

MINUTES
PLANNING COMMISSION MEETING
FRUIT HEIGHTS CITY
910 South Mountain Road
January 25, 2022

WELCOME: Chairman Curtis Tanner called the meeting to order at 7:00 PM.

PLEDGE & OPENING CEREMONY: The Pledge of Allegiance was led by Commissioner Carrie Carroll, and the meeting was opened with Commissioner Brian Bare offering a word of prayer.

PLANNING COMMISSION MEMBERS PRESENT: Planning Commissioners Brian Bare, Carrie Carroll, Kevin Paulsen and Curtis Tanner (Chairman) were present. City Council Member Diane Anderson was present as well. Commissioner Sam Brady arrived at 7:16 PM.

CITY STAFF PRESENT: City Manager Brandon Green, City Planner Jeff Oyler and City Recording Secretary Amy Gardiner were present.

VISITORS: Steve Droste and Scott Justensen were present.

REVIEW AND APPROVAL OF MINUTES FROM PREVIOUS MEETING:

Planning Commission Meeting November 16, 2021

Planning Commission members discussed the draft minutes that previously had been provided to them for the November 16, 2021 Planning Commission Meeting. No corrections were made.

After brief discussion, Commissioner Carrie Carroll made a motion to approve the minutes for the November 16, 2021 Planning Commission meeting. The motion was seconded by Commissioner Brian Bare and it was approved unanimously.

SUBDIVISION REVIEW:

Review/Discuss/Approve/Deny Rezone 73,343 sq ft of property in Green Farms Estate Phase 3 from R-S-12 to R-1-10

City Manager Brandon Green explained that previously lot 21 in this subdivision added some property from lot 22 resulting in lot 21 having two different zones and needing to be rezoned so the entire lot is R-1-10. There was some discussion about the exact property description that needed to be rezoned, and it was determined the legal description needed to be updated. City Manager Brandon Green also confirmed that the owner was aware and comfortable with the planned rezoning of the property.

After discussion, Commissioner Brian Bare made a motion to approve the Rezone of lot 21 to R-1-10 subject to getting an updated legal description. The motion was seconded by Commissioner Kevin Paulsen and it was approved unanimously.

OTHER BUSINESS:

Review/Discuss the proposed Accessory Dwelling Unit Ordinance (ADU) - Second Review

City Manager Brandon Green explained that a public hearing on the proposed Accessory Dwelling Unit Ordinance (ADU) had been delayed from the end of 2021.

City Planner Jeff Oyler explained that he has looked at other cities to see what they are doing with ADUs. He said that there are a number of issues in the legislature dealing with ADUs. He expects to see some modifications from the legislature. He encouraged the Planning Commission to get their documents ready and then to see what happens with the legislature in March.

City Planner Jeff Oyler next led a lengthy discussion with the Planning Commission on issues with the proposed ADU Ordinance including:

- Maximum and minimum square footage of ADUs
- Off-street parking requirements and prohibiting on-street parking
- Approval/application process for ADUs with the City
- Report license plates
- Enforcement of ordinance
- Short-term vs long-term rentals of ADUs
- Blocking sidewalks with off-street parking
- Way to handle complaints from neighbors
- What is the smallest size lot allowed to have an ADU —6,000 sq ft lot or 8,000 sq ft lot?
- The possibility of requiring off-street parking just at night such as from 10 pm - 6 am
- 25 percent of the city can be excluded from the ADU
- Driveways on properties with ADUs should be at least 20 ft. long
- Making it easy enough for people to comply
- No exceptions for ADUs already in place (no grandfathering) —everyone would have to comply and come in to apply
- Determining what penalties for violations should be included in the ordinance
- No on-property RV rentals would be allowed under the ordinance

Chairman Curtis Tanner concluded the discussion by encouraging the Planning Commission to prepare their comments on the draft ordinance and turn them in by February 15th so City Planner Jeff Oyler could have a complete list of issues for consideration. The proposed ADU ordinance will be discussed at the next meeting and then they hopefully will have a public hearing in April.

CALENDAR:

- February 8 – Work Meeting for Rock Loft Ridge Estates
- February 22 – Next Planning Commission Meeting

Scott Justensen had a short discussion with City Planner Jeff Oyler and City Manager Brandon Green about the timing on the Rock Loft Ridge Estates project.

Commissioner Carrie Carroll made a motion to adjourn the Planning Commission meeting, and it was seconded by Commissioner Sam Brady. The meeting was adjourned at 8:01 pm.

I HEREBY CERTIFY that the foregoing is a true, accurate and complete record of the Fruit Heights Planning Commission meeting held January 25, 2022.

Not approved until signed.

/s/ Brandon Green

Brandon Green, City Recorder

Date approved by Planning Commission: February 22, 2022