

**WOODS CROSS PLANNING COMMISSION MEETING
SEPTEMBER 8, 2026**

The Woods Cross Planning Commission met on September 8, 2026, at 6:30 P.M. at Woods Cross City Hall, located at 1555 South 800 West, Woods Cross, Utah.

COMMISSION MEMBERS PRESENT:

Joe Rupp, Chairman
LeGrande Blackley
Mike Doxey-online

Robin Goodman
Jake Hennessy
David Lewis IV

COMMISSION MEMBERS EXCUSED:

Mariah Wall

STAFF PRESENT:

Curtis Poole, Community Development Director
Bonnie Craig, Administrative Assistant

VISITORS:

Don Schrader
Lois Schrader
Alexandre Fonseca
Tallie Beach

Jake Hennessy

PLEDGE OF ALLEGIANCE:

Jake Hennessy

MINUTE APPROVAL

Chairman Rupp called for the review of the minutes for the Planning Commission meeting held August 25, 2026.

Following the review of the minutes, Commissioner Blackley made a motion to approve the minutes as written with Commissioner Hennessy seconding the motion and all voted in favor of the motion through a roll call vote.

OPEN SESSION

Chairman Rupp opened the meeting for public comments regarding items not on the agenda.

There were no public comments, and Chairman Rupp closed the open session.

INTERNAL ACCESSORY DWELLING UNIT AT 1609 SOUTH 580 WEST—ALEXANDRE FONSECA

Mr. Curtis Poole, the Community Development Director, reviewed this item with the Commission. He noted that Mr. Alexandre Fonseca is requesting approval for a home renovation for the purpose of adding an Internal Accessory Dwelling Unit at this location. He noted that the property is surrounded by other single-family homes in the R-1-8 zone and internal accessory dwelling units are a permitted use within this zone.

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Mr. Poole also said the applicant will continue to reside at this address. He said the applicant will be adding the internal accessory dwelling unit to their home and will be going through the building permit process. He said the applicant has indicated they will be cutting out a basement window and foundation to make an entrance to the ADU at the back of the house. He also noted he has two parking stalls for the internal accessory dwelling unit and five parking stalls for the residence. He said the proposed internal accessory dwelling unit will meet the minimum parking standard required by code.

Following the information given, Mr. Alexandre Fonseca addressed the Commission. He said he was planning on putting in an internal accessory dwelling unit but was not going to change anything in the front of the house. He said he was going to make sure they meet all of the requirements. He said he will be putting in a kitchen and bathroom in the basement and will make sure the work is done properly. He said his house was built in 1965, so they are trying to update and remodel their home since it is an older home.

Chairman Rupp asked Mr. Fonseca if he was comfortable with the conditions. Mr. Fonseca said he did not have any concerns with the conditions, permits or licenses that he needed to have to remodel the home.

There were no further questions or comments, and Commissioner Goodman made a motion to approve the conditional use request for an internal accessory dwelling unit with the following conditions:

1. Obtain all licenses and permits required by the Davis County Health Department and the State.
2. Obtain all necessary building permits required by Woods Cross City.

Commissioner Blackley seconded the motion, and all voted in favor of the motion through a roll call vote.

ACCESSORY DWELLING UNIT CODE TEXT AMENDMENT—CURTIS POOLE

Mr. Poole reviewed this item with the Commission. He noted that during the 2026 General Session, the Utah Legislature adopted S.B. 284, which created Utah Code § 10-21-304 addressing detached accessory dwelling units (DADUs). He noted the new requirements become effective October 1, 2026.

Mr. Poole said Utah Code § 10-21-304 requires cities to adopt land use regulations permitting a detached accessory dwelling unit on any lot or parcel that is at least 11,000 square feet and contains a single-family dwelling, when the single-family dwelling is a permitted use on the property. He said the statute also establishes regulations cities are required to include and limitations on regulations cities may impose, and additional standards cities may elect to adopt.

Mr. Poole reviewed the city's existing Accessory Dwelling Unit ordinance, Section 12-28-123, which currently prohibits external accessory dwelling units in all zones and only provides regulations for internal accessory dwelling units. He said that as a result of S.B. 284, the city's ordinance must be amended to permit DADUs consistent with state law.

Mr. Poole noted that staff are proposing amendments to Chapter 12-2, *Definitions*, and Section 12-28-123, *Accessory Dwelling Units*, to bring the city's regulations into compliance with state law and establish objective standards for the review and approval of both internal and detached accessory dwelling units.

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Mr. Poole went over the highlights of the proposed amendment with the Commission. He went over definitions, lot size, setbacks, window orientation, size of the DADU, the height and lot coverage of the DADU, parking, utilities, converting a structure to an ADU, and other changes to help clarify the existing ADU ordinance and clarifying the different types of ADUs. He said his recommendation would be following State Law in accordance with the proposed changes as presented, and if there need to be adjustments in the future, they can be evaluated.

Following the information given by Mr. Poole, Commissioner Goodman asked what the state required for parking when adding an ADU or DADU. Mr. Poole said if an ADU is less than 650 square feet one additional parking spot would be required and if the ADU is over the 650 square feet it would be two additional parking spaces in addition to the required minimum of two covered parking spaces for the primary dwelling.

Commissioner Doxey asked what percentage of houses would qualify. It was noted that about 20% of the homes in Woods Cross would qualify.

Chairman Rupp asked if it was a requirement that the owner live in the primary home when also having an ADU. Mr. Poole said the owner would need to reside in the primary home or the ADU according to city code. He noted it is a state law that allows the ADU or primary residence to be owner occupied.

Chairman Rupp then opened the public hearing.

Ms. Tallie Beach addressed the Commission. She said she has been a resident of the city for 12 years. She said she loves living in the city. She thanked the Commission for their service. She said she has worked for state and city government, and it is important to her. She said she also serves on the board of directors for Wasatch Advocates for Livable Community (WALC) which is a fairly new non-profit. She said they are a group with the mission of creating communities that are available and affordable to the people. She said she wants to make communities like Woods Cross available and affordable and pay it forward so others can enjoy the same opportunity she has with living in this great city. She said they want to make Woods Cross a beautiful place to live for others just like it has been for her and her family. She said she had some thoughts and recommendations. She said she has done a lot of research, and she said the city residents get to decide what works well for them as issues like the ADUs are being considered. She said the state recommendation is for the 11,000 square foot lot minimum, but she said this section does not prohibit making lots smaller. She said Layton has changed their ordinance to 6,000 square feet and Clearfield does not require a minimum. She said 20% of houses in Woods Cross are on a lot that is 11,000 square feet. She the median lot size in Wood Cross is 8,310 square feet. She said the ordinance being created would only benefit 20% of the community if left as suggested. She said it would not serve the majority of the city. She said she appreciates it when state law lets communities be flexible. She said owner occupied could also be flexible. She said with owner occupied, she said Farmington has a defined window and does not have to stay in the window. She said we have a great opportunity to make Woods Cross better for the residents and we can determine how to make things better. She said this could be an amazing opportunity to make things better. She said this could make more sense with housing affordability

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going up. She said she would like to stay in Woods Cross, but it is very hard to afford a larger home. She encouraged the Commission to look at this policy and make changes so things can be that much better.

There were no further public comments and Chairman Rupp closed the public hearing.

Commissioner Goodman said would like having consistency between internal versus the detached ADU. She said if the 30-day rentals are what works for our city, it would be good to match what has already been in place. She said it gives residents the opportunity to use their property in a way that can bring them some extra money. She felt that it would be good to have it match the 30-days if it had been working.

Commissioner Lewis said putting together a new code is tough but trying to keep it as flexible as possible is best so the city can make it work for the city, and he appreciated a starting point given by Mr. Poole.

Commissioner Hennessy said he would be curious why the state has come up with that number of 90-days in the code and why the city is shifting from the 30-days to the 90-days. He wondered if there was a study or justification for that change.

Mr. Poole said he did not know what the discussion was at the state level. He said the number was set previously at 30 days when this ordinance was put place and has been that way since our ADU ordinance was created a number of years ago.

Commissioner Goodman said if something is working fine why would we change it. If 30 days has worked why punish the people that have ADU's and change it now. She said if 30 days hasn't been an issue, then why change it.

Chairman Rupp said there has been no one that he was aware of that had a problem with either 30 or 90 days for the rental.

Mr. Poole said there have not been many ADU's in the city. He said it has not seemed like people really want ADU's on their property.

Commissioner Goodman said she thought it would be good to leave the rental period at 30 days and make them both numbers consistent for ADUs and DADUs since that is already in the code. She said she felt that has been working for the city.

Chairman Rupp asked if there was anyone opposed to the 30 days minimum standard.

Commissioner Doxey said he felt like staying consistent whatever they decide is best. He said he did not see a big problem between 30 and 90 days.

The Commission then discussed what the appropriate size for a lot should be allowing for an ADU.

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Commissioner Doxey said if it is only going to be appropriate for 20% of the property owner's in the city, he would like to adjust the lot size as long as there is enough parking. He said it would be fine to possibly get ADUs on R-1-8 lots since there are many of that sized lot in the city.

Chairman Goodman said she would rather look at meeting the other requirements such as setbacks and parking and the other standards set for an accessory building for a decision instead of on lot size. She said it is as important as meeting the square footage. She said meeting the code requirements is more important than minimum lot size of 11,000 square feet. She said parking is the other element that may be an issue if you can make it work on the property. She said that it is important to look at parking too. She said she did not feel like the economic housing crisis was not going to be solved with ADU's, but it could be creating space for people that are having a hard time finding a place to live. She said Utah is number 9 in the whole country for the highest cost of housing, and it is important to find a place for people to live and be attainable and not just allowable. Commissioner Goodman said she felt like no minimum lot size should be considered as long as it works with the other required standards.

Commissioner Lewis said he agreed with what Commissioner Goodman had said.

Mr. Poole said he felt like parking will become a problem if lot sizes are decreased. He said if you decrease lot sizes and there are multiple drivers in the primary residence there is a problem, and then you add more cars with an ADU, it can become an issue.

Commissioner Lewis said the market would drive the marketability of a property. He also said he had met with representatives from WALC, and they have been doing research on ADU's all over the country and have been able to get this information and provide best practices. He went over the parking policies with the Commission and how they compare to city ordinance. He said with parking transit-oriented cities WALC suggested putting in a limited parking standard for ADU's within walking distance of $\frac{3}{4}$ a mile to public transportation. He said parking minimums are barriers to ADU's. He said the city is in a good position to maybe make the criteria for reduced parking to 1 mile within public transportation. He said you could also require parking space per household. He said if they have one or two cars the marketability can help decide.

Commissioner Blackley said he felt like 60 or 30 days minimum would be better than the 90-day state suggestion. He felt like most people that would come to the city to rent would come in for a short amount of time making 30 days to what should be set.

The Commission then discussed whether one of the dwellings, either primary or the ADU, should be owner occupied.

Commissioner Lewis said in his research for housing options he thought that owner occupied mandates are a "poison pill". He said he would be in favor of keeping the owner occupation restriction in place for the initial issuance of the ADU permit. He said having owner occupation would help keep out big corporations from buying up a large amount of property and turning them into something like duplexes. He said he felt like the people should be able to keep an ADU once they have invested time and money into it.

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Chairman Rupp said he felt like an owner should be able to keep the property if they decide to move especially when they have invested in the property and were possibly hoping to use the extra income from that property from an ADU for something such as retirement.

Commissioner Goodman said it does not seem right that if you want to move and rent the house and operate the ADU you cannot keep it if you do not live there any longer. She said if you move out of your home under regular circumstances you are still able to rent your house if you choose to do so.

Mr. Poole said you can rent the house if it is no longer your primary residence.

The Commission discussed that if owners are not able to retain their property with an ADU if they move out of their residence, it might perpetuate a situation where people would try to constantly work around it.

The Commission went over the things discussed and decided they would recommend a 30-day rental requirement for both an ADU and a DADU to be consistent.

The Commission said they do not recommend a minimum lot size and that the other regulations in city code would keep restrictions in place for an ADU.

Commissioner Hennessy said minimum lot size hurts younger people who might not be able to afford a house.

Commissioner Doxey said he agreed with Commissioner Hennessy and if they are covered by the rest of the code restrictions, it would be fine to not have a lot minimum.

The Commission then discussed parking standards.

Commissioner Lewis said he did not disagree with having parking restrictions, but he felt like putting in something that would allow reduced parking within a certain distance from public transportation would workout.

The Commission agreed they would like to keep the parking standards as they are so there are not any additional issues created in the city with parking.

The Commission then discussed whether they would like to stay with the owner-occupied recommendation.

They discussed keeping the restrictions in place with a time limit. The Commission said they thought it was a good idea to have an owner occupation ADU, but it expires to future owners if they want to keep it for long term.

Mr. Poole said in current code a new owner would need to reapply for an ADU and the new code would still require them to reapply but it would be permitted. He said the city receives the highest number of complaints by percentage from rental properties. He said if you allow the home and the ADU to be rented

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out after the original owner of the property moves, you have basically turned the property into a duplex in a single-family zone.

The Commission was split with how they felt like they would like the owner occupation to be allowed. Several of the Commission members felt it should be left in, and several said they felt like it could be a requirement when the ADU is built initially but then not to retain that requirement.

Following further discussion, the Commission said to possibly have the initial applicant remain owner occupied but after they sell it the ADU or DADU is reapplied for and once it is established that requirement is no longer required.

Commissioner Goodman said she wanted to make sure both the home and ADU can be rented out separately with this change.

Chairman Rupp noted the four things the Commission had discussed pertaining to the ADU and DADU changes:

- Remove minimum lot size
- Change 90-day rental requirement to 30 days
- To leave the parking requirement in as outlined (leaving this as it was)
- Change owner occupation to allow the owner to sell the property with the primary home and the ADU and allow them to be rented without the owner living in one of them

There was no further discussion and Commissioner Goodman made a motion to forward to the City Council the Planning Commission's recommendation for approval of the accessory dwelling unit (ADU) code text amendment with the suggested changes that include removing the minimum lot size, changing the 90-day rental to 30 days, changing that a home owner would not have to live in either the primary residence or the ADU if they chose to sell their property to earn extra income by renting those two residences as discussed above. Commissioner Blackley seconded the motion. All voted in favor of the motion through a roll call vote.

DISCUSSION: SECOND DRIVEWAY/HARD SURFACE—CURTIS POOLE

Mr. Poole then went over this agenda item with the Commission. He noted that the city has been reviewing its regulations governing second residential driveways on all residential streets, even though second driveways have historically been permitted in various areas of the city.

Mr. Poole noted that during 2025, the Planning Commission reviewed proposed amendments addressing second driveways and related parking and hard surface standards. He said the proposed amendments were forwarded to the City Council for consideration. He said on October 21, 2025, the City Council voted to return the proposed text amendment to the Planning Commission for additional review. He said that since that time, the Council has continued discussing the issue and has provided additional policy direction regarding how second driveways and front yard improvements should be regulated. He noted that as part

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of that discussion, staff also reviewed regulations from surrounding communities regarding multiple residential driveways, driveway surfacing materials, and maximum front yard hard surface coverage.

Mr. Pooled said on July 21, 2026, the City Council adopted a temporary moratorium on the acceptance and approval of applications for second driveways in single-family residential zones. He said the purpose of the moratorium is to allow the City sufficient time to complete its review and consider amendments establishing clear and consistent standards before additional second driveways are approved under the potentially updated regulations.

Mr. Poole noted that the Council had given the following direction regarding seconded driveways:

Council Direction

Based on the Council's discussions since the proposed amendment was returned to the Planning Commission, the Council has generally indicated support for allowing second driveways in single-family residential zones, provided appropriate standards are established.

The following policy direction has been identified by the City Council for consideration as part of the revised text amendment:

- Second Driveways: Allow a second driveway on residential properties, subject to applicable dimensional, location, and safety requirements.
- Driveway and Parking Surfaces: Require driveways, parking pads, and other areas used for vehicle parking to be constructed with an approved hard surface. Gravel would not be permitted as a driveway, parking surface, or other vehicle parking area.
- Front Yard Hard Surface Coverage: Establish a maximum percentage of the front yard that may consist of driveways, parking areas, sidewalks, patios, or other hard surface improvements in order to preserve a reasonable amount of landscaped front yard area.
- Parking Outside Approved Areas: Continue to prohibit the creation or use of additional parking areas within the front yard unless the area complies with the city's driveway and hard surface requirements.
- Clear and Consistent Standards: Revise existing driveway provisions so the requirements apply consistently throughout the city's single-family residential zones and provide clear standards for property owners and staff.

Mr. Poole said staff had reviewed driveway regulations from several Davis County communities and found that most communities permit two residential driveways under certain conditions but typically regulate driveway width, street frontage, separation, and overall front yard coverage. The review also found that surrounding communities generally place an emphasis on maintaining landscaped front yards. Most of the communities reviewed limited hard surface coverage within the required front yard, with 50 percent being a common maximum.

Mr. Poole said the Council's direction to prohibit gravel would also provide a clear and enforceable standard for residential parking areas. Requiring an approved hard surface would help prevent the gradual expansion of informal gravel parking areas, provide greater consistency between properties, and make it easier to distinguish between an approved driveway or parking area and landscaped portions of a front yard.

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Mr. Poole also noted the remaining policy question for the Planning Commission is the appropriate maximum amount of hard surface that should be permitted within the front yard. In considering a recommendation, the Commission should balance the ability of property owners to construct a second driveway and accommodate vehicle parking with the city's interest in preserving landscaped front yards and limiting excessive hard surface coverage.

Proposed Amendment

Staff recommends that the revised ordinance incorporate the Council's direction by allowing second driveways in single-family residential zones while establishing clear standards for their installation and use. The amendment should include provisions that:

- Allow no more than two driveways serving a single-family residential property.
- Require all driveways and vehicle parking areas to consist of approved hard surface materials.
- Prohibit gravel as a driveway or vehicle parking surface.
- Establish a maximum percentage of hard surface coverage within the front yard.
- Maintain appropriate driveway width, location, separation, property-line, utility, and access requirements.
- Prohibit vehicle parking on landscaped or other unimproved portions of the front yard.
- Clarify and consolidate existing driveway regulations so they are consistently applied throughout single-family residential zones.

Following the information given by Mr. Poole, Commissioner Lewis said he had been paying more attention to properties with parking around the city after their last discussion. He said he felt there is not a problem with parking on gravel. He said if they have extra parking on the side with gravel on it, he is fine with that. He said concrete is expensive and may be prohibitive for many people. He said he sees people with gravel driveways, and it looks fine to him.

Chairman Rupp said those that have gravel already are grandfathered. He also said he thinks they should be mindful of percentages because it may impact ADU's.

Commissioner Goodman said economic reality is more people are living with parents and grandchildren and having ways to accommodate household needs should be an option and should be flexible to make a second driveway realistically obtainable. She did not think it was the material that was the problem, but it is the maintenance of the graveled surface and alternative materials could be discussed. She said they could look at using borders in graveled areas and possibly using alternative materials such as rock or crushed stone, but not any dirt heavy products. She said there are regulations in place in code that would help with weed control and maintenance in these areas. She said allowing for affordable second driveways could be a solution for safety for off street parking and reduce visibility issues.

Chairman Rupp said he felt the four issues that are in question are percentage of hard surface on a residential property, hard surface or allowance of another material for a second driveway, arterial collector streets and the restriction of any parking in front of the house itself.

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Chairman Rupp said he felt like 60% is the right number and it would still look good. He said he knows other cities require 50% but there are properties that can still look good with more hard surface.

The Commission discussed hard surface requirements and said there were other alternative materials that can be used and code enforcement will contact people with areas with gravel that are not being kept up. They said there could be standards established that without requiring residents to use the most expensive surface materials. It was brought up that people can replace their whole yard with rock so that did not make sense to not allow materials such as gravel for a second driveway.

Mr. Poole noted the current code does not allow parking a car on gravel. He noted the code prior to 1997 required all parking surfaces to be hard surface, but sometime between 1997 and 2015 there was a change that allowed RV parking on gravel next to the driveway.

It was suggested there could be a hard surface apron for a second driveway or something like that to go to an area with gravel or other visually pleasing material that would not be as expensive as putting in a hard surface drive. It is how the driveway is maintained and contained that can make a difference in appearance and upkeep, but it can look nice and not be expensive.

Mr. Poole said the Commission would be clarifying things in the code. He also noted this is a discussion and suggested changes would be given to the Council. He said since this was a discussion there would not be any motion needed.

Following the discussion the Commission noted they would like the Council to consider a second driveway or parking area that can be gravel or other durable surface with something like a border to keep it contained and looking nice, to allow more than one entrance onto an arterial or collector road provided it meets standards, make it 60% for a hard surface for the front yard of a residence, and allow parking in front yard of a home on a hard surface as long as the percentages are met.

DIRECTOR'S REPORT

Mr. Poole noted that Bryce's title had been changed from City Administrator to City Manager.

ADJOURNMENT

There being no further business before the Planning Commission, Commissioner Goodman made a motion to adjourn the meeting at 9:02 P.M.

Joe Rupp, Chairman

Bonnie Craig, Administrative Assistant