PUBLIC NOTICE

The Grantsville City Planning Commission will hold a Regular Meeting at 7:00 p.m. on Thursday, November 7, 2024 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

ROLL CALL

PUBLIC HEARING

- **a)** Proposed conditional use permit for Mountain Meadery to have a retail goods establishment for sales and tasting of alcohol products in the C-D zone, located at 822 E. Main St., in the South building.
- **b)** Proposed conditional use permit for Mountain Meadery to have a mini warehouse for the manufacturing, packaging, and bottling of wine/ mead in the C-D zone, located at 822 E. Main St., in the South building.
- **c)** Proposed amendment to the Grantsville City General Plan and Future Land Use Map for "The Place" to go from a Rural Residential 1 (RR-1) designation to a Mixed-Use Density (MU) designation, located at approximately 799 N. 600 W.
- **d)** Proposed Rezone for "The Place" to go from zoning designation A-10 to MU, located at approximately 799 N. 600 W.
- **e)** Proposed PUD for the Brentwood subdivision, located at approximately 47 S. Main St., including consideration of the concept plan and variance table.
- **f)** Proposed amendment to the Grantsville City Land Use and Management Code Chapter 1 (Introductory Provisions).
- **g)** Proposed amendment to the Grantsville City Land Use and Management Code Chapter 3 (Decision Making Bodies, And Officials), to implement modifications from SB174/ HB0476.
- **h)** Proposed amendment to the Grantsville City Land Use and Management Code Chapter 7 (Conditional Uses).
- **i)** Proposed amendment to the Grantsville City Land Use and Management Code Chapter 8 (Regulation Of General Applicability).
- **j)** Proposed amendment to the Grantsville City Land Use and Management Code Chapter 11 (Site Plan Review).
- **k)** Proposed amendment to the Grantsville City Land Use and Management Code Chapter 11 (Site Plan Review) to modify the Lighting Ordinance in section 11.5.
- **l)** Proposed amendment to the Grantsville City Land Use and Management Code Chapter 12 (Planned Unit Developments), to implement modifications from SB174/ HB0476.
- **m)** Proposed amendment to the Grantsville City Land Use and Management Code Chapter 15 (Residential And Multiple Residential Districts), to implement modifications from SB174/ HB0476.
- **n)** Proposed amendment to the Grantsville City Land Use and Management Code Chapter 21 (Subdivision Regulations), to implement modifications from SB174/ HB0476.
- **o)** Proposed amendment to the Grantsville City Land Use and Management Code Chapter 21.2.10 (Development Review Committee) to remove the Planning Commission Consultant from the Development Review Committee.
- **p)** Proposed amendment to the Grantsville City Land Use and Management Code Chapter 21.6.13 (Storm Drainage And Flood Plains).

CERTIFICATE OF POSTING: This agenda was posted on the Grantsville City Hall Notice Boards, the State Public Notice website at www.utah.gov/pmn/index.html, and the Grantsville City website at www.grantsvilleut.gov. Notification was sent to the Tooele Transcript Bulletin.

AGENDA

1. Consideration of the proposed conditional use permit for Mountain Meadery to have a retail goods establishment for sales and tasting of alcohol products in the C-D zone, located at 822 E. Main St., in the South building.
2. Consideration of the proposed conditional use permit for Mountain Meadery to have a mini warehouse for the manufacturing, packaging, and bottling of wine/ mead in the C-D zone, located at 822 E. Main St., in the South building.
3. Consideration of the proposed conditional use permit for Raven Management LLC to allow Multi-Family Housing in the form of two (2) fourplexes, located at 268 N. Hale St., in the RM-7 zone.
4. Discussion of the proposed amendment to the Grantsville City General Plan and Future Land Use Map for "The Place" to go from a Rural Residential 1 (RR-1) designation to a Mixed-Use Density (MU) designation, located at approximately 799 N. 600 W.
5. Discussion of the proposed Rezone for "The Place" to go from zoning designation A-10 to MU, located at approximately 799 N. 600 W.
6. Discussion of the proposed PUD for the Brentwood subdivision, located at approximately 47 S. Main St., including consideration of the concept plan and variance table.
7. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 1 (Introductory Provisions).
8. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 3 (Decision Making Bodies, And Officials), to implement modifications from SB174/ HB0476.
9. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 7 (Conditional Uses).
10. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 8 (Regulation Of General Applicability).
11. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 11 (Site Plan Review).
12. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 11 (Site Plan Review) to modify the Lighting Ordinance in section 11.5.
13. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 12 (Planned Unit Developments), to implement modifications from SB174/ HB0476.
14. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 15 (Residential And Multiple Residential Districts), to implement modifications from SB174/ HB0476.
15. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 21 (Subdivision Regulations), to implement modifications from SB174/ HB0476.
16. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 21.2.10 (Development Review Committee) to remove the Planning Commission Consultant from the Development Review Committee.
17. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 21.6.13 (Storm Drainage And Flood Plains).
18. Approval of minutes from the September 19, 2024 Planning Commission Regular Meeting.
19. Approval of minutes from the September 25, 2024 Planning Commission Special Meeting.
20. Approval of minutes from the October 3, 2024 Planning Commission Regular Meeting.
21. Report from Zoning Administrator.
22. Open Forum for Planning Commissioners.

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23. Report from City Council.
24. Adjourn.

Shelby Moore
Zoning Administrator
Grantsville City Community & Economic Development

Scan QR code to join Zoom meeting.

Join Zoom Meeting
https://us02web.zoom.us/j/83837749384
Meeting ID: 838 3774 9384

In compliance with the Americans with Disability Act, Grantsville City will accommodate reasonable requests to assist persons with disabilities to participate in meetings. Requests for assistance may be made by calling City Hall (435) 884-3411 at least 3 days in advance of a meeting.

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Grantsville City Planning Commission

November 7, 2024
Public Hearing

Two proposed conditional use permits for Mountain Meadery to have a retail goods establishment for sales and tasting of alcohol products, and to have a mini warehouse for the manufacturing, packaging, and bottling of wine/ mead in the C-D zone, located at 822 E. Main St., in the South building.

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You can view a copy of the agenda and packet online by 5:00pm on November 1, 2024 at the link below:
https://grantsvilleut.gov/departments/community___economic_development/planning_commission.php

Or by emailing jbassett@grantsvilleut.gov. All comments and concerns need to be sent in writing through email or mail and received no later than 12:00pm on November 7, 2024.

Dated this 30th day of September, 2024

BY ORDER OF THE GRANTSVILLE PLANNING COMMISSION

Shelby Moore
Zoning Administrator

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Grantsville City Planning Commission

November 7, 2024
Public Hearing

Proposed amendment to the Grantsville City General Plan and Future Land Use Map for "The Place" to go from a Rural Residential 1 (RR-1) designation to a Mixed-Use Density (MU) designation, along with the Rezone from zoning designation A-10 to MU, located at approximately 799 N. 600 W.

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Dated this 28th day of October, 2024

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Shelby Moore
Zoning Administrator

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Proposed amendment to the Grantsville City Land Use and Management Code Chapter 1 (Introductory Provisions).

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AGENDA ITEM #1

Consideration of the proposed conditional use permit for Mountain Meadery to have a retail goods establishment for sales and tasting of alcohol products in the C-D zone, located at 822 E. Main St., in the South building.

Grantsville City Planning Commission

November 7, 2024
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Conditional Use Permit – Commercial Application

Date: 06/14/2024

Applicant / Owner

Applicant Name:	Jeffrey Walker	Owner Name:	Christopher L. Reed
Address:	[redacted]	Address:	
City, State, Zip:		City, State, Zip:	
Phone:		Phone:	[redacted]
Email:		Email:	
Own Property:	No		

Location Information

Permit Type:	Conditional Use Permit – Commercial	Development:	Mountain Meadery
		# of Acres:	.00
Site Address:	822 E. Main St., South building	Current Zoning:	C-D
Site Parcel:	01-060-0-0003 OR 01-060-0-0006		

Complete Description: Retail goods establishment for sales and tasting of alcohol products. (unsure of which unit)

I (We) understand that the Planning Commission shall not authorize a CUP / PUD unless the evidence presented is such as to establish that such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, and the proposed use will comply with the regulations and conditions specified in the Grantsville City zoning ordinance for such use.

[redacted] 06/14/2024

Name Date

Planning and Zoning
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674

Permit # 2024074

Staff Report Summary for
Mountain Meadery Retail Goods Establishment

Parcel ID(s):
Property Address:
Applicant Name:
Request:
Prepared By: Shelby Moore

Meeting Date: 11/7/2024
Public Hearing Date: 11/7/2024
Current Zone: CD
Acres:

Planning Staff Explanation and Recommendation: Consideration of Mountain Meadery Conditional Use Permit to sell and taste alcohol.

CONDITIONS & CONCLUSIONS

Project Benefits to the City and the Project Residents:

1) Tax Revenue
2) Economic Growth
3) Visitor Attraction

Conditions:

1) Back flow preventor on all equipment.
2)
3)

Conclusion:

A Meadery could significantly contribute to the economic development of Grantsville City. A Meadery could create new job opportunities and. Moreover, the establishment of a Meadery may attract visitors to our city, boosting revenue for local businesses such as restaurants and retail establishments.

Furthermore, a Meadery can serve as a unique cultural and recreational attraction within Grantsville City. Mead, often referred to as the "nectar of the gods," has a rich historical significance and ties to ancient civilizations. By showcasing the art of mead production through

tours, tastings, and educational events, the Meadery can offer residents and visitors a distinctive experience that celebrates our local heritage. Additionally, hosting events such as mead festivals or workshops can enhance community engagement and foster a sense of pride among residents.

In conclusion, the establishment of a Meadery in Grantsville City holds great promise for economic growth, cultural enrichment, and environmental sustainability. By leveraging our local resources and heritage, we can create a vibrant and inclusive destination that benefits residents, businesses, and visitors alike.

*** Disclaimer: Please be advised that at no point should the comments and conclusions made by The City staff or the conclusions drawn from them be quoted, misconstrued, or interpreted as recommendations. These inputs are intended solely for the legislative body to interpret as deemed appropriate.*

The information provided is purely for the legislative body to interpret in their own right and context. It is crucial to maintain the integrity and context of the information shared, as it is meant to assist in the decision-making process without implying any endorsement or directive, but it is essential that it is understood within the appropriate scope.

BUSINESS DISCRIPTION

Mountain Meadery

Proposed Conditional Use

Mountain Meadery is requesting conditional use to operate a Mini Warehouse (permit #: 2024080) and a Retail Goods Establishment (permit # 2024074) to produce Mead, Cider and wine at 822 E Main St. Grantsville, UT 84029. This would include the process of mixing ingredients, fermenting batches, bottling, storage, and preparing for shipment. A storefront space for walk in customer purchases and a tasting space. Products that would be sold include, but not limited to; Merchandise, Mead, Cyder, Wine, Honey based treats. Tastings on a scheduled basis or special walk-in tasting events.

The property is 1000 sq ft.

100 sq ft of storefront and tasting space.
400 sq ft for production
300 sq ft for storage and supplies
200 sq ft for bottling and packaging

Currently Mountain Meadery has 1 staff member that will be running operations

Expected days of operation will be:

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
closed	closed	6:00 pm – 8:00 pm	6:00 pm – 8:00 pm	1:00 pm – 6:00 pm	1:00 pm – 6:00 pm	1:00 pm – 6:00 pm

Times of operation may shift due to Military service.

The expected number of customers per day is 1-15 on weekdays and 10-30 on weekends.

Equipment used for operations:

- Conical Fermenters 2 to 10 fermenters
- Glass Carboy fermenters
- Measuring devices (Hydrometer, measuring cups, scales, ext.)
- Commercial Dishwasher/sanitizer
- Bottle filling equipment
- Labeling machine
- Point of Sales
- Refrigerator
- Stove top/range

Mountain Meadery

Chemicals on site

All chemicals will be kept in the storage area unless being used with the exception of a general use size of Dawn dish soap that will stay by the wash sink.

STAR SAN (32 OZ) x 4

- A high foaming, acid-based, no-rinse sanitizer that is effective and easy to use.
- Self-foaming, which helps to penetrate cracks and crevices.
- Odorless, flavorless, and biodegradable.
- Will not harm septic systems.
- Reduces water spotting and can be used without rinsing when used at the recommended dilution.

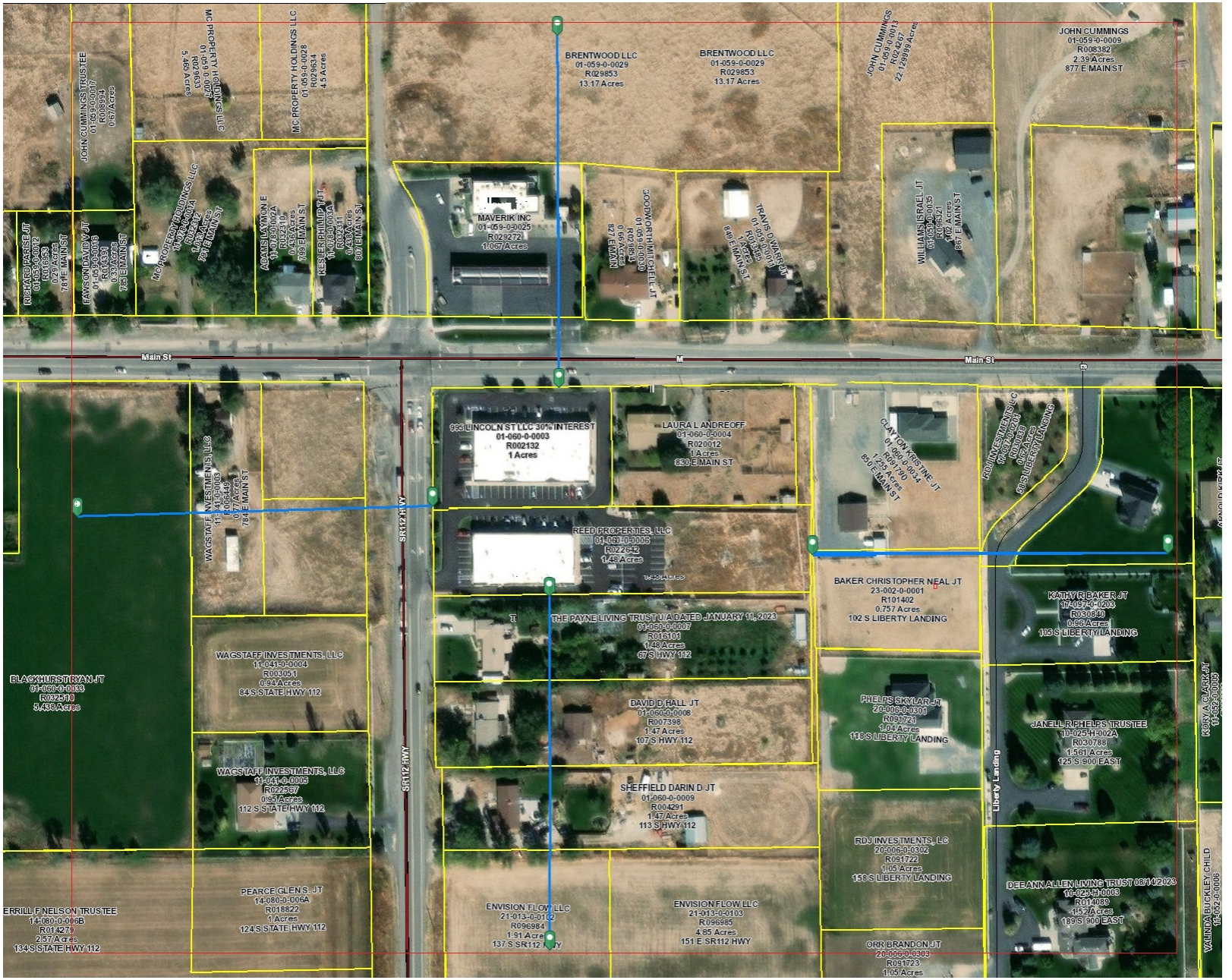
PBW (50LB) x 1

- Cleaner is very effective in removing thick, difficult, and caked-on organic soils.
- Effective substitute for caustic soda cleaners and household cleaners.
- Can clean items that cannot be reached with a brush or sponge by simply soaking and rinsing.
- Safe on skin as well as stainless steel, rubber, soft metals, and on plastics.

Simple Green® All-Purpose Cleaner (1 Gal) x 2

- Cleaner and degreaser is EPA Safer Choice Certified, designed for effective and environmentally safer use on counters, carpet, floors, fabric, equipment, vehicles and more.

Dawn® Professional Dish Soap (1 Gal) x 4



TCRoads

Class A - State

Class B - County

Class C - Municipality

Private Maintenance

Parcels 2k-1k

1:1,636

0 55 110 220 ft

0 15 30 60 m

Maxar, Microsoft, Tooele County GIS

TC Web AppBuilder for ArcGIS

Maxar, Microsoft | AGRC | Tooele County GIS | AGRC, Tooele GIS |


822 E Main St.
Grantsville,
UT, 84029
Dumpster
Ground Drain
Parking
Main St
SR112 HWY
995 LINCOLN ST LLC 30% INTEREST
01-060-0-0003
R002132
1 Acres
LAURA L ANDREOFF
01-060-0-0004
R020012
1 Acres
830 E MAIN ST
REED PROPERTIES, LLC
01-060-0-0006
R022642
1.43 Acres
N
THE PAYNE LIVING TRUST U/A DATED JANUARY 11, 2023
01-060-0-0007

Jaina Bassett <jbassett@grantsvilleut.gov>

CUP Applications 2024074 & 2024080

32 messages

Jaina Bassett <jbassett@grantsvilleut.gov> Tue, Aug 20, 2024 at 3:00 PM
To: Andy Jensen <ajensen@grantsvilleut.gov>, Christy Montierth <cmontierth@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>

Good afternoon,

Attached are the documents for two CUP applications. These applications are for the same business, Mountain Meadery, but classified as two separate CUPs. The first is for a retail goods establishment for sales and tasting of alcohol products. The second is for a mini warehouse for manufacturing, packaging, and bottling of wine/ mead.

It is proposed in the South building at 822 E. Main St.

The bonding requirements listed in 11-3-11 of the City code will be listed as a condition of approval and enforced before a business license can be issued.

11-3-11 Bond Required

Please review and provide any feedback or concerns.

Thank you and have a great day!

Jaina Bassett
Community Development Administrative Assistant
Grantsville City Corporation
Phone: (435) 884-1674
Email: jbassett@grantsvilleut.gov

8 attachments



2024074 & 2024080 Site Plan.jpg
556K



2024074 & 2024080 Vicinity Map.jpg
1045K

2024074 Application.pdf
96K

2024074 & 2024080 Business Details.docx
20K

2024074 & 2024080 Chemicals Stored.docx
19K

2024074 & 2024080 Proximity to Churches, Schools, Libraries, Parks.docx
18K

2024074 & 2024080 Property Owner Letter Signed 7-30-2024.pdf
105K

Federal & State Requirements- Operate and Sell Alcohol.docx
16K

Andy Jensen <ajensen@grantsvilleut.gov> Tue, Aug 20, 2024 at 4:10 PM
To: Jaina Bassett <jbassett@grantsvilleut.gov>
Cc: Christy Montierth <cmontierth@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>

They need to apply for a building permit for any changes that they make to the tenant space.

Andy Jensen
Grantsville Building Official
ajensen@grantsvilleut.gov
435-884-4617

[Quoted text hidden]

Jaina Bassett <jbassett@grantsvilleut.gov> Tue, Aug 20, 2024 at 4:20 PM
To: Andy Jensen <ajensen@grantsvilleut.gov>
Cc: Christy Montierth <cmontierth@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>

Thank you! I will make that note on the permit.
[Quoted text hidden]

Robert Sager <rsager@grantsvilleut.gov> Tue, Aug 20, 2024 at 4:38 PM
To: Jaina Bassett <jbassett@grantsvilleut.gov>
Cc: Andy Jensen <ajensen@grantsvilleut.gov>, Christy Montierth <cmontierth@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>, Braydee Baugh <bbaugh@grantsvilleut.gov>

Have they filed for a license with the City Recorder? Braydee usually sends me information to complete a background investigation. I will review the packet again tomorrow.

CHIEF ROBERT SAGER
RSAGER@GRANTSVILLEUT.GOV WORK: (435) 884-6881
GRANTSVILLE CITY POLICE DEPARTMENT
ROBERT SAGER ✸ CHIEF OF POLICE
50 North Bowery St. Grantsville, UT 84029
Emergency 9-1-1 ✸ Non-Emergency (435)882-5600 ✸ Office (435)884-6881

[Quoted text hidden]

Braydee Baugh <bbaugh@grantsvilleut.gov> Wed, Aug 21, 2024 at 8:16 AM
To: Robert Sager <rsager@grantsvilleut.gov>
Cc: Jaina Bassett <jbassett@grantsvilleut.gov>, Andy Jensen <ajensen@grantsvilleut.gov>, Christy Montierth <cmontierth@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

My office has not received a business license application for this. The CUP would need to be approved prior to approving a Business License, but with the nature of the business (re: manufacturing wine/mead) we would need to make sure they are in compliance with DABC. I don't have the attachments for the CUP so I don't have anything to review.
[Quoted text hidden]
--
Thank you and have a great day

Braydee N. Baugh
City Recorder
429 East Main Street
Grantsville City
(435) 884-4603

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Jaina Bassett <jbassett@grantsvilleut.gov> Wed, Aug 21, 2024 at 8:35 AM
To: Braydee Baugh <bbaugh@grantsvilleut.gov>
Cc: Robert Sager <rsager@grantsvilleut.gov>, Andy Jensen <ajensen@grantsvilleut.gov>, Christy Montierth <cmontierth@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

Here you go, Braydee.
[Quoted text hidden]

8 attachments



2024074 & 2024080 Site Plan.jpg
556K



2024074 & 2024080 Vicinity Map.jpg
1045K

2024074 Application.pdf
96K

2024074 & 2024080 Business Details.docx
20K

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2024074 & 2024080 Proximity to Churches, Schools, Libraries, Parks.docx
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2024074 & 2024080 Property Owner Letter Signed 7-30-2024.pdf
105K

Federal & State Requirements- Operate and Sell Alcohol.docx
16K

Christy Montierth <cmontierth@grantsvilleut.gov> Wed, Aug 21, 2024 at 8:41 AM
To: Jaina Bassett <jbassett@grantsvilleut.gov>
Cc: Braydee Baugh <bbaugh@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>, Andy Jensen <ajensen@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

Only condition for Public Works is that they use the proper backflow devices needed for this operation.

Thank you.
[Quoted text hidden]

--
Christy Montierth
Grantsville City
Deputy Public Works Director
336 West Main Street
Grantsville, UT 84029
cmontierth@grantsvilleut.gov
Office: (435) 884-0627
Cell: (435) 830-6540

Braydee Baugh <bbaugh@grantsvilleut.gov> Wed, Aug 21, 2024 at 9:21 AM
To: Christy Montierth <cmontierth@grantsvilleut.gov>
Cc: Jaina Bassett <jbassett@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>, Andy Jensen <ajensen@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

Thank you for getting the information over to me. Do we know how far along in the process they are with the Federal and State requirements? I would be hesitant to approve anything at this point until that has all been cleared. They also will be required to go to City Council for approval of the business license when we get to that point. Let me know if you have any questions
[Quoted text hidden]

Jaina Bassett <jbassett@grantsvilleut.gov> Wed, Aug 21, 2024 at 9:27 AM
To: Braydee Baugh <bbaugh@grantsvilleut.gov>
Cc: Christy Montierth <cmontierth@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>, Andy Jensen <ajensen@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

Christy, thank you! I will add that as a condition.

Braydee, I am not sure but will reach out to the applicant to find out.
[Quoted text hidden]

Jaina Bassett <jbassett@grantsvilleut.gov> Wed, Aug 21, 2024 at 12:25 PM
To: Braydee Baugh <bbaugh@grantsvilleut.gov>
Cc: Christy Montierth <cmontierth@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>, Andy Jensen <ajensen@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

Braydee,

Here is the applicant's response:

> I have the online accounts and registered the business, but i am unable to obtain a permit, approval for labels, or formulas until I have a production location. I have been talking with a representative from the TTB, and the DABS to ensure I have everything I can at this time. I have an appointment next Friday with the DABS to go over pricing, floor plans and a couple other items before I apply for the state permit. The state permit will require approval from the city to obtain. I have all my formularies, and label designed for submission once a location is secured.

[Quoted text hidden]

Jaina Bassett <jbassett@grantsvilleut.gov> Fri, Sep 13, 2024 at 2:28 PM
To: Braydee Baugh <bbaugh@grantsvilleut.gov>

Hey Braydee!

What are your thoughts on this? The applicant would like to move forward, as one of the units is becoming available.
[Quoted text hidden]

Braydee Baugh <bbaugh@grantsvilleut.gov> Mon, Sep 16, 2024 at 7:52 AM
To: Jaina Bassett <jbassett@grantsvilleut.gov>

Jaina,

As long as they can provide proof they have started work with the DABC then I'm fine with them continuing the application. However, we should probably discuss a different route for this. I think having them also apply for a business license now and go through that process would be a good idea. They have to be approved by City Council to sell alcohol, so instead of dragging the process out to where the CUP is approved and then we have to review it for the BL as well, we can modify the process.
[Quoted text hidden]

Jaina Bassett <jbassett@grantsvilleut.gov> Mon, Sep 16, 2024 at 9:16 AM
To: Braydee Baugh <bbaugh@grantsvilleut.gov>

Braydee,

Thank you! That makes sense to me, and I think the applicant would be happy to do anything that may speed the process up. Shelby is comfortable with your suggestion to run both at the same time. I will reach out to the applicant for proof with the DABC, and to suggest this process.

Thank you!
[Quoted text hidden]

Braydee Baugh <bbaugh@grantsvilleut.gov> Mon, Sep 16, 2024 at 9:17 AM
To: Jaina Bassett <jbassett@grantsvilleut.gov>

You the best
[Quoted text hidden]

Jaina Bassett <jbassett@grantsvilleut.gov> Mon, Sep 16, 2024 at 9:30 AM
To: Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

Hey Jason!

Do you have any concerns with this application, or any conditions of approval you would like placed on the permit?
[Quoted text hidden]

Grantsville Fire Marshal <firemarshal@grantsvilleut.gov> Tue, Sep 17, 2024 at 1:26 AM
To: Jaina Bassett <jbassett@grantsvilleut.gov>

Jaina,

No Concerns for fire.

Jason E. Smith
Fire Chief/Fire Marshal

Grantsville Fire Department

[redacted]
firemarshal@grantsvilleut.gov
[Quoted text hidden]

Jaina Bassett <jbassett@grantsvilleut.gov> Tue, Sep 17, 2024 at 9:40 AM
To: Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

Thanks Jason!
[Quoted text hidden]

Jaina Bassett <jbassett@grantsvilleut.gov> Tue, Sep 17, 2024 at 9:41 AM
To: Braydee Baugh <bbaugh@grantsvilleut.gov>

No you!
[Quoted text hidden]

Jaina Bassett <jbassett@grantsvilleut.gov> Tue, Sep 17, 2024 at 9:42 AM
To: Braydee Baugh <bbaugh@grantsvilleut.gov>
Cc: Christy Montierth <cmontierth@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>, Andy Jensen <ajensen@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

Good morning,

Thank you all for your responses. After speaking with Braydee, we are going to have the applicant apply for a business license, to move through both processes at the same time. Because the City Council will need to approve the sale of alcohol anyway, we feel this will be the most efficient process.

Chief Sager, will this address your concerns as the information will be sent to you for a background check with the business license? Do you have any additional concerns?
[Quoted text hidden]

Robert Sager <rsager@grantsvilleut.gov> Tue, Sep 17, 2024 at 9:46 AM
To: Jaina Bassett <jbassett@grantsvilleut.gov>
Cc: Braydee Baugh <bbaugh@grantsvilleut.gov>, Christy Montierth <cmontierth@grantsvilleut.gov>, Andy Jensen <ajensen@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

I don't have any concerns, just wanted to make sure the process outlined in policy was being followed.

CHIEF ROBERT SAGER

RSAGER@GRANTSVILLEUT.GOV WORK: (435) 884-6881

GRANTSVILLE CITY POLICE DEPARTMENT

ROBERT SAGER ✸ CHIEF OF POLICE

50 North Bowery St. Grantsville, UT 84029

Emergency 9-1-1 ✸ Non-Emergency (435)882-5600 ✸ Office (435)884-6881

[Quoted text hidden]

Jaina Bassett <jbassett@grantsvilleut.gov> Tue, Sep 17, 2024 at 10:09 AM
To: Robert Sager <rsager@grantsvilleut.gov>

Cc: Braydee Baugh <bbaugh@grantsvilleut.gov>, Christy Montierth <cmontierth@grantsvilleut.gov>, Andy Jensen <ajensen@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

Perfect, thank you!
[Quoted text hidden]

Jaina Bassett <jbassett@grantsvilleut.gov> Fri, Sep 27, 2024 at 12:28 PM
To: Braydee Baugh <bbaugh@grantsvilleut.gov>

Braydee,

The applicant requested something in writing from DABS verifying that he has been working with them, but they told him they cannot provide anything because he cannot submit his application until he receives City approval. He provided the attached email correspondence with a representative from DABs. Does this work for you, for him to proceed with us?

I also received his radius report. Does the consideration of the alcohol sale at CC require noticing? If so, we could send the dates on one notice. Otherwise, I will get him scheduled for a PC meeting.

Thank you!
[Quoted text hidden]

Jaina Bassett <jbassett@grantsvilleut.gov> Fri, Sep 27, 2024 at 12:29 PM
To: Braydee Baugh <bbaugh@grantsvilleut.gov>

[Quoted text hidden]

2024074 and 2024080 Email RE Correspondence with DABS 9-26-2024.pdf
170K

Jaina Bassett <jbassett@grantsvilleut.gov> Fri, Sep 27, 2024 at 12:30 PM
To: Braydee Baugh <bbaugh@grantsvilleut.gov>

He just shared this one too.
[Quoted text hidden]

2024074 and 2024080 Email RE Correspondence with DABS (2) 9-26-2024.pdf
137K

Braydee Baugh <bbaugh@grantsvilleut.gov> Mon, Sep 30, 2024 at 8:04 AM
To: Jaina Bassett <jbassett@grantsvilleut.gov>

Jaina,

Thank you for getting this to me. They only need 24 hour notice for the City Council meeting.
[Quoted text hidden]

Jaina Bassett <jbassett@grantsvilleut.gov> Mon, Sep 30, 2024 at 11:48 AM
To: Braydee Baugh <bbaugh@grantsvilleut.gov>

Perfect, thanks! I will send the notices out just for our meeting.

Will those emails work as proof of correspondence with DABS?
[Quoted text hidden]

Braydee Baugh <bbaugh@grantsvilleut.gov> Mon, Sep 30, 2024 at 12:29 PM
To: Jaina Bassett <jbassett@grantsvilleut.gov>

I think so. Will you let them know they need to submit a business license application as well please?

[Quoted text hidden]

Jaina Bassett <jbassett@grantsvilleut.gov> Mon, Sep 30, 2024 at 12:35 PM
To: Braydee Baugh <bbaugh@grantsvilleut.gov>

Yes ma'am. Thank you!
[Quoted text hidden]

Jaina Bassett <jbassett@grantsvilleut.gov> Mon, Sep 30, 2024 at 12:47 PM
To: Braydee Baugh <bbaugh@grantsvilleut.gov>

Jeff said that he has applied online for a business license with the City.
[Quoted text hidden]

Jaina Bassett <jbassett@grantsvilleut.gov> Mon, Sep 30, 2024 at 12:49 PM
To: Christy Montierth <cmontierth@grantsvilleut.gov>

Christy,

I asked the applicant about any direct connections to a water source. He stated the following:

> From the water supply there will be a water meter, water filter, and a hose. The hose will be a noble control and will not be connected to anything. It will be used to fill the fermenter from the top.

Does this address your concerns?

On Wed, Aug 21, 2024 at 8:41 AM Christy Montierth <cmontierth@grantsvilleut.gov> wrote:
[Quoted text hidden]

Christy Montierth <cmontierth@grantsvilleut.gov> Mon, Sep 30, 2024 at 1:17 PM
To: Jaina Bassett <jbassett@grantsvilleut.gov>

Jaina,

Please explain that we require an air gap. An air gap is a physical space or separation between the water supply hose and the top of the fermenter when filling it, ensuring that the hose does not come into direct contact with the liquid inside. This prevents the possibility of backflow, where contaminated water from the fermenter could be siphoned back into the clean water supply. The air gap acts as a safety measure, protecting the water source from contamination and ensuring proper sanitation during the filling process.

Thank you.
[Quoted text hidden]

Jaina Bassett <jbassett@grantsvilleut.gov> Mon, Sep 30, 2024 at 2:17 PM
To: Christy Montierth <cmontierth@grantsvilleut.gov>

Thank you! I will send this over to him.
[Quoted text hidden]

Jaina Bassett <jbassett@grantsvilleut.gov>

Conditional use permits 2024074 and 2024080

Jeff [redacted] Fri, Sep 27, 2024 at 12:23 PM
To: "jbassett@grantsvilleut.gov" <jbassett@grantsvilleut.gov>

Afternoon

I also received the below email from the dabs with links to thier site showing my requirements and operation requirements.

-------- Original Message --------
On 8/14/24 9:51 AM, DABS Compliance wrote:

> Jeff: here is a link to our manufacturing application.
> https://abs.utah.gov/licenses-permits/applications-renewals/distributors-industry/
>
> and our inspection list https://docs.google.com/document/d/1_YHfJbD1jyI0sFVwKGHnHIVYlUFllfV43YclraGo6Jg/edit
>
> The person that handles our manufacturing licenses is Jeff Colvin, so I have included him in this email so you may correspond with him if you have any further questions.
>
> On Wed, Aug 14, 2024 at 9:40 AM Melinda Tippetts <melindactippetts@utah.gov> wrote:
> > Hi Compliance,
> >
> > Jeffrey is trying to open a Meadery and the city is asking for a list of requirements for the operation of a storefront in Utah. Is there a list that you can reference him to? I am including Jeffrey's contact information below.
> >
> > Jeffrey Walker
> > [redacted]
> >
> > Thanks
> >
> > Department of Alcoholic Beverage Services (DABS)
> >
> > **Melinda Tippetts, Help Desk Agent**
> > Help Desk
> >
> > Email: dabshelpdesk@utah.gov
> > Phone: 801-977-6939
> >
> > CONFIDENTIALITY NOTICE: This email is intended only for the person(s) named in the message header. Unless otherwise indicated, it contains information that is confidential, privileged and/or exempt from disclosure under applicable law. If you have received this message in error, please notify the sender of the error and delete the message.

Mountain Meadery

Proximity Report
Completed 07-11-2024

Proximity report for the nearest Church, School, Library, and Public Park from:
822 E Main St. Grantsville, UT 84029

Church:

Grantsville lakeview church
163 UT-112, Grantsville, UT 84029
840 ft from property line to property line.
1168 ft from door to door

School:

Twenty Wells Elementary
636 Nygreen St, Grantsville, UT 84029
2.1 miles apart
Willow elementary is 2.2 miles

Library:

Grantsville Library
42 Bowery St, Grantsville, UT 84029
1.2 miles

Public Park:

Anderson Ranch Park
301-323 Wrangler Way, Grantsville, UT 84029
1.2 miles

Park under construction:

Eastmoor Park
Grantsville, UT 84029
1734 ft from property line to property line

dotloop signature verification: dtlp.us/ApjD-evdB-kky0

To Whom it may concern 07/30/2024

I am writing to formally authorize the use of my property located at 822 East Main St. Grantsville, Utah 84029, for the operation of a meadery, including activities related to production, packaging, and sales.

As the property owner, I grant Mountain Meadery permission to utilize the designated space within the premises for the aforementioned purposes. This authorization includes the establishment and maintenance of necessary equipment, inventory storage, and any other operations required to run the meadery efficiently.

Please be advised that this authorization is granted with the understanding that all activities conducted on the premises will comply with local, state, and federal regulations. It is also expected that [Recipient's Company/Organization Name] will ensure that all safety standards and environmental guidelines are strictly adhered to.

If there are any additional requirements or documentation needed to formalize this arrangement, please let me know at your earliest convenience. I am available to discuss any aspects of this authorization or to provide further information if required.

Thank you for your attention to this matter. I look forward to a successful partnership and the positive development of the meadery.

Sincerely,

Christopher L Reed

dotloop verified
07/30/24 12:00 AM EDT
3UA7-EMA8-6RIW-RYWN

Owner: 822 E Main St, Grantsville,
[redacted]

Requirements to operate and sell alcohol

Federal

1. Obtain a federal license: Winery, Label Certificate, Formula approval, Submit any samples for testing as required, Submit Monthly, storage, processing, production reports.
2. Obtain an operating state license: Winery, Bottling, Packaging license,
3. Register with states where you have customers:
4. Register your beverage alcohol products (federally and in applicable states)
5. Register to collect and remit applicable federal, state, and local taxes

Utah

1. Location: All other outlets may not be located within 600 feet measured by ordinary pedestrian travel, or 200 feet measured in a straight line.
2. Consent: Obtain local city consent to operate
3. Obtain an operating state license: Winery, Bottling, Packaging license
4. Training: Complete manager and server training
5. ID validation: Obtain approved ID scanner
6. Display Signs pertaining to alcoholic sales/consumption
7. Approved floorplan on file
8. Separation from storage/production area and sales/consuming are
9. If tastings are provided food must be as well. (Not required to be prepared on site, for example having Bread, fruit, meat and cheese tray.)

AGENDA ITEM #2

Consideration of the proposed conditional use permit for Mountain Meadery to have a mini warehouse for the manufacturing, packaging, and bottling of wine/ mead in the C-D zone, located at 822 E. Main St., in the South building.

Grantsville City Planning Commission

November 7, 2024
Public Hearing

Two proposed conditional use permits for Mountain Meadery to have a retail goods establishment for sales and tasting of alcohol products, and to have a mini warehouse for the manufacturing, packaging, and bottling of wine/ mead in the C-D zone, located at 822 E. Main St., in the South building.

Notice is hereby given that in accordance with the provisions of Section §10-9A-205 and §10-9a-502 of the Utah Code, the Grantsville Planning Commission will hold a discussion and public hearing on **November 7, 2024 at 7:00 p.m.** at Grantsville City Hall. The meeting will also be broadcast on Zoom. The discussion, public hearing and meeting are to receive public input and consider action on the **Public Hearing of the two proposed conditional use permits for Mountain Meadery to have a retail goods establishment for sales and tasting of alcohol products, and to have a mini warehouse for the manufacturing, packaging, and bottling of wine/ mead in the C-D zone, located at 822 E. Main St., in the South building** and make a recommendation to the City Council.

You can view a copy of the agenda and packet online by 5:00pm on November 1, 2024 at the link below:
https://grantsvilleut.gov/departments/community___economic_development/planning_commission.php

Or by emailing jbassett@grantsvilleut.gov. All comments and concerns need to be sent in writing through email or mail and received no later than 12:00pm on November 7, 2024.

Dated this 30th day of September, 2024

BY ORDER OF THE GRANTSVILLE PLANNING COMMISSION

Shelby Moore
Zoning Administrator

Scan QR code above or use the link below to join Zoom meeting.
https://us02web.zoom.us/j/83837749384
Meeting ID: 838 3774 9384

Conditional Use Permit – Commercial Application

Date: 06/14/2024

Applicant / Owner

Applicant Name:	Jeffrey Walker	Owner Name:	Christopher L. Reed
Address:	[redacted]	Address:	
City, State, Zip:		City, State, Zip:	
Phone:		Phone:	[redacted]
Email:		Email:	NA
Own Property:	No		

Location Information

Permit Type:	Conditional Use Permit – Commercial	Development:	Mountain Meadery
		# of Acres:	.00
Site Address:	822 E. Main St., South building	Current Zoning:	C-D
Site Parcel:	01-060-0-0003 OR 01-060-0-0006		

Complete Description: Retail goods establishment for sales and tasting of alcohol products. (unsure of which unit)

I (We) understand that the Planning Commission shall not authorize a CUP / PUD unless the evidence presented is such as to establish that such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, and the proposed use will comply with the regulations and conditions specified in the Grantsville City zoning ordinance for such use.

[redacted] 06/14/2024

Name Date

Planning and Zoning
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674

Permit # 2024074

Staff Report Summary for
Mountain Meadery Retail Goods Establishment

Parcel ID(s):
Property Address:
Applicant Name:
Request:
Prepared By: Shelby Moore

Meeting Date: 11/7/2024
Public Hearing Date: 11/7/2024
Current Zone: CD
Acres:

Planning Staff Explanation and Recommendation: Consideration of Mountain Meadery Conditional Use Permit to Manufacture and Store Alcohol.

CONDITIONS & CONCLUSIONS

Project Benefits to the City and the Project Residents:

1) Tax Revenue
2) Economic Growth
3) Visitor Attraction

Conditions:

1) Back flow preventor on all equipment.
2)
3)

Conclusion:

A Meadery could significantly contribute to the economic development of Grantsville City. A Meadery could create new job opportunities and. Moreover, the establishment of a Meadery may attract visitors to our city, boosting revenue for local businesses such as restaurants and retail establishments.

Furthermore, a Meadery can serve as a unique cultural and recreational attraction within Grantsville City. Mead, often referred to as the "nectar of the gods," has a rich historical significance and ties to ancient civilizations. By showcasing the art of mead production through

tours, tastings, and educational events, the Meadery can offer residents and visitors a distinctive experience that celebrates our local heritage. Additionally, hosting events such as mead festivals or workshops can enhance community engagement and foster a sense of pride among residents.

In conclusion, the establishment of a Meadery in Grantsville City holds great promise for economic growth, cultural enrichment, and environmental sustainability. By leveraging our local resources and heritage, we can create a vibrant and inclusive destination that benefits residents, businesses, and visitors alike.

*** Disclaimer: Please be advised that at no point should the comments and conclusions made by The City staff or the conclusions drawn from them be quoted, misconstrued, or interpreted as recommendations. These inputs are intended solely for the legislative body to interpret as deemed appropriate.*

The information provided is purely for the legislative body to interpret in their own right and context. It is crucial to maintain the integrity and context of the information shared, as it is meant to assist in the decision-making process without implying any endorsement or directive, but it is essential that it is understood within the appropriate scope.

BUSINESS DISCRIPTION

Mountain Meadery

Proposed Conditional Use

Mountain Meadery is requesting conditional use to operate a Mini Warehouse (permit #: 2024080) and a Retail Goods Establishment (permit # 2024074) to produce Mead, Cider and wine at 822 E Main St. Grantsville, UT 84029. This would include the process of mixing ingredients, fermenting batches, bottling, storage, and preparing for shipment. A storefront space for walk in customer purchases and a tasting space. Products that would be sold include, but not limited to; Merchandise, Mead, Cyder, Wine, Honey based treats. Tastings on a scheduled basis or special walk-in tasting events.

The property is 1000 sq ft.

100 sq ft of storefront and tasting space.
400 sq ft for production
300 sq ft for storage and supplies
200 sq ft for bottling and packaging

Currently Mountain Meadery has 1 staff member that will be running operations

Expected days of operation will be:

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
closed	closed	6:00 pm – 8:00 pm	6:00 pm – 8:00 pm	1:00 pm – 6:00 pm	1:00 pm – 6:00 pm	1:00 pm – 6:00 pm

Times of operation may shift due to Military service.

The expected number of customers per day is 1-15 on weekdays and 10-30 on weekends.

Equipment used for operations:

- Conical Fermenters 2 to 10 fermenters
- Glass Carboy fermenters
- Measuring devices (Hydrometer, measuring cups, scales, ext.)
- Commercial Dishwasher/sanitizer
- Bottle filling equipment
- Labeling machine
- Point of Sales
- Refrigerator
- Stove top/range

Mountain Meadery

Chemicals on site

All chemicals will be kept in the storage area unless being used with the exception of a general use size of Dawn dish soap that will stay by the wash sink.

STAR SAN (32 OZ) x 4

- A high foaming, acid-based, no-rinse sanitizer that is effective and easy to use.
- Self-foaming, which helps to penetrate cracks and crevices.
- Odorless, flavorless, and biodegradable.
- Will not harm septic systems.
- Reduces water spotting and can be used without rinsing when used at the recommended dilution.

PBW (50LB) x 1

- Cleaner is very effective in removing thick, difficult, and caked-on organic soils.
- Effective substitute for caustic soda cleaners and household cleaners.
- Can clean items that cannot be reached with a brush or sponge by simply soaking and rinsing.
- Safe on skin as well as stainless steel, rubber, soft metals, and on plastics.

Simple Green® All-Purpose Cleaner (1 Gal) x 2

- Cleaner and degreaser is EPA Safer Choice Certified, designed for effective and environmentally safer use on counters, carpet, floors, fabric, equipment, vehicles and more.

Dawn® Professional Dish Soap (1 Gal) x 4

AGENDA ITEM #3

Consideration of the proposed conditional use permit for Raven Management LLC to allow Multi-Family Housing in the form of two (2) fourplexes, located at 268 N. Hale St., in the RM-7 zone.

Grantsville City Planning Commission

August 1, 2024
Public Hearing

Proposed conditional use permit for Raven Management LLC to allow Multi-Family Housing in the form of two (2) fourplexes, located at 268 N. Hale St., in the RM-7 zone.

Notice is hereby given that in accordance with the provisions of Section §10-9A-205 and §10-9a-502 of the Utah Code, the Grantsville Planning Commission will hold a discussion and public hearing on **August 1, 2024 at 7:00 p.m.** at Grantsville City Hall. The meeting will also be broadcast on Zoom. The discussion, public hearing and meeting are to receive public input and consider action on the **Public Hearing of the proposed conditional use permit for Raven Management LLC to allow Multi-Family Housing in the form of two (2) fourplexes, located at 268 N. Hale St., in the RM-7 zone** and make a recommendation to the City Council.

You can view a copy of the agenda and packet online by 5:00pm on July 26, 2024 at the link below:
https://grantsvilleut.gov/departments/community___economic_development/planning_commission.php

Or by emailing jbassett@grantsvilleut.gov. All comments and concerns need to be sent in writing through email or mail and received no later than 12:00pm on August 1, 2024.

Dated this 17th day of July, 2024

BY ORDER OF THE GRANTSVILLE PLANNING COMMISSION

Shelby Moore
Zoning Administrator

Scan QR code above or use the link below to join Zoom meeting.
https://us02web.zoom.us/j/84863866802
Meeting ID: 848 6386 6802

Other Application

Date: 07/11/2024

Applicant / Owner

Applicant Name:	Helix 3D Homes / Cavett Eaton	Owner Name:	RAVEN MANAGEMENT LLC
Address:	[redacted]	Address:	
City, State, Zip:	[redacted]	City, State, Zip:	
Phone:	[redacted]	Phone:	[redacted]
Email:	[redacted]	Email:	[redacted]
Own Property:	No		

Location Information

Permit Type:	Other	Development:	North Hale Street Rentals
Site Address:		# of Acres:	.00
Site Parcel:	268 North Hale Street, Grantsville, Utah 84029 Parcel # 20-047-0-0002	Current Zoning:	

Complete Description: The North Hale Street Project is a 7 unit two building rental in the Grantsville RM-7 Zoning District. This is a 1.10 acre lot in the CHIEKEZIE MINOR SUBDIVISION and was approved on 11/07/2018 Regular Meeting of the Grantsville City Council This is a Developer Owned Project and will be built by the Woulf Group using state of the art 3-D Concrete Printing techniques. Access to the two rental buildings will be via Hale Street. One of the Dwelling Units of the two 4 plex's will be utilized to house mechanical equipment, ie. Solar Batteries, Hydronic Boilers, etc. The applicant is requesting approval in this Conditional Use of the RM-7 Zoning District for MultifamilyHousing as per GLUDMC 15.7: Codes And Symbols And Use Table 15.1. RM-7 Zoning for Multiple Family Dwellings.

I (We) understand that the Planning Commission shall not authorize a CUP / PUD unless the evidence presented is such as to establish that such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, and the proposed use will comply with the regulations and conditions specified in the Grantsville City zoning ordinance for such use.

Cavett W. Eaton	07/11/2024
Name	Date

Planning and Zoning
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674

Staff Report Summary to Allow Multi-Family Housing at North Hale St. Rentals

Applicant Name: Raven Management LLC
Request: To allow Multi-Family Housing
Prepared By: Shelby Moore

Meeting Date: November 7th, 2024
Public Hearing Date: August 1st, 2024
Zone: RM-7
Acres: 1.10

Planning Staff Explanation and Recommendation: Consideration for proposed conditional use permit for Raven Management LLC to allow Multi-Family Housing in the form of two (2) fourplexes, located at 268 N. Hale St., in the RM-7 zone.

CONDITIONS & CONCLUSIONS

Conditions:

1. The existing water line will need to be up-sized from a 4-inch water line to a 8-inch water line in order to meet a minimum fire flow of 1,000 GPM with 20 psi residual from North Street to the development.
2. The water line will need to be replaced from the intersection of North St. and Hale St. to the North end of the developments property line.
3. Furnish and install one (1) fire hydrant adjacent to the development. Placement of the hydrant is to be approved by the Fire Chief and City Engineer.

Conclusions: This is a Developer Owned Project and will be built by the Woulf Group using state of the art 3-D Concrete Printing techniques. Access to the two rental buildings will be via Hale Street. One of the Dwelling Units of the two 4 plex's will be utilized to house mechanical equipment, i.e. Solar Batteries, Hydronic Boilers, etc. The applicant is requesting approval in this Conditional Use of the RM-7 Zoning District for Muiti-Family Housing as per GLUDMC 15.7: Codes and Symbols and Use Table 15.1. RM-7 Zoning for Multiple Family Dwellings

It appears that the applicant is meeting all of the GLUMDC for parking, open space, unit size, and setbacks.

Shelby Moore <smoore@grantsvilleut.gov>

268 N HALE/HELIX 3D

2 messages

gary pinkham [redacted] Tue, Jul 16, 2024 at 10:09 AM
To: Shelby Moore <SMOORE@grantsvilleut.gov>, Jaina Bassett <JBASSETT@grantsvilleut.gov>

LADIES,

THIS PROPERTY IS IN THE RM-7 ZONE IF I SEE THE MAP CORRECTLY. THE MULTI-UNIT HOUSING IS A CONDITIONAL USE AND THE APPLICANT SHOULD FIRST APPLY FOR AND BE GRANTED THE CONDITIONAL USE FOR THIS PROJECT. THEY WILL THEN NEED TO DEVELOPE AND DELIVER AS PART OF THE CONDITIONAL USE APPLICATION ALL OF THE ITEMS REQUIRED OF THEM IN CHAPTER 7 OF THE CODE.

AS FOR THEIR CONCEPT DRAWING FOR THE DEVELOPMENT, IT APPEARS TO MEET THE VARIOUS CODE REQUIREMENTS FOR PARKING, AREA, OPEN SPACE, UNIT SIZE, SETBACKS, AND OPEN SPACE IMPROVEMENTS.

ONCE THEY HAVE BEEN GRANTED THE CONDITIONAL USE PERMIT AND PREPARED THE APPLICATION FOR THE PROJECT WE CAN LOOK MORE CLOSELY AT THE PARTICULARS FOR THEIR DESIGN.

GARY

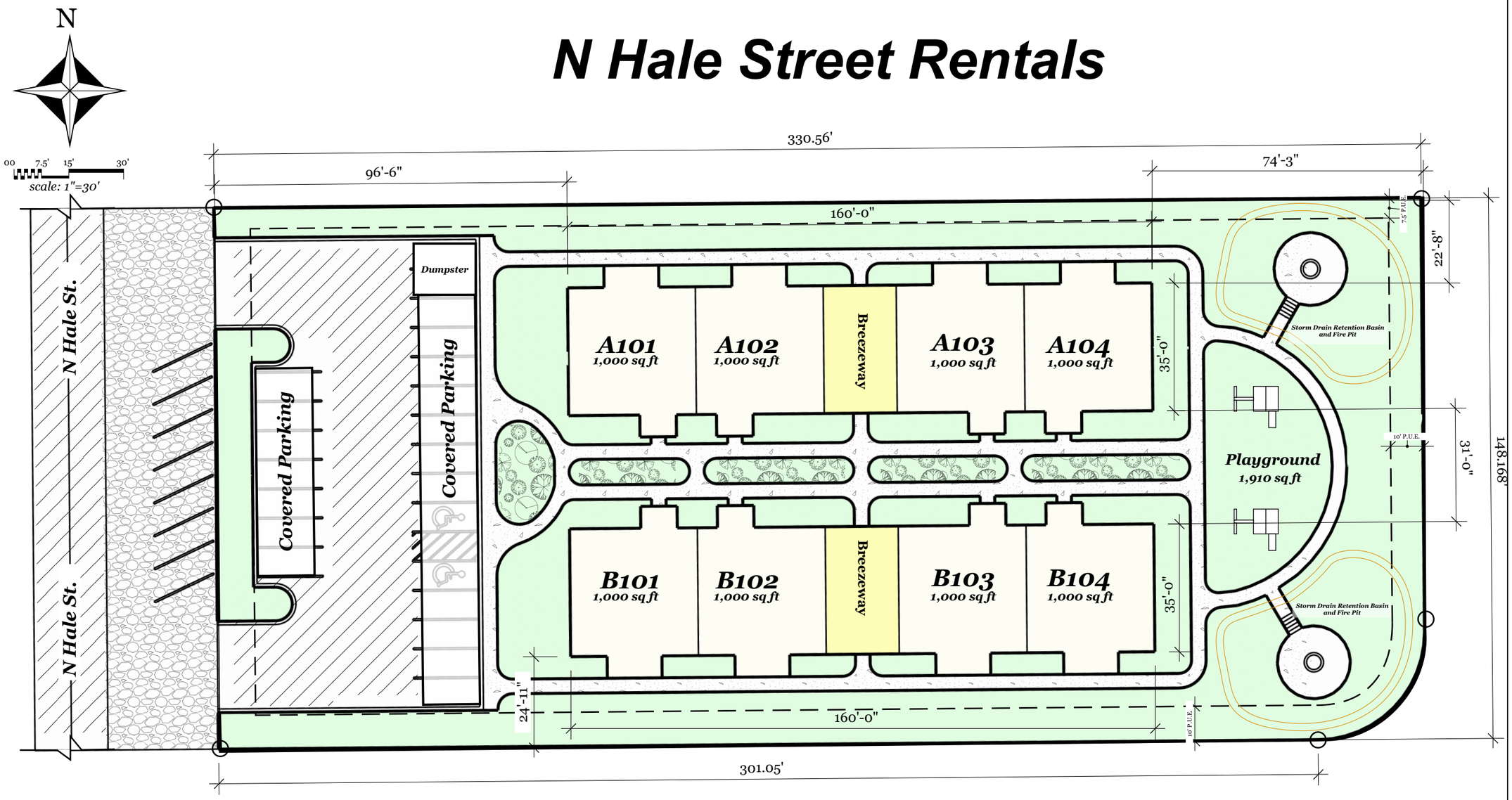
Shelby Moore <smoore@grantsvilleut.gov> Tue, Jul 16, 2024 at 10:48 AM
To: gary pinkham [redacted]
Cc: Jaina Bassett <JBASSETT@grantsvilleut.gov>

Thanks for the information, this is helpful.

SHELBY MOORE
Planning & Zoning Administrator
Department of Public Works
Office: (435) 884-4604
Email: Smoore@Grantsvilleut.gov

[Quoted text hidden]

N Hale Street Rentals





Property Description:

LOT 2,CHIEKEZIE MINOR SUBDIVISION, ACCORDING TO THE OFFICIAL PLATTHEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE TOOELE COUNTYRECORDER, UTAH.

Parcel # 20-047-0-0002

Notes:

1. Open space is 22,245 square feet, 46% of the total area.
2. Storm Drain Retention Basin doubles as a Fire Pit and Amphitheatre.
3. A Pergola will be installed as a shade structure between the two apartment complexes.
4. Each Dwelling Unit will be 3D printed with a concrete matrix.
5. Parking Spaces: 18 covered parking spaces, 2 covered handicap parking spaces, and 7 street side parking spaces.

REVISIONS

	REMARKS	MM/DD/YY
1	...	__/__/__
2	...	__/__/__
3	...	__/__/__
4	...	__/__/__
5	...	__/__/__

helix 3D homes

WOULF GROUP

Site Plan

N Hale Street Rentals
268 N Hale St
Grantsville, UT, 84029

July 11, 2024

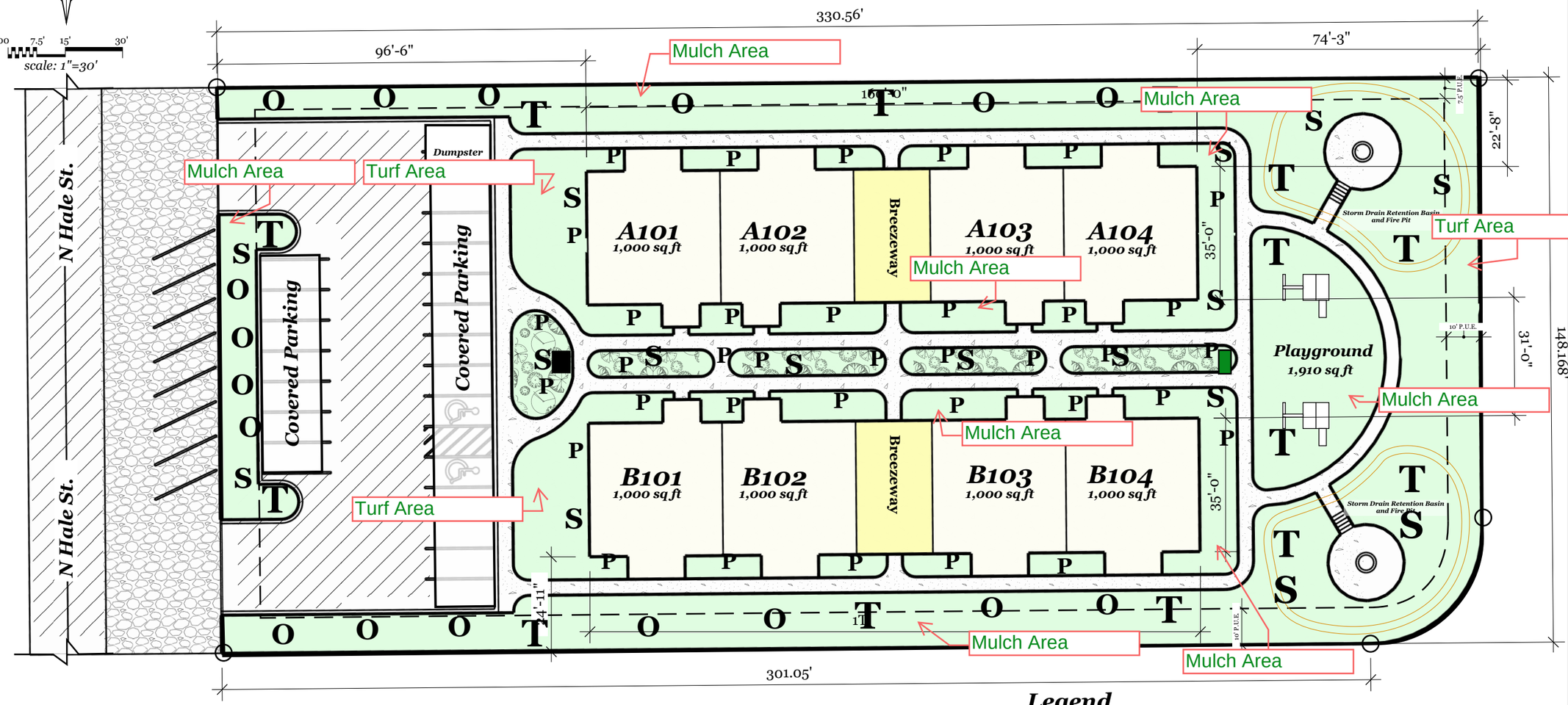
C | 01

N Hale Street Rentals

N

00 7.5' 15' 30'

scale: 1"=30'





Irrigation Zones

West Zone:
WZ1 - Trees & Shrubs (Inline Drip)
WZ2 -Perennials & Ornamentals (Inline Drip)
WZ3 - North Mulched Areas (Inline Drip)
WZ4 - Turf West

East Zone:
EZ1 - Trees & Shrubs (Inline Drip)
EZ2 - Perennials & Ornamentals (Inline Drip) EZ3 - South Mulched Areas (Inline Drip)
EZ4 - Turf East
EZ5 - Middle Perennials (Inline Drip)

Legend

T - Tree Species - Ivory Silk Tree Lilac *(Syringa reticlata)*
City Sprite Zelkova *(Zelcova serrata)*
Hot Wings Tatarian Maple *(Acer tataricum)*
Columnar English Oak *(Quercus robur)*

S - Shrub Species - Blue Balloon Bluebeard *(Caryopteris x clandonensis)*
Cream Cracker Dogwood *(Cornus alba)*

O - Ornamental Grasses - Blonde Ambition Blue Gramma Grass *(Bouteloua gracilis)*
Karl Foerster Feather Reed Grass *(Calamagrostis x acutiflora)*

P - Perennials - Partridge Feather *(Tannacetum densum)*
Fire Chalice *(Epilobium garrettii)*
Moonshine Yarrow *(Achillea* 'Moonshine'
Blue Wonder Catmint *(Nepeta racemosa)*

REVISIONS

	REMARKS	MM/DD/YY
1	...	--/--/--
2	...	--/--/--
3	...	--/--/--
4	...	--/--/--
5	...	--/--/--

helix 3D homes

WOULF GROUP

Waterwise Landscape Plan

N Hale Street Rentals
268 N Hale St
Grantsville, UT, 84029

July 11, 2024

LP 01

FINAL PLAT

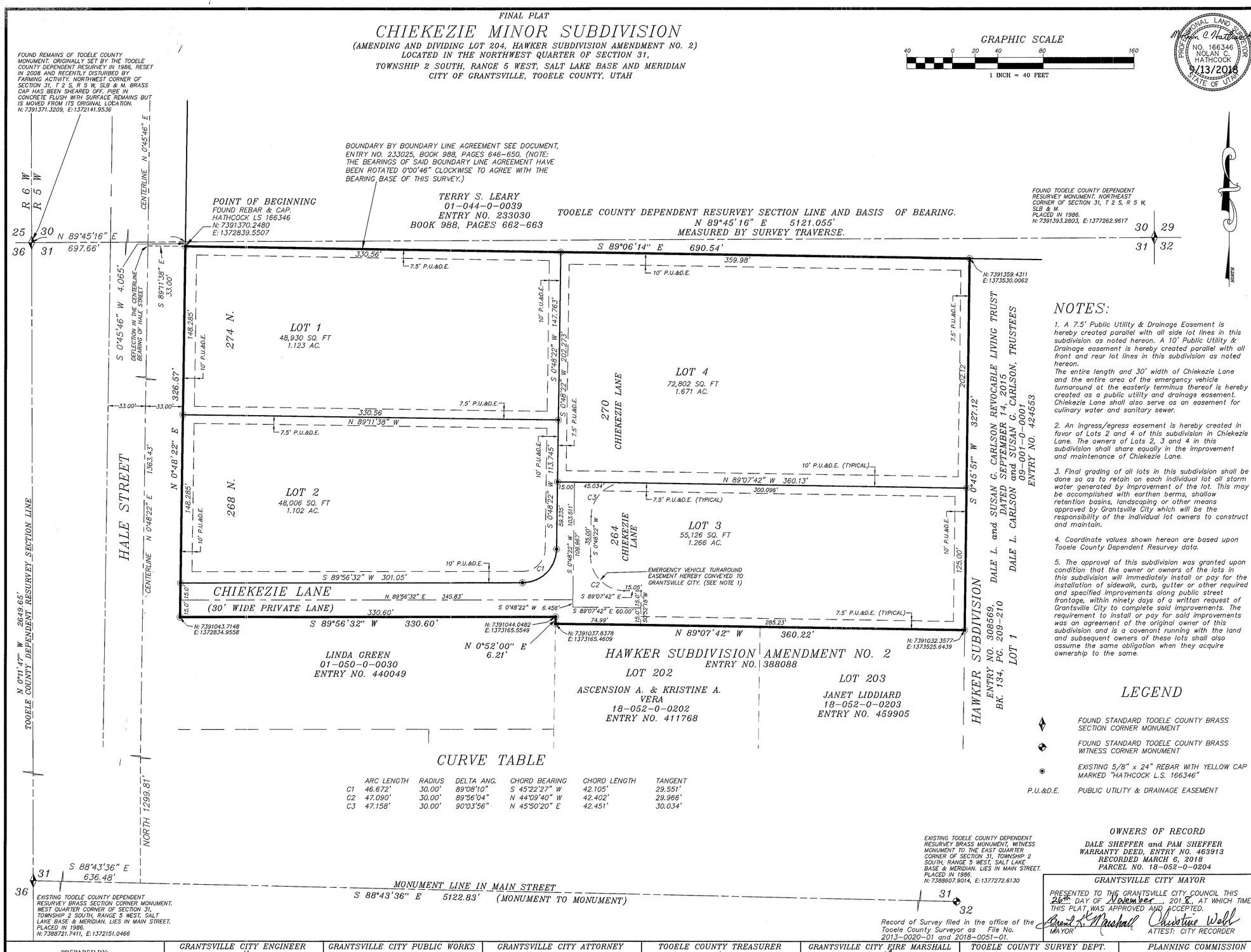
CHIEKEZIE MINOR SUBDIVISION

(AMENDING AND DIVIDING LOT 204, HAWKER SUBDIVISION AMENDMENT NO. 2)
LOCATED IN THE NORTHWEST QUARTER OF SECTION 31,
TOWNSHIP 2 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN
CITY OF GRANTSVILLE, TOOELE COUNTY, UTAH

GRAPHIC SCALE

40 0 20 40 80 160

1 INCH = 40 FEET



CURVE TABLE

	ARC LENGTH	RADIUS	DELTA ANG.	CHORD BEARING	CHORD LENGTH	TANGENT
C1	46.672'	30.00'	89°08'10"	S 45°22'27" W	42.105'	29.551'
C2	47.090'	30.00'	89°56'04"	N 44°09'40" W	42.402'	29.966'
C3	47.158'	30.00'	90°03'56"	N 45°50'20" E	42.451'	30.034'

NOTES:

1. A 7.5' Public Utility & Drainage Easement is hereby created parallel with all side lot lines in this subdivision as noted hereon. A 10' Public Utility & Drainage easement is hereby created parallel with all front and rear lot lines in this subdivision as noted hereon.
The entire length and 30' width of Chiekezie Lane and the entire area of the emergency vehicle turnaround at the easterly terminus thereof is hereby created as a public utility and drainage easement. Chiekezie Lane shall also serve as an easement for culinary water and sanitary sewer.

2. An ingress/egress easement is hereby created in favor of Lots 2 and 4 of this subdivision in Chiekezie Lane. The owners of Lots 2, 3 and 4 in this subdivision shall share equally in the improvement and maintenance of Chiekezie Lane.

3. Final grading of all lots in this subdivision shall be done so as to retain on each individual lot all storm water generated by improvement of the lot. This may be accomplished with earthen berms, shallow retention basins, landscaping or other means approved by Grantsville City which will be the responsibility of the individual lot owners to construct and maintain.

4. Coordinate values shown hereon are based upon Tooele County Dependent Resurvey data.

5. The approval of this subdivision was granted upon condition that the owner or owners of the lots in this subdivision will immediately install or pay for the installation of sidewalk, curb, gutter or other required and specified improvements along public street frontage, within ninety days of a written request of Grantsville City to complete said improvements. The requirement to install or pay for said improvements was an agreement of the original owner of this subdivision and is a covenant running with the land and subsequent owners of these lots shall also assume the same obligation when they acquire ownership to the same.

LEGEND

- FOUND STANDARD TOOELE COUNTY BRASS SECTION CORNER MONUMENT
- FOUND STANDARD TOOELE COUNTY BRASS WITNESS CORNER MONUMENT
- EXISTING 5/8" x 24" REBAR WITH YELLOW CAP MARKED "HATHCOCK L.S. 166346"
- P.U.&D.E. PUBLIC UTILITY & DRAINAGE EASEMENT

OWNERS OF RECORD

DALE SHEFFER and PAM SHEFFER
WARRANTY DEED, ENTRY NO. 463913
RECORDED MARCH 6, 2018
PARCEL NO. 18-052-0-0204

GRANTSVILLE CITY MAYOR

PRESENTED TO THIS GRANTSVILLE CITY COUNCIL THIS 26th DAY OF November, 2018, AT WHICH TIME THIS PLAT WAS APPROVED AND ACCEPTED.

Grant K. Marshall — MAYOR
Christine Webb — ATTEST: CITY RECORDER

Record of Survey filed in the office of the Tooele County Surveyor as File No. 2013-0020-01 and 2018-0051-01.

SURVEYOR'S CERTIFICATE

I, Nolan C. Hathcock, do hereby certify that I am a Professional Land Surveyor holding License No. 166346 as prescribed by the laws of the State of Utah. I further certify that by authority of the owner, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots, hereafter to be known as

CHIEKEZIE MINOR SUBDIVISION

and that the same has been correctly surveyed and staked on the ground as shown on this plat.

PROFESSIONAL LAND SURVEYOR — Nolan C. Hathcock — NO. 166346 — NOLAN C. HATHCOCK — 9/13/2018 — STATE OF UTAH

BOUNDARY DESCRIPTION

All of Lot 204, HAWKER SUBDIVISION AMENDMENT NO. 2, recorded August 15, 2013 as Entry No. 388088 in the office of the Tooele County Recorder situate in the Northwest Quarter of Section 31, Township 2 South, Range 5 West, Salt Lake Base and Meridian, the exterior boundary of which is described by metes and bounds as follows:

Beginning at the northwest corner of Lot 204, HAWKER SUBDIVISION AMENDMENT NO. 2, said point lies on the easterly right-of-way line of Hale Street, North 89°45'16" East 697.66 feet along the Tooele County Dependent Resurvey section line and South 0°45'46" West 4.065 feet along said easterly right-of-way line of Hale Street from a Tooele County brass monument dated 2008 representing the Northwest Corner of Section 31, Township 2 South, Range 5 West, Salt Lake Base and Meridian (Basis of bearing for this survey is North 89°45'16" East 5121.055 feet along a line defined by Tooele County Dependent Resurvey brass monuments originally placed in 1986 representing the Northwest and Northeast Corners of said Section 31.); thence along the northerly line of said Lot 204 as established by boundary line agreement recorded as Entry No. 233025 in Book 988 at Pages 646-650 in the office of said Tooele County Recorder, South 89°06'14" East 690.54 feet; thence along the easterly line of said Lot 204, South 0°45'51" West 327.12 feet to the southeast corner of said Lot 204; thence along the southerly boundary of said Lot 204 the following three (3) courses: (1) North 89°07'42" West 360.22 feet; (2) North 0°52'00" East 6.21 feet; (3) South 89°56'32" West 330.60 feet to the southwest corner of said Lot 204 and the easterly right-of-way line of Hale Street; thence along said easterly right-of-way line of Hale Street, North 0°48'22" East 326.57 feet to the Point of Beginning.
The above described area contains approximately 224,863 square feet or 5.162 acres divided into four (4) lots.

OWNER'S 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 together with easements as set forth, hereafter to be known as:

CHIEKEZIE MINOR SUBDIVISION

The undersigned owners hereby convey to Grantsville City and to any and all public utility companies providing service to the hereon described tract a perpetual, non-exclusive easement over the public utility and drainage easements shown on this plat, the same to be used for drainage, installation, maintenance and operation of public utility service lines and facilities. The undersigned owners also hereby convey any other easements as shown on this plat to the parties indicated and for the purposes shown hereon.

In witness whereof said owners have hereunto set their hands this 7 day of January A.D., 2019.

Dale Sheffer — Pam Sheffer

ACKNOWLEDGEMENT

STATE OF UTAH)
ss
County of Tooele)

On the 7th day of January A.D., 2019 personally appeared before me, the undersigned Notary Public, in and for said County of Tooele, State of Utah, Dale Sheffer and Pam Sheffer, who after being duly sworn, acknowledged to me that they signed the above Owner's Dedication freely and voluntarily for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES: 10-4-21
NOTARY PUBLIC: Cami A. Crozier
RESIDING IN: Tooele, Utah

CAMI L CRAZIER
Notary Public - State of Utah
Comm. No. 697106
My Commission Expires on
Oct 4, 2021

AUGUST, 16, 2018

FINAL PLAT

CHIEKEZIE MINOR SUBDIVISION

(AMENDING AND DIVIDING LOT 204, HAWKER SUBDIVISION AMENDMENT NO. 2)

LOCATED IN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 2 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN CITY OF GRANTSVILLE, TOOELE COUNTY, UTAH

PREPARED BY:
NOLAN C. HATHCOCK
PROFESSIONAL LAND SURVEYOR
LICENSE NO. 166346
9592 STORNOWAY CIRCLE
SOUTH JORDAN, UTAH 84009
PHONE 801-557-5398

GRANTSVILLE CITY ENGINEER
APPROVED THIS 27th DAY OF November, 2018 BY THE GRANTSVILLE CITY ENGINEER.
Craig B. Mulvey
CITY ENGINEER OR DESIGNEE

GRANTSVILLE CITY PUBLIC WORKS
APPROVED THIS 26th DAY OF November, 2018 BY THE GRANTSVILLE CITY PUBLIC WORKS DIRECTOR.
PUBLIC WORKS DIRECTOR OR DESIGNEE

GRANTSVILLE CITY ATTORNEY
APPROVED THIS 29th DAY OF November, 2018 BY THE GRANTSVILLE CITY ATTORNEY.
CITY ATTORNEY

TOOELE COUNTY TREASURER
APPROVED THIS 4 DAY OF Jan., 2019 BY THE TOOELE COUNTY TREASURER.
Lynette Hatterman
TOOELE COUNTY TREASURER

GRANTSVILLE CITY FIRE MARSHALL
APPROVED THIS 27th DAY OF November, 2018 BY THE GRANTSVILLE CITY FIRE DEPARTMENT.
FIRE MARSHALL

TOOELE COUNTY SURVEY DEPT.
APPROVED THIS 4th DAY OF January, 2019 BY THE TOOELE COUNTY SURVEY DEPARTMENT.
DIRECTOR, TOOELE CO. SURVEY DEPT.

PLANNING COMMISSION
APPROVED THIS 27th DAY OF November, 2018 BY THE GRANTSVILLE CITY PLANNING COMMISSION.
CHAIR, GRANTSVILLE CITY PLANNING COMM.

RECORDED # 479504
STATE OF UTAH, COUNTY OF TOOELE, RECORDED AND FILED AT THE REQUEST OF: Pam Sheffer
DATE: 2/07/19 TIME: 4:29 PM
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DEPUTY, TOOELE COUNTY RECORDER

GRANTSVILLE CITY COUNCIL
IN AND FOR GRANTSVILLE CITY, A MUNICIPAL CORPORATION
OF THE STATE OF UTAH

IN RE CHIEKEZIE MINOR SUBDIVISION	)	FINDINGS AND DECISION
	)	November 7, 2018

Consideration of a subdivision for a residential split of one lot into four lots for the Chiekezie Minor Subdivision ("**Chiekezie**"), located at 264 North Hale Street, came before the Grantsville City Council on the 7th day of November, 2018. The owner of the Chiekezie property, Dale Sheffer was present. The Planning Commission had recommended denial of the subdivision application for Chiekezie. The City Council reviewed the decision of the Planning Commission, the memorandum from Grantsville City's Zoning Administrator, Kristy Clark, all maps and drawings provided to the City Council, all of the minutes of the Planning Commission, and the comments provided by all interested parties. The City Council having been fully advised on the premises hereby enters the following findings and decision:

FINDINGS

1. A plat map for a proposed subdivision, the "Hawker Subdivision," was approved by the Grantsville City Council and recorded by the Tooele County Assessor in May 1975.

2. The Hawker Subdivision remained intact until August 2013, when it was further subdivided in an amended plat. Specific to this case, Lot 204, a 5.162 acre property was created.

3. On July 18, 2018, Lot 204's owners, Dale and Pam Sheffer, submitted a Minor Subdivision Application (the "**Application**") to the Grantsville City Zoning Administrator. The Application sought to subdivide Lot 204 into four (4) 1 acre + parcels with a private street.

4. Grantsville City's Land Use and Development Code prohibits the creation of a minor subdivision if any part, phase or undeveloped remnant of the property was previously approved as a minor or major subdivision. See GLUDMA 21.3(1)(b).

5. The Planning Commission considered the Application on October 11, 2018. After discussion with Dale Sheffer, the Planning Commission recommended denial of the Application based on the following findings:

a. The Chiekezie Minor Subdivision is part of the Hawker Subdivision Plat approved and recorded in May 1975.

b. The Hawker Subdivision was divided in an amended plat recorded in August 2013.

c. The Application sought to further subdivide the same property divided in August 2013.

d. Thus, the applicants needed to apply for a Major Subdivision, not a Minor Subdivision.

6. The Application came before the Grantsville City Council on November 7, 2018.

DECISION

Based upon the foregoing Findings, the City Council enters its decision as follows:

A. The proposed request for a Minor Subdivision is amended to a request for a Major Subdivision.

B. Based on the applicant's request for a Major Subdivision, the City Council has determined that it is consistent with the Grantsville City Land Use and Development Code to approve the Application.

C. The public will not be materially injured if the Application is approved, as the proposed development is consistent with the direct neighborhood in terms of lot

size and lot density.

D. Approval of the Application does adversely affect health, safety and welfare of the citizens of Grantsville City.

E. The substantial evidence on the record supports approval of the Application.

F. The Chiekezie Subdivision is not a major adjustment and is in substantial conformity to the Grantsville Land Use Management and Development Code.

Dated this _____ day of November 2018.

BY ORDER OF THE
GRANTSVILLE CITY COUNCIL

_____
By Mayor Brent Marshall

ATTEST:

_____
Christine Webb- Grantsville City Recorder

(S E A L)

MAILING CERTIFICATE

I hereby certify that on the ____ day of November 2018, I mailed a copy of the foregoing Findings and Decision, via U.S. Mail, postage prepaid to the following:

_____

2018-11-21 Regular Meeting

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON NOVEMBER 21, 2018 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH. THE MEETING BEGAN AT 7:00 P.M.

Mayor and Council Members Present:
Mayor Brent Marshall
Krista Sparks
Scott Stice
Tom Tripp
Neil Critchlow
Jewel Allen

Appointed Officers and Employees Present:
Robert Sager, Police Lieutenant
Brett Coombs, City Attorney
Christine Webb, City Recorder
James Waltz, Public Works Director

Citizens and Guests Present:
DeAnn Christiansen

Mayor Marshall led the Pledge of Allegiance.

AGENDA:

1. Summary Action Items.

a. Approval of Minutes from the November 7, 2018 City Council Meeting
b. Approval of Bills in the amount of $91,967.45
c. Approval of the Facts and Findings for the Sheffer minor subdivision

Councilman Stice stated Councilwoman Allen caught something that needed to be corrected on the Facts and Findings. The word “not” was missing from the statement on number 6, item D. Attorney, Brett Coombs, planned to make the correction. Councilman Stice commented that the document stated “the applicant’s request for a major subdivision”. He stated he thought they requested a minor subdivision. Mr. Coombs explained that while discussing this with the City planner, they felt it would be easier to do this as a major subdivision which is required to comply with the minor subdivision requirements. They felt it would eliminate setting precedence.

Motion: Councilman Stice made a motion to approve the summary action items with the correction discussed. Councilman Tripp seconded the motion. The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Tripp, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

2. Discussion of a proposed concept plan for Tooele County Housing Authority, DeAnn Christiansen, and John Clay located at 445 E. Clark Street in the RM-7 and A-10 zones of the Blue Lakes Subdivision.

DeAnn Christiansen represented the Tooele County Housing Authority. She stated they plan to divide the front of the property into single family lots. That property is already zoned RM-7 and then they will subdivide the back into two (2) parcels for Mr. Clay. Councilman Critchlow reported the Planning Commission discussed the road needing to be sixty-six feet. Mrs. Christiansen explained

they are working to determine where the sixty-six foot road will be located to access the back of the property. The plan is for seven (7) homes because they are losing one (1) lot to put in the road. There is a complex process to decide who will be allowed to lease the homes. The applications are processed by an outside company.
The Council pointed out the rodeo grounds are across the street of the proposed development. They discussed the effect the activities at the rodeo grounds will have on the tenants.
Mrs. Christiansen confirmed the next step in the process is to go to the Planning Commission for approval.

3. Mayor and Council Reports.

Mayor Marshall attended the Main Street site progress meeting. The water line is only about a fifth of the way of where we were hoping to be. He met with the Willow Creek Apartments COO, Scott Nieblock, to discuss concerns of the neighbors and problems they have had during the process of upgrading the complex. He attended the unveiling of the statue at the Tooele City Veteran's Park. The statue was placed to bring awareness of suicide to the forefront. Mayor Marshall, Chief Enslsen, Sgt. Allred, and Brent Griffith made a presentation to GHS teacher Oliver Hansen for his heroic actions when Mr. Griffith had a seizure while barbecuing and tipped the grill on top of him. The Mayor stated there was a walkthrough with all parties represented at the Justice Center. There are ten (10) issues that will be addressed and corrected. He attended the Library Board Meeting, the Rural Community Consultants workshop, and the pre-legislative breakfast meeting. He met with the County Commissioners and the Romney Group. The City Christmas party is December 12th at Bonneville Brewery. Santa parade is November 24th at 6:00 p.m.

Councilman Critchlow attended a turkey shoot with some varsity scouts. He thanked Mr. Waltz for the way his crew is handling the cemetery. Councilman Critchlow announced the Live Nativity at the Clark Farm will be held in December. The Fire Department has invited the Council to ride in the new fire truck any time they want. Councilwoman Allen asked what they plan to do with the old fire truck. Councilman Critchlow said they may try to turn it into a heavy rescue truck. The Fire Department Christmas party is on December 8th.

Councilwoman Allen stated the Council has copies of the 1975 Sociable program. She reported that the Historic Preservation Commission (HPC) would like to digitize similar documents. Councilwoman Allen expressed appreciation for the work at the cemetery. She felt there is a good process for owners to retrieve their items. She asked if signs have been placed explaining the new policy. Mr. Waltz answered the signs have been ordered. There is also a sign on the door of the maintenance building explaining that people can pick up their decorations. Councilwoman Allen met with homeowners from South Willow to discuss water concerns. She received a suggestion to develop a water conservancy committee. Councilwoman Allen had a Post Office worker comment to her that Race Street is really hard to drive on. Mayor Marshall is aware of Race Street. Councilwoman Allen attended the Rural Communities workshop.

Councilman Tripp attended the County Commission meeting the night before. He stated there were three interesting items. They had a presentation of their annual audit. The conclusion was that the County is not in compliance with normal budgetary requirements and fiduciary responsibility. Councilman Tripp reported the Commissioners voted to have a tax increase. It was not well received. Shoshone Village was approved and there was already a petition ready to go so that people walking out the door could sign it. Councilman Tripp spent a couple of days at the Utah Association of Counties. He reviewed some of the interesting topics that were covered (medical marijuana, water infrastructure, and statewide growth). He reported that one of the topics presented was that counties should not get involved in municipal services such as water, sewer, etc.

Councilman Stice apologized for missing the Rural Community meeting last week.

Councilwoman Sparks thanked Mr. Waltz for the cemetery. She has received good and bad feedback. She commented that our Christmas snowflakes look good.

Mr. Coombs stated that he sent the West Main Street development agreement to the attorneys for the parties involved last week. He had not heard anything back until today. He expects there will have some edits. It may be on the agenda in two weeks. Mr. Coombs reported that since the election concluded, he has had a few contacts requesting convictions be dropped with the recent vote on medical marijuana.

4. Public Comments.

No comments were offered.

5. Closed Session (Personnel, Real Estate, Imminent Litigation).

The Council did not go into a closed session.

6. Adjourn.

Motion: Councilman Stice made a motion to adjourn. Councilman Tripp seconded the motion. The meeting was adjourned at 7:30 p.m.

Shelby Moore <smoore@grantsvilleut.gov>

Outstanding Water and Wastewater Service Capacity Memos

2 messages

Robert Rousselle [redacted] Mon, Oct 14, 2024 at 5:46 PM
To: Shelby Moore <smoore@grantsvilleut.gov>
Cc: Diane Sawadogo [redacted] Matthew Sanford [redacted] Christy Montierth <cmontierth@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>

Shelby,

Sorry for taking so long on the outstanding water and wastewater service capacity memos. I was catching up last week, but was able to review what Ensign has been prepared late last week providing redlines and we went through them this morning.

The following are our findings for each:

- **North Hale Street Rentals**
  - Existing 4-inch diameter water main will need to be upsized from 4-inch to 8-inch diameter to be able to provide at least 1,000 gpm fire flow with a minimum 20 psi residual from North Street to the development. A fire hydrant will also need to be furnished and installed adjacent to the development as mentioned by the Fire Chief due to the existing fire hydrant spacing not meeting IFC standards.
  - The existing 10-inch diameter sanitary sewer is sufficient in Hale Street. It is close to capacity, but it was this way before adding the additional estimated sewer flows from this development.
    - *Note: The sewer model will need to be updated at some point with actual survey information as it appears some of it is out of date when compared to the record drawings we have.*
- **West Haven**
  - This development should meet the minimum pressures and fire flow requirements with 8-inch water lines.
  - The sewer model did not show any downstream sewer capacity issues with this additional development.
- **Presidents Park PUD Phase 2**
  - This development should meet the minimum pressures and fire flow requirements with 8-inch water lines.
  - The sewer model did not show any downstream sewer capacity issues with this additional development.
- **Deseret Meadows**
  - The development will meet the minimum pressures and fire flow requirements with 8-inch water lines within the development, but will need to connect and extend the 12-inch water line in SR-112 to the southeast property proposed to be constructed by Twenty Wells. The development will also need to connect to the existing water line in Durfee Street and extend at least a 10-inch diameter water line to Sheep Lane through the Lakeview Business Park. The Lakeview Business Park Master Plan shows a 10-inch line at full buildout, see image below. The Airport PRV on Sheep Lane will need to be adjusted to match the other pressure zone 2/1 PRVs settings with consideration for meeting the fire flow requirements at the Tooele Valley Airport.



- Depending on the phasing and construction timing of this development, water line sizes may need to be increased for phases in order to provide adequate fire flows and meet minimum pressures during the various demand scenarios.

- The sewer model did not show any downstream sewer capacity issues with this additional development, but we will be double checking to make sure we are showing all the future Lakeview Business Park, Purple Mattress, UMC, Deseret Peak, and Tooele Valley Airport sewage flows in this line.

We anticipate sending out memos tomorrow, 10/15, to the City for these developments. Let me know if there are any questions.

Robert Rousselle, P.E., LEED-AP | Associate
[redacted]

ENSIGN
THE STANDARD IN ENGINEERING

CONFIDENTIALITY NOTICE: The content of this e-mail is confidential and proprietary privileged. If you are not the intended recipient, please destroy it.

Shelby Moore <smoore@grantsvilleut.gov> Tue, Oct 15, 2024 at 12:12 PM
To: Robert Rousselle [redacted]
Cc: Diane Sawadogo [redacted] Matthew Sanford [redacted] Christy Montierth <cmontierth@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>

Thanks for the update.

SHELBY MOORE
Planning & Zoning Administrator
Department of Public Works
Office: (435) 884-4604
Email: Smoore@Grantsvilleut.gov

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2 attachments

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AGENDA ITEM # 4

Proposed amendment to the Grantsville City General Plan and Future Land Use Map for "The Place" to go from a Rural Residential 1 (RR-1) designation to a Mixed-Use Density (MU) designation, located at approximately 799 N. 600 W.

AGENDA ITEM # 5

Proposed Rezone for "The Place" to go from zoning designation A-10 to MU, located at approximately 799 N. 600 W.

Re-Zone Application

Date: 10/16/2024

Developer / Engineer

Developer Name:	Shelby Moore	Engineer Name:	
Address:		Address:	
City, State, Zip:		City, State, Zip:	
Phone:	[redacted]	Phone:	
Email:		Email:	

Owner Information

Owner Name:	Shelby Moore	Phone:	[redacted]
Address:		Email:	
City, State, Zip:			

Location

Contact Type:	Property Owner	Development:	The Place
Permit Type:	Re-Zone	# of Acres:	25.98
Development Type:	Minor	Total Lots:	1
Site Address:	799 N. 600 W.	Lot Sizes:	25.98
City, State, Zip:		Current Zoning:	A-10
Site Parcel #:	01-062-0-0085		

Project Description: Rezone property from A-10 to MU. General plan amendment is also required because it is zoned RR-1 on the Future Land Use map.

I (We) understand that the Planning Commission shall not authorize a CUP / PUD unless the evidence presented is such as to establish that such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, and the proposed use will comply with the regulations and conditions specified in the Grantsville City zoning ordinance for such use.

Shelby Moore	10/16/2024
Name	Date

Planning and Zoning
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674

Permit # 2024110

Staff Report Summary for
The Place Property
General Plan Amendment & Rezone

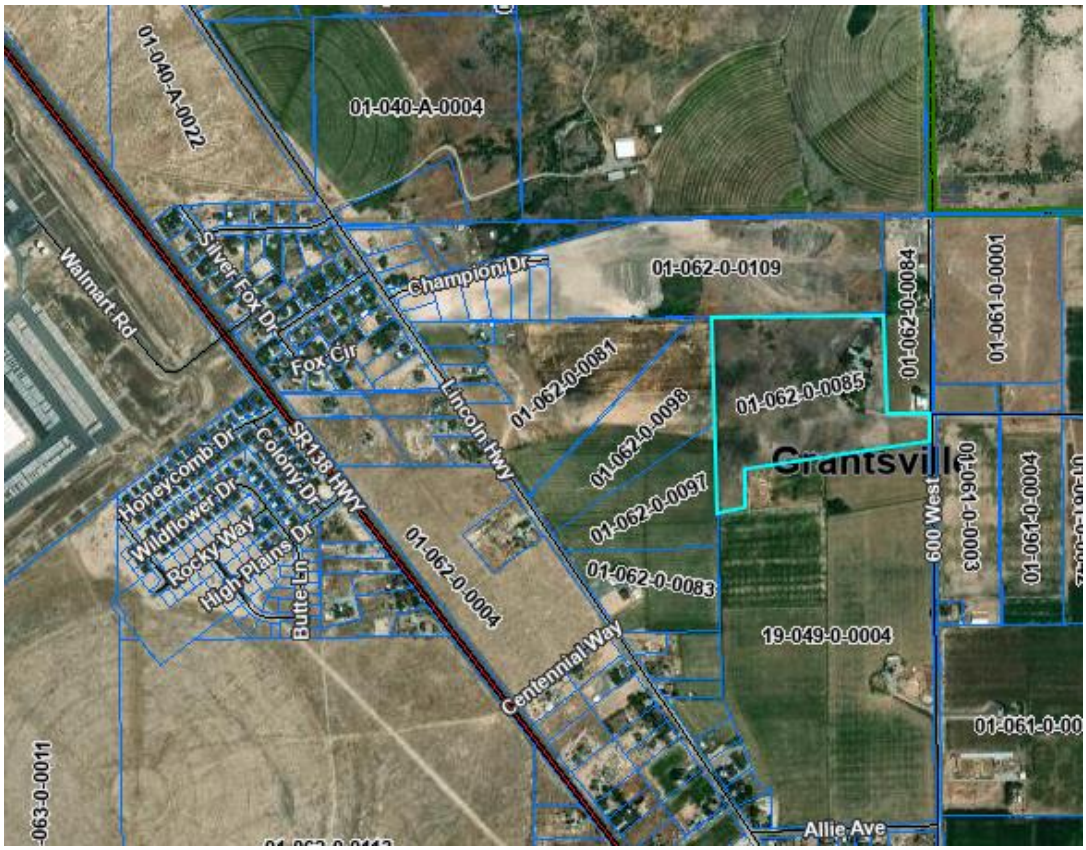
Parcel ID: 01-062-0-0085
Property Address: 799 N. 600 W.
Applicant Name: Shelby Moore
Request: Amend General Plan from RR-1 to MU & Rezone from A-10 to MU
Prepared By: Jaina Bassett

Meeting Date: 11/7/2024
Public Hearing Date: 11/7/2024
Current Zone: A-10
Future Land Use Zone: RR-1
Proposed Zone: MU
Acres: 25.98

Planning Staff Explanation and Recommendation: Consideration of the proposed amendment to the Grantsville City General Plan and Future Land Use Map for "The Place" to go from a Rural Residential 1 (RR-1) designation to a Mixed-Use Density (MU) designation, and to Rezone from A-10 to MU.

Staff recommends that if the public comments are generally in favor of the proposed action, Planning Commission take favorable action on the General Plan Amendment and Rezone. This recommendation is based upon the fact that the amendment to General Plan and Future Land Use Map will then allow for the Rezone of the property to MU, which generally fits with the surrounding properties. If approving, the General Plan Amendment must be approved prior to approving the Rezone.

VICINITY MAP



PLANNING STAFF ANALYSIS AND COMMENTS

Current Zoning: This 25.98 parcel is currently zoned A-10. Properties directly adjacent to this one are currently zoned A-10 and RR-1, with nearby properties in a variety of zoning designations including RR-1, R-1-21, PUD, MU, RM-7, RR-5, and MD.

14.1 Agricultural Districts - A

The purposes of providing an agriculture district are to promote and preserve in appropriate areas conditions favorable to agriculture and to maintain greenbelt spaces. These districts are intended to include activities normally and necessarily related to the conduct of agriculture and to protect the district from the intrusion of uses inimical to the continuance of agricultural activity.

(1) Minimum Lot Size: .....10 acres.

(2) Minimum Width at Front and Rear Setback .....165 feet.

(3) Minimum Frontage (at the property line on a public street or an approved private street) .....100 feet.

(4) Minimum Yard Setback Requirements: (Amended 9/01)

Front Yard .....40 feet. Rear Yard .....60 feet Side Yard .....20 feet Rear Yard for Accessory Buildings .....7.5 feet On corner lots, 2 front yards and 2 rear yards are required.

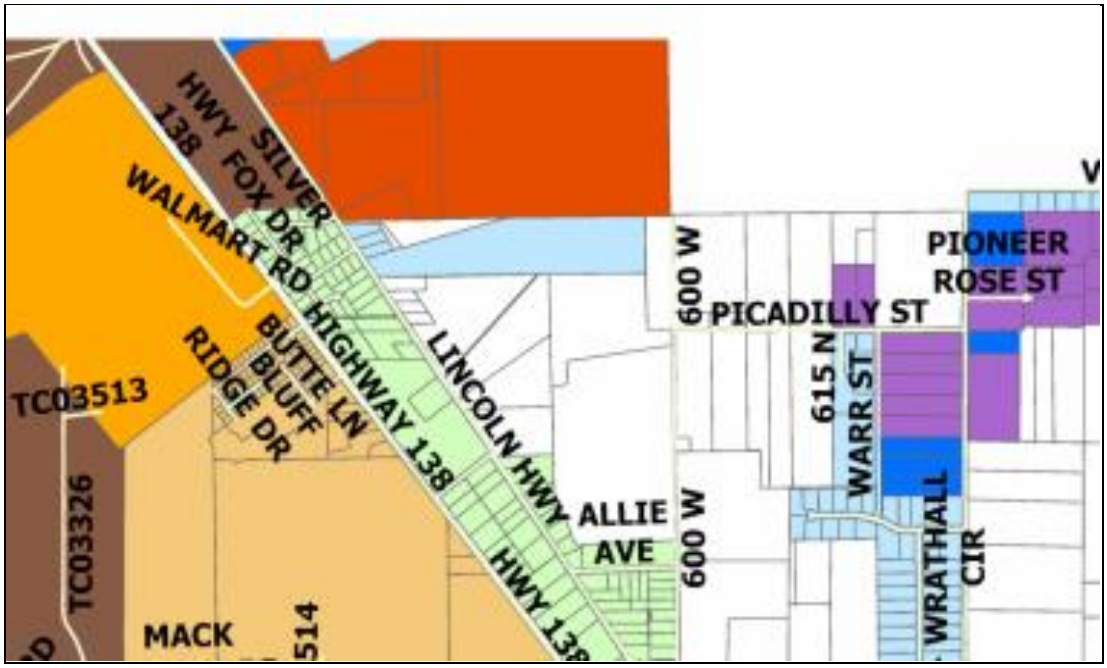
(5) Maximum Building Height .....45 feet

(6) Required Improvements:

Street grading Street base

Street Pavement to center line or minimum paved width (per GLUMDC 21.6.3), whichever is greater

Surface drainage facilities Waste water disposal Culinary water facilities Street name signs





Future Land Use Zoning: This parcel is zoned RR-1 on the Future Land Use Map. Properties directly adjacent to this one are zoned RR-1, with nearby properties mostly in the RR-1 and MU zoning designations.

14.5 RR-1 Development Restrictions

The development restrictions in the RR-1 zoning districts are as follows:

(1) Minimum Lot size .....1 acre

(2) Minimum Width at Front and Rear Setback .....125 feet

(3) Minimum Frontage (at the property line on public street or an approved private street) .....70 feet

(4) Minimum yard Setbacks Requirements

Front Yard .....40 feet Rear Yard for Main Structures .....30 feet Rear Yard for Accessory Bldg .....2 feet* Side Yard for Accessory Buildings .....4 feet* Side Yard for Main Structures ……..…… 15 feet Total width of both Side Yards .....40 feet On corner lots, 2 front yards and 2 side yards are required

*Setback shall be as listed or match the easement width, whichever is greater

(5) Maximum Bldg Height .....35 feet, or a basement and two (2) floors, whichever is less

(6) Maximum Bldg Coverage .....20 %

(7) Required Improvements:

Street grading Street base

Street Pavement to centerline or minimum paved width (per GLUMDC 21.6.3), whichever is greater

Surface drainage facilities Waste water disposal Culinary water facilities Street name signs Fire hydrants Street monuments



Mixed–Use Density
(A mixture of commercial/retail and residential uses, allowing up to 10 units per acre where surrounding uses are compatible. Heights are limited to two stories or a maximum of 35' above grade at street. Three stories above grade at street and/or 15 units per acre may be approved with special considerations of landscaping, buffering and architectural design that fit the scale of the surrounding properties in the zone.)

High Single Family Density Residential
(Residential uses, allowing a maximum of 6 dwelling units per acre)

Medium Density Residential
(Residential uses, allowing a maximum of 3 dwelling units per acre)

Low Density Residential
(Residential use, allowing a maximum of 2 dwelling units per acre)

Rural Residential – 1
(Residential use with applicable rural land uses, allowing 1 dwelling unit per one to ten acres)

Proposed Zoning: The Proposed zoning is MU.

Chapter 19a Mixed Use District

19a.1 Purpose And Intent

(1) The purpose of the Mixed-Use District is to allow for the establishment of commercial properties integrated with subordinate residential uses. Planned Unit Developments are required in this zone. Developments in the Mixed-Use zone shall be designed so as to integrate the residential and commercial components into one harmonious development and to be compatible with the existing or anticipated uses on the surrounding properties.

(2) While achieving a mix of commercial and residential uses in Mixed Use developments is the goal, the priority is to create a commercial core that is located on the City's major streets, and specifically along Main Street. To accomplish this goal, properties of less than one acre fronting major streets such as Main Street shall be developed as commercial only or a commercial/residential mix with the commercial fronting the street. All properties developed under the Mixed Use District that are one acre or greater shall include at least 50% of the land area as commercial fronting the major street. Master planning of multiple contiguous properties is encouraged in order to integrate the proposed development harmoniously into the surrounding neighborhood.

(3) This land use district, in conjunction with the City's Land Use Element, recognizes that in order for the City to be a well-rounded community, many different housing styles, types and sizes should be permitted.

(4) Architectural design, scale and heights of development are designed to fit the scale and aesthetics of the surrounding properties in the district..

19a.2 Permitted Uses

(1) This district shall allow residential developments and those uses allowed in the C-N, C-S, and C-G districts as permitted or conditional uses as specified in the regulations for these districts.

19a.3 Minimum Lot Sizes

(1) The minimum lot size for single family and twin-home dwellings is 4,000 square feet per unit.

(2) Attached dwelling unit residential development shall meet the minimum lot requirements found in GLUMDC 4.34.

19a.4 Setbacks/Yard Requirements

(1) Setbacks/yard requirements are intended to describe the amount of space required between buildings and property lines. All buildings in this zone, including accessory buildings, are required to maintain a minimum distance from property lines as follows:

(a) Front: 25 feet.

(b) Sides (single family and twin homes): 7.5/10 feet or PUE dimension, whichever is greater. If twin-homes are attached to the property line, a setback of 15 feet (15') on each side.

(c) Rear: 20 feet.

(d) Corner lots (single family and twin homes): In order to maintain an adequate site triangle, there shall be a minimum setback on corner lots as follows: 25 feet on each side fronting a street, with 10 foot setback for the interior side.

(e) All accessory buildings in this zone are required to maintain distances from property lines and other dwelling units as follows: sides and rear 7.5 feet.

(f) Mixed use buildings fronting Main Street and containing main floor commercial uses may allow the commercial uses to abut the street side property line with a portion of the building containing the main entrance to the commercial use, if an adjacent street side property is currently similarly configured.

(g) Commercial buildings (excluding residential) shall conform to the commercial requirements found in the applicable commercial district (CN, CS & CG) for the equivalent type of use and size.

(h) Attached dwelling unit residential development shall meet the setbacks/yard requirements found in GLUMDC 4.34.

19a.5 Minimum Lot Frontage

(1) For single family and twin homes, the minimum lot frontage/lot width shall be not less than 50 feet.

(2) Attached dwelling unit residential development shall meet the requirements found in GLUMDC 4.34.

(3) All other uses in this district shall have at least 100 feet of frontage along a public street.

19a.6 Maximum Height Of Structures

(1) No structure in this zone shall exceed a maximum of three (3) stories in height or 35 feet above grade at street.

19a.7 Minimum Dwelling Size

(1) Every dwelling unit in this zone shall contain a minimum of 900 square feet of living space.

19a.8 Landscaping Requirement

(1) There shall be a minimum requirement of 25% of the total project area to be used for landscaping. All sensitive lands shall be protected as part of the landscaped area of any development. This requirement may be calculated by including open space, landscaped setback areas and landscaped common areas.

NEIGHBORHOOD RESPONSE

Public notice letters for the public hearing on November 7, 2024, of both the General Plan Amendment and the Rezone, were sent October 28, 2024. No public comments have been received yet regarding this item. Any comments received after the creation of this staff report will be forwarded to the Planning Commission via email, and included in the meeting packet and minutes.

AGENDA ITEM #6

Discussion of the proposed PUD for the Brentwood subdivision, located at approximately 810 E. Main St., including consideration of the concept plan and variance table.

Grantsville City Planning Commission

November 7, 2024
Public Hearing

Proposed PUD for the Brentwood subdivision, located at approximately 810 E. Main St., including consideration of the concept plan and variance table.

Notice is hereby given that in accordance with the provisions of Section §10-9A-205 and §10-9a-502 of the Utah Code, the Grantsville Planning Commission will hold a discussion and public hearing on **November 7, 2024 at 7:00 p.m.** at Grantsville City Hall. The meeting will also be broadcast on Zoom. The discussion, public hearing and meeting are to receive public input and consider action on the **Public Hearing of the proposed PUD for the Brentwood subdivision, located at approximately 47 S. Main St., including consideration of the concept plan and variance table** and make a recommendation to the City Council.

You can view a copy of the agenda and packet online by 5:00pm on November 1, 2024 at the link below:
https://grantsvilleut.gov/departments/community___economic_development/planning_commission.php

Or by emailing jbassett@grantsvilleut.gov. All comments and concerns need to be sent in writing through email or mail and received no later than 12:00pm on November 7, 2024.

Dated this 28th day of October, 2024

BY ORDER OF THE GRANTSVILLE PLANNING COMMISSION

Shelby Moore
Zoning Administrator

Scan QR code above or use the link below to join Zoom meeting.
https://us02web.zoom.us/j/83837749384
Meeting ID: 838 3774 9384

Planning and Zoning
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674

Permit # 2024090

Staff Report Summary for Brentwood Planned Unit Development

Parcel ID(s):
Property Address: 810 E. Main St.
Applicant Name: Nathan Shipp
Request: Discussion of PUD Application
Prepared By: Shelby Moore

Meeting Date: 11/7/2024
Public Hearing Date: 11/7/24
Current Zone: RM-15
Proposed Density: 146
Acreage: 13.17

Planning Staff Explanation and Recommendation: Discussion of the Brentwood Planned Unit Development Application.

PUD Objectives Work Sheet:

PUD Standards for Determination 12-14-2:

As the PUD is a type of conditional use, it is required to consider the standards for determination found in Section 7.8 of the Conditional Use Ordinance. The applicant's responses to the standards are located in the attached PUD Application Worksheet. The applicant has addressed all of the standards that they feel are applicable. Standards H and I are determined by the Planning Commission. Those standards are:

(h) That some form of a guarantee is made assuring compliance to all conditions that are imposed;

(i) That the conditions imposed are not capricious, arbitrary or contrary to any precedence set by the Planning Commission on prior permits, which are similar in use and district, unless prior approvals were not in accordance with the provisions and standards of this ordinance

Exceptions Requested:

The applicant has provided a table of deviations to the ordinances (see attached) and noted some of the same deviations on the PUD Application Worksheet.
It is recognized that the specific exceptions requested are not referencing specific ordinances. Many of these items may be addressed in multiple ordinances and by considering the specific request without reference to a specific ordinance, it will apply to any ordinance that inadvertently did not get referenced. This will lessen the conflicts as each of these exceptions is specific to the item requested, not the remainder of the language in the ordinance.
Please review the table and discuss which exceptions on the applicant's table are acceptable, and which are not.

Buffer:

GLUDMC Chapter 9 discusses Landscaping and buffers between disparate uses. GLUDMC Section 4.17 discusses the need for fencing. While this application was submitted before the current Amendments to Chapter 12 were approved the Applicant has been willing to utilize the concept of buffering by transitioning to smaller lots and other types of residential uses through locating similar or slightly smaller single-family lots along the existing Anderson Ranch Subdivision. They were also willing to create a landscape buffer between the townhouses and the Anderson Ranch Subdivision in earlier versions of the concept. The current concept shows commercial located on SR-112 adjacent to neighbors to the west in Anderson Ranches. This will also require a landscaped buffer, fencing and controls on lights and types of uses to mitigate the potential negative effects on the neighboring residents.

Parking:

Per GLUDMC Chapter 12.2 1 notes that the Planning Commission does not have authority to waive public health and safety issues such as the quantity of parking required by the code.

Parking is considered a public health and safety issue because inadequate parking availability typically leads to vehicles parking in restricted areas such as in front of fire hydrants, driveways, sticking out in the street blocking sidewalks and impeding traffic and other restricted areas which impedes the ability for emergency ingress and egress. Therefore, it will be important that the proposed development comply with the necessary parking requirements found in GLUDMC Chapter 6 offstreet parking and loading and GLUDMC Section 4.34 Multi-Unit Residential Development.

Site Triangle:

The site triangle is another public health and safety issue that Planning Commission is not allowed to waive. GLUDMC 4.16 regulates this requirement. At intersections the site triangle must be 30 feet along the inside of the sidewalk running both directions. A driveway may not encroach in the site triangle. Public Utility and Access Easements: Provision of utilities and services public services requires easements on lots. The easement requirements are described in GLUDMC Section 21.6.8 As there is not a great deal of detail and specificity at this point it is assumed that the proposed project will comply with dimensions found in the code for the required easements. This again is considered a public health and safety issue that Planning Commission is not allowed to waive.

CONDITIONS & CONCLUSIONS

As part of our ongoing assessment of the Brentwood Subdivision Planned Unit Development (PUD), I have conducted a thorough analysis to address several key aspects related to the project. With a total area spanning 13 acres, the development has generated both excitement and concerns within the community.

Key features and amenities included in the Brentwood Subdivision PUD have been carefully designed to enhance the quality of life for its future residents. The project incorporates a mix of residential units and green spaces to promote a sense of community and well-being. In addition, there are plans to integrate a dog park, for the needs of residents.

One of the primary concerns raised by City staff is the lack of a secondary access point to the development. This issue poses potential risks in terms of emergency response times and traffic congestion, and thus warrants further attention and solutions to ensure the safety and convenience of future residents.

In conclusion, the project is anticipated to create job opportunities and support local businesses through the construction phase. By addressing key concerns such as the lack of a secondary

access point and incorporating green spaces, the project is poised to enhance the quality of life for its future residents while supporting local economic activity.

Conditions:

1. The applicant will need to obtain an easement from the adjoining property for the remaining half width of the Collectors road.

*** Disclaimer: Please be advised that at no point should the comments and conclusions made by The City staff or the conclusions drawn from them be quoted, misconstrued, or interpreted as recommendations. These inputs are intended solely for the legislative body to interpret as deemed appropriate.*

The information provided is purely for the legislative body to interpret in their own right and context. It is crucial to maintain the integrity and context of the information shared, as it is meant to assist in the decision-making process without implying any endorsement or directive, but it is essential that it is understood within the appropriate scope.

MEMORANDUM

ENSIGN
THE STANDARD IN ENGINEERING

Structural Engineering
Municipal Services
Civil Engineering
Land Surveying

Date: October 28, 2024

To: Shelby Moore
Grantsville City
336 W Main Street
Grantsville, UT 84029
Transmitted Via Email: smoore@ensignutah.com

From: Robert Rousselle, PE – Contract City Engineer

RE: **Brentwood Subdivision**
Grantsville, UT 84029

The purpose of this memorandum is to review and provide comments on the PUD Concept Plan, Exceptions Table, Exhibit 1 (Sight Triangle), and Exhibit 2 (Sight Triangle) sent by Shelby Moore on October 23rd, 2024 for the Brentwood Subdivision.

Disclosure: Jacob Clegg with Ensign Engineering completed the PUD Concept Plan, Exceptions Table, and Sight Triangle Exhibits associated with this development.

The following are comments and considerations.

Concept Plan prepared by Ensign Engineering dated October 7, 2024

1. Refer to comments on Sight Triangles Exhibits.

2. Applicant is aware private sewage lift station would be required to tied into the sewer manhole at the intersection of SR-112 and Main Street.

3. City water has not been modeled for this development. However, the water model shows excellent pressure in this area. Development will require looping within the development and potentially two (2) water main connections in SR-138 (Main Street).

    a. Note: The 12-inch water main in Main Street ends approximately 100-feet east of the intersection of SR-112 and Main Street. If a large water main connection is required in Main Street, the 12-inch diameter water main would need be extended east.

4. Private road sections will need to have mountable curbs into driveways. This will be worked out during design when preliminary application(s) are submitted.

5. ADA accessibility will need to be included in design when preliminary application(s) are submitted. ADA parking is acknowledged on the drawings.

6. Is the City okay with the storm water retention basin as a dog park?

a. Note: This will be an HOA owned and maintained basin.

7. “Crash Gate” will need to be reviewed by City Fire Department when preliminary application(s) are submitted.

8. What is the status of negotiations for the realignment of the road within Maverick’s property?

9. Has property, right-of-way, or an easement been purchased through the neighboring property for the 2nd access to SR-112? It appears the proposed ROW is on potentially two adjacent properties.

Exceptions Table prepared by Engineering dated October 7, 2024

1. Refer to comments on Sight Triangles Exhibits.

Sight Triangles Exhibits (Exhibit 1 and Exhibit 2) prepared by Ensign Engineering dated October 7, 2024

1. Legs (b) shown in the Exhibits (Figure 9-17 from AASHTO Green Book) are shown correctly for the intersection sight distance for passenger cars - Case B1, Left Turn from Stop (Table 9-7 AASHTO Green Book) and Case B2, Right Turn from Stop (Table 9-9 AASHTO Green Book) with a design speed of 25 mph.

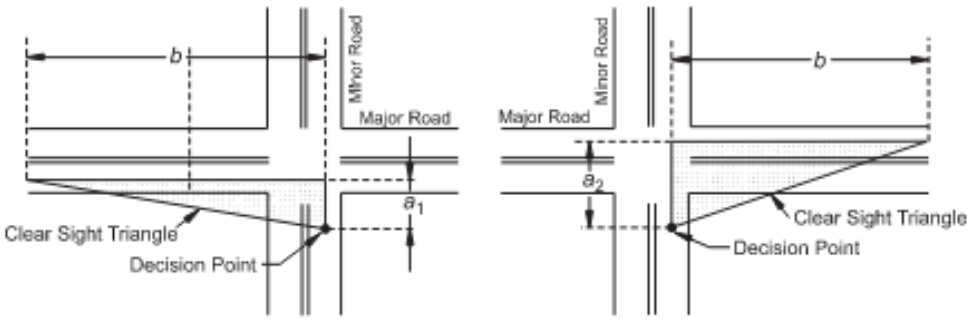
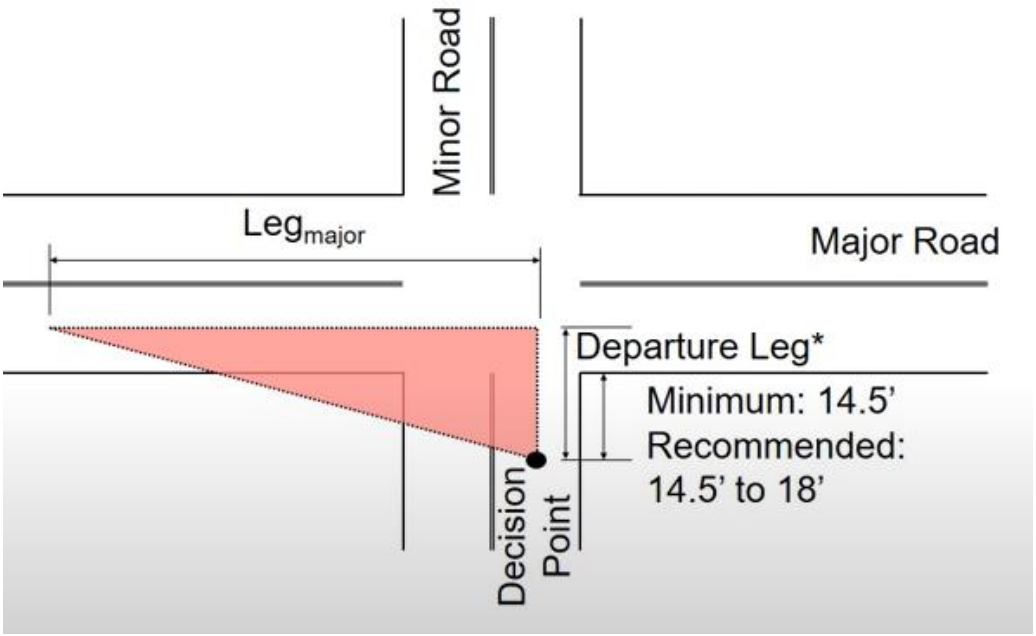


Figure 9-17. Departure Sight Triangles for Intersections

However, the following are incorrect on these exhibits and need to be updated.

a. The front of the vehicle should be behind the stop sign and stop bar. The stop sign and bar locations will need to be confirmed.

b. The departure leg (a_1 or a_2) is shown to begin at the front of the vehicle, but should be where the driver's eye is located. The departure leg (a_1) should include a half lane with plus a minimum of 14.5-feet to 18-feet if space allows from the edge of the travel lane, see below. Driver's eye and object height are both 3.5-feet.



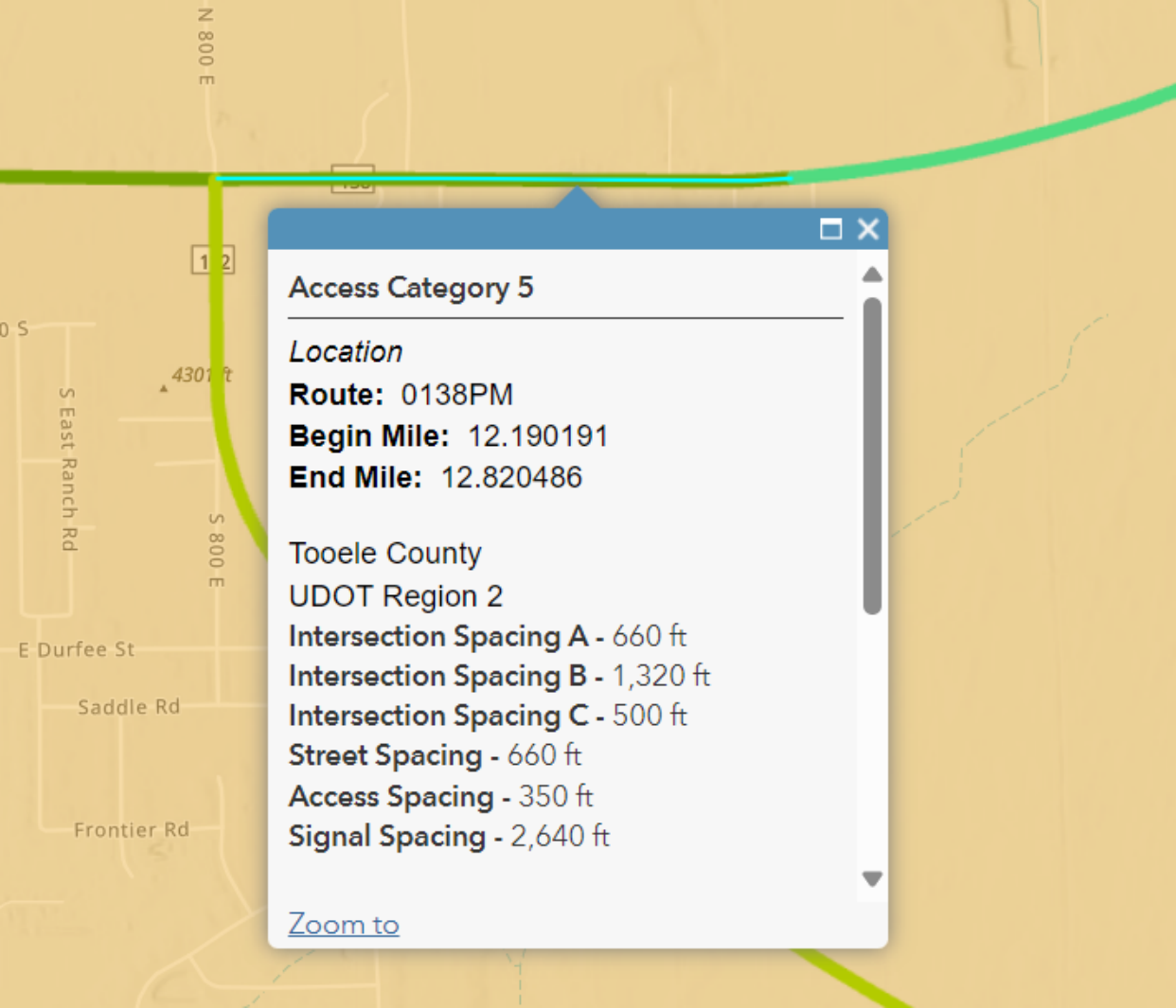
c. The leg of the sight triangle should be to the center of the travel lane, see Figure 9-17 from the AASHTO Green Book.

2. Refer to Grantsville City Land Use Code 4.16 Clear View of Intersecting Streets.

If you have any questions concerning the information noted above, feel free to contact me at any time.

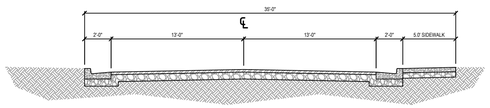
Regards,

Robert J. Rousselle, P.E.
Contract City Engineer


N 800 E
S East Ranch Rd
S 800 E
E Durfee St
Saddle Rd
Frontier Rd
Access Category 5
Location
Route: 0138PM
Begin Mile: 12.190191
End Mile: 12.820486
Tooele County
UDOT Region 2
Intersection Spacing A - 660 ft
Intersection Spacing B - 1,320 ft
Intersection Spacing C - 500 ft
Street Spacing - 660 ft
Access Spacing - 350 ft
Signal Spacing - 2,640 ft
Zoom to

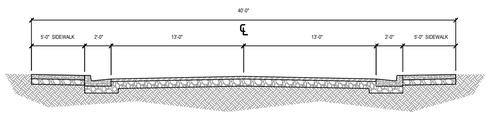
CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

811 Know what's below. Call before you dig.



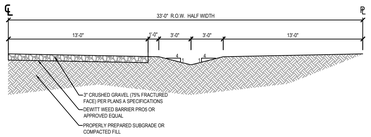
1 35' PRIVATE ROAD CROSS SECTION

SCALE: NONE



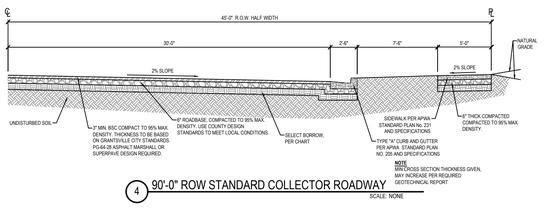
2 40' PRIVATE ROAD CROSS SECTION

SCALE: NONE



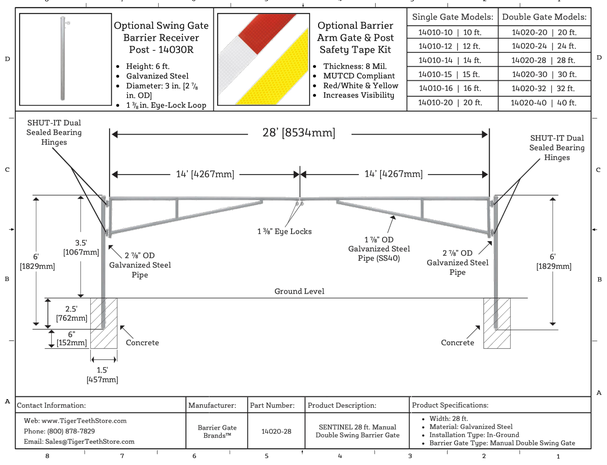
3 66' PRIVATE ROAD CROSS SECTION

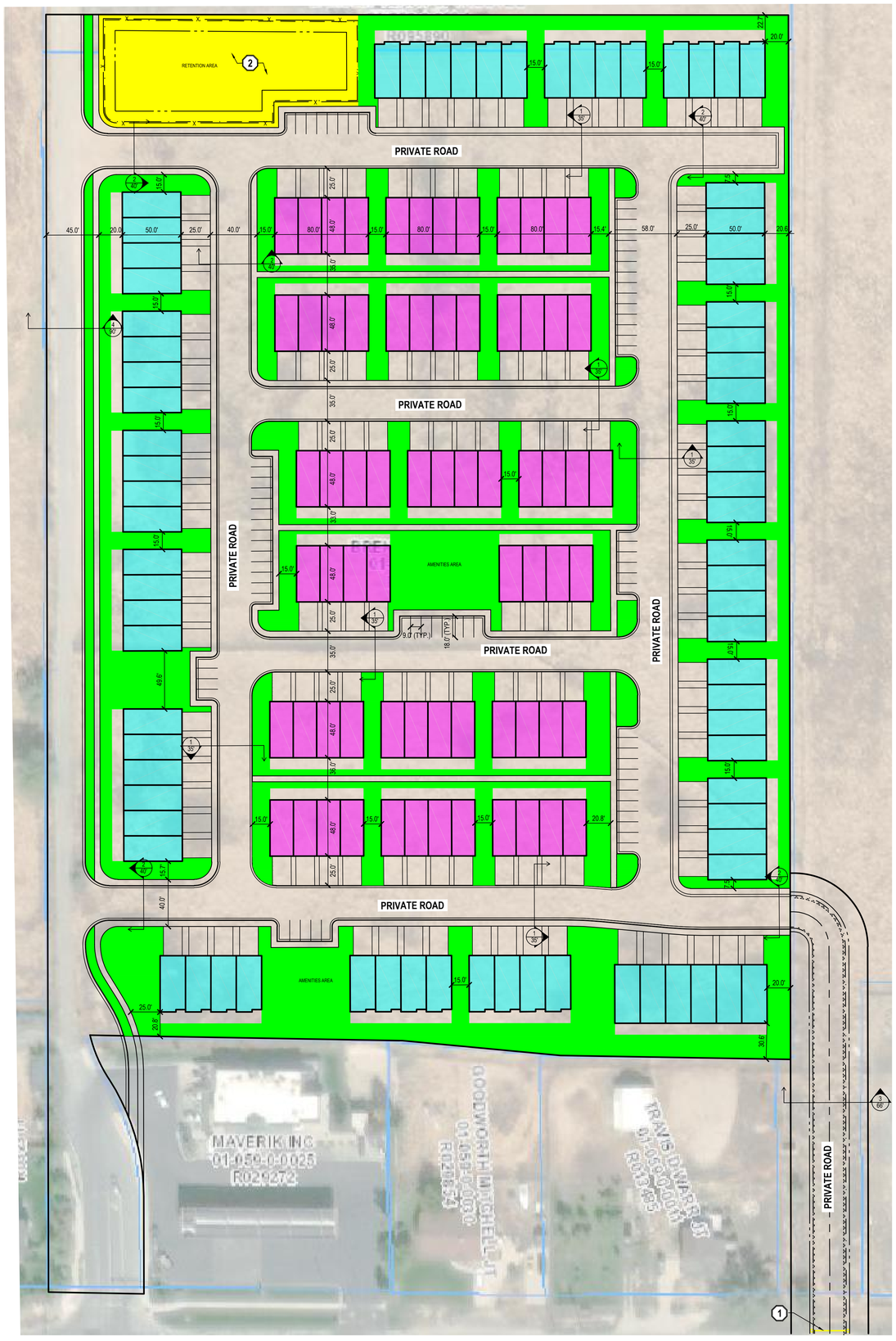
SCALE: NONE

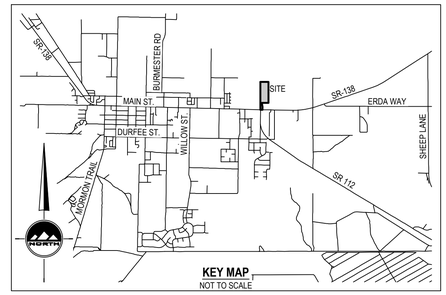


4 90'-0" ROW STANDARD COLLECTOR ROADWAY

SCALE: NONE







GENERAL NOTES

1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
3. SEE LANDSCAPE/ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND SCORE PATTERNS THROUGHOUT SITE.
4. ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).
5. ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOD, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
6. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
7. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

SCOPE OF WORK:

PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

1. CRASH GATE PER DETAIL THIS SHEET OR SIMILAR. GATE ACCESSIBLE ONLY FOR EMERGENCIES.
2. SOD LINED POND HOLDING 4' OF WATER; TO BE USED AS A DOG PARK. 4' BLACK CHAIN LINK FENCE AROUND DOG PARK. HOA OWNED AND MAINTAINED.

AREA CALCULATIONS TABLE

DESCRIPTION	AREA PROPOSED (sq. ft.)	AREA PROPOSED (acres)	PERCENTAGE PROPOSED
(146) TOWNHOME UNITS	150,603 sq. ft.	3.457 acres	26.25%
OPEN SPACE	118,879 sq. ft.	2.729 acres	20.72%
POND/DOG PARK	20,097 sq. ft.	0.461 acres	3.50%
HARDSCAPE	284,145 sq. ft.	6.523 acres	49.53%
TOTAL SITE	573,724 sq. ft.	13.171 acres	100.00%
OFFSITE AREA	2,352 sq. ft.		

-13.171 TOTAL ACRES
10% REQUIRED FOR OPEN SPACE= 1.317 ACRES OF OPEN SPACE TO BE MAINTAINED BY HOA
-13.171 MINUS 1.317 =11.854 ACRES

-2.82 ACRES OF ROADWAY

-11.854 ACRES MINUS 2.82 ACRES OF ROADWAY= 9.034 ACRES TO BE DEVELOPED

SITE SUMMARY TABLE

DESCRIPTION	RM-15 CODE	4.34 CODE	PROPOSED
TOWNHOME UNTIS	50	164	146

PARKING SUMMARY TABLE

STALL TYPE	PARKING STALLS
STANDARD	68
HANDICAP	3
VAN HANDICAP	1
TOTAL STALLS	72

PARKING REQUIREMENTS:

-PER GRANTSVILLE CITY CODE 4.34 F:
PARKING FOR THE FIRST TEN (10) UNITS SHALL PROVIDE ONE (1) SEPARATE DESIGNATED VISITOR PARKINGN STALL PER DWELLING UNIT. EACH UNIT OVER THE FIRST TEN (10) DWELLING UNITS, ONE (1) ADDITIONAL PARKING STALL FOR EACH TWO (2) DWELLING UNITS SHALL BE PROVIDED.

-NUMBER OF TOWNHOME UNITS: 146
-NUMBER OF TOWNHOME UNITS WITHOUT EXCEPTIONS: 118
-NUMBER OF TOWNHOME UNITS FOR AFFORDABLE HOUSING: 28

1 STALL FOR THE FIRST 10 UNITS
FOR THE REMAINING 136 UNITS 68 STALLS ARE REQUIRED

TOTAL STALLS REQUIRED: 69 STALLS

TOTAL STALLS PROVIDED: 70 STALLS

-PER GRANTSVILLE CITY CODE 6.6:
TOTAL PARKING SPACES BETWEEN 51 THROUGH 75 ARE REQUIRED TO HAVE A MINIMUM OF 3 ADA ACCESSIBLE SPACES AND 1 VAN ACCESSIBLE SPACE

UNIT BREAKDOWN

TOWNHOMES	QUANTITY OF UNITS
FRONT LOADED	78
REAR LOADED	68
	146

NORTH

HORIZONTAL GRAPHIC SCALE

50 0 25 50 100

(IN FEET)
HORZ: 1 inch = 50 ft.

ENSIGN
THE STANDARD IN ENGINEERING

TOOELE
169 N. Main St, Unit 1
Tooele, UT 84074
Phone: 435.843.3590

SANDY
Phone: 801.255.0529

LAYTON
Phone: 801.547.1100

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
DAI
14034 S 145 E STE 204
DRAPER, UTAH 84020

CONTACT:
NATHAN SHIPP
PHONE: 801-529-6145

BRENTWOOD ESTATES

815 E MAIN STREET
GRANTSVILLE, UTAH

CONCEPT

PROJECT NUMBER 13191
PRINT DATE 2024-10-07
PROJECT MANAGER J. CLEGG
DESIGNED BY D. GEVERTS

C-1

Brentwood Estates PUD - Grantsville, UT

Development Standards

Proposed Residential Uses	**Brentwood Townhomes (Type 1) (Rear Load Garage)**		**Brentwood Townhomes (Type 2) (Front Load Garage)**		**Brentwood Townhomes (Type 1) (Rear Load Garage)**		**Brentwood Townhomes (Type 2) (Front Load Garage)**	
Most Similar GLUDMC Requirement*	**Section 4.34 Multi-Unit Residential Development**		**Section 4.34 Multi-Unit Residential Development**		**RM-15**		**RM-15**	
Description	Code Requirement	Proposed Exceptions	Code Requirement	Proposed Exceptions	Code Requirement	Proposed Exceptions	Code Requirement	Proposed Exceptions
Minimum Lot Size	2,400 SF.	1660 SF	2,400 SF.	1842 SF	8,000 SF.	1660 SF	8,000 SF.	1842 SF
Minimum Size Corner Lots					10,000 SF.		10,000 SF.	
Additional Area for Each Additional Dwelling Unit on Lot					8,000 SF. of the lot area		4,000 SF. Of the lot area	
Minimum Dwelling Unit Footprint	1,000 SF Main Floor Incl. Garage	960 SF Main - Two Floors of Living Space (20'x48')	1,000 SF Main Floor Incl. Garage	998 SF Main - Two Floors of Living Space (21'-8"x48')				
Minimum Lot Frontage	30 Feet	20 feet	30 Feet	21.7 feet	60 Feet	20 feet	60 Feet	21.7 feet
Minimum Yard Setbacks								
Front Yard	25 Feet		25 Feet		25 Feet		25 Feet	
Rear Yard								
Main Building	20 Feet	10 Feet	20 Feet		20 Feet	10 Feet	20 Feet	
Accessory Building	N/A		N/A		N/A		N/A	
Side Yard								
Main Building	7.5 Feet		7.5 Feet		7.5 Feet		7.5 Feet	
Accessory Building	N/A		N/A		N/A		N/A	
Multi-Unit Building Spacing	30 Feet	15 Feet	30 Feet	15 Feet	30 Feet	15 Feet	30 Feet	15 Feet
Corner Side Yard	25 feet on each side fronting a street	15 Feet For One Side of Street, (If Sight Triangles Allow)	25 feet on each side fronting a street	7.5 Feet For One Side of Street, (If Sight Triangles Allow)	25 feet on each side fronting a street	15 Feet For One Side of Street, (If Sight Triangles Allow)	25 feet on each side fronting a street	7.5 Feet For One Side of Street, (If Sight Triangles Allow)
Maximum Building Height	35 Feet		35 Feet		35 Feet		35 Feet	
Landscape buffering	50 Feet	20 Feet	50 Feet	20 Feet	50 Feet	20 Feet	50 Feet	20 Feet

* The approval has been made based on a concept drawing which determines where each type of use will be applied .

** Unlisted items shall revert back to RM-15

***Side yard setback is for private road. Next to public ROW 25' side setback shall apply.

Brentwood Estates PUD - Grantsville, UT **Updated Deviation Table**

Development Standards

Proposed Residential Uses	**Brentwood Townhomes (Type 1) (Rear Load Garage)**		**Brentwood Townhomes (Type 2) (Front Load Garage)**		**Brentwood Townhomes (Type 1) (Rear Load Garage)**		**Brentwood Townhomes (Type 2) (Front Load Garage)**	
Most Similar GLUDMC Requirement*	**Section 4.34 Multi-Unit Residential Development**		**Section 4.34 Multi-Unit Residential Development**		**RM-15**		**RM-15**	
Description	Code Requirement	Proposed Exceptions	Code Requirement	Proposed Exceptions	Code Requirement	Proposed Exceptions	Code Requirement	Proposed Exceptions
Minimum Lot Size	2,400 SF.	1660 SF	2,400 SF.	1842 SF	8,000 SF.	1660 SF	8,000 SF.	1842 SF
Minimum Size Corner Lots					10,000 SF.		10,000 SF.	
Additional Area for Each Additional Dwelling Unit on Lot					8,000 SF. of the lot area		4,000 SF. Of the lot area	
Minimum Dwelling Unit Footprint	1,000 SF Main Floor Incl. Garage	960 SF Main - Two Floors of Living Space (20'x48')	1,000 SF Main Floor Incl. Garage	1000 SF Main - Two Floors of Living Space (22"x48')				
Minimum Lot Frontage	30 Feet	20 feet	30 Feet	22 feet	60 Feet	20 feet	60 Feet	22 feet
Minimum Yard Setbacks								
Front Yard	25 Feet		25 Feet		25 Feet		25 Feet	
Rear Yard								
Main Building	20 Feet	10 Feet	20 Feet		20 Feet	10 Feet	20 Feet	
Accessory Building	N/A		N/A		N/A		N/A	
Side Yard								
Main Building	7.5 Feet		7.5 Feet		7.5 Feet		7.5 Feet	
Accessory Building	N/A		N/A		N/A		N/A	
Multi-Unit Building Spacing	30 Feet	15 Feet	30 Feet	15 Feet	30 Feet	15 Feet	30 Feet	15 Feet
Corner Side Yard	25 feet on each side fronting a street	15 Feet For One Side of Street, (If Sight Triangles Allow)	25 feet on each side fronting a street	7.5 Feet For One Side of Street, (If Sight Triangles Allow)	25 feet on each side fronting a street	15 Feet For One Side of Street, (If Sight Triangles Allow)	25 feet on each side fronting a street	7.5 Feet For One Side of Street, (If Sight Triangles Allow)
Maximum Building Height	35 Feet		35 Feet		35 Feet		35 Feet	
Landscape buffering	50 Feet	20 Feet	50 Feet	20 Feet	50 Feet	20 Feet	50 Feet	20 Feet

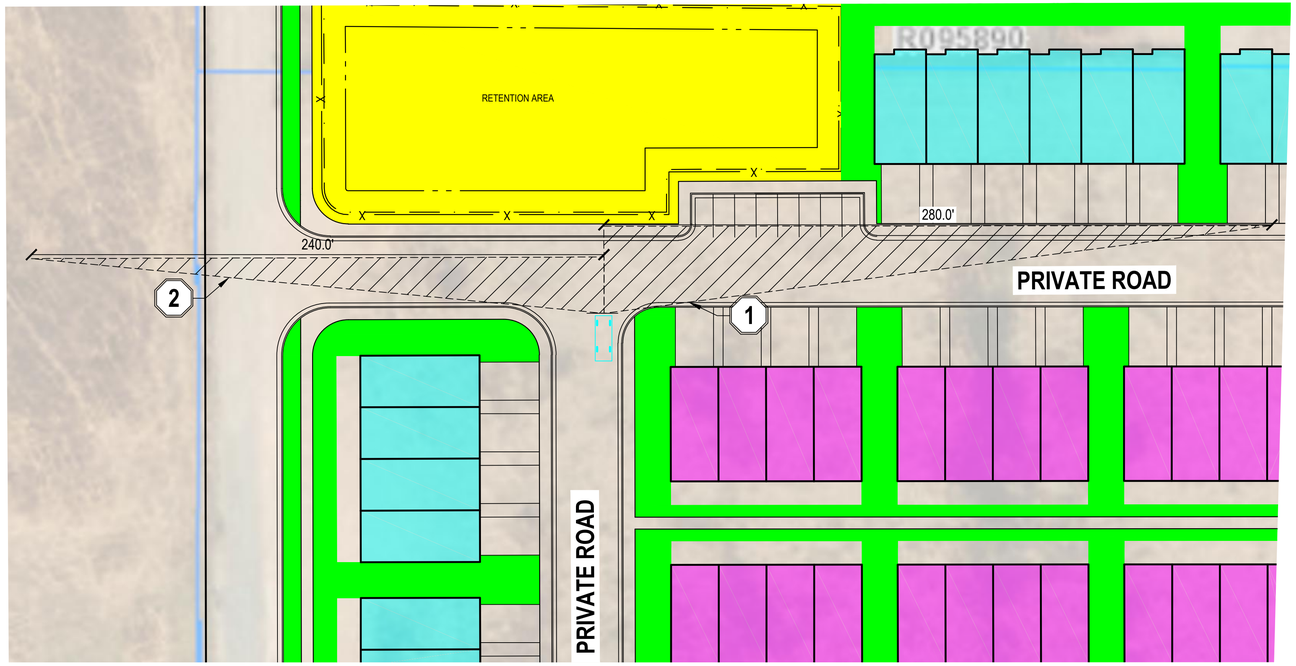
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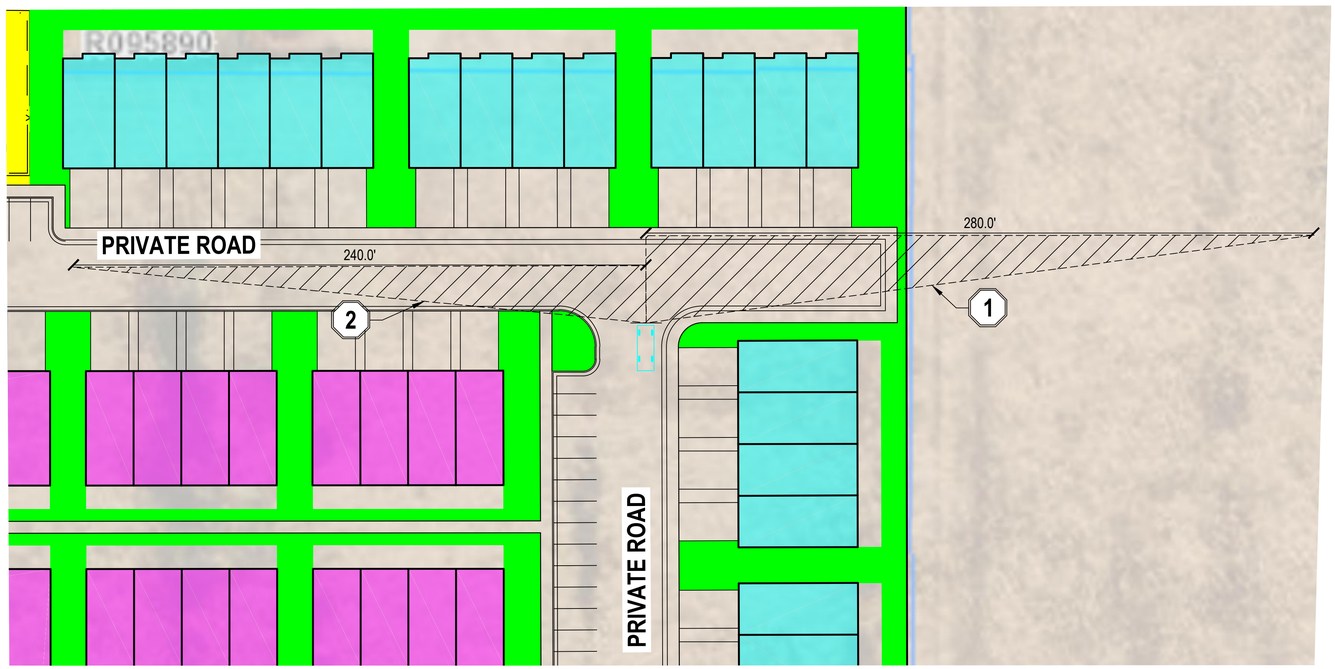
** Unlisted items shall revert back to RM-15

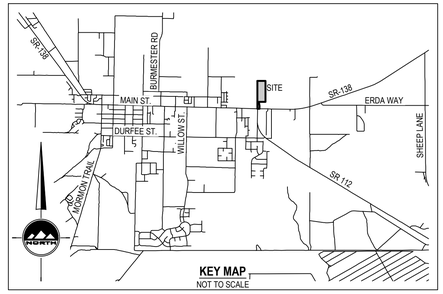
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811 Know what's below. Call before you dig.

CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.







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SCOPE OF WORK:

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(1) 280' LEFT TURN SIGHT TRIANGLE. NOTHING LARGER THAN 3' CAN BE PLACED WITHIN THE SIGHT TRIANGLE.

(2) 240' RIGHT TURN SIGHT TRIANGLE. NOTHING LARGER THAN 3' CAN BE PLACED WITHIN THE SIGHT TRIANGLE.

HORIZONTAL GRAPHIC SCALE

30 0 15 30 60

(IN FEET)

HORZ: 1 inch = 30 ft.

ENSIGN
THE STANDARD IN ENGINEERING

TOOELE
169 N. Main St, Unit 1
Tooele, UT 84074
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SANDY
Phone: 801.255.0529

LAYTON
Phone: 801.547.1100

CEDAR CITY
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14034 S 145 E STE 204
DRAPER, UTAH 84020

CONTACT:
NATHAN SHIPP
PHONE: 801-529-6145

BRENTWOOD ESTATES

815 E MAIN STREET
GRANTSVILLE, UTAH

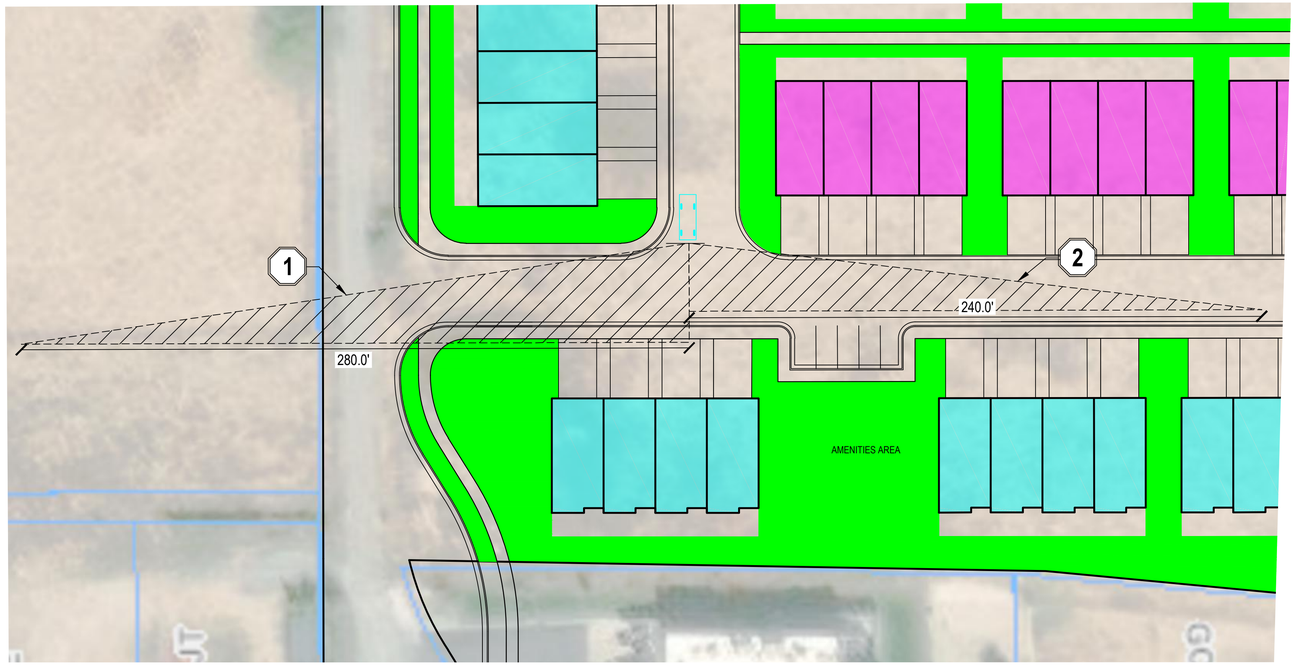
SIGHT TRIANGLE EXHIBIT

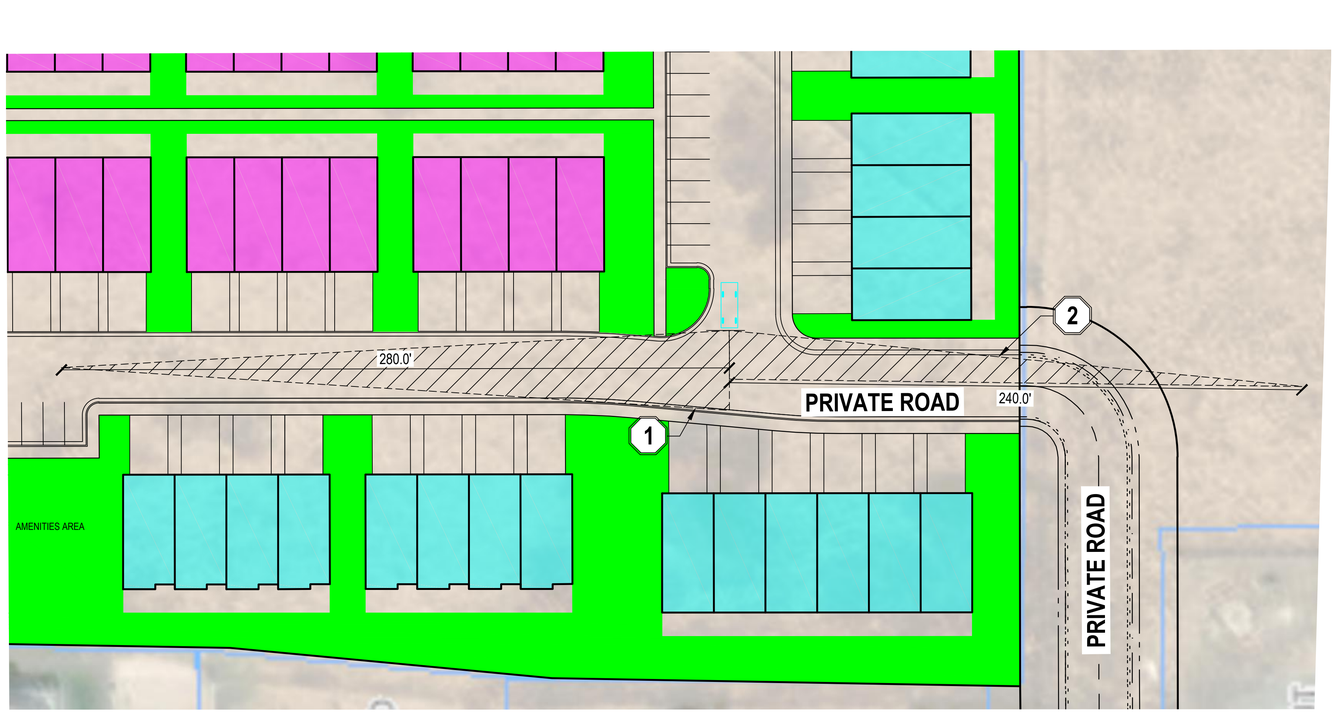
PROJECT NUMBER 13191
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DESIGNED BY D. GEVERTS

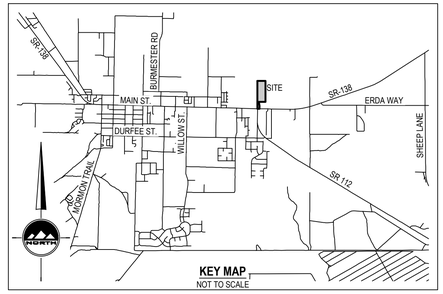
EX 1

811 Know what's below. Call before you dig.

CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.







KEY MAP
NOT TO SCALE

GENERAL NOTES

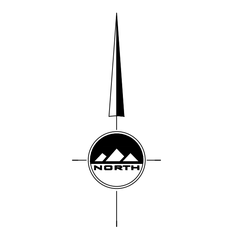
1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
3. SEE LANDSCAPE/ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND SCORE PATTERNS THROUGHOUT SITE.
4. ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).
5. ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOD, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
6. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
7. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

SCOPE OF WORK:

PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

(1) 280' LEFT TURN SIGHT TRIANGLE. NOTHING LARGER THAN 3' CAN BE PLACED WITHIN THE SIGHT TRIANGLE.

(2) 240' RIGHT TURN SIGHT TRIANGLE. NOTHING LARGER THAN 3' CAN BE PLACED WITHIN THE SIGHT TRIANGLE.



ENSIGN
THE STANDARD IN ENGINEERING

TOOELE
169 N. Main St, Unit 1
Tooele, UT 84074
Phone: 435.843.3590

SANDY
Phone: 801.255.0529

LAYTON
Phone: 801.547.1100

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
DAI
14034 S 145 E STE 204
DRAPER, UTAH 84020

CONTACT:
NATHAN SHIPP
PHONE: 801-529-6145

BRENTWOOD ESTATES

815 E MAIN STREET
GRANTSVILLE, UTAH

SIGHT TRIANGLE EXHIBIT

PROJECT NUMBER 13191
PRINT DATE 2024-10-07
PROJECT MANAGER J. CLEGG
DESIGNED BY D. GEVERTS

EX 2

GRANTSVILLE CITY

DRAFT PUD APPLICATION WORKSHEET

The purpose of this worksheet is to guide your responses to the application requirements. If something is not applicable to your project, please note "Not Applicable" in the response box. If a response requires more space than is provided on this application or additional information is necessary, attach on separate pages and provide reference to the attachment in the response box.

Project Name - BRENTWOOD ESTATES

Applicant - NATE SHIPP

Project Location - 815 E MAIN STREET

Project Acreage - 13.17

Current Zoning - RM15

PUD PURPOSE AND OBJECTIVES (GLUDMC Section 12-1-1):

Describe how the proposed project will meet each of the following Objectives:

Objective (a):

(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;

Response

Brentwood Estates PUD will be able to provide an environment that will benefit the long-term growth of Grantsville City. This PUD will address the need to incorporate an infrastructure enabling the future facilities with roads, sewer, water lines, storm drains, power, and a retention pond. All private roads will meet the minimum fire code requirements with regards to a width of 26 feet to allow Grantsville City's first responders as well as service providers, including trash collection and recycling, the ability to gain access to each residence inside the PUD.

See attached zoning variation chart which in general, proposes smaller lot sizes which allows for more amenities thus leading to a more desirable environment.

Objective (b):

(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;

Response

As seen on the attached concept, the use of design, landscape area, and architectural features create a pleasing and inviting environment. This PUD has a total acreage of 13.17 which includes improved open space to be used for different amenities. This Planned Unit Development exceeds the open space requirements found in Chapter 21.

This PUD will have front and rear loaded townhomes that will bring variety to the residents.

Objective (c):

(c) Preservation of buildings which are architecturally or historically significant contribute to the character of the City;

Response

Not Applicable

Objective (d):

(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

Response

Paths and trails will be able to connect to the Citywide trail system with connection to the sidewalks that run along the public streets. Trails connecting to the Citywide system are considered public trails connecting the public to Main Street. These trail systems through the use of sidewalks will allow residents to easily travel from neighborhoods to open space areas.

Objective (e):

(e) Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation.

Response

Not Applicable

STANDARDS (GLUDMC Section 12-14-2 (a)):

Per GLUDMC Section 12-1-1 (a) *A planned development is a distinct category of conditional use.*

(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 pf this Chapter. The statement shall explain specifically how the proposed planned unit development relates to each such standard and promotes a listed objective;

7.8 Determination

(1) The Planning Commission, or upon authorization, the Zoning Administrator, may permit a use to be located within a zoning district in which a conditional use permit is required by the use regulations of that zoning district or elsewhere in these ordinances. The Zoning Administrator is also authorized to issue conditional use permits for family food production and the raising of animals, when appropriate, but may also defer any such application to the Planning Commission for its determination, in the sole discretion of the Zoning Administrator. In authorizing any conditional use the Planning Commission or Zoning Administrator shall impose such requirements and conditions as are necessary for the protection of adjacent properties and the public welfare. The Planning Commission or Zoning Administrator shall only approve with conditions, or deny a conditional use based upon written findings of fact with regard to each of the standards set forth below and, where applicable, any special standards for conditional uses set forth in a specific zoning district. The Planning Commission or Zoning Administrator shall not authorize a conditional use permit unless the evidence presented is such as to establish:

Describe how the proposed project will meet each of the following Standards:

The Applicants descriptions will help City Staff and Planning Commission make the determination for each of these standards. Some points may not be applicable to a specific project.

Standard (a):

(a) The proposed use is one of the conditional uses specifically listed in the zoning district in which it is to be located;

This information is found in the Use Tables found at the end of each Zoning District Chapter in the GLUDMC.

Chapter 14 Multiple Use, Agriculture and Rural Residential Districts

Chapter 15 Residential and Multiple Residential Districts

Chapter 16 Commercial and Industrial Districts

If the project is located in Chapters 17 Downtown Commercial Districts, 19 Sensitive area District, SA or 19a Mixed Use Districts Check Not Applicable

Response (Check the Applicable Box):

Permitted		Conditional	X	-	Not Allowed		Not Applicable	

Standard (b):

(b) That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, comfort, order or general welfare of persons residing or working in the vicinity;

Response

The proposed PUD will positively impact the health, safety, comfort, order, and general welfare of the residents and surrounding communities. The increased amenities, use of trails and open spaces promote healthy lifestyles and social interaction. Responsible development and improve traffic flow contribute to a safe and comfortable environment. Methodically planned landscaping and noise mitigation measures prevent disturbances and maintain order. Overall, our development encourages an inclusive community while respecting the surrounding neighborhood.

Standard (c):

(c) That the use will comply with the intent, spirit, and regulations of these ordinances and is compatible with and implements the planning goals and objectives of the City, including applicable City master plans;

Response

The proposed PUD is designed according to the future land use map approved by the City of medium high density residential. The approach is to provide the necessary infrastructure required for the PUD with all the amenities while maintaining the open spaces, landscaping, and affordable housing needed for a growing community.

Standard (d):

(d) Make the use harmonious with the neighboring uses in the zoning district in which it is to be located;

Response

The PUD's use of future land use map have guided the design and address the demand for diverse housing choices. Shared open spaces and pedestrian pathways strengthen connections and cultivate the overall community feeling. The PUD will maintain a visually appealing and welcoming environment that harmonizes with the existing neighborhood.

Standard (e):

(e) That nuisances which would not be in harmony with the neighboring uses, will be abated by the conditions imposed;

Response

Not Applicable

Standard (f):

(f) That protection of property values, the environment, and the tax base for Grantsville City will be assured;

Response

The development of this PUD will be a net positive for Grantsville City. Benefits include:

- Thoughtfully designed housing and additional amenities will attract residents and raise surrounding property values.
- Sustainable practices, open space preservation, and responsible landscaping minimize the environmental impact and create a desirable living environment.
- Increased density generates more property tax revenue, supporting City initiatives and enhancing public services.

Standard (g):

(g) That the conditions shall be in compliance with the current comprehensive General Plan of Grantsville City;

Response

The PUD design fully embraces the goals and objectives of the Grantsville City Comprehensive General Plan. Our project thoroughly aligns with the City's vision for a vibrant and sustainable future by prioritizing walkability and environmental stewardship while also promoting a connected community.

Standard (h):

(h) That some form of a guarantee is made assuring compliance to all conditions that are imposed;

No Response From Applicant. (This statement is directed to the body considering any conditions that may be imposed.)

Standard (i):

(i) That the conditions imposed are not capricious, arbitrary or contrary to any precedence set by the Planning Commission on prior permits, which are similar in use and district, unless prior approvals were not in accordance with the provisions and standards of this ordinance;

No Response From Applicant. (This statement is directed to the body considering any conditions that may be imposed.)

Standard (j):

(j) The internal circulation system of the proposed development is properly designed;

Response

Brentwood Estates PUD specifically designed internal circulation system to prioritize walkability, connectivity, and traffic flow. Proposed is:

- Streets and parking areas: Designed for efficient traffic flow and ample, organized parking.
- Pedestrian friendly design: Wide sidewalks, crosswalks, and traffic controlling measures focus on pedestrian safety and comfort.
- Walking paths: Linking the citywide system to homes and amenities for an active lifestyle.
- Designed to Grantsville City standards and specifications.

Standard (k):

(k) Existing and proposed utility services are adequate for the proposed development;

Response

Utility systems will need to be upgraded for the size of the development; however, this has been contemplated in the design of the development.

Standard (l):

(l) Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts;

Response

The PUD minimizes environmental impacts and ensures harmonious co-existence with surrounding areas. The design incorporates thoughtful buffering measures including:

- Strategic landscaping: Utilizing tress, shrubs, and natural features to dampen noise and soften visual impact.
- Building orientation: Optimizes placement to minimize shadows cast on neighboring properties.
- Lighting design: Shielded fixtures and reduced nighttime illumination to prevent light trespass.

Standard (m):

(m) Architecture and building materials are consistent with the development and compatible with the adjacent neighborhood;

Response

The architectural design and building materials are seamlessly consistent with the existing neighborhood and enhances the overall development.

Standard (n):

(n) Landscaping is appropriate for the scale of the development;

Response

The landscaping plan amplifies the scale and character of the development. The landscape plan includes:

- Varied and mature plantings to create a vibrant diversity of trees, shrubs, and native wildflowers, attracting pollinators and adding visual interest.
- Seamless blending of open space with landscaped areas enhance the overall aesthetics and functionality.
- Utilization of drought-resistant plants and water-efficient irrigation systems for the management of resources responsibly.

Standard (o):

(o) The proposed use preserves historical, architectural and environmental features of the property;

Response

Not Applicable.

Standard (p):

(p) Operating and delivery hours are compatible with adjacent land uses.

Response

Not Applicable.

REQUESTED DEVIATIONS FROM DEVELOPMENT REGULATIONS (GLUDMC Section 12-14-2 (b)):

(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.

Describe how the proposed project will meet each of the following Objectives:

Requested Deviation #1

Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect.
Section 4.34, minimum lot size- 2,400 sqft
Describe Requested Deviation to Regulation.
See attached Zoning Deviations Chart Min lot size- 1790 sq. ft. (rear load garage townhome), 2,058 sq. ft. (front load garage townhome)
Describe How Requested Deviation Benefits the Project and the Community.
Reducing minimum lot sizes allows for larger open spaces, and reduces the cost of home ownership, therefore benefiting the community.
Describe Mitigation Proposed to Maintain *the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council*. (12-2-1-(b))
The proposal mitigates any potential concerns by increasing open space, promotes affordable housing, and maintains responsible development practices. This approach aligns seamlessly with Grantsville City's general purposes, goals, and objectives.

Requested Deviation #2

Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect.
Section 4.34, minimum dwelling unit footprint- 1,000 sq. ft.
Describe Requested Deviation to Regulation.
See attached zoning Deviations Chart. Minimum dwelling unit footprint- 960 sq. ft (rear load garage townhome), 998 sq. ft. (front load garage townhome)
Describe How Requested Deviation Benefits the Project and the Community.
Reducing the minimum dwelling unit footprint reduces the cost of home ownership.
Describe Mitigation Proposed to Maintain *the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council*. (12-2-1-(b))
The proposal mitigates any potential concerns by promoting affordable housing, and maintains responsible development practices. This approach aligns seamlessly with Grantsville City's general purposes, goals, and objectives.

Requested Deviation #3

Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect.
Section 4.34, Minimum Lot Frontage- 30 feet

Describe Requested Deviation to Regulation.
See attached zoning Deviations Chart. Minimum lot frontage- 20 feet (rear load garage townhome), 21.7 feet (front load garage townhome)
Describe How Requested Deviation Benefits the Project and the Community.
Reducing the minimum frontage allows for larger open space, and reducing the cost of home ownership, therefore benefiting the community by allowing for townhomes and higher density in isolated areas.
Describe Mitigation Proposed to Maintain *the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council*. (12-2-1-(b))
The proposal mitigates any potential concerns by promoting affordable housing, and maintains responsible development practices. This approach aligns seamlessly with Grantsville City's general purposes, goals, and objectives.

Requested Deviation #4

Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect.
Section 4.34, Minimum Rear Setback- 20 feet
Describe Requested Deviation to Regulation.
See attached zoning Deviations Chart. Minimum Rear Setback- 10 feet (rear load garage townhome)
Describe How Requested Deviation Benefits the Project and the Community.

Reducing the minimum rear setback allows for larger open space, and reduces the cost of home ownership, therefore benefiting the community by allowing for townhomes to have rear load garages.
Describe Mitigation Proposed to Maintain *the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council*. (12-2-1-(b))
The proposal mitigates any potential concerns by promoting affordable housing, and maintains responsible development practices. This approach aligns seamlessly with Grantsville City's general purposes, goals, and objectives.

Requested Deviation #5

Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect.
Section 4.34, Multi-Unit Building Spacing- 30 feet
Describe Requested Deviation to Regulation.
See attached zoning Deviations Chart. Multi-Unit Building Spacing- 15 feet (rear load garage townhome), 15 feet (front load garage townhome)
Describe How Requested Deviation Benefits the Project and the Community.
Reducing the Multi-Unit building spacing allows for additional townhomes in the community, reducing the cost of home ownership, therefore benefiting the community by allowing for townhomes and higher density in isolated areas.
Describe Mitigation Proposed to Maintain *the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council*. (12-2-1-(b))

The proposal mitigates any potential concerns by promoting affordable housing, and maintains responsible development practices. This approach aligns seamlessly with Grantsville City's general purposes, goals, and objectives.

Requested Deviation #6

Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect.
Section 4.34, Corner side yard- 25 feet on both street frontages
Describe Requested Deviation to Regulation.
See attached zoning Deviations Chart. Corner side yard- 15 feet (rear load garage townhome), 7.5 feet (front load garage townhome)
Describe How Requested Deviation Benefits the Project and the Community.
Reducing the corner side yard spacing allows for additional townhomes in the community, reducing the cost of home ownership, therefore benefiting the community by allowing for townhomes and higher density in isolated areas.
Describe Mitigation Proposed to Maintain *the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council*. (12-2-1-(b))
The proposal mitigates any potential concerns by promoting affordable housing, and maintains responsible development practices. This approach aligns seamlessly with Grantsville City's general purposes, goals, and objectives.

SPECIAL CONSIDERATIONS:

This section allows consideration of anything unique to the proposed project that may not have been addressed in previous sections but is essential for consideration.

Brentwood

Planned Unit Development

Location | 815 East Main | Grantsville

Brentwood

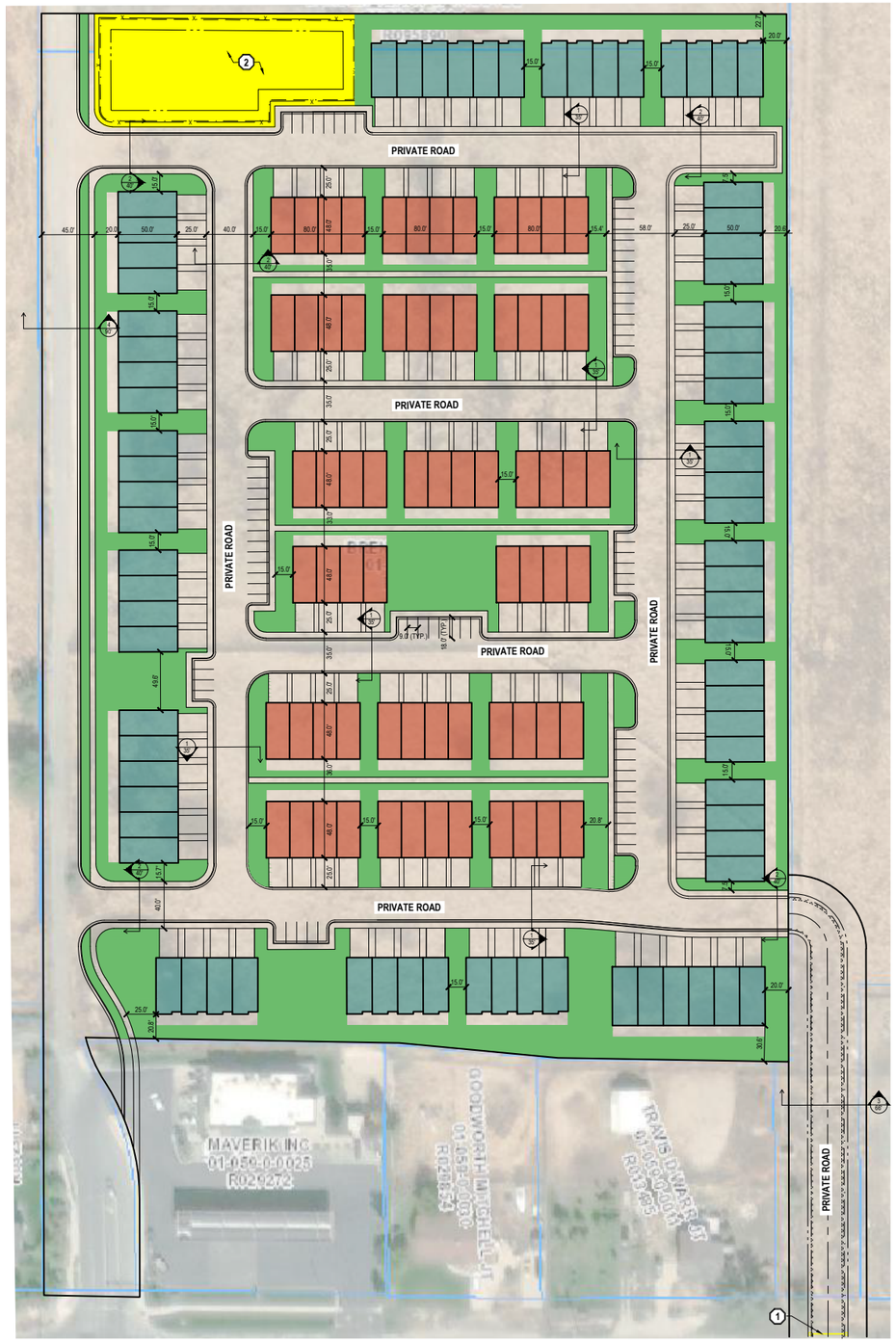
N

Main Street

UT-112

Concept Site Plan

Unit Breakdown	
Front-Load Townhomes	78
Rear-Load Townhomes	68
Total	**146**



N

AMENITIES

- » Tot Lot
- » 2 Picnic Areas
  - » Table
  - » Shade Structure
- » 2 Hammock Lounge Areas
- » Dog Park Area

Conceptual Amenities



Conceptual Only

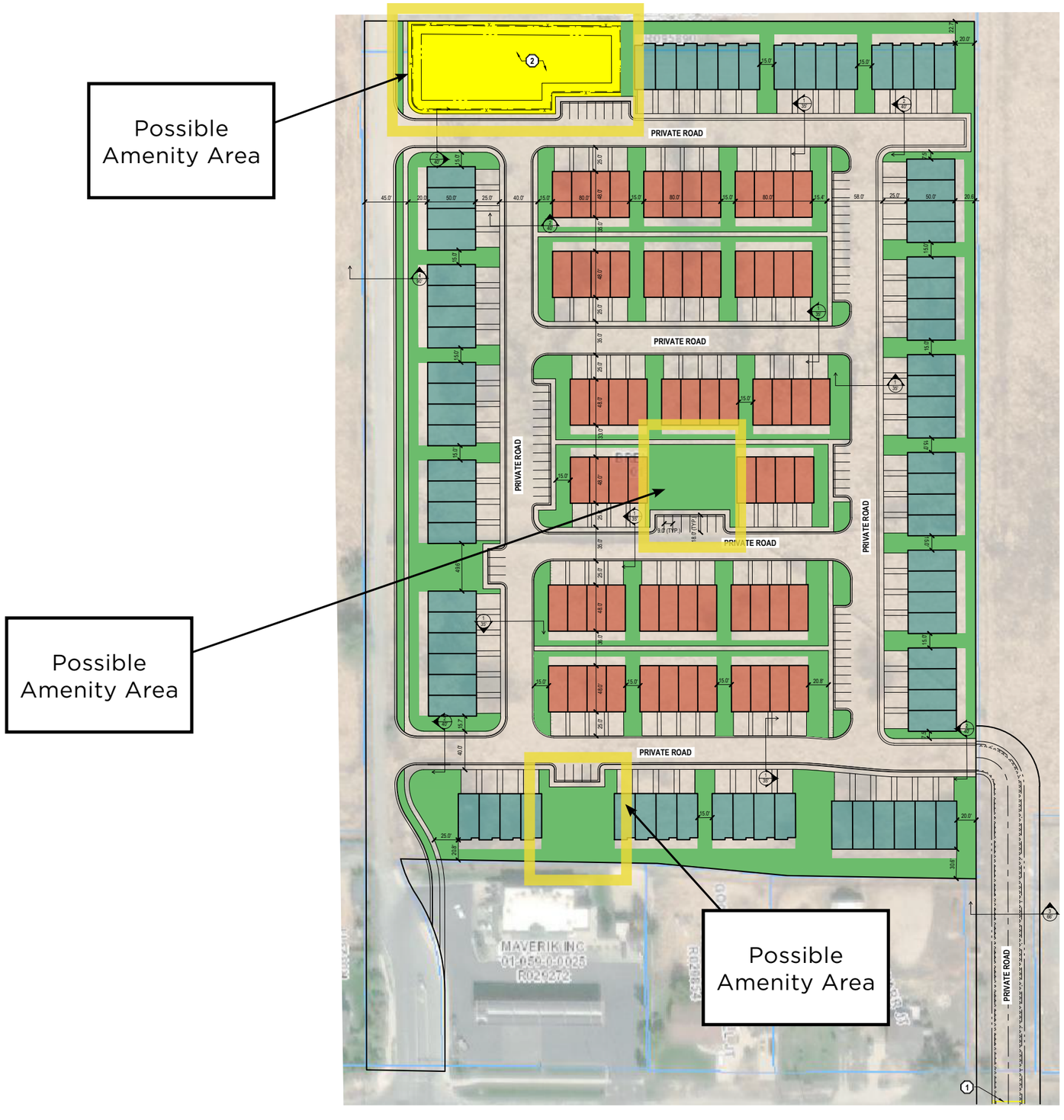
Conceptual Amenities







Possible Amenity Areas



BUILDING DESIGN

Builder Product Example Rendering



Builder Product Example Rendering



Builder Product Example Rendering



Builder Product Example Rendering



Proposed Townhome Elevation | Craftsman | Rear Load



Conceptual Only

Proposed Townhome Elevation | Modern | Rear Load



Conceptual Only

Proposed Townhome Elevation | Prairie | Rear Load



Conceptual Only

Proposed Townhome Elevation | Contemporary | Rear Load



Conceptual Only

Proposed Townhome Elevation | Craftsman | Front Load



Conceptual Only

Proposed Townhome Elevation | Modern | Front Load



Conceptual Only

Proposed Townhome Elevation | Prairie | Front Load



Conceptual Only

Proposed Townhome Elevation | Contemporary | Front Load



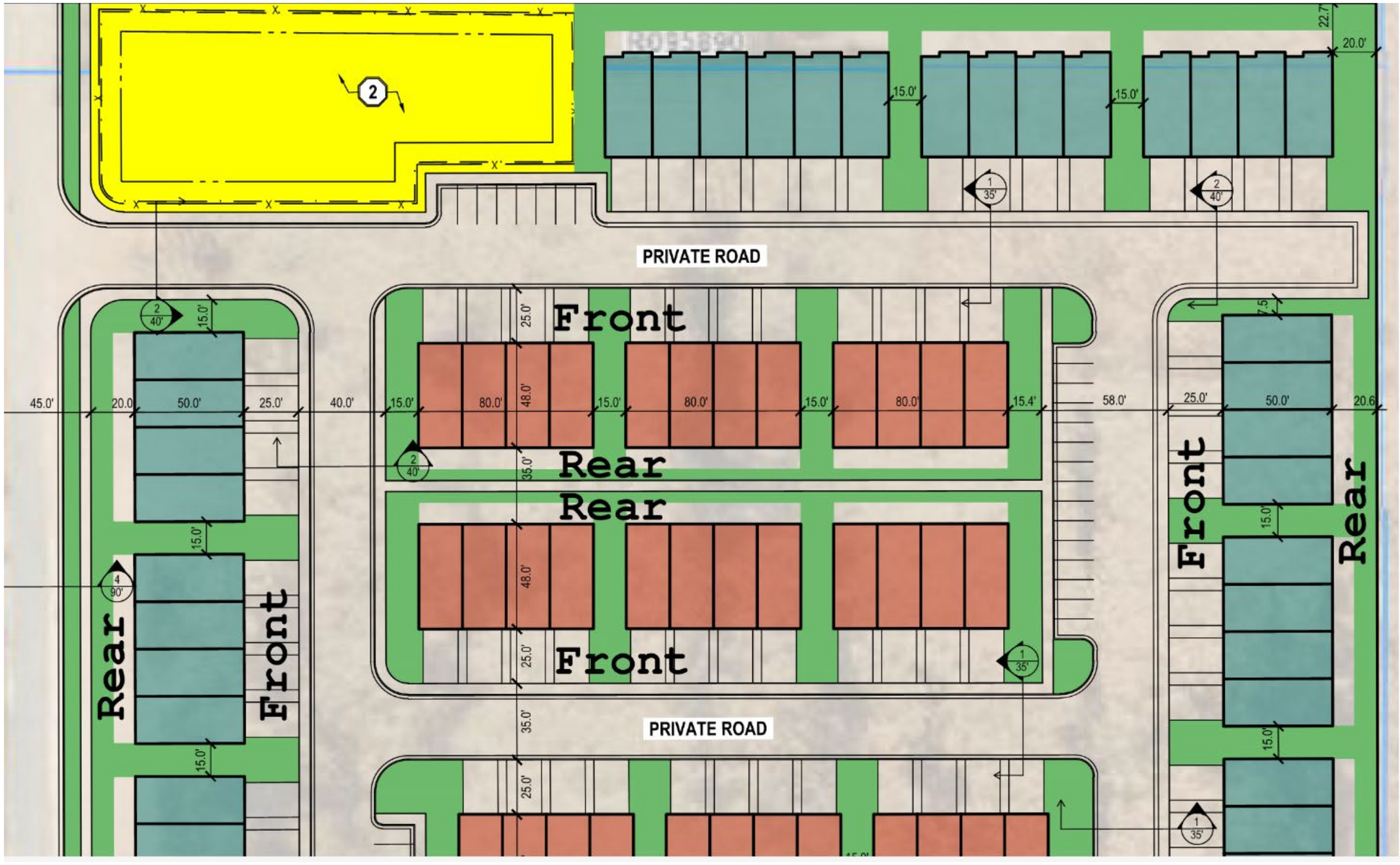
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DEVELOPMENT DETAILS

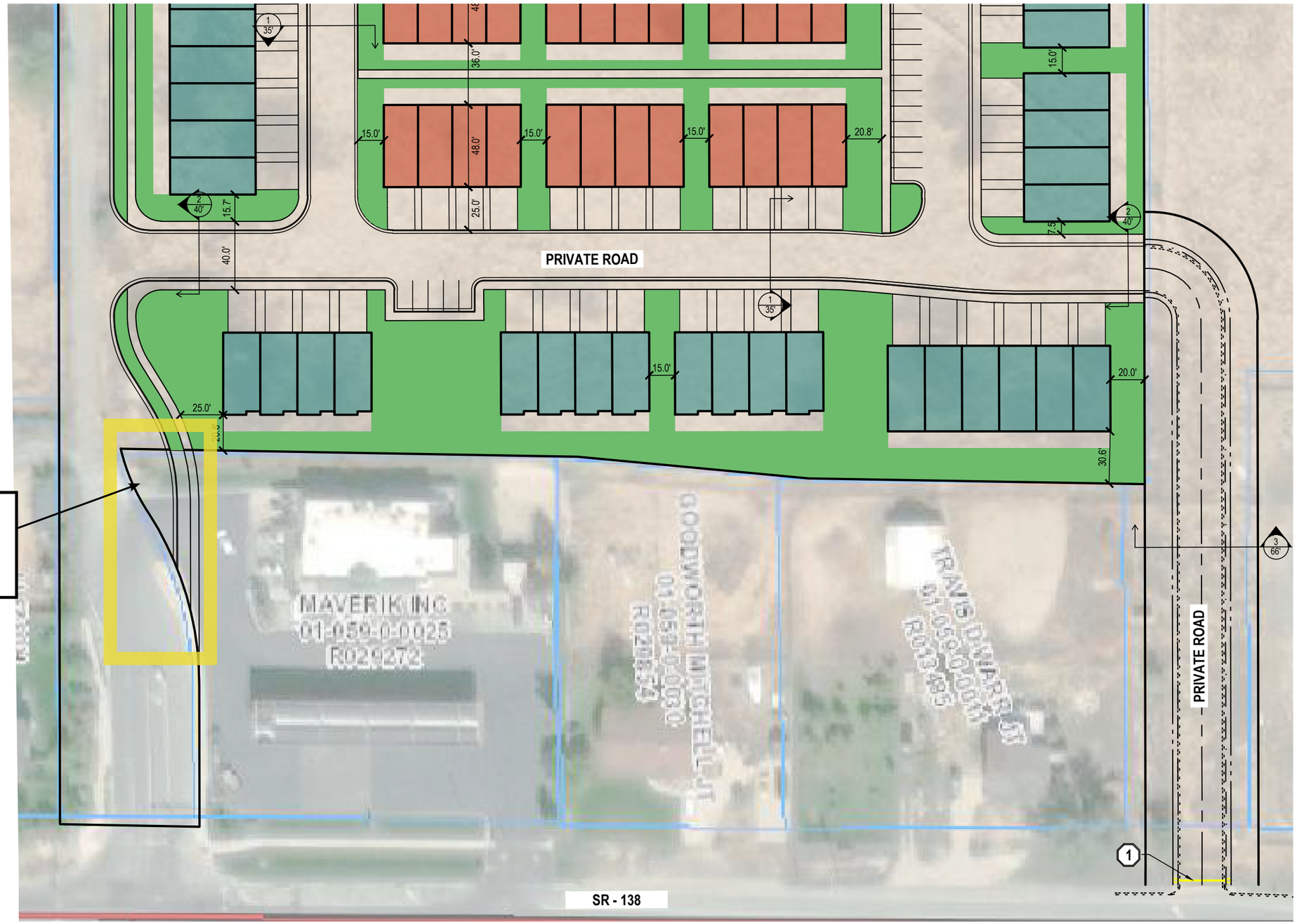
Development Standard Variances

Proposed Residential Uses	Brentwood Townhomes (Type 1) (Rear Load Garage)		Brentwood Townhomes (Type 2) (Front Load Garage)		Brentwood Townhomes (Type 1) (Rear Load Garage)		Brentwood Townhomes (Type 2) (Front Load Garage)	
Most Similar GLUDMC Requirement*	**Section 4.34 Multi-Unit Residential Development**		**Section 4.34 Multi-Unit Residential Development**		**RM-15**		**RM-15**	
Description	Code Requirement	Proposed Exceptions	Code Requirement	Proposed Exceptions	Code Requirement	Proposed Exceptions	Code Requirement	Proposed Exceptions
Minimum Lot Size	2,400 SF	1,660 SF	2,400 SF	1,842 SF	8,000 SF	1,660 SF	8,000 SF	1,842 SF
Minimum Size Corner Lots					10,000 SF		10,000 SF	
Additional Area for Each Additional Dwelling Unit on Lot					8,000 SF of the Lot Area		4,000 SF of the Lot Area	
Minimum Dwelling Unit Footprint	1,000 SF Main Floor Including Garage	960 SF Main - Two Floors of Living Space (20'x48')	1,000 SF Main Floor Including Garage					
Minimum Lot Frontage	30 Feet	20 Feet	30 Feet	22 Feet	60 Feet	20 Feet	60 Feet	22 Feet
Minimum Yard Setbacks								
Front Yard	25 Feet		25 Feet		25 Feet		25 Feet	
Rear Yard								
Main Building	20 Feet	10 Feet	20 Feet		20 Feet	10 Feet	20 Feet	
Accessory Building	N/A		N/A		N/A		N/A	
Side Yard								
Main Building	7.5 Feet		7.5 Feet		7.5 Feet		7.5 Feet	
Accessory Building	N/A		N/A		N/A		N/A	
Multi-Unit Building Spacing	30 Feet	15 Feet	30 Feet	15 Feet	30 Feet	15 Feet	30 Feet	15 Feet
Corner Side Yard	25 Feet on Each Side Fronting a Street	15 Feet for One Side of Street, (If Sight Triangles Allow)	25 Feet on Each Side Fronting a Street	7.5 Feet for One Side of Street, (If Sight Triangles Allow)	25 Feet on Each Side Fronting a Street	15 Feet for One Side of Street, (If Sight Triangles Allow)	25 Feet on Each Side Fronting a Street	7.5 Feet for One Side of Street, (If Sight Triangles Allow)
Maximum Building Height	35 Feet		35 Feet		35 Feet		35 Feet	
Landscape Buffering	50 Feet	20 Feet	50 Feet	20 Feet	50 Feet	20 Feet	50 Feet	20 Feet

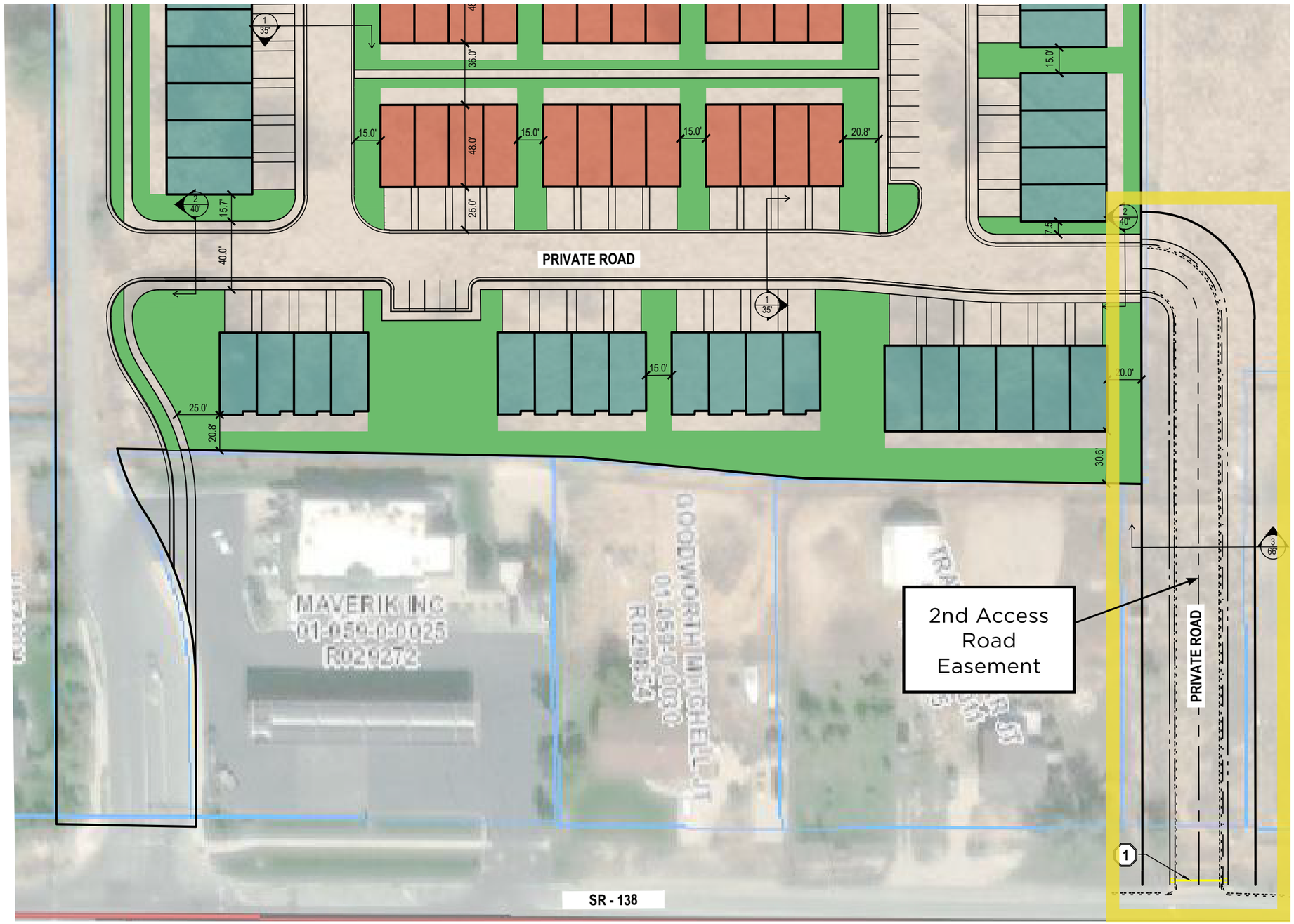
*The approval has been made based on a concept drawing which determines where each type of use will be applied.
**Unlisted items shall revert back to RM-15.
***Side yard setback is for private road. Next to public ROW 25' side setback shall apply.


PRIVATE ROAD
Front
Rear
Rear
Front
PRIVATE ROAD
Rear
Front
Front
Rear
45.0'
20.0
50.0'
25.0'
40.0'
15.0'
80.0'
48.0'
15.0'
80.0'
15.0'
80.0'
15.4'
58.0'
25.0'
50.0'
20.6
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40'
4
90'
1
35'
N

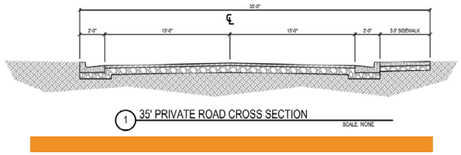
Maverick Land & Road Alignment

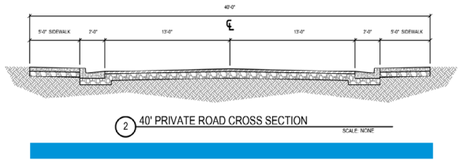


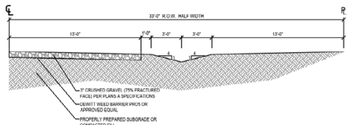
Second Access Extension to SR-112

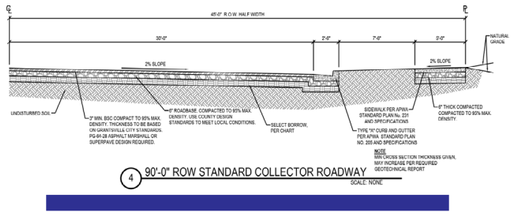


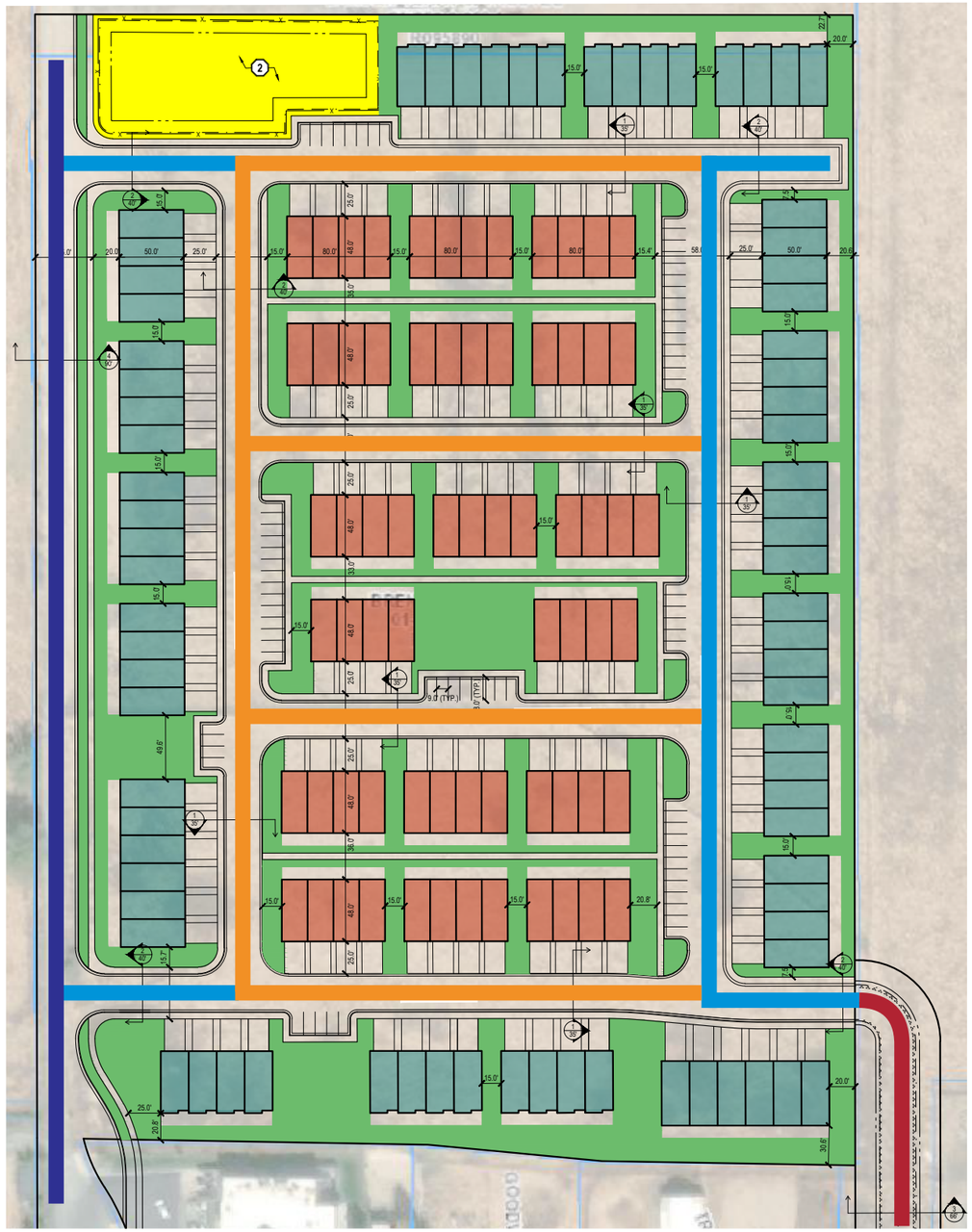
Road Cross-Sections











AGENDA ITEM #7

Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 1 (Introductory Provisions).

Grantsville City Planning Commission

November 7, 2024
Public Hearing

Proposed amendment to the Grantsville City Land Use and Management Code Chapter 1 (Introductory Provisions).

Notice is hereby given that in accordance with the provisions of Section §10-9A-205 and §10-9a-502 of the Utah Code, the Grantsville Planning Commission will hold a discussion and public hearing on **November 7, 2024 at 7:00 p.m.** at Grantsville City Hall. The meeting will also be broadcast on Zoom. The discussion, public hearing and meeting are to receive public input and consider action on the **Public Hearing of the Proposed amendment to the Grantsville City Land Use and Management Code Chapter 1 (Introductory Provisions)** and make a recommendation to the City Council.

You can view a copy of the agenda and packet online by 5:00pm on November 1, 2024 at the link below:
https://grantsvilleut.gov/departments/community___economic_development/planning_commission.php

Or by emailing jbassett@grantsvilleut.gov. All comments and concerns need to be sent in writing through email or mail and received no later than 12:00pm on November 7, 2024.

Dated this 28th day of October, 2024

BY ORDER OF THE GRANTSVILLE PLANNING COMMISSION

Shelby Moore
Zoning Administrator

Scan QR code above or use the link below to join Zoom meeting.
https://us02web.zoom.us/j/83837749384
Meeting ID: 838 3774 9384

Planning and Zoning
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674

Staff Report Summary for
Chapter 1 Introductory Provisions

Parcel ID(s):
Property Address:
Applicant Name:
Request:
Prepared By: Shelby Moore

Meeting Date: 11/7/2024
Public Hearing Date: 11/7/2024
Current Zone:
Acres:

Planning Staff Explanation and Recommendation: Discussion of Chapter 1 Introductory Provisions amendment.

PLANNING STAFF ANALYSIS AND COMMENTS

1) The amendment to Chapter 1 is to clarify verbiage and clean up spelling errors.

*** Disclaimer: Please be advised that at no point should the comments and conclusions made by The City staff or the conclusions drawn from them be quoted, misconstrued, or interpreted as recommendations. These inputs are intended solely for the legislative body to interpret as deemed appropriate.*

The information provided is purely for the legislative body to interpret in their own right and context. It is crucial to maintain the integrity and context of the information shared, as it is meant to assist in the decision-making process without implying any endorsement or directive, but it is essential that it is understood within the appropriate scope.

Chapter 1 Introductory Provisions

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1.3 Purpose
1.4 Effect Of Chapter
1.5 Interpretation
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Amended 10/05 by Ordinance 2005-16A. Amended 09/18 by Ordinance 2018-16

1.1 Short Title

This code shall be known as "The Land Use Development and Management Code" of Grantsville City, and may be so cited and pleaded.

1.2 Authority

The City Council of Grantsville City adopts this Land Use Development and Management Code pursuant to Utah Code Title 10-9a-501 and such other authorities and provisions of the Utah Code Annotated and law that are relevant and appropriate.

1.3 Purpose

(1) The purposes of this chapter are to provide for the health, safety, ~~and~~ welfare, and promote the prosperity, peace and good order, comfort, convenience, and aesthetics of Grantsville City and its present, ~~and~~ future inhabitants, and businesses, to protect the tax base, to secure economy in governmental expenditures, to foster agricultural, and other industries, to protect both urban and non-urban development, to protect and ensure access to sunlight for solar energy devices.

(2) To accomplish the purposes of this chapter, Grantsville City may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that they consider necessary or appropriate for the use and development of land within the city, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing uses, density, open spaces, structures, buildings, energy efficiency, light and air, air quality, transportation and public or alternative transportation, infrastructure, street, ~~and~~ building orientation, ~~and~~ width requirements, public facilities, ~~and~~ height and location of vegetation, trees, and landscaping, unless expressly prohibited by law.

1.4 Effect Of Chapter

The regulations hereinafter set forth in this chapter qualify or supplement, as the case may be, the district regulations and all other regulations appearing elsewhere in this code.

1.5 Interpretation

The regulations contained in this ordinance shall be interpreted and applied in accordance with the following rules:

(1) All regulations shall be construed as the minimum requirements necessary to promote the public health, safety, convenience, order, prosperity, and welfare of the city.

(2) The provisions of this ordinance are not intended to interfere with, abrogate or require enforcement by the city of any legally enforceable easements, covenants, or other agreements between private parties that may restrict the use of land or dimensions of structures more than the provisions of this ordinance. However, when the regulations of this ordinance impose greater restrictions that ~~than~~ are imposed by such easements, covenants or other agreements between parties, or than are required by laws or other applicable ordinances, the provisions of this ordinance shall control. In addition, deed restrictions imposed by the city as a condition of subdivision plat approval shall be enforced by the city.

(3) The masculine gender shall include the feminine and the feminine gender shall include the masculine.

(4) A word importing the singular number may be applied to plural persons and things. Conversely, the use of the plural number shall be deemed to include any single person or thing.

(5) The present tense of a word shall be deemed to include the future tense as well.

(6) The word "shall" is mandatory; the word "may" is permissive.

(7) The word "year" shall mean a calendar year, unless otherwise indicated.

1.6 Conflict

This code shall not nullify the more restrictive provisions of covenants, agreements, or other ordinances or laws, but shall prevail notwithstanding such provisions, which are less restrictive. Whenever other restrictions or provisions are adopted under state law the most restrictive requirement shall govern.

1.7 Effect On Previous Ordinances And Maps

The existing ordinances covering zoning, in their entirety, and including the maps heretofore adopted and made a part of said ordinances, are hereby superseded and amended to read as set forth herein; provided, however, that this code, including the attached map or maps, shall be deemed a continuation of previous codes and not a new enactment, insofar as the substance of revisions or previous codes is included in this code, whether in the same or in different language; and this code shall be so interpreted upon all questions of construction relating to tenure of officers and boards established by previous codes, to questions of conforming or non-conforming uses and buildings and structures, and to questions as to the dates upon which such uses, buildings, or structures became conforming or non-conforming.

1.8 Permits And Licensing

All departments, officials and public employees of Grantsville City which are vested with duty or authority to issue permits or licenses shall conform to the provisions of this code and shall issue no permit or license for uses, buildings, or purposes where the same would be in conflict with the provisions of this code and any such permit or license, if issued in conflict with the provisions of this code, shall be null and void.

1.9 Severability

Should any chapter, section, clause, or provision of this code be declared by the courts to be invalid, the same shall not affect the validity of the code as a whole or any part thereof other than the part so declared to be invalid.

1.10 Penalties

(1) Grantsville City may, by ordinance, establish civil penalties for violations of any of the provisions of this chapter or of any ordinances adopted under the authority of this chapter.

(2) Violation of any of the provisions of this chapter or of any ordinances adopted under the authority of this chapter is punishable as a class C misdemeanor upon conviction either:

(a) as a class C misdemeanor; or

(b) by imposing the appropriate civil penalty adopted under the authority of this section.

1.11 Appeals

No person may challenge in district court, Grantsville City's land use decision made under this chapter or under the regulation made under authority of this chapter or this code until they have exhausted their administrative remedies. Any person adversely affected by any decision made in the exercise of the provisions of this chapter may file a petition for review of the decision with the district court within 30 days after the local decision is rendered.

1.12 Enforcement

(1)

(a) Grantsville City or any adversely affected owner of real estate within Grantsville City in which ~~violations~~ violates ~~of~~ this chapter or ordinances enacted under the authority of this chapter occur or are about to occur may, in addition to other remedies provided by law, institute:

(i) injunctions, mandamus, abatement, or any other appropriate actions; or

(ii) proceedings to prevent, enjoin, abate, or remove the unlawful building, use, or act.

(b) A municipality need only establish the violation to obtain the injunction.

(2)

(a) Grantsville City may enforce the ordinance by withholding building permits.

(b) It is unlawful to erect, construct, reconstruct, alter, or change the use of any building or other structure within Grantsville City without approval of a building permit.

(c) Grantsville City may not issue a building permit unless the plans of and for the proposed erection, construction, reconstruction, alteration, or use fully conform to all regulations then in effect.

1.13 Site Plan Required

A detailed plan of appropriate scale and sheet size as required in this ordinance shall be filed as part of any application for a land use or building permit.

1.14 Curbs, Gutters, Sidewalks, Street Paving, Etc., Condition Building Permit Approval

The installation of curb, gutter, sidewalks, street paving, drainage culverts, and covered or fenced irrigation ditches of a type approved by the city council shall be required on any existing or proposed street adjoining a lot on which a building is to be established. Such curbs, gutters, sidewalks, paving, drainage culverts, and safety features for irrigation ditches and canals, etc., are required as a condition of building permit approval, when Grantsville City adopts a policy that such improvements be made according to a given plan adopted by Grantsville City. The City may waive the requirements of this section for individual lots when said improvements are not completed along the adjoining parcels or along the adjoining street. If the improvements are waived, the property owner shall sign an agreement with the City to install said improvements when requested by the City.

1.15 Occupancy Permit Required

Land, buildings or premises in any district shall hereafter be used only for a purpose permitted in such district and in accordance with district regulations. A permit of occupancy shall be issued by the ~~zoning administrator, chief~~ building official or designated representative to the effect that the use, building or premises will conform to the provisions of this or other related ordinances prior to occupancy, for any building that has been erected, enlarged or altered structurally, or the occupancy or use of any land, except for permitted agricultural uses. Such a permit is needed whenever the use or character of any building or use of land is to be changed. An occupancy permit is issued after the approved final inspection, which shows completion of a building permit. Upon written request from the owner, a permit shall be issued covering any lawful use of buildings or premises existing on the effective date of this ordinance and any subsequent amendments, including non-conforming buildings and uses.

1.16 Inspection

The Zoning Administrator or their designated representatives are authorized to inspect or to have inspected all land uses to determine compliance with zoning ordinance provisions. The ~~zoning administrator~~ Building Department or any authorized employee of Grantsville City shall have the right to enter any building for the purpose of determining the use, or to enter premises for the purpose of determining compliance with the said ordinance, provided that such right of entry is to be used only at reasonable hours, unless an emergency exists. In no case shall entry be made to any occupied building in the absence of the owner, representative, employee or tenant thereof, without written permission of an owner, or written order of a court of competent jurisdiction.

1.17 Inspection And Approval Required Prior To Occupancy

Buildings and structures requiring a building permit pursuant to the provisions of this code shall not be occupied nor put into use until the City Building Official has inspected such building or structure, finds compliance with this code and the building code of Grantsville City, and gives a written certificate of occupancy and use to the owner or his agent to occupy and/or use the building or structure in the manner approved by the issuance of a valid building permit.

1.18 Notice

Grantsville City shall provide the proper notice for the following actions:

(1) The Planning Commission shall hold a public hearing for any modification to the general plan. For notice of public hearings and public meetings to consider general plan or modifications:

(a) Grantsville City shall provide:

(i) notice of the date, time, and place of any public hearing of the Planning Commission to consider the original adoption or any modification of all or any portion of a general plan; and

(ii) notice of each public meeting on the subject.

(b) Each notice of a public hearing under Subsection (1)(a)(i) shall be at least ten calendar days before the public hearing and shall be:

(i) Posted:

(A) in at least three public locations within the municipality; or

(B) on the municipality's official website; and

(C) posted not less than three calendar days before the Public Hearing, on the property proposed for subdivision, in a visible location, with a sign of sufficient size, durability, and print quality that is reasonably calculated to give notice to passers-by.

(ii) Before the Public Hearing held by the Planning Commission the City shall mail to each affected entity as defined in Utah Code Ann. §10-9a-103 ~~(2018)~~ at least ten calendar days before the publichearing;

(c) Each notice of a public meeting under Subsection (1)(a)(ii) shall be at least 24 hours before the meeting and shall be posted:

(i) in at least three public locations within the municipality; or

(ii) on the City's official website.

(2) The Planning Commission shall hold a public hearing for the adoption or any modification of a land use ordinance or zoning map. For notice of public hearings and public meetings to consider the adoption or any modification of a land use ordinance or zoning map:

(a) Grantsville City shall provide:

(i) notice of the date, time, and place of any public hearing of the Planning Commission;and

(ii) notice of each public meeting on the subject.

(b) Each notice of a public hearing under Subsection (2)(A)(ii) shall be at least ten calendar days before the public hearing and shall be:

(i) Posted:

(A) in at least three public locations within the municipality; or

(B) on the municipality's official website; and

(C) on the property proposed for subdivision, in a visible location, with a sign of sufficient size, durability, and print quality that is reasonably calculated to give notice to passers-by.

(ii)Before the public hearing held by the Planning Commission the City shall mail at least ten days before the public hearing to:

(A) each property owner whose land is directly affected by the land use ordinance change; and

(B) the record owner of each parcel within 500 feet of the property directly affected by the land use code change; and

(C) before the Public Hearing held by the Planning Commission the City shall mail to each affected entity as defined in Utah Code Ann. §10-9a-103 ~~(2018)~~ at least ten calendar days before the public hearing;

(c) Each notice of a public meeting under Subsection (2)(a)(ii) shall be at least 24 hours before the meeting and shall be posted:

(i) in at least three public locations within the municipality; or

(ii) on the City's official website.

(3) The Planning Commission shall hold a public hearing for a proposed subdivision or an amendment to a subdivision. For notice of public hearings and public meetings to consider a proposed subdivision or an amendment to a subdivision:

(a) Grantsville City's Planning Commission shall provide notice of the date, time, and place of a public hearing that is:

(i) before the public hearing held by the Planning Commission the City shall mail not less than ten calendar days before the public hearing and addressed to the record owner of each parcel within 500 feet of that property; and

(ii) posted not less than ten calendar days before the public hearing, on the property proposed for subdivision, in a visible location, in a manner that will not impeded the right-of-way views of the public, with a sign of sufficient size, durability, and print quality that is reasonably calculated to give notice to passers-by.

(b) Grantsville City's land use authority shall mail notice to each affected entity as defined in Utah Code Ann. §10-9a-103 ~~(2018)~~ of a public hearing to consider a preliminary plat describing a multiple-unit residential development or a commercial or industrial development.

(4) The Planning Commission shall hold a public hearing for any proposal to vacate, alter, or amend a platted street. The Planning Commission shall hold a public hearing and shall give notice of the date, place, and time of the hearing by:

(a) mailing notice as required in Section (3) above;

(b) mailing notice to each affected entity as defined in Utah Code Ann. §10- 9a-103 ~~(2018)~~; and

(5) If notice given under authority of this part is not challenged under Utah Code Ann. §10-9a-801 ~~(2018)~~ within 30 days after the meeting or action for which notice is given, the notice is considered adequate and proper.

HISTORY
Amended by Ord. 2024-11 on 4/3/2024

1.19 Property Owned By Other Government Units - Effect Of Land Use And Development Ordinances

(1) After the city council has adopted a general plan, no street, park, or other public way, ground, place, or space, no publicly owned building or structure, and no public utility, whether publicly or privately owned, may be constructed or authorized until and unless it conforms to the current general plan.

(2)

(a) Each county, municipality, school district, charter school, special district, and political subdivision of the state shall conform to this code when installing, constructing, operating, or otherwise using any area, land, or building situated within Grantsville City.

(b) In addition to any other remedies provided by law, when Grantsville City's land use ordinances is violated or about to be violated by another political subdivision, the City may institute an injunction, mandamus, abatement, or other appropriate action or proceeding to prevent, enjoin, abate, or remove the improper installation, improvement, or use.

(3) A school district or charter school is subject to Grantsville City's land use ordinances, except the City may not:

(a) impose requirements for landscaping, fencing, aesthetic considerations, construction methods or materials, building codes, building use for educational purposes, or the placement or use of temporary classroom facilities on school property;

(b) except as otherwise provided in this section, require a school district or charter school to participate in the cost of any roadway or sidewalk not reasonably necessary for the safety of school children and not located on or contiguous to school property, unless the roadway or sidewalk is required to connect an otherwise isolated school site to an existing roadway;

(c) require a district or charter school to pay fees not authorized by this section;

(d) provide for inspection of school construction or assess a fee or other charges for inspection, unless the school district or charter school is unable to provide for inspection by an inspector, other than the project architect or contractor, who is qualified under criteria established by the state superintendent;

(e) require a school district or charter school to pay any impact fee for an improvement project that is not reasonably related to the impact of the project upon the need that the improvement is to address; or

(f) impose regulations upon the location of a project except as necessary to avoid unreasonable risks to health or safety.

(4) Subject to Section 53A-20-1 08, a school district or charter school shall coordinate the siting of a new school with Grantsville City to:

(a) avoid or mitigate existing and potential traffic hazards, including consideration of the impacts between the new school and future highways; and

(b) to maximize school, student, and site safety.

(5) Notwithstanding Subsection (2)(d), Grantsville City may, at its discretion:

(a) provide a walk-through of school construction at no cost and at a time convenient to the district or charter school; and

(b) provide recommendations based upon the walk-through.

(6)

(a) Notwithstanding Subsection (3)(d), a school district or charter school shall use:

(i) a municipal building inspector;

(ii) a school district building inspector; or

(iii) an independent, certified building inspector who is:

(A) not an employee of the contractor; and

(B) approved and supervised by a municipal building inspector or a school district building inspector.

(b) The approval under Subsection (6)(a)(iii)(B) may not be unreasonably withheld.

(7)

(a) A charter school shall be:

(i) considered a permitted use and shall be processed on a first priority basis in all zoning districts within Grantsville City; and

(ii) subject only to objective standards within each zone pertaining to setback, height, bulk and massing regulations, off-site parking, curb cut, traffic circulation, and construction staging requirements.

(b) Parking requirements for a charter school may not exceed the minimum parking requirements for schools or another ~~other~~ institutional public uses throughout the city.

(c) If Grantsville City has designated zones for a sexually oriented business, or a business which sells alcohol, a charter school may be prohibited from a location which would otherwise defeat the purpose for the zone unless the charter school provides a waiver.

AGENDA ITEM #8

Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 3 (Decision Making Bodies, And Officials).

Grantsville City Planning Commission

November 7, 2024
Public Hearing

Proposed amendment to the Grantsville City Land Use and Management Code Chapter 3 (Decision Making Bodies, And Officials).

Notice is hereby given that in accordance with the provisions of Section §10-9A-205 and §10-9a-502 of the Utah Code, the Grantsville Planning Commission will hold a discussion and public hearing on **November 7, 2024 at 7:00 p.m.** at Grantsville City Hall. The meeting will also be broadcast on Zoom. The discussion, public hearing and meeting are to receive public input and consider action on the **Public Hearing of the Proposed amendment to the Grantsville City Land Use and Management Code Chapter 3 (Decision Making Bodies, And Officials)** and make a recommendation to the City Council.

You can view a copy of the agenda and packet online by 5:00pm on November 1, 2024 at the link below:
https://grantsvilleut.gov/departments/community___economic_development/planning_commission.php

Or by emailing jbassett@grantsvilleut.gov. All comments and concerns need to be sent in writing through email or mail and received no later than 12:00pm on November 7, 2024.

Dated this 28th day of October, 2024

BY ORDER OF THE GRANTSVILLE PLANNING COMMISSION

Shelby Moore
Zoning Administrator

Scan QR code above or use the link below to join Zoom meeting.
https://us02web.zoom.us/j/83837749384
Meeting ID: 838 3774 9384

GRANTSVILLE CITY PLANNING COMMISSION MEETING - STAFF REPORT

Meeting Date:	November 7, 2024
Applicant:	Grantsville City Council
Planner/staff:	Jay L. Springer, Attorney Shelby Moore, Planning and Zoning Administrator
Project Type:	Subdivision Ordinance and Related Text Amendments
Areas Affected:	All of the City of Grantsville

SUBJECT: Proposed amendments to the Grantsville Land Use Development Management and Use Code, Chapters 3, 12, 15, and 21 to comply with review timeframes, review cycle limits, land use authority designations and other amendments mandated by Senate Bill 174 (2023) and House Bill 476 (2024), including a Public Hearing.

RECOMMENDATION: Recommend approval of the redlined amendments to Grantsville Land Use Development Management and Use Code, Chapters 3, 12, 15, and 21, including any direct changes to text from the Planning Commission, broad concepts the Planning Commission would like the Council to consider in more depth, and subject to technical and nonsubstantive review from staff and legal counsel.

SUMMARY & BACKGROUND

In 2023 and 2024, the Utah State Legislature adopted S.B. 174 and H.B. 476, which amend and establish various land use and development requirements for municipalities and counties, including subdivision application review procedures. S.B. 174 includes sweeping changes and definitional changes that previously were not imposed on municipalities. H.B. 476 includes both practical and definitional changes, with clarifying language about subdivision improvement plans and review cycles. The City previously adopted certain changes aimed at providing compliance with S.B. 174. Additional revisions are necessary and appropriate based on clarifications with H.B. 476 and subsequent legal review.

Legislative Mandate:

The primary effects of Senate Bill 174:

- Requires cities and counties to identify an administrative land use authority for subdivision review and preliminary subdivision application approval for single-family dwellings, two-family dwellings, and townhomes;

- Prohibits city and county councils (legislative bodies) from acting as an administrative land use authority for subdivision plats or plat amendments—except for plat amendments or vacations that seek to reduce or remove dedicated public rights-of-way;

- Establishes subdivision review procedures for cities and counties, including defining review cycles and permitted requests, and establishes timelines and noticing requirements. Appeal procedures are also provided for both reviews;

- Requires that a pre-application meeting be made available to any interested applicant; and

- Requires certain administrative and processing standards be made publicly available on the municipal website.

The primary effects of House Bill 476:

- Establishes that a subdivision improvement plan may be required to be submitted with either a preliminary or final subdivision application but may not be required for both;

- Clarifies that a municipality may not require more than four review cycles for a subdivision improvement plan review and this applies to either the preliminary or final stage of the process, depending on when the municipality requires a subdivision improvement plan be submitted;

- Establishes that a municipality may not engage in a substantive review outside the review cycle; and

- Adjusts the timelines for application review to include additional days for municipalities with a population of 5,000 or less.

Planning Commission Review Procedure and Criteria:

The Grantsville City Council is the legislative authority for the subdivision and related ordinances text amendments. The Council cannot amend the ordinances without first submitting the amendments to the Grantsville City Planning Commission for the Planning Commission's recommendation. The Planning Commission must hold a public hearing, review the proposed revisions, and recommend an action to the Council. The Council must then hold a public meeting after which it may adopt, adopt with revisions, or reject the proposed text amendments recommended by the Planning Commission.

A text amendment can be approved if it is reasonably debatable that the decision could promote the public welfare. It is not necessary to show that the decision actually promotes the public welfare, or is the best alternative, as long as it is reasonably debatable that the public could benefit from the decision. Similarly, a text amendment can be denied if it is reasonably debatable that the decision could detrimentally impact the public welfare.

Planning Commission Task:

The Planning Commission will review the proposed amendments and make a recommendation to the City Council to either approve, deny, or modify the proposed subdivision ordinance. If any changes are proposed and inserted by the planner and attorney, the City Council will then vote on the final version of the subdivision ordinance.

Planning and Zoning
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674

Staff Report Summary for
Chapter 3 Decision Making Bodies and Officials

Parcel ID(s):
Property Address:
Applicant Name:
Request:
Prepared By: Shelby Moore

Meeting Date: 11/7/2024
Public Hearing Date: 11/7/2024
Current Zone:
Acres:

Planning Staff Explanation and Recommendation: Discussion of Chapter 3 Decision Making Bodies and Officials amendment.

PLANNING STAFF ANALYSIS AND COMMENTS

1) The amendment to Chapter 3 is to clarify verbiage and clean up spelling errors.

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Chapter 3 Decision Making Bodies And Officials

Amended 10/99, 04/02

3.1 City Council

(1) The City Council has the following powers and duties in connection with the implementation of this Ordinance:

(a) to adopt, amend, or reject a proposed General Plan for all or part of the area within the City;

(b) to consider and adopt, reject or modify amendments to the text of this Ordinance and to the Zoning Map pursuant to the provisions of this chapter;~~.~~

(c) to establish a Fee Schedule for applications for zoning amendments, special approvals and any other type of approval required by the provisions of this Ordinance; ~~duck~~

(d) to take such other actions not delegated to other bodies which may by desirable and necessary to implement the provisions of this Ordinance~~.~~; and

(2) The City Council may, by making a finding to this effect, consider the Planning Commission's inaction or failure to make a recommendation whenever such recommendation required by Utah Code or this Ordinance as a negative recommendation after sixty (60) days from the date of the Planning Commission meeting for which the item is first identified for potential action.

3.2 Planning Commission, Number Of Members, Appointment, Term Of Office

(1) **General Provisions:** The provisions of chapter 3 of this Code shall apply to the Planning Commission except as otherwise set forth in the By-laws.

(2) The Grantsville City Planning Commission is hereby designated as a land use authority for Grantsville City for all land use actions not delegated to other bodies or persons, to act in its individual jurisdiction.

(3) The Planning Commission shall consist of six members, five voting members who do not hold a public office and one non-voting member from the City Council. All members shall be appointed by the mayor with the advice and consent of the City Council. All members shall be residents and owners of real property with Grantsville City. Members shall hold no other public office or position with Grantsville City.

(4) The terms of the appointed members of the Planning Commission, with the exception of the ex-officio member, shall be three years, and until their respective successors have been appointed, except that the terms of appointment shall be such that the terms of two members shall expire each year. The ex-officio member shall serve at the pleasure of the City Council. The Planning Commission existing at the time of passage of this Code shall continue to serve, and the terms of its members shall be fixed by the City Council in such a manner as to comply with the above provisions for staggering terms of service.

Amended 10/05 by Ordinance 2005-18

3.3 Compensation

The members of the Planning Commission shall serve as such without compensation, except that the City Council may fix per diem compensation for the members of the Planning Commission based on necessary and reasonable expenses and on meetings actually attended. The actual expenses incurred shall be based upon presentation of proper receipts and vouchers.

3.4 Vacancies And Removals For Cause

Vacancies of appointed members occurring otherwise than through the expiration of terms shall be filled for the remainder of the unexpired term. The City Council shall have the right to remove any member of the Planning Commission for misconduct and may remove any member for non-performance of duty.

Unexcused absences from 3 consecutive regular scheduled meetings of the Planning Commission may be considered by the City Council as non-performance of duty.

3.5 The Chair

The Planning Commission shall elect from its members a Chair and Vice Chair during the month of January of each year, whose term of office shall be for twelve (12) months or until a successor is elected.

3.6 Ex Parte Contact

(1) Ex parte contact between Planning Commission members and opposing parties involved in litigation with Grantsville City involving land use issues shall be prohibited. Planning Commission members shall not participate in site or office visits, electronic communication, written communication, or verbal conversation either face-to-face or over the telephone, with any individual or any representative of a company or entity involved in legal proceedings with Grantsville City involving land use issues. This prohibition shall include plaintiffs who have filed suit against Grantsville City, claimants who have served a Notice of Claim on Grantsville City, and defendants in actions filed by Grantsville City, such as those in violation of provisions of the Grantsville City Ordinance or the Grantsville Land Use Management and Development Code.

(2) Planning Commission members shall be restricted from ex parte contact, including site or office visits, electronic communication, written communication, and verbal conversation either face-to-face or over the telephone, with any individual or representative of a company or entity when such interaction involves a request for a conditional use permit, planned unit development, a request for approval of a subdivision, or for an exception to the Grantsville Land Use Management and Development Code. Interaction between applicants and those in opposition to an application shall only occur at a legally scheduled meetings where the public has received legal notice. This restriction on ex parte contact applies to all conditional use permit approval requests, planned unit development or subdivision requests, after an application for such is filed with the Grantsville City, while the application is under review by the Planning Commission, after a decision or recommendation on the application has been made by the Planning Commission, while the application is under review by the Grantsville City Council, or while the application is under appeal, if an appeal is filed. Planning Commissioners shall not participate in ex parte contact with individuals or representatives of a company or entity opposed to a request for a conditional use permit, planned unit development or a subdivision approval, or an exception to the Grantsville Land Use Management and Development Code.

(3) If ex parte contact as described in Subsections (1) or (2) occurs, it shall be disclosed at the next meeting of the Planning Commission and the Planning Commission member who had such contact shall neither participate in the discussion nor vote on the matter.

(4) Receipt of written information regarding an active request for a conditional use permit, planned unit development or a subdivision, or an exception to the Grantsville Land Use Management and Development Code shall be ~~permitted~~ reviewed, provided such written information is disclosed at the next meeting of the Planning Commission and submitted as a part of the record of that meeting.

3.7 Rules And Regulations

The Planning Commission may adopt such rules and regulations governing its procedures as it may consider necessary or advisable, and shall keep record of its proceedings, which record shall be open to inspection by the public at all times. The adopted rules and regulations shall be presented to the City Council for their approval or disapproval. Only after the formal approval of the City Council shall the rules and regulations be enforceable.

3.8 Document Submission And Review Procedures

(1) Pre-Submission Procedures. To facilitate the handling of applications, the Planning Commission may adopt pre-submission procedures to allow for adequate investigations and staff review and may require compliance with such pre-submission review procedures as a prerequisite to formal receipt and action by

the Planning Commission. Pre-submission review shall in no way be interpreted to review by the Planning Commission.

(2) Submission and Docketing for Review. Upon receipt of all required fees and information for any specific step of the review procedure, the Zoning Administrator and other members of the ~~Technical~~ Development Review Committee if established, shall review the application for completeness and compliance with the provisions of this Code and other pertinent municipal regulations. When the Zoning Administrator determines that the application is ready for Planning Commission review, the Zoning Administrator will docket the application for review at the next regular public meeting of the Planning Commission. Incomplete applications shall not be docketed for Planning Commission review.

(3) Applications and concept plans are required for all land uses.

3.9 Planning Commission Powers And Duties

The Planning Commission shall:

(a) prepare and recommend a General Plan and subsequent amendments to the General Plan to the City Council;

(b) recommend zoning ordinances, subdivision ordinances, development codes and maps, and subsequent amendments to zoning ordinances, subdivision ordinances, development codes and maps to the City Council;

(c) administer provisions of the zoning ordinance, where specifically provided in this Code;

(d) recommend approval or denial of subdivision applications as provided in this Code;

(e) hear or decide the approval or denial of, or recommendations to approve or deny, conditional use permits;

(f) advise the City Council on matters as the City Council directs;

(g) exercise any other powers that are necessary to enable it to perform its function delegated to it by the City Council.

3.10 General Plan

(1) Grantsville City shall prepare and adopt a comprehensive, long range, general plan for the growth and development of the land within Grantsville City considering the present and future needs of the City and growth and development of the land.

(2) The plan may provide for:

(a) Health, general welfare, safety energy conservation, transportation, prosperity, civic activities, aesthetics and recreational, educational and cultural opportunities.

(b) the reduction of waste of physical, financial, or human resources that result from either excessive congestion or excessive scattering of population;

(c) the efficient and economical use, conservation, and production of the supply of:

(i) food and water, and

(ii) drainage, sanitary, and other facilities and resources;

(d) the use of energy conservation and solar and renewable energy resources; ~~duck~~

(e) the protection of urban development.

(f) the protection or promotion of moderate-income housing;

(g) the protection and promotion of air quality;

(h) preservation;

(i) identifying future uses of the land that are likely to require and expansion or significant modification of services or facilities provided by each affected entity;

(j) an official map;

(3)

(a) The Planning Commission shall provide notice as provided in Section 1.18(1), of its intent to make a recommendation to the municipal legislative body for a general plan or a comprehensive general plan amendment when the Planning Commission initiates the process of preparing its recommendation.

(b) The Planning Commission shall make and recommend to the legislative body a proposed general plan for the area within the City.

(c) The plan may include areas outside the boundaries of the City if, in the Planning Commission's judgment, those areas are related to the planning of the City's territory.

(d) Except as otherwise provided by or with respect to a City's power of eminent domain, when the plan of a City involves territory outside the boundaries of the City if, the City may not take action affecting the territory without the concurrence of the county or other municipalities affected.

(4)

(a) At a minimum, the proposed general plan, with the accompanying maps, charts, and descriptive and explanatory matter, shall include the Planning Commission's recommendation for the following plan elements:

(i) a land use element that;

(A) designates the long-term goals and the proposed extent, general distribution, and location of land for housing, business, industry, agriculture, recreation, education, public buildings and grounds, open space, and other categories of public and private uses of land as appropriate, and

(B) may include a statement of the projections for and standards of population density and building intensity recommended for the various land use categories covered by the plan;

(ii) a transportation and traffic circulation element consisting of the general location and extent of existing and proposed freeways, arterial and collector streets, mass transit, and any other modes of transportation that the Planning Commission considers appropriate, all correlated with the population projections and the proposed land use element of the general plan, and

(iii) an estimate of the need for the development of additional moderate income housing within the City, and a plan to provide a realistic opportunity to meet estimated needs for additional moderate income housing if long-term projections for land use and development occur.

(b) In drafting the moderate-income housing element, the Planning Commission:

(i) shall consider the State legislature's determination that cities should facilitate a reasonable opportunity for a variety of housing, including moderate income housing:

(A) to meet the needs of people desiring to live there; ~~duck~~

(B) to allow persons with moderate incomes to benefit from and fully participate in all aspects of neighborhood and community life; ~~duck~~

(ii) may include an analysis of why the recommended means, techniques, or combination of means and techniques provide a realistic opportunity for the development of moderate-income housing within the planning horizon, which means or techniques may include a recommendation to:

(A) rezone for densities necessary to assure the production of moderate-income housing;

(B) facilitate the rehabilitation or expansion of infrastructure that will encourage the construction of moderate-income housing;

(C) encourage the rehabilitation of existing uninhabitable housing stock into moderate income housing;

(D) consider general fund subsidies to waive construction related fees that are otherwise generally imposed by the City;

(E) consider utilization of state or federal funds or tax incentives to promote the construction of moderate-income housing;

(F) consider utilization of programs offered by the Utah Housing Corporation within that agency's funding capacity; ~~duck~~

(G) Consider utilization of affordable housing programs administered by the Department of Community and Economic Development.

(5) The proposed general plan may include:

(a) an environmental element that addresses:

(i) the protection, conservation, development, and use of natural resources, including the quality of air, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources; ~~duck~~

(ii) the reclamation of land, flood control, prevention and control of the pollution of streams and other waters, regulation of the use of land on hillsides, stream channels and other environmentally sensitive areas, the prevention, control, and correction of the erosion of soils, protection of watersheds and wetlands, and the mapping of known geologic hazards;

(b) a public services and facilities element showing general plans for sewage, water, waste disposal, drainage, public utilities, rights-of-way, easements, and facilities for them, police and fire protection, and other public services;

(c) a rehabilitation, redevelopment, and conservation element consisting of plans and programs for:

(i) preservation; ~~duck~~

(ii) the diminution or elimination of blight; ~~duck~~

(iii) redevelopment of land, including housing sites, business and industrial sites, and public building sites;

(d) an economic element composed of appropriate studies and forecasts, as well as an economic development plan, which may include review of existing and projected municipal revenue and expenditures, revenue sources, identification of basic and secondary industry, primary and secondary market areas, employment, and retail sales activity;

(e) recommendations for implementing all or any portion of the general plan, including the use of land use ordinances, capital improvement plans, community development and promotion, and any other appropriate action;

(f) any other element the City Council considers appropriate.

3.11 Public hearing by Planning Commission on proposed general plan of amendment notice revisions to general plan or amendment adoption/rejection by legislative body

(1)

(a) After completing its recommendation for a proposed general plan, or proposal to amend the general plan, the Planning Commission shall schedule and hold a public hearing on the proposed plan or amendment.

(b) The Planning Commission shall provide notice of the public hearing, as required by Section 1.18(1).

(c) After the public hearing, the Planning Commission may modify the proposed general plan or amendment.

(2) The Planning Commission shall forward the proposed general plan or amendment to the legislative body.

(3) The legislative body may make any revisions to the proposed general plan or amendment that it considers appropriate.

(4)

(a) The municipal legislative body may adopt or reject the proposed general plan or amendment either as proposed by the Planning Commission or after making any revision that the municipal legislative body considers appropriate.

(b) If the municipal legislative body rejects the proposed general plan or amendment, it may provide suggestions to the Planning Commission for its consideration.

(5) The legislative body shall adopt:

(a) a land use element as provided in Subsection 3.10(3)(a)(i);

(b) a transportation and traffic circulation element as provided in Subsection 3.10(3)(a)(ii); ~~duck~~

(c) for all cities, after considering the factors included in Subsection 3.1 0(3)(b)(ii), a plan to provide a realistic opportunity to meet estimated needs for additional moderate-income housing if long-term projections for land use and development occur.

(6) No application for an amendment to the general plan shall be considered by the City Council or the Planning Commission within two years of the final decision of the City Council upon a prior application covering substantially the same subject or substantially the same property. This determination shall be made by the Zoning Administrator upon receipt of an application. This provision shall not restrict the Mayor, a City Council member or a Planning Commissioner from proposing any future land use map category of the City at any time. The decision of the Zoning Administrator may be appealed to the City Council, provided a written appeal is filed with the City Recorder within 15 days of the Zoning Administrator's final decision.

Amended 08/08 by Ordinance 2008-35

3.12 Effect Of General Plan

Except as provided in Utah Code Annotated Section §1 0-9a-406, the general plan is an advisory guide for land use decisions.

3.13 Public Uses To Conform To General Plan

After the legislative body has adopted a general plan no street, park or other public way, ground, place, or space, no publicly owned building or structure, and no public utility, whether publicly or privately owned, may be constructed or authorized until and unless it conforms to the current general plan.

3.14 Biennial Review Of Moderate Income Housing Element Of General Plan

(1) The legislative body of each City shall biennially:

(a) review the moderate-income housing plan element of its general plan and its implementation; ~~duck~~

(b) prepare a report setting forth the findings of the review.

(2) Each report under Subsection (1) shall include a description of:

(a) efforts made by the City to reduce, mitigate, or eliminate local regulatory barriers to moderate income housing;

(b) actions taken by the City to encourage preservation of existing moderate income housing and development of new moderate income housing;

(c) progress made within the City to provide moderate income housing, as measured by permits issued for new units of moderate-income housing; ~~duck~~

(d) efforts made by the City to coordinate moderate income housing plans and actions with neighboring municipalities.

(3) The City council of each City shall send a copy of the report under Subsection (a) to the Department of Community Development and the association of governments in which the City is located.

(4) In a civil action seeking enforcement or claiming a violation of this section or of Subsection 3.10(3)(b), a plaintiff may not recover damages but may be awarded only injunctive or other equitable relief.

Amended 04/04 by Ordinance 2004-11

3.15 Preparation And Adoption Of Land Use Ordinance Or Zoning Map

(1) The Planning Commission shall:

(a) provide notice as required by Subsection 1 .18(1)(a);

(b) hold a public hearing on a proposed land use ordinance or zoning map;

(c) prepare and recommend to the legislative body a proposed land use ordinance or ordinance and zoning map, represent the Planning Commission's recommendation for regulating the use and development of land within all or any part of the area of the municipality.

(2) The City council shall consider each proposed land use ordinance and zoning map recommended to it by the Planning Commission, and after providing notice as required by Subsection 1.18(2)(c) and holding a public meeting, the City Council may adopt or reject the ordinance or map either as proposed by the Planning Commission or after making any revision the municipal legislative body considers appropriate.

3.16 Zoning Districts

(1)

(a) The City council may divide the territory over which it has jurisdiction into zoning districts of a number, shape, and area that it considers appropriate to carry out the purposes of this chapter.

(b) Within those zoning districts, the City council may regulate and restrict the erection, construction, reconstruction, alteration, repair, or use of buildings and structures, and the use of land.

(2) The City council shall ensure that the regulations are uniform for each class or kind of buildings throughout each zoning district, but the regulations in one zone may differ from those in other zones.

(3)

(a) There is no minimum area or diversity of ownership requirement for a zone designation.

(b) Neither the size of a zoning district nor the number of landowners within the district may be used as evidence of the illegality of a zoning district or of the invalidity of a municipal decision.

3.17 Temporary Land Use Regulations.

(1)

(a) The City Council may, without prior consideration of or recommendation from the Planning Commission, enact an ordinance establishing a temporary land use regulation for any part or all of the area within the municipality if:

(i) the City Council makes a finding of compelling, countervailing public interest; or

(ii) the area is unregulated.

(b) A temporary land use regulation under Subsection (1)(a) may prohibit or regulate the erection, construction, reconstruction, or alteration of any building or structure or any subdivision approval.

(c) A temporary land use regulation under Subsection (1)(a) may not impose an impact fee or other financial requirement on building or development.

(2) The City council shall establish a period of limited effect for the ordinance not to exceed six months.

(3)

(a) The City council may, without prior Planning Commission consideration or recommendation, enact an ordinance establishing a temporary land use regulation prohibiting construction, subdivision approval, and other development activities within an area that is the subject of an Environmental Impact Statement or a Major Investment Study examining the area as a proposed highway or transportation corridor.

(b) A regulation under Subsection (3)(a):

(i) may not exceed six months in duration;

(ii) may be renewed, if requested by the Transportation Commission created under Section 72-1-301, for up to two additional six-month periods by ordinance enacted before the expiration of the previous regulation; and

(iii) notwithstanding Subsections (3)(b)(i) and (ii), is effective only as long as the Environmental Impact Statement or Major Investment Study is in progress.

3.18 Amendments And Rezoning

(1) The City Council may amend;

(a) The number, shape, boundaries, or area of any zoning district;

(b) any regulation of or within the zoning district, or

(c) any other provision of a land use ordinance.

(2) The City council may not make any amendment authorized by this subsection unless the amendment was proposed by the Planning Commission or was first submitted to the Planning Commission for its recommendation.

(3) The City council shall comply with the procedure specified in Section 3.15 for land use regulations and 3.16 for zoning maps in preparing and adopting any amendment.

(4) No application for an amendment to the land use regulations or zoning map designations shall be reconsidered by the City Council or the Planning Commission within two years of the final decision of the City Council upon the prior application, if the new application proposes the same amendment to the land

use regulations or includes the same zoning map designation and includes any of the same property that was described in the previous application. The restrictions contained in this subsection shall not apply to a requested zoning map amendment, if the previous application included a proposed zone and a specific proposed use in that zone and the new application includes the same zoning district, but the proposed use has been changed by the applicant. Any application for a zoning map amendment that includes a specific proposed use as a part of the application, shall only be approved on condition that the actual use of the property is limited to the proposed use specified in the application. The Zoning Administrator shall make an initial determination as to whether or not an application should be considered pursuant to this subsection. If the application is denied by the Zoning Administrator as being in violation of this subsection, the applicant may appeal that decision to the Planning Commission, by filing a written notice of appeal with the Zoning Administrator within seven (7) days of receipt of the Zoning Administrator's decision. If the application is accepted by the Zoning Administrator and an affected party does not agree with said decision, that party may file a written appeal with the Planning Commission, provided that the appeal is filed with the Zoning Administrator at least seven (7) days prior to the time the Planning Commission is scheduled to make its final recommendation on the application. Any party aggrieved by the decision of the Planning Commission with respect to this subsection, may file a written appeal with the City Council, provided that the appeal is filed with the City Recorder within seven (7) days of the decision of the Planning Commission. If the City Council overturns the decision of the Planning Commission that terminates consideration of an application because it was deemed to be in violation of the provisions of this subsection, the City Council shall remand the matter back to the Planning Commission for a recommendation on the application. The Planning Commission and City Council may also terminate consideration of an application at any time, if it determines that the application is prohibited by this subsection. The Decision of the City Council on a determination of whether or not an application is in conformity with the provisions of this subsection shall be final.

Amended 08/08 by Ordinance 2008-35, 01/11 by Ordinance 2010-24

3.19 Appeal Authority

1. **Creation:** The position of an Appeals Hearing Officer is created pursuant to the enabling authority granted by the Municipal Land Use, Development, and Management Act, Section 10-9a-701 of the Utah Code.
2. 1) The Grantsville City Hearing Officer ~~Board of Adjustment~~ is hereby designated as a land use~~n~~ appeal authority for Grantsville City for all land use actions not delegated to other bodies or persons, to act in its individual jurisdiction.
3. (2) In order to provide for just and fair treatment in the administration of local land use ordinances, and to ~~insure~~ensure that substantial justice is done, ~~Grantsville~~ City Council shall appoint a Hearing Officer ~~Board of Adjustment~~ to exercise the powers and duties provided in this part.
4. (3) The Hearing Officer ~~Board of Adjustment shall consist of~~ is the Planning and Zoning Administrator~~. five members and whatever alternate members that the mayor, with the advice and consent of the city council, considers appropriate. The mayor shall appoint the members and alternate members, with the advice and consent of the city council, for a term of five years. The mayor shall appoint members of the first board of adjustment to terms so that the term of one member expires each year.~~

~~5.~~ ~~(4) No more than two alternate members may sit at any meeting of the board of adjustment at one time. The city council shall make rules establishing a procedure for alternate members to serve in the absence of members of the board of adjustment.~~

6. (5) ~~The mayor may remove any member of the board of adjustment for cause if written charges are filed against the member with the mayor. The mayor shall provide the member with a public hearing if he requests one.~~

~~7. (6) The mayor, with the advice and consent of the city council, shall fill any vacancy. The person appointed shall serve for the unexpired term of the member or alternate member whose office is vacant.~~

3.20 Organization And Procedures

(1) The Hearing Officer ~~Board of Adjustment~~ shall:

~~(a) organize and elect a chairperson; and~~

(b) adopt rules that comply with any ordinance adopted by the City Council.

~~(2) The board of adjustment shall meet at the call of the chairperson and at any other times that the Board of Adjustment determines.~~

~~(3) The chairperson, or in the absence of the chairperson, the acting chairperson, may administer oaths and compel the attendance of witnesses.~~

~~(4) All meetings of the Board of Adjustment shall be open to the public in compliance with Title 52, Chapter 4, Open and public meetings, Utah Code Annotated. The board of adjustment shall:~~

~~(a) keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact;~~

(b) keep records of its examinations and other official actions;

~~(5) The Board of Adjustment may, but is not required to, have its proceedings contemporaneously transcribed by a court reporter or a tape recorder;~~

~~(6) The Board of Adjustment shall file its records in the office of the Zoning Administrator.~~

~~(7) The concurring vote of three members of the board of adjustment is necessary to reverse any order, requirement, decision, or determination of any administrative official or agency to decide in favor of the appellant.~~

~~(8) Decisions of the board of adjustment become effective at the meeting in which the decision is made, unless a different time is designated in the board's rules or at the time the decision is made.~~

(9) The City Council may fix per diem compensation for the ~~members as the~~ Hearing Officer ~~Board of Adjustment~~ based on necessary and reasonable expenses and on meetings actually attended.

3.21 Powers And Duties

(1) Except as otherwise and more specifically stated elsewhere in GLUDMC, ~~The~~ the Hearing Officer ~~Board of Adjustment~~ shall:

(a) hear and decide appeals from decisions applying the land use ordinance;

(b) hear and decide special exceptions to the terms of the land use ordinance; ~~duck~~

(c) hear and decide variances from the terms of the land use ordinance.

(2) The Hearing Officer ~~Board of Adjustment~~ may make determinations regarding the existence, expansion, or modification of non-conforming uses.

3.22 Appeals

(1) The applicant or any other person or entity adversely affected by a decision administering or interpreting a land use ordinance may appeal that decision applying the land use ordinance by alleging that there is error in any order, requirement, decision, or determination made by an official in the administration, interpretation, or enforcement of the land use ordinance within 30 days of the decision.

(2) Any officer, department, board, or bureau of Grantsville City affected by the grant, or refusal of a building permit or by any other decisions of the Zoning Administrator in the enforcement and administration of the land use ordinance may appeal any decision to the Hearing Officer ~~Board of Adjustment~~. The appellant has the burden of proving that the land use authority erred.

(3) Only decisions applying the ordinance may be appealed to the Hearing Officer ~~Board of Adjustment~~.

(4) A person may not appeal, and the Hearing Officer ~~Board of Adjustment~~ may not consider, any land use ordinance amendments.

(5) Appeals may not be used to waive or modify the terms or requirements of the land use ordinance.

(6) In making an appeal, an adversely affected party shall present to the Appeal Authority every theory of relief that it can raise in district court.

(7) Appeals from subdivision improvement plans shall follow the required procedures of Utah Code.

3.23 Hearing Officer

(1) The Mayor, with the consent of the City Council, may appoint a hearing officer to decide routine and uncontested matters before the Hearing Officer ~~Board of Adjustment~~.

The City Council ~~Board of Adjustment~~ shall:

(a) specify which matters may be decided by the hearing officer; ~~duck~~

(b) establish guidelines for the hearing officer to comply with in making decisions.

(2) An~~y~~ applicant ~~person~~ affected by a decision of the hearing officer may appeal the decision to the City Council as provided in this part.

(3) In making an appeal, an adversely affected party shall present to the City Council every theory of relief that it can raise in district court.

3.24 Due Process

(1) Each appeal authority shall conduct each appeal and variance request as provided in local ordinance.

(2) Each appeal authority shall respect the due process rights of each of the participants.

3.25 Variances

(1) Any person or entity desiring a waiver or modification of the requirements of the land use ordinance as applied to a parcel of property that he owns, leases, or in which he holds some other beneficial interest, may apply to the Hearing Officer ~~Board of Adjustment~~ for a variance from the terms of the land use ordinance.

(2) The Hearing Officer ~~Board of Adjustment~~ may grant a variance only if:

(a) literal enforcement of the land use ordinance would cause a hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinance;

(b) there are special circumstances attached to the property that do not generally apply to other properties in the same district;

(c) granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same district;

(d) the variance will not substantially affect the general plan and will not be contrary to the public interest; ~~duck~~

(e) the spirit of the land use ordinance is observed and substantial justice done.

(3) In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship under this subsection, the Hearing Officer ~~Board of Adjustment~~ may not find an unreasonable hardship unless:

(a) the alleged hardship is located on or associated with property for which the variance is sought; ~~duck~~

(b) the alleged hardship comes from circumstances peculiar to the property, not from conditions that are general in the neighborhood.

(4) In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship, the Hearing Officer ~~Board of Adjustment~~ may not find an unreasonable hardship if the hardship is self-imposed or economic.

(5) In determining whether or not there are special circumstances attached to the property under Section 3.23(2)(b), Hearing Officer ~~Board of Adjustment~~ may find that special circumstances exist only if they:

(a) relate to the hardship complained of, and

(b) deprive the property of privileges granted to other properties in the same district.

(6) The applicant shall bear the burden of proving that all of the conditions justifying a variance have been met.

(7) Variances shall run with the land.

(8) The Hearing Officer ~~Board of Adjustment~~ and any other body may not grant use variances.

(9) In granting a variance, the Hearing Officer ~~Board of Adjustment~~ may impose additional requirements on the applicant that will:

(a) mitigate any harmful effects of the variance; alder

(b) serve the purpose of the standard or requirement that is waived or modified.

3.26 Appeal of Hearing Officer ~~Board of Adjustment~~ Decision to District Court

Any person adversely affected by any decision of ~~a~~ the Hearing Officer ~~Board of Adjustment~~ may petition the district court for a review of the decision, within 30 days after the decision is final. In the petition, the plaintiff may only allege that the board of adjustment's decision was arbitrary, capricious, or illegal.

3.27 Zoning Administrator Authority And Duties

1. Primary responsibility for administering and enforcing this title shall be delegated to the Zoning Administrator. Except as otherwise specifically provided in this title, the Zoning Administrator may designate a staff person or staff persons to carry out these responsibilities. Upon delegation, the designated staff member shall assume all duties, responsibilities, and authority of the zoning administrator with respect to the delegated functions. This delegation shall be in writing and specify the scope of duties and duration of the delegation. The staff person(s) to whom such delegations are made shall be referred to in this title as the "Designated Zoning Administrator".
2. The Zoning Administrator is a land use authority and is authorized as an enforcing officer for all chapters of this land use ordinance. The Zoning Administrator shall be appointed by the Director with the advice and consent of the Mayor. Assistant Zoning Administrator may also be appointed in the same manner as the Administrator and shall have the same authority as the Zoning Administrator. The Zoning Administrator is hereby authorized to enforce this code and all provisions thereof, and shall do so by any legal means available to them ~~him~~, including but not limited to the following:
    ~~a.~~ Advise the Building Official on the issuance of building permits. When the Zoning Administrator gives written notification to the Building Official and applicant that an

intended use~~, building, or structure~~ would be in violation of this code, such written notification shall be presumption of illegality and the Building Official shall not issue a building permit for such use, building, or structure. ~~(If the offices of building official and zoning administrator are held concurrently by one person, this person shall detail the violation in writing on the permit refusal notification.)~~

b. Inspect the uses of buildings, structures or land to determine compliance with the Code. Such inspections shall be made at reasonable times.
c. Issue notices of violation wherever ~~buildings or~~ lands are being used contrary to the provisions of this code. (This shall be done by providing notice in writing on any person engaged in said use and posting such notice on the premises.)
d. Inform the Mayor or City Council of all code violations and recommend specific courses of action with regard to such violations which are not being resolved through established zoning procedures.
e. Maintain a file of code violations and action to be taken on such violations.
f. Upon authorization in the matrix of any zoning district, the Zoning Administrator, shall approve a conditional use permit if reasonable conditions can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards in which a conditional use permit is required by the use regulations of that zoning district or elsewhere in these ordinances.

AGENDA ITEM #9

Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 7 (Conditional Uses).

Grantsville City Planning Commission

November 7, 2024
Public Hearing

Proposed amendment to the Grantsville City Land Use and Management Code Chapter 7 (Conditional Uses).

Notice is hereby given that in accordance with the provisions of Section §10-9A-205 and §10-9a-502 of the Utah Code, the Grantsville Planning Commission will hold a discussion and public hearing on **November 7, 2024 at 7:00 p.m.** at Grantsville City Hall. The meeting will also be broadcast on Zoom. The discussion, public hearing and meeting are to receive public input and consider action on the **Public Hearing of the Proposed amendment to the Grantsville City Land Use and Management Code Chapter 7 (Conditional Uses)** and make a recommendation to the City Council.

You can view a copy of the agenda and packet online by 5:00pm on November 1, 2024 at the link below:
https://grantsvilleut.gov/departments/community___economic_development/planning_commission.php

Or by emailing jbassett@grantsvilleut.gov. All comments and concerns need to be sent in writing through email or mail and received no later than 12:00pm on November 7, 2024.

Dated this 28th day of October, 2024

BY ORDER OF THE GRANTSVILLE PLANNING COMMISSION

Shelby Moore
Zoning Administrator

Scan QR code above or use the link below to join Zoom meeting.
https://us02web.zoom.us/j/83837749384
Meeting ID: 838 3774 9384

Planning and Zoning
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674

Staff Report Summary for
Chapter 7 Conditional Uses

Parcel ID(s):
Property Address:
Applicant Name:
Request:
Prepared By: Shelby Moore

Meeting Date: 11/7/2024
Public Hearing Date: 11/7/2024
Current Zone:
Acres:

Planning Staff Explanation and Recommendation: Discussion of Chapter 7 Conditional Uses.

PLANNING STAFF ANALYSIS AND COMMENTS

1) The amendment to Chapter 7 is to clarify verbiage and clean up spelling errors.

*** Disclaimer: Please be advised that at no point should the comments and conclusions made by The City staff or the conclusions drawn from them be quoted, misconstrued, or interpreted as recommendations. These inputs are intended solely for the legislative body to interpret as deemed appropriate.*

The information provided is purely for the legislative body to interpret in their own right and context. It is crucial to maintain the integrity and context of the information shared, as it is meant to assist in the decision-making process without implying any endorsement or directive, but it is essential that it is understood within the appropriate scope.

Chapter 7 Conditional Uses

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Amended 12/05 by Ordinance 2005-25

7.1 Definition Of Conditional Use

A conditional use permit is a land use that, because of its unique characteristics or potential impact on the 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.

7.2 No Presumption Of Approval

The listing of a conditional use in any table of permitted and conditional uses found at the end of each chapter of this ordinance for each category of zoning district or districts does not constitute an assurance or presumption that such conditional use will be approved. Rather, each proposed conditional use shall be evaluated on an individual basis, in relation to its compliance with the standards and conditions set forth in this chapter and with the standards for the district in which it is located, in order to determine if the conditional use is appropriate at the particular location.

7.3 Site Plan And Permit Required

(1) A conditional use permit shall be required for all uses listed as conditional uses in the zoning district regulations where they are, or will be located, and if the use is specified as conditional use elsewhere in this ordinance. Failure to comply with any of the conditions imposed in the permit will result in an order to show cause for revocation. The permit may be revoked by the Planning Commission upon evidence that any condition has not been met.

(2) A conditional use permit has the potential for adverse impacts if located and laid out on zoning lots without careful planning. Such impacts may interfere with the use and enjoyment of adjacent property uses. Site plan review is a process designed to address such adverse impacts and minimize them where possible. Site plan review of development proposals is required for all conditional uses in all districts.

7.4 Fee

(1) The application for any conditional use permit shall be accompanied by the appropriate fee as determined by the City Council.
(2) Application fees are not refundable.

7.5 Application

(1) The Planning Commission may authorize the Zoning Administrator to grant, attach conditions to, or deny conditional use permits, subject to such limitations or qualifications as are deemed necessary. The Zoning Administrator is also authorized to issue conditional use permits for family food production, the raising of animals and commercial uses in existing buildings, when appropriate, but may also defer any such application to the Planning Commission for its determination, in the sole discretion of the Zoning Administrator.

(2) The Zoning Administrator shall send out the appropriate notification for all conditional use permits. If comments are received that indicate a concern about the proposed conditional use, the conditional use shall be sent to Planning Commission for its consideration.

(3) The Zoning Administrator does not have authority to approve commercial conditional use permits requiring construction of new facilities or requiring exceptions or variances to the City ordinances and standards.

(4) All applications for a conditional use permit shall include:

(a) The applicant's name, address, telephone numbers and interest in the property;

(b) The owner's name, address and telephone number, if different than the applicant, and the owner's signed consent to the filing of the application;

(c) The street address and legal description of the subject property;

(d) The zoning classification, zoning district boundaries and present use of the subject property;

(e) A vicinity map with North, scale and date, indicating the zoning classifications and current uses of properties within 500 feet of the boundaries of the subject property. When a conditional use permit will be considered by the Planning Commission, the application shall also include a current plat map showing the names and addresses of all property owners appearing on the tax rolls of the Tooele County Assessor within 500 feet of the boundaries of the subject property.

(f) A plat or a survey of the parcel of land, lots block, blocks, or parts or portions thereof, drawn to scale, showing the actual dimensions of the piece or parcel, lot, lots, block, blocks, or portions thereof, according to the registered or recorded plat of such land;

(g) The proposed title of the project and the names, addresses and telephone numbers of the architect, landscape architect, planner or engineer on the project;

(h) A complete description of the proposed conditional use;

(i) A plan or drawing drawn to scale of twenty feet to the inch (20' = 1 inch) or larger which includes the following information of the proposed use:

i. actual dimensions of the subject property;

ii. exact sizes and location of all existing and proposed buildings or other structures;

iii. driveways;

iv. parking spaces;

v. safety curbs;

vi. landscaping;

vii. location of trash receptacles; ~~and~~

viii. drainage features and environmental features.;

(j) Traffic Impact Analysis;

(k) Geotechnical Report;

(l) Sewer and Water Modeling

(m) ~~(k)~~ A statement indicating whether the applicant will require a variance in connection with the proposed conditional use permit;

(n) ~~(l)~~ Envelopes, mailing labels and first-class postage for all property owners located within 500 feet of the subject property when a conditional use permit will be considered by the Planning Commission: and

(o) ~~(m)~~ Such other further information or documentation as the Zoning Administrator may deem to be necessary for a full and proper consideration and disposition of the particular application.

Amended 01/03 by Ordinance 2003-02

HISTORY
Amended by Ord. 2021-12 on 4/28/2021
Amended by Ord. 2022-06 on 5/4/2022

7.6 Staff Report And Site Plan Report

Once the Zoning Administrator has determined that the application is complete, a Staff Report evaluating the conditional use application shall be prepared by the Zoning Administrator and forwarded to the Planning Commission along with a Site Plan Review Report prepared by the Zoning Administrator.

7.7 Public Hearing

A public hearing may be held if the Chairman of the Planning Commission shall deem a hearing to be necessary and in the public interest.

7.8 Determination

(1) The Planning Commission, or upon authorization, the Zoning Administrator, may permit a use to be located within a zoning district in which a conditional use permit is required by the use regulations of that zoning district or elsewhere in these ordinances. The Zoning Administrator is also authorized to issue conditional use permits for family food production and the raising of animals, when appropriate, but may also defer any such application to the Planning Commission for its determination, in the sole discretion of the Zoning Administrator. In authorizing any conditional use, the Planning Commission or Zoning Administrator shall impose such requirements and conditions as are necessary for the protection of adjacent properties and the public welfare. The Planning Commission or Zoning Administrator shall only approve with conditions, or deny a conditional use based upon written findings of fact with regard to each of the standards set forth below and, where applicable, any special standards for conditional uses set forth in a specific zoning district. The Planning Commission or Zoning Administrator shall not authorize a conditional use permit unless the evidence presented is such as to establish:

(a) The proposed use is one of the conditional uses specifically listed in the zoning district in which it is to be located;

(b) That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, comfort, order or general welfare of persons residing or working in the vicinity;

(c) That the use will comply with the intent, spirit, and regulations of these ordinances and is compatible with and implements the planning goals and objectives of the City, including applicable City master plans;

(d) Make the use harmonious with the neighboring uses in the zoning district in which it is to be located;

(e) That nuisances which would not be in harmony with the neighboring uses, will be abated by the conditions imposed;

(f) That protection of property values, the environment, and the tax base for Grantsville City will be assured;

(g) That the conditions shall be in compliance with the current comprehensive General Plan of Grantsville City;

(h) That some form of a guarantee is made assuring compliance to all conditions that are imposed;

(i) That the conditions imposed are not capricious, arbitrary or contrary to any precedence set by the Planning Commission on prior permits, which are similar in use and district, unless prior approvals were not in accordance with the provisions and standards of this ordinance;

(j) The internal circulation system of the proposed development is properly designed;

(k) Existing and proposed utility services are adequate for the proposed development;

(l) Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts;

(m) Architecture and building materials are consistent with the development and compatible with the adjacent neighborhood;

(n) Landscaping is appropriate for the scale of the development;

(o) The proposed use preserves historical, architectural and environmental features of the property; and

(p) Operating and delivery hours are compatible with adjacent land uses.

HISTORY
Amended by Ord. 2022-06 on 5/4/2022

7.9 Planning Commission Action

The staff's written recommendation shall be considered at the meeting. At the conclusion of the meeting, the Planning Commission shall either

(1) approve the conditional use;

(2) approve the conditional use subject to specific modifications;

(3) postpone a decision pending consideration of additional information to be submitted by the applicant; or

(4) deny the conditional use.

7.10 Effect Of Approval Of Conditional Use

The approval of a proposed conditional use by the Planning Commission or the Zoning Administrator shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration or moving of any building or structure, but shall merely authorize the preparation, filing and processing of applications for any permits or approvals that may be required by the regulations of the City, including but not limited to a Building Permit, Certificate of Occupancy and subdivision approval.

7.11 Appeals Of Decision

Any person aggrieved by a decision of the Planning Commission regarding the issuance, denial or revocation or amendment of a conditional use permit, 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. The decision of the City Council 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 Zoning Administrator and with the Clerk of the District Court.

7.12 Inspection

(1) Following the issuance of a conditional use permit by the Planning Commission or the Zoning Administrator:

(a) The Zoning Administrator shall take in an application for approval of a building permit (if applicable), and shall insure that development is undertaken and completed in compliance with the conditional use permit, these ordinances, and the building codes.

(b) The Zoning Administrator shall make periodic inspections to insure that compliance with all conditions imposed are being complied with. An Investigation Report will be issued to those who are out of compliance and if the discrepancy is not corrected in an allotted time, an Order to Show Cause will be issued for action by the Planning Commission.

7.13 Time Limit

(1) A conditional use permit for temporary uses may be issued for a maximum period of six (6) months, with renewals at the discretion of the Planning Commission for no more than three (3) successive periods thereafter.

(2) Unless there is substantial action under a conditional use permit within a maximum period of one (1) year of its issuance, said permit shall expire. The Planning Commission may grant one extension up to six (6) months, when deemed in the public interest. The approval of a proposed conditional use permit by the Planning Commission shall authorize only the particular use for which it was issued.

7.14 Notification Required

When the Planning Commission considers an application for a conditional use permit at the work meeting, notification shall be sent by mail to all landowners appearing on the tax rolls of Tooele County Assessor that adjoin the property or within an area that the Planning Commission or the Zoning Administrator deems to be impacted. It is the intent to make notification to all landowners or residents in the area that may be directly impacted by the conditional use action.

Amended 01/03 by Ordinance 2003-02

7.15 Amendment Of A Conditional Use Permit

(1) Once granted, a conditional use permit shall not be enlarged, changed, extended, increased in intensity, or relocated unless an application is made to amend the existing permit, and approval is given by the Planning Commission, except as provided below:

(a) The Zoning Administrator may administratively consider, approve, or disapprove modifications or changes which are consistent with the purpose and intent of this ordinance. In additional, such administrative determinations may be made only where the following conditions exist:

i. All additions, modifications, or changes are determined not to have significant impact beyond the site.

ii. Any decision of the Zoning Administrator may be appealed within 30 days to the Planning Commission.

(b) The Planning Commission may consider, approve with modifications, or disapprove amendments to a conditional use permit where the Zoning Administrator determines not to make an administrative determination as provided in (a) above and where the following requirements are met:

i. The proposed modification or amendment complies with the intent and purpose of these ordinances.

ii. Reasonable conditions may be attached, where and to the extent that the Planning Commission finds, that the imposition of the conditions will directly mitigate or eliminate some aspect of the proposed amendment that violate the intent and requirements of this chapter. Impacts must be of the magnitude that without the mitigation or elimination thereof, the amendment to the conditional use permit could not be granted.

iii. All decisions of the Planning Commission regarding approval, denial, the imposition of special conditions may be appealed to the City Council as provided in this Chapter.

7.16 Revocation

(1) The Planning Commission may revoke a conditional use permit if the conditions of a use permit are not fully complied with. Prior to the revocation of a use permit, the Chairman of the Planning Commission, after receiving information that there is reason to believe that the conditions of a use permit are not being complied with, shall issue an Order to Show Cause, to the owner or person(s) who are in control over the property or use in question. The order shall specify the alleged conditions that are not in compliance, inform the owner or other responsible party that the conditional use permit is in question and may be revoked, and any relevant evidence may be presented in support of the owner or responsible parties' position. All persons wishing to present evidence shall be required to take an oath or affirmation to tell the truth, which shall be administered by or under the direction of the Chairman of the Planning Commission. The form of the oath or affirmation shall be as specified by Sections 78-24-17 or 78-24-18 of the Utah Code Annotated. The Chairman may be reversed on any procedural ruling, by a majority vote of the other Planning Commission members present. A decision of the Planning Commission shall include a findings of fact and it's ruling.

(2) The Planning Commission may after a hearing, revoke a conditional use permit, allow the use to continue, or add new terms and conditions to an existing permit. Furthermore, the Planning Commission shall have the right of action to compel offending structures or uses to be removed at the cost of the violator or owner. Nothing in this section shall be construed to prevent the Planning Commission from otherwise reviewing use permits or be construed to prevent persons from being prosecuted under the criminal provision of this code for failure to comply with the terms of a conditional use permit.

(3) Any person or firm aggrieved by the decision of the Planning Commission regarding the revocation or amendment of a conditional use permit, may appeal such decision to the City Council whose decision shall then be final. The decision of the City Council shall be appealed to district court provided, that petition for such relief is presented to the court within 30 days after the filing of such decision in the office of the Grantsville City Council.

AGENDA ITEM #10

Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 8 (Regulation Of General Applicability).

Grantsville City Planning Commission

November 7, 2024
Public Hearing

Proposed amendment to the Grantsville City Land Use and Management Code Chapter 8 (Regulation Of General Applicability).

Notice is hereby given that in accordance with the provisions of Section §10-9A-205 and §10-9a-502 of the Utah Code, the Grantsville Planning Commission will hold a discussion and public hearing on **November 7, 2024 at 7:00 p.m.** at Grantsville City Hall. The meeting will also be broadcast on Zoom. The discussion, public hearing and meeting are to receive public input and consider action on the **Public Hearing of the Proposed amendment to the Grantsville City Land Use and Management Code Chapter 8 (Regulation Of General Applicability)** and make a recommendation to the City Council.

You can view a copy of the agenda and packet online by 5:00pm on November 1, 2024 at the link below:
https://grantsvilleut.gov/departments/community___economic_development/planning_commission.php

Or by emailing jbassett@grantsvilleut.gov. All comments and concerns need to be sent in writing through email or mail and received no later than 12:00pm on November 7, 2024.

Dated this 28th day of October, 2024

BY ORDER OF THE GRANTSVILLE PLANNING COMMISSION

Shelby Moore
Zoning Administrator

Scan QR code above or use the link below to join Zoom meeting.
https://us02web.zoom.us/j/83837749384
Meeting ID: 838 3774 9384

Planning and Zoning
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674

Staff Report Summary for
Chapter 8 Regulation Of General Applicability

Parcel ID(s):
Property Address:
Applicant Name:
Request:
Prepared By: Shelby Moore

Meeting Date: 11/7/2024
Public Hearing Date: 11/7/2024
Current Zone:
Acres:

Planning Staff Explanation and Recommendation: Discussion of Chapter 8 Regulation Of General Applicability.

PLANNING STAFF ANALYSIS AND COMMENTS

1) The amendment to Chapter 8 is to clarify verbiage and clean up spelling errors.

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Chapter 8 Regulation Of General Applicability

8.1 Home Occupations
8.2 Congregate Care Facilities
8.3 Nursing Care Facilities
8.4 Group Homes
8.5 Transitional Treatment Homes
8.6 Municipal Ordinances Governing Elderly Residential Facilities
8.7 Municipal Ordinances Governing Residential Facilities For Handicapped Persons
8.8 City Council Review And Approval Of Certain Developments Required
8.9 Essential Utilities And Infrastructure To Be Completed Prior To Issuance Of Building Permits

8.1 Home Occupations

(1) All home occupations whether allowed as a permitted use, or as a conditional use, shall comply with the following standards:

(a) The home occupation must be clearly incidental and secondary to the primary use of the dwelling for residential purposes;

(b) Under appropriate circumstances up to fifty percent of the usable floor space of a residence may be used for a home occupation, provided said home occupation does not change the character or primary use of the dwelling for residential purposes;

(c) A home occupation is generally intended to involve persons residing at the location where a home occupation is conducted. Non-residents may be allowed to participate in a home occupation when deemed appropriate by the Planning Commission as a part of a conditional use permit. The character of the home occupation and the neighborhood in which it is located shall be considered in granting any such conditional use permit. Appropriate conditions shall insure that any impacts upon the neighborhood are mitigated, which conditions may include adequate off-street parking. (Amended 1/99)

(d) The residence must be the principal residence of the applicant;

(e) Tools, items, equipment or occupations which are offensive or noxious by reason of the emission of odor, smoke, gas, vibration, magnetic interference or noise are prohibited;

(f) Stock in trade, inventory or other merchandise shall be allowed to be kept only in one room of the dwelling and limited to 100 square feet of floor space;

(g) Except for home occupation businesses authorized by a conditional use permit, no clients or customers shall come to the home nor shall any additional vehicular traffic or parking needs be generated.

(h) The home shall not require any internal alterations other than those necessary for a home occupation approved as a conditional use, nor any external alterations to the residence, nor provide any visible evidence from the exterior that the building is being used for any other purpose than that of a residence;

(i) Only one non-illuminated name plate, not exceeding two hundred square inches, and mounted flat against building; and

(j) Except for home occupations authorized by a conditional use permit, no advertising by any method shall identify the home address.

(2) The following activities shall be permitted as home occupations that only require the approval of the Zoning Administrator; ~~and one City Council member:~~

(a) Artists, illustrators, writers, photographers, editors, drafters, publishers;

(b) Consultants, private investigators, field representatives and other similar activities where the entire work of the business, except for record keeping and telephone, are conducted off of the premises; and

(c) Bookkeeping and other similar computer activities.

(d) Home occupations that require a client to come to the home for service including barbers, beauticians, tax accountants, home instruction of musical instruments, voice and educational subjects and similar or professional services. Physicians, therapists or other health care providers must obtain approval of a home occupation permit from the Planning Commission. (Amended 5/02)

(3) Repealed (Reserved for Future Use). (Amended 5/02)

(4) Applications for home occupation permits shall be filed with the Zoning Administrator. The applications shall include the following information:

(a) The names and addresses of all residents within an three hundred (300) foot radius of the property (exclusive of intervening streets and alleys) and their signatures, when possible, stating whether they support or oppose the home occupation proposed;

(b) The expected number of clients per day; (Amended 6/00)

(c) A description of the type of business proposed;

(d) A listing of the individuals at the home who will be working on the business;

(e) The expected hours of operation of the business; and

(f) If the business is conducted in an apartment, the application must also be approved by the apartment management.

(5) Upon receipt of an application for a home occupation, the Zoning Administrator shall make a determination of the completeness. If the application is determined to be complete, the Zoning Administrator shall approve or deny the application, or forward it to the Planning Commission for a conditional use permit.

(6) The Zoning Administrator shall issue a permit for the home occupation if they ~~he~~ finds that the:

(a) provisions of this Ordinance are satisfied;

(b) proposed home occupation will be in keeping with the character of the neighborhood and will not adversely affect the desirability or stability of the neighborhood;

(c) proposed home occupation does not diminish the use and enjoyment of adjacent properties or create an adverse traffic or parking impact on adjacent streets or properties;

(d) proposed home occupation will not negatively impact the future use of the property as a residence;

(e) proposed home occupation will not adversely affect the public health, safety or welfare; and

(f) proposed home occupation conforms with all fire, building, plumbing, electrical and health codes.

(7) If the application is forwarded to the Planning Commission for special consideration before issuing a conditional use permit, the Planning Commission shall consider the application and ~~approve,~~ approve with conditions or deny the application in accordance with the procedures and standards set forth in chapter 7, Conditional Use Permits.

(8) The Planning Commission, or the City Council, ~~member~~ and Zoning Administrator, in the case of home occupations authorized by this chapter, may terminate any permit for a home occupation use upon making findings that support either or both of the following conclusions:

(a) any of the required licenses or permits necessary for the operation of the business have been revoked or suspended;

(b) violation or disregard of any condition issued in approval of the permit; or

(c) violation of any of the provisions of this Ordinance anywhere on the property.

(9) Any termination of a home occupation conditional use permit may be appealed to the ~~Board of Adjustment~~ Appeals Officer if such appeal is made 30 days following the date of termination. Any person adversely affected by the denial or issuance of a home occupation conditional use permit may appeal that decision to the ~~Board of Adjustment~~ Appeals Officer pursuant to chapter 3.23.

(10) Existing licenses for home occupations which were legal under the prior ordinance regulating home occupations but which are not permitted under this Ordinance may be kept and reissued for subsequent years.

(11) Home occupation conditional use permits issued under this Ordinance are personal to the applicant, non-transferable and do not run with the land.

Amended 05/02 by Ordinance 2002-06, 01/03 by Ordinance 2003-02

8.2 Congregate Care Facilities

A congregate care facility shall be permitted as a conditional use in all residential zoning districts provided it complies with all of the requirements of the particular zoning district, all applicable requirements of this Ordinance and the Grantsville City Code, including business licensing requirements.

8.3 Nursing Care Facilities

A nursing care facility shall be permitted as a conditional use in the ~~RM-7,~~ RR-2.5, RR-1, and RM-1-12 ~~RM-15~~ zoning districts provided that it complies with all of the requirements of that particular zoning district, all applicable requirements of this Ordinance and the Grantsville City Code, including business licensing requirements.

8.4 Group Homes

(1) The purpose of this chapter is to permit the establishment of group homes for the disabled subject to licensing procedures and, where appropriate, conditional use standards. No group home for the disabled, shall be established, operated or maintained within the City without a valid license issued by the Board of Health.

(2) Small group homes (four to six residents) shall be permitted by conditional use permit upon the issuance of a license in the RR-5, RR-1, RR-2.5, A-10, R-1-21, and ~~R1-10,~~ R-1-12~~, RM-7, and RM-1-1~~ zoning districts, provided that no small group home shall be located within eight hundred feet of another group home or a transitional treatment home.

(3) Large group homes (seven or more residents) may be permitted by conditional use permit upon the issuance of a license in the RR-5, RR-2.5, RR-1, A-10, and R-1-21 ~~RM-7 and RM-1-1~~ zoning districts provided that no large group home shall be located within eight hundred feet of another group home or a transitional treatment home.

(4) A residential facility for disabled persons shall be consistent with existing zoning of the desired location. A residential facility for disabled persons shall:

(a) be occupied on a 24-hour-per-day basis by eight or fewer disabled persons in a family-type arrangement under the supervision of a house family or manager;

(b) conform with applicable standards of the Department of Human Services;

(c) be operated by or operated under contract with that department;

(d) the facility meets all applicable building, safety, zoning, and health ordinances applicable to similar dwellings;

(e) the operator of the facility provides assurances that the residents of the facility will be properly supervised on a 24-hour basis;

(f) the operator of the facility establishes a municipal advisory committee through which all complaints and concerns of neighbors may be addressed;

(g) the operator of the facility provides adequate off-street parking space;

(h) the facility be capable of use as a residential facility for disabled persons without structural or landscaping alterations that would change the structure's residential character;

(i) no residential facility for disabled persons be established within three-quarters mile of another residential facility for disabled persons;

(j) no person being treated for alcoholism or drug abuse be placed in a residential facility for disabled persons;

(k) no person who is violent be placed in a residential facility for disabled persons; and

(l) placement in a residential facility for disabled persons be on a strictly voluntary basis and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility.

(2) Upon application for a permit to establish a residential facility for disabled persons in any area where residential dwellings are allowed, except an area zoned to permit exclusively single-family swellings, Grantsville City may decide only whether or not the residential facility for disabled persons conforms to ordinances adopted by Grantsville City under this part. If Grantsville City determines that the residential facility for disabled persons complies with those ordinances, it shall grant the requested permit to that facility.

(3) The use granted and permitted by this section is non-transferable and terminates if the structure is devoted to a use other than a residential facility for disabled persons or if the structure fails to comply with the ordinances adopted under this part.

8.5 Transitional Treatment Homes

(1) The purpose of this chapter is to permit the establishment of transitional treatment homes for the disabled subject to licensing procedures and, where appropriate, conditional use standards. No transitional treatment home for the disabled, shall be established, operated or maintained within the City without a valid license issued by the Board of Health.

(2) Small transitional treatment homes (four to six residents) may be allowed as a conditional use permit in the RR-5, RR-1, RR-2.5, A-10, R-1-21, and R-1-12 ~~RM-7, and RM-1-1~~ zoning districts, provided that no small group home shall be located within eight hundred feet of another transitional treatment home or a group home.

(3) Large group homes (seven or more residents) may be permitted by conditional use permit in the RR-5, RR-2.5, RR-1, and A-10 ~~RM-7 and RM-1-1~~ zoning districts provided that no large group home shall be located within eight hundred feet of another group home or a transitional treatment home.

8.6 Municipal Ordinances Governing Elderly Residential Facilities

(1) The purpose of this chapter is to establish that a residential facility for elderly persons shall:

(a) not be operated as a business;

(b) be owned by one of the residents or by an immediate family member of one of the residents or be a facility for which the title has been placed in trust for a resident;

(c) be consistent with existing zoning of the desired location; and

(d) be occupied on a 24-hour-per-day basis by eight or fewer elderly persons in a family-type arrangement.

(2) A residential facility for elderly persons is a permitted use in any area where residential dwellings are allowed, except an area zoned exclusively single-family dwellings. Upon application for a permit to establish a residential facility for elderly persons in any area where residential dwellings are allowed, except an area zoned to permit exclusively single-family dwellings, Grantsville City may decide only whether or not the residential facility for elderly persons conform to ordinances adopted by Grantsville City under this part. The permit process requires that:

(a) the facility meets all applicable building, safety, zoning, and health ordinances applicable to similar dwellings;

(b) adequate off-street parking space be provided;

(c) the facility be capable of use as a residential facility for elderly persons without structural or landscaping alterations that would change the structure's residential character;

(d) no residential facility for elderly persons be established within three-quarters mile of another residential facility for elderly persons or residential facility for handicapped persons.

(e) no person being treated for alcoholism or drug abuse be placed in a residential facility for elderly persons; and

(f) placement in a residential facility for elderly persons be on a strictly voluntary basis and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility.

(3) Subject to granting of a conditional use permit, a residential facility for elderly persons shall be allowed in any municipal zoning district that is zoned to permit exclusively single-family use, if that facility:

(a) conforms to all applicable health, safety, zoning, and building codes;

(b) is capable of use as a residential facility for elderly persons without structural or landscaping alterations that would change the structure's residential character; and

(c) no residential facility for elderly persons be established or permitted within three-quarters mile of another existing residential facility for elderly persons or residential facility for handicapped persons.

(4) The use granted and permitted by this section is non-transferable and terminates if the structure is devoted to a use other than a residential facility for elderly persons or if the structure fails to comply with the ordinances adopted under this part.

(5) The requirements of this section that requires a residential facility for elderly persons obtains a conditional use permit or other permit does not apply if the facility meets the requirements of existing zoning ordinances that allow a specified number of unrelated persons to live together.

(6) The decision of a municipality regarding the application for a permit by a residential facility for elderly persons must be based on legitimate land use criteria and may not be based on:

(a) the age of the facility's residents; or

(b) discrimination against elderly persons and against residential facilities for elderly persons.

8.7 Municipal Ordinances Governing Residential Facilities For Handicapped Persons

(1) The purpose of this chapter is to establish that a residential facility for handicapped persons shall be:

(a) consistent with existing zoning of the desired location;

(b) be occupied on a 24-hour-per-day basis by eight or fewer handicapped persons in a family-type arrangement under the supervision of a house family or manager; and

(c) conform with applicable standards of the Department of Human Services and be operated by or operated under contract with that department.

(2) A residential facility for handicapped persons is a permitted use in any area where residential dwellings are allowed, except an area zoned exclusively single-family dwellings. Upon application for a building permit to establish a residential facility for handicapped persons in any area where residential dwellings are allowed, except an area zoned to permit exclusively single-family swellings, Grantsville City may decide only whether or not the residential facility for elderly persons conform to ordinances adopted by Grantsville City under this part. The building permit process shall require that:

(a) the facility meets all applicable building, safety, zoning, and health ordinances applicable to similar dwellings;

(b) the operator of the facility provides assurances that the residents of the facility will be properly supervised on a 24-hour basis;

(c) the operator of the facility establishes a municipal advisory committee through which all complaints and concerns of neighbors may be addressed;

(d) the operator of the facility provide adequate off-street parking space as is required in Chapter 6 of this code;

(e) the facility be capable of use as a residential facility for handicapped persons without structural or landscaping alterations that would change the structure's residential character;

(f) no residential facility for handicapped persons be established within three-quarters mile of another residential facility for handicapped persons;

(g) no person being treated for alcoholism or drug abuse be placed in a residential facility for handicapped persons;

(h) no person who is violent be placed in a residential facility for handicapped persons; and

(i) placement in a residential facility for handicapped persons be on a strictly voluntary basis and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility.

(3) Subject to granting of a conditional use permit, a residential facility for handicapped persons shall be allowed in any municipal zoning district that is zoned to permit exclusively single-family use. Subject to granting of a conditional use permit the Planning Commission shall be assured that:

(a) no person who is being treated for alcoholism or drug abuse may be placed in a residential facility for handicapped persons;

(b) no person who is violent may be placed in a residential facility for handicapped persons; and

(c) placement in a residential facility for handicapped persons shall be on a strictly voluntary basis and may not be a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional institution.

(d) conforms to all applicable health, safety, zoning, and building codes;

(e) is capable of use as a residential facility for handicapped persons without structural or landscaping alterations that would change the structure's residential character; and

(f) no residential facility for handicapped persons be established within three-quarters mile of another existing residential facility for handicapped persons.

(4) If Grantsville City determines that the residential facility for handicapped persons complies with those ordinances, it shall grant the requested permit to that facility.

(5) The decision of a municipality regarding the application for a permit by a residential facility for handicapped persons shall be based on legitimate land use criteria and may not be based on:

(a) handicapping condition of the facility's residents; and

(b) discrimination against handicapped persons and against residential facilities for handicapped persons.

(6) The use granted and permitted by this section is non-transferable and terminates if the structure is devoted to a use other than a residential facility for handicapped persons or if the structure fails to comply with the ordinances adopted under this part.

8.8 City Council Review And Approval Of Certain Developments Required

(1) Notwithstanding any other provision to the contrary in this Code or under any other Grantsville city Ordinance, all new developments or construction projects having an estimated new construction value of over $250,000.00, all multiple occupancy non-residential structures with over four separate occupants or uses and all apartment or condominium structures or developments having more than two residential units, shall be first reviewed and approved by the City Council prior to the commencement or construction.

(2) The City Council review and approval required by this Section shall take place prior to the issuance of any building permits for the proposed project or development. The Building Official's determination of valuation under Section 5- 2 of the Grantsville City Code shall be used to determine if the construction value of a project is over $250,000.00 under this Section. This development also requires the review and approval of the Zoning Administrator or the Planning Commission, said review and approval shall be completed prior to the review and approval by the City Council under this Section.

(3) The review and approval by the City Council under this Section shall be conducted in an effort to ensure that all departments of the City are notified of the proposed project prior to construction, that all applicable building and zoning regulations have been complied with, that utilities are efficiently provided to the property and that any negative impacts to the neighborhood or community are mitigated. The City council may impose such reasonable conditions and requirements as it deems necessary in order to achieve the foregoing objectives and to ensure that city planning issues are raised and resolved prior to construction.

Amended 05/05 by Ordinance 2005-09

8.9 Essential Utilities And Infrastructure To Be Completed Prior To Issuance Of Building Permits

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 be approved prior to the final completion of the street surface course.

Section added 03/09 with the adoption of Ordinance 2009-06

AGENDA ITEM #11

Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 11 (Site Plan Review).

Grantsville City Planning Commission

November 7, 2024
Public Hearing

Proposed amendment to the Grantsville City Land Use and Management Code Chapter 11 (Site Plan Review).

Notice is hereby given that in accordance with the provisions of Section §10-9A-205 and §10-9a-502 of the Utah Code, the Grantsville Planning Commission will hold a discussion and public hearing on **November 7, 2024 at 7:00 p.m.** at Grantsville City Hall. The meeting will also be broadcast on Zoom. The discussion, public hearing and meeting are to receive public input and consider action on the **Public Hearing of the Proposed amendment to the Grantsville City Land Use and Management Code Chapter 11 (Site Plan Review)** and make a recommendation to the City Council.

You can view a copy of the agenda and packet online by 5:00pm on November 1, 2024 at the link below:
https://grantsvilleut.gov/departments/community___economic_development/planning_commission.php

Or by emailing jbassett@grantsvilleut.gov. All comments and concerns need to be sent in writing through email or mail and received no later than 12:00pm on November 7, 2024.

Dated this 28th day of October, 2024

BY ORDER OF THE GRANTSVILLE PLANNING COMMISSION

Shelby Moore
Zoning Administrator

Scan QR code above or use the link below to join Zoom meeting.
https://us02web.zoom.us/j/83837749384
Meeting ID: 838 3774 9384

Planning and Zoning
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674

Staff Report Summary for
Chapter 11 Site Plan Review

Parcel ID(s):
Property Address:
Applicant Name:
Request:
Prepared By: Shelby Moore

Meeting Date: 11/7/2024
Public Hearing Date: 11/7/2024
Current Zone:
Acres:

Planning Staff Explanation and Recommendation: Discussion of Chapter 11 Site Plan Review.

PLANNING STAFF ANALYSIS AND COMMENTS

1) The amendment to Chapter 11 is to clarify verbiage and clean up spelling errors.

*** Disclaimer: Please be advised that at no point should the comments and conclusions made by The City staff or the conclusions drawn from them be quoted, misconstrued, or interpreted as recommendations. These inputs are intended solely for the legislative body to interpret as deemed appropriate.*

The information provided is purely for the legislative body to interpret in their own right and context. It is crucial to maintain the integrity and context of the information shared, as it is meant to assist in the decision-making process without implying any endorsement or directive, but it is essential that it is understood within the appropriate scope.

Chapter 11 Site Plan Review

11.1 Purpose

(1) The intent of the site plan review is to promote the safe and efficient use land, to contribute to an orderly and harmonious appearance in the City and to further enhance the value of property. This process is intended to supplement the review and administrative procedures which are carried out under this Code or other City ordinances and regulations. The site plan review process in intended to help ensure that newly developed properties and redeveloped properties are compatible with adjacent development and that traffic, public safety, over-crowding, and environmental problems are minimized to the greatest extend possible. The purpose of the site plan review is to provide for a review of:

(a) A project's compatibility with its environment and with other land uses and buildings existing in the surrounding area;

(b) The quality, quantity, utility, size and type of a project's required open space and proposed landscaping improvements;

(c) The ability of a project's traffic circulation system to provide for the convenient and safe internal and external movement of vehicles and pedestrians;

(d) The quantity, quality, utility and type of a project's required community facilities; and

(e) The location and adequacy of a project's provision for drainage and utilities.

11.2 Scope Of Application

Site plan approval shall be required as a condition to receiving a Building Permit for all permitted uses in all zoning districts. Site plan review shall be required for all conditional uses in all zoning districts.

11.3 Scope Of Modifications Authorized

(1) The authority of the Zoning Administrator through the site plan review process to require modification of a proposed site development shall be limited to the following elements in order to achieve the objectives set forth below:

(a) Minimizing dangerous traffic movements and promoting the smooth and efficient flow of traffic in accordance with standards in the Institute of Traffic Engineers' Transportation Handbook, and other local sources of authority as adopted by resolution;

(b) Optimizing the efficient use of parking facilities through provisions for adequate interior circulation, parking stalls and travel aisles;

(c) Promoting compatibility with adjacent and nearby properties;

(d) Preserving and protecting valuable natural features and amenities to the greatest extent practical;

(e) Promoting the efficient provision of public services;

(f) Preserving existing healthy and long-lived trees wherever practically feasible;

(g) Designing drainage facilities to promote the use and preservation of natural watercourse and patterns of drainage;

(h) Minimizing alterations to existing topography;

(i) Protecting important views and vistas as identified in adopted plans;

(j) Promoting the use of plant material compatible with the climate of the region and micro-climate conditions on the site;

(k) Ensuring that plant material can be maintained for long term health and continued growth;

(l) Maximizing water conservation;

(m) Ensuring that the arrangement of required landscaping produces the optimal visual effect;

(n) Ensuring that the location, size and orientation of signage do not impair the visibility of or distract motorists;

(o) Ensuring that the location, size and orientation of signage minimize obstructions and hazards to pedestrians; and

(p) Ensuring that the proposed site development conforms to all applicable requirements of this Code and other ordinances and regulations.

11.4 Site Plan Content

(1) Two copies of a site plan, drawn to a scale of 20 feet to the inch or such other scale as the Zoning Administrator shall deem appropriate, shall be submitted along with any permit application and shall contain the following information:

(a) The applicant's name, address, telephone number and interest in the property;

(b) The owner's name, address and telephone number, if different than the applicant, and the owner's signed consent to the filing of the application;

(c) The street address and legal description of the subject property;

(d) The zoning classification, zoning district boundaries and present use of the subject property;

(e) A vicinity map with north point, scale and date, indicating the zoning classifications and current uses of properties within 85 feet of the subject property (exclusive of intervening streets and alleys);

(f) The proposed title of the project and the names, addresses and telephone numbers of the architect, landscape architect, planner or engineer on the project, and a signature panel for Zoning Administrator approval;

(g) The boundaries of the subject property, all existing property lines, setback lines, existing streets, buildings, water courses, water ways or lakes, wetlands, and other existing physical features in or adjoining the project;

(h) Topographic survey, showing the elevation of streets, alleys, buildings, structures, water courses and their names. The topography shall be shown by adequate spot elevations. The finished grade for the entire site shall be shown as well as the first-floor elevation of all buildings. Additionally, on all site plans the following information must be provided:

i. Significant topographical or physical features of the site, including existing trees;

ii. The elevation of the curb (if existing or proposed) in front of each lot shall be indicated; and

iii. Elevations of the top of band and toe of slope, slope ratio of fill, and limits of fill, including access, shall be indicated;

(i) The location and size of sanitary and storm sewers, water, gas, telephone, electric and other utility lines, culverts and other underground structures in or affecting the project, including existing and proposed facilities and easements for these facilities. In the case of City-owned utilities, such information shall be provided to the applicant by the Public Utility department;

(j) The location, dimensions and character of construction of proposed streets, alleys, loading areas (including numbers of parking and loading spaces), outdoor lighting systems, storm drainage and sanitary facilities, sidewalks, curbs and gutters and all curb cuts. Where necessary to meet the purposes and intent of this chapter, such information shall be provided for the site itself and for an area within 50 feet of any property line of the site; except, that additional area may be required to be shown to indicate connections or proposed connections to major utilities;

(k) The location of all proposed buildings and structures, accessory and principal, showing the number of stories and height, dwelling type, if applicable, major excavations and the total square footage of the floor area by proposed use;

(l) The location, height, type and material of all fences and walls;

(m) The location, character, size, height and orientation of proposed signs, as proposed to be erected in accordance with Chapter 20, Sign ordinance, and elevations of buildings showing signs to be placed on exterior walls. Signs which are approved in accordance with this Chapter shall be considered a part of the approved site plan. Thereafter, signs shall not be erected, painted, constructed, structurally altered, hung, rehung or replaced except in conformity with the approved site plan. Any changes in signs from the approved site plan or any additions to the number of signs as shown on the site plan shall be allowed only after approval of an amendment of the site plan by the Planning Commission;

(n) The proposed nature and manner of grading of the site, including proposed treatment of slopes in excess of ten percent to prevent soil erosion and excessive runoff;

(o) The location of dumpsters or other outdoor trash receptacles;

(p) The location and dimensions of proposed recreation areas, open spaces and other required amenities and improvements;

(q) A tabulation of the total number of acres in the project and the percentage and acreage thereof proposed to be allocated to off- street parking, open space, parks, and other reservations;

(r) A tabulation of the total number of dwelling units in the project and the overall project density in the dwelling units per gross acre (for residential projects); and

(s) The proposed and required off-street parking and loading areas, including parking and access for the handicapped, as specified in the Utah Uniform Statewide Building Code, as amended.

(t) Traffic Impact Analysis;

(u) Geotechnical Report;

(v) Sewer and Water Modeling

(2) The Zoning Administrator may waive any of the above listed requirements upon making a determination that such requirements are unnecessary due to the scope and nature of the proposed development.

11.5 Lighting

All development shall provide adequate lighting so as to assure safety and security. Lighting installations shall not have an adverse impact on traffic safety or on the surrounding area. Light sources shall be shielded, and shall not shine onto adjacent properties. The site plan must reflect compliance with this requirement.

11.6 Storm Water Drainage

Provisions for storm surface drainage shall be in accordance with the design standards of the Road Department indicating location, size, types and grades of sewers, drainage structures, ditches, and connection to existing drainage system. Disposition of storm or natural waters both on and off the site shall be provided in such a manner as not to have a detrimental effect on the property of others or the public

right-of-way and in keeping with the above standards. The site plan must reflect compliance with this requirement.

11.7 Utilities

Provision of hook-ups to public utilities shall be the responsibility of the applicant and connections shall be installed in accordance with the standards of the servicing utility. All connections shall be shown on the site plan.

11.8 Public Safety

The Tooele County Health Department shall be invited to review site plans for all treatment of bulk trash disposal. The Police and Fire Departments shall review all site plans to determine adequacy of access and other aspects of public safety.

11.9 Landscaping

Standards for landscape development are contained in Chapter 9, Landscaping and Buffers. Landscape plans shall be submitted with site plans.

11.10 Procedures For Site Plan Review

(1) Before filing an application for approval of a site development plan, landscape plan and other applicable plans, the applicant is encouraged to confer with the Zoning Administrator, City Planner, Chief of Police, Fire Department and Public Works Department regarding the general proposal. Such action does not require formal application fees, or filing of a site development plan, or landscape plan and is not to be construed as an application for formal approval. No representation made by the Zoning Administrator or other city personnel or departments during such conference shall be binding upon the City with respect to an application subsequently submitted.

(2) After the site plan, landscape plan, other applicable plans and related materials and fees have been submitted and the application has been determined by the Zoning Administrator to be complete, the application shall be reviewed and processed in coordination with the appropriate personnel and City departments. In considering and acting upon site plans, landscape plans and other applicable plans, the Zoning Administrator shall take into consideration the public health, safety, and welfare, the comfort and convenience of the public in general and of the immediate neighborhood in particular. If the plan is approved, the Zoning Administrator, shall certify approval on the site plan and state the conditions of such approval, if any. If the plan is disapproved, the Zoning Administrator shall indicate reasons in writing to the applicant. No permit may be issued by the Zoning Administrator, Building Inspector, or the Planning Commission without site plan approval.

(3) Any appeal of the Zoning Administrator's denial of a site plan shall be made to the Planning Commission ~~Board of Adjustment~~, provided that such appeal is filed within 30 days from the date of such denial.

(4) The action of the Zoning Administrator approving the application shall be noted on all copies of the site plan, landscape plan and other applicable plans to be retained in the record, including any changes or conditions required as part of the site plan approval. One such copy shall be returned to the applicant, and others retained as required for records or further action by the Zoning Administrator or other affected agencies of the City.

(5) Building Permits shall be issued in accordance with approved plans. A copy of the approved site plan shall be retained in the records of the office of the Building Inspector and all buildings and occupancy permits shall conform to the provisions of said site development plans.

(6) Amendments or modifications to approved site plans and/or landscape plans must be submitted to the Zoning Administrator. Such modifications shall be submitted in accordance with the procedures and requirements of this Chapter and shall be distributed to the appropriate City departments for review. The

Zoning Administrator may waive this requirement where the Zoning Administrator has determined that such modification of the original site plan and/or landscape plan has no significant impact upon the original proposal and still remains in conformance with City standards and regulations.

(7) Approval of the site plan, landscape plan and other applicable plans shall be void unless a Building Permit, Conditional Use Permit or use of the land has commenced within 12 months from the date of approval. Upon request, re-validation of the site plan may be granted for an additional 12 months if all factors of the original site plan review are the same; provided, however, that written notice requesting re-validation must be received by the Zoning Administrator prior to expiration of the original 12 month period.

(8) A stop work order shall be put on the project if any improvements required are not consistent with the approved site development plan, landscape plan or other applicable plans.

(9) When any improvement is to be accepted for dedication, maintenance or operation by the City, the applicant may be required to provide a certified check or bond (with surety acceptable to the City Attorney) in the amount of twenty percent of the total construction costs of the project to cover the costs of any defects which may occur in such improvements within two years after the date of acceptance by the City. The Manager of the Road Department or other responsible City official shall be responsible for determining when such security shall be required.

AGENDA ITEM #12

Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 11 (Site Plan Review) to modify the Lighting Ordinance in section 11.5.

Grantsville City Planning Commission

November 7, 2024
Public Hearing

Proposed amendment to the Grantsville City Land Use and Management Code Chapter 11 (Site Plan Review) to modify the Lighting Ordinance in section 11.5.

Notice is hereby given that in accordance with the provisions of Section §10-9A-205 and §10-9a-502 of the Utah Code, the Grantsville Planning Commission will hold a discussion and public hearing on **November 7, 2024 at 7:00 p.m.** at Grantsville City Hall. The meeting will also be broadcast on Zoom. The discussion, public hearing and meeting are to receive public input and consider action on the **Public Hearing of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 11 (Site Plan Review) to modify the Lighting Ordinance in section 11.5** and make a recommendation to the City Council.

You can view a copy of the agenda and packet online by 5:00pm on November 1, 2024 at the link below:
https://grantsvilleut.gov/departments/community___economic_development/planning_commission.php

Or by emailing jbassett@grantsvilleut.gov. All comments and concerns need to be sent in writing through email or mail and received no later than 12:00pm on November 7, 2024.

Dated this 28th day of October, 2024

BY ORDER OF THE GRANTSVILLE PLANNING COMMISSION

Shelby Moore
Zoning Administrator

Scan QR code above or use the link below to join Zoom meeting.
https://us02web.zoom.us/j/83837749384
Meeting ID: 838 3774 9384

Planning and Zoning
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674

Staff Report Summary for
Chapter 11.5 Lighting Ordinance

Parcel ID(s):
Property Address:
Applicant Name:
Request:
Prepared By: Shelby Moore

Meeting Date: 11/7/2024
Public Hearing Date: 11/7/2024
Current Zone:
Acres:

Planning Staff Explanation and Recommendation: Discussion of Chapter 11.5 Lighting Ordinance amendment.

PLANNING STAFF ANALYSIS AND COMMENTS

1) The amendment to the lighting ordinance is to create Dark Sky requirements.

*** Disclaimer: Please be advised that at no point should the comments and conclusions made by The City staff or the conclusions drawn from them be quoted, misconstrued, or interpreted as recommendations. These inputs are intended solely for the legislative body to interpret as deemed appropriate.*

The information provided is purely for the legislative body to interpret in their own right and context. It is crucial to maintain the integrity and context of the information shared, as it is meant to assist in the decision-making process without implying any endorsement or directive, but it is essential that it is understood within the appropriate scope.

11.5 LIGHTING ORDINANCE

(1) All development shall provide adequate lighting so as to assure safety and security. Lighting installations shall not have an adverse impact on traffic safety or on the surrounding area. Light sources shall be shielded, and shall not shine onto adjacent properties. The site plan must reflect compliance with this requirement.

11.5.1 PURPOSE

(1) The purpose of this Ordinance is to provide regulations for outdoor lighting that will:

a) Permit the use of outdoor lighting that does not exceed the minimum levels specified in IES recommended practices for night-time safety, utility, security, productivity, enjoyment, and commerce.

b) Minimize adverse offsite impacts of lighting such as light trespass, and obtrusive light.

c) Curtail light pollution, reduce skyglow and improve the nighttime environment for astronomy.

d) Help protect the natural environment from the adverse effects of night lighting from gas or electric sources.

e) Conserve energy and resources to the greatest extent possible.

11.5.2 DEFINITIONS

(1) ABSOLUTE PHOTMENTRY: Photometric measurements (usually of a solid-state luminaire) that directly measures the footprint of the luminaire. Reference Standard IES LM-79

(2) ARCHITECTURAL LIGHTING: Lighting designed to reveal architectural beauty, shape and/or form and for which lighting for any other purpose is incidental.

(3) AUTHORITY: The adopting municipality, agency or other governing body.

(4) ASTRONOMIC TIME SWITCH: An automatic lighting control device that switches outdoor lighting relative to time of solar day with time of year correction

(5) BACKLIGHT: For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the opposite

direction of the intended orientation of the luminaire. For luminaires with symmetric distribution, backlight will be the same as front light.

(6) B.U.G.: A luminaire classification system that classifies backlight (B), uplight (U) and glare (G).

(7) CANOPY: A covered, unconditioned structure with at least one side open for pedestrian and/or vehicular access. (An unconditioned structure is one that may be open to the elements and has no heat or air conditioning.)

(8) COMMON OUTDOOR AREAS: One or more of the following: a parking lot; a parking structure or covered vehicular entrance; a common entrance or public space shared by all occupants of the domiciles.

(9) CURFEW: A time defined by the authority when outdoor lighting is reduced or extinguished.

(10) EMERGENCY CONDITIONS: Generally, lighting that is only energized during an emergency; lighting fed from a backup power source; or lighting for illuminating the path of egress solely during a fire or other emergency situation; or, lighting for security purposes used solely during an alarm.

(11) FOOTCANDLE: The unit of measure expressing the quantity of light received on a surface. One footcandle is the illuminance produced by a candle on a surface one foot square from a distance of one foot.

(12) FORWARD LIGHT: For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the direction of the intended orientation of the luminaire

(13) FULLY SHIELDED LUMINAIRE: A luminaire constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or re- fraction from any part of the luminaire, is projected below the horizontal plane through the luminaire's lowest light-emitting part.

(14) GLARE: Lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.

(15) HARDSCAPE: Permanent hardscape improvements to the site including parking lots, drives, entrances, curbs, ramps, stairs, steps, medians, walkways and non-vegetated landscaping that is 10 feet or less in width. Materials may include concrete, asphalt, stone, gravel, etc.

(16) HARDSCAPE AREA: The area measured in square feet of all hard- scape. It is used to calculate the Total Site Lumen Limit in both the Prescriptive Method and Performance Methods. Refer to Hardscape definition.

(17) HARDSCAPE PERIMETER: The perimeter measured in linear feet is used to calculate the Total Site Lumen Limit in the Performance Method. Refer to Hardscape definition.

(18) I.D.A.: International Dark-Sky Association.

(19) I.E.S.N.A.: Illuminating Engineering Society of North America.

(20) IMPERVIOUS MATERIAL: Sealed to severely restrict water entry and movement

(21) INDUSTRY STANDARD LIGHTING SOFTWARE: Lighting software that calculates point-by- point illuminance that includes reflected light using either ray-tracing or radiosity methods.

(22) LAMP: A generic term for a source of optical radiation (i.e. “light”), often called a “bulb” or “tube”. Examples include incandescent, fluorescent, high-intensity discharge (HID) lamps, and low pressure sodium (LPS) lamps, as well as light-emitting diode (LED) modules and arrays.

(23) LANDCSAPE LIGHTING: Lighting of trees, shrubs, or other plant material as well as ponds and other landscape features.

(24) L.E.D.: Light Emitting Diode.

(25) LIGHT POLLUTION: Any adverse effect of artificial light including, but not limited to, glare, light trespass, sky- glow, energy waste, compromised safety and security, and impacts on the nocturnal environment.

(26) LIGHT TRESSPASS: Light that falls beyond the property it is intended to illuminate.

(27) LIGHTING: “Electric” or “man-made” or “artificial” lighting. See “lighting equipment”.

(28) LIGHTING EQUIPTMENT: Equipment specifically intended to provide gas or electric illumination, including but not limited to, lamp(s), luminaire(s), ballast(s), poles, posts, lens(s), and related structures, electrical wiring, and other necessary or auxiliary components.

(29) LIGHTING ZONE: An overlay zoning system establishing legal limits for lighting for particular parcels, areas, or districts in a community.

(30) LOW VOLTAGE LANDSCAPE LIGHTING: Landscape lighting powered at less than 15 volts and limited to luminaires having a rated initial luminaire lumen output of 525 lumens or less.

(31) LUMEN: The unit of measure used to quantify the amount of light produced by a lamp or emitted from a luminaire (as distinct from “watt,” a measure of power consumption).

(32) LUMINAIRE: The complete lighting unit (fixture), consisting of a lamp, or lamps and ballast(s) (when applicable), together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to the power supply.

(33) LUMINAIRE LUMENS: For luminaires with relative photometry per IES, it is calculated as the sum of the initial lamp lumens for all lamps within an individual luminaire, multiplied by the luminaire efficiency. If the efficiency is not known for a residential luminaire, assume 70%. For luminaires with absolute photometry per IES LM-79, it is the total luminaire lumens. The lumen rating of a luminaire assumes the lamp or luminaire is new and has not depreciated in light output.

(34) LUX: The SI unit of illuminance. One lux is one lumen per square meter. 1 Lux is a unit of incident illuminance approximately equal to 1/10 footcandle.

(35) MOUNTING HEIGHT: The height of the photometric center of a luminaire above grade level.

(36) NEW LIGHTING: Lighting for areas not previously illuminated; newly installed lighting of any type except for replacement lighting or lighting repairs.

(37) OBJECT: A permanent structure located on a site. Objects may include statues or artwork, garages or canopies, outbuildings, etc.

(38) OBJECT HEIGHT: The highest point of an entity, but shall not include antennas or similar structures.

(39) ORNAMENTAL LIGHTING: Lighting that does not impact the function and safety of an area but is purely decorative, or used to illuminate architecture and/or land- scaping, and installed for aesthetic effect.

(40) ORNAMENTAL STREET LIGHTING: A luminaire intended for illuminating streets that serves a decorative function in addition to providing optics that effectively deliver street lighting. It has a historical period appearance or decorative appearance, and has the following design characteristics: designed to mount on a pole using an arm, pendant, or vertical tenon; opaque or translucent top and/or sides; an optical aperture that is either open or enclosed with a flat, sag or drop lens; mounted in a fixed position; and with its photometric output measured using Type C photometry per IESNA LM-75-01.

(41) OUTDOOR LIGHTING: Lighting equipment installed within the property line and outside the building envelopes, whether attached to poles, building structures, the earth, or any other location; and any associated lighting control equipment.

(42) PARTLY SHIELDED LUMINAIRE: A luminaire with opaque top and translucent or perforated sides, designed to emit most light downward.

(43) PEDESTRIAN HARDSCAPE: Stone, brick, concrete, asphalt or other similar finished surfaces intended primarily for walking, such as sidewalks and pathways.

(44) PHOTOELECTRIC SWITCH: A control device employing a photocell or photodiode to detect daylight and automatically switch lights off when sufficient daylight is available.

(45) PROPERTY LINE: The edges of the legally-defined extent of privately owned property.

(46) RELATILVE PHOTOMETRY: Photometric measurements made of the lamp plus luminaire, and adjusted to allow for light loss due to reflection or absorption within the luminaire. Reference standard: IES LM-63.

(47) REPAIR(S): The reconstruction or renewal of any part of an existing luminaire for the purpose of its on- going operation, other than relamping or replacement of components including capacitor, ballast or photocell. Note that retrofitting a luminaire with new lamp and/or ballast technology is not considered a repair and for the purposes of this ordinance the luminaire shall be treated as if new. “Repair” does not include normal relamping or replacement of components including capacitor, ballast or photocell.

(48) REPLACEMENT LIGHTING: Lighting installed specifically to replace existing lighting that is sufficiently broken to be beyond repair.

(49) SALES AREA: Uncovered area used for sales of retail goods and materials, including but not limited to automobiles, boats, tractors and other farm equipment, building supplies, and gardening and nursery products.

(50) SEASONAL LIGHTING: Temporary lighting installed and operated in connection with holidays or traditions.

(51) SHIELDED DIRECTIONAL LUMINAIRE: A luminaire that includes an adjustable mounting device allowing aiming in any direction and contains a shield, louver, or baffle to reduce direct view of the lamp.

(52) SIGN: Advertising, directional or other outdoor promotional display of art, words and/or pictures.

(53) SKY GLOW: The brightening of the nighttime sky that results from scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Skyglow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the night sky

(54) TEMPORARY LIGHTING: Lighting installed and operated for periods not to exceed 60 days, completely removed and not operated again for at least 30 days.

(55) THIRD PARTY: A party contracted to provide lighting, such as a utility company.

(56) TIME SWITCH: An automatic lighting control device that switches lights according to time of day.

(57) TRANSLUSCENT: Allowing light to pass through, diffusing it so that objects beyond cannot be seen clearly (not transparent or clear).

(58) UNSHIEDLED LUMINAIRE: A luminaire capable of emitting light in any direction including downwards.

(59) UPLIGHT: For an exterior luminaire, flux radiated in the hemisphere at or above the horizontal plane.

(60) VERTICAL ILLUMINANCE: Illuminance measured or calculated in a plane perpendicular to the site boundary or property line.

11.5.3 LIGHTING ZONES

(1) LZ1: Low ambient lighting

a) Areas where lighting might adversely affect flora and fauna or disturb the character of the area. The vision of human residents and users is adapted to low light levels. Lighting may be used for safety and convenience but it is not necessarily uniform or continuous. After curfew, most lighting should be extinguished or reduced as activity levels decline.

(2) LZ2: Moderate ambient lighting

a) Areas of human activity where the vision of human residents and users is adapted to moderate light levels. Lighting may typically be used for safety and convenience but it is not necessarily uniform or continuous. After curfew, lighting may be extinguished or reduced as activity levels decline.

(3) LZ3: Moderately high ambient lighting

a) Areas of human activity where the vision of human residents and users is adapted to moderately high light levels. Lighting is generally desired for safety, security and/or convenience and it is often uniform and/or continuous. After curfew, lighting may be extinguished or reduced in most areas as activity levels decline.

(4) LZ4: High ambient lighting

a) Areas of human activity where the vision of human residents and users is adapted to high light levels. Lighting is generally considered necessary for safety, security and/or convenience and it is mostly uniform and/or continuous. After curfew, lighting may be extinguished or reduced in some areas as activity levels decline.

11.5.4 GENERAL REQUIREMENTS

(1) Conformance with All Applicable Codes

a) All outdoor lighting shall be installed in conformance with the provisions of this Ordinance, applicable Electrical and Energy Codes, and applicable sections of the Building Code.

(2) Applicability

a) Except as described below, all outdoor lighting installed after the date of effect of this Ordinance shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location, including lighting installed by any third party.

Exemptions from 11.5.4 (2) The following are not regulated by this Ordinance

a) Lighting within the public right-of-way or easement for the principal purpose of illuminating roads and highways. No exemption shall apply to any street lighting and to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside of the public right of way or easement.

b) Lighting for public monuments and statuary.

c) Lighting solely for signs (lighting for signs is regulated by the Sign Ordinance).

d) Repairs to existing luminaires not exceeding 25% of total installed luminaires.

e) Temporary lighting for theatrical, television, performance areas and construction sites;

f) Underwater lighting in swimming pools and other water features

g) Temporary lighting and seasonal lighting provided that individual lamps are less than 10 watts and 70 lumens.

h) Lighting that is only used under emergency conditions.

i) In lighting zones 2, 3 and 4, low voltage landscape lighting controlled by an automatic device that is set to turn the lights off at one hour after the site is closed to the public or at a time established by the authority.

Exceptions to 11.5.4 (2) All lighting shall follow provisions in this ordinance; however, any special requirements for lighting listed in a) and b) below shall take precedence.

a) Lighting specified or identified in a specific use permit.

b) Lighting required by federal, state, territorial, commonwealth or provincial laws or regulations

(3) Lighting Control Requirements:

a) Automatic Switching Requirements:

- Controls shall be provided that automatically extinguish all outdoor lighting when sufficient daylight is available using a control device or system such as a photoelectric switch, astronomic time switch or equivalent functions from a programmable lighting controller, building automation system or lighting energy management system, all with battery or similar backup power or device.

Exceptions to 11.5.4 (3) a) Automatic lighting controls are not required for the following:

- Lighting under canopies.
- Lighting for tunnels, parking garages, garage entrances, and similar conditions.

(4) Automatic Lighting Reduction Requirements:

c) The Authority shall establish curfew time(s) after which total outdoor lighting lumens shall be reduced by at least 30% or extinguished.

d) Curfew: 11:00 pm – 5:00 am

(5) Exceptions to 11.5.4 (4) a) Lighting reductions are not required for any of the following:

a) With the exception of landscape lighting, lighting for residential properties including multiple residential properties not having common areas.

b) When the outdoor lighting consists of only one luminaire.

c) Code required lighting for steps, stairs, walkways, and building entrances.

d) When in the opinion of the Authority, lighting levels must be maintained.

e) Motion activated lighting.

f) Lighting governed by special use permit in which times of operation are specifically identified.

g) Businesses that operate on a 24 hour basis.

11.5.5 NON-RESIDENTIAL LIGHTING

For all non-residential properties, and for multiple residential properties of seven domiciles or more and having common outdoor areal, all outdoor lighting shell comply either with Part A or Part B of this section.

(1) Prescriptive Method:

An outdoor lighting installation complies with this section if it meets the requirements of subsections a) and b), below.

a) Total Site Lumen Limit:

- The total installed initial luminaire lumens of all outdoor lighting shall not exceed the total site lumen limit. The total site lumen limit shall be determined using either the Parking Space Method (Table A) or the Hardscape Area Method (Table B). Only one method shall be used per permit application, and for sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens. The total installed initial luminaire lumens is calculated as the sum of the initial luminaire lumens for all luminaires.

b) Limits to Off Site Impacts:

- All luminaires shall be rated and installed according to Table C.

c) Light Shielding for Parking Lot Illumination:

- All parking lot lighting shall have no light emitted above 90 degrees.
- Exception:

  Ornamental parking lighting shall be permitted by special permit only, and shall meet the requirements of Table C-1 for Backlight, Table C-2 for Uplight, and Table C-3 for Glare, without the need for external field added modifications.

(2) Performance Method:

a) Total Site Lumen Limit:

- The total installed initial luminaire lumens of all lighting systems on the site shall not exceed the allowed total initial site lumens. The allowed total initial site lumens shall be determined using Tables D and E. For sites with

existing lighting, existing lighting shall be included in the calculation of total installed lumens.

- The total installed initial luminaire lumens of all is calculated as the sum of the initial luminaire lumens for all luminaires.

b) Limits to Off Site Impacts:

- All luminaires shall be rated and installed using either Option A or Option B. Only one option may be used per permit application.
- Option A: All luminaires shall be rated and installed according to Table C.
- Option B: The entire outdoor lighting design shall be analyzed using industry standard lighting software including inter-reflections in the following manner:
    - Input data shall describe the lighting system including luminaire locations, mounting heights, aiming directions, and employing photometric data tested in accordance with IES guidelines. Buildings or other physical objects on the site within three object heights of the property line must be included in the calculations.
    - Analysis shall utilize an enclosure comprised of calculation planes with zero reflectance values around the perimeter of the site. The top of the enclosure shall be no less than 33 feet (10 meters) above the tallest luminaire. Calculations shall include total lumens upon the inside surfaces of the box top and vertical sides and maximum vertical illuminance (footcandles and/or lux) on the sides of the enclosure.

The design complies if:

a) The total lumens on the inside surfaces of the virtual enclosure are less than 15% of the total site lumen limit; and

b) The maximum vertical illuminance on any vertical surface is less than the allowed maximum illuminance per Table F.

11.5.6 RESIDENTIAL LIGHTING

(1) General Requirements:

For residential properties including multiple residential properties not having common areas, all outdoor luminaires shall be

fully shielded and shall not exceed the allowed lumen output in Table G, row 2.

Exceptions

a) One partly shielded or unshielded luminaire at the main entry, not exceeding the allowed lumen output in Table G row 1.

b) Any other partly shielded or unshielded luminaires not exceeding the allowed lumen output in Table G row 3.

c) Low voltage landscape lighting aimed away from adjacent properties and not exceeding the allowed lumen output in Table G row 4.

d) Shielded directional flood lighting aimed so that direct glare is not visible from adjacent properties and not exceeding the allowed lumen output in Table G row 5.

e) Open flame gas lamps.

f) Lighting installed with a vacancy sensor, where the sensor extinguishes the lights no more than 15 minutes after the area is vacated.

g) Lighting exempt per Section 11.5.4 (2).

(2) Requirements for Residential Landscape Lighting

a) Shall comply with Table G.

b) not be aimed onto adjacent properties.

11.5.7 LIGHTING BY SPECIAL PERMIT ONLY

(1) High Intensity and Special Purpose Lighting:

The following lighting systems are prohibited from being installed or used except by special use permit:

a) Temporary lighting in which any single luminaire exceeds 20,000 initial luminaire lumens or the total lighting load exceeds 160,000 lumens.

b) Aerial Lasers.

c) Searchlights.

d) Bother very intense lighting defined as having a light source exceeding 200,000 initial luminaire lumens or an intensity in any direction of more than 2,000,000 candelas.

(2) Complex and Non-Conforming Uses:

Upon special permit issued by the Authority, lighting not complying with the technical requirements of this ordinance but consistent with its intent may be installed for complex sites or uses or special uses including, but not limited to, the following applications:

a) Sports facilities, including but not limited to unconditioned rinks, open courts, fields, and stadiums.

b) Construction lighting.

c) Lighting for industrial sites having special requirements, such as petrochemical manufacturing or storage, shipping piers, etc.

d) Parking structures.

e) Urban parks

f) Ornamental and architectural lighting of bridges, public monuments, statuary and public buildings.

g) Theme and amusement parks.

h) Correctional facilities.

To obtain such a permit, applicants shall demonstrate that the proposed lighting installation:

a) Has sustained every reasonable effort to mitigate the effects of light on the environment and surrounding properties, supported by a signed statement describing the mitigation measures. Such statement shall be accompanied by the calculations required for the Performance Method.

b) Employs lighting controls to reduce lighting at a Project Specific Curfew (“Curfew”) time to be established in the Permit. Complies with the Performance Method after Curfew.

c) Complies with the Performance Method after Curfew.

The Authority shall review each such application. A permit may be granted if, upon review, the Authority believes that the

proposed lighting will not create unwarranted glare, sky glow, or light trespass.

11.5.8 EXISTING LIGHTING

Lighting installed prior to the effective date of this ordinance shall comply with the following:

(1) Amortization

On or before [amortization date], all outdoor lighting shall comply with this Code.

(2) New Uses or Structures, or Change of Use:

Whenever there is a new use of a property (zoning or variance change) or the use on the property is changed, all outdoor lighting on the property shall be brought into compliance with this Ordinance before the new or changed use commences.

(3) Additions or Alterations:

a) Major Additions:

- If a major addition occurs on a property, lighting for the entire property shall comply with the requirements of this Code. For purposes of this section, the following are considered to be major additions:
- Additions of 25 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after the effective date of this Ordinance.
- Single or cumulative additions, modification or replacement of 25 percent or more of installed outdoor lighting luminaires existing as of the effective date of this Ordinance.

b) Minor Modifications, Additions, or New Lighting Fixtures for Non-residential and Multiple Dwellings:

- For non-residential and multiple dwellings, all additions, modifications, or replacement of more than 25 percent of outdoor lighting fixtures existing as of the effective date of this Ordinance shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting.
- Any new lighting shall meet the requirements of this Ordinance.

c) Resumption of Use after Abandonment:

- If a property with non-conforming lighting is abandoned for a period of six months or more, then all outdoor lighting shall be brought into compliance with this Ordinance before any further use of the property occurs.

11.5.9 TABLES

(1) **Table A - Allowed Total Initial Luminaire Lumens per Site for Non-residential Outdoor Lighting, Per Parking Space Method**

May only be applied to properties up to 10 parking spaces (including handicapped accessible spaces).

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
350 lms/space	490 lms/space	630 lms/space	840 lms/space	1,050 lms/space

(2) **Table B - Allowed Total Initial Lumens per Site for Non- residential Outdoor Lighting, Hardscape Area Method**

May be used for any project. When lighting intersections of site drives and public streets or road, a total of 600 square feet for each intersection may be added to the actual site hardscape area to provide for intersection lighting.

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Base Allowance				
0.5 lumens per SF of Hardscape	**1.25 lumens per SF of Hardscape**	**2.5 lumens per SF of Hardscape**	**5.0 lumens per SF of Hardscape**	**7.5 lumens per SF of Hardscape**

	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
OUTDOOR SALES LOTS. THIS ALLOWANCE IS LUMENS PER SQUARE FOOT OF UN-COVERED SALES LOTS USED EXCLUSIVELY FOR THE DISPLAY OF VEHICLES OR OTHER MERCHANDISE FOR SALE, AND MAY NOT INCLUDE DRIVEWAYS, PARKING OR OTHER NON-SALES AREAS.	**0**	**4 LUMENS PER SQUARE FOOT**	**8 LUMENS PER SQUARE FOOT**	**16 LUMENS PER SQUARE FOOT**	**16 LUMENS PER SQUARE FOOT**

TO USE THIS ALLOWANCE, LUMINAIRES MUST BE WITHIN 2 MOUNTING HEIGHTS OF SALES LOT AREA					
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area	**0**	**0**	**1,000 PER LF**	**1,500 PER LF**	**2,000 PER LF**
Drive Up windows. In order to use this allowance, luminaires must be within 20 feet horizontal distance of the center of the window.	**0**	**2,000 LUMENS PER DRIVE-UP WINDOW**	**4,000 LUMENS PER DRIVE-UP WINDOW**	**8,000 LUMENS PER DRIVE-UP WINDOW**	**8,000 LUMENS PER DRIVE-UP WINDOW**

Vehicle Service Stations. This allowance is lumens per installed fuel pump.	**0**	**4,000 LUMENS PER PUMP (PASSED ON 5 FC ON HORIZONTAL)**	**8,000 LUMENS PER PUMP (PASSED ON 10 FC ON HORIZONTAL)**	**16,000 LUMENS PER PUMP (PASSED ON 20 FC ON HORIZONTAL)**	**24,000 LUMENS PER PUMP (PASSED ON 20 FC ON HORIZONTAL)**

(3) **Table C - Maximum Allowable Backlight, Uplight and Glare (BUG) Ratings**

May be used for any project. A luminaire may be used if it is rated for the lighting zone of the site or lower in number for all ratings B, U and G. Luminaires equipped with adjustable mounting devices permitting alteration of luminaire aiming in the field shall not be permitted.

TABLE C-1	Lighting zone 0	Lighting Zone 1	Lighting Zone 2	Lighting Zone 3	Lighting Zone 4
Allowed Backlight Rating*					
Greater than 2 mounting heights from property line	**B1**	**B3**	**B4**	**B5**	**B5**
1 to less than 2 mounting heights from property line and ideally oriented**	**B1**	**B2**	**B3**	**B4**	**B4**
0.5 to 1 mounting heights from property line and ideally oriented**	**B0**	**B1**	**B2**	**B3**	**B3**
Less than 0.5 mounting height to property line and properly oriented**	**B0**	**B0**	**B0**	**B1**	**B2**

*For property lines that abut public walkways, bikeways, plazas, and parking lots, the property line may be considered to be 5 feet beyond the actual property line for purpose of determining compliance with this section. For property lines that abut public roadways and public transit corridors, the property line may be considered to be the center- line of the public roadway or public transit corridor for the purpose of determining compliance with this section. NOTE: This adjustment is relative to Table C-1 and C-3 only and shall not be used to increase the lighting area of the site.

** To be considered 'ideally oriented', the luminaire must be mounted with the backlight portion of the light output oriented perpendicular and towards the property line of concern.

Table C - 2 Maximum Allowable Uplight (BUG) Ratings - Continued

TABLE C-2	Lighting Zone 0	Lighting Zone 1	Lighting Zone 2	Lighting Zone 3	Lighting Zone 4
Allowed Uplight Rating	U0	U1	U2	U3	U4
Allowed % light emission above 90º for street or Area lighting	0%	0%	0%	0%	0%

Table C - 3 Maximum Allowable Glare (BUG) Ratings - Continued

TABLE C-3	Lighting Zone 0	Lighting Zone 1	Lighting Zone 2	Lighting Zone 3	Lighting Zone 4
Allowed Glare Rating	G0	G1	G2	G3	G4
Any luminaire not ideally oriented*** with 1 to less than 2 mounting heights to any property line of concern	G0	G0	G1	G1	G2
Any luminaire not ideally oriented*** with 0.5 to 1 mounting heights to any property line of concern	G0	G0	G0	G1	G1
Any luminaire not ideally oriented*** with less than	G0	G0	G0	G0	G1

0.5 mounting heights to any property line of concern					

*** Any luminaire that cannot be mounted with its backlight perpendicular to any property line within 2X the mounting heights of the luminaire location shall meet the reduced Allowed Glare Rating in Table C-3.

(4) **Table D - Performance Method Allowed Total Initial Site Lumens (May be used on any project.)**

Lighting Zone	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
Allowed Lumens Per SF	**0.5**	**1.25**	**2.5**	**5.0**	**7.5**
Allowed Base Lumens Per Site	**0**	**3,500**	**7,000**	**14,000**	**21,000**

(5) **Table E – Performance Method Additional Initial Luminaire Lumen Allowances. All of the following are "use it or lose it" allowances.**

All area and distance measurements in plan view unless otherwise noted.

Lighting Application	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
Additional Lumens Allowances for All Buildings except service stations and outdoor sales facilities. A MAXIMUM OF THREE (3) ALLOWANCES ARE PERMITTED. THESE ALLOWANCES ARE "USE IT OR LOSE IT".					
Building Entrances or Exits. This allowance is per door. In order to use this allowance, luminaires must be within 20 feet of the door.	**400**	**1,000**	**2,000**	**4,000**	**6,000**
Building Facades. This allowance is lumens per unit area of building façade that are illuminated. To use this allowance, luminaires must be aimed at the façade and capable of illuminating it without	**0**	**0**	**8/SF**	**16/SF**	**24/SF**

obstruction.					

Lighting Application	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
Sales or Non-sales Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to qualify for this allowance, luminaires must be located under the canopy.	**0**	**3/SF**	**6/SF**	**12/SF**	**18/SF**
Guard Stations. This allowance is lumens per unit area of guardhouse plus 2000 sf per vehicle lane. In order to use this allowance, luminaires must be within 2 mounting heights of a vehicle lane or the guardhouse.	**0**	**6/SF**	**12/SF**	**24/SF**	**36/SF**

Outdoor Dining. This allowance is lumens per unit area for the total illuminated hardscape of outdoor dining. In order to use this allowance, luminaires must be within 2 mounting heights of the hardscape area of outdoor dining	**0**	**1/SF**	**5/SF**	**10/SF**	**15/SF**
Drive Up Windows. This allowance is lumens per window. In order to use this allowance, luminaires must be within 20 feet of the center of the window.	**0**	**2,000 lumens per drive-up window**	**4,000 lumens per drive-up window**	**8,000 lumens per drive-up window**	**8,000 lumens per drive-up window**
Additional Lumens Allowances for Service Stations only. Service stations may not use any other additional allowances.					
Vehicle Service Station Hardscape. This allowance is lumens per unit area for the total illuminated hardscape area less area of buildings, area under canopies, area off property, or areas obstructed by signs or structures. In order to	**0**	**4/SF**	**8/SF**	**16/SF**	**24/SF**

use this allowance, luminaires must be illuminating the hardscape area and must not be within a building below a canopy, beyond property lines, or obstructed by a sign or other structure.					

Vehicle Service Station Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to use this allowance, luminaires must be located under the canopy.	**0**	**8/SF**	**16/SF**	**32/SF**	**32/SF**
Additional Lumens Allowances for Outdoor Sales facilities only. Outdoor Sales facilities may not use any other additional allowances. **NOTICE:** lighting permitted by these allowances shall employ controls extinguishing this lighting after a curfew time to be determined by the Authority**.**					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non-sales areas and shall not exceed 25% of the total hardscape area. To use this allowance, Luminaires must be within 2 mounting heights of the sales lot area.	**0**	**4/SF**	**8/SF**	**12/SF**	**18/SF**

Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and un-obstructed for its viewing length. A corner sales lot may include two ad- jacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.	**0**	**0**	**1,000/ LF**	**1,500/ LF**	**2,000/ LF**

(6) **Table F - Maximum Vertical Illuminance at any point in the plane of the property line**

Lighting Zone 0	Lighting Zone 1	Lighting Zone 2	Lighting Zone 3	Lighting Zone 4
0.05 FC or 0.5 LUX	**0.1 FC or 1.0 LUX**	**0.3 FC or 3.0 LUX**	**0.8 FC or 8.0 LUX**	**1.5 FC or 15.0 LUX**

(7) **Table G – Residential Lighting Limits**

Lighting Application	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
Row 1 Maximum Allowed Luminaire Lumens* for Unshielded Luminaires at one entry only	Not allowed	420 lumens	630 lumens	630 lumens	630 lumens
Row 2 Maximum Allowed Luminaire Lumens* for each Fully Shielded Luminaire	630 lumens	1,260 lumens	1,260 lumens	1,260 lumens	1,260 lumens
Row 3 Maximum Allowed Luminaire Lumens* for each Unshielded Luminaire excluding main entry	Not allowed	315 lumens	315 lumens	315 lumens	315 lumens
Row 4 Maximum Allowed Luminaire Lumens* for each Landscape Lighting	Not allowed	Not allowed	1,050 lumens	2,100 lumens	2,100 lumens
Row 5 Maximum Allowed Luminaire Lumens* for each Shielded Directional Flood Lighting	Not allowed	Not allowed	1,260 lumens	2,100 lumens	2,100 lumens
Row 6 Maximum Allowed Luminaire Lumens* for each Low Voltage Landscape Lighting	Not allowed	Not allowed	525 lumens	525 lumens	525 lumens

AGENDA ITEM #13

Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 12 (Planned Unit Developments), to implement modifications from SB174/ HB0476.

Grantsville City Planning Commission

November 7, 2024
Public Hearing

Proposed amendment to the Grantsville City Land Use and Management Code Chapter 12 (Planned Unit Developments), to implement modifications from SB174/ HB0476.

Notice is hereby given that in accordance with the provisions of Section §10-9A-205 and §10-9a-502 of the Utah Code, the Grantsville Planning Commission will hold a discussion and public hearing on **November 7, 2024 at 7:00 p.m.** at Grantsville City Hall. The meeting will also be broadcast on Zoom. The discussion, public hearing and meeting are to receive public input and consider action on the **Public Hearing of the Proposed amendment to the Grantsville City Land Use and Management Code Chapter 1 (Introductory Provisions)** and make a recommendation to the City Council.

You can view a copy of the agenda and packet online by 5:00pm on November 1, 2024 at the link below:
https://grantsvilleut.gov/departments/community___economic_development/planning_commission .php

Or by emailing jbassett@grantsvilleut.gov. All comments and concerns need to be sent in writing through email or mail and received no later than 12:00pm on November 7, 2024.

Dated this 28th day of October, 2024

BY ORDER OF THE GRANTSVILLE PLANNING COMMISSION

Shelby Moore
Zoning Administrator

Scan QR code above or use the link below to join Zoom meeting.
https://us02web.zoom.us/j/83837749384
Meeting ID: 838 3774 9384

GRANTSVILLE CITY PLANNING COMMISSION MEETING - STAFF REPORT

Meeting Date:	November 7, 2024
Applicant:	Grantsville City Council
Planner/staff:	Jay L. Springer, Attorney Shelby Moore, Planning and Zoning Administrator
Project Type:	Subdivision Ordinance and Related Text Amendments
Areas Affected:	All of the City of Grantsville

SUBJECT: Proposed amendments to the Grantsville Land Use Development Management and Use Code, Chapters 3, 12, 15, and 21 to comply with review timeframes, review cycle limits, land use authority designations and other amendments mandated by Senate Bill 174 (2023) and House Bill 476 (2024), including a Public Hearing.

RECOMMENDATION: Recommend approval of the redlined amendments to Grantsville Land Use Development Management and Use Code, Chapters 3, 12, 15, and 21, including any direct changes to text from the Planning Commission, broad concepts the Planning Commission would like the Council to consider in more depth, and subject to technical and nonsubstantive review from staff and legal counsel.

SUMMARY & BACKGROUND

In 2023 and 2024, the Utah State Legislature adopted S.B. 174 and H.B. 476, which amend and establish various land use and development requirements for municipalities and counties, including subdivision application review procedures. S.B. 174 includes sweeping changes and definitional changes that previously were not imposed on municipalities. H.B. 476 includes both practical and definitional changes, with clarifying language about subdivision improvement plans and review cycles. The City previously adopted certain changes aimed at providing compliance with S.B. 174. Additional revisions are necessary and appropriate based on clarifications with H.B. 476 and subsequent legal review.

Legislative Mandate:

The primary effects of Senate Bill 174:

- Requires cities and counties to identify an administrative land use authority for subdivision review and preliminary subdivision application approval for single-family dwellings, two-family dwellings, and townhomes;

- Prohibits city and county councils (legislative bodies) from acting as an administrative land use authority for subdivision plats or plat amendments—except for plat amendments or vacations that seek to reduce or remove dedicated public rights-of-way;

- Establishes subdivision review procedures for cities and counties, including defining review cycles and permitted requests, and establishes timelines and noticing requirements. Appeal procedures are also provided for both reviews;

- Requires that a pre-application meeting be made available to any interested applicant; and

- Requires certain administrative and processing standards be made publicly available on the municipal website.

The primary effects of House Bill 476:

- Establishes that a subdivision improvement plan may be required to be submitted with either a preliminary or final subdivision application but may not be required for both;

- Clarifies that a municipality may not require more than four review cycles for a subdivision improvement plan review and this applies to either the preliminary or final stage of the process, depending on when the municipality requires a subdivision improvement plan be submitted;

- Establishes that a municipality may not engage in a substantive review outside the review cycle; and

- Adjusts the timelines for application review to include additional days for municipalities with a population of 5,000 or less.

Planning Commission Review Procedure and Criteria:

The Grantsville City Council is the legislative authority for the subdivision and related ordinances text amendments. The Council cannot amend the ordinances without first submitting the amendments to the Grantsville City Planning Commission for the Planning Commission's recommendation. The Planning Commission must hold a public hearing, review the proposed revisions, and recommend an action to the Council. The Council must then hold a public meeting after which it may adopt, adopt with revisions, or reject the proposed text amendments recommended by the Planning Commission.

A text amendment can be approved if it is reasonably debatable that the decision could promote the public welfare. It is not necessary to show that the decision actually promotes the public welfare, or is the best alternative, as long as it is reasonably debatable that the public could benefit from the decision. Similarly, a text amendment can be denied if it is reasonably debatable that the decision could detrimentally impact the public welfare.

Planning Commission Task:

The Planning Commission will review the proposed amendments and make a recommendation to the City Council to either approve, deny, or modify the proposed subdivision ordinance. If any changes are proposed and inserted by the planner and attorney, the City Council will then vote on the final version of the subdivision ordinance.

Planning and Zoning
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674

Staff Report Summary for Chapter 12 (Planned Unit Developments), to implement modifications from SB174/ HB0476.

Parcel ID(s):
Property Address:
Applicant Name:
Request:
Prepared By: Shelby Moore

Meeting Date: 11/7/2024
Public Hearing Date: 11/7/2024
Current Zone:
Acres:

Planning Staff Explanation and Recommendation: Discussion of Chapter 12 (Planned Unit Developments), to implement modifications from SB174/ HB0476.

PLANNING STAFF ANALYSIS AND COMMENTS

1) The amendment to Chapter 112 (Planned Unit Developments), to implement modifications from SB174/ HB0476.

*** Disclaimer: Please be advised that at no point should the comments and conclusions made by The City staff or the conclusions drawn from them be quoted, misconstrued, or interpreted as recommendations. These inputs are intended solely for the legislative body to interpret as deemed appropriate.*

The information provided is purely for the legislative body to interpret in their own right and context. It is crucial to maintain the integrity and context of the information shared, as it is meant to assist in the decision-making process without implying any endorsement or directive, but it is essential that it is understood within the appropriate scope.

Chapter 12 Planned Unit Developments

Amended 02/09 by Ordinance 2009-05, 09/18 by Ordinance 2018-16

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 4 dwelling units defined as a level ~~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 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; and~~.~~

(f) Provide residential housing that conforms with the State moderate income requirements.

HISTORY
Amended by Ord. 2019-08 on 4/17/2019
Amended by Ord. 2019-18 on 8/7/2019
Amended by Ord. 2024-05 on 1/31/2024

12.2 Authority To Modify Regulations

(1) The Planning Commission shall have the authority to recommend to the City Council reasonable and appropriate conditions in any planned development including recommendations to change, alter, modify or waive of the land use Code as they apply ~~applies~~ to the proposed planned development. Public health and safety ~~issued~~ issues including but not limited to; line of ~~site~~sight, public utilities and associated easements, secondary and emergency access, and quantity of required parking are outside of the Planning Commission authority to recommend for modification or ~~waive~~ waiver. No such change, alteration, modification or waiver ~~shall~~ may be approved unless the City Council 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~~ may 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~~.~~; and

(b) Will not violate the general purposes, goals and objectives of this Code, or ~~and of~~ any plans adopted by the Planning Commission or the City Council.

HISTORY

12.4 Application Procedure

~~1.~~ If required by code or the applicant is seeking proposed deviations ~~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. 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:~~
    1. (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:
        1. Site plan contents from chapter 11

        2. 1. The proposed configuration of lots and types of uses proposed for the property.
        2. Streets rights-of-way, open spaces and other proposed common area or public use
        3. spaces shall be shown.
        3. Information shall be provided detailing minimum lot sizes, number of proposed
        4. lots for each type of use and calculations for over-all areas for each type of use.
        4. 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~~ may 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.
    2. 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 of this Chapter. The statement shall explain specifically how the proposed planned unit development relates to each such standard and promotes a listed objective~~;~~.
    3. 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 deviations ~~variations~~ shall include specific references to the affected ordinances and a comparison of the requirements and proposed deviations ~~variations~~. The applicant shall also provide an explanation of how the proposed

deviations ~~variations~~ benefits the development and the surrounding community and explain the steps that are proposed to mitigate the effects of the proposed deviations ~~variations~~ on the ordinance.

4. The approval of the PUD application ~~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.
5. 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.
6. No planned unit development approval (that does not include a subdivision) ~~shall~~ may 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.

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

12.5 Adjustments To Development Plan

(1) No major alteration or amendment to a development plan that would alter or expand the intent of the provisions in the approved PUD ~~PDO~~ ~~shall~~ may 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 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~~ may 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 PUD provisions as approved, and shall be the minimum necessary to overcome the particular difficulty and ~~shall~~

may not be approved if such adjustments would result in a violation of any standard or requirement of this Code.

(3) Any adjustment to the Development Plan that would alter or expand the intent of the provisions in the approved PUD ~~PDO~~ 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 as approved, then the Planning Commission shall review the request in accordance with the procedures set forth in Section 12.4.

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

AGENDA ITEM #14

Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 15 (Residential And Multiple Residential Districts)

Grantsville City Planning Commission

November 7, 2024
Public Hearing

Proposed amendment to the Grantsville City Land Use and Management Code Chapter 15 (Residential And Multiple Residential Districts)

Notice is hereby given that in accordance with the provisions of Section §10-9A-205 and §10-9a-502 of the Utah Code, the Grantsville Planning Commission will hold a discussion and public hearing on **November 7, 2024 at 7:00 p.m.** at Grantsville City Hall. The meeting will also be broadcast on Zoom. The discussion, public hearing and meeting are to receive public input and consider action on the **Public Hearing of the Proposed amendment to the Grantsville City Land Use and Management Code Chapter 1 (Introductory Provisions)** and make a recommendation to the City Council.

You can view a copy of the agenda and packet online by 5:00pm on November 1, 2024 at the link below:
https://grantsvilleut.gov/departments/community___economic_development/planning_commission.php

Or by emailing jbassett@grantsvilleut.gov. All comments and concerns need to be sent in writing through email or mail and received no later than 12:00pm on November 7, 2024.

Dated this 28th day of October, 2024

BY ORDER OF THE GRANTSVILLE PLANNING COMMISSION

Shelby Moore
Zoning Administrator

Scan QR code above or use the link below to join Zoom meeting.
https://us02web.zoom.us/j/83837749384
Meeting ID: 838 3774 9384

Planning and Zoning
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674

Staff Report Summary for
Chapter 15 (Residential And
Multiple Residential Districts)

Parcel ID(s):
Property Address:
Applicant Name:
Request:
Prepared By: Shelby Moore

Meeting Date: 11/7/2024
Public Hearing Date: 11/7/2024
Current Zone:
Acres:

Planning Staff Explanation and Recommendation: Discussion of Chapter 15 (Residential And Multiple Residential Districts)

PLANNING STAFF ANALYSIS AND COMMENTS

1) The amendment to Chapter 15 is to clarify verbiage and clean up spelling errors.

*** Disclaimer: Please be advised that at no point should the comments and conclusions made by The City staff or the conclusions drawn from them be quoted, misconstrued, or interpreted as recommendations. These inputs are intended solely for the legislative body to interpret as deemed appropriate.*

The information provided is purely for the legislative body to interpret in their own right and context. It is crucial to maintain the integrity and context of the information shared, as it is meant to assist in the decision-making process without implying any endorsement or directive, but it is essential that it is understood within the appropriate scope.

Chapter 15 Residential And Multiple Residential Districts

Amended 09/18 by Ordinance 2018-16

15.1 Residential District R-1-21

(1) The purpose of the R-1-21 district is to promote environmentally sensitive and visually compatible development of lots not less than 21,780 square feet in size, suitable for rural locations. The district is intended to minimize flooding, erosion, and other environmental hazards; to protect the natural scenic character; to promote the safety, and well-being of present and future residents; and ensure the efficient expenditure of public funds.

Minimum Lot Size: ..... 21,780 sq. ft. feet (1/2 acre)

Lots shall comply with Chapter 4: Supplementary and Qualifying Regulations – Section 4.5: Lots Standards and Street Frontage.

Minimum Frontage (at the property line on a public street or an approved private street) ..... 70 feet

Minimum Yard Setback Requirements:
Front Yard ..... 40 feet
Rear Yard ..... 30 feet
Side Yard for Main Buildings ..... 5*/15 feet
Side Yard (Amended 4/98) ..... 4 feet*
Rear Yard for Accessory Buildings ..... 1 foot* On corner lots, 2 front yards and 2 side yards are required.
*Setback shall be as listed or match the easement width, whichever is greater

Maximum Building Height ..... 35 feet, or a basement and two (2) floors, whichever is less

Maximum Building Coverage 20%

Required Improvements:

Street grading Street base

Street Pavement to centerline or minimum paved width (per GLUMDC 21.6.3), whichever is greater

Surface drainage facilities Curb, ~~and~~ Gutter, Sidewalk, Culinary water facilities, Waste water disposal, Street name signs, Four hydrants, Street monuments, Shade trees (along public streets), and Street lights

HISTORY
Amended by Ord. 2022-14 on 8/3/2022

15.2 Residential District R-1-12

(1) The purpose of the R-1-12 district is to promote environmentally sensitive and visually compatible development of lots not less than 12,000 square feet in size, suitable for urban locations. The district is intended to minimize flooding, erosion, and other environmental hazards; to protect the natural scenic character; to promote the safety, and well-being of present and future residents; and ensure the efficient expenditure of public funds. To provide areas for low density, single-family residential neighborhoods of spacious and uncrowded character.

Minimum Lot Size: ..... 12,000 sq. ft. feet

Lots shall comply with Chapter 4: Supplementary and Qualifying Regulations – Section 4.5: Lots Standards and Street Frontage.

Minimum Frontage (at the property line on a public street or an approved private street) ..... 70 feet

Minimum Yard Setback Requirements:

Front Yard ..... 40 feet

Rear Yard ..... 30 feet

Side Yard for Main Buildings Each Side ..... 5*/15 feet

Side Yard for Accessory Buildings ..... 4 feet*

Rear Yard for Accessory Buildings ..... 1 foot*

On corner lots, 2 front yards and 2 side yards are required.

*Setback shall be as listed or match the easement, whichever is greater

Maximum Building Height ..... 35 feet
Maximum Building Coverage 20%

Required Improvements:

Street grading Street base

Street Pavement to centerline or minimum paved width (per GLUMDC 21.6.3), whichever is greater

Surface drainage facilities Curb, ~~and~~ Gutter, Sidewalk, Culinary water facilities, Waste water disposal, Street name signs, Four hydrants, Street monuments, Shade trees (along public streets), and Street lights

HISTORY
Amended by Ord. 2022-14 on 8/3/2022

15.3 Residential District R-1-8

(1) Effective July 10, 1999 no application to extend, enlarge or re-zone property to an R-1 -8 zoning district designation will be considered by Grantsville City. Areas previously designated with a R-1 -8 zoning district designation may continue after July 9, 1999 and the uses in existing R-1 -8 districts may continue subject to the regulations applicable to this District.

Minimum Lot Size: ..... 8,000 sq. ft. feet
Minimum Lot Size for Corner Lots ..... 10,000 sq. ft. feet

Lots shall comply with Chapter 4: Supplementary and Qualifying Regulations – Section 4.5: Lots Standards and Street Frontage.

Minimum Frontage (at the property line on a public street or an approved private street) ..... 60 feet

Minimum Yard Setback Requirements:
Front Yard ..... 30 feet
Rear Yard for Main Buildings ..... 25 feet
Rear
Yard for Accessory Buildings ..... 1 foot*
Side Yard for Main Buildings Each Side ..... 5*/15 feet
Side Yard for Accessory Buildings on a Corner Lot ..... 10 feet
Side Yard for Accessory Buildings. ..... 4 feet*
On corner lots, 2 front yards and 2 side yards are required.
*Setback shall be as listed or match the easement, whichever is greater

Maximum Building Height ..... 35 feet, or a basement and two (2) floors, whichever is less

Maximum Building Coverage 35%

Required Improvements:

Street grading Street base

Street Pavement to centerline or minimum paved width (per GLUMDC 21.6.3), whichever is greater

Surface drainage facilities Curb, ~~and~~ Gutter, Sidewalk, Culinary water facilities, Waste water disposal, Street name signs, Four hydrants, Street monuments, Shade trees (along public streets), and Street lights

Amended 11/13 by Ordinance 2013-23

HISTORY
Amended by Ord. 2022-14 on 8/3/2022

15.4 Multiple Residential District RM-7

Effective June 4, 1999 no application to extend, enlarge or re-zone property to an RM-7 zoning district designation will be considered by Grantsville City. Areas previously designated with a RM-7 zoning district designation may continue after June 4, 1999 and the uses in these districts may continue subject to the following regulations.

(1) The RM-7 Zoning District is intended to provide areas for medium density single family and multi-family residential with the opportunity for varied housing styles and character.

Minimum Lot Size (Lot Area): ..... 7,000 sq. ft. feet Minimum Lot Size for Corner Lots ..... 10,000 sq. ft. feet Additional lot area for each additional dwelling unit on the lot ..... 6,000 sq. ft. feet

Lots shall comply with Chapter 4: Supplementary and Qualifying Regulations - Section 4.5: Lots Standards and Street Frontage.

All Attached Dwelling Unit residential development shall comply with GLUMDC 4.34 (Multi-Unit Residential Development)

Minimum Frontage (along curb face on a public street or an approved private street) 60 feet.

Minimum Yard Setback Requirements: (Amended 2000, 9/01)

Front Yard ..... 25 feet.

Rear Yard for Main Buildings ..... 20 feet

Rear Yard for Accessory Buildings ..... 1 foot, or match the easement width, whichever is greater

Side Yard for Main Building, Each Side ..... 5*/15 feet

Side Yard for Accessory Buildings ..... 4 feet*

Setbacks for Accessory Buildings on a corner lot:

On the interior side of the Main Building ..... 4 feet*

On the rear of the Main Building ..... 1 foot*

In order to maintain an adequate site triangle, there shall be a minimum setback on corner lots as follows: 25 feet on each side fronting a street.

*Setback shall be as listed or match the easement width, whichever is greater

Maximum Building Height ..... 35 feet, or a basement and two (2) floors, whichever is less

Maximum Building Coverage 35%

Required Improvements:

Street grading Street base

Street Pavement to centerline or minimum paved width (per GLUMDC 21.6.3), whichever is greater

Surface drainage facilities Curb, ~~and~~ Gutter, Sidewalk, Culinary water facilities, Waste water disposal, Street name signs, Four hydrants, Street monuments, Shade trees (along public streets), and Street lights

15.5 Multiple Residential District RM-15

(1) To provide areas for medium high density residential with the opportunity for varied housing styles and character, including apartment and condominiums.

Minimum Lot Size (Lot Area): ..... 8,000 sq. ft. feet Minimum Lot Size for Corner Lots ..... 10,000 sq. ft. feet Additional lot area for each additional dwelling unit on the lot ..... 4,000 sq. ft. feet of the lot area.

Lots shall comply with Chapter 4: Supplementary and Qualifying Regulations – Section 4.5: Lots Standards and Street Frontage.

All multi-use Attached Dwelling Unit residential development shall comply with GLUMDC 4.34 (Multi-Use Unit Residential Development)

Minimum Frontage (at the property line on a public street or an approved private street) ..... 60 feet Minimum Yard Setback Requirements:

Front Yard ..... 25 feet

Rear Yard for Main Buildings ..... 20 feet

Rear Yard for Accessory Buildings ..... 1 foot*

Side Yard for Main Buildings, Each Side ..... 7.5 feet

Side Yard for Accessory Buildings ..... 4 feet*

In order to maintain an adequate site triangle, there shall be a minimum setback on corner lots as follows:

25 feet on each side fronting a street.

*Setback shall be as listed or match the easement, whichever is greater

Maximum Building Height ..... 35 feet Maximum Building Coverage of the lot area 50%

Required Improvements:

Street grading Street base

Street Pavement to centerline or minimum paved width (per GLUMDC 21.6.3), whichever is greater

Surface drainage facilities Curb and Gutter Sidewalk Culinary Water facilities Waste water disposal Street name signs Four hydrants Street monuments Shade trees (along public streets) Street lights

HISTORY

15.6 Repealed (Multiple Residential District RM-30)

This zone was repealed 9/00 by Ordinance 2000-23.

HISTORY
Amended by Ord. 2022-14 on 8/3/2022

15.7 Codes And Symbols And Use Table 15.1

(1) In the following sections of this chapter, uses of land or buildings which are permitted 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 15.1 Use Regulations

USE	R-1-8	R-1-12	R-1-21	RM-7	RM-15
Accessory buildings and uses customarily incidental to permitted residential uses, when the residential use has been previously established or is constructed simultaneously with the residential use.	P	P	P	P	P
Accessory buildings and uses customarily incidental to permitted uses, when the residential use has not previously been established.	C	C	C	C	C
Accessory buildings and uses customarily incidental to conditional uses.	C	C	C	C	C
The tilling of the soil, the raising of crops, horticulture and home gardening.	P	P	P	P	P
Fruit/Vegetable Stand	-	C	C	-	C

Farm	**R-1-8**	**R-1-12**	**R-1-21**	**RM-7**	**RM-15**
Accessory Farm Employee Housing. Each accessory farm employee housing unit must be located on a contiguous parcel that contains at least 10 acres or more for each such unit and which must have at least 10 additional acres if it is located on the same property as the primary residential dwelling.	-	C	C	C	-
Family Food Production and the Raising of Horses. The first large animal (fully grown) shall have 10,000 sq ft of open area, each additional large animal shall have an additional 2,000 sq ft of open area; each medium sized animal (fully grown) shall have 4,000 sq ft of open area and each small sized animal (fully grown) shall have 500 sq ft of open area. The area of stables, barns and pens accessible to regulate animals may count towards the open area requirements. No animal shall be kept, corralled, penned, or raised within 100' from any pre-existing residential dwelling located on an adjoining lot. There is no setback requirement from neighboring residential dwellings if a C.U.P. has been issued prior to the start of construction of a residential dwelling on an adjoining lot.	-	C	C	C	-
Class "A" Kennel (4-15 ~~3-15~~ animals only). No animal shall be kept, penned, or raised within 100' from an adjoining residence or dwelling and it must have 4,000 sq ft for each additional animal over 5.	-	C	C	C	-
Sportsman's Permit for 4-6 ~~3-5~~ dogs. No dog shall be kept, penned, or raised within 100' of an adjoining residence or dwelling.	-	C	C	C	C
Raising of Rabbits, Ducks, Chickens (hens only), or Turkeys with not more than six (6)	P	P	P	P	P

such animals in any combination, provided that appropriate cages, pens, coops, houses, etc. shall be provided for when these animals are kept outdoors. (Amended 04/11, 02/13)					
RESIDENTIAL	**R-1-8**	**R-1-12**	**R-1-21**	**RM-7**	**RM-15**
Single-Family Dwellings Detached	P	P	P	P	P
Single-Family Attached Dwellings	P	P	P	P	P
Two-Family Dwelling (Amended 5/97)	-	C	C	P	P
Twin Home Dwellings (Amended 5/97)	-	C	C	C	C
Multiple Family Dwellings	-	-	-	C	C
Congregate Care Facility	-	-	C	C	C
Nursing Care Facility	-	C	C	-	-
Group Home, Small	-	C	P	-	-
Group Home, Large	-	C	C	-	~~P~~ -
Transitional Treatment Home, Small	-	C	C	~~C~~ -	~~C~~ -
Mobile Home Parks	-	-	-	C	C
Mobile Home Subdivisions	C	C	C	C	C
Residential facilities for handicapped or elderly	P	P	P	P	P
HOME OCCUPATION	C	C	C	C	C
Household pets, other than Sportsman Permit	P	P	P	P	P

INSTITUTIONAL	**R-1-8**	**R-1-12**	**R-1-21**	**RM-7**	**RM-15**
Adult Day Care Center	-	-	C	C	P
Child Day Care Center (in a home, no more than 12 children at any one time with 1 provider and up to 16 with 2 providers, including those residing in the home with no more than 2 children under the age of two)	C	C	C	C	C
Commercial Day Care Center (not in a home) no more than 20 children at any one time	-	C	C	-	P
Child Day Care Facility (a commercial operation, not in a home, no more than 100 children at any one time)	-	-	C	-	P
Hospital	-	-	-	-	C
Medical or dental clinic	-	C	C	-	C
Nursing Care Facility	-	-	-	-	C
Places of Worship	C	C	C	C	C
Preschool (in a home, no more than 10 children from the ages of 4 to 6 years in age, including those residing in the home, with a maximum length of four hours for those who do not reside there)	C	C	C	C	C
Preschool (a commercial operation, not in a home, no more than 20 children from the ages of 4 to 6 years in age, at any one time, for a period not to exceed four hours)	-	-	C	-	C
Private educational institution having a curriculum similar to the public schools, grades K-12	C	C	C	C	C

Schools of higher education, community colleges, off campus facilities	-	-	C	-	C
Schools, professional and vocational	-	-	C	-	-
POWER GENERATION	**R-1-8**	**R-1-12**	**R-1-21**	**RM-7**	**RM-15**
Solar	P	P	P	P	P
RECREATION, CULTURAL & ENTERTAINMENT					
Private Recreational Grounds and Facilities not open to the public, in which no admission charge is made	C	C	C	C	C
Natural Open Space Areas	P	P	P	P	P
Community & Recreation Centers	C	C	C	C	C
Parks and Playgrounds, Public and Private	P	P	P	P	P
Pedestrian Pathways, Trails & Greenways	P	P	P	P	P
Community Gardens	P	P	P	P	P
MISCELLANEOUS	**R-1-8**	**R-1-12**	**R-1-21**	**RM-7**	**RM-15**
Public/Private Utility Transmission Wires, Lines, Pipes and Poles	P	P	P	P	P
Public/Private Utility Buildings and Structures	C	C	C	C	C

Cluster subdivision or Planned Unit Developments	C	C	C	C	C
Cemetery	C	C	C	C	C
Golf Course	C	C	C	C	C
Government Uses and Facilities	C	C	C	C	C
Municipal Service Uses, including City utility uses, Police and Fire Stations	C	C	C	C	C
Temporary Buildings for uses incidental to construction work, including living quarters for guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work	C	C	C	C	C
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (1 -249 beds)	-	-	-	-	-
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (250 or more beds)	-	-	-	-	-

Amended 08/02 by Ord. 2002-15, 10/02 by Ord. 2002-20, 02/09 by Ord. 2008-43, 02/11 by Ord. 2010-27, 04/11 by Ord. 2011-14, 08/11 by Ord. 2011-26, 09/11 by Ord. 2011-30, 09/11 by Ord. 2011-31, 09/12 by Ord. 2012-16, 03/15 by Ord. 2015-05

HISTORY
Amended by Ord. 2022-14 on 8/3/2022

AGENDA ITEM #15

Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 21 (Subdivision Regulations), to implement modifications from SB174/ HB0476.

Grantsville City Planning Commission

November 7, 2024
Public Hearing

Proposed amendment to the Grantsville City Land Use and Management Code Chapter 21 (Subdivision Regulations), to implement modifications from SB174/HB0476.

Notice is hereby given that in accordance with the provisions of Section §10-9A-205 and §10-9a-502 of the Utah Code, the Grantsville Planning Commission will hold a discussion and public hearing on **November 7, 2024 at 7:00 p.m.** at Grantsville City Hall. The meeting will also be broadcast on Zoom. The discussion, public hearing and meeting are to receive public input and consider action on the **Public Hearing of the Proposed amendment to the Grantsville City Land Use and Management Code Chapter 1 (Introductory Provisions)** and make a recommendation to the City Council.

You can view a copy of the agenda and packet online by 5:00pm on November 1, 2024 at the link below:
https://grantsvilleut.gov/departments/community___economic_development/planning_commission .php

Or by emailing jbassett@grantsvilleut.gov. All comments and concerns need to be sent in writing through email or mail and received no later than 12:00pm on November 7, 2024.

Dated this 28th day of October, 2024

BY ORDER OF THE GRANTSVILLE PLANNING COMMISSION

Shelby Moore
Zoning Administrator

Scan QR code above or use the link below to join Zoom meeting.
https://us02web.zoom.us/j/83837749384
Meeting ID: 838 3774 9384

GRANTSVILLE CITY PLANNING COMMISSION MEETING - STAFF REPORT

Meeting Date:	November 7, 2024
Applicant:	Grantsville City Council
Planner/staff:	Jay L. Springer, Attorney Shelby Moore, Planning and Zoning Administrator
Project Type:	Subdivision Ordinance and Related Text Amendments
Areas Affected:	All of the City of Grantsville

SUBJECT: Proposed amendments to the Grantsville Land Use Development Management and Use Code, Chapters 3, 12, 15, and 21 to comply with review timeframes, review cycle limits, land use authority designations and other amendments mandated by Senate Bill 174 (2023) and House Bill 476 (2024), including a Public Hearing.

RECOMMENDATION: Recommend approval of the redlined amendments to Grantsville Land Use Development Management and Use Code, Chapters 3, 12, 15, and 21, including any direct changes to text from the Planning Commission, broad concepts the Planning Commission would like the Council to consider in more depth, and subject to technical and nonsubstantive review from staff and legal counsel.

SUMMARY & BACKGROUND

In 2023 and 2024, the Utah State Legislature adopted S.B. 174 and H.B. 476, which amend and establish various land use and development requirements for municipalities and counties, including subdivision application review procedures. S.B. 174 includes sweeping changes and definitional changes that previously were not imposed on municipalities. H.B. 476 includes both practical and definitional changes, with clarifying language about subdivision improvement plans and review cycles. The City previously adopted certain changes aimed at providing compliance with S.B. 174. Additional revisions are necessary and appropriate based on clarifications with H.B. 476 and subsequent legal review.

Legislative Mandate:

The primary effects of Senate Bill 174:

- Requires cities and counties to identify an administrative land use authority for subdivision review and preliminary subdivision application approval for single-family dwellings, two-family dwellings, and townhomes;

- Prohibits city and county councils (legislative bodies) from acting as an administrative land use authority for subdivision plats or plat amendments—except for plat amendments or vacations that seek to reduce or remove dedicated public rights-of-way;

- Establishes subdivision review procedures for cities and counties, including defining review cycles and permitted requests, and establishes timelines and noticing requirements. Appeal procedures are also provided for both reviews;

- Requires that a pre-application meeting be made available to any interested applicant; and

- Requires certain administrative and processing standards be made publicly available on the municipal website.

The primary effects of House Bill 476:

- Establishes that a subdivision improvement plan may be required to be submitted with either a preliminary or final subdivision application but may not be required for both;

- Clarifies that a municipality may not require more than four review cycles for a subdivision improvement plan review and this applies to either the preliminary or final stage of the process, depending on when the municipality requires a subdivision improvement plan be submitted;

- Establishes that a municipality may not engage in a substantive review outside the review cycle; and

- Adjusts the timelines for application review to include additional days for municipalities with a population of 5,000 or less.

Planning Commission Review Procedure and Criteria:

The Grantsville City Council is the legislative authority for the subdivision and related ordinances text amendments. The Council cannot amend the ordinances without first submitting the amendments to the Grantsville City Planning Commission for the Planning Commission's recommendation. The Planning Commission must hold a public hearing, review the proposed revisions, and recommend an action to the Council. The Council must then hold a public meeting after which it may adopt, adopt with revisions, or reject the proposed text amendments recommended by the Planning Commission.

A text amendment can be approved if it is reasonably debatable that the decision could promote the public welfare. It is not necessary to show that the decision actually promotes the public welfare, or is the best alternative, as long as it is reasonably debatable that the public could benefit from the decision. Similarly, a text amendment can be denied if it is reasonably debatable that the decision could detrimentally impact the public welfare.

Planning Commission Task:

The Planning Commission will review the proposed amendments and make a recommendation to the City Council to either approve, deny, or modify the proposed subdivision ordinance. If any changes are proposed and inserted by the planner and attorney, the City Council will then vote on the final version of the subdivision ordinance.

Planning and Zoning
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674

Staff Report Summary for Chapter 21 (Subdivision Regulations), to implement modifications from SB174/ HB0476.

Parcel ID(s):
Property Address:
Applicant Name:
Request:
Prepared By: Shelby Moore

Meeting Date: 11/7/2024
Public Hearing Date: 11/7/2024
Current Zone:
Acres:

Planning Staff Explanation and Recommendation: Discussion of **C**hapter 21 (Subdivision Regulations), to implement modifications from SB174/HB0476.

PLANNING STAFF ANALYSIS AND COMMENTS

1) The amendment to Chapter 21 (Subdivision Regulations), to implement modifications from SB174/ HB0476.

*** Disclaimer: Please be advised that at no point should the comments and conclusions made by The City staff or the conclusions drawn from them be quoted, misconstrued, or interpreted as recommendations. These inputs are intended solely for the legislative body to interpret as deemed appropriate.*

The information provided is purely for the legislative body to interpret in their own right and context. It is crucial to maintain the integrity and context of the information shared, as it is meant to assist in the decision-making process without implying any endorsement or directive, but it is essential that it is understood within the appropriate scope.

Chapter 21 Subdivision Regulations

21.1.1 Short Title
21.1.2 Purpose
21.1.3 Authority
21.1.4 Definitions And Applicability
21.1.5 Jurisdictions And Penalties
21.1.6 Creation Of Substandard Lots Prohibited
21.1.7 Agricultural, Industrial, And Mining Protection Areas
21.1.8 Notice Of Shooting Range Area
21.1.10 Plats Required
21.1.11 Agricultural Exemptions From Plat Requirements
21.1.12 Open Space Applicability Of Regulations
21.1.13 Site Analysis Map
21.1.14 Use Of Open Space
21.1.15 Open Space Requirements
21.1.16 Open Space Networks Configuration
21.1.17 Open Space And Conservation Areas
21.1.18 Primary Conservation Areas
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21.1.20 Secondary Conservation Areas
21.1.21 Ownership And Management Of Open Space
21.1.22 Prohibited Uses Of Open Space
21.1.23 Requirements Of Conservation Easements
21.1.24 Notice Of Disclosure
21.1.25 Conservation Subdivisions, Open Space, And Density

21.1.1 Short Title

This Chapter shall be known and may be cited as the Grantsville City Subdivision Ordinance.

21.1.2 Purpose

(1) This Chapter is established to promote the health, safety, and welfare of residents of Grantsville City and to provide for the orderly subdivision of land located within Grantsville City, Utah.

(2) The purpose of the Subdivision Ordinance is to provide policies, standards, requirements, and procedures to regulate and control the design and improvement of all subdivisions; ensure that all proposed subdivisions are consistent with the General Plan and applicable specific plans; and to ensure that land is subdivided in a manner that will promote public health, safety, convenience, general welfare and the physical, social and economic development of the area.

(3) It is the purpose and intent of Grantsville City to preserve open space within residential developments; provide flexibility to allow for creativity in developments; minimize the environmental and visual impacts of new development on critical natural resources and historically and culturally significant sites and structures; provide an interconnected network of permanent open space; encourage a more efficient form of development that consumes less open land and conforms to existing topography and natural features; reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation; enhance the community character; permit clustering of houses and structures which will reduce the amount of infrastructure, including paved surfaces and utility lines; encourage street design that controls traffic speeds and creates street inter-connectivity; and promote construction of convenient and accessible walking trails and bike paths both within a subdivision and connected to neighboring communities, businesses and facilities to reduce reliance on automobiles.

21.1.3 Authority

This Chapter is enacted and authorized under the provisions of Utah Code Ann. Title 9, Chapter 9a~~§10-9a, et seq. Utah Code Annotated, 1953,~~ as amended.

21.1.4 Definitions And Applicability

For the purposes of this Chapter all terms shall have the same definition as provided by Utah Code Ann. §10-9a-103~~, (2018)~~.

21.1.5 Jurisdictions And Penalties

(1)

(a) An owner of any land located in a subdivision who transfers or sells any land in that subdivision before a plat of the subdivision has been approved and recorded violates this chapter for each lot or parcel transferred or sold.

(b) The description by metes and bounds in an instrument of transfer or other documents used in the process of selling or transferring does not exempt the transaction from being a violation of Subsection (1)(a) or from the penalties or remedies provided in this chapter.

(c) Notwithstanding any other provision of this chapter, the recording of an instrument of transfer or other document used in the process of selling or transferring real property that violates this part:

(i) does not affect the validity of the instrument or other document; ~~duck~~

(ii) does not affect whether the property that is the subject of the instrument or other document complies with applicable city ordinances on land use and development.

(2)

(a) The city may bring an action against an owner to require the property to conform to the provisions of this chapter.

(b) An action under this Subsection (2) may include an injunction, abatement, merger of title, or any other appropriate action or proceeding to prevent, enjoin, or abate the violation.

(c) The city need only establish the violation to obtain the injunction. (Utah Code Ann. §10-9a-611) ~~(2016))~~

21.1.6 Creation Of Substandard Lots Prohibited

No lot ~~shall~~ may be created that does not conform to the requirements of this code and the zoning district in which it is located.

21.1.7 Agricultural, Industrial, And Mining Protection Areas

(1) For any subdivision located in whole or in part within 300 feet of the boundary of an agriculture protection area, the owner of the subdivision shall provide notice on any plat filed with the county recorder the following notice:

Agriculture Protection Area This property is located in the vicinity of an established agriculture protection area in which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future be conducted on property included in the agriculture protection area. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal agricultural uses and activities. (Utah Code Ann. §17-41-403) ~~(2009))~~

(2) For any subdivision located in whole or in part within 1000 feet of the boundary of an industrial protection area, the owner of the subdivision shall provide notice on any plat filed with the county recorder the following notice:

Industrial Protection Area This property is located in the vicinity of an established industrial protection area, in which normal industrial uses and activities have been afforded the highest priority use status. It can be anticipated that such industrial uses and activities may now or in the future be conducted on property included in the industrial protection area. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal industrial uses and activities. (Utah Code Ann. §17-41-403) ~~(2009))~~

(3) For any subdivision located in whole or in part within 1000 feet of the boundary of as mining protection area, the owner of the subdivision shall provide notice on any plat filed with the county recorder the following notice:

Mining Protection Area This property is located in the vicinity of an established mining protection area, in which normal mining uses and activities have been afforded the highest priority use status. It can be anticipated that such industrial uses and activities may now or in the future be conducted on property included in the mining protection area. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal mining uses and activities. (Utah Code Ann. §17-41-403) ~~(2009))~~

21.1.8 Notice Of Shooting Range Area

For any new subdivision development located in whole or in part within 1,000 feet of the boundary of any shooting range that was established, constructed or operated prior to the development of the subdivision, the owner of the development shall provide on any plat filed with the county recorder the following notice:

Shooting Range Area This property is located in the vicinity of an established shooting range or public shooting range. It can be anticipated that customary uses and activities at this shooting range will be conducted now and in the future. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from these uses and activities. (Utah Code Ann. §47-3-202 (4)) ~~(2013))~~

21.1.10 Location Required

(1) Unless exempt, under Utah Code Ann. Section §10-9a-605 ~~(2020)~~ 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; ~~duck~~

(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 City shall approve the plat as provided in this code. Before final approval of a plat, the owner of the land shall provide the 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 ~~(2022)~~)

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

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; ~~duck~~

(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 (2022))

(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 (2019))

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

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.

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

21.1.13 Site Analysis Map

(1) Concurrent with the submission of a preliminary plat, or site plan, the applicant shall prepare and submit a site analysis map. The purpose of the site analysis map is to ensure that the important site features have been adequately identified prior to the creation of the site design, and that the proposed open space will meet the requirements of this chapter.

(2) The site analysis map shall include:

(a) Location of natural drainages depicting flowline and top edge of channel; ~~duck~~

(b) Springs, ponds, riparian zones, marsh and wetlands boundaries; ~~duck~~

(c) Active agricultural, pasture areas; ~~duck~~

(d) Rock outcroppings and slopes greater than 30%; ~~duck~~

(e) Known archeological or historical resources; ~~duck~~

(f) Wooded areas; ~~duck~~

(g) Existing walking, equestrian, off-highway vehicle or bicycle trails; ~~duck~~

(h) Existing streets, structures, and utility infrastructure.

(i) Other unique site features that may hold value if incorporated in open space areas.

21.1.14 Use Of Open Space

(1) Open space is the portion of a subdivision or site that has been set aside for permanent protection. Activities within the open space shall be restricted in perpetuity through the use of an approved legal instrument.

(2) Open space areas shall be protected in perpetuity from further development or unauthorized use by permanent restrictive covenant. Grantsville City reserves the right to enforce all restrictive covenants and conservation easements, per Utah Code Ann. §57-1, 8-6 ~~(1985).~~ Uses of open space may include the following:

(a) conservation of natural, archeological or historical resources;

(b) meadows, woodlands, wetlands, riparian zones, raptor nesting sites, wildlife corridors, game preserves, habitat for endangered or threatened species, critical wildlife habitat as identified by the State of Utah, Division of Wildlife Resources, or similar conservation-oriented areas;

(c) cemeteries, archaeological sites and burial grounds and other historic and/or archaeological sites as identified by the Grantsville City Historical Preservation Committee and Utah Division of State History, Utah State Historical Society;

(d) walking, equestrian, off-highway vehicle or bicycle trails;

(e) passive recreation areas, public and private, including pedestrian, bicycle and equestrian trails, picnic areas, community commons or greens, and similar areas;

(f) active recreation areas, public and private, to include parks, playing fields, and playgrounds, but recreation areas with impervious surfaces greater than 15% of the total open space such as streets and parking lots shall be excluded;

(g) agriculture, horticulture, silviculture or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts;

(h) the 100-year floodplain as identified by (FEMA Flood Map);

(i) existing slopes greater than 30% on average with a site area greater than 5,000 square feet identified as part of a site analysis conducted by a registered engineer, land surveyor or landscape architect and calculated using topographic maps;

(j) other conservation-oriented uses compatible with the purposes of this chapter.

(3) As open space contributes to the overall character of the community, three underlying principles shall guide the siting and use of open space areas:

(a) Open space shall be accessible to the public where practicable. Open space shall be accessible internally, connected to public streets and trails, and generally available to public us and enjoyment with the

understanding that some uses may necessitate limited public access such as but not limited to: active agricultural uses, historic structures, and equestrian facilities.

(b) Open space shall be visible. Open space shall be located and configured so that a portion of the open space bounds or intersects with public right-of-way or other publicly accessed parcels.

(c) Open space shall preserve the community's character. Open space shall preserve existing features in the community and/or create new amenities that are in harmony with the existing characteristics of the overall community.

HISTORY
Amended by Ord. 2021-09 on 4/28/2021

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 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-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) For developments which are not Planned Unit Developments, and the total aggregated development acreage ~~acerage~~ is less than 20 acres, developers ~~can~~ may pay 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~~ The amount of the ~~Fee~~fee-in-lieu is determined by 10% of the predeveloped value of the total parcel acreage, as determined through a current ~~owner~~ 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~~ The fees collected shall be used within 1 ~~1/2~~ mile of the proposed development, or the nearest park ~~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~~ may be no smaller than ten acres and ~~shall~~ may 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.~~(5)~~6.

HISTORY
Amended by Ord. 2019-18 on 8/7/2019
Amended by Ord. 2024-05 on 1/31/2024

21.1.16 Open Space Networks Configuration

The minimum standards for open space networks are as follows:

(1) The minimum width of any open space area is 25 feet.

(2) All paths shall be a minimum of 20 feet from any property line except where inter parcel access may be provided.

(3) All open space networks shall provide connectivity to any common areas within the development and to any adjacent public places and rights-of-way.

(4) Paths located in primary conservation areas shall be constructed of pervious materials.

(5) Where path networks cross internal subdivision streets or public streets, access points shall be directly across from each other or as approved by the city engineer.

(6) Crossings and access points shall be clearly identified to pedestrians and motorists and may include traffic control devices, bridges and tunnels as approved by the city engineer.

21.1.17 Open Space And Conservation Areas

21.1.17 was removed with the adoption of Ordinance 2018-16.

21.1.18 Primary Conservation Areas

21.1.18 was removed with the adoption of Ordinance 2018-16.

21.1.19 Value Of Primary Conservation Areas

21.1.19 was removed with the adoption of Ordinance 2018-16.

21.1.20 Secondary Conservation Areas

21.1.20 was removed with the adoption of Ordinance 2018-16.

21.1.21 Ownership And Management Of Open Space

21.1.21 was removed with the adoption of Ordinance 2018-16.

21.1.22 Prohibited Uses Of Open Space

(1) Uses of open space shall not include the following:

(a) roads;

(b) parking lots that occupy more than 15% of the open space;

(c) dwellings;

(d) commercial uses; or

(e) land set aside for use that solely benefits any one person or entity.

(2) The instrument for permanent protection shall include clear restrictions on the use of the open space. These restrictions shall include all restrictions contained in this chapter, as well as any further restrictions the applicant or City chooses to place on the use of the open space.

21.1.23 Requirements Of Conservation Easements
21.1.23 was removed with the adoption of Ordinance 2018-16.

21.1.24 Notice Of Disclosure
21.1.24 was removed with the adoption of Ordinance 2018-16.

21.1.25 Conservation Subdivisions, Open Space, And Density
21.1.25 was removed with the adoption of Ordinance 2018-16.

21.2 Subdivision Application Procedure

21.2.1 Diligence
21.2.2 Application Procedure
21.2.3 Zoning Administrator To Determine A Complete Application
21.2.4 Lack Of Development Application Information - A Determination Of An Incomplete Application
21.2.5 Appeal Of Zoning Administrator's Determination Of Completeness
21.2.6 Concept Plan Requirements
21.2.7 Preliminary Plan Requirements
21.2.8 Final Plat Infrastructure Design And Engineering Drawings Requirements
21.2.9 Final Plat Requirements
21.2.10 Development Review Committee
21.2.11 Determination Of Appropriate Process

21.2.1 Diligence
Each development shall be actively pursued to completion. Any application that exceeds the time limits stated in this chapter will be deemed null and void and all vested rights are waived by the subdivider for that development. An application shall be null and void and all vested rights waived by the subdivider for that development if they do not complete any stage or they fail to make a progress report to the planning commission within 365 days. Any extension must be requested prior to the expiration of the original approval. Should an application become void, the applicant must reapply at the first stage for that level of development.

21.2.2 Application Procedure
(1) Each application for a subdivision shall have all required documents ~~submittals~~ before it is accepted as a complete application. No application for the next stage of the subdivision process ~~shall~~ may be accepted until such time as the City has approved the application for the previous stage of the development.

(2) There ~~shall~~ may be no presumption of approval of any aspect of the process.

(3) No application ~~shall~~ may be accepted for any approval stage if the time limit has expired on the previous approval stage.

(4) The 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~~Hearing Officer within 30 days of the decision.

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

21.2.3 Zoning Administrator To Determine A Complete Application
The Zoning Administrator shall determine if an application is complete and contains all required materials as required by this chapter.

21.2.4 Lack Of Development Application Information - A Determination Of An Incomplete Application
(1) The ~~lack~~ omission of any information required by this ~~chapter~~ Chapter or the applicable checklists of the City for a complete application, or improper, illegible, or incomplete information supplied by the applicant, shall be cause for the Zoning Administrator to find the application incomplete.

(2) The City will not accept fees for an application until the Zoning Administrator determines the application to be complete. An application ~~shall~~ may not move forward for review and consideration until the application is complete and all application fees have been paid.

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

21.2.5 Appeal Of Zoning Administrator's Determination Of Completeness
Any person aggrieved by a decision of the Zoning Administrator in a determination of a complete application may appeal the Zoning Administrator's decision in writing within 30 days of the Zoning Administrator 's decision to the Planning Commission.

21.2.6 Concept Plan Requirements
~~The~~ Any concept plan shall show:

1. the general location of the subdivision, the property boundaries and adjoining properties with ownership;
2. 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. vicinity map showing significant natural and man-made features off site with a scale of 1 inch = 2000 feet on the site;
5. acreage of the entire tract and the acreage of the portion to be developed;
6. area for which approval will be requested for the first phase of development except for minor, commercial and industrial subdivisions;
7. 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. development area, the number of proposed dwelling units and the amount of open space;
10. 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. connections with existing greenspace and trails; and
20. parcels of land that will have a conservation easement or are to be dedicated for schools, roads, parks, or other public purposes.

HISTORY
Amended by Ord. 2021-09 on 4/28/2021
Amended by Ord. 2024-05 on 1/31/2024

21.2.7 Preliminary Plan Requirements

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.

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

21.2.8 Final Plat Infrastructure Design And Engineering Drawings Requirements

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.

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

21.2.9 Final Plat Requirements

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.

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

21.2.10 Development Review Committee

(1) Each application for a subdivision shall be reviewed by the Development Review Committee (DRC) prior to its 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, current ordinances, local, state and federal regulations, applicable standards and specifications as well as of the impacts of the proposed action in benefit and costs to the community.

(4) The Development Review Committee shall consist of a designated representative from all City departments and/or divisions involved in the development review/approval process, including, but not limited to, the Zoning Administrator, City Planner, City Inspector, the Public Works Director, the Fire Marshall, and the City Engineer.

~~(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~~ provide written comments to the applicant within 15 business days of receipt of a complete application for Preliminary Plan approval.

(7) ~~(Preliminary) and~~Within 20 business days ~~(Final)~~of receipt of a complete application for Final Plat approval for single use residential development,~~.~~ the DRC shall ~~to~~ review the application package and submit review comments to the applicant. The review comments shall identify each deficiency in the application, including engineering drawings and plans, and reference the code or standards which govern the requirements. Prior to the DRC advancing a Final Plat application for approval, all review comments shall be addressed by the Applicant in writing, including references to the codes, standards, and application components which satisfy those codes and standards.

(8) For all other development applications ~~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 Development Review Conference with members of the DRC to discuss review comments and answer applicant questions.

(~~7~~9) Upon submittal of revised engineering drawings and documents as requested by the DRC, the review process outlined in paragraph (~~6~~7) may occur up to three additional times, only as necessary, before moving forward for consideration.

~~(7) Only complete applications with the approval of the DRC will move forward for consideration~~

HISTORY

Amended by Ord. 2021-09 on 4/28/2021
Amended by Ord. 2024-05 on 1/31/2024

21.2.11 Determination Of Appropriate Process

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~~GLUDMC. 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.
    1. 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:

1. There is a compelling reason affecting the Health, Safety or Welfare of the public; or
2. An adjacent property is currently in an application process which will increase the level of improvement to the street, or
3. The City has a current project that is increasing the level of improvement to the street.

2. Level 2: Minor Subdivisions ~~shall~~ may 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.
3. 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.
4. If no street improvements are required beyond additional utility service laterals, the only engineered drawings required will be:
    1. A record of survey~~,~~; ~~and~~
    2. A plat~~. D~~ depicting the lots, together with individual metes and bounds legal descriptions for each lot, and the overall boundary description for the subdivision~~,~~ ; and
    3. 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.
5. If upon review, the City staff finds:
    1. That application to be complete~~,~~; ~~and~~
    2. Meets the intent of the General Plan~~,~~; ~~and~~
    3. Fully complies with the City zoning and land use ordinances~~,~~; and
    4. 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.
6. Then, the City staff is authorized ~~by the City Council~~ to approve the application.
7. If the application is found deficient in meeting the requirements in ~~clause~~ subsections 5 (~~a~~1-~~d~~4), 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.
8. 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.
9. 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.
10. 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.

11. After approval, and in accordance with Utah ~~State~~ Code ~~19~~10 ~~91~~9a-605(3)(a), documents dividing property by a metes and bounds description, including the required certificate of written approval from Grantsville City attached, shall be recorded in the County Recorder's office.

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.
    1. 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~~DRC. 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.
    1. 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.

HISTORY
Adopted by Ord. 2024-05 on 1/31/2024
Amended by Ord. 2024-16 on 5/1/2024

21.3 Lot Line Adjustments
21.3.3 Lot Line Adjustments

Amended 04/08 by Ordinance 2008-15

21.3.3 Lot Line Adjustments

(1) The owners of record of adjacent parcels that are described by either a metes and bounds description or a recorded plat, may exchange title to portions of those parcels, if the exchange of title is approved by the Zoning Administrator in accordance with Subsection 21.3.3(2). The Zoning Administrator is designated as the land use authority for the purpose of reviewing and approving boundary line adjustments pursuant to the provisions of this subsection and Utah Code Ann. Section §10-9a-608(7) ~~(2014)~~.

(2) The Zoning Administrator shall approve an exchange of title under Subsection 21.3.3(1) if no new dwelling lot or housing unit will result from the exchange of title; and the exchange of title will not result in a violation of any land use ordinance.

(3) If an exchange of title is approved under Subsection 21.3.3(2):

(i) a notice of approval shall be recorded in the office of the county recorder which:

(A) is executed by each owner included in the exchange and by the Zoning Administrator;

(B) contains an acknowledgment for each party executing the notice in accordance with the provisions of Utah Code Ann. §57-2a ~~(1988 – 2007)~~, Recognition of Acknowledgments Act;

(C) recites the descriptions of both the original parcels and the parcels created by the exchange of title; and

(D) contains a certificate of approval by the City, signed by the Zoning Administrator and attested by the City Recorder.

(ii) a conveyance of title reflecting the approved change shall be recorded in the office of the county recorder.

(iii) A notice of approval recorded under this section does not act as a conveyance of title to real property and is not required for the recording of a document purporting to convey title to real property.

HISTORY
Amended by Ord. 2021-09 on 4/28/2021

21.4 Subdivisions

21.4.1 Application
21.4.2 Approval Process
21.4.3 Phase Development
21.4.4 Pre-Application Meeting
21.4.5 Preliminary Plat And Infrastructure Design Application
21.4.6 Utility And Agency Response
21.4.7 Final Plat Stage Application
21.4.8 Appeals

Amended 04/04 by Ordinance 2004-10, 09/04 by Ordinance 2004-18, 04/08 by Ordinance 2008-16, 07/09 by Ordinance 2009-16

HISTORY
Amended by Ord. 2021-09 on 4/28/2021

21.4.1 Application

A subdivision is a division of land into two (2) or more lots. Infrastructure and public facilities shall be dedicated as a part of the subdivision process.

HISTORY
Amended by Ord. 2021-09 on 4/28/2021

21.4.2 Approval Process

(1) A subdivision shall be processed utilizing the following stages as appropriate to the type of application:

(a) The Pre-Application Meeting stage is an optional, recommended ~~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 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) The preliminary plat includes but may not be limited to; submittal of a complete Preliminary Plat application to the city containing the required as detailed in Section 21.2.10 of this Chapter documents detailed in Section 21.2.7 and 21.4.5 of this Chapter, review of the application by the DRC, after which the application will be placed on the ~~planning~~ Planning ~~commission~~ 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, and recommendation to City Council, if the application is for a Level 5 action. In no event may the Planning Commission hold more than one public hearing on a Level 3 or Level 4 Preliminary Plat application. Upon recommendation by the ~~planning~~ Planning ~~commission~~Commission, a Level 5 preliminary plat application shall then be placed before City Council in a public meeting for their consideration.

(c) 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~~ 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~~and consideration for final approval by the DRC. The City, including the DRC, may not engage in substantive review of the infrastructure and design drawings constituting subdivision improvement plans under UCA 10-9a-604.2 during the Preliminary Plan approval stage or at any other time prior to the beginning of the review cycles for subdivision improvement plans during final plat approval.

(d) The ~~Planning Commission~~DRC shall review the Level 4 final plat, infrastructure and design drawings. If the Level 4 final plat complies with all requirements, the DRC shall approve the Level 4 final plat.~~, at a public meeting where it 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 ~~approve~~ or deny the plat and design drawings. If the Planning Commission recommends approval, the application shall move on to City Council for consideration. 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 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 application will be placed on the Planning Commission public meeting agenda for a public hearing, discussion and consideration of approval process.

Amended 04-08, 06-09 Ordinance No. 2009-16

HISTORY
Amended by Ord. 2021-09 on 4/28/2021
Amended by Ord. 2024-05 on 1/31/2024

21.4.3 Phase Development

(1) The final platting of subdivisions containing more than fifty (50) lots shall be done in phases, except as provided in Subsection (3). Development shall be performed so that the phases will be contiguous, and the required improvements will be continuous.

(2) When off-site improvements are complete and approved by the city engineer, and the lots are 70 percent sold, the sub-divider may submit the next phase for final plat approval.

(3) The City may accept phases including more than fifty (50) lots, up to ten (10) lots greater per phase when the overall lot count of the subdivision contains fifteen or fewer lots beyond a number of lots divisible by fifty (50), or where street or utility improvements must extend past five or fewer additional lots to connect onto existing improvements. The City reserves the right to consider other situations that might provide a public benefit and still allow for the completion of infrastructure and sale of 70% of the subdivided lots within the two-year expiration period. Any agreements between the City and Developer concerning phasing that allow greater than fifty (50) lots per phase shall be included in the Development Agreement detailing the number of lots per each phase and a brief statement justifying the need for the additional lots in phases.

(4) Where it is prudent to engineer road or utility lines that extend into the next phase, such work may be done if shown in the prior phase.

HISTORY
Amended by Ord. 2019-22 on 10/2/2019
Amended by Ord. 2021-09 on 4/28/2021

21.4.4 Pre-Application Meeting

As the 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~~ City 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.

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

21.4.5 Preliminary Plat ~~And Infrastructure Design~~ Application

(1) 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.

(2) 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 may be scheduled at the request of the and with members of the DRC. Representatives of affected entities such as~~,~~: ~~The~~ the county health department, ~~county~~ County ~~recorder~~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 and provide comments within the required review period.

(3) After receiving the review comments, 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 shall move forward for consideration by the necessary body as outlined in 21.4.2.

(4) 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.

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

21.4.6 Utility And Agency Response

Failure of any utility or agency to respond to request 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.

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

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.

(3) 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 may be scheduled at the request of the and with 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 and provide comments within the required review period.

(4) After receiving the review comments 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. The review comments shall identify each deficiency in the application, including the engineering drawings and plans, and reference the code or standards which govern the requirements. Prior to the DRC advancing a Final Plat application for approval, all review comments shall be addressed by the Applicant in writing, including references to the codes, standards, and application components which satisfy those codes and standards. When the DRC determines that all of the corrections have been completed and necessary documentation has been submitted, the application shall move forward for consideration by the necessary body as outlined in 21.4.2.

(5) 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 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~~(2023)~~, §10-9a-207~~(2009)~~, §10-9a-603~~(2022)~~, §10-9a-604~~(2021)~~)

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

21.4.8 Appeals

(1) ~~(1)~~ The applicant or developer that has submitted a subdivision or development to the City under this Chapter, may appeal any decision made by the zoning administrator or planning commission regarding the proposed subdivision to the ~~city council~~Hearing Officer, whose decision shall then be final. Any such decision appealed from shall be presented to the city recorder in writing within 30 days after the entry of the decision appealed from. The ~~city council~~Hearing Officer shall consider the appeal within 60 days of receipt of the written appeal.

(2) Appeals from the engineering drawings qualifying as subdivision improvement plans under Utah Code Ann. §10-9a-604.2 shall be appealed to an appropriate ad hoc committee in accordance with that Section.

21.5 Planned Unit Development Subdivisions

21.5.1 Application

Amended 09/03 by Ordinance 2003-18, 11/05 by Ordinance 2005-22

21.5.1 Application

1. ~~If a~~A Planned Unit Development application shall be submitted and approved, in accordance with GLUDMC Chapter 12 Planned Unit Development, prior to the applicant submitting a development application whenever one of the following applies:~~is required due to:~~
    1. zoning ~~requirements~~code requires a PUD application;~~,~~
    2. the development proposes a mix of uses~~,~~;
    3. the area contains sensitive soils areas~~,~~;
    4. the development includes conditional uses~~,~~; or
    5. the development 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.~~

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

21.6 Design Standards

21.6.1 Application
21.6.2 Lots
21.6.3 Streets
21.6.4 Frontage On Arterial And Collector Streets
21.6.5 Sidewalks, Curbs, And Gutters
21.6.6 Blocks
21.6.7 Monuments
21.6.8 Easements
21.6.9 Utilities To Be Underground
21.6.10 Sewer Systems
21.6.11 Sanitary Sewer Main, Laterals, And House Connections - Future
21.6.12 Water Supply

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21.6.13 Storm Drainage And Flood Plains
21.6.14 Fugitive Dust Control
21.6.15 Essential Utilities And Infrastructure To Be Completed Prior To Issuance Of Building Permits
HISTORY

Amended 09/03 by Ordinance 2003-18, 06/0 by Ordinance 2007-24, 08/07 by Ordinance 2007-26, 08/07 by Ordinance 2007-27, 10/07 by Ordinance 2007-37, 04/08 by Ordinance 2008-18, 05/08 by Ordinance 2008-22, 03/09 by Ordinance 2009-06

21.6.1 Application

(1) All 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 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~~ may not be subdivided until the hazards have been eliminated or will be eliminated by the construction of the subdivision.

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

21.6.2 Lots

(1) No single lot ~~shall~~ may be divided by a municipal, or county boundary line.

(2) A lot ~~shall~~ may not be divided by a street or another lot.

(3) Side lot lines shall be at substantially right angles or radial to road lines.

(4) All lots shall front on a publicly dedicated street or private roads approved by the planning commission.

(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.

(6) If the development is located in an area 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.

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

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 the City's Design Standards. No 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 developments shall be designed to meet the applicable requirements in the current adopted edition of the International Fire Code.

(5) 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 development. Streets within the proposed development shall be interconnected to the greatest extent possible. 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 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 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.

(14) 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's Design Standards~~standards~~ on the side of the street fronting the development. The non-property line edge of street shall have installed a temporary ribbon-curb.

(15) 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~~ off-site impacts. The traffic impact study shall be considered in the determination of any ~~off-site~~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.

(16) All associated improvements such as sidewalk, curb, gutter, or alternate drainage shall also be constructed to the standards for a "Public Road, Standard Street Section" as specified in Grantsville City's Design Standards.

(17) 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 shall require that the subdivision improvements be guaranteed for two ~~year~~years after their installation, in a manner consistent with guarantees required for a standard subdivision.

(18) 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.

(19) 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 of-way width to meet the half ~~of~~ 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 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 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 with the existing improvements or have bearing on potential future improvements associated with the proposed development.

(c) In cases where the existing street improvements do not meet the City's Design Standards ~~standards,~~ deficiencies shall be corrected to meet the City's Design Standards ~~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. Additional repair and replacement may be required beyond the right-of-way centerline if construction of improvements for the development such as trenching for utilities serving the development or construction activities for the 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 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 Standards shall include a paved surface width of a minimum of 26 feet for the full length of the development boundary frontage.

(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).

HISTORY
Amended by Ord. 2021-09 on 4/28/2021
Amended by Ord. 2024-05 on 1/31/2024

21.6.4 Frontage On Arterial And Collector Streets

No residential dwelling lots ~~shall~~ may directly access arterial or major collector streets. The development design shall provide local access streets to lots along arterial and major collector streets.

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

21.6.5 Sidewalks, Curbs, And Gutters
(1) Sidewalks, curbs and gutters shall be provided in accordance with the requirements of the City's Design Standards.

HISTORY
Amended by Ord. 2021-09 on 4/28/2021
Amended by Ord. 2024-05 on 1/31/2024

21.6.6 Blocks
Block lengths shall be approved by the planning commission. They shall provide for convenient access and circulation for emergency vehicles.

21.6.7 Monuments
(1) Permanent reference monuments shall be installed in accordance with standards adopted by the City of Grantsville. They shall be set on the external boundary of the 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 development.

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

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.

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

21.6.9 Utilities To Be Underground
All power lines, telephone lines, and other normally overhead utility lines shall be placed underground in all development. The developer shall establish final utility grades prior to utility lines being placed underground.

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

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 a point 10-feet inside each lot. The sewer system shall meet the minimum standards and requirements of City's 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 development. All on-site wastewater disposal systems shall be approved in writing by the county health department. Developers 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.

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

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 development area within a reasonable time, the planning commission may require the installation and capping of sanitary sewer mains and house connections by the developer in addition to the installation of temporary individual on-lot sewage disposal systems. Whenever individual on-lot sewage disposal systems are proposed, the 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 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.

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

21.6.12 Water Supply

(1) All 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 ~~s~~ 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 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 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 ~~taht~~ fall under the requirements of a public water system.

(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 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 development that was previously platted and developed, shall be required to convey culinary and secondary water rights to the city pursuant to subsection (3) above, even if the new proposed 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.

HISTORY
Amended by Ord. 2021-09 on 4/28/2021
Amended by Ord. 2024-05 on 1/31/2024

21.6.13 Storm Drainage And Flood Plains

(1) A storm drainage system for the entire 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 development but also, where applicable, the runoff from those areas adjacent to and "upstream" from the development itself, as well as its effects on lands downstream.

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

21.6.14 Fugitive Dust Control

Any developer or person engaging in clearing or leveling of land greater than one-quarter acre in size, earthmoving, excavation, or movement of trucks or construction equipment over cleared land greater than one-quarter acre in size or access haul roads shall take steps to minimize fugitive dust from such activities. Such control may include watering and chemical stabilization of potential fugitive dust sources or other equivalent methods or techniques. A fugitive dust control plan shall be submitted to State of Utah DEQ, Division of Air Quality, within 30 days of the construction start-up. This section shall not apply to agricultural or horticultural activities.

HISTORY
Amended by Ord. 2021-09 on 4/28/2021

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 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.

HISTORY
Amended by Ord. 2024-05 on 1/31/2024

21.7 Financial Assurance

21.7.1 Improvement Installation Guarantee
21.7.2 Default
21.7.3 Maintenance Guarantee
21.7.4 Acceptance And Release Of Guarantee
21.7.5 Engineering Review And Inspection Fee

Amended 04/04 by Ordinance 2004-07, 04/04 by Ordinance 2004-08, 04/04 by Ordinance 2004-09, 11/05 by Ordinance 2005-22, 08/08 by Ordinance 2008-34, 03/10 by Ordinance 2010-04

21.7.1 Improvement Installation Guarantee

(1) In lieu of actual installation of off-site and common open space improvements required by this chapter, before recording a plat, the subdivider shall guarantee the installation of such improvements by executing a subdivision improvements agreement and by filing one or a combination of the following financial guarantee methods: a corporate surety bond, a deposit in escrow with an escrow holder or a letter of credit with a financial institution. 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 the financial guarantee and plat are approved, the plat shall be recorded within ninety 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 the culinary water after approval of the final plat, but prior to the final plat being recorded.

(2) The guarantee shall be in an amount equal to 110% of the projected costs of required improvements as estimated by a licensed engineer retained by the subdivider and approved by the city engineer. The subdivision improvements agreement and the financial guarantee shall both assure the actual construction of such improvements within two years immediately following the approval of the final plat by the city council and shall include a maintenance guarantee as required by Section 21.7.3 herein.

(3) The guarantee shall be filed with the city recorder.

(4) The subdivision improvements agreement shall be executed by the developer and shall be accompanied by a financial guarantee issued by a company duly and regularly authorized to do a general surety business in the State of Utah and either (i) named in the current U.S. Treasury Department's list of approved sureties (Department Circular 570) (as amended), or (ii) with a current "A-" rating and a financial size category rating of at least a "VII" or better in A.M. Best Co., Inc.'s Best Insurance Reports, Property and Casualty Edition. The improvements agreement and the guarantee shall be approved as to method, institution and form by the city attorney.

HISTORY
Amended by Ord. 2019-15 on 8/7/2019
Amended by Ord. 2021-09 on 4/28/2021

21.7.2 Default

In the event the subdivider defaults or fails or neglects to satisfactorily install required improvements within two years from the date of approval of the final plat, the City Council may declare the bond, escrow, deed of trust, or letter of credit forfeit and may execute thereon and install or cause the required improvements to be installed using the proceeds from the collection to defray the expenses thereof. The subdivider shall be responsible for all costs incurred by the city to complete the required improvements in excess of the proceeds of the guarantee amount.

21.7.3 Maintenance Guarantee

(1) The subdivider shall guarantee all off-site improvements will remain in good condition for a period of one year after the date of final acceptance by the city. The subdivider shall make all repairs to and maintain the improvements in good condition during that one-year period at no cost to the city. The City shall retain up to 10% of the guarantee for a surety to cover the maintenance period. The exact amount retained shall be determined per state law, in an amount the lesser of the municipal engineers original estimated cost of completion, or the applications reasonable proven cost of completion, by the City Engineer.

The City may require that the improvement assurance warranty be in place for a period of two years following final acceptance by the City, if the City determines for good cause that a lesser period would be inadequate for the following reasons:

(1) to protect the public health, safety and welfare,

(2) has substantial evidence of prior poor performance of the sub-divider/,

(3) developer; unstable soil conditions exist within the subdivision or development area,

(4) or extreme fluctuations exist in climatic conditions that would render impracticable the discovery of substandard or defective performance within a one-year period.

The guarantee shall extend to and include, but shall not be limited to necessary utilities, the entire street, subgrade, base and surface and all pipes, joints, valves, backfill and compacting, trails, as well as the

working surface, curbs, gutters, sidewalks, landscaping and other accessories that are, or may be, affected by construction operations.

(3) Identifying necessary repairs and maintenance rests with the City Public Works Director, whose decision upon the matter shall be final and binding upon the subdivider/developer. The Public Works Director shall use City standards and specifications, the preliminary plat and engineering drawings and information from the City Engineer as the inspection's standards for final acceptance of the required improvements. Whenever, in the judgment of the city public works director, the improvements shall need repairs, maintenance, or re-building, the City Public Works Director shall cause a written notice to be mailed or given to the subdivider/developer. Upon receipt, the subdivider/developer shall undertake and complete such repairs, maintenance or re-building. If repairs are not completed within the specified time, the city shall have such repairs made and the cost of such repairs shall be paid by the subdivider/developer or by the City using the guarantee.

HISTORY
Amended by Ord. 2019-15 on 8/7/2019
Amended by Ord. 2021-09 on 4/28/2021

21.7.4 Acceptance And Release Of Guarantee

(1) Upon completion of improvements, the subdivider/developer shall submit to the City a copy of the as-built construction drawings, along with a CAD file of said drawings and a GIS file containing at a minimum: address points, street centerlines, and parcel polygons in the current city coordinate system. Acceptance of all improvements shall be in writing from the public works director.

(2) The subdivider/developer shall in writing request that the city accept or reject the installation of required subdivision improvements or performance of warranty work.

(3) The city shall accept or reject the subdivision improvements within 45 days after receiving a written request from the subdivider/developer, or as soon as practicable after that 45-day period if inspection of the subdivision improvements is impeded by winter weather conditions.

(4) At the end of the warranty period the city shall accept or reject the performance of warranty work within 45 days after receiving a subdivider/developer's written request or as soon as practicable after that 45-day period if inspection of the work is impeded by winter weather conditions.

(5) If the city determines that the installation of required subdivision improvements or the performance of warranty work does not meet the City's adopted standards, the City shall comprehensively and with specificity list the reasons for its determination.

(6) Upon final completion of the performance warranty period and with the approval by the city public works director, the financial assurances may be released, at which time the subdivision will be deemed accepted.

(7) Nothing in this section and no action or inaction of the city relieves a subdivider/developer's duty to comply with all applicable substantive ordinances and regulations.

(8) There shall be no money damages remedy arising from a claim under this section.

HISTORY
Amended by Ord. 2019-15 on 8/7/2019

21.7.5 Engineering Review And Inspection Fee

In addition to the improvement and maintenance guarantee, the subdivider shall deposit with the city recorder a sum equal to the percentage of the cost of the improvements as noted on the current adopted City fee schedule to cover engineering review and public works inspection.

HISTORY
Amended by Ord. 2021-09 on 4/28/2021

21.8 Vacation, Alteration, and Amendment Of Subdivision Location

21.8.1 Vacating Or Changing A Subdivision Plat
21.8.2 City Council Consideration Of Petition To Vacate Or Change A Plat
21.8.3 Vacating Or Altering A Street Or Alley

Amended 08/03 by Ordinance 2003-15

21.8.1 Vacating Or Changing A Subdivision Plat

(1) Subject to Section 21.8.3, and provided that notice has been given pursuant to Section 1.18, the City Council may, with or without a petition, consider and resolve any proposed vacation, alteration, or amendment of a subdivision plat, any portion of a subdivision plat, or any lot contained in a subdivision plat.

(2) If a petition is filed, the City Council shall hold a public hearing within 45 days after the petition is filed or, if applicable, within 45 days after receipt of the planning commission's recommendation under Subsection (3), if:

(a) any owner within the plat notifies the City of their objection in writing within ten days of mailed notification; alder

(b) a public hearing is required because all of the owners in the subdivision have not signed the revised plat.

(3) The planning commission shall consider and provide a recommendation for a proposed vacation, alteration, or amendment under Subsection (1) before the City Council takes final action. The planning commission shall give its recommendation within 30 days after the proposed vacation, alteration, or amendment is referred to it, or as that time period is extended by agreement with the applicant.

(4) The public hearing requirement of Subsection (1) does not apply and the City Council may consider at a public meeting an owner's petition to alter a subdivision plat if the petition seeks to join two or more of the owner's contiguous, residential lots and notice has been given pursuant to local ordinance.

(5) Each request to vacate or alter a street or alley, contained in a petition to vacate, alter, or amend a subdivision plat, is also subject to Section 21.8.3.

(6) Any fee owner, as shown on the last county assessment rolls, of land within the subdivision that has been laid out and platted as provided in this part may, in writing, petition to have the plat, any portion of it, or any street or lot contained in it, vacated, altered, or amended as provided in this section and Section 21.8.3.

(7) Each petition to vacate, alter, or amend an entire plat, a portion of a plat, or a street or lot contained in a plat shall include:

(a) the name and address of all owners of record of the land contained in the entire plat;

(b) the name and address of all owners of record of land adjacent to any street that is proposed to be vacated, altered, or amended; ~~duck~~

(c) the signature of each of these owners who consents to the petition.

(8) The owners of record of adjacent parcels that are described by either a metes and bounds description or a recorded plat, may exchange title to portions of those parcels, if the exchange of title is approved by the Zoning Administrator in accordance with this Subsection. The Zoning Administrator is designated as the

land use authority for the purpose of reviewing and approving boundary line adjustments pursuant to the provisions of this subsection and Utah Code Ann. Section §10-9a-608(7) ~~(2014).~~ The Zoning Administrator shall approve an exchange of title under this Subsection if no new dwelling lot or housing unit will result from the exchange of title; and the exchange of title will not result in a violation of any land use ordinance. If an exchange of title is approved under this Subsection, a notice of approval shall be recorded in the office of the county recorder which is executed by each owner included in the exchange and by the Zoning Administrator, contains an acknowledgment for each party executing the notice in accordance with the provisions of Utah Code Ann. §57-2a ~~(1988—2007)~~, Recognition of Acknowledgments Act, recites the descriptions of both the original parcels and the parcels created by the exchange of title and contains a certificate of approval by the City, signed by the Zoning Administrator and attested by the City Recorder. A conveyance of title reflecting the approved change shall be recorded in the office of the county recorder. A notice of approval recorded under this subsection does not act as a conveyance of title to real property and is not required for the recording of a document purporting to convey title to real property.

(9)

(a) The name of a recorded subdivision may be changed by recording an amended plat making that change, as provided in this section and subject to Subsection (9)(c).

(b) The surveyor preparing the amended plat shall certify that the surveyor:

(i) holds a license in accordance with Utah Code Ann. §58-22 ~~(1994—2017),~~ Professional Engineers and Professional Land Surveyors Licensing Act;

(ii) has completed a survey of the property described on the plat in accordance with Utah Code Ann. Section §17-23-17 ~~(2016)~~ and has verified all measurements; ~~duck~~

(iii) has placed monuments as represented on the plat.

(c) An owner of land may not submit for recording an amended plat that gives the subdivision described in the amended plat the same name as a subdivision in a plat already recorded in the county recorder's office.

(d) Except as provided in Subsection (9)(a), the recording of a declaration or other document that purports to change the name of a recorded plat is voidable. (Utah Code Ann. §1 0- 9a-608 ~~(2014)~~)

21.8.2 City Council Consideration Of Petition To Vacate Or Change A Plat

(1) If the City Council is satisfied that the public interest will not be materially injured by the proposed vacation, alteration, or amendment, and that there is good cause for the vacation, alteration, or amendment, the land use authority may vacate, alter, or amend the plat or any portion of the plat, subject to Section 21.8.3.

(2) The City Council may approve the vacation, alteration, or amendment by signing an amended plat showing the vacation, alteration, or amendment.

(3) The City Council shall ensure that the amended plat showing the vacation, alteration, or amendment is recorded in the office of the county recorder in which the land is located.

(4) If an entire subdivision is vacated, the City Council shall ensure that a resolution containing a legal description of the entire vacated subdivision is recorded in the county recorder's office. (Utah Code Ann. §1 0-9a-609 ~~(2014))~~

21.8.3 Vacating Or Altering A Street Or Alley

(1) If a petition is submitted containing a request to vacate or alter any portion of a street or alley within a subdivision:

(a) the City Council, after providing notice to each property owner that directly adjoins the street or alley that is proposed for vacation and after providing notice pursuant to Utah Code Ann. Section §10-9a-208 ~~(2010),~~ shall make a recommendation to the Mayor concerning the request to vacate or alter; ~~duck~~

(b) the Mayor shall conduct a public hearing in accordance with Utah Code Ann. Section §10-9a-208 (2010) and determine whether good cause exists for the vacation or alteration.

(2) If the Mayor vacates or alters any portion of a street or alley, the Mayor shall ensure that the plat is recorded in the office of the recorder of the county in which the land is located.

(3) The action of the Mayor vacating or narrowing a street or alley that has been dedicated to public use shall operate to the extent to which it is vacated or narrowed, upon the effective date of the vacating plat, as a revocation of the acceptance thereof, and the relinquishment of the city's fee therein, but the right-of-way and easements therein, if any, of any lot owner and the franchise rights of any public utility may not be impaired thereby. (Utah Code Ann. §10-9a-609.5 ~~(2010)~~)

AGENDA ITEM #16

Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 21.2.10 (Development Review Committee) to remove the Planning Commission Consultant from the Development Review Committee.

Grantsville City Planning Commission

November 7, 2024
Public Hearing

Proposed amendment to the Grantsville City Land Use and Management Code Chapter 21.2.10 (Development Review Committee) to remove the Planning Commission Consultant from the Development Review Committee.

Notice is hereby given that in accordance with the provisions of Section §10-9A-205 and §10-9a-502 of the Utah Code, the Grantsville Planning Commission will hold a discussion and public hearing on **November 7, 2024 at 7:00 p.m.** at Grantsville City Hall. The meeting will also be broadcast on Zoom. The discussion, public hearing and meeting are to receive public input and consider action on the **Public Hearing of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 21.2.10 (Development Review Committee) to remove the Planning Commission Consultant from the Development Review Committee** and make a recommendation to the City Council.

You can view a copy of the agenda and packet online by 5:00pm on November 1, 2024 at the link below:
https://grantsvilleut.gov/departments/community___economic_development/planning_commission.php

Or by emailing jbassett@grantsvilleut.gov. All comments and concerns need to be sent in writing through email or mail and received no later than 12:00pm on November 7, 2024.

Dated this 28th day of October, 2024

BY ORDER OF THE GRANTSVILLE PLANNING COMMISSION

Shelby Moore
Zoning Administrator

Scan QR code above or use the link below to join Zoom meeting.
https://us02web.zoom.us/j/83837749384
Meeting ID: 838 3774 9384

Planning and Zoning
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674

Staff Report Summary for
Chapter 21.2.10 Development Review Committee

Parcel ID(s):
Property Address:
Applicant Name:
Request:
Prepared By: Shelby Moore

Meeting Date: 11/7/2024
Public Hearing Date: 11/7/2024
Current Zone:
Acres:

Planning Staff Explanation and Recommendation: Discussion of Chapter 21.2.10 Development Review Committee.

PLANNING STAFF ANALYSIS AND COMMENTS

1) The amendment to Chapter 21.2.10 is to remove the Planning Commission Consultant and Attorney.

*** Disclaimer: Please be advised that at no point should the comments and conclusions made by The City staff or the conclusions drawn from them be quoted, misconstrued, or interpreted as recommendations. These inputs are intended solely for the legislative body to interpret as deemed appropriate.*

The information provided is purely for the legislative body to interpret in their own right and context. It is crucial to maintain the integrity and context of the information shared, as it is meant to assist in the decision-making process without implying any endorsement or directive, but it is essential that it is understood within the appropriate scope.

GRANTSVILLE CITY
ORDINANCE NO. 2024-XX

AN ORDINANCE OF GRANTSVILLE CITY AMENDING CHAPTER 21.2.10 OF THE GRANTSVILLE LAND USE ORDINANCE, REMOVING THE PLANNING COMMISSION CONSULTANT FROM THE DEVELOPMENT REVIEW COMMITTEE

Be it enacted and ordained by the City Council of Grantsville City, Utah as follows:

WHEREAS, Grantsville City desires to amend the current structure of the Development Review Committee (DRC) as outlined in Chapter 21.2.10 of the Grantsville Land Use Ordinance to enhance efficiency and streamline the review process; and

WHEREAS, the Development Review Committee is responsible for reviewing subdivision applications and providing guidance to applicants regarding compliance with applicable laws, ordinances, and the General Plan, as well as assessing the impact of proposed developments on the community; and

WHEREAS, the current membership of the Development Review Committee includes a representative from the Planning Commission as a consultant, along with the Zoning Administrator, City Planner, City Inspector, Public Works Director, Fire Marshall, City Engineer, and City Attorney; and

WHEREAS, it has been determined that the participation of the Planning Commission Consultant is no longer necessary in the DRC for the purpose of reviewing subdivision applications; and

WHEREAS, the proposed amendment to Chapter 21.2.10 has been reviewed and recommended by City staff to better meet the needs of the development review process; and

WHEREAS, a public hearing on this ordinance was held in accordance with Utah Code requirements and proper notice was given to the public;

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

Section 1. Amendment of Chapter 21.2.10: The Planning Commission Consultant is hereby removed as a designated member of the Development Review Committee. The revised membership of the Development Review Committee shall consist of the Zoning Administrator, City Planner, City Inspector, Public Works Director, Fire Marshall, City Engineer, and City Attorney.

Section 2. Exhibit A: The revised Chapter 21.2.10 of the Grantsville Land Use Ordinance, reflecting the removal of the Planning Commission Consultant from the Development Review Committee, is attached hereto as Exhibit A and incorporated herein by this reference.

Section 3. Effective Date: This Ordinance shall take effect immediately upon its passage and approval as provided by law.

Section 4. Severability clause: If any part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all provisions, clauses and words of this Ordinance shall be severable.

ADOPTED AND PASSED BY THE CITY COUNCIL OF GRANTSVILLE CITY, THIS 16TH DAY OF OCTOBER, 2024.

BY THE ORDER OF THE GRANTSVILLE CITY COUNCIL:

_____
By Mayor Neil Critchlow

ATTEST

_____
Braydee Baugh, City Recorder

Approved as to Form:

_____
Tysen J. Barker, Grantsville City Attorney

Exhibit “A”

Staff Report Summary for Amendment of the Grantsville Land Use Ordinance Chapter 21.2.10
Development Review Committee

Planning and Zoning
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674

Staff Report Summary for
Amendment of the Grantsville Land Use Ordinance
Chapter 21.2.10 Development Review Committee

Parcel ID(s):
Property Address:
Applicant Name:
Request:
Prepared By: Shelby Moore

Meeting Date:
Public Hearing Date:
Current Zone:
Acres:

Planning Staff Explanation and Recommendation: Consideration Amendment of the Grantsville Land Use Ordinance Chapter 21.2.10 Development Review Committee.

Chapter 21 Subdivision Regulations

21.2.10 Development Review Committee

(1) Each application for a subdivision shall be reviewed by the Development Review Committee (DRC) prior to its 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, current ordinances, local, state and federal regulations, applicable standards and specifications as well as of the impacts of the proposed action in benefit and costs to the community.

(4) The Development Review Committee shall consist of a designated representative involved in the development review and approval process, including, but not limited to, the Zoning Administrator, City Planner, City Inspector, the Public Works Director, the Fire Marshall, City Attorney, and the City Engineer.

~~(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 15 business days (Preliminary) and 20 business days (Final) to review the application package and submit review comments to the applicant. For all other development applications ~~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 Development Review Conference with members of the DRC to discuss review comments and answer applicant questions.

(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.

(7) Only complete applications with the approval of the DRC will move forward for consideration

HISTORY
Amended by Ord. 2021-09 on 4/28/2021
Amended by Ord. 2024-05 on 1/31/2024

AGENDA ITEM #17

Proposed amendment to the Grantsville City Land Use and Management Code Chapter 21.6.13 (Storm Drainage And Flood Plains).

21.6.13 Storm Drainage And Flood Plains

(1) A storm drainage system for the entire 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 development but also, where applicable, the runoff from those areas adjacent to and "upstream" from the development itself, as well as its effects on lands downstream.

(4) Storm drainage basins shall be designed and maintained to ensure that stormwater drains completely from any storm drainage basins within 72 hours after being filled to any capacity by a particular storm. If an owner of property containing a storm drainage basin fails to ensure the complete drainage of the basin within the 72-hour period described in this section, a representative or agent of the City's Public Works department may, for the safety and welfare of its citizens, intervene and enter onto the property of the storm water basin and take steps reasonably necessary to ensure the complete drainage of the basin. The City may then charge the owner of property containing the storm drainage basin the costs incurred by the City to completely drain the storm drainage basin.

(5) Storm drainage design and construction shall comply with Grantsville City Storm Drainage Design Requirements.

GRANTSVILLE CITY
STORM DRAINAGE DESIGN REQUIREMENTS

1. **Storm Water Collection System Requirements:**

a) Design Storms:

The storm water pipe collection system shall be designed to convey the 24-hour duration – Annual Exceedance Probability (AEP) 10-percent (10%) storm, 24-hour duration event if there is a continuous pathway to the Great Salt Lake. Collection systems for basin and street shall be sized for the AEP 1-percent (1%) storm, 24-hour duration event when discharging to an approved City release point.

Note: The AEP 10-percent (10%) storm is equivalent to a 10-year recurrence interval storm and an AEP 1-percent (1%) storm is equivalent to a 100-year recurrence interval storm. The 10-year and 100-year terms are not used by Grantsville City to reduce confusion and accurately convey such storms have a 10-percent or 1-percent chance of occurring in any given year, rather than implying these events happen once every 10-years or 100-years.

b) Storm Water Runoff into Street Encroachment Requirements:

i. Flow from the AEP 10-percent (10%) storm shall not extend more than halfway into the travel lane adjacent to the curb and a minimum 12-foot wide travel lane shall be maintained for emergency vehicles. If there is a curb then total spread must be no more than 8-feet from the curb face.

c) Easement and Access Requirements:

i. Easement widths and access for drainage channels, detention/ retention basins, lots line swales, and public storm drainage lines shall be reviewed and approved by the City Engineer. Access easements shall be a minimum width of 15-feet.

d) Acceptable Pipe Materials:

i. Refer to the current City's preconstruction notes for acceptable pipe materials.

e) Minimum Pipe Diameter and Slope:

i. The minimum pipe diameter for any public storm water collection system pipe is 15-inches with a minimum slope of 0.50 percent. If pipe diameter and slope is below the minimum standards then approval from the City Engineer is required.

f) Manhole Spacing:

i. Minimum manhole spacing is 400-feet, unless otherwise approved by the City Engineer.

g) Storm Drain Structure Drops:

i. Where changes in pipe sizes occur in a manhole, the inlet pipe crown must match or be higher than the larger outlet pipe crown.

h) Cover:

i. Minimum cover is 18-inches or 6 inches below the pavement section whichever is greater, unless approved by City Engineer. Pipe cover must comply with pipe manufacturer's recommendations.

i) Catch Basin Requirements:

i. Catch basins will not be allowed on the radius of curves at intersections.

ii. Flow through catch basins shall not be allowed unless designed as a combination box with manhole lid access. Locked gate access with keys for designate basin maintenance personnel and for City emergency access shall be provided.

iii. A manufactured snout or similar oil/debris/water separator is required prior to a detention basin, retention basin, or any other discharges from a development into a public drainage. Sump depth in

catch basin with snout shall be sized as recommended by snout manufacturer.

iv. Catch basins shall be installed at maximum intervals of 400-feet where channelized flow is occurring.

j) Detention/Retention Basin Requirements:

i. Public, private, or HOA detention/retention basins shall have 6-foot tall (finish grade to top of sign) telespar, or City approved, post with the following signs:

   a. "Stormwater Basin" 12-inch x 18-inch Sign
   b. "No Trespassing" 12-inch x 18-inch Sign
   c. Each sign shall be RA Type I Engineering Grade Prismatic Reflective Sheeting on 0.080 aluminum.

ii. Public detention/retention basins with amenities shall have 6-foot tall (finish grade to top of sign) telespar, or City approved, post with the following signs:

   a. "No Dumping" 12-inch x 18-inch Sign
   b. "Stormwater Basin
      Designed to collect runoff from the local storm sewer system following either a rainfall or snowmelt event.
      Basins temporarily hold this stormwater, provides treatment to remove pollutants, and then slowly release the water back to our waterways.
      No swimming, use at your own risk." 18-inch x 24-inch Sign
   c. Each sign shall be RA Type I Engineering Grade Prismatic Reflective Sheeting on 0.080 aluminum.

iii. Storm water drainage areas need to include front yards and rear yards in the developments calculations if they do not include individual lots detention/ retention basins.

iv. Retention basins shall completely infiltrate and drain within 72-hours from the beginning of a storm event for vector control. Infiltration tests shall be performed using the double ring infiltrometer test in accordance with ASTM D 3385 for all retention basins. The test shall be completed at the elevation of the bottom of the basin where infiltration will occur. A factor of safety of two (2) shall be used for design and a minimum of two (2) tests shall be completed with a minimum of one (1) test per 10,000 square feet of infiltration area. These tests shall be submitted with drainage calculations to the City for review.

v. Storm water dry wells, injections wells, or any underground storm water discharge structure is acceptable in the City, but shall comply with the Utah Department of Environmental Quality (UDEQ) Underground Injection Control (UIC) program requirements. Proof of an application pertaining to the development has been submitted under the UIC program shall be provided to the City for their records. Special consideration shall be given to water quality, groundwater depth, and other factors. Individual or single family homes may be exempt from these requirements. Please contact the Utah Department of Environmental Quality - Water Quality for clarification. Developments may use percolation tests for underground systems which infiltrate in the horizontal and vertical planes.

vi. 1-foot freeboard minimum above the AEP 1-percent (1%) storm, 24-hour duration event when discharging water level through spillway is required. Spillway shall be reinforced with concrete per City Detail.

vii. Detention/retention basin minimum of top berm width shall be 3-feet.

viii. Vegetate basins with turf, if irrigated, or native seeded grass for maintenance purposes. If turf is installed, turf soil shall be free draining, not include clay soils, and not impact stormwater infiltration.

ix. Rocks or gravel surfacing of detention/retention basins are not allowed without City approval.

x. Detention/retention basins with amenities shall have accessible path to amenity which is a concrete sidewalk meeting ADA standard. Interior slope of detention/retention basin at ramp shall be between 8 Horizontal:1 Vertical to 12 Horizontal:1 Vertical slope.

k) Manning's n Values:

i. n value for linings shall be determined per an approved Engineers Manual based on size and placement of materials. Calculations shall include the reference used for the n value for review by the City Engineer.

Manning's Roughness n for Open Channels			
Channel Type	**Manning n**		
	Minimum	**Normal**	**Maximum**
1. Lined or Constructed Channels			
a. Cement:			
1. Neat, surface	0.01	0.011	0.013
2. Mortar	0.011	0.013	0.015
b. Concrete:			
1. Trowel finish	0.011	0.013	0.015
2. Float finish	0.013	0.015	0.016
3. Finished, with gravel on bottom	0.015	0.017	0.02
4. Unfinished	0.014	0.017	0.02
5. Gunite, good section	0.016	0.019	0.023
6. Gunite, wavy section	0.018	0.022	0.025
7. On good excavated rock	0.017	0.02	-
8. On irregular excavated rock	0.022	0.027	-
c. Concrete Bottom Float Finish with sides of:			
1. Dressed stone in mortar	0.015	0.017	0.02
2. Random stone in mortar	0.017	0.02	0.024
3. Cement rubble masonry, plastered	0.016	0.02	0.024
4. Cement rubble masonry	0.02	0.025	0.03
5. Dry rubble or riprap	0.02	0.03	0.035
d. Gravel Bottom with sides of:			
Channel Type	**Manning n**		

1. Formed concrete	0.017	0.02	0.025
2. Random stone mortar	0.02	0.023	0.026
3. Dry rubble or riprap	0.023	0.033	0.036
e. Brick:			
1. Glazed	0.011	0.013	0.015
2. In cement mortar	0.012	0.015	0.018
f. Masonry:			
1. Cemented rubble	0.017	0.025	0.03
2. Dry rubble	0.023	0.032	0.035
g. Dressed Ashlar / Stone Paving	0.013	0.015	0.017
h. Asphalt:			
1. Smooth	0.013	0.013	0.017
2. Rough	0.016	0.016	0.017
i. Vegetal Lining	0.03	-	0.5
j. Wood:			
1. Planed, untreated	0.01	0.012	0.014
2. Planed, creosoted	0.011	0.012	0.015
3. Unplaned	0.011	0.013	0.015
4. Plank with battens	0.012	0.015	0.018
5. Lined with roofing paper	0.01	0.014	0.017
2. Excavated or Dredged Channels			
a. Earth, Straight, and Uniform:			
1. Clean, recently completed	0.016	0.018	0.02
2. Clean, after weathering	0.018	0.022	0.025
3. Gravel, uniform section, clean	0.022	0.025	0.03
4. With short grass, few weeds	0.022	0.027	0.033
b. Earth Winding and Sluggish:			
1. No vegetation	0.023	0.025	0.03
2. Grass, some weeds	0.025	0.03	0.033
3. Dense weeds or aquatic plants in deep channels	0.03	0.035	0.04
4. Earth bottom and rubble sides	0.028	0.03	0.035
5. Stony bottom and weedy banks	0.025	0.035	0.04
6. Cobble bottom and clean sides	0.03	0.04	0.05
c. Dragline-Excavated or Dredged:			
1. No vegetation	0.025	0.028	0.033
2. Light brush on banks	0.035	0.05	0.06
d. Rock Cuts:			
1. Smooth and uniform	0.025	0.035	0.04
Channel Type	**Manning n**		

2. Jagged and irregular	0.035	0.04	0.05
e. Channels not Maintained, Weeds and Brush Uncut:			
1. Dense weeds, high as flow depth	0.05	0.08	0.12
2. Clean bottom, brush on sides	0.04	0.05	0.08
3. Same as above, highest stage of flow	0.045	0.07	0.11
4. Dense brush, high stage	0.08	0.1	0.14
3. Main Channels			
a. Clean, straight, full stage, no rifts or deep pools	0.025	0.03	0.033
b. Same as above, but more stones and weeds	0.03	0.035	0.04
c. Clean, winding, some pools and shoals	0.033	0.04	0.045
d. Same as above, but some weeds and stones	0.035	0.045	0.05
e. Same as above, lower stages, more ineffective	0.04	0.048	0.055
f. Same as (d) with more stones	0.045	0.05	0.06
g. Sluggish reaches, weedy, deep pools	0.05	0.07	0.08
h. Very weedy reaches, deep pools, or floodways with heavy stand of timber and underbrush	0.075	0.1	0.15
4. Mountain Streams, No Vegetation in Channel, Banks usually Steep, Trees and Brush along Banks Submerged at High Stages			
a. Bottom: gravels, cobbles, and few boulders	0.03	0.04	0.05
b. Bottom: cobbles with large boulders	0.04	0.05	0.07

Source:

(1) ASCE, (1982), Gravity Sanitary Sewer Design and Construction, ASCE Manual of Practice No. 60, New York, NY.

(2) Chow, V.T., (1959), Open Channel Hydraulics, McGraw-Hill, New York, NY.

l) Riprap Sizing:

i. Channel Riprap sizing calculation shall utilize Federal Highway Administration (FHWA) Hydraulic Engineering Circular (HEC) No. 14, Current Edition, Chapter 10 or equivalent standard.

m) Erosion Control:

i. The developer shall provide a copy of their Fugitive Dust Mitigation Plan, Erosion Control Plans, SWPPP, Notice of Intent (NOI), and Notice of Termination (NOT) with the State if their construction project is greater than 1 acre. The SWPPP sign shall be posted on site and visible to adjacent public right-of-way.

2. **Hydrology Requirements:**

a) Rainfall Data:

i. NOAA Atlas 14 shall be used for rainfall in the City of Grantsville (see https://hdsc.nws.noaa.gov/hdsc/pfds_map_cont.html)

b) Design Storms:

i. To reduce post-development storm water runoff, developments must retain and treat the 80th percentile rainfall event. The 80th percentile rainfall event for Grantsville City is 0.50 inches. The

Reese method, as shown below, shall be used to calculate the volumetric runoff coefficient used for determining the 80th percentile volume. For developments larger than 10 acres use the SCS Method to determine the 80th percentile volume.

a. Sedimentation basin shall be provided for first flush/80th percentile rainfall events in retention/detention basins and shall be designed to be easily accessed and maintained.

i. Method 1- Reese Method:

1. Comparing the imperviousness of 44 nationwide sites to their respective calculated volumetric runoff coefficient, a simple linear regression equation was created to estimate the volumetric runoff coefficient for small urban catchments. Land uses for these sites were classified as residential, mixed, commercial, industrial, and urban open and nonurban (Schueler, Controlling Urban Runoff: A Practical Manual for Planning and Designing Urban BMPs, 1987). Outliers were removed from this dataset by Reese to derive the equation below. Removing outliers from the dataset reduces the impact of erroneous measurements (Reese, 2006). $RV=0.91i-0.0204$

Source: A Guide to Low Impact Development within Utah. Revised August 2020 by Michael Baker International.

ii. Retain/Detain the AEP 1-percent (1%) storm, 24-hour duration event for project site.

iii. Developments may detain the AEP 10-percent (10%) storm event, 24-hour duration if there is a continuous pathway to the Great Salt Lake.

iv. For West Bank drainage areas, developed drainage may discharge at the following rates if there is a continuous path to the Great Salt Lake:

Table 1: Unit Discharge Requirement for West Bank Watersheds

24-hour Duration Storm Event	Watershed's Peak Unit Discharge (cfs/acre)	All Other Watersheds Peak Unit Discharge (cfs/acre)
10 year	0.003	0.05
100 year	0.01	0.15

Source: Table 17 in Section 5 from the Storm Water Management Study for Baker and Pope Watersheds dated *April 2015 by AQUA Engineering.*

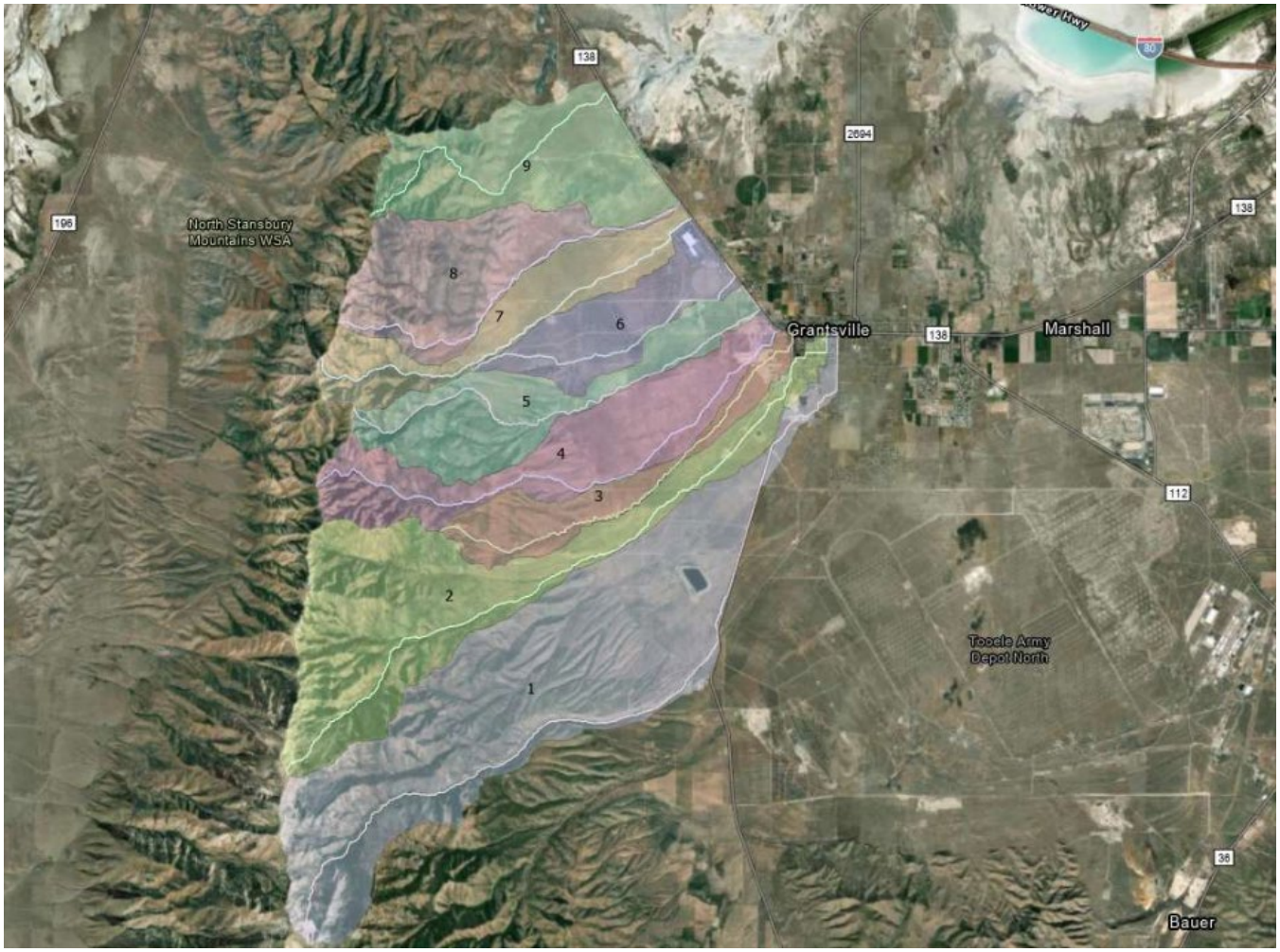
v. Refer to Table 2 and Figure 1 for a map of West Bank Watersheds.

Table 2: West Bank Sub-basin Number and Name

Subbasin	Subbasin Name
1	South Willow and Coal Pit Canyon
2	North Willow Canyon
3	White Rocks
4	Baker Canyon
5	Pope Canyon
6	West Canyon 1
7	West Canyon 2
8	Dry Canyon
9	Unnamed

Source: Grantsville West Bank Development Stormwater Master Plan Report by Jones & DeMille Engineering

Figure 1: Map of West Bank Watersheds



Source: Grantsville West Bank Development Stormwater Master Plan Report by Jones & DeMille Engineering

vi. The West Bank area consists of alluvial fans which are an accumulation of sediments fanning outwards from a concentrated source of sediments. Alluvial fans are typically formed where flow emerges from a confined channel and is free to spread and infiltrate. Due to these sediments, deposits in an alluvial fan can cause the defined channels to shift courses which is why it is important to construct sedimentation basins at the top of the alluvial fan and reinforce and define channels throughout the fan to discharge safely through existing and proposed development avoiding riverine flooding. Recently the West Bank Area has been identified as an alluvial fan Zone A based on a Base Level Engineering (BLE) analysis. This area is currently being studied by the State in more detail, but the results are currently not available. Channelization through the alluvial fan and sedimentation basins above the alluvial fan are improvements to allow storm water to flow through developments or mitigate alluvial fan hazards. Mitigation measures within the alluvial fan will need to be constructed to remove hazards either regionally or localized. Developers should coordinate with the State and FEMA MT-2 team (LOMR reviewers) along with the City and County to work through development in the alluvial fan.

3. **Drainage Calculations or Report Requirements:**

a) If discharge will be above the allowed discharge per area rates shown on Table 1 then a pre and post development hydrologic analysis will be required showing flows will not cause a negative affect downstream. The Rational Method (Q=CiA) may be used in computations for the rate of runoff for urban and small watershed 100 acres or less.

i. Q = peak rate of runoff, cubic feet per second
ii. C = runoff coefficient
iii. i= average rainfall intensity, inches per hour

b) The SCS method, SCS TR-55 "Urban Hydrology for Small Watershed", HEC-1/HEC-HMS, or other methods shall be used for larger watersheds.

c) Table 2 shall be used for runoff coefficients unless approved by the City Engineer.

Table 2: Runoff Coefficients

Land Use Type	Runoff Coefficients "C"
Rural	0.25-0.35
Single Family Residential	0.45-0.60
Multi-Residential	0.60-0.70
Neighborhood Commercial	0.85
Community Commercial	0.85
Tourist Commercial	0.85
Office	0.85
Manufacturing	0.85-0.90
Distribution and Warehousing	0.85-0.90
Public Facility	0.50-0.85
Pavement and Concrete Surfaces	0.90-0.95
Park	0.25
Open Space (0-5% grade – vegetated)	0.20-.030
Open Space (0-5% grade – no vegetation)	0.30-0.40
Open Space (5-15% grade – vegetated or unvegetated)	0.40-0.50
Open Space (Over 15% grade – sparsely vegetated, rock or clay soils	0.40-0.60

i. Weighted values of the runoff coefficient "C" may be required where land use is most accurately described as a mixture of the land uses listed above or where it is a mixture of pervious and impervious areas and not represented by a single entry in Table 2.

d) Intensity-Duration-Frequency curves for NOAA Atlas 14 shall be used for determining the applicable intensity. (see https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=ut)

e) Definition for Time of Concentration

i. $t_c = 10$ or $\frac{L}{V \times 60}$ whichever is greater

t_c = initial time of concentration at inlet, minutes
L = Flow line length from uppermost point of watershed to the discharge point, feet
V = channel or overland velocity, feet per second

* Velocity shall be calculated using NRCS Urban Hydrology for Small Watersheds, current edition, or equivalent standards.

ii. Given the time of concentration at a design point, the time of concentration at the next design point is

determined by adding travel time, expressed as:

iii. $t = \frac{L}{V \times 60}$

t = travel time, minutes
L = length of channel or conduit between design points, feet
V = channel or conduit, feet per second

4. **Submittal Requirements for Drainage Drawings and Report**
   a) **Project Drawings:**
      i. Hydraulic grade line (HGL) profiles, (see sample sheet).
      ii. Location and size of all existing and proposed structures.
      iii. Proposed materials.
      iv. Pertinent elevations and slopes.
      v. Pipe capacity, and the AEP 10-percent (10%) storm, and the AEP 1-percent (1%) storm, 24-hour flows, and velocities.
   b) **Drainage Report or Calculations: (Shown on Drawings)** – The following standards apply to the Drainage Report or Calculations (public and private).
      1. **Title Page:**
         a. Project name.
         b. Preparer's name, firm, date.
         c. Professional engineer's seal of preparer and signature.
      2. **Introduction:**
         a. **Site location:**
            i. Street location, parcel number(s), and section reference.
            ii. Adjacent developments.
         b. **Site Description:**
            i. Topography, ground cover, etc.
            ii. Existing drainage facilities, major drainage facilities, flood hazard areas, irrigation ditches, other site conditions that must be considered.
         c. Proposed project description.
         d. Other previous studies relevant to site.
      3. Historic drainage system (discuss the following):
         a. Major basins and offsite contributions:
            i. Relationship to major drainage facilities.
            ii. Major basin drainage characteristics (topography, runoff, cover, use, erosion, etc.).
         b. Sub-basin and site drainage (i and ii may be tabulated on map):
            i. Minor AEP 10-percent (10%) storm and major AEP 1-percent (1%) storm, 24-hour storm flows for each sub-basin affecting the site.
            ii. Existing drainage patterns: channelized or overland flow, point of discharge, etc.
            iii. Effect of historic flows on adjacent properties.
      4. **Proposed (developed) drainage system:** (discuss each of the following)
         a. **Criteria:**
            i. Size of major basins, tributary sub-basins, and other offsite contributions.
            ii. Hydrologic method to be used for analysis (Rational, SCS, etc.).

iii. Design storm intensities (minor AEP 10-percent (10%) storm, major the AEP 1-percent (1%) storm, 24-hour duration event,) or as required by the City Engineer.

b. **Runoff And Other Contributions:**
   i. Historic storm flow rates and paths.
   ii. Developed storm flow rates and paths for minor and major storms.
   iii. Contributions from open joined system.
   iv. Demonstrate flows are routed to a public system with adequate capacity when/ if available.

c. **Piping:**
   i. Demonstrate the capacity of the storm drain system, including all downstream improvements.
   ii. Verify storm flows and capacity from inlets to ultimate outlets of the drainage system.

d. **Detention/Retention System Including:**
   i. Volume required to hold the AEP 1-percent (1%) storm, 24-hour storm with 1-foot freeboard minimum above the AEP 1-percent (1%) storm, 24-hour event flowing water level through spillway.
   ii. Show the overflow location for volumes over the AEP1-percent (1%) storm, 24-hour duration event when discharging to an approved City release point..
   iii. Passage of storms exceeding the AEP 10-percent (10%) storm up to the AEP 1-percent (1%) storm, 24-hour duration event when discharging to an approved City release point..
   iv. Engineer to provide detailed description of downstream constraints (or none) and design calculations on how to mitigate the problem.
   v. Need for detention/retention shall be clearly identified in the preliminary or schematic report and the necessary detention/retention area shall be identified on preliminary plans.

e. **Streets:** (This information may be shown on the plans.)
   i. Depth and velocity of flow for major and minor storms. Demonstrate a 12-foot clear lane exists for emergency vehicles at all times.
   ii. Drainage system.

f. **Open Channel Flow:** (This information may be shown on the plans.)
   i. Type.
   ii. Depth and velocity.
   iii. Freeboard.
   iv. HEC-RAS analysis when required by the City Engineer.

g. Storm drains and culverts (Show all data on plans.)

5. **<u>Areas within flood hazard zone when applicable:</u>**
   a) Impacts.
   b) Protection.
   c) Compliance with Federal Emergency Management Administration (FEMA) requirements, RMC 18.12 “Flood Hazard Areas”, and critical flood zones. Show existing and proposed CLOMR and LOMR information, and show status of submittal and review process.
   d) Provide elevation certificate for occupied structures within current BLE floodway determination. Coordinate with Utah Flood Hazards and Floodplain management for 2-D HEC-RAS model for BFE.
   e) Comply with Grantsville City Code, Chapter 5-3, Flood Damage Prevention Regulations.

6. **<u>Conclusions:</u>**
   a) Benefits.
   b) Adverse effects with solutions for mitigation of impacts.

7. **<u>Appendices:</u>**
   a) Hydrologic and hydraulic computations:

i. List and explain basin assumptions and input factors used.
   1) Tabularized and/or discussed as necessary.
   2) Indicate any sensitivity analysis performed.
   3) Include source tables and references for parameters, such as soil groups, SCS curve numbers, C values, n values, etc.

ii. Historic Runoff:
   1) Off-site.
   2) On-site.

iii. Developed Runoff:
   1) Off-site – Flows that have been concentrated into one area from the project shall not flow higher than the project flow in that area.
   2) On-site.

iv. Detention for up to the AEP 1-percent (1%) storm, 24-hour duration event when discharging to an approved City release point:

v. Hydraulic Computations:
   1) Hydraulic grade line (HGL) minor storm.
   2) Hydraulic grade line (HGL) major storm.
   3) Inlet/outlet calculations.

vi. Rip-rap sizing:

b) Drainage Plan:

i. Site Drainage Plan:
   1) Show the existing and proposed contours for the property.
   2) The site drainage plan may be at the same scale as the grading plan but must meet legibility requirements for scanned documents. Show all sub-drainage areas per catch basin or channel and tabulate existing and proposed drainage showing length, calculated velocity and time of concentration on various runs of grass, gutters, etc., cumulative time of concentration, average rainfall intensity, area, runoff coefficient (weighted if necessary), and peak flows for the AEP 10-percent (10%) storm and the AEP 1-percent (1%) storm, 24-hour duration event when discharging to an approved City release point.
   3) All inlets and manholes shall be labeled to correspond to tabular numbering system used in drainage report. Pipe sizes, grades, velocities, peak flows and hydraulic grade lines shall be shown for all parts of the system in a tabular form on the plans.
   4) Both location plan (overall drainage) and sub-drainage plan shall be signed and sealed by a Utah Registered Civil Engineer and shall be included in the construction plans for the subdivision/development.
   5) On grading plans show peak flows for the AEP 10-percent (10%) storm and the AEP 10-percent (10%) storm at inlets and other sub-basin points of concentration, at discharge points and in channels. Show peak flows entering and leaving the site; trace path leaving site to nearest major drainage facility without adverse impact to downstream owners.
   6) On plan and profile sheets, show peak flows for the AEP 10-percent (10%) storm and the AEP 1-percent (1%) storm, 24-hour duration event when discharging to an approved City release point at all inlets and in pipes as per above, and in pipes show slope, velocity, and capacity, and hydraulic grade line if surcharged.
   7) If the lot cannot drain the yard to the street, then a basin shall be located in the rear yard to prevent storm runoff from draining to the neighbors from the back of the property.

ii. Benchmarks – To be shown on plans with benchmarks to match the existing state approved benchmarks.

iii. Existing and proposed property lines.

iv. Existing and proposed drainage easements.

v. Street names, grades, widths and rights-of-way or easements.

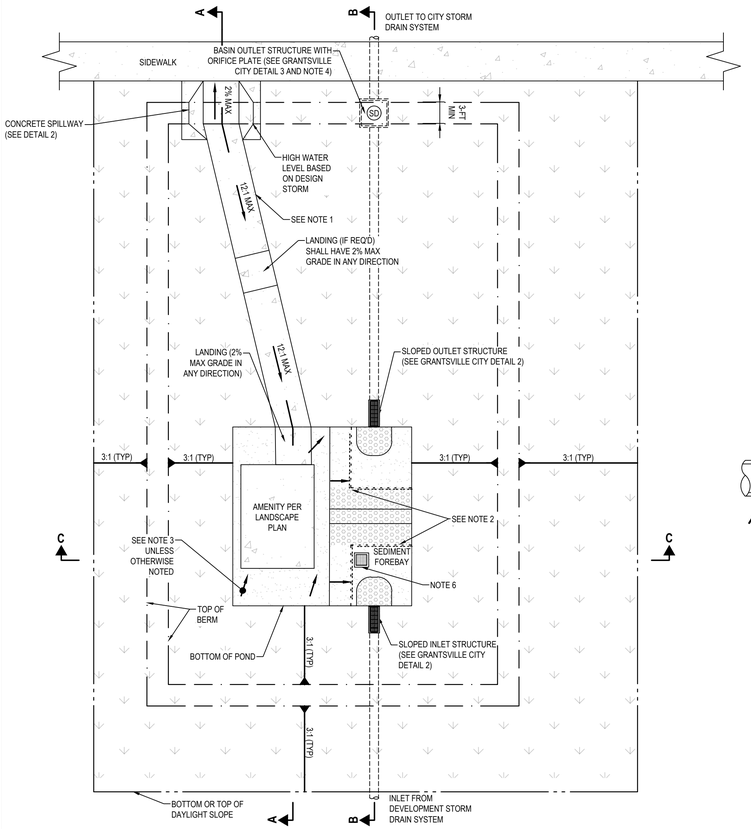
vi. Routing and peak flow rate or volume at the upstream and downstream ends of the site and at various critical points on-site for both minor and major runoff. Depth and hydrograph for both storms for all sub basins.

vii. Street cross sections showing the AEP 1-percent (1%) storm, 24-hour duration event when discharging to an approved City release point flood levels, no more than one-half way into the outside travel lane for emergency vehicle clear lane.

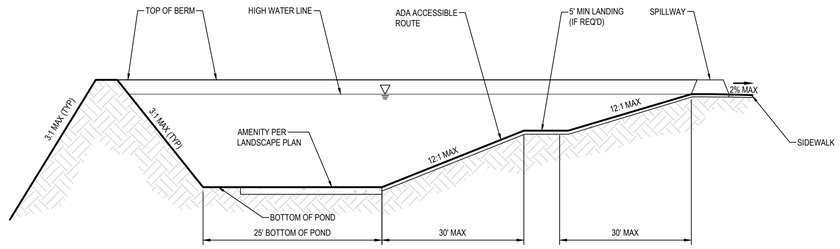
viii. Existing and proposed major drainage facilities.

ix. Open channel flow in major channels shall be provided with the following information on plans:

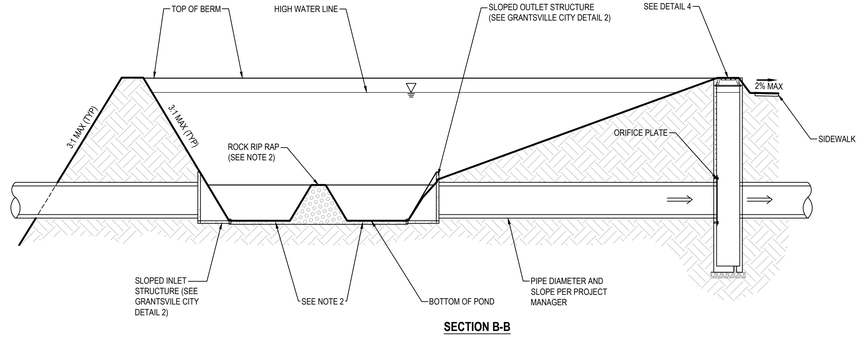
1) Channel and hydraulic grade line (HGL) profiles.
2) Cross sections and required rights-of-way or easements at the AEP 1-percent (1%) storm, 24-hour duration event intervals or changes from the typical section.
3) Location and size of all existing and proposed structures.
4) Channel section and lining details.
5) Freeboard for the AEP 1-percent (1%) storm, 24-hour duration event when discharging to an approved City release point.
6) Channel capacity and storm flows, the AEP 10-percent (10%) storm and the AEP 1-percent (1%) storm, 24-hour duration event when discharging to an approved City release point flows and velocities.



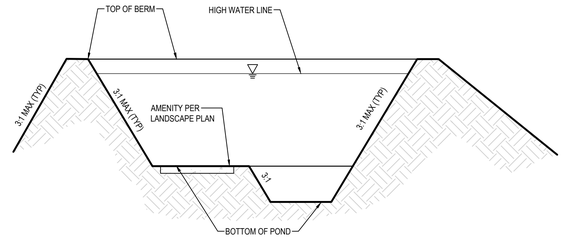
SITE PLAN



SECTION A-A



SECTION B-B



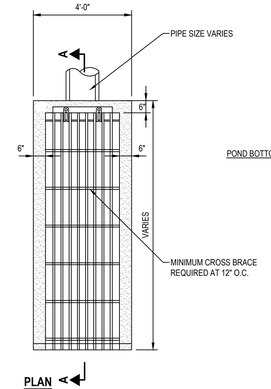
SECTION C-C

NOTES:

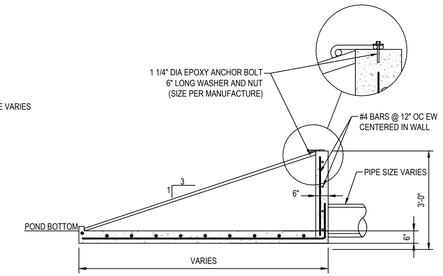
1. ACCESSIBLE PATH TO AMENITY SHELL BE CONCRETE SIDEWALK AND MEET ADA STANDARDS
2. SEDIMENT FOREBAY TO BE MINIMUM 12-INCHES BELOW BOTTOM OF AMENITY AREA AND BE SEPARATED FROM DISCHARGE AREA BY ROCK RIP RAP PROPERLY SIZED.
3. BASIN BOTTOM SHALL BE SLOPED TOWARDS OUTLET STRUCTURE AT A MINIMUM 1%. INCLUDE 2 TO 3-INCHES OF GRAVEL.
4. RETENTION BASIN WOULD NOT HAVE OUTLET STRUCTURE TO CITY STORM DRAINAGE SYSTEM.
5. ROCK RIP RAP AT INLET AND OUTLET STRUCTURE.
6. IF POND WILL NOT INFILTRATE IN 72 HOURS, PROVIDE PERFORATED CATCH BASIN OR MANHOLE WITH GRATE LID AND GRAVEL SUMP TO A DEPTH OF SOIL WITH HIGHER INFILTRATION
7. REFER TO GRANTSVILLE CITY STORM DRAINAGE DESIGN REQUIREMENTS

1 DETENTION/RETENTION BASIN WITH AMENITY DETAIL

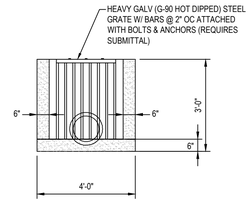
SCALE: NONE



PLAN



SECTION A-A



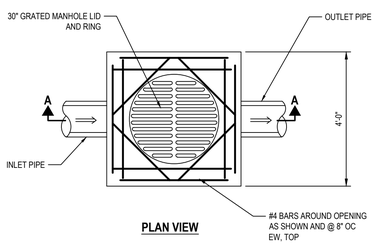
ELEVATION

2 INLET/OUTLET STRUCTURE DETAIL

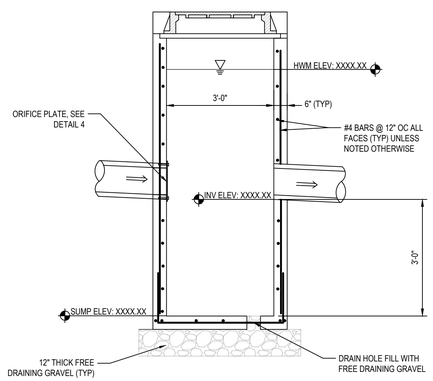
SCALE: NONE

GRANTSVILLE CITY

DETENTION/RETENTION BASIN WITH AMENITY DETAIL



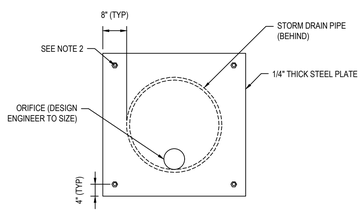
PLAN VIEW



SECTION A-A

3 BASIN OUTLET STRUCTURE

SCALE: 1/2" = 1'-0"

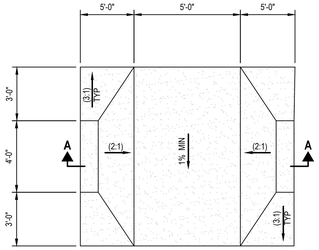


NOTES:

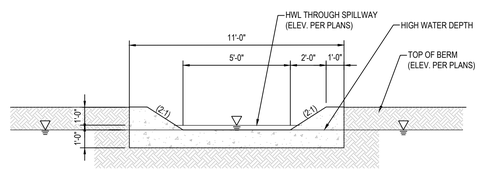
1. STEEL: ASTMA 36 STEEL
2. BOLTS: USE 1/2 INCH STAINLESS STEEL BOLTS WITH 1/8 INCH STAINLESS STEEL WASHERS.
3. FINISH: HOT DIPPED GALVANIZED

4 ORIFICE PLATE DETAIL

SCALE: 1" = 1'-0"



PLAN VIEW



SECTION A-A

5 CONCRETE SPILLWAY DETAIL

SCALE: NONE

AGENDA ITEM #18

Approval of minutes from the September 19, 2024 Planning Commission Regular Meeting.

Action Summary:

Agenda Item	Item Description	Action
#1	GRG Construction CUP- Consideration	Approved with a condition.
#2	West Haven MDA & Variance Table- Consideration	Approved with conditions.
#3	2024 Moderate Income Housing Report- Discussion	Discussed, no further action needed.
#5	Minutes 9/5/2024- Consideration	Approved.

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION, HELD ON SEPTEMBER 19, 2024 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH AND ON ZOOM. THE MEETING BEGAN AT 7:00 P.M.

Commission Members Present: Vice-Chair Derek Dalton, Trent Stirling

Commission Members Present on Zoom: Chair Rick Barchers

Commission Members Absent: Rob Jaterka, Jeff Downward

Appointed Officers and Employees Present: Zoning Administrator Shelby Moore, Community & Economic Development Administrative Assistant Jaina Bassett, Planning Advisor Gary Pinkham, City Council Member Rhett Butler, Police Chief Robert Sager, City Attorney Tysen Barker

Appointed Officers and Employees Present on Zoom: Mayor Neil Critchlow, Public Works Director Christy Montierth

Citizens and Guests Present: Gary Garrett, Holly Jones, Ron & Sherri Butler, Kelly Baker, Jeff Johnson, Micheal Vanwyck, Mary B.

Commission Vice-Chairman Derek Dalton called the meeting to order at 6:59 PM.

PUBLIC NOTICE
The Grantsville City Planning Commission will hold a Regular Meeting at 7:00 p.m. on Thursday, September 19, 2024 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

ROLL CALL

PLEDGE OF ALLEGIANCE

AGENDA

1. Consideration of the proposed conditional use permit for Gary Garrett to store equipment for GRG Construction, an excavation company, on 1.24 acres in the R-1-8 zone, located at 183 S. Quirk St.

Gary Garrett was present to represent this item. He explained that the purpose of this permit is to allow him to store his business equipment on his property.

Vice-Chair Derek Dalton noted that the City received some concerns about the noise. He stated that if this permit is approved, a time restraint will be placed as a condition to not disturb the peace.

It was clarified that Mr. Garrett is not in an HOA, and this use is allowed in the R-1-8 zone.

> **Derek Dalton made a motion to approve the proposed conditional use permit for Gary Garrett to store equipment for GRG Construction, an excavation company, on 1.24 acres in the R-1-8 zone, located at 183 S. Quirk St. with the following condition: the applicant adheres to the noise ordinance of 7:00am-10:00pm. Trent Stirling seconded the motion. The vote is as follows: Trent Stirling "Aye," Derek Dalton "Aye," Rick Barchers "Aye." The motion carried unanimously.**

2. Consideration of the proposed Master Development Agreement for the West Haven PUD, located at Cherry St. and Cherry Blossom Ln.

Holly Jones was present to represent this agenda item. Vice-Chair Dalton stated that he has an issue with the variance requested for a 20-foot driveway. Ms. Jones clarified that the 20-foot driveway is from the back of the sidewalk to the home, not including the park strip or sidewalk. Chairman Barchers stated that the City code requires it to be 25 feet from the back of the sidewalk, and this is a variance they will not allow. Ms. Jones stated that she will make this adjustment.

Ms. Jones stated that the re-alignment of Cherry St. is planned on the Preliminary Plat, and will be addressed with that application. She stated that in order for the new Cherry St. to be properly aligned, they will need to amend a neighboring subdivision's plat.

Chairman Barchers stated that he would like to see more detail on the lot, specifically the setbacks. He also noted that additional parking will be needed for the units only 20 feet wide, and that it must be within a certain distance from the units. Commissioner Trent Stirling noted that the parking requirements do not allow for garage parking to count. Ms. Moore clarified that

the finer details such as this one, will be addressed on the Preliminary Plat. Ms. Jones stated that they will make sure they meet all parking requirements on the Preliminary Plat.

Chairman Barchers noted that there is an updated Geotech report that will be provided to the City in the future. He stated that he would like the MDA to explicitly state that the approval of the design of this project is contingent on the findings of the updated report. Ms. Jones noted that the company doing the Geotech report will look at their Preliminary Plat, and make any changes necessary. Ms. Moore stated that the City Engineer and Inspector will both review the Geotech report and findings.

Chairman Barchers noted that he would like to see more space between the townhomes than is provided, and does not feel comfortable granting a variance to this.

Ms. Jones noted that the retention pond was moved to Open Space B. She also stated that all of the concerns discussed in the previous Planning Commission meeting have been addressed and implemented in their Preliminary plans, which will be presented after the conclusion of the MDA.

Vice-Chair Dalton noted that there are 46 units shown, but the MDA says the maximum residential units is 45, in section 1.14. Ms. Jones stated that they will adjust this number to match their current layout.

Ms. Moore explained that many of the engineering and other details that have been discussed during this meeting will be addressed on the Preliminary Plat. She noted that the staff will address these items during their reviews, then the plans will move before the Planning Commission for review and approval.

Ms. Jones asked who should be listed as the Grantor, and City Attorney Tysen Barker clarified that the developer should be the Grantor.

Public Works Director Christy Montierth stated that her understanding of what was agreed to for the alignment of Cherry St., is that the easement will be moved to allow for a straight future Cherry St. Ms. Jones confirmed that right now the easement goes through existing garages, fences, and driveways. Chairman Barchers stated that public maintenance would be an issue for the South side of Cherry St., if it was not a straight line. He asked if it would be an issue for the City to deed those pieces of land over to the adjacent property owners, in order to make it a straight line. City Attorney Barker stated that this should not be an issue, as the City would be giving land rather than taking it.

Ms. Jones stated that they are not paving Cherry St., but are extending the current Cherry St. as a drivable road to the new pavement. Chairman Barchers stated that he would like to see all of the fine points like this, written clearly in the MDA.

Derek Dalton made a motion to recommend approval of the proposed Master Development Agreement and variance table for the West Haven PUD, located at Cherry St. and Cherry Blossom Ln. with the following conditions: the right-of–way needs to be obtained for Cherry Street prior to the approval of the West Haven Preliminary Plat; the amendment of the Cherry Wood plat needs to take place prior to the approval of the West Haven Final Plat; the variance to the front setback will be changed to 25 feet minimum; and there will be a minimum of 20 unobstructed feet between townhome buildings. Trent Stirling seconded the motion. The vote is as follows: Trent Stirling "Aye," Derek Dalton "Aye," Rick Barchers "Nay." The motion carried.

3. Discussion of the 2024 Moderate Income Housing Report.

Zoning Administrator Shelby Moore was present for this item. She noted that this report is something that must be submitted annually. She explained that it tells the City where they are at in providing affordable housing. Vice-Chair Dalton asked if the City is meeting the requirements for this. Ms. Moore stated that there is not a specific number the City needs to reach, but that Grantsville City is doing their fair share. She noted that Grantsville City has 4,000 units that are currently vested, with no building permits yet pulled.

Ms. Moore noted that a goal for the City is to modify the codes to better allow ADUs.

Commissioner Stirling asked what the State qualifies as affordable housing. Ms. Moore stated that houses listed for under $450,000 are considered affordable/ moderate income housing.

4. Approval of minutes from the September 5, 2024 Planning Commission Regular Meeting.

Rick Barchers made a motion to approve the minutes from the September 5, 2024 Planning Commission Regular Meeting. Trent Stirling seconded the motion. The vote is as follows: Trent Stirling "Aye," Derek Dalton "Aye," Rick Barchers "Aye." The motion carried unanimously.

5. Report from Zoning Administrator.

Zoning Administrator Shelby Moore was present for this item. She stated that she noticed zoning districts in the code that there are not maps for, such as the Sensitive Soil District and the Downtown District. She noted that Aqua Consultant Shay Stark has a map, but staff has been unable to locate an official approval of it. Planning Advisor Gary Pinkham stated that a map was not approved, but that the approval was done as a metes and bounds description. Ms. Moore and the Commissioners agreed that a map outlining these areas would be beneficial.

6. Open Forum for Planning Commissioners.

The Commissioners discussed the process for PUDs, and asked why PUDs are not being run consecutively with Preliminary Plats. Planning Advisor Pinkham stated that the PUD code outlines the PUD process, which requires a concept plan and PUD prior to the Preliminary Plat application.

7. Report from City Council.

City Council Liaison Rhett Butler was present for this item, and asked if there was anything he needed to take back to the City Council. Vice-Chair Dalton asked him to mention the PUD discussion and process, and that the Council Room system keeps crashing and some microphones do not work.

Liaison Butler asked what the Special Meeting on September 25th is for, and Ms. Moore noted it is to consider the PUD for Deseret Meadows.

8. Adjourn.

> **Derek Dalton made a motion to adjourn. Trent Stirling seconded the motion. The vote is as follows: Trent Stirling "Aye," Derek Dalton "Aye," Rick Barchers "Aye." The motion carried unanimously. The meeting ended at 9:00 PM.**

AGENDA ITEM #19

Approval of minutes from the September 25, 2024 Planning Commission Special Meeting.

Action Summary:

Agenda Item	Item Description	Action
#1	Deseret Meadows PUD- Consideration	Tabled.

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION, HELD ON SEPTEMBER 25, 2024 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH AND ON ZOOM. THE MEETING BEGAN AT 6:00 P.M.

Commission Members Present: Vice-Chair Derek Dalton, Rob Jaterka, Jeff Downward, Trent Stirling

Commission Members Absent: Chair Rick Barchers

Appointed Officers and Employees Present: Zoning Administrator Shelby Moore, City Attorney Tysen Barker, Planning Advisor Gary Pinkham, City Council Member Rhett Butler, Sergeant Skinner

On Zoom: City Engineer Robert Rousselle, Aqua Consultant Shay Stark

Citizens and Guests Present: Thane Smith, Jason Boal, Marianne Tutone, Micheal Vanwyck, Bill Castagno, Matt Christensen, Katelyn Butler, Janette Toone, Shea Durfee, April Rodriguez, Martina Averett, Larry Rodriguez, Ron & Nancy Kunz, Ryan Hobley, Liz Allen, Kiersten Camp, Eric & Annette Johnson, BJ Ryan, Stephen Burgess, Wade Budge, Steven Jackson, Kari Hawkes, Unknowns

Citizens and Guests Present on Zoom: Camille Childs, Megan Spencer-Webb, Ryan Butler

Commission Vice-Chair Derek Dalton called the meeting to order at 6:00 PM.

PUBLIC NOTICE
The Grantsville City Planning Commission will hold a Special Meeting at 6:00 p.m. on Wednesday, September 25, 2024 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

ROLL CALL

PLEDGE OF ALLEGIANCE

AGENDA

1. Consideration of the proposed PUD for the Deseret Meadows (formerly Deseret Commons) subdivision, located at approximately 1079 W. Hwy 112, including the consideration of the concept plan and variance table.

Vice-Chair Derek Dalton began this item by reading a statement regarding this project from Chair Rick Barchers, who was absent from the meeting.

Vice-Chair Dalton noted that a new packet was received for the meeting, with some changes. He asked Zoning Administrator Shelby Moore to briefly explain the changes. Ms. Moore stated that the changes included a memo from the City Engineer regarding the geotechnical study, traffic report, and UDOT coordination. She noted some highlighted areas including collapsible soils needing to be removed, pages needing to be updated in the geotech report, pages missing in the traffic study, and that a traffic signal will be required at the SR112 and Lamb Ln. intersection. Ms. Moore stated that after speaking with UDOT, the road will be 144 feet, so they need to dedicate 72 feet. Vice-Chair Dalton asked why this item was being considered if so many items were missing in the reports. Ms. Moore stated that the applicant requested the special meeting due to time constraints.

Vice-Chair Dalton noted that this project has about half the acreage of the development recently approved across the street, and they are asking for almost 200 more homes and several deviations to get those homes.

Commissioner Trent Stirling asked if there was an estimated timeline for receiving the missing documents, and Ms. Moore stated that there was not. Commissioner Rob Jaterka asked if there was an estimated timeline for utility modeling. Ms. Moore and City Engineer Robert Rousselle stated that a memo should be provided the following week.

The Commissioners discussed the square footage of the proposed houses, and the proposed lot sizes. Vice-Chair Dalton stated that they have required other developments to have lot sizes more similar to existing lots around the outside of the development, to better fit with existing uses.

Commissioner Stirling noted concerns about the site triangles not being met on corner lots. Vice-Chair Dalton clarified that the City Code does not allow them to grant variances to public safety codes, so they would be automatically required to meet the site triangle requirements.

Commissioner Stirling noted a concern about the building coverage, and stated he would like to see the percentage of building coverage at a lower number. He also expressed a concern about the driveway length, and invited Thane Smith to the podium to negotiate the variations.

Thane Smith was present to represent this project. He stated that they were originally proposing a 20-foot driveway length, but after touring other cities they felt a 22-foot driveway length was the best fit. Vice-Chair Dalton stated that he feels they should not allow variances to the 25-foot driveway length requirement. Mr. Smith stated that they will hold to the 22-foot driveway length

at this time. Ms. Moore noted that they are asking for a variation on side yard setbacks from 30 feet to 5 feet. Mr. Smith stated that 30 feet is too much for them to provide moderate income housing. Vice-Chair Dalton stated that their house price points do not come close to meeting the requirements for moderate income housing. Mr. Smith stated that they are getting as close as possible to meeting that price point. Vice-Chair Dalton stated that this project is not offering anything great or unique to Grantsville City, and does not see why it would be worth it to allow any of the variations requested. Mr. Smith stated that they could develop with higher density in some areas, using their current zoning, compared to this PUD. Mr. Smith stated that it is advantageous to the City to accept the project planned through the PUD, rather than for them to build based on the current density. Mr. Smith stated that they put in a large water line and water tank for this project. Vice-Chair Dalton said that those were put in for Lakeview Business Park, not this development. Mr. Smith stated that they were put in for both projects, as they were not required for Lakeview Business Park alone.

The Commissioners stated that they will not allow the variances to side yard setbacks for twin homes, single-family homes, or multi-family homes. Commissioner Stirling requested a 40% maximum building coverage instead of 75%, for the 29-foot and 30-foot lots. Mr. Smith stated that they may have some flexibility of building coverage on the larger lots, but was unable to say for sure at this time.

Ms. Moore noted that the park is proposed to be built later, so about 4,000 residents would be without a park when they move in. The Commissioners were very concerned about this. Commissioner Stirling asked what percentage they need to recoup before they can put in the park. Mr. Smith stated that he was unsure at this time, but would look at the numbers. Vice-Chair Dalton noted that they have required other developments to provide amenities once they reach certain units completed. Commissioner Stirling stated that he would like to see the number lower than 70%. Commissioner Jaterka stated that he would like the number to be even lower than that. Commissioner Stirling requested a minimum lot size of 1,000 square feet. Mr. Smith stated that if they can make this happen, they will do so, but he was unsure if it would be possible.

It was noted that Mr. Smith and his team will look at the alley-loaded townhomes being more dense than others, and see if it is a negotiable point for them. Vice-Chair Dalton stated that these will look like the homes right as you pull out of the Soelbergs in Stansbury, and that does not reflect Grantsville. Vice-Chair Dalton stated that he does not feel comfortable recommending any of the listed variations for approval. He said that even with the current zoning of this property the City would get some bigger lots, bigger yards, and no variations to code.

Commissioner Stirling stated that he would like to see all setbacks meet the code requirements, the maximum building coverage to be 70%, the minimum dwelling size to meet the code requirements, the parking to meet code requirements, and the open space to be 70%.

Vice-Chair Dalton noted that the amount of commercial proposed, does not meet the amount required by the code. He asked if they would be willing to modify their plan to provide the required amount of commercial. Mr. Smith stated that they are providing the 6 acres of commercial space based on their expert's evaluation of what is appropriate for Grantsville. Mr. Smith said that commercial development needs residential rooftops. Commissioners Dalton and Stirling requested that 10-12 acres of commercial land be provided. Mr. Smith stated that they will only be providing 6 acres of commercial, as shown on the plan.

Jeff Downward made a motion to table the proposed PUD for the Deseret Meadows (formerly Deseret Commons) subdivision, located at approximately 1079 W. Hwy 112, including the consideration of the concept plan and variance table, until an updated traffic study, parking information, and utility modeling is received. Rob Jaterka seconded the motion. The vote is as follows: Rob Jaterka "Aye," Jeff Downward "Aye," Trent Stirling "Aye," Derek Dalton "Aye." The motion carried unanimously.

2. Adjourn.

Trent Stirling made a motion to adjourn. Rob Jaterka seconded the motion. The vote is as follows: Rob Jaterka "Aye," Jeff Downward "Aye," Trent Stirling "Aye," Derek Dalton "Aye." The motion carried unanimously. The meeting ended at 7:48 PM.

AGENDA ITEM #20

Approval of minutes from the October 3, 2024 Planning Commission Regular Meeting.

Action Summary:

Agenda Item	Item Description	Action
#1	Deseret Meadows PUD- Consideration	Recommended for denial.

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION, HELD ON OCTOBER 3, 2024 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH AND ON ZOOM. THE MEETING BEGAN AT 7:00 P.M.

Commission Members Present: Vice-Chair Derek Dalton, Rob Jaterka, Jeff Downward, Trent Stirling

Commission Members Absent: Chair Rick Barchers

Appointed Officers and Employees Present: Zoning Administrator Shelby Moore, Community & Economic Development Administrative Assistant Jaina Bassett, City Attorney Tysen Barker, Planning Advisor Gary Pinkham, City Council Member Rhett Butler

Citizens and Guests Present: BJ Ryan, Wade Budge, Katelyn Butler, Nancy Kunz, Dan & Janette Toone, Micheal Vanwyck, Ron Kunz, H. Burgess, Steve Burgess, Josh Romney

Citizens and Guests Present on Zoom: Unknowns

Commission Vice-Chairman Derek Dalton called the meeting to order at 7:00 PM.

PUBLIC NOTICE
The Grantsville City Planning Commission will hold a Regular Meeting at 7:00 p.m. on Thursday, October 3, 2024 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

ROLL CALL

PLEDGE OF ALLEGIANCE

AGENDA
1. Consideration of the proposed PUD for the Deseret Meadows (formerly Deseret Commons) subdivision, located at approximately 1079 W. Hwy 112, including the consideration of the concept plan and variance table.

Zoning Administrator Shelby Moore was present, and explained the updated variance table in the packet. She noted that the Commissioners had previously recommended some modifications, and

that the Romney Group has implemented some modifications accordingly, but not all requested changes.

Commissioner Trent Stirling acknowledged that for the single-family table, the Romney Group implemented many changes that were favorable to the City. He stated that the item he has an issue with is the side yard setback, for distance between structures.

Commissioner Jeff Downward stated that the item he has an issue with is the driveway length, and feels that they do not need to offer a variance on this.

Commissioner Rob Jaterka stated that he also has an issue with the side yard setback, and the amount of commercial in the MU zone.

Vice-Chair Derek Dalton noted that a recent study was done for homeowners, showing the average cost per square foot to build a home. He stated that the average cost per square foot will be almost doubled with the homes in this proposal, compared to the current average. He stated that he feels this is not affordable housing. He also noted several items that are not currently allowed in the zones, for which variances are being requested, including density and multi-family housing units. Mr. Dalton read aloud an email that was received, regarding the commercial that is required by the MU district, and how it would be beneficial to the City. He stated that he agrees with the email, and the need for commercial. Commissioner Jaterka also agreed that the commercial is needed.

Vice-Chair Dalton stated that he appreciates that the proper process is being followed for this application, by working to approve the variance table and concept plan first.

> **Derek Dalton made a motion to recommend denial of the proposed PUD for the Deseret Meadows (formerly Deseret Commons) subdivision, located at approximately 1079 W. Hwy 112, including the consideration of the concept plan and variance table. He noted that if the City Council chooses to make a decision that goes against the Planning Commission's, he asks that they consider the recommendations they previously gave in blue on the tables in the staff report, as well as the requirements to put up a sound barrier wall on SR112 to reduce the noise, and to increase the commercial to the entire frontage of SR112. Jeff Downward seconded the motion. The vote is as follows: Rob Jaterka "Aye," Jeff Downward "Aye," Trent Stirling "Aye," Derek Dalton "Aye." The motion carried unanimously.**

2. Report from Zoning Administrator.

Zoning Administrator Shelby Moore was present for this item. She noted that she gave the Planning Commissioners a Ground Rules book for land use. She also noted that the next Planning Commission meeting, on October 17, 2024 will be a training session.

3. Open Forum for Planning Commissioners.

Commissioner Stirling suggested that homeowners be required to be notified that they are within close proximity to a blasting zone.

Commissioner Jaterka stated that as a taxpayer in the City, the decision at the previous City Council meeting, is frustrating. Commissioner Downward stated that he felt the same.

Vice-Chair Dalton stated that he was also upset about the decision that was made at the previous City Council meeting. He stated that he feels the MDA was not properly noticed.

4. Report from City Council.

City Council Liaison Rhett Butler was present for this item. He noted that the West Haven MDA was approved by the City Council, with all of the recommendations from the Planning Commission.

He also agreed that he appreciates the efforts and importance of taking the proper steps for PUD approval.

5. Adjourn.

> **Trent Stirling made a motion to adjourn. Jeff Downward seconded the motion. The vote is as follows: Rob Jaterka "Aye," Jeff Downward "Aye," Trent Stirling "Aye," Derek Dalton "Aye." The motion carried unanimously. The meeting ended at 7:24 PM.**

AGENDA ITEM #21

Report from Zoning Administrator.

AGENDA ITEM #22

Open Forum for Planning Commissioners

AGENDA ITEM #23

Report from City Council.

AGENDA ITEM #24

Adjourn