

**Eagle Mountain City, Utah**

**RESOLUTION NO. R 03-2002**

**A RESOLUTION OF THE CITY COUNCIL OF  
EAGLE MOUNTAIN CITY, UTAH AMENDING RESOLUTION 27-00 AND  
RE-ENACTING STANDARDS FOR THE CONSIDERATION OF REQUESTS  
TO EXTEND DEVELOPMENT APPROVAL**

The City Council of Eagle Mountain City, Utah finds as follows:

WHEREAS, the Development Code of the City ("Development Code") provides for the expiration of development approval granted by the Planning Commission or City Council if action is not taken by the Developer Applicant to complete the implementation of a development approval or recordation of a plat within specific periods of a time as defined in the Development Code; and

WHEREAS, the Development Code requires that an extension of time may be approved to enlarge the time available to complete the development approval or record the subdivision; and

WHEREAS, the Development Code requires that an enlargement of time to complete a development approval must be documented in a development agreement approved by the City Council; and

WHEREAS, the City Council finds that it is in the public interest to establish standards for the consideration of each request from a Developer Applicant to enlarge the time to complete a development or implement a development approval or record a subdivision.

NOW THEREFORE, be it resolved by the City Council of Eagle Mountain City, Utah as follows:

1. Each request by a Developer Applicant for extension of a development approval which has expired or shall expire in the future, shall be directed to the City Planner in writing identifying the specific project approval which is the subject of the request to enlarge time. The request shall specify the project, specific approval and date the Developer Applicant believes the approval expired or will expire in the future and the time period of the extension which is the subject of the request.
2. The City Planner in collaboration with the City Engineer shall consider the request and prepare a report to the City Council describing whether or not the request and

the project are in compliance with the standards established in paragraph 3 below. The Developer Applicant shall be notified of the date of consideration of the request by the City Council and shall be provided a copy of the report to the City Council on the request.

3. The development extension request shall be evaluated by the City staff, and City Council using the following standards:

3.1 Is Utility Capacity Available.

3.1.1 Evaluate the utility demands of the subdivision and determine if there is adequate utility capacity available.

3.1.2 Determine if the existing Capital Facility Plan will provide for the construction of the required capacity.

3.2 Does the Subdivision Meet the Existing Development Code.

3.2.1 Ensure that the development plan complies with current construction standards, utility construction codes or fire codes.

3.2.2 Ensure the development meets any changes in the required standards, construction specifications and drawings adopted by the City.

3.3 Is the Master Developer or Developer Applicant Current With All Existing Subdivision Obligations.

3.3.1 Evaluate whether the Developer Applicant is current with all current subdivision improvement requirements.

3.3.2 Evaluate whether the Developer is current with all existing financial obligations with the City.

3.3.3 Evaluate the need for the Development to pay present impact fees.

3.4 Is the Development Compatible With Surrounding Development or Development Approvals That May Have Changed the Conditions or Circumstances.

4. The City Council shall undertake consideration of the extension request and may grant or deny the request. The City Council may add such conditions and requirements as deemed in the public interest and an extension agreement shall be prepared and presented to the City Council for consideration by the City and execution by the Developer Applicant to document the extension, if approved, and the conditions and requirements of the extension.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 4<sup>th</sup>  
day of June, 2002.

Eagle Mountain City, Utah

Kelvin E. Bailey  
Kelvin E. Bailey, Mayor

ATTEST

Janet B. Valentine, cmc  
Janet B. Valentine, CMC  
City Recorder

**CERTIFICATION**

The above resolution was adopted by the City Council of Eagle Mountain City on the 4<sup>th</sup>  
day of June, 2002.      4 voting aye    0 voting nay

Janet B. Valentine, cmc  
Janet B. Valentine, CMC  
City Recorder

