

Statement

By Todd Stevenson, Fruit Heights City Mayor

Fruit Heights City, Utah

Before the House Natural Resources Subcommittee on

Public Lands and Environmental Regulation

Thursday, April 18, 2013

Chairman Bishop, members of the committee, thank you for the invitation given to me to come before you this morning and speak in favor of H.R. 993, "Fruit Heights Land Conveyance Act". Thank you also to Representative Bishop and Representative Stewart for sponsoring this legislation in the Congress.

My name is Todd Stevenson. I am mayor of Fruit Heights City and have served in that position for the past seven years. Fruit Heights is the prototypical bedroom community in the heart of Davis County. We are located about 20 miles due north of Salt Lake City and nestled on the east bench of the Salt Lake Valley near the Wasatch Mountains with Kaysville City on our North and West borders and Farmington City on the South. Fruit Heights gets its name from the Cherry and Apple Orchards that have dotted the foothills in this area of the valley.

We've enjoyed a rural lifestyle for many years in this community, but as is true of all great places to live, we've attracted many new residents to our community. Our small community has grown from 800 residents in 1970 to over 5,000 in 2010, a 525% increase. The orchards that once covered the hillside now are almost just a memory.

H.R. 993 would convey a parcel of approximately 100 acres of land on the east boundary of Fruit Heights City from the Forest Service to Fruit Heights City. This parcel is entirely within the corporate boundaries of the City. Attachment A shows the approximate location and size of the proposed parcel. Fruit Heights has an urgent need for this land to meet the need of its citizens and its impact on our beloved forests would be minimal: the conveyance represents just .00001% (one one hundred thousandth of one percent) of Forest Service land within the state of Utah. I would like to describe the needs and the planned uses by Fruit Heights for this land.

1. Provide Cemetery Property

The rapid growth of Fruit Heights and surrounding communities within Davis County has increased the need for new cemetery space. For many years, city leaders have often discussed their desire for a cemetery, but other pressing needs, such as public health and safety, have prevented action. But as other communities begin restricting access to their cemeteries, our sense of urgency has increased immensely.

The need for a cemetery is becoming critical not only for Fruit Heights but also for the community at large. The neighboring communities of Kaysville and Farmington, who are also rapidly growing, have been forced to change their public policies to prohibit or severely discourage non-residents from utilizing local cemeteries due to population increases and limited space in their cemeteries.

Attachment B is a resolution passed by Farmington City allowing only residents to be buried in the city cemetery. Attachment C is the fee schedule from Kaysville City that imposes much higher burial fees for non-residents.

In evaluating locations for a cemetery, we soon realized we have very few options. As you can see in the attachments, Fruit Heights city is landlocked on the North, South, and West and there are few, if any, parcels of land available within the community that meets the size and accessibility requirements for a city cemetery. We felt the best location was on the small piece of Forest Service property considered in this legislation.

The land in this parcel would not only meet the needs for Fruit Heights but also can supplement the needs of the surrounding communities for the foreseeable future. Providing a beautiful community cemetery that overlooks the valley will be a wonderful public use for this land.

2. Maintain Open Space Corridor on East Bench of Fruit Heights

H.R. 993 requires that the land conveyed to Fruit Heights be used for a public purpose. Our intent is to maintain that parcel as open space into perpetuity. We will develop and grow the cemetery over the years, but the rest of the space will remain in a natural state, with the exception of walking and biking trails we will add and improve.

Fruit Heights has recently created an open space zone by ordinance. The ordinance creating that zone is Attachment D. The definition of the open space zone is described in Attachment E. This zone does not allow development of any kind. The

purpose of this zone is to protect open space and protect environmentally sensitive areas in the city.

We are currently in the legislative process in Fruit Heights to designate all the publicly owned park property in Fruit Heights as part of the Open Space zone. This includes the parcel considered in H.R. 993.

Attachment F shows the parcels that are proposed to be part of the Open Space zone. The open space zones are marked on the map with OSC (Open Space Conservation) and OSR (Open Space Recreation) districts.

3. Develop a Trail System

Fruit Heights has in its General Plan a proposal to develop nature trails on the east bench of our community. The backbone of that trail plan is the Bonneville Shore Line Trail. Our intent is to improve the Bonneville Shore Line Trail through this parcel of land and build connecting spur trails to the neighborhoods in the area and connect to the existing trails being developed by Farmington and Kaysville.

H.R. 993 has a provision to grant an easement for the Bonneville Shore Line Trail. Fruit Heights is committed to support the Bonneville Shore Line Trail Coalition in their efforts to improve that trail system.

4. Manage and Patrol the Land

The land on the east bench of Fruit Heights is a popular area for runners, bikers, and hikers. Off-road vehicle use is quite common in this area. We are supportive of mixed use of public land but that use must be balanced. We are committed to developing regulations to prevent scarring and misuse of the land in any way. As a local governmental entity, we are able to closely monitor and patrol the area, enforcing the laws and ordinances that apply to this parcel of land.

Conclusion

Fruit Heights' primary need in acquiring this land is so that we can develop a greatly needed cemetery for our residents and those of the community at large. As I stated previously, our community is landlocked and there are no available parcels of land available in the community that meet the size and accessibility requirements for a city cemetery. The parcel proposed in H.R. 993 is ideal for a cemetery and is needed for our residents who are currently have limited options during times of significant grieving and loss.

Fruit Heights is committed to maintaining the other areas of the parcel as open space and preserving the natural beauty of the area so that those who wish to enjoy that beauty are able to do so. We have enacted ordinances and have provided zoning and planning to ensure that protection continues.

The planned uses by Fruit Heights City for the parcel described in H.R. 993 are in complete harmony with the mission and goals of the US Forest Service, who are the current managers of that land. This conveyance will allow us to manage the property locally and provide for the urgent needs of our residents.

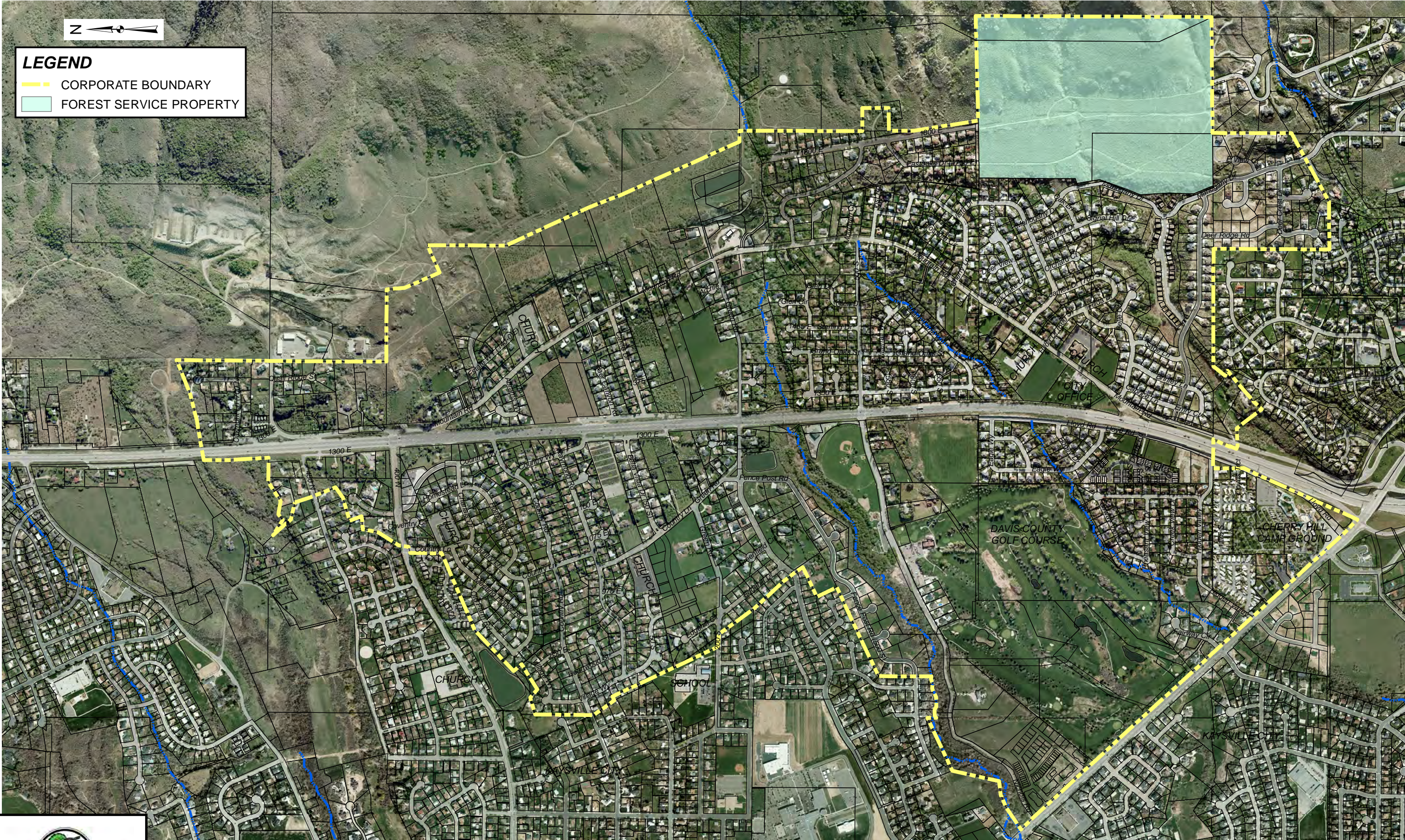
I respectfully ask that you support H.R. 993.

Thank you.



LEGEND

- CORPORATE BOUNDARY
- FOREST SERVICE PROPERTY



NOTES:

SCALE:
1 in = 1,000 ft

DATE:
04/12/2013

DESIGNED SEH

DRAWN SEH

CHECKED BKJ



CONSULTING ENGINEERS

1716 East 5600 South
South Ogden, Utah 84403 (801) 476-9767

FRUIT HEIGHTS CITY CORPORATION
PROPERTY MAP

FOREST SERVICE PROPERTY

SHEET:
1
OF SHEETS
0

A RESOLUTION OF THE FARMINGTON CITY COUNCIL AMENDING THE FARMINGTON CITY CEMETERY RULES AND REGULATIONS LIMITING THE SALE OF BURIAL RIGHTS TO FARMINGTON CITY RESIDENTS AND AMENDING THE FEE SCHEDULE FOR THE CITY REPURCHASING "RIGHTS TO BURIAL"

WHEREAS, the number of available burial sites within the Farmington City cemetery is in very short supply; and

WHEREAS, the City Council desires to preserve the limited supply for Farmington Residents;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF FARMINGTON CITY, STATE OF UTAH AS FOLLOWS:

Section 1. Amendment to the Farmington City Cemetery Rules and Regulations. The Farmington City Rules and Regulations are hereby amended to read in the entirety as contained in Exhibit "A" attached hereto and made a part hereof.

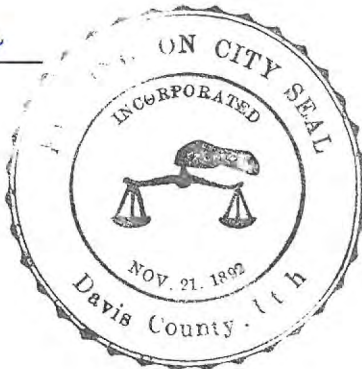
PASSED AND ADOPTED BY THE CITY COUNCIL OF FARMINGTON CITY, STATE OF UTAH ON THIS 20th OF JULY, 2010 BY 5 OF 5 MEMBERS PRESENT.

FARMINGTON CITY

By: Scott C. Harbertson
Scott C. Harbertson, Mayor

ATTEST:

Margy L. Lomax
Margy L. Lomax
City Recorder





Cemetery

To search burial records, click here: [Names in Stone](#)

To view photographs of headstones and GPS locations of graves, click here: [Billion Graves](#)

Please note that not all headstones have been photographed and transcribed yet.

Records and maps of the Cemetery are kept and can be viewed at City Hall (23 East Center Street) Monday-Friday, 8:30 a.m. to 5:00 p.m.

Directions to the Cemetery: Take exit 328 off I-15 and turn east onto 200 North. Proceed to 500 East and then turn north on 500 East and travel approximately three blocks until you arrive at Crestwood Road.

Directions to City Hall: Take exit 328 off I-15 and turn east onto 200 North. Proceed to Main Street (first traffic light) and then turn right onto Main Street. Travel two blocks. City Hall is located on the northeast corner of Main and Center.

FEES

Burial Space

\$500.00 adult or junior size

\$300.00 infant or urn size

Residents can buy spaces pre-need (prior to needing a space opened)

Nonresidents can only buy spaces at-need (when a space needs to be opened)

Purchase of spaces is limited to two per household

Interment (opening and closing of a grave)

\$500.00 resident adult

\$250.00 resident infant or urn

\$1,650.00 nonresident adult in old section of Cemetery
\$2,650.00 nonresident adult in new section of Cemetery
\$800.00 nonresident infant or urn in old section of Cemetery
\$1,800.00 nonresident infant or urn in new section of Cemetery

Additional Saturday or holiday fee:

\$75.00 resident
\$150.00 nonresident

A \$1,325.00 per space interment deposit is required from nonresidents when they purchase at-need spaces

Headstone Moving Fee (in preparation of an interment)

\$25.00 (upright)
\$10.00 (flat)

Headstone Installation Fee (new section only)

\$150.00 (permit required from City 24 hours prior to setting)
\$1,000.00 fine for setting a stone without a permit

RULES

Lawns in the Cemetery are mowed twice a week. Items placed on lawn areas will be removed and discarded on those days to accommodate mowing.

Access to the Cemetery is restricted from 11:00 p.m. to 5:00 a.m.

The speed limit inside the Cemetery is 15 miles per hour.

Horses and dogs are not allowed in the Cemetery at any time.

A complete cleanup of all flowers and grave decorations takes place on:

The first Monday in April
The Monday following Memorial Day
The first Monday in November

Fresh cut flowers are permitted any time of the year as long as they are placed in a vase that is permanently attached to a headstone. However, fresh flowers may be removed and discarded when they become unsightly. Artificial (dried, silk or plastic) flowers and any other type of grave decorations (pinwheels, shepherd hooks, craft items, solar lights, etc.) are not permitted from April 1 to November 1 with the exception of holidays. Funeral flowers are discarded when they become unsightly.

Headstones can be either flat or upright, except in two south sections of the Cemetery (Sections 5 in Plat D and E), where only flat headstones are allowed. Those sections are located on the east and west sides of the maintenance building. An upright stone must be at least 12" high, but cannot exceed 4 1/2 feet in height (old

section) or 3 feet in height (new section). All headstones in the old section are required to have a 4" cement mowstrip around the perimeter of the base and all headstones in the new section must have a 6" mowstrip. The combined length of the mowstrip and the headstone cannot exceed 40" per burial space (single headstone) or 80" for two spaces side-by-side (double headstone). Benches are allowed to be set in place of a headstone but must cover two adult spaces. Benches cannot exceed 70" in length and must include at least a 6" perimeter mowstrip around the entire perimeter of the bench. The bench must sit entirely on a stone or concrete base so that there is no open space underneath the bench. Headstones should not be placed earlier than three months following an interment due to settling of the ground. The City requires a 24-hour notice before any headstone can be installed in the Cemetery. Monument companies (or families who chose to set their own headstone) should call 801-546-1235 when they plan to set a headstone in the Cemetery. A permit fee of \$150.00 must be paid prior to setting any headstone in the new section. Failure to obtain a permit will result in a \$1,000.00 fine.

This article comes from Kaysville City
<http://www.kaysvillecity.com/>

The URL for this story is:
http://www.kaysvillecity.com/parks_cemetery.cemetery.html

FRUIT HEIGHTS, UTAH

ORDINANCE NO. 2012-05

**AN ORDINANCE OF THE FRUIT HEIGHTS CITY COUNCIL
ENACTING CHAPTER 8, ARTICLE F RELATING TO THE OPEN
SPACE ZONING DISTRICTS**

WHEREAS, the Fruit Heights City Council, in the interest of public welfare, and to protect the natural resources of the City including open spaces, natural habitat and natural view corridors, desires in the public interest to adopt land use regulations relating to the preservation of open spaces; and

WHEREAS, the Fruit Heights City Council has held the required public hearings and has determined that the adoption and codification of the open space zoning district regulations will be in the public interest and will protect public health and safety;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF FRUIT HEIGHTS CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Adoption and Codification. Chapter 8, Article F of the Fruit Heights City Zoning Ordinance, relating to the open space zoning districts, is hereby adopted and codified to read in its entirety as more particularly set forth in Exhibit A, attached hereto and incorporated herein by reference.

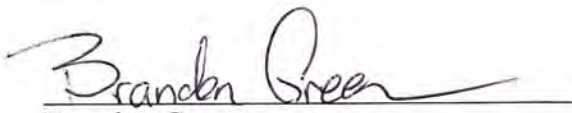
Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This Ordinance shall take effect twenty (20) days after publication or posting or thirty (30) days after passage, whichever occurs first.

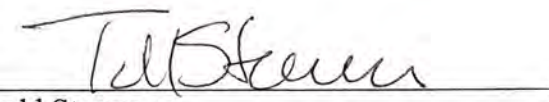
**PASSED AND ADOPTED BY THE CITY COUNCIL OF FRUIT HEIGHTS CITY,
STATE OF UTAH, THIS 1st DAY OF May, 2012.**

FRUIT HEIGHTS CITY

ATTEST:



Brandon Green
City Recorder

By: 

Todd Stevenson
Mayor

CHAPTER 8

ARTICLE F: OPEN SPACE ZONING DISTRICT

10-8F-1: **PURPOSE.** The purpose of the Open Space Zoning Districts is to conserve and protect open spaces, natural landscapes, sensitive environmental areas, and provide recreational areas as set forth in this chapter. The Open Space Zoning Districts are further divided into the following categories:

A. Open Space Conservation District: OSC

The purpose of this zoning district is to conserve significant natural features and open spaces such as mountains, wetlands, stream and river corridors, view corridors, sensitive environmental areas, and natural vegetation.

B. Open Space Recreational District: OSR

The purpose of this zoning district is to provide for land uses set aside for recreational functions or parks.

10-8F-2: **PERMITTED USES.**

A. Permitted uses in the Open Space Conservation District are only those listed in this section. Permitted uses are subject to all other applicable City standards.

Undeveloped natural land.

Trails or pathways.

Access driveways and parking areas for trailheads.

Cemeteries

Public water storage and retention facilities

B. Permitted uses in the Open Space Recreational District are only those listed in this section. Permitted uses are subject to all other applicable City standards.

Parkland including but not limited to playgrounds, playing fields, picnic areas, and public gathering sites.

Trails or pathway systems.

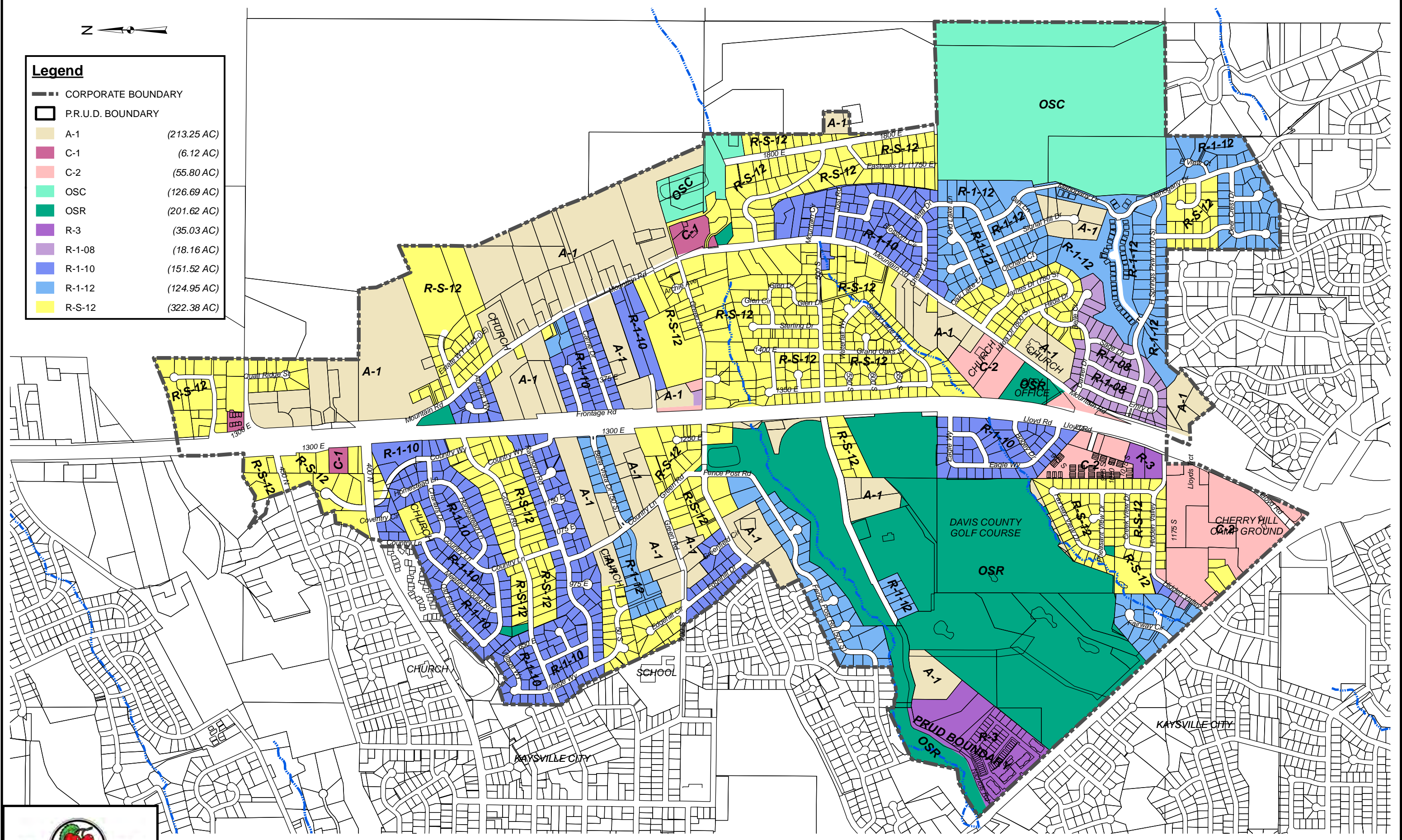
Temporary commercial uses as approved by the City.

10-8F-3: **DEVELOPMENT STANDARDS.**

- A. In order to fulfill the purpose of the Open Space District, all of the land that is not used for the permitted use shall be natural area open space. Natural area open space may include undisturbed natural landscapes or developed parks.
- B. Whenever a portion of property is disturbed by the construction of a permitted use, the disturbed area shall be revegetated around the improvements back to a similar state of the surrounding landscape. All construction and revegetation techniques must be approved by the City.
- C. Land designated as open space can be used as part of a density transfer from other developments, provided the open space being purchased by a developer is privately owned, and not already owned by the public. All open space designations must be in perpetuity.
- D. No residential buildings will be allowed in the Open Space District.



Legend	
	CORPORATE BOUNDARY
	P.R.U.D. BOUNDARY
	A-1 (213.25 AC)
	C-1 (6.12 AC)
	C-2 (55.80 AC)
	OSC (126.69 AC)
	OSR (201.62 AC)
	R-3 (35.03 AC)
	R-1-08 (18.16 AC)
	R-1-10 (151.52 AC)
	R-1-12 (124.95 AC)
	R-S-12 (322.38 AC)



NOTES:

**REZONE PROPOSAL
MARCH 2013**

SCALE:
1 in = 1,000 ft
DATE:
04/12/2013

DESIGNED — SEH
DRAWN — SEH
CHECKED — BKJ



CONSULTING ENGINEERS

1716 East 5600 South
South Ogden, Utah 84403 (801) 476-9767

**FRUIT HEIGHTS CITY CORPORATION
GENERAL PLAN MAPS**

ZONING MAP

SHEET:
1
OF SHEETS
0



© 2013 Google

Google earth

Google earth

feet
meters

