

**EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, OCTOBER 27, 2009 AT 6:00 P.M.

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

Commissioner Tom Maher called the meeting to order at 6:00pm.

**Roll Call**

Tom Maher, John Linton, Karleen Bechtel, Preston Dean, Bonnie ElHalta

**Staff Present**

Steve Mumford, Planning Director

Mike Hadley, Senior Planner

**Others Present**

Scott Brandner, LP SmartSiding

Ryan Ireland

**1. Pledge of Allegiance**

**2. Declaration of Conflicts of Interest**

None

**3. Status Report from City Council**

**A. The Ark of Eagle Mountain Extension of Time**

Mr. Mumford said this extension of time to complete the landscaping and parking was approved by the City Council. He explained that the request was due to the fact that the Ark was in legal proceedings with the neighbors and was issued a cease and desist order which prohibited them from adding additional residents. He said that the extension is through June 1, 2010. He explained that the parking conditions still apply.

**B. Scenic Mountain Development Agreement**

Mr. Mumford said the Development Agreement was approved by the City Council.

**C. Land Disposal Ordinance**

Mr. Mumford said the Land Disposal Ordinance was modified to change the designation of three properties in the city; one was in Pioneer Addition, one was in Mt. Airey, and the last was next to Fire Station #2. The Pioneer Addition parcel was changed to significant and the other two were changed to insignificant.

**D. City Center Open Space Completion Plan**

Mr. Mumford said this plan was presented to the City Council for comments. He explained that it outlines the plan for improving the open space in City Center and lays out the priority and cost

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of each type of open space. He said that the Parks and Recreation Board have looked at it and the next step is to get resident input at an open house in November.

#### **4. Development Items**

##### **A. Development Code Amendment - 17.30 Residential Zone Bonus Density Entitlements (Masonry Materials)**

Mr. Mumford explained that this is an applicant-proposed amendment to the Development Code. He said that the current definition for masonry materials includes rock, stucco, and brick. He said that if 75% of the buildings in a development are masonry materials, bonus density is given. He explained that the request is to change “masonry” to “upgraded” and to add cement siding as an option.

Mr. Mumford said the applicant represents LP SmartSiding. He said that this product has been used in Eagle’s Gate and the Spring Valley townhomes. He said that the applicant requested to add text requiring testing standards but that the Building Official said the products meet those standards so the additional requirement is not necessary. He explained that the product is very durable and architecturally is better than stucco in many cases.

Commissioner Linton said that he likes the product but does not like the word “upgraded” in the text. Commissioner Dean said that many cities would not include stucco as an upgrade and he does not feel that a home with 100% stucco should be considered an upgrade. Mr. Mumford said that with the code change, the Planning Commissioners can recommend additional changes. Commissioner Dean said that if bonus density is given, it is assumed that the material is an upgrade. He suggested listing the materials that meet the requirements of the bonus density, rather than calling them upgraded.

Commissioner Dean asked what the implications would be if they were to remove stucco from the upgraded materials. Mr. Mumford said that they could also add language limiting the amount of stucco or the number of materials required. He said that the multifamily design standards have a restricted amount of stucco allowed.

Scott Brandner, LP SmartSiding. Mr. Brandner said the product has been around since 1997. He said it is treated with a wood preservative and showed pictures of their product versus untreated wood. He said that the product has a fifty-year warranty. He explained that the product is sold primed and is painted onsite and that some places will sell it aftermarket pre-painted. He explained that it is impact resistant, as well.

Commissioner Maher asked how it is applied. Mr. Brander said it is installed like normal wood siding.

Commissioner Dean asked how the texture is put on the wood. Mr. Brander said it is a mold and you don’t see a repeated pattern as you do with cultured stone. He said the presses are eight feet wide and sixteen feet long with a lot of variation in the texture.

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Commissioner Linton asked if any other municipality requires a two-coat finish. Mr. Brander said that Lehi requires a 25-year warranty.

Commissioner Dean asked how the price of SmartSiding compares to that of other materials. Mr. Brander said it is a bit more than stucco, but in the same range as most other materials.

**MOTION:** *Commissioner Linton moved to recommend approval to the City Council of the proposed development code amendment Chapter 17.30 as proposed by the applicant and as amended by staff with the following additions:*

- 1. Stucco be removed from the upgraded materials.*
- 2. The siding be pre-coated or coated at the time of installation with a 25-year warranty coating.*

*Commissioner Dean seconded. Ayes: 5. Nays: 0. Motion passed.*

**B. Development Code Amendment - 17.75 Standards for Special Uses (Residential Group Homes) and 17.10 Definitions**

Mr. Mumford explained that three sections would replace the existing section regarding residential group homes. He said those three sections would be Residential Facilities for Persons with a Disability, Rehabilitation and Treatment Facilities, and Juvenile Group Homes. He said it also changes the final approval authority to the Planning Commission, as is the case with other Conditional Use Permits.

Mr. Mumford said that they took most of the conditions from the Ark of Eagle Mountain approval and added those into the amendment.

Commissioner ElHalta asked if these three categories cover all types of group homes. Mr. Mumford said that it doesn't specifically address elderly group homes, but that they can add that at a later time, if necessary. He said they would typically fit into the first category.

Commissioner Linton said that one of the conditions has "The Ark of Eagle Mountain" noted and he'd like that removed.

Commissioner Maher opened the public hearing at 6:55pm and closed it for lack of comments.

**MOTION:** *Commissioner Linton moved to recommend approval to the City Council of the proposed development code amendment Chapter 17.75 and Chapter 17.10.*

*Commissioner Dean seconded. Ayes: 5. Nays: 0. Motion passed.*

**C. Development Code Amendment - 17.80 Sign Regulations and 17.10 Definitions**

EAGLE MOUNTAIN CITY  
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Mr. Mumford said that the City Council recommended changes to the temporary sign ordinances. He said that in the amendment, he specifically exempted city even signage. He said that the current code was drafted more for smaller event signs. He said this amendment is for special event signs such as business grand openings. He explained the approved locations for the signs and the time frame is for a maximum of ten consecutive days. Commissioner Linton said that the Parade of Homes goes for three weeks, so the ten days would not work for them. Mr. Mumford said this section is not for yard sales and garage sales.

Mr. Mumford said there would be a nominal fee for administrative costs. Commissioner Maher asked what the fee would be and what other cities charge. Mr. Mumford said that he hadn't checked with other cities to see what their fees are. Commissioner ElHalta said that the sign fees in California are incredibly high and the applications have to be in thirty days in advance.

Commissioner Maher asked if the fee charged would be per sign, or for the entire permit. Mr. Mumford said his intention was to have a single fee for each applicant.

Discussion ensued regarding charging a deposit and the renewal options.

Commissioner Maher opened the public hearing at 7:10pm.

Mr. Ryan Ireland said that there is not an additional cost to the city to pick up unauthorized signs as there is a Code Enforcement Officer already out looking for them. He said he also does not want the citizens who follow the rules to pay for those who don't. Commissioner Linton asked if Mr. Ireland thinks there should be a cost. Mr. Ireland said the cost should be for the office time to create a sticker.

Commissioner Maher closed the public hearing at 7:16pm.

**MOTION:** *Commissioner Linton moved to recommend approval to the City Council of the proposed development code amendment Chapter 17.80 with the following additions:*

- 1. An appropriate administrative cost be applied*
- 2. Deposit be charged and refunded to the applicant once the sign is removed*

*Commissioner ElHalta seconded. Ayes: 5. Nays: 0. Motion passed.*

## **5. Other Items**

### **A. Open House for the City Center Open Space Completion Plan**

Mr. Mumford said this is on November 19, 2009, from 6:00pm to 8:00pm.

## **6. Adjournment**

Commissioner Maher adjourned the meeting at 7:21pm.