



# AGENDA

## PLANNING COMMISSION MEETING

### January 27, 2026

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>

<b>1. Welcome and Opening Ceremony</b>	
1.1	Pledge of Allegiance (Justin)
1.2	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. SWEARING IN OF NEWLY APPOINTED PLANNING COMMISSIONER</b>	
3.1 Planning Commissioner Scott Justensen	
<b>3. Presentation</b>	
Presentations may be given as appropriate.	
Scott Baird Land use	
<b>4. Review and Approve Planning Commission Minutes</b>	
Minutes of prior meetings may be reviewed and accepted.	
4.1	October 28, 2025
<b>5. Planning Commission Business</b>	
Business action or discussion items.	
5.1	Title 10-11-16 Maximum Coverage of Rear Yard
5.2	HB48- Wildland Urban Interface Modifications (WUI Code)
5.3	
5.4	
<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 February 24, 2026, Planning Commission Meeting.	
<b>10. Closed Meeting</b>	
By motion of the Fruit Heights Planning Commission and pursuant to Title 52, Chapter 4 -205 of the Utah Code, the Fruit Heights Planning Commission will hold a closed meeting for purposes outlined under the code.	
<b>11. Adjournment</b>	
<b>CERTIFICATE OF POSTING</b>	

	<p><b>I HEREBY CERTIFY</b> that this notice and agenda was posted at Fruit Heights City Hall, on the City's website, <a href="http://www.fruitheightscity.com">www.fruitheightscity.com</a>, 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. (January 23, 2026)</p>	
--	--	--

**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>

## **Chapter 10: Sensitive Lands & Overlay Zones**

### **CHAPTER 10:10B WILDLAND URBAN INTERFACE**

#### **SECTION:**

**10:10B.010: Purpose Of Provisions**

**10:10B.020: Applicability**

**10:10B.030: Wildland Urban Interface Overlay Map**

**10:10B.040: Wildland Urban Interface Development Requirements**

**10:10B.050: Review, Approval Procedure**

**10:10B.060: Disputes, Appeal Procedure**

**10:10B.070: Warning and Disclaimer**

**10:10B.080: Change of Use**

**10:10B.090: Conflicting Regulations**

**10:10B.100: Appendix A: Wildland Urban Overlay Map**

#### **10:10B.010: PURPOSE OF PROVISIONS:**

A. The purpose of this chapter is to promote the health, safety and general welfare of the citizens of Fruit Heights and minimize the potential fire damage and related risks to public health, safety and property by encouraging wise land use in proximity to wildland fire risk areas.

B. Based on, *inter alia*, recommendations of Farmington City Fire Department, the city's fire enforcement authority, the city finds that certain wildland interface areas exist in the city and that preservation of public health, safety and welfare requires adherence development codes in such areas specified below, to reduce the risk of potentially devastating wildfires in the city.

C. Appendix A of this chapter presents wildland urban interface map reflecting fire risk concerns as highlighted by the State of Utah division of Fire Forestry and Lands as they specifically pertain to development within Fruit Heights City. The map serves as an overlay, creating the boundaries wherein site-specific fire prevention assessments shall be performed prior to developing projects plans located within the wildland urban interface boundary area.

#### **10:10B.020: APPLICABILITY:**

These regulations are applicable to all property and lands within the wildland urban interface overlay areas within the city, as shown on the Wildland Urban Interface map in this Appendix A. The map and all amendments thereto are made a part of this chapter as if fully described and detailed herein. Each change in the overlay map shall be subject to the amendment procedures set forth in Chapter 10 -5 of this title.

#### **10:10B.030: WILDLAND URBAN INTERFACE OVERLAY MAP:**

- A. The boundary lines of the wildland urban interface map establish overlay boundaries and shall be determined by use of the bounding streets, municipal boundaries appearing on the map.
- B. Wildland urban interface area map establishes building code and landscaping requirements as provided in 10:10B.070 of this section. All land use provisions of the underlying zone apply.
- C. Wildland urban interface area map may be updated and amended by the city as per Chapter 10-5if found to be inaccurate or in error, or as new methods or data are developed to better define areas of potential hazards.
- D. Where wildland urban interface overlay areas are thought by an applicant to be inaccurate or in error and require revision, the applicant shall submit to the city technical evidence by a qualified professional supporting the claim and showing the proposed revision. The city will review the information and render a decision. The applicant may appeal that decision to the city council.

#### **10:10B.040: WILDLAND URBAN INTERFACE DEVELOPMENT REQUIREMENTS:**

Any applicant requesting development on a parcel of land within the wildland urban interface overlay area, as shown on the Appendix A of this chapter, shall comply with all provisions set forth in the Utah Wildland Interface Code (2006).

#### **10:10B.050: REVIEW, APPROVAL PROCEDURE:**

- A. Review: In order to fulfill the purposes of this chapter, the City Manager and Farmington City Fire Department shall review any proposed development to determine the possible risks to the safety of persons or property from wildland fire hazards.
- B. Standards: The area fire marshal and building code official shall interpret and determine whether the development complies with the standards of the Utah Wildland Interface Code.
- C. Necessary Requirements May Be Set: The area fire marshal and building code official may set requirements necessary to reduce the risks from wildfire related hazards as a condition to the approval of any development.

#### **10:10B.060: DISPUTES, APPEAL PROCEDURE:**

An applicant may appeal any decision made under the provisions of this chapter only after the city has issued a written review of a report, and shall set forth the specific grounds or issues upon which the appeal is based. The appeal shall be submitted in writing to the director of community

and economic development within thirty (30) days of the issuance of the written review or other decision. The city shall assemble a professional panel of three (3) qualified experts to serve as the appeal authority for any technical dispute. The panel shall consist of an expert designated by the city, an expert designated by the applicant, and an expert chosen by the city's and the applicant's designated experts. If the city's and the applicant's designated experts cannot reach a consensus of the third expert within thirty (30) days, the city shall select the third expert. Decisions of the panel will be binding and will be based on the majority decision of the panel. The costs of the appeal process shall be paid by the applicant.

#### 10:10B.070: WARNING AND DISCLAIMER:

The wildland fire hazards overlay boundaries established in this chapter represent only those hazardous areas known to the city, and should not be construed to include all possible potential hazard areas. The wildland urban interface maps may be amended as new information becomes available pursuant to procedures set forth in 10-5 of this title. The provisions of this chapter do not in any way assure or imply that areas outside its boundaries will be free from the possible adverse effects of wildland fire hazards. This chapter shall not create liability on the part of the city, any officer or employee thereof for any damages from wildland fires that result from reliance on this chapter or any administrative requirement or decision lawfully made thereunder.

#### 10:10B.080: CHANGE OF USE:

No change in use which results in the conversion of a building or structure from one not used for human occupancy to one that is so used shall be permitted unless the building or structure complies with the provisions of this chapter.

#### 10:10B.090: CONFLICTING REGULATIONS:

In cases of conflict between the provisions of existing zoning classifications, building code, subdivision regulations, or any other ordinance of the city and the wildland urban interface overlay and codes codified in this chapter, the most restrictive provision shall apply.

#### 10:10B.100: APPENDIX A: WILDLAND URBAN INTERFACE OVERLAY MAP:

[insert overlay map here]

**FRUIT HEIGHTS CITY**

**ORDINANCE NO. 2026-**

**AN ORDINANCE OF THE FRUIT HEIGHTS CITY COUNCIL ADOPTING AMENDMENTS  
TO THE CITY CODE RELATING TO THE ESTABLISHMENT OF AN OVERLAY ZONE FOR  
THE WILDLAND URBAN INTERFACE, ADOPTING PROVISIONS OF THE WILDLAND  
URBAN INTERFACE BUILDING CODE AND MAKING OTHER RELATED AMENDMENTS**

**WHEREAS**, the Utah State Legislature, in 2025, adopted House Bill 48, enacting provisions relating to fire danger in the Wildland Urban Interface areas of the state; and

**WHEREAS**, pursuant to House Bill 48, municipalities of the state are required to adopt maps relating to areas within each city corresponding to the Wildland Urban Interface and fire safety risk; and

**WHEREAS**, the Planning Commission of Fruit Heights City has held a public hearing relating to the establishment of a map and code amendments to enact the required provisions of House Bill 48 and has made a positive recommendation to the Fruit Heights City Council; and

**WHEREAS**, the Fruit Heights City Council has held a public hearing and now desires to approve a map and code amendments relating to the same;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Fruit Heights, Utah as follows:

**Section 1. Adoption and Codification.** Chapter 10B of Title 10, relating to the Wildland Urban Interface Zone, is hereby adopted and codified to read as set forth in Exhibit A, attached hereto an incorporated herein by reference.

**Section 2. Amendment and Codification.** Section \_\_\_\_\_ of the Fruit Heights Municipal Code is hereby amended to read in its entirety as set forth in Exhibit B, attached hereto and incorporated herein by reference.

**Section 3. Amendment and Codification.** Section \_\_\_\_\_ of the Fruit Heights Municipal Code is hereby amended to read in its entirety as set forth in Exhibit C, attached hereto and incorporated herein by reference.

**Section 4. 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 5. Effective Date.** This Ordinance shall take effect upon publication or posting or thirty (30) days after passage, whichever occurs first.

**PASSED AND APPROVED** this \_\_\_\_ day of February 2026.

**FRUIT HEIGHTS CITY COUNCIL**

By: \_\_\_\_\_  
Jeanne Groberg, Mayor

[SEAL]

**VOTING:**

Blake Winslow	Yea	Nay ____
David N. Hale	Yea	Nay ____
Gary Anderson	Yea	Nay ____
Eileen Moss	Yea	Nay ____
Mark Cottrell	Yea	Nay ____

**ATTEST:**

\_\_\_\_\_  
Darren Frandsen  
City Manager/Recorder

**DEPOSITED** in the office of the City Recorder this \_\_\_\_ day of February 2026.

**RECORDED** this \_\_\_\_ day of February 2026.

DRPAE

## 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.**