

ORDINANCE NO. 2026-014

**AN ORDINANCE OF PLEASANT GROVE CITY, UTAH COUNTY, UTAH,
AMENDING SECTION 10-15-38: FENCING STANDARDS, INCLUDING AN
EFFECTIVE DATE (PLEASANT GROVE CITY APPLICANT).**

WHEREAS, under the current code, the requirements of Section 10-15-38: Fencing Standards are intended to establish fencing, screening, and retaining wall guidelines for all zones within Pleasant Grove; and

WHEREAS, several requirements in Section 10-15-38 have conflicting interpretations of when a fence is required next to a difference in grade and what suitable screening may include; and

WHEREAS, the proposed text is intended to define differences in grade and suitable screening in correlation to required fencing; and

WHEREAS, on February 12, 2026, the Pleasant Grove City Planning Commission held a public hearing to consider amending Section 10-15-38: Fencing Standards to modify the provisions for fences including grade differences; and

WHEREAS, at its public hearing the Planning Commission decided that the requested amendment to Section 10-15-38: Fencing Standards is in the public's interest and is consistent with the written goals and policies of the General Plan; and

WHEREAS, the Pleasant Grove Planning Commission recommended to the Pleasant Grove City Council that the amendment to Section 10-15-38: Fencing Standards in the Pleasant Grove Municipal Code be approved; and

WHEREAS, on April 28, 2026 the Pleasant Grove City Council held a public hearing to consider the request; and

WHEREAS, at its meeting the Pleasant Grove City Council was satisfied that the amendment to the Pleasant Grove Municipal Code is in the best interest of the public and is consistent with the goals and policies of the General Plan; and

WHEREAS, it is the legislative body's intent that the city code amendments shall be in the interest of the public; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of Pleasant Grove City, Utah County, State of Utah as follows:

SECTION 1. Modified Section 10-15-38: FENCING STANDARDS, of the Pleasant Grove Municipal Code is hereby amended to read as follows:

10-6-2: DEFINITIONS:

10-15-38: FENCING STANDARDS:

The term "fence" shall include any permanent and manmade tangible barrier, latticework, or wall, with the purpose of, or having the effect of, preventing passage or view across the fence line. Landscaping and other vegetation shall not be considered fencing, but may be used as screening material, except as regulated below. Except fencing defined as "exempt", fence permits must be obtained from the community development office for the installation of all fences. The applicant, submitting for a fence permit, shall submit a site sketch showing the lot, the location of the fence on the lot, the proposed height(s) of the fence, the elevation of the lot and surrounding properties, and the location of driveways on the lot and adjacent properties. Any fence, wall, screen or other material serving as a fence, shall not create a sight distance hazard to vehicular or pedestrian traffic as determined by the city engineer. Each landowner shall be permitted to install an approved fence on the property line. If a fence already exists on the property line, and the adjacent neighbor wishes to install their own fence, then the additional fence must be installed as close as possible to the neighbor's fence. Secondary fencing may be installed subject to the provisions of this section (see subsection K L of this section). Security fencing shall be allowed according to this chapter for public facilities/lands.

- A. Front Yard: Solid walls, fences or screening materials which are sight obscuring may be built to a maximum height of three feet (3') in any required front yard perimeter. Walls, fences or screening materials (chain links fences are not allowed) which are not sight obscuring (at least 50 percent open) may be built to a maximum of four feet (4') in a front yard.
- B. Side Yard (Interior Lot): Solid, sight obscuring fences or walls may be built to a height of eight feet (8'). In cases where there is a difference in grade between property lines or it is determined that additional screening is needed, side yard fences may exceed eight feet (8'), up to a maximum of ten feet (10'), provided, that the applicant first obtains conditional use permit approval from the planning commission, and second, that a building permit is obtained from the community development office prior to construction.
- C. Rear Yard: Walls and other fences in a rear yard may be erected up to eight feet (8') with fence permit approval. In cases where there is a difference in grade between property lines, or it is determined that additional screening is needed, rear yard fences may exceed eight feet (8'), up to a maximum of ten feet (10'), provided, that the applicant first obtains conditional use permit approval from the planning commission and second, that a building permit is obtained from the community development office prior to construction.

- D. Corner Lots: A fence not more than eight feet (8') high may be constructed along the perimeter of any required side yard adjacent to a public street on a corner lot, provided it does not obstruct clear view of intersecting streets as defined in section 10-15-10 of this chapter.
- E. Fence Height: The height of a fence shall be measured from the finished grade of the property upon which the fence is located. If a fence is installed atop or within one foot (1') of a retaining wall, the height of the fence shall be measured from the top of the retaining wall.
- F. Grade Differences: ~~Where there is a difference in the grade of the properties on either side of a fence, wall or other similar structure, the height of the fence shall be measured from the natural grade of the property upon which it is located. In cases where a new development is proposed adjacent to an existing residential use, the new development is to be the party responsible for providing suitable screening to help mitigate a difference in grade between the new and existing residential property, if that grade difference is greater than three feet (3'). This screening shall be required with the site or subdivision plat, and shall require conditional use permit approval from the planning commission.~~ When new development is constructed adjacent to an existing residential use, and where there is a finished grade difference of three feet (3') or more within twenty-five feet (25') of the property line on the subject property, the new development shall be the party responsible for providing a retaining wall, fence, masonry wall, or suitable screening to help mitigate said difference in grade between the new development and the existing property.
- a. "New development" shall be defined as either as the recordation of a new or amended subdivision plat, or a new primary use of the property, such as a new single-family residence. New development shall not include building additions or accessory buildings. New development shall also refer to the developer or property owner performing the construction of said primary use.
 - b. "Subject property" shall refer to the property being developed.
 - c. "Suitable screening" shall be defined as columnar evergreen or deciduous trees located near to a property line, using the following guidelines:
 - i. Evergreen: One columnar evergreen tree shall be planted for every four linear feet (4') and shall be located at approximately two feet (2') from the property line. Evergreen trees must have a minimum height of seven feet (7').
 - ii. Deciduous: One columnar deciduous tree shall be planted for every fifteen linear feet (15'), located at approximately four feet (4') from the property line. Deciduous trees, including shade or ornamental trees, shall have a minimum caliper of one and one-half inches (1.5").

- d. If there is an existing fence between the new development and the existing property, the developer or property owner of the subject property and the adjacent property owner may enter into an agreement to either utilize the existing fence for screening or to propose the type and height of a new fence or screening to be constructed. Said agreement shall be written and submitted with the building permit. If no agreement is made, a new fence with a minimum height of seven feet (7') shall be required to abut the existing fence. Any fences exceeding seven feet (7') shall require a building permit, and any fences exceeding eight feet (8') shall require a conditional use permit, up to a maximum height of ten feet (10').
 - e. If the developer and the adjacent property enter into an agreement to not install fencing between the new development and the existing property, such agreement shall be written and submitted with the building permit, and shall be notarized.
 - f. If the grading of a property is not provided upon submittal of the site plan for the new development, it shall be assumed that the grading between the property line and the setback is three feet or more.
- G. Retaining Walls: Where a retaining wall protects a cut below or a fill above the natural grade and is located on the line separating lots or properties, such retaining wall may be topped by a fence, wall or hedge of the same height that would otherwise be permitted at the location if no retaining wall existed. In such cases, the builder of the retaining wall must obtain building permit approval from the community development office.
- H. Multiple Frontage Lots: A minimum six foot (6') tall decorative precast concrete wall shall be erected along the property lines of a rear or side yard, of lots in a new development, adjacent to a collector or arterial street, to help mitigate the concerns with frontage adjacent to these high traffic public rights of way, and to protect the safety and privacy of everyday family life, provided that the placement will not result in the establishment of a hazardous condition to adjacent properties, vehicles or pedestrians, as determined by the city engineer. The precast concrete wall is to be matching or similar in design, along the entire street corridor of the collector or arterial, to establish a standard of consistent visual appearance. Designs for the wall are to be approved by the community development department director or his/her designee, through the issuance of a fence permit. The following cases shall be exempt from installing a wall:
1. Multiple frontage lots with existing homes along a collector or arterial street;
 2. Multiple frontage lots with existing homes along city streets with the standard fifty six foot (56') width or less.

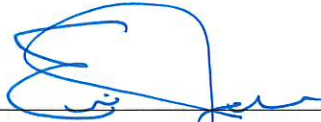
- I. Entryways: Entry treatments to private driveways or subdivision development entrances shall not exceed six feet (6') at the highest point, except lamps on pillars, and must comply with the provisions of section [10-15-10](#) of this chapter. Pillars shall be allowed to extend up to eighteen inches (18") above the allowable height of a fence; provided, that the pillars shall have a minimum spacing of no less than six feet (6'), measured face to face. The said fence must be set back a minimum of ten feet (10') from the entry drive, unless a greater distance is deemed necessary by the city engineer.
- J. Exemptions: The provisions of this section shall not apply to certain other fences such as tennis court backstops or patio enclosures as approved by the community development office, if it is determined that such do not create a hazard or violation of other sections of the city ordinances. Also, continuous growth, trees, shrubs, and hedges shall not be considered as fencing, but screening materials. Hedges and other similar vegetation used as screening shall be exempt from the permitting process to a height of six feet (6') or less in the side and rear yards, and up to three feet (3') tall in a front yard area.
- K. Large Animals: Where a new development is proposed, adjacent to property with large animals, the developer is to install a minimum six foot (6') tall precast concrete or masonry wall, along such boundaries for the protection of both the animals and the future residents within the new subdivision **development**. ~~The approval of the wall is to be included with the preliminary and final subdivision plat approvals, and must meet the design standards as determined by the community development office. Upon final plat approval, the city council may waive the requirement for the said wall, if the council determines there will be no potential hazardous conditions and that any other concerns are mitigated through the issuance of a conditional use permit.~~
 - a. **If the developer and the adjacent property enter into an agreement to not install fencing between the new development and the existing property, such agreement shall be written and submitted with the building permit, and shall be notarized.**
- L. Secondary Fence: A second independent fence, within the side and rear yards, is permitted; however, this second fence must be a minimum five feet (5') from the property line.
- M. Maintenance: All fencing within view of the public right of way is to be well maintained and in good condition to avoid any unsightly views. If the said fence is in poor condition, repairs are to be made within one year of the occurrence. This includes any deterioration, damage, graffiti, or any other condition the city deems unsightly or a nuisance.
- N. Nonconforming Fencing: All nonconforming fencing shall be subject to the following regulations:

1. Alterations: A nonconforming fence shall not be reconstructed, raised, moved, placed, extended or enlarged unless said fence is changed so as to conform to all provisions of this chapter.
 2. Restoration: Nonconforming fences which have been allowed to deteriorate or which have been damaged by fire, explosion, act of God, act of a public enemy, or damaged by any other cause, to the extent of more than sixty percent (60%) of its assessed value shall, if repaired or rebuilt, be repaired or rebuilt in conformity with the regulations of this chapter or shall be removed.
 3. Unsafe Fences: Any fence or portion thereof declared unsafe by a proper public authority must be restored to a safe condition or removed within thirty (30) days of notice, of the unsafe condition, given by the city.
- O. Security Fencing (Public Utilities Lands, And Facilities): In order to provide for the safety and security of public utilities and infrastructure, the following regulations apply to fencing said facilities:
1. Height: Public lands and facilities may install security fencing up to a maximum height of eight feet (8') around the entire perimeter of the site, including within the front yard setback area. Upon review by the planning commission, a greater height may be granted through a conditional use permit.
 2. Design: Fence must be non-sight obscuring. Chain link may be installed, with a black, dark green, or dark brown coating for aesthetic purposes.
 3. Clear Vision Review: City engineer may require alterations to fence placement to provide sufficient clear vision for access to the property and adjacent properties. (Ord. 2011-4, 3-29-2011)

SECTION 2. SEVERABILITY. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any of the remaining sections, paragraphs, sentences, clauses or phases of this Ordinance.

SECTION 3. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and posting as provided by law.

SECTION 4. APPROVED AND ADOPTED AND MADE EFFECTIVE by the City Council of Pleasant Grove City, Utah County, Utah, this 28th day of April 2026.



Eric Jensen, Mayor



ATTEST:

Wendy Thorpe

Wendy Thorpe, City Recorder

Motion: Council Member Phillips

Second: Council Member Rogers

<u>ROLL CALL</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Eric Jensen	_____	_____	_____	_____
Dianna Andersen	_____	_____	_____	<u>X</u>
Steve Rogers	<u>X</u>	_____	_____	_____
Cyd LeMone	<u>X</u>	_____	_____	_____
Todd Williams	_____	_____	_____	<u>X</u>
Dustin Phillips	<u>X</u>	_____	_____	_____

CERTIFICATE OF POSTING ORDINANCE

Pleasant Grove City Corporation

I, the duly appointed recorder for the City of Pleasant Grove, hereby certify that a summary of the foregoing Ordinance No. 2026-014 was posted on the State (<http://pmn.utah.gov>) website on this 6 day of May, 2026.

Dated this 6 day of May, 2026.

Wendy Thorpe

Wendy Thorpe, CMC, City Recorder