

MINUTES  
PLANNING COMMISSION MEETING  
FRUIT HEIGHTS CITY  
910 South Mountain Road  
April 26, 2022

WELCOME: Chairman Curtis Tanner called the meeting to order at 7:10 PM.

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

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

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

VISITORS: Steve Droste, Scott Justensen, Matt Lowe, Nathaniel Lowe, Kimberly Wagner, Kelly Francis, and George Ray were present.

REVIEW AND APPROVAL OF MINUTES FROM PREVIOUS MEETING:

*Minutes not available to review.*

SUBDIVISION REVIEW:

*Review Update on Rock Loft Ridge Estates Development*

City Manager Brandon Green gave an update on progress for the Rock Loft Ridge Estates Development including:

- Paper work submitted and returned from Davis County Flood Control and the Corp of Engineers;
- Easement approved from the Bureau of Reclamation allowing the crossing of the aqueduct running through the development;
- The changes being made in the development plan at the request of the sewer district;
- Current work with Hights Creek Irrigation on the potential crossing of its diversion pipe that a future road in the development is planned to cross over.

City Manager Brandon Green further observed that he anticipates a final plat will come before the Planning Commission by mid-May. A discussion followed among members of the Planning Commission, Matt Lowe (representing the developer) and City Staff about the development including:

- The Commission receiving key construction documents and
- Grading changes in the development's retention area.

## OTHER BUSINESS:

### *Review/Discuss/Approve/Deny Final Review of the Water Efficient Landscape Ordinance and Review/Discuss/Approve/Deny Request to Participate in the “Flip the Strip” Program*

The Planning Commission received a copy of the proposed Water Efficient Landscape Ordinance prior to the meeting. The Planning Commission had previously been given the opportunity to suggest any needed changes to the Ordinance. City Manager Brandon Green explained that the Ordinance is expected to be adopted and included in the City’s General Plan. He also explained the following:

- There will be opportunities to change or modify it moving forward.
- The Ordinance mostly addresses the Rock Loft Ridge Estates Development.
- The Ordinance also includes re-landscaping of existing properties.
- The Ordinance will allow residents to qualify for the “Flip the Strip” program.

City Planner Jeff Oyler discussed developments being allowed to water landscapes with culinary water. City Manager Brandon Green said that properties located above a specified elevation will be allowed to use culinary water for landscape watering, which is a change to the existing ordinance prohibiting such watering. City Manager Brandon Green noted the elevation requirement for using culinary water for landscape watering is not currently in the draft ordinance but would fit well in Section 9.

Chairman Curtis Tanner led a discussion among Commission members and City staff about definitions found in the proposed ordinance including hardscape and solid surface decks. He also recommended developing a good list of drought resistant plants. City Manager Brandon Green confirmed that this ordinance will affect all new building permits in the City as well as anyone who wants to re-landscape existing property.

City Manager Brandon Green next explained the “Flip the Strip” program. Residents would be encouraged to remove the section of grass between the sidewalk and curb and replace it with water wise plants or xeriscape it completely in exchange for some reimbursement of the cost of replacement.

The Planning Commission and City Staff discussed elements of the program including:

- Weber Basin is administering the State’s money for the “Flip the Strip” program;
- No sprinkler spray heads would be permitted —just drip systems;
- Whether concrete or other products would be permitted to replace grass;
- Recognizing the program does not include the full reimbursement cost but a percentage; and
- The required training for residents from Weber Basin to qualify for the “Flip the Strip” program.

The Planning Commission and City staff then continued to discuss the proposed Water Efficient Landscape Ordinance including:

- Weber Basin’s restrictions and fines;
- Actions that may be taken by the City for overuse of culinary water;
- Filling of swimming pools;
- A document being prepared for residents about the use of culinary water; and
- The City’s need to stay under the purchased amount of culinary water.

City Manager Brandon Green said that the final proposed ordinance is expected to be approved at the next Commission meeting. City Planner Jeff Oyler noted that such approval would require a public hearing. The Planning Commission agreed to hold a special Planning Commission meeting on May 17, 2022 at 6:00 pm so that a public hearing could be held and then the ordinance approved.

*Second Review of the ADU (Adjacent Dwelling Unit) Ordinance Updates and Changes (discussed during a break in the Water Efficient Landscape Ordinance discussion while City Staff were getting copies made for the Planning Commission)*

City Planner Jeff Oyler reported that he plans on having a final draft of an ADU ordinance for the Planning Commission to review at its next meeting. He also said that the State Legislature has found that ADUs have not created affordable housing but rather increased short-term rentals that are causing major problems in most cities.

City Planner Jeff Oyler and Commission members discussed the pros and cons of this proposed ordinance and issues relating to ADUs and short-term rentals. He recommended staying with the proposed ordinance that the City Attorney had drafted, which would allow residents to only do an ADU or a short-term rental — but not both. He indicated that the City cannot outlaw short-term rentals but it can regulate them.

City Planner Jeff Oyler talked about the example of Springdale, Utah - 75 percent of their housing is short term rentals so it is creating a housing problem for people that work in the city.

CALENDAR:

- May 17 — Special Planning Commission Meeting
- May 24 — Regular Planning Commission Meeting

*Commissioner Sam Brady made a motion to adjourn the Planning Commission meeting, and it was seconded by Commissioner Kevin Paulsen. The meeting was adjourned at 8:23 pm.*

I HEREBY CERTIFY that the foregoing is a true, accurate and complete record of the Fruit Heights Planning Commission meeting held April 26, 2022.

*Not approved until signed.*

/s/ R. Brandon Green

R. Brandon Green, City Recorder

Date approved by Planning Commission: May 24, 2022