



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

January 9, 2024, 5:30 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

COMMISSION MEMBERS PRESENT: Commissioners Jason Allen, Robert Fox, and Brent Strong; and Alternate Commissioner Jimmy Eaton.

CITY STAFF PRESENT: Brandon Larsen; Planning Director; Marcus Draper, City Attorney; Chris Trusty, City Engineer; David Stroud, Senior Planner; and Elizabeth Fewkes, Recording Secretary.

5:30 P.M. – Eagle Mountain City Planning Commission Work Session

Commissioner Allen called the meeting to order at 5:32 p.m.

1. Discussion Items

1.A. DISCUSSION ITEM – WORK SESSION ITEM: RULES OF PROCEDURE

Planning Director Brandon Larsen presented a review of the Planning Commission Rules of Procedure.

Commissioner Allen adjourned the work session at 5:57 p.m.

6:30 P.M. – Eagle Mountain City Planning Commission Policy Session

Commissioner Allen called the policy session to order at 6:30 p.m.

2. Pledge of Allegiance

Commissioner Allen led the Pledge of Allegiance.

3. Declaration of Conflicts of Interest

None.

4. Approval of Meeting Minutes

4.A. December 12, 2023 Planning Commission Minutes

MOTION: *Commissioner Fox moved to approve the December 12, 2023 minutes. Commissioner Strong seconded the motion.*

Those Voting Yes

☒ ***Jason Allen***
☒ ***Jimmy Eaton***
☒ ***Robert Fox***
☒ ***Brent Strong***

Those Voting No

☐ ***Jason Allen***
☐ ***Jimmy Eaton***
☐ ***Robert Fox***
☐ ***Brent Strong***

Those Abstaining

☐ ***Jason Allen***
☐ ***Jimmy Eaton***
☐ ***Robert Fox***
☐ ***Brent Strong***

Those Absent

☐ ***Jason Allen***
☐ ***Jimmy Eaton***
☐ ***Robert Fox***
☐ ***Brent Strong***

The motion passed with a unanimous vote.

5. Status Report

Planning Director Brandon Larsen explained that no planning items were discussed and voted upon during the January 2, 2024 City Council meeting. Staff has begun an update to Eagle Mountain City's General Plan that will include a joint session with the City Council and Planning Commission.

6. Action and Advisory Items

6.A. ACTION ITEM – ELECTION OF TEMPORARY PLANNING COMMISSION CHAIR

MOTION: *Commissioner Fox nominated Commissioner Allen as Temporary Planning Commission Chair. Commissioner Strong seconded the nomination.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
<input checked="" type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>
<input checked="" type="checkbox"/> <i>Jimmy Eaton</i>	<input type="checkbox"/> <i>Jimmy Eaton</i>	<input type="checkbox"/> <i>Jimmy Eaton</i>	<input type="checkbox"/> <i>Jimmy Eaton</i>
<input checked="" type="checkbox"/> <i>Robert Fox</i>	<input type="checkbox"/> <i>Robert Fox</i>	<input type="checkbox"/> <i>Robert Fox</i>	<input type="checkbox"/> <i>Robert Fox</i>
<input checked="" type="checkbox"/> <i>Brent Strong</i>	<input type="checkbox"/> <i>Brent Strong</i>	<input type="checkbox"/> <i>Brent Strong</i>	<input type="checkbox"/> <i>Brent Strong</i>

The motion passed with a unanimous vote.

6.B. ACTION ITEM/PUBLIC HEARING – Lakeview Church Site Plan

Senior Planner David Stroud presented the item. Chad Spencer with EA Architects requests the Planning Commission review and forward a positive recommendation to the City Council regarding the Lakeview Church of Jesus Christ of Latter-day Saints Church site plan. The lot is platted as Lot 208 of Arrival Plat 2, Phase B, containing 4.78 acres. The Church has owned the property since 2019. Surrounding uses are single-family residences, and religious or cultural meeting halls are special uses in a residential zone. The site plan contains the main building, a storage building, and a pavilion.

EMMC requires all permanent light fixtures to be full cutoff fixtures with the light source fully shielded and directed downward. Drop lenses are unacceptable and discouraged. Eight lights are to be mounted underneath the pavilion and follow the angle of the roof pitch. The lighting will be controlled by a 30-minute timer with an automatic shutoff. Use will be limited and the lights will be used infrequently. The two closest homes to the pavilion are 150-250 feet away. The pavilion will also sit at a higher elevation than the homes. The proposed site plan meets all EMMC site development standards except for the pavilion lighting.

Discussion clarified the plans for and concerns with the pavilion lighting.

Commissioner Allen opened the public hearing at 6:39 p.m. As there were no comments, he closed the hearing.

Mr. Stroud stated that he had recommended that the applicant add a skirt to the bottom of the lighting. The applicant reduced the steeple height to be in accordance with the recently approved height limit of 70 feet. The 70-foot maximum was based upon previously approved steeple heights. The overall lumens count for the entire project is below the maximum allowance.

Commissioner Allen noted that the lighting is discouraged rather than prohibited. As pavilion lighting is used irregularly, he is not overly concerned with the proposal. He suggested revisiting the lighting standards in Municipal Code to clarify the City's preferences and requirements for drop lenses.

MOTION: *Commissioner Fox moved to recommend approval to the City Council of the Lakeview Church site plan for the Church of Jesus Christ of Latter-day Saints. Commissioner Strong seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
<input checked="" type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>
<input checked="" type="checkbox"/> <i>Jimmy Eaton</i>	<input type="checkbox"/> <i>Jimmy Eaton</i>	<input type="checkbox"/> <i>Jimmy Eaton</i>	<input type="checkbox"/> <i>Jimmy Eaton</i>
<input checked="" type="checkbox"/> <i>Robert Fox</i>	<input type="checkbox"/> <i>Robert Fox</i>	<input type="checkbox"/> <i>Robert Fox</i>	<input type="checkbox"/> <i>Robert Fox</i>
<input checked="" type="checkbox"/> <i>Brent Strong</i>	<input type="checkbox"/> <i>Brent Strong</i>	<input type="checkbox"/> <i>Brent Strong</i>	<input type="checkbox"/> <i>Brent Strong</i>

The motion passed with a unanimous vote.

6.C. ORDINANCE/PUBLIC HEARING – Approval Process for Preliminary Plats – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Section 16.20.050.

Mr. Stroud presented the item. Recent State Code changes require time limits regarding the review of certain subdivision preliminary plats. State Code requires a 15-day turnaround for the initial review of single-family, two-family, or townhome preliminary plats. Eagle Mountain City policy is more stringent than State Code and staff complete the initial review within 10 days.

Commissioner Allen opened the public hearing at 6:45 p.m. As there were no comments, he closed the hearing.

MOTION: *Commissioner Strong moved to recommend approval to the City Council of an ordinance of Eagle Mountain City, Utah amending Eagle Mountain Municipal Code Section 16.20.050 Approval Process for Preliminary Plats. Commissioner Allen seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
<input checked="" type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>
<input checked="" type="checkbox"/> <i>Jimmy Eaton</i>	<input type="checkbox"/> <i>Jimmy Eaton</i>	<input type="checkbox"/> <i>Jimmy Eaton</i>	<input type="checkbox"/> <i>Jimmy Eaton</i>
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<input checked="" type="checkbox"/> <i>Brent Strong</i>	<input type="checkbox"/> <i>Brent Strong</i>	<input type="checkbox"/> <i>Brent Strong</i>	<input type="checkbox"/> <i>Brent Strong</i>

The motion passed with a unanimous vote.

6.D. ORDINANCE/PUBLIC HEARING – CODE AMENDMENTS TO TITLE 16 RESIDENTIAL WATER RIGHT REQUIREMENTS

City Engineer Chris Trusty presented the item. With recently adopted changes to Municipal Code that include reduced landscape requirements for front and side yards, this subsequent amendment is proposed to reduce water required for development to reflect the decreased landscape requirements. The recommended water rights requirements are based on 70% of the total landscaped portion of the lot being planted with sod with the remaining 30% being planted with xeriscape or other drought-tolerant landscaping that conforms to Municipal Code. An adjustment is also being made to the per-acre water requirement for outdoor use to account for watering inefficiencies. The per-acre water requirement will go from 2.5 acre-feet per irrigable acre to 3.2 acre-feet per irrigable acre.

Based on recent evaluations of a random sampling of existing City residents, the indoor requirements will be reduced from 0.53 to 0.34 acre-feet to reflect a more accurate use that the City has seen on the system. Many cities including Saratoga Springs, Payson, Springville, and Salem currently require 0.3 acre-feet for indoor use; however, the City

staff recommendation is to still require slightly more to ensure adequate water rights are provided to account for inefficiency in the City's delivery system and the landscape irrigation system to account for losses between water production and point of sale. These changes will reduce the per lot water required to be dedicated to the City at plat recordation.

Mr. Trusty stated that the City does not have statistics available for the number of units in each lot size category. However, he believes that information could be obtained through the meter reading system and provided to the Planning Commission.

Discussion ensued regarding the minimal variation of indoor water usage by households on small or larger lots.

Commissioner Strong verified with staff that the homeowner could elect to put in less grass than the maximum allowance as he desires to not limit residents from installing xeriscape or waterwise landscaping.

Mr. Trusty explained that Eagle Mountain City has an Area 54 designation with the State and has water rights transfer restrictions on the aquifer. Water rights cannot be transferred from outside of the City to Eagle Mountain. Eventually, some agricultural water rights within the City might be converted over to the municipality.

Commissioner Allen opened the public hearing at 7:02 p.m. As there were no comments, he closed the hearing.

MOTION: *Commissioner Fox moved to recommend approval to the City Council of Eagle Mountain Municipal Code Title 16 Residential Water Right Requirements. Commissioner Strong seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
<input checked="" type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>
<input checked="" type="checkbox"/> <i>Jimmy Eaton</i>	<input type="checkbox"/> <i>Jimmy Eaton</i>	<input type="checkbox"/> <i>Jimmy Eaton</i>	<input type="checkbox"/> <i>Jimmy Eaton</i>
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<input checked="" type="checkbox"/> <i>Brent Strong</i>	<input type="checkbox"/> <i>Brent Strong</i>	<input type="checkbox"/> <i>Brent Strong</i>	<input type="checkbox"/> <i>Brent Strong</i>

The motion passed with a unanimous vote.

6.E. ORDINANCE/PUBLIC HEARING – CODE AMENDMENTS TO EMMC TITLE 15 CONSTRUCTION STANDARDS

Mr. Trusty presented the item. Periodically City staff will review construction standards to ensure that they are up to date and reflect typical standards. After a recent review, modifications have been made to the standards to help clarify portions of the code that may have been vague or misunderstood. The changes are included in the attachment. A public hearing on this item was held at the October 24, 2023 Planning Commission meeting.

The main consideration for the amendment is the ownership and maintenance of the sewer laterals. If the City takes ownership of the sewer laterals, the municipality becomes responsible for routine maintenance and inspections. The City does not currently conduct routine inspections on sewer laterals. In most other cities, the property owner is responsible for the sewer line from the house to the main sewer line. The City only receives a couple of claims a year and the damage is generally caused by debris in the line from the residence. Staff recommends that homeowners bear the responsibility for the sewer lateral line from the house to the main.

Mr. Trusty confirmed that the water mains and service laterals shall have a minimum cover of four feet and a maximum of six feet. The City already had a minimum cover requirement. The addition of a maximum is to facilitate line maintenance.

Commissioner Allen opened the public hearing at 7:09 p.m. As there were no comments, he closed the hearing.

Discussion ensued regarding the methodology used to select cities to contact when gathering information about their policies on sewer lateral maintenance and repairs.

Commissioner Allen expressed appreciation for the research conducted by staff regarding lateral sewer lines to assist the Commission with their understanding and recommendation.

MOTION: *Commissioner Fox moved to recommend approval to the City Council of Eagle Mountain Municipal Code Title 15 Construction Standards. Commissioner Allen seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
<input checked="" type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>
<input checked="" type="checkbox"/> <i>Jimmy Eaton</i>	<input type="checkbox"/> <i>Jimmy Eaton</i>	<input type="checkbox"/> <i>Jimmy Eaton</i>	<input type="checkbox"/> <i>Jimmy Eaton</i>
<input checked="" type="checkbox"/> <i>Robert Fox</i>	<input type="checkbox"/> <i>Robert Fox</i>	<input type="checkbox"/> <i>Robert Fox</i>	<input type="checkbox"/> <i>Robert Fox</i>
<input checked="" type="checkbox"/> <i>Brent Strong</i>	<input type="checkbox"/> <i>Brent Strong</i>	<input type="checkbox"/> <i>Brent Strong</i>	<input type="checkbox"/> <i>Brent Strong</i>

The motion passed with a unanimous vote.

6.F. ORDINANCE/PUBLIC HEARING – Accessory Dwelling Unit Standards – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Section 17.70.030.

Mr. Larsen presented the item. This amendment is proposed to address Utah Code changes as per Senate Bill (SB) 174 (2023) related to circumstances under which a garage may be included in the definition of an internal accessory dwelling unit. As per SB 174, Section 10-9a-530, Utah Code Annotated, has been amended to more explicitly allow for an internal accessory dwelling unit (ADU) in a garage of a detached, single-family dwelling (SFD). This amendment is proposed to eliminate uncertainty in the Eagle Mountain Municipal Code (EMMC), particularly Section 17.70.30, as to what portions of an SFD may be used for an ADU. Language, that could be interpreted to suggest ADUs are only allowed in the basement or addition of an SFD, is proposed to be stricken. Further, this amendment also ensures two enclosed parking spaces for SFDs with an ADU in a garage.

Commissioner Allen opened the public hearing at 7:18 p.m. As there were no comments, he closed the hearing.

MOTION: *Commissioner Strong moved to recommend approval to the City Council of an ordinance of Eagle Mountain City, Utah amending Eagle Mountain Municipal Code Section 17.70.030 Accessory Dwelling Unit Standards. Commissioner Fox seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
<input checked="" type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>
<input type="checkbox"/> <i>Jimmy Eaton</i>	<input checked="" type="checkbox"/> <i>Jimmy Eaton</i>	<input type="checkbox"/> <i>Jimmy Eaton</i>	<input type="checkbox"/> <i>Jimmy Eaton</i>
<input checked="" type="checkbox"/> <i>Robert Fox</i>	<input type="checkbox"/> <i>Robert Fox</i>	<input type="checkbox"/> <i>Robert Fox</i>	<input type="checkbox"/> <i>Robert Fox</i>
<input checked="" type="checkbox"/> <i>Brent Strong</i>	<input type="checkbox"/> <i>Brent Strong</i>	<input type="checkbox"/> <i>Brent Strong</i>	<input type="checkbox"/> <i>Brent Strong</i>

The motion passed with a vote of 3:1.

Mr. Larsen verified that homeowners still need to apply for a permit to add an ADU to their garage and a building permit is required if the structure of the home is being altered.

Discussion considered altering the wording of the amendment.

6.G. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 17.49 Wildlife Corridor Overlay Zone.

Staff requested that the Planning Commission table the item to a future meeting.

Commissioner Allen opened the public hearing at 7:23 p.m. As there were no comments, he closed the hearing.

MOTION: *Commissioner Fox moved to table an ordinance of Eagle Mountain City, Utah amending Eagle Mountain Municipal Code Chapter 17.49 Wildlife Corridor Overlay Zone. Commissioner Allen seconded the motion.*

Those Voting Yes

☒ Jason Allen
☒ Jimmy Eaton
☒ Robert Fox
☒ Brent Strong

Those Voting No

☐ Jason Allen
☐ Jimmy Eaton
☐ Robert Fox
☐ Brent Strong

Those Abstaining

☐ Jason Allen
☐ Jimmy Eaton
☐ Robert Fox
☐ Brent Strong

Those Absent

☐ Jason Allen
☐ Jimmy Eaton
☐ Robert Fox
☐ Brent Strong

The motion passed with a unanimous vote.

7. DISCUSSION ITEMS

8. Next Scheduled Meeting

The next Planning Commission meeting is scheduled for January 23, 2024.

9. Adjournment

MOTION: *Commissioner Fox moved to adjourn at 7:26 p.m. Commissioner Strong seconded the motion.*

Those Voting Yes

☒ Jason Allen
☒ Jimmy Eaton
☒ Robert Fox
☒ Brent Strong

Those Voting No

☐ Jason Allen
☐ Jimmy Eaton
☐ Robert Fox
☐ Brent Strong

Those Abstaining

☐ Jason Allen
☐ Jimmy Eaton
☐ Robert Fox
☐ Brent Strong

Those Absent

☐ Jason Allen
☐ Jimmy Eaton
☐ Robert Fox
☐ Brent Strong

The motion passed with a unanimous vote.

The meeting was adjourned at 7:26 p.m.

Approved by the Planning Commission on January 23, 2024.



Brandon Larsen
Planning Director