



January 31, 2024

City Council Special Meeting

Information Packet

Agenda Item #1

Consideration to approve the LWCF
Grant Application for the Eastmoor Park
flextrail



Resolution and Meeting Minutes Approval for LWCF Grant Application

Christy Montierth <cmontierth@grantsvilleut.gov>

Thu, Jan 25, 2024 at 3:25 PM

To: Neil Critchlow <ncritchlow@grantsvilleut.gov>

Cc: Braydee Baugh <bbaugh@grantsvilleut.gov>, James Waltz <jwaltz@grantsvilleut.gov>

Mayor,

As part of the ongoing efforts to secure funding for the Eastmoor Park flextrail project through the Land and Water Conservation Fund (LWCF), I would like to bring to your attention a crucial requirement in the grant application process.

The LWCF application necessitates a resolution by the governing body endorsing and approving the grant application. To comply with this requirement, we kindly request the Mayor and City Council approve a resolution supporting our application for LWCF funding. The LWCF stipulates that a certified copy of the meeting minutes reflecting the approval of the resolution be submitted along with the grant application.

Your support and attention to this matter are invaluable as we work towards applying for funds for the Eastmoor Park flextrail project. If you have any questions or require further clarification, please do not hesitate to reach out.

Thank you for your continued commitment to the betterment of our community.

Sincerely,

--

Christy Montierth

Grantsville City

Deputy Public Works Director

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January 31, 2024

RE: Land and Water Conservation Fund Grant Application

Esteemed Selection Committee,

Grantsville City Council would like to express our unanimous and enthusiastic support for the application submitted by our Public Works Department for the Land and Water Conservation Fund (LWCF) grant.

The proposed Eastmoor Park flextrail project aligns seamlessly with Grantsville City's commitment to enhancing public spaces, promoting outdoor recreation, and fostering community well-being. We recognize the importance of creating accessible and inviting spaces for residents to engage in physical activities, connect with nature, and enjoy the numerous health benefits associated with an active lifestyle.

The LWCF grant will play a pivotal role in the successful realization of the Eastmoor Park flextrail, providing essential financial support that will significantly contribute to the overall betterment of our community. The flexibility and inclusivity inherent in the flextrail design resonate with the values we hold dear in Grantsville.

We believe that the Eastmoor Park flextrail project not only enhances our residents' quality of life but also represents a lasting investment in the vitality of our community. As such, we fully endorse and support the City's application for the LWCF grant and affirm our commitment to the successful implementation of this valuable project.

We appreciate the opportunity to partner with the Utah Division of Outdoor Recreation and look forward to expanding the positive impact the Land and Water Conservation Fund grant program has had in our rural community.

Sincerely,

Neil A. Critchlow
Grantsville City Mayor

Agenda Item #2

Consideration of Ordinance 2024-05
amending the Grantsville Land Use and
Management

Codes

**GRANTSVILLE
ORDINANCE 2024-05**

LAND USE UPDATES 2024

**AN AMENDMENT TO THE GRANTSVILLE CITY LAND USE DEVELOPMENT
AND MANAGEMENT CODE**

WHEREAS, Utah Code 10-9a-302 permits the Grantsville City Planning Commission to draft and propose new land use ordinance or amendments to the current land use regulations governing property development in Grantsville City; and

WHEREAS, after a duly noticed public hearing and consideration by the Planning Commission, the Planning Commission has recommended the City Council consider updates to GLUDMC; and

WHEREAS, the Grantsville City Council hereby finds these actions are in the best interest of the City's health, safety and general welfare.

NOW THEREFORE, be it ordained by the Council of the Grantsville, in the State of Utah, as follows:

SECTION 1: **REPEAL** “12.3 Minimum Area” of the Grantsville Land Use Ordinances is hereby *repealed* as follows:

BEFORE REPEAL

12.3 Minimum Area

(1) A planned development proposed for any parcel or tract of land under single ownership or control shall have a contiguous minimum net site area for each zoning district as set forth below:

<u>Zoning District</u>	<u>Minimum Planned Development Size</u>
Agriculture District, A	80 Acres
Rural Residential District, RR-5	20 Acres
Rural Residential District, RR-1	10 Acres
Residential District, R-1-21	10 Acres
Residential District, R-1-12	5 Acres
Multiple Residential District, RM-7	5 Acres

Multiple Residential District, RM-15	5 Acres
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(2) Notwithstanding any provision herein to the contrary, any lot or parcel legally created or existing as of the effective date of this Code (July 15, 1996), that is currently located in a commercial or industrial zoning district, may in the discretion of the Planning Commission and City Council, be developed as a Planned Unit Development, even if said lot or parcel does not contain the above stated minimum net site area, provided said development is determined to comply with the other requirements of this Chapter.

AFTER REPEAL

~~12.3 Minimum Area (Repealed)~~

~~(1) A planned development proposed for any parcel or tract of land under single ownership or control shall have a contiguous minimum net site area for each zoning district as set forth below:~~

<u>Zoning District</u>	<u>Minimum Planned Development Size</u>
Agriculture District, A	80 Acres
Rural Residential District, RR-5	20 Acres
Rural Residential District, RR-1	10 Acres
Residential District, R-1-21	10 Acres
Residential District, R-1-12	5 Acres
Multiple Residential District, RM-7	5 Acres
Multiple Residential District, RM-15	5 Acres

~~(2) Notwithstanding any provision herein to the contrary, any lot or parcel legally created or existing as of the effective date of this Code (July 15, 1996), that is currently located in a commercial or industrial zoning district, may in the discretion of the Planning Commission and City Council, be developed as a Planned Unit Development, even if said lot or parcel does not contain the above stated minimum net site area, provided said development is determined to comply with the other requirements of this Chapter.~~

SECTION 2: **REPEAL** “21.1.9 Definitions” of the Grantsville Land Use Ordinances is hereby *repealed* as follows:

BEFORE REPEAL

21.1.9 Definitions

As used in this chapter:

"Culinary water authority" means the department, agency, or public entity with responsibility to review and approve the feasibility of the culinary water system and sources for the subject property.

"Lot line adjustment" means the relocation of the property boundary line in a subdivision between two adjoining lots with the consent of the owners of record.

"Person" means an individual, corporation, partnership, organization, association, trust, governmental agency, or any other legal entity.

"Plat" means a map or other graphical representation of lands being laid out and prepared in accordance with Utah Code Ann. Section §10-9a-603 (2017), §17-23-17 (2016), or §57-8-13 (2003).

"Record of survey map" means a map of a survey of land prepared in accordance with Utah Code Ann. Section §17-23-17 (2016).

"Sanitary sewer authority" means the department, agency, or public entity with responsibility to review and approve the feasibility of sanitary sewer services or onsite wastewater systems.

"Special district" means an entity established under the authority of Title 17A, Special Districts, and any other governmental or quasi-governmental entity that is not a county, municipality, school district, or unit of the state.

"Specified public utility" means an electrical corporation, gas corporation, telephone corporation, franchise or other quasi-public utility as those terms are defined in Utah Code Ann. Section §54-2-1 (2016).

"Street" means a public right-of-way, including a highway, avenue, boulevard, parkway, road, lane, walk, alley, viaduct, subway, tunnel, bridge, public easement, or other way, and which may be classified as Rural, Residential, Local, Collector, Arterial, and Main Street or as otherwise defined in the Grantsville City Street Master Plan.

"Subdivision" means any land that is divided, resubdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

"Subdivision" includes:

- (1) the division or development of land whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument; and

(2) except as provided for in the following Subsection regarding the division or partition of agricultural land, divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

"Subdivision" does not include:

(1) a bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance;

(2) a recorded agreement between owners of adjoining unsubdivided properties adjusting their mutual boundary if:

(a) no new lot is created; and

(b) the adjustment does not violate applicable land use ordinances; or

(3) a recorded document, executed by the owner of record:

(a) revising the legal description of more than one contiguous unsubdivided parcel of property into one legal description encompassing all such parcels of property; or

(b) joining a subdivided parcel of property to another parcel of property that has not been subdivided, if the joinder does not violate applicable land use ordinances.

(4) The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a subdivision under this Subsection as to the unsubdivided parcel of property or subject the unsubdivided parcel to the municipality's subdivision ordinance.

"Unincorporated" means the area outside of the incorporated area of Grantsville City.

"Zoning Map" means a map, adopted as part of a land use ordinance, that depicts land use zones, overlays, or districts.

AFTER REPEAL

~~21.1.9 Definitions (Repealed)~~

~~As used in this chapter:~~

~~"Culinary water authority" means the department, agency, or public entity with responsibility to review and approve the feasibility of the culinary water system and sources for the subject property.~~

~~"Lot line adjustment" means the relocation of the property boundary line in a subdivision between two adjoining lots with the consent of the owners of record.~~

~~"Person" means an individual, corporation, partnership, organization, association, trust, governmental agency, or any other legal entity.~~

~~"Plat" means a map or other graphical representation of lands being laid out and prepared in accordance with Utah Code Ann. Section §10-9a-603 (2017), §17-23-17 (2016), or §57-8-13 (2003).~~

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~~"Sanitary sewer authority" means the department, agency, or public entity with responsibility to review and approve the feasibility of sanitary sewer services or onsite wastewater systems.~~

~~"Special district" means an entity established under the authority of Title 17A, Special Districts, and any other governmental or quasi-governmental entity that is not a county, municipality, school district, or unit of the state.~~

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~~"Street" means a public right-of-way, including a highway, avenue, boulevard, parkway, road, lane, walk, alley, viaduct, subway, tunnel, bridge, public easement, or other way, and which may be classified as Rural, Residential, Local, Collector, Arterial, and Main Street or as otherwise defined in the Grantsville City Street Master Plan.~~

~~"Subdivision" means any land that is divided, resubdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.~~

~~"Subdivision" includes:~~

~~(1) the division or development of land whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument; and~~

~~(2) except as provided for in the following Subsection regarding the division or partition of agricultural land, divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes:~~

~~"Subdivision" does not include:~~

~~(1) a bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance;~~

~~(2) a recorded agreement between owners of adjoining unsubdivided properties adjusting their mutual boundary if:~~

~~(a) no new lot is created; and~~

~~(b) the adjustment does not violate applicable land use ordinances; or~~

~~(3) a recorded document, executed by the owner of record:~~

~~(a) revising the legal description of more than one contiguous unsubdivided parcel of property into one legal description encompassing all such parcels of property; or~~

~~(b) joining a subdivided parcel of property to another parcel of property that has not been subdivided, if the joinder does not violate applicable land use ordinances.~~

~~(4) The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a subdivision under this Subsection as to the unsubdivided parcel of property or subject the unsubdivided parcel to the municipality's subdivision ordinance.~~

~~"Unincorporated" means the area outside of the incorporated area of Grantsville City.~~

~~"Zoning Map" means a map, adopted as part of a land use ordinance, that depicts land use zones, overlays, or districts.~~

SECTION 3: AMENDMENT “Chapter 2 Definitions” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

Chapter 2 Definitions

Unless the context requires otherwise, the following definitions shall be used in the interpretation and construction of this Code. Words used in the present tense shall include the future; the singular number shall include the plural, and the plural the singular; the word building shall include the word “structure;” the words "used" or "occupied" shall include arranged, designed, constructed, altered, converted, rented, leased, or intended to be used or occupied; the word “shall” is mandatory and not directory, and the word may is permissive; the word “person” includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual; the word “lot” includes the words plot or parcel. Words used in this Code but not defined herein shall have the meaning as defined in any other ordinance adopted by Grantsville City.

(1) “A” FRAME SIGN. Temporary and/or movable sign constructed with two sides attached at the top so as to allow the sign to stand in an upright position.

(2) ABANDONED SIGN. A sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product or activity, and/or for which no legal owner can be found.

(2a) ACCESSORY FARM EMPLOYEE HOUSING (Amendment 8/21/02, complete addition of definition). A single family dwelling providing the principal residence for a Farm employee and the employees' family.

(3) ACCESSORY USE OR BUILDING. A use or building including solar energy systems and renewable energy uses on the same lot with, and of a nature customarily incidental and subordinate to, the principal use of building. An accessory use or building shall include any structure for caretaker, or security housing, or the confinement of animals.

(4) ACTIVE SOLAR SYSTEM. A system of equipment capable of collecting and converting incident solar radiation into heat, mechanical or electrical energy, and transferring these forms of energy by a separate apparatus to storage or to the point of use. It includes water heating, space heating or cooling, electric energy generating or mechanical energy generating and the architectural and engineering design or systems necessary to balance or optimize active components.

(5) AGENT. Any person who can show written proof that he is acting for the property owner and with the property owner's knowledge and permission.

(6) AGRICULTURE. The production of food through the tilling of the soil, the raising of crops, breeding and raising of domestic animals and fowl, except household pets, and not including any agricultural industry or business.

(7) AGRICULTURAL INDUSTRY (AGRICULTURAL BUSINESS). The processing of raw food products by packaging, treating and/or intensive feeding. Agricultural industry includes, but is not limited to, animal feed yards, the raising of fur-bearing animals, food packaging and/or processing plants, commercial poultry or egg production, commercial greenhouses, and similar uses as determined by the Planning Commission.

(8) ALLEY. A public access-way or thoroughfare less than sixteen (16) feet but not less than ten (10) feet in width, which is dedicated or deeded to the public for public use and is designed to give secondary access to lots or abutting properties; an alley shall not be considered a street, for the purpose of this Ordinance.

(9) ALLUVIAL SOILS. Areas subject to periodic flooding as defined in the soil survey prepared by the Soil Conservation Service which encompasses Grantsville City.

(10) ALTERATIONS, SIGN. A change or rearrangement in the structural parts or design whether by extending on a side; increasing in area or height; or by relocation or changing the position of a sign.

(11) ALTERATIONS, STRUCTURAL. Any change in the supporting members of a building, such as bearing walls, columns beams or girders.

(12) AMUSEMENT PARK. Any place of organized amusement activity not conducted wholly within a completely enclosed building, whether a commercial or non-profit enterprise, except temporary celebrations sanctioned by the City Council by a special permit.

(13) ANIMAL CLINIC (ALSO ANIMAL HOSPITAL). Any building or portion thereof designed or used for the care or treatment of animals or fowl, and/or in which veterinary service is provided or is available.

(14) ANIMATED SIGN. (See and also note the difference from changeable sign) A sign or display manifesting either kinetic or illusionary motion occasion by natural, manual, mechanical, electrical, or other means. Animated signs include the following types:

(a) Naturally Energized - Signs whose motion is activated by wind or other atmospheric impingement. Wind-driven signs include flags, banners, pennants, streamers, metallic disks, or other similar devices designed to move in the wind.

(b) Mechanically Energized - signs manifesting a repetitious pre-programmed physical movement or rotation in either one or a series of planes activated by means of mechanical based drives.

(c) Electrically energized - Illuminated signs whose motion or visual impression of motion is activated primarily by electrical means. electrically energized animated signs are of two types:

(1) Flashing Signs - Illuminated signs exhibiting a preprogrammed repetitious cyclical interruption of illumination from one or more sources in which the duration of the period of illumination (on phase) is either the same as or less than the duration of the period of darkness (off phase, and in which the intensity of illumination varied from zero (off) to 100 percent (on) during the programmed cycle.

(2) Illusionary Movement Signs - Illuminated signs exhibiting the illusion of movement by means of a pre-programmed repetitious sequential switching action in which illuminated elements of the sign are turned on or off to visually simulate the impression of motion characteristic of chasing, running, blinking, oscillating, twinkling, or expanding and contracting light patterns.

(15) APPURTENANCES. Appendages and incidental details on buildings are to be allowed such as building projections, coverings for mechanical equipment, etc.

(16) ARCHITECTURAL PROJECTION. Any building or structural projection which is not intended for occupancy and which extends beyond the face of an exterior wall of a building or structure, but not including signs.

(17) AUTOMOTIVE BODY AND FENDER SHOP. A facility for major automobile, truck, mobile home, recreational coach or recreation vehicle repairs to body, frame or fenders, and including rebuilding.

- (18) AUTOMATIC CAR WASH. A facility for automatic or self-service washing and cleaning of automobiles and small trucks not exceeding 1 & 1/2 tons capacity.
- (19) AUTOMOBILE PAINT SHOP. A facility for painting of automobiles, trucks, trailers, boats, or other travel or recreation vehicles or unit.
- (20) AUTOMOBILE REPAIR FACILITY OR SERVICE STATION. A place where gasoline or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and repair services performed may include tube and tire repair, battery charging, storage of merchandise, and tune-up of automobiles, including major auto repair.
- (21) AUTOMOBILE SALES AREA. An open area used for display, sale, or rental of new or used motor vehicles, mobile homes, recreational coaches, or recreation vehicles in operable condition.
- (22) AUTOMOTIVE SALVAGE YARD (AUTOMOBILE WRECKING OR PROCESSING YARD). A lot or portion thereof used for the storage, dismantling, demolition, or abandonment, other vehicles, other machinery, or parts thereof.
- (23) AUTOMOBILE SELF SERVICE STATION. A place where gasoline or any other motor fuel for operating motor vehicles is offered for sale and is dispensed to the vehicle by the purchaser, the self service station may be independent or in conjunction with a retail store.
- (24) AUTOMATIC TRUCK WASH. A facility for automatic self-service washing or cleaning of trucks exceeding 1/2 tons capacity.
- (25) AVERAGE SLOPE. An expression of rise or fall in elevation along a line perpendicular to the contours of the land connecting the highest point of land to the lowest point of land within a lot or building area. A vertical rise of 100 feet between two points 100 feet apart measured on a horizontal plane is 100 percent slope.
- (26) AWNING. A shelter projecting from and supported by the exterior wall of a building constructed of non rigid materials on a supporting framework. (Compare "Marquee")
- (27) AWNING SIGN. A sign painted on, printed on, or attached flat against the surface of an awning.
- (28) BACK LIT AWNING. (see "Electric Awning Sign")
- (29) BANNER SIGN. A Sign made of fabric or any non rigid material with no enclosing framework.
- (30) BASEMENT. A story whose floor is more than 12 inches below the average level of the adjoining ground, but where no more than 1/2 of its floor-to-ceiling heights is below the average contact level of the adjoining ground. A basement shall be counted as a story for purposes of height measurement, and as a half-story for the purpose of side-yard determination.

(31) BASEMENT HOUSE. A residential structure without a full story structure above grade.

(32) BEGINNING OF CONSTRUCTION. The excavation or re-contouring of the site.

(33) BIKE PATH (BIKE TRAIL, BIKE LANE). A right-of-way designed and constructed for use by bicycles and not intended for use by pedestrians or motor vehicles of any kind. A bike path may be located within or without a street right-of-way, at grade, or at grade separated from vehicular traffic. Bike lanes may also be included as a part of a street.

(34) BILLBOARD. (see "Off-Premise Sign").

(35) BLOCK. The land surrounded by streets or other rights-of-way, other than an alley, or land which is designated as a block on any recorded subdivision plat.

(36) BOARDING HOUSE. A dwelling where, for compensation, meals are provided for a least 3 but not more than 15 persons.

(37) BUILDABLE AREA. The portion of a lot remaining after required yards have been provided, except that land with an average grade exceeding 15 percent shall not be considered geotechnically buildable unless it is approved by conditional use permit.

(38) BUILDING. Any structure used or intended to be used for the shelter or enclosure of persons, animals, or property.

(39) BUILDING, ACCESSORY. A building which is subordinate to, and the use of which is incidental to that of the main building or use of the same lot.

(40) BUILDING, HEIGHT OF. The vertical distance from the average natural grade surface at the foundation, to the highest point of the building roof or coping.

(41) BUILDING OFFICIAL. The person designated or appointed as the Building Official for Grantsville City by the City Council.

(42) CAMPGROUND. A public area designated by a public agency for camping, or a private area licensed by the City Council for camping.

(43) CAMPING. A temporary establishment of living facilities such as tents or recreational coaches as regulated by this Code.

(44) CANOPY (BUILDING). A rigid multi-sided structure that may or may not be illuminated by means of internal or external sources, covered with fabric, metal or other material and supported by a building at one or more points or extremities and by columns or posts embedded in the ground at other points or extremities. (compare "Marquee")

(45) CANOPY (FREESTANDING). A rigid multi-sided structure that may or may not be illuminated by means of internal or external sources, covered with fabric, metal or other material and supported by columns or posts embedded in the ground.

(46) CANOPY SIGN. A sign affixed or applied to the exterior facing surface or surfaces of a building or freestanding canopy.

(47) CARPORT. A private garage not completely enclosed by walls or floors. For the purposes of this Code, a carport shall be subject to all the regulations prescribed for a private garage.

(48) CELLAR. A room or rooms having more than 50 percent of the floor to ceiling height under the average level of the adjoining ground.

(49) CHANGEABLE SIGN. A sign whose informational content can be changed or altered by manual or electric, electro-mechanical, or electronic means. Changeable signs include the following types:

(a) Manually Activated - Signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered by manual means.

(b) Electrically activated - signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments. Includes the following two types:

(1) Fixed Message Electronic Signs - Signs whose basic informational content has been pre-programmed to include only certain types of information projection, such as time, temperature, predictable traffic conditions, or other events subject to prior programming.

(2) Computer controlled ariable Message electronic Signs - Signs whose informational content can be changed or altered by means of computerized driven electronic impulses.

(c) Mobile, Changeable Copy Sign - A sign mounted on a trailer, frame or legs, lighted or unlighted, box or "A" frame and shall have changeable lettering.

(50) CHIEF EXECUTIVE OFFICER. The Mayor in municipalities operating under all forms of municipal government, or the City Manager in municipalities operating under the Council-Manager form of municipal government.

(51) CHILD NURSERY (DAY CARE CENTER). An establishment for the care and/or the instruction of 5 or more children, for compensation, other than for members of the family residing on the premises, but not including a public school.

(52) CHURCH. A building, together with its accessory buildings and uses, maintained and controlled by a duly recognized religious organization where persons regularly assemble for worship and religious instruction.

(53) CITY COUNCIL. The elected legislative body of Grantsville City.

(54) CLEARVIEW ZONE. The area of a corner lot closest to the intersection which is kept free of impairment to allow full view of both pedestrian and vehicular traffic. Such area is established by marking a point at which the two curb lines intersect, measuring back forty (40) feet along each street, and drawing a line between the two back points to form a triangular area.

(55) CLINIC, DENTAL OR MEDICAL. A building in which a group of dentists, physicians, and/or allied professionals in the healing arts are associated for the conduct of their professions. The clinic may include a dental and/or medical laboratory and an apothecary, but it shall not include in-patient care or operating rooms for major surgery.

(56) CLUB, PRIVATE. A social, recreational, or athletic club or similar association or corporation incorporated under the provisions of the Utah Non-Profit corporation and Co-operation Act for the above-stated purposes, which maintains or intends to maintain premises upon which alcoholic beverages are or will be stored, consumed or sold, and which for that reason is required to be licensed by the State.

(56.1) COMMERCIAL DRIVEWAY. A driveway providing vehicular access to property used for purposes other than residential.

(57) COMMERCIAL STORAGE SHEDS. A facility that rents indoor storage spaces which do not exceed 20 x 15 in size that are enclosed in a structure with one or more units, and/or outdoor storage space (RV storage, boat storage, etc.).

(58) COMMON AREA. Any area or space designed for joint use of residents of a mobile home park, condominium, apartment complex, etc.

(59) COMPATIBLE WITH RESIDENTIAL. Compatibility will be measured by whether or not the proposed development adversely impacts the quality of life in the area. Property values must be sustained or enhanced as opposed to diminishing values; the effects of ultimate traffic on streets will be considered rather than complaints that a new development will increase unwanted traffic; improvements in the infrastructure will be considered as to how and who pays for them; positive contributions to the financing of needed improvements will be weighed against the assessment on existing residential developments; proximity of possible impacts will be evaluated and non-directly impacted citizens will be considered in the group of the general citizenry. Also considered will be relief from the monotonous, somewhat uniform subdividing of the countryside will be considered a positive factor if it provides an aesthetic relief.

(60) COMPREHENSIVE PLAN. (See General Plan).

(61) CONDITIONAL USE. This means a land use that, because of its unique characteristics or potential impact on Grantsville city, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts. (A use of land for which a conditional use permit is required, pursuant to this Code.)

(62) CONDOMINIUM. The ownership of a single unit in a multi-unit project, together with an undivided interest in common in the common areas and facilities of the property as provided by state law. A condominium-development is comparable to a subdivision in that each development is characterized by multiple individual ownership in a single development. In a condominium development the multiple individual ownership are in structures, whereas in subdivision such ownership are in land. For regulation purposes the development of a condominium project is treated by Utah State law and by this code as a subdivision, and condominium developments must comply with the subdivision regulation of this Code.

(63) CONSERVATION STANDARDS. Guidelines and specifications for soil and water conservation practices and management, enumerated in the Technical Guide prepared by the USDA Soil Conservation Service, adopted by the Soil and Water Conservation District supervisors, and containing suitable alternatives for the uses and treatment of land based upon its capabilities, from which the land-owner selects that alternative which best meets his needs in developing his soil and water conservation plan.

(64) CONSTRUCTION SIGN. A temporary sign identifying an architect, contractor, subcontractor, and/or material supplier participating in construction on the property on which the sign is located.

(65) CONVENIENCE STORE. A one story commercial retail operation containing less than 2,500 square feet of gross floor area, designed and stocked to sell primarily food, beverages, limited variety of goods for personal consumption, and other household supplies to retail customers who purchase only a relatively few items as well as gasoline and car care items.

(66) COPY, SIGN. The graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic or alphabetic form.

(67) CORRAL. A space, other than a building, less than one acre in area or less than 100 feet in width, used for the confinement of animals or fowl.

(68) COURT, BUILDING. An open, unoccupied space, other than required yard, on the same lot with a building or group of buildings, and which is bounded on two or more sides by such building or buildings.

(69) COUNTY. Means the unincorporated area of Tooele County.

(70) CROSSWALK OR WALKWAY. A right-of-way designed for use by pedestrians and not intended for use by motor vehicles of any kind; a crosswalk or walkway or pedestrian- way may be located within or without a street right-of-way, at grade, or grade-separated from vehicular traffic.

(71) CUL-DE-SAC. A street which is designed to remain permanently closed at one end, with the closed end terminated by a vehicular turnaround. For purposes of this code, the length of a cul-de-sac shall be measured from the centerline of the intersecting street along the centerline of the cul-de-sac, to a point to the center of the cul-de-sac.

(72) CULINARY WATER FACILITIES. Water supply lines, pumps, springs, wells, and/or any other physical facilities necessary to provide a supply of culinary water to a use in sufficient quantity and of approved quality to meet the standards of State of Utah Rules for Public Drinking Water Systems and this Code.

(73) DAIRY. A commercial establishment for the manufacture, processing or packaging of dairy products, and their sale. For purposes of definition, the production of milk on a farm for wholesale marketing off the premises shall not classify the farm as a dairy.

(74) DENSITY. Density is a measure of the number of dwelling units per acre. It shall be expressed dwelling units per acre (DU/acre). Unbuildable land (as defined by the Planning Commission) is land with a slope greater than 25%, subject to inundation, or other geological hazards.

(75) DESIGN, SUBDIVISION. The design includes: alignment, grade and width for easements and rights-of-way for utilities; the grading and general layout of lots and streets within the area; location of land to be dedicated for park and/or recreational purposes; and, such specific requirements in the plan and configuration of the entire subdivision as may be necessary or convenient to insure conformity to or implementation of applicable general or specific plans.

(76) DEVELOPER. Any person, firm, partnership, corporation or association who causes improvements to be constructed, land use to be changed, or land to be subdivided for himself/herself or others.

(77) DEVELOPMENT (LAND). The conversion or alteration of use or physical characteristics of land; placing improvements on the land; or putting land to intensive use such as a subdivision, P.U.D., mobile home park, recreation vehicle park, shopping center, industrial park, excavation, etc.

(78) DIAGONAL TIE. Any tie down designed to resist horizontal or shear forces and which deviates not less than 30 degrees from a vertical direction.

(79) DIRECTION/INFORMATION SIGN. An on-premise sign giving directions, instructions, or facility information and which may contain the name or logo of an establishment, but no advertising copy, e.g., parking or exit and entrance signs. may contain logo provided that the logo may not comprise more than 20% of the total sign area. May include information about sales of agricultural products produced upon the premises.

(80) DISTRICT (ALSO ZONE OR ZONING DISTRICT). A portion of the territory of Grantsville City established as a zoning district by this Code, within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Code.

(81) DOUBLE-FACED SIGN. A sign with two faces diverged from a common angle of not more than 45 degrees or back-to-back

(82) DRIVEWAY. An area on private property providing access for motor vehicles to a public right-of-way or private street.

(82.1) DRIVEWAY APPROACH. The improved area between the roadway of a public street and private property intended to provide access for motor vehicles to a well-defined area on private property.

(82.2) DRIVEWAY WIDTH. The width of the driveway measured at the right-of-way parallel with the roadway centerline.

(83) DWELLING. Any building or portion thereof designed or used as the principal residence of sleeping place of one or more persons or families, but not including a tent, a recreational coach, hotel, motel, hospital, or nursing home.

(84) DWELLING, FOUR FAMILY (FOUR-PLEX). A building containing only four dwelling units.

(85) DWELLING GROUP. A group of two or more detached buildings used as dwellings, located on a lot or parcel of land.

(86) DWELLING, MULTIPLE FAMILY. A building containing more than one dwelling unit.

(87) DWELLING, SINGLE FAMILY. A building containing only one dwelling unit.

(88) DWELLING, THREE FAMILY (TRIPLEX). A building containing only three dwelling units.

(89) DWELLING, TWO FAMILY (DUPLEX). A building containing only two dwelling units.

(90) DWELLING UNITS. One or more rooms in a dwelling, apartment complex, hotel, or motel, designed for and/or occupied by family for living or sleeping purposes and having but not more than kitchen or set of fixed cooking facilities, other than hot plates or other portable cooking units.

(91) EASEMENT. That portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner(s) of said property(ies). The easement may be for use on, under, or above said lot or lots.

(92) ELDERLY PERSON. Means a person who is 60 years old or older, who desires or needs to live with other elderly persons in a group setting, but who is capable of living independently.

(93) ELDERLY RESIDENTIAL FACILITY. A single family or multiple family dwelling unit that meets the requirements of Utah Code Annotated Title 17-27-501 and any ordinance adopted under authority of that part. An elderly residential facility does not include a health care facility as defined by Utah Code Unannotated Section 26-21-2.

(94) ELECTRIC, MOBILE HOME PARK. All of the electrical wiring, fixtures, equipment and appurtenances related to electrical installations within a mobile home park feeder assembly.

(95) ELECTRIC AWNING SIGN. (also "Back Lit Awning"). An internally illuminated fixed space-frame structure with translucent, flexible reinforced covering designed in awning form and with graphics or copy applied to the visible surface of the awning.

(96) ELECTRICAL SIGN. A sign or sign-structure in which electrical wiring, connection, or fixtures are used.

(97) ELECTRONIC MESSAGE CENTER. (see "Changeable Signs, Electrically Activated")

(98) ENVIRONMENTAL IMPACT ASSESSMENT. A report which describes, by means of written narrative as well as maps, a geographical area in terms of existing; slope, soils, water, courses, water table, flood hazard areas, geologic hazards, vegetative types, wildlife, wildlife habitat, and essential urban services presently available. The report includes a tabulation of proposed population, density, and the numbers and types of proposed dwellings and other buildings and spaces to be occupied at full development. The report further describes by means of written narrative as well as maps the impact of the proposed development on the following specific subject areas once the anticipated population density is achieved within the area to be developed; water courses and reservoirs, natural vegetation, wildlife, erosion, topsoil, sedimentation of water courses and reservoirs, slope stability, dust, fire potential, accumulation of solid waste or liquid wastes, and the need and desire for urban services. The report also evaluates the potential area- wide economic impact of the development on both private and public economic sectors and the potential impact on school, public utility, and transportation systems. Finally, the report recommends measures which, if undertaken, will mitigate or obviate the adverse impacts resulting from construction of the proposed development, and discusses the benefits to be gained from such development, and what adverse impacts cannot be avoided and the extent of their detrimental influence.

(99) ESSENTIAL FACILITIES. Those facilities which are common to the community and essential for servicing the residents and businesses; utilities, radio and television stations (transmitting only), cable TV, sanitation, health and public safety for overhead, surface or underground services, and such other necessary uses as may be approved by the City Council by resolution, but excluding any building, electrical sub-station, or transmission line of 50 kv or greater capacity.

(100) EXCAVATION. Any disruption of the soil mantle and/or manmade surfacing of the same. Excavations may be either in the nature of a process or a use. Excavations undertaken for the purpose of preparing a site for an ultimate land use or for repairing or constructing urban service facilities are processes; whereas excavations such as gravel pits, quarries or mines are uses which require specific use authorization in the zoning district where located, in addition to a conditional use permit if such is required.

(101) FACADE. The entire building front including the parapet.

(102) FACE OF A SIGN. The area of a sign on which the copy is placed.

(103) FAMILY. One individual, or two or more persons related by blood, marriage, or adoption, living together in a single dwelling unit and maintaining a common household. a family may include four, but not more than four, non-related persons living with the residing family, the term family shall not be construed to mean a group of non-related individuals, a fraternity, club, or institutional group.

(104) FAMILY FOOD PRODUCTION. The raising of animals for family food production, and horses, on adequate sized lots in appropriate locations. At least 10,000 square feet shall be provided for each large animal (horse, cow, etc.) At least 4,000 square feet shall be provided for each medium sized animal (pig, sheep, etc.). At least 500 square feet shall be provided for each small animal (rabbits, poultry, etc.) No animal shall be allowed to come closer than 100 feet from any dwelling. Not to include applicant dwelling, gross land area to be used.

(105) FARM OR RANCH. (Farm portion amended 8/21/02 to add farm employee housing) A parcel of land used primarily for agriculture uses and including accessory farm employee housing which must be located on the farm and shall not be divided or sold separately from the farm. A ranch is a parcel of land in an Agricultural zoning district which is used primarily for ranching purposes, such as grazing of livestock or other non- vegetative or fruit agricultural use.

(106) FEED YARD. An agricultural industry in which animals or fowls are kept and intensively fed in relatively restricted area, as contrasted with open pasturage.

(107) FEEDER ASSEMBLY. The overhead or under-chassis feeder conductors, including the grounding conductor, together with the necessary fittings and equipment, or a power supply cord listed for mobile home use, designed for the purpose of delivering energy from the source of electrical supply to the distribution panel board within the mobile home.

(108) FESTOONS (SIGN). A string of ribbons, tinsel, small flags, or pinwheels.

(109) FINAL PLAT. A plat map prepared in accordance with the provisions of this Code, which is designed to be placed on record in the office of the County Recorder.

(110) FIRE FIGHTING FACILITIES. Such water supply, water lines, fire hydrants and other protective devices as may be required in accordance with the provisions of this Code.

(111) FLASHING SIGN. (see "Animated sign, Electrically Energized").

(112) FLOOD HAZARD. A hazard to land or improvements due to inundation or overflow water having sufficient velocity to transport or deposit debris, scour the surface soil, dislodge or damage buildings, or erode the banks of water courses.

(113) FLOODLIGHTED SIGN. (see "Illuminated Sign").

(114) FLOOD PLAIN. Areas adjoining any streams, ponds or lakes which are subject to 100 year recurrence interval floods on maps prepared for the National Flood Insurance Program, or a study conducted by anyone else expert and experienced in the preparation of hydrological studies and the determination of flood lines.

(115) FLOOD PLAIN SOILS. Areas subject to periodic flooding and listed in the soil survey prepared by the Soil Conservation Service which encompasses Grantsville City as being on the floodplain or subject to flooding.

(116) FLOOD WAY. An area designated by the Planning Commission and City Council as subject to periodic inundation.

(117) FLOOR AREA. The sum of the areas of the several floors of the building or structure, including areas used for human occupancy or required for the conduct of the business or use, and basements, attics and penthouses, as measured from the exterior faces of the walls. It does not include cellars, solar green houses and/or other solar equipment appurtenant to a solar energy system, unenclosed porches, attics not used for human occupancy, nor any floor space in an accessory building or in the main building intended or designed for the parking of motor vehicles in order to meet the parking requirements of this Code, or any such floor space intended and designed for accessory heating and ventilating equipment.

(118) FREESTANDING SIGN. A sign supported permanently upon the ground by poles or braces and not attached to any building.

(119) FRONT YARD SETBACK. That part of a lot that fronts a public or private street, road or highway, extending the full width of the lot, which is between the front property line and a building. The depth of the front yard is measured from the front property line to the front of the eaves or the front line of the building whichever is closer to the front lot line. Unenclosed stoops (porches) no larger than six foot by six foot or less is not considered the front line of a building.

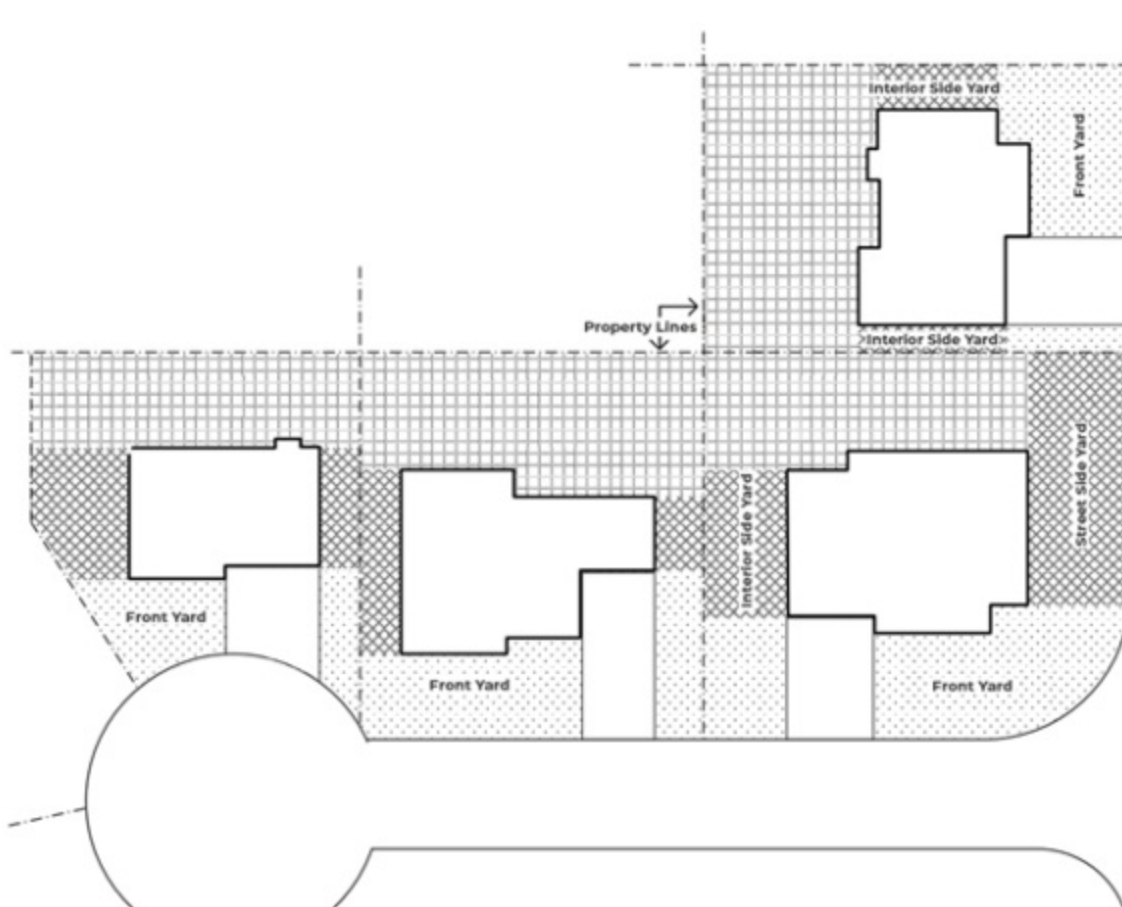
(120) FRONTAGE. All property fronting on side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end street, or political subdivision boundary, measured along the street line. all intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts, or that common line between a lot and a public street. Street lines across which access is denied or cannot be had because of topography or for other reasons shall not constitute frontage for purposes of this Code.

(121) FRONTAGE, BLOCK. All property fronting on one (1) side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end streets, or political subdivision boundary, measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts, or that common line between a lot and a public street.

(122) FRONTAGE, BUILDING. The length of an outside building wall on a public right-of-way or an approved private road.

(123) FRONTAGE, LOT. The lineal measurement of the front lot line.

(123a) FRONT YARD. The permeable area between the front lot line and the front facade of the main building and extending for the full width of the lot.



(124) GARAGE, PRIVATE. An accessory building designed and/or used for the storage of motor vehicles owned and used by the occupants of the building to which it is accessory, provided that a garage shall be considered part of the dwelling if the garage and dwelling have a roof or wall in common.

(125) GARAGE, PUBLIC. A building or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, hiring, selling, leasing, renting or storing motor vehicles.

(126) GARAGE, REPAIR. A structure or portion thereof, other than a private garage, used for the repair of self-propelled vehicles, trailers, or boats, including general repair, rebuilding or reconditioning of engines, motor vehicles, recreational coaches, and minor collision service, but not including major body, frame or fender repairs or overall automobile or truck painting, except by conditional use permit. A repair garage may also include incidental storage, care washing, or sale of automobiles.

(127) GENERAL PLAN. Means a document that a municipality adopts that sets forth general guidelines for proposed future development of the land within Grantsville City (2.1.9). General Plan also includes what is commonly referred to as a "master plan", or "comprehensive plan".

(128) GEOLOGIC HAZARD. A hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property, or improvements, due to the movement, failure, or shifting of the earth, Geologic hazards include but are not limited to; rockfills, slide areas, flood plains, fault lines, high water table, and ground water problems, such as liquefaction, etc.

(129) GOVERNING BODY. Means the city council of Grantsville City.

(130) GOVERNMENT SIGN. Any temporary or permanent sign erected and maintained by the City, County, State, or Federal government for traffic direction, or designation to any school, hospital, historical site, or public service property, or facility.

(131) GRADE (LOT GRADE, FINISHED GRADE).

(a) For buildings adjoining one street only, the elevation of the sidewalk at the center of the wall adjoining the street.

(b) For buildings adjoining more than one street, the average of the elevations of the sidewalk at the centers of all walls adjoining the streets.

(c) For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the centers of all exterior walls of the building.

(d) Any wall parallel or nearly parallel to and not more than 5 feet from a street line is to be considered as adjoining the street.

(132) GROUND ANCHOR. Any device at the mobile home stand designed for the purpose of securing a mobile home to the ground.

(133) GROUND SIGN (also "Blade Sign"). A sign which is anchored to the ground similar to a pylon or freestanding sign, but which has a monolithic or columnar line and which maintains essentially the same contour from grade to top. Height and setbacks are to be the same as for freestanding signs.

(134) GROUP HOMES. A home for certain handicapped or elderly persons as defined by Utah State law as being permitted in residential areas of Grantsville City by conditional use permit. (see Elderly, and Handicapped)

(135) HANDICAPPED PERSON. Means a person who has a severe, chronic disability attributable to a mental or physical impairment, or to a combination of mental and physical impairments, that is likely to continue indefinitely and that results in a substantial functional limitation in three or more of the following areas of major life activity; self-care, receptive and expressive language, learning, mobility, self-direction or sequence of special economic self-sufficiency; and, requires a combination or sequence of special interdisciplinary or generic care, treatment, or other services that are individually planned and coordinated to allow the person to function in, and contribute to a residential neighborhood.

(136) HANDICAPPED RESIDENTIAL FACILITIES. A single family dwelling or multiple-family dwelling unit that meets the requirements of Part 6 and any ordinance adopted under authority of that part.

(137) HEIGHT (of a Sign). The vertical distance measured from the highest point of the sign, excluding decorative embellishment, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less. (compare "Clearance")

(138) HOME OCCUPATION. (Amended 7/97) A secondary use conducted upon property used primarily for residential occupancy, which is carried on by persons residing thereon. Such a use must be clearly incidental and secondary to the use of the property for residential purposes and that does not change the character thereof. A home occupation shall not be authorized to use advertising, except as otherwise permitted herein. No public display related to a home occupation shall be authorized and no noise may be created which is audible at the boundaries of the premises. The intent of this definition is that the conditional use permit approving any home occupation shall assure that the character of the premises and of the neighborhood will remain in harmony with the general intent of the zoning district and that, where uncertainty exists, neighborhood residential values shall be considered paramount.

(139) HOSPITAL. An institution providing health services, primarily for in-patients, and medical or surgical care of the sick or injured, including as an integral part of the institution such related facilities as laboratories, out-patient departments, training facilities, central service facilities, and staff offices.

(140) HOTEL. A building designed for or occupied as the more or less temporary abiding place of 16 or more individuals who are lodged for compensation, with or without meals.

(141) HOUSEHOLD PETS. Animals or fowl ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats, and canaries, but not normally dangerous animals, such as lions or tigers. This definition shall not include a sufficient number of dogs as to constitute a kennel as defined in this code.

(142) IDENTIFICATION SIGN. A sign whose copy is limited to the name and address of a building, institution, or person and/or to the activity or occupation being identified.

(143) ILLEGAL SIGN. A sign which does not meet the requirements of this code and which has not received non-conforming status.

(144) ILLUMINATED SIGN. A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

(145) IMPERVIOUS SURFACE. Impervious surfaces are those that do not absorb precipitation (water) and thus cause ponding and/or runoff. All buildings, parking areas, driveways, roads, sidewalks, and any areas in concrete and asphalt shall be considered impervious surfaces within this definition. In addition, other areas determined by the city engineer to be impervious within the meaning of this definition will also be classed as impervious surfaces.

(146) IMPERVIOUS SURFACE RATIO. The impervious surface ratio is a measure of the intensity of land use. It is determined by dividing the total area of all impervious surfaces within the site by the Base Site Area.

(147) IMPOUND/SECURITY LOT. A security lot fenced with or without guard dog and illuminated, where police or privately impounded vehicles may be kept for legal evidence or other purposes or while awaiting repairs. Normally where damaged vehicles are taken after an accident.

(148) IMPROVEMENTS. Work, objects, devices, facilities, or utilities required to be constructed or installed in a land development. Such improvements may include, but are not limited to, street construction to required standards, water facilities, sewer facilities, sidewalks, curbs and gutters, drainage facilities, street trees, street signs, street lights, traffic control or safety devices, fire hydrants, and such other facilities or construction required by this Ordinance, subdivision regulations, or by the Planning Commission and/or City Council for the necessary proper development of the proposed land development.

(149) IMPROVEMENTS AGREEMENT (DEVELOPMENT AGREEMENT). An agreement between Grantsville City and a developer, wherein the developer agrees to install improvements required by this Code, subdivision regulations, or by the Planning Commission and/or City Council for the necessary proper development of the proposed land development.

(150) INCIDENTAL SIGN. A small sign, emblem, or decal informing the public of goods, facilities, or services available on the premises, e.g., a credit card sign or a sign indicating hours of business.

(151) INOPERATIVE VEHICLE OR TRAILER. Any vehicle or trailer that due to mechanical, electrical, structural problems, or lack of maintenance, cannot operate as it was originally constructed and designed to do or should not be operated due to conditions rendering it as unsafe. This includes any vehicle or trailer that is not currently licensed or which its operation is in violation of local, state and federal laws.

(152) INTEGRATED DEVELOPMENT PLAN. Comprehensive management for best assurance of maintaining standards and conditions of approval is the intent in the administration of a conditional use permit. Therefore every assurance will be required to maximize the meeting of the community's performance standards and minimize the problems of their enforcement through approved comprehensive management plans which have been prepared by the applicant and approved by the City Council. Single responsible management is felt crucial to consistent care and observance of binding regulations in assuring compatibility with the surrounding area of certain developments negotiated with the community. Agreed upon penalties for violations of the management plan are considered an important integral part of enforcement.

(152a) INTERIOR SIDE YARD. The permeable and visible (not impeded by a fence) area between the lot line and the side facing facade of the main building as illustrated in Drawing 1 (see definition for Front Yard).

(153) JUNK. Any salvaged or scrap copper, brass, iron steel, metal, rope, rags, batteries, paper, wood, trash, plastic, rubber, tires, waste, or other articles or materials commonly designed as junk. Junk shall also mean any dismantled, wrecked or inoperable motor vehicles or parts thereof which remain in such condition for a period of time in excess of sixty days. An automobile, truck or bus shall be considered as inoperable if it is parked or stored on property outside of an enclosed garage and is not currently registered and licensed in this state or another state.

(154) JUNK YARD. The use of any lot, portion of a lot, or tract of land for the storage, keeping or abandonment of junk, including scrap metals or other scrap material, or for the dismantling, demolition or abandonment of automobiles, or other vehicles, or machinery or parts thereof, provided that this definition shall be deemed not to include such uses which are clearly accessory and incidental to any agricultural use permitted in the district.

(155) KENNEL. Any premises where 3 or more dogs older than 4 months are kept.

(156) LAND, AGRICULTURAL. (Amended 8/21/02 to remove term “not including non-conforming uses”). Land used for bona fide agricultural purposes.

(157) LAND, COMMERCIAL. Land used for bona fide commercial purposes, or which is projected for commercial use by the master plan or the zoning ordinance adopted by Grantsville City, except legally existing non conforming uses in areas designated commercial in such ordinance.

(158) LAND DEVELOPMENT STANDARDS. Adopted construction standards, including but not limited to: drawings, tables, charts and references which have been adopted by the City Council by resolution and which set standards for the construction of improvements to land and which regulate said construction of improvements to land.

(159) LAND, INDUSTRIAL. Land used for bona fide industrial purposes or which is projected for industrial use by the general plan or the zoning ordinance adopted by Grantsville City, except legally existing non conforming uses in areas designated industrial in such ordinance.

(160) LAND USE INTENSITY. The degree to which land is used by man ranging from no use to unremitting, continual and concentrated use of the land. Land use intensity is normally measured by: type of use (i.e., agricultural, residential, commercial or industrial; period of use in average hours per day; numbers of humans, associated animals, and machines which occupy the land during the average hours of use; and the percent of the land covered by man-made structures.

(161) LANDSCAPING (LANDSCAPED). Means the planting, paving and dressing of finished graded earth (dirt) including retaining walls, trees, ground cover, perennial plants and annual plants, etc., and together with an (automatic) irrigation system to maintain the plants alive and flourishing for the length of time the plantings are to be maintained if not in perpetuity.

(162) LATERAL SEWER. A sewer which discharges into another sewer and has only sewer inlets from buildings and structures tributary into it.

(163) LEGISLATIVE BODY. Means the City Council.

(164) LIGHT MANUFACTURING. Only those processes which clearly do not threaten the natural environment with any more pollution than that normally experienced in the neighborhood or immediate vicinity may be considered light manufacturing and permitted in an area. Uses such as electronics, non-toxic welding or soldering of small items, assemblage of relatively small portable devices, highly controlled testing, and small area accessory warehouses or storage facilities to accommodate the in-house manufactured items with their associated stocks of supplies area allowed.

(165) LIGHT VEHICLE OR EQUIPMENT MAINTENANCE. The performance of routine maintenance tasks such as: changing the oil, checking tire pressure, replacing water hoses, etc., which do not involve the removal, repair or replacement of major mechanical, electrical, hydraulic, pneumatic, or components of the vehicle.

(166) LODGING HOUSE. A dwelling with not more than 10 guest, rooms where, for compensation, lodging is provided for at least 3 but not more than 15 persons, but not including motels or hotels.

(167) LOT. A parcel or unit of land abutting a public street or approved private street, described by metes and bounds and held or intended to be held in separate lease or ownership, or a parcel or unit of land shown as a lot or parcel on a subdivision plat map, planned unit development plat map, or condominium lot map, provided it is created pursuant to this Code.

(168) LOT AREA. The area contained within the property lines of the individual parcels of land shown on a subdivision plat or required by this Code, excluding any area within an existing street right-of-way, or any area required as open space under this Code, and including the area of any easements.

(169) LOT AREA PER DWELLING UNIT, AVERAGE. The average lot area for all dwelling units of a single type. Individual lots may be smaller or larger than the average, provided that the average size is maintained and that all other standards of this Code are met.

(170) LOT, CORNER. A lot abutting upon 2 or more streets at the their intersection or upon two parts of the same street, such streets or parts of the same street forming an interior angle of less than 135 degrees.

(171) LOT DEPTH. The horizontal distance between the front and the rear lot lines measured in the main direction of the side lot lines.

(172) LOT FRONTAGE. The length, in feet, of the front lot line which is co-terminus with the front street line.

(173) LOT FRONTAGE, REQUIRED. The length, in feet, of the front lot line which is co-terminus with the front street line.

(174) LOT HELD IN SEPARATE OWNERSHIP. Shall mean all contiguous land held in one ownership at the time of the passage of this Code.

(175) LOT, INTERIOR. A lot other than a corner lot.

(176) LOT, LEGAL NON-CONFORMING. A lot which was legally created prior to the adoption of this Code.

(177) LOT LINES. The property lines bounding the lot.

(178) LOT LINE, FRONT. For an interior lot, the lot line adjoining the street, for a corner lot or through lot, each lot line adjoining a street.

(179) LOT LINE, REAR. Ordinarily, that line of a lot which is opposite and most distant from the front line of the lot. In the case of a triangular or gore-shaped lot, a line 10 feet in length within the parcel parallel to and at a maximum distance from the front lot line. In cases where this definition is ambiguous, the zoning administrator shall designate the rear lot line.

(180) LOT, RESTRICTED. A lot having an average slope of 15 percent or more; a lot which does not contain at least 75 feet by 100 feet, or the minimum size of a lot permitted in the zoning district where located, with an average slope of less than 15 percent; and/or a lot which has vehicular ingress to the main building or structure which, upon completion of construction on the site, has a slope of 15 percent or greater; or a lot subject to geologic hazards.

(181) LOT RIGHT-OF-WAY. A strip of land not less than 16 feet in width connecting a lot to a street for use as private access to that lot.

(182) LOT, UNRESTRICTED. A lot having an average slope of less than 15 percent and containing a buildable area of at least 75 feet by one 100 feet, or the minimum size of a lot permitted in the zoning district in which it is located, with an average slope of less than 15 percent, or as a buildable area designated as such on the subdivision plat in which the lot is located, if the average slope of the lot is greater than 15 percent.

(183) LOT WIDTH. The horizontal distance between the side lot lines, measured at the required front yard setback line or rear yard setback line, whichever is shorter.

(184) LOW PROFILE SIGN (Also "Monument Sign"). A sign mounted directly to the ground with maximum height not to exceed six (6) feet.

(185) MAIN USE OR BUILDING. The principal use which will occur on a lot or the principal structure to be used by the principal use on a lot, to which all other uses and structures are necessary.

(186) MAINTENANCE, SIGN. For the purposes of this Ordinance, the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

(187) MAINTENANCE, VEHICLE OR EQUIPMENT. The maintenance or repair of a vehicle or piece of equipment that is other than routine maintenance, which the result of is to make it operable or safe to operate. May involve; the removal and/or replacement of major mechanical, electrical, hydraulic, pneumatic or other components, modifications in design, operation or structure.

(188) MAJOR STREET PLAN. A map of Grantsville City which shows the existing and future public street system and which has been officially adopted by the Planning Commission and City Council as the major street plan for Grantsville City.

(189) MANSARD. A sloped roof or roof-like facade architecturally comparable to a building wall.

(190) MANUFACTURED HOUSING. A transportable factory built housing unit constructed on or after June 15, 1976, according to the Federal Home Construction and Safety Standards Act of 1974 (HUD Code), in one or more sections, which, in the traveling mode is eight body feet or more in width, or 40 body feet or more in length, or when erected on site, is 400 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems. All manufactured homes constructed on or after June 15, 1976, shall be identifiable by the manufacturer's data plate bearing the date the unit was manufactured and a HUD label attached to the exterior of the home certifying the home was manufactured to HUD standards.

(191) MARKET ANALYSIS. An economic analysis of the feasibility of a project.

(192) MARQUEE. A permanent roof-like structure or canopy of rigid materials supported by and extending from the facade of a building. (compare "Awning")

(193) MARQUEE SIGN. Any sign attached to or supported by a marquee structure.

(194) MOBILE HOME. A transportable factory built housing unit built prior to June 15, 1976, in accordance with a state mobile home code which existed prior to Federal Manufacturing Housing and Safety Standards Act (HUD Code).

(195) MOBILE HOME LOT. A space designed and approved by Grantsville City for occupancy by mobile homes, and meeting all requirements of this Code.

(196) MOBILE HOME PARK. A parcel of land that has been planned and improved for the placement of mobile homes for non-transient use and consisting of two or more mobile home spaces, where the entire project is to be under single ownership or management and meets all of the requirements of this Code for mobile home parks.

(197) MOBILE HOME SERVICE EQUIPMENT. That equipment containing the disconnecting means, over current protective devices, and receptacles or other means for connecting a mobile home feeder assembly.

(198) MOBILE HOME SPACE. A space within a mobile home park designed and to be used for the accommodation of mobile home.

(199) MOBILE HOME STAND. That part of the mobile home space which has been reserved for the placement of the mobile home and its appurtenant structures or additions.

(200) MOBILE HOME SUBDIVISION. A subdivision designed and intended for residential use where the lots are to be individually owned or leased, and occupied by mobile homes.

(201) MODULAR UNIT. A structure built from sections which are manufactured in accordance with the construction standards adopted pursuant to Section 58-56-4 of the Utah Code and transported to a building site, the purpose of which is for human habitation, occupancy, or use.

(202) MONUMENT SIGN. (see "Low Profile Sign").

(203) MOTEL. A building or group of buildings for the accommodation of transient guests, comprising individual sleeping or living units, and designed and located to serve the motoring public.

(204) MUNICIPALITY. Means Grantsville City, other cities or a town.

(205) NATURAL RETENTION AREA. An area of poorly drained soils which lies along stream channels or swale or is adjacent to flood plain soils, which is subject to periodic flooding.

(206) NON CONFORMING USE. Means a use of land that does not conform with current zoning regulations, but, legally existed before its current zoning designation and has been maintained continuously since the time the zoning regulation governing the land changed.

(207) NON CONFORMING SIGN.

(a) A sign which was erected legally, but which does not comply with subsequently enacted sign restrictions and regulations. (b) A sign which does not conform to the sign code requirements, but for which a conditional use permit has been issued.

(208) NON CONFORMING STRUCTURE. Means a structure that legally existed before the current zoning designation and because of subsequent zoning changes, does not conform with the zoning regulation's setback, height restrictions, or other regulations that govern the structure.

(209) NURSING HOME (ALSO REST HOME OR CONVALESCENT HOME). A home for the aged, chronically ill, or incurable persons in which three or more persons not of the immediate family are received, kept, or provided with food and shelter or care for compensation; but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

(210) OCCUPANCY. The portion of a building or premises owned, leased, rented, or otherwise occupied for a given use.

(211) OCCUPIED AREA. The total of all of the lot area covered by a mobile home and its accessory buildings on a mobile home lot.

(212) OFFICIAL MAP. A map of proposed streets that has the legal effect of prohibiting development of the property until the City develops the proposed street.

(213) OFF-PREMISE SIGN (also "BILLBOARD"). A sign structure advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which said sign is located, e.g., "billboards" or "outdoor advertising".

(214) OFF-SITE DIRECTIONAL SIGN. A sign which provides directional assistance to access an establishment conveniently and safely. Such signs shall be limited by the Zoning Administrator in size, height, and placement as justified.

(215) OFF-STREET PARKING SPACE. The space required to park passenger vehicle, which space shall meet the requirement of this Code.

(216) OFF-SITE IMPROVEMENTS. Improvements not on individual lots but generally within right-of-way and the boundaries of the development which they serve, and as further outlined in this Code.

(217) ON-SITE IMPROVEMENTS. Construction or placement of the main building, and its appurtenant improvements on a lot.

(218) ON-PREMISE SIGN. A sign which pertains to the use; product or commodity sold; service performed on the premise and/or property on which it is located.

(219) OPEN SPACE. Land used for recreation, agriculture, resource protection, amenity, historical preservation, or buffers, and is protected by the provisions of this Code to ensure that it remains in such uses.

(220) OPEN SPACE, IMPROVED. Park area that is improved as part of a residential development. Improved open space may include, but need not be limited to, lawns, landscape areas, improved/paved trails, active recreation areas, children's playgrounds, swimming pools, ball fields, multi-purpose courts, tennis courts, and other approved park improvements. The design and included elements in required improved open space are approved at the discretion of the planning commission and city council.

(221) OPEN SPACE, USABLE. Usable open space shall be any portion of a lot or building which meets all the following conditions:

- (a) The open space shall be open to the sky or shall be open to view on at least two sides.
- (b) The space shall be readily accessible by foot traffic from the dwelling unit to which it is accessory.
- (c) If the space is provided on a balcony, roof, or other facility above grade, it shall have such protective devices as are deemed necessary by the building inspector to assure reasonably safe usage by the children and adults.
- (d) The space shall not be provided from any required front or side yard, parking area, or driveway space.

(222) OWNER. The holder of the fee title to land or buildings or to property, whether a person, partnership, corporation, or other entity recognized by law, and his or its lessees, permittee, assignees, or successors in interest.

(223) OVERHANGING SIGN. (see "Mansard, Roof Sign").

(224) PAINTED WALL SIGN. Any sign which is applied with paint or similar substance on the surface of a wall.

(225) PARAPET. The extension of a false front or wall above a roofline.

(226) PARCEL OF LAND. (See "Lot").

(227) PARKING FACILITY (PARKING LOTS, PARKING STRUCTURES). A building or open area, other than a street, used for the parking of more than 4 automobiles and available for public use, whether free, for compensation, or accommodation for clients or customers.

(228) PARKING LOT. An open area, other than a street, used for the parking of automobiles and available for public use, whether free, for compensation, or accommodation for clients or customers.

(229) PASSIVE SOLAR SYSTEM. A direct thermal system which utilizes the structure of a building and its operable components to provide for collection, storage and distribution of heating or cooling during the appropriate times of the year, by utilizing the climate resources available at the site. It includes those portions and components of a building that are expressly designed and required for the collection, storage, and distribution of solar and the architectural and engineering design or system simulation necessary to balance or optimize passive components.

(230) PEDESTAL SIGN. A temporary and/or movable sign supported by a column(s) and a base so as to allow the sign to stand in an upright position.

(231) PEDESTRIAN-WAY (WALKWAY OR CROSS-WALK). A right-of-way designed for use by pedestrians and not intended for use by motor vehicles of any kind; a pedestrian-way may be located within or without a street right-of-way, at grade, or grade-separated from vehicular traffic.

(232) PERMANENT MONUMENT. Any structure of concrete, masonry and/or metal permanently placed on or in the ground, including those expressly placed for surveying reference, which meets the requirements of Grantsville City for permanent monuments.

(233) PERMITTED USE. A use of land which is allowed within a particular district without the necessity of obtaining a conditional use permit.

(234) PERSON. Any individual, corporation, association, firm, partnership, or similarly defined interest.

(235) **PLANNED UNIT DEVELOPMENT (PUD).** An integrated design for development of residential, commercial or industrial uses, or limited combination of such uses, in which the density and location regulations of the district in which the development is situated may be varied or waived to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed requirements. Planned unit development regulations may govern the subdivision of land if it is proposed by the development to sell individual lots in the planned unit development. Thus planned unit development regulations can be subdivision regulations which may be chosen by the developer as an alternative to specifically designated subdivision regulations of this Code, to become effective only through the planned unit development approval process.

(236) **PLANNING COMMISSION.** The Planning Commission of Grantsville City.

(237) **POLE COVER (SIGN).** Cover enclosing or decorating poles or other structural supports of a sign.

(238) **POLITICAL SIGN.** A temporary sign used in connection with a local, state, or national election or referendum.

(239) **PORTABLE SIGN.** Any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.

(240) **PREFABRICATED HOUSING.** (See Modular Home).

(241) **PREMISES.** A parcel of land with its appurtenances and buildings which, because of its unit of use, may be regarded as the smallest conveyable unit of real estate for that zoning district.

(242) **PRELIMINARY PLAT.** A drawing, to scale, representing a proposal to subdivide a tract, lot or parcel of land, and meeting the preliminary plat requirement of this ordinance.

(243) **PRE-SECTIONED HOME.** (See Modular Home).

(244) **PRIME AGRICULTURAL SOILS.** Areas of soils most suited for agriculture, those in capability units 1, 11, or 111, as indicated in the soil survey prepared by the Soil Conservation Service which encompasses Grantsville City.

(245) **PRINCIPAL USE.** Any use which is named and listed in the use regulations and other provisions of this Code, except those uses specifically designated as accessory uses; any use which is or may be conducted on a lot independently or any other use on the lot and not incidental or accessory to any other use on the lot; any use which establishes the primary activity on a lot.

(246) **PRIVATE NON-PROFIT RECREATIONAL GROUNDS AND FACILITIES.** Non-profit recreational grounds and facilities operated by a non-profit corporation, association, or group.

(247) PRIVATE STREET. (Amended 5/97, 2/00, 9/07, 2/09) A privately owned way or lane which affords the principal means of access to property. A private street which serves up to two (2) dwelling units shall have a right of way width of not less than 30 feet and shall be constructed and maintained with an all weather dustless surface that meets the specifications of the City for a standard residential street section, except that the base course need only be 20 feet wide with a slope or crown of 2 to 4%, no bituminous surface course need be applied and said street shall have a shoulder v-ditch with a slope of 6 to 8%. Private streets that serve more than two dwelling units or any business activity shall be constructed and maintained according to the City standards and specifications for a "standard residential street." Any private street that is longer than 150 feet shall have a cul-de-sac or hammerhead at the end thereof. The dimensions or layout of any required cul-de-sac or hammerhead shall comply with City's standards and specifications for public cul-de-sac or the minimum specifications of the current International Fire Code for hammerheads. The developer or owner(s) of a private street shall place a street sign at the intersection of the private street and all public streets, indicating the name of the private street, the north or east coordinate and that the street is a "private street". The location and specifications for the private street sign shall be determined by the City Public Works Director.

(248) PROCESS OR PROCESSING. The act, business or procedure of taking raw, extracted or preprocessed material and adding to or taking away from it, to produce a product that is purer, used, marketed, or uniquely different than the original raw material or product before the procedure was enacted.

(249) PROFESSIONAL TEAM, QUALIFIED. An individual(s) qualified by virtue of training, experience, state licensing where appropriate and membership in professional associations which pass upon qualifications prior to admittance to membership. A determination of whether or not a team is qualified, in the sense explained above, shall be made solely by the Planning Commission.

(250) PROJECTING SIGN. A sign, other than a flat wall sign which is attached to and projects from a building wall or other structure not specifically designed to support the sign.

(251) PROPERTY SIGN. A sign related to the property upon which it is located and offering such information as the address, the property, warning against trespassing, any hazard, or other danger on the property. (see "Identification Sign")

(252) PROTECTION STRIP. A strip of land between the boundary of a land development and a street within the land development, for the purpose of controlling the access to the street by property owners abutting the land development.

(253) PUBLIC FACILITIES AND PUBLIC SERVICE FACILITIES. For the public convenience, certain infrastructure including streets, water lines, sewer lines, public utilities and drainage facilities may be allowed to serve various areas of the community, as public facilities. Possible additional facilities such as a sub-station for fire and/or police, post office and/or hospital may be determined to be in the public interest as well, as public service facilities by Grantsville City.

(254) PUBLIC STREET. A public way which affords principal means of access to abutting properties.

(255) PUBLIC SYSTEM (WATER OR SEWAGE). A system which is owned and operated by a local governmental authority or by an established public utility company which is adequately controlled by a governmental authority. Such systems are usually existing systems serving a municipality, a township, an urban county, or a water or sewer district established and directly controlled under the laws of the state of Utah.

(256) QUASI-PUBLIC. A seemingly public institution, entity or organization that is not actually public. (Because of an independent or private control over it)

(257) REAL ESTATE SIGN. A temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.

(258) REAR YARD REGULATIONS (REAR SETBACK). That part of a lot that adjoins another lot, alley, street, road or highway, which does not provide the main access to the lot, if any access at all is allowed, between the rear line of the building and the rear lot line, and extending the full width of the lot. The length of the rear yard is measured from the rear lot line to the eaves or the rear (back) line of a building whichever is closer to the rear lot line. Unenclosed stoops of six foot by six foot or less is not considered the rear line of a building.

(259) RECREATION DWELLING (CABIN, RECREATION CABIN). A dwelling designed for limited rather than primary occupancy and generally located adjacent to or with easy access to recreational area. The primary purpose for the construction of such a dwelling is to provide shelter during those limited periods of time when recreation is sought in the adjacent areas.

(260) RECREATIONAL VEHICLE (RECREATIONAL COACH). A vehicle with or without motive power, designed and constructed to travel on public streets, and designed for use as a human habitation of a temporary and recreational nature.

(261) RECREATIONAL VEHICLE PARK (TRAVEL TRAILER PARK). Any area or tract of land or a separately designated section within a mobile home park where lots are rented or held out for rent to one or more owners or users of recreational vehicles for a temporary time not to exceed 30 consecutive days.

(262) RECREATIONAL VEHICLE SPACE. A plot of ground within a recreational vehicle park designated and intended for the accommodation of recreational vehicle.

(263) RENEWABLE ENERGY. That form of energy whose supply is natural, inexhaustible and not dependent upon fossil fuel supplies. Examples include residential solar heat, wind power, geothermal power and many other supply sources.

(263.1) RESIDENTIAL DRIVEWAY. A driveway providing vehicular access to property used for residential purposes. This includes driveways for single family detached/attached and two-family structures.

(264) RESIDENTIAL FACILITY FOR ELDERLY PERSONS. Means a single-family or multiple-family dwelling unit that meets the requirement of Chapter 8 of this Code and any ordinance adopted under authority of that chapter.

(265) RESIDENTIAL FACILITY FOR HANDICAPPED PERSONS. Means a single-family or multiple-family dwelling unit that meets the requirements of Chapter 8 of this Code and any ordinance adopted under authority of that chapter.

(266) RESIDUAL LAND. That land which does not meet the minimum standards for a lot and therefore must be attached and become part of another parcel which does or will conform to lot minimum standards, or be attached to public land for public purposes.

(267) RIGHT-OF-WAY. That portion of land dedicated to public use for street and/or utility purposes or maintained in private use for similar purposes.

(268) ROADWAY WIDTH. For a street with battered or roll curb to back of curb, otherwise the width of the actual paved surface.

(269) ROOFLINE. The top edge of a roof or building parapet, whichever is higher, excluding any mansards, cupolas, pylons, chimneys or minor projections.

(270) ROOF SIGN. Any sign erected partly or wholly over or on the roof of a building. A structure having main supports embedded in the ground shall not be considered to be a roof sign even if the sign's supports pass through a roof, canopy, or parapet of a building. (compare "Mansard, "Wall Sign")

(271) ROTATING SIGN. (see "Animated Sign , Mechanically Energized").

(272) SCHOOL, PRIVATE. A school which is operated by a quasi-public or private group, individual, or organization, for profit or non-profit and which has a curriculum similar to that provided in any public school whether or not a complete educational curriculum.

(273) SCHOOL, PUBLIC. A school operated by a school district or other public agency in the State of Utah.

(274) SECURITY SURVEILLANCE. When security is a paramount concern to a project, it may require continuous and comprehensive surveillance of the private streets if access is only through a guarded gate. Under these circumstances it is in the interests of the public to vary requirements sufficient to permit total control of a manager.

(275) SEWER CONNECTION. A connection consisting of all pipes, fittings, and appurtenances from the drain outlet of the mobile home to the inlet of the corresponding sewer riser pipe of the sewage system serving the mobile home development.

(276) SEWER RISER PIPE. That portion of the sewer which extends vertically to at least ground elevation and terminates at each mobile home stand.

(277) SIDE YARD SETBACK. That part of a lot that adjoins another lot, between the side line of the building and the side lot line, and extending from the Front yard setback to the Rear Yard setback. The width of the side yard is measured from the lot line to the end of the eaves or the side line of a building whichever is closer to the side lot line. Unenclosed stoops of six foot by six foot or less is not considered the side line of a building.

(278) SIGN. Any device, structure, fixture, or placard using graphics, symbols, and/or written copy for the primary purpose of identifying, providing directions, or advertising any establishment, person, entity, interest, product, goods, or services. It includes any structural supports, lighting systems, attachments, ornaments or other features.

(279) SIGN, AREA OF.

(a) Projecting and Freestanding - the area of a freestanding or projecting sign shall have only one side of any double or multiple-faced sign counted in calculating its area. The area of the sign shall be measured as follows if the sign is composed of one (1) or more individual cabinets. A rectilinear line of not more than eight (8) sides shall be drawn around and enclosing the perimeter of each cabinet or module. The area shall then be summed and totaled to determine total area. The perimeter of measurable area shall not include embellishments such as pole covers, framing, decorative roofing, support structures, etc., provided that there is no written advertising copy on such embellishments.

(b) Wall Sign - The area shall be within a single, continuous perimeter composed of any rectilinear line, geometric figure which encloses the extreme limits of the advertising message, If the sign is composed of individual letters or symbols using the wall as the background with no added decoration, the total sign area shall be calculated by measuring the area within the perimeter of each symbol or letter. The combined areas of the individual figures shall be considered the total sign area.

(280) SIGN CLEARANCE. The smallest vertical distance between the grade of the adjacent street, highway, or street curb and the lowest point of any sign, including framework and embellishment, if extended over that grade.

(281) SIGN, ELECTRONIC MESSAGE. (see "Animated Sign, Electrically Energized").

(282) SIGN, FREE-STANDING. (see "Freestanding Sign").

(283) SIGN IDENTIFICATION AND INFORMATION. (see "Identification Sign").

(284) SIGN ILLUMINATED. (see "Illuminated Sign").

(285) SIGN, MARQUEE. (see "Marquee Sign").

(286) SIGN SETBACK. The minimum distance that any portion of a sign or sign structure shall be from any street right-of-way line and yard line coterminous with a street or road.

(287) SITE. A parcel or parcels of land intended to have one or more buildings or intended to be subdivided into one or more lots.

(288) SITE AREA. All land area within the site as defined in the deed. Area shall be determined from an actual survey rather than from a deed description.

(289) SITE PLAN (PLOT PLAN). A plan required by and providing the information required by this ordinance.

(290) SKETCH PLAN. A generalized layout of a proposed subdivision or development, with accompanying general proposal and intentions of the subdivider or developer, and relating the proposed subdivision or development to its area, public, utilities, facilities, services, and to special problems which may exist in the area.

(291) SKY SPACE. That portion of the sky that must remain unobstructed for a solar collector to operate effectively. The skyspace can be measured for specific time of year use and location . (See " SOLAR ACCESS").

(292) SNIPE SIGN. A temporary sign or poster affixed to a tree, fence, etc.

(293) SOLAR ACCESS. The availability of sunlight to solar collectors and solar energy systems. Solar access to a site depends upon the specific system type and most often demands rooftop, south wall, south lot or detached collector protection.

(294) SOLAR ENERGY CONVERSION SYSTEM. Includes active, passive and photo voltaic solar systems which when placed on a structure to supply energy to that structure.

(295) SOLAR GREENHOUSE / SUNSPACE / SUNPARLOR. An attached space to a building or residence which may provide heat and/or food to users as part of a passive solar energy system.

(296) SPECIAL DISTRICT. Means all entities established under authority of Title 1 7A and any other governmental or quasi-governmental entity that is not a county, municipality, school district, or unit of the state.

(297) SPORTSMAN PERMIT. The keeping of up to five dogs by their owner in a residential area pursuant to GCC 4-1-32(B) pursuant to a conditional use permit and license issued by the City Council.

(298) SPOT ZONE. A zoning amendment which singles out a relatively small parcel for a use classification totally different from that of the surrounding area, for the benefit of the owner of such property, which is invalid because it is not in accordance with a comprehensive plan.

(299) STABLE, PRIVATE. A detached accessory building for the keeping of livestock owned by the occupants of the premises and not kept for hire, remuneration, or sale.

(300) STABLE, PUBLIC. A detached accessory building where horses are boarded and/or kept for hire.

(301) STATE STORE. A facility for the sale of package liquor located on premises owned or leased by the state of Utah and operated by state employees. State store does not apply to any licensee, permittee, or to package agencies.

(302) STEEP SLOPES. Areas where the average slope exceeds 8 percent which, because of this slope, are subject to high rates of storm water runoff and therefore erosion.

(303) STORY, HALF. A partial story under a gable, hip, or gambrel roof, the wall plates of which are on at least two opposite exterior walls, do not extend more than four feet above the floor of such story, and the ceiling area of which does not exceed 2/3 of the floor area of ground, or attachment to something having a fixed location upon the ground, includes "building."

(304) STREET AND ROAD SYSTEMS. (AMENDED 5/97 & 11/06) (see Technical Specifications and Standard Drawings for Streets).

(a) Arterial - A limited access street which is designed to carry through traffic with their only access being from Collector streets and State roads at intervals of no less than 1/2 mile. Arterial streets are intended to serve 3500 to 8000 average daily trips when the service area is fully developed.

(b) Collector - A street which is designed to intercept traffic from a standard residential road. Collector streets are intended to serve up to 1500 average daily trips from 150 to 500 residential or equivalent units.

(c) Cul-de-sac - A street which is designed to remain permanently closed at one end with the closed end terminated with a vehicular turnaround.

(d) Local – A street which creates the intercity grid network and functions to move traffic from Residential streets to Collector streets.

(e) Public Street - A street or road which has been dedicated or abandoned to the public and accepted by the proper public authority and affords principal access to abutting properties.

(f) Rural – A street located in outlying areas where volumes are less than a design hourly volume of 100 and intrusions such as driveways are greater than 1/4 mile apart with intersections being spaced no less than 1 mile apart.

(g) Residential or Standard Residential - A street which is designed to serve abutting land uses only. Standard residential streets are intended to serve up to 1500 average daily trips from no more than 150 residential or equivalent units. Residential streets may be developed to a Rural Residential Road Standard if the street meets criteria found in the Grantsville City Street Master Plan.

(h) Stub Streets - A street or road extending from within a subdivision boundary and temporarily terminating with temporary turnaround (cul-de-sac). Stub streets are provided to permit adjacent undeveloped parcels of land to be developed later by continuing the stub street to a connecting street.

(304a) STREET SIDE YARD. The permeable and visible (not impeded by a fence) area between the secondary street lot line and the side facing facade of the main building as illustrated in Drawing 1 (see definition for Front Yard). (305) STRUCTURE. Anything constructed, the use of which requires fixed location on the ground or attachment to something having a fixed location on the ground, includes "building".

(306) SUBDIVIDER (DEVELOPER). Means any person, firm, corporation, partnership or association who causes land to be divided into a subdivision for himself/herself or others; a developer.

(307) SUBDIVISION (See "DEVELOPMENT"). Means any land that is divided, re-subdivided, or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions. It also includes the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument; and divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

(308) SUBDIVISION, CLUSTER. A subdivision of land in which the lots have areas less than the minimum lot area of the district in which the subdivision is located, but which complies with the cluster subdivision provisions of this Ordinance and in which a significant part of the land is privately reserved or dedicated as permanent common open space to provide low-density character for the residential lots in the subdivision.

(309) SUBDIVISION IDENTIFICATION SIGN. A freestanding or wall sign identifying a recognized subdivision, condominium complex, or residential development.

(310) SUBDIVISION, MINOR. A subdivision of four (4) or less lots, which is not traversed by the mapped lines of a proposed street as shown in the general plan of Grantsville City, does not require the dedication of any land for street or other public purposes and each lot in the subdivision meets the frontage, width and area requirements of this zoning ordinance and Grantsville City zoning maps.

(311) SUBDIVISION VACATION. The process of removing from record a section of land that was subdivided into plats for development or sale, lease or to offer for sale. The subdivision area vacated ceases to exist, and the land is one parcel, and must be re-subdivided to sell in smaller sections.

(312) SWIMMING POOL. An accessory use subject to all state and local regulations governing safety and health, which requires a conditional use permit.

(313) TECHNICAL REVIEW COMMITTEE. The Zoning Administrator, with the approval of the Mayor, may designate and appoint certain professionals, officials and other competent resource persons to serve as advisors, meeting as a Technical Review Committee to assist her/him, and serve as Planning Commission staff for the purpose of evaluating applications for Planning Commission action.

(314) TEMPORARY SIGN. A sign not constructed or intended for long-term use, with a maximum time period of ninety (90) days.

(315) TEMPORARY USE. Any use of land which, in the determination of the Planning Commission, and approved by the City Council shall not extend beyond 2 years from inception of such land use. A determination as to whether or not a land use is temporary shall be based solely upon facts submitted to the Planning Commission at the time of application for a conditional use permit for a temporary use. Unless found to be temporary, any use of the land shall be presumed to be permanent. Such uses include construction facilities, emergency facilities as well as interim uses of land and buildings awaiting ultimate use, i.e. pasture for a few months before construction begins, a carnival, fair, sports field, staging area, etc.

(316) TIEDOWN. Any device designed for the purpose of anchoring a mobile home to ground anchors.

(317) TWIN HOME DWELLINGS. (Amendment 7/97) A two-family dwelling that is divided into attached single-family dwellings as the result of a division of the property upon which the two dwellings are situated into two separate lots along the common wall of the two single-family dwellings. The adjoining lots occupied by a twin home shall have the minimum square footage required for any lot in the zoning district in which the property is located, plus the additional square footage required for an additional dwelling unit in the same zone. Twin home dwellings shall be either approved as a part of an initial subdivision application and approval process or as a result of the subdivision amendment process specified by the provisions of Chapter 21, Section 10 of this Code.

(317) TWIN COMMERCIAL UNITS (06/06). A twin commercial unit is a commercial building or structure that is located on two adjoining lots, is separated by a common wall and the common wall is located on the lot line. The adjoining lots occupied by a twin commercial unit shall have the minimum square footage required for any lot in the zoning district in which the property is located. Twin commercial Units may be approved as a part of an initial subdivision approval process or may be approved as a conditional use for existing lots in specified commercial and industrial zoning districts. The ownership of each portion of a twin commercial unit shall run with the land that it is located upon.

(318) UNDER-CANOPY SIGN. A sign suspended beneath a canopy, ceiling, roof, or marquee.

(319) UNINCORPORATED. Means the area outside of the incorporated boundaries of Grantsville City. That area that falls under the jurisdiction of Tooele County.

(320) UNLICENSED MOTOR VEHICLES. Any vehicle which initially was designed or constructed to be self-propelled and which is not currently registered or licensed by the State of Utah, but does not include vehicles exempt from registration under Section 41-22- 9 Utah Code Annotated, 1953, as amended. "Unlicensed Motor Vehicle" does not include any motor vehicle kept or stored at an approved impound lot or commercial storage yard.

(321) URBAN SERVICES. Those services normally associated with urban living, including but not limited to the following; electricity, natural gas, streets, schools, culinary water, sewage collection and treatment facilities, and police and fire protection.

(322) USE. The purpose for which a building, lot, sign or structure is intended, designated, occupied, or maintained.

(323) "V" SIGN. A sign consisting of two essentially equal faces, positioned at an angle subtending less than 179 degrees.

(324) VICINITY MAP (LOCATION MAP). A map or drawing, not necessarily to scale, showing where a subdivision, or proposed subdivision, PUD, commercial development, or other property is located.

(325) VICINITY PLAN. A map or drawing, to scale, of any area proposed for development, showing existing and proposed streets, buildings, public facilities and utilities within the general influence area of the proposed project such as mile radius; boundaries of zoning districts , taxing districts, and other special districts on and in the immediate vicinity of the land proposed for project; water course, impoundments, streams, springs, wells and areas subject to continuous or occasional flooding on and in the immediate vicinity of the land proposed for project and significant vegetative patterns on and in the immediate vicinity of the land proposed for development.

(326) VIEW-OBSCURING FENCE, WALL OR HEDGE. A fence, wall, or hedge of vegetation growth which prevents full view of property on one side by a viewer standing on the other side.

(327) WALL SIGN. A sign attached essentially parallel to and extending not more than twenty-four (24) inches from the wall of a building with no copy on the sides or edges. This definition includes painted, individual letters, and cabinet signs, and signs on a mansard.

(328) WATER CONNECTION. A connection consisting of all pipes, fittings, and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within the dwelling.

(329) WATER RISER CONNECTION. That portion of the water supply system which extends vertically to at least ground elevation and terminates at the water inlet pipe for each mobile home lot or dwelling.

(331) WETLANDS. Areas known as marshes, swamps, or wetlands, including all areas greater than one-quarter acre where standing water is retained for a portion of the year and unique vegetation has adapted to the area, or as regulated by the U.S. Army corps of Engineers.

(332) WIND ENERGY CONVERSION SYSTEMS. Includes structure and all apparatus to utilize wind to drive generator.

(333) WINDOW SIGN. A sign installed inside a window and intended to be viewed from outside the building.

(334) Xeriscape Landscape. One of several methods of landscaping that employs a mix of drought tolerant plants and organic and inorganic mulch and are considered Waterwise Landscapes.

(335) YARD. A required open space on a lot, other than a court, unoccupied and unobstructed from the ground upward, except as permitted elsewhere in this Code.

(336) YARD, FRONT. (See: Front Yard Setback). Note - On a corner lot there are two front yards.

(337) YARD, REAR. (See: Rear Yard Setback)

(338) YARD, SIDE. (See: Side Yard Setback)

(339) ZONE. (See "District, Zone")

Amended 05/97, 08/02, 11/05 by Ordinance 2005-20, 06/06 by Ordinance 2006-08, 09/07 by Ordinance 2007-31, 01/09 by Ordinance 2009-02, 09/18 by Ordinance 2018-16

AFTER AMENDMENT

Chapter 2 Definitions

Unless the context requires otherwise, the following definitions shall be used in the interpretation and construction of this Code. Words used in the present tense shall include the future; the singular number shall include the plural, and the plural the singular; the word building shall include the word "structure;" the words "used" or "occupied" shall include arranged, designed, constructed, altered, converted, rented, leased, or intended to be used or occupied; the word "shall" is mandatory and not directory, and the word may is permissive; the word "person" includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual; the word "lot" includes the words plot or parcel. Words used in this Code but not defined herein shall have the meaning as defined in any other ordinance adopted by Grantsville City.

(1) "A" FRAME SIGN. Temporary and/or movable sign constructed with two sides attached at the top so as to allow the sign to stand in an upright position.

(2) **ABANDONED SIGN.** A sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product or activity, and/or for which no legal owner can be found.

(2a) **ACCESSORY FARM EMPLOYEE HOUSING** (Amendment 8/21/02, complete addition of definition). A single family dwelling providing the principal residence for a Farm employee and the employees' family.

(3) **ACCESSORY USE OR BUILDING.** A use or building including solar energy systems and renewable energy uses on the same lot with, and of a nature customarily incidental and subordinate to, the principal use of building. An accessory use or building shall include any structure for caretaker, or security housing, or the confinement of animals.

(4) **ACTIVE SOLAR SYSTEM.** A system of equipment capable of collecting and converting incident solar radiation into heat, mechanical or electrical energy, and transferring these forms of energy by a separate apparatus to storage or to the point of use. It includes water heating, space heating or cooling, electric energy generating or mechanical energy generating and the architectural and engineering design or systems necessary to balance or optimize active components.

(5) **AGENT.** Any person who can show written proof that he is acting for the property owner and with the property owner's knowledge and permission.

(6) **AGRICULTURE.** The production of food through the tilling of the soil, the raising of crops, breeding and raising of domestic animals and fowl, except household pets, and not including any agricultural industry or business.

(7) **AGRICULTURAL INDUSTRY (AGRICULTURAL BUSINESS).** The processing of raw food products by packaging, treating and/or intensive feeding. Agricultural industry includes, but is not limited to, animal feed yards, the raising of fur-bearing animals, food packaging and/or processing plants, commercial poultry or egg production, commercial greenhouses, and similar uses as determined by the Planning Commission.

(8) **ALLEY.** A public access-way or thoroughfare less than sixteen (16) feet but not less than ten (10) feet in width, which is dedicated or deeded to the public for public use and is designed to give secondary access to lots or abutting properties; an alley shall not be considered a street, for the purpose of this Ordinance.

(9) **ALLUVIAL SOILS.** Areas subject to periodic flooding as defined in the soil survey prepared by the Soil Conservation Service which encompasses Grantsville City.

(10) **ALTERATIONS, SIGN.** A change or rearrangement in the structural parts or design whether by extending on a side; increasing in area or height; or by relocation or changing the position of a sign.

(11) **ALTERATIONS, STRUCTURAL.** Any change in the supporting members of a building, such as bearing walls, columns beams or girders.

(12) AMUSEMENT PARK. Any place of organized amusement activity not conducted wholly within a completely enclosed building, whether a commercial or non-profit enterprise, except temporary celebrations sanctioned by the City Council by a special permit.

(13) ANIMAL CLINIC (ALSO ANIMAL HOSPITAL). Any building or portion thereof designed or used for the care or treatment of animals or fowl, and/or in which veterinary service is provided or is available.

(14) ANIMATED SIGN. (See and also note the difference from changeable sign) A sign or display manifesting either kinetic or illusionary motion occasion by natural, manual, mechanical, electrical, or other means. Animated signs include the following types:

(a) Naturally Energized - Signs whose motion is activated by wind or other atmospheric impingement. Wind-driven signs include flags, banners, pennants, streamers, metallic disks, or other similar devices designed to move in the wind.

(b) Mechanically Energized - signs manifesting a repetitious pre-programmed physical movement or rotation in either one or a series of planes activated by means of mechanical based drives.

(c) Electrically energized - Illuminated signs whose motion or visual impression of motion is activated primarily by electrical means. electrically energized animated signs are of two types:

(1) Flashing Signs - Illuminated signs exhibiting a preprogrammed repetitious cyclical interruption of illumination from one or more sources in which the duration of the period of illumination (on phase) is either the same as or less than the duration of the period of darkness (off phase, and in which the intensity of illumination varied from zero (off) to 100 percent (on) during the programmed cycle.

(2) Illusionary Movement Signs - Illuminated signs exhibiting the illusion of movement by means of a pre-programmed repetitious sequential switching action in which illuminated elements of the sign are turned on or off to visually simulate the impression of motion characteristic of chasing, running, blinking, oscillating, twinkling, or expanding and contracting light patterns.

(15) APPURTENANCES. Appendages and incidental details on buildings are to be allowed such as building projections, coverings for mechanical equipment, etc.

(16) ARCHITECTURAL PROJECTION. Any building or structural projection which is not intended for occupancy and which extends beyond the face of an exterior wall of a building or structure, but not including signs.

(17) AUTOMOTIVE BODY AND FENDER SHOP. A facility for major automobile, truck, mobile home, recreational coach or recreation vehicle repairs to body, frame or fenders, and including rebuilding.

- (18) AUTOMATIC CAR WASH. A facility for automatic or self-service washing and cleaning of automobiles and small trucks not exceeding 1 & 1/2 tons capacity.
- (19) AUTOMOBILE PAINT SHOP. A facility for painting of automobiles, trucks, trailers, boats, or other travel or recreation vehicles or unit.
- (20) AUTOMOBILE REPAIR FACILITY OR SERVICE STATION. A place where gasoline or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and repair services performed may include tube and tire repair, battery charging, storage of merchandise, and tune-up of automobiles, including major auto repair.
- (21) AUTOMOBILE SALES AREA. An open area used for display, sale, or rental of new or used motor vehicles, mobile homes, recreational coaches, or recreation vehicles in operable condition.
- (22) AUTOMOTIVE SALVAGE YARD (AUTOMOBILE WRECKING OR PROCESSING YARD). A lot or portion thereof used for the storage, dismantling, demolition, or abandonment, other vehicles, other machinery, or parts thereof.
- (23) AUTOMOBILE SELF SERVICE STATION. A place where gasoline or any other motor fuel for operating motor vehicles is offered for sale and is dispensed to the vehicle by the purchaser, the self service station may be independent or in conjunction with a retail store.
- (24) AUTOMATIC TRUCK WASH. A facility for automatic self-service washing or cleaning of trucks exceeding 1/2 tons capacity.
- (25) AVERAGE SLOPE. An expression of rise or fall in elevation along a line perpendicular to the contours of the land connecting the highest point of land to the lowest point of land within a lot or building area. A vertical rise of 100 feet between two points 100 feet apart measured on a horizontal plane is 100 percent slope.
- (26) AWNING. A shelter projecting from and supported by the exterior wall of a building constructed of non rigid materials on a supporting framework. (Compare "Marquee")
- (27) AWNING SIGN. A sign painted on, printed on, or attached flat against the surface of an awning.
- (28) BACK LIT AWNING. (see "Electric Awning Sign")
- (29) BANNER SIGN. A Sign made of fabric or any non rigid material with no enclosing framework.
- (30) BASEMENT. A story whose floor is more than 12 inches below the average level of the adjoining ground, but where no more than 1/2 of its floor-to-ceiling heights is below the average contact level of the adjoining ground. A basement shall be counted as a story for purposes of height measurement, and as a half-story for the purpose of side-yard determination.

(31) BASEMENT HOUSE. A residential structure without a full story structure above grade.

(32) BEGINNING OF CONSTRUCTION. The excavation or re-contouring of the site.

(33) BIKE PATH (BIKE TRAIL, BIKE LANE). A right-of-way designed and constructed for use by bicycles and not intended for use by pedestrians or motor vehicles of any kind. A bike path may be located within or without a street right-of-way, at grade, or at grade separated from vehicular traffic. Bike lanes may also be included as a part of a street.

(34) BILLBOARD. (see "Off-Premise Sign").

(35) BLOCK. The land surrounded by streets or other rights-of-way, other than an alley, or land which is designated as a block on any recorded subdivision plat.

(36) BOARDING HOUSE. A dwelling where, for compensation, meals are provided for a least 3 but not more than 15 persons.

(37) BUILDABLE AREA. The portion of a lot remaining after required yards have been provided, except that land with an average grade exceeding 15 percent shall not be considered geotechnically buildable unless it is approved by conditional use permit.

(38) BUILDING. Any structure used or intended to be used for the shelter or enclosure of persons, animals, or property.

(39) BUILDING, ACCESSORY. A building which is subordinate to, and the use of which is incidental to that of the main building or use of the same lot.

(40) BUILDING, HEIGHT OF. The vertical distance from the average natural grade surface at the foundation, to the highest point of the building roof or coping.

(41) BUILDING OFFICIAL. The person designated or appointed as the Building Official for Grantsville City by the City Council.

(42) CAMPGROUND. A public area designated by a public agency for camping, or a private area licensed by the City Council for camping.

(43) CAMPING. A temporary establishment of living facilities such as tents or recreational coaches as regulated by this Code.

(44) CANOPY (BUILDING). A rigid multi-sided structure that may or may not be illuminated by means of internal or external sources, covered with fabric, metal or other material and supported by a building at one or more points or extremities and by columns or posts embedded in the ground at other points or extremities. (compare "Marquee")

(45) CANOPY (FREESTANDING). A rigid multi-sided structure that may or may not be illuminated by means of internal or external sources, covered with fabric, metal or other material and supported by columns or posts embedded in the ground.

(46) CANOPY SIGN. A sign affixed or applied to the exterior facing surface or surfaces of a building or freestanding canopy.

(47) CARPORT. A private garage not completely enclosed by walls or floors. For the purposes of this Code, a carport shall be subject to all the regulations prescribed for a private garage.

(48) CELLAR. A room or rooms having more than 50 percent of the floor to ceiling height under the average level of the adjoining ground.

(49) CHANGEABLE SIGN. A sign whose informational content can be changed or altered by manual or electric, electro-mechanical, or electronic means. Changeable signs include the following types:

(a) Manually Activated - Signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered by manual means.

(b) Electrically activated - signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments. Includes the following two types:

(1) Fixed Message Electronic Signs - Signs whose basic informational content has been pre-programmed to include only certain types of information projection, such as time, temperature, predictable traffic conditions, or other events subject to prior programming.

(2) Computer controlled ariable Message electronic Signs - Signs whose informational content can be changed or altered by means of computerized driven electronic impulses.

(c) Mobile, Changeable Copy Sign - A sign mounted on a trailer, frame or legs, lighted or unlighted, box or "A" frame and shall have changeable lettering.

(50) CHIEF EXECUTIVE OFFICER. The Mayor in municipalities operating under all forms of municipal government, or the City Manager in municipalities operating under the Council-Manager form of municipal government.

(51) CHILD NURSERY (DAY CARE CENTER). An establishment for the care and/or the instruction of 5 or more children, for compensation, other than for members of the family residing on the premises, but not including a public school.

(52) CHURCH. A building, together with its accessory buildings and uses, maintained and controlled by a duly recognized religious organization where persons regularly assemble for worship and religious instruction.

(53) CITY COUNCIL. The elected legislative body of Grantsville City.

(54) CLEARVIEW ZONE. The area of a corner lot closest to the intersection which is kept free of impairment to allow full view of both pedestrian and vehicular traffic. Such area is established by marking a point at which the two curb lines intersect, measuring back forty (40) feet along each street, and drawing a line between the two back points to form a triangular area.

(55) CLINIC, DENTAL OR MEDICAL. A building in which a group of dentists, physicians, and/or allied professionals in the healing arts are associated for the conduct of their professions. The clinic may include a dental and/or medical laboratory and an apothecary, but it shall not include in-patient care or operating rooms for major surgery.

(56) CLUB, PRIVATE. A social, recreational, or athletic club or similar association or corporation incorporated under the provisions of the Utah Non-Profit corporation and Co-operation Act for the above-stated purposes, which maintains or intends to maintain premises upon which alcoholic beverages are or will be stored, consumed or sold, and which for that reason is required to be licensed by the State.

(56.1) COMMERCIAL DRIVEWAY. A driveway providing vehicular access to property used for purposes other than residential.

(57) COMMERCIAL STORAGE SHEDS. A facility that rents indoor storage spaces which do not exceed 20 x 15 in size that are enclosed in a structure with one or more units, and/or outdoor storage space (RV storage, boat storage, etc.).

(58) COMMON AREA. Any area or space designed for joint use of residents of a mobile home park, condominium, apartment complex, etc.

(59) COMPATIBLE WITH RESIDENTIAL. Compatibility will be measured by whether or not the proposed development adversely impacts the quality of life in the area. Property values must be sustained or enhanced as opposed to diminishing values: the effects of ultimate traffic on streets will be considered rather than complaints that a new development will increase unwanted traffic; improvements in the infrastructure will be considered as to how and who pays for them; positive contributions to the financing of needed improvements will be weighed against the assessment on existing residential developments; proximity of possible impacts will be evaluated and non-directly impacted citizens will be considered in the group of the general citizenry. Also considered will be relief from the monotonous, somewhat uniform subdividing of the countryside will be considered a positive factor if it provides an aesthetic relief.

(60) COMPREHENSIVE PLAN. (See General Plan).

(61) CONDITIONAL USE. ~~This means a~~^A land use that, because of its unique characteristics or potential impact on Grantsville city, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts. (A use of land for which a conditional use permit is required, pursuant to this Code.)

(62) CONDOMINIUM. The ownership of a single unit in a multi-unit project, together with an undivided interest in common in the common areas and facilities of the property as provided by state law. A condominium-development is comparable to a subdivision in that each development is characterized by multiple individual ownership in a single development. In a condominium development the multiple individual ownership are in structures, whereas in subdivision such ownership are in land. For regulation purposes the development of a condominium project is treated by Utah State law and by this code as a subdivision, and condominium developments must comply with the subdivision regulation of this Code.

(63) CONSERVATION STANDARDS. Guidelines and specifications for soil and water conservation practices and management, enumerated in the Technical Guide prepared by the USDA Soil Conservation Service, adopted by the Soil and Water Conservation District supervisors, and containing suitable alternatives for the uses and treatment of land based upon its capabilities, from which the land-owner selects that alternative which best meets his needs in developing his soil and water conservation plan.

(64) CONSTRUCTION SIGN. A temporary sign identifying an architect, contractor, subcontractor, and/or material supplier participating in construction on the property on which the sign is located.

(65) CONVENIENCE STORE. A one story commercial retail operation containing less than 2,500 square feet of gross floor area, designed and stocked to sell primarily food, beverages, limited variety of goods for personal consumption, and other household supplies to retail customers who purchase only a relatively few items as well as gasoline and car care items.

(66) COPY, SIGN. The graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic or alphabetic form.

(67) CORRAL. A space, other than a building, less than one acre in area or less than 100 feet in width, used for the confinement of animals or fowl.

(68) COURT, BUILDING. An open, unoccupied space, other than required yard, on the same lot with a building or group of buildings, and which is bounded on two or more sides by such building or buildings.

(69) COUNTY. ~~Means~~ The unincorporated area of Tooele County.

(70) CROSSWALK OR WALKWAY. A right-of-way designed for use by pedestrians and not intended for use by motor vehicles of any kind; a crosswalk or walkway or pedestrian- way may be located within or without a street right-of-way, at grade, or grade-separated from vehicular traffic.

(71) CUL-DE-SAC. A street which is designed to remain permanently closed at one end, with the closed end terminated by a vehicular turnaround. For purposes of this code, the length of a cul-de-sac shall be measured from the centerline of the intersecting street along the centerline of the cul-de-sac, to a point to the center of the cul-de-sac.

(71.1) CULINARY WATER AUTHORITY. The department, agency, or public entity with responsibility to review and approve the feasibility of the culinary water system and sources for the subject property.

(72) CULINARY WATER FACILITIES. Water supply lines, pumps, springs, wells, and/or any other physical facilities necessary to provide a supply of culinary water to a use in sufficient quantity and of approved quality to meet the standards of State of Utah Rules for Public Drinking Water Systems and this Code.

(73) DAIRY. A commercial establishment for the manufacture, processing or packaging of dairy products, and their sale. For purposes of definition, the production of milk on a farm for wholesale marketing off the premises shall not classify the farm as a dairy.

(74) DENSITY. Density is a measure of the number of dwelling units per acre. It shall be expressed dwelling units per acre (DU/acre). Unbuildable land (as defined by the Planning Commission) is land with a slope greater than 25%, subject to inundation, or other geological hazards.

(75) DESIGN, SUBDIVISION. The design includes: alignment, grade and width for easements and rights-of-way for utilities; the grading and general layout of lots and streets within the area; location of land to be dedicated for park and/or recreational purposes; and, such specific requirements in the plan and configuration of the entire subdivision as may be necessary or convenient to insure conformity to or implementation of applicable general or specific plans.

(76) DEVELOPER. Any person, firm, partnership, corporation or association who causes improvements to be constructed, land use to be changed, or land to be subdivided for himself/herself or others.

(77) DEVELOPMENT (LAND). The conversion or alteration of use or physical characteristics of land; placing improvements on the land; or putting land to intensive use such as a subdivision, P.U.D., mobile home park, recreation vehicle park, shopping center, industrial park, excavation, etc.

(78) DIAGONAL TIE. Any tie down designed to resist horizontal or shear forces and which deviates not less than 30 degrees from a vertical direction.

(79) DIRECTION/INFORMATION SIGN. An on-premise sign giving directions, instructions, or facility information and which may contain the name or logo of an establishment, but no advertising copy, e.g., parking or exit and entrance signs. may contain logo provided that the logo may not comprise more than 20% of the total sign area. May include information about sales of agricultural products produced upon the premises.

(80) DISTRICT (ALSO ZONE OR ZONING DISTRICT). A portion of the territory of Grantsville City established as a zoning district by this Code, within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Code.

(81) DOUBLE-FACED SIGN. A sign with two faces diverged from a common angle of not more than 45 degrees or back-to-back

(82) DRIVEWAY. An area on private property providing access for motor vehicles to a public right-of-way or private street.

(82.1) DRIVEWAY APPROACH. The improved area between the roadway of a public street and private property intended to provide access for motor vehicles to a well-defined area on private property.

(82.2) DRIVEWAY WIDTH. The width of the driveway measured at the right-of-way parallel with the roadway centerline.

(83) DWELLING. Any building or portion thereof designed or used as the principal residence of sleeping place of one or more persons or families, but not including a tent, a recreational coach, hotel, motel, hospital, or nursing home.

(84) DWELLING, FOUR FAMILY (FOUR-PLEX). A building containing only four dwelling units.

(85) DWELLING GROUP. A group of two or more detached buildings used as dwellings, located on a lot or parcel of land.

(86) DWELLING, MULTIPLE FAMILY. A building containing more than one dwelling unit.

(87) DWELLING, SINGLE FAMILY. A building containing only one dwelling unit.

(88) DWELLING, THREE FAMILY (TRIPLEX). A building containing only three dwelling units.

(89) DWELLING, TWO FAMILY (DUPLEX). A building containing only two dwelling units.

(90) DWELLING UNITS. One or more rooms in a dwelling, apartment complex, hotel, or motel, designed for and/or occupied by family for living or sleeping purposes and having but not more than kitchen or set of fixed cooking facilities, other than hot plates or other portable cooking units.

(91) EASEMENT. That portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner(s) of said property(ies). The easement may be for use on, under, or above said lot or lots.

(92) ELDERLY PERSON. ~~Means a~~ A person who is 60 years old or older, who desires or needs to live with other elderly persons in a group setting, but who is capable of living independently.

(93) ELDERLY RESIDENTIAL FACILITY. A single family or multiple family dwelling unit that meets the requirements of Utah Code Annotated Title 17-27-501 and any ordinance adopted under authority of that part. An elderly residential facility does not include a health care facility as defined by Utah Code Unannotated Section 26-21-2.

(94) ELECTRIC, MOBILE HOME PARK. All of the electrical wiring, fixtures, equipment and appurtenances related to electrical installations within a mobile home park feeder assembly.

(95) ELECTRIC AWNING SIGN. (also "Back Lit Awning"). An internally illuminated fixed space-frame structure with translucent, flexible reinforced covering designed in awning form and with graphics or copy applied to the visible surface of the awning.

(96) ELECTRICAL SIGN. A sign or sign-structure in which electrical wiring, connection, or fixtures are used.

(97) ELECTRONIC MESSAGE CENTER. (see "Changeable Signs, Electrically Activated")

(98) ENVIRONMENTAL IMPACT ASSESSMENT. A report which describes, by means of written narrative as well as maps, a geographical area in terms of existing; slope, soils, water, courses, water table, flood hazard areas, geologic hazards, vegetative types, wildlife, wildlife habitat, and essential urban services presently available. The report includes a tabulation of proposed population, density, and the numbers and types of proposed dwellings and other buildings and spaces to be occupied at full development. The report further describes by means of written narrative as well as maps the impact of the proposed development on the following specific subject areas once the anticipated population density is achieved within the area to be developed; water courses and reservoirs, natural vegetation, wildlife, erosion, topsoil, sedimentation of water courses and reservoirs, slope stability, dust, fire potential, accumulation of solid waste or liquid wastes, and the need and desire for urban services. The report also evaluates the potential area- wide economic impact of the development on both private and public economic sectors and the potential impact on school, public utility, and transportation systems. Finally, the report recommends measures which, if undertaken, will mitigate or obviate the adverse impacts resulting from construction of the proposed development, and discusses the benefits to be gained from such development, and what adverse impacts cannot be avoided and the extent of their detrimental influence.

(99) ESSENTIAL FACILITIES. Those facilities which are common to the community and essential for servicing the residents and businesses; utilities, radio and television stations (transmitting only), cable TV, sanitation, health and public safety for overhead, surface or underground services, and such other necessary uses as may be approved by the City Council by resolution, but excluding any building, electrical sub-station, or transmission line of 50 kv or greater capacity.

(100) EXCAVATION. Any disruption of the soil mantle and/or manmade surfacing of the same. Excavations may be either in the nature of a process or a use. Excavations undertaken for the purpose of preparing a site for an ultimate land use or for repairing or constructing urban service facilities are processes; whereas excavations such as gravel pits, quarries or mines are uses which require specific use authorization in the zoning district where located, in addition to a conditional use permit if such is required.

(101) FACADE. The entire building front including the parapet.

(102) FACE OF A SIGN. The area of a sign on which the copy is placed.

(103) FAMILY. One individual, or two or more persons related by blood, marriage, or adoption, living together in a single dwelling unit and maintaining a common household. a family may include four, but not more than four, non-related persons living with the residing family, the term family shall not be construed to mean a group of non-related individuals, a fraternity, club, or institutional group.

(104) FAMILY FOOD PRODUCTION. The raising of animals for family food production, and horses, on adequate sized lots in appropriate locations. At least 10,000 square feet shall be provided for each large animal (horse, cow, etc.) At least 4,000 square feet shall be provided for each medium sized animal (pig, sheep, etc.). At least 500 square feet shall be provided for each small animal (rabbits, poultry, etc.) No animal shall be allowed to come closer than 100 feet from any dwelling. Not to include applicant dwelling, gross land area to be used.

(105) FARM OR RANCH. (Farm portion amended 8/21/02 to add farm employee housing) A parcel of land used primarily for agriculture uses and including accessory farm employee housing which must be located on the farm and shall not be divided or sold separately from the farm. A ranch is a parcel of land in an Agricultural zoning district which is used primarily for ranching purposes, such as grazing of livestock or other non- vegetative or fruit agricultural use.

(106) FEED YARD. An agricultural industry in which animals or fowls are kept and intensively fed in relatively restricted area, as contrasted with open pasturage.

(107) FEEDER ASSEMBLY. The overhead or under-chassis feeder conductors, including the grounding conductor, together with the necessary fittings and equipment, or a power supply cord listed for mobile home use, designed for the purpose of delivering energy from the source of electrical supply to the distribution panel board within the mobile home.

(108) FESTOONS (SIGN). A string of ribbons, tinsel, small flags, or pinwheels.

(109) FINAL PLAT. A plat map prepared in accordance with the provisions of this Code, which is designed to be placed on record in the office of the County Recorder.

(110) FIRE FIGHTING FACILITIES. Such water supply, water lines, fire hydrants and other protective devices as may be required in accordance with the provisions of this Code.

(111) FLASHING SIGN. (see "Animated sign, Electrically Energized").

(112) FLOOD HAZARD. A hazard to land or improvements due to inundation or overflow water having sufficient velocity to transport or deposit debris, scour the surface soil, dislodge or damage buildings, or erode the banks of water courses.

(113) FLOODLIGHTED SIGN. (see "Illuminated Sign").

(114) FLOOD PLAIN. Areas adjoining any streams, ponds or lakes which are subject to 100 year recurrence interval floods on maps prepared for the National Flood Insurance Program, or a study conducted by anyone else expert and experienced in the preparation of hydrological studies and the determination of flood lines.

(115) FLOOD PLAIN SOILS. Areas subject to periodic flooding and listed in the soil survey prepared by the Soil Conservation Service which encompasses Grantsville City as being on the floodplain or subject to flooding.

(116) FLOOD WAY. An area designated by the Planning Commission and City Council as subject to periodic inundation.

(117) FLOOR AREA. The sum of the areas of the several floors of the building or structure, including areas used for human occupancy or required for the conduct of the business or use, and basements, attics and penthouses, as measured from the exterior faces of the walls. It does not include cellars, solar green houses and/or other solar equipment appurtenant to a solar energy system, unenclosed porches, attics not used for human occupancy, nor any floor space in an accessory building or in the main building intended or designed for the parking of motor vehicles in order to meet the parking requirements of this Code, or any such floor space intended and designed for accessory heating and ventilating equipment.

(118) FREESTANDING SIGN. A sign supported permanently upon the ground by poles or braces and not attached to any building.

(119) FRONT YARD SETBACK. That part of a lot that fronts a public or private street, road or highway, extending the full width of the lot, which is between the front property line and a building. The depth of the front yard is measured from the front property line to the front of the eaves or the front line of the building whichever is closer to the front lot line. Unenclosed stoops (porches) no larger than six foot by six foot or less is not considered the front line of a building.

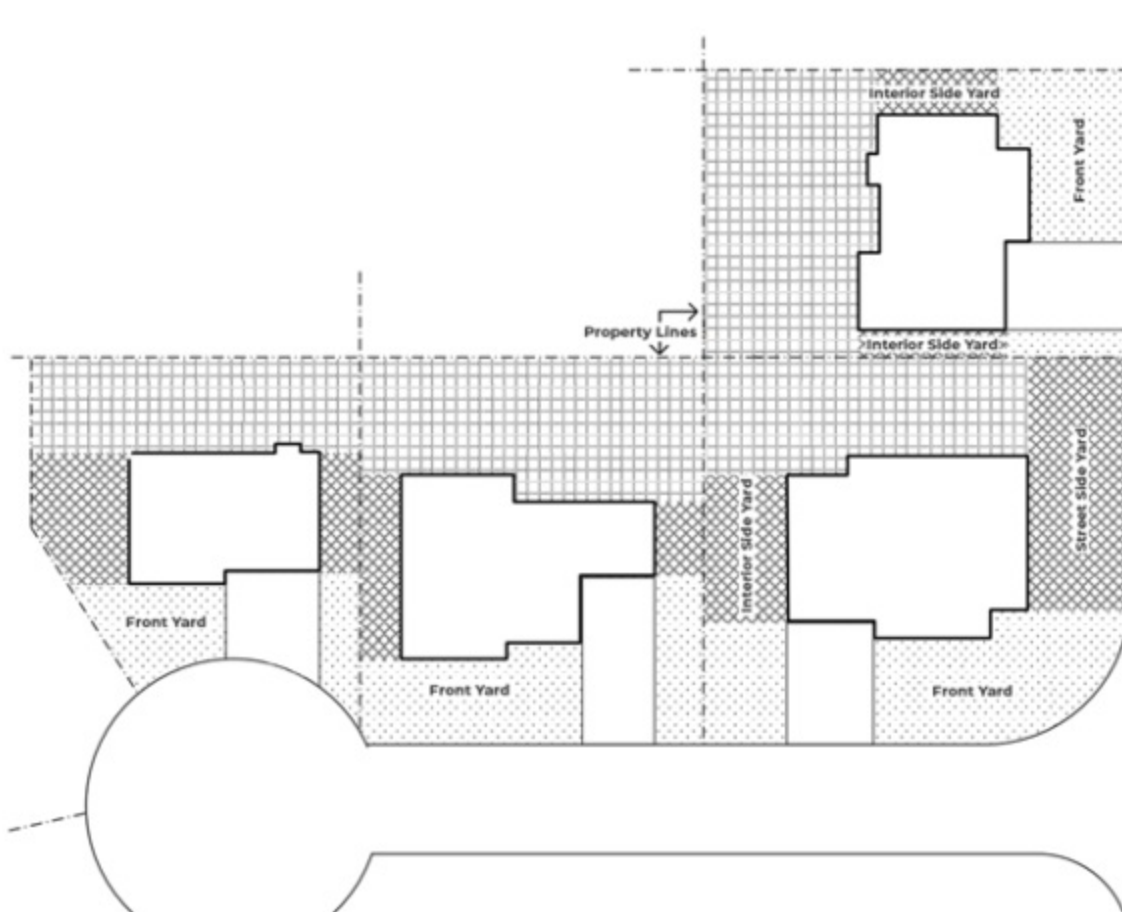
(120) FRONTAGE. All property fronting on side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end street, or political subdivision boundary, measured along the street line. all intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts, or that common line between a lot and a public street. Street lines across which access is denied or cannot be had because of topography or for other reasons shall not constitute frontage for purposes of this Code.

(121) FRONTAGE, BLOCK. All property fronting on one (1) side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end streets, or political subdivision boundary, measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts, or that common line between a lot and a public street.

(122) FRONTAGE, BUILDING. The length of an outside building wall on a public right-of-way or an approved private road.

(123) FRONTAGE, LOT. The lineal measurement of the front lot line.

(123a) FRONT YARD. The permeable area between the front lot line and the front facade of the main building and extending for the full width of the lot.



(124) GARAGE, PRIVATE. An accessory building designed and/or used for the storage of motor vehicles owned and used by the occupants of the building to which it is accessory, provided that a garage shall be considered part of the dwelling if the garage and dwelling have a roof or wall in common.

(125) GARAGE, PUBLIC. A building or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, hiring, selling, leasing, renting or storing motor vehicles.

(126) GARAGE, REPAIR. A structure or portion thereof, other than a private garage, used for the repair of self-propelled vehicles, trailers, or boats, including general repair, rebuilding or reconditioning of engines, motor vehicles, recreational coaches, and minor collision service, but not including major body, frame or fender repairs or overall automobile or truck painting, except by conditional use permit. A repair garage may also include incidental storage, care washing, or sale of automobiles.

(127) GENERAL PLAN. ~~Means a~~A document that a municipality adopts that sets forth general guidelines for proposed future development of the land within Grantsville City (2.1.9). General Plan also includes what is commonly referred to as a "master plan", or "comprehensive plan".

(128) GEOLOGIC HAZARD. A hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property, or improvements, due to the movement, failure, or shifting of the earth, Geologic hazards include but are not limited to; rockfills, slide areas, flood plains, fault lines, high water table, and ground water problems, such as liquefaction, etc.

(129) GOVERNING BODY. ~~Means the~~The city council of Grantsville City.

(130) GOVERNMENT SIGN. Any temporary or permanent sign erected and maintained by the City, County, State, or Federal government for traffic direction, or designation to any school, hospital, historical site, or public service property, or facility.

(131) GRADE (LOT GRADE, FINISHED GRADE).

(a) For buildings adjoining one street only, the elevation of the sidewalk at the center of the wall adjoining the street.

(b) For buildings adjoining more than one street, the average of the elevations of the sidewalk at the centers of all walls adjoining the streets.

(c) For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the centers of all exterior walls of the building.

(d) Any wall parallel or nearly parallel to and not more than 5 feet from a street line is to be considered as adjoining the street.

(132) GROUND ANCHOR. Any device at the mobile home stand designed for the purpose of securing a mobile home to the ground.

(133) GROUND SIGN (also "Blade Sign"). A sign which is anchored to the ground similar to a pylon or freestanding sign, but which has a monolithic or columnar line and which maintains essentially the same contour from grade to top. Height and setbacks are to be the same as for freestanding signs.

(134) GROUP HOMES. A home for certain handicapped or elderly persons as defined by Utah State law as being permitted in residential areas of Grantsville City by conditional use permit. (see Elderly, and Handicapped)

(135) HANDICAPPED PERSON. ~~Means a~~ person who has a severe, chronic disability attributable to a mental or physical impairment, or to a combination of mental and physical impairments, that is likely to continue indefinitely and that results in a substantial functional limitation in three or more of the following areas of major life activity; self-care, receptive and expressive language, learning, mobility, self-direction or sequence of special economic self-sufficiency; and, requires a combination or sequence of special interdisciplinary or generic care, treatment, or other services that are individually planned and coordinated to allow the person to function in, and contribute to a residential neighborhood.

(136) HANDICAPPED RESIDENTIAL FACILITIES. A single family dwelling or multiple-family dwelling unit that meets the requirements of Part 6 and any ordinance adopted under authority of that part.

(137) HEIGHT (of a Sign). The vertical distance measured from the highest point of the sign, excluding decorative embellishment, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less. (compare "Clearance")

(138) HOME OCCUPATION. (Amended 7/97) A secondary use conducted upon property used primarily for residential occupancy, which is carried on by persons residing thereon. Such a use must be clearly incidental and secondary to the use of the property for residential purposes and that does not change the character thereof. A home occupation shall not be authorized to use advertising, except as otherwise permitted herein. No public display related to a home occupation shall be authorized and no noise may be created which is audible at the boundaries of the premises. The intent of this definition is that the conditional use permit approving any home occupation shall assure that the character of the premises and of the neighborhood will remain in harmony with the general intent of the zoning district and that, where uncertainty exists, neighborhood residential values shall be considered paramount.

(139) HOSPITAL. An institution providing health services, primarily for in-patients, and medical or surgical care of the sick or injured, including as an integral part of the institution such related facilities as laboratories, out-patient departments, training facilities, central service facilities, and staff offices.

(140) HOTEL. A building designed for or occupied as the more or less temporary abiding place of 16 or more individuals who are lodged for compensation, with or without meals.

(141) HOUSEHOLD PETS. Animals or fowl ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats, and canaries, but not normally dangerous animals, such as lions or tigers. This definition shall not include a sufficient number of dogs as to constitute a kennel as defined in this code.

(142) IDENTIFICATION SIGN. A sign whose copy is limited to the name and address of a building, institution, or person and/or to the activity or occupation being identified.

(143) ILLEGAL SIGN. A sign which does not meet the requirements of this code and which has not received non-conforming status.

(144) ILLUMINATED SIGN. A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

(145) IMPERVIOUS SURFACE. Impervious surfaces are those that do not absorb precipitation (water) and thus cause ponding and/or runoff. All buildings, parking areas, driveways, roads, sidewalks, and any areas in concrete and asphalt shall be considered impervious surfaces within this definition. In addition, other areas determined by the city engineer to be impervious within the meaning of this definition will also be classed as impervious surfaces.

(146) IMPERVIOUS SURFACE RATIO. The impervious surface ratio is a measure of the intensity of land use. It is determined by dividing the total area of all impervious surfaces within the site by the Base Site Area.

(147) IMPOUND/SECURITY LOT. A security lot fenced with or without guard dog and illuminated, where police or privately impounded vehicles may be kept for legal evidence or other purposes or while awaiting repairs. Normally where damaged vehicles are taken after an accident.

(148) IMPROVEMENTS. Work, objects, devices, facilities, or utilities required to be constructed or installed in a land development. Such improvements may include, but are not limited to, street construction to required standards, water facilities, sewer facilities, sidewalks, curbs and gutters, drainage facilities, street trees, street signs, street lights, traffic control or safety devices, fire hydrants, and such other facilities or construction required by this Ordinance, subdivision regulations, or by the Planning Commission and/or City Council for the necessary proper development of the proposed land development.

(149) IMPROVEMENTS AGREEMENT (DEVELOPMENT AGREEMENT). An agreement between Grantsville City and a developer, wherein the developer agrees to install improvements required by this Code, subdivision regulations, or by the Planning Commission and/or City Council for the necessary proper development of the proposed land development.

(150) INCIDENTAL SIGN. A small sign, emblem, or decal informing the public of goods, facilities, or services available on the premises, e.g., a credit card sign or a sign indicating hours of business.

(151) INOPERATIVE VEHICLE OR TRAILER. Any vehicle or trailer that due to mechanical, electrical, structural problems, or lack of maintenance, cannot operate as it was originally constructed and designed to do or should not be operated due to conditions rendering it as unsafe. This includes any vehicle or trailer that is not currently licensed or which its operation is in violation of local, state and federal laws.

(152) INTEGRATED DEVELOPMENT PLAN. Comprehensive management for best assurance of maintaining standards and conditions of approval is the intent in the administration of a conditional use permit. Therefore every assurance will be required to maximize the meeting of the community's performance standards and minimize the problems of their enforcement through approved comprehensive management plans which have been prepared by the applicant and approved by the City Council. Single responsible management is felt crucial to consistent care and observance of binding regulations in assuring compatibility with the surrounding area of certain developments negotiated with the community. Agreed upon penalties for violations of the management plan are considered an important integral part of enforcement.

(152a) INTERIOR SIDE YARD. The permeable and visible (not impeded by a fence) area between the lot line and the side facing facade of the main building as illustrated in Drawing 1 (see definition for Front Yard).

(153) JUNK. Any salvaged or scrap copper, brass, iron steel, metal, rope, rags, batteries, paper, wood, trash, plastic, rubber, tires, waste, or other articles or materials commonly designed as junk. Junk shall also mean any dismantled, wrecked or inoperable motor vehicles or parts thereof which remain in such condition for a period of time in excess of sixty days. An automobile, truck or bus shall be considered as inoperable if it is parked or stored on property outside of an enclosed garage and is not currently registered and licensed in this state or another state.

(154) JUNK YARD. The use of any lot, portion of a lot, or tract of land for the storage, keeping or abandonment of junk, including scrap metals or other scrap material, or for the dismantling, demolition or abandonment of automobiles, or other vehicles, or machinery or parts thereof, provided that this definition shall be deemed not to include such uses which are clearly accessory and incidental to any agricultural use permitted in the district.

(155) KENNEL. Any premises where 3 or more dogs older than 4 months are kept.

(156) LAND, AGRICULTURAL. (Amended 8/21/02 to remove term “not including non-conforming uses”). Land used for bona fide agricultural purposes.

(157) LAND, COMMERCIAL. Land used for bona fide commercial purposes, or which is projected for commercial use by the master plan or the zoning ordinance adopted by Grantsville City, except legally existing non conforming uses in areas designated commercial in such ordinance.

(158) LAND DEVELOPMENT STANDARDS. Adopted construction standards, including but not limited to: drawings, tables, charts and references which have been adopted by the City Council by resolution and which set standards for the construction of improvements to land and which regulate said construction of improvements to land.

(159) LAND, INDUSTRIAL. Land used for bona fide industrial purposes or which is projected for industrial use by the general plan or the zoning ordinance adopted by Grantsville City, except legally existing non conforming uses in areas designated industrial in such ordinance.

(160) LAND USE INTENSITY. The degree to which land is used by man ranging from no use to unremitting, continual and concentrated use of the land. Land use intensity is normally measured by: type of use (i.e., agricultural, residential, commercial or industrial; period of use in average hours per day; numbers of humans, associated animals, and machines which occupy the land during the average hours of use; and the percent of the land covered by man-made structures.

(161) LANDSCAPING (LANDSCAPED). ~~Means~~ ~~t~~ The planting, paving and dressing of finished graded earth (dirt) including retaining walls, trees, ground cover, perennial plants and annual plants, etc., and together with an (automatic) irrigation system to maintain the plants alive and flourishing for the length of time the plantings are to be maintained if not in perpetuity.

(162) LATERAL SEWER. A sewer which discharges into another sewer and has only sewer inlets from buildings and structures tributary into it.

(163) LEGISLATIVE BODY. ~~Means~~ ~~t~~ The City Council.

(164) LIGHT MANUFACTURING. Only those processes which clearly do not threaten the natural environment with any more pollution than that normally experienced in the neighborhood or immediate vicinity may be considered light manufacturing and permitted in an area. Uses such as electronics, non-toxic welding or soldering of small items, assemblage of relatively small portable devices, highly controlled testing, and small area accessory warehouses or storage facilities to accommodate the in-house manufactured items with their associated stocks of supplies area allowed.

(165) LIGHT VEHICLE OR EQUIPMENT MAINTENANCE. The performance of routine maintenance tasks such as: changing the oil, checking tire pressure, replacing water hoses, etc., which do not involve the removal, repair or replacement of major mechanical, electrical, hydraulic, pneumatic, or components of the vehicle.

(166) LODGING HOUSE. A dwelling with not more than 10 guest, rooms where, for compensation, lodging is provided for at least 3 but not more than 15 persons, but not including motels or hotels.

(167) LOT. A parcel or unit of land abutting a public street or approved private street, described by metes and bounds and held or intended to be held in separate lease or ownership, or a parcel or unit of land shown as a lot or parcel on a subdivision plat map, planned unit development plat map, or condominium lot map, provided it is created pursuant to this Code.

(168) LOT AREA. The area contained within the property lines of the individual parcels of land shown on a subdivision plat or required by this Code, excluding any area within an existing street right-of-way, or any area required as open space under this Code, and including the area of any easements.

(169) LOT AREA PER DWELLING UNIT, AVERAGE. The average lot area for all dwelling units of a single type. Individual lots may be smaller or larger than the average, provided that the average size is maintained and that all other standards of this Code are met.

(170) LOT, CORNER. A lot abutting upon 2 or more streets at the their intersection or upon two parts of the same street, such streets or parts of the same street forming an interior angle of less than 135 degrees.

(171) LOT DEPTH. The horizontal distance between the front and the rear lot lines measured in the main direction of the side lot lines.

(172) LOT FRONTAGE. The length, in feet, of the front lot line which is co-terminus with the front street line.

(173) LOT FRONTAGE, REQUIRED. The length, in feet, of the front lot line which is co-terminus with the front street line.

(174) LOT HELD IN SEPARATE OWNERSHIP. Shall mean all contiguous land held in one ownership at the time of the passage of this Code.

(175) LOT, INTERIOR. A lot other than a corner lot.

(176) LOT, LEGAL NON-CONFORMING. A lot which was legally created prior to the adoption of this Code.

(177) LOT LINES. The property lines bounding the lot.

(177.1) LOT LINE ADJUSTMENT. The relocation of the property boundary line in a subdivision between two adjoining lots with the consent of the owners of record.

(178) LOT LINE, FRONT. For an interior lot, the lot line adjoining the street, for a corner lot or through lot, each lot line adjoining a street.

(179) LOT LINE, REAR. Ordinarily, that line of a lot which is opposite and most distant from the front line of the lot. In the case of a triangular or gore-shaped lot, a line 10 feet in length within the parcel parallel to and at a maximum distance from the front lot line. In cases where this definition is ambiguous, the zoning administrator shall designate the rear lot line.

(180) LOT, RESTRICTED. A lot having an average slope of 15 percent or more; a lot which does not contain at least 75 feet by 100 feet, or the minimum size of a lot permitted in the zoning district where located, with an average slope of less than 15 percent; and/or a lot which has vehicular ingress to the main building or structure which, upon completion of construction on the site, has a slope of 15 percent or greater; or a lot subject to geologic hazards.

(181) LOT RIGHT-OF-WAY. A strip of land not less than 16 feet in width connecting a lot to a street for use as private access to that lot.

(182) LOT, UNRESTRICTED. A lot having an average slope of less than 15 percent and containing a buildable area of at least 75 feet by one 100 feet, or the minimum size of a lot permitted in the zoning district in which it is located, with an average slope of less than 15 percent, or as a buildable area designated as such on the subdivision plat in which the lot is located, if the average slope of the lot is greater than 15 percent.

(183) LOT WIDTH. The horizontal distance between the side lot lines, measured at the required front yard setback line or rear yard setback line, whichever is shorter.

(184) LOW PROFILE SIGN (Also "Monument Sign"). A sign mounted directly to the ground with maximum height not to exceed six (6) feet.

(185) MAIN USE OR BUILDING. The principal use which will occur on a lot or the principal structure to be used by the principal use on a lot, to which all other uses and structures are necessary.

(186) MAINTENANCE, SIGN. For the purposes of this Ordinance, the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

(187) MAINTENANCE, VEHICLE OR EQUIPMENT. The maintenance or repair of a vehicle or piece of equipment that is other than routine maintenance, which the result of is to make it operable or safe to operate. May involve; the removal and/or replacement of major mechanical, electrical, hydraulic, pneumatic or other components, modifications in design, operation or structure.

(188) MAJOR STREET PLAN. A map of Grantsville City which shows the existing and future public street system and which has been officially adopted by the Planning Commission and City Council as the major street plan for Grantsville City.

(189) MANSARD. A sloped roof or roof-like facade architecturally comparable to a building wall.

(190) MANUFACTURED HOUSING. A transportable factory built housing unit constructed on or after June 15, 1976, according to the Federal Home Construction and Safety Standards Act of 1974 (HUD Code), in one or more sections, which, in the traveling mode is eight body feet or more in width, or 40 body feet or more in length, or when erected on site, is 400 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems. All manufactured homes constructed on or after June 15, 1976, shall be identifiable by the manufacturer's data plate bearing the date the unit was manufactured and a HUD label attached to the exterior of the home certifying the home was manufactured to HUD standards.

(191) MARKET ANALYSIS. An economic analysis of the feasibility of a project.

(192) MARQUEE. A permanent roof-like structure or canopy of rigid materials supported by and extending from the facade of a building. (compare "Awning")

(193) MARQUEE SIGN. Any sign attached to or supported by a marquee structure.

(194) MOBILE HOME. A transportable factory built housing unit built prior to June 15, 1976, in accordance with a state mobile home code which existed prior to Federal Manufacturing Housing and Safety Standards Act (HUD Code).

(195) MOBILE HOME LOT. A space designed and approved by Grantsville City for occupancy by mobile homes, and meeting all requirements of this Code.

(196) MOBILE HOME PARK. A parcel of land that has been planned and improved for the placement of mobile homes for non-transient use and consisting of two or more mobile home spaces, where the entire project is to be under single ownership or management and meets all of the requirements of this Code for mobile home parks.

(197) MOBILE HOME SERVICE EQUIPMENT. That equipment containing the disconnecting means, over current protective devices, and receptacles or other means for connecting a mobile home feeder assembly.

(198) MOBILE HOME SPACE. A space within a mobile home park designed and to be used for the accommodation of mobile home.

(199) MOBILE HOME STAND. That part of the mobile home space which has been reserved for the placement of the mobile home and its appurtenant structures or additions.

(200) MOBILE HOME SUBDIVISION. A subdivision designed and intended for residential use where the lots are to be individually owned or leased, and occupied by mobile homes.

(201) MODULAR UNIT. A structure built from sections which are manufactured in accordance with the construction standards adopted pursuant to Section 58-56-4 of the Utah Code and transported to a building site, the purpose of which is for human habitation, occupancy, or use.

(202) MONUMENT SIGN. (see "Low Profile Sign").

(203) MOTEL. A building or group of buildings for the accommodation of transient guests, comprising individual sleeping or living units, and designed and located to serve the motoring public.

(204) MUNICIPALITY. ~~Means~~ Grantsville City, other cities or a town.

(205) NATURAL RETENTION AREA. An area of poorly drained soils which lies along stream channels or swale or is adjacent to flood plain soils, which is subject to periodic flooding.

(206) NON CONFORMING USE. ~~Means a~~ use of land that does not conform with current zoning regulations, but, legally existed before its current zoning designation and has been maintained continuously since the time the zoning regulation governing the land changed.

(207) NON CONFORMING SIGN.

(a) A sign which was erected legally, but which does not comply with subsequently enacted sign restrictions and regulations. (b) A sign which does not conform to the sign code requirements, but for which a conditional use permit has been issued.

(208) NON CONFORMING STRUCTURE. ~~Means a~~ structure that legally existed before the current zoning designation and because of subsequent zoning changes, does not conform with the zoning regulation's setback, height restrictions, or other regulations that govern the structure.

(209) NURSING HOME (ALSO REST HOME OR CONVALESCENT HOME). A home for the aged, chronically ill, or incurable persons in which three or more persons not of the immediate family are received, kept, or provided with food and shelter or care for compensation; but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

(210) OCCUPANCY. The portion of a building or premises owned, leased, rented, or otherwise occupied for a given use.

(211) OCCUPIED AREA. The total of all of the lot area covered by a mobile home and its accessory buildings on a mobile home lot.

(212) OFFICIAL MAP. A map of proposed streets that has the legal effect of prohibiting development of the property until the City develops the proposed street.

(213) OFF-PREMISE SIGN (also "BILLBOARD"). A sign structure advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which said sign is located, e.g., "billboards" or "outdoor advertising".

(214) OFF-SITE DIRECTIONAL SIGN. A sign which provides directional assistance to access an establishment conveniently and safely. Such signs shall be limited by the Zoning Administrator in size, height, and placement as justified.

(215) OFF-STREET PARKING SPACE. The space required to park passenger vehicle, which space shall meet the requirement of this Code.

(216) OFF-SITE IMPROVEMENTS. Improvements not on individual lots but generally within right-of-way and the boundaries of the development which they serve, and as further outlined in this Code.

(21 7) ON-SITE IMPROVEMENTS. Construction or placement of the main building, and its appurtenant improvements on a lot.

(218) ON-PREMISE SIGN. A sign which pertains to the use; product or commodity sold; service performed on the premise and/or property on which it is located.

(219) OPEN SPACE. Land used for recreation, agriculture, resource protection, amenity, historical preservation, or buffers, and is protected by the provisions of this Code to ensure that it remains in such uses.

(220) OPEN SPACE, IMPROVED. Park area that is improved as part of a residential development. Improved open space may include, but need not be limited to, lawns, landscape areas, improved/paved trails, active recreation areas, children's playgrounds, swimming pools, ball fields, multi-purpose courts, tennis courts, and other approved park improvements. The design and included elements in required improved open space are approved at the discretion of the planning commission and city council.

(221) OPEN SPACE, USABLE. Usable open space shall be any portion of a lot or building which meets all the following conditions:

- (a) The open space shall be open to the sky or shall be open to view on at least two sides.
- (b) The space shall be readily accessible by foot traffic from the dwelling unit to which it is accessory.
- (c) If the space is provided on a balcony, roof, or other facility above grade, it shall have such protective devices as are deemed necessary by the building inspector to assure reasonably safe usage by the children and adults.
- (d) The space shall not be provided from any required front or side yard, parking area, or driveway space.

(222) OWNER. The holder of the fee title to land or buildings or to property, whether a person, partnership, corporation, or other entity recognized by law, and his or its lessees, permittee, assignees, or successors in interest.

(223) OVERHANGING SIGN. (see "Mansard, Roof Sign").

(224) PAINTED WALL SIGN. Any sign which is applied with paint or similar substance on the surface of a wall.

(225) PARAPET. The extension of a false front or wall above a roofline.

(226) PARCEL OF LAND. (See "Lot").

(227) PARKING FACILITY (PARKING LOTS, PARKING STRUCTURES). A building or open area, other than a street, used for the parking of more than 4 automobiles and available for public use, whether free, for compensation, or accommodation for clients or customers.

(228) PARKING LOT. An open area, other than a street, used for the parking of automobiles and available for public use, whether free, for compensation, or accommodation for clients or customers.

(229) PASSIVE SOLAR SYSTEM. A direct thermal system which utilizes the structure of a building and its operable components to provide for collection, storage and distribution of heating or cooling during the appropriate times of the year, by utilizing the climate resources available at the site. It includes those portions and components of a building that are expressly designed and required for the collection, storage, and distribution of solar and the architectural and engineering design or system simulation necessary to balance or optimize passive components.

(230) PEDESTAL SIGN. A temporary and/or movable sign supported by a column(s) and a base so as to allow the sign to stand in an upright position.

(231) PEDESTRIAN-WAY (WALKWAY OR CROSS-WALK). A right-of-way designed for use by pedestrians and not intended for use by motor vehicles of any kind; a pedestrian-way may be located within or without a street right-of-way, at grade, or grade-separated from vehicular traffic.

(232) PERMANENT MONUMENT. Any structure of concrete, masonry and/or metal permanently placed on or in the ground, including those expressly placed for surveying reference, which meets the requirements of Grantsville City for permanent monuments.

(233) PERMITTED USE. A use of land which is allowed within a particular district without the necessity of obtaining a conditional use permit.

(234) PERSON. Any individual, corporation, partnership, organization, association, trust, governmental agency, or any other legal entity ~~firm, partnership, or similarly defined interest.~~

(235) PLANNED UNIT DEVELOPMENT (PUD). An integrated design for development of residential, commercial or industrial uses, or limited combination of such uses, in which the density and location regulations of the district in which the development is situated may be varied or waived to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed requirements. Planned unit development regulations may govern the subdivision of land if it is proposed by the development to sell individual lots in the planned unit development. Thus planned unit development regulations can be subdivision regulations which may be chosen by the developer as an alternative to specifically designated subdivision regulations of this Code, to become effective only through the planned unit development approval process.

(236) PLANNING COMMISSION. The Planning Commission of Grantsville City.

(236.1) PLAT. An instrument subdividing property into lots as depicted on a map or other graphical representation of lands that a licensed professional land surveyor makes and prepares in accordance with Utah Code Ann. Section 10-9a-603 (2023), and Section 57-8-13 (2003).

(237) POLE COVER (SIGN). Cover enclosing or decorating poles or other structural supports of a sign.

(238) POLITICAL SIGN. A temporary sign used in connection with a local, state, or national election or referendum.

(239) PORTABLE SIGN. Any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.

(240) PREFABRICATED HOUSING. (See Modular Home).

(241) PREMISES. A parcel of land with its appurtenances and buildings which, because of its unit of use, may be regarded as the smallest conveyable unit of real estate for that zoning district.

(242) PRELIMINARY PLAT. A drawing, to scale, representing a proposal to subdivide a tract, lot or parcel of land, and meeting the preliminary plat requirement of this ordinance.

(243) PRE-SECTIONED HOME. (See Modular Home).

(244) PRIME AGRICULTURAL SOILS. Areas of soils most suited for agriculture, those in capability units 1, 11, or 111, as indicated in the soil survey prepared by the Soil Conservation Service which encompasses Grantsville City.

(245) PRINCIPAL USE. Any use which is named and listed in the use regulations and other provisions of this Code, except those uses specifically designated as accessory uses; any use which is or may be conducted on a lot independently or any other use on the lot and not incidental or accessory to any other use on the lot; any use which establishes the primary activity on a lot.

(246) PRIVATE NON-PROFIT RECREATIONAL GROUNDS AND FACILITIES. Non-profit recreational grounds and facilities operated by a non-profit corporation, association, or group.

(247) PRIVATE STREET. (Amended 5/97, 2/00, 9/07, 2/09) A privately owned way or lane which affords the principal means of access to property. A private street which serves up to two (2) dwelling units shall have a right of way width of not less than 30 feet and shall be constructed and maintained with an all weather dustless surface that meets the specifications of the City for a standard residential street section, except that the base course need only be 20 feet wide with a slope or crown of 2 to 4%, no bituminous surface course need be applied and said street shall have a shoulder v-ditch with a slope of 6 to 8%. Private streets that serve more than two dwelling units or any business activity shall be constructed and maintained according to the City standards and specifications for a "standard residential street." Any private street that is longer than 150 feet shall have a cul-de-sac or hammerhead at the end thereof. The dimensions or layout of any required cul-de-sac or hammerhead shall comply with City's standards and specifications for public cul-de-sac or the minimum specifications of the current International Fire Code for hammerheads. The developer or owner(s) of a private street shall place a street sign at the intersection of the private street and all public streets, indicating the name of the private street, the north or east coordinate and that the street is a "private street". The location and specifications for the private street sign shall be determined by the City Public Works Director.

(248) PROCESS OR PROCESSING. The act, business or procedure of taking raw, extracted or preprocessed material and adding to or taking away from it, to produce a product that is purer, used, marketed, or uniquely different than the original raw material or product before the procedure was enacted.

(249) PROFESSIONAL TEAM, QUALIFIED. An individual(s) qualified by virtue of training, experience, state licensing where appropriate and membership in professional associations which pass upon qualifications prior to admittance to membership. A determination of whether or not a team is qualified, in the sense explained above, shall be made solely by the Planning Commission.

(250) PROJECTING SIGN. A sign, other than a flat wall sign which is attached to and projects from a building wall or other structure not specifically designed to support the sign.

(251) PROPERTY SIGN. A sign related to the property upon which it is located and offering such information as the address, the property, warning against trespassing, any hazard, or other danger on the property. (see "Identification Sign")

(252) PROTECTION STRIP. A strip of land between the boundary of a land development and a street within the land development, for the purpose of controlling the access to the street by property owners abutting the land development.

(253) PUBLIC FACILITIES AND PUBLIC SERVICE FACILITIES. For the public convenience, certain infrastructure including streets, water lines, sewer lines, public utilities and drainage facilities may be allowed to serve various areas of the community, as public facilities. Possible additional facilities such as a sub-station for fire and/or police, post office and/or hospital may be determined to be in the public interest as well, as public service facilities by Grantsville City.

(254) PUBLIC STREET. A public way which affords principal means of access to abutting properties.

(255) PUBLIC SYSTEM (WATER OR SEWAGE). A system which is owned and operated by a local governmental authority or by an established public utility company which is adequately controlled by a governmental authority. Such systems are usually existing systems serving a municipality, a township, an urban county, or a water or sewer district established and directly controlled under the laws of the state of Utah.

(256) QUASI-PUBLIC. A seemingly public institution, entity or organization that is not actually public. (Because of an independent or private control over it)

(257) REAL ESTATE SIGN. A temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.

(258) REAR YARD REGULATIONS (REAR SETBACK). That part of a lot that adjoins another lot, alley, street, road or highway, which does not provide the main access to the lot, if any access at all is allowed, between the rear line of the building and the rear lot line, and extending the full width of the lot. The length of the rear yard is measured from the rear lot line to the eaves or the rear (back) line of a building whichever is closer to the rear lot line. Unenclosed stoops of six foot by six foot or less is not considered the rear line of a building.

(259) RECREATION DWELLING (CABIN, RECREATION CABIN). A dwelling designed for limited rather than primary occupancy and generally located adjacent to or with easy access to recreational area. The primary purpose for the construction of such a dwelling is to provide shelter during those limited periods of time when recreation is sought in the adjacent areas.

(260) RECREATIONAL VEHICLE (RECREATIONAL COACH). A vehicle with or without motive power, designed and constructed to travel on public streets, and designed for use as a human habitation of a temporary and recreational nature.

(261) RECREATIONAL VEHICLE PARK (TRAVEL TRAILER PARK). Any area or tract of land or a separately designated section within a mobile home park where lots are rented or held out for rent to one or more owners or users of recreational vehicles for a temporary time not to exceed 30 consecutive days.

(262) RECREATIONAL VEHICLE SPACE. A plot of ground within a recreational vehicle park designated and intended for the accommodation of recreational vehicle.

(262.1) RECORD OF SURVEY MAP. A map of a survey of land prepared in accordance with Utah Code Ann. Section 10-9a-603 (2023), Section 17-23-17 (2023), Section 17-27a-603 (2023), and Section 57-8-13 (2003).

(263) RENEWABLE ENERGY. That form of energy whose supply is natural, inexhaustible and not dependent upon fossil fuel supplies. Examples include residential solar heat, wind power, geothermal power and many other supply sources.

(263.1) RESIDENTAIL DRIVEWAY. A driveway providing vehicular access to property used for residential purposes. This includes driveways for single family detached/attached and two-family structures.

(264) RESIDENTIAL FACILITY FOR ELDERLY PERSONS. ~~Means a~~ △ single-family or multiple-family dwelling unit that meets the requirement of Chapter 8 of this Code and any ordinance adopted under authority of that chapter.

(265) RESIDENTIAL FACILITY FOR HANDICAPPED PERSONS. ~~Means a~~ △ single-family or multiple-family dwelling unit that meets the requirements of Chapter 8 of this Code and any ordinance adopted under authority of that chapter.

(266) RESIDUAL LAND. That land which does not meet the minimum standards for a lot and therefore must be attached and become part of another parcel which does or will conform to lot minimum standards, or be attached to public land for public purposes.

(267) RIGHT-OF-WAY. That portion of land dedicated to public use for street and/or utility purposes or maintained in private use for similar purposes.

(268) ROADWAY WIDTH. For a street with battered or roll curb to back of curb, otherwise the width of the actual paved surface.

(269) ROOFLINE. The top edge of a roof or building parapet, whichever is higher, excluding any mansards, cupolas, pylons, chimneys or minor projections.

(270) ROOF SIGN. Any sign erected partly or wholly over or on the roof of a building. A structure having main supports embedded in the ground shall not be considered to be a roof sign even if the sign's supports pass through a roof, canopy, or parapet of a building. (compare "Mansard, "Wall Sign")

(271) ROTATING SIGN. (see "Animated Sign , Mechanically Energized").

(271.1) SANITARY SEWER AUTHORITY. The department, agency, or public entity with responsibility to review and approve the feasibility of sanitary sewer services or onsite wastewater services.

(272) SCHOOL, PRIVATE. A school which is operated by a quasi-public or private group, individual, or organization, for profit or non-profit and which has a curriculum similar to that provided in any public school whether or not a complete educational curriculum.

(273) SCHOOL, PUBLIC. A school operated by a school district or other public agency in the State of Utah.

(274) SECURITY SURVEILLANCE. When security is a paramount concern to a project, it may require continuous and comprehensive surveillance of the private streets if access is only through a guarded gate. Under these circumstances it is in the interests of the public to vary requirements sufficient to permit total control of a manager.

(275) SEWER CONNECTION. A connection consisting of all pipes, fittings, and appurtenances from the drain outlet of the mobile home to the inlet of the corresponding sewer riser pipe of the sewage system serving the mobile home development.

(276) SEWER RISER PIPE. That portion of the sewer which extends vertically to at least ground elevation and terminates at each mobile home stand.

(277) SIDE YARD SETBACK. That part of a lot that adjoins another lot, between the side line of the building and the side lot line, and extending from the Front yard setback to the Rear Yard setback. The width of the side yard is measured from the lot line to the end of the eaves or the side line of a building whichever is closer to the side lot line. Unenclosed stoops of six foot by six foot or less is not considered the side line of a building.

(278) SIGN. Any device, structure, fixture, or placard using graphics, symbols, and/or written copy for the primary purpose of identifying, providing directions, or advertising any establishment, person, entity, interest, product, goods, or services. It includes any structural supports, lighting systems, attachments, ornaments or other features.

(279) SIGN, AREA OF.

(a) Projecting and Freestanding - the area of a freestanding or projecting sign shall have only one side of any double or multiple-faced sign counted in calculating its area. The area of the sign shall be measured as follows if the sign is composed of one (1) or more individual cabinets. A rectilinear line of not more than eight (8) sides shall be drawn around and enclosing the perimeter of each cabinet or module. The area shall then be summed and totaled to determine total area. The perimeter of measurable area shall not include embellishments such as pole covers, framing, decorative roofing, support structures, etc., provided that there is no written advertising copy on such embellishments.

(b) Wall Sign - The area shall be within a single, continuous perimeter composed of any rectilinear line, geometric figure which encloses the extreme limits of the advertising message, If the sign is composed of individual letters or symbols using the wall as the background with no added decoration, the total sign area shall be calculated by measuring the area within the perimeter of each symbol or letter. The combined areas of the individual figures shall be considered the total sign area.

(280) SIGN CLEARANCE. The smallest vertical distance between the grade of the adjacent street, highway, or street curb and the lowest point of any sign, including framework and embellishment, if extended over that grade.

(281) SIGN, ELECTRONIC MESSAGE. (see "Animated Sign, Electrically Energized").

(282) SIGN, FREE-STANDING. (see "Freestanding Sign").

(283) SIGN IDENTIFICATION AND INFORMATION. (see "Identification Sign").

(284) SIGN ILLUMINATED. (see "Illuminated Sign").

(285) SIGN, MARQUEE. (see "Marquee Sign").

(286) SIGN SETBACK. The minimum distance that any portion of a sign or sign structure shall be from any street right-of-way line and yard line coterminous with a street or road.

(286.1) SINGLE USE RESIDENTIAL DEVELOPMENT. A development that contains only single family dwellings, two family dwellings, or townhomes which are subject to the processes prescribed in Utah Code Ann. 10-9a-604.1 (2023) and 10-9a-604.2 (2023).

(287) SITE. A parcel or parcels of land intended to have one or more buildings or intended to be subdivided into one or more lots.

(288) SITE AREA. All land area within the site as defined in the deed. Area shall be determined from an actual survey rather than from a deed description.

(289) SITE PLAN (PLOT PLAN). A plan required by and providing the information required by this ordinance.

(290) SKETCH PLAN. A generalized layout of a proposed subdivision or development, with accompanying general proposal and intentions of the subdivider or developer, and relating the proposed subdivision or development to its area, public, utilities, facilities, services, and to special problems which may exist in the area.

(291) SKY SPACE. That portion of the sky that must remain unobstructed for a solar collector to operate effectively. The skyspace can be measured for specific time of year use and location . (See " SOLAR ACCESS").

(292) SNIPE SIGN. A temporary sign or poster affixed to a tree, fence, etc.

(293) SOLAR ACCESS. The availability of sunlight to solar collectors and solar energy systems. Solar access to a site depends upon the specific system type and most often demands rooftop, south wall, south lot or detached collector protection.

(294) SOLAR ENERGY CONVERSION SYSTEM. Includes active, passive and photo voltaic solar systems which when placed on a structure to supply energy to that structure.

(295) SOLAR GREENHOUSE / SUNSPACE / SUNPARLOR. An attached space to a building or residence which may provide heat and/or food to users as part of a passive solar energy system.

(296) SPECIAL DISTRICT. ~~Means a~~ All entities established under authority of Title 1 7A and any other governmental or quasi-governmental entity that is not a county, municipality, school district, or unit of the state.

(296.1) SPECIFIED PUBLIC UTILITY. An electrical corporation, gas corporation, telephone corporation, franchise or other quasi-public utility as those terms are defined in Utah Code Ann. Section 54-2-1 (2016).

(297) SPORTSMAN PERMIT. The keeping of up to five dogs by their owner in a residential area pursuant to GCC 4-1-32(B) pursuant to a conditional use permit and license issued by the City Council.

(298) SPOT ZONE. A zoning amendment which singles out a relatively small parcel for a use classification totally different from that of the surrounding area, for the benefit of the owner of such property, which is invalid because it is not in accordance with a comprehensive plan.

(299) STABLE, PRIVATE. A detached accessory building for the keeping of livestock owned by the occupants of the premises and not kept for hire, remuneration, or sale.

(300) STABLE, PUBLIC. A detached accessory building where horses are boarded and/or kept for hire.

(301) STATE STORE. A facility for the sale of package liquor located on premises owned or leased by the state of Utah and operated by state employees. State store does not apply to any licensee, permittee, or to package agencies.

(302) STEEP SLOPES. Areas where the average slope exceeds 8 percent which, because of this slope, are subject to high rates of storm water runoff and therefore erosion.

(303) STORY, HALF. A partial story under a gable, hip, or gambrel roof, the wall plates of which are on at least two opposite exterior walls, do not extend more than four feet above the floor of such story, and the ceiling area of which does not exceed 2/3 of the floor area of ground, or attachment to something having a fixed location upon the ground, includes "building."

(303.1) STREET. A public right-of-way, including a highway, avenue, boulevard, parkway, road, lane, walk, alley, viaduct, subway, tunnel, bridge, public easement, or other way, and which may be classified as Rural, Residential, Local, Collector, Arterial, and Main Street or as otherwise defined in the Grantsville City Street Master Plan.

(304) STREET AND ROAD SYSTEMS. (AMENDED 5/97 & 11/06) (see Technical Specifications and Standard Drawings for Streets).

(a) Arterial - A limited access street which is designed to carry through traffic with their only access being from Collector streets and State roads at intervals of no less than 1/2 mile. Arterial streets are intended to serve 3500 to 8000 average daily trips when the service area is fully developed.

(b) Collector - A street which is designed to intercept traffic from a standard residential road. Collector streets are intended to serve up to 1500 average daily trips from 150 to 500 residential or equivalent units.

(c) Cul-de-sac - A street which is designed to remain permanently closed at one end with the closed end terminated with a vehicular turnaround.

(d) Local – A street which creates the intercity grid network and functions to move traffic from Residential streets to Collector streets.

(e) Public Street - A street or road which has been dedicated or abandoned to the public and accepted by the proper public authority and affords principal access to abutting properties.

(f) Rural – A street located in outlying areas where volumes are less than a design hourly volume of 100 and intrusions such as driveways are greater than 1/4 mile apart with intersections being spaced no less than 1 mile apart.

(g) Residential or Standard Residential - A street which is designed to serve abutting land uses only. Standard residential streets are intended to serve up to 1500 average daily trips from no more than 150 residential or equivalent units. Residential streets may be developed to a Rural Residential Road Standard if the street meets criteria found in the Grantsville City Street Master Plan.

(h) Stub Streets - A street or road extending from within a subdivision boundary and temporarily terminating with temporary turnaround (cul-de-sac). Stub streets are provided to permit adjacent undeveloped parcels of land to be developed later by continuing the stub street to a connecting street.

(304a) STREET SIDE YARD. The permeable and visible (not impeded by a fence) area between the secondary street lot line and the side facing facade of the main building as illustrated in [Drawing 1 \(see definition for Front Yard\)](#). (305) STRUCTURE. Anything constructed, the use of which requires fixed location on the ground or attachment to something having a fixed location on the ground, includes "building".

(306) SUBDIVIDER (DEVELOPER). Means any person, firm, corporation, partnership or association who causes land to be divided into a subdivision for himself/herself or others; a developer.

(307) SUBDIVISION ~~(See "DEVELOPMENT"). Means any land that is divided, re-subdivided, or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions. It also includes the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument; and divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.~~ Any land that is divided, resubdivided or purposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

1. "Subdivision" includes:

- a. The division or development of land whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument, regardless of whether the division includes all or a portion of a parcel or lot; and
- b. Except as provided for in the following Subsection regarding the division or partition of agricultural land, divisions of land for residential and non-residential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

2. "Subdivision" does not include:

- a. A bona fide division or partition of agricultural land for the purposes of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance;
 - b. A recorded document, executed by the owner of record;
 - c. Revising the legal description of multiple parcels into a legal description encompassing all such parcels; or
 - d. Joining a lot to a parcel.
3. A boundary line agreement recorded with the Tooele County Recorder between owners of adjoining subdivided properties adjusting the mutual lot line boundary in accordance with Utah Code Ann. Section 10-9a-524 (2021) and 10-9a-608 (2023), if:
- a. No new dwelling lot or housing unit will result from the adjustment; and
 - b. The adjustment will not violate any applicable land use ordinance.
 - c. A bona fide division of land by deed or other instrument if the deed or other instrument states in writing that the division:
 - i. Is in anticipation of future land use approvals on the parcel or parcels;
 - ii. Does not confer any land use approvals; and
 - iii. Has not been approved by the land use authority.
 - d. A parcel boundary adjustment;
 - e. A lot line adjustment;
 - f. A road, street, or highway purpose; or
 - g. Any other division or land authorized by law.

(308) SUBDIVISION, CLUSTER. A subdivision of land in which the lots have areas less than the minimum lot area of the district in which the subdivision is located, but which complies with the cluster subdivision provisions of this Ordinance and in which a significant part of the land is privately reserved or dedicated as permanent common open space to provide low-density character for the residential lots in the subdivision.

(309) SUBDIVISION IDENTIFICATION SIGN. A freestanding or wall sign identifying a recognized subdivision, condominium complex, or residential development.

(310) SUBDIVISION, MINOR. A subdivision of four (4) or less lots, which is not traversed by the mapped lines of a proposed street as shown in the general plan of Grantsville City, does not require the dedication of any land for street or other public purposes and each lot in the subdivision meets the frontage, width and area requirements of this zoning ordinance and Grantsville City zoning maps.

(311) SUBDIVISION VACATION. The process of removing from record a section of land that was subdivided into plats for development or sale, lease or to offer for sale. The subdivision area vacated ceases to exist, and the land is one parcel, and must be re- subdivided to sell in smaller sections.

(312) SWIMMING POOL. An accessory use subject to all state and local regulations governing safety and health, which requires a conditional use permit.

(313) TECHNICAL REVIEW COMMITTEE. The Zoning Administrator, with the approval of the Mayor, may designate and appoint certain professionals, officials and other competent resource persons to serve as advisors, meeting as a Technical Review Committee to assist her/him, and serve as Planning Commission staff for the purpose of evaluating applications for Planning Commission action.

(314) TEMPORARY SIGN. A sign not constructed or intended for long-term use, with a maximum time period of ninety (90) days.

(315) TEMPORARY USE. Any use of land which, in the determination of the Planning Commission, and approved by the City Council shall not extend beyond 2 years from inception of such land use. A determination as to whether or not a land use is temporary shall be based solely upon facts submitted to the Planning Commission at the time of application for a conditional use permit for a temporary use. Unless found to be temporary, any use of the land shall be presumed to be permanent. Such uses include construction facilities, emergency facilities as well as interim uses of land and buildings awaiting ultimate use, i.e. pasture for a few months before construction begins, a carnival, fair, sports field, staging area, etc.

(316) TIEDOWN. Any device designed for the purpose of anchoring a mobile home to ground anchors.

(317) TWIN HOME DWELLINGS. (Amendment 7/97) A two-family dwelling that is divided into attached single-family dwellings as the result of a division of the property upon which the two dwellings are situated into two separate lots along the common wall of the two single-family dwellings. The adjoining lots occupied by a twin home shall have the minimum square footage required for any lot in the zoning district in which the property is located, plus the additional square footage required for an additional dwelling unit in the same zone. Twin home dwellings shall be either approved as a part of an initial subdivision application and approval process or as a result of the subdivision amendment process specified by the provisions of Chapter 21, Section 10 of this Code.

(317) TWIN COMMERCIAL UNITS (06/06). A twin commercial unit is a commercial building or structure that is located on two adjoining lots, is separated by a common wall and the common wall is located on the lot line. The adjoining lots occupied by a twin commercial unit shall have the minimum square footage required for any lot in the zoning district in which the property is located. Twin commercial Units may be approved as a part of an initial subdivision approval process or may be approved as a conditional use for existing lots in specified commercial and industrial zoning districts. The ownership of each portion of a twin commercial unit shall run with the land that it is located upon.

(318) UNDER-CANOPY SIGN. A sign suspended beneath a canopy, ceiling, roof, or marquee.

(319) UNINCORPORATED. ~~Means~~ The area outside of the incorporated boundaries of Grantsville City. That area that falls under the jurisdiction of Tooele County.

(320) UNLICENSED MOTOR VEHICLES. Any vehicle which initially was designed or constructed to be self-propelled and which is not currently registered or licensed by the State of Utah, but does not include vehicles exempt from registration under Section 41-22- 9 Utah Code Annotated, 1953, as amended. "Unlicensed Motor Vehicle" does not include any motor vehicle kept or stored at an approved impound lot or commercial storage yard.

(321) URBAN SERVICES. Those services normally associated with urban living, including but not limited to the following; electricity, natural gas, streets, schools, culinary water, sewage collection and treatment facilities, and police and fire protection.

(322) USE. The purpose for which a building, lot, sign or structure is intended, designated, occupied, or maintained.

(323) "V" SIGN. A sign consisting of two essentially equal faces, positioned at an angle subtending less than 179 degrees.

(324) VICINITY MAP (LOCATION MAP). A map or drawing, not necessarily to scale, showing where a subdivision, or proposed subdivision, PUD, commercial development, or other property is located.

(325) VICINITY PLAN. A map or drawing, to scale, of any area proposed for development, showing existing and proposed streets, buildings, public facilities and utilities within the general influence area of the proposed project such as mile radius; boundaries of zoning districts , taxing districts, and other special districts on and in the immediate vicinity of the land proposed for project; water course, impoundments, streams, springs, wells and areas subject to continuous or occasional flooding on and in the immediate vicinity of the land proposed for project and significant vegetative patterns on and in the immediate vicinity of the land proposed for development.

(326) VIEW-OBSCURING FENCE, WALL OR HEDGE. A fence, wall, or hedge of vegetation growth which prevents full view of property on one side by a viewer standing on the other side.

(327) WALL SIGN. A sign attached essentially parallel to and extending not more than twenty-four (24) inches from the wall of a building with no copy on the sides or edges. This definition includes painted, individual letters, and cabinet signs, and signs on a mansard.

(328) WATER CONNECTION. A connection consisting of all pipes, fittings, and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within the dwelling.

(329) WATER RISER CONNECTION. That portion of the water supply system which extends vertically to at least ground elevation and terminates at the water inlet pipe for each mobile home lot or dwelling.

(331) WETLANDS. Areas known as marshes, swamps, or wetlands, including all areas greater than one-quarter acre where standing water is retained for a portion of the year and unique vegetation has adapted to the area, or as regulated by the U.S. Army corps of Engineers.

(332) WIND ENERGY CONVERSION SYSTEMS. Includes structure and all apparatus to utilize wind to drive generator.

(333) WINDOW SIGN. A sign installed inside a window and intended to be viewed from outside the building.

(334) Xeriscape Landscape. One of several methods of landscaping that employs a mix of drought tolerant plants and organic and inorganic mulch and are considered Waterwise Landscapes.

(335) YARD. A required open space on a lot, other than a court, unoccupied and unobstructed from the ground upward, except as permitted elsewhere in this Code.

(336) YARD, FRONT. (See: Front Yard Setback). Note - On a corner lot there are two front yards.

(337) YARD, REAR. (See: Rear Yard Setback)

(338) YARD, SIDE. (See: Side Yard Setback)

(339) ZONE. (See "District, Zone")

(340) ZONING MAP. A map, adopted as part of a land use ordinance, that depicts land use zones, overlays, or districts.

Amended 05/97, 08/02, 11/05 by Ordinance 2005-20, 06/06 by Ordinance 2006-08, 09/07 by Ordinance 2007-31, 01/09 by Ordinance 2009-02, 09/18 by Ordinance 2018-16

SECTION 4: AMENDMENT “21.1.10 Plats Required” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.1.10 Plats Required

(1) Unless exempt, under Utah Code Ann. Section §10-9a-605 (2010) or not included in the definition of a subdivision, whenever any lands are divided, the owner of those lands shall have an accurate plat made of them that sets forth and describes:

(a) all the parcels of ground divided, by their boundaries, course, and extent, and whether they are intended for streets or other public uses, together with any areas that are reserved for public purposes; and

(b) the lot or unit reference, the block or building reference, the road or site address, the road name or coordinate address, the acreage or square footage for all parcels, units, or lots, and the length and width of the blocks and lots intended for sale.

(2)

(a) The owner of the land shall acknowledge the plat before an officer authorized by law to take the acknowledgment of conveyances of real estate.

(b) The surveyor making the plat shall certify it.

(c) The planning commission shall approve the plat as provided in this code. Before final approval of a plat, the owner of the land shall provide the planning commission with a tax clearance indicating that all taxes, interest, and penalties owing on the land have been paid.

(3) After the plat has been acknowledged, certified, and approved, the plat shall be kept by the City until the owner of the land shall file and record it in the county recorder’s office. (Utah Code Ann. §10-9a-603 (2017))

AFTER AMENDMENT

21.1.10 Plats Required

(1) Unless exempt, under Utah Code Ann. Section §10-9a-605 (20~~17~~²⁰) or not included in the definition of a subdivision, whenever any lands are divided, the owner of those lands shall have an accurate plat made of them that sets forth and describes:

(a) all the parcels of ground divided, by their boundaries, course, and extent, and whether they are intended for streets or other public uses, together with any areas that are reserved for public purposes; and

(b) the lot or unit reference, the block or building reference, the road or site address, the road name or coordinate address, the acreage or square footage for all parcels, units, or lots, and the length and width of the blocks and lots intended for sale.

(2)

(a) The owner of the land shall acknowledge the plat before an officer authorized by law to take the acknowledgment of conveyances of real estate.

(b) The surveyor making the plat shall certify it.

(c) The ~~planning commission~~City shall approve the plat as provided in this code. Before final approval of a plat, the owner of the land shall provide the ~~planning commission~~City with a tax clearance indicating that all taxes, interest, and penalties owing on the land have been paid.

(3) After the plat has been acknowledged, certified, and approved, the plat shall be kept by the City until the owner of the land shall file and record it in the county recorder's office. (Utah Code Ann. §10-9a-603 (20~~17~~²²))

SECTION 5: **AMENDMENT** "21.1.11 Agricultural Exemptions From Plat Requirements" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.1.11 Agricultural Exemptions From Plat Requirements

(1) A lot or parcel resulting from a division of agricultural land is exempt from the plat requirements of this code if the lot or parcel:

(a) qualifies as land in agricultural use under Utah Code Ann. §59-2-5 (1987 - 2017), Farmland Assessment Act;

(b) meets the minimum size requirement of applicable land use ordinances; and

- (c) is not used and will not be used for any nonagricultural purpose.
- (2) The boundaries of each lot or parcel exempted under Subsection (1) shall be graphically illustrated on a record of survey map that, after receiving the same approvals as are required for a plat under this code, shall be recorded with the county recorder.
- (3) If a lot or parcel exempted under Subsection (1) is used for a nonagricultural purpose, the lot or parcel shall comply with the requirements of the subdivision plat provisions of this code. (Utah Code Ann. §10-9a-603 (2017))
- (4) A plat is not required for a recorded agreement between owners of adjoining subdivided properties adjusting their mutual boundary if no new dwelling lot or housing unit will result from the adjustment and the adjustment will not violate any applicable land use regulation. (Utah Code Ann. §10-9a-602 (2005))

AFTER AMENDMENT

21.1.11 Agricultural Exemptions From Plat Requirements

- (1) A lot or parcel resulting from a division of agricultural land is exempt from the plat requirements of this code if the lot or parcel:
- (a) qualifies as land in agricultural use under Utah Code Ann. §59-2-5 (1987 - 2017), Farmland Assessment Act;
 - (b) meets the minimum size requirement of applicable land use ordinances; and
 - (c) is not used and will not be used for any nonagricultural purpose.
- (2) The boundaries of each lot or parcel exempted under Subsection (1) shall be graphically illustrated on a record of survey map that, after receiving the same approvals as are required for a plat under this code, shall be recorded with the county recorder.
- (3) If a lot or parcel exempted under Subsection (1) is used for a nonagricultural purpose, the lot or parcel shall comply with the requirements of the subdivision plat provisions of this code. (Utah Code Ann. §10-9a-603 (20~~17~~²²))
- (4) A plat is not required for a recorded agreement between owners of adjoining subdivided properties adjusting their mutual boundary if no new dwelling lot or housing unit will result from the adjustment and the adjustment will not violate any applicable land use regulation. (Utah Code Ann. §10-9a-602 (20~~05~~¹⁹))

SECTION 6: **AMENDMENT** “21.1.12 Open Space Applicability Of Regulations” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.1.12 Open Space Applicability Of Regulations

(1) In recognition that the residents of Grantsville highly value the open tracts of land that currently are characterized with recreational uses, agricultural uses, minimal development or remain in a natural state, Grantsville City desires to protect and preserve these characteristics while allowing for continued growth and improvement of the community by requiring each proposed development to consider and maintain some form of open space as described in the following regulations.

(2) All undeveloped parcels that come before the City as a subdivision of land shall comply with the open space regulations found in this chapter. All development shall be in compliance with all applicable Grantsville City ordinances, regulations, or resolutions and when in conflict, the provisions of this chapter shall prevail.

AFTER AMENDMENT

21.1.12 Open Space Applicability Of Regulations

(1) In recognition that the residents of Grantsville highly value the open tracts of land that currently are characterized with recreational uses, agricultural uses, minimal development or remain in a natural state, Grantsville City desires to protect and preserve these characteristics while allowing for continued growth and improvement of the community by requiring each proposed development to consider and maintain some form of open space as described in the following regulations.

(2) All undeveloped parcels that come before the City as a residential subdivision of land greater than four total lots shall comply with the open space regulations found in this chapter. All development shall be in compliance with all applicable Grantsville City ordinances, regulations, or resolutions and when in conflict, the provisions of this chapter shall prevail.

SECTION 7: AMENDMENT “21.1.15 Open Space Requirements” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.1.15 Open Space Requirements

(1) Each subdivision or site plan shall provide a minimum of 10% of its total parcel acreage as open space. The open space shall be designated on the preliminary plan or site plan and recorded on the final plat. The minimum restricted open space shall comprise at least 10% of the total parcel acreage. The open space shall be held and maintained in a private protective trust. In limited cases such as the provision of a minimum of five-acre public park the City Council at its discretion may, by finding of a beneficial public purpose, choose to accept the dedication of such parcels and improvements.

(2) Above-ground utility rights-of-way and small areas of impervious surface may be included within the protected open space but cannot be counted towards the 10% minimum area requirement except that historic structures and existing trails with public access may be counted. Areas greater than 10% of the total open space area that is covered with any impervious surface shall be excluded from the open space calculation.

(3) At least 75% of the open space shall be in a contiguous or interconnecting tract. The open space shall be designed in such a way that it adjoins any neighboring areas of open space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected open space. If there is no defined or identified open space on adjoining land, then the open space shall provide areas for the eventual connection with future development as practicable.

(4) The open space shall be directly accessible to the largest practicable number of lots within the subdivision. The type of open space shall be taken into consideration when making the determination of direct accessibility. Open space parcels that are preserved as active agriculture or pasture land may have limited direct accessibility as the use requires restricted access, but it is expected that such uses shall be located along the sides of public streets or trails so that the open space will provide for the benefit and enjoyment of residents as it reserves the open rural atmosphere desired by the residents. Historic features or other unique natural features due to the nature of their location, characteristics and configuration may also limit direct accessibility but shall be showcased in such a way that it may provide for the benefit and enjoyment of residents as it preserves the open rural atmosphere desired by the residents. Non-adjoining lots shall be provided with safe, convenient access to the open space. Trails are encouraged in the subdivision to access both natural open space areas within the subdivision and those that may be located nearby. Just as with streets, trail connections for connectivity and access with future subdivisions and the City-wide trails system shall be considered.

(5) In lieu of, or in a proportional combination with, the provision of 10% of the total parcel acreage as open space, the developer may, through agreement with the Planning Commission and City Council apply 10% of the predeveloped value of the total parcel acreage, as determined through an owner provided appraisal by a certified real estate appraiser, to purchase another parcel that would be designated as park or open space, construct amenities in existing public parks and open space located within ½ mile of the proposed development, and extend off site trails from the proposed development with sidewalk and trail connections between both parcels to benefit the residents of the development.

(6) Land dedicated for use as a public park shall be no smaller than five acres and shall not be located any closer than three quarters of a mile from another public park. The City Council may make exceptions to the minimum distance if walkability and other accessibility issues limit the residents of the proposed subdivision from safely or conveniently accessing the nearest public park. Requiring improvements that remove the accessibility barriers may be considered proportionally not exceeding the appraised value of the predeveloped value of the total parcel acreage as detailed in 21.1.15.6

AFTER AMENDMENT

21.1.15 Open Space Requirements

(1) Each subdivision or site plan shall provide a minimum of 10% of its total parcel acreage as open space. The open space shall be designated on the preliminary plan or site plan and recorded on the final plat. The minimum restricted open space shall comprise at least 10% of the total parcel acreage. The open space shall be held and maintained in a private protective trust. In limited cases such as the provision of a minimum of ~~five~~^{ten}-acre public park the City Council at its discretion may, by finding of a beneficial public purpose, choose to accept the dedication of such parcels and improvements.

(2) Above-ground utility rights-of-way and small areas of impervious surface may be included within the protected open space but cannot be counted towards the 10% minimum area requirement except that historic structures and existing trails with public access may be counted. Areas greater than 10% of the total open space area that is covered with any impervious surface shall be excluded from the open space calculation.

(3) At least 75% of the open space shall be in a contiguous or interconnecting tract. The open space shall be designed in such a way that it adjoins any neighboring areas of open space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected open space. If there is no defined or identified open space on adjoining land, then the open space shall provide areas for the eventual connection with future development as practicable.

(4) The open space shall be directly accessible to the largest practicable number of lots within the subdivision. The type of open space shall be taken into consideration when making the determination of direct accessibility. Open space parcels that are preserved as active agriculture or pasture land may have limited direct accessibility as the use requires restricted access, but it is expected that such uses shall be located along the sides of public streets or trails so that the open space will provide for the benefit and enjoyment of residents as it reserves the open rural atmosphere desired by the residents. Historic features or other unique natural features due to the nature of their location, characteristics and configuration may also limit direct accessibility but shall be showcased in such a way that it may provide for the benefit and enjoyment of residents as it preserves the open rural atmosphere desired by the residents. Non-adjointing lots shall be provided with safe, convenient access to the open space. Trails are encouraged in the subdivision to access both natural open space areas within the subdivision and those that may be located nearby. Just as with streets, trail connections for connectivity and access with future subdivisions and the City-wide trails system shall be considered.

(5) For developments which are not Planned Unit Developments, and the total aggregated development acreage is less than 20 acres, ~~in~~ in lieu of, or in a proportional combination with, the provision of 10% of the total parcel acreage as open space, the developer may, through agreement with the Planning Commission and City Council apply 10% of the predeveloped value of the total parcel acreage, as determined through a ~~an~~ current owner provided appraisal by a certified real estate appraiser, to purchase another parcel that would be designated as park or open space, construct amenities in existing public parks and open space located within ½ mile of the proposed development, and extend off site trails from the proposed development with sidewalk and trail connections between both parcels to benefit the residents of the development.

(6) Land dedicated for use as a public park shall be no smaller than ~~five~~ten acres and shall not be located any closer than three quarters of a mile from another public park. The City Council may make exceptions to the minimum distance if walkability and other accessibility issues limit the residents of the proposed subdivision from safely or conveniently accessing the nearest public park. Requiring improvements that remove the accessibility barriers may be considered proportionally not exceeding the appraised value of the predeveloped value of the total parcel acreage as detailed in 21.1.15.6

SECTION 8: **AMENDMENT** “21.2.2 Application Procedure” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.2.2 Application Procedure

(1) Each application for a subdivision shall have all required submittals before it is accepted as a complete application. No application for the next stage of the subdivision process shall be accepted until such time as the City has approved the application for the previous stage of the development.

(2) There shall be no presumption of approval of any aspect of the process.

(3) No application shall be accepted for any approval stage if the time limit has expired on the previous approval stage.

(4) The planning commission may request specific information found to be incomplete in its review and table further action until the information is submitted.

(5) A denial shall include written findings of fact and decision. Denial may be based, in addition to other reasons of good cause, upon incompatibility with the general plan, lack of a culinary water supply, insufficient fire suppression system, geological concerns, location, incompatibility with surrounding land uses, the inability of city service or utility providers to provide public services, or the adverse effect on the health, safety, and general welfare of the city and its residents.

(6) Appeals of the decision of a planning commission on any subdivision shall be made in writing to the city council within 30 days of the decision.

AFTER AMENDMENT

21.2.2 Application Procedure

(1) Each application for a subdivision shall have all required submittals before it is accepted as a complete application. No application for the next stage of the subdivision process shall be accepted until such time as the City has approved the application for the previous stage of the development.

(2) There shall be no presumption of approval of any aspect of the process.

(3) No application shall be accepted for any approval stage if the time limit has expired on the previous approval stage.

(4) ~~The planning commission may request specific information found to be incomplete in its review and table further action until the information is submitted~~City may require additional information to ensure compliance with current ordinances, applicable standards and specifications, or do not contain complete information in a manner consistent with current Utah Code requirements. (Utah Code Ann. 10-9a-604.2 (2023)).

(5) A denial shall include written findings of fact and decision. Denial may be based, in addition to other reasons of good cause, upon incompatibility with the general plan, lack of a culinary water supply, insufficient fire suppression system, geological concerns, location, incompatibility with surrounding land uses, the inability of city service or utility providers to provide public services, or the adverse effect on the health, safety, and general welfare of the city and its residents.

(6) Appeals of the decision of a planning commission on any subdivision shall be made in writing to the city council within 30 days of the decision.

SECTION 9: AMENDMENT “21.2.4 Lack Of Preliminary Subdivision Application Information - A Determination Of An Incomplete Application” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.2.4 Lack Of Preliminary Subdivision Application Information - A Determination Of An Incomplete Application

(1) The lack of any information required by this chapter for a complete application, or improper information supplied by the applicant, shall be cause for the zoning administrator to find the application incomplete.

(2) A determination of an incomplete application shall prohibit the scheduling of the application on a planning commission meeting agenda. If the application lacks any required information, the zoning administrator shall notify the applicant of the material or information lacking from the application. The zoning administrator shall allow 30 days from the date of notification for the applicant to provide the materials or information required. If the application remains incomplete after 30 days the zoning administrator shall return the entire incomplete application to the applicant, accompanied by all application fees paid.

AFTER AMENDMENT

21.2.4 Lack Of ~~Preliminary Subdivision~~ Development Application Information - A Determination Of An Incomplete Application

(1) The lack of any information required by this chapter for a complete application, or improper information supplied by the applicant, shall be cause for the zoning administrator to find the application incomplete.

~~(2) A determination of an incomplete application shall prohibit the scheduling of the application on a planning commission meeting agenda. If the application lacks any required information, the zoning administrator shall notify the applicant of the material or information lacking from the application. The zoning administrator shall allow 30 days from the date of notification for the applicant to provide the materials or information required. If the application remains incomplete after 30 days the zoning administrator shall return the entire incomplete application to the applicant, accompanied by all application fees paid. The City will not accept fees for an application until the Zoning Administrator determines the application to be complete. An application shall not move forward for review and consideration until the application is complete and all application fees have been paid.~~

SECTION 10: AMENDMENT “21.2.6 Concept Plan Requirements” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.2.6 Concept Plan Requirements

The concept plan shall show:(1) the general location of the subdivision, the property boundaries and adjoining properties with ownership;(2) lot and road layout indicating general scaled dimensions;(3) county, township, range, section, quarter section, blocks, the number of lots, principal meridian and true north;(4) a vicinity map showing significant natural and man-made features off site with a scale of 1 inch = 2000 feet on the site;(5) the acreage of the entire tract and the acreage of the portion to be developed;(6) the area for which approval will be requested for the first phase of development except for minor, commercial and industrial subdivisions;(7) an area plan showing the total area on a single sheet for subdivisions requiring more than one sheet at the required scale;(8) the sites, if any, for multi-family dwellings, shopping centers, community facilities, commercial, industrial, or other uses exclusive of single-family dwellings;(9) total development area, the number of proposed dwelling units and the amount of open space.(10) easements and rights-of-way;(11) property boundaries;(12) all ponds, wetlands and other hydrologic features;(13) topographic contours;(14) all primary and secondary conservation areas labeled by type, as described in sections 21.1.18 and 21.1.110 of this chapter;(15) general vegetation characteristics;(16) general soil types;(17) the planned location of protected open space;(18) existing roads and structures;(19) potential connections with existing greenspace and trails.(20) parcels of land that will have a conservation easement or are to be dedicated for schools, roads, parks, or other public purposes; and(21) an approval signature block for the planning commission chair.

AFTER AMENDMENT

21.2.6 Concept Plan Requirements

The concept plan shall show:

1. ~~(1)~~ the general location of the subdivision, the property boundaries and adjoining properties with ownership;
2. ~~(2)~~ lot and road layout indicating general scaled dimensions;
3. ~~(3)~~ county, township, range, section, quarter section, blocks, the number of lots, principal meridian and true north;
4. ~~(4)~~ a vicinity map showing significant natural and man-made features off site with a scale of 1 inch = 2000 feet on the site;
5. ~~(5)~~ the acreage of the entire tract and the acreage of the portion to be developed;
6. ~~(6)~~ the area for which approval will be requested for the first phase of development except for minor, commercial and industrial subdivisions;
7. ~~(7)~~ an area plan showing the total area on a single sheet for subdivisions requiring more than one sheet at the required scale;
8. ~~(8)~~ the sites, if any, for multi-family dwellings, shopping centers, community facilities, commercial, industrial, or other uses exclusive of single-family dwellings;
9. ~~(9)~~ total development area, the number of proposed dwelling units and the amount of open space;
10. ~~(10)~~ easements and rights-of-way;
11. ~~(11)~~ property boundaries;
12. ~~(12)~~ all ponds, wetlands and other hydrologic features;
13. ~~(13)~~ topographic contours;
14. ~~(14)~~ all primary and secondary conservation areas labeled by type, as described in sections 21.1.18 and 21.1.110 of this chapter;
15. ~~(15)~~ general vegetation characteristics;
16. ~~(16)~~ general soil types;
17. ~~(17)~~ the planned location of protected open space;
18. ~~(18)~~ existing roads and structures;
19. ~~(19)~~ potential connections with existing greenspace and trails; and;
20. ~~(20)~~ parcels of land that will have a conservation easement or are to be dedicated for schools, roads, parks, or other public purposes.

SECTION 11: **AMENDMENT** “21.2.7 Preliminary Plat Requirements” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.2.7 Preliminary Plat Requirements

(1) The preliminary plat shall be prepared and certification made as to its accuracy by a registered land surveyor who holds a license in accordance with Title 58, Chapter 22, Professional Engineers and Land Surveyors Licensing Act, has completed a survey of the property described on the plat in accordance with Section 17-23-17, has verified all measurements and monumented any unmarked property corners, and has made reference to the filing number for the Record of Survey map filed with the Tooele County Surveyor’s Office.

(2) Every detail of the plat shall be legible. A poorly-drawn or illegible plat shall be cause for its denial.

(3) A traverse shall not have an error of closure greater than one part in 10,000.

(4) Each plat shall show:

(a) the general location of the subdivision and adjoining properties with ownership;

(b) all deed lines of the subject and adjoining properties and lines of occupation such as fence lines;

(c) the 100 foot radius wellhead protection zone on all existing wells within and outside of the subdivision where the protection zone falls within the boundary of the subdivision;

(d) bearing and distance tie-in to the historic and dependant survey with at least two established control monuments referenced to the Tooele County Control Network.

(e) county, township, range, section, quarter section blocks, plats and true north shall be included on the plat;

(f) graphic scale of the plat;

(g) existing ground contours at 2 foot intervals based on National Geodetic Survey Sea Level Datum;

(h) the name of the subdivision as approved by the county recorder;

(i) An open space management plan, as described in Section 21.1.20;

(j) a vicinity map showing significant natural and man-made features on the site and within one mile of the subdivision perimeter boundary with a minimum scale of 1 inch = 2000 feet;

(k) total project area;

(l) locations and dimensions of existing structures;

(m) lot perimeter utility easements; and

(n) approval signature blocks for:

(A) the public works director;

(B) the city engineer;

(C) the city planner;

(D) the county surveyor; and

(E) the planning commission chair.

(F) the city fire department.

(5) the bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line. When the plat is bounded by an irregular shore line or a body of water, the bearings and distances of a closing meander traverse should be given and a notation made that the plat includes all land to the water's edge or otherwise.

(6) If a plat is revised, a copy of the old plat shall be provided for comparison purposes.

(7) All blocks and lots within each block shall be consecutively numbered. Addresses shall be issued by the city engineer and shall be shown on the plat with the corresponding lot number.

(8) For all curves in the plat, sufficient data shall be given to enable the re-establishment of the curves on the ground. The curve data shall include the radius, central angle, cord bearing and distance, tangent, and arc length.

(9) Excepted parcels shall be marked, "Not included in this subdivision."

(10) All public lands shall be clearly identified.

(11) All public roads shall be clearly marked as "dedicated public road."

(12) All private roads shall be clearly marked as "private road."

(13) All roads shall be identified by names approved by Grantsville City.

(14) All easements shall be designated as such and dimensions given.

(15) All lands within the boundaries of the subdivision shall be accounted for, either as lots, open space, walkways, streets, or as excepted parcels.

(16) Bearings and dimensions shall be given for all lot lines and easements, except that bearings and lengths need not be given for interior lot lines where the bearings and lengths are the same as those of both end lot lines.

(17) Parcels not contiguous shall not be included in one plat, neither shall more than one plat be made on the same sheet. Contiguous parcels owned by different parties may be embraced in one plat, provided that all owners join in the dedication and acknowledgments.

(18) Lengths shall be shown to hundredths of a foot. Angles and bearings shall be shown to seconds of arc.

(19) Surveys shall tie into the state grid or other permanent marker established by the county surveyor and shall give a description, the name and the date on survey monuments found.

(20) The plat shall be labeled "Preliminary plat."

(21) If the subdivision does not have a public water system connection, the amount of water allocated to each lot in acre feet.

(22) The surveyor shall provide remainder descriptions for all property from the original parcel or lot that is not included in the subdivision. (Ref UCA §1 0-9a-603)

(23) Title Block with the name, address and license number of the land surveyor, preparation date and revision dates.

AFTER AMENDMENT

21.2.7 Preliminary ~~Plat~~Plan Requirements

~~(1) The preliminary plat shall be prepared and certification made as to its accuracy by a registered land surveyor who holds a license in accordance with Title 58, Chapter 22, Professional Engineers and Land Surveyors Licensing Act, has completed a survey of the property described on the plat in accordance with Section 17-23-17, has verified all measurements and monumented any unmarked property corners, and has made reference to the filing number for the Record of Survey map filed with the Tooele County Surveyor's Office.~~
~~(2) Every detail of the plat shall be legible. A poorly drawn or illegible plat shall be cause for its denial.~~
~~(3) A traverse shall not have an error of closure greater than one part in 10,000.~~
~~(4) Each plat shall show:~~
~~(a) the general location of the subdivision and adjoining properties with ownership;~~
~~(b) all deed lines of the subject and adjoining properties and lines of occupation such as fence lines;~~
~~(c) the 100-foot radius wellhead protection zone on all existing wells within and outside of the subdivision where the protection zone falls within the boundary of the subdivision;~~
~~(d) bearing and distance tie-in to the historic and dependant survey with at least two established control monuments referenced to the Tooele County Control Network.~~
~~(e) county, township, range, section, quarter section blocks, plats and true north shall be included on the plat;~~
~~(f) graphic scale of the plat;~~
~~(g) existing ground contours at 2 foot intervals based on National Geodetic Survey Sea Level Datum;~~
~~(h) the name of the subdivision as approved by the county recorder;~~
~~(i) An open space management plan, as described in Section 21.1.20;~~
~~(j) a vicinity map showing significant natural and man-made features on the site and within one mile of the subdivision perimeter boundary with a minimum scale of 1 inch = 2000 feet;~~
~~(k) total project area;~~
~~(l) locations and dimensions of existing structures;~~
~~(m) lot perimeter utility easements; and~~
~~(n) approval signature blocks for:~~
~~(A) the public works director;~~
~~(B) the city engineer;~~
~~(C) the city planner;~~
~~(D) the county surveyor; and~~
~~(E) the planning commission chair.~~
~~(F) the city fire department.~~
~~(5) the bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line. When the plat is bounded by an irregular shore line or a body of water, the bearings and distances of a closing meander traverse should be given and a notation made that the plat includes all land to the water's edge or otherwise.~~
~~(6) If a plat is revised, a copy of the old plat shall be provided for comparison purposes.~~
~~(7) All blocks and lots within each block shall be consecutively numbered. Addresses shall be issued by the city engineer and shall be shown on the plat with the corresponding lot number.~~
~~(8) For all curves in the plat, sufficient data shall be given to enable the re-establishment of the curves~~

~~on the ground. The curve data shall include the radius, central angle, cord bearing and distance, tangent, and arc length.(9) Excepted parcels shall be marked, "Not included in this subdivision."(10) All public lands shall be clearly identified.(11) All public roads shall be clearly marked as "dedicated public road."(12) All private roads shall be clearly marked as "private road."(13) All roads shall be identified by names approved by Grantsville City.(14) All easements shall be designated as such and dimensions given.(15) All lands within the boundaries of the subdivision shall be accounted for, either as lots, open space, walkways, streets, or as excepted parcels.(16) Bearings and dimensions shall be given for all lot lines and easements, except that bearings and lengths need not be given for interior lot lines where the bearings and lengths are the same as those of both end lot lines.(17) Parcels not contiguous shall not be included in one plat, neither shall more than one plat be made on the same sheet. Contiguous parcels owned by different parties may be embraced in one plat, provided that all owners join in the dedication and acknowledgments.(18) Lengths shall be shown to hundredths of a foot. Angles and bearings shall be shown to seconds of arc.(19) Surveys shall tie into the state grid or other permanent marker established by the county surveyor and shall give a description, the name and the date on survey monuments found.(20) The plat shall be labeled "Preliminary plat."(21) If the subdivision does not have a public water system connection, the amount of water allocated to each lot in acre feet.(22) The surveyor shall provide remainder descriptions for all property from the original parcel or lot that is not included in the subdivision. (Ref UCA §1-0-9a-603)(23) Title Block with the name, address and license number of the land surveyor, preparation date and revision dates.~~
The requirements for a Preliminary Plan are detailed in the Preliminary Plan Checklist that is attached to the Preliminary Plan Application that shall be provided by the City upon request. The Preliminary Plan requirements found on the checklist and subsequent amendments to the checklist have been approved by the Grantsville City Council by resolution.

SECTION 12: AMENDMENT "21.2.8 Final Plat Infrastructure Design And Engineering Drawings Requirements" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.2.8 Final Plat Infrastructure Design And Engineering Drawings Requirements

The purpose of the final plat infrastructure design and engineering drawings is to develop engineered construction drawings of infrastructure required for development of the proposed phase or site. These drawings shall be required for all subdivisions and development site approvals.

The final plat infrastructure design and engineering drawings shall include:

- (1) Infrastructure design and engineering drawings and documents shall be submitted in the design stage, and shall include:

(a) plan, profile and typical cross-section drawings of the roads, bridges, culverts, sewers, and drainage structures;

(b) a grading and drainage plan indicated by solid-line contours superimposed on dashed-line contours of existing topography;

(c) the general location of trees over six inches in diameter measured at four and one-half feet above the ground, and in the case of heavily-wooded areas, an indication of the outline of the wooded area and location of trees which are to remain;

(d) the size and location of proposed sewage systems, culinary water, secondary water, storm drainage, roads, power, gas and other utilities and any man made features and the location and size of existing sewage, culinary water, secondary water, storm drainage, roads, power, gas and other utilities to 200 feet beyond the subdivision;

(e) proposed road layouts in dashed lines for any portion of the property to be developed in a later phase;

(f) water courses and proposed storm water drainage systems including culverts, water areas, delineated wetlands, streams, areas subject to occasional flooding, marshy areas or swamps;

(g) areas within the 100-year flood plain;

(h) soil types and soil interpretations taken from the National Cooperative Soils Survey;

(i) the location of all street signs and traffic control devices required by the City in accordance with the Manual of Uniform Traffic Control Devices;

(j) a signature block for the city engineer on each design and construction drawing;

(k) a signature block for the city public works director on each design and construction drawing;

(l) geologic maps and investigation reports regarding area suitability; and

(m) a design report stamped by an engineer licensed in the State of Utah as may be required by the city engineer.

(2) All drawings shall be drawn to a scale not less than one inch equals 100 feet, and shall indicate the basis of bearings, true north, the name of the subdivision, township, range, section, and quarter section, and lot numbers of the property.

(3) Poorly-drawn or illegible design and engineering drawings shall be cause for denial.

(4) To change any aspect of the design of the off-site improvements, a new set of infrastructure design and engineer drawings shall be submitted for approval. A signed set of drawings shall be on-site at all times during construction. All construction must conform to the approved plans.

AFTER AMENDMENT

21.2.8 Final Plat Infrastructure Design And Engineering Drawings Requirements

~~The purpose of the final plat infrastructure design and engineering drawings is to develop engineered construction drawings of infrastructure required for development of the proposed phase or site. These drawings shall be required for all subdivisions and development site approvals. The final plat infrastructure design and engineering drawings shall include:~~(1) Infrastructure design and engineering drawings and documents shall be submitted in the design stage, and shall include:(a) plan, profile and typical cross-section drawings of the roads, bridges, culverts, sewers, and drainage structures;(b) a grading and drainage plan indicated by solid-line contours superimposed on dashed-line contours of existing topography;(c) the general location of trees over six inches in diameter measured at four and one-half feet above the ground, and in the case of heavily-wooded areas, an indication of the outline of the wooded area and location of trees which are to remain;(d) the size and location of proposed sewage systems, culinary water, secondary water, storm drainage, roads, power, gas and other utilities and any man-made features and the location and size of existing sewage, culinary water, secondary water, storm drainage, roads, power, gas and other utilities to 200 feet beyond the subdivision;(e) proposed road layouts in dashed lines for any portion of the property to be developed in a later phase;(f) water courses and proposed storm water drainage systems including culverts, water areas, delineated wetlands, streams, areas subject to occasional flooding, marshy areas or swamps;(g) areas within the 100-year flood plain;(h) soil types and soil interpretations taken from the National Cooperative Soils Survey;(i) the location of all street signs and traffic control devices required by the City in accordance with the Manual of Uniform Traffic Control Devices;(j) a signature block for the city engineer on each design and construction drawing;(k) a signature block for the city public works director on each design and construction drawing;(l) geologic maps and investigation reports regarding area suitability; and(m) a design report stamped by an engineer licensed in the State of Utah as may be required by the city engineer.(2) All drawings shall be drawn to a scale not less than one inch equals 100 feet, and shall indicate the basis of bearings, true north, the name of the subdivision, township, range, section, and quarter section, and lot numbers of the property.(3) Poorly-drawn or illegible design and engineering drawings shall be cause for denial.(4) To change any aspect of the design of the off-site improvements, a new set of infrastructure design and engineer drawings shall be submitted for approval. A signed set of drawings shall be on-site at all times during construction. All construction must conform to the approved plans.The requirements for a Final Plat Infrastructure Design and Engineering Drawings are detailed in the Final Plat Checklist that is attached to the Final Plat Application that shall be provided by the City upon request. The Final Plat Infrastructure Design and Engineering Drawings requirements found on the checklist and subsequent amendments to the checklist have been approved by the Grantsville City Council by resolution.

SECTION 13: **AMENDMENT** “21.2.9 Final Plat Requirements” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.2.9 Final Plat Requirements

(1) The final plat shall be prepared and certification made as to its accuracy by a registered land surveyor who holds a license in accordance with Utah Code Ann. §58-22 (1994-2017), Professional Engineers and Land Surveyors Licensing Act, has completed a survey of the property described on the plat in accordance with Utah Code Ann. Section §17-23-17 (2016), has verified all measurements, and monumented any unmarked property corners, and has made reference to the filing number for the Record of Survey map filed with the Tooele County Surveyor’s Office. The surveyor making the plat shall bond or provide to the city adequate security to place monuments as represented on the plat upon completion of the subdivision improvements.

(2) Every detail of the plat shall be legible. A poorly-drawn or illegible plat shall be cause for denial.

(3) A traverse shall not have an error of closure greater than one part in 10,000.

(4) The bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line. When the plat is bounded by an irregular shore line or a body of water, the bearings and distances of a closing meander traverse should be given and a notation made that the plat includes all land to the water's edge or otherwise.

(5) If a plat is revised, a copy of the old plat shall be provided for comparison purposes.

(6) All blocks and lots within each block shall be consecutively numbered. Addresses shall be issued by the city engineer and shall be shown on the plat with the corresponding lot number.

(7) For all curves in the plat, sufficient data shall be given to enable the re-establishment of the curves on the ground. The curve data shall include the radius, central angle, cord bearing and distance, tangent, and arc length.

(8) Excepted parcels shall be marked, "Not included in this subdivision."

(9) All public lands shall be clearly identified.

(10) All public roads shall be clearly marked as “dedicated public road.”

(11) All private roads shall be clearly marked as “private road.”

(12) All roads shall be identified by names approved by Grantsville City.

- (13) All easements shall be designated as such and dimensions given.
- (14) All lands within the boundaries of the subdivision shall be accounted for, either as lots, walkways, roads, or as excepted parcels.
- (15) Bearings and dimensions shall be given for all lot lines, except that bearings and lengths need not be given for interior lot lines where the bearings and lengths are the same as those of both end lot lines.
- (16) Parcels not contiguous shall not be included in one plat, neither shall more than one plat be made on the same sheet. Contiguous parcels owned by different parties may be embraced in one plat, provided that all owners join in the dedication and acknowledgments.
- (17) Lengths shall be shown to hundredths of a foot. Angles and bearings shall be shown to seconds of arc.
- (18) Surveys shall tie into the state grid or other permanent marker established by the county surveyor.
- (19) The plat shall be labeled "Final Plat."
- (20) The information on the final plat shall include:

- (a) the name of the subdivision, true north arrow and basis thereof, and date;
- (b) the owner's dedication which shall contain the language:

OWNERS DEDICATION AND CONSENT TO RECORD Know all men by these presents that the undersigned are the owners of the hereon described tract of land and hereby cause the same to be divided into lots and streets together with easements as set forth hereafter to be known as NAME OF SUBDIVISION The undersigned owners hereby dedicate to Grantsville City all those parts or portions of said tract of land on said plat designated hereon as streets, the same to be used as public thoroughfares forever. The undersigned owners also hereby convey to any and all public and private utility companies providing service to the hereon described tract a perpetual, non-exclusive easement over the streets and public utility easements shown on this plat, the same to be used for drainage and the installation, maintenance and operation of public utility service lines and facilities.

- (c) names of the owner or owners including beneficial owners of record under the signature lines in the owner's dedication;
- (d) square footage of each lot under one acre or the lot acreage if one acre or larger;
- (e) township, range, section and quarter section if a portion;
- (f) graphic scale;

- (g) the State plane coordinates on the subdivision boundary;
- (h) survey monuments which are marked with a description, the name and the date;
- (i) the total water allocation in acre/feet for each lot for its allocation of water;
- (j) the 100-foot radius wellhead protection zone on all existing wells;
- (k) signature blocks for:
 - (i) any improvement, service and special districts or areas where any part of the platted property is located;
 - (ii) the city engineer;
 - (iii) the city public works director;
 - (iv) the city attorney;
 - (v) the county treasurer indicating at the time of signing that the property taxes due and owing have been paid in full;
 - (vi) the recordation of the plat by the Tooele County Recorder's office with a line for the recordation number, who it is recorded for, the date, time and fee;
 - (vii) the city fire department;
 - (viii) the county surveyor;
 - (ix) the city planning commission chair; and
 - (x) the mayor with an attest from the city recorder.

AFTER AMENDMENT

21.2.9 Final Plat Requirements

~~T(1) The final plat shall be prepared and certification made as to its accuracy by a registered land surveyor who holds a license in accordance with Utah Code Ann. §58-22 (1994-2017), Professional Engineers and Land Surveyors Licensing Act, has completed a survey of the property described on the plat in accordance with Utah Code Ann. Section §17-23-17 (2016), has verified all measurements, and monumented any unmarked property corners, and has made reference to the filing number for the Record of Survey map filed with the Tooele County Surveyor's Office. The surveyor making the plat shall bond or provide to the city adequate security to place monuments as represented on the plat upon completion of the subdivision improvements.(2) Every detail of the plat shall be legible. A poorly drawn or illegible plat shall be cause for denial.(3) A traverse shall not have an error of closure greater than one part in 10,000.(4) The bearings, distances and curve data of all perimeter boundary lines shall be~~

indicated outside the boundary line. When the plat is bounded by an irregular shore line or a body of water, the bearings and distances of a closing meander traverse should be given and a notation made that the plat includes all land to the water's edge or otherwise.(5) If a plat is revised, a copy of the old plat shall be provided for comparison purposes.(6) All blocks and lots within each block shall be consecutively numbered. Addresses shall be issued by the city engineer and shall be shown on the plat with the corresponding lot number.(7) For all curves in the plat, sufficient data shall be given to enable the re-establishment of the curves on the ground. The curve data shall include the radius, central angle, cord bearing and distance, tangent, and arc length.(8) Excepted parcels shall be marked, "Not included in this subdivision." (9) All public lands shall be clearly identified.(10) All public roads shall be clearly marked as "dedicated public road." (11) All private roads shall be clearly marked as "private road." (12) All roads shall be identified by names approved by Grantsville City.(13) All easements shall be designated as such and dimensions given.(14) All lands within the boundaries of the subdivision shall be accounted for, either as lots, walkways, roads, or as excepted parcels.(15) Bearings and dimensions shall be given for all lot lines, except that bearings and lengths need not be given for interior lot lines where the bearings and lengths are the same as those of both end lot lines.(16) Parcels not contiguous shall not be included in one plat, neither shall more than one plat be made on the same sheet. Contiguous parcels owned by different parties may be embraced in one plat, provided that all owners join in the dedication and acknowledgments.(17) Lengths shall be shown to hundredths of a foot. Angles and bearings shall be shown to seconds of arc.(18) Surveys shall tie into the state grid or other permanent marker established by the county surveyor.(19) The plat shall be labeled "Final Plat." (20) The information on the final plat shall include: (a) the name of the subdivision, true north arrow and basis thereof, and date; (b) the owner's dedication which shall contain the language: OWNERS DEDICATION AND CONSENT TO RECORD Know all men by these presents that the undersigned are the owners of the hereon described tract of land and hereby cause the same to be divided into lots and streets together with easements as set forth hereafter to be known as NAME OF SUBDIVISION The undersigned owners hereby dedicate to Grantsville City all those parts or portions of said tract of land on said plat designated hereon as streets, the same to be used as public thoroughfares forever. The undersigned owners also hereby convey to any and all public and private utility companies providing service to the hereon described tract a perpetual, non-exclusive easement over the streets and public utility easements shown on this plat, the same to be used for drainage and the installation, maintenance and operation of public utility service lines and facilities. (c) names of the owner or owners including beneficial owners of record under the signature lines in the owner's dedication; (d) square footage of each lot under one acre or the lot acreage if one acre or larger; (e) township, range, section and quarter section if a portion; (f) graphic scale; (g) the State plane coordinates on the subdivision boundary; (h) survey monuments which are marked with a description, the name and the date; (i) the total water allocation in acre/feet for each lot for its allocation of water; (j) the 100-foot radius wellhead protection zone on all existing wells; (k) signature blocks for: (i) any improvement, service and special districts or areas where any part of the platted property is located; (ii) the city engineer; (iii) the city public works director; (iv) the city attorney; (v) the county treasurer indicating at the time of signing that the property taxes due and owing have been paid in full; (vi) the recordation of the plat by the Tooele County Recorder's office with a line for the recordation number, who it is recorded for, the

~~date, time and fee;(vii) the city fire department;(viii) the county surveyor;(ix) the city planning commission chair; and(x) the mayor with an attest from the city recorder.~~The requirements for a Final Plat are detailed in the Final Plat Checklist that is attached to the Final Plat Application that shall be provided by the City upon request. The Final Plat requirements found on the checklist and subsequent amendments to the checklist have been approved by the Grantsville City Council by resolution.

SECTION 14: AMENDMENT “21.2.10 Development Review Committee”
of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.2.10 Development Review Committee

- (1) Each application for a subdivision shall be reviewed by the Development Review Committee (DRC) prior to its presentation to a public body.
- (2) The purpose of the DRC is to provide an opportunity for the city staff to review the application package and provide guidance to the applicant concerning revisions to the design of the proposed development and application documents that may be required for city approval.
- (3) The members of the DRC review the application for compliance with the General Plan, the requirements of the impacts of the proposed action in benefit and costs to the community.
- (4) The DRC consists of the zoning administrator, city planner, city public works director, city engineer, fire marshal, a planning commission representative, and the city attorney.
- (5) The DRC shall be given 14 days to review the application package to a development review conference with the applicant. A Development Review Conference will be held with the applicant and members of the DRC within 21 days of the submission of the application.
- (6) Upon submittal of revised drawings and documents as requested by the DRC, the revised application package shall be distributed to the DRC members for their review. Within 14 days of the second submittal, the DRC will meet to discuss and verify that all changes were made. If additional revisions are needed or the submitted items are incorrect or incomplete an additional design review conference may be held with the applicant and DRC. All revised drawing submitted require a 14 day review by the DRC.
- (7) Only complete applications with the approval of the DRC will move forward for consideration by planning commission and city council.

AFTER AMENDMENT

21.2.10 Development Review Committee

- (1) Each application for a subdivision shall be reviewed by the Development Review Committee (DRC) prior to its ~~presentation to a public body~~ consideration of approval.
- (2) The purpose of the DRC is to provide an opportunity for the city staff to review the application package and provide guidance to the applicant concerning revisions to the design of the proposed development and application documents that may be required for city approval.
- (3) The members of the DRC review the application for compliance with the General Plan, ~~the requirements of current ordinances, local, state and federal regulations, applicable standards and specifications as well as~~ the impacts of the proposed action in benefit and costs to the community.
- (4) The DRC consists of the zoning administrator, city planner, city public works director, city engineer, fire marshal, a planning commission representative, and the city attorney.
- (5) The DRC review process for all single use residential development applications shall comply with current Utah Code requirements found in Utah Code Ann. 10-9a-604.2 (2023).
- (6) For single use residential development applications as defined in GLUDMC Chapter 2, Definitions, the DRC shall be given 14 days 15 business days (Preliminary) and 20 business days (Final) to review the application package to a development review conference and submit review comments to with the applicant. For all other development applicaitons, the DRC shall be given 20 business days (Preliminary) and 20 business days (Final) to review the application package and submit review comments to the applicant. After receiving the review comments, the applicant may request a A Development Review Conference will be held with the applicant and with members of the DRC to discuss review comments and answer applicant questions within 21 days of the submission of the application.
- (7) Upon submittal of revised drawings and documents as requested by the DRC, the review process outlined in paragraph (6) may occur up to three additional times, only as necessary, before moving forward for consideration revised application package shall be distributed to the DRC members for their review. Within 14 days of the second submittal, the DRC will meet to discuss and verify that all changes were made. If additional revisions are needed or the submitted items are incorrect or incomplete an additional design review conference may be held with the applicant and DRC. All revised drawing submitted require a 14 day review by the DRC.
- (7) Only complete applications with the approval of the DRC will move forward for consideration ~~by planning commission and city council~~.

SECTION 15: **ADOPTION** “21.2.11 Determination Of Appropriate Process”
of the Grantsville Land Use Ordinances is hereby *added* as follows:

BEFORE ADOPTION

21.2.11 Determination Of Appropriate Process (Non-existent)

AFTER ADOPTION

21.2.11 Determination Of Appropriate Process(*Added*)

In recognition that not all land use actions are of the same magnitude and therefore may not require the same level of detail for consideration, Grantsville City has provided multiple application processes. For this purpose, the application processes have been organized as level with each level requiring greater detail and additional steps for consideration and approval. The applicant shall choose the application process that best fits their proposed land use action:

Development process Levels 1 through 4 are only applicable for use with single use residential development applications as defined in GLUDMC Chapter 2, Definitions, and shall meet all requirements of Utah Code Ann. 10-9a-604.1 (2023) and Utah Code Ann. 10-9a-604.2 (2023).

1. Level 1 - Single Lot Development: The purpose of this process is to convert an undeveloped parcel into a legal zoning lot. The applicant shall submit an application meeting the requirements for the Single Lot Development as described in Chapter 24 of the Grantsville Land Use Development and Management Code. The City staff is authorized by the City Council to approve the application.
2. Level 2 - Minor Subdivision: The purpose of this process is to divide property into up to 4 lots with all lots fronting an existing street containing the necessary utilities to serve the proposed lots. By utilizing this process, the applicant agrees to make the required improvements to bring the street frontage up to code and is not asking for any waivers or exceptions.
 - a. The applicant will not be required to complete improvements that are greater than the greatest level of improvements found on an adjacent parcel or lot unless:
 - i. there is a compelling reason affecting the Health, Safety or Welfare of the public; or
 - ii. an adjacent property is currently in an application process which will increase the level of improvement to the street, or
 - iii. the City has a current project that is increasing the level of improvement to the street.
 - b. Level 2: Minor Subdivisions shall not be required to provide open space or fee in lieu for open space but shall be assessed the applicable park impact fee with each building permit.

- c. The Application for a Level 2 Minor Subdivision shall include the information and documents found on the Minor Subdivision Checklist that is attached to the Minor Subdivision Application that shall be provided by the City upon request. The Minor Subdivision requirements found on the Minor Subdivisions Checklist and subsequent amendments to the checklist have been approved by the Grantsville City Council by resolution.
- d. If no street improvements are required beyond additional utility service laterals, the only engineered drawings required will be:
 - i. A record of survey, and
 - ii. A plat, and
 - iii. A site drawing showing the proposed locations of proposed utility service laterals and any required surface improvements, with finish grade elevations as appropriate and specifically referencing each of the appropriate City standard details that are necessary for the work.
- e. If upon review, the city staff finds:
 - i. That application to be complete, and
 - ii. Meets the intent of the General Plan, and
 - iii. Fully complies with the City zoning and land use ordinances, and
 - iv. The existing public infrastructure along with the proposed improvements are adequate to serve the project and protect the health, safety and welfare of the public.
- f. Then, the city staff is authorized by the City Council to approve the application.
- g. If the application is found deficient in meeting the requirements in clause 5 (a-d), the City staff shall inform the applicant of the discrepancies; and allows the applicant to choose to modify the application to bring the application into compliance, or to withdraw the application and submit a new application under the applicable level of process.
- h. If the applicant chooses to withdraw the application due to an incorrect fit with the requirements of the Level 2 Minor Subdivision and submit a new application under the appropriate process level, the fees paid for the original application shall be credited toward the new application fees.
- i. The Level 2 Minor Subdivision process may only be used once to divide a parcel. Subsequent applications to divide the property shall utilize the Level 3 or Level 4 process. If the lot to be divided is part of a platted subdivision, the subdivision amendment process found in Section 21.8 of this Chapter is the appropriate application.
- j. The Minor Subdivision property owner may construct the required utility service connections with each building permit unless the required improvements include extension of pavement, curb and gutter, and/or sidewalk along the frontage of the properties. Where surface improvements are required and in order to keep the surface improvements consistent, all improvements to the property frontages of each lot shall be completed by the property owners under the first building permit issued for any lot in the Minor

Subdivision.

3. Level 3 - Subdivision 4 lots or less: The purpose of this process is to divide property into 4 lots or less where dedication of additional utilities or public improvements are required to serve the property. The applicant shall submit an application which meets the requirements for a final plat subdivision process as described in Section 21.2.8, 21.2.9 and 21.4.7 of this Chapter. A public hearing shall be held in a public Planning Commission meeting to fulfill the State requirements. Approval of the Level 3 application shall occur with Planning Commission.
 - a. Level 3 Subdivisions of four lots or less shall not be required to provide physical open space or fee in lieu for open space but shall be assessed the applicable park impact fee with each building permit.
4. Level 4 - Subdivision 5 lots or greater: The purpose of this process is to divide property into 5 or more lots or any division of property that requires dedication of offsite utilities or public improvements. The applicant shall submit an application meeting the requirements for a preliminary plan as described in Section 21.2.7 and 21.4.5 of this Chapter. Once the Preliminary Application has been approved by the Planning Commission, the applicant can then move forward with submittal of an application for a Final Plat process as described in Section 21.2.8, 21.2.9 and 21.4.7 of this Chapter. The Final Plat shall be approved by the Planning Commission. The Applicant may be required to submit an application for a Planned Unit Development prior to submission of a Preliminary Application if the proposed project meets any of the criteria found in Section 21.5.
5. Level 5 - Subdivisions: The purpose of this process is to allow for the division of property as necessary for land uses other than those residential uses defined as single use residential development. These uses may include but are not limited to commercial, industrial, institutional, multifamily residential, residential projects with a mix of types of residential uses, and mixed use projects. The applicant shall submit an application which meets the requirements for a preliminary plan as described in Section 21.2.7 and 21.4.5 of this Chapter. Once the Preliminary Application has been approved by staff, Planning Commission and the City Council, in that order, the applicant can then move forward with submittal of an application for a final plat process as described in Section 21.2.8, 21.2.9 and 21.4.7 of this Chapter. The Final Plat shall be considered for recommendation by the Planning Commission and approved by the City Council.
 - a. Specific phases of a Level 5 Final Plat may qualify as, and be subject to Level 4 Final Plat requirements, if the specific phase application contains only residential uses that meet the definition of single use residential development as defined in GLUDMC Chapter 2 Definitions.

SECTION 16: **AMENDMENT** “21.4.2 Approval Process” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.4.2 Approval Process

(1) A subdivision shall be processed in three stages:

(a) The concept stage is a non-mandatory stage in which the developer may bring a development concept to the city for discussion with city staff and upon request planning commission and city council. This stage is provided solely for the benefit of the developer and any discussion is non-binding;

(b) the preliminary plat includes but may not be limited to; submittal of a complete Preliminary Plat application to the city containing the required documents detailed in section 21.4.5, review of the application by the DRC, after which the application will be placed on the planning commission public meeting agenda for a public hearing, discussion and recommendation. The planning commission recommendation of the approved preliminary plat application shall then be placed before city council in a public meeting for their consideration.

(c) the final plat, infrastructure and design drawings, includes but may not be limited to; submittal of a complete Final Plat application to the city containing the required documents detailed in section 21.4.7, review of the application by the DRC, which will be placed on the planning commission public meeting agenda where it shall make a recommendation to the city. council.

(d) The city council shall review the final plat, infrastructure and design drawings, at a public meeting where it can approve or deny the plat and design drawings. If approved, the final plat shall be recorded within 365 days or it shall be void.

(e) A subdivision containing four (4) lots or less, and requiring no dedication of right-of-way or improvements other than water and sewer laterals, or a subdivision of ten (10) lots or less fronting an existing fully improved street and requiring no dedication of right-of-way improvements other than water and sewer laterals may be allowed to combine the Preliminary and Final approval process.

Amended 04-08, 06-09 Ordinance No. 2009-16

AFTER AMENDMENT

21.4.2 Approval Process

(1) A subdivision shall be processed utilizing the following ~~in three~~ stages as appropriate to the type of application:

- (a) The ~~concept stage~~ Pre-Application Meeting is a non-mandatory stage in which the developer may bring a development concept to the city for discussion with city staff. A developer may request to present a conceptual project and upon request to planning commission and/or city council for discussion. This stage is provided solely for the benefit of the developer and any discussion is non-binding.;
- (b) ~~T~~The preliminary plat includes but may not be limited to; submittal of a complete Preliminary Plat application to the city containing the required documents detailed in Section 21.2.7 and 21.4.5 of this Chapter, review of the application by the DRC as detailed in Section 21.2.10 of this Chapter, after which the application will be placed on the planning commission public meeting agenda for a public hearing, discussion, and consideration of approval if the application is a Level 3 or Level 4 action or for planning commission recommendation to city council, if the application is for a Level 5 action. Upon recommendation by T~~he~~ planning commission, ~~recommendation of the approved a~~ Level 5 preliminary plat application shall then be placed before city council in a public meeting for their consideration.
- (c) ~~t~~The Level 4 and Level 5 final plat, infrastructure and design drawings, includes but may not be limited to; submittal of a complete Final Plat application to the city containing the required documents detailed in Section 21.2.8, 21.2.9 and 21.4.7 of this Chapter, review of the application by the DRC as detailed in Section 21.2.10 of this Chapter, which will be placed on the planning commission public meeting for consideration ~~agenda where it shall make a recommendation to the city council.~~
- (d) The ~~city council~~ planning commission shall review the Level 4 final plat, infrastructure and design drawings, at a public meeting where it ~~can~~ may approve or deny the plat and design drawings. If approved, the final plat shall be recorded within 365 days or it shall be void.
- (e) The planning commission shall review the Level 5 final plat, infrastructure and design drawings at a public meeting where it may recommend approval or deny the plat and design drawings. If the planning commission recommends approval, the application shall move on to city council for considration. If approved, the final plat shall be recorded within 365 days or it shall be void.
- (e) A Level 3 subdivision containing four (4) lots or less, ~~and requiring no dedication of right-of-way or improvements other than water and sewer laterals, or a subdivision of ten (10) lots or less fronting an existing fully improved street and requiring no dedication of right-of-way improvements other than water and sewer laterals may be allowed to combine the Preliminary and Final approval process~~ includes but may not be limited to: submittal of a complete Level 3 subdivision (Final Plat) application to the City containing the required documents in Section 21.2.8, 21.2.9 and 21.4.7 of this Chapter, review of the application by the DRC as detailed in Section 21.2.10 of this Chapter, after which the applicaiton will be placed on the planning commission public meeting agenda for a public hearing, discussion and consideration of approval.

SECTION 17: **AMENDMENT** “21.4.4 Concept Plan” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.4.4 Concept Plan

As the concept plan is not mandatory and the resulting discussion with city staff, planning commission and/or city council is advisory in nature and non-binding, there are no submission requirements. However, it is recommended that the information suggested in Section 21.2.6 be provided to the city one week prior to the developer's appointment to meet with city staff providing an opportunity for staff review. Additional information may be requested by staff in order to answer the developer's questions or to facilitate a discussion with planning commission and/or city council if requested by the developer.

AFTER AMENDMENT

21.4.4 ~~Concept Plan~~ Pre-Application Meeting

As the ~~concept plan~~ Pre-Application Meeting is not mandatory and the resulting discussion with city staff, planning commission and/or city council is advisory in nature and non-binding, there are no submission requirements. However, it is recommended that the information suggested in Section 21.2.6 of this Chapter be provided to the city ~~one week~~ 15 business days prior to the developer's appointment to meet with city staff providing an opportunity for staff review. Additional information may be requested by staff in order to answer the developer's questions or to facilitate a discussion with planning commission and/or city council if requested by the developer.

SECTION 18: **AMENDMENT** “21.4.5 Preliminary Plat And Infrastructure Design Application” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.4.5 Preliminary Plat And Infrastructure Design Application

(1) The application for preliminary plat approval of a major subdivision shall be submitted to the zoning administrator. A preliminary plan application shall include:

- (a) the application form;

(b) two 24" X 36" prints and a .PDF file of the Preliminary Plat Drawings as detailed in Section 21.2.7; and

(c) a CAD file of the Preliminary Plat site plan including but not limited to parcel boundaries, street right-of-way, proposed lot lines, proposed parks, trails, open space, location of natural features to be preserved, drainage corridors and basin locations; and

(d) an 11" X 17" copy of the preliminary plan in each of the following circumstances (delivered directly to the applicable entities):

(i) when a proposed subdivision lies wholly or partially within one mile of the corporate limits of Grantsville City, where notice will be given to Tooele County;

(ii) for each servicing utility; and

(iii) for the Utah State Department of Transportation if the property being subdivided abuts a state highway.

(e) proof of ownership demonstrated by two copies of a title report and vesting documents of conveyance completed within the previous six months;

(f) utility approval forms;

(g) the proposed source and amounts of water for all lots;

(h) names and addresses of the owners of all properties within 300 feet of the proposed subdivision's boundaries;

(i) approval of the subdivision name from the recorder's office;

(j) a plat map for the recorder's officer showing the property and all adjoining properties around it;

(k) if the applicant is not the owner of record, a notarized statement that the applicant has been authorized by the owner to make application;

(l) a letter from the local fire department acknowledging it can and will provide fire protection to the subdivision;

(m) site analysis map as specified in Section 21.1.13; and

(n) geologic technical maps and investigation reports;

(o) if the development is not being connected to the city culinary water or sewer system, a letter showing a completed Tooele County Health Department Subdivision Feasibility Study deeming the project feasible;

- (p) a traffic study is required for all major subdivisions and commercial projects and shall be completed by a licensed engineer. A traffic study shall include trip generation, trip distribution on connecting streets and roadway capacity. Subdivisions and commercial projects with over 100 peak hour trips shall complete a traffic impact study in accordance with Institute of Transportation Engineers recommended standards;
- (q) A copy of the State Highway Access permit or railroad crossing permit when a new street will connect to a State highway or will cross a railroad, along with any design requirements as established by the Utah Department of Transportation.
- (r) the application fee along with any unpaid fees owed to Grantsville City for development of land, code enforcement, or building permits.
- (2) A development phasing schedule, if applicable, including the sequence for each phase, approximate size in area of each phase, and proposed phasing of construction of all private and public improvements.
- (3) Within 21 days after the applicant or authorized representative submits an application that has been determined by the zoning administrator to be complete, a development review conference shall be scheduled with the applicant, and members of the DRC. Representatives of affected entities such as; county health department, county recorder, and any other private or public body that has jurisdiction or an interest in providing public or utility services to the subdivision shall also be invited to attend the design review conference and provide comments.
- (4) After the development review conference, the applicant shall submit to the zoning administrator all corrected drawings, design reports and other documents requested by the DRC. When the DRC determines that all of the corrections have been completed and necessary documentation has been submitted, the application will be placed on the planning commission public meeting agenda for public hearing, discussion, and decision.
- (5) Once the planning commission has made a recommendation to move the preliminary application forward, the application will be placed on the city council public meeting agenda for consideration and decision to approve or deny the application.
- (6) The preliminary plat approval shall be valid for a period of not more than six months. The applicant or authorized representative may obtain no more than two six-month extensions by petitioning the planning commission. The planning commission may not grant any extension without substantial progress having been demonstrated by the applicant or authorized representative.

AFTER AMENDMENT

21.4.5 Preliminary Plat And Infrastructure Design Application

(1) ~~The application for preliminary plat approval of a major subdivision shall be submitted to the zoning administrator. A preliminary plan application shall include:(a) the application form; (b) two 24" X 36" prints and a .PDF file of the Preliminary Plat Drawings as detailed in Section 21.2.7; and(c) a CAD file of the Preliminary Plat site plan including but not limited to parcel boundaries, street right-of-way, proposed lot lines, proposed parks, trails, open space, location of natural features to be preserved, drainage corridors and basin locations; and(d) an 11" X 17" copy of the preliminary plan in each of the following circumstances (delivered directly to the applicable entities):(i) when a proposed subdivision lies wholly or partially within one mile of the corporate limits of Grantsville City, where notice will be given to Tooele County;(ii) for each servicing utility; and(iii) for the Utah State Department of Transportation if the property being subdivided abuts a state highway.(e) proof of ownership demonstrated by two copies of a title report and vesting documents of conveyance completed within the previous six months;(f) utility approval forms;(g) the proposed source and amounts of water for all lots;(h) names and addresses of the owners of all properties within 300 feet of the proposed subdivision's boundaries;(i) approval of the subdivision name from the recorder's office;(j) a plat map for the recorder's officer showing the property and all adjoining properties around it; (k) if the applicant is not the owner of record, a notarized statement that the applicant has been authorized by the owner to make application;(l) a letter from the local fire department acknowledging it can and will provide fire protection to the subdivision;(m) site analysis map as specified in Section 21.1.13; and(n) geologic technical maps and investigation reports;(o) if the development is not being connected to the city culinary water or sewer system, a letter showing a completed Tooele County Health Department Subdivision Feasibility Study deeming the project feasible;(p) a traffic study is required for all major subdivisions and commercial projects and shall be completed by a licensed engineer. A traffic study shall include trip generation, trip distribution on connecting streets and roadway capacity. Subdivisions and commercial projects with over 100 peak hour trips shall complete a traffic impact study in accordance with Institute of Transportation Engineers recommended standards;(q) A copy of the State Highway Access permit or railroad crossing permit when a new street will connect to a State highway or will cross a railroad, along with any design requirements as established by the Utah Department of Transportation.(r) the application fee along with any unpaid fees owed to Grantsville City for development of land, code enforcement, or building permits.(2) A development phasing schedule, if applicable, including the sequence for each phase, approximate size in area of each phase, and proposed phasing of construction of all private and public improvements.~~The requirements for a Preliminary Plat and Infrastructure Design Application are detailed in the Preliminary Plat checklist that is attached to the Preliminary Plat Application that shall be provided by the City upon request. The preliminary Plat requirements found on the checklist and subsequent amendment to the checklist have been approved by the Grantsville City Council by resolution.

~~(23) Within 21 days a~~ After the applicant or authorized representative submits an application that has been determined by the zoning administrator to be complete per section 21.2.2, 21.2.3 and 21.2.4 of this Chapter, and all required fees have been paid by the applicant, a DRC review will commence following the requirements found in Section 21.2.10 of this Chapter. Once the Applicant has received the review comments, a development review conference ~~shall~~may be scheduled at the request of the applicant with ~~the applicant, and~~ members of the DRC. Representatives of affected entities such as; county health department, county recorder, and any other private or public body that has jurisdiction or an interest in providing public or utility services to the subdivision shall be allowed to review the application ~~also be invited to attend the design review conference~~ and provide comments within the required review period.

~~(34)~~ After receiving the review comments, ~~the development review conference,~~ the applicant shall submit to the zoning administrator all corrected drawings, design reports and other documents requested by the DRC, meeting the requirements of Utah Code Ann. 10-9a-604.2 (2023). The review process outlined in 21.2.10(6) of this chapter may occur up to three additional times, only as necessary, before moving forward for consideration. When the DRC determines that all of the corrections have been completed and necessary documentation has been submitted, the application ~~will be placed on the planning commission public meeting agenda for public hearing, discussion, and decision~~shall move forward for consideration by the necessary body as outlined in 21.4.2. ~~(5) Once the planning commission has made a recommendation to move the preliminary application forward, the application will be placed on the city council public meeting agenda for consideration and decision to approve or deny the application.~~

~~(64)~~ The preliminary plat approval shall be valid for a period of not more than six months. The applicant or authorized representative may obtain no more than two six-month extensions by petitioning the planning commission. The planning commission may not grant any extension without substantial progress having been demonstrated by the applicant or authorized representative.

SECTION 19: AMENDMENT “21.4.6 Utility And Agency Response” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.4.6 Utility And Agency Response

Failure of any utility or agency to respond to requested approval shall be deemed an approval by such agency.

AFTER AMENDMENT

21.4.6 Utility And Agency Response

Failure of any utility or agency to respond to requested ~~approval~~ for review and comments within the review period allowed in Utah Code Ann. 10-9a-604.2 (2023) shall be deemed an approval by such agency.

SECTION 20: **AMENDMENT** “21.4.7 Final Plat Stage Application” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.4.7 Final Plat Stage Application

(1) Within six months of preliminary plat stage approval or within an approved six-month extension, a complete application for the final plat and engineering design stage of a major subdivision shall be submitted to the zoning administrator.

(2) The final plat and infrastructure design application shall include:

- (a) the application form;
- (b) two 24" X 36" prints and a .PDF file of the final plat drawings as detailed in Section 21.2.8 & 21.2.9; and
- (c) a CAD file of the final plat and infrastructure design drawings; and
- (d) an 11" X 17" copy of the plat drawings in each of the following circumstances (delivered directly to the applicable entities):
 - (i) when a proposed subdivision lies wholly or partially within one mile of the corporate limits of Grantsville City, where notice will be given to Tooele County;
 - (ii) for each servicing utility; and
 - (iii) for the Utah State Department of Transportation if the property being subdivided abuts a state highway.
- (e) an original 24" X 36" Mylar of the final plat;
- (f) draft agreement for subdivision improvements including a listing of all subdivision improvements and the estimated cost of each improvement;
- (g) an instrument of permanent protection, such as a conservation easement as described in Section 21.1.22 for the open space;
- (h) a list of off-site improvements and an estimate of the cost to complete such improvements signed and stamped by a licensed engineer;

- (i) proof of ownership demonstrated by two copies of a title report and vesting documents of conveyance completed within the previous six months;
 - (j) engineering for the proposed water system and a calculation of all culinary and secondary water rights to be provided pursuant to Section 21.6.12(3); and
 - (k) a valid water conveyance of water rights pursuant to Section 21.6.12 of this Chapter to service the development and other documentation evidencing the perpetual availability of adequate non-City water for outdoor use. The developer shall also be required to pay for and submit to the city an opinion form an independent water rights attorney to be designated or approved by the City, indicating the legal status of the water rights to be conveyed, whether or not the proposed conveyance will meet the requirements of the City ordinances and that the transaction will be effective in conveying the required water and water rights to the City. The developer shall also obtain and pay for a policy of title insurance for the culinary water rights in an amount to be approved by the City and provide a valid deed or certificate to the City for all required secondary water rights. The secondary water rights shall be accompanied with a current letter from the irrigation company that issued the secondary water rights, indicating that the water rights are valid and that the conveyance to the City will be or is recognized by the irrigation company. The City will allow the culinary and secondary water rights to actually be transferred to the City after the city council has approved the final plat, but the developer shall be required to provide a copy of the proposed deeds or certificates and a commitment for the title insurance prior and letter from the irrigation company prior to final approval.
 - (l) the application fee along with any unpaid fees owed to Grantsville City for development of land, code enforcement, or building permits.
 - (m) A copy of the State Highway Access permit or railroad crossing permit when a new street will connect to a State highway or will cross a railroad, along with any design requirements as established by the Utah Department of Transportation.
 - (n) Copies of proposed protective covenants, trust agreement and homeowner's association articles and bylaws.
 - (o) Provide evidence of application for storm water discharge permit with State.
 - (p) Provide evidence of Record of Survey number by placing it on the first page of preliminary drawings.
 - (q) Evidence of application (Notice of Intent form) for a Utah Pollutant Discharge Elimination System.
- (3) A tax clearance from the Tooele County Assessor indicating that all taxes, interest, and penalties owing for the property have been paid;

(4) A statement identifying the proposed method of bonding for required subdivision improvements, including street, roads, and related facilities, water distribution system, sewage collection system, flood plain protection, storm drainage facilities and such other necessary facilities as may be required by the City;

(5) Within 21 days after the applicant or authorized representative submits an application that has been determined by the zoning administrator to be complete, a development review conference shall be scheduled with the applicant, and members of the DRC. Representatives of affected entities such as; county health department, county recorder, and any other private or public body that has jurisdiction or an interest in providing public or utility services to the subdivision shall also be invited to attend the design review conference and provide comments.

(6) After the development review conference, the applicant shall submit to the zoning administrator all corrected drawings, design reports and other documents requested by the DRC. If necessary, due to changes in design or estimates being more than 6 months old a new cost estimate of off-site infrastructure improvements shall also be submitted. When the DRC determines that all of the corrections have been completed and necessary documentation has been submitted, the application will be placed on the planning commission public meeting agenda for public hearing, discussion and decision.

(7) Once the planning commission has made a recommendation to move the final plat application forward, the application will be placed on the city council public meeting agenda for consideration and decision to approve or deny the application.

(8) The city council shall review the plat and may review the financial guarantee for the subdivision improvements at a public meeting where it can approve or deny the plat. If approved, the plat shall be recorded within three hundred sixty-five days or it shall be void. The city council may authorize the mayor and city staff to review and approve the financial guarantee, the final conveyance of water rights and the title insurance for culinary water after approval of the final plat, but prior to the final plat being recorded. (Utah Code Ann. §10-9a-103(2018), §10-9a-207 (2009), §10-9a-603(2017), §10-9a-604(2017))

AFTER AMENDMENT

21.4.7 Final Plat Stage Application

(1) Within six months of preliminary plat stage approval or within an approved six-month extension, a complete application for the final plat and engineering design stage of a major subdivision shall be submitted to the zoning administrator. A final plat application may not be submitted if a Development Agreement or Amendment to a Development Agreement is deemed necessary as part of the preliminary plat process is still under consideration.

(2) The requirements for a Final Plat Application are detailed in the Final Plat Checklist that is attached to the Final Plat Application that shall be provided by the City upon request. The Final Plat requirements found on the checklist and subsequent amendments to the checklist have been approved by the Grantsville City Council by resolution. ~~The final plat and~~

infrastructure design application shall include:(a) the application form;(b) two 24" X 36" prints and a .PDF file of the final plat drawings as detailed in Section 21.2.8 & 21.2.9; and(c) a CAD file of the final plat and infrastructure design drawings; and(d) an 11" X 17" copy of the plat drawings in each of the following circumstances (delivered directly to the applicable entities): (i) when a proposed subdivision lies wholly or partially within one mile of the corporate limits of Grantsville City, where notice will be given to Tooele County;(ii) for each servicing utility; and(iii) for the Utah State Department of Transportation if the property being subdivided abuts a state highway.(e) an original 24" X 36" Mylar of the final plat;(f) draft agreement for subdivision improvements including a listing of all subdivision improvements and the estimated cost of each improvement;(g) an instrument of permanent protection, such as a conservation easement as described in Section 21.1.22 for the open space;(h) a list of off-site improvements and an estimate of the cost to complete such improvements signed and stamped by a licensed engineer;(i) proof of ownership demonstrated by two copies of a title report and vesting documents of conveyance completed within the previous six months;(j) engineering for the proposed water system and a calculation of all culinary and secondary water rights to be provided pursuant to Section 21.6.12(3); and(k) a valid water conveyance of water rights pursuant to Section 21.6.12 of this Chapter to service the development and other documentation evidencing the perpetual availability of adequate non-City water for outdoor use. The developer shall also be required to pay for and submit to the city an opinion form an independent water rights attorney to be designated or approved by the City, indicating the legal status of the water rights to be conveyed, whether or not the proposed conveyance will meet the requirements of the City ordinances and that the transaction will be effective in conveying the required water and water rights to the City. The developer shall also obtain and pay for a policy of title insurance for the culinary water rights in an amount to be approved by the City and provide a valid deed or certificate to the City for all required secondary water rights. The secondary water rights shall be accompanied with a current letter from the irrigation company that issued the secondary water rights, indicating that the water rights are valid and that the conveyance to the City will be or is recognized by the irrigation company. The City will allow the culinary and secondary water rights to actually be transferred to the City after the city council has approved the final plat, but the developer shall be required to provide a copy of the proposed deeds or certificates and a commitment for the title insurance prior and letter from the irrigation company prior to final approval.(l) the application fee along with any unpaid fees owed to Grantsville City for development of land, code enforcement, or building permits.(m) A copy of the State Highway Access permit or railroad crossing permit when a new street will connect to a State highway or will cross a railroad, along with any design requirements as established by the Utah Department of Transportation.(n) Copies of proposed protective covenants, trust agreement and homeowner's association articles and bylaws.(o) Provide evidence of application for storm water discharge permit with State.(p) Provide evidence of Record of Survey number by placing it on the first page of preliminary drawings.(q) Evidence of application (Notice of Intent form) for a Utah Pollutant Discharge Elimination System.(3) A tax clearance from the Tooele County Assessor indicating that all taxes, interest, and penalties owing for the property have been paid;(4) A statement identifying the proposed method of bonding for required subdivision improvements, including street, roads, and related facilities, water distribution system, sewage collection system, flood plain protection, storm drainage facilities and such other necessary facilities as may be required by the City;

~~(53) Within 21 days a~~ After the applicant or authorized representative submits an application that has been determined by the zoning administrator to be complete per Section 21.2.2, 21.2.3 and 21.2.4 of this Chapter, and all required fees have been paid by the applicant, a DRC review will commence following the requirements found in Section 21.2.10 of this Chapter. Once the Applicant has received the review comments, a development review conference ~~shall~~may be scheduled at the request of the applicant with ~~the applicant, and~~ members of the DRC. Representatives of affected entities such as; county health department, county recorder, and any other private or public body that has jurisdiction or an interest in providing public or utility services to the subdivision shall be allowed to review the application ~~also be invited to attend the design review conference~~ and provide comments within the required review period.

~~(64)~~ After receiving the review comments, the development review conference, the applicant shall submit to the zoning administrator all corrected drawings, design reports and other documents requested by the DRC, meeting the requirements of Utah Code Ann. 10-9a-604.2 (2023). If necessary, due to changes in design or estimates being more than 6 months old a new cost estimate of off-site infrastructure improvements shall also be submitted. The review process outlined in 21.2.10(6) of this chapter may occur up to three additional times, only as necessary, before moving forward for consideration. When the DRC determines that all of the corrections have been completed and necessary documentation has been submitted, the application ~~will be placed on the planning commission public meeting agenda for public hearing, discussion and decision~~ shall move forward for consideration by the necessary body as outlined in 21.4.2.

~~(7) Once the planning commission has made a recommendation to move the final plat application forward, the application will be placed on the city council public meeting agenda for consideration and decision to approve or deny the application.~~ ~~(85)~~ ~~The city council shall review the plat and may review the financial guarantee for the subdivision improvements at a public meeting where it can approve or deny the plat.~~ If approved, the plat shall be recorded within three hundred sixty-five days or it shall be void. A final plat shall not be recorded if a Development Agreement or Amendment to a Development Agreement is still under consideration. The city council ~~may~~shall authorize the mayor and city staff to review and approve the financial guarantee, the final conveyance of water rights and the title insurance for culinary water after approval of the final plat, but prior to the final plat being recorded. (Utah Code Ann. §10-9a-103(~~2018~~2023), §10-9a-207 (2009), §10-9a-603(~~2017~~2022), §10-9a-604(~~2017~~2021))

SECTION 21: AMENDMENT “21.5.1 Application” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.5.1 Application

(1) A planned unit development is required for:

- (a) a master planned residential community; or
- (b) multiple-family dwellings with or without the subdivision of land.

(2) A planned unit development shall meet the requirements of Chapter 12 and follow the procedures in Section 4 of this code.

(3) Infrastructure and public facilities shall be dedicated in a planned unit development. A planned unit development shall connect to the city's public water system which shall serve all lots being created. The water system shall provide for fire flow storage of water to supply hydrants that comply with the current state adopted fire code and NFPA guidelines for the type of occupancy and level of development.

(4) A planned unit development shall be filed on a plat drawn and stamped by a licensed surveyor and identified as such.

AFTER AMENDMENT

21.5.1 Application

1. ~~(1) A planned unit development is required for: (a) a master planned residential community; or (b) multiple-family dwellings with or without the subdivision of land. (2) A planned unit development shall meet the requirements of Chapter 12 and follow the procedures in Section 4 of this code. (3) Infrastructure and public facilities shall be dedicated in a planned unit development. A planned unit development shall connect to the city's public water system which shall serve all lots being created. The water system shall provide for fire flow storage of water to supply hydrants that comply with the current state adopted fire code and NFPA guidelines for the type of occupancy and level of development. (4) A planned unit development shall be filed on a plat drawn and stamped by a licensed surveyor and identified as such.~~ If a Planned Unit Development is required due to:

- a. zoning requirements,
- b. proposes a mix of uses,
- c. contains sensitive soils areas,
- d. includes conditional uses, or
- e. includes a non-compliant use that would require approval of exceptions or variations to zoning requirements or ordinances by Planning Commission.

then a PUD application shall be submitted and approved prior to submitting a development application, PUD application requirements are found in GLUDMC Chapter 12 Planned Unit Development.

SECTION 22: **AMENDMENT** “21.6.1 Application” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.6.1 Application

- (1) All subdivisions shall comply with the design standards set forth in this Chapter.
- (2) The design and development of subdivisions shall preserve insofar as possible the natural terrain, natural drainage, existing topsoil, and trees.
- (3) Land subject to hazardous conditions such as slides, mud flow, rock falls, snow avalanches, possible mine subsidence, shallow water table, open quarries, floods and polluted or non-potable water supply shall not be subdivided until the hazards have been eliminated or will be eliminated by the construction of the subdivision.

AFTER AMENDMENT

21.6.1 Application

- (1) All ~~subdivisions shall comply with the design standards set forth in this Chapter.~~ developments shall be designed and constructed in full compliance with this Chapter and the Grantsville City Design and Construction Standards (hereinafter referred to as the City's Design Standards).
- (2) The design and development ~~of subdivisions~~ of all developments shall preserve insofar as possible the natural terrain, natural drainage, existing topsoil, and trees.
- (3) Land subject to hazardous conditions such as slides, mud flow, rock falls, snow avalanches, possible mine subsidence, shallow water table, open quarries, floods and polluted or non-potable water supply shall not be subdivided until the hazards have been eliminated or will be eliminated by the construction of the subdivision.

SECTION 23: **AMENDMENT** “21.6.2 Lots” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.6.2 Lots

- (1) No single lot shall be divided by a municipal, or county boundary line.

- (2) A lot shall not be divided by a street or another lot.
- (3) The frontage of a wedge-shaped lot shall not be less than 30 feet in width.
- (4) Side lot lines shall be at substantially right angles or radial to road lines.
- (5) All lots shall front on a publicly dedicated street or private roads approved by the planning commission.
- (6) Unless approved under the provisions of a planned unit development, all lots shall conform to area requirements of the existing zoning district.
- (7) If the subdivision is located in an area with fire hydrants, the fire hydrants shall be installed and at operational pressure before construction on a structure proceeds beyond footings and foundation.

AFTER AMENDMENT

21.6.2 Lots

- (1) No single lot shall be divided by a municipal, or county boundary line.
- (2) A lot shall not be divided by a street or another lot. ~~(3) The frontage of a wedge-shaped lot shall not be less than 30 feet in width.~~
- ~~(3)~~ (4) Side lot lines shall be at substantially right angles or radial to road lines.
- ~~(5)~~ (4) All lots shall front on a publicly dedicated street or private roads approved by the planning commission.
- ~~(6)~~ (5) Unless approved under the provisions of a planned unit development, all lots shall conform to area and dimensional minimum requirements of the existing zoning district.
- ~~(7)~~ (6) If the ~~subdivision~~ development is located in an area ~~with~~ served by or to be served by fire hydrants, the fire hydrants shall be installed and at operational pressure before construction on a structure proceeds beyond footings and foundation.

SECTION 24: **AMENDMENT** “21.6.3 Streets” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.6.3 Streets

- (1) Roads shall be designed in accordance with standards adopted by Grantsville City.

(2) Streets shall bear the names of existing aligned streets. There shall be no duplication of road names. All road names shall be approved by Grantsville City.

(3) The arrangement on new streets in a development shall provide for the continuation of existing streets in adjoining areas at widths as designated by the street classification as found in the Grantsville City Street Master Plan and Grantsville City's Street Technical Specifications and Standard Drawings. No subdivision street shall extend farther than 750 feet beyond its intersection with another street. (Amended 06/07)

(4) In addition to the City codes and standards, all subdivisions shall be designed to meet the applicable requirements in the current adopted edition of the International Fire Code.

(5) Subdivisions proposing one- or two-family dwellings comprising of greater than thirty (30) lots shall have at least two (2) access points to existing through streets outside of the proposed subdivision. Streets within the proposed subdivision shall be interconnected to the greatest extent possible. Subdivisions utilizing multi-family dwelling units, commercial, or industrial areas shall meet the more stringent requirements of the current adopted edition of the International Fire Code or applicable City ordinances and standards.

(6) The design of the road system shall provide for continuous circulation throughout the project. Cul-de-sacs and temporary dead end roads stubbed for future development must have approval by the Planning Commission and are only allowed where unusual conditions exist which cause interconnectivity of streets to be infeasible due to public safety, physical circumstance or ability to meet design standards.

(7) The maximum length of a cul-de-sac shall be 750 feet, as measured from the center line of the adjoining street to the center point of the turnaround, with no more than sixteen (16) single family dwelling units, or twenty four (24) multi-family dwelling units accessing the cul-de-sac.

(8) Each cul-de-sac shall be terminated with a turnaround or loop road of not less than 120' feet in diameter at the property line with minimum drivable surface (includes travel surface and gutter pans) of 96' feet in diameter. The City Engineer may require an increased diameter if design conditions necessitate increased diameter in order for large vehicles and emergency equipment to negotiate the turnaround or to meet the street design conditions such as park strip width and sidewalk width or additional widths due to center islands. In no case shall an exception be granted for a turnaround smaller than 120' foot minimum diameter.

(9) The design of streets in commercial and industrial zoning districts shall be determined by the City Engineer using the Institute of Transportation Engineers' Trip Generation, current edition for road load and design for the transportation system.

(10) Pedestrian access: All cul-de-sacs shall provide pedestrian connectivity to open space areas, public facilities, trails, or adjacent subdivisions.

(11) The subdivider shall bear the cost of all road and public safety signs which shall be erected by the city public works.

(12) Temporary road signs shall be installed by the developer with the road names approved on the plat.

(13) Temporary road signs shall be maintained by the developer until permanent road signs are installed by Grantsville City when the infrastructure is inspected and accepted.

(14) The arrangement of streets in a new subdivision or development shall provide for the continuation of existing streets in adjoining areas at widths designated by the street classification found in the Grantville Streets Master Plan and the City's design standards.

(15) Streets adjacent to a new subdivision or development shall be fully improved on the side of the street fronting the subdivision with a minimum paved travel surface width of 26 feet or half the pavement width per the street's classification, whichever is greater. All associated improvements such as sidewalk, curb, gutter, shoulders, ditches, and/or side slopes so as to assure proper drainage, bank stability, and traffic safety shall be construed to city standards on the side of the street fronting the subdivision. The non-property line edge of street shall have installed a temporary ribbon-curb.

(16) No development shall be approved unless streets and associated infrastructure leading to the subdivision provide an adequate level of service for existing users while accommodating the new development. The developer shall be responsible to mitigate off site impacts. The traffic impact study shall be considered in the determination of any off site impact mitigation requirements. The level of mitigation of off-site impacts shall be determined by the planning commission upon recommendation by the city engineer in conformance with the City's general plan including associated plans and studies, adopted ordinances, specifications, standards, and considerations of public health and safety.

(17) All associated improvements such as sidewalk, curb, gutter, or alternate drainage shall also be constructed to city standards for a "Public Road, Standard Street Section" as specified in Grantsville City's Technical Specifications and Standard Drawings, unless waived by the city council.

(18) No building permit shall be issued until such time as all of the required improvements and the installation of utilities have been completed or until a financial assurance has been filed with the City that complies with the requirements of Chapter 21, Section 7 of this Code. The City Council may also require that the subdivision improvements be guaranteed for two year after their installation, in a manner consistent with guarantees required for a standard subdivision.

(19) Commercial developments having thirty (30) or more separate commercial lots or proposed businesses shall be required to provide for more than one means of vehicular ingress and egress to the development. The timing of the installation of the alternate means of ingress and egress shall be determined by the City Council, after a recommendation from the Planning Commission.

(20) Improvement of Existing Boundary Streets: Existing streets fronting or bounding the development shall be improved to meet the classification and construction standards specified by the City for the street. These requirements shall include:

- (a) Dedication of additional right-of-way width to meet the greater of the half of the minimum width required for the particular street classification as measured from the centerline of the existing street right-of-way.
- (b) Developer shall provide as part of preliminary plat application a survey of existing street improvements on existing street rights-of-way or the minimum width required to provide a 26' foot minimum pavement width meeting the International Fire Code access requirements bounding the proposed subdivision and an assessment by a licensed Geotech assessing the condition of the existing concrete and bituminous pavement, base and subgrade materials and certifying whether or not the existing right-of-way improvements meet Grantsville City's current development and construction standards. The survey shall include topography, location and elevations of street crowns, edge of pavement, curb and gutter, sidewalk, utility boxes, manholes and any other permanent objects within the street right-of-way or adjacent to the street right-of-way that may be associated to the existing improvements or have bearing on potential future improvements associated with the proposed subdivision.
- (c) In cases where the existing street improvements do not meet current city improvement standards, deficiencies shall be corrected to meet current standards. These corrections include any deficiencies in the right-of-way or edge of pavement beyond centerline to meet the minimum 26' foot minimum pavement width requirement from the subdivision boundary to the greater of the centerline of the right-of-way. Additional repair and replacement may be required beyond the right-of-way centerline if construction of improvements for the subdivision such as trenching for utilities serving the subdivision or construction activities for the subdivision have damaged existing improvements or the design of the proposed improvements requires additional reconstruction to provide smooth transitions, maintain appropriate drainage and maintain the safe operation of improvements.
- (d) Improvements in the half width of the right-of-way as measured from the centerline of the existing street right-of-way shall meet the same construction finish standards required within the subdivision. Existing pavement surfaces to remain shall be milled down and overlain with a minimum of 1-inch bituminous surface course providing a continuous surface from street centerline to edge of pavement at lip of curb or shoulder.
- (e) If the existing boundary street right-of-way is not paved, improvements to bring the street in compliance with current City standards shall include a paved surface width of a minimum of 26 feet for the full length of the subdivision boundary frontage or, in agreement with the City, full width improvements to the right-of-way for a distance proportional to the total length of subdivision boundary, as if partial improvement were completed.

AFTER AMENDMENT

21.6.3 Streets

- (1) Roads shall be designed in accordance with standards adopted by Grantsville City.
- (2) Streets shall bear the names of existing aligned streets. There shall be no duplication of road names. All road names shall be approved by Grantsville City.
- (3) The arrangement on new streets in a development shall provide for the continuation of existing streets in adjoining areas at widths as designated by the street classification as found in the Grantsville City Street Master Plan and ~~Grantsville City's Street Technical Specifications and Standard Drawings~~ the City's Design Standards. No ~~subdivision~~ street shall extend farther than 750 feet beyond its intersection with another street. (Amended 06/07)
- (4) In addition to the City codes and standards, all ~~subdivisions~~ developments shall be designed to meet the applicable requirements in the current adopted edition of the International Fire Code.
- (5) ~~Subdivisions~~ Developments proposing one- or two-family dwellings comprising of greater than thirty (30) lots shall have at least two (2) access points to existing through streets outside of the proposed ~~subdivision~~ development. Streets within the proposed ~~subdivision~~ development shall be interconnected to the greatest extent possible. ~~Subdivisions~~ Developments utilizing multi-family dwelling units, commercial, or industrial areas shall meet the more stringent requirements of the current adopted edition of the International Fire Code or applicable City ordinances and standards.
- (6) The design of the road system shall provide for continuous circulation throughout the project. Cul-de-sacs and temporary dead end roads stubbed for future development must have approval by the Planning Commission and are only allowed where unusual conditions exist which cause interconnectivity of streets to be infeasible due to public safety, physical circumstance or ability to meet design standards.
- (7) The maximum length of a cul-de-sac shall be 750 feet, as measured from the center line of the adjoining street to the center point of the turnaround, with no more than sixteen (16) single family dwelling units, or twenty four (24) multi-family dwelling units accessing the cul-de-sac.
- (8) Each cul-de-sac shall be terminated with a turnaround or loop road of not less than 120' feet in diameter at the property line with minimum drivable surface (includes travel surface and gutter pans) of 96' feet in diameter. The City Engineer may require an increased diameter if design conditions necessitate increased diameter in order for large vehicles and emergency equipment to negotiate the turnaround or to meet the street design conditions such as park strip width and sidewalk width or additional widths due to center islands. In no case shall an exception be granted for a turnaround smaller than 120' foot minimum diameter.
- (9) The design of streets in commercial and industrial zoning districts shall be determined by the ~~City Engineer~~ Developer using the Institute of Transportation Engineers' Trip Generation, current edition for road load and design for the transportation system.

(10) Pedestrian access: All cul-de-sacs shall provide pedestrian connectivity to open space areas, public facilities, trails, or adjacent subdivisions.

(11) The ~~subdivider shall bear the cost of all road and public safety signs which shall be erected by the city public works~~ Developer shall furnish and install all road and public safety signs.

(12) Temporary road signs shall be installed by the developer with the road names approved on the plat.

(13) Temporary road signs shall be maintained by the developer until permanent road signs are installed ~~by Grantsville City when the infrastructure is inspected and accepted.~~ (14) The arrangement of streets in a new subdivision or development shall provide for the continuation of existing streets in adjoining areas at widths designated by the street classification found in the Grantville Streets Master Plan and the City's design standards.

~~(15)~~ (4) Streets adjacent to a new subdivision or development shall be fully improved on the side of the street fronting the subdivision with a minimum paved travel surface width of 26 feet or half the pavement width per the street's classification, whichever is greater. All associated improvements such as sidewalk, curb, gutter, shoulders, ditches, and/or side slopes so as to assure proper drainage, bank stability, and traffic safety shall be construed to ~~city standards~~ City's Design Standards on the side of the street fronting the ~~subdivision~~ development. The non-property line edge of street shall have installed a temporary ribbon-curb.

~~(16)~~ (5) No development shall be approved unless streets and associated infrastructure leading to the subdivision provide an adequate level of service for existing users while accommodating the new development. The developer shall be responsible to mitigate off site impacts. The traffic impact study shall be considered in the determination of any off site impact mitigation requirements. The level of mitigation of off-site impacts shall be determined by the planning commission upon recommendation by the city engineer in conformance with the City's general plan including associated plans and studies, adopted ordinances, specifications, standards, and considerations of public health and safety.

~~(17)~~ (6) All associated improvements such as sidewalk, curb, gutter, or alternate drainage shall also be constructed to ~~city~~ the standards for a "Public Road, Standard Street Section" as specified in Grantsville City's ~~Technical Specifications and Standard Drawings~~ Design Standards, ~~unless waived by the city council.~~

~~(18)~~ (7) No building permit shall be issued until such time as all of the required improvements and the installation of utilities have been completed or until a financial assurance has been filed with the City that complies with the requirements of Chapter 21, Section 7 of this Code. The City Council ~~may also~~ shall require that the subdivision improvements be guaranteed for two year after their installation, in a manner consistent with guarantees required for a standard subdivision.

(198) Commercial developments having thirty (30) or more separate commercial lots or proposed businesses shall be required to provide for more than one means of vehicular ingress and egress to the development. The timing of the installation of the alternate means of ingress and egress shall be determined by the City Council, after a recommendation from the Planning Commission.

(2019) Improvement of Existing Boundary Streets: Existing streets fronting or bounding the development shall be improved to meet the classification and construction standards specified by the City for the street. These requirements shall include:

(a) Dedication of ~~additional~~ right-of-way width to meet the ~~greater of the~~ half of ~~the minimum~~ width 26 foot minimum required for the particular street classification, per City Street Master Plan, as measured from the centerline of the existing street right-of-way.

(b) Developer shall provide as part of preliminary plat application a survey of existing street improvements on existing street rights-of-way or the minimum width required to provide a 26' foot minimum pavement width meeting the International Fire Code access requirements bounding the proposed ~~subdivision~~ development and an assessment by a licensed Geotech assessing the condition of the existing concrete and bituminous pavement, base and subgrade materials and certifying whether or not the existing right-of-way improvements meet ~~Grantsville City's current development and construction standards~~ the City's Design Standards. The survey shall include topography, location and elevations of street crowns, edge of pavement, curb and gutter, sidewalk, utility boxes, manholes and any other permanent objects within the street right-of-way or adjacent to the street right-of-way that may be associated ~~to~~ with the existing improvements or have bearing on potential future improvements associated with the proposed ~~subdivision~~ development.

(c) In cases where the existing street improvements do not meet ~~current city improvement standards~~ the City's Design Standards, deficiencies shall be corrected to meet ~~current standards~~ the City's Design Standards. These corrections include any deficiencies in the right-of-way or edge of pavement beyond centerline to meet the minimum 26' foot minimum pavement width requirement ~~from the subdivision boundary to the greater of the centerline of the right-of-way~~. Additional repair and replacement may be required beyond the right-of-way centerline if construction of improvements for the ~~subdivision~~ development such as trenching for utilities serving the ~~subdivision~~ development or construction activities for the ~~subdivision~~ development have damaged existing improvements or the design of the proposed improvements requires additional reconstruction to provide smooth transitions, maintain appropriate drainage and maintain the safe operation of improvements.

(d) Improvements in the half width of the right-of-way as measured from the centerline of the existing street right-of-way shall meet the same construction finish standards required within the ~~subdivision~~ development. Existing pavement surfaces to remain shall be milled down and overlain with a minimum of 1-inch bituminous surface course providing a continuous surface from street centerline to edge of pavement at lip of curb or shoulder.

(e) If the existing boundary street right-of-way is not paved, improvements to bring the street in compliance with current City ~~Design s~~Standards shall include a paved surface width of a minimum of 26 feet for the full length of the ~~subdivision~~development boundary frontage ~~or, in agreement with the City, full width improvements to the right-of-way for a distance proportional to the total length of subdivision boundary, as if partial improvement were completed.~~

(f) Residential off site parking shall include a minimum of two parking spaces per lot or unit per Utah Code Ann. 10-9a-533(c)(iii) (2021).

SECTION 25: **AMENDMENT** “21.6.4 Frontage On Arterial And Collector Streets” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.6.4 Frontage On Arterial And Collector Streets

No residential dwelling lots shall directly access arterial or major collector streets. Subdivision design shall provide local access streets to lots along arterial and major collector streets.

AFTER AMENDMENT

21.6.4 Frontage On Arterial And Collector Streets

No residential dwelling lots shall directly access arterial or major collector streets.
~~Subdivision~~The development design shall provide local access streets to lots along arterial and major collector streets.

SECTION 26: **AMENDMENT** “21.6.5 Sidewalks, Curbs, And Gutters” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.6.5 Sidewalks, Curbs, And Gutters

(1) Sidewalks, curbs and gutters shall be provided in accordance with the requirements of the zoning district or the planning commission.

(2) Sidewalks, curbs and gutters shall be installed in accordance with standards adopted by Grantsville City.

(3) The City Engineer may also require a drainage plan and the installation of related flood control improvements and other city or private utilities as may be necessary.

AFTER AMENDMENT

21.6.5 Sidewalks, Curbs, And Gutters

(1) Sidewalks, curbs and gutters shall be provided in accordance with the requirements of the ~~zoning district or the planning commission~~ City's Design Standards. ~~(2) Sidewalks, curbs and gutters shall be installed in accordance with standards adopted by Grantsville City.~~ ~~(3) The City Engineer may also require a drainage plan and the installation of related flood control improvements and other city or private utilities as may be necessary.~~

SECTION 27: **AMENDMENT** “21.6.7 Monuments” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.6.7 Monuments

(1) Permanent reference monuments shall be installed in accordance with standards adopted by Grantsville City. They shall be set on the external boundary of the subdivision, at all road centerline intersections and all beginning and end points of curves, to provide line of sight control for re-establishing the survey.

(2) Block and lot monuments shall be set.

(3) At least one second order benchmark shall be set within every subdivision.

AFTER AMENDMENT

21.6.7 Monuments

(1) Permanent reference monuments shall be installed in accordance with standards adopted by Grantsville City. They shall be set on the external boundary of the ~~subdivision~~ development, at all road centerline intersections and all beginning and end points of curves, to provide line of sight control for re-establishing the survey.

(2) Block and lot monuments shall be set.

(3) At least one second order benchmark shall be set within every ~~subdivision~~ development.

SECTION 28: **AMENDMENT** “21.6.8 Easements” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.6.8 Easements

- (1) A ten-foot public utility easement shall be established along the front of each lot.
- (2) A 7.5 foot public utility easement shall be established along the sides and back of each lot.
- (3) Guying easements at corners may be required.

AFTER AMENDMENT

21.6.8 Easements

- (1) A ten-foot public utility easement shall be established along the front of each lot.
- (2) A 7.5 foot public utility easement shall be established along the sides and back of each lot.
- (3) Additional easement may be required for existing or future purposes such as but not limited to Guying easements at corners may be required.

SECTION 29: **AMENDMENT** “21.6.9 Utilities To Be Underground” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.6.9 Utilities To Be Underground

All power lines, telephone lines, and other normally overhead utility lines shall be placed underground in all subdivisions. The developer shall establish final utility grades prior to utility lines being placed underground.

AFTER AMENDMENT

21.6.9 Utilities To Be Underground

All power lines, telephone lines, and other normally overhead utility lines shall be placed underground in all ~~subdivisions~~ development. The developer shall establish final utility grades prior to utility lines being placed underground.

SECTION 30: **AMENDMENT** “21.6.10 Sewer Systems” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.6.10 Sewer Systems

(1) Except as otherwise provided in this section, the subdivider shall provide connection to the city’s sanitary sewer system throughout the development and to the property line of every lot in the subdivision. The sewer system shall meet the minimum standards and requirements of Grantsville City.

(2) On-site wastewater disposal systems will be approved only when an existing sewer system is more than one-half mile away from the boundary line of the subdivision. All on-site wastewater disposal systems shall be approved in writing by the county health department. Subdivisions proposing to use on-site wastewater disposal systems shall submit a feasibility report to the county health department, per Tooele County Health Department Regulation #12. Percolation tests and soil exploration pits shall be required to determine the adequacy of the soil involved for on-site wastewater disposal systems to absorb sewage effluent. At the time an application is made for a building permit, every individual lot which will be serviced by a septic system will require a soil evaluation test where the proposed drain field will be located. The following requirements shall also be met:

- (a) Lands filled within the last ten years shall not be divided into building sites which are to be served by septic systems.
- (b) Each septic system shall be installed at a depth and location approved by the county health department.
- (c) Land with unacceptable soil evaluations as determined by the county health department shall not be divided into building sites to be served by septic systems.
- (d) Land rated as having severe limitations for septic tank absorption fields as defined by the County soil survey, U.S. Department of Agriculture, or Natural Resource Conservation Service, shall not be divided into building sites to be serviced by septic systems unless each such building site contains not less than 20,000 square feet of other soils rated suitable for building construction and installation of a septic system.
- (e) An applicant desiring to install septic system in soils having severe limitations shall have additional on-site investigations made, including soil evaluation tests. The applicant shall obtain the certification of a soils scientist that specific areas lying within these soils are suitable for the proposed septic system. The facilities shall meet county health department standards and regulations. To be approved, the county health department must find that proposed corrective measures have overcome the severe soil limitations.

AFTER AMENDMENT

21.6.10 Sewer Systems

(1) Except as otherwise provided in this section, the subdivider shall provide connection to the city's sanitary sewer system throughout the development and to ~~the property line of every lot in the subdivision~~ a point 10-feet inside each lot. The sewer system shall meet the minimum standards and requirements of ~~Grantsville City~~ City's Design Standards.

(2) On-site wastewater disposal systems will be approved only when an existing sewer system is more than one-half mile away from the boundary line of the ~~subdivision~~ development. All on-site wastewater disposal systems shall be approved in writing by the county health department. ~~Subdivisions~~ Developments proposing to use on-site wastewater disposal systems shall submit a feasibility report to the county health department, per Tooele County Health Department Regulation #12. Percolation tests and soil exploration pits shall be required to determine the adequacy of the soil involved for on-site wastewater disposal systems to absorb sewage effluent. At the time an application is made for a building permit, every individual lot which will be serviced by a septic system will require a soil evaluation test where the proposed drain field will be located. The following requirements shall also be met:

- (a) Lands filled within the last ten years shall not be divided into building sites which are to be served by septic systems.
- (b) Each septic system shall be installed at a depth and location approved by the county health department.
- (c) Land with unacceptable soil evaluations as determined by the county health department shall not be divided into building sites to be served by septic systems.
- (d) Land rated as having severe limitations for septic tank absorption fields as defined by the County soil survey, U.S. Department of Agriculture, or Natural Resource Conservation Service, shall not be divided into building sites to be serviced by septic systems unless each such building site contains not less than 20,000 square feet of other soils rated suitable for building construction and installation of a septic system.
- (e) An applicant desiring to install septic system in soils having severe limitations shall have additional on-site investigations made, including soil evaluation tests. The applicant shall obtain the certification of a soils scientist that specific areas lying within these soils are suitable for the proposed septic system. The facilities shall meet county health department standards and regulations. To be approved, the county health department must find that proposed corrective measures have overcome the severe soil limitations.

SECTION 31: **AMENDMENT** “21.6.11 Sanitary Sewer Main, Laterals, And House Connections - Future” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.6.11 Sanitary Sewer Main, Laterals, And House Connections - Future

Where city and regional general plans indicate that construction or extension of sanitary sewers may serve the subdivision area within a reasonable time, the planning commission may require the installation and capping of sanitary sewer mains and house connections by the subdivider in addition to the installation of temporary individual on-lot sewage disposal systems.

Whenever individual on-lot sewage disposal systems are proposed, the subdivider shall either install such facilities or require by deed restrictions or otherwise as a condition of the sale of each lot or parcel within such subdivision, that those facilities be installed prior to or during the construction of the principal building. No building permit shall be issued until such installation is assured. In all other cases, sewage disposal facilities shall be provided for every lot or parcel by a complete community or public sewer system.

AFTER AMENDMENT

21.6.11 Sanitary Sewer Main, Laterals, And House Connections - Future

Where city and regional general plans indicate that construction or extension of sanitary sewers may serve the ~~subdivision~~development area within a reasonable time, the planning commission may require the installation and capping of sanitary sewer mains and house connections by the ~~subdivider~~developer in addition to the installation of temporary individual on-lot sewage disposal systems. Whenever individual on-lot sewage disposal systems are proposed, the ~~subdivider~~developer shall either install such facilities or require by deed restrictions or otherwise as a condition of the sale of each lot or parcel within such ~~subdivision~~development that those facilities be installed prior to or during the construction of the principal building. No building permit shall be issued until such installation is assured. In all other cases, sewage disposal facilities shall be provided for every lot or parcel by a complete community or public sewer system.

SECTION 32: **AMENDMENT** “21.6.12 Water Supply” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.6.12 Water Supply

(1) All subdivisions shall have a public water supply unless this requirement is waived by the city council.

(2) The supply of water from a source other than an approved public water system may be approved only if proof of adequate water rights and proof of water availability, flow and quality meeting the Safe Drinking Water Standards by a water sample from wells on ten percent of the lots rounded up to the next whole number and approval of the system is granted through either the Tooele County Health Department or Utah State Drinking Water Board, as applicable. In the preliminary stage, the subdivider shall show possession of sufficient water rights to provide domestic use for the total number of dwellings being proposed for the entire development. The design stage for the first phase of development shall include the engineering for the water system for the entire development to include a fire flow calculation. If the subdivision is not being connected to the city public water supply, the county health department shall approve the location of the test wells prior to the subdivider drilling them. The samples shall be taken by, and have a complete chemical analysis performed and approved by the county health department. All drinking water systems shall meet the standards of Tooele Health County Department Regulation # for non-public systems, or the Utah State Drinking Water Board, Utah Administrative Code R-309 for systems that fall under the requirements of a public water system⁵.

(3) Each development shall provide the details on the type of water system proposed, documentation of existing or proposed water rights and sources, historic water use, the estimated number of gallons per day of water system requirements for indoor and outdoor use, and a description of water storage requirements for daily fluctuations, irrigation, and fire suppression. The developer is required to provide dedicated or perpetual water rights or sources to meet the indoor and outdoor use requirements of all of the property in the development and the rights shall be sufficient to meet the total volume of water used and a rate of flow sufficient to meet peak demand. Culinary water rights shall include a conveyance to the City of a type which is perpetual in character and readily capable of use by the City. Outdoor water from a secondary (non-City) source may be obtained and provided from a private well or private water or irrigation company. The general requirement for outdoor water shall be one acre foot of water per one-third acre of net irrigated area. Net irrigated acreage shall be considered to be 64 percent of the total area of a lot of up to one-half acre and 60 percent of the total acreage of lots over one-half acre in size. All open spaces within a development shall generally be considered as irrigated acreage and one acre foot of outdoor water per one-third acre or any portion thereof shall be required, unless a different plan is proposed by the developer and is approved by the City. The exact amount of indoor and outdoor water rights to be provided should be based on reasonable assumptions with respect to projected use and demand and as reflected in Grantsville City's Capital Facilities Plan and Water Rights Impact Fee Study, as amended. The conveyance of water rights to Grantsville City should also take into account the uncertainty and time lag often required in securing approval from the State Engineer for a change of use of non-municipal water rights for municipal purposes and potential reductions in the quantity of water available during periods of drought.

(4) Amendments to existing platted subdivisions that require only up to a total of two acre feet of additional indoor water and only up to a total of eight acre feet of additional outdoor water for full development, may at the option of the owner or developer and in lieu of providing actual water rights to the City, pay at the time each building permit is issued for each lot, the applicable indoor and outdoor water rights acquisition impact fees as specified by Section 13-1-8 of the Grantsville City Code. Minor Subdivisions, small subdivisions and small planned unit developments which have a projected indoor and outdoor water usage comparable to four or fewer single family dwellings are also exempt from the foregoing requirements to provide indoor and outdoor water. A water acquisition impact fee will be charged pursuant to the provisions of Section 13-1-8 of the Grantsville City Code under such circumstances that the conveyance of water rights is waived.

(5) Notwithstanding anything to the contrary specified in this Chapter, property that is proposed for a subdivision that was originally included as a part of a parcel that was previously developed as a platted subdivision, shall be required to convey culinary and secondary water rights to the city pursuant to subsection (3) above, even if the new proposed subdivision or minor subdivision has four or fewer lots. Any waiver of the requirement to provide secondary water rights to the city by this section, shall not apply to property that has had a secondary water right attached to it or has been irrigated with secondary water within the past five years, pursuant to Section 7-1-22 of the Grantsville City Code.

AFTER AMENDMENT

21.6.12 Water Supply

(1) All ~~subdivisions~~development shall have a public water supply unless this requirement is waived by the city council.

(2) The supply of water from a source other than an approved public water system may be approved only if proof of adequate water rights and proof of water availability, flow and quality meeting the Safe Drinking Water Standards by a water sample from wells on ten percent of the lots rounded up to the next whole number and approval of the system is granted through either the Tooele County Health Department or Utah State Drinking Water Board, as applicable. In the preliminary stage, the ~~subdivider~~developer shall show possession of sufficient water rights to provide domestic use for the total number of dwellings being proposed for the entire development. The design stage for the first phase of development shall include the engineering for the water system for the entire development to include a fire flow calculation. If the ~~subdivision~~development is not being connected to the city public water supply, the county health department shall approve the location of the test wells prior to the ~~subdivider~~developer drilling them. The samples shall be taken by, and have a complete chemical analysis performed and approved by the county health department. All drinking water systems shall meet the standards of Tooele Health County Department Regulation # for non-public systems, or the Utah State Drinking Water Board, Utah Administrative Code R-309 for systems that fall under the requirements of a public water system⁵.

(3) Each development shall provide the details on the type of water system proposed, documentation of existing or proposed water rights and sources, historic water use, the estimated number of gallons per day of water system requirements for indoor and outdoor use, and a description of water storage requirements for daily fluctuations, irrigation, and fire suppression. The developer is required to provide dedicated or perpetual water rights or sources to meet the indoor and outdoor use requirements of all of the property in the development and the rights shall be sufficient to meet the total volume of water used and a rate of flow sufficient to meet peak demand. Culinary water rights shall include a conveyance to the City of a type which is perpetual in character and readily capable of use by the City. Outdoor water from a secondary (non-City) source may be obtained and provided from a private well or private water or irrigation company. The general requirement for outdoor water shall be one acre foot of water per one-third acre of net irrigated area. Net irrigated acreage shall be considered to be 64 percent of the total area of a lot of up to one-half acre and 60 percent of the total acreage of lots over one-half acre in size. All open spaces within a development shall generally be considered as irrigated acreage and one acre foot of outdoor water per one-third acre or any portion thereof shall be required, unless a different plan is proposed by the developer and is approved by the City. The exact amount of indoor and outdoor water rights to be provided should be based on reasonable assumptions with respect to projected use and demand and as reflected in Grantsville City's Capital Facilities Plan and Water Rights Impact Fee Study, as amended. The conveyance of water rights to Grantsville City should also take into account the uncertainty and time lag often required in securing approval from the State Engineer for a change of use of non-municipal water rights for municipal purposes and potential reductions in the quantity of water available during periods of drought.

(4) Amendments to existing platted ~~subdivisions~~ developments that require only up to a total of two acre feet of additional indoor water and only up to a total of eight acre feet of additional outdoor water for full development, may at the option of the owner or developer and in lieu of providing actual water rights to the City, pay at the time each building permit is issued for each lot, the applicable indoor and outdoor water rights acquisition impact fees as specified by Section 13-1-8 of the Grantsville City Code. Minor Subdivisions, small subdivisions and small planned unit developments which have a projected indoor and outdoor water usage comparable to four or fewer single family dwellings are also exempt from the foregoing requirements to provide indoor and outdoor water. A water acquisition impact fee will be charged pursuant to the provisions of Section 13-1-8 of the Grantsville City Code under such circumstances that the conveyance of water rights is waived.

(5) Notwithstanding anything to the contrary specified in this Chapter, property that is proposed for a ~~subdivision~~development that was ~~originally included as a part of a parcel that was previously platted and developed as a platted subdivision~~, shall be required to convey culinary and secondary water rights to the city pursuant to subsection (3) above, even if the new proposed ~~subdivision or minor subdivision~~development has four or fewer lots. Any waiver of the requirement to provide secondary water rights to the city by this section, shall not apply to property that has had a secondary water right attached to it or has been irrigated with secondary water within the past five years, pursuant to Section 7-1-22 of the Grantsville City Code.

SECTION 33: AMENDMENT “21.6.13 Storm Drainage And Flood Plains”
of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.6.13 Storm Drainage And Flood Plains

(1) A storm drainage system for the entire subdivision shall be designed by a professional engineer, licensed in the State of Utah and qualified to perform such work. Existing storm drainage features which are to be incorporated in the design shall be identified. If the subdivision has phases, a general storm drainage plan for the entire area shall be presented with the infrastructure design and engineering drawings with the preliminary plat for the first phase. Appropriate development stages for the storm drainage system for each phase shall be indicated.

(2) No lot one acre or less in area shall include flood lands. All lots of more than one acre shall contain not less than 40,000 square feet of land at an elevation at least two feet above the elevation of the 100 year recurrence interval flood or, where such data is not available, five feet above the elevation of the maximum flood of record.

(3) Storm drainage systems shall be designed to consider the storm drainage basin as a whole and shall accommodate not only runoff from the subdivision but also, where applicable, the runoff from those areas adjacent to and "upstream" from the subdivision itself, as well as its effects on lands downstream.

AFTER AMENDMENT

21.6.13 Storm Drainage And Flood Plains

(1) A storm drainage system for the entire ~~subdivision~~development shall be designed by a professional engineer, licensed in the State of Utah and qualified to perform such work. Existing storm drainage features which are to be incorporated in the design shall be identified. If the subdivision has phases, a general storm drainage plan for the entire area shall be presented with the infrastructure design and engineering drawings with the preliminary plat for the first phase. Appropriate development stages for the storm drainage system for each phase shall be indicated.

(2) No lot one acre or less in area shall include flood lands. All lots of more than one acre shall contain not less than 40,000 square feet of land at an elevation at least two feet above the elevation of the 100 year recurrence interval flood or, where such data is not available, five feet above the elevation of the maximum flood of record.

(3) Storm drainage systems shall be designed to consider the storm drainage basin as a whole and shall accommodate not only runoff from the ~~subdivision~~development but also, where applicable, the runoff from those areas adjacent to and "upstream" from the ~~subdivision~~development itself, as well as its effects on lands downstream.

SECTION 34: AMENDMENT “21.6.15 Essential Utilities And Infrastructure To Be Completed Prior To Issuance Of Building Permits” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.6.15 Essential Utilities And Infrastructure To Be Completed Prior To Issuance Of Building Permits

(1) All essential utilities and infrastructure as identified herein, shall be installed and completed in each phase of a subdivision, planned unit development that includes more than one lot, or multifamily dwelling development, prior to the issuance of any building permit in that development. Essential utilities shall include culinary water, sewer lines, paved streets, curb, gutter and drainage improvements (when required by the final design), permanent street signs and electricity service. Notwithstanding anything to the contrary herein, the City Public Works Director shall have authority to authorize the issuance of building permits in these developments, when the street and other required improvements have been completed, with the exception of the street surface course, when taking into account weather and temperature conditions and the feasibility of completing the surface course. If the Public Works Director authorizes building to be issued under these circumstances, no occupancy permits shall approved prior to the final completion of the street surface course.

AFTER AMENDMENT

21.6.15 Essential Utilities And Infrastructure To Be Completed Prior To Issuance Of Building Permits

(1) All essential utilities and infrastructure as identified herein, shall be installed and completed in each phase of a ~~subdivision, planned unit development that includes more than one lot, or multifamily dwelling~~ development, prior to the issuance of any building permit in that development. Essential utilities shall include culinary water, sewer lines, paved streets, curb, gutter and drainage improvements (when required by the final design), permanent street signs and electricity service. ~~Notwithstanding anything to the contrary herein, the City Public Works Director shall have authority to authorize the issuance of building permits in these developments, when the street and other required improvements have been completed, with the exception of the street surface course, when taking into account weather and temperature conditions and the feasibility of completing the surface course. If the Public Works Director authorizes building to be issued under these circumstances, no occupancy permits shall approved prior to the final completion of the street surface course.~~

SECTION 35: **AMENDMENT** “24.4 SLD Application” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

24.4 SLD Application

(1) The applicant shall submit an applicant to Planning and Zoning Administrator for review by the city staff. The SLD application will consist of an application form, fee (contained in the City's Fee Schedule), an electronic .pdf file of the drawings along with three (3) 11" x 17" paper copies of the drawings including of a site plan drawing showing the following and other information as requested by the city;

- A. Name, address and phone number of applicant and/or owner.
- B. Vicinity plan showing adjacent parcels, lots, owners and buildings.
- C. Date, scale and north arrow.
- D. Parcel location and boundary.
- E. Address and tax identification number.
- F. Proposed dwelling dimensions and setbacks.
- G. Existing and proposed street right-of-way widths.
- H. Existing and proposed street improvements (curb, gutter, sidewalk, park strip, pavement), access and driveways.

I. Existing and/or proposed waterways, utilities, easements, flood boundary, geologic hazards, fencing, fire hydrants, streetlights, storm drain system, soil conditions, other features and infrastructure on or adjacent to the property.

J. If new construction, intent to serve forms from all utilities that will be serving the development.

K. City staff shall review the application and provide connections, if necessary, to the applicant. The applicant shall resubmit the plans which may then be approved or denied by city staff.

AFTER AMENDMENT

24.4 SLD Application

(1) The applicant shall submit an applicant to Planning and Zoning Administrator for review by the city staff. The SLD application will consist of an application form, fee (contained in the City's Fee Schedule), a Boundary Survey (or Record of Survey) attached to a Deed as an Exhibit, an electronic .pdf file of the drawings ~~along with three (3) 11" x 17" paper copies of the drawings~~ including ~~of~~ a site plan drawing showing the following and other information as requested by the city;

A. Name, address and phone number of applicant and/or owner.

B. Vicinity plan showing adjacent parcels, lots, owners and buildings.

C. Date, scale and north arrow.

D. Parcel location and boundary.

E. Address and tax identification number.

F. Proposed ~~dwelli~~ng~~building~~ dimensions and setbacks.

G. Existing and proposed street right-of-way widths.

H. Existing and proposed street improvements (curb, gutter, sidewalk, park strip, pavement), access and driveways.

I. Existing and/or proposed waterways, utilities, easements, flood boundary, geologic hazards, fencing, fire hydrants, streetlights, storm drain system, soil conditions, other features and infrastructure on or adjacent to the property.

J. If new construction, intent to serve forms from all utilities that will be serving the development.

K. City staff shall review the application and provide connections, if necessary, to the applicant. The applicant shall resubmit the plans which may then be approved or denied by city staff.

SECTION 36: **AMENDMENT** “24.5 Application Review” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

24.5 Application Review

(1) The application shall be reviewed by the Planning and Zoning Administrator (Administrator) and other city staff as the Administrator deems necessary. The Administrator shall review the application for compliance with the applicable land use and zoning ordinances. The City Engineer shall review the construction plans and determine compliance with the engineering and surveying standards and criteria set forth in this title and all other applicable ordinances of the city and the state. The Administrator may approve the SLD if the application fully complies with the applicable land use ordinances and is found by the City Engineer to comply with the improvement standards required by this title and if all easements are correctly described and located. If the SLD complies, the developer's engineer shall prepare an estimate of the construction costs for all proposed public improvements. If the SLD application or the construction plans do not comply, the Administrator shall return the plans to the applicant with comment. Once all application requirements have been met, redline corrections made, revised plans submitted, fees paid and bond posted, a building permit may be obtained.

(2) If any waivers or exceptions to the code are required, any associated building permit review and approval shall be put on hold and the SLD application shall go before City Council at the earliest practical public meeting to determine the status of the waivers and exceptions that will be required. Any exceptions or waivers granted shall be included in a development agreement.

AFTER AMENDMENT

24.5 Application Review

(1) The application shall be reviewed by the Planning and Zoning Administrator (Administrator) and other city staff as the Administrator deems necessary.

(2) The City shall provide comments in no more than 14 business days from the date that the City has determined the application is complete and the fees have been paid.

(3) The Administrator shall review the application for compliance with the applicable land use and zoning ordinances. The City Engineer shall review the construction plans and determine compliance with the engineering and surveying standards and criteria set forth in this title and all other applicable ordinances of the city and the state.

(4) The Administrator may approve the SLD if the application fully complies with the applicable land use ordinances and is found by the City Engineer to comply with the improvement standards required by this title and if all easements are correctly described and located.

(5) If the SLD application complies, the signed and notarized Deed with the attached Exhibit of Survey and Site Plan shall be signed by the Grantsville City Mayor, Planning and Zoning Administrator and City Engineer. The applicant shall then record the document with the Tooele County Recorder.

(6) Once the SLD Application is approved, ~~complies,~~ the developer's engineer shall prepare an estimate of the construction costs for all proposed public improvements.

(7) If the SLD application or the construction plans do not comply, the Administrator shall return the plans to the applicant with comment. Once all application requirements have been met, redline corrections made, revised plans submitted, fees paid and bond posted, a building permit may be obtained.

(28) If any waivers or exceptions to the code are required, any associated building permit review and approval shall be put on hold and the SLD application shall go before ~~City Council~~ Planning Commission at the earliest practical public meeting to determine the status of the waivers and exceptions that will be required. Any exceptions or waivers granted shall be included in a development agreement.

SECTION 37: AMENDMENT “24.6 Plat Required” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

24.6 Plat Required

(1) If the city finds that dedication of land or public improvements is required, the applicant will be required to provide a plat and additional drawings describing the public improvements. The plat shall go before the City Council for approval. A Development Agreement may be required to clarify the responsibilities of the applicant and the city with respect to dedicated public improvements as well as other applicable land use requirements.

AFTER AMENDMENT

24.6 Plat Required

(1) If the city finds that dedication of land or public improvements is required, the applicant will be required to provide a plat and additional drawings describing the public improvements. The plat shall go before the ~~City Council~~ Planning Commission for approval. A Development Agreement may be required to clarify the responsibilities of the applicant and the city with respect to dedicated public improvements as well as other applicable land use requirements.

SECTION 38: **AMENDMENT** “12.1 Purpose” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

12.1 Purpose

(1) A planned development is a distinct category of conditional use. As such, it is intended to encourage the efficient use of land and resources, promote greater efficiency in public and utility services, preservation of open space, efficient use of alternative transportation and encouraging innovation in the planning and building of all types of development. Through the flexibility of the planned unit development technique, the City and developer will seek to achieve the following specific objectives:

(a) Creation of a more desirable environment than would be possible through strict application of other City land use regulations through promotion of a creative approach to the use of land and related physical facilities resulting in better design and development, including aesthetic amenities. The developer shall detail the proposed variation from Grantsville City ordinance requirements and explain how this variation will lead to a more desirable environment;

(b) The use of design, landscape or architectural features to create a pleasing environment while preserving desirable site characteristics such as natural topography, vegetation and geologic features as open space and providing recreational facilities. For projects containing a residential component containing more than a single dwelling unit at least 10% of the total parcel acreage shall be open space. All Planned Unit Development projects shall conform at a minimum with open space and improved open space requirements found in Chapter 21. Topography with slopes greater than 30% on average with a site area greater than 5,000 square feet, natural water bodies and drainages shall be protected;

(c) Preservation of buildings which are architecturally or historically significant contribute to the character of the City;

(d) Establishment of interconnecting paths and trails for alternative transportation routes which lead to common and popular destinations and interface with automobile traffic at few and specific points. Onsite paths and trails shall connect to the citywide trail system. Trails connecting to the citywide system shall be considered public trails allowing for public use; and

(e) Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation.

AFTER AMENDMENT

12.1 Purpose

(1) A planned unit development is a distinct category of conditional use. As such, it is intended to encourage the efficient use of land and resources, promote greater efficiency in public and utility services, preservation of open space, efficient use of alternative transportation and encouraging innovation in the planning and building of all types of development. Through the flexibility of the planned unit development technique, the City and developer will seek to achieve the following specific objectives:

(a) Creation of a more desirable environment than would be possible through strict application of other City land use regulations through promotion of a creative approach to the use of land and related physical facilities resulting in better design and development, including aesthetic amenities. The developer shall detail the proposed variation from Grantsville City ordinance requirements and explain how this variation will lead to a more desirable environment;

(b) The use of design, landscape or architectural features to create a pleasing environment while preserving desirable site characteristics such as natural topography, vegetation and geologic features as open space and providing recreational facilities. For projects containing a residential component containing more than ~~a single dwelling unit~~ 4 dwelling units defined as Lebel 4 and Level 5 subdivisions in Chapter 21 of this code at least 10% of the total parcel acreage shall be improved, fully landscaped, amenity rich, active open space. All ~~P~~planned ~~U~~unit ~~D~~development projects shall conform at a minimum with open space and improved open space requirements found in Chapter 21. Topography with slopes greater than 30% on average with a site area greater than 5,000 square feet, natural water bodies and drainages shall be protected;

(c) Preservation of buildings which are architecturally or historically significant contribute to the character of the City;

(d) Establishment of interconnecting paths and trails for alternative transportation routes which lead to common and popular destinations and interface with automobile traffic at few and specific points. Onsite paths and trails shall connect to the citywide trail system. Trails connecting to the citywide system shall be considered public trails allowing for public use; and

(e) Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation.

(f) Provide residential housing that conforms with the State moderate income requirements.

SECTION 39: AMENDMENT “12.2 Authority To Modify Regulations” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

12.2 Authority To Modify Regulations

(1) The Planning Commission shall have the authority in approving any planned development to change, alter, modify or waive any provisions of this Code as they apply to the proposed planned development. No such change, alteration, modification or waiver shall be approved unless the Planning Commission shall find that the proposed planned unit development:

(a) Will achieve the purposes for which a planned development may be approved pursuant to Section 12.1.

(b) Will not violate the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council.

AFTER AMENDMENT

12.2 Authority To Modify Regulations

(1) The Planning Commission shall have the authority to set reasonable and appropriate conditions in approving any planned development and to change, alter, modify or waive ~~any~~certain provisions of ~~this~~the land use Code as they apply to the proposed planned development. Public health and safety issued including but not limited to; line of site, public utilities and associated easements, secondary and emergency access, and quantity of required parking are outside of the Planning Commission authority to modify or waive. No such change, alteration, modification or waiver shall be approved unless the Planning Commission shall find that the proposed planned unit development:

(a) Will achieve all of the applicable purposes for which a planned development may be approved pursuant to Section 12.1. It is recognized that not all properties include historic or blighted structures, nor will all purposes specifically apply to non-residential uses and thus may be considered "Not Applicable". Residential projects that do not seek to increase the overall density allowed within the applicable district shall not be required to provide a moderate-income housing element unless the applicant otherwise desires to provide moderate income or affordable housing. For residential projects requesting density, at least 50% of the requested increased density shall meet state moderate income standards.

- (b) Will not violate the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council.

SECTION 40: **AMENDMENT** “12.4 Application Procedure” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

12.4 Application Procedure

(1) Except as required by this section, the application and approval procedures for planned unit developments are the same as is specified in the Subdivision Regulations contained in Section 2 and Section 4 of Chapter 21 of this Code. Planned unit developments shall also comply with the other provisions of Chapter 21, where applicable, including design standards for subdivision.

(2) In addition to the application requirements for subdivisions, an applicant for a planned unit development shall submit the following information with the Preliminary Plat application:

(a) At the preliminary phase, the applicant shall submit a written statement addressing each of the standards set forth in Section 7.8 herein entitled, Determination, when applicable and how the proposed development will promote the objectives set forth in Section 12.1 of this Chapter. The statement shall explain specifically how the proposed planned unit development relates to each such standard and promotes a listed objective;

(b) At the preliminary phase, the applicant shall submit a written statement indicating specifically what change, alteration, modification or waiver of any zoning or development regulations is being sought by the developer, if any.

(3) The approval of the final plan or final plat (if required) shall include approval of the final development plan and all special conditions applicable to the planned unit development. The final plan or plat together with the final development plan and special conditions for the planned unit development, rather than any other provision of this Code, shall constitute the use, parking, loading, sign, bulk, space and yard and other regulations applicable to the subject property, and no use or development, other than a home occupation or temporary uses, not allowed by the final plan or plat development plan and conditions shall be permitted within the area of the planned unit development. The final plan or final plat shall include a notation of any changes, alterations, modifications or waivers of the regular standards of the zoning district and of this Code and shall list any special conditions.

(4) Any party aggrieved by the final decision of the Planning Commission, regarding a planned unit development, with respect to a concept phase, preliminary plan or plat, final plan or plat, the development plan or changes, alterations, modifications or waivers either granted or denied, may appeal such decision to the City Council, whose decision shall then be final. All appeals to the City Council must be in writing and filed with the Zoning Administrator within thirty (30) days of the date of the decision appealed from and prior to any further consideration by the Planning Commission of a subsequent step in the planned unit development approval process. Only the final decision of the City Council with respect to the Final Plan or plat, Development Plan or changes, alterations, modifications or waivers either granted or denied may be appealed to the District Court, provided such appeal is filed within thirty (30) days of the decision of the City Council. Said appeal shall be filed with the City Recorder and with the Clerk of the District Court. No planned unit development final plan (that does not include a subdivision) shall be valid for a period longer than one year unless a building permit has been issued, construction has actually begun within that period and construction has been diligently pursued. Upon written request of the applicant, the one year period may be extended by the Planning Commission for such time as it shall determine for good cause shown, without further hearing.

AFTER AMENDMENT

12.4 Application Procedure

1. ~~(1) Except as required by this section, the application and approval procedures for planned unit developments are the same as is specified in the Subdivision Regulations contained in Section 2 and Section 4 of Chapter 21 of this Code. Planned unit developments shall also comply with the other provisions of Chapter 21, where applicable, including design standards for subdivision.~~ If required by code or the applicant is seeking proposed variations to a Grantsville City Ordinance, a PUD application shall be submitted and approved prior to the submittal of a development application such as, but not limited to, Preliminary Plan and Final Plat applications as detailed in Chapter 21.
2. ~~(2)~~ In addition to the application requirements for subdivisions, an applicant for a planned unit development shall submit the following information with the Preliminary Plat application:
 - a. (a) The applicant shall submit a concept plan, that is drawn to scale and is legible if printed on an 11 x 17 sheet. At a minimum, the concept plan shall include:
 - i. The proposed configuration of lots and types of uses proposed for the property.
 - ii. Streets rights-of-way, open spaces and other proposed common area or public use spaces shall be shown.
 - iii. Information shall be provided detailing minimum lot sizes, number of proposed lots for each type of use and calculations for over all areas for each type of use.
 - iv. Where proposed uses do not match uses on adjoining properties, a

continuation of the adjoining use shall be implemented for lots against the lot boundary, or a passive use landscaped buffer of at least 50 feet wide containing trees and privacy fencing shall be included. No lighting shall be allowed to reside in the 50 foot buffer and no light shall escape onto adjacent properties. Landscaped buffer areas may be counted as open space if the open space complies with the requirements found in GLUDMC Section 21.1. For commercial properties that are not in use at night, parking may encroach into the buffer area but trees and fencing are still required between the parking and the property boundary. Properties smaller than three acres or containing narrow areas of less than 200 feet may be granted modifications to the buffer width in those narrow areas if applicants and Planning Commission agree on an acceptable alternative such as transitions in architectural design that complement the neighboring issues.

- b. The applicant shall submit a written statement addressing each of the standards set forth in GLUDMC Section 7.8 herein entitled, Determination, when applicable and how the proposed development will promote the objectives set forth in Section 12.1 ~~po~~ of this Chapter. The statement shall explain specifically how the proposed planned unit development relates to each such standard and promotes a listed objective;
- c. ~~(b) At the preliminary phase, t~~ The applicant shall submit a written statement indicating specifically what change, alteration, modification or waiver of any zoning or development regulations is being sought by the developer, if any. The proposed variations shall include specific references to the affected ordinances and a comparison of the requirement and proposed variations. The applicant shall also provide an explanation of how the proposed variation benefits the development and the surrounding community and explain the steps that are proposed to mitigate the effects of the proposed variation on the ordinance.
- d. ~~(3)~~ The approval of the PUD applicaiton final plan or final plat (if required) shall include approval of all special conditions applicable to the planned unit development. All special conditions and approved variations to the GLUDMC shall be included in a Development Agreement which shall be approved by Planning Commission and City Council.
- e. ~~(4)~~ Any party aggrieved by the final decision of the Planning Commission, regarding a planned unit development, with respect to changes, alterations, modifications or waivers either granted or denied, may appeal such decision to the City Council, whose decision shall then be final. All appeals to the City Council must be in writing and filed with the Zoning Administrator within thirty (30) days of the date of the decision appealed from and prior to any further consideration by the Planning Commission of a subsequent step in the planned unit development approval process. Only the final decision of the City Council with respect to the Final Plan or plat, Development Plan or changes, alterations, modifications or waivers either granted or denied may be

appealed to the District Court, provided such appeal is filed within thirty (30) days of the decision of the City Council. Said appeal shall be filed with the City Recorder and with the Clerk of the District Court.

- f No planned unit development approval (that does not include a subdivision) shall be valid for a period longer than one year unless a building permit has been issued, construction has actually begun within that period and construction has been diligently pursued. Upon written request of the applicant, the one year period may be extended by the Planning Commission for such time as it shall determine for good cause shown, without further hearing.

SECTION 41: **AMENDMENT** “12.5 Adjustments To Development Plan” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

12.5 Adjustments To Development Plan

(1) No major alteration or amendment to the final development plan shall be made without a new application being filed and processed pursuant to the provisions of this Chapter. Minor alterations to a development plan that do not include a subdivision of land, may be made subject to written approval of the Planning Commission when such adjustments appear necessary in light of technical or engineering considerations. Such minor adjustments shall be limited to the following elements:

- (a) Adjusting the distance as shown on the approved final Development Plan between any one structure or group of structures, and any other structure or group of structures, or any vehicular circulation element or any boundary of the site;
- (b) Adjusting the location of any open space. The size or amount of open space that was approved shall not be compromised.
- (c) Adjusting any final grade, and
- (d) Altering the types of landscaping elements and their arrangement within the required landscaping buffer area.

(2) Such minor adjustments shall be consistent with the intent and purpose of the Code and the Final Development Plan as approved, and shall be the minimum necessary to overcome the particular difficulty and shall not be approved if such adjustments would result in a violation of any standard or requirement of this Code.

(3) Any adjustment to the approved Final Development Plan not authorized by this Section, shall be considered to be a major adjustment. The Planning Commission following notice to at least all adjoining property owners, may approve an application for a major adjustment of the Final Development Plan, not requiring a modification of written conditions of approval or recorded easements, upon finding that any changes in the plan as approved will be in substantial conformity with the final Development Plan. If the Planning Commission determines that a major adjustment is not in substantial conformity with the Final Development Plan as approved, then the Planning Commission shall review the request in accordance with the procedures set forth in Section 12.4.

AFTER AMENDMENT

12.5 Adjustments To Development Plan

(1) No major alteration or amendment to ~~the final~~ a development plan that would alter or expand the intent of the provisions in the approved PUD shall be made without a new application being filed and processed pursuant to the provisions of this Chapter. Minor alterations to a development plan that do not include a subdivision of land, may be made subject to written approval of the Planning Commission when such adjustments appear necessary in light of technical or engineering considerations. Such minor adjustments shall be limited to the following elements:

- (a) Adjusting the distance as shown on the approved ~~final~~ Development Plan between any one structure or group of structures, and any other structure or group of structures, or any vehicular circulation element or any boundary of the site;
- (b) Adjusting the location of any open space. The size or amount of open space that was approved shall not be compromised.
- (c) Adjusting any final grade, and
- (d) Altering the types of landscaping elements and their arrangement within the required landscaping buffer area.

(2) Such minor adjustments shall be consistent with the intent and purpose of the Code and the ~~Final Development Plan~~ PUD provisions as approved, and shall be the minimum necessary to overcome the particular difficulty and shall not be approved if such adjustments would result in a violation of any standard or requirement of this Code.

(3) Any adjustment to the ~~approved Final~~ Development Plan that would alter or expand the intent of the provisions in the approved PUD and is not authorized by this Section, shall be considered to be a major adjustment. The Planning Commission following notice to at least all adjoining property owners, may approve an application for a major adjustment of the Final Development Plan, not requiring a modification of written conditions of approval or recorded easements, upon finding that any changes in the plan as approved will be in substantial conformity with the final Development Plan. If the Planning Commission determines that a major adjustment is not in substantial conformity with the provisions of the approved PUD ~~Final Development Plan~~ as approved, then the Planning Commission shall review the request in accordance with the procedures set forth in Section 12.4.

SECTION 42: **AMENDMENT** “16.8 Codes And Symbols And Use Table 16.1” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

16.8 Codes And Symbols And Use Table 16.1

(1) In the following sections of this chapter, uses of land or buildings which are allowed in various districts are shown as "permitted uses," indicated by a "P" in the appropriate column, or as a "conditional use," indicated by a "C" in the appropriate column. If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by a dash, "-". If a regulation applies in a given district, it is indicated in the appropriate column by a numeral to show the linear or square feet required, or by the letter "A". If the regulation does not apply, it is indicated in the appropriate column by a dash, "-". No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained in the multiple use, agricultural, or rural residential districts except as provided in this Code.

Table 16.1 Use Regulations

USE	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
<u>COMMERCIAL</u>							
Cabinet and Woodworking Mills	-	-	C	C	P	P	-
Bakery, Commercial	-	-	P	C	P	P	-
Blacksmith Shop	-	-	P	C	P	P	-
Carpet Cleaning	-	-	P	C	P	P	-
Commercial Laundries, Linen Service and Dry Cleaning	-	-	P	C	P	P	-

Convenience Store	C	P	P	C	P	P	-
Diaper Service	-	-	P	C	P	P	-
Gas Station (sales and/or minor repairs)	C	P	P	C	P	P	-
Greenhouse for Food and Plant Production	-	-	P	C	P	P	-
Heavy Equipment (Rental)	-	-	-	C	P	P	-
Heavy Equipment (Sales and Service)	-	-	-	C	P	P	-
Laboratory: Medical, Dental, Optical	-	-	P	C	-	-	-
Laboratory: Testing	-	C	P	C	P	P	-
Mini-warehouse	-	-	P	C	P	-	-
Motion Picture Studio	-	P	P	C	-	-	-
Photofinishing Lab	-	P	P	C	P	P	-
Plant and Garden Shop, including outdoor retail sales area	C	C	C	C	-	-	-
Precision Equipment Repair	-	-	P	C	P	P	-
Twin Commercial Units	C	C	C	C	C	C	-
Sign Painting/Fabrication	-	-	P	C	P	P	-
Welding Shop	-	-	P	C	P	P	-
Wholesale Distributors	-	-	P	C	P	P	-
Tobacco Specialty Store: This use is not permitted in any part of the proposed or existing building containing the use is located within 1,000 feet from (a) any school (public or private kindergarten, elementary, middle, charter, junior high, or high school), public park, public recreation facility, youth center, library, or church and (b) any other Tobacco Specialty Store. Distances shall be measured in a straight line, without regard to intervening structures or zoning	-	C	C	C	P	P	-

districts, from a Tobacco Specialty Store structure to the property line of a school, public park, library, church, youth center, cultural activity, residential use, zoning district boundary, or other Tobacco Specialty Store.							
<u>MANUFACTURING</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Chemical Manufacturing and Storage	-	-	-	-	-	C	-
Concrete Manufacturing	-	-	-	-	-	P	-
Drop-Forge Industry	-	-	-	-	-	P	-
Explosive Manufacturing and Storage	-	-	-	-	-	C	-
Flammable Liquids or Gases, Heating Fuel Distribution & Storage	-	-	-	-	-	P	-
Grain Elevator	-	-	-	-	-	P	-
Bottling Plant	-	-	-	C	P	P	-
Cabinet Making/Woodworking Mills	-	-	-	C	P	P	-
Heavy Manufacturing	-	-	-	-	-	P	-
Incinerator, Medical Waste/Hazardous Waste	-	-	-	-	-	C	-
Industrial Assembly	-	-	-	C	P	P	-
Light Manufacturing	-	-	-	C	P	P	-
Moving and Storage	-	-	-	C	P	P	-
Paint Manufacturing	-	-	-	-	-	P	-
Publishing Company	-	-	-	C	P	P	-
Railcar fabrication, repair and cleaning	-	-	-	-	-	C	C
Recycling Collection Station	-	-	-	C	P	P	-
Recycling Processing Center	-	-	-	C	C	P	-

Rock, Sand, and Gravel Storage and Distribution	-	-	-	-	-	C	C
Truck Freight Terminal	-	-	-	C	P	P	-
Sign Painting/Fabrication	-	-	-	C	P	P	-
Warehousing	-	-	-	C	P	P	-
<u>OFFICE AND RELATED USES</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Financial Institution, without drive through facilities	C	P	P	C	P	P	-
Financial Institution, with drive through facilities	-	P	P	C	P	P	-
Offices	C	P	P	C	P	P	-
Veterinary Offices, operating entirely within an enclosed building and keeping animals	-	-	P	C	P	-	-
<u>RETAIL SALES & SERVICES</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Auction Sales	-	P	P	C	-	-	-
Automobile Repair, Major	-	P	P	C	P	-	-
Automobile Repair, Minor	C	P	P	C	P	-	-
Automobile Sales/Rental and Service	-	P	P	C	-	-	-
Boat/Recreational Vehicle Sales and Service	-	P	P	C	-	-	-
Car Wash	C	P	P	C	P	P	-
Convenience retail store	C	P	P	C	P	P	-
Department Stores	-	P	P	C	-	-	-
Equipment rental, indoor and outdoor	-	P	P	C	P	-	-
Furniture Repair Shop	-	P	P	C	P	P	-
Health and Fitness Facility	-	P	P	C	-	-	-
Large Truck Rental	-	-	P	C	P	P	-
Liquor Store	-	C	C	C	-	-	-

Manufactured Home Sales, Service, and Storage	-	-	P	C	P	-	-
Pawnshop	-	-	P	C	P	-	-
Restaurants, with drive through facilities	C	P	P	C	P	P	-
Restaurants, without drive through facilities	C	P	P	C	P	P	-
Retail Goods Establishments	C	P	P	C	-	-	-
Retail Services Establishments	C	P	P	C	P	P	-
Upholstery Shop	-	P	P	C	P	-	-
<u>RECREATIONAL, CULTURAL, AND ENTERTAINMENT</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Amusement Park	-	P	P	C	-	-	-
Art Gallery	C	P	P	C	-	-	-
Art Studio	C	P	P	C	-	-	-
Commercial Indoor Recreation	-	P	P	C	P	-	-
Commercial Outdoor Recreation	-	P	P	C	P	-	-
Commercial Video Arcade	-	C	C	C	-	-	-
Dance Studio	C	P	P	C	-	-	-
Live Performance Theaters	-	P	P	C	-	-	-
Miniature Golf	-	P	P	C	P	-	-
Movie Theaters	-	P	P	C	-	-	-
Private Club	-	C	C	C	P	-	-
Sexually Oriented Businesses (Amended 4/05)	-	-	-	-	C	-	-
Tavern/Lounge/Brew Pub; more than 5,000 sq. ft. in floor area	-	C	C	C	-	-	-
<u>RESIDENTIAL</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Dwelling Unit (Single Family)	C	C	C	C	C	C	-
Multi-Family Dwellings of a density not greater than 30 dwelling	-	-	-	C	-	-	-

units per acre							
Living Quarters for Caretaker or Security Guard	C	C	C	C	C	C	-
Conditional and permitted uses in the RM-7 zoning district	-	-	-	C	-	-	-
<u>INSTITUTIONAL</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Adult Day Care Center	C	P	P	C	P	P	-
Child Day Care Center or Pre-School (a commercial operation) Amended 9/2011	C	P	P	C	P	P	-
Government Facilities	C	P	P	C	P	P	-
Hospital	-	-	P	C	-	-	-
Medical or Dental Clinic	C	P	P	C	P	P	-
Museum	-	P	P	C	-	-	-
Music Conservatory	-	P	P	C	-	-	-
Places of Worship				C			
Schools, Professional and Vocational	C	P	P	C	P	P	-
Schools of higher education, community colleges, off campus facilities	-	-	-	C	C	C	-
<u>MISCELLANEOUS</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Accessory Uses, except those that are otherwise specifically regulated in this Chapter, or elsewhere in this Code	C	P	P	C	P	P	-
Animal Pound (Amended 10/02)	-	-	-	-	-	P	-
Kennel (Amended 10/02)	C	C	-	C	C	C	-
Auditorium	-	P	P	C	-	-	-
Automobile Salvage & Recycling (Indoor)	-	-	-	C	P	P	-
Automobile Salvage & Recycling	-	-	-	C	C	P	-

(Outdoor)							
Boilerworks	-	-	-	-	-	P	-
Bus Line Terminals	-	-	P	C	P	P	-
Bus Line Yards and Repair Facilities	-	-	-	C	-	P	-
Commercial Parking Garage or Lot	C	C	C	C	C	C	C
Personal Wireless Telecommunication Facilities (Amended 4/02)	-	C	C	C	-	-	-
Communication Towers	-	P	P	C	P	P	-
Communication Towers, exceeding the maximum building height, but not higher than 80 feet	-	-	C	C	C	C	-
Contractor's Yard/Office (with outdoor storage)	-	-	P	C	P	P	-
Crop Production	-	-	P	C	P	P	-
Display Room; Wholesale	-	-	-	C	P	P	-
Farmer's Market	-	P	P	C	P	-	-
Flea Market (indoor)	-	P	P	C	P	-	-
Flea Market (outdoor)	-	P	P	C	P	-	-
Funeral Home	-	P	P	C	-	-	-
Hotel or Motel	-	P	P	C	-	-	-
Limousine Service	-	C	P	C	P	P	-
Outdoor Sales and Display	-	P	P	C	P	-	-
Commercial Storage Units	-	C	C	C	C	C	-
Outdoor Storage	-	-	P	C	P	P	-
Poultry Farm or Processing Plant	-	-	-	-	-	P	-
Planned Unit Developments	C	C	C	C	C	C	-
Public/Private Utility Transmission Wires, Lines, Pipes, and Poles	C	P	P	C	P	P	-
Public/Private Utility Buildings and Structures	C	C	P	C	P	P	-

Radio, Television Station	-	C	P	C	P	P	-
Sewage Treatment Plant	-	-	-	C	C	C	-
Golf Course	-	C	C	C	C	C	-
Ambulance Services dispatching, staging, and maintenance conducted entirely within an enclosed building	-	P	P	C	P	P	-
Vehicle Auction Use	-	-	P	C	P	P	-
Governmental Uses and Facilities	C	C	C	C	C	C	-
Municipal Service Uses, including City Utility Uses, Police and Fire Stations	C	C	C	C	C	C	-
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (1 -249 beds)	-	-	-	-	C	C	C
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (250 or more beds)	-	-	-	-	-	-	-
<u>MINING AND EXCAVATION</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Accessory uses and buildings customarily incidental to conditional uses	-	-	-	-	-	-	C
Agriculture, grazing of animals, raising crops	-	-	-	-	-	-	P
Automobile and truck service station	-	-	-	-	-	-	C
Cast stone, cement, cinder, terra cotta, tile brick, synthetic cast stone, block, pumice stone, and gypsum products	-	-	-	-	-	-	C
Coffee Shop	-	-	-	-	-	-	C
Construction equipment and supply trailer, temporary	-	-	-	-	-	-	C
Construction field office, temporary	-	-	-	-	-	-	C
Convenience store with gasoline							

sales	-	-	-	-	-	-	C
Gravel and sand excavation:							
1. Commercial operations	-	-	-	-	-	-	C
2. Temporary project specific operations	-	-	-	-	-	-	C
Machine Shop	-	-	-	-	-	-	C
Mines	-	-	-	-	-	-	C
Quarries	-	-	-	-	-	-	C
Parking lot incidental to a use conducted on the premises	C	C	C	C	C	C	C
Parking lot not incidental to a use conducted on the premises	C	C	C	C	C	C	C
Pottery, plaster, incidental plaster, plaster of paris, ceramic, and clay	-	-	-	-	-	-	C
Power generation (electrical) for on-site use							
Solar under 50 kvas	P	P	P	C	P	P	P
Solar 50 kva and above	C	C	C	C	C	C	C
Fuel cells, steam, hydro, or reciprocating engine	C	C	C	C	C	C	C
Wind under 5.9 kva	-	-	-	-	-	-	P
Auxiliary, temporary, wind, with more than 6 kva but less than 10 kva output	-	-	-	-	-	-	P
Fuel cells, steam, hydro, or reciprocating engine with more than 10.5 kva, but less than 150 kva output	-	-	-	-	-	-	C
Steam, hydro, or reciprocating engine with more than 150 kva, but less than 150 kva output	-	-	-	-	-	-	C
Rock crusher/concrete batch plant	-	-	-	-	-	-	C
Truck and freighting operation	-	-	-	-	-	-	C
Truck and heavy equipment service							

station and repair facility	-	-	-	-	-	-	C
Truck wash	-	-	-	-	-	-	C

Amended 06/02 by Ord. 2002-07, 10/02 by Ord. 2002-20, 10/03 by Ord. 2003-25, 03/05 by Ord. 2005-02, 03/05 by Ord. 2005-03, 06/06 by Ord. 2006-08, 04/07 by Ord. 2007-10, 09/10 by Ord. 2010-21, 09/10 by Ord. 2010-22, 11/10 by Ord. 2010-25, 02/11 by Ord. 2011-01, 02/11 by Ord. 2011-09, 02/11 by Ord. 2011-10, 09/11 by Ord. 2011-28, 09/11 by Ord. 2011-29, 09/11 by Ord. 2011-32, 08/12 by Ord. 2012-13, 03/15 by Ord. 2015-05, 07/16 by Ord. 2016-09

AFTER AMENDMENT

16.8 Codes And Symbols And Use Table 16.1

(1) In the following sections of this chapter, uses of land or buildings which are allowed in various districts are shown as "permitted uses," indicated by a "P" in the appropriate column, or as a "conditional use," indicated by a "C" in the appropriate column. If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by a dash, "-". If a regulation applies in a given district, it is indicated in the appropriate column by a numeral to show the linear or square feet required, or by the letter "A". If the regulation does not apply, it is indicated in the appropriate column by a dash, "-". No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained in the multiple use, agricultural, or rural residential districts except as provided in this Code.

Table 16.1 Use Regulations

USE	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
<u>COMMERCIAL</u>							
Cabinet and Woodworking Mills	-	-	C	C	P	P	-
Bakery, Commercial	-	-	P	C	P	P	-
Blacksmith Shop	-	-	P	C	P	P	-
Carpet Cleaning	-	-	P	C	P	P	-
Commercial Laundries, Linen Service and Dry Cleaning	-	-	P	C	P	P	-
Convenience Store	C	P	P	C	P	P	-
Diaper Service	-	-	P	C	P	P	-
Gas Station (sales and/or minor repairs)	C	P	P	C	P	P	-

Greenhouse for Food and Plant Production	-	-	P	C	P	P	-
Heavy Equipment (Rental)	-	-	-	C	P	P	-
Heavy Equipment (Sales and Service)	-	-	-	C	P	P	-
Laboratory: Medical, Dental, Optical	-	-	P	C	-	-	-
Laboratory: Testing	-	C	P	C	P	P	-
Mini-warehouse	-	-	P	C	P	-	-
Motion Picture Studio	-	P	P	C	-	-	-
Photofinishing Lab	-	P	P	C	P	P	-
Plant and Garden Shop, including outdoor retail sales area	C	C	C	C	-	-	-
Precision Equipment Repair	-	-	P	C	P	P	-
Twin Commercial Units	C	C	C	C	C	C	-
Sign Painting/Fabrication	-	-	P	C	P	P	-
Welding Shop	-	-	P	C	P	P	-
Wholesale Distributors	-	-	P	C	P	P	-
Tobacco Specialty Store: This use is not permitted in any part of the proposed or existing building containing the use is located within 1,000 feet from (a) any school (public or private kindergarten, elementary, middle, charter, junior high, or high school), public park, public recreation facility, youth center, library, or church and (b) any other Tobacco Specialty Store. Distances shall be measured in a straight line, without regard to intervening structures or zoning districts, from a Tobacco Specialty Store structure to the property line of a school, public park, library, church, youth center, cultural activity, residential use, zoning	-	C	C	C	P	P	-

district boundary, or other Tobacco Specialty Store.							
<u>MANUFACTURING</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Chemical Manufacturing and Storage	-	-	-	-	-	C	-
Concrete Manufacturing	-	-	-	-	-	P	-
Drop-Forge Industry	-	<u>C-</u>	<u>C-</u>	-	<u>C-</u>	P	-
Explosive Manufacturing and Storage	-	-	-	-	-	C	-
Flammable Liquids or Gases, Heating Fuel Distribution & Storage	-	-	-	-	-	P	-
Grain Elevator	-	-	-	-	-	P	-
Bottling Plant	-	-	-	C	P	P	-
Cabinet Making/Woodworking Mills	-	-	-	C	P	P	-
Heavy Manufacturing	-	-	-	-	-	P	-
Incinerator, Medical Waste/Hazardous Waste	-	-	-	-	-	C	-
Industrial Assembly	-	-	-	C	P	P	-
Light Manufacturing	-	-	-	C	P	P	-
Moving and Storage	-	-	-	C	P	P	-
Paint Manufacturing	-	-	-	-	-	P	-
Publishing Company	-	-	-	C	P	P	-
Railcar fabrication, repair and cleaning	-	-	-	-	-	C	C
Recycling Collection Station	-	-	-	C	P	P	-
Recycling Processing Center	-	-	-	C	C	P	-
Rock, Sand, and Gravel Storage and Distribution	-	-	-	-	-	C	C
Truck Freight Terminal	-	-	-	C	P	P	-
Sign Painting/Fabrication	-	-	-	C	P	P	-

Warehousing	-	-	-	C	P	P	-
<u>OFFICE AND RELATED USES</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Financial Institution, without drive through facilities	C	P	P	C	P	P	-
Financial Institution, with drive through facilities	-	P	P	C	P	P	-
Offices	C	P	P	C	P	P	-
Veterinary Offices, operating entirely within an enclosed building and keeping animals	-	-	P	C	P	-	-
<u>RETAIL SALES & SERVICES</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Auction Sales	-	P	P	C	-	-	-
Automobile Repair, Major	-	P	P	C	P	-	-
Automobile Repair, Minor	C	P	P	C	P	-	-
Automobile Sales/Rental and Service	-	P	P	C	-	-	-
Boat/Recreational Vehicle Sales and Service	-	P	P	C	-	-	-
Car Wash	C	P	P	C	P	P	-
Convenience retail store	C	P	P	C	P	P	-
Department Stores	-	P	P	C	-	-	-
Equipment rental, indoor and outdoor	-	P	P	C	P	-	-
Furniture Repair Shop	-	P	P	C	P	P	-
Health and Fitness Facility	-	P	P	C	-	-	-
Large Truck Rental	-	-	P	C	P	P	-
Liquor Store	-	C	C	C	-	-	-
Manufactured Home Sales, Service, and Storage	-	-	P	C	P	-	-
Pawnshop	-	-	P	C	P	-	-
Restaurants, with drive through facilities	C	P	P	C	P	P	-

Restaurants, without drive through facilities	C	P	P	C	P	P	-
Retail Goods Establishments	C	P	P	C	-	-	-
Retail Services Establishments	C	P	P	C	P	P	-
Upholstery Shop	-	P	P	C	P	-	-
<u>RECREATIONAL, CULTURAL, AND ENTERTAINMENT</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Amusement Park	-	P	P	C	-	-	-
Art Gallery	C	P	P	C	-	-	-
Art Studio	C	P	P	C	-	-	-
Commercial Indoor Recreation	-	P	P	C	P	-	-
Commercial Outdoor Recreation	-	P	P	C	P	-	-
Commercial Video Arcade	-	C	C	C	-	-	-
Dance Studio	C	P	P	C	-	-	-
Live Performance Theaters	-	P	P	C	-	-	-
Miniature Golf	-	P	P	C	P	-	-
Movie Theaters	-	P	P	C	-	-	-
Private Club	-	C	C	C	P	-	-
Sexually Oriented Businesses (Amended 4/05)	-	-	-	-	C	-	-
Tavern/Lounge/Brew Pub; more than 5,000 sq. ft. in floor area	-	C	C	C	-	-	-
<u>RESIDENTIAL</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Dwelling Unit (Single Family)	C	C	C	C	C	C	-
Multi-Family Dwellings of a density not greater than 30 dwelling units per acre	-	-	-	C	-	-	-
Living Quarters for Caretaker or Security Guard	C	C	C	C	C	C	-
Conditional and permitted uses in the RM-7 zoning district	-	-	-	C	-	-	-

<u>INSTITUTIONAL</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Adult Day Care Center	C	P	P	C	P	P	-
Child Day Care Center or Pre-School (a commercial operation) Amended 9/2011	C	P	P	C	P	P	-
Government Facilities	C	P	P	C	P	P	-
Hospital	-	-	P	C	-	-	-
Medical or Dental Clinic	C	P	P	C	P	P	-
Museum	-	P	P	C	-	-	-
Music Conservatory	-	P	P	C	-	-	-
Places of Worship				C			
Schools, Professional and Vocational	C	P	P	C	P	P	-
Schools of higher education, community colleges, off campus facilities	-	-	-	C	C	C	-
<u>MISCELLANEOUS</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Accessory Uses, except those that are otherwise specifically regulated in this Chapter, or elsewhere in this Code	C	P	P	C	P	P	-
Animal Pound (Amended 10/02)	-	-	-	-	-	P	-
Kennel (Amended 10/02)	C	C	-	C	C	C	-
Auditorium	-	P	P	C	-	-	-
Automobile Salvage & Recycling (Indoor)	-	-	-	C	P	P	-
Automobile Salvage & Recycling (Outdoor)	-	-	-	C	C	P	-
Boilerworks	-	-	-	-	-	P	-
Bus Line Terminals	-	-	P	C	P	P	-
Bus Line Yards and Repair Facilities	-	-	-	C	-	P	-

Commercial Parking Garage or Lot	C	C	C	C	C	C	C
Personal Wireless Telecommunication Facilities (Amended 4/02)	-	C	C	C	-	-	-
Communication Towers	-	P	P	C	P	P	-
Communication Towers, exceeding the maximum building height, but not higher than 80 feet	-	-	C	C	C	C	-
Contractor's Yard/Office (with outdoor storage)	-	-	P	C	P	P	-
Crop Production	-	-	P	C	P	P	-
Display Room; Wholesale	-	-	-	C	P	P	-
Farmer's Market	-	P	P	C	P	-	-
Flea Market (indoor)	-	P	P	C	P	-	-
Flea Market (outdoor)	-	P	P	C	P	-	-
Funeral Home	-	P	P	C	-	-	-
Hotel or Motel	-	P	P	C	-	-	-
Limousine Service	-	C	P	C	P	P	-
Outdoor Sales and Display	-	P	P	C	P	-	-
Commercial Storage Units	-	C	C	C	C	C	-
Outdoor Storage	-	-	P	C	P	P	-
Poultry Farm or Processing Plant	-	-	-	-	-	P	-
Planned Unit Developments	C	C	C	C	C	C	-
Public/Private Utility Transmission Wires, Lines, Pipes, and Poles	C	P	P	C	P	P	-
Public/Private Utility Buildings and Structures	C	C	P	C	P	P	-
Radio, Television Station	-	C	P	C	P	P	-
Sewage Treatment Plant	-	-	-	C	C	C	-
Golf Course	-	C	C	C	C	C	-
Ambulance Services dispatching, staging, and maintenance	-	P	P	C	P	P	-

conducted entirely within an enclosed building							
Vehicle Auction Use	-	-	P	C	P	P	-
Governmental Uses and Facilities	C	C	C	C	C	C	-
Municipal Service Uses, including City Utility Uses, Police and Fire Stations	C	C	C	C	C	C	-
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (1 -249 beds)	-	-	-	-	C	C	C
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (250 or more beds)	-	-	-	-	-	-	-
<u>MINING AND EXCAVATION</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Accessory uses and buildings customarily incidental to conditional uses	-	-	-	-	-	-	C
Agriculture, grazing of animals, raising crops	-	-	-	-	-	-	P
Automobile and truck service station	-	-	-	-	-	-	C
Cast stone, cement, cinder, terra cotta, tile brick, synthetic cast stone, block, pumice stone, and gypsum products	-	-	-	-	-	-	C
Coffee Shop	-	-	-	-	-	-	C
Construction equipment and supply trailer, temporary	-	-	-	-	-	-	C
Construction field office, temporary	-	-	-	-	-	-	C
Convenience store with gasoline sales	-	-	-	-	-	-	C
Gravel and sand excavation:							
1. Commercial operations	-	-	-	-	-	-	C
2. Temporary project specific operations	-	-	-	-	-	-	C

Machine Shop	-	-	-	-	-	-	C
Mines	-	-	-	-	-	-	C
Quarries	-	-	-	-	-	-	C
Parking lot incidental to a use conducted on the premises	C	C	C	C	C	C	C
Parking lot not incidental to a use conducted on the premises	C	C	C	C	C	C	C
Pottery, plaster, incidental plaster, plaster of paris, ceramic, and clay	-	-	-	-	-	-	C
Power generation (electrical) for on-site use							
Solar under 50 kvas	P	P	P	C	P	P	P
Solar 50 kva and above	C	C	C	C	C	C	C
Fuel cells, steam, hydro, or reciprocating engine	C	C	C	C	C	C	C
Wind under 5.9 kva	-	-	-	-	-	-	P
Auxiliary, temporary, wind, with more than 6 kva but less than 10 kva output	-	-	-	-	-	-	P
Fuel cells, steam, hydro, or reciprocating engine with more than 10.5 kva, but less than 150 kva output	-	-	-	-	-	-	C
Steam, hydro, or reciprocating engine with more than 150 kva, but less than 150 kva output	-	-	-	-	-	-	C
Rock crusher/concrete batch plant	-	-	-	-	-	-	C
Truck and freighting operation	-	-	-	-	-	-	C
Truck and heavy equipment service station and repair facility	-	-	-	-	-	-	C
Truck wash	-	-	-	-	-	-	C

Amended 06/02 by Ord. 2002-07, 10/02 by Ord. 2002-20, 10/03 by Ord. 2003-25, 03/05 by Ord. 2005-02, 03/05 by Ord. 2005-03, 06/06 by Ord. 2006-08, 04/07 by Ord. 2007-10, 09/10 by Ord. 2010-21, 09/10 by Ord. 2010-22, 11/10 by Ord. 2010-25, 02/11 by Ord. 2011-01, 02/11 by Ord. 2011-09, 02/11 by Ord. 2011-10, 09/11 by Ord. 2011-28, 09/11 by Ord. 2011-29, 09/11 by Ord. 2011-32, 08/12 by Ord. 2012-13, 03/15 by Ord. 2015-05, 07/16 by Ord. 2016-09

PASSED AND ADOPTED BY THE GRANTSVILLE COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Heidi Hammond	_____	_____	_____	_____
Jolene Jenkins	_____	_____	_____	_____
Jeff Williams	_____	_____	_____	_____
Rhett Butler	_____	_____	_____	_____
Scott Bevan	_____	_____	_____	_____

Presiding Officer

Attest

Neil Critchlow, Mayor, Grantsville

Braydee Baugh, City Recorder,
Grantsville

Agenda Item #3

Consideration of Ordinance 2024-06
approving the amendments to the
Consolidated Fee
Schedule

**GRANTSVILLE
ORDINANCE 2024-06**

NOW THEREFORE, be it ordained by the Council of the Grantsville, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “Zoning Fees” of the Grantsville Fee Schedule is hereby *amended* as follows:

BEFORE AMENDMENT

Zoning Fees

Annexation Application Fee	\$1,000.00
Board of Adjustment Fee	\$200.00 per application
Boundary Line Adjustment Fee	\$350.00 per application
Single Lot Development	\$1,000.00 application fee
Commercial Master Site Plan and Final Plat Review	<ul style="list-style-type: none">• \$2000.00 for 0 to 3 acres• \$2000.00 plus \$500.00 per acre for 3.01 to 50 acres• \$25,500.00 plus \$250.00 per acre for 50.1 or more acres
Concept Plan (Discussion Only)	\$50.00 per application
Conditional Use Permits (CUP):	
Amend CUP from Commercial to Residential or Residential to Commercial	\$250.00
Amendment to Site Plan	\$750.00 plus \$100.00 per residential unit
Commercial/Industrial Amendment to Site Plan	\$1000.00 plus \$100.00 per unit
Commercial/Industrial New Construction	<p>\$1000.00 plus:</p> <ul style="list-style-type: none">• \$100.00 per acre for the first 20 acres• \$30.00 per acre for 21 to 50 acres• \$10.00 per acre for each acre over 50.9 acres

	Costs are per application
Commercial/Industrial Tenant Change Application	\$100.00 per application
Home Occupational Use	\$75.00 (if only Zoning Official approval) / \$200.00 (if Planning Commission approval)
Mining, Sand, Quarry, or Gravel	\$1500.00 per application
Miscellaneous Conditional Use Amendment	\$200.00 per application
Multi-Housing/Apartment/Condo/Townhouse	\$1000.00 per application plus \$100.00 per unit
Sign Permit	\$100.00 (permanent sign) / \$25.00 (temporary sign)
Sportsman, Kennel or Animal Permit	\$75.00 (if only Zoning Official approval) / \$200.00 (if Planning Commission approval)
Solar	\$100.00 per application
Temporary Construction Living Unit	\$100.00 per application
Temporary Construction Office	\$100.00 per application
Final Plat and Construction Plan Review	\$2,000.00 plat review plus \$125.00 per lot
General Plan Amendment	\$500.00 per application
Planned Unit Development (Multi-Use, Commercial, Industrial)	<p>\$1,000.00 plus:</p> <ul style="list-style-type: none"> • \$100.00 per acre for the first 20 acres • \$30.00 per acre for the next 30 acres • \$10.00 per acre for each acre over 50 acres <p>Costs are per application</p>
Planned Unit Development (Residential)	\$1,000.00 plus \$30.00 per dwelling unit per application
Plat Amendment	<ul style="list-style-type: none"> • Final Plat: \$1500.00 plus \$100.00 per affected lot • Preliminary Plat: \$750.00 plus \$100.00 per affected lot
Public Infrastructure Districts (PID):	
Letter of Intent	\$1,000.00

Governing Documents:	\$1,000.00
Preliminary Plat/Plan	\$750.00 plat review plus \$100.00 per lot
Rezone Application	\$500.00 per application
Site Plan:	
Conditional Use Permit/Site Plan	\$1000.00
Mining, Sand, Quarry, or Gravel Site Plan	\$1500.00
Multi-family/Site Plan	\$1,500.00
Street Dedication	\$100.00 per application
Water Dedication Retainer	\$3,000.00 (any additional costs will be billed by Grantsville City's water attorney)

AFTER AMENDMENT

Zoning Fees

Annexation Application Fee	\$1,000.00
Board of Adjustment Fee	\$200.00 per application
Boundary Line Adjustment Fee	\$350.00 per application
Single Lot Development	\$1,000.00 application fee
<u>Commercial Preliminary Site Plan - Large (greater than 2.5 acres)</u>	<u>\$2,060.00 plus \$100.00 per acre</u>
Commercial Master Site Plan and Final Plat Review <u>(greater than 2.5 acres)</u>	<ul style="list-style-type: none"> • \$2000.00 <u>4,175.00</u> for 0 to 3 acres • \$2000.00 plus \$500.00 <u>350.00</u> per acre for 3.01 to 50 acres • \$25,500.00 plus \$250.00 per acre for 50.1 or more acres
Concept Plan (Discussion Only)	\$50.00 <u>\$200.00</u> per application <u>for Staff Consultation</u> <u>\$350.00 per application for Planning Commission</u>
Conditional Use Permits (CUP):	
Amend CUP from Commercial to	

Residential or Residential to Commercial	\$250.00
Amendment to Site Plan	\$750.00 plus \$100.00 per residential unit
Commercial/Industrial Amendment to Site Plan	\$1000.00 plus \$100.00 per unit
Commercial/Industrial New Construction	\$1000.00 plus: <ul style="list-style-type: none"> • \$100.00 per acre for the first 20 acres • \$30.00 per acre for 21 to 50 acres • \$10.00 per acre for each acre over 50.9 acres Costs are per application
Commercial/Industrial Tenant Change Application	\$100.00 per application
Home Occupational Use	\$75.00 (if only Zoning Official approval) / \$200.00 (if Planning Commission approval)
Mining, Sand, Quarry, or Gravel	\$15 100.00 per application
Miscellaneous Conditional Use Amendment	\$200.00 per application
Multi-Housing/Apartment/Condo/Townhouse	\$1000.00 per application plus \$100.00 per unit
<u>Radius Report (in house)</u>	<u>\$30.00</u>
Sign Permit	\$12 200.00 (permanent sign) / \$25.00 (temporary sign)
Sportsman, Kennel or Animal Permit	\$75.00 (if only Zoning Official approval) / \$200.00 (if Planning Commission approval)
Solar	\$100.00 250.00 per application
Temporary Construction Living Unit	\$100.00 per application
Temporary Construction Office	\$100.00 per application
<u>Work Meeting</u>	<u>\$350.00 per meeting with Planning Commission</u> <u>\$350.00 per meeting with City Council</u>
<u>Development Agreement</u>	<u>\$800.00</u>
Final Plat and Construction Plan Review	\$2,000.00 plat review plus \$125.00 per lot
General Plan Amendment	\$500.00 per application
	\$1,000.00 2,500.00 plus:

Planned Unit Development (Multi-Use, Commercial, Industrial)	<ul style="list-style-type: none"> • \$100.00 per acre for the first 20 acres • \$30.00 per acre for the next 30 acres • \$10.00 per acre for each acre over 50 acres <p>Costs are per application</p>
Planned Unit Development (Residential)	\$1,000.00 <u>2,500.00</u> plus \$30.00 per dwelling unit per application
<u>Final Plat Amendment (Map)</u>	<ul style="list-style-type: none"> • Final Plat: \$1500 <u>725.00.00</u> plus \$100.00 <u>55.00</u> per affected lot • Preliminary Plat: \$750.00 plus \$100.00 per affected lot
Public Infrastructure Districts (PID):	
Letter of Intent	\$1,000.00
Governing Documents:	\$1,000.00
<u>Subdivision Preliminary Plat/Plan</u>	\$750.00 plat review plus \$100.00 per lot
<u>Single Lot Process (Preliminary and Final Fees Combined)</u>	<u>See Final Fees</u>
<u>Two (2) to four (4) lots w/no street improvements needed</u>	<u>See Final Fees</u>
<u>Two (2) to four (4) lots with street improvements needed</u>	<u>See Final Fees</u>
<u>Five (5) and greater</u>	<u>\$1,600.00 plus \$112.00 per lot</u>
<u>Subdivision Final Review</u>	
<u>Single Lot Process (Preliminary and Final Fees Combined)</u>	<u>\$1,450.00</u>
<u>Two (2) to four (4) lots w/no street improvements needed</u>	<u>\$1,000.00</u>
<u>Two (2) to four (4) lots with street improvements needed</u>	<u>\$1,270.00</u>
<u>Five (5) and greater</u>	<u>\$1,525.00 plus \$163.00 per lot</u>
Rezone Application	<u>\$1500.00 per application</u>

Site Plan:	
Conditional Use Permit/Site Plan	\$1000.00
Mining, Sand, Quarry, or Gravel Site Plan	\$1500.00
Multi-family/Site Plan	\$1,500.00
Street Dedication/ <u>Vacation</u>	\$100.00 <u>\$340.00</u> per application
Water Dedication Retainer	\$3,000.00 (any additional costs will be billed by Grantsville City's water attorney)
<u>Internal ADU</u>	<u>\$430.00</u>
<u>Electronic Recording (Mylar, Development Agreements etc)</u>	<u>\$20.00 for initial Signature plus \$10.00 per additional signature</u>
<u>Community Development Class Enrollment</u>	<u>\$15.00 for an individual or \$20.00 per couple</u>
<u>Community Development Workshop Enrollment</u>	<u>\$25.00 for an individual or \$30.00 per couple</u>

PASSED AND ADOPTED BY THE GRANTSVILLE COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Heidi Hammond	_____	_____	_____	_____
Jolene Jenkins	_____	_____	_____	_____
Jeff Williams	_____	_____	_____	_____
Rhett Butler	_____	_____	_____	_____
Scott Bevan	_____	_____	_____	_____

Presiding Officer

Attest

Neil Critchlow, Mayor, Grantsville

Braydee Baugh, City Recorder,
Grantsville

Agenda Item #4

Discussion with Planning Commission
regarding processes and goals

- a. Large Subdivisions
- b. PUD Processes

Agenda Item #5

Review of the City's Master Plan

Agenda Item #6

Discussion regarding Main Street
Beautification and Street Plan

Agenda Item #7

Discussion regarding City Sports fields

Agenda Item #8

Adjourn