



AGENDA

PLANNING COMMISSION MEETING

June 30, 2026

Regular Meeting: 7:00 pm at City Council Chambers 910 S. Mountain Road, Fruit Heights, UT 84037

Fruit Heights City is now streaming Planning Commission Meetings on its YouTube Channel. Please follow us at <https://www.youtube.com/@fruitheightscity9716/streams>

1. Welcome and Opening Ceremony		
1.1	Pledge of Allegiance (Kevin)	
1.2	Roll Call: (Hailee)	
2. Public Comments		
	The public may address the Planning Commission regarding issues that are or are not on the agenda. Please limit comments to 3 minutes. Please state your name and address of residence for the record. No actions may be taken on items not specifically listed on the agenda.	
3. Presentation		
	Presentations may be given as appropriate.	
4. Review and Approve Planning Commission Minutes		
	Minutes of prior meetings may be reviewed and accepted.	
4.1	March 25, 2026, Planning Commission Minutes	
5. Planning Commission Business		
	Business action or discussion items.	
5.1	Preliminary Plat approval for the Eastoaks subdivision first amendment (1649 E Eastoaks)	
5.2	Reviewing MIH strategies	
5.3	General Plan discussion	
6. Tabled Items		
	Business item that was set aside that could have action or discussion now or considered at another time.	
7. Commissioner and Staff Reports		
	Report on meetings, events attended or City Projects.	
8. Calendar		
	Upcoming meetings or events June 29, 2026, America 250 Celebrating Country, and Home 5:30 to 8:30pm at City Hall July 28, 2026, Planning Commission Meeting.	
10. Closed Meeting		
	By motion of the Fruit Heights Planning Commission and pursuant to Title 52, Chapter 4 -205 of the Utah Code, the Fruit Heights Planning Commission will hold a closed meeting for purposes outlined under the code.	
11. Adjournment		
CERTIFICATE OF POSTING		
	I HEREBY CERTIFY that this notice and agenda was posted at Fruit Heights City Hall, on the City's website, www.fruitheights.gov , as well as posted on the Utah State Public Notice	

	website in accordance with the requirements of the Utah Open and Public Meetings Act, including, but not limited to, provisions of Utah Code § 52-4-202. (June 26, 2026)		
		Hailee Ballingham	
		Hailee Ballingham – City Deputy Recorder	
		In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should contact Fruit Heights City Manager, Darren Frandsen, at (801)546-0861, at least 24 hours prior to the meeting.	
		Helpful Links	
		Fruit Heights City Website: https://www.fruitheights.gov	
		Fruit Heights City YouTube Channel: https://www.youtube.com/channel/UCalqHYd0U5RCpaDo8rquABw	
		Fruit Heights City Facebook Page: https://www.facebook.com/FruitHeightsCityGovernment	

Planning Commission Meeting

DATE: 0.30.20					
TIME MEETING BEGAN: 7:00			TIME MEETING IS OVER: 9:09		
PLANNING COMMISSION MEMBERS PRESENT:					
_____	Commissioner Shelley Bodily Excused				
X	Commissioner Scott Justensen				
_____	Commissioner Heidi Murdock Excused				
X	Commissioner Justin Wright				
X	Chairman Kevin Paulsen				
_____	Council Member Mark Cottrell				
STAFF PRESENT:					
X	Darren Frandsen, City Manager				
X	Layne Leonard, Public Works Director				
X	Hailee Ballingham, Deputy Recorder				
X	Jeff Oyler, City Planner 7:05				
_____	Zac Burk, City Engineer				
_____	Brad Christopherson, City Attorney				

Minutes from previous meeting: March 25. 2020 change					Time: 7:09
Justin Kitter / Scott					
Motino to Adjourn: Justin / Scott					Time: 9:09
VOTING ON 7:05 - 5.1 Preliminary Plat approval for the Eastoaks Sub. amendment 1649E East oak + 2					
If Needed open public hearing: / , closed public hearing: /					
Time:					
Motion By Justin					
Second By Scott					
Time: 8:58					
Voting	Yes	No	Abstain		Absent
Shelley Bodily	_____	_____	_____		_____
Scott Justensen	X	_____	_____		_____
Heidi Murdock	_____	_____	_____		_____
Justin Wright	X	_____	_____		_____
Kevin Paulsen	X	_____	_____		_____

Visitors

Fruit Heights City Meeting

Date June 30, 2026

All visitors are required to sign in even if you are not attending the entire meeting.

Print Name

1. Mary Monson	2. Cori Brisk
3. Tara Larkip	4. Nicole Williams
5. Scott Hunsper	6.
7.	8.
9.	10.
11.	12.
13.	14.
15.	16.
17.	18.
19.	20.
21.	22.
23.	24.
25.	26.
27.	28.
29.	30.
31.	32.
33.	34.
35.	36.
37.	38.

FRUIT HEIGHTS CITY
FINAL STAFF REPORT

May 1, 2026

APPLICANT: Solutions LLC, Cori Brisk,

LOCATION: 1649 East Eastoaks Drive

REQUEST: Final Plat Approval, East Oaks Subdivision, 1st Amendment

PROJECT INFORMATION: The applicant is asking for final plat approval to divide an existing residential lot into 2 lots, thus creating 1 new building lot. The property is located on Eastoaks Drive. The existing home is being remodeled and will be sold when finished. All utilities are available in the street. Secondary water is provided by EastOaks Special Improvement District which is operated by Fruit Heights. Applicant will need to pay for a new connection. This property falls within the sensitive lands area and will require a geotechnical analysis. The geotechnical analysis has been performed and is further discussed below.

STAFF RECOMMENDATION: Staff recommends preliminary approval subject to the following comments:

1- Pay plat fees at City Office

Preliminary - \$550

Final - \$560

2- Submit a geotechnical analysis report as per the City's SLED's ordinance. Must have 5,000 sq. ft. of buildable area less than 30% slope. No structure shall be allowed in the 100 yr. floodplain.

A Geologic Hazards Evaluation report was completed by Western Geologic dated January 30, 2026 (Bill Black). A subsequent review of that report was completed by GeoStrata (Tim Thompson) on May 3, 2026. No active faulting was observed in the observation trench, however a number of recommendations were made in the report. Those recommendations are summarized as follows:

- A- Debris Flow Risk Reduction – 6' high rock berm built 20' south of Baer Creek. Building pad be raised at least 2' for new home on lot 1B. Show the berm on the utility plan at the 20' setback.
- B- Civil Engineering Considerations – Surface drainage be directed away from existing home on lot 1A.
- C- Hazzard Disclosures – Disclose to future buyers the risk of building on the lot. Add a note on the plat stating the following: **High risk hazards from earthquake ground shaking, surface faulting, tectonic subsidence and debris flows were identified at the site that should be disclosed to relevant parties with a development or ownership interest.**

- D- Seismic Design – All structures at the property should be constructed to current adopted seismic building codes.
 - E- Unexplored Areas – Additional subsurface exploration is required in the two crossed hatched areas identified in Figure 3C and 3E if part of the house is built into those areas.
 - F- Allow Western Geologic to observe the foundation excavation prior to forming footings and before a building permit is issued.
 - G- Follow all requirements outlined in the Western Geologic report dated January 30, 2026, specifically Conclusions and Recommendations section.
- 3- Show the Bair Creek channel centerline and top of bank on the utility drawing. Also show any flood control easements. Show the 100 yr. flood elevation.
 - 4- The curb and gutter across this street frontage is old and spalding. The city is requesting that the curb and gutter be replaced across the street frontage for both lots. Indicate on the utility plan that the curb and gutter will be replaced. Neither sidewalk nor any other street improvements will not be required.
 - 5- Coordinate with City staff as to locations for new utility connections.
 - 6- Pay the fee for a connection to the Eastoaks Special improvement District for secondary water service.
 - 6- This will need to go before the Planning Commission for preliminary approval.
 - 7- City will assign a new address for lot 1B.
 - 8- Remove signature block for City Council, Weber Basin, and Planning Commission. Add signature block for Mayor with attest from City Reorder, City Planner, City Engineer (plat says county engineer)

PLAT NOTES / DISCLOSURES:
- HIGH RISK HAZARDS FROM EARTHQUAKE GROUND SHAKING, SURFACE FAULTING, TECTONIC SUBSIDENCE AND DEBRIS FLOWS WERE IDENTIFIED AT THE SITE THAT SHOULD BE DISCLOSED TO RELEVANT PARTIES WITH A DEVELOPMENT OR OWNERSHIP INTEREST
- ADDITIONAL SUBSURFACE EXPLORATION IS REQUIRED IN THE TWO CROSSHATCHED UNEXPLORED AREAS (FIGURES 3C AND 3E) IF ANY HABITABLE STRUCTURE EXTENDS INTO THOSE AREAS
- WESTERN GEOLOGIC MUST OBSERVE THE FOUNDATION EXCAVATION PRIOR TO FORMING FOOTINGS AND BEFORE A BUILDING PERMIT IS ISSUED
- FOLLOW ALL REQUIREMENTS IN THE WESTERN GEOLOGIC GEOLOGIC HAZARDS EVALUATION REPORT DATED JANUARY 30, 2026, SPECIFICALLY THE CONCLUSIONS AND RECOMMENDATIONS SECTION
- ALL STRUCTURES MUST BE CONSTRUCTED TO CURRENT ADOPTED SEISMIC BUILDING CODES

EASTOAKS SUBDIVISION, 1ST AMENDMENT

AMENDING LOT 1 EASTOAKS SUBDIVISION

LOCATED IN THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP, 3 NORTH, RANGE 1 WEST, SALT LAKE BASIN AND MERIDIAN, FRUIT HEIGHTS CITY, UTAH
MAY 2026

BOUNDARY DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF DAVIS, STATE OF UTAH, AND IS DESCRIBED AS FOLLOWS:

LOT 1, EASTOAKS, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE DAVIS COUNTY RECORDER, STATE OF UTAH.

CONTAINS: 40,421 SQUARE FEET OR 0.928 ACRES, MORE OR LESS.

SURVEYOR'S NARRATIVE

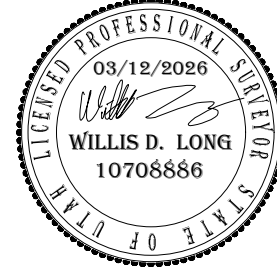
THE PURPOSE OF THE SURVEY WAS TO PREPARE A 2 LOT SUBDIVISION OF THE PROPERTY AS SHOWN AND DESCRIBED HEREON. THE SURVEY IS BASED ON THE COMMITMENT FOR TITLE INSURANCE PROVIDED BY ALLIANT NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NUMBER 56906-SW WITH AN EFFECTIVE DATE OF APRIL 16, 2026. THE SURVEY WAS ORDERED BY PROPERTY SELLER SOLUTIONS LLC, A UTAH LIMITED LIABILITY COMPANY. THE BASIS OF BEARING IS THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 1 BETWEEN THE FOUND MONUMENT OF THE NORTH QUARTER CORNER, TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND A FOUND REBAR AND CAP AT THE NORTHWEST CORNER OF LOT 5 OF WHISPERING OAKS FIRST AMENDMENT, AMENDING LOTS 1 AND 2 (ENTRY NO. 940492) WHICH BEARS NORTH 05°16'55" WEST, DAVIS COUNTY, UTAH, NAD 83 STATE PLANE GRID BEARING.

NOTE: THE BOUNDARY WAS DETERMINED USING THE FOUND NORTH QUARTER CORNER OF SECTION 1 AND THE FOUND REBAR AND CAP AT THE NORTHWEST CORNER OF LOT 5 OF WHISPERING OAKS FIRST AMENDMENT. THEN RECREATED USING THE COMBINATION OF THE WHISPERING OAKS PLAT AND THE EASTOAKS PLAT (ENTRY NO. 384372). THE BEARINGS SHOWN HERE ON HAVE BEEN ROTATED FROM THE ORIGINAL PLAT (EASTOAKS), ROTATE (0°16'07" CLOCKWISE) TO ACHIEVE PLAT BEARING.

SURVEYOR'S CERTIFICATE

I, Willis D. Long, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NO. 10708886 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS RECORD OF SURVEY PLAT IN ACCORDANCE WITH SECTION 17-23-20 AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN ON THIS RECORD OF SURVEY PLAT ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS SURVEY; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY.

SIGNED THIS 12TH DAY OF MARCH, 2026.



Willis D. Long, PLS NO. 10708886

OWNER'S DEDICATION

I THE UNDERSIGNED OWNER OF THE HEREON DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS, PARCELS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID TRACT:

EASTOAKS SUBDIVISION, 1ST AMENDMENT

AND HEREBY DEDICATE, GRANT AND CONVEY TO FRUIT HEIGHTS CITY, DAVIS COUNTY, UTAH ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND ALSO GRANT AND DEDICATE A PERPETUAL EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED ON THE PLAT AS PUBLIC UTILITY, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES, STORM DRAINAGE FACILITIES OR FOR THE PERPETUAL PRESERVATION OF WATER DRAINAGE CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY GOVERNING AUTHORITY, WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITHIN SUCH EASEMENTS.

SIGNED THIS ____ DAY OF ____, 2026.

BY: _____

ITS: PROJECT MANAGER

ACKNOWLEDGEMENT

STATE OF UTAH)

COUNTY OF ____)

On this ____ day of ____, 2026, personally appeared before me CORI BRISK, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he is the PROJECT MANAGER OF PROPERTY SELLER SOLUTIONS, LLC, a Utah Limited Liability Company and that said document was signed by him/her in behalf of said "Corporation by Authority of its Bylaws, or (Resolution of its Board of Directors), and said CORI BRISK acknowledged to me that said "Corporation executed the same.

COMMISSION NUMBER _____

NOTARY PUBLIC (PRINT) _____

MY COMMISSION EXPIRES _____

NOTARY PUBLIC (SIGN) _____

EASTOAKS SUBDIVISION, 1ST AMENDMENT

AMENDING LOT 1 EASTOAKS SUBDIVISION
LOCATED IN THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, FRUIT HEIGHTS CITY, UTAH

DEVELOPER:
CORI BRISK
PROPERTY SELLER SOLUTIONS, LLC
cori@propertysellersolutions.com

S1
1

COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____

FILED FOR AND RECORDED _____

AT _____ IN BOOK _____ OF OFFICIAL

RECORDS, PAGE _____ RECORDED

FOR _____

COUNTY RECORDER

BY: _____

CITY PLANNER APPROVAL

APPROVED THIS ____ DAY OF ____, 2026
BY THE FRUIT HEIGHTS PLANNER.

FRUIT HEIGHTS PLANNER

CITY ENGINEER'S APPROVAL

APPROVED THIS ____ DAY OF ____, 2026
BY THE FRUIT HEIGHTS ENGINEER.

FRUIT HEIGHTS ENGINEER

MAYOR APPROVAL

APPROVED THIS ____ DAY OF ____, 2026
BY THE FRUIT HEIGHTS MAYOR.

MAYOR

ATTEST

CITY RECORDER

CITY ATTORNEY'S APPROVAL

APPROVED THIS ____ DAY OF ____, 2026
BY THE FRUIT HEIGHTS ATTORNEY.

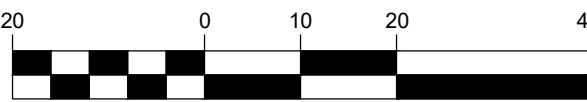
FRUIT HEIGHTS ATTORNEY

NORTH QUARTER CORNER,
SEC. 1, T3N, R1W
FOUND DAVIS COUNTY BRASS
CAP MONUMENT



NORTH

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.

LEGEND



COUNTY MONUMENT AS DESCRIBED



PROPERTY CORNER AS DESCRIBED

SUBJECT BOUNDARY

LOT LINE

ADJACENT PARCEL

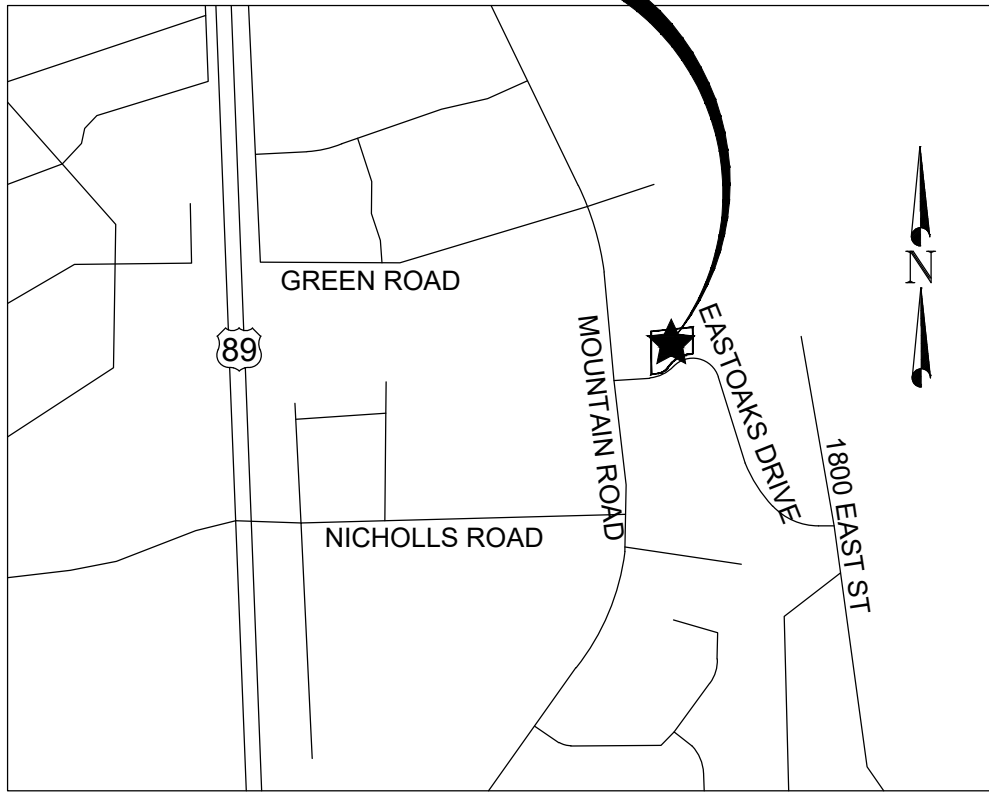
SECTION LINE

EASEMENT

ROAD CENTERLINE

VICINITY MAP

NOT TO SCALE



FOUND REBAR & CAP
NORTHWEST CORNER
OF LOT 5
WHISPERING OAKS 1ST
AMENDMENT

073480007
LOT 7 WHISPERING OAKS
FIRST AMENDMENT
RODGER & LESLIE DRANEY

071470003
LOT 3
WHISPERING OAKS
SUBDIVISION
TYLER & JAMILA JOCOX

071470004
LOT 4
WHISPERING OAKS
SUBDIVISION
JANALYN JENN

07-092-0058

LOT 1

EASTOAKS SUBDIVISION
1649 EAST EASTOAKS DRIVE
PROPERTY SELLER
SOLUTIONS LLC
40,421 SQ. FT.
0.928 ACRES

07-092-0052

LOT 2

EASTOAKS SUBDIVISION
JULIAN & MANDY
GARCIA TRUSTEES

10.00' STORM DRAIN EASEMENT
PER ENTRY NO. 384372

EASTOAKS DRIVE
(60.0' PUBLIC RIGHT-OF-WAY)

5.00' PUBLIC UTILITY EASEMENT
PER ENTRY NO. 384372

R=157.73'
L=92.49'
Δ=33°35'50"
CHB=573°01'32"W
CH=91.17'

R=157.73'
L=65.36'
Δ=22°44'30"
CHB=544°21'22"W
CH=64.89'

R=70.00'
L=62.40'
Δ=50°42'55"
CHB=557°50'51"W
CH=60.09'

S83°18'07"W 37.13'

5.00' PUBLIC UTILITY EASEMENT
PER ENTRY NO. 384372

07-081-0022
PAUL R WOOD
TRUSTEE

07-081-0038
DAVIS COUNTY

07-183-0005
LOT 2
QUAIL HIDEAWAY SUBDIVISION
DALE & LYNN BLAIR TRUSTEES

10.00' DITCH EASEMENT
PER ENTRY NO. 384372

POB

TOP OF BANK

CENTERLINE OF CREEK

BAIR CREEK
(NOTED AS "0.2% ANNUAL CHANCE
FLOOD DISCHARGE CONTAINED IN
CHANNEL" PER FEMA)

LOT 1B
13,486 SQ. FT.
0.310 ACRES

LOT 1A
26,935 SQ. FT.
0.618 ACRES

CENTER OF SEC. 1, T3N, R1W
CALCULATED MONUMENT



LAYTON SURVEYS LLC

Professional Land Surveying 837 S 500 W STE. 201
(801) 663-1641 willis.long@laytonsurveys.com WOODS CROSS, UT 84010

C:\USERS\WILLIAM.LAYTON\SURVEYS\PROJECTS\2024\TEFRUIT HEIGHTS\FRUIT HEIGHTS PLAT.DWG

Utah State code: https://le.utah.gov/xcode/Title10/Chapter21/10-21-P2.html?v=C10-21-P2_2025110620251206

CURRENT STRATEGIES INCLUDED IN THE FHC MIH PLAN

Strategy (A): rezone for densities necessary to facilitate the production of moderate income housing

*This is one of the strategies currently adopted in our MIH Plan.
To accomplish this, we created the R-1-6 zone, allowing up to 6 units per acre under certain provisions.
We reported progress when the Joe Christensen project was being considered — however, the project ultimately failed because potential developers said they could not make it pencil.
To report future progress, we would need to use this zoning for a project somewhere in the city.*

Strategy (E): create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.

*We have created an ADU ordinance.
To report progress, we need to have people come in and license their ADU rentals.
Only 5 licenses have been done so far.
It can be difficult to get people to license their ADU, because they may have to make changes to bring it up to compliance with the ordinance.
This creates a barrier to reporting progress in the number of ADU's we license as a city.*

Strategy (F): zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers

*Transit corridors: Main Street, Mountain Road (where bus transit routes run)
Commercial zones: Cherry Hill, Rock Loft
We could/should identify areas of the city to rezone for higher density.*

Strategy (J): implement zoning incentives for moderate income units in new developments

*We can offer incentives, although it does not guarantee that a developer will agree to them.
The definition of "moderate income" according to the state remains a difficulty for Fruit Heights.*

Strategy (L): reduce, waive, or eliminate impact fees related to moderate income housing

*We can do this; it is a common strategy.
It is not something cities like to do — impact fees are there for a reason (to pay for the impacts created by a new unit being added) — but it is one menu item that is possible for us to do, if an MIH project were approved.*

Strategy (B): demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing

We would need to show a direct connection between the infrastructure work and real MIH units being built. One of the main relevant infrastructures is sewer — its expansion is under control of the Central Davis Sewer District, not Fruit Heights City.

Strategy (C): demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate income housing;

We don't have any uninhabitable housing stock

Strategy (D): identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the municipality for the construction or rehabilitation of moderate income housing;

This is similar to Strategy (L) in our plan (reducing/waiving impact fees).

Strategy (G): amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors

This is similar to Strategy (F) already in our MIH plan.

Strategy (H): amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities

FHC doesn't have either a major transit hub or a senior living facility where we could reduce parking requirements.

Strategy (I): amend land use regulations to allow for single room occupancy developments

This would be like a dorm-type of housing with shared bathrooms and kitchens (usually), but bedrooms that are separately rented and locked. This strategy fits well in a college town. Does it fit well in Fruit Heights?

Strategy (K): preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or, notwithstanding Section 10-21-301, establishing a housing loss mitigation fund

*This means subsidizing rent to freeze it at an “affordable” (see the state’s definition) level.
We would have to figure out how to subsidize rents.*

Strategy (M): demonstrate creation of, or participation in, a community land trust program for moderate income housing

*This means creating a trust where people donate their land into it for the purpose of building MIH on it — thus eliminating the cost of the land and making the housing more affordable.
Do we have residents who would like to donate land into this type of trust?*

Strategy (N): implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality

*This strategy creates a taxpayer subsidy to pay people’s mortgages.
We could only report progress on this item as long as we continue to pay the subsidy out.*

Strategy (O): apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within the Utah Housing Corporation’s funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing

*This means partnering or applying for funds from programs that exist to promote MIH construction.
The difficulty is that the money in such programs will not go far in FHC. Administrators of those funds get more bang for the buck by investing in less expensive areas. If they could subsidize a few units in FHC, or dozens in another city, they will award the money to the other city. It takes a lot of subsidy to make FHC “affordable” by state definition.*

Strategy (P): demonstrate utilization of a moderate income housing set aside from a community reinvestment agency (CRA), redevelopment agency (RDA), or community development and renewal agency (CDRA) to create or subsidize moderate income housing

RDA’s, CRA’s, and CDRA’s are typically commercial areas of blight or disuse that need redevelopment. They are razed, and a new project built there that improves the area and brings in greater tax revenue than before. FH does not have an RDA or a CRA or a CDRA. This strategy is not an option for us.

Strategy (Q) eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-21-101

*At the time the current plan was created, FHC did not allow detached ADU’s (DADU’s).
As of Fall 2026, we are mandated to allow them within certain parameters, and must create an ordinance.
We can choose to use this strategy. It just means that the costs of those impacts will be borne by taxpayers rather than the builder.*

**Impact fees must be supported by a fee study, done by our engineers. So we would need to do that study, determine the fees, then waive them.*

Strategy (R): **create a program to transfer development rights for moderate income housing**

*This means allowing a developer who owns land in two places in the city — one that is zoned for density and one that is not — to transfer the zoning designation from one to the other. Or potentially from one developer/owner to another.
It bypasses the Council's right to choose where to have density.*

Strategy (S): **ratify a joint acquisition agreement with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing**

This is FH joining with somewhere cheaper (Sunset, for ex), and giving them money to build MIH there.

Strategy (T) **develop a moderate income housing project for residents who are disabled or 55 years old or older**

*Fruit Heights City is not a developer.
It is not certain that only zoning for it would satisfy the requirement, the way this strategy is stated.
To meet the definition of "moderate income housing", the units would have to sell for under \$400,000, likely requiring subsidies to achieve that price.*

Strategy (U): **develop and adopt a station area plan in accordance with Section 10-21-203**

Fruit Heights does not have a station. This strategy is not an option for us.

Strategy (V): **create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones**

*This strategy is similar to strategy (A) in our plan (using the R-3 zone)
This is a description of "missing middle" housing: multi-unit buildings that are not high-rises, but sized similarly to single family homes.
Multifamily means anything with shared walls: apartments, condos, townhouses, duplexes, triplexes, and so on.*

Strategy (X): **create a housing and transit reinvestment zone in accordance with Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act**

*We don't have the type of transit zone this refers to, or a plausible reinvestment zone.
This would also fall under an even lower definition of "affordable" — 60% of AMI, even harder to achieve.*

Strategy (W): **demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing**

First option: "Local funding source" means tax dollar-funded subsidies.
Second option: requiring 10% or more of new developments to be dedicated to MIH.

Example: *The largest piece of land that remains in FHC is the Manning Orchard — 10 acres on the west side of Mountain Road.*

This strategy would require that at least 1 acre of that development be dedicated to MIH (which would still need to be subsidized to meet the definition of “affordable”).

We would have 1 acre of multi-family or small-lot single family required, but not more, within an existing single-family home neighborhood.

Strategy (Y): **create a home ownership promotion zone in accordance with Part 5, Home Ownership Promotion Zone for Municipalities**

*Requires 10 contiguous acres or less, zoned for fewer than 6 housing units per acre before the HOPZ is created. The HOPZ must then zone for 6 or more per acre, and the units must be purchased, not rented; and the city must provide that 60% of the units must qualify as affordable.(this equals subsidies)
These would be 6,000 sf lots (R-6) or smaller.*

The city would need to create an entity to administer the HOPZ , separate from the city. A TIF (Tax Increment Financing area) may be used, but all TIF money would be used only for improvements within the HOPZ, not as revenue to the city.

Strategy (Z): **create a first home investment zone in accordance with Title 63N, Chapter 3, Part 16, First Home Investment Zone Act.**

*A FHIZ requires a minimum of 10 acres of developable land.
51% of the developable area must have 30 dwelling units per acre.
Mixed-use (residential and commercial) is required in a FHIZ
50% of units must be owner-occupied for 25 years.*

Strategy (AA): **approve a project that receives funding from, or qualifies to receive funding from, the Utah Homes Investment Program created in Title 51, Chapter 12, Utah Homes Investment Program**

*This applies only to cities of the first or second class. Fruit Heights is a city of the 5th class.
This strategy is not an option.*

Strategy (BB): **adopt or approve a qualifying affordable home ownership density bonus for single-family residential units, as described in Section 10-21-401**

*In this section, “affordable” means able to be **purchased** by someone with a gross income of no more than 120% of AMI (\$132,000) — which comes out to approximately at most a \$350,000 home price (without HOA fees — less than \$350,000 if HOA fees are charged)*

*OR able to be **rented** at an affordable rate to someone making no more than 80% of AMI (\$85,000), meaning total housing costs (rent, utilities, HOA) could not exceed \$2,120.*

This code specifies that the zoning must be at least 6 units per acre if it was otherwise zoned for less; or, .5 unit/acre more than it otherwise would be if it was zoned for more than 6 previously. The Somerset Condos are about 16-20/acre, for comparison, and sell at between \$300-\$400K.

Also in this code:

At least 60% of the units must be deed restricted to owner occupancy for 5 years

At least 25% must qualify as affordable housing

At least 25% must be no larger than 1600 sf

OR the developer creates a preferential buyer program for a category of preferred buyers established by the city, according to USC 42 Fair Housing Act Sec 3601.

Strategy (CC): adopt or approve a qualifying affordable home ownership density bonus for multi-family residential units, as described in Section 10-21-402

This Section requires at least 20 residential units per acre.

At least 20% more than would otherwise be allowed in the area

60% of the units deed restricted to owner occupancy for 5 years

25% of the units must qualify as affordable

25% of the units must be no larger than 1600 sf

OR, the builder creates a preferential buyer program to a category of preferred buyers established by the city for the units, according to Fair Housing Act US code 42-3601

Per the State: Communities which do not submit, or do not correct issues identified in a notice of noncompliance within 90 days will:	1. Be ineligible for TIF/TTIF funds. 2. Not receive funding from the State Tax Commission starting January 1, 2024. (SB260) 3. Be subject to a daily fee for noncompliance starting in 2024
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