the CWP water line extension project and the Pony Express Parkway trail extension.

5. Development Items

A. Development Code Amendment – Chapter 17.85 Animal Regulations; Action Item, Public Hearing.

This proposal significantly amends Chapter 17.85, regulating pet and hobby animals and livestock according to lot size. Beekeeping regulations are also included.

Steve Mumford explained the reasons we're changing the animal ordinance are because of resident complaints with animals, the desire of residents to keep certain types of animals, and the Planning Commission requested a review of the ordinance. The four main areas of concern are hobby breeding, small breed goats, beekeeping, and chickens. Generally a City will only tackle one animal issue at a time, but the City is rewriting its entire animal ordinance. The existing animal uses that are compliant with the current code may be continued as a nonconforming use,

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, JUNE 12, 2012 AT 6:00 P.M.

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

unless it is discontinued for a year or more. The animal control chapter remains intact, prohibiting situations that may cause a public nuisance. A new table was created for household pets and hobby animals to regulate animals by lot size, required living area, and setbacks. The majority of cities in Utah County allow only two dogs per household. One change in the animal ordinance is that a conditional use permit will be required for additional dogs for the purposes of breeding, showing, racing, and service rather than a "hobby breeder permit."

Commissioner Maher asked if a resident can have every animal on the table vertically and if so how will the City be maintaining the amount of animals per lot.

Commissioner Langford explained that in West Jordan domestic types of animals are capped similar to this table and livestock animals are based on a point system per lot size.

Mr. Mumford explained and reviewed the proposed code amendment:

- Existing animal uses that are compliant with the current code may be continued as a nonconforming use, unless they are discontinued for a year or more.
- A table was created for hobby animals, including dogs and cats, regulating the number of animals based on lot size. The table also includes a minimum living area per animal, and a setback from the property line for shelters and structures only (not corrals, pens, etc.).
 - The "large dogs" and "small dogs" categories were combined into one "dogs" category on the table, and the numbers were modified slightly.
 - A combination of dogs and cats may not exceed 2 on a multi-family lot, or 4 on any other sized lot.
 - Turkeys and geese were added to the table, allowing 2 on ½ acre – 1 acre, and 2 additional per ½ acre.
- An alternative animal management plan may be approved by the Planning Commission through the conditional use permit process to allow exceptions to the table.
- The number of dogs available for breeding, showing, racing, or service, above and beyond the amount allowed by the table, is specified by lot size in the proposal.
- Chickens are regulated by lot size and the regulations are listed in the proposal.
- Small-breed goats are permitted on ¼ acre – ½ acre lots according to regulations listed in the proposal.
- Livestock grazing is permitted for greenbelt tax status on vacant land (commercial, industrial, airport) of greater than 5 acres, but prohibited in June, July, and August.
- Residential zone livestock table was modified, changing the setback to be for shelters and structures only, from the property line rather than the neighboring buildings.
- Beekeeping regulations are included, allowing 2 beehives on less than ½ acre, 3-5 beehives on ½ acre – 1 acre, and 5+ hives on lots greater than one acre in size. Beehives are restricted in side yards under 10 feet. Other regulations are detailed in the proposal.
- The animal control chapter of the Municipal Code remains intact, which prohibits situations that may cause a public nuisance, all detailed specifically. The section deals mostly with dogs, but also includes animals in general.

Commissioners Linton and Maher asked if we could add buffalos back into the table.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, JUNE 12, 2012 AT 6:00 P.M.

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

Commissioner Linton asked about the elk ranch in Cedar Pass Ranch and explained that the owner only keeps elk at certain times and that it is necessary for the owners business.

Mr. Mumford explained that the owner would be grandfathered in unless he removes the elk from the property for over a year, and then he would need to come in and get a conditional use permit.

Commissioner Maher opened the public hearing at 6:29 p.m.

Deputy Dutson explained that he had a meeting with the other animal control officers that work with other cities in Utah County. The majority of city are limiting the number of dogs and cats to two each. Cities have found that it's the best way to regulate dogs in the city, it helps control dogs at large, dog odors, dog bites, and barking dogs. He said the simpler you make the animal ordinance the easier it will be to enforce.

Commissioner Camacho asked if the majority of animal issues come from dogs. What is the percent of issues that come from the amount of dogs?

Deputy Dutson answered about five percent of dog issues come from the amount of dogs.

Deputy Dutson explained that the other issue that he was concerned with is grandfathering in, grandfathering goes with the lot and not the person. He suggested that maybe they have residents come in and sign an agreement.

Commissioner Linton asked if the conditional use permit is based on a corporation or person, not the property. (Example: an orthodontist in North Ranch could sell his house to another orthodontist and continue the same business on that lot.)

Mr. Mumford explained that the conditional use permit does go with the property rights.

Sergeant Eldon Packer explained that grandfathering in typically goes under property rights legally. He explained that when enforcing the code per lot size it becomes cumbersome.

Commissioner Camacho asked if the City could put something in the code to put the responsibility on the resident to prove the lot size.

Commissioner Maher closed the public hearing at 6:45 p.m.

Commissioners recommended or suggested to City Council:

- Only two dogs and two cats per residence.
- Grandfathering falls on the residents to show proof.
- Research the conditional use permit and the grandfathering in going with the property rights.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, JUNE 12, 2012 AT 6:00 P.M.

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

MOTION:

John Linton moved to approve and recommend the adoption of Code Amendment – Chapter 17.85 Animal Regulation with the changes discussed in this meeting. Preston Dean seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, Daniela Camacho and Tom Maher. The motion passed with a unanimous vote.

B. Concept Plan – Clearview Estates; Discussion Item.

This plan includes 287 acres, 244 of which are currently outside of the City boundaries (west of North Ranch, north of SR73). A petition has been submitted for annexation into the City, and a master development plan will be required for the property.

Mike Hadley explained that the proposed Clearview Estates Master Development Plan site is located just west of North Ranch subdivision and north of SR 73. It is a total of 287 acres; 43 acres are currently located within Eagle Mountain City boundaries and 244 acres are being proposed for annexation. The Master Development Plan will consist of 346 total units for an overall density of 1.2 units per acre. This falls under the Tier 1 residential development standards in the City's development code. The City Recorder's office is processing the proposed annexation of the property currently outside City boundaries.

Road access: Current City code requires that the minimum distance between accesses onto a highway (SR73) be 1,000 feet (600 ft for right turn only). An existing county road accesses SR73 immediately to the west of the first lot in North Ranch. This road access has been moved to the west approximately 200 feet in the proposed plan, but still remains less than 600 feet apart from Canyon Wash Drive; both roads would allow full access, not restricting any traffic movements. This road continues through the project, eventually providing access to the Wasatch Wing and Clay shooting range. Maintaining this road through the project creates a number of double-frontage lots, as well as some triple frontage "corner lots." In order to provide for safer conditions, staff recommends that the access be moved west in order to maintain at least 1,000 feet between the road and Canyon Wash Drive. The applicant will be required to obtain written approval from UDOT for all roads accessing SR73. Staff also recommends that the subdivision be revised to provide access to the county road on the west side of the project, but not creating the double frontage lots. The project includes the minor arterial road shown on the City's Future Land Use and Transportation Corridors Map, and provides good access to neighboring properties with local road stubs. Various trailhead parking areas are shown throughout the project. The parking area shown along the minor arterial road could present some safety issues, with people backing out onto an arterial road. The current City Code does not allow for driveways to access directly onto arterial or collector roads. Staff recommends that this trailhead location be moved.

The application proposes the following parks and open space:

Natural Open Space 41.9 ac

Improved Open Space

(Including Trailhead Access) 2.3 ac

Storm Drain Pond (Improved) 8.3 ac

Total Improved Open Space 10.6 ac

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, JUNE 12, 2012 AT 6:00 P.M.

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

Storm Drain Pond (Unimproved) 7.6 ac

Total Storm Drain Pond 15.9 ac

The Bonus Density requirements in the City code require 4% of buildable land be dedicated to improved open space. Based on this formula this project requires 9.81 acres. The proposal includes 10.6 acres of improved open space with 8.3 acres of the improved open space listed as "storm drain pond (improved)."

In the past, storm drain detention/retention ponds were never included in improved open space calculations. The applicant has combined park amenities with storm drain ponds in order to make better use of the ponds. It is up to the Planning Commission to determine whether or not this alternative plan is appropriate. Developments that have an average lot size of greater than ½ acre are not required by the City Code to provide pocket parks or small neighborhood parks. All developments, however, are required to provide community and regional park space or a fee-in-lieu. Staff recommends that the applicant combine parks in order to provide a community park. While the entire park would be dedicated to the City, a portion could remain unimproved, to be improved in the future through fees-in-lieu from other nearby developments and/or from impact fees.

The Development Code requires community improvements, or \$2,000 per buildable acre, in the form of public buildings/facilities or regional parks. The developer has proposed to dedicate 40+ acres of natural open space land to the City for a "regional park." The proposed natural open space and rock outcrop areas provide a unique amenity with the trails and trailheads but they cannot be considered a regional park. The Planning Commission and City Council will have to decide if the trails and natural open space fulfill the community improvements requirement.

UTILITIES

Water

The applicant would like to tap into the current water system within the City. If the City determines that the Valley View water tank does not have enough capacity to supply the project then the developer will be required to install a water tank in the project, the location for which is shown on the master development plan map.

Sewer

All lots within the development will be served by small individual underground wastewater disposal systems (septic systems). The County Health Department will be responsible for review and approval of these systems.

Electric

This development will require a new electrical feeder line to be extended from Ranches Parkway to the site. See section 13 in the proposed plan for details.

Storm Drainage

The developer's plan is to include various small storm drain ponds throughout the development to handle storm water runoff. The City Engineer has suggested that many of these be combined together for ease of maintenance and to make better use of the basins for recreation.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, JUNE 12, 2012 AT 6:00 P.M.

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

Steve Sowby, Engineer of Clearview Estates, explained that he and his clients are trying to preserve the rural nature of the property and the open space for all City residents to enjoy. He said the City staff suggested that they use some of the storm drain ponds for parks, so they provided three to five acres in the lower right side of the development for parks and to preserve some of the storm drain ponds. Another issue is the twenty storm drain ponds, he has found in his 40 years of experience that cities do not want to collect all the water, pipe it, channel to a location and be forced to deal with that amount of water. He believes taking care of the storm water at the point where it falls would be the best option. He designed the twenty storm drains to be three to four times the City's standards so that they will release at 0.05 CSF per acre instead of a release rate of 0.27 CSF per acre. The owner does not object to moving the entrance of the development.

Commissioner Langford asked what would be the benefits of the annexation for the property owner.

Mr. Sowby stated that the benefit to the owner is that the City could provide water, natural gas, and electricity.

Commissioner Langford asked who would be maintaining the open space, would they have an HOA or would it be dedicated to the City?

Mr. Sowby stated that the intent is to dedicate the open space to the City for a regional park.

Commissioner Langford suggested that they consolidate the storm drain ponds, integrate the development into North Ranch and North Canyon with the unique land topography, have a road layout ready, have four to five acres for a church, look at some of the lots that have extreme slopes, driveways should never be on arterial roads, and use islands on collector roads preventing cars from pulling directly onto a collector road. Another idea would be to use the natural grade for a natural amphitheater.

Mr. Sowby stated that on the collector road the lots will require forward motion driveways or circular driveways.

Commissioner Dean encouraged the developer to combine the smaller storm drain parks into a larger park, because smaller parks are not used by the residents. He felt that the park would not be accessible to the whole city.

Commissioner Linton suggested a larger, more desirable park for the residents on the north side of SR73.

Mr. Mumford explained that our Parks and Open Space Master Plan does show a great need for a regional or larger community park in the northern area.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, JUNE 12, 2012 AT 6:00 P.M.

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

Commissioner Maher suggested a more destination type park that is finished, and that the developer should look at two church sites in the development.

6. Discussion Items

A. Development Code Amendments – Discussion Item.

Discussion of potential amendments to the Development Code.

The Commissioners and the City Planners reviewed and discussed business signs, billboard signs, and directional signs.

7. Meeting Information:

A. Next Scheduled Meeting – July 10

8. Other Business

A. Commissioner Maher was presented with a plaque and recognized for his eleven years of outstanding service on the Commission.

9. Adjournment

The meeting was adjourned at 7:48 p.m.

APPROVED BY THE PLANNING COMMISSION ON JULY 10, 2012.



Steve Mumford, Planning Director