

MINUTES
PLANNING COMMISSION MEETING
FRUIT HEIGHTS CITY
910 South Mountain Road
June 30, 2026

WELCOME: Chairman, Kevin Paulsen called the meeting to order at 7:00pm.

PLEDGE & OPENING CEREMONY: The Pledge of Allegiance was led by Commissioner Kevin Paulsen

PLANNING COMMISSION MEMBERS PRESENT: Chairman Kevin Paulsen Commissioners, Scott Justensen and Justin Wright. Council Member Mark Cottrell. Commissioners Shelley Bodily and Heidi Murdock were excused

CITY STAFF PRESENT: City Manager Darren Frandsen, City Planner Jeff Oyler (7:05), Public Works Layne Leonard, and Deputy Recorder Hailee Ballingham.

VISITORS: Mary Monson, Cori Brisk, Tara Larkin, Nicole Willams, Scott Heusser

PUBLIC COMMENTS: None

REVIEW AND APPROVAL OF MINUTES FROM PREVIOUS MEETINGS:

Commissioner Justin Wright made a motion to approve the March 25, 2026, Planning Commission minutes. Commissioner Scott Justensen seconded the motion. There was no further discussion.

The motion was approved by the Planning Commission at (0:03)

Commission Vote:

- Shelley Bodily — Excused
- Heidi Murdock — Excused
- Scott Justensen — Yes
- Justin Wright — Yes
- Kevin Paulsen — Yes

The motion carried **(3-0)**.

PLANNING COMMISSION BUSINESS:

5.1 Preliminary Plat approval for the East Oaks subdivision first amendment (1649 E East oaks)

City Manager Darren Frandsen presented a request for an amended subdivision plat for the property located at 1649 East Oaks Drive. He explained that the property owner is requesting approval to divide

the existing lot into two conforming lots while maintaining the current zoning designation. No zoning change is proposed.

City Manager Frandsen stated that City staff reviewed the application and found that both proposed lots meet the minimum zoning and frontage requirements. He explained that utilities would not be installed for the newly created lot at this time, allowing the property owner the option to retain both lots together or develop the second lot in the future. Should the second lot be developed, all required utilities and improvements would need to be installed at that time.

The Commission discussed the geotechnical study completed for the property, including requirements related to the nearby creek, drainage, flood mitigation, and potential geologic hazards. City Manager Frandsen explained that the study identified the conditions necessary for future development and that any future construction would be required to comply with all recommendations contained in the geotechnical report.

The applicant explained that the geotechnical investigation was only partially completed because fully excavating the site would have impacted the neighboring property. He stated that additional geotechnical evaluation will be required when the site is excavated for construction, and a geotechnical engineer will be required to verify that the site is suitable for building before a building permit is issued. Although there is a possibility that additional conditions could be discovered, both the City's consulting geotechnical engineer and the applicant's geotechnical engineer believe this is unlikely.

Commission members discussed access to the proposed lot, future utility requirements, landscaping and irrigation standards, potential floodplain concerns, and whether the proposed lot would ultimately be buildable. Staff explained that these items will continue to be reviewed during the development and permitting process to ensure all City requirements are met.

City Manager Frandsen also informed the Commission that staff has received another lot split application for a future meeting, as well as two zoning change requests that are currently being processed. Notices will be mailed to all property owners within 500 feet of the affected properties before the rezone public hearings are scheduled.

5.2 Reviewing MIH Strategies

City Planner Jeff Oyler presented a discussion on the City's Moderate-Income Housing (MIH) strategies. He explained that the City Council directed the Planning Commission to review the State's available strategies and provide a recommendation on whether to retain the current strategies or consider additional options.

City Planner Jeff Oyler reminded the Commission that Fruit Heights City is currently in compliance with the State's Moderate Income Housing requirements. The Commission discussed the City's existing strategies, including the R-1-6 zoning, Accessory Dwelling Units (ADUs), and identifying potential areas for higher-density residential development R-1-6 and R-3.

The Commission also discussed upcoming State requirements related to detached ADUs, requirements,

The Commission continued its review of the State's Moderate-Income Housing (MIH) strategies to determine which options would be appropriate for Fruit Heights City.

Strategy A – Rezone for densities necessary to facilitate the production of moderate-income housing.

The Commission discussed the City's adoption of the R-1-6 zoning district and noted that approving future R-1-6 or R-3 developments would demonstrate continued progress toward implementing this strategy. Staff noted that while a previous higher-density project did not move forward, the project failed due to private development factors rather than City action.

Strategy E – Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.

The Commission discussed the City's existing ADU ordinance and the upcoming requirement to adopt regulations for detached ADUs. Members also discussed encouraging property owners with existing unlicensed ADUs to obtain permits through education and public outreach. Staff reported that the City currently has approximately five approved ADUs.

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

The Commission agreed this remains one of the most practical strategies for Fruit Heights. Members discussed updating the General Plan to identify potential infill locations where higher-density residential development could be considered without committing to future rezoning.

Strategy J – Implement zoning incentives for moderate income units in new developments.

The Commission discussed this strategy that officers' development incentives but concerns that incentives would have little impact due to the high cost of land and limited development opportunities within the city.

Strategy L – Reduce, waive, or eliminate impact fees related to moderate income housing

The Commission discussed whether reducing impact fees would encourage moderate income housing but concluded that the financial benefit would likely be minimal while reducing revenue needed to maintain City services and infrastructure.

Strategy B – Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate-income housing.

The Commission discussed whether roadway and infrastructure improvements could demonstrate progress toward supporting future housing opportunities. While members recognized that infrastructure investments improve the community, they questioned whether they would satisfy the State's intent for this strategy.

Strategy C – Demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate income housing.

The Commission discussed whether vacant or underutilized properties, including the former rock shop and the East Oaks property, could qualify under this strategy if they were redeveloped into housing. Members agreed this strategy may be worth further consideration.

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.

The Commission discussed the possibility of using grants or other funding sources to offset development costs but expressed concern that the City's limited financial resources would make this strategy difficult to implement.

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:

The Commission determined this strategy is likely not applicable to Fruit Heights because the City is not located along a major transit investment corridor.

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:

The Commission discussed reducing parking requirements for developments near major transit or senior housing but concluded that this strategy is not practical for Fruit Heights due to the City's development patterns and reliance on personal vehicles.

Strategy I – Amend land use regulations to allow for single room occupancy developments:

The Commission discussed whether this strategy could apply to future senior housing or room rental opportunities. Members noted that current City regulations do not allow single-room occupancy developments but agreed the concept may be worth exploring further as housing needs continue to evolve.

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.

The Commission discussed deed restrictions and landlord incentive programs but expressed concern about the long-term commitments and complexities associated with restricting future property sales and rental rates.

Strategy M – Demonstrate creation of, or participation in, a community land trust program for moderate income housing

The Commission discussed the concept of establishing a community land trust but agreed it would require willing land donations and was not a practical option for Fruit Heights at this time.

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.

The Commission reviewed programs that provide mortgage assistance for municipal employees or other public service workers. Members noted that while beneficial in some communities, the financial commitment would likely be beyond the City's capabilities.

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

The Commission discussed partnering with neighboring communities or organizations that administer affordable housing programs. Members also discussed the possibility of supporting existing housing within Fruit Heights but agreed additional information would be needed before considering this strategy further.

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.

The Commission discussed Community Reinvestment Agency programs and noted they are generally used for commercial redevelopment projects. Members agreed the process is complex and may not be practical for the city.

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

The Commission discussed whether waiving impact fees for detached Accessory Dwelling Units (ADUs) could encourage additional housing opportunities but noted that any incentive would ultimately be funded by taxpayers.

Strategy R – Create a program to transfer development rights for moderate income housing

The Commission determined that allowing development rights to be transferred between properties would be difficult to administer and is not well suited for a nearly built-out community.

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

The Commission discussed partnering with other municipalities to acquire property for moderate income housing but questioned whether the City should participate in housing development projects outside of Fruit Heights.

Strategy T – Develop a moderate-income housing project for residents who are disabled or 55 years old or older

The Commission discussed the possibility of senior housing projects but recognized that the City is not a housing developer and has limited land available for projects of that size.

Strategy U – Develop and adopt a station area plan in accordance with Section 10-21-203

The Commission determined this strategy is not applicable because Fruit Heights does not have a transit station.

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

The Commission discussed this strategy as being similar to the City's existing R-3 zoning and agreed that future higher-density projects could demonstrate progress toward this objective.

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

The Commission discussed requiring a percentage of new residential developments to be designated as moderate-income housing but expressed concern about the financial impact on developers and the City.

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

The Commission reviewed the State's Home Ownership Promotion Zone program and agreed it is a complex process that would require additional research before consideration.

Strategy Z – Create a first home investment zone in accordance with Title 63N, Chapter 3, Part 16, First Home Investment Zone Act.

The Commission determined this strategy is not practical for Fruit Heights due to the significant land and density requirements.

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

The Commission noted this strategy applies only to first- and second-class cities and is therefore not applicable to Fruit Heights.

Strategy BB – Adopt or approve a qualifying affordable home ownership density bonus for single-family residential units, as described in Section 10-21-401

The Commission discussed the challenges of administering a density bonus program for affordable single-family homes and expressed concern about the City's ability to manage such a program.

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

The Commission reviewed the requirements for deed-restricted affordable multifamily housing and agreed that the administrative responsibilities and program requirements would make this strategy difficult for the city to implement.

The Commission directed staff to prepare a summary of the recommended strategies for review at the next Planning Commission meeting. Following additional discussion and refinement, the recommendations will be forwarded to the City Council for consideration.

Staff requested a recommendation from the Planning Commission regarding Item 5.1 – Preliminary Plat Approval for the East Oaks Subdivision First Amendment (1649 E East Oaks Drive). Staff asked the Planning Commission whether they wished to recommend approval of the preliminary plat and direct staff to move forward with the subdivision amendment process.

Commissioner Justin Wright made a motion to recommend approval of the Preliminary Plat for the East Oaks Subdivision First Amendment, located at 1649 E East-Oaks Drive, and to direct staff to move forward with the process. Commissioner Scott Justensen seconded the motion.

The motion was approved by the Planning Commission at (2:58)

Commission Vote:

- Shelley Bodily — Excused
- Heidi Murdock — Excused
- Scott Justensen — Yes
- Justin Wright — Yes
- Kevin Paulsen — Yes

The motion carried **(3-0)**.

5.3 General Plan Discussion

City Manager Darren Frandsen informed the Planning Commission that the City Council has approved moving forward with an update to the City's General Plan. He explained that the Request for Proposals (RFP) is currently being finalized and, once complete, will be released to solicit bids from qualified consultants. The updated General Plan will include significant public involvement, and the Planning Commission will play an active role throughout the review and adoption process.

Mr. Frandsen also informed the Commission that the City Council requested the Planning Commission review a portion of the current General Plan related to the City's trail system, specifically regarding trail easements across private property. The Council requested the Commission consider whether trail easement requirements should apply only to subdivisions creating a minimum of five lots.

Commission members discussed whether it would be more appropriate to address the trail element during the comprehensive General Plan update rather than amending the current plan separately. The Commission expressed concern that completing a separate amendment now could be unnecessary if the entire General Plan will soon be revised. Members also discussed concerns raised by property owners regarding trail easement requirements during lot splits and indicated they would like additional information regarding the City Council's intent before making a recommendation.

The Planning Commission requested that Council Member Mark Cottrell take the Commission's comments back to the City Council for further discussion and clarification. The Commission will continue its discussion and formulate a recommendation for the City Council at a future meeting.

CALENDAR:

July 28, 2026, Planning Commission Meeting.

ADJOURNMENT:

Commissioner Justin Wright made a motion to Adjourn. Commissioner Scott Justensen Seconded the motion. The meeting ended at 9:09 p.m.

Date approved by City Planning Commission:

Not approved until signed. July 28, 2026

/s/ Hailee Ballingham

Hailee Ballingham, City Deputy Recorder