



FRUIT HEIGHTS CITY COUNCIL MEETING AGENDA

Notice is hereby given that the Fruit Heights City Council will hold a Council Work Session, and Regular City Council Meeting on **Tuesday, October 20, 2026**, at **Fruit Heights City Hall, 910 South Mountain Road, Fruit Heights, Utah**. Council Chambers. This public meeting will be held in-person and also transmitted via live video stream on the Fruit Heights YouTube Channel (<https://www.youtube.com/@fruitheightscity9716/streams>)

Participation in a public hearing portion of a meeting can be accomplished in either of the following ways: • During the meeting: address the Council when the item is called by the Mayor • Email: comments must be received by **5:00 pm on the Monday before the meeting** to the City Recorder; dfrandsen@fruitheights.gov. Emailed comments will be included in the public record and reviewed by the Council prior to the meeting.

COUNCIL WORK SESSION 6:00 PM

Amendments to Title 10-11-25 Detached Accessory Dwelling Units (DADU) /Ordinance 2026-06
Planning Commission Discussion

REGULAR MEETING- 7:00 PM

1. CALL TO ORDER: Mayor Jeanne Groberg

- 1.1 Pledge of Allegiance (David)
- 1.2 Thought (Jeanne)
- 1.3 Roll call (Darren)

2. DECLARATION OF CONFLICT(S) OF INTEREST

3. REPORTS

- 3.1 Council Members
- 3.2 Mayor
- 3.3 Staff

4. PUBLIC COMMENT PERIOD

The public may address the City Council regarding issues that are or are not on the agenda. Please limit comments to 3 minutes. Please state your name and address of residence for the record. **No actions may be taken on items not specifically listed on the agenda. (30-minute limit)**

5. PRESENTATIONS

6. DISCUSSION ITEMS

- 6.1 Rezone approximately 0.835 acres from C-2 (Commercial) to R-3 (Multi-Family Residential) Property located at 1112 S Lloyd Road.
- 6.2 Amendments to Title 10-11-25 Detached Accessory Dwelling Units (DADU) /Ordinance 2026-06
- 6.3 Rules of Order and Procedures
- 6.4 Bids for Cameras to cover city infrastructure

7. ACTION ITEMS

- 7.1 Rezone approximately 0.835 acres from C-2 (Commercial) to R-3 (Multi-Family Residential) Property located at 1112 S Lloyd Road.
- 7.3 Amendments to Title 10-11-25 Detached Accessory Dwelling Units (DADU) /Ordinance 2026-06
- 7.4 Bids for Cameras to cover city infrastructure
- 7.2 City Council September 29, 2026 Meeting Minutes
- 7.3 City Council October 6, 2026 Meeting Minutes

8. TABLED ITEMS

Items previously tabled by the Council are listed here. No action will be taken on these items while tabled. At the direction of the Mayor or a majority vote of the Council, a tabled item may brought again for discussion and/or action on a future agenda, or be dropped indefinitely.

- 8.1 Rezone approximately 0.701 acres from R-S-12 (Residential-Suburban) to R-3 (Multi-Family Residential) and approximately 0.255 acres from C-2 (Commercial) to R-3 (Multi-Family Residential). Properties located at 1207 South Main Street (Tabled on 8.4.26)

8.2 LRB Cemetery Financial Proposal (Tabled on 8.18.26)

8.3 Pickleball courts bids (Tabled on 9.15.26)

9. NEW BUSINESS FOR UPCOMING MEETING – NO ACTION (15 minutes limit)

10. CALENDAR ITEMS

October 5-30, 2026, Community Survey

October 23 & 24 Fable Forest @ Gailey Trail 6-8 pm

October 27, 2026, Planning Commission Meeting

11. CLOSED SESSION

The City Council may vote to discuss matters in a closed session for reasons allowed by law, including, but not limited to, the provisions of Utah Code § 52-4-205 of the Open and Public Meetings Act, and for attorney-client matters that are privileged pursuant to Utah Code § 78B-1-137.

12. 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.fruitheights.gov, 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. (Posted October 16, 2026)

Hailee Ballingham

Hailee Ballingham - Deputy Recorder

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should contact the 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.fruitheights.gov/>

Fruit Heights City YouTube Channel: <https://www.youtube.com/channel/UCalqHYd0U5RCpaDo8rquABw>

Fruit Heights City Facebook Page: <https://www.facebook.com/FruitHeightsCityGovernment>

Fruit Heights City Twitter/ X Page: <https://x.com/FruitHeightsGov>

Thoughts on an Alternate Planning Commissioner

Alternate Member

A. Establishment

There is hereby created the position of Alternate Member of the Fruit Heights City Planning Commission. The Planning Commission shall include one (1) alternate member in addition to the regular members authorized by this chapter.

B. Appointment and Term

- 1. Appointment.** The alternate member shall be appointed by the Mayor, with the advice and consent of the City Council, for a term of four (4) years.
- 2. Residency Requirement Relative to At-Large Commissioner.** The alternate member shall reside in a voting district different from the district in which the at-large commissioner resides.
- 3. Initial Term Alignment.** The first term of the alternate member shall expire on the next June 30 that results in a total term length of approximately four (4) years. The adjustment required to align the term with the June 30 appointment cycle shall not shorten or extend the term beyond what is reasonably necessary to achieve alignment.
- 4. Term Limits.** No person shall serve more than two (2) terms as the alternate member, whether consecutive or nonconsecutive.
- 5. Eligibility to Fill Vacancies.** A person serving as an alternate member may be appointed to fill the term of a planning commissioner who resigns before the end of their term, provided the appointment is consistent with district residency requirements applicable to that commission seat.
- 6. Service Limit After Full Alternate Term.** No person who has served at least one (1) full term as the alternate planning commissioner may be appointed to more than one (1) term as a representative from their district or as an at large representative.
- 7. Reappointment.** Reappointment after one (1) full term requires the advice and consent of the City Council.

C. Transition Provision

Adjustment to the first term to align with the June 30 appointment cycle shall not require additional City Council action and shall be considered a full term for purposes of reappointment eligibility.

D. Duties and Authority

- 1. The alternate member shall attend all Planning Commission meetings and participate in discussions.**
- 2. The alternate member shall vote only when a regular member is absent, has recused themselves due to a conflict of interest, or when a vacancy exists.**
- 3. When serving in place of a regular member, the alternate member shall have all rights, privileges, and responsibilities of a regular member.**

E. Qualifications

- 1. The alternate member shall meet the same residency and eligibility requirements as regular Planning Commission members.**
- 2. The alternate member shall complete any required training for Planning Commission service.**

Terms shall begin on July 1 and expire on June 30 four (4) years thereafter, unless otherwise adjusted to align with the appointment cycle.

All other sections of the current Planning Commission ordinance to remain in effect.

Chair

1. The Mayor shall appoint a Chair from among its regular members.
2. The Chair shall preside at all meetings of the Planning Commission and perform such other duties as may be prescribed by the Commission or by ordinance.

B. Vice-Chair

1. The Planning Commission shall elect a Vice-Chair from among its regular members.
2. The Vice-Chair shall perform the duties of the Chair in the Chair's absence or inability to act.

C. Election and Term

1. The office of Chair shall have a term limit of two (2) years, with a possible extension of one (1) year with the advice and consent of the Council.
2. Other officers shall serve for a term of two (2) years and may be re-elected.

Membership

The Planning Commission shall consist of the number of regular members established by ordinance, plus one (1) alternate member as provided in Section ...

Appointment

Members of the Planning Commission shall be appointed by the Mayor, with the advice and consent of the City Council.

Members must have been residents of the district they represent for at least one (1) year prior to their appointment.

Terms of Office

A. Length of Term

Each member of the Planning Commission shall be appointed for a term of four (4) years – beginning with appointments starting July 1, 2027 – **to be adjusted so that only one (1) district representative is appointed in each calendar year.**

B. Staggered Terms

Terms shall be staggered so that no more than a minority of Planning Commission seats expire in any given year, ensuring continuity of service and experience on the Commission.

C. Commencement and Expiration

Terms shall begin on July 1 and expire on June 30 four (4) years thereafter, unless otherwise adjusted to align with the appointment cycle.

D. Holdover Provision (Limited to Two Months)

A Planning Commission member may continue to serve after the expiration of their term for no more than two (2) months, and only until a successor has been appointed and qualified. No member may continue serving beyond this two-month holdover period.

E. Partial Terms

A person appointed to fill a vacancy shall serve for the remainder of the unexpired term. A partial term shall not count as a full term for purposes of term-limit calculations unless the appointee serves more than two (2) years of the remaining term.

F. Reappointments

All reappointments of Planning Commission members require the advice and consent of the City Council.

Vacancies

A vacancy occurring on the Planning Commission shall be filled by appointment of the Mayor, with the advice and consent of the City Council, for the remainder of the unexpired term. Service of more than two (2) years of a partial term shall count as a full term for purposes of term-limit calculations.

Removal and Attendance Requirement

Members of the Planning Commission may be removed by the Mayor, with the advice and consent of the City Council, for cause, including but not limited to malfeasance, neglect of duty, failure to attend meetings as required by City policy, or failure to maintain at least seventy-five percent (75%) attendance at meetings. The City Council may remove any Planning Commissioner, without cause, by a vote of at least 4 members of the Council.

Planning Commission Structure:

Outreach Research and Historic Data

This research was compiled by reaching out to elected leaders in other cities, to our city attorney, to ULCT staff with extensive career experience in the area of planning commissions and law, and by looking online at PC ordinances and rules in dozens of other cities in Utah.

The data table below was compiled by surveying the agenda record as posted on our city website for the last 10 years of PC meetings.

1. Use of Districts for Planning Commissions:

- Q: Is it the norm?

A: No. The norm is for no districts. I found only one other city that uses districts; that city aligns their Planning Commission with their City Council districts.

- It is much more common to use districts for City Council seats. Almost no cities use them for Planning Commission.
- The reasoning is that Commissioners should be encouraged to think about the whole city, not just to “represent” their own area, the latter being a more political and possibly adversarial way of thinking.
- Planning Districts are seen as something that makes more sense for much larger and more diverse cities, rather than for small towns. Even so, even larger cities in Utah do not use districts for their commissions seats.

2. Length and number of terms used:

- Q: What length of term is standard?

A: According to my research, 3-year terms are the most common. Some cities have 4-year terms. I found one city with 5-year terms and one with 2-year terms.

- How long is the right amount to ask of volunteers?
- How might term length impact willingness to apply?

- Q: What number of terms is standard?

A: I found an average limit of 2 or 3 (3-year) terms was the most common, with varying rules as regards partial terms filled.

3. Selection of Planning Commission Chair:

- Q: Do Mayors usually appoint the Chair? Is advice and consent needed?

A: This is not done in any city I surveyed. Experts also told me it is not usually done this way.

- Planning Commissions in virtually every city typically elect their own Chair and Vice Chair.
- Term length for these offices may be specified in code.

4. Attendance Requirements:

- Q: What are typical attendance requirements?

A: This varies somewhat and is often stated in terms of missing a certain number of meetings (such as 3) in a row, or 3 out of the last 7, for instance.

- Our Commission meets 11 times per year (typically not in December). An expectation of 8 out of 11 meetings would equal 73% attendance.
- If Zoom is an option, a provision might be made to allow for 2 zoom attendances per year, for example. This would help with attendance, but shouldn't be abused.

5. Residency Requirement:

- Q: What is the typical residency requirement?

A: That the person reside in the city.

- Districts are not commonly used, therefore no district residency requirements are used. (Even the one city I surveyed that uses districts did not have a related residency requirement)

6. Advice and Consent required for Reappointment:

- Q: Is this typically required for a renewal (reappointment to an additional term)?

A: Yes, it is common and usual for reappointments. However, no one I surveyed has ever seen an appointment or reappointment denied by a Council.

7. Extension period till replacement is found:

- Q: What period of time is typical?

A: Varies. The shortest I found was 45 days. The longest, which was also the most common, was "until replacement is appointed".

8. Use of Alternates on Planning Commissions:

- Q: Is it the norm?

A: Some do, some do not use alternates. I found about as many that do as those that do not.

- Of those cities who do use them, an Alternate term is often shorter than a regular term.
- Alternates might rotate in to regular seats as they become vacated.

Q: What would be the role and function of an Alternate?

A: Most cities with alternates do not spell this out clearly in their code. In speaking with experienced planners and attorneys, they explain that an Alternate member should

- Come to all meetings in order to be up to speed
- Sit in the audience
- Not participate in the discussion or fill a seat on the rostrum unless needed to form a quorum.
- Not vote unless needed to form a quorum.

If an Alternate were to fill in any time even one member is absent, or participate in the discussion regularly, then they are simply acting as an additional regular member; we would have effectively just expanded the Commission to 6 instead of 5 active members. If we are going to expand the Commission, then alternates are not the way to do that. We should just expand the Commission to 7 for an odd number if we think it needs to be expanded.

Is there a good reason to do that?

An active alternate who acts as “backup” for any absence also seems to lessen the need for the regular members to adhere to attendance expectations, if they have a fill-in member for any absence.

Is this desirable?

Questions to consider:

- What problem are we trying to solve?
- If the problem is attendance, what is the data on that?
- If attendance is a problem, then isn't raising the attendance requirement from 60% to 73% (or 8/11 meetings) the simplest solution?
- Should we reexamine using districts at this point?
- What about having the Commission elect their own officers?
- Would people want to volunteer to be an alternate whose job it is to prepare and come to all meetings but very rarely (maybe once per year) speak or vote?
- How many times have we canceled for lack of a quorum vs for lack of business?
- Since the Commission meets once/month, could they simply reschedule in case of a lack of quorum, if there is urgent business to be handled?
- What do our Planning Commissioners themselves think about the proposed changes? What are their ideas about how their board functions or what could help improve it?

DATA

Record of PC Meetings Held:

(typically, a December meeting is not held, as it would fall in the holiday season, so 11 would normally be the maximum number of regular meetings per year).

	Not Held (reason not specified—could be for lack of quorum or for lack of business)	Held	Net percent canceled (or held) out of 11 (#canceled minus #extra added, out of 11)
2026	2	10 so far: 7 regular, 3 extra sessions	(111% held so far)
2025	6	5 regular meetings	55% (45% held)
2024	2	10: 9 regular, 1 extra session	9% (91% held)
2023	4	7 regular meetings	36% (64% held)
2022* Gen Plan year	1	12: 10 regular, 2 extra sessions	(109% held)
2021	1	10 regular	9% (91% held)
2020	2	9 regular	18% (82% held)
2019	4	7 regular	36% (64% held)
2018	2	9 regular	18% (82% held)
2017	3	8 regular	27% (73% held)
	Total canceled: 27	Total held: 87 (81 regular and 6 extra sessions)	19% (81% held) (87 held/107 regular meetings expected)

Over the last ten years (including this year), meetings have been held consistently, with 2025 as the outlier and only 2 other years at 64%. The other 7 years of the last 10 show that anywhere from 73-111% of meetings were held (not canceled) in Planning Commission. On average, that's 81% of meetings held (not canceled) over 10 years.

- Cancellations may or may not have been for lack of quorum; they have often canceled for lack of business.
- Planning Commissioners have rescheduled or held extra sessions as needed for business over the last ten years.

10-11-25. DETACHED ACCESSORY DWELLING UNITS

(A) Purpose. The purpose of this Chapter is to establish standards for Detached Accessory Dwelling Units (“DADUs”) consistent with applicable Utah law and to provide reasonable opportunities for additional residential housing while protecting public health and safety, existing neighborhoods, property rights, public utilities, and municipal infrastructure.

(B) Definitions. For purposes of this Chapter:

(1) “Accessory Dwelling Unit” or “ADU” means a residential dwelling unit that is accessory to a single-family dwelling and provides complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

(2) “Detached Accessory Dwelling Unit” or “DADU” means an Accessory Dwelling Unit located in a building or structure that is physically detached from the Single-Family Dwelling located on the same Lot or Parcel.

(3) “Owner” means a person holding legal or equitable title to the Lot or Parcel upon which the Single-Family Dwelling and DADU are located.

(4) “Primary Dwelling” or “Single-Family Dwelling” means the detached single-family dwelling located on the same Lot or Parcel as the DADU.

(5) “Lot or Parcel” means a legally established lot or parcel of real property.

(6) “Fire Code” means currently Adopted International Fire Code.

(7) “Patio” means a flat, outdoor ground level area usually constructed of concrete, stone, tile, etc.

(8) “Deck” means an outdoor raised platform attached to a house. Usually constructed of wood, composite material, tile, etc.

(9) “Balcony” means an elevated platform that sticks out from the outside wall of a building on an upper floor and has a railing or wall around it.

Terms not specifically defined in this Chapter shall have the meanings established elsewhere in this Title or under applicable state law.

(C) DADU as a Permitted Use.

(1) A Detached Accessory Dwelling Unit shall be permitted on a Lot or Parcel when:

(a) the Lot or Parcel contains at least 11,000 square feet;

(b) the Lot or Parcel contains a legally established Single-Family Dwelling;

(c) a Single-Family Dwelling is a permitted use within the applicable zoning district;

(d) the DADU satisfies the requirements of this Chapter and all other applicable provisions of federal, state, and local law; and

(e) the Owner obtains all required administrative approvals, building permits, and other permits required by the City.

(2) A DADU meeting the requirements of this Chapter shall be reviewed administratively as a permitted use and shall not require a conditional use permit when located within a primarily residential zone.

(D) General Development Standards. A DADU shall comply with the following standards:

(1) No more than one Accessory Dwelling Unit, whether attached, internal, or detached, shall be permitted on a Lot or Parcel.

(2) A DADU:

(A) shall be located on the same Lot or Parcel as the Primary Dwelling;

(B) shall not be located within the front-yard area of the Lot or Parcel;

(C) shall not be located within a public utility easement or other recorded easement unless the terms of the easement expressly permit the structure and use and all persons having rights under the easement have provided any consent required by law; and

(3) A DADU shall not be larger in gross floor area than the Single-Family Dwelling located on the same Lot or Parcel.

(4) A DADU shall comply following:

(A) Building Height - no more than 18 feet measured from the average grade of the ground immediately surrounding the DADU. A DADU built over a garage will be allowed to increase in height 1 foot for every 1 foot additional side and rear setback up to a maximum height of 25 feet. The additional height allowance can only be applied to a unit over a garage and cannot be construed to allow a two story DADU.

(B) Structure Dimensions - Single story with a maximum gross square footage of 1,200 and a minimum of 400 square feet;

(C) Maximum lot coverage – See City code 10-11-16, Maximum Coverage of Rear Yard no more that 50% impervious surface;

(D) A 6' privacy fence shall separate any side or rear property line where a DADU is constructed.

(5) Setbacks. A DADU shall comply with applicable setback requirements established by the City.

(A) Minimum setback from both side and rear yard property line shall be 8 – 10 feet to the foundation.

(B) Separation between the primary structure and the DADU must be at least 6 feet including the eaves.

(E) Design.

(1) To the extent permitted by Utah Code §§ 10-21-304, and 10-20-618, a DADU shall be designed in a manner consistent with the design of the Single-Family Dwelling located on the same Lot or Parcel.

(2) A DADU shall provide a kitchen, a sleeping area, and a bathroom with a toilet, sink, tub/shower that are separate from those provided within the primary dwelling unit. The international Building Code will be used to define what constitutes various rooms in the DADU.

(3) Decks and Balcony requirements:

- a. Decks can project into the required setback, but cannot exceed a height of 2' above grade. A deck with a covered roof must meet the same setback as the DADU.
- b. Patios can project into the required setback. A patio with a covered roof must meet the same setback as the DADU. Rooftop patios are not permitted.
- c. Balconies cannot extend into a required setback, and cannot extend more than 5' from any exterior wall of the DADU.

(F) Parking.

(1) For a DADU containing less than 650 square feet of gross floor area, one on-site parking space is required for the DADU.

(2) For a DADU containing 650 square feet or more of gross floor area, two on-site parking spaces are required to the DADU.

(3) Required DADU parking spaces shall be provided on the same Lot or Parcel as the DADU, and shall be in addition to required parking for the primary dwelling.

(4) On street parking cannot be counted as required parking for the DADU. Other parking impacts such as winter parking conditions, street safety, and neighborhood congestion shall be considered.

(5) If an existing detached garage is converted to a DADU, any parking spaces required for the Primary Dwelling that were previously provided within the detached garage shall be replaced on-site. Replacement parking is separate from parking required for the DADU itself.

(G) Owner Occupancy.

(1) The Owner of a Lot or Parcel containing a DADU shall occupy as the Owner's primary residence either:

(A) the Single-Family Dwelling; or

(B) the DADU.

(2) The Owner may not simultaneously rent both the Single-Family Dwelling and the DADU while residing at another location.

(3) Prior to issuance of final approval or a certificate of occupancy for a DADU, the City will require the Owner to execute an affidavit stating that the property will be used as their primary residence. The affidavit shall be recorded at the Davis County Records Office by the City.

(4) Shared Ownership Prohibited. The parcel whereby a primary dwelling and an ADU are located must be owned by the same legal owner.

(5) The City may require reasonable periodic certification of continued compliance with the owner-occupancy requirement to the extent permitted by law.

(6) Owner occupancy may be temporarily waived when the owner is absent due to a bona fide temporary leave of not more than 2 years for a job assignment, sabbatical, or voluntary service. During such absence either the primary home or the DADU can be rented to one family, but the other unit must not be rented.

(H) Rental Restrictions.

(1) A DADU may not be rented, leased, offered, or otherwise occupied for compensation for a period of less than 90 consecutive days.

(2) A DADU may not be used as a short-term or nightly rental in violation of this Section.

(3) The primary dwelling and the DADU shall share the same address with the addition of unit "B".

(4) Mobile homes, recreational vehicles, camp trailers, and shipping containers shall not be used as a DADU.

(5) A DADU is not allowed on any lot that contains multifamily dwellings.

(6) Nothing in this Section shall prohibit the Owner from allowing occupancy without compensation to the extent otherwise permitted by law.

(I) Building, Health, and Fire Codes.

(1) Every DADU shall comply with all applicable:

- (A) building codes;
- (B) fire codes;
- (C) health codes;
- (D) electrical codes;
- (E) plumbing codes;
- (F) mechanical codes; and
- (G) other applicable construction and life-safety requirements.

(2) No DADU may be occupied until all required inspections have been completed and the City has issued a certificate of occupancy or other required authorization for residential occupancy. If an existing structure being converted to a DADU cannot meet all of the above stated building codes, the permit shall not be issued.

(J) Utilities and Infrastructure.

(1) The primary dwelling and ADU shall connect to the same water and sewer utility lines as the primary dwelling.

(2) Municipal billing shall be directed to the property owner, and the owner shall be solely liable for municipal bills issued.

(3) Owner will be billed for each separate dwelling on the property on the same bill. Monthly bill will include the following:

- (A) Water: Billed at the monthly base rate times the number of units. Overage credit will be given for each unit.
- (B) Sewer: Billed the monthly rate times the number of units.
- (C) Garbage: Billed for the number of cans on the property.
- (D) Storm Water: Billed the monthly rate times the number of units.
- (E) Transportation Utility Fee (TUF): Billed the monthly rate times the number of units.

(4) A DADU shall have adequate access to all utility services required by applicable law and City ordinance.

(5) The City may deny an application for a DADU if the DADU will not have adequate access to a required utility service that constitutes a project improvement, including:

- (A) sanitary sewer;
- (B) culinary water;
- (C) electrical service; or
- (D) stormwater facilities.

(6) The City may deny an application for a DADU if a utility service that constitutes a system improvement and to which the DADU is required to connect lacks sufficient capacity to support the addition of the DADU. If the primary dwelling is served by a septic tank, a DADU is prohibited.

(7) The determination of adequate utility access or system capacity shall be made by the City Engineer, Public Works Director, applicable utility provider, or other City officials designated by the City.

(8) The applicant shall be responsible for constructing or providing any lawful project improvements necessary to serve the DADU.

(9) Nothing in this Chapter requires the City to construct, enlarge, or fund a system improvement solely to provide capacity for a proposed DADU.

(K) Conversion of Existing Accessory Structures.

(1) The Owner of a legally constructed accessory structure may apply to convert the accessory structure into a DADU. Current building codes and zoning requirements will be applied at the time of conversion.

(2) Conversion of an existing accessory structure to a DADU shall be reviewed administratively.

(3) An accessory structure proposed for conversion shall comply with applicable:

- (A) dwelling setback requirements;
- (B) accessory structure setback requirements;
- (C) building codes;
- (D) health codes;
- (E) fire codes; and
- (F) other requirements authorized by state law.

(4) The fact that an accessory structure was legally constructed does not, by itself, establish that the structure complies with the requirements applicable to residential occupancy.

(5) The Owner shall obtain all permits and complete all improvements necessary to convert the structure to lawful residential occupancy before the structure may be occupied as a DADU.

(6) If the accessory structure is a detached garage, the Owner shall provide any replacement parking required under Section 10A-11-25(f).

(L) Application and Administrative Review.

(1) An Owner seeking approval of a DADU shall submit an application to the City on a form established by the City.

(2) The application may require information reasonably necessary to determine compliance with this Chapter, including:

(A) a site plan showing existing and proposed structures;

(B) property boundaries;

(C) building setbacks;

(D) easements;

(E) proposed DADU floor area;

(F) building height and dimensions;

(G) parking locations;

(H) utility connections;

(I) building plans as required by applicable building codes;

(J) evidence that the existing Single-Family Dwelling and any structure proposed for conversion were legally established; and

(K) an owner-occupancy certification.

(3) The Land Use Authority shall approve an application that complies with this Chapter and other applicable law.

(4) The Land Use Authority may deny an application only upon determining that the application fails to comply with an applicable requirement of this Chapter, the City Code, or state or federal law.

(5) A denial shall identify the basis for denial with sufficient specificity to allow the applicant to determine the requirements necessary for approval.

(M) Separate Ownership and Subdivision Prohibited. A DADU shall remain accessory to the Primary Dwelling and shall not be:

- (1) separately subdivided from the Primary Dwelling;
- (2) separately conveyed from the Primary Dwelling; or
- (3) converted into a separate legal lot or parcel,

except as otherwise expressly permitted by applicable state law and the City's subdivision ordinances.

(N) Compliance and Enforcement.

(1) A DADU shall at all times be maintained and occupied in compliance with this Chapter and all other applicable laws.

(2) The establishment or occupancy of a DADU contrary to this Chapter constitutes a violation of the City Code and may be enforced through any civil, administrative, or other remedy available to the City.

(3) Enforcement of this Chapter shall be conducted in accordance with applicable state law.

(O) Existing Development Agreements. Nothing in this Chapter supersedes a prohibition or restriction on Detached Accessory Dwelling Units contained in a development agreement signed by the City on or before May 6, 2026, to the extent the prohibition or restriction is protected by Utah Code § 10-21-304.

Other considerations:

Animal keeping regulations

Subdivision/Project Name

A Part Of Section XX, Township X Xxth, Range X Xxst, Salt Lake Base And Meridian Unincorporated Weber County, Utah



Total parcel area: 36,215 sq.ft.
SSA of total: 9,054 sq.ft.
Total green open space: 10,764 sq.ft.

Landmark Surveying, Inc. A Comprehensive Land Surveying Service www.LandmarkSurveying.com Contact@LandmarkSurveying.com		2601 South 3000 West - 2nd Fl. West Valley City, UT 84119 801-731-4977	Weber County Recorder
CLIENT: Name Address: None		1 of 1	
Xx 1-4 Of Section Xx, Township X Xxth, Range X Xxst, Salt Lake Base And Meridian		Subdivision	
Revisions	Drawn/Checked BY: KIM		
	Field Review/Sign Date:		
	Date: October 6, 2024		
	L.S. Project Number: 22555		

BAMBERGER PLACE

TOWNHOME BUILDING OPTIONS

2-PLEX



3-PLEX



4-PLEX



5-PLEX



CONCEPTUAL FRONT ELEVATIONS



BLOX DEVELOPMENT

97 E 3475 N • NORTH OGDEN, UT 84414

Mayor and Council,

The rezone request for 1112 S. Lloyd Road is on the agenda. In response to feedback and requests from the Council and residents, the developer has revised the proposed project to address several key concerns.

Attached is a rendering of the revised vertical-build concept and layout the developer is proposing. The updated design incorporates significantly more open space, reduces the total number of units, and introduces smaller, more affordable units intended to be offered at lower price points.

The following revisions have been made:

1. **Additional Open Space:** In response to residents' requests, the developer has incorporated more open space into the design to provide residents with areas for outdoor activities and recreation.
2. **Reduced Number of Units:** The total number of units has been reduced from 21 to 18.
3. **Smaller, More Affordable Units:** The revised concept includes several smaller units designed to provide more affordable housing options at lower price points.

These changes reflect the developer's efforts to incorporate feedback received and address the concerns raised during the review process.

Thank you,

Darren Frandsen
City Manager
Fruit Heights City

FRUIT HEIGHTS CITY COUNCIL RULES OF PROCEDURE, ORDER and CONDUCT

Intro:

Recognizing that the City Council, as a legislative body, needs a systematic way of conducting its business, these rules of procedure are to provide for the orderly conduct of City business by the City Council, with the objective of providing for full, open, and comprehensive debate of issues brought before the City Council for action in a forum open to the public, and which encourages citizens' awareness of City Council activities.

Presiding Officer. The Mayor shall be the chair of the Council and preside at the meetings of the City Council.

The Mayor pro tempore shall preside at the Council meeting and perform, during the Mayor's absence, disability or refusal to act, the duties and functions of the Mayor.

CITY COUNCIL MEETING AGENDA

All meetings of the City Council will have a notice and agenda that complies with the Utah Open Meetings Act as set forth in *Utah Code Ann. 52-4-101, as amended*.

Formation of the Agenda

Agenda Established by the Mayor - A written agenda for each regular meeting shall be prepared by the City Manager or his or her designee and approved by the Mayor or Mayor pro tempore in his or her absence. Each agenda shall provide reasonable specificity to notify the public as to the topics to be considered at the public meeting and topics discussed at the meeting shall comply with applicable provisions of Utah Code Ann. §52-4-202, as amended.

Council Member Requests - The Mayor and City Manager prepare and approve the agenda as above. Any two Council members may request that an item be placed on a forthcoming agenda. The request must include a brief description of the item and the reason for its inclusion. Agenda items and accompanying documentation should be submitted to the Mayor or City Manager/Recorder 8 (eight) working days prior to the regularly scheduled council meeting.

Inclusion of Requested Items – Items requested by any two Council members for inclusion on an agenda shall be placed on the agenda, as soon as is practicable, unless deemed legally or procedurally inappropriate for City Council consideration. In such cases, the Mayor shall provide a written explanation to the requesting Council members within three 3 business days of the submission, detailing the reasons for the exclusion, and, if the two requesting Council members desire, the proposed agenda item shall be brought to the Council at its next regular meeting for a vote on whether to add the item to a future agenda.

- (A) Legally inappropriate refers to items or actions that are beyond the authority of the City Council or repugnant to local, state, or federal laws.
- (B) Procedurally inappropriate refers to items or actions that fail to adhere to the rules, norms, or standards that govern how the City Council operates.
- (C) No Council Member shall have more than two pending requests at a time. For example: If a Council Member has made two requests for upcoming meetings, that Council Member cannot make another request until at least one of the items has either been on agenda or has been denied inclusion. The intent of this language is to not permit a single Council member to effectively take over the agenda making authority of the Mayor.

PUBLIC COMMENT:

All regularly scheduled City Council meetings will have an agenda item to allow public comment. The public comment portion of the meeting shall be limited to 30 minutes maximum total, unless extended at the discretion of the Chair. Each member of the public wishing to address the Council will have 3 (three) minutes to speak on any **items on or not** on the agenda. Public Comment should follow the below guidelines:

1. The City Council expects any person presenting to the City Council to speak in a civil manner, with due respect for the decorum of the meeting, and with due respect for all persons attending.
2. No member of the public shall be heard until recognized by the Mayor.
3. Public comments will only be heard during the Public Comment portion of the meeting unless the meeting contains a Public Hearing or a member of the public is asked to speak on a matter by the Mayor.
4. Speakers must state their name for the record.
5. Any resident requesting to speak shall limit himself or herself to matters of fact regarding the issue of concern.
6. A group of 3 or more residents present at the meeting who share similar concerns on an item should designate one member as spokesperson to represent their views. A person speaking for a group may have 5 minutes to speak, if recognized by the Chair as such.
7. Personal attacks made publicly toward any person or city employee are not allowed. Speakers are encouraged to bring their complaints regarding employee performance to the City Manager or Mayor in writing or in person during regular business hours.

8. Speakers may not yield their time to others.
9. The Mayor may remove or cause to be removed at his/her discretion any individual deemed to have caused a disturbance of the public meeting. The Mayor may suspend the meeting until order is restored. "Disturbance" may include, but is not limited to, any of the following:
 - Loud, abusive, or mocking language or behavior
 - Language or behavior meant to intimidate, bully, or threaten.

ROLES AND RESPONSIBILITIES OF THE MAYOR AND COUNCIL MEMBERS:

The Mayor:

- Calls the meeting to order and confines the discussion to the agenda.
- Ensures compliance with the Utah Open and Public Meetings Act.
- Has the primary responsibility for ensuring that the Council's rules of procedure are followed and maintaining the dignity of Council meetings.
- Ensures those who have the floor are not interrupted and to rule out of order those not following meeting procedures.
- Introduces the agenda items in order unless he/she feels there is a good reason to go out of order, or a motion to amend the order of the agenda is made and approved by the City Council.
- May participate in discussion of all matters.
- Recognizes Council members for motions and statements and staff participation at appropriate times.
- Recognizes the Council member offering the motion, restates the motion, presents it to the Council for consideration, calls for the vote, announces the vote, and then announces the next order of business.
- **Voting Authority.** Except as otherwise provided herein, the Mayor is a nonvoting member of the Council. The Mayor shall vote as a voting member of the Council: (1) on each matter for which there is a tie vote of the other Council members present at the meeting; (2) when the Council is voting on whether to appoint or dismiss the City Manager; (3) when the Council is voting on an ordinance that enlarges or restricts the Mayor's power, duties or function; and (4) as otherwise provided by law.
- **Veto Authority.** The Mayor shall have no power to veto any ordinance, tax levy, appropriation, or act of the City Council.

The Council:

- Council members are expected to come prepared for discussion on the items on the agenda.
- Council members must be recognized by the Chair before speaking.
- All Council members should participate in discussion and state their views, while giving respect to other members to do the same.
- No Council member should attempt to dominate the time for discussion. A balance of all views on the Council is desired.
- Council Reports: Reports should be concise and focused on members' assignments, matters of public interest or Council business.

CODE OF CONDUCT FOR CITY COUNCIL AND MAYOR:

- City Council meetings should be conducted in a courteous manner to promote an atmosphere in which all points of view may be expressed and heard. Council members should not interrupt other members during discussion and debate. Remarks should be addressed through the Mayor who shall allow reasonable opportunity for all points of view to be expressed.
- They shall not use their positions to secure privileges or personal gain and shall avoid situations which could cause anyone to believe that they may have brought bias or partiality to a question before the City Council.
- They shall be dedicated to the principles of representative democracy by recognizing that the chief function of local government is to serve the best interests of the public at large while respecting individual rights.
- City business shall be discussed in open, well-publicized meetings, except in rare situations in which Executive Sessions are authorized.
- They shall not engage in electronic messaging of any kind during public meetings, with each other, staff, residents, or others, as touching any matter relevant to the proceedings or business of the city.
- If the Mayor or a Council member wishes to share written materials with the Council relevant to any part of the agenda, they provided to the City Manager or their designee no later than the Friday before the meeting. Council Members are not permitted to pass out written materials to other Council members at a meeting for consideration at that meeting.

PARLIAMENTARY RULES:

The following shall be the parliamentary rules for conducting the business of the City Council. The City Attorney will serve as parliamentarian when present at the meetings; the City Manager/Recorder will serve as the parliamentarian otherwise. The

parliamentarian will recommend rulings, upon request by the presiding officer, to all points of order raised during the proceedings. Each rule is followed by a recommended procedure and purpose to explain the rule and guide the Mayor and Council members in its intended application.

RULE 1: The meeting is governed by the agenda and the agenda constitutes the roadmap for the meeting.

PROCEDURE: Each agenda item will be addressed by the Mayor in the following general format:

First, the Mayor should clearly announce the agenda item number and describe the agenda item.

Second, following that agenda format, the Mayor should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the Mayor, a member of the City Council, a staff member, or an invited person charged with providing input on the agenda item.

Third, the Mayor may ask members of the City Council if they have any questions of clarification. Members of the City Council may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, if a formal public hearing is attendant to the item, the Mayor should invite public comments by opening the public hearing for public input. If numerous members of the public indicate a desire to speak on the subject, the Mayor may limit the time of public speakers. At the conclusion of the public comments, the Mayor should announce that the public hearing is closed.

Fifth, when the Mayor deems the discussion has been sufficient, he/she may close the discussion and move on to the next agenda item.

Sixth, the Mayor invites a motion. The Mayor should announce the name of the member of the City Council who makes the motion and should determine if any member of the City Council wishes to second the motion. The Mayor should announce the name of the member of the City Council who seconds the motion. If there is no second then the item will be deemed concluded without decision.

Seventh, if the motion is made and seconded, the Mayor should repeat and make sure everyone understands the motion. This is done in one of three ways: (1) The Mayor may ask the maker of the motion to repeat it. (2) The Mayor can repeat the motion. (3) The Mayor may ask the City Recorder to repeat the motion.

Eighth, the Mayor should invite discussion of the motion by the City Council. If there is no desired discussion, or after the discussion has ended,

the Mayor should call for a vote on the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the Mayor asks for the vote. All votes on ordinances and resolutions shall be by roll call of the Council under the direction of the Recorder or Deputy Recorder. All other matters shall be by voice vote. If the voice vote tally is unclear, or if there is even one “no” vote the entire vote shall be recorded as a roll call vote.

Those voting in favor should say “yes”. Those opposed should say “no”. A vote of “abstain” counts as a “no” vote.

Tenth, the Mayor should announce the result of the vote.

PURPOSE OF THE RULE: All meetings must comply with the Utah Open and Public Meetings Act which requires that a notice and an agenda for a public meeting be prepared in advance of the meeting and that no final action be taken on any item that is not on the agenda. In addition, the Act requires that the minutes of the meeting contain certain minimum information including the name of any member of the Council speaking on an issue, the substance of what the member says, an accurate description of any action taken by the Council and the voting record of each individual member of the council. The reason for “yes” and “no” is that they are more distinct to the hearer than “yea” and “nay”.

RULE 2: One speaker at a time, and equitable participation is expected.

PROCEDURE:

There will only be one speaker at a time. Each Council member wishing to speak must be recognized by the chair before proceeding. Council members who wish to speak must allow the current speaker to complete his or her thought before requesting to speak.

To ensure balanced participation, the chair may limit time for initial discussion by each Council member to present their views or questions on each agenda item to prevent duplication or monopolization of the discussion.

If a Council member wishes to speak again on the same item, they may do so after all other members have had the opportunity to speak, time permitting.

The Mayor is responsible for ensuring that no single member dominates the conversation. The chair may rotate speaking opportunities to foster a collaborative and respectful dialogue.

PURPOSE OF THE RULE: The purpose is to focus on only one question and to allow Council members the ability to express their points of consideration without losing their train of thought and to completely finish without fear of interruption; it is also to ensure a discussion wherein members have generally equal time to speak their own thoughts on the matter at hand.

RULE 3: Consent Agenda. The Mayor or City Manager may place items not requiring debate, expenditure, or a roll call vote on a section of the agenda known as the Consent Agenda, where all the items are to be reviewed ahead of time by Council and adopted using a single consent vote. Council members may request that an item be moved from Consent to regular discussion before voting to consent, if desired.

PURPOSE OF THE RULE: To use meeting time more efficiently and spend more time on items that deserve greater attention.

RULE 4: There are only three basic forms of motions allowed: Initial Motions, Motions to Amend, and Substitute Motions.

PROCEDURE: The initial motion. The initial motion is the one that puts forward an item for the City Council's consideration. An initial motion might be: "I move that we adopt ordinance number 10-1 as presented."

The motion to amend. If a member wants to change the initial motion that is before the City Council, they would move to amend it. A motion to amend might be: "I move that we amend the motion to adopt ordinance number 10-1 with changes in paragraph 1 as follows...." A motion to amend takes the initial motion which is before the City Council and seeks to change it in some way. The motion to amend must be germane to the initial motion. The motion to amend must not be the same as a negative vote on the initial motion.

The substitute motion. If a member wants to completely do away with the initial motion that is before the City Council, and put a new motion before the City Council, they would make a substitute motion. A substitute motion might be: "I move that we refer ordinance number 10-1 to the planning commission for its recommendation."

PURPOSE OF THE RULE: "Motions to amend" and "substitute motions" are often confused but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the Mayor, so that if a member makes what that member calls a "motion to amend", but the Mayor determines that it is really a "substitute motion", then the Mayor's designation governs.

RULE 5. There can be up to three motions on the floor at the same time and no more than three. The Mayor can reject a fourth motion until the Mayor has dealt with the three that are on the floor and has resolved them.

PROCEDURE: When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed first on the last motion that is made.

For example, assume the first motion is a basic "motion to adopt ordinance 10-1." During the discussion of this motion, a member might make a second motion to "amend the main motion to adopt ordinance 10-1 with changes in paragraph 1 as follows...." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we refer the matter to the planning commission." The proper procedure would be as follows:

First, the Mayor would deal with the third (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion passed, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the City Council of the third motion (the substitute motion). No vote would be taken on the first or second motions.

Second, if the substitute motion failed, the Mayor would now deal with the second motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment, and a vote taken.

Third, If the motion to amend passed, the Mayor would now move to consider the main motion (the first motion) as amended. If the motion to amend failed, the Mayor would now move to consider the main motion (the first motion) in its original format, not amended.

PURPOSE OF THE RULE: Too many motions on the same subject can cause confusion as to what the end result is and in the official record.

RULE 6: The debate can continue as long as members of the City Council wish to discuss an item, subject to the Mayor determining it is time to move on. The following motions are not debatable—a motion to adjourn; a motion to recess; a motion to fix a time to adjourn; a motion to table;

PROCEDURE: There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the City Council to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the Mayor must immediately call for a vote of the City Council without debate on the motion):

A motion to adjourn. This motion, if passed, requires the City Council to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

A motion to recess. This motion, if passed, requires the City Council to immediately take a recess. The length should be set in the motion which may be a few minutes or up to an hour. It requires a simple majority vote.

A motion to fix the time to adjourn. This motion, if passed, requires the City Council to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

A motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on "hold". The motion can contain a specific time in which the item can come back to the City Council: "I move we table this item until our regular meeting in October." Or the motion can contain no specific time for the return of the item, in which case the matter will not be placed back on an agenda for a future City Council meeting except at the order of the Mayor or the request of any two Council members. A motion to table an item requires a simple majority vote.

PURPOSE OF THE RULE: Debate and discussion are important until they are not. When a matter is chewed on enough it should be swallowed. This rule allows the Mayor, or a majority vote of the Council, to end the debate, after a reasonable time. It keeps those in a minority position on an issue from filibustering until they get their way.

RULE 7: Three "yes" votes are required to pass any item before the council with limited exceptions. The exceptions include a motion to go into closed session (executive session) which requires a 2/3 vote of the members present and when the Mayor is entitled to vote where specifically allowed by state law on matters that add to or diminish the Mayor's powers. The Mayor is also entitled to vote when there is a tie vote of the council.

PROCEDURE: If the Mayor and all five members of the Council are present, a vote of 3-2 passes the motion.

A vote of 2-2 with one abstention means the motion fails, since an abstention counts as "no".

If one member is absent and the vote is 2-2, the Mayor is entitled to vote.

In matters requiring a 2/3 vote, note that:

- 4 out of 5 "yes" votes are needed if 5 members are present

PURPOSE OF THE RULE: Utah statute sets out both the number of the quorum and the minimum vote required on any issue. This rule is meant to clarify that when the entire Council is present and voting, it is not a tie when one member abstains. If, however, a member is absent from the meeting for any reason and the vote is 2-2 then it is a tie and the Mayor may vote.

RULE 8: When considering lengthy ordinances or resolutions, individual changes to the language of the document must be made by motion, and a separate vote must be taken on the amended document as a whole.

PROCEDURE: As the Council members discuss the ordinance or resolution, they may recommend changes to individual clauses to the document by making a motion to change the verbiage in the document.

PURPOSE OF THE RULE: When reviewing the document, changes should be made by motion of Council members so that it is clear what the contents of the document should be. This procedure allows an orderly discussion and vote on individual changes to the document.

RULE 9: A motion to reconsider any item requires a majority vote to pass. A motion to reconsider cannot be made at a special meeting of the Council unless the number of members of the Council present at the special meeting equals or exceeds the number present at the meeting when the action was approved. Second, a motion to reconsider cannot be made by a member who voted with the losing side on the original motion. The motion may be seconded by any member.

PROCEDURE: If a member wishes to bring a matter for reconsideration, who either did not vote or voted in the majority on the matter previously, he/she may move to do so, and any other Council member may second the motion.

If a member who voted in the minority on the matter previously moves to reconsider, it must be ruled out of order.

If the motion to reconsider passes, then the original matter is back before the City Council, and a new initial motion is then in order. The matter can be discussed and debated just as if it were on the floor for the first time.

PURPOSE OF THE RULE: The purpose of this rule is finality. If a member of the minority could make a motion to reconsider, then the item could be brought back to the City Council again and again. That would defeat the purpose of finality.

FRUIT HEIGHTS CITY

Security Camera System

Project Overview

Public Works has obtained three bids for the installation of a security camera system at the following city facilities and locations:

- City Hall
- Public Works buildings
- Water tanks and buildings
- U.S. 89 tunnel
- Nicholls Park

Each provider submitted a quote for the same number of cameras and the same camera resolutions.

Bid Pricing

- CompuTech - \$73,983
- Geneva - \$68,837.32
- Convergent - \$ 133,708.35

City Staff Recommendation

City Staff recommends **CompuTech** as the provider and installer for the City's security camera system.

Although Geneva submitted the lowest quote, CompuTech currently provides IT services for the city and is familiar with the City's existing network infrastructure. Using CompuTech for both installation and IT support may simplify system management, coordination, and cybersecurity oversight by keeping these services with the City's existing IT provider.

Staff believes this approach would help maintain consistency with the City's existing IT systems and support the protection of the City's network and records.

Council Meeting 10/20/26 - Security Camera Project (Discussion Item 6.4)

City Council

Team – My name is Nyles Brown and I work at Geneva Communications. I just wanted to send a quick email about tomorrow's council meeting and specifically in regard to the security camera project. I have worked with Darren and Layne over the past year on creating a solution based off their needs regarding cameras and access control throughout the city's infrastructure.

I am reaching out to let the council team know that on top of us having the best pricing for this project, we are also the number one installer in Utah for Verkada products, which is the camera manufacturer that the city staff has decided to go with. I understand the fact that Computech is the city's current IT provider, but the cameras themselves are very much plug and play and do not need any further network configuration that will be needed from the IT team. The cyber security portion of this will be held within the network switches themselves, which the city already has in place. We already installed a couple of trial cameras at the city hall (at no charge) and have set up the backend management piece with Layne and the team already. Our team at Geneva are very familiar with the city's infrastructure as we have done many site walks to plan this accordingly with the team as well have already installed some cameras at the city hall. We are also at the highest tier of partnership with Verkada and with that we have learned through experience on certain installation requirements as well as configuration and training on using the platform and will be able to pass that along to the team. We are also on the state contract here in Utah and have worked with a ton of local cities and counties on their security cameras. With all of that said, I believe we would be the best pick overall for the city on this project, not only because we are about \$5k cheaper, but we also have worked closely with the team on this and have built out these specific plans whereas the other bidders were just using our design that we created with the city staff to get it priced out.

Thank you for your consideration.

Nyles Brown

Outside Sales Representative

VOTE NO F.H. ZONING CHANGES

City Council

Dear city council members,

As you consider your vote tonight on proposed zoning changes for the properties on Main Street and Lloyds Road, I plead with you to vote against these changes.

I have attached some photos of a similar size lot in Kaysville just south of the fire station on Main Street. What you see pictured are 2 4-Plexes with covered offstreet parking.

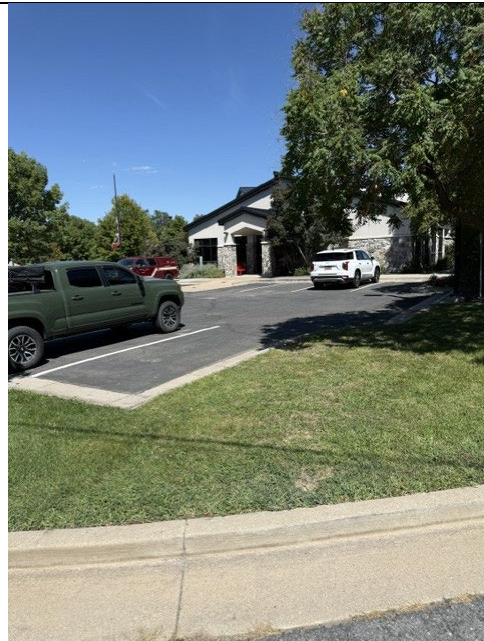
If FRUIT HEIGHTS allowed construction of similar projects on the properties in question, there would be no need for any zoning changes and these types of projects would blend in nicely with existing housing.

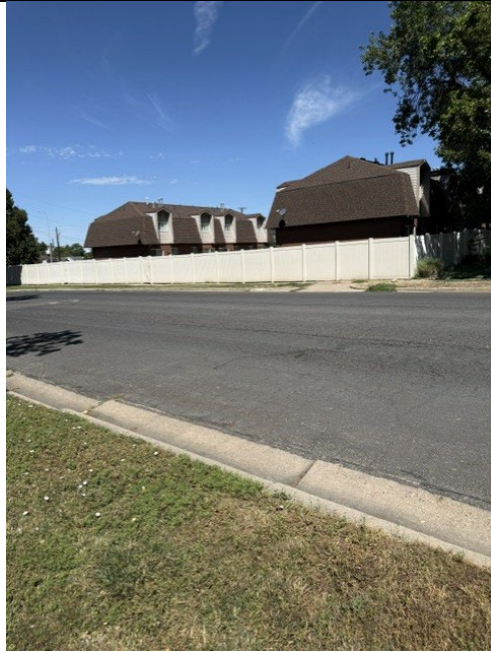
I ask you to keep in mind that while the mayor, planning commission and city Planner have authority to make recommendations, the city Council has not only the authority, but also the responsibility to make decisions. Be sure that the decision you make tonight will be in the best interest of all of the citizens of FRUIT HEIGHTS.

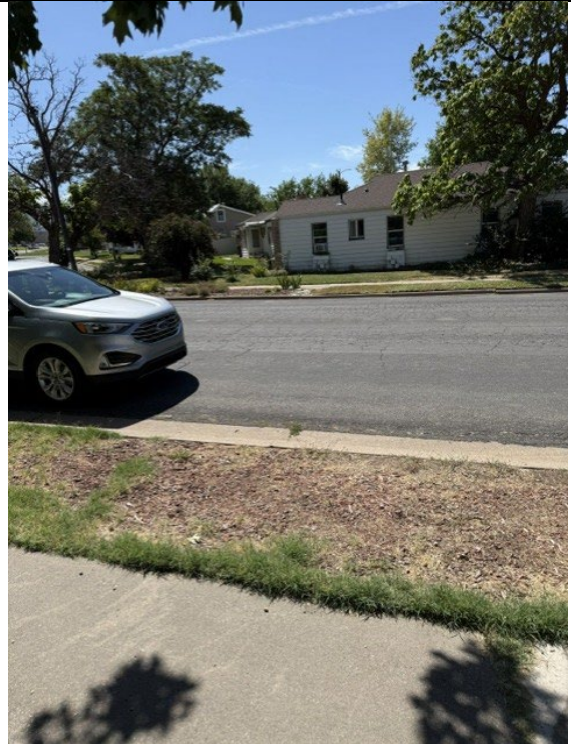
Thank you,

Mike Burnett

Concerned 48 year resident







Procedural Concerns Regarding Draft Rules of Procedure (Agenda Item 6.3)

City Council; Jeanne Groberg; Darren Frandsen; coatty@daviscountyutah.gov

Dear Mayor Groberg, City Council Members, and City Legal Counsel,

I am writing to express my strong concerns regarding the proposed Fruit Heights City Council Rules of Procedure, Order and Conduct draft up for discussion at tonight's October 20, 2026 meeting. While establishing organized guidelines is necessary, several sections of this draft shift an unprecedented amount of unilateral control to the executive chair. This directly undermines the legislative authority, oversight, and independent voice of the elected City Council, while restricting the constitutional rights of residents.

Before these rules are considered for formal adoption, I respectfully request that the Council, Mayor and City Attorney carefully review and amend the following highly problematic sections:

- **Unconstitutional "Group" Restrictions on Public Speaking (Page 15, Guideline 6):** The draft states that a group of 3 or more residents who share similar concerns must designate a single spokesperson. Forcing citizens into arbitrary "groups" and restricting individual speech based on shared opinions is a direct violation of our First Amendment right to petition the government. Every taxpaying resident has an individual right to address their elected representatives; speech cannot be rationed or consolidated just because neighbors agree on an issue.
- **Unilateral Power to End Council Debate (Pages 18 & 21):** Rule 1 (Fifth step) and Rule 6 state that "when the Mayor deems the discussion has been sufficient, he/she may close the discussion and move on." In standard parliamentary practice, a presiding officer cannot unilaterally silence elected officials. Cutting off debate must require a formal motion to call the question and a vote by the Council body, not the sole discretion of the chair.
- **Overbroad Agenda Gatekeeping (Pages 14 & 15):** The "Formation of the Agenda" section gives the Mayor the power to exclude Council-requested items deemed "procedurally inappropriate." Because the definition of "procedurally inappropriate" is so vague ("actions that fail to adhere to the rules, norms, or standards"), it grants the Mayor unchecked veto power to block critical issues from even being discussed or voted on by the Council.
- **First Amendment Concerns in Public Comment (Page 16, Guideline 9):** The guidelines grant the Mayor discretion to eject individuals for "mocking language or behavior." While meeting decorum is vital, suppressing "mocking" political speech walks a dangerous line regarding protected public criticism and could inadvertently expose the city to civil liberties lawsuits.
- **Mandated Appointment of the Planning Commission Chair (Page 5):** The rule requiring the Mayor to hand-pick the Planning Commission Chair breaks heavily from established municipal norms. As noted in the agenda's research data, Planning Commissions in virtually every other Utah city democratically elect their own leadership to maintain a healthy separation of powers.

I firmly believe that our city council must operate on a system of healthy checks and balances. I urge the City Council to exercise its legislative authority tonight to strike or significantly amend these sections to protect the democratic process and the constitutional rights of Fruit Heights residents.

Thank you for your time, leadership, and consideration of these critical adjustments.

Sincerely,

Tara Larkin

From: Dallin Hutchinson

Date: Tuesday, 20 October 2026 at 12:14

To: jgroberg@fruitheights.gov <jgroberg@fruitheights.gov>; ganderson@fruitheights.gov <ganderson@fruitheights.gov>; mcottrell@fruitheights.gov <mcottrell@fruitheights.gov>; dhale@fruitheights.gov <dhale@fruitheights.gov>; emoss@fruitheights.gov <emoss@fruitheights.gov>; bwinslow@fruitheights.gov <bwinslow@fruitheights.gov>

Cc: cbagley@fruitheights.gov <cbagley@fruitheights.gov>; sjustensen@fruitheights.gov <sjustensen@fruitheights.gov>; hmurdock@fruitheights.gov <hmurdock@fruitheights.gov>; jwright@fruitheights.gov <jwright@fruitheights.gov>; sbodily@fruitheights.gov <sbodily@fruitheights.gov>; dfrandsen@fruitheights.gov <dfrandsen@fruitheights.gov>

Subject: Re: Public Comment regarding proposed DADU Ordinance (Section 10-11-25) – Concerns over Property Owner Disenfranchisement

Dear Fruit Heights City Council Members,

Following on from my email to you of 5 October 2026. I am writing to submit my formal public comments expressing strict opposition to the current 15-foot maximum separation cap within the proposed Detached Accessory Dwelling Unit (DADU) ordinance framework, as well as the proposed R-3 rezone request located at 1112 S. Lloyd Road.

1. Red Flags in Title 10-11-25: Section 10-11-25(D)(5)(b) Capping DADU Distance at 15 Feet - While the city must establish standards for DADUs to comply with state planning legislative shifts, the inclusion of a restriction limiting the maximum separation distance between a primary structure and a DADU to 15 feet is arbitrary, capricious, and wholly lacking foundation in any established land-use planning principles and practice. Inclusion of this requirement makes it prohibitive for the majority of property owners in the city whose properties otherwise comply with the 11,000 square-foot minimum lot size requirement.

Standard land-use guidelines establish minimum separation distances to ensure compliance with the International Fire Code and prevent structural fire spread. Conversely, forcing a strict 15-foot maximum proximity limit creates severe architectural barriers, restricts homeowner design flexibility, compromises occupant privacy, and needlessly crowds residential structures into single configurations.

I formally request that the City Council direct the City Attorney to review this specific provision and explicitly confirm whether forcing a DADU into a maximum 15-foot window is consistent with the statutory intent of Utah Code § 10-21-304. Furthermore, I ask the Council to justify what specific planning problem this 15-foot maximum cap solves that our existing, clear mandates—such as the 16-foot building height cap, 800-square-

foot gross footprint limit, and 50% maximum rear-yard impervious lot coverage constraints—do not already fully regulate. **This unnecessary restriction serves no public health, safety, or welfare purpose and should be stripped from the text.**

2. Rezone Request at 1112 S. Lloyd Road (Commercial C-2 to Multi-Family R-3)

Additionally, I urge the City Council to deny the rezone request for the 0.835 acres at 1112 S. Lloyd Road. While the developer has minimally responded to pushback by reducing the vertical-build layout concept from 21 down to 18 units, the density remains egregiously excessive for this area.

Converting this parcel to R-3 Multi-Family Residential deviates severely from approved neighborhood frameworks and violates long-term neighborhood continuity. Granting this rezone sets a dangerous precedent for ultra-high-density developments that are profoundly out of character with the suburban profile of Fruit Heights. This narrow corridor cannot handle the severe traffic infrastructure strain, safety hazards, and localized congestion that an 18-unit residential complex on less than an acre will generate. Not to mention, this development sets a precedent for similar density at the adjoining mobile home park, should the park owner decide in the future to redevelop the land.

I ask the city to prioritize the integrity of our General Plan, maintain community continuity, and protect the property rights of existing residents by denying this rezone.

Respectfully submitted,

Dallin D. Hutchinson