



AGENDA

PLANNING COMMISSION MEETING

August 25, 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 (Justin)	
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	July 28, 2026, Planning Commission Minutes	
5. Planning Commission Business		
	Business action or discussion items.	
6.1	Swearing in Callen Bagley as new Planning Commission member	
6.2	Reviewing MIH strategies	
6.3	R-3 Zone discussion	
6.4	EADU 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	
	September 22, 2026, Planning Commission Meeting	
9. 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.	
10. 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. (August 21, 2026)		
		<u>Hailee Ballingham</u>	
		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	

Visitors

Fruit Heights City Meeting

Date 8-25-20

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

Print Name

1. Mary Monson	2.
3. Frank Leam	4.
5. Anne Quintus-Basz	6.
7. Amanda Huxo	8.
9. Sam Paget	10.
11. Julie Rjlyea	12.
13. Randy Rostein	14.
15.	16.
17.	18.
19.	20.
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37.	38.

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. (YES)

Commission Member Comments,

KMP- this is the most straightforward strategy. If we are redoing the general plan, let's work on identifying more areas that could lend well to R-3 and R-1-6. We started this exercise when we created the R-1-6 zones.

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. (YES)

Commission Member Comments,

KMP- we had a presentation on External ADUs about 3 or 4 years ago from the Withams on Hidden Valley. There was some support for creating a new code section addressing External ADUs, but it fizzled out. Given the state's upcoming required adoption of an External ADU ordinance, I think it makes sense to revisit this. We could even give a one year or longer grace period where people can submit for a permit without a fee to encourage those who may have already done it to come out.

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. (YES)

Commission Member Comments,

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.

Commission Member Comments,

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.

Commission Member Comments,

KMP- if we were to waive internal and/or external ADU permit fees for a certain period of time, would that fulfill this requirement at all?

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. (YES)

Commission Member Comments,

KMP- I say we put it on the list and force the state to tell us why it doesn't count.

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. (YES)

Commission Member Comments,

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.

Commission Member Comments,

KMP- same question about waiving fees for internal/external ADU permits, would that technically fall under this?

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.

Commission Member Comments,

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.

Commission Member Comments,

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. (Maybe)

Commission Member Comments,

KMP- We could even consider creating a Senior Housing Overlay zone like some other cities have (ie. SLC, Pleasant Grove, Plain City).

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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.

Commission Member Comments,

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. (if this happen in the city)

Commission Member Comments,

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.

Commission Member Comments,

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. (Maybe)

Commission Member Comments,

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.

Commission Member Comments,

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.

Commission Member Comments,

KMP- I think this could work because we are not currently getting any revenue from external ADU applications.

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.

Commission Member Comments,

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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.

Commission Member Comments,

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.

Commission Member Comments,

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.

Commission Member Comments,

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. (Maybe)

Commission Member Comments,

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

Commission Member Comments,

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.

Commission Member Comments,

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.

Commission Member Comments,

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.

Commission Member Comments,

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.

Commission Member Comments,

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.

Commission Member Comments,

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.

Commission Member Comments,

CHAPTER 8

RESIDENTIAL ZONES

ARTICLE E. MULTI-FAMILY RESIDENTIAL ZONE R-3

SECTION:

- 10-8E-1: Purpose
- 10-8E-2: Permitted Uses
- 10-8E-3: Conditional Uses
- 10-8E-4: Area And Frontage Regulations
- 10-8E-5: Yard Regulations
- 10-8E-6: Height Regulations
- 10-8E-7: Parking, Loading And Access
- 10-8E-8: Signs
- 10-8E-9: Site Plan Approval

10-8E-1: **PURPOSE:** The purpose of this zone is to provide for the development of higher density residential and service facilities. The areas to be considered for this type of zoning are depicted on the higher density map of the general plan. This zone designation can also be used in conjunction with a PRUD. (Ord. 2005-03, 2-15-2005)

10-8E-2: **PERMITTED USES:**

Duplexes.

Multi-family dwellings.

Single-family dwellings.

Two-family dwellings. (Ord. 2005-03, 2-15-2005)

10-8E-3: CONDITIONAL USES:

Home occupations.

Public and quasi-public uses.

Residential facilities for the disabled. (Ord. 2005-03, 2-15-2005)

10-8E-4: AREA AND FRONTAGE REGULATIONS:

- A. Lot Area: Minimum lot area shall be eight thousand (8,000) square feet for individual units. The following areas are depicted on the higher density map of the general plan:

Area A: Up to twenty five (25) units per acre.

Area B: Up to ten (10) units per acre.

- B. Lot Width: Minimum lot width, as measured at the front setback line, shall be seventy feet (70'). Corner lot width shall be a minimum of ninety feet (90'). (Ord. 2005-03, 2-15-2005)

10-8E-5: YARD REGULATIONS:

- A. Front Yard: Minimum front yard setback for all buildings shall be twenty feet (20'). The minimum distance between facing structures on the same lot shall be fifty feet (50').
- B. Side Yard: Minimum side yard for all main buildings shall be eight feet (8').
- C. Side Yard, Corner Lots: Minimum side yard for all buildings on corner lots shall be twenty feet (20') on the side adjacent to a street.
- D. Rear Yard: Minimum rear yard setback for all main buildings shall be fifteen feet (15').
- E. Additional Setbacks: Additional setbacks may be required where buildings are placed adjacent to existing residential dwellings.
- F. Accessory Buildings: All accessory buildings shall be located at least six feet (6') to the rear of any main building. No part of the building,

including the eaves, may be located closer than one foot (1') to the side and rear property lines. On corner lots, the minimum side yard setback adjacent to the street shall be twenty feet (20'). No accessory building shall be placed on a public utility easement without first obtaining written permission by the city.

- G. Landscaping: Twenty five percent (25%) of the total area to be developed shall be maintained in permanent landscaping as approved by the city. (Ord. 2005-03, 2-15-2005)

10-8E-6: **HEIGHT REGULATIONS:** No building shall be erected to a height greater than forty five feet (45'). (Ord. 2005-03, 2-15-2005)

10-8E-7: **PARKING, LOADING AND ACCESS:** See chapter 15 of this title. (Ord. 2005-03, 2-15-2005)

10-8E-8: **SIGNS:** See chapter 16 of this title. (Ord. 2005-03, 2-15-2005)

10-8E-9: **SITE PLAN APPROVAL:** Site plan approval is required as part of a final development plan. In addition to the requirements set out in chapter 13 of this title, the city will consider and weigh the following elements: moderate income housing, handicap accessibility, architecture design, quality of construction, and landscape design. (Ord. 2007-01, 1-2-2007)

Accessory Buildings: All accessory buildings shall be located at least six feet (6') to the rear of any main building. No part of the building, including the eaves, may be located closer than three feet (3') to the side and rear property lines. On corner lots, the minimum side yard setback adjacent to the street shall be twenty feet (20'). Accessory buildings shall have a maximum height of eighteen feet (18') to the midpoint between the peak of the roof and the eave. Structures over eighteen feet (18') in height at the midpoint shall have an additional three feet (3') setback from all property lines for every additional one foot (1') in height. The maximum height of an accessory building shall be thirty five feet (35') at the peak of the roofline. The height shall be considered to be the vertical distance measured from the finished grade at the front or main entrance of the building to the highest point of the roof, or corresponding midpoint. No accessory building is allowed to have an apartment in the structure.

Accessory Buildings On Lots Over 1Acre: Accessory buildings may be located adjacent to the main building provided that the lot is at least 150' wide. The architectural style of the accessory building shall match that of the main building with the height of the accessory building being equal to or less than that of the main building. A detached accessory building shall have at least a 10' separation from the closest point of the main building. All standard setbacks must be met for the zone in which the building is located. The accessory building shall not be located closer to the street than the main building.