

MINUTES

PLANNING COMMISSION MEETING

FRUIT HEIGHTS CITY

910 South Mountain Road

August 26, 2025

WELCOME: Chairman, Kevin Paulsen called the meeting to order at 7:02 pm.

PLEDGE & OPENING CEREMONY: The Pledge of Allegiance was led by Chairman Kevin Paulsen with Commissioners, Justin Wight offering a word of prayer.

PLANNING COMMISSION MEMBERS PRESENT: Chairman Kevin Paulsen Commissioners, Justin Wright and Clark Moss. Commissioner Shelley Bodily was excused. Commissioner Heidi Murdock was Absent Council Member Mark Cottrell

CITY STAFF PRESENT: City Manager Darren Frandsen, City Planner Jeff Oyler, Public Works Director Layne Leonard, and Deputy Recorder Hailee Ballingham.

VISITORS: Jeanne Groberg

PRESENTATION: None

REVIEW AND APPROVAL OF MINUTES FROM PREVIOUS MEETINGS:

April 29, 2025, Planning Commission Meeting Minutes

Commissioner Justin Wright made a motion to approve April 29, 2025 Minutes. With the recommended change Commissioner Clark Moss seconded the motion. The motion was unanimously approved by the Planning Commission (0:04).

PLANNING COMMISSION BUSINESS:

The Commission reviewed the Ordinance regarding **fence placement and setbacks**, (10-11-10) and Maximum Coverage of rear yard (10-11-16) and to add an ordinance outdoor lighting and sport courts.

The fence placement is particularly in **corner lots** where visibility and safety are concerns. The current ordinance language states fences must be set back nine feet from the edge of the street right-of-way if there is no curb and gutter. The Staff noted this wording creates confusion about whether "right-of-way" should be measured from **edge of asphalt, back of curb, or property line**.

Staff explained Fruit Heights' current standard: Sidewalks are generally set **six feet back from the curb** with an additional three feet for utilities. New ADA standards now require **five-foot sidewalks**, further complicating spacing. The Commissioners acknowledged that the **ambiguity in ordinance wording** has created challenges for residents and staff.

A specific case involving a **corner-lot swimming pool and fence** was discussed: Neighbors expressed concerns that the fence obstructed visibility when coming out of driveways. Disagreement exists whether the fence is located in a **side yard or backyard**, impacting applicable height/setback standards.

Commissioners debated: Whether visibility concerns are valid (some felt six feet of sidewalk allows adequate sightlines). Whether a “**clear vision triangle**” rule—currently applied at intersections—should be extended to **driveway areas**. The possibility of requiring **non-obstructive fencing (e.g., 3–4 ft. see-through fencing)** in certain locations. Clarifying the ordinance to explicitly reference **property lines** rather than “right-of-way.” The Commission had some consensus about the ordinance language must be **clearer and consistent**, so residents understand where measurements begin (e.g., “nine feet from back of curb” instead of “edge of right-of-way”). Corner lots require special consideration due to **visibility and safety**. Commission agreed to **review other cities’ ordinances** for examples of driveway visibility and fencing setbacks. Staff and commissioners will **research ordinances** from neighboring communities. And draft revision to the **fence/yard coverage ordinance** will be prepared for further discussion at a future meeting.

The Commission discussed **growing complaints from residents** about outdoor sports court lighting (pickleball, basketball, and other backyard courts) that spill into neighboring properties and disturb residents late at night. Current ordinance language only addresses **swimming pool lighting**, requiring lights to be directed toward the pool. No equivalent regulation exists for sports courts.

Resident Concerns:

- Lights are “too bright” and illuminate multiple neighboring homes.
- Late-night play (sometimes past 11:00pm –12:00 am.) disrupts sleep and quiet enjoyment.

Comparisons to Other Cities: Clinton City: Requires lighting to be directed so it does not disturb neighbors. **Centerville:** Very detailed technical requirements, including shielding and cutoff fixtures at 90° angles. **North Salt Lake:** Requires Planning Commission approval of lighting types/locations.

Farmington: Prohibits sport court lighting from throwing direct rays beyond property lines.

Commissioners discussed the concept of **dark sky lighting**, which directs light downward and reduces glare. Shields or wrap-around fixtures could be required to prevent light trespass. Possible pole height restrictions may help reduce the spread of light into adjacent yards. There are also noise considerations. Pickleball generates noise levels (~70 dB at 100 ft) that exceed tennis and basketball. The Commission acknowledged that **noise is as much of a concern as lighting** but agreed that lighting is easier to regulate and enforce. Possible solution: **cross-reference the city’s noise ordinance** for enforcement consistency.

Ordinance language should clearly require **all outdoor sports/recreational lighting** to be contained within the property boundary. A **curfew (11:00 p.m.)** for outdoor sport/recreational lighting was considered reasonable, Enforcement would likely fall under the **Sheriff’s Office**, giving officers authority to require lights be turned off after curfew. Commissioners agreed lighting rules should stand alone, not be tied only to pools, and possibly be paired with a broadened noise ordinance.

Commissioners will research examples from other cities and draft proposed ordinance language. Draft ordinance will address: **Property-line light containment** (Farmington model). **Curfew for lighting use**

(11:00 p.m.). **Shielding/dark sky compliance** for fixtures. Cross-referencing **noise ordinance** for late-night play.

And draft revision to the ordinance will be prepared for further discussion at a future meeting.

Commissioner Moss brought up the chicken ordinance and the updates needed for the R-S-12 zone. He had prepared a draft, which he previously sent to the Planning Commission and provided printed copies for review. Staff reminded the Commission that this update would require a public hearing.

Commissioner Moss passed out a proposal for a change to the Chicken Ordinance. The original wording excluded all residences in an R-S-12 zone with less than 20,000 square feet from having chickens. The proposed wording is to ensure that residents in the RS-12 zone have the same benefits of raising chickens as the R-1-12 and R-1-10. After a short discussion, the commissioners agreed to discuss this further in the September meeting.

CALENDAR: September 23, Planning Commission Meeting

ADJOURNMENT:

Commissioner Clark Moss made a motion to Adjourn. Commissioner Justin Wright Seconded the motion. The meeting ended at 8:30 p.m.

Not approved until signed.

/s/ 

Hailee Ballingham, City Deputy Recorder

Date approved by City Planning Commission: September 23, 2025