

**MINUTES OF THE DRAPER CITY PLANNING COMMISSION MEETING HELD
ON THURSDAY, MAY 28, 2026, IN THE DRAPER CITY COUNCIL CHAMBERS**

PARTICIPATING: Andrew Adams, Chair
Lisa Fowler, Vice-Chair
Commissioner Member Kendra Shirey
Commission Member Susan Nixon
Commission Member Mary Squire
Commission Member Gary Ogden

NOT SITTING: Alternate Commission Member Laura Fidler
Alternate Commission Member Joshua Best

EXCUSED: Alternate Commission Member Christine Green
Traci Gundersen, City Attorney

STAFF: Jennifer Jastremsky, Community Development Director
Todd Draper, Planning Manager
Nick Whittaker, City Planner
Todd Taylor, City Planner
Lori Stout, Executive Assistant
Brien Maxfield, City Engineer
Spencer DuShane, Assistant City Attorney

6:31 PM Business Meeting

Chair Andrew Adams called the meeting to order at 6:31 PM.

1. Items for Commission Consideration.

**A. Public Hearing: Evans Fence Conditional Use Permit
(Administrative Item)**

On the request of Mark and Alexandra Evans, a Conditional Use Permit for approximately 0.92 acres located at approximately 1194 East Lone Peak Lane. Known as Application 2026-0079-USE. Staff Contact: Nick Whittaker, 801 576-6522, Nick.Whittaker@draperutah.gov

City Planner Nick Whittaker presented the staff report and displayed the vicinity, aerial, land use, and zoning maps. The property is designated Residential Low-Medium Density and zoned RA1.

The site plan, photos, and conceptual renderings were reviewed. The proposed eight-foot fence would be installed along a pedestrian trail south of the subject property to provide privacy. Proposed materials were dark gray composite slats and black aluminum posts. Per DCMC 9-27-080(A), fences over six feet in height require a Conditional Use Permit (CUP).

Identified potential impacts included minimal impacts to pedestrian safety. Proposed mitigations were as follows:

- That all requirements of the Draper City Engineering, Building, and Planning Divisions are satisfied throughout the construction of the fence, including permitting.
- That the fencing does not exceed eight feet in height and shall be constructed only in the locations indicated on the approved site plan.

Applicant Mark Evans stated that the rear of his property slopes and that the Draper irrigation trail is approximately 2 feet higher, so a 6-foot fence would not provide adequate privacy. Alexandra Evans added that they have a pool and was concerned about children jumping the fence from the trail.

Chair Adams opened the public hearing. There were no comments. The public hearing was closed.

Motion: Commissioner Fowler moved to APPROVE the Conditional Use Permit, as requested by Mark and Alexandra Evans, Application 2026-0079-USE, based on the following Findings for Approval and subject to the conditions listed in the Staff report dated May 15, 2026.

Finding for Approval:

1. The proposal complies with the standards for approval found in DCMC Section 9-5-080(E), and potential negative impacts are mitigated through the imposition of reasonable conditions.

Second: Commissioner Ogden seconded the motion.

Vote on Motion: 5-to-0 in favor.

Commissioner	Yes	No	Abstained	Not Participating	Absent
Chair Adams			X		
Fowler	X				
Squire	X				
Nixon	X				
Shirey	X				
Ogden	X				
Fidler, Alternate				X	
Green, Alternate					X
Best, Alternate				X	

**B. Public Hearing: Bonham Fence Conditional Use Permit Request
(Administrative Item)**

On the request of The Fox Group, representing The Bonham Family Trust, A Conditional Use Permit for approximately 0.82 acres located at approximately 12540 South 1700 East. Known as Application 2026-0049-USE. Staff Contact: Nick Whittaker, 801-576-6522, Nick.Whittaker@draperutah.gov.

Mr. Whittaker presented the staff report and displayed the vicinity, aerial, land use, and zoning maps. The subject property is on 1700 East, south of Pioneer Road, and was designated Residential Low-Medium Density and zoned RA2. The primary structure was under construction.

The applicant requested installation of a six-foot fence extending into the front yard area and including an automatic gate. Materials would be wrought iron, wood, stone, and Trex composite. A 10-foot black vinyl-coated chain-link fence was also proposed to enclose a sports court in the rear yard. Mr. Whittaker indicated the locations of each fence on the site plan. Fencing on both sides of the property and extending into the front yard would be six feet tall, and front-yard fencing over four feet in height requires a CUP. This fence would be a semitransparent wrought-iron fence atop a two-foot stone wall. The proposed pillars exceeded the six-foot maximum height and would need to be brought into compliance prior to construction.

Mr. Whittaker reported that, as proposed, there would be approximately 23 feet of public right-of-way between the automatic gate and 1700 East. There was currently no sidewalk in the area. The applicant proposed installing the fence at the property line, which would require the gates to swing inward. The proposed location could interfere with the planned future sidewalk in the public right-of-way and would not provide space for vehicles to wait for the gate to open, which could impede both pedestrian and vehicular traffic.

Site photographs were reviewed. Mr. Whittaker reported that construction on the gate had begun but stopped when the applicant realized they needed a CUP.

Identified potential impacts include:

- Safety hazards related to visibility of pedestrians and vehicles.
- Vehicles waiting for the gates to open in the public right-of-way.
- Gates opening into the public right-of-way.
- Impacts related to the location of the gate relative to the location of the sidewalk that had yet to be constructed.
- Emergency Services and emergency vehicle access.

Proposed mitigations were as follows:

1. That all requirements of the Draper City Engineering, Building, and Planning Divisions are satisfied throughout the construction of the fence, including permitting.

2. That the fencing located in the front yard area shall not exceed six feet in height and shall be constructed as indicated on the approved site plan and as depicted and described in the application documentation.
3. That an electrical permit for the automatic gate shall be obtained through the Draper City Building Department prior to its installation.
4. That the gate shall be reviewed for access and safety by the Draper City Fire Marshall prior to its installation.
5. That the gate be installed on the subject property, twenty feet from the front property line with the automatic gates opening toward the interior of the property.
6. That the fencing surrounding the sport court in the rear yard area shall not exceed ten feet in height and shall be constructed in the locations indicated on the Site Plan.

In response to a question, Mr. Whittaker reported that side fencing would be constructed from Trex composite materials and would join the wrought-iron and brick front fence. He was not concerned about the wrought iron, as it is semitransparent, but the front-side fence would be solid.

Commissioner Fowler asked where vehicles would wait until the gates opened. Mr. Whittaker reported that the final design would be up to the applicant, but staff recommended that it be designed such that vehicles are fully on the property while the gate is opening. The 20-foot recommendation was based on discussions with the Engineering Department and the City's parking stall standards, and would provide adequate space for a vehicle to wait without encroaching on the public right-of-way.

In response to a question from Commissioner Nixon, Mr. Whittaker clarified that the submittals indicated the gate would be 23-feet from the road; however, the proposed fence was located along the property line. All 23-feet was public right-of-way, and a sidewalk was planned for the area. The front fence could remain at the property line, but the portion of the gate that had already been constructed would need to be moved 20-feet into the property. Updated plans would be reviewed by the Fire and Engineering Departments.

Commissioner Squire asked if staff had discussed the proposed mitigations with the applicant. Mr. Whittaker reported that the applicant did not return his phone call, but the staff report was emailed to the applicant, with a note that the applicant needed to review the recommended conditions of approval.

Builder Peter Wankier spoke on behalf of the applicant. He had spoken with neighbors who were concerned that the Trex fencing would extend 10 feet along the sides of the property, but he clarified that only the fencing around the tennis court would be that high. An amended site plan was submitted, indicating that the gates would swing inward, but it did not move the fence an additional 20-feet inside the property line. When the project began, there was an existing six-foot vinyl fence that extended to the road.

In response to a question from Chair Adams, Mr. Wankier confirmed that the front fence would have a two-foot stem wall and four columns, and that the Trex fencing would meet the front fence at the corner columns. Fencing and pillars would not exceed six feet in height.

Chair Adams opened the public hearing. There were no comments. The public hearing was closed.

Motion: Commissioner Shirey moved to **APPROVE** the Conditional Use Permit, as requested by The Fox Group, representing The Bonham Family Trust, Application 2026-0049-USE, based on the following Findings for Approval and subject to the conditions listed in the Staff report dated May 15, 2026.

Finding for Approval:

1. The proposal complies with the standards for approval found in DCMC Section 9-5-080(E) and potential negative impacts are mitigated through the imposition of reasonable conditions.

Second: Commissioner Nixon seconded the motion.

Vote on Motion: 5-to-0 in favor.

Commissioner	Yes	No	Abstained	Not Participating	Absent
Chair Adams			X		
Fowler	X				
Squire	X				
Nixon	X				
Shirey	X				
Ogden	X				
Fidler, Alternate				X	
Green, Alternate					X
Best, Alternate				X	

C. Public Hearing: Hunsaker Fence Conditional Use Permit Request (Administrative Item)

On the request of Elite Fence Repair, representing Carolyn Hunsaker, a Conditional Use Permit for approximately 0.83 acres located at approximately 12152 South 2000 East. Known as Application 2025-0228-USE. Staff Contact: Nick Whittaker, 801-576-6522, Nick.Whittaker@draperutah.gov.

Mr. Whittaker presented the staff report and displayed the vicinity, aerial, land use, and zoning maps. The subject property is located on 2000 East near Highland Drive and is designated Residential Low-Medium Density and zoned RA1. The applicant requested installation of a six-foot-tall fence extending into the front yard area and including an automatic gate. Proposed materials were precast concrete and a wrought-iron or tube-metal semi-transparent gate. As the front-yard fence will exceed four feet in height, a CUP is required.

The site plan, conceptual renderings, and photographs were reviewed. The proposed fence would run along the front of the property, and the precast concrete would match the other subdivision

walls along Highland Drive. Mr. Whittaker reported that the submitted details were lacking, and staff attempted to contact the applicant but did not receive a return call. However, they spoke with the property owner, who indicated that it would be a semi-transparent wrought-iron or tube metal fence located at or near the property line. The gates would be angled into the property, and the distance proposed between the fence and the rear of the sidewalk was nine feet. The site plan indicated that the gates would open inward, but no gate plans were submitted to confirm.

Identified potential impacts include:

- Safety hazards related to visibility of pedestrians and vehicles.
- Vehicles waiting for the gates to open in the public right-of-way blocking pedestrian access of the sidewalk and cyclists utilizing the shoulder of Highland Drive.
- Gates opening into the public right-of-way.
- Impacts related to emergency vehicle access.

Proposed mitigations were as follows:

1. That all requirements of the Draper City Engineering, Building and Planning Divisions are satisfied throughout the construction of the fence, including permitting.
2. That the fencing shall not exceed six feet in height and shall be constructed only in the locations indicated on the approved site plan.
3. That the fencing shall be constructed of precast concrete as described in the staff report.
4. That plans regarding the automatic gate feature shall be provided to staff prior to its installation.
5. That the automatic gate shall not exceed six feet in height.
6. That the automatic gate shall be semi-transparent and constructed of or to resemble wrought iron.
7. That the automatic gate shall not open towards the public right of way.
8. That the automatic gate shall not exceed six feet in height and shall be constructed 20 feet from the property line.
9. That an electrical permit from the Draper City Building Department shall be obtained prior to the installation of the automatic gate.
10. That the Draper City Fire Marshall shall review the automatic gate plans prior to their installation.

Mr. Whittaker noted that the staff report contained the following errors:

- Condition 8 erroneously specified a distance of 18-feet from the property line. The correct distance should be 20-feet.
- The sample motion indicated that the item was a Home Occupation, and the correct motion should specify a CUP.

The applicant, Carolyn Hunsaker, stated that LaVar Christensen would speak on her behalf and that her contractor was also in attendance. Fence contractor, Kevin Holfeltz, stated that they had moved the automatic gate 20-feet from the road or 12-feet from the sidewalk. It will open toward the home. He asked if a permit would be required if the gate were solar. Mr. Whittaker reported that they would need to consult with the Building Department regarding permitting requirements. Community Development Director Jennifer Jastremsky added that a Fire Department review is required for all gate applications.

Mr. Christensen stated that his family had lived in Draper for 35 years, and he had developed several properties along Highland Drive. He had met with Planning Manager, Todd Draper, at the site. He believed there was some confusion as the yard was being referred to as the front yard, even though the home faces south, and it had always been considered a side yard, which should only require a 12- to 15-foot setback. The neighboring homes are 21- and 18-feet from the front of the home to the street, and Ms. Hunsaker's home was 53-feet from the front of the house to the street. The fence and landscaping were of the highest quality, and the final step was the security fence at the driveway. Other fences on Highland Drive are wooden and very close to the sidewalk, and new homes are being constructed only 10-feet from it. He asked that the Planning Commission allow the project to move forward.

Chair Adams stated that the gate must be located 20-feet in from the property line, but no plans to that effect had been submitted. Mr. Christensen stated that the proposal matched the survey. Chair Adams clarified that, if approved, the project would be subject to the Conditions of Approval.

In response to a question from Chair Adams, Mr. Whittaker clarified that plans were submitted for the fence, not the gate, and he had not visited the property with the applicant or her representative. Planning Manager, Todd Draper, stated that he met with Ms. Hunsaker and Mr. Christensen at the property, but that there was no agreement on a fence or gate location. They reviewed the location of the property line, which Mr. Whittaker had reported was approximately nine feet from the sidewalk. The gate must be set back from the property line. Mr. Christensen stated that the gate was a new issue, but the applicant would follow the City's direction.

Chair Adams opened the public hearing. There were no comments. The public hearing was closed.

In response to a question raised by Commissioner Fowler, it was clarified that the previous applicant was also required to relocate the gate 20-feet from the property line. Chair Adams stated that they could move the entire fence back 20-feet or have a 20-foot driveway jog with only the gates 20-feet from the property line. Mr. Whittaker added that the proposed fence would be nine feet from the rear of the sidewalk, and along the front property line. It would be a standard fence. The issue was the gate, due to insufficient information in the submittal and its proposed proximity to the property line.

Commissioner Fowler asked what part of a property is considered the front. Mr. Whittaker reported that, per City Code, the front is the side that faces the street. Commissioner Fowler asked if the staff had any concerns about the proposed solid concrete fence on that frontage. Mr.

Whittaker stated that the primary concern was pedestrian and cyclist safety, and ensuring a clear line of sight would satisfy safety requirements.

Commissioner Nixon asked if engineering had made comments regarding clear-view requirements. Brien Maxfield, City Engineer, reported that a clear view on driveways is typically shorter because vehicles are not traveling at speed, but the staff would ensure that there was adequate distance. One reason for requiring the gate to be 20-feet inside the property line is to provide a typical driveway setup where vehicles can see pedestrians, cyclists, and other cars.

Chair Adams asked if the location of the front of the house was relevant. Mr. Whittaker clarified that it had no bearing on the gate requirements.

Motion: Commissioner Ogden moved to APPROVE the Conditional Use Permit, as requested by Elite Fence Repair, representing Carolyn Hunsaker, Application 2025-0228-USE, based on the following Findings for Approval and subject to the conditions listed in the Staff report dated May 15, 2026.

Finding for Approval:

1. The proposal complies with the standards for approval found in DCMC Section 9-5-080(E) and potential negative impacts are mitigated through the imposition of reasonable conditions.

Second: Commissioner Squire seconded the motion.

Vote on Motion: 5-to-0 in favor.

Commissioner	Yes	No	Abstained	Not Participating	Absent
Chair Adams			X		
Fowler	X				
Squire	X				
Nixon	X				
Shirey	X				
Ogden	X				
Fidler, Alternate				X	
Green, Alternate					X
Best, Alternate				X	

D. Public Hearing: Cherry Canyon Block Valve Conditional Use Permit. (Administrative Item)

On the request of Matthew Pulsipher, representing Enbridge Gas Utah, a Conditional Use Permit for the installation of a utility substation on approximately 3.39 acres located at approximately 13461 South Highland Drive. Known as Application 2025-0025-USE, Staff Contact: Todd A. Draper, 801-576 6335, todd.draper@draperutah.gov.

Planning Manager Todd Draper presented the staff report and indicated that the item was continued from 2025. Enbridge Gas had requested a CUP to install a utility substation on property owned by the Steeplechase Homeowners Association and subject to an easement to Enbridge Gas. Vicinity, aerial, land use, and zoning maps were displayed. The subject property is designated Open Space and zoned RA2.

The site plan, elevations, and photographs were reviewed. The property will be accessed via two driveways, and the valve will be fully enclosed with fencing. Two driveways were proposed for safety purposes so vehicles would not have to back out onto Highland Drive. Mr. Draper reported that the application met all requirements for a conditional use. One comment was received in response to the public notice and was included in the meeting packet.

Mr. Draper reported that the suggested motion included in the staff report had an incorrect date of the staff report. The correct date was May 20, 2026.

The applicant's attorney, J.D. Kessler, stated that the application was under the name of Enbridge Gas' land agent, Matthew Pulsipher. The application was for an automatic shutoff valve facility. There would be no motors or other noise-generating equipment, and the facility would not have lighting. The automatic shutoff will be for the main 300 psi gas line running through the City. Smaller stations transfer gas from the main line into a system that delivers the gas to residents' homes at approximately 50 psi. Regulators on the individual meters then further reduce the gas before it enters the home. Transfer facilities sometimes generate noise as they convert high-pressure gas to low pressure, but the automatic shutoff valve would only close in the event of an emergency. For example, if an earthquake changed the line pressure or the line was vandalized, the shutoff valve would close automatically, briefly generating noise. The valve would also be actuated once each year for maintenance.

Mr. Kessler reported that the facility will have 12 feet of visible pipe, approximately three feet above the ground. The location was chosen for several reasons. It was important to the HOA that no oak trees be damaged by the facility, and the 20-foot-by-40-foot area meets that criterion. The site will require some grading work, and the wrought-iron fencing will sit on top of retaining walls. The applicant met with the HOA Board and homeowner Jeff Spangler, who lives immediately adjacent to the location, and it was determined that the specific location would not be visible from his property.

Mr. Kessler referred to a note in the staff report about painting the fence an earth tone and noted that the material was wrought iron, which is typically black. The concrete retaining wall will not be visible from outside the facility.

Commissioner Fowler asked if there was a similar facility in Draper. The public comment included in the meeting packet expressed concern that the facility is too large for a residential area and that an example would be helpful to refer to. Mr. Kessler stated that the requirements for automatic shutoff valves are set by the Pipeline and Hazardous Materials Safety Administration ("PHMSA"). The feeder line through Draper was installed in 2016, and he believed that the shutoff valve was

the first in the City. They had installed similar facilities all over Utah over the past eight years, including one at Jordan High School. Commissioner Fowler stated that the location seemed logical as it was across from the equestrian park and not in or facing a residential area. Mr. Kessler stated that PHMSA requires automatic shutoff valves at specific intervals, and the proposed location met those requirements. Other potential locations were either outside the required area, had access limitations, or were closer to residences.

Chair Adams asked about visibility from the road. Mr. Kessler stated that the existing scrub oak will somewhat screen the facility, which will be located at the rear of the easement. The driveway will be installed to blend in with the adjacent area. They have a different type of facility in Park City with a similar design.

In response to a question raised by Commissioner Squire, Mr. Kessler stated that the wrought-iron fence was proposed for visibility and aesthetic reasons. They asked Mr. Spangler and the HOA whether they preferred a visual barrier at the top, but it was determined that an open fence would be less obtrusive.

Chair Adams opened the public hearing.

LaVar Christensen of Draper Land Development Company stated that his company developed Steeplechase and still owned the subject property. The HOA owns the interior, but he had retained ownership of the property in order to preserve it and had been paying taxes on it for 20 years. It was his position that the HOA did not have legal title to the property and could not sell it. He asked that the item be tabled to provide time for all parties to meet and discuss the issue but noted that he was open to allowing the facility. He then discussed improvements he had made near his home.

The Commission asked staff if they recommend suspend the item and leaving the public hearing open to allow for legal counsel to review of the issues raised by Mr. Christensen. Ms. Jastremsky stated that the Planning Commission should move onto the next item and come back to this one after Assistant City Attorney Spencer DuShane has had a chance to review the public comments.

Motion: Commissioner Fowler moved to SUSPEND the hearing on Application 2025-0025-USE to after Item 1E.

Second: Commissioner Squire seconded the motion.

Vote on Motion: 5-to-0 in favor.

Commissioner	Yes	No	Abstained	Not Participating	Absent
Chair Adams			X		
Fowler	X				
Squire	X				
Nixon	X				
Shirey	X				

Ogden	X				
Fidler, Alternate				X	
Green, Alternate					X
Best, Alternate				X	

This item continued after Item 1E.

Mr. DuShane reported that he reviewed information on the subject property on the Salt Lake County Recorder's Office website. All available information indicated that the property was titled under the HOA's name and Enbridge Gas had an appropriate easement. Mr. Christensen's challenges to the property's ownership should not be adjudicated in this forum, as the Planning Commission is not a judicial body. Neither the Planning Commission nor Draper City could decide who the true property owner is. If Mr. Christensen believed he had an ownership interest in the property, his claim would need to be adjudicated in a court of law. The Planning Commission should make a decision on the CUP based on whether any potential negative impacts could be mitigated to ensure that the use did not disturb the residential character of the neighborhood.

Mr. DuShane stated that both the recorded plat and the easement support the City's position that the HOA owns the property and that Enbridge has a legal easement to build the block valve facility, and that those documents would be included in the record.

There were no further comments. The public hearing was closed.

Mr. DuShane reported that the applicant should be given the opportunity to speak before the Planning Commission's deliberations.

Mr. Kessler stated that the item was tabled in 2025 because the HOA wanted to encourage a more detailed process. The applicant's title search indicated that the HOA owns the subject property. He believes that Steeplechase Associates owns a parcel on the other side of the street, but they did not conduct a title search on that property.

In response to a question raised by Commissioner Squire, Mr. Kessler confirmed that the easement was purchased and recorded in 2022. It was recorded as Questar Gas Company doing business as Dominion Gas. Questar Gas was purchased by and now does business as Enbridge Gas.

Mr. Draper reviewed the following recommended Conditions of Approval.

1. That all requirements of the Draper City Engineering, Public Works, Building, Planning, and Fire Divisions are satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the geotechnical report are satisfied throughout the development of the site and the construction of all structures on the site.
3. That the construction of the utility substation be in conformance with the approved plans.

4. That disturbed areas of the site outside of the fenced area and access drive be revegetated with native plant materials and seed that will tie in with the surrounding natural vegetation and which will not need supplemental water after the vegetation has been established.
5. That vegetation installed as part of the required revegetation of disturbed areas be provided with supplemental water as needed for initial establishment.
6. That the utility substation and entry gates be painted an earthy tone color or colors and that the color(s) be submitted to Staff for approval at the time of the building permit submittal.
7. That fencing be installed as per the approved site plan and elevation drawings.

In response to a question raised by Chair Adams, Mr. Draper reported that the facility location was specified in the application and could not be changed.

Chair Adams stated that he liked the requirement that the facility be painted in earth tones.

Commissioner Fowler stated that the automatic shutoff valve is a needed safety feature for the community and commended Enbridge Gas for working with the HOA on the location and design.

Motion: Commissioner Squire moved to APPROVE the Conditional Use Permit, as requested by Matthew Pulsipher, representing Enbridge Gas Utah for the Cherry Canyon Block Valve, Application 2025-0025-USE, based on the following Findings for Approval and subject to the conditions listed in the Staff report dated May 20, 2026.

Finding for Approval:

1. The proposal complies with the standards for approval found in DCMC Sections 9-5-080(E) and 9-36-060, and potential negative impacts are mitigated through the imposition of reasonable conditions.

Second: Commissioner Shirey seconded the motion.

Vote on Motion: 5-to-0 in favor.

Commissioner	Yes	No	Abstained	Not Participating	Absent
Chair Adams			X		
Fowler	X				
Squire	X				
Nixon	X				
Shirey	X				
Ogden	X				
Fidler, Alternate				X	
Green, Alternate					X
Best, Alternate				X	

**E. Public Hearing: Mitchell Landscaping, LLC Home Occupation Conditional Use Permit Request.
(Administrative Item)**

On the request of Michele Mitchell, representing Mitchell Landscaping, LLC. A Home Occupation Conditional Use Permit for approximately 0.70 acres located at approximately 1354 East 12900 South. Known as Application 2026-0080 USE. Staff Contact: Nick Whittaker, 801-576-6522, Nick.Whittaker@draperutah.gov

Mr. Whittaker presented the staff report and displayed the vicinity, aerial, land use, and zoning maps. The subject property is in the RA2 Zone and designated Residential Low-Medium Density. The applicant requested a Home Occupation CUP to operate a home office that provides landscaping services. A room in the dwelling is used for business administrative purposes. Appointments are scheduled online, and services are provided at the customer's property. No customers or employees come to the home. An enclosed trailer containing landscaping equipment and featuring a business logo wrap is parked at the property.

Site and floor plans were reviewed. A five-foot-by-five-foot office space in the home will be used for administrative purposes, and the trailer will be parked in the side yard when not in use.

Identified potential impacts include the following:

- Customers or employees coming to the home and associated traffic.
- Vehicles parked on the street.
- Noticeable business-related equipment and vehicles.

Proposed mitigations were as follows:

1. That all requirements of the Draper City Engineering, Public Works, Building, Planning, and Fire Divisions are satisfied.
2. That a Draper City business license shall be obtained and maintained by the business owner for as long as the business remains in operation.
3. That only one business-related trailer shall be stored at the subject property in the rear yard, in the location illustrated on the approved Site Plan.
4. That all equipment be stored inside the business-related trailer and not in outdoor yard areas.

Commissioner Nixon remarked that the staff report referred to a shed, but one was not shown on the site plan. She preferred that location but questioned whether a revised site plan should be submitted. Mr. Whittaker identified the shed location on the site plan and indicated that the trailer is parked behind it. A revised site plan could be requested. Chair Adams stated that a condition of approval could be added to that effect.

The applicants, Josh and Michele Mitchell, were in attendance. Mr. Mitchell clarified that the trailer was currently stored in front of the shed. It could be stored behind it at the City's direction.

However, the area north of the trailer is heavily landscaped and cannot be seen from the road. The trailer location was identified on a site photograph.

In response to a question from Commissioner Ogden, Mr. Mitchell reported that the trailer is a standard 14-foot enclosed trailer. Commissioner Fowler stated that the concern was the advertising being visible from the street.

Chair Adams stated that a revised site plan showing the shed will be required, and that a Condition of Approval may be added indicating where the trailer can be stored. Mr. Mitchell confirmed that he would comply with those requirements.

Commissioner Nixon stated that a Skid Steer and a wagon were present on the property during her site visit and asked whether they were related to the current landscaping work at his home or used in the business. Mr. Mitchell stated that he owns the equipment but stores it at a cabin property in Duchesne. It will not be kept on the subject property.

Chair Adams opened the public hearing. There were no comments. The public hearing was closed.

Motion: Commissioner Nixon moved to APPROVE the Home Occupation Conditional Use Permit, as requested by Michele Mitchell, representing Mitchell Landscaping, LLC., Application 2026-0080-USE, based on the Findings for Approval and subject to the conditions listed in the Staff report dated May 15, 2026, and as modified by the following condition:

1. The trailer must be stored behind the shed currently on the site.

Second: Commissioner Fowler seconded the motion.

Vote on Motion: 5-to-0 in favor.

Commissioner	Yes	No	Abstained	Not Participating	Absent
Chair Adams			X		
Fowler	X				
Squire	X				
Nixon	X				
Shirey	X				
Ogden	X				
Fidler, Alternate				X	
Green, Alternate					X
Best, Alternate				X	

Motion: Commissioner Nixon moved to RETURN to Item 1.d, Application 2025-0025-USE.

Second: Commissioner Squire seconded the motion.

Vote on Motion: 5-to-0 in favor.

Commissioner	Yes	No	Abstained	Not Participating	Absent
Chair Adams			X		
Fowler	X				
Squire	X				
Nixon	X				
Shirey	X				
Ogden	X				
Fidler, Alternate				X	
Green, Alternate					X
Best, Alternate				X	

**F. Public Hearing: City-Initiated Short-Term Rentals Text Amendment.
(Legislative Item)**

On the request of Draper City, approval of Text Amendments to portions of Titles 6 and 9 of the Draper City Municipal Code (DCMC) in order to require Short-Term Rentals to be licensed and permitted and to add associated standards. Known as Application 2026-0090-TA. Staff Contact: Todd Taylor, 801-576-6510, todd.taylor@draperutah.gov.

City Planner, Todd Taylor, reported that the text amendment was drafted in response to a request from the City Council to develop regulations for short-term rentals (“STR”). The only current standard in the Code prohibits Internal Accessory Dwelling Units (“ADU”) from being rented for less than 30 days. Several City Council Work Sessions were held to discuss the proposed regulations.

Goals of the new standards included the following:

- Improve public safety;
- Protect neighborhood character;
- Provide clear operating rules;
- Ensure tax collection; and
- Enable tracking and enforcement.

STRs would be required to obtain a Short-Term Rental Permit and Business License, which would ensure the collection of Transient Room Taxes. This would entail:

- Application
 - Only the owner or their authorized agent can apply as a host.
 - Application must include:
 - A floorplan indicating which areas of the home would be used as an STR, sleeping areas, and locations of fire extinguishers and smoke alarms.
 - A site plan showing parking areas.

- A maximum occupancy table.
 - An affidavit confirming that there are no existing HOA or other restrictions on the home.
- Would be approved by the Zoning Administrator and renewed annually.
- Can be revoked if:
 - False information was provided on the application.
 - Not operating as described on the permit.
 - Out of compliance with conditions.
 - Refuse inspection.
 - Ninety or more days delinquent on transient room taxes.
 - Two citations or charges in the past 12 months.
 - Found to be a nuisance by a court.

Standards would be as follows:

- STRs would be allowed in all residential districts
 - Can be located:
 - in all or a portion of a residential unit
 - in a detached ADU if it has a valid permit
 - Cannot be located:
 - on a property with an internal ADU
 - in a tent, trailer, camper, or RV
 - in a unit with a long-term rental
 - Not used for commercial purposes or events
- Occupancy
 - One short-term rental per residential unit.
 - One renter at a time.
 - Minimum stay of three consecutive nights (to reduce party rentals).
 - Maximum stay is less than 30 consecutive days.
 - Maximum occupancy is based on the number of bedrooms and parking.
 - Assumes two persons per bedroom (minimum room size: 70 square feet)
 - An additional 50 square feet per room is required for each additional person
 - Two off-street parking spaces are required per rental, plus one-half space per bedroom or sleeping area exceeding two.
- Exemptions from the STR Permit:
 - RV parks
 - Manufactured and mobile home parks
 - Bed and breakfast inns
 - Hotels, motels, and motor lodges
- Urgent response
 - Host must be available by telephone at all times during rental.
 - The host or a decision-making individual must be able to reach the property within 30 minutes.
 - When the application is approved by the Zoning Administrator, a notice with the urgent response number will be sent to abutting property owners in addition to the Draper Fire and Police Departments.

- Noise
 - Host must ensure that renters are aware of and adhere to Title 7, Chapter 6: Noise Control.
- The following must be posted inside the STR:
 - Short-Term Rental Permit and Business License
 - Urgent response number
 - All applicable rules
 - Good Neighbor Guidelines
 - This Draper City document includes:
 - emergency contact numbers;
 - fire safety information;
 - a reminder that commercial events are not allowed;
 - information on quiet hours and parking restrictions;
 - reminder to not exceed the number of guests specified in the reservation and to pick up after themselves; and
 - pet requirements.
- Health and Safety
 - Fire extinguisher, smoke, and carbon monoxide alarms required per Fire Code. If equipped, a fire sprinkler annual inspection is also required.
 - Electrical panel clearance and temporary use of extension cords
 - Visible house or unit numbers
- Maintenance
 - Owner must adhere to all City ordinances related to maintenance.
- Online listings
 - Must include STR Permit and Business License numbers on all listings.
- Inspections
 - As needed to ensure compliance

In response to a question raised by Chair Adams, Mr. Taylor reported that there had been instances in which a property owner had rented to both long- and short-term tenants. To avoid this issue, permits will not be issued to properties with existing long-term rentals. An example would be a property owner locking their long-term tenant out of a basement so they can rent it as an STR.

Commissioner Squire asked why the maximum rental period was 30 days, as in some circumstances people may need to stay longer. Mr. Taylor reported that the restriction is in line with Utah State Code, which defines short-term rental as less than 30 days. Mr. Draper indicated that this has to do with transient room taxes not being paid for longer rental periods. Long-term rentals also have different licensing standards.

Commissioner Squire stated that it is not uncommon for a local manager to be required for STRs, and she would prefer that Draper have a similar requirement. Chair Adams pointed out that the owner or a decision-making individual must be able to reach the property within 30 minutes.

Commissioner Nixon stated that some State requirements were initiated due to the transient room tax, and it was great that the City would be adopting code to address STRs.

Chair Adams noted that many homes will not have adequate parking to accommodate the owner's preferred number of guests, but the parking restrictions may lessen impacts on the neighborhood and limit complaints.

Commissioner Squire asked why specific special districts were listed on the staff report. Mr. Taylor clarified that STRs were added as a permitted use in all zoning districts that allow residential, but no special districts were excluded. STRs would be allowed in all residential areas.

Commissioner Fowler thanked Mr. Taylor for his efforts. He did a great job on a huge and needed project.

Commissioner Squire asked if an apartment complex could have both long-term and short-term rentals. Mr. Taylor reported that they could designate specific residential units as STRs. Ms. Jastremsky added that some apartment complexes in the City have designated STRs. For example, Canyon Vista has entire floors of dedicated STRs. In response to a follow-up question from Chair Adams, Ms. Jastremsky stated that existing STRs would not be grandfathered, but a single permit could be issued for all designated STRs in the apartment complex. A Business License is required for long-term rentals, and STRs will require both licenses.

In response to a question, Mr. Taylor reported that the notice to be sent to abutting neighbors had not yet been finalized, but it will include contact information for the host or their representative.

Commissioner Squire asked if the Text Amendment was required by the State or if State law was simply being used as a framework for City standards. Mr. Taylor reported that the Utah State Code includes definitions and language regarding enforcement, but it does not include the specific proposed standards.

Commissioner Squire asked if STRs should be allowed in all areas of the City and if HOAs can prohibit them. She would not be in favor of her neighbor using their home as an STR. When she considered purchasing one in St. George, she learned that they required consent from a certain number of neighbors.

Mr. DuShane reported that Utah State Code Section 10-8-85.4 states:

- 2) *Notwithstanding Section 10-20-501 or 10-20-503, a legislative body may not:*
 - a. *enact or enforce an ordinance that prohibits an individual from listing or offering a short-term rental on a short-term rental website; or*
 - b. *use an ordinance that prohibits the act of renting a short-term rental to fine, charge, prosecute, or otherwise punish an individual solely for the act of listing or offering a short-term rental on a short-term rental website.*

STRs cannot be prohibited anywhere in Draper; accordingly, the City Council directed Staff to draft standards to allow the City to regulate them as permitted by State statute. Mr. DuShane believed that HOAs also cannot prohibit them, but he would need to confirm that information.

Commissioner Squire stated that St. George prohibits her from long-term renting her house. Chair Adams indicated that HOAs can lose FHA certification if they have more than 20% non-owner-occupied homes, which can negatively affect property values because potential homeowners cannot obtain an FHA loan. It was interesting that her HOA only regulated long-term rentals. Commissioner Squire stated that she asked her State Representative to consider a bill prohibiting HOAs from disallowing long-term rentals due to the housing shortage, but was told that the legislative focus is on home ownership. However, the State now requires cities to allow STRs, which does not promote homeownership.

Commissioner Nixon stated that the property owners across the street should be notified, as they are more likely to complain. In response to her question, Ms. Jastremsky reported that the recommendation could be included in the motion.

Chair Adams asked about the purpose of requiring abutting owners to be notified. Mr. Taylor reported that the City wanted to ensure that immediately affected neighbors receive the notice, but they did not want to require such a wide radius that multiple notices would need to be mailed. Whether the police or property owner should be called in certain situations was discussed.

Chair Adams opened the public hearing. There were no comments. The public hearing was closed.

Motion: Commissioner Shirey moved to forward a **POSITIVE** recommendation to the City Council for the City Initiated Short-Term Rentals Text Amendment, as requested by Draper City, Application 2026-0090-TA, based on the Findings and Criteria for Approval listed in the Staff report dated May 18, 2026, and as modified by the following additional recommended modification:

1. The Urgent Response requirement for “abutting” property owners be changed to “immediate surrounding” property owners to include properties to the front and rear of the short-term rental property.

Second: Commissioner Nixon seconded the motion.

Vote on Motion: 5-to-0 in favor.

Commissioner	Yes	No	Abstained	Not Participating	Absent
Chair Adams			X		
Fowler	X				
Squire	X				
Nixon	X				
Shirey	X				
Ogden	X				

Fidler, Alternate				X	
Green, Alternate					X
Best, Alternate				X	

G. Public Hearing: City-Initiated Draper-Highland Boundary Adjustment #2 Land Use Map and Zoning Map Amendment Requests. (Legislative Items)

On behalf of Draper City, a Land Use Map Amendment and Zoning Map Amendment for approximately 0.31 acres of property located at approximately 16377 South Suncrest Drive. Known as Applications 2026-0112 MA and 2026-0117-MA, Staff Contact: Todd Draper, (801) 576-6335, todd.draper@draperutah.gov.

Mr. Draper reviewed the vicinity, aerial, land use, and zoning maps. The property was recently incorporated within the City and would be designated Residential Hillside Low Density and zoned A5 with the Hillside Sensitive Overlay. The applications are to add a land use designation and zoning designations to the property incorporated into Draper City.

Chair Adams opened the public hearing. There were no comments. The public hearing was closed.

Motion: Commissioner Squire moved to forward POSITIVE recommendations to the City Council for the proposed Land Use Map and Zoning Map Amendments, as requested by Draper City, Applications 2026-0117-MA and 2026-0112-MA, based on the following Findings and the Criteria for Approval as listed in the Staff report dated May 15, 2026.

Findings for Approval:

- 1. The proposed amendment is consistent with goals, objectives and policies of the City's General Plan.**
- 2. The proposed amendments are harmonious with the overall character of existing development in the vicinity of the subject property.**
- 3. The proposed amendments will not affect the standards of any applicable overlay zone.**
- 4. The proposed amendments will not adversely affect adjacent property.**
- 5. There will be adequate facilities and services to serve the subject property within Highland City.**
- 6. The proposed Land Use Map amendments comply with DCMC Section 9-2-020(F).**

Second: Commissioner Ogden seconded the motion.

Vote on Motion: 5-to-0 in favor.

Commissioner	Yes	No	Abstained	Not Participating	Absent
Chair Adams			X		
Fowler	X				
Squire	X				
Nixon	X				
Shirey	X				
Ogden	X				
Fidler, Alternate				X	
Green, Alternate					X
Best, Alternate				X	

2. Other Business.

A. Coordination between City staff and the Planning Commission (as needed).

None.

3. Adjournment.

Motion: Commissioner Squire moved to ADJOURN.

The Chair adjourned the meeting at 8:45 PM.