

MINUTES

PLANNING COMMISSION WORK SESSION MEETING

FRUIT HEIGHTS CITY

910 South Mountain Road

September 17, 2026

PLANNING COMMISSION MEMBERS PRESENT: Commissioners, Callen Bagley Shelley Bodily Scott Justensen. Commissioners Heidi Murdock (left at 6:56 pm) Council Member Mark Cottrell. Chairman Justin Wright (arrived at 5:36pm)

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

VISITORS: Jennifer Barkdull

The Fruit Heights City Planning Commission Work Session was called to order at approximately 5:32 p.m.

The Planning Commission continued its review of the proposed Detached Accessory Dwelling Unit (DADU) Ordinance in preparation for the September 22, 2026, public hearing. The Commission reviewed the revised draft and discussed building height, setbacks, detached garages, basements, decks and patios, owner occupancy, utility connections, animal-keeping requirements, and maximum DADU size.

Building Height and Setbacks

The Commission discussed the proposed height limitations for detached DADUs and the relationship between building height and setbacks. Particular discussion focused on detached garages with a dwelling unit above the garage.

The Commission generally agreed that a detached DADU should have:

- An eight-foot side setback and an eight-foot rear setback, subject to applicable public utility easements.
- An 18-foot maximum height.
- For structures exceeding 18 feet, an additional one-foot setback for each additional foot of height, up to a maximum height of 25 feet.
- The additional height allowance would accommodate a dwelling unit constructed above a detached garage while maintaining increased separation from neighboring properties.
- The ordinance should distinguish between a full two-story structure and a dwelling unit constructed within the roof area or above a garage. The Commission expressed a preference against allowing a full two-story detached DADU.

The Commission also discussed the requirement that structures remain outside public utility easements and noted that the setback is measured from the eaves.

Detached Garages and Existing Structures

The Commission discussed whether a detached garage with a dwelling unit above it should be permitted and how the ordinance should address existing detached structures.

The Commission discussed the distinction between an attached garage with a dwelling unit, which could qualify as an internal/attached ADU, and a detached garage with a dwelling unit above it. The Commission expressed support for allowing a dwelling unit above a detached garage subject to the height and setback requirements discussed.

The Commission also discussed existing detached structures that may not meet the proposed DADU standards. It was emphasized that the ordinance should be written as a general regulation and should not be structured around a particular existing property.

Basements

The Commission expressed that basements should remain an available option, provided the structure complies with the applicable height, setback, building, utility, and other requirements.

Decks, Patios, and Rooftop Areas

The Commission reviewed the provisions concerning decks, patios, balconies, and rooftop patios.

The Commission discussed allowing ground-level decks or patios subject to the applicable provisions, while expressing concern about elevated decks or rooftop patios that could overlook neighboring properties.

The Commission generally agreed that rooftop decks/patios associated with a DADU should not be permitted.

Privacy Fence

The Commission reviewed the proposed requirement for a six-foot privacy fence along side or rear property lines where a DADU is constructed. The Commission supported including a privacy-fence requirement to provide separation between the DADU and neighboring properties.

Owner Occupancy

The Commission reviewed the proposed temporary waiver of owner-occupancy requirements for temporary absences, such as employment assignments, voluntary service.

The Commission discussed the proposed two-year maximum temporary absence and agreed that a specific limit should remain in the ordinance. The wording was revised conceptually so that during a qualifying temporary absence, either the primary dwelling or the DADU may be rented to one family, but the other unit may not also be rented.

Utilities

The Commission reviewed the proposed utility provisions and discussed water and sewer capacity. The draft was revised to focus on required water and sewer connections, as those are utilities regulated by the City.

The Commission also discussed the potential impact of additional DADUs on existing water and sewer infrastructure and noted that individual properties would still need to meet applicable utility and fire-code requirements.

Animal-Keeping Regulations

The Commission discussed the existing requirement that certain farm animals be kept a specified distance from dwellings and whether construction of a DADU could affect existing animal-keeping regulations.

After discussion, the Commission did not propose a specific change to the animal-keeping provisions at this time.

Maximum DADU Size

The Commission discussed the maximum allowable size of a DADU. Options discussed included 1,000 and 1,200 square feet, as well as using a percentage of the primary dwelling.

The Commission generally agreed to retain a maximum of **1,200 square feet** but discussed the need to clearly define whether the measurement refers to footprint, living area, or gross square footage.

The Commission discussed the effect of basements and dwelling units above garages on the calculation and agreed that the final ordinance language should clearly define the maximum allowable DADU square footage.

The Commission also reaffirmed that only one DADU should be permitted on a property and that a property should not have both an internal and exterior DADU.

Conversion of Existing Structures

The Commission reviewed provisions addressing the conversion of existing structures into DADUs. The draft provides that converted structures must comply with the current applicable building and zoning requirements rather than relying solely on requirements that existed when the structure was originally constructed.

PUBLIC HEARING PREPARATION

The Commission discussed the need to finalize the revised draft in preparation for the September 22, 2026, public hearing. The revised ordinance will be ready to review prior to the hearing, with any additional changes to be considered at the public hearing and incorporated as appropriate.

CALENDAR:

September 22, 2026, Planning Commission Meeting.

ADJOURNMENT:

The Planning Commission Work Session was adjourned. At (7:26 pm)

Date approved by City Planning Commission: September 22, 2026

Not approved until signed.

/s/ Hailee Ballingham

Hailee Ballingham, City Deputy Recorder