

**WOODS CROSS CITY COUNCIL MEETING
SEPTEMBER 15, 2026**

The Woods Cross City Council held a meeting on September 15, 2026, at 6:30 P.M. The meeting took place at Woods Cross City Hall, located at 1555 South 800 West, Woods Cross, Utah.

COUNCIL MEMBERS PRESENT:

Ryan Westergard, Mayor
Julie Checketts
Jim Grover

Rachel Peterson
Wally Larrabee

COUNCIL MEMBERS EXCUSED:

Eric Jones

STAFF PRESENT:

Bryce Haderlie, City Administrator
Curtis Poole, Community Development Director
Annette Hanson, City Recorder

James Bigelow, Police Chief
Brian Passey, Finance Director

PUBLIC ATTENDANCE:

LeGrande Blackley
Stephanie Hoff
April Nielsen
Heidi Miner
Joe Rupp
Marly Ferrin

Brandon Johnson
Serafina Hoff
Carlie Nielsen
Kylee Minor
Joel McConkie
Michael Miller

Don Schrader
Timothy (TJ) Jackson
Morgan Rogers
David Lewis IV
Tammi Lewis
Richard

INVOCATION/PLEDGE:

Wally Larrabee

CONSENT AGENDA ITEMS

The Council reviewed the consent agenda items. Council Member Peterson made a motion to approve the consent agenda items as presented, with Council Member Larrabee seconding the motion and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO APPROVE MINUTES

The minutes of the City Council meeting held on 9/1/26 were approved as written through the consent agenda.

RATIFY CASH DISBURSEMENTS

The Council ratified the cash disbursements for 8/28/26-9/10/26 through the consent agenda.

CONSIDERATION TO ADOPT ORDINANCE 644 GRANTING NON-EXCLUSIVE FRANCHISE TO QWEST DBA CENTURY LINK PROVIDING TERMS AND CONDITIONS FOR USE OF PUBLIC WAYS

The City Council reviewed information from the Public Works Director regarding a proposed non-exclusive franchise to Qwest Corporation dba CenturyLink QC; providing terms and conditions of use of public ways; and providing an effective date.

It was noted this is a new agreement and that this is the standard franchise agreement Qwest Corporation dba CenturyLink QC has with municipalities. The City attorney has reviewed the agreement and has indicated there

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are no legal concerns. Franchise agreements allow a utility to have a right to be in the City's right-of-way, but it must relocate when the City needs the space. This agreement was negotiated and will have a 20-year term.

Ordinance 644 granting non-exclusive franchise to Qwest dba CenturyLink providing terms and conditions for use of public ways was approved through the consent agenda.

CONSIDERATION TO APPROVE RESOLUTION 2026-1016 AUTHORIZING FUNDING/REWIRING OF PW FACILITY ELECTRICAL SYSTEM TO ALLOW THE GENERATOR TO POWER THE ENTIRE BUILDING

Information was given to the Council noting the need for rewiring the Public Works Facility electrical system to allow the generator to power the entire building. Staff proposed using the General Fund to fund the estimated work of \$13,500. It was also noted that the General fund has an available, uncommitted budget balance of \$157,335 after comparing FY27 revenue and expenses in the final FY27 Budget. It was also noted that Enterprise funds can also offset this cost since they use the building for operations.

Resolution 2026-1016 authorizing funding and rewiring of PW Facility electrical system to allow the generator to power the entire building was approved through the consent agenda.

PUBLIC COMMENT The Mayor invited public comments from those attending.

Mr. TJ Jackson read a statement. The statement is documented in the public hearing portion of the meeting regarding ADU's and DADU's in these minutes.

There were no further public comments, and the Mayor closed the public comment period.

PUBLIC HEARING--CONDEMNATION OF A TEMPORARY CONSTRUCTION EASEMENT WITHIN THE CORPORATE BOUNDARIES OF BOUTIFUL CITY FOR PUBLIC IMPROVEMENT PURPOSES (THALMAN PROPERTY)

The Mayor gave the floor to the City Manager who noted there is a need for temporary soil shoring because of demolition of the 2 old reservoirs and construction of a new tank since the footing of the tank will be 20-24 feet below ground. For the work to be completed safely, shoring with soil nails is required to retain the property around the project.

Since May 2026, Woods Cross City employees and the City's consultants have been communicating with a representative of the Thalman family to obtain the temporary construction easement voluntarily. City representatives have worked to explain the need for the easement and complete the acquisition without condemnation proceedings. Those efforts have been complicated by the death of the property owner. The property is currently involved in probate proceedings, and the City does not presently have a property owner with clear authority to execute the temporary construction easement on behalf of the estate.

As part of the required acquisition and condemnation process, the City sent the required Four Options Letter on August 20, 2026, and a Notice of Condemnation on August 28, 2026, with an offer letter to all individuals identified as potential heirs or parties with an interest in the property. These notices informed the affected parties of the proposed acquisition and the City's intent to proceed with condemnation if it could not otherwise obtain the easement. Despite the City's continued efforts to acquire the easement through negotiation, the

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property's probate status prevents the City from obtaining the easement within the timeframe needed for the public improvement project. The City must therefore proceed to the next step in the condemnation process so that the project can move forward.

NEED FOR THE TEMPORARY CONSTRUCTION EASEMENT

The temporary construction easement is required to complete the planned 1500 S Tank Replacement Project. The proposed resolution formally determines that acquisition of the easement is required for the public interest, safety, welfare, health, and necessity. It further finds that the easement has been located in a manner intended to provide the greatest public good while minimizing private injury.

Approval of the resolution does not prevent the City from continuing to work cooperatively with the Thalman family, the estate, or its representatives to reach a voluntary agreement. Instead, the resolution gives the City Attorney the authority to preserve the project schedule and proceed through the statutory condemnation process if a negotiated acquisition cannot be completed.

CONDEMNATION AUTHORIZATION

The proposed resolution authorizes the City Attorney, on behalf of Woods Cross City, to acquire the temporary construction easement pursuant to Utah eminent domain law and to prepare and prosecute any necessary proceedings in the appropriate court. Because the property is currently subject to probate and ownership authority has not been sufficiently resolved to allow execution of the easement, proceeding with this authorization is the appropriate next procedural step.

Following the information given by the City Manager, the Mayor opened the public hearing to those representing the owners of the property that would like to speak to this matter.

There were no public comments from those representing the owners of the property, and the Mayor closed this public hearing.

CONSIDERATION TO ADOPT RESOLUTION 2026-1017 AUTHORIZING CONDEMNATION OF A TEMPORARY CONSTRUCTION EASEMENT WITHIN THE CORPORATE BOUNDARIES OF BOUNTIFUL CITY FOR PUBLIC IMPROVEMENT PURPOSES (THALMAN PROPERTY)

Council Member Checketts motioned to adopt resolution 2026-1017 authorizing condemnation of a temporary construction easement within the corporate boundaries of Bountiful City for public improvement purposes. Council Member Grover seconded the motion, and all voted in favor of the motion through a roll call vote.

PUBLIC HEARING—TEXT AMENDMENTS TITLE 12, ZONING ORDINANCE, OF THE WOODS CROSS CITY MUNICIPAL CODE, AMENDING CHAPTERS 2, DEFINITIONS, AND 28, LAND USE AND SUPPLEMENTARY REGULATIONS, ADDING DETACHED ACCESSORY DWELLING UNITS (DADU) AS A PERMITTED USE PER S.B. 284, WHICH CREATED CODE §10-21-304, AND CLARIFY REGULATIONS PERTAINING TO ACCESSORY DWELLING UNITS (ADU)

The Mayor gave the floor to the Community Development Director who noted the following information for the City Council:

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"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). The new requirements become effective October 1, 2026.

"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. The statute also establishes regulations cities are required to include limitations on regulations cities may impose, and additional standards cities may elect to adopt.

"The city's existing Accessory Dwelling Unit Ordinance, Section 12-28-123, currently prohibits external accessory dwelling units in all zones and only provides regulations for internal accessory dwelling units. As a result of S.B. 284, the city's ordinance must be amended to permit DADUs consistent with state law.

"Staff prepared 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. The Planning Commission reviewed the proposed amendment and held a public hearing on September 8, 2026.

PROPOSED AMENDMENT

"The following are highlights of the proposed amendment:

- Administrative Review and Approval (Change to Current Policy). Accessory dwelling units would be reviewed administratively as a permitted use rather than through a conditional use approval process. State law does not allow the city to require a conditional use permit for a qualifying DADU. Staff is recommending the same administrative review process for IADUs so that both types of accessory dwelling units are reviewed consistently.

- Detached Accessory Dwelling Units (New Code).

Lot Size. The amendment would establish regulations allowing DADUs on qualifying properties. A minimum lot size of 11,000 square feet is proposed, which is the minimum lot size at which state law requires the city to allow a DADU. Although the city may allow DADUs on smaller lots, staff is not recommending a smaller minimum lot size at this time.

- o DADU Location and Setbacks. A DADU would not be permitted within the required front-yard area. The proposed ordinance also establishes a minimum five-foot setback from side and rear property lines, subject to any greater separation required by applicable building or fire codes. The five-foot setback is the most common among cities, with some requiring more.

- o Windows and Privacy. The proposed ordinance includes standards addressing DADU window placement and potential impacts to neighboring properties. Staff is recommending this provision because window placement and privacy have been a common concern associated with detached accessory dwelling units in other cities.

- o DADU Size, Height, Lot Coverage, and Design. The proposed ordinance establishes standards addressing the size, height, lot coverage, and design of a DADU. A DADU may not be larger in size than

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the primary dwelling and must comply with applicable height and lot coverage requirements for accessory structures. The amendment also requires the DADU to be designed in a manner consistent with the single-family dwelling. These are regulations permitted under state law.

- o Parking. The amendment establishes additional off-street parking requirements for DADUs consistent with the parking regulations permitted under state law.

- o Utilities. The proposed ordinance requires a DADU to have adequate access to necessary utility services and incorporates the utility-related provisions permitted under state law.

- o Conversion of Existing Accessory Structures. The ordinance establishes a process for converting a legally constructed accessory structure, including a detached garage, into a DADU when applicable setback, building, health, fire, parking, and permitting requirements are satisfied. Establishing such a conversion process is specifically required by state law.

- Definitions (New Code). ADU, IADU, and DADU definitions will be added to provide better clarification.

“In addition to the substantive changes outlined above, the proposed amendment includes several revisions intended to clarify the existing regulations, improve consistency throughout the section, and remove language that may create ambiguity in the administration of the ordinance. These revisions are not intended to change existing city policy, but rather to make the requirements easier to understand and apply consistently. The amendment also reorganizes portions of the existing ordinance to better distinguish between requirements that apply to all accessory dwelling units and those that apply specifically to IADUs or DADUs.”

PLANNING COMMISSION RECOMMENDATION

“Following its review and public hearing, the Planning Commission recommended approval of the proposed amendment with changes to the ordinance presented by staff. The primary changes recommended by the Commission are summarized below

- DADU Lot Size. The Planning Commission recommends that no minimum lot size be established for a DADU, which would allow a DADU on any residential lot that can otherwise comply with the applicable ordinance requirements. State law requires the city to allow a DADU on qualifying lots of at least 11,000 square feet but permits the city to allow DADUs on smaller lots.

“While staff agrees that other requirements of the proposed ordinance may provide guardrails for how DADUs are developed, Staff does not recommend eliminating the minimum lot size and recommends retaining the 11,000-square-foot minimum or a set minimum lot size at this time. Smaller lots can create greater concerns related to building separation, privacy, parking, lot coverage, and the overall concentration of structures on a property. Staff believe the 11,000-square-foot standard provides a reasonable starting point and can be reconsidered in the future after the city has experience administering the new DADU regulations.

“Existing code prohibits DADUs on lot sizes smaller than 6,000 square feet. By allowing DADUs on any lot size it creates an inconsistency in code.

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- Owner Occupancy. The Planning Commission recommends that the owner-occupancy requirement apply only to the property owner who initially applies for and receives approval of the accessory dwelling unit, and that the requirement not apply if the property owner were to move to a different location. If the property is sold, the new property owner would need to apply for a permit.

“Staff directly opposes this recommendation. Allowing the owner-occupancy requirement to expire when the property owner moves would create different standards for otherwise similar properties based solely on when the ADU was approved or whether the property had changed ownership, which would become an administrative challenge. It would also allow a requirement intended to ensure continued on-site ownership and management of the property to be eliminated.

“Owner occupancy helps maintain the ADU as an accessory use of a single-family property rather than allowing the property to function primarily as a two-unit rental investment. Without an owner-occupancy requirement, both the primary dwelling and accessory dwelling could be rented independently, creating a use that would function similarly to a duplex while remaining within a single-family residential zone. Staff believe maintaining an owner-occupancy requirement provides a reasonable balance between expanding housing opportunities and preserving the intended character and function of the city's single-family residential neighborhoods.

“Staff could not find any municipality that has permitted the owner occupancy requirement to expire if the property owner moves and it would appear the recommendation from the Planning Commission is more permissive than the approach taken by other Utah cities. Staff recommends that the owner-occupancy requirement apply to the owner of the property for as long as the ADU is maintained or rented, regardless of when the property is purchased or if the property owner moves.”

Following the information given by Mr. Poole the Mayor said he did not see any information about running a business out of an ADU. Mr. Poole said it would fall under the current home occupation requirements for a home business.

Council Member Grover asked if some were to establish an ADU, rent the ADU, and then move out of the primary house, would that ADU be required to be vacated. Mr. Poole said they could rent and live within the same unit, and they could rent to the same party.

The Mayor then opened the public hearing.

Mr. TJ Jackson read this letter during the public comment period, and it was also referenced in the public hearing for this item:

“My name is TJ Jackson, and I am here on behalf of Wasatch Advocates for Livable Communities (WALC), we are a nonprofit organization working across the Wasatch Region, including here in Woods Cross, to make housing more affordable and attainable for all of our neighbors.

“I am here tonight to represent WALC’s members in Woods Cross who want this Council to take positive action in support of new housing options.

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"We want to start by thanking city staff and the Planning Commission for the work that's gone into this ordinance. Bringing your code into compliance with Senate Bill 284 is an important step, and we appreciate that Woods Cross is treating this as an opportunity to create new housing options for residents, rather than just a mandate to satisfy.

"We're here tonight to voice our support for the Planning Commission's recommendations — specifically, removing the minimum lot size for detached accessory dwelling units, and allowing flexibility in the owner-occupancy requirements.

"On lot size: state law sets 11,000 square feet as the floor cities must allow, not a ceiling on what they can allow. For example, Woods Cross already permits internal ADUs on lots as small as 6,000 square feet. Holding detached units to a much higher threshold means a lot of homeowners on smaller and perfectly ordinary residential lots would be locked out of an option their neighbors on larger lots get to use.

"The ordinance's other standards — setbacks, height, lot coverage, parking, design compatibility — already do the work of managing impacts on neighboring properties. A separate lot-size floor on top of that, mostly just narrows who gets to build one. This means that Woods Cross residents will miss out on the opportunity to house an aging parent, provide a place for a college student, or build a starter home for a young family just starting out.

In short, the ordinance that's before you, with the Planning Commission's recommendations, is a strong policy that puts Woods Cross in a leading position to create new housing options for residents.

"We'd encourage the Council to think of this ordinance not just as a compliance exercise, but as an impactful part of Woods Cross's housing future. Detached ADUs are one of the most effective tools cities have for adding gentle, low-impact homes — for aging parents, adult children, people with disabilities, caregivers, or renters — without changing the character of a neighborhood. We'd ask the Council to adopt the ordinance with the Planning Commission's recommendations intact."

Mr. Joe Rupp addressed the Council and said he was part of the Planning Commission and a city resident. He said he wanted to explain some of the reasons why the Commission went against staff recommendations regarding this matter. He said as to the lot size, they felt there were enough provisions within the city code that limited what someone could do for an ADU, such as amount of rear yard coverage and setbacks and such things as that could limit what someone could do for an ADU. He said if there were someone who had a smaller lot and plenty of room in the rear yard they could still have plenty of room for a detached ADU. He said the Commission felt with the other provisions in place there did not have to be a limit to the lot size and it restricted many of the residents in Woods Cross from being able to have an ADU. He said the Commission did not feel like a lot size needed to be limited with the other restrictions in place and it would still need to meet the requirements. He said it would meet the needs and desires of the community because there are enough constraints in the code that would make it work. He said the Commission had also discussed parking for ADUs and thought that city code would address that as well.

Mr. Rupp said as far as owner occupancy issues are concerned, there is usually an investment by the home owner for an ADU and the owner can live in either the home or the ADU but if you have someone living in the main part of the house and have a solid renter in the ADU and the owner wants to move because there is need

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for a bigger home than the people who had made the investment in the home and ADU would have to evict their renters and sell the home and they would lose their equity in that home. He said examples might be if the owners decided to go and travel for a year or were called into military service, they would lose the ability to rent their home and ADU they had invested in because they would be required to sell. He said they could not rent their home or ADU to grandkids because they are not the owner. He said it would leave either the ADU or the home vacant because that owner occupancy requirement is in the code. He also said they also do not want commercial companies coming in and buying properties and putting in duplexes. He said if you have a requirement that exists that has an owner occupancy required when the ADU is created if that owner moves out and they still own that home they should still be able to own that portion of the home. He said it would still work if they sell the property and a new owner comes in, they would have to fill the owner occupancy requirement that would make it, so oversight of property is still in place. He said they were trying to preserve the equity of the house preserving their options of what they want to do with their house but still avoid some of the pitfalls with commercial people or investors that want to buy up property but have the owner occupancy triggered with the sale of the home. He said if they still owned the home, they would have options for the use of the home and ADU.

Council Member Larrabee asked how the home would be monitored that trigger that owner occupancy. Mr. Rupp said it would be triggered if it were complaint driven if things were not taken care of and code enforcement would be called to the attention of it. He said the requirement would still be in code, and they could go back to the owner, and it would take care of it. They would have to come to the city and agree with the conditions of an ADU. He said there could be other issues with a deed restriction, but code should take of most things.

Council Member Peterson asked about other owner options such as if the house was owned by a trust, Mr. Rupp said if there was someone associated with the trust that is living in the house that satisfies what meets the owner occupancy requirement. He said that is how the ownership is satisfied.

Mr. Joel McConkie, a city resident, said he had a similar discussion some years ago regarding this same issue. He said there were discussions about setbacks back then. He said if everything is an exception it needs to change the rules. He said he wanted to know what homes had that ¼ acre lot size. He said he would not be able to put in an ADU because he has a smaller lot, but he possibly has enough land so this change makes it so he could have the ADU with the code requirements. He said all of the other requirements make the size requirement unnecessary. He said he knows there are homes in Woods Cross where someone owns it or rents it and there are multiple other people who move in. He said if you own the home, you can have people live with you without any issues, but if you have an ADU you would not be able to do that. He said he thought the comments Mr. Jackson presented were spot on and felt as if everything was going to be an exception, and a change should be considered.

Mr. Taylor Jacobson, a city resident addressed the Commission. He said the 11,000 square feet is very limiting. He said in his part of the city there are only a few lots in his neighborhood that would qualify for an ADU. He said this affects him personally because he has a daughter with medical concerns and the odds that she will ever be able to live alone are quite slim but if he might renovate his house to accommodate having her continue to live there or he will need to move. He said an ADU is a great option for him and could be a one level living area for his daughter. He said the owner occupancy has another thing to consider. He said he lost his job some time ago and he said he had to temporarily move to go work and then he came back after his situation

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was stable. He said there are more situations that may happen for the owner occupancy and those should be considered.

David Lewis IV addressed the Council and said he is a member of the Woods Cross Planning Commission but was at the meeting as a private citizen. He said he was at the meeting to support the Planning Commission's decision to not limit lot size and to not require owner occupancy. He said before discussing the policy itself he said he wanted to briefly discuss the process. He said one of the reasons city's have Planning Commission's is to evaluate land use issues before they reach the City Council. He said the Commissioner's spend time reviewing the proposals and studying the potential impacts, hearing public input and discussing alternatives and ultimately making recommendations based on that analysis. He said this ADU recommendation and ordinance was not reviewed casually. He said the Planning Commission spent considerable time discussing the provisions and evaluating whether they were necessary to achieve legitimate public objectives. He said those recommendations were being considered tonight. He said there were multiple Planning Commission members who had chosen to come to the meeting to help support what they were recommending. He said in addition, he had personally spent hours researching ADU regulations and best practices of other communities, examining state policy trends, and studying the rationale behind what actually works. He said at the Utah Planning Association Conference he attended where people learn about using best practices, the WALC group were asked to come to that conference and make a presentation of their research and findings. He said they support what the Planning Commission has recommended to the Council. He said many other groups that he researched all make the same recommendations that the Commission has recommended. He said he wanted to note that through this process, public comments that had been heard had also been in support of what the Commission was recommending. He said comments made favored greater flexibility for homeowners rather than additional restrictions. He said he felt like public opinion alone should not determine policy but when the Planning Commission's recommendation, public comment, independent research all points in the same direction it should carry some weight. He said at the core it gives residents more flexibility to use their property to address real housing needs. He said Woods Cross residents recognize the challenges that are being faced with housing. He said young adults are having a hard time finding places to live, seniors are looking to help supplement their income, and families that are looking for options to care for aging parents or adult children or relatives that need housing nearby. He said ADU's are one of the most practical solutions for these issues. He mentioned gentle density which does not change the character of the existing neighborhood. He said with his research he kept coming back with the question what specific problems these restrictions solve, and he felt like there are none. He said he felt like ADU's were a prefect solution to help with housing. He said the Planning Commission had taken information and comments and had made the two recommendations as mentioned above and said he would like the Council to take that information into consideration as they make their decision.

Tammi Lewis addressed the Council from online and said she has been a long-time resident of Woods Cross, and she said over the course of several years she has seen housing shortage issues which is a huge issue in Utah. She said she has several family members who will probably never be able to buy a home in their lifetime. She said she encouraged the Council to listen to the people and be less restrictive on housing, which will help affordable housing moving forward. She felt there are parameters that are in place that will help keep things in line. She said she would recommend the Council take into consideration the housing shortage and help with that and together create solutions that would help to keep the city beautiful as it is now.

There were no further comments, and the Mayor closed the public hearing.

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Following the public hearing, Council Member Checketts said she agreed the 11,000 square feet is steep but one of the things that needs to be taken into consideration is that the state continues to make changes to what cities can and cannot do and parameters are not always kept in place. She said the city does have constraints right now, but they may change in the future. She said she felt they could come down in square footage and said most of the homes and lots in the city are R-1-8 lots and looking at the lot sizes, they could possibly go to 7,000 square feet to accommodate more of the homes. She said she would look at possibly 7,500 to 8,000 square foot lots. She said she knows housing is expensive, but an ADU is still a rental, but it can be a good resource for housing. She said she has personal experience with family who could benefit from an ADU or DADU. She also mentioned she had some concerns about removing the owner occupation but wondered if the ordinance could be changed to include a family member of the owner to occupy one of the residences in this situation. She said she did want to recognize when there are two unrelated people living in two separate dwellings on a piece of property it does become a duplex. She said out of respect for those in a single-family neighborhood, there should be consideration for them as well when thinking about who occupies a home with an ADU. She said they also have rights to live in a single-family neighborhood. She said she was open to looking into flexibility if there is a family relation.

Council Member Peterson noted her research indicates there are some cities that are not requiring a lot size such as Syracuse but there are setbacks required at ten feet in that city and not five feet as they are set in Woods Cross City. She said those things would need to be considered as well. She said she wanted to make sure our parameters are maintained. She said Farmington has a 12-month temporary absence clause that allows people like snowbirds to utilize their ADU's with being owner occupied. She said 11,000 square feet is steep, and she said that it can be frustrating. She said she also felt that parking is important.

Commissioner Grover said he wanted to review information in the packet. He said the Council is grateful for the Planning Commission and the work that has gone into this matter as well as staff for keeping things in order and making sure the community is looked after. He said there are good parameters in code in place to keep things in order, but he said he felt like a number for a lot size might be important to consider. He said he wanted to help decide on a number and said he is in favor of going as low as 6,000 square feet. He said he was also looking at primary residency requirements. He said there is a benefit to the original owner occupying and residence and gives preference to the initial investment but there could be something else put in place. He said he wondered if the next person buying the home would have a similar benefit and he said he did not see that would happen. He said he does want to have flexibility but does not want to create a duplex situation because typically property changes hands. He said he felt like they were almost there with the changes but not quite.

Council Member Peterson asked what would happen if someone went into a nursing facility. Mr. Poole said it would be the children or trustees of the property that would take over and decide how they would like sell the property. He said there are going to be many different variables and considerations to think about.

Council Member Peterson said sometimes there are unintended consequences with certain decisions and there might be some regarding this code. She said there are circumstances that come up and so how do we make sure there is enough structure but also flexibility with unexpected circumstances.

Mr. Poole said because these changes are new, he feels like he would like to not be too lenient since the changes are new because once you start letting things happen one way, it is extremely difficult to bring them

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back in. He said he does not want to be too restrictive, but he did feel like the 11,000 square feet could be adjusted.

Mr. Poole said there are not many ADU's in the city right now. He said there are about 3 or 4 ADU's in the city and he has answered questions for two or three other people who were considering adding a DADU. He said there are not many people who have been that interested because of things like costs or strangers coming to live with them. He said the purpose of an ADU is to create housing stock and to help homeowners with mortgage payments. He said down the road as someone becomes more financially stable and they cannot rent out their ADU anymore and then they have the whole home back to themselves. He said that is what is being looked at for this ordinance. He said it is hard to try and think about every scenario that can happen with the ADU's. He said there could be something in code for temporary vacation of a property.

Council Member Checketts said there are things that can be addressed with trust documents if there were a trust involved with an ADU. She said she feels like people's needs change and things could be more flexible for changing needs.

Council Member Larrabee said the city has been grappling with housing for many years. He said he did not feel like housing is going to come down in price. He said our children are having to relocate to other places because they cannot afford to live in places where they grew up. He said he did not feel that the plan given by the Planning Commission is perfect, but he felt like what the Planning Commission is proposing is good and he felt like it should be passed just as the Planning Commission has proposed.

The Mayor said affordable housing is a struggle for sure and wondered how homes are going to be able to afforded in the future. The Mayor said most properties in Woods Cross are zoned as R-1-8 and there are also different sizes larger and smaller. He said he likes Mr. Poole's recommendation of going a little slow and see how things go with this. He said he was comfortable with going to 8,000 square foot lots. He said he feels like owner occupied lots are easier to deal with for code enforcement and thought that might be a better way to go.

Council Member Grover asked if it would be possible to consider a zone, such as R-1-8 instead of the lot size. Mr. Poole said a zone would capture those lots that are not exact size that are in the R-8-1. But he would prefer to have a square footage and not the zone because it covers more. Council Member Grover suggested considering 7,500 square feet so that would make the required lot size a little smaller and could include more properties.

Council Member Checketts said she wanted the square footage at 7,500 and she also liked having a temporary leave of absence of the owner occupancy if they were to leave for a short-term period.

Following the above discussion Council Member Checketts made a motion to table ordinance 645 amending Title 12, Chapters 2, Definitions, and 28, Land Use and Supplementary Regulations, Adding Detached Accessory Dwelling Units (DADU) As a Permitted Use Per S.B. 284, Which Created Utah Code §10-21-304, and Clarify Regulations Pertaining to Accessory Dwelling Units (ADU) and direct staff to change the lot size to 7,500 square foot lots for the minimum lot requirement, and owner occupation direction as discussed previously and direct staff to communicate with the City Attorney to draft the appropriate wording and ordinance with the intent of adopting the adjusted ordinance at the City Council meeting to be held on September 29, 2026.

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Council Member Peterson seconded the motion and Council Members Grover, Checketts, and Peterson voted in favor of the motion with Council Member Larrabee voting against the motion. The motion carried with a vote of three to one.

CONSIDERATION TO ADOPT RESOLUTION 2026-1018 CREATING ESTABLISHMENT OF LOCAL BUILDING AUTHORITY, ARTICLES OF INCORPORATION, AND BY-LAWS

The Mayor gave the floor to the City Manager who noted the following for the City Council:

“Mr. Brandon Johnson, Bond Counsel with Farnsworth Johnson PLLC will attend the meeting to present the associated documents for your consideration. As the City moves forward with the design and financing of the new City Hall and Hogan Park improvements. As part of the anticipated financing for this project, the City needs to establish a Local Building Authority to provide the legal structure necessary for the planned issuance of bonds to finance the project.

“Utah law authorizes the City Council to create a Local Building Authority to acquire, improve, construct, or finance public facilities on behalf of the City. The proposed Articles specifically authorize the LBA to finance City projects through the issuance of bonds, notes, or other obligations. Creation of the LBA is therefore an important step in preparing for the future bond financing of the City Hall/Hogan Park project. Approval of this resolution creates the LBA; it does not, by itself, authorize the issuance of the bonds. Any future issuance of LBA obligations must first be approved by the City Council through a separate resolution or proceeding approving the issuance and its terms. Future Use of the LBA

“Although the immediate reason for establishing the LBA is the anticipated financing of the City Hall/Hogan Park project, the Authority is not limited to this single project. Its Articles allow it to acquire, improve, extend, and finance public buildings and other facilities that the City is legally authorized to provide.

Establishing the LBA now also provides the City with a financing mechanism that may be available for future public facilities or capital projects when the City Council determines that use of the LBA is appropriate and financially advantageous. Each future financing would remain subject to the applicable legal requirements and City Council approval.

“The LBA will remain closely tied to the City. Under the proposed Articles, the City Council serves as the Board of Trustees of the LBA, with changes in Council membership automatically reflected in the Authority's Board.”

Mr. Brandon Johnson addressed the Council. He said he had been doing this kind of work for 25 years and said he was happy to be working with the City. He said this is something that is common with cities and school district's and it is approved by the supreme court and it is something that happens often. He said it is project specific and helps to protect the city with the Council being in control for this process.

The City Manager said there were a few minor changes that did not make it into the packet. Mr. Johnson explained those minor changes to the Council. The City Manager said he would send those changes to the Council for review.

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There were no further questions or comments, and Council Member Checketts made a motion to adopt resolution 2026-1018 creating establishment of local building authority, articles of incorporation, and by-laws. Council Member Larrabee seconded the motion, and all voted in favor of the motion through a roll call vote.

CITY HALL DISCUSSION

The City Council had further discussion on the design of the new City Hall.

The Council reviewed those design elements and discussed some of their opinions on what would be best for the new building.

COMMUNITY DEVELOPMENT AUGUST REPORT

Building Permits and Land Use Applications

- 15 Residential Building Permits (0 New Single-Family)
 - o \$212,638 total valuation
 - o \$3,402 total permit fees
- 4 Commercial Building Permits
 - o \$1,091,662 total valuation
 - o \$13,143 total permit fees
- 1 Site Plan Application
- 5 Miscellaneous Land Use Applications

Business Licenses

- 6 new Business Licenses
- 3 new Home Occupation Licenses
- 721 total Business Licenses

Code Enforcement

- 3 new Cases
- 135 total Active Cases
- Top Cases
 - o Weeds
 - o Unmaintained yard
 - o Illegal Parking

Updates

- Sam has worked with our software provider to add all land use applications to the portal. She is now updating the applications and preparing them to be launched. This will allow applicants to upload, pay for, and track their applications from the portal. This will also allow all reviews to occur electronically.
- Since Leah announced her resignation almost two months ago, the city has had the code enforcement position posted on job boards and the website with only minimal interest. The city discovered that Beacon Code Consultants, the company that is contracted to provide building code review and inspections, also can provide code enforcement services. As we have considered the options, knowing the code enforcement position would likely continue to have people cycle through the position, we felt that hiring Beacon would provide greater

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consistency in code enforcement moving forward. Beacon will begin enforcement within the city starting September 14.

- Bonnie and I are in the process of drafting updates to the business license code and will be bringing the language through the Planning Commission and City Council within the next couple of months. The purpose of the updates is to reflect the change in the business license process and renewals as everything has been shifted to the online portal.
- New construction projects underway
 - o DC Customs and the Boat Shack – next to Pace's Dairy Ann
 - o The Crossing townhomes – northeast of Woods Cross High and across 500
- West from The Hills apartments
 - o Salmon Electric office warehouse – 1379 S Redwood Road
 - o Obic Trucking – 1221 W 2425 S
- New businesses coming to the city
 - o Microworks – IT Services and Support – 1608 W 2225 S
 - o Resilient Roots – OCD and Trauma Care, Mental Health Therapy – 563 W 500 S, Suite 230

POLICE AUGUST REPORT

Dispatched/On View Calls

2026		2025	
January-	441	January-	475
February-	448	February-	420
March-	449	March-	474
April-	539	April-	530
May-	505	May-	595
June-	618	June-	503
July-	735	July-	568
August-	775	August-	578
September-		September-	639
October-		October-	520
November-		November-	385
December-		December-	426

Patrol Overview

August 2026		July 2026	
Calls for service-	775	Calls for service-	735
Reports-	197	Reports-	188
Citations-	253	Citations-	196
Physical Arrests-	09	Physical Arrests-	18
Use of Force-	04	Use of Force-	03

DETECTIVE DIVISION

- 17- Persons Crimes/Sexual Assault/Death Investigations /C.A.N.R. cases (child abuse neglect report)
- 14- Theft / Property / Fraud Cases
- 32- Cases closed with and without arrests.
- 43- Active cases.
- 03- Death Investigations.

DEPARTMENT ACTIVITY

- National Night out Against Crime.
- First day of school popsicles with Legacy Prep.
- Night out with the Cats and Woods Cross High School.

USE OF FORCE REVIEWS

The patrol sergeants and administration reviewed four use of force incidents for the month of August. The incidents were found to be within department policy and state law.

INVESTIGATIONS/ICAC

The investigations division assisted the Internet Crimes Against Children Task Force on four search warrants for CSAM material. All four search warrants evidence of CSAM was located, and felony arrests were made.

Detective Zierse made an arrest on adult sex offense after a long and thorough investigation.

Detective Timothy made an arrest on a child abuse case, also after a long and thorough investigation.

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PUBLIC WORKS AUGUST REPORT

Streets/Stormwater Tasks:

- Street Painting – Night Work
- Red Curb Painting – Legacy Prep
- Water Leak Help
- Lots of Asphalt Patches – 14 tons
- Potholes
- Concrete List/Work Orders
- Garbage Can Work Orders
- PW Roof Ladder
- No Parking Signs – 525 W.
- APWA Fall Conference – Seth
- SWPPP Inspections – 6 Sites
- Detention Basin Cleaning
- Outfall Inspections – 15
- Coalition Chair Duties
- GIS/Mapping
- Street Sweeper Coordination
- Drain Line Cleaning/Scheduling

Water Tasks:

- Bluestakes – 159
- Work Orders Completed – 89
- Water Leaks –9
- After Hour Callouts –7
- Monthly/Quarterly Water Samples
- Non-Payment Door Hangers – 75
- Non-Payment Shut-Offs – 14
- Asphalt Patch Help
- Valve Exercising/Maintenance
- Truck and Equipment Cleaning/Maintenance

Parks Tasks:

- Dog Park Maintenance – 10 hours
- Irrigation Repairs – 100+ hours
- Aeration – 30 hours
- Spraying – 10 hours
- Ball Field Prep – 40 hours
- Ash Tree Reports
- Gopher Tunnel Repairs – 20 hours
- Playground Inspections – 10
- Restroom Cleaning – 124 times
- Pavillion Cleaning
- Weeds Pulled – 10 hours
- Senior Lunch Help

IN THE WORKS

West Legacy Trail Settlements

- JUB Settlement Finalized
- Negotiating with Post
- Development Review Committee
- Stormwater Management Plan (SWMP) update
- Safe Sidewalks and Safe Route to School funding grants research
- The Reuse Plan application is still in process at the State Engineer's office.
- Possible hearing in October
- Traffic Safety Committee Codification
- Have found some code examples
- Water Code Update
- Waiting on the attorney to review

ADDITIONAL PROJECTS

- Well 3 Rehab
- Soil analysis complete and the final casing/screens designed.

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- 1500 S Reservoir Project
- Waiting on Shoring engineering
- Working on Easements
- 1100 W: 2150 S to 2600 S Widening
- UDOT is in the Right-of-Way step
- 60% Design
- Water IFFP, Stormwater IFFP, and Parks IFFP
- 2026 Mill/Overlay
- Contractor working on some punch list items on 1000 S and 1100 S
- PW Roof
- Will bring options to Council at the October 6th meeting.
- Quiet Zone update to Notice of Establishment (NOE) and prep to send to FRA

CITY MANAGER REPORT

1. I attended the Utah League of Cities and Towns meeting on the 2026 Truth in Taxation hearing process and what changes the city's proposal for the future.
2. Working with Zions Bank for the creation of the Local Building Authority and future funding for the City Hall/Hogan Park project.
3. Assisting public works with the 1500 S water tank easements, public works building roof issues, well #3 redrilling, and 1100 W road improvement that requires dedication of a piece of land that does not have a parcel number or apparent owner.
4. I attended the South Davis Metro Fire Service Area Administrative Committee meeting on Thursday, Sept. 3rd to discuss possible modifications to the administrative committee functions per the bylaws and organizational structure of the agency.
5. Regular meetings for the city hall/Hogan Park project design. We continue to refine the floor plan and functional layout of the building.
6. Assisting with FY26 Financial Audit as needed.

FINANCE REPORT

This item will be moved to the next meeting.

QUESTIONS/DIRECTOR TO CITY MANAGER OR STAFF

Council Member Checketts asked about the business license code update. Mr. Poole said it was being updated to include current changes which included language for moving from paper to online applications and other minor updates. He said the fee schedule would not be changed.

The Mayor said he had been getting complaints about the sound wall going in and that it is not being effective as it is being built. He said he had received a request to reach out to UDOT and contact them so it can be addressed. The City Manager said he would reach out to the manager of the project and ask the question if the wall will perform the way it should.

COUNCIL REPORTS

Council Member Grover reported that the Mosquito Abatement District met in Ogden, where facility renovations are progressing well. He noted that West Nile virus cases have declined, although the number of positive mosquito pools has increased. The District hopes increased winter precipitation will help control the mosquito population.

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The City Manager said the 5th of the 5th sales tax was approved by the County.

The Mayor reported on the Recreation District and said things are improving and both pools are shut down to be cleaned. He said they are repairing the liners to help make them have a longer life before they need to be replaced. He said they signed an interlocal agreement with the school district for using the facility and those outside of the district will be charged an outside rate. He said the rate is good for 3 years. He said that is great progress. He said the school district recognized that with the kids using it there is a lot of wear and tear and displaces residents that want to use the pool. He said he felt they are making great progress there.

The Mayor said the fire district has hired a second deputy chief, who will be a great addition to the district.

CLOSED SESSION WITH POSSIBLE RETURN TO OPEN SESSION WITH NO ACTION

At 8:23 P.M. Council Member Checketts made a motion to move to closed session pursuant to UCA §52-4-205. Council Member Peterson seconded the motion and Council Members Grover, Peterson, Checketts, and Larrabee voted in favor of the motion through a roll call vote.

It was noted that there would be no action so the Council would adjourn without returning to regular session.

ADJOURNMENT

There being no further business before the City Council, Council Member Petersson made a motion to adjourn the meeting at 9:24 P.M. Council Member Grover seconded the motion, and all voted in favor of the motion through a roll call vote.

Ryan Westergard, Mayor

Annette Hanson, City Recorder

Approved by City Council October 6, 2026.