



# AGENDA

## PLANNING COMMISSION MEETING

### August 27, 2024

Regular Meeting: 7:00 pm at City Council Chambers 910 S. Mountain Road, Fruit Heights, UT 84037

Fruit Heights City is now streaming Planning Commission Meetings on its YouTube Channel. Please follow us at <https://www.youtube.com/@fruitheightscity9716streams>

<b>1. Welcome and Opening Ceremony</b>	
1.1	Pledge of Allegiance (Justin)
1.2	Opening Ceremony (Clark)
1.3	Roll Call: (Hailee)
<b>2. Public Comments</b>	
	The public may address the Planning Chairperson regarding issues that are not on the agenda. We ask that you please limit your comments to 3 minutes. No action may be taken on any item not on the agenda.
<b>3. Presentation</b>	
	Presentations may be given as appropriate.
	3.1 Swearing in Ceremony (Shelley Bodily)
<b>4. Review and Approve Planning Commission Minutes</b>	
	Minutes of prior meetings may be reviewed and accepted.
4.1	July 30, 2024
<b>5. Planning Commission Business</b>	
	Business action or discussion items.
5.1	Pool Ordinances
5.2	Chicken Ordinances
5.3	Areas for R-1-6 Zone
<b>6. Tabled Items</b>	
	Business item that was set aside that could have action or discussion now or considered at another time.
<b>7. Commissioner and Staff Reports</b>	
	Report on meetings, events attended or City Projects.
<b>8. Calendar</b>	
	Upcoming meetings or events
<b>10. Closed Meeting</b>	
	By motion of the Fruit Heights City Council and pursuant to Title 52, Chapter 4 of the Utah Code, the Fruit Heights City Council will hold a closed meeting for purposes outlined under the code.
<b>11. Adjournment</b>	

	<b>CERTIFICATE OF POSTING</b>	
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**I HEREBY CERTIFY** that this notice and agenda was posted at Fruit Heights City Hall, on the City's website, [www.fruitheightscity.com](http://www.fruitheightscity.com), as well as posted on the Utah State Public Notice website in accordance with the requirements of the Utah Open and Public Meetings Act, including, but not limited to, provisions of Utah Code § 52-4-202.

Hailee Ballingham

Hailee Ballingham – City Deputy Recorder

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should contact Fruit Heights City Manager, Darren Frandsen, at (801)546-0861, at least 24 hours prior to the meeting.

**Helpful Links**

Fruit Heights City Website:

[https://www.fruitheightscity.com](http://www.fruitheightscity.com)

Fruit Heights City YouTube Channel:

<https://www.youtube.com/channel/UCalqHYd0U5RCpaDo8rquABw>

Fruit Heights City Facebook Page:

<https://www.facebook.com/FruitHeightsCityGovernment>

# Planning Commission Meeting

DATE: AUGUST 27, 2024					
TIME MEETING BEGAN: 7:02	TIME MEETING IS OVER: 8:56				
PLANNING COMMISSION MEMBERS PRESENT:					
<input checked="" type="checkbox"/>	Commissioner Shelley Bodily				
<input checked="" type="checkbox"/>	Commissioner Clark Moss				
<input checked="" type="checkbox"/>	Commissioner Heidi Murdock				
<input checked="" type="checkbox"/>	Commissioner Justin Wright				
<input type="checkbox"/>	Chairman Kevin Paulsen				
<input checked="" type="checkbox"/>	Council Member Gary Anderson				
STAFF PRESENT:					
<input checked="" type="checkbox"/>	Darren Frandsen, City Manager				
<input checked="" type="checkbox"/>	Layne Leonard, Public Works Director				
<input checked="" type="checkbox"/>	Hailee Ballingham, Deputy Recorder				
<input checked="" type="checkbox"/>	Jeff Oyler, City Planner				
<input type="checkbox"/>	Zac Burk, City Engineer				
<input type="checkbox"/>	Brad Christopherson, City Attorney				
<input type="checkbox"/>					
<input type="checkbox"/>					
Minutes from previous meeting: July 30, 2024					
<i>Heidi / Clark</i>					
Motino to Adjourn:					
<i>Heidi / Clark</i>					
VOTING ON					
<i>Pool Ordinances TO have Staff take it to Council for setbacks 3 or 5</i>					
If Needed open public hearing:	/	, closed public hearing:	/		
Time:					
Motion By <i>Clark</i>					
Second By <i>Heidi</i>					
Time: 7:33					
Voting	Yes	No	Abstain		Absent
Shelley Bodily	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Clark Moss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Heidi Murdock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Justin Wright	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Kevin Paulsen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>

## Visitors

### Fruit Heights City Meeting

Date August 27, 2024

All visitors are required to sign in even if you are not attending the entire meeting.

#### Print Name

1. <b>Tyler White</b>	2.
3.	4.
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37.	38.

OATH OF OFFICE  
(STATE OF UTAH)  
(COUNTY OF DAVIS)

“I, Shelley Bodily, Pledge to uphold and defend  
The Constitution of the United States of America,  
along with the laws of the State of Utah  
and the policies of Fruit Heights City.

As a Planning Commission Member of Fruit Heights,  
I commit to carrying out my duties  
With integrity and impartiality,  
To the best of my ability.”

Effective: August 27, 2024

Shelley M. Bodily  
{Shelley Bodily}

SUBSCRIBED and sworn to me on this 27day of August 2024

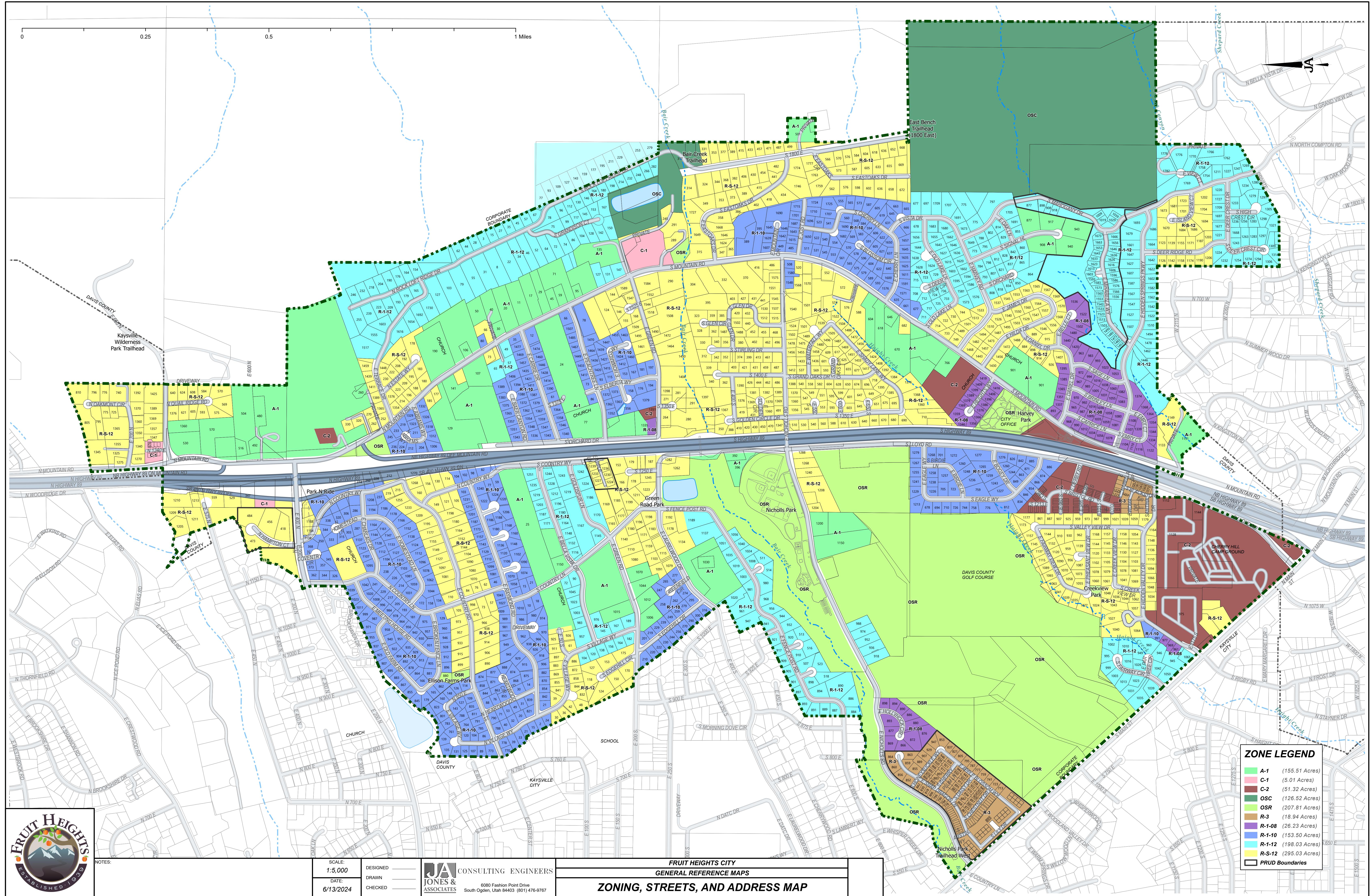
ATTEST:

Hailee Ballingham

{SEAL}

Hailee Ballingham  
Deputy Recorder/Notary  
Fruit Heights City





FRUIT HEIGHTS, UTAH

ORDINANCE NO. 2024-005

**AN ORDINANCE OF FRUIT HEIGHTS CITY COUNCIL AMENDING  
TITLE 10, CHAPTER 11, SECTION 13, PRIVATE SWIMMING POOLS**

**WHEREAS**, the Fruit Heights City Council has determined that it will promote public welfare to amend provisions of Title 10, Chapter 11, Section 13; and

**WHEREAS**, the Planning Commission held public hearing on April 30, 2024 and has considered the amendment of the Ordinance and has forwarded a recommendation regarding the same; and

**WHEREAS**, the City Council has now determined that the Amendment is appropriate and will benefit the residents of the City;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF  
FRUIT HEIGHTS CITY, STATE OF UTAH, AS FOLLOWS:**

**Section 1. Repeal.** All of Title 10, Chapter 11, Section 13, and Section

**Section 2. Replace.** Title 10, Chapter 11 Section 13 of Fruit Heights City Municipal

Code is hereby amended to read in its entirety as more fully set forth in Exhibit A, attached hereto and incorporated herein by reference.

**Section 2. Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

**Section 3. Effective Date.** This Ordinance, for the shall be effective Immediately Upon Its Passage  
PASSED AND APPROVED this 7 day of May, 2024

ATTEST:

by: Hailee Ballingham  
Hailee Ballingham, City Deputy Recorder

[SEAL]



FRUIT HEIGHTS CITY COUNCIL

by: John Pohlman  
John Pohlman, Mayor

VOTING:

Gary Anderson	Yea <u>7</u>	Nay _____
Mark Cottrell	Yea <u>+</u>	Nay _____
Eileen Moss	Yea <u>+</u>	Nay _____
George Ray	Yea <u>+</u>	Nay _____
Florence Sadler	Yea <u>+</u>	Nay <u>+</u>

Mayor John Pohlman

ATTEST:

by: Hailee Ballingham  
Hailee Ballingham, City Deputy Recorder

DEPOSITED in the office of the Deputy Recorder this 7 of May, 2024  
RECORDED this 7 day of May, 2024

## **CHAPTER 11** **SUPPLEMENTARY REGULATIONS**

**10-11-13: SWIMMING POOLS:** No such pool shall be allowed in any zone except as an accessory use and unless it complies with the following conditions and requirements:

- A. It is an accessory use to a main building and is located within the side or rear yard thereof.
- B. It may not be closer than eight (8') feet to any interior property line of the property on which it is located. (Updated May 7, 2024)  
shall not be less than twenty feet (20') from any neighbor's dwelling.
- C. It shall be no closer than seven (7') feet from the top of a slope, unless designed to support the water in the pool without soil support.
- D. The swimming pool, or the entire property on which it is located, shall be walled, or fenced to a minimum height of six feet (6'). Where a swimming pool is located less than thirty feet (30') from any property line, the pool shall be enclosed with a wall or fence not less than six feet (6') in height. All gates on said fences shall be fitted with a self-closing and latching device located on the interior side of the gate
- E. If the pool is equipped with a Pool Safety Cover as specified in ASTM standard F1346-91 and when installed and maintained properly and in accordance with the installation instructions, a 6' high fence may be eliminated on the side(s) and rear yards.
- F. Landscaping in the yard where the pool is constructed shall be designed and maintained in such a manner as to ensure that all drainage shall be collected and conveyed to the public way without draining onto adjacent neighbors.
- G. Where a swimming pool is completely enclosed in a building, the location requirements for accessory and main buildings shall apply. Where a swimming pool is to be located in the near vicinity of any septic tank or sewage disposal drain field, the location must be approved beforehand in writing by the Davis County Health Department.
- H. Any pool lighting shall be installed and directed in such a manner as to not cause disturbance to neighboring residents.