



AGENDA

PLANNING COMMISSION MEETING

October 28, 2025

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/@fruitheightscity9716/streams>

1. Welcome and Opening Ceremony		
1.1	Pledge of Allegiance (Heidi)	
1.2	Roll Call: (Hailee)	
2. Public Comments		
	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.	
3. Presentation		
	Presentations may be given as appropriate.	
4. Review and Approve Planning Commission Minutes		
	Minutes of prior meetings may be reviewed and accepted.	
4.1	September 23, 2025	
5. Planning Commission Business		
	Business action or discussion items.	
5.1	Title 10-11-24 Outdoor Lighting	
5.2	Title 10-11-10 Heights of Fences, Walls. Or Hedges	
5.3	Title 10-11-16 Maximum Coverage of Rear Yard	
5.4	Title 10-11-23 Chickens in R-1-10, R-1-12, R-S-12	
6. Tabled Items		
	Business item that was set aside that could have action or discussion now or considered at another time.	
7. Commissioner and Staff Reports		
	Report on meetings, events attended or City Projects.	
8. Calendar		
	Upcoming meetings or events November 25, 2025 Planning Commission Meeting.	
10. Closed Meeting		
	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.	
11. Adjournment		

		CERTIFICATE OF POSTING	
		I HEREBY CERTIFY that this notice and agenda was posted at Fruit Heights City Hall, on the City's website, 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. <u>Hailee Ballingham</u>	
		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	
		Fruit Heights City YouTube Channel: https://www.youtube.com/channel/UCalqHYd0U5RCpaDo8rquABw	
		Fruit Heights City Facebook Page: https://www.facebook.com/FruitHeightsCityGovernment	

CHAPTER 11

SUPPLEMENTARY REGULATION

Current

10-11-16: MAXIMUM COVERAGE OF REAR YARD: No accessory building or structure or group of such buildings or structures, including swimming pools, nor any parking space in any residential zone, shall cover more than twenty five percent (25%) of the required minimum rear yard space. (Ord: 2004-28. 11-6-2004)

Revised

10-11-16: MAXIMUM COVERAGE OF REAR YARD: No accessory building or structure or group of such buildings or structures, including swimming pools, nor any parking space in any residential zone, shall **not create** more than **fifty percent (50%) hard surface** of the required minimum rear yard space. **Rear yard is measured from the rear of the primary building structure to the rear property line. Requirements for Sensitive Lands and Overlay Zones may have different requirements.**

CHAPTER 11

SUPPLEMENTARY REGULATIONS

Current

10-11-10: HEIGHT OF FENCES, WALLS, OR HEDGES:

- A. Specified: Except as otherwise required in section 10-11-9 of this chapter, or as further regulated below, in any residential zone, no fence, wall or other similar device shall be constructed or placed in any required yard to a height in excess of six feet (6'). Only a non-view obstructing fence not exceeding four feet (4') in height may be constructed or placed in any required front yard. Where there is no curb, gutter or sidewalk, fences must be set back at least nine feet (9') from the edge of the street right of way.
- B. Exceptions: Exceptions to the provisions of this section include any fence or retaining wall exceeding six feet (6') in height must be approved as a conditional use.
- C. Permit Required; Fee: All persons desiring to erect a fence within any residential district within the city must obtain a fence permit. The applicant will submit the following at the city office:

1. An accurate site plan of the property drawn to scale of not less than one inch equals twenty feet (1" = 20'), showing the property lines, streets, house, setback lines and where the fence will be located. (Ord. 2004-08, 11-6-2004)
2. A permit fee shall be set forth in the fee schedule. (Ord. 2004-08, 11-6-2004; amd. 2006 Code)

Revised CHAPTER 11

SUPPLEMENTARY REGULATIONS

Revised

10-11-10: HEIGHT OF FENCES, WALLS, OR HEDGES:

A. Specified: Except as otherwise required in section 10-11-9 of this chapter, **in residential zones; a fence, wall, hedge, or similar device will be regulated as follows:**

B. Front yards:

In front yards, fencing shall not exceed four feet (4') (from the building line to right of way). A fence must be setback at least nine feet (9') from the back of curb. Where no curb and gutter exist, a fence must be setback at least 9 feet from the edge of the street right of way as determined by the City. Where there is a park strip and sidewalk fence must be a minimum of one foot (1') from sidewalk (property side).

C. Side and Rear Yards:

Fencing in interior side or rear yards shall not exceed a height of six feet (6'), excluding any corner side yard area.

D. Corner lots:

In the corner side yard area which fronts onto a street, a fence or wall located within the side setback is permitted provided the fence or wall does not exceed a maximum height of six feet (6'), and shall be located outside of the minimum clear view as defined in 10-11-9, and is located behind the front plane of the primary building structure. Such fence, wall, hedge, or similar device setback at least nine feet (9') from the back of curb. Where there is a park strip and sidewalk fence must be a minimum of one foot (1') from sidewalk (property side).

E. Exceptions:

Exceptions to the provisions of this section, including any fence, wall, hedge, or similar device exceeding six feet (6') in height, must be approved by the City Planning Commission as a conditional use. The city may modify the requirements to this section of code if it can be demonstrated that unique circumstances prevent

a fence, wall, or similar device from meeting the outlined parameters. The City Planning Commission shall consider location of driveways, adjacent sidewalks, street widths, safety of pedestrians, and overall visibility when evaluating a situation.

F. Permit Required; Fee:

All persons desiring to erect a fence within any residential district within the city must obtain a fence permit. The applicant will submit the following at the city office:

1. An accurate site plan of the property drawn to scale of not less than one inch (1") equals twenty feet (20') (1"=20'), showing the property lines, streets, house, setback lines and where the fence will be located.
2. A permit fee shall be set forth in the Consolidated Fee Schedule.

Proposed Light Language:

- A. Outdoor *Lighting*: Outdoor *lighting* should provide for the illumination of buildings and grounds for safety purposes, but in an aesthetically pleasing manner. *Lighting* should be focused downward, and placed and screened to limit the emission of *light* beyond the development boundaries. A condition to approval of a development may be that certain *lighting* be extinguished after certain hours.
- B. Outdoor lighting shall be installed, directed, and arranged in such a manner as to not disturb a person of average and reasonable sensitivities in adjoining residential premises or street traffic.
- C. Outdoor lighting will be designed to assure that neighboring properties are protected from direct light sources and where possible to not diminish the night sky.
 - a. No *lighting* may be installed in connection with the multipurpose *sports court*, swimming pools, or other similar playing surface which shall throw any direct rays beyond the property lines on which it is constructed.

Construction Equipment or Activity. The operation of construction equipment or the performance of construction activity, except as required for emergency work or as allowed by a Special Permit issued in accordance with KCC [14-3-6](#), shall only be allowed between the hours of 6:00 a.m. and 10:00 p.m. on weekdays or between the hours of 8:00 a.m. and 6:00 p.m. on weekends (Saturdays and Sundays) or legal holidays.

10-11-23 Chickens in Single-Family Residential Zones R-1-10 and R-1-12

(a)Purpose. The keeping and maintenance of residential backyard chickens is allowed within single-family residential zones R-1-10 and R-1-12 as provided in this Section. Notwithstanding the foregoing, this code section shall not in any way limit the rights of residents living in an A-1 or R-S-12 zone.

(b)Use.

- (1) A chicken shall be kept strictly for familial gain from the production and consumption of eggs or meat.
- (2) (c) Any chicken kept as provided by this Section shall not be deemed a household pet.

(c) Enclosure Requirements.

- (1) All chickens shall be contained at night within a proper coop/cage.
- (2) In addition to the adequate coop/cage requirement, chickens can be free ranged within a fenced run or a fully fenced backyard sufficient for containment but shall always be kept within the coop/cage, enclosed area, and/or fenced backyard.
- (3) Chickens shall always have access to feed and water in an area protected from rodents and other predators.

(d) Coop and Cage Standards. Coops/cages shall be constructed such that:

- (1) It is freestanding.
- (2) Is easily accessible for cleaning and maintenance.

(e) Location.

- (1) Any coop/cage shall be located in the rear yard of the main dwelling and be located at least twenty (20) feet from any primary residential dwelling on an adjoining property and at least three (3) feet from any property line.
- (2) Any time a heating device is used in a coop/cage, such coop/cage must be separated at least ten (10) feet from any residential dwelling structure.

(f) Cleanliness.

Any coops/cages, roaming area and all animals on the lot must be kept and maintained in such a manner so as not to degrade (below a reasonable standard) the health, safety, noise, odor, or sanitation environment of persons dwelling on neighboring or adjacent lots.

(g) Restrictions.

(1) Numbers.

(A) No chickens shall be allowed on a single lot less than 10,000 square feet.

1. A combined total of eight (8) laying hens shall be allowed on a lot that is 10,000 square feet.
2. Property owners shall be allowed to have one (1) additional laying hen for every additional one thousand (1000) square feet of property.

(B) Any roosters hatched shall be properly removed from the property within five months of age.

(2) No ducks, geese, turkeys, peafowl, crowing hens, or crowing roosters may be kept on the property.

(3) No Chickens will be allowed on rental properties

(h)Violations.

(1) It shall be unlawful for any person to keep any chickens in a manner contrary to the provisions of this Section.

(2) If any property owner is still not compliant with this ordinance, the property owner will be required to remove all the chickens at the owner's expense.

(3) Failure to comply will come under the Fruit Heights City Nuisance Ordinance

10-11-24 Chickens in Single-Family Residential Zones R-1-10, R-1-12, and R-S-12 (lots under 20,000 square feet).

(a) Purpose. The keeping and maintenance of residential backyard chickens is allowed within single-family residential zones R-1-10, R-1-12, and R-S-12 (lot sizes under 19,999 square feet) as provided in this Section. Notwithstanding the foregoing, this code section shall not in any way limit the rights of residents living in an A-1 or R-S-12 zone (lot sizes 20,000 square feet or larger).

(b) Use.

- (3) A chicken shall be kept strictly for familial gain from the production and consumption of eggs or meat.
- (4) (c) Any chicken kept as provided by this Section shall not be deemed a household pet.

(c) Enclosure Requirements.

- (4) All chickens shall be contained at night within a proper coop/cage.
- (5) In addition to the adequate coop/cage requirement, chickens can be free ranged within a fenced run or a fully fenced backyard sufficient for containment but shall always be kept within the coop/cage, enclosed area, and/or fenced backyard.
- (6) Chickens shall always have access to feed and water in an area protected from rodents and other predators.

(d) Coop and Cage Standards. Coops/cages shall be constructed such that:

- (3) It is freestanding.
- (4) Is easily accessible for cleaning and maintenance.

(e) Location.

- (3) Any coop/cage shall be located in the rear yard of the main dwelling and be located at least twenty (20) feet from any primary residential dwelling on an adjoining property and at least three (3) feet from any property line.
- (4) Any time a heating device is used in a coop/cage, such coop/cage must be separated at least ten (10) feet from any residential dwelling structure.

(f) Cleanliness.

Any coops/cages, roaming area and all animals on the lot must be kept and maintained in such a manner so as not to degrade (below a reasonable standard) the health, safety, noise, odor, or sanitation environment of persons dwelling on neighboring or adjacent lots.

(g) Restrictions.

(1) Numbers.

- (A) No chickens shall be allowed on a single lot less than 10,000 square feet.
 - 1. A combined total of eight (8) laying hens shall be allowed on a lot that is 10,000 square feet.
 - 2. Property owners shall be allowed to have one (1) additional laying hen for every additional one thousand (1000) square feet of property.
- (B) Any roosters hatched shall be properly removed from the property within five months of age.
- (2) No ducks, geese, turkeys, peafowl, crowing hens, or crowing roosters may be kept on the property.
- (3) No Chickens will be allowed on rental properties

(h) Violations.

- (1) It shall be unlawful for any person to keep any chickens in a manner contrary to the provisions of this Section.
- (2) If any property owner is still not compliant with this ordinance, the property owner will be required to remove all the chickens at the owner's expense.
- (3) Failure to comply will come under the Fruit Heights City Nuisance Ordinance