

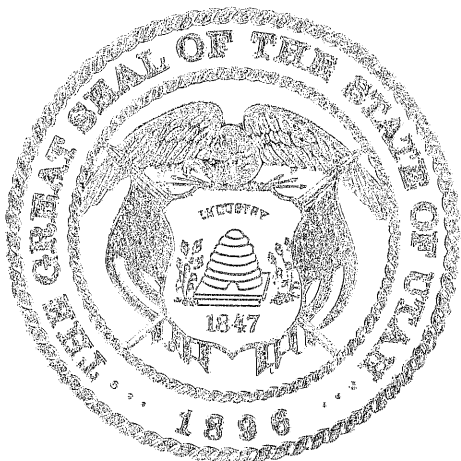
STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR  
CERTIFICATE OF ANNEXATION

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH,  
HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from  
the EAGLE MOUNTAIN CITY, dated December 28<sup>th</sup>, 2010, complying with Section 10-  
2-425, Utah Code Annotated, 1953, as amended.

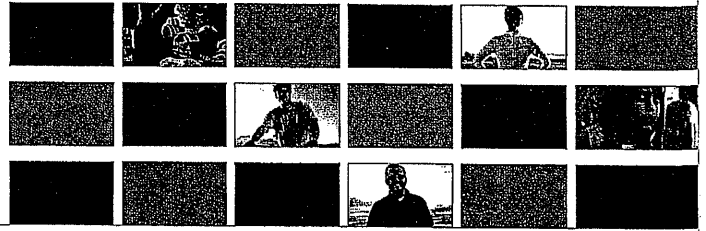
NOW, THEREFORE, notice is hereby given to all whom it may concern that the  
attached is a true and correct copy of the notice of annexation, referred to above, on file  
with the Office of the Lieutenant Governor pertaining to the EAGLE MOUNTAIN  
CITY, located in Utah County, State of Utah.



IN TESTIMONY WHEREOF, I have  
hereunto set my hand, and affixed the Great  
Seal of the State of Utah this 28<sup>th</sup> day of  
December, 2010 at Salt Lake City, Utah.

---

GREG BELL  
Lieutenant Governor



December 28, 2010

Utah State Lt. Governor's Office  
P.O. Box 140760  
State Office Building, Room 1160  
Salt Lake City, UT 84114

**RE: Notice Pole Canyon No. 1 Addition" and "Pole Canyon No.2 Addition Annexations**

Honorable Lt. Governor:

I, Fionnuala B. Kofoed , City Recorder for Eagle Mountain City, hereby certify that Eagle Mountain City, Utah has adopted an annexation ordinance and approved two petitions for annexation and completed all actions legally required to annex the territory described on the attached plats for annexation know as "Pole Canyon No. 1 Addition" and "Pole Canyon No.2 Addition".

If you have any questions concerning the Pole Canyon No. 1 and No. 2 Annexations, please contact my office.

Sincerely,

Fionnuala B. Kofoed  
City Recorder

Phone (801)789-6610

## ORDINANCE NO. O-21 2010

### **AN ORDINANCE APPROVING POLE CANYON ANNEXATION PETITIONS #1 AND 2 ANNEXING AN AREA OF APPROXIMATELY 3,124 ACRES OF LAND COMMONLY KNOWN AS THE "POLE CANYON ANNEXATION" TO EAGLE MOUNTAIN CITY, UTAH, AMENDING THE GENERAL PLAN OF EAGLE MOUNTAIN CITY, ESTABLISHING ZONING REGULATIONS FOR THE LANDS IN THE POLE CANYON ANNEXATION AND APPROVING THE MASTER DEVELOPMENT PLAN FOR THE POLE CANYON ANNEXATION**

#### *PREAMBLE*

The City Council of the Eagle Mountain City finds that the owners of certain real property described in the Pole Canyon Annexation Petitions #1 and #2 ("the Petitions") petitioned for annexation of the real property described in the Petitions to the corporate limits of Eagle Mountain City and that all required notices have been given and provided to affected entities and others as required by law and that the Petitions for annexation should be granted.

The real property described in the Petitions is an unincorporated area contiguous to the current boundary of Eagle Mountain City and the annexation will not leave or create an unincorporated island or peninsula.

The City Council finds that the General Plan of Eagle Mountain City ("the City") should be amended as set forth on Exhibit 2 to include the Pole Canyon Annexation area within the General Plan of the City.

The City Council finds that it is in the public interest to establish zoning regulations for the lands of the Petitioners in the Pole Canyon Annexation area as set forth more specifically on Exhibit 3 with respect to the lands of the Petitioners only and that all lands other than the lands of the Petitioners should remain zoned as provided by Utah County prior to the annexation of such lands to the City.

The City Council further finds that Exhibit 3 should be approved as the Master Development Plan Land Use Element for the lands of the Petitioners in the annexed area.

The City Council finds that it is in the public interest to annex the real property described in the Petitions for annexation and in Exhibit 1 to Eagle Mountain City.

BE IT ORDAINED by the City Council of Eagle Mountain City, Utah:

1. The real property described on the attached annexation plats, referred to as Exhibit 1, are hereby annexed to Eagle Mountain City and the corporate limits of Eagle Mountain City are hereby amended and extended to incorporate the real property described in Exhibit 1.

2. The General Plan for Eagle Mountain City is hereby amended to incorporate the lands in the Pole Canyon Annexation for future land use as described specifically on Exhibit 2 (General Plan).

3. The lands of the Petitioners for annexation within the Pole Canyon Annexation area shall be subject to the zoning regulations and zoning set forth specifically on Exhibit 3 which is approved as the Land Use Element of the Master Development Plan for the Pole Canyon annexed area. All lands not owned by the Petitioners for annexation as of the date of the Petitions for annexation are hereby zoned for the land uses allowed by Utah County as of the date of this Ordinance.

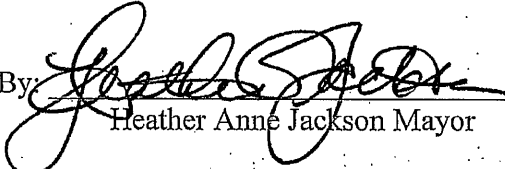
4. The Master Development Plan presented to the City Council for the annexed area consisting of the Land Use Element of the "Pole Canyon Annexation Agreement and Master Development Agreement" are hereby approved.

5. Amended Articles of Incorporation shall be filed with the Utah Lieutenant Governor's office as required by law and all other notices and documents required by law shall be executed, recorded and filed by the Mayor and the City Recorder..

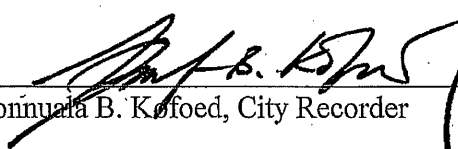
6. This ordinance shall be effective on the date of its first publication.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 28 day of December, 2010.

EAGLE MOUNTAIN CITY, UTAH

By:   
Heather Anne Jackson Mayor

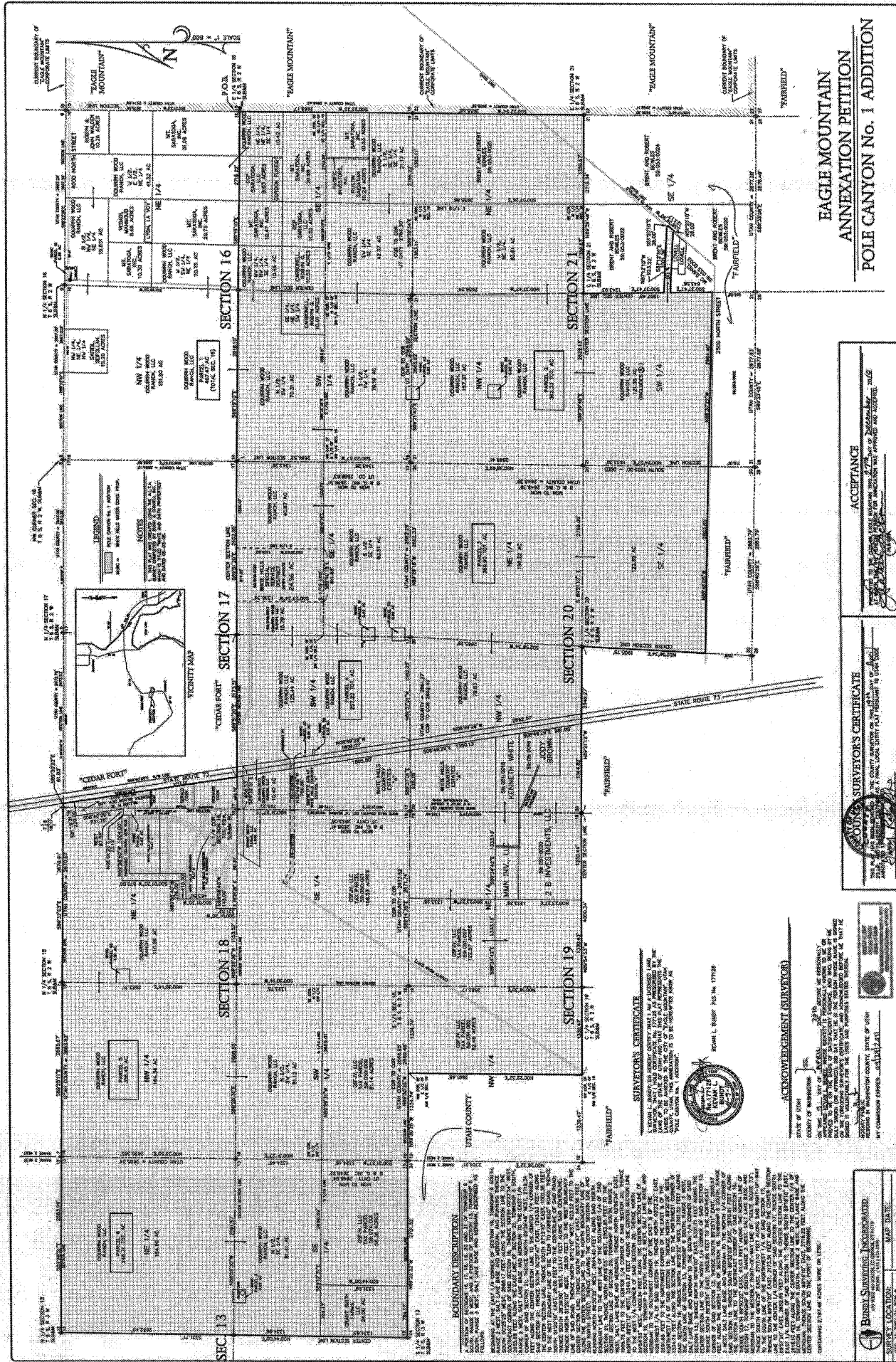
ATTEST:

  
Fionnuala B. Kofoed, City Recorder



# **EXHIBIT**

**1**



**EAGLE MOUNTAIN  
ANNEXATION PETITION  
POLE CANYON No. 1 ADDITION**

**BOUNDARY DESCRIPTION**

SECTION 13

SECTION 14

SECTION 15

SECTION 16

SECTION 17

SECTION 18

SECTION 19

SECTION 20

SECTION 21

SECTION 22

SECTION 23

SECTION 24

SECTION 25

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SECTION 97

SECTION 98

SECTION 99

SECTION 100

**SURVEYOR'S CERTIFICATE**

I, **ROBERT L. BRIDGES**, being duly sworn, depose and say that I am a Licensed Land Surveyor in the State of Utah, and that I have personally supervised the making of the above described survey, and that the same is a true and correct representation of the facts as shown by the field notes and other data in my possession, and that I have not been convicted of any crime involving dishonesty or fraud, and that I am not under any legal disability from practicing my profession.

ROBERT L. BRIDGES, REG. NO. 17759

**ACKNOWLEDGMENT (SURVEYOR)**

STATE OF UTAH

COUNTY OF MOHAVE

ROBERT L. BRIDGES, Surveyor, being personally known to me, and being duly sworn, deposes and says that he is the person who has made the above described survey, and that the same is a true and correct representation of the facts as shown by the field notes and other data in his possession, and that he has not been convicted of any crime involving dishonesty or fraud, and that he is not under any legal disability from practicing his profession.

ROBERT L. BRIDGES, Surveyor

**ACCEPTANCE**

I, **ROBERT L. BRIDGES**, being duly sworn, depose and say that I have personally supervised the making of the above described survey, and that the same is a true and correct representation of the facts as shown by the field notes and other data in my possession, and that I have not been convicted of any crime involving dishonesty or fraud, and that I am not under any legal disability from practicing my profession.

ROBERT L. BRIDGES, REG. NO. 17759

**SURVEYOR'S CERTIFICATE**

I, **ROBERT L. BRIDGES**, being duly sworn, depose and say that I am a Licensed Land Surveyor in the State of Utah, and that I have personally supervised the making of the above described survey, and that the same is a true and correct representation of the facts as shown by the field notes and other data in my possession, and that I have not been convicted of any crime involving dishonesty or fraud, and that I am not under any legal disability from practicing my profession.

ROBERT L. BRIDGES, REG. NO. 17759

**ACKNOWLEDGMENT (SURVEYOR)**

STATE OF UTAH

COUNTY OF MOHAVE

ROBERT L. BRIDGES, Surveyor, being personally known to me, and being duly sworn, deposes and says that he is the person who has made the above described survey, and that the same is a true and correct representation of the facts as shown by the field notes and other data in his possession, and that he has not been convicted of any crime involving dishonesty or fraud, and that he is not under any legal disability from practicing his profession.

ROBERT L. BRIDGES, Surveyor

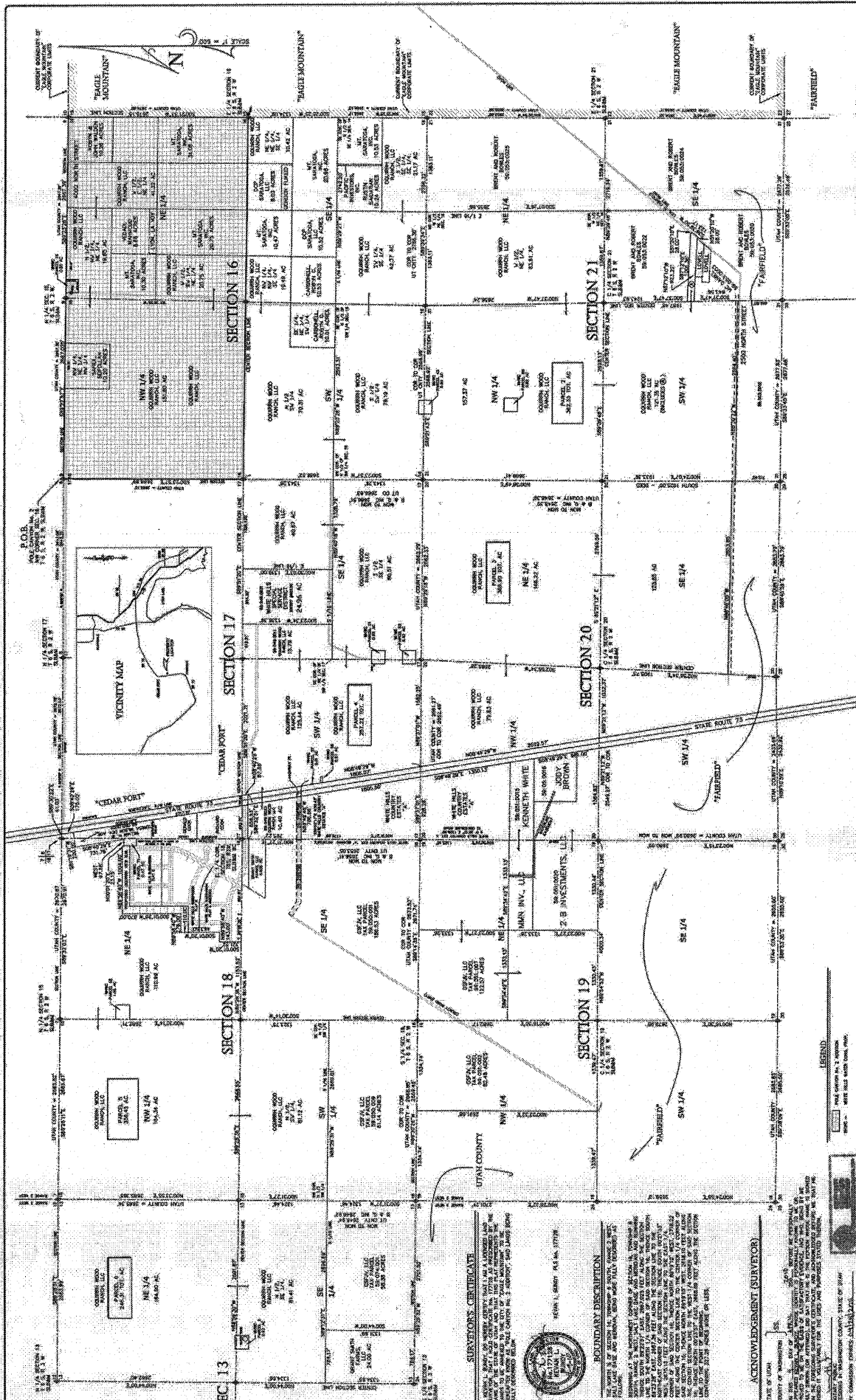
**BURBY SURVEYING INCORPORATED**

1000 N. 1000 W. SALT LAKE CITY, UTAH 84116

PHONE: 581-1111

FAX: 581-1112

MAP DATE: JUNE 8, 2009



EAGLE MOUNTAIN  
ANNEXATION PETITION  
POLE CANYON No. 2 ADDITION

**COUNTY SURVEYOR'S CERTIFICATE**

ACCEPTANCE

*[Signature]*

**NOTES:**

1. THIS MAP IS A PART OF THE ANNEXATION PETITION FOR POLE CANYON No. 2 ADDITION, EAGLE MOUNTAIN, UTAH COUNTY, UTAH, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK, UTAH COUNTY, UTAH, ON 05/14/2018.

STATE OF UTAH	COUNTY OF UTAH
BRUNO SWANNING, INCORPORATED	BRUNO SWANNING, INCORPORATED
SURVEY LOCATION	MAP DATE
UTAH COUNTY, UTAH	05/14/2018

**ACKNOWLEDGEMENT (SURVEYOR)**

STATE OF UTAH

COUNTY OF UTAH

BRUNO SWANNING, INCORPORATED

BRUNO SWANNING, INCORPORATED

UTAH COUNTY, UTAH

05/14/2018

**BOUNDARY DESCRIPTION**

THE NORTH 1/4 AND SOUTHWEST 1/4 CORNERS OF SECTION 13, TOWNSHIP 36 NORTH, RANGE 12 EAST, UTAH COUNTY, UTAH, ARE CORNERS OF THE ANNEXATION PETITION FOR POLE CANYON No. 2 ADDITION, EAGLE MOUNTAIN, UTAH COUNTY, UTAH, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK, UTAH COUNTY, UTAH, ON 05/14/2018.



**LEGEND:**

--- BOUNDARY LINE

--- EASEMENT

--- RIGHT-OF-WAY

# **EXHIBIT**

**2**



## CHAPTER 2- LAND USE

The Land Use element is a core feature of this General Plan. This Chapter presents general land use practices along with the master development plan/agreement process. It also describes approved master development plans and then concludes with a section describing the main issues regarding density and development within Eagle Mountain City.

Section 10-9-403 of the Utah Code requires municipalities to “designate the proposed general distribution and location and extent of uses of land for housing, business, industry, agriculture, recreation, education, public buildings and grounds, open space, and other categories of public and private uses of land as appropriate.”

Map 2, *Future Land Use and Transportation Corridor Plan* has been prepared to meet this requirement of the State Code. Its purpose is to broadly identify potential land uses and transportation corridors that could eventually be present in the City. It has been adopted by the City Council and serves as the primary source for future land use planning within the City.

Although not a zoning map, the Future Land Use and Transportation Corridors Map does classify land according to several broad land use categories. In no case are these designations absolute, nor do they take the place of a parcel’s current zoning as designated by the official zoning map or the Development Code. The purpose of these categories is to represent the land uses that are believed to be the most likely and feasible for each area as the City continues to grow and mature.

*MIXED USE: COMMERCIAL*- This category is for areas where retail and office development occurs at traditionally desirable locations including the

intersections of major streets, appropriate neighborhood activity centers or adjacent to other compatible land uses. Appropriate industrial uses will be considered for compatibility with surrounding developments. It is anticipated that development will primarily be non-residential; however, mixed-use developments that incorporate medium and high-density housing types may be recommended by the Planning Commission and approved by the City Council during the zoning process.

*MIXED USE: RESIDENTIAL*- This category will allow a mix of residential densities and small-scale commercial such as restaurants, retail shops, professional services and entertainment. The Planning Commission will recommend and the City Council may approve the commercial uses that are deemed appropriate for this category.

*INDUSTRIAL*- This category is for areas of the city that are suitable for industrial parks and warehouses, research and development uses, manufacturing, corporate offices or campuses, and similar uses. Industrial areas should generally locate along major transportation corridors and must be separated or buffered from residential development. Housing should not be considered in these areas.

*APPROVED MASTER DEVELOPMENT PLANS*- Several Master Development Plans have been approved by the City. They include: The Ranches, The Villages at Eagle Mountain, Sage Valley, and Silver Lake. This land use category also includes the approved subdivisions of North Ranch, Meadow Ranch, and Cedar Pass Ranch.

*RURAL RESIDENTIAL*- This category is for larger lots and may be developed with rural infrastructure improvements. Rural Residential properties, because of their location and character, are generally to be developed with lower densities.

*AGRICULTURAL*- These are lands that are currently zoned for agricultural uses and

will likely remain so into the foreseeable future.

**AIRPORT-** This category contains property to be used for airports and associated aviation uses. This land use category may also have commercial, restaurants, offices, light industrial, shipping, warehousing, lodging, or other non-residential uses that affiliate with the airport. The Planning Commission may recommend and the City Council approve of residential uses when they are logically planned and presented as part of a mixed use Master Development Plan.

**AGRICULTURAL PROTECTION AREA-** This category recognizes property which has been designated by the City for an agriculture protection area, which is meant to protect ongoing agricultural activities on the parcel from future development.

When designating or changing land uses and zoning, there is always a presumption in favor of the property owners' desired land use or zoning designation.

When a land use development application is received by the City it will be evaluated for consistency with Map 2, *Future Land Use and Transportation Corridor Plan*, and then reviewed by the Planning Commission and City Council.

## GENERAL LAND USE PRACTICES

The City encourages a combination of land uses that are integrated into master-planned communities. The purpose of this section is to identify general land use practices that foster good design and mitigate conflict between adjacent properties.

**PLAN.** It is the intent of the City to adopt land use practices that focus on compatible land uses and and effective use of open space.

**POLICIES.** The following policies for general land use practices are consistent with the City's goals:

- **COMPATIBLE LAND USES.** That the City plans adjacent land uses which are compatible with one another.
- **USE OF OPEN SPACE.** That the City encourages efficient use of dedicated open spaces for recreational, cultural, and historic purposes.

## MASTER DEVELOPMENT PLAN/AGREEMENT PROCESS

Land uses impact a community's appearance and function. The City encourages the review and approval of large land areas as a Master Development Plan (MDP). This allows the City to evaluate environmental hazards, general land use layouts, densities, major road locations and sizes, parks, utility locations and sizes; not on a neighborhood level, but rather a community level. The MDP process facilitates the comprehensive design and integration of land uses. Once the MDP process is complete, development occurs through the Subdivision, Concept Plan, Preliminary Plat and Final Plat processes. The Plans and Policies of this General Plan should serve as a guide for land use throughout the Master Development Plan process.

Map 3, *Master Development Plans*, shows all of the Master Development Plan areas within the City.

There are several thousand acres within the City that have not yet been approved as part of an MDP. Many of these acres are contained in large, contiguous land holdings.

**PLAN.** It is the intent of the City to encourage development through the Master Development Plan process.

**POLICIES.** The following policies for master development plans are consistent with the City's goals:

- *MASTER DEVELOPMENT PLANNING PROCESS.* That development proposals (as defined in the Development Code) undergo the master development plan process to demonstrate: 1) impact on the City's General Plan in its entirety; 2) financial feasibility; 3) appropriate land uses; 4) compliance with maximum allowed densities or bonus densities; and 4) proper timing of construction of public facilities.
- *CONSISTENCY WITH FUTURE LAND USE PLAN.* Master Development Plans will be integrated into the Future Land Use Plan as defined on Map 2, *Future Land Use & Transportation Corridor Plan.*

## **THE RANCHES MDP AGREEMENT**

The Ranches Master Development Plan contains approximately 2,381 acres and has a potential for 6,564 dwelling units. This allows for a total gross density of about 2.8 units per acre. There are a variety of land use densities and activity centers designated within the plan area.

The Ranches' plan contains Village Core neighborhoods where retail and high-density multi-family housing, surrounded by medium and low density neighborhoods, parks, a golf course, a fire station and a series of open space corridors that contain trails and connecting pathways. The Ranches was intended to be a pedestrian-friendly development and thus provides an assortment of trails and pathways for

walking, cycling and equestrian use. Also, large areas of open space have been set aside and dedicated to the City in exchange for higher density residential lots and units that are clustered and "transferred" into buildable lands within the Plan area.

The Ranches MDP includes the Ranches Community Design Guidelines. This document has been adopted by the City Council in place of the City's ordinance for architectural and urban design, including landscaping, architecture and streetscape amenities within The Ranches.

**PLAN & POLICIES.** Part of the master development plan process is the execution of a master development plan agreement between the City and the master developer. The agreement vests the master developer with a density maximum and obligates them to complete certain requirements and improvements. In some cases the agreement grants an allowance that may differ from the present adopted ordinances. Current or future ordinances that do not materially reduce the developers' density vesting may be applied to vested master development plans. It is the policy of the City to work with the developers in honoring and fulfilling master development agreements while allowing for unforeseen realities that may have arisen through the administration and construction of the project.

## **EAGLE MOUNTAIN PROPERTIES MDP AGREEMENT**

The Villages at Eagle Mountain is a large master planned area in the south/central portion of the City. This Master Plan was based upon large land holdings of approximately 7,610 acres and a total of 22,930 dwelling units. The plan calls for a variety of housing types, from low density (1 & 2 acre lots) to medium to high-density neighborhoods.

The Eagle Mountain Properties plan contains the Jake Garn Airport, a master planned airpark designed to provide a “fly-in” residential community, retail, office, warehouse and many other airport related land uses. This airport is projected to eventually have a 10,000-foot runway and is hoped to become a principal freight and corporate air facility.

The plan also uses village cores to create retail, office and high-density multi-family projects. There are large regional parks, open spaces, trails and specific designs through several neighborhoods that are intended to allow for pedestrian access to other neighborhoods, parks and retail centers.

This master plan follows the City’s architectural and landscaping requirements in the Development Code except where individual developers have proposed alternative design guidelines that the City has adopted in place of the codified requirements.

**PLAN & POLICIES.** Part of the master plan process is the execution of a master development plan agreement between the City and the master developer. The agreement vests the master developer with density maximums and obligates them to complete certain requirements and improvements. In some cases the agreement grants allowances that may differ from the present adopted ordinances. Current or future ordinances that do not materially reduce the developers’ density vesting may be applied to vested master development plans. It is the policy of the City to work with the developers in honoring and fulfilling master development agreements while allowing for unforeseen realities that may have arisen through the administration and construction of the project.

## SCHOOL INSTITUTIONAL TRUST LANDS

## ADMINISTRATION MDP AGREEMENT

The School & Institutional Trust Lands Administration (SITLA) owns two large parcels of land commonly referred to as Mid-Valley and Pony Express, which have both been master planned. SITLA is a state agency that has the charge of managing properties to their highest potential to benefit the school children of the State of Utah. The Mid-Valley and Pony Express parcels are approximately 1,188 and 160 acres respectively, and have a potential for 4,017 total residential units.

The Pony Express Parcel is located directly west of the Overland Trails Phase 1 Subdivision, which is part of Eagle Mountain Properties’ Master Development Plan, and south of the Pony Express Regional Park. This parcel was approved with land uses consisting of a school site, residential, landscape buffer, high density, and commercial. Transitioning between the Pony Express Parcel and the existing larger lot Overland Trails Subdivision will be accomplished with the buffers of a school, park, and half acre lots.

The Mid-Valley parcel is approximately 1,200 acres in size and is located directly between The Ranches and Eagle Mountain Properties Master Plan. As such there are several important transportation corridors that traverse this parcel. These transportation corridors should be used to separate different land uses and density. Additionally, SITLA’s proposed land uses should be reflected in the proposed General Plan.

There are several different patterns of development that the City might anticipate in the future with the development of the Pony Express and Mid-Valley Parcels. These patterns may include a few large lots ranging from .5 to 3 acres in size. The requirements for larger lots occur when transitioning away from existing or planned larger lot subdivisions. Indications are that

the majority of the lots will be configured with a minimum 60-foot frontage and a depth of 85 feet (a minimum lot size of 5,000 square feet). Another pattern of development that is possible is a semi-new urbanism pattern along the north leg of Sweetwater Road with houses fronting this street. This concept would present short setbacks along Sweetwater Road and an enlarged park strip with a mix of residential and commercial land uses.

This MDP will follow the City's architectural requirements adopted in the Development Code. Additional requirements relating to masonry are also included in the MDP.

**PLAN & POLICIES.** Part of the master plan process is the execution of a master development plan agreement between the City and the master developer. The agreement vests the master developer with density maximums and obligates them to complete certain requirements and improvements. In some cases the agreement's negotiated allowance may differ from the present adopted ordinances. Current ordinances that do not materially reduce the developers' density vesting are applicable to adopted master development plans. It is the policy of the City to work with the developers in honoring and fulfilling master development agreements while allowing for unforeseen realities that may have arisen through the administration and construction of the master development plan.

## **SILVER LAKE MDP AGREEMENT**

The Silver Lake development is located on the eastern edge of the City and has a gross density of 4.3 dwelling units per acre. Specifically, 2,101 dwelling units may be constructed within this development. The development has planned several amenities, including an amphitheater, community park and elementary school.

The Silver Lake Master Plan has committed that the project will use the following standards for single-family lot requirements: a minimum lot size of 6,000 square feet; an average lot size of 7,500 square feet; and lot frontage no less than 60 feet. The project will provide different housing types, including variations in house size and architectural requirements.

Included in the Silver Lake Master Development Plan is the requirement to comply with The Ranches Community Design Guidelines. This document has been adopted by the City Council in place of the City's ordinance for architectural and urban design, including landscaping, architecture and streetscape amenities.

**PLAN & POLICIES.** Part of the master plan process is the execution of a Master Development Plan Agreement between the City and the master developer. The agreement vests the master developer with density maximums and obligates them to complete certain requirements and improvements. In some cases the agreement's negotiated allowance may differ from the present adopted ordinances. Current ordinances that do not materially reduce the developers' density vesting are applicable to adopted master development plans. It is the policy of the City to work with the developers in honoring and fulfilling master development agreements while allowing for unforeseen realities that may have arisen through the administration and construction of the master development plan.

## **DENSITY INVENTORY**

The number of residential units developed on a specific land area (usually measured in square acres) is referred to as density. Specifically, density is the calculation of the number of residential units divided by the acreage. In the past, Eagle Mountain's General Plan has encouraged a pattern of development that aimed for higher densities

offset by large tracts of open space.

It is noteworthy that some of the City's approved master development plans vest an exact density to specific parcels within the project, while others have only a density cap for the entire project (meaning that specific densities are not assigned to individual parcels within the project). For this reason it is difficult to know precisely where higher density will be allocated within some of the MDP's.

The City has already granted density for the construction of 33,538 units, subject to available water resources and utility capacity, amongst all of the adopted master development plans. Of those, approximately 6,000 units have been approved for platting (subdividing lots). It is estimated that there are approximately 2000 homes already constructed in the City. Close to 27,500 units remain that could be constructed without the City approving another master development plan. The City's average household size of 4.06 multiplied by the granted density (33,538 units) yields a projected population of 136,164 upon completion of all construction.

**PLAN.** It is the intent of the City to regulate housing density. The authority to do this is derived from the Utah Code, Section 10-9a-401- (2) (f), which states that general plans "...may include a statement of the standards of population density and building intensity recommended for the various land use categories covered by the plan." It is within the best interests of the City to enable a variety of housing products through flexible density regulations to be able to meet the present and future market demands and needs of its residents.

**POLICIES.** The following policies for the density inventory are consistent with the City's goals:

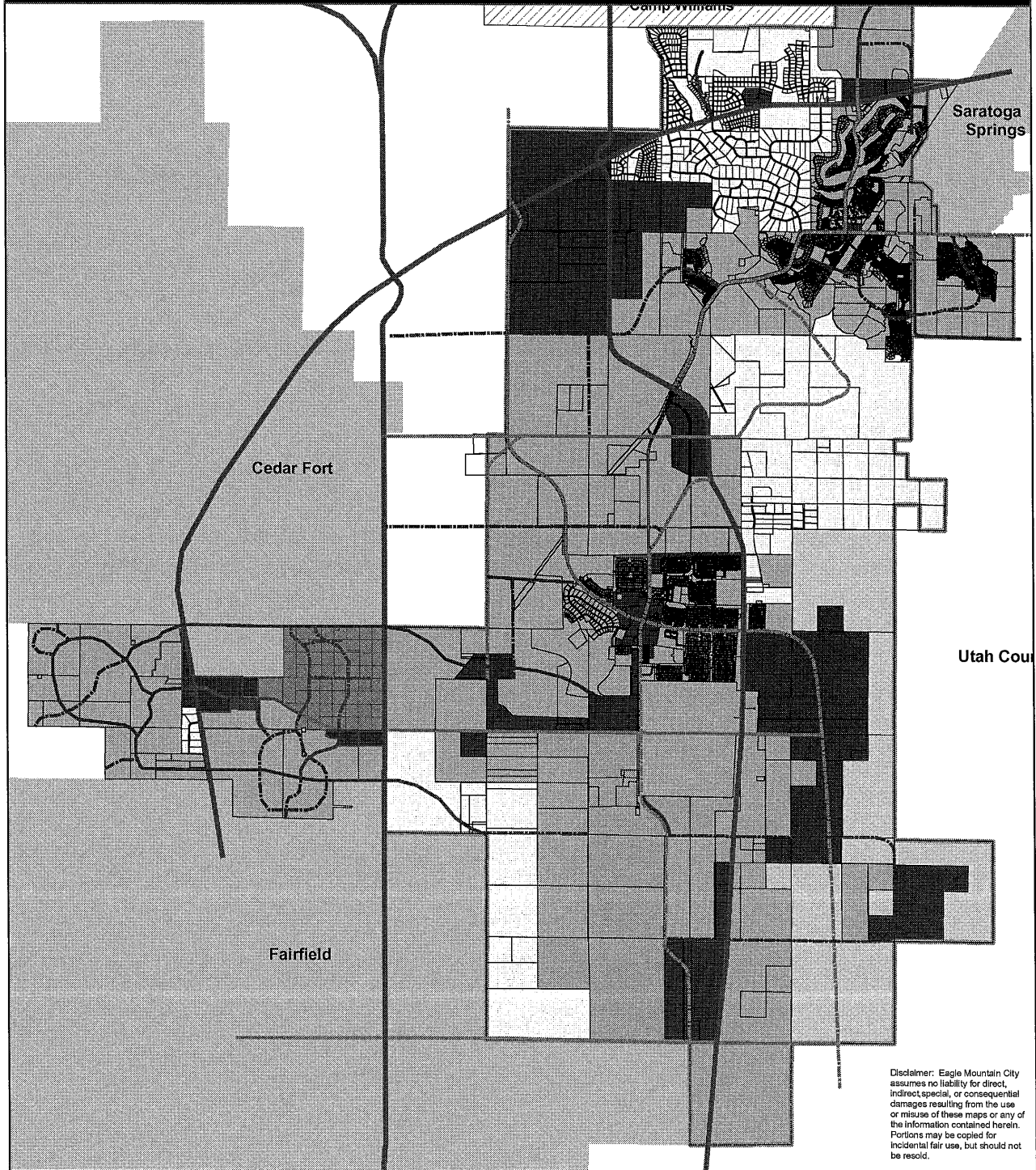
- *HOUSING DENSITY.* That the City abides by established housing densities of approved master development plans.
- *MEDIUM AND LOW DENSITY DEVELOPMENT.* That more future master development plans are vested with medium and lower densities consistent with market forces.

# **EXHIBIT**

**3**

# Proposed Changes to Eagle Mountain City- Future Land Use and Transportation Corridors

General Plan Map 2



Disclaimer: Eagle Mountain City assumes no liability for direct, indirect, special, or consequential damages resulting from the use or misuse of these maps or any of the information contained herein. Portions may be copied for incidental fair use, but should not be resold.

### Future Land Uses

Commercial/Residential	IND
AG PRO	MUC
AGR	MJR
Airport	RR
CR	

### Transportation Corridors

Highway
Ind Coll
Maj Art
Maj Coll
Minor Art
Minor Coll

