



AMERICAN FORK CITY COUNCIL
OCTOBER 1, 2024
REGULAR SESSION AGENDA

Members Present:

Bradley J. Frost	Mayor
Staci Carroll	Council Member
Ryan Hunter	Council Member
Tim Holley	Council Member
Ernie John	Council Member
Clark Taylor	Council Member

Staff Present:

David Bunker	City Administrator
Camden Bird	Assistant City Administrator
Terilyn Lurker	City Recorder
Derric Rykert	Community Services Director
Patrick O'Brien	Development Services Director
Anna Montoya	Finance Officer
Aaron Brems	Fire Chief
Cherylyn Egner	Legal Counsel
Cameron Paul	Police Chief
Stuart Fore	Police Lieutenant
Sam Kelly	Public Works Director

Also present: Kimberly Martin, Kimberly Paulson, Karen Schaack, John Miller, Spencer Stevens, and Tatianna Gocrist.

The American Fork City Council met in a work session on Tuesday, October 1, 2022, in the City Administration Conference Room, located at 51 East Main Street, commencing at 4:05 p.m.

WORK SESSION

1. Discussion on code text amendments regarding external accessory dwelling units (ADUs)
Mayor Frost explained that staff were there to discuss accessory dwelling units and to obtain directions on where the council wanted to go with this issue.

Patrick O'Brien explained that one strategy included in our moderate-income housing plan was to create or allow for and reduce regulations related to internal or detached accessory dwelling units in residential zones. While the state legislature has set restriction on municipalities for internal accessory dwelling unit requirements, there is more latitude for cities with external ADUs. State code required that internal ADUs be allowed in any

single family, detached home. There is a requirement for owner occupancy, and the city can regulate the landlords. The state doesn't care how internal/external ADUs are tracked, whether it be by building permits or landlord permits, but the city does need the data available to the state. Mr. O'Brien stated that the city code does have more restrictions, but the code is outdated and needs to be brought into compliance with state law.

Mr. O'Brien further explained that an external ADU is a dwelling unit that is detached from the home and internal ADUs would be in the basement, an addition, or by remodeling. The state law does not require the city to allow internal ADUs if they are adding to the structure. Previously, the state code required that the internal ADU had internal and external access, but the legislature removed the internal access requirement. However, there was now a cost implication when there is no internal access, as they must have fire separation according to the international building code.

Mr. O'Brien stated that cities all have very different laws. One city allows property owners to add an external ADU and then down the road subdivide the property. There was no one-size-fits-all approach. Having a lot subdivided down the road would have a lot of logistics that would need to be addressed.

Mr. O'Brien went over some of the considerations for external ADUs they would need to consider:

- Size restrictions
- Setbacks
- Height
- Building type
- Parking requirements - whether they allow stacked parking or side by side parking and if they would need additional covered parking.
- Utility connections - should they be separate with a new impact fee
- Access and building location
- Open space requirement
- Lot size - do they want to require a minimum lot size
- Primary dwelling type
- Restrictions on location within the city
- Approval procedure to follow - conditional use at staff level or city council
- Owner occupancy
- Short Term Rentals - would they be allowed to do this

Council Member Carroll stated the council has been very clear that they would not allow accessory structures to be used as a dwelling unit, and she questioned how this was different than an accessory structure. Mr. O'Brien stated it would allow them to convert those to accessory dwelling units, unless there are restrictions put in place.

It was noted the city was not allowed to require external ADU's, but the items listed by Mr. O'Brien would need to be addressed. For the reasons listed, this has not been allowed in the past.

*Council Member Hunter arrived.

There was a discussion amongst the council for reasons to allow or not allow external ADUs. Some of the issues the council could see was the negative affect it could potentially have on a neighborhood. While there was a need for moderate income housing, they have met those requirements, and it was felt they needed to protect the existing neighborhoods. The city has a good deal of density by FrontRunner and east of 500 East, and it may not make sense to allow this throughout the city.

It was noted they could restrict it to only one internal or external ADU on site, so they don't have a lot with three dwelling units on one lot.

There was also a discussion about lot sizes and subdividing in the future. If additional units were wanted, they could subdivide the property. However, they would have to look at the lot requirements. One potential issue would be flag lots, and the city would need to address that.

Mayor Frost asked the council if they wanted to allow this, what was the size of the lot they would like to see.

Council Member Taylor stated they have done a great job putting high density in strategic locations and felt they have done their part. Council Member Hunter felt that if the property qualifies to be subdivided, then they can look at that option. Council Member John agreed and said the capacity was something that needed to look at. Council Member Carroll and Council Member Holley wanted them to look into some options, but not give a blanket no.

Mayor Frost asked how they felt about using ADUs for short term rentals, and the council does not want them used for short term rentals. Mr. O'Brien noted that staff couldn't keep up with the number of short-term rental complaints; they have had issues with owner occupancy.

It was noted that the council would like to see some options. Some things to consider were parking, setback requirements similar to a home, and height restrictions as it wasn't meant to build another house.

Mr. O'Brien stated they have had several people reach out to the department to find out if it was allowed. Mr. Bunker stated they have had one developer already say they are building their homes with accessory basement apartments.

Mr. O'Brien stated he would come back with a couple of options; if the council likes them then they will dive into it more. He would keep it high level so they can explore it. It was suggested he talk with Council Members Carroll and Council Member Holley to get their concerns. A few examples would be included so they can have a visual of what it may look like.

2. Discussion with the PARC Tax board regarding the PARC Tax survey.

Camden Bird stated he would give a brief background and then turn the time over to Tatiana Gocrist. Mr. Bird explained this would be a survey funded through the PARC Tax. In 2019, they did a professional survey through Y2 Analytics, and they are hoping to do this again to reestablish how they are doing in the residents' eyes.

Tatiana Gocrist stated Y2 Analytics was excited to work with the city again. She explained they would start by designing the questionnaire to address the basic needs of the city. They will then create the full questionnaire, then go through the programming phase, and then into the field. They will do a multi-mode approach. They will do the online, but will reach people through various modes like text messages, postcards, etc. They will make sure they hear from American Fork residents with varying demographics. She noted it would take about three weeks to field, after which they will go into the processing of the results and prepare a full report which will then be presented to the city council.

It was noted that the 2019 survey results could be accessed online.

Ms. Gocrist stated that if they have the same questions from previous surveys, they will include that information in the report to show how things have changed.

Mr. Bird stated they wanted the experts to craft the questions. The intent of the work session was to discuss what objectives they wanted. They include:

- Determine how the residents want the funds to be spent
- Understand if the residents are happy with how the funds have been spent up to this point
- Learn if residents know what the PARC Tax program is.
- Learn if residents recognize the PARC Tax brand.

Karen Schaack asked if they could include in the survey how often they go to the park and then break down why they went to the park. The idea behind that was to find out what the parks are being used for and what the priorities are.

Ms. Martin commented that people may not understand what culture includes, so it would be good to help people understand what that means.

Council Member Taylor stated he would like to know if the residents are happy with the breakdown of how the funds are being spent and give them an opportunity to say what they would like to see more of. Mr. Bird responded that they could ask which areas they would like the money to go to.

Ms. Gocrist explained there are two approaches they could take. First, they could do multiple selections, then open ended questions. They can list out the things they think are more important and then ask if there was something they were missing. The second approach could be to ask an allocation question, such as where they would like to spend their money if they were given \$100.

Council Member Hunter liked the idea of finding out why they were at the park, as it could be a recreational, sporting or a cultural event.

Ms. Gocrist explained they want to get a good sample set with a varied demographic, so the respondents would have to have a code to do the survey. It was noted that the same household may have differing opinions, so Ms. Gocrist further explained that the survey postcards and emails are addressed to a specific person at home.

Mr. Bird stated they will take the feedback and then come back with the questions.

Council Member Hunter thought it was critical that the people recognize the brand, and he would be interested in how many people recognize it. Mr. Bird stated that in 2019, they recognized the logo but not necessarily the program.

Ms. Schaack commented she would also like a question on how often they use the facilities. If there is a park that isn't used often, then do they want to put money into it? When asked why it was important to know how the park was used, Ms. Schaack explained it would show how it was used and what it was being used for, so they have a better view on what is going on. An example she gave was Art Dye Park, which might be used for cultural or sports. It would also help them with future improvements needed at other parks.

John Miller asked if they could make sure they have questions pertaining to the Arts. The last survey did not include many questions on the arts. Another concern he had was if the residents understood that the arts are only funded through the PARC tax, and there are things happening in the city that wouldn't be happening without the PARC Tax.

Ms. Gocrist stated she has an idea of what they would like to see and would work on preparing the questions.

Mayor Frost thanked everyone for coming.

3. Adjourn.

The meeting was adjourned at 5:15 p.m.



Terilyn Lurker, City Recorder