

MINUTES
PLANNING COMMISSION MEETING
FRUIT HEIGHTS CITY
910 South Mountain Road
July 28, 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, Heidi Murdock, Scott Justensen and Justin Wright. Council Member Mark Cottrell. Commissioners, Shelley Bodily was Excused

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

VISITORS: Matt Bengtzen, Todd Stevenson, Ryan Ivie, Jennifer Barkdull, Kevin Barkdull, Mike Burnett, Brad Roberts, Darlene Elggren, Mark Elggren, Laurene Starkey, Doug wheelwright, Kathie Wheelwright, Kira Dewsnepe, Patrick Dewsnepe, Hollie Stelter, Keith Lloyd, Jill Gold, Fred Cook, Sam Paget, Greg Sanderl, Mary Monsen, Steve Johnston, Frank Leaver, Christie Eskelsen, Durke Kilburn, Vickie Benincost, Rob Benincost, Mark Zarboni, Rick Sabor, Tracy Sabor, Mark Taylor, Jolie Taylor, Kevin Reece, Lisa Cook, Dale Kunkel, Cindy Roybal, Chris Roybal, Heather Hirst, Melyn Lifferth, Angee Gardiner, Stacy Lee, Hayden Lee, Amanda Lee, Terry Harris, Anne Quintus-Bosz. Maren Paget

PUBLIC COMMENTS:

Frank Leaver: Expressed concerns regarding the City's ongoing zoning and planning decisions. He stated that citizens have requested updates to the General Plan, Trails Plan, and Moderate-Income Housing Plan for more than eight months. He suggested that the city consider a moratorium on additional zoning changes until these plans are addressed. Mr. Leaver also expressed concerns about allowing City staff to negotiate development.

REVIEW AND APPROVAL OF MINUTES FROM PREVIOUS MEETINGS:

Commissioner Justin Wright made a motion to approve the June 30, 2026, Planning Commission minutes with recommend changes. Commissioner Scott Justensen seconded the motion.

The motion was approved by the Planning Commission at (0:07)

Commission Vote:

- Shelley Bodily — Excused
- Heidi Murdock — Yes
- Scott Justensen — Yes

- Justin Wright — Yes
- Kevin Paulsen — Yes

The motion carried **(4-0)**.

PUBLIC HEARING:

5.1 Rezone approximately 0.701 acres from R-S-12 (Residential-Suburban) to R-3 (Multi-Family Residential) and approximately 0.255 acres from C-2 (Commercial) to R-3 (Multi-Family Residential). Properties located at 1207 South Main Street

City staff presented a request from Ryan Ivie to rezone approximately 0.95 acres at 1207 South Main Street from C-2 and R-1-12 to R-3, a multifamily residential zone. The proposed project would include approximately 24 rental units in a building of up to four stories and 45 feet in height, with 34 outdoor parking stalls and a 25% landscaping requirement. Access would be from Main Street, and the existing home on the property would be removed.

Staff clarified that the rezone request would only establish the property's zoning designation and would not approve the proposed development or number of units. If the City Council approves the rezone, the project would return to the Planning Commission for administrative site plan approval, where the specific development details would be reviewed.

Ryan Ivie stated that his goal is to provide additional rental and moderate-income housing opportunities in Fruit Heights. The Planning Commission discussed the distinction between rental and ownership units, existing rental opportunities in the city, and the proposed development's long-term use.

Staff clarified that if the rezone is approved by the City Council, the project would return to the Planning Commission for final site plan approval, where the specific development details would be reviewed. If the rezone is denied, the proposed project could not proceed under the current zoning. Staff also clarified that the project does not involve a subdivision application, as the applicant is proposing a change in land use rather than subdividing the property.

Staff further explained that any future moratorium on rezoning would not apply to the projects currently under consideration, as they were already in the review process.

The Planning Commission then opened the public hearing and requested that speakers limit their comments to approximately three minutes.

Laurene Starkey, spoke regarding the proposed rezone at 1207 South Main Street. She expressed concerns that the property is located near the shared border between Kaysville and Fruit Heights and stated that changes to the Main Street corridor impact surrounding communities. MS. Starkey requested that the Planning Commission deny the recommendation for R-3 zoning, stating that the rezone may be premature while Fruit Heights is updating its General Plan. She also expressed concerns about removing the existing C-2 commercial zoning and replacing it with higher-density multifamily housing, which she felt could create a difficult transition between the proposed development and surrounding lower-density neighborhoods. MS. Starkey encouraged the city to consider a collaborative approach between the City, neighbors, and developers to find a development plan that respects the existing character of the area.

Matt Bengtzen, spoke in opposition to the proposed rezone at 1207 South Main Street. He stated that placing a multifamily development on a less than one-acre parcel adjacent to single-family homes would be inconsistent with the character of the surrounding neighborhood. Mr. Benson expressed concerns regarding traffic, parking, emergency access, and public safety impacts, including whether traffic studies and emergency response considerations had been evaluated. He questioned the ability of existing infrastructure and nearby streets to support the proposed development. He acknowledged the applicant's desire to improve the property but stated that he believed the proposed use was not appropriate for the location. He also noted that existing housing options, such as accessory dwelling units, already provide opportunities for additional housing within residential areas. Mr. Benson stated that he and others in the community oppose the rezone request.

Douglas Wheelwright, spoke in opposition to the proposed rezone at 1207 South Main Street. He stated that he reviewed the City's existing land use master plan and expressed concerns that the proposed R-3 zoning was inconsistent with the current zoning and future land use designations for the area. Mr. Wheelwright noted that the city recently began the process of updating its General Plan and stated that approving a significant zoning change before completing that process may be premature. He stated that the current master plan identifies the area for commercial and recreation-oriented uses and that the proposed multifamily development does not align with those goals. Mr. Wheelwright also expressed concerns regarding the proposed density, building height, impacts to surrounding single-family neighborhoods, infrastructure, and compatibility with the existing community. He requested that the Planning Commission recommend denial of the rezone until the City's future land use planning process is completed.

Mark Taylor, spoke in opposition to the proposed rezone at 1207 South Main Street. He expressed concerns regarding traffic impacts, stating that the area already experiences significant congestion. He stated that the proposed development would represent spot zoning by introducing a large multifamily rental project into an area surrounded by owner-occupied single-family homes. He distinguished the proposal from previous multifamily developments that were located on larger vacant parcels. Mr. Taylor also expressed concerns regarding potential impacts from lighting, parking, and increased activity associated with a rental development adjacent to existing homes. He requested that the Planning Commission deny the rezone request.

Sam Paget spoke in opposition to the proposed rezone at 1207 South Main Street. He stated that he was representing concerns from nearby residents and presented a petition with 66 signatures requesting denial of the proposed multifamily development. He expressed concerns regarding increased density, potential impacts from additional rental units, and reported concerns about past police activity at the existing rental property. He stated that many residents would prefer the property remain zoned for single-family residential use. Mr. Padgett acknowledged the applicant's intent to improve the property but stated that he and surrounding residents believe the proposed multifamily development is not appropriate for the area.

Keith Lloyd spoke in opposition to the proposed rezone at 1207 South Main Street. He explained that the property was his family home and expressed concern that the proposed four-story apartment building would not fit the surrounding neighborhood of primarily one- and two-story single-family homes. He emphasized the importance of maintaining the character of Fruit Heights and urged the Planning Commission not to recommend the zoning change. He stated that, if the project moves forward, he plans to use story poles to demonstrate the proposed building's height and visual impact and invite City officials and nearby residents to view the site. He concluded by asking the Commission to

consider the community's quality of life and not allow financial interests to outweigh the interests of surrounding residents.

Todd Stevenson spoke in opposition to the proposed rezone. He questioned the City's R-3 zoning regulations, stating that the ordinance references different density areas but that the corresponding maps are not included in the General Plan. He expressed concern that the City should not approve an R-3 rezone when the applicable zoning maps and regulations are incomplete. He also raised concerns about consistency in zoning decisions. He referenced a previous R-3 rezone request in an R-S-12 area that was denied by the Planning Commission and City Council, noting that similar concerns regarding the lack of R-3 zoning maps were discussed at that time. He cautioned that approving the current request could create a precedent for similar rezoning requests throughout the city and potentially lead to inconsistent zoning decisions.

Cindy Roybal, a Farmington resident and former Farmington Planning Commission and City Council member, spoke in opposition to the proposed rezone. She expressed concern about the proposed parking, stating that the project's parking ratio would not adequately accommodate residents and that overflow parking could impact nearby areas, including Cherry Hill and Apple Acres. She also described a similar rezoning request in Farmington for a nine-unit townhouse development on a one-acre residential property. She stated that the Planning Commission and City Council denied the request, after which a reduced proposal was submitted and ultimately reduced to three units. She encouraged the Planning Commission to deny the current rezone and ask the applicant to consider a development more compatible with the surrounding neighborhood. She also encouraged the Commission to consider the impacts on neighboring communities, including Kaysville and Farmington.

Michael Heyer spoke in support of moderate-income housing but opposed the proposed R-3 zoning due to its higher density. He expressed concern about housing affordability for future families and suggested a lower-density multifamily option, such as approximately five units per acre, as a compromise that could provide affordable housing while fitting better with the surrounding community.

Dale Kunkle spoke about private property rights, stating that the rights of private property owners should be respected. He also discussed the General Plan, noting that voters recently rejected a candidate who sought major changes to the plan. He shared his daughter's experience purchasing an affordable home in Ogden and the difficulty younger generations face in finding housing they can afford in Fruit Heights and Kaysville. He expressed support for moderate-income housing as a way to provide opportunities for younger families to live in the community, emphasizing that higher-density housing does not have to negatively affect the community if good residents live there.

Planning Commissioner Heidi Murdock made the motion to close the public hearing Rezone approximately 0.701 acres from R-S-12 (Residential-Suburban) to R-3 (Multi-Family Residential) and approximately 0.255 acres from C-2 (Commercial) to R-3 (Multi-Family Residential). Properties located at 1207 South Main Street Planning Commissioner Justin Wirght seconded the motion.

The motion was approved by the Planning Commission at (1:02)

Commission Vote:

- Shelley Bodily — Excused

- Heidi Murdock — Yes
- Scott Justensen — Yes
- Justin Wright — Yes
- Kevin Paulsen — Yes

The motion carried **(4-0)**.

The Planning Commission discussed the proposed R-3 rezone, with much of the discussion focused on the need for moderate-income and higher-density housing in Fruit Heights. Members noted that the city is largely built out and that the loss of younger families and children is becoming a concern for the community. Several members felt that there may be opportunities for R-3 or R1-6 zoning in appropriate locations, while also recognizing the importance of ensuring new development fits the surrounding neighborhood. Commission members raised concerns about the proposed development's four-story height and parking, particularly whether one-and-a-half parking spaces per unit would be sufficient. Members also discussed traffic, the property's location near existing commercial and residential zoning, and how the development might compare to nearby projects such as Orchard Farms. Some members felt the property could be improved through redevelopment but believed additional consideration should be given to the size and design of any future project.

The Commission also discussed the City's existing General Plan and the need to revisit it as future infill development occurs. State requirements related to moderate-income housing were also discussed, including whether the proposed rental units would qualify depending on their rental rates. The Commission clarified that the matter before them was only the request to rezone the property to R-3, not approval of the proposed unit, four-story development. Any specific development proposal, including its height, parking, and design, would be considered at a later stage. The Commission agreed to continue with the next public hearing before entertaining motions on the rezone requests.

5.2 Rezone approximately 0.835 acres from C-2 (Commercial) to R-3 (Multi-Family Residential) Property located at 1112 S Lloyd Road.

The City Planner introduced Rick Scadden as the developer of the proposed project at 1112 South Lloyd Road. The request is to rezone approximately 0.84 acres from C-2 commercial to R-3 residential. The proposed development would consist of 20 for-sale townhome units, with each unit having a two-car garage on the ground level and two stories of living space above.

The proposed 20 units would be near the maximum density allowed under the R-3 zone, which could allow up to 21 units on the property. The project would meet the City's required 31 parking spaces through the two-car garages, with additional guest parking also proposed. The project would also need to meet the City's 25% landscaping requirement. Access would be provided from both Lloyd Road and Hidden Valley Drive, providing two points of access.

Staff explained that although the project is unlikely to meet the State's definition of moderate-income or affordable housing because of local property values, it could still provide additional opportunities for homeownership through higher-density housing. Staff also noted that multifamily housing is already an allowed use on C-2 property, and the developer could potentially develop approximately 13 units without a rezone. The request for R-3 zoning would allow the proposed 20-unit project.

Staff emphasized that this was an early preliminary concept and that the developer had not completed the detailed design work because the property first needs to be properly zoned. More detailed review of architecture, traffic, parking, density, and other development requirements would occur later in the approval process.

Rick Scadden, the developer, addressed the Commission and residents, stating that he understands the concerns about growth and change in Fruit Heights. He emphasized that the goal of the project is to create an attractive, high-quality neighborhood with architecture that complements the community and maintains long-term neighborhood character. He stated that he believes some of the units could be close to or meet the State's moderate-income housing threshold, particularly the smaller two-bedroom units. He described the project as an opportunity to provide housing for the "missing middle," allowing residents to purchase a home at a more moderate price while still having pride of ownership. Mr. Scadden also explained that the project prioritizes quality over quantity and that the plans provide approximately 13,000 square feet of open space, exceeding the approximately 9,000 square feet required. Mr. Scadden noted that the concept shown was preliminary and that two of the 20 units were smaller two-bedroom units that had not yet been fully shown on the concept plan. He confirmed that he currently owns the property and is investing in the project to develop a proposal for the City.

Dirk Kilburn, a resident at 1213 Santana Drive directly across from the proposed development, stated that he is 28 years old and purchased his home four years ago. He acknowledged the difficulty of homeownership but said it is achievable, noting his monthly house payment is over \$4,000. He asked the Planning Commission to protect the investments of existing homeowners and citizens, rather than prioritizing the investment of one or two property owners.

Doug Wheelwright referenced the existing zoning and prior land use master plan, emphasizing the importance of Cherry Hill as a key economic asset and landmark for the area. They stated that the property's existing commercial zoning would likely benefit the City more than multifamily residential development because commercial development generates more revenue to offset municipal services, utilities, and infrastructure costs. The speaker expressed concern that rezoning the property to multifamily could hinder future commercial and recreational development around Cherry Hill. They urged the Planning Commission to wait until the updated Future Land Use Master Plan process is completed before making a significant zoning change.

Sam Paget stated that he preferred the appearance of the revised proposal but believed the development was still too dense for the site. He expressed concern that there would not be adequate open space for children to play sports or participate in outdoor activities, particularly given the limited nearby recreational options. He also discussed his efforts to gather community signatures opposing the rezone. He said many residents were unaware of the project because they did not live within the limited notification area. He expressed concern that some residents believed the Planning Commission had already made up its mind and would not consider their input, stating that he hoped that was not the case. Mr. Paget emphasized that the opposition was not limited to residents of Kaysville and Farmington, noting that many Fruit Heights residents were also concerned. He said the signatures he submitted represented local citizens directly affected by the proposal. Padgett acknowledged the State's role in housing requirements but stated that he believed cities still had rights regarding development decisions. He encouraged the city to preserve the character of Fruit Heights and stated that small, isolated zoning changes did not fit the community. He concluded by strongly urging the Planning Commission to deny the rezoning application.

Frank Leaver reiterated concerns raised earlier that approving the rezone could place the City in a legal position, particularly because a similar request had previously been denied. He suggested the City wait until the property is addressed through the updated planning process before making a zoning change. He stated that although he lives approximately two miles from the developments and does not expect significant direct impacts, he believes the projects will affect nearby residents. He said the proposed development itself appears reasonable but questioned why the City would rezone property that is already commercially zoned to a use not identified on the current zoning map. Regarding Moderate Income Housing (MIH), Leaver disagreed with the idea that the city could only get “close” to meeting its requirements. He suggested the City could establish an MIH plan and require developers to guarantee that a certain number of units meet MIH requirements as a condition of development. He encouraged the city to develop a concrete strategy for meeting its MIH obligations rather than simply attempting to get as close as possible.

Mike Burnett stated that building new apartment complexes is not the only way for the city to address Moderate Income Housing (MIH) requirements. He suggested that the city consider existing non-compliant apartment units and gradually bring them into compliance. Burnett proposed that the City develop a 20-year plan to bring approximately five existing units into MIH compliance each year, potentially providing incentives or financial assistance to property owners to make the necessary improvements. He said this approach could help satisfy MIH requirements while addressing existing housing within the city rather than relying solely on new apartment developments.

Kristen Wintle stated that this was her first City meeting. She agreed that the existing property is in poor condition and that something should be done with it, but she did not believe the proposed development was the appropriate solution. She expressed concern that the number of proposed units would be too many for the property and would result in increased traffic and additional vehicles traveling along Hidden Valley Drive.

The resident, who lives in the Lloyd’s Mobile Home Park, expressed concerns about the proposed development being adjacent to an older residential community. She noted that many of her neighbors are older and may have reduced eyesight or slower reaction times, raising concerns about increased traffic and children riding scooters and bicycles near the development. She emphasized the lack of a safe place nearby for children to play, stating that Nichols Park is too far for young children to walk to. She also raised concerns about traffic, particularly during the busy Cherry Hill season, when vehicles can line Lloyd Road and extend past the mobile home park. She acknowledged that the proposed development includes two-car garages and adequate driveways but encouraged the City and developer to address the need for a safe play area for children.

Kevin Reese, a resident of the Lloyd Mobile Home Park, stated that his bedroom is approximately five feet from the property line, making him directly affected by the proposed development. He noted that there are multiple ways to provide affordable housing in the area and emphasized that the mobile home park is a close-knit, peaceful senior community. He expressed his desire to preserve the quiet character and existing quality of life of the community.

Ryan Ivie clarified that he was approaching the project both as an investor and as a Fruit Heights resident and parent. He acknowledged that the concerns raised by residents were valid and stated that he was open to working with the Planning Commission to find a development that would be a visual and community enhancement rather than simply an investment intended to maximize profit. He emphasized

that he did not want to force the project on residents and wanted to find a solution that would fit the surrounding neighborhood. Ivie stated that the proposed units would be rentals and that he was not committed to either renting or selling if another approach would better protect the community's interests. He indicated that the proposed rental units would be priced below the approximately \$2,000 threshold discussed for Moderate Income Housing.

Mike Hire stated that as an investor, Ryan Ivie is understandably seeking to maximize his profit from the property. However, the resident emphasized that it is the responsibility of the City and Planning Commission to ensure that zoning and development standards are appropriate for the surrounding area. He recommended denying the proposed rezone and considering a less-dense zoning designation that would better fit the neighborhood. They suggested that a lower-density development could still allow the property owner to make a profit, provide more affordable housing, and better balance the interests of the developer and surrounding residents.

Rick Scadden explained that the property was purchased at a high price, making the proposed development necessary for the project to be financially feasible. He stated that if the property could only be sold for significantly less, he would likely have to walk away because he could not afford to take a loss or simply break even. He emphasized that while he is not seeking to become wealthy from the project, the development must provide a reasonable return on investment. Scadden also explained that the high value of land in Fruit Heights makes simply renovating the existing homes financially impractical. He stated that even a renovated home would not sell for enough to justify the amount he paid for the land. He thanked the Planning Commission for hearing his perspective and considering the financial realities of the project.

Josh stated that he recently purchased a larger home in Farmington but still values the Cherry Heights community. He explained that he had previously attempted to purchase the commercial property himself, contacting the seller several times because he hoped to rezone it for two or three homes, potentially allowing his family to remain in the community. He agreed that the existing property needs to be improved, citing past concerns with the car lot, including frequent police activity and incidents involving people coming to neighboring homes. However, he did not believe that developing 19 or 20 homes on the property was the appropriate solution. He suggested that a smaller development similar in scale to Cherry Heights would better fit the neighborhood and could still provide an affordable housing option. Josh also expressed concern about increased traffic on Lloyd Road and Hidden Valley Drive, noting that his young son had nearly been hit by a vehicle several times while riding his bicycle. He supported incorporating a play area and stated that he would be open to rezoning if the development were redesigned to better fit the existing community and address residents' concerns.

Planning Commissioner Heidi Murdock made a motion to close the public hearing Rezone approximately 0.835 acres from C-2 (Commercial) to R-3 (Multi-Family Residential) Property located at 1112 S Lloyd Road. Planning Commissioner Justin Wright seconded the motion

The motion was approved by the Planning Commission at (2:02)

Commission Vote:

- Shelley Bodily — Excused
- Heidi Murdock — Yes

- Scott Justensen — Yes
- Justin Wright — Yes
- Kevin Paulsen — Yes

The motion carried **(4-0)**.

A Planning Commission member stated that they generally supported the concept of townhomes on the property but felt the number of units could potentially be reduced. They noted that the discussion before the Commission was the proposed R-3 zoning, rather than approval of a specific development plan. Another Commissioner supported the rezone, noting the property's proximity to the higher-density Somerset Condominiums and the changing nature of housing in Fruit Heights and Kaysville. They stated that large lots are increasingly difficult for young families to afford and that townhomes can provide a more attainable housing option. They viewed the property as an appropriate location for higher-density development.

The Commission also discussed State requirements regarding land use applications and Moderate-Income Housing. A Commissioner referenced State law requiring a land-use authority to favor a land-use application when the applicable regulations do not plainly restrict the proposed use. The Commissioner acknowledged residents' concerns and emphasized the importance of finding a balance between preserving the community's character and providing housing opportunities for younger families and individuals facing difficult financial circumstances. A Commissioner shared a personal experience growing up in a government-subsidized housing neighborhood and stated that the community should work toward accepting different types of housing and residents. They supported the rezone while acknowledging that the specific development plans may need to be revised to address density and neighborhood concerns.

The Commission discussed the distinction between approving the zoning and approving a specific development plan. Commissioners noted that the R-3 zone would allow different development concepts to be considered in the future and that the current proposal was not necessarily the final development design. The Commission also discussed recent changes to State law that have limited local governments' discretion in certain land-use decisions and increased requirements for cities to work with developers.

PLANNING COMMISSION BUSINESS:

6.2 Rezone approximately 0.835 acres from C-2 (Commercial) to R-3 (Multi-Family Residential) Property located at 1112 S Lloyd Road.

Planning Commissioner Scott Justensen made a motion to recommend to approve of Rezone approximately 0.835 acres from C-2 (Commercial) to R-3 (Multi-Family Residential) Property located at 1112 S Lloyd Road to the council. Planning Commissioner Justin Wright seconded the motion

The motion was approved by the Planning Commission at (2:12)

Commission Vote:

- Shelley Bodily — Excused
- Heidi Murdock — Yes
- Scott Justensen — Yes

- Justin Wright — Yes
- Kevin Paulsen — Yes

The motion carried **(4-0)**.

6.1 Rezone approximately 0.701 acres from R-S-12 (Residential-Suburban) to R-3 (Multi-Family Residential) and approximately 0.255 acres from C-2 (Commercial) to R-3 (Multi-Family Residential). Properties located at 1207 South Main Street

Before the vote on the rezone request for **1207 South Main Street**, a question was asked of the developer regarding whether he would consider tabling the proposal and modifying the plan to address concerns raised by the public and the Planning Commission.

Ryan Ivie stated that he expected the project to be further addressed during the planning process and that he was open to suggestions and modifications from the Planning Commission. He indicated that he was willing to consider changes as the project moved forward.

The Commission discussed the opportunity for continued communication with the developer and noted that residents could provide additional comments by contacting the Planning Commission, City staff, and City Council members, even though another public hearing would not be required during the subsequent planning process.

Planning Commissioner Justin Wright made a motion to approve Rezone approximately 0.701 acres from R-S-12 (Residential-Suburban) to R-3 (Multi-Family Residential) and approximately 0.255 acres from C-2 (Commercial) to R-3 (Multi-Family Residential). Properties located at 1207 South Main Street Planning Commissioner Heidi Murdock seconded the motion.

The motion was approved by the Planning Commission at (2:15)

Commission Vote:

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

The motion carried **(4-0)**.

6.3 Preliminary Plat approval for the Oakmont Acres First Amended (1599 N Oakmont Ln)

The Planning Commission reviewed a proposed subdivision at the top of **Oakmont Lane**, where the existing property owner, Joe Christiansen, is requesting to divide an existing lot containing a home into two building lots. The existing home would remain, and a new building lot would be created for a future home. The property is currently zoned **R-1-12**, and no zoning change is being requested. Both resulting lots would meet the minimum lot-size and setback requirements.

Staff explained that several items still needed to be addressed before the subdivision could be finalized, including:

- Payment of the required plat fee.
- Submission of a recordable subdivision plat.
- Showing existing sewer and water lines and ensuring required utilities are properly located within permanent easements.
- Showing the City's existing right-of-way along the south side of the property.
- Addressing driveway access for the neighboring property that currently uses a driveway crossing the subject property.
- Ensuring all required setbacks are maintained for both lots.
- Completing the necessary utility relocations and connections.

The Commission discussed the existing driveway serving the neighboring property. Staff noted that the neighboring property needs legal access and that a permanent easement may be appropriate if the existing driveway is to remain. However, staff clarified that the driveway easement is primarily a matter between the two property owners and is not necessarily a condition of the subdivision approval.

The Commission also discussed potential geological and fault-line concerns. Staff stated that the property is outside the City's mapped sensitive lands and fault-line areas and that no geotechnical study had previously been required because the existing home predates current requirements. Commissioners discussed whether a geotechnical inspection during excavation would provide additional assurance regarding potential fault lines and soil conditions. The Commission expressed support for recommending such an investigation.

Staff explained that the City was preparing to reconstruct Oakmont Lane in approximately two weeks and that the property owner needed to complete utility work before the road was rebuilt. If the utilities were not installed before the reconstruction, the property owner could potentially be unable to cut into the newly reconstructed road for several years.

The Commission discussed whether to approve the subdivision conditionally, subject to completion of the items identified in the staff report. Commissioners generally agreed that the lot split itself was appropriate and that the remaining issues could be addressed through conditions.

The Planning Commission made a motion to approve the Preliminary Plat for the Oakmont Acres First Amended Subdivision, located at 1599 N. Oakmont Lane, subject to the City's recommendations and completion of the required conditions. The motion was amended to include a requirement for an evaluation during excavation to address any potential fault-line or soil-related issues.

The motion was approved by the Planning Commission at (2:34)

Commission Vote:

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

- Kevin Paulsen — Yes

The motion carried **(4-0)**.

6.4 Reviewing MIH strategies.

The Planning Commission agreed to table the review of the Moderate-Income Housing (MIH) Strategies due to the late hour and to allow the City Planner additional time to review and incorporate the comments made by the Planning Commissioners.

As Resident were leavening Frank Leaver stated that he had spoken with the developer and was encouraged by the developer's willingness to potentially include two units in the project that would be sold at Moderate Income Housing (MIH) prices. Leaver emphasized, however, that the city would need to require the commitment through its MIH plan and appropriate zoning rather than relying solely on a voluntary agreement.

Planning Commissioners noted that MIH has been discussed extensively over the past several years and that the city is continuing work on both its MIH strategy and General Plan.

The Commission discussed whether two affordable units in a 20-unit development would be a reasonable target, representing approximately **10% of the project**. Commissioners also raised concerns about ensuring the units remain affordable after the initial sale. It was suggested that any MIH units should be **deed-restricted for at least 10 years** to prevent an initial buyer from purchasing at an affordable price and immediately reselling the property at market value.

Staff explained that the maximum sales price for an MIH unit is approximately **\$450,000**, although the exact amount fluctuates based on applicable income limits and other factors. Commissioners discussed the difficulty of producing a new home at that price given the high cost of land and construction in Fruit Heights. It was noted that increased density can help create affordability by spreading land costs across more units, while reducing the number of units could make the remaining units more expensive.

The Commission discussed the possibility of working with the developers during the subsequent planning process to modify the proposals and incorporate MIH units. Commissioners noted that the goal of approving the rezonings was to allow the development process to continue while providing an opportunity to work with the developers on a plan that better addresses the City's housing needs and neighborhood concerns.

Staff also clarified that because the two development applications had already been submitted, the city could not place those applications on hold through a new moratorium while completing the General Plan update. Commissioners discussed that the area may be appropriate for some increased density because it is already surrounded by higher-density development, including the mobile home community, Cherry Heights townhomes, and Somerset Condominiums.

6.5 General Plan discussion

The Planning Commission discussed the City's plans to completely update the General Plan. Staff reported that four proposals had been received from consultants to complete the update, with costs

ranging from approximately \$70,000 to \$90,000. Staff planned to review the proposals and make a recommendation to the City Council.

The Commission discussed its role in the General Plan process and was informed that the Planning Commission would have significant involvement, including participating in meetings, providing direction, and serving on a steering committee. Staff emphasized that public input and documenting public participation would be a major component of the new General Plan process.

Commissioners discussed concerns with portions of the existing General Plan, including trail easements shown across private property and large undeveloped parcels that may eventually be considered for development. The Commission also discussed the importance of providing clear public education regarding State requirements, City authority, zoning regulations, and the General Plan process.

Staff explained that the decision to completely redo the General Plan was driven in part by significant public division and concerns regarding the existing plan.

The Commission discussed a City Council request to consider removing certain trails from the existing General Plan. Commissioners agreed that it would be inefficient to amend the current plan when the city is already preparing to completely rewrite it. Staff also noted that the Planning Commission already has several major assignments, including reviewing development applications, preparing an ordinance for accessory dwelling units, and making recommendations regarding Moderate Income Housing strategies.

A Commissioner recommended that the new General Plan process include a strong public education component, including clear explanations of current State laws, City requirements, and the limitations placed on local governments. The Commission agreed that using a third-party consultant could help provide objective information and improve public understanding of the process.

Planning Commission Heidi Murdock made a motion to hold off on removing the trails from the existing General Plan until the entire General Plan is rewritten, allowing the trail issue and other changes to be addressed comprehensively as part of the new General Plan. Planning Commission Justin Wright seconded the motion.

The motion was approved by the Planning Commission at (2:54)

Commission Vote:

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

The motion carried **(4-0)**.

CALENDAR:

August 25, 2026, Planning Commission Meeting.

ADJOURNMENT:

Commissioner Heidi Murdock made a motion to Adjourn. Commissioner Scott Justensen Seconded the motion. The meeting ended at 9:55 p.m.

Date approved by City Planning Commission: August 25, 2026

Not approved until signed.

/s/: Hailee Ballingham

Hailee Ballingham, City Deputy Recorder