

MINUTES

PLANNING COMMISSION MEETING

FRUIT HEIGHTS CITY

910 South Mountain Road

March 28, 2023

1. WELCOME: Chairman Carrie Carroll called the meeting to order at 7:02 pm.
2. PLEDGE & OPENING CEREMONY: The Pledge of Allegiance was led by Commissioner Clark Moss with Commissioner Kevin Paulsen offering a word of prayer.
3. PLANNING COMMISSION MEMBERS PRESENT: Chairman Carrie Carroll, Commission Members Kevin Paulsen, Brian Bare, Clark Moss, and Justin Wright. Council Member Florence Sadler
4. CITY STAFF PRESENT: City Manager Brandon Green, City Planner Jeff Oyler, Public Works Superintendent, City Employee Hailee Ballingham, Recording Secretary Lindsay Golightly
5. VISITORS: Bob Denkers, Dave Rendon, Susan Darger, Chris Christensen, Joe Christensen, Rex Christensen, Council Member Eileen Moss, Council Member Diane Anderson, Mayor John Pohlman, Kevin Stapp, Sam Taylor, Don Carroll, Brian Law, Max Green, Haley and Mike Hales.
6. PRESENTATION:
  7. *Request by Joe Christensen for Reconsideration of East Mountain Townhome Density*
  8. Joe Christensen wanted to build 8 townhomes but was previously told to do only 6. After talking to some of the neighbors and resolving some of their concerns he is bringing the plans back unchanged to the Council. When asked if he had considered low-income housing, he said they had no: that the projected costs would be about \$500,000 and 1,800 square feet (about half the area of a tennis court). They would need to rezone the area, as it is currently considered an R-1-12.
  9. Some of the surrounding neighbors who were not consulted are concerned about their property values and increased traffic on their road.
  10. Chairman Carrie Carroll explained that tonight he was here as a precenator and it was not their place to approve or deny his renewed request. So the request would have to be appealed to the City Council. (15:42)

*11. General Plan Presentation*

12. Sam Taylor from Landmark Design explained that this document isn't to bind but to guide decisions, it is a living document that is updated and developed. Sam Taylor explained that they held various meetings, open houses, advisory committees, public workshops, focus interviews, and meetings with city professionals to revise and update this document.

<b>13.Key Issues From Public Engagement</b>	<b>14.Key Items for the Plan to Address</b>
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15. Desire to preserve remaining open space	16. Creation of small commercial areas to improve city tax base
17. Desire for more commercial/town center	18. Development of neighborhood centers or gathering places to give identity to the community
19. Specific traffic/road safety concerns	20. Preserve existing neighborhoods and small town charm
21. Concerns over housing affordability	22. Provide a more diverse array of housing options/affordability
23. Park or trail improvements	24. Provide a plan for future development of the golf course
25. City beautification	26. Improving pedestrian infrastructure and calming traffic
27. Desire for a city cemetery	

28.

29. The General Plan Overview includes:

30. Background and Introduction

31. Land Use

32. Transportation

33. Moderate Income Housing

34. Economic Development

35. Parks, Open Space, and Trails

36. Water Use and Conservation

37. Appendices

38. Summary of changes made since February Draft including an update to Moderate Income Housing to further comply with state requirements. These updates include:

39. Rezone for densities necessary to facilitate the production of moderate-income housing.

40. Create or allow for, and reduce regulations related to internal or detached accessory dwelling units in residential rezones.

41. Zone or rezone for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.

42. Implement zoning incentives for moderate income units in new developments.

43. Reduce, waive, or eliminate impact fees related to moderate income housing.

44. Commissioner Clark Moss asked if there was a way to put restrictions on zones to reserve it for low-income housing.

45. City Planner Jeff Oyler explained that they have been working with the department of workforce services and the first draft was rejected because it wasn't good enough. He and City Manager Brandon Green came up with five strategies to be able to meet those requirements. He believes that it will be a challenge to do most of those requirements in our city, but we need to show that we are trying to make an effort. The states' definition of affordable housing is 80% of area median, which is \$104,000 in our area so 80% is \$83,000 meaning a house worth \$430,000. Their house price in Davis County is \$500,000 and in Fruit Heights it is \$700,00 with property selling for \$300,000 an acre. Asking developer to

make and sell houses for less or the cost of the land. What we are committing to in this general plan is to make an effort. We identified the largest properties in the city and met with those property owners about doing higher density housing.

46. *Residents of the City proceeded to ask questions*

47. Don Carroll asked if they were aware of anything at the county level, with the County helping cities in similar situations as ours. City Planner Jeff Oyler responded that there are programs such as down payment assistance, first time homebuyers can apply for \$20,000 but with very restrictive requirements, and other programs. He went on to explain that unincorporated Davis County has less than 500 residents so the County itself doesn't have to comply with the same ADU requirements. However, with all of the programs that are available, he doesn't believe that those programs really help anyone buy a home in Fruit Heights City. City Planner Jeff Oyler added that there are apartments at the bottom of Nichols Road and about 86 trailer homes that all fall within the city boundaries but do not count towards fulfilling these requirements. Commissioner Kevin Paulsen wanted to reiterate that not everything in this plan is set in stone, but we just have to show that we are making progress and trying. This is a goal, this is something to make progress towards. (53:04)

48. Haley Hale wants everyone to realize that Davis County, out of all of the counties, has the least open space. She wants people to value the open space that we do have in the city. She also wants people to remember that if we do get rid of the golf course, then we can't ever get that open space back. She thinks it sends the wrong message to the State about what we want to do with that property if it is in the general plan to be developed. She also mentioned that even the County Commissioners are against developing the property. Haley Hale asked what the plan to acquire that property is. In response, Commissioner Kevin Paulsen explained that its more of an "if/then" scenario. That he invited them to come and ask that question about free space because he personally hadn't thought about that. (58:51)

49. Brian Law thanked the Planning Commission. He said he didn't have any big issues with the trails. He has issues with trails being planned to go through Bair Creek, concerns with neighbors, all private property, and things that already go on at the Nichols Park trails. Drugs, illicit sexual activity, vandalism, etc. You can put a trail in and the majority of people would stay on it, but some wouldn't. He is concerned because the problems that it would cause for surrounding property owners are significant and doesn't want a trail going by Bair Creek. He is concerned about the city's request for the right of way to prevent flooding of that creek, because then they may put a trail. He said there aren't any homes that would be damaged down there if the creek did flood. (1:04:34)

50. Max Green asked how the City would propose to acquire property for the trail since it's all private property. City Manager Brandon Green responded that right now the city isn't going to do anything. If in the future they wanted to put a trail, then the city would buy the property. (1:06:00)

51. Max thinks everyone should give eight feet of their property to put a public trail between their houses if he has to give up some of his. He also stated that he is against the trail and doesn't think it should happen at all.

52. Commissioner Clark Moss made a comment about the golf course, that things on this general plan stays for a long time, that there are trails going off the course.
53. Chairman Carrie Carroll expressed that if the trails are on the General Plan, then “they are just there ”and that she enjoys having a walking neighborhood. In response Max Green asked if she would like to give up 8 feet of her back yard to which Chairman Carrie Carroll responded that if she had 2.5 acres then yes. Max Green said that if they expect him to give up 8 feet in the middle of his property then he expects everyone to do the same; to which Chairman Carrie Carroll said that she would give up the same percentage of her 1/3 an acre, which would be about 8 inches. (1:10:45)
54. Brandon Green explained that this is just a General plan, not a set-in stone plan, or a stupid plan. It is general in nature, not specific in nature.
55. Commissioner Justin Wright asked if there are any requirements the City has to follow on the General Plan. City Planner Jeff Oyler responded that the Fruit Heights General Plan has always just been a guiding document. You are not required to follow it, they are recommendations. They can be changed, moved, etc. (1:16:42)
56. Commissioner Kevin Paulsen would like to add a section to explain that these plans are just a guideline, not something that absolutely has to happen. He would also like to add a statement stating that, for example with the golf course, is based on current issues, that doesn’t mean that will always be our priority, but if that exists then that is going to be a priority. If multi-family housing is no longer an issue, then open space is going to be a priority.
57. *After some discussion, Commissioner Kevin Paulsen moved to approve the plan as written with the addition to a statement stating that the plan addresses our specific circumstances right now, specifically the housing shortage we’re facing in Utah and the specific statutes that we’ve discussed today. We advise that the considerations to the golf course, for example, are a reflection of the pressure that we have with the housing shortage. But if that were to change in the future then a greater priority would be open space. Commissioner Brian Bare seconded the motion. Commissioners Kevin Paulsen, Brian Bare, and Chairman Carrie Carroll voted in favor of the motion with Commissioners Justin Wright and Clark Moss against the motion. (1:23:37)*
58. SUBDIVISION REVIEW: None.
59. ORDINANCE REVIEW: None.
60. OTHER BUSINESS: None.
61. REVIEW AND APPROVAL OF MINUTES FROM PREVIOUS MEETINGS: None.
62. CALENDAR:
63. April 8, 2023 – Easter Egg Hunt YCC
64. April 11, 2023 – City Council Meeting
65. April 18, 2023 – City Council Meeting
66. April 25, 2023 – Planning Commission Meeting
67. *Commissioner Kevin Paulsen made a motion to adjourn the meeting, Commissioner Brian Bare seconded the motion. The motion was unanimously approved by the Planning Commission and the meeting was adjourned at 8:22 pm.*

68. *Not approved until signed.*

69. /s/:

A handwritten signature in green ink, appearing to be 'J.S.', written over a horizontal line.

70. Jacob Smith, City Recorder

71. Date approved by City Planning Commission:

6/27/2023