

EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING MINUTES  
TUESDAY JUNE 13, 2017 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: Matthew Everett, Mike Owens (arrived at 6:11 p.m.), Daniel Boles, John Linton, and Muriel Xochimitl.

CITY STAFF PRESENT: Mike Hadley, Senior Planner; Steve Mumford, Community Development Director; 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. May 23, 2017

**MOTION:** *Matthew Everett moved to approve the May 23, 2017 meeting minutes. Daniel Boles seconded the motion. Those voting aye: Matthew Everett, John Linton, Daniel Boles, and Muriel Xochimitl. The motion passed with a unanimous vote.*

4. Action and Advisory Items

A. Porter's Crossing Town Center Commercial Retail B, Site Plan, Public Hearing, Action Item (Recommendation to City Council)

Mike Hadley explained that the proposal is a site plan for 17,660 square feet of commercial office and retail space on approximately 3.4 acres. It is on lot 1 of the Porter's Crossing Town Center Master Development Plan. The proposed building is located adjacent to the Ridley's strip mall.

Items for Consideration:

- Lighting: Lighting shall comply with dark sky ordinance.
- Refuse Collection: No Dumpsters currently shown.
- Commercial Design Standards: Additional features are needed on the north elevation.



- Landscaping/Buffer: Buffer required between project and The Village at Porters Crossing to the north. Headlight screen needed along Porter's Crossing Parkway.

Dan Vals, Stolz Architecture, went through the revised plan.

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

None

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

**MOTION:** *Matthew Everett moved to recommend approval of the Porter's Crossing Town Center Commercial Retail B Site Plan to the City Council with the following conditions:*

- 1. Applicant shall provide details to staff of all exterior lighting*
- 2. Parking lot lighting shall be under 17' or on dimmer switches that dim output to 50% after 30 minutes*
- 3. Applicant shall provide updated lighting plan to staff, showing compliance with 17.56 of EMMC*
- 4. Architectural features shall be added to North elevations*
- 5. Decorative concrete or masonry wall provided on north side of project*
- 6. Three and a half foot headlight screen provided between parking stalls and Porter's Crossing Parkway.*

*Daniel Boles seconded the motion. Those voting aye: Matthew Everett, John Linton, Daniel Boles, Muriel Xochimil, and Mike Owens. The motion passed with a unanimous vote.*

**B. Nathen Dubose Accessory Apartment, Public Hearing, Action Item**

Mr. Hadley stated that the proposal is for an accessory apartment within a Tiny Home on Wheels. The proposed location is 9239 Deerfield Circle. The accessory apartment does not match the elevation of the primary dwelling and the applicant is seeking an exception to this requirement.

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

Bernard Warburton, resident, stated that he takes a lot of pride in his yard. He felt that this tiny home looked like a mobile home. He said that he did not want his neighborhood to be turned into a mobile home park. He also stated that he did not feel this was appropriate for his neighborhood. He also felt that this would drop the home prices in his neighborhood.

Dallas Anderson, resident, stated that his other neighbor has a freight shipping container in his yard and now this neighbor wants a tiny home. He is upset that the City is not enforcing the Code and neighbors are allowed to store junk in their yards. He did not feel this was appropriate and if allowed it should match the primary home.



Rebecca Smith, sister to the applicant, read a letter from Nathan and Tawnee DuBose (letter attached). She stated that they are currently building the tiny home.

Cindy Figuracion, property owner, stated that she keeps her yard very nice. She said that this is a temporary structure. The DuBose need a place to put their tiny home and live while going to school. She stated that many of her neighbors have sheds that are bigger than the tiny home and are not the same material as the primary structure.

*Commissioner Linton closed the public hearing at 6:22 p.m.*

Commissioner Everett did not feel the applicant's request was an appropriate exception.

Commissioner Boles did not feel it was realistic to have a requirement for brick or stucco on a tiny home.

Commissioners Linton and Owens suggested that the paint scheme match the primary structure.

**MOTION:** *Daniel Boles moved to approve the accessory apartment/tiny home permit. Motion failed due to lack of a second.*

**MOTION:** *Matthew Everett moved to continue the accessory apartment/tiny home permit to a future Planning Commission meeting so staff could work with the applicant and help them comply with Municipal Code. Motion withdrawn.*

**MOTION:** *Mike Owens moved to approve the accessory apartment/tiny home permit with the condition that the exterior of the tiny home must be painted to match the primary structure. Matthew Everett seconded the motion. Those voting aye: Matthew Everett, John Linton, Muriel Xochimiltl, and Mike Owen. Nay: Daniel Boles. The motion passed with a vote of 4 ayes and 1 nay.*

C. Development Code Amendment, Chapter 17.62 Swimming Pools, Public Hearing, Action Item (Recommendation to City Council)

Steve Mumford said that staff had proposed a Development Code amendment adding Section 17.75.120 Swimming Pools, creating fencing and setback requirements for in-ground and above-ground swimming pools. The City not having requirements for swimming pools was brought up by residents at a City Council meeting.

Commissioner Everett questioned what "near vicinity of any septic tank or sewage disposal drain field" means in distances. He asked if residents could be denied a pool if their neighbor has a septic tank. Mr. Mumford said that he could not reach the County Health Department to verify their procedures. He suggested adding language to the Code that says that if a pool and septic tank are on the same lot, then the resident would have to meet all County Health Department standards.

Commissioner Everett was concerned about fencing material standards around pools.



Commissioner Owens asked if resident pools that are removed in the fall and set up the next spring would have to comply with the new Municipal Code or would they be grandfathered in. He explained that a resident that purchased an above ground pool for about five hundred dollars would have to install a ten thousand dollar fence on or around their property.

Commissioners Boles, Linton and Everett felt that anyone that wants to have a pool should be required to put in a fence for safety.

Commissioner Linton said that the Code has discrepancies on the fence height.

Commissioner Xochimitl questioned having kiddie pool in the definition of a Recreational Water Facility.

*Commissioner Linton opened the public hearing at 7:20 p.m.*

None

*Commissioner Linton closed the public hearing at 7:20 p.m.*

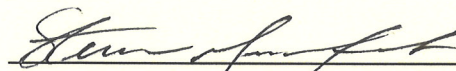
**MOTION:**            *Daniel Boles moved to bring back the amendment to Chapter 17.62 of the Eagle Mountain Municipal Code to the Planning Commission meeting. Matthew Everett seconded the motion. Those voting aye: Matthew Everett, Daniel Boles, Mike Owens, Muriel Xochimitl, and John Linton. The motion passed with a unanimous vote.*

5. Next scheduled meeting: June 27, 2017

6. Adjournment

The meeting was adjourned at 7:24 p.m.

APPROVED BY THE PLANNING COMMISSION ON JUNE 27, 2017

  
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Steve Mumford, Planning Director