AGENDA ITEM #1

Discussion of the potential rezone from A-10 to R-1-21, for the property at 799 N. 600 W.

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

Permit # 2024110

Staff Report Summary for
799 N. 600 W.
General Plan Amendment & Rezone

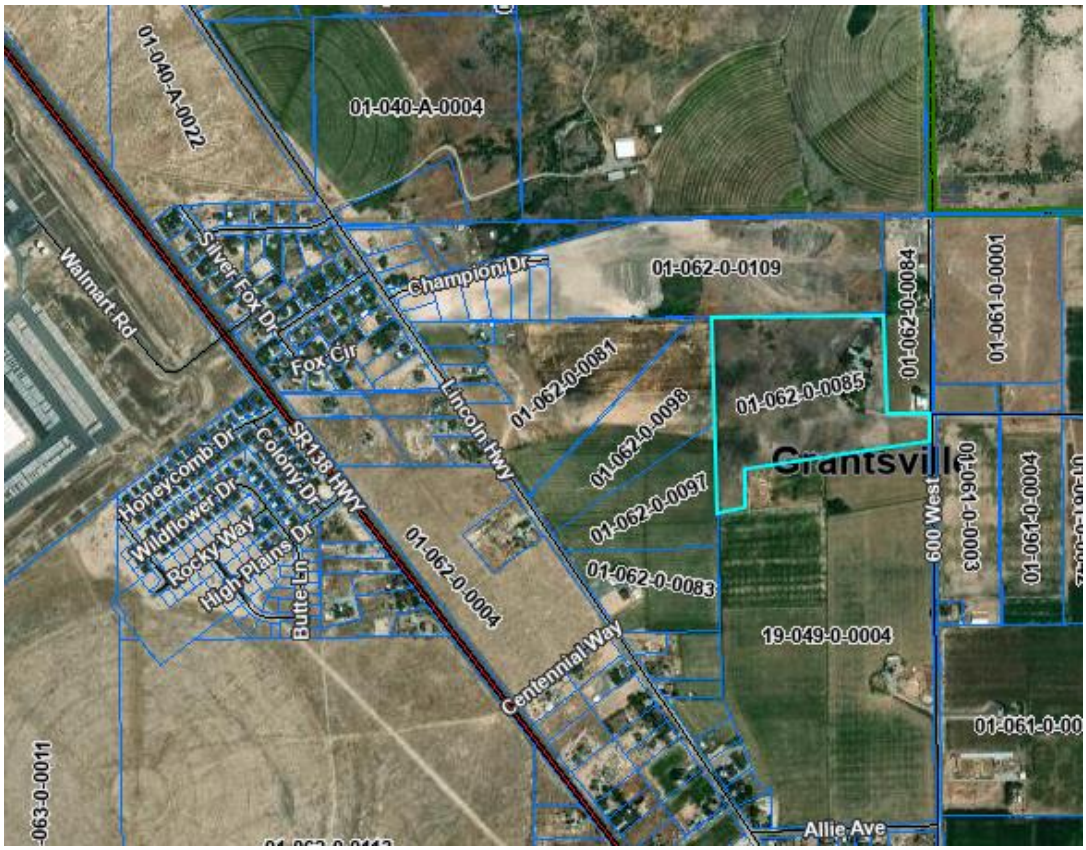
Parcel ID: 01-062-0-0085
Property Address: 799 N. 600 W.
Applicant Name: Shelby Moore
Request: Amend General Plan from RR-1 to Low Density & Rezone from A-10 to R-1-21
Prepared By: Jaina Bassett

Meeting Date: 12/19/2024
Current Zone: A-10
Future Land Use Zone: RR-1
Proposed Zone: R-1-21
Acres: 25.98

Planning Staff Explanation and Recommendation: Discussion of the proposed amendment to the Grantsville City General Plan and Future Land Use Map to go from a Rural Residential 1 (RR-1) designation to a Low Density Residential designation, and to Rezone from A-10 to R-1-21.

The applicant has stated that she is open to feedback from the Planning Commission. The original proposal was to rezone to the MU zone, but was changed to R-1-21 after receiving negative feedback from the Planning Commission and public. Because of this change the items are only for discussion at this meeting, after which new public notices will be mailed and a new public hearing held.

VICINITY MAP



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.

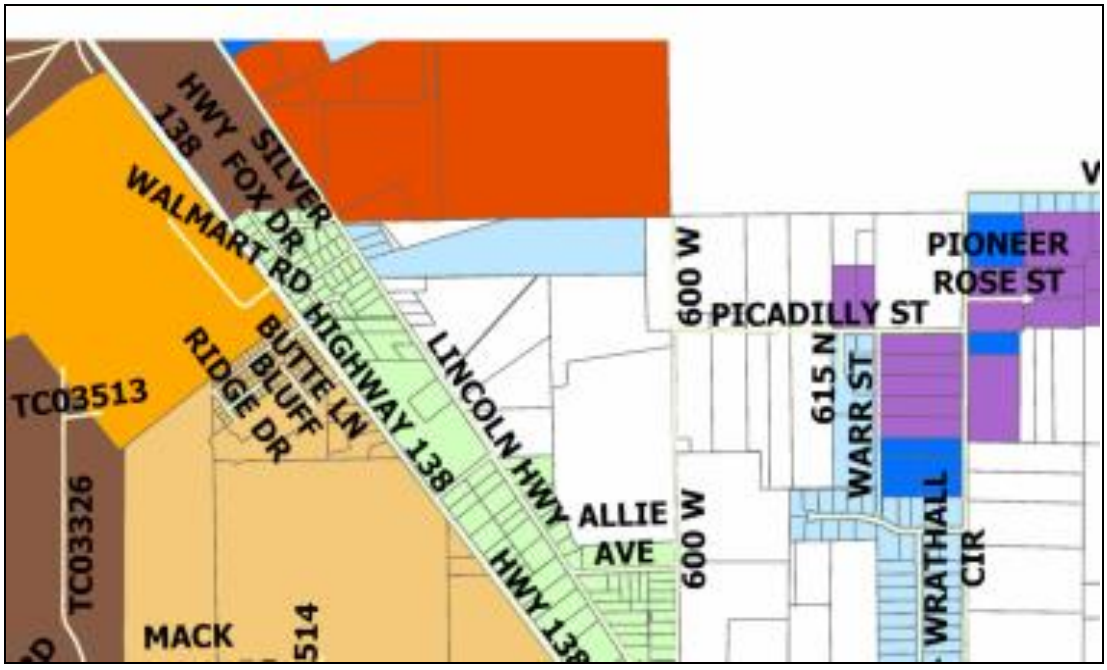
(5) Maximum Building Height .....45 feet

(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

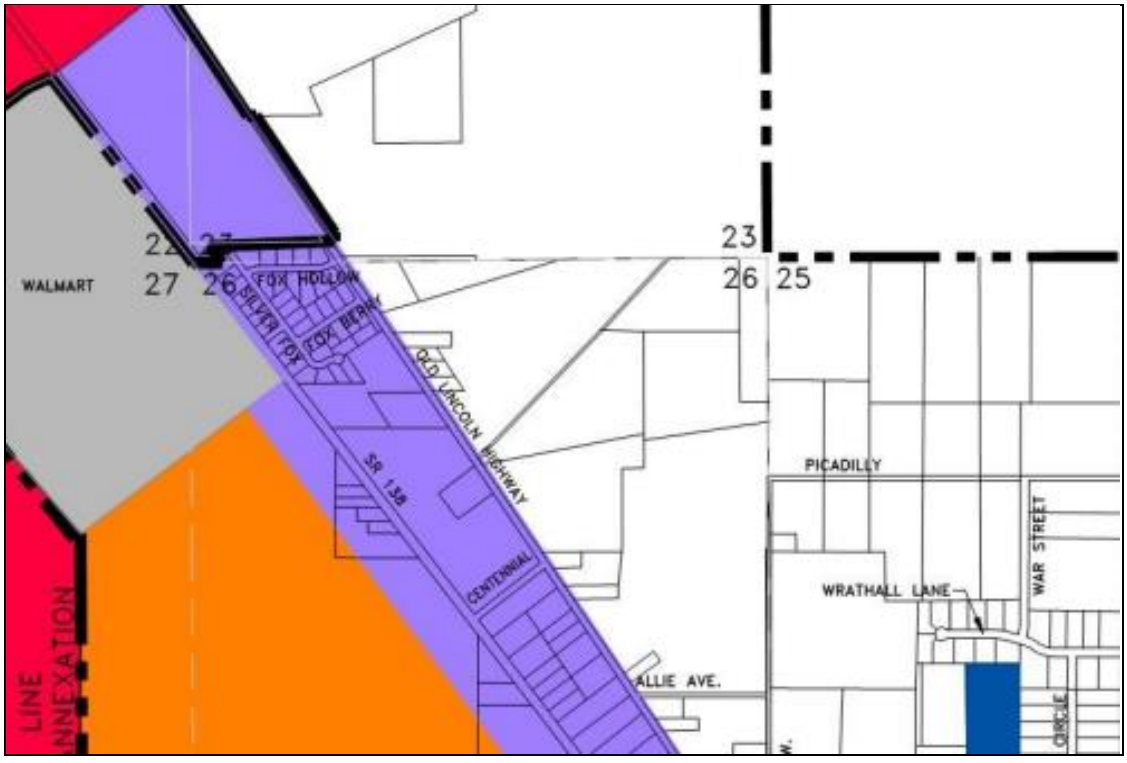
(6) Maximum Bldg Coverage .....20 %

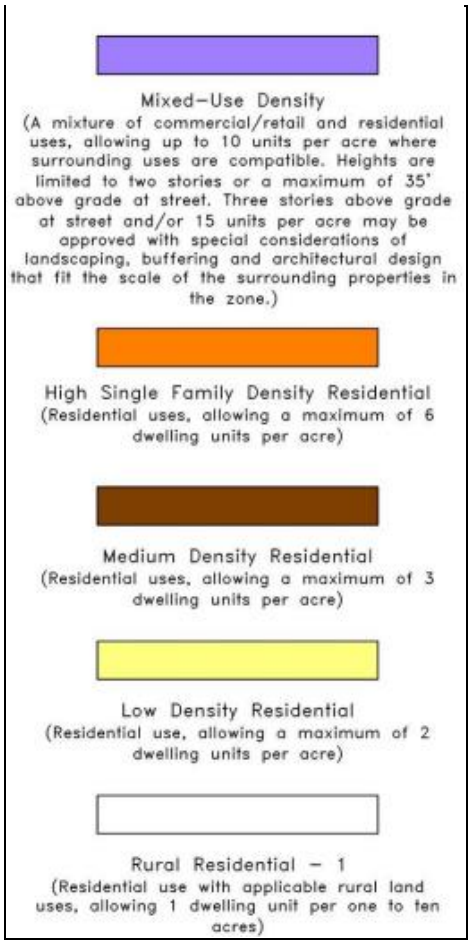
(7) Required Improvements:

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





Proposed Zoning: The Proposed zoning is R-1-21.

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. 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 .....30 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
Fire hydrants
Street monuments
Shade trees (along public streets)
Street lights

NEIGHBORHOOD RESPONSE FOR THE PREVIOUS PROPOSAL

Public notice letters for the public hearing on November 7, 2024, of both the General Plan Amendment (to Mixed-Use Density) and the Rezone (to MU), were sent October 28, 2024. The following comments were received via email during that time period:

Email Received 11/4/2024:

FOR AGENDA ITEM 5 THE MU ZONE WILL OPEN THE AREA UP TO MULTI-UNIT HOUSING. DOES THE CITY WANT HIGH DENSITY MULTI-UNIT HOUSING IN THIS AREA? ALL OF THE SUROUNDING PROPERTIES ARE EITHER RR-1 OF A-10.

IN THE PLANNING STAFF ANNALYSIS AND COMMENTS FOR AGENDA ITEM 5 THERE IS A NOTE THAT INCLUDES A STATEMENT THAT A PORTION OF THE SURROUNDING AREA IS ZONED PUD. NOTE THERRE IS NO PUD ZONE IN GRANTSVILLE CITY, SEE CHAPTER 13 OF THE CODE.

ANY PROPERTY IN THE CITY THAT IS SHOWN AS PUD ON THE FUTURE USE, ZONING, OR MASTER PLAN MAPS FOR THE CITY SHOULD BE RECLASSIFIED TO THE PROPER ZONE. IF A ZONE HAS NOT BEEN SET FOR THE PARCEL, A ZONE SHOULD BE CHOSEN AND ASSIGNED TO IT.

Gary Pinkham

Email Received 11/5/2024:

Grantsville City Planning Commission November 5, 2024

RE: Zoning Request to MU

799 N. 600 W.

Grantsville, UT 84029

Planning Commission:

My name is Martin Anderson, representing myself and my wife Suzanne; we are immediately adjacent land owners and oppose the request for rezoning at the above address. Please read this letter at the November 7, 2024 planning meeting. Our reasons for opposition are cited below.

As mentioned, our farm is immediately adjacent to the subject property bordering it's east boundary. In fact, the subject property was once part of our family farm until a few years ago when my uncle sold and moved. Our ground is currently used for farming and grazing and has been so used for over 100 years. In addition to our property, let's explore ALL of the immediately adjacent property: The property to the north and east is currently used for grazing and farming coupled with one single family home, and has been so used for 100 years plus. Property (farm) to the south has been farmed for as long as I can remember (I am crowding 70). One step removed from the immediately adjacent property also consists of grazing and farm land. NONE of the property in the area is zoned MU. MU zoning is simply inconsistent with the character and land use of the entire area. Designating this property MU would represent a classic case of spot zoning.

In addition, there are insufficient public facilities to accommodate any major development. Finally, there is no solid plan provided by the requester to warrant the need or desire by Grantsville City to make a zoning change.

Please vote to deny this zoning change request. Thank you for considering these comments.

Yours Truly,

Martin Anderson

Email Received 11/6/2024:

I am emailing regarding the zone change request of Wilbert Moore- Parcel 01-620-0-0085. They request to change the land to MU zone should be denied by the Planning and Zoning Committee. That allows the potential to allow 10 residents per acre. If you take a look at the current residents and sizes of lots in and near the area, you will see that changing the zoning to put more than 2 residents per acre does not fit the type area we currently live in. Grantsville City is growing and change is inevitable, but it is your and our duty to make sure that new growth and development fits in specific areas. We want to keep Grantsville a nice place to live and we can do that without making it look like a cookie cutter town by piling houses in between other larger acre lots. The other residents in this area along with myself ask that you take the sizes of lots around and near this parcel of land and make the zoning for this fit what we currently have.
Feel free to reach out to me directly.
Thank you,
Hailey Richeson

Email Received 11/7/2024:

I am a resident of Grantsville and I am opposed to The Place rezoning @ 799 N 600 W. That area of town needs to stay rural. There is no infrastructure in that area for that at all. I live in that area and I do not want more development. I live here for the open spaces. Please be against this rezoning and development.

Jamie Fitzgerald

Several comments were also made in person during the public hearing at the November 7th meeting, in opposition of this proposal, which have not been included in this staff report but have been included in minutes and forward to the Planning Commission.

AGENDA ITEM #2

Consideration of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 25 (Accessory Dwelling Units).

Grantsville City Planning Commission

November 21, 2024
Public Hearing

Proposed amendment to the Grantsville City Land Use and Management Code Chapter 25 (Accessory Dwelling Units).

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 21, 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 25 (Accessory Dwelling Units)** and make a recommendation to the City Council.

You can view a copy of the agenda and packet online by 5:00pm on November 15 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 21, 2024.

Dated this 15th day of November, 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/85351558691
Meeting ID: 85351558691

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

Staff Report Summary
for Chapter 25 Accessory
Dwelling Units

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

Meeting Date: 12/19/2024
Public Hearing Date: 11/21/2024
Current Zone:

Planning Staff Explanation and Recommendation: Discussion of Chapter 25 Accessory Dwelling Units.

PLANNING STAFF ANALYSIS AND COMMENTS

1) The amendment to Chapter 25 is to discuss proposed language for accessory detached dwelling units.

*** 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 25 Accessory Dwelling Units

25.1.1 Purposes
25.1.2 General ADU Provisions
25.2.1 Internal ADU Provisions
25.2.2 Owner-Occupied Requirement
25.2.3 Types Of ADUs And Their Permitted Uses
25.2.4 Building Allowances
25.2.5 Utilities
25.2.6 Parking
25.2.7 Addressing
25.2.8 Impact Fees
25.2.9 Business License
25.2.10 Home Occupation
25.2.11 Application Process
25.2.12 Prohibited Acts
25.2.13 Violation - Notice - Civil Penalties
25.2.14 Appeals

HISTORY
Adopted by Ord. 2020-34 on 12/7/2022

25.1.1 Purposes

Accessory Dwelling Units or ADUs are intended to provide affordable housing and accommodate expanding population~~s~~ due to changes in household member size and ~~the~~ residents in different stages of life. ~~variety of stages in the life cycle~~. This Chapter governs the development and use of ~~internal~~ ADUs. ~~Attached and detached ADUs are not permitted in Grantsville City.~~

HISTORY
Adopted by Ord. 2020-34 on 12/7/2022

25.1.2 Definitions of Words and Terms

ACCESSORY DWELLING UNIT (ADU): A Detached Accessory Dwelling unit (DADU) or an Internal Accessory Dwelling Unit (IADU) both as defined herein.

ACCESSORY DWELLING UNIT, DETACHED (DADU): A detached dwelling unit consisting of all or any part of a detached accessory building to a single-family dwelling not physically connected in any way to the single-family dwelling which is architecturally compatible to the neighborhood and single-family dwelling and located on the same lot.

ACCESSORY DWELLING UNIT, INTERNAL (IADU): An attached dwelling unit within, or adding to, the footprint of a single-family dwelling and is architecturally compatible with the single-family dwelling and neighborhood.

3 DEGREES OF CONSANGUINITY: a family relationship where two individuals are connected by blood, with three generational steps separating them from a common ancestor

25.1.~~2~~3 General ADU Provisions

1. ~~No~~ An ADU shall be permitted and ~~or~~ constructed ~~except~~ as an accessory dwelling to a habitable primary dwelling.
2. No more than one ADU will be permitted on~~e~~ a single-family lot.

~~3. One ADU allowed per detached single-family lot.~~

HISTORY
Adopted by Ord. 2020-34 on 12/7/2022

25.2.1 Internal ADU Provisions

1. The entrances to ~~internal~~ ADUs shall be to the side or rear of the primary dwelling or ADU.
2. Front access or entry into an IADU shall be review by the Planning and Zoning Administrator.
3. ADU height shall be limited by both the regulations of the base zoning district and by the height of the primary dwelling unit and shall be the lesser height of the two.

HISTORY
Adopted by Ord. 2020-34 on 12/7/2022

25.2.2 Owner-Occupied Requirement
Either the primary dwelling or the ADU must be occupied by the primary dwelling owner of record.

HISTORY
Adopted by Ord. 2020-34 on 12/7/2022

25.2.3 Types Of ADUs And Their Permitted Uses

1. ADUs shall be a permitted use in ~~all~~ single-family residential zoning districts, namely R1-8, R1-12, R-1-21, RR-1, RR-2.5, RR-5, A-10, CN, CS, CD, ~~Planned United Development (PUD),~~ and MU.
2. ADUs shall be permitted in multi-family zoning districts, namely RM-7 and RM-15, only on single family lots.
3. ~~Internal ADUs are not permitted on single family lots with an area less than 6,000 square feet.~~
4. Internal ADUs are not permitted in mobile homes.

HISTORY
Adopted by Ord. 2020-34 on 12/7/2022

25.2.4 Accessory Dwelling Units

Purpose: The purposes of this section and any rules, regulations, standards and specifications adopted pursuant hereto are:

1. Minimal Impacts: To accommodate such housing in residential neighborhoods with minimal impacts on the neighborhood in terms of traffic, noise, parking, congestion, proximity to neighboring dwelling units, and compatible scale and appearance of residential buildings.

2. Decline In Quality: To prevent the proliferation of rental dwellings, absentee ownership, Building Code violations and associated decline in quality of residential neighborhoods.

3. Terms And Conditions: To set forth standardized terms and conditions for ADUs and procedures for review and approval of the same.

a. Applications. Applications for a DADU shall be submitted and reviewed by the Planning Department as outlined in title 25.2.12.

b. Allowed Use: ADUs may be an allowed use as designated by the underlying zone(s) found in title 25.2.3.

c. Standards: The following standards and conditions shall apply to all Detached Accessory Dwelling Units (DADUs) as specified, in addition to any terms and conditions of approval as imposed by the Planning Department or the Planning Commission during the permitted use, conditional use permit, or subdivision process:

4. Location: An ADU shall only be allowed as part of, or in conjunction with, a single-family dwelling, and DADUs shall meet the height and building footprint area standards of the underlying zone for accessory buildings.

5. Number: A maximum of one ADU may be allowed per single-family dwelling.

6. Design And Character: The ADU or IADU shall be clearly incidental to the single-family dwelling, and shall not adversely affect the residential character of the surrounding neighborhood. An ADU shall be designed in such a way that neighbors or passersby would not, under normal circumstances, be aware of its existence.

7. Size: DADU shall be equal to or subordinate to the footprint of the original Single-family dwelling. An IADU shall be equal to or subordinate to the floor area of the original single-family dwelling.
    a. No basements will be permitted within a DUDA.
    b. No more than 3 bedrooms will be permitted within a DADU.

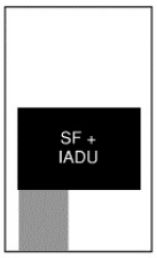
8. Lot Size:

    a. The creation of an IADU is prohibited if the lot size\containing the primary dwelling is less than six thousand (6,000) square feet in size.

    b. The creation of a DADU is prohibited if the lot containing the primary dwelling is less than ten thousand (12,000) square feet in size.

9 Setbacks
    a. 25’ foot separation between buildings
    b. Front Yard setbacks: 25 feet
    C. Side yard setbacks: 7.5/15*
    d. Rear yard setbacks: Shall meet the listed setbacks in the zoning designation.

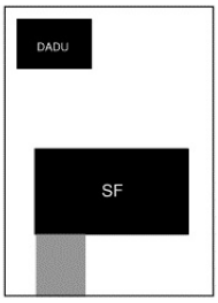
IADU Example



-Owner must live on-site.

- Lot size ≥ 6,000 sq. ft.

DADU Example



- Owner must live on-site.

- Lot size ≥ 12,000 sq. ft.

*SF = Single-Family Dwelling

10. Construction Codes: The ADU shall comply with all Construction, Housing and Building Codes in effect at the time the ADU is constructed and shall comply with all procedures and requirements of the City building regulations.

11. Foundation: The ADU must be adequately installed and secured to a permanent concrete foundation in accordance with the building codes, as adopted and amended by the City.

Commented [SM1]: Do we want to allow any other type of foundation?

12. Occupants: The ADU shall be occupied exclusively by one family.
    a. See Grantsville definition of a family.

13. Temporary Absentee Ownership:

Commented [SM2]: Do we want to allow this?

    a. Temporary absentee property ownership may be allowed due to circumstances, such as military assignments, employment commitments, family obligations and quasi-public service.

    b. Notwithstanding the foregoing, the maximum time period allowed for temporary absentee property ownership shall not exceed twelve (12) months. In the event such temporary absentee property ownership occurs, the property owner may rent both the ADU and the primary dwelling to unrelated third parties as defined herein.

    c. The Zoning Administrator may extend the twelve (12) month temporary absentee owner period when the property owner can provide sufficient evidence that the circumstances justifying the exception will last longer than one year. The Zoning Administrator may not authorize a temporary absentee ownership unless the application includes a definite termination date of the temporary absence.

    d. An unrelated third party is any person who is not related to the primary owner of a dwelling within 3 degrees of consanguinity.

e. This subsection does not prohibit the occupation of a primary dwelling or ADU by a related party, or a domestic partner of the property owner, during a period of the property owner's absence.

15. Notice Of ADU: Grantsville City will record a notice in the office of the Tooele County Recorder on the lot in which the ADU is located. The notice shall include:

a. A statement that the lot contains an ADU including the type and address; and

b. A statement that the ADU may only be used in accordance with the City's regulations. The City shall, upon recording the notice deliver a copy of the notice to the owner of the ADU.

E. Site Development: Upon consideration of approval of a permitted use, or a conditional use permit for an ADU, an application for site development shall be submitted in accordance with the provisions of chapter 7 of this title.

25.2.~~4~~ 5 Building Allowances

1. The installation and/or construction of an ADU shall require the application for and issuance of a building permit.
2. An ADU building permit application shall include a scaled site plan. The site plan must indicate the locations and dimensions of property lines and existing buildings, building entrances, setbacks, parking spaces, driveways, utility meters, and utility laterals and conduits. The site plan need not be engineered.
3. An ADU building permit shall clearly identify that it is for an internal ADU. Unless otherwise required by applicable building or fire codes, an internal ADU shall not be required to construct one-hour fire rated separations between the area of the primary dwelling used by the primary dwelling occupants and the ADU portion of the primary dwelling. ADUs ~~must~~ shall comply with all state adopted uniform building and fire codes applicable to dwellings in Grantsville City.
4. A DADU building permit shall clearly identify that it is for a detached ADU. A detached ADU shall comply with all state adopted building and fire codes applicable to dwellings in Grantsville City.

HISTORY
Adopted by Ord. 2020-34 on 12/7/2022

25.2.~~5~~ 6 Utilities
Internal ADUs are required to share utility meters, accounts, as well as water and sewer laterals with the primary dwelling.

DADUs are required to have separate utility meters, accounts, as well as water and sewer laterals to the dwelling

HISTORY
Adopted by Ord. 2020-34 on 12/7/2022

25.2.~~6~~ 7 Parking

1. An ADU shall provide one additional on-site parking stall per ADU. No ADU parking space may be located within the front or side yard setbacks adjacent to a street except for within an approved driveway.
2. If parking within a garage is displaced due to the construction of an internal ADU, the equivalent number of parking stalls must be replaced on site.

HISTORY
Adopted by Ord. 2020-34 on 12/7/2022

25.2.~~7~~ 8 Addressing
An internal ADU and DADU shall be provided with a unique address to differentiate it from the primary dwelling.

HISTORY
Adopted by Ord. 2020-34 on 12/7/2022

25.2.~~8~~ 9 Impact Fees
Internal ADUs shall not be required to pay impact fees.

Commented [SM3]: Tysen, can the City charge impact fees for detached ADU's?

HISTORY
Adopted by Ord. 2020-34 on 12/7/2022

25.2.~~9~~ 10 Business License
The owner of an ADU shall be required to obtain a City business license to collect rental fees, advertise for rent and/or rent the ADU.

HISTORY
Adopted by Ord. 2020-34 on 12/7/2022

25.2.~~10~~ 11 Home Occupation
Subject to the primary dwelling owner's written consent, an ADU may contain a home occupation, which must be conducted entirely within the ADU.

HISTORY
Adopted by Ord. 2020-34 on 12/7/2022

25.2.~~11~~ 12 Application Process

1. Internal ADUs shall be permitted throughout the site plan process.
2. Application Process for Established Residential Areas.
    a. After a complete DADU application has been accepted by the City, the application will be distributed to members of the Development Review Committee (DRC) for review and comment. The DRC shall follow the application review process as outlined in chapter 21 of the GLUMDC.~~A Development Review Conference will be held with the applicant and members of the DRC within 21 days of submission of the application.~~
    b. ~~After the Development Review Conference, t~~The applicant shall provide any additional information requested and make any changes required by the DRC. After any revised drawing are submitted by the applicant to the City, the DRC will then review the revised drawings. Within 15 days of the second submittal, the DRC will meet to discuss and verify that all changes were made. If additional changes are needed, the comments will be sent back to the developer. All revised

drawing submittals require a 15-day review by the DRC. Only a complete application, with the approval of the DRC, will move forward for consideration to the Planning Commission.

3. Application Process for New Residential Subdivisions That Include DADU's.
    a. When submitting an application, the developer shall notify the City that they intend to implement DADU's in their subdivision.
    b. The developer shall submit a conceptual layout of the subdivision including the DADU's as outline in chapter 11 of the GLUMDC.
    c. Subdivision applications that include DADU's will need to go through a public hearing and a consideration from Planning Commission and approval from City Council to implement DADU's prior to the City accepting a preliminary subdivision application.

~~4. After a complete application has been accepted by the City, the application will be distributed to members of the Development Review Committee (DRC) for review and comment. A Development Review Conference will be held with the applicant and members of the DRC within 21 days of submission of the applicaiton.~~

~~5. After the Development Review Conference, the applicant shall provide any additional information requested and make any changes required by the DRC. After any revised drawings are submitted by the applicant tot he City, the DRC will then review the revised drawings. Within 14 days of the second submittal, the DRC will meet to discuss and verify that all changes were made. If additional changes are needed, the comments will be sent back tot he developer and another Development Review Conference may be scheduled. All revised drawing submittals require a 14 day review by the DRC. Only a complete application, with the approval of the DRC, will move forward for consideration to the Planning Commission.~~

HISTORY
Adopted by Ord. 2020-34 on 12/7/2022

25.2.~~12~~ 13 Prohibited Acts

1. An ADU may not be sold or divided from the primary dwelling through deed, condominium, subdivision, plat, boundary line agreement, or otherwise.
2. ADUs shall be limited in the multi-family zoning districts to single-family dwelling lots.
3. ADUs shall not be included in the density calculations for a planned use development (PUD), unless the developer has specifically requested from the Planning Commission the ability to construct ADUs within the construction of primary dwellings, and received approval from the Planning Commission.

HISTORY
Adopted by Ord. 2020-34 on 12/7/2022

25.2.~~13~~ 14 Violation - Notice - Civil Penalties

1. A violation of any provision of this Chapter shall be a civil offense.
2. Notice of the violation and associated civil penalties shall be delivered by first-class regular U.S. mail to both:
    1. the address of record with the Tooele County Recorder's Office; and
    2. the street address of the primary dwelling.

3. A violation of this Chapter shall be punishable by a civil penalty of $100 per occurrence. Following a cure period of 30 days from the date of the notice of violation, every week the violation continues shall be considered an additional occurrence of the same violation, and shall result in the imposition of an additional $100 civil penalty per week of the continuing violation.

HISTORY
Adopted by Ord. 2020-34 on 12/7/2022

25.2.~~14~~ 15 Appeals

1. The applicant who has submitted an application to the City under this Chapter may appeal any decision made by the ~~Planning and~~ Zoning Administrator or Planning Commission regarding an ADU to the Grantsville City Board of Adjustment. Any decision issued by the Board of Adjustment shall be final.
2. Any appeal shall be presented to the Grantsville City Recorder in writing within 30 days after the entry of the decision appealed from. The City shall schedule a Board of Adjustment hearing to consider the appeal within 60 days of receipt of the written appeal.

HISTORY
Adopted by Ord. 2020-34 on 12/7/2022

AGENDA ITEM #3

Consideration of the proposed conditional use permit for AGX Automotive to own and operate an automobile wholesale dealer business, on 1.80 acre at 292 N. Hwy 138 in the M-D zone.

Conditional Use Permit – Commercial Application

Date: 11/13/2024

Applicant / Owner

Applicant Name:	WYATT LABURM	Owner Name:	South Rim Holdings LLC
Address:	750 W LAFAYETTE ST	Address:	
City, State, Zip:	STANSBURY PARK, UT 84074	City, State, Zip:	
Phone:	[redacted]	Phone:	[redacted]
Email:	[redacted]	Email:	[redacted]
Own Property:	No		

Location Information

Permit Type:	Conditional Use Permit – Commercial	Development:	AGX AUTOMOTIVE LLC
		# of Acres:	1.80
Site Address:	292 N HIGHWAY 138, GRANTSVILLE UT 84029	Current Zoning:	M-D
Site Parcel:	22-047-0-0009		

Complete Description: WE ARE AN AUTO WHOLESALE DEALER STRICKTLY USING THIS LAND TO HAVE A PRINCIPAL PLACE OF BUSINESS IN THE STATE OF UTAH, WE HAVE A STORAGE CONTAINER OFFICE ON THE LAND, AND WILL KEEP ALL OF OUR VEHICLES AND OPERATIONS AT MANHEIM AUTO AUCTIONS.

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.

WYATT LABRUM	11/13/2024
Name	Date

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

Permit # 2024130

Staff Report Summary for the proposed conditional use permit for AGX Automotive to own and operate an automobile wholesale dealer business, on 1.80 acre at 292 N. Hwy 138 in the M-D zone.

Parcel ID(s): 22-047-0-0009
Property Address: 292 N SR-138.
Applicant Name: Wyatt Laburm
Request: CUP
Prepared By: Shelby Moore

Meeting Date: 12/19/2024
Public Hearing Date: 12/05/2024
Current Zone: M-D
Acres: 1.80

Planning Staff Explanation and Recommendation: Consideration of the proposed conditional use permit for AGX Automotive to own and operate an automobile wholesale dealer business, on 1.80 acre at 292 N. Hwy 138 in the M-D zone.

PLANNING STAFF ANALYSIS AND COMMENTS

This use is not allowed in this zone and the applicant is appealing the Zoning Administrators decision. Based on the zoning and location staff does not see an issue with having auto sales in this location.

*** 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.

2024130 AGX Automotive LLC

Property Owner: South Rim Holdings LLC

Location: 200 N. Hwy 138

Business Details:

- We plan to use this land to Facilitate our Physical Presence in the State of Utah to obtain a Motor Vehicle Dealers License. The Utah Dealer License requires that all businesses have a Physical presence in the State. We have operated as a Wholesale Auto Dealer in the past in Salt Lake County but we have sold out Location there. We plan to keep less than 3 Vehicles on site, and there will be no Staff there on a Regular basis; everything is operated out of Manheim Auto Auctions. If there is any business conducted at our location in Grantsville it will be Appointment only.

Employees:

- Wyatt Labrum will be the only employee onsite, but no staff will be there on a regular basis.

Hours of Operation:

- Sunday-Saturday 9:00am-5:00pm by appointment only.

Customers:

- Estimated 1 customer per week.


Vehicle Inventory
Container Office
Customer Parking
SOUTH RIM HOLDINGS LLC
22-047-0-0009
R100948
0.651 Acres
292 N STATE ROUTE 138
SOUTH RIM HOLDINGS LLC
22-047-0-0008
R100947
0.571 Acres
696 W PROVIDENT ST




DLR 9128
AGX AUTOMOTIVE
AGXUTAH.COM
(801) 388-3692
CCEU
3057070
22G1
ic
70
2,6m
8'6"


West Canyon 5




HEAVY DUTY

PROVIDENT BUSINESS PARK INDUSTRIAL LAND

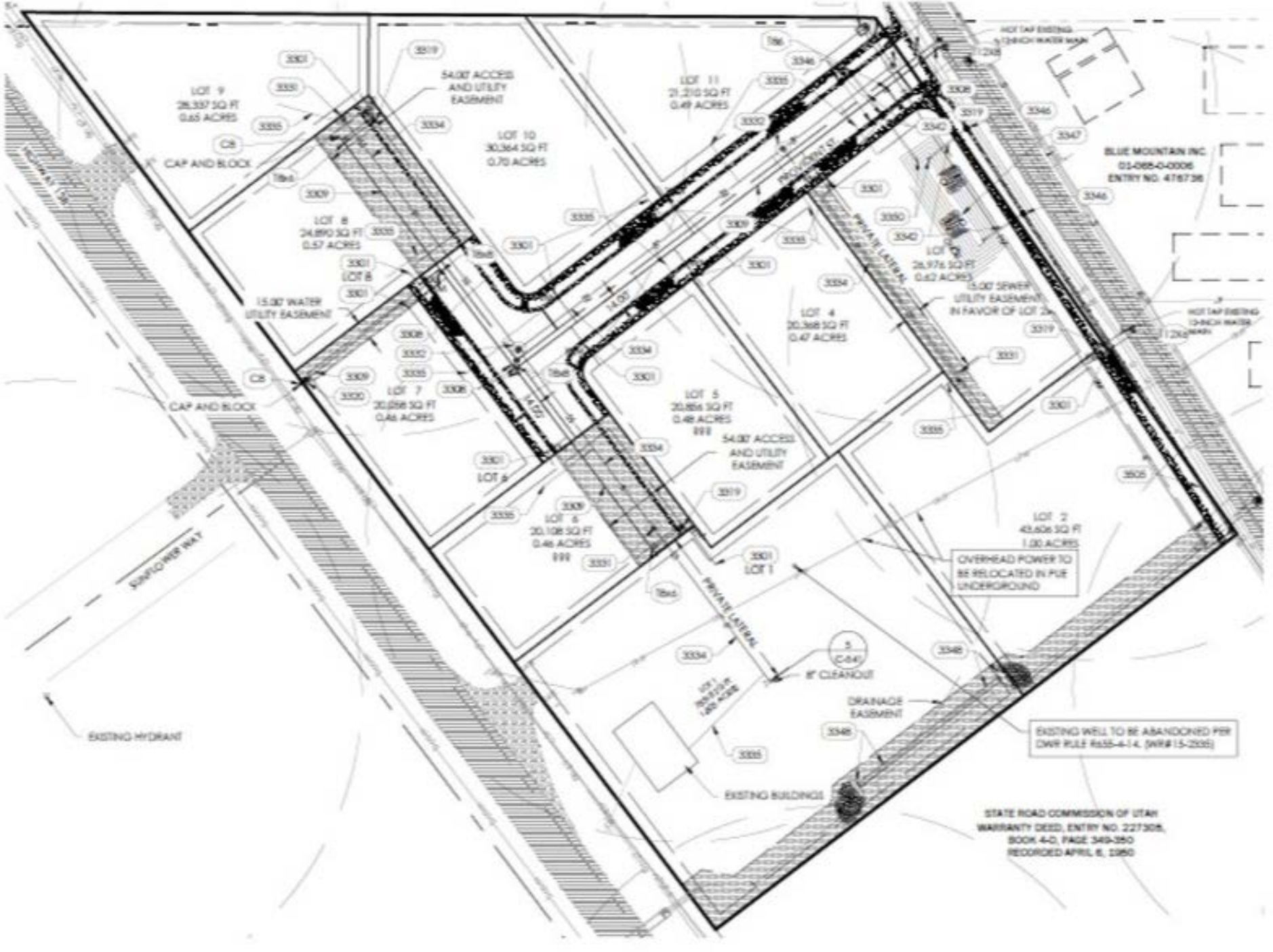
684 West Provident Street | Grantsville, UT 84029



FOR SALE

SELLER FINANCING AVAILABLE

UTILITY PLAN



Jaina Bassett <jbassett@grantsvilleut.gov>

CUP Application 2024130- AGX

6 messages

Jaina Bassett <jbassett@grantsvilleut.gov> Wed, Nov 20, 2024 at 12:10 PM
To: Shelby Moore <smoore@grantsvilleut.gov>, Christy Montierth <cmontierth@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>, Andy Jensen <ajensen@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

Good afternoon,

Attached is an application for a CUP, to operate an automobile wholesale dealer business on the residential property. This permit was initially denied by staff because automobile rental/ sales/ service is not a permitted use in the M-D zone. However, the applicant has requested to appeal this decision to the Planning Commission. 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

2024130 Combined Application Documents.pdf
4784K

Andy Jensen <ajensen@grantsvilleut.gov> Wed, Nov 20, 2024 at 1:33 PM
To: Jaina Bassett <jbassett@grantsvilleut.gov>
Cc: Shelby Moore <smoore@grantsvilleut.gov>, Christy Montierth <cmontierth@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

The only thing I can govern is if they want to have power to the office/container, and what are they doing for a restroom. If it is being powered, then it needs to be anchored or on a foundation. If there is no power or plumbing, then the code allows a container that is less than 350 square feet to be installed/set on a property without a permit.

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

[Quoted text hidden]

Christy Montierth <cmontierth@grantsvilleut.gov> Wed, Nov 20, 2024 at 2:13 PM
To: Andy Jensen <ajensen@grantsvilleut.gov>
Cc: Jaina Bassett <jbassett@grantsvilleut.gov>, Shelby Moore <smoore@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

No concerns for public works.
[Quoted text hidden]
--

Christy Montierth
Grantsville City
Public Works Director

336 West Main Street
Grantsville, UT 84029
cmontierth@grantsvilleut.gov
Office: (435) 884-0627
Cell: (435) 830-6540

Jaina Bassett <jbassett@grantsvilleut.gov> Wed, Nov 20, 2024 at 3:10 PM
To: Christy Montierth <cmontierth@grantsvilleut.gov>
Cc: Andy Jensen <ajensen@grantsvilleut.gov>, Shelby Moore <smoore@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

Thanks Andy and Christy! I will make that note.
[Quoted text hidden]

Grantsville Fire Marshal <firemarshal@grantsvilleut.gov> Fri, Nov 22, 2024 at 7:28 PM
To: Jaina Bassett <jbassett@grantsvilleut.gov>
Cc: Christy Montierth <cmontierth@grantsvilleut.gov>, Andy Jensen <ajensen@grantsvilleut.gov>, Shelby Moore <smoore@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>

Jaina,

No concerns for fire.

Jason E. Smith
Fire Chief/Fire Marshal
Grantsville Fire Department

Cell: (801) 598-7049
firemarshal@grantsvilleut.gov

[Quoted text hidden]

Jaina Bassett <jbassett@grantsvilleut.gov> Mon, Nov 25, 2024 at 12:50 PM
To: Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>
Cc: Christy Montierth <cmontierth@grantsvilleut.gov>, Andy Jensen <ajensen@grantsvilleut.gov>, Shelby Moore <smoore@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>

Thanks Jason!
[Quoted text hidden]

AGENDA ITEM #4

Proposed amendment to the Grantsville City Land Use and Management Code Chapter 16.8 Codes And Symbols And Use Table 16.1, for the use Automobile Sales/Rental and Service.

Grantsville City Planning Commission

December 19, 2024
Public Hearing

Proposed amendment to the Grantsville City Land Use and Management Code Chapter 16.8 Codes And Symbols And Use Table 16.1, for the use Automobile Sales/Rental and Service.

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 **December 19, 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 16.8 Codes And Symbols And Use Table 16.1, for the use Automobile Sales/Rental and Service** and make a recommendation to the City Council.

You can view a copy of the agenda and packet online by 5:00pm on December 13, 2024 at the link below:
https://cms9.revize.com/revize/grantsvilleut/departments/community___economic_development/current_public_notices.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 December 19, 2024.

Dated this 9th day of December, 2024

BY ORDER OF THE GRANTSVILLE PLANNING COMMISSION

Shelby Moore
Zoning Administrator

Scan the QR code above or use the link below to join the Zoom meeting.
https://us02web.zoom.us/j/81514325715
Meeting ID: 815 1432 5715

Chapter 16 Commercial And Industrial Districts

16.0 Vehicle Queuing Length Requirements
16.1 Neighborhood Commercial District (C-N)
16.2 Commercial Shopping District (C-S)
16.3 General Commercial District (C-G)
16.4 Central Development District (C-D)
16.5 Light Manufacturing And Distribution District (M-D)
16.6 General Manufacturing District (M-G)
16.7 Mining, Quarry, Sand, And Gravel Excavation Zone (MG-EX)
16.8 Codes And Symbols And Use Table 16.1

Amended 09/18 by Ordinance 2018-16

16.0 Vehicle Queuing Length Requirements

1. Companies with drive-up windows will need to provide a queuing area for vehicles to be approved with their improvement plans.
2. The plan needs to show room for five (5) to twenty (20) vehicles to queue up at the drive-up window based on documentation of similar businesses.

HISTORY
Adopted by Ord. 2022-14 on 8/3/2022

16.1 Neighborhood Commercial District (C-N)

(1) The C-N Neighborhood Commercial District is intended to provide for small scale commercial uses that can be located within residential neighborhoods without having significant impact upon residential uses.

Front or Corner Yard ..... 15 feet

Interior Side Yard ..... None If an Interior Side Yard is provided, it shall not be less than ..... 4 feet (or match the easement width, whichever is greater)

Rear Yard ..... 10 feet

Buffer Yards required in accordance with Chapter 9, Landscaping, on any lot abutting a lot in a residential district.

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

HISTORY
Amended by Ord. 2022-14 on 8/3/2022

16.2 Commercial Shopping District (C-S)

(1) The purpose of the C-S Commercial Shopping District is to provide an environment for efficient and attractive shopping center development at a community level scale. Development in the C-S Commercial Shopping District may be approved only as a planned development. ~~in conformance with the provisions of Chapter 12, Planned Unit Developments.~~

Minimum Lot Size: ..... 60,000 sq. ft. Ft.

Minimum Width at Front and Rear Setback ..... 150 feet

Minimum Yard Setback Requirements:

Front Yard and Corner Side Yard ..... 30 feet Interior Side Yard ..... 15 feet Rear Yard ..... 30 feet Buffer Yards required in accordance with Chapter 9, Landscaping, on any lot abutting a lot in a residential district.

Maximum Building Height ..... 45 feet Access restriction of one driveway per 150 feet of frontage on arterial or major collector streets in order to maintain safe traffic conditions.

Building sides visible from a street shall submit building face plans to the City to review and approve the artistic look of the building that will be seen by the public.

HISTORY
Amended by Ord. 2022-14 on 8/3/2022

16.3 General Commercial District (C-G)

(1) The purpose of the C-G General Commercial District is to provide an environment for a variety of commercial uses, some of which involve the outdoor display/storage of merchandise or materials.

Minimum Lot Size: ..... 10,000 sq. ft. Ft.

Minimum Width at Front and Rear Setback ..... 60 feet

Minimum Yard Setback Requirements:

Front Yard and Corner Side Yard ..... 10 feet Interior Side Yard ..... None If an Interior Side Yard is provided, it shall not be less than ..... 4 feet (or match the easement width, whichever is greater) Rear Yard ..... 10 feet Buffer Yards required in accordance with Chapter 9, Landscaping, on any lot abutting a lot in a residential district.

Maximum Building Height ..... 45 feet

Building sides visible from a street shall submit building face plans to the City to review and approve the artistic look of the building that will be seen by the public.

HISTORY
Amended by Ord. 2022-14 on 8/3/2022

16.4 Central Development District (C-D)

(1) The purpose of the C-D Central Development District is to provide high intensity public, quasi-public, commercial, office, and multiple-family uses which may center in harmonious relationships based on planned development for mutual benefit. The district shall only allow

those uses that are allowed in the R- M-30, R-M-7, C-N, C-S, C-G and M-D districts by conditional use.

(2) Any parcel larger than one acre at the time of passage of this ordinance may be divided or developed only under a Planned Unit Development (PUD) approval. No new lot smaller than one acre may be created.

(3) All uses within this district are conditional, and every conditional use permit or Planned Unit Development approval shall be based primarily on how the development, as proposed in the application, will contribute to compatibility and mutual private and public benefit from existing, proposed, and potential buildings and uses in the area; the efficient, effective and aesthetic use of land, buildings, landscaping, and amenities; and the improvements to be made in land use; building construction and appearance, traffic safety and control, landscaping and drainage.

(4) Minimum Lot Size: - Shall be set by the applicable zoning district regulation that allows the use that is intended for the lot.

Minimum Width at Front and Rear Setback ..... by approval

Minimum Yard Setback Requirements: Front Yard and Corner Side Yard ..... by approval Interior Side Yard ..... by approval Rear Yard ..... by approval

Building sides visible from a street shall submit building face plans to the City to review and approve the artistic look of the building that will be seen by the public. Buffer Yards required in accordance with Chapter 9, Landscaping, on any lot abutting a lot in a residential district.

Maximum Building Height..... by approval

HISTORY
Amended by Ord. 2022-14 on 8/3/2022

16.5 Light Manufacturing And Distribution District (M-D)

(1) The purpose of the M-D Light Manufacturing and Distribution District is to provide an environment for light industrial uses that produce no appreciable impact on adjacent properties and desire a clean attractive industrial setting.

Minimum Lot Size: ..... 20,000 sq. ft. Ft. Minimum Width at Front and Rear Setback ..... 80 feet

Minimum Yard Setback Requirements: Front Yard and Corner Side Yard ..... 25 feet Interior Side Yard ..... 10 feet Rear Yard ..... 25 feet Buffer Yards required in accordance with Chapter 9, Landscaping, on any lot abutting a lot in a residential district.

Maximum Building Height ..... 65 feet

Building sides visible from a street shall submit building face plans to the City to review and approve the artistic look of the building that will be seen by the public.

HISTORY
Amended by Ord. 2022-14 on 8/3/2022

16.6 General Manufacturing District (M-G)

(1) The purpose of the M-G General Manufacturing District is to provide an environment for larger and more intensive industrial uses that do not require, and may not be appropriate, for a nuisance free environment.

Minimum Lot Size: ..... 20,000 sq. ft. Ft.

Minimum Width at Front and Rear Setback ..... 80 feet

Minimum Yard Setback Requirements:

Front Yard and Corner Side Yard ..... 35 feet Interior Side Yard ..... 20 feet Rear Yard ..... 35 feet Buffer Yards required in accordance with Chapter 9, Landscaping, on any lot abutting a lot in a residential district.

Maximum Building Height ..... 80 feet Except chimneys and smokestacks shall be permitted up to 120 feet in height.

Building sides visible from a street shall submit building face plans to the City to review and approve the artistic look of the building that will be seen by the public.

HISTORY
Amended by Ord. 2022-14 on 8/3/2022

16.7 Mining, Quarry, Sand, And Gravel Excavation Zone (MG-EX)

16.7.1 Conditional Uses
16.7.2 Operation Categories
16.7.3 Application
16.7.4 Minimum Requirements

(1) The mining, quarry, sand, and gravel excavation zone (MG-EX) is a zoning district which allows and protects the mining, quarry, sand and gravel excavation industry while protecting the environment. The zone is to assure that the operations of such sites do not impact adjoining uses, and are not encroached upon by surrounding non-compatible land uses.

Minimum Lot Size: ..... 20,000 sq. ft. Ft. Minimum Width at Front and Rear Setback ..... 80 feet

Minimum Yard Setback Requirements:

Front Yard and Corner Side Yard .....35 feet Interior Side Yard .....20 feet Rear Yard .....35 feet Buffer Yards required in accordance with Chapter 9, Landscaping, on any lot abutting a lot in a residential district.

Maximum Building Height .....80 feet. Except chimneys and smokestacks shall be permitted up to 120 feet in height.

(2) This chapter regulates the location, operations and reclamation of mining, quarries, and gravel pits to provide safe conditions and protection of the environment in Grantsville City.

Adopted 09/10 by Ordinance 2010-22, 10/12 by Ordinance 2012-17

(1) The conditional use permit required by this section shall be obtained prior to the commencement of use of any sand or gravel pit, mine or quarry within Grantsville City.

All mining, quarry, sand, and gravel excavation operations shall fit into one of the two following categories:

(1) Permanent commercial operations are those that supply materials to the public on a continual basis. A permanent commercial operation may be approved by the zoning administrator with the minimum requirements. If it is determined by the zoning administrator that the minimum requirements do not adequately mitigate potential or actual impacts to surrounding properties, it shall then be submitted to the planning commission. All commercial pit operations shall work under an approved five year operation plan. Upon expiration of the previous plan, a new five year plan shall be submitted, otherwise closure and reclamation operations shall begin within six months. The conditional use permit shall remain in effect until such time that full reclamation has been made on the site. (2) Temporary project specific operations supply material for specific projects, the termination of which shall also terminate the conditional use permit and the use of the pit. A temporary project may be approved by the zoning administrator with the minimum requirements. If it is determined by the zoning administrator that the minimum requirements do not adequately mitigate potential or actual impacts to surrounding properties, it shall then be submitted to the planning commission. A temporary project shall be allowed to operate for a period up to six months and may be extended in six month intervals for a period not to exceed two years. It is the responsibility of the land owner or operator to make application for an extension before the expiration of the current permit. Once the project is completed, the owner or operator shall begin closure and reclamation operations within six months.

(1) All applications for conditional use permits shall be accompanied by the following materials:

(a) application form;

(b) evidence of ownership or control over the land and a legal description of the property where the pit will be located;

(c) Evidence of capability to complete the project, which includes:

(i) A statement of the applicants ability to post performance bonds or other financial assurance;

(ii) Cost estimates for reclamation costs to include removal of roads, buildings, overburden, etc.;

(iii) Liability insurance coverage;

(d) a site plan showing:

(i) all prominent man made and geologic features within the surrounding areas that will be affected by the operation;

(ii) dimensions;

(iii) locations, clearances, and rights-of-ways, easements, utility lines; and

(iv) Property lines and names of adjoining property owners;

(v) Ingress and egress;

(vi) General geologic and top soils data from a qualified source;

(vii) A contour map in intervals of vie feet showing existing water courses, drainage and calculations.

(e) a reclamation plan addressing:

(i) types of existing dominant vegetation;

(ii) segregation and stockpiling of materials capable of supporting vegetation as determined by soils analysis or practical re-vegetation experience;

(iii) figures outlining depths of and volumes of topsoil to be stockpiled, measures to protect topsoil from wind and water erosion, and pollutants;

(iv) method of depths, volumes, removal and storage of other overburden, plus a description of the procedures to be used in overburden replacement and stabilization and high wall elimination, including:

(1) Slope factors; (2) Lift heights; (3) Terracing; and (4) Any testing procedures employed.

(v) methods of processing and disposing of waste and reject material, including toxicity analysis explaining in detail means for containment and long range stability;

(vi) existing site and post-contour cross sections typical of regrading designs;

(vii) redistribution of topsoil and subsoil on the regraded area, indicating final depth of soil cover;

(viii) re-seeding, types or species to be used, the rate of application. Reseeding shall be based upon recommendations from the Soil Conservation District;

(ix) a description of the reclamation which shall include reasoning for the leaving of roads, pads or other similar structures and features; and

(f) an operations plan that outlines:

(i) proposed hours of operation;

(ii) traffic safety measures proposed on existing roads and streets adjoining the site;

(iii) the location, arrangement and dimensions of loading and processing facilities;

(iv) a open and closure plan stating the phasing, acreage and duration of the operation involved, with the maps and narratives that describe the expected sequence of disturbed areas, processing and material treatment;

(v) the extent of the land previously disturbed as well as the proposed extent of land disturbance;

(vi) areas of overburden and/or topsoil removal and storage areas, also the location of disposal and stockpile areas for reject materials, waste, and useable materials;

(vii) appropriation and use of necessary water rights;

(viii) onsite control of surface and storm water drainage;

(ix) evidence that all required federal and state requirements for environmental health, occupational safety, and reclamation are completed and approved as required by each of the following entities:

(A) Tooele County Health Department; (B) OSHA, State of Utah OGM, and MSHA (C) Soil Conservation District (D) UDOT (E) the State archeologist and paleontologist.

(x) a statement identifying mitigation of hazards to the public safety and welfare, including test hole closures, fencing, slopes, disposal of trash, scrap metal, wood, extraneous debris, waste oil, solvents, fuels, chemicals, explosives and sewage;

(xi) UDOT permit if accessing a state highway;

(xii) methods of fugitive dust suppression for processing and site operations.

(2) Applications for conditional use permits shall have a design review by Grantsville City staff completed before being placed on the Planning Commission agenda. Staff shall schedule a meeting with the applicant, roads, and planning department. Staff may make a site visit with the applicant as part of the review process.

All operations shall comply with the following requirements:

(1) warning signs, fences, trees, and berms shall be placed on the perimeter of the property to protect the public and act as barriers to access, fugitive dust, noise, glare, and/or view shall be indicated;

(2) no adverse drainage which would create soil instability or erosion shall be permitted. All drainage shall be contained on site;

(3) maximum slopes shall be in accordance with MSHA;

(4) the applicant shall post a reclamation guarantee for the area of disturbance giving financial assurance in a form approved by the Grantsville City Attorney and City Council, guaranteeing the satisfactory reclamation of all disturbed areas. The amount of reclamation shall not be less than $1,000.00 per acre, with a $10,000.00 minimum and shall be adjusted upon the renewal of the operations plan to meet projected costs of reclamation based upon time, material and equipment needed to clean-up and remove structures, backfill, slopes (to include mine dumps) shall be graded to no greater than a 3:1 finished slope or in relation to the contour of adjacent undisturbed land. The release of the financial assurance and obligations for reclamation shall not be made until Grantsville City staff consults with the Soil Conservation District, the Grantsville City Attorney and approves the release in writing.

(5) All facilities and activities shall comply with applicable land use, health, building, plumbing, mechanical, and electrical codes.

(6) All fuel tanks and flammable materials shall be located above ground, in such locations, with containment, and under such conditions as to conform to the requirements of the national fire codes;

(7) All crossing of state, county and city roads shall be done in such a manner as to hold Grantsville City harmless from any and all legal proceedings as a result of the applicant's use of such roads. The applicant shall make provisions to place suitable road signs, restraints and flagging personnel at work-sites and road crossings as approved by the MUTCD and the Grantsville City Public Works Director.

(8) All damage to state, county and city roads shall be repaired at the applicant's expense under the direction of the Public Works Director.

(9) The applicant shall maintain on file, proof of liability insurance for the operation in the office of the City Recorder.

(10) Grantsville City reserves the right to limit and restrict the time activities of the operation should the planning commission deem those activities a public nuisance;

(11) Access roads shall include acceleration, deceleration and left turn lanes as approved prior to operation;

(12) All activities shall be maintained and operated in such a way as to minimize fumes, dust, and smoke emissions;

(13) Sufficient restroom facilities shall be provided at each location for employee use; and

(14) The applicant shall not begin operations until such time that they enter into a mitigation agreement with Grantsville City addressing the upgrade, construction and maintenance of infrastructure.

HISTORY
Amended by Ord. 2022-14 on 8/3/2022

16.7.1 Conditional Uses

(1) The conditional use permit required by this section shall be obtained prior to the commencement of use of any sand or gravel pit, mine or quarry within Grantsville City.

16.7.2 Operation Categories

All mining, quarry, sand, and gravel excavation operations shall fit into one of the two following categories:

(1) Permanent commercial operations are those that supply materials to the public on a continual basis. A permanent commercial operation may be approved by the zoning administrator with the minimum requirements. If it is determined by the zoning administrator that the minimum requirements do not adequately mitigate potential or actual impacts to surrounding properties, it shall then be submitted to the planning commission. All commercial pit operations shall work under an approved five year operation plan. Upon expiration of the previous plan, a new five year plan shall be submitted, otherwise closure and reclamation operations shall begin within six months. The conditional use permit shall remain in effect until such time that full reclamation has been made on the site. (2) Temporary project specific operations supply material for specific projects, the termination of which shall also terminate the conditional use permit and the use of the pit. A temporary project may be approved by the zoning administrator with the minimum requirements. If it is determined by the zoning administrator that the minimum requirements do not adequately mitigate potential or actual impacts to surrounding properties, it shall then be submitted to the planning commission. A temporary project shall be allowed to operate for a period up to six months and may be extended in six month intervals for a period not to exceed two years. It is the responsibility of the land owner or operator to make application for an extension before the expiration of the current permit. Once the project is completed, the owner or operator shall begin closure and reclamation operations within six months.

16.7.3 Application

(1) All applications for conditional use permits shall be accompanied by the following materials:

(a) application form;

(b) evidence of ownership or control over the land and a legal description of the property where the pit will be located;

(c) Evidence of capability to complete the project, which includes:

(i) A statement of the applicants ability to post performance bonds or other financial assurance;

(ii) Cost estimates for reclamation costs to include removal of roads, buildings, overburden, etc.;

(iii) Liability insurance coverage;

(d) a site plan showing:

(i) all prominent man made and geologic features within the surrounding areas that will be affected by the operation;

(ii) dimensions;

(iii) locations, clearances, and rights-of-ways, easements, utility lines; and

(iv) Property lines and names of adjoining property owners;

(v) Ingress and egress;

(vi) General geologic and top soils data from a qualified source;

(vii) A contour map in intervals of vie feet showing existing water courses, drainage and calculations.

(e) a reclamation plan addressing:

(i) types of existing dominant vegetation;

(ii) segregation and stockpiling of materials capable of supporting vegetation as determined by soils analysis or practical re-vegetation experience;

(iii) figures outlining depths of and volumes of topsoil to be stockpiled, measures to protect topsoil from wind and water erosion, and pollutants;

(iv) method of depths, volumes, removal and storage of other overburden, plus a description of the procedures to be used in overburden replacement and stabilization and high wall elimination, including:

(1) Slope factors; (2) Lift heights; (3) Terracing; and (4) Any testing procedures employed.

(v) methods of processing and disposing of waste and reject material, including toxicity analysis explaining in detail means for containment and long range stability;

(vi) existing site and post-contour cross sections typical of regrading designs;

(vii) redistribution of topsoil and subsoil on the regraded area, indicating final depth of soil cover;

(viii) re-seeding, types or species to be used, the rate of application. Reseeding shall be based upon recommendations from the Soil Conservation District;

(ix) a description of the reclamation which shall include reasoning for the leaving of roads, pads or other similar structures and features; and

(f) an operations plan that outlines:

(i) proposed hours of operation;

(ii) traffic safety measures proposed on existing roads and streets adjoining the site;

(iii) the location, arrangement and dimensions of loading and processing facilities;

(iv) a open and closure plan stating the phasing, acreage and duration of the operation involved, with the maps and narratives that describe the expected sequence of disturbed areas, processing and material treatment;

(v) the extent of the land previously disturbed as well as the proposed extent of land disturbance;

(vi) areas of overburden and/or topsoil removal and storage areas, also the location of disposal and stockpile areas for reject materials, waste, and useable materials;

(vii) appropriation and use of necessary water rights;

(viii) onsite control of surface and storm water drainage;

(ix) evidence that all required federal and state requirements for environmental health, occupational safety, and reclamation are completed and approved as required by each of the following entities:

(A) Tooele County Health Department; (B) OSHA, State of Utah OGM, and MSHA (C) Soil Conservation District (D) UDOT (E) the State archeologist and paleontologist.

(x) a statement identifying mitigation of hazards to the public safety and welfare, including test hole closures, fencing, slopes, disposal of trash, scrap metal, wood, extraneous debris, waste oil, solvents, fuels, chemicals, explosives and sewage;

(xi) UDOT permit if accessing a state highway;

(xii) methods of fugitive dust suppression for processing and site operations.

(2) Applications for conditional use permits shall have a design review by Grantsville City staff completed before being placed on the Planning Commission agenda. Staff shall schedule a meeting with the applicant, roads, and planning department. Staff may make a site visit with the applicant as part of the review process.

HISTORY
Amended by Ord. 2022-14 on 8/3/2022

16.7.4 Minimum Requirements

All operations shall comply with the following requirements:

(1) warning signs, fences, trees, and berms shall be placed on the perimeter of the property to protect the public and act as barriers to access, fugitive dust, noise, glare, and/or view shall be indicated;

(2) no adverse drainage which would create soil instability or erosion shall be permitted. All drainage shall be contained on site;

(3) maximum slopes shall be in accordance with MSHA;

(4) the applicant shall post a reclamation guarantee for the area of disturbance giving financial assurance in a form approved by the Grantsville City Attorney and City Council, guaranteeing the satisfactory reclamation of all disturbed areas. The amount of reclamation shall not be less than $1,000.00 per acre, with a $10,000.00 minimum and shall be adjusted upon the renewal of the operations plan to meet projected costs of reclamation based upon time, material and equipment needed to clean-up and remove structures, backfill, slopes (to include mine dumps) shall be graded to no greater than a 3:1 finished slope or in relation to the contour of adjacent undisturbed land. The release of the financial assurance and obligations for reclamation shall not be made until Grantsville City staff consults with the Soil Conservation District, the Grantsville City Attorney and approves the release in writing.

(5) All facilities and activities shall comply with applicable land use, health, building, plumbing, mechanical, and electrical codes.

(6) All fuel tanks and flammable materials shall be located above ground, in such locations, with containment, and under such conditions as to conform to the requirements of the national fire codes;

(7) All crossing of state, county and city roads shall be done in such a manner as to hold Grantsville City harmless from any and all legal proceedings as a result of the applicant's use of such roads. The applicant shall make provisions to place suitable road signs, restraints and flagging personnel at work-sites and road crossings as approved by the MUTCD and the Grantsville City Public Works Director.

(8) All damage to state, county and city roads shall be repaired at the applicant's expense under the direction of the Public Works Director.

(9) The applicant shall maintain on file, proof of liability insurance for the operation in the office of the City Recorder.

(10) Grantsville City reserves the right to limit and restrict the time activities of the operation should the planning commission deem those activities a public nuisance;

(11) Access roads shall include acceleration, deceleration and left turn lanes as approved prior to operation;

(12) All activities shall be maintained and operated in such a way as to minimize fumes, dust, and smoke emissions;

(13) Sufficient restroom facilities shall be provided at each location for employee use; and

(14) The applicant shall not begin operations until such time that they enter into a mitigation agreement with Grantsville City addressing the upgrade, construction and maintenance of infrastructure.

16.8 Codes And Symbols And Use Table 16.1

(1) In the following sections of this chapter, uses of land or buildings which are allowed in various districts are shown as "permitted uses," indicated by a "P" in the appropriate column, or as a "conditional use," indicated by a "C" in the appropriate column. If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by a dash, "-". If a regulation applies in a given district, it is indicated in the appropriate column by a numeral to show the linear or square feet required, or by the letter "A". If the regulation does not apply, it is indicated in the appropriate column by a dash, "-". No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained in the multiple use, agricultural, or rural residential districts except as provided in this Code.

Table 16.1 Use Regulations

USE	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
COMMERCIAL							
Cabinet and Woodworking Mills	-	-	C	C	P	P	-
Bakery, Commercial	-	-	P	C	P	P	-
Blacksmith Shop	-	-	P	C	P	P	-
Carpet Cleaning	-	-	P	C	P	P	-
Commercial Laundries, Linen Service and Dry Cleaning	-	-	P	C	P	P	-
Convenience Store	C	P	P	C	P	P	-
Diaper Service	-	-	P	C	P	P	-
Gas Station (sales and/or minor repairs)	C	P	P	C	P	P	-
Greenhouse for Food and Plant Production	-	-	P	C	P	P	-
Heavy Equipment (Rental)	-	-	-	C	P	P	-
Heavy Equipment (Sales and Service)	-	-	-	C	P	P	-
Laboratory: Medical, Dental, Optical	-	-	P	C	-	-	-

Laboratory: Testing	-	C	P	C	P	P	-
Mini-warehouse	-	-	P	C	P	-	-
Motion Picture Studio	-	P	P	C	-	-	-
Photofinishing Lab	-	P	P	C	P	P	-
Plant and Garden Shop, including outdoor retail sales area	C	C	C	C	-	-	-
Precision Equipment Repair	-	-	P	C	P	P	-
Twin Commercial Units	C	C	C	C	C	C	-
Sign Painting/Fabrication	-	-	P	C	P	P	-
Welding Shop	-	-	P	C	P	P	-
Wholesale Distributors	-	-	P	C	P	P	-
Tobacco Specialty Store: This use is not permitted in any part of the proposed or existing building containing the use is located within 1,000 feet from (a) any school (public or private kindergarten, elementary, middle, charter, junior high, or high school), public park, public recreation facility, youth center, library, or church and (b) any other Tobacco Specialty Store. Distances shall be measured in a straight line, without regard to intervening structures or zoning districts, from a Tobacco Specialty Store structure to the property line of a school, public park, library, church, youth center, cultural activity, residential use, zoning district boundary, or other Tobacco Specialty Store.	-	C	C	C	P	P	-
MANUFACTURING	**C-N**	**C-S**	**C-G**	**C-D**	**M-D**	**M-G**	**MD-EX**
Chemical Manufacturing and Storage	-	-	-	-	-	C	-
Concrete Manufacturing	-	-	-	-	-	P	-

Drop-Forge Industry	-	C	C	-	C	P	-
Explosive Manufacturing and Storage	-	-	-	-	-	C	-
Flammable Liquids or Gases, Heating Fuel Distribution & Storage	-	-	-	-	-	P	-
Grain Elevator	-	-	-	-	-	P	-
Bottling Plant	-	-	-	C	P	P	-
Cabinet Making/Woodworking Mills	-	-	-	C	P	P	-
Heavy Manufacturing	-	-	-	-	-	P	-
Incinerator, Medical Waste/Hazardous Waste	-	-	-	-	-	C	-
Industrial Assembly	-	-	-	C	P	P	-
Light Manufacturing	-	-	-	C	P	P	-
Moving and Storage	-	-	-	C	P	P	-
Paint Manufacturing	-	-	-	-	-	P	-
Publishing Company	-	-	-	C	P	P	-
Railcar fabrication, repair and cleaning	-	-	-	-	-	C	C
Recycling Collection Station	-	-	-	C	P	P	-
Recycling Processing Center	-	-	-	C	C	P	-
Rock, Sand, and Gravel Storage and Distribution	-	-	-	-	-	C	C
Truck Freight Terminal	-	-	-	C	P	P	-
Sign Painting/Fabrication	-	-	-	C	P	P	-
Warehousing	-	-	-	C	P	P	-

OFFICE AND RELATED USES	**C-N**	**C-S**	**C-G**	**C-D**	**M-D**	**M-G**	**MD-EX**
Financial Institution, without drive through facilities	C	P	P	C	P	P	-
Financial Institution, with drive through facilities	-	P	P	C	P	P	-
Offices	C	P	P	C	P	P	-
Veterinary Offices, operating entirely within an enclosed building and keeping animals	-	-	P	C	P	-	-
RETAIL SALES & SERVICES	**C-N**	**C-S**	**C-G**	**C-D**	**M-D**	**M-G**	**MD-EX**
Auction Sales	-	P	P	C	-	-	-
Automobile Repair, Major	-	P	P	C	P	-	-
Automobile Repair, Minor	C	P	P	C	P	-	-
Automobile Sales/Rental and Service	C	P	P	C	C	-	-
Boat/Recreational Vehicle Sales and Service	-	P	P	C	-	-	-
Car Wash	C	P	P	C	P	P	-
Convenience retail store	C	P	P	C	P	P	-
Department Stores	-	P	P	C	-	-	-
Equipment rental, indoor and outdoor	-	P	P	C	P	-	-
Furniture Repair Shop	-	P	P	C	P	P	-
Health and Fitness Facility	-	P	P	C	-	-	-
Large Truck Rental	-	-	P	C	P	P	-
Liquor Store	-	C	C	C	-	-	-

Manufactured Home Sales, Service, and Storage	-	-	P	C	P	-	-
Pawnshop	-	-	P	C	P	-	-
Restaurants, with drive through facilities	C	P	P	C	P	P	-
Restaurants, without drive through facilities	C	P	P	C	P	P	-
Retail Goods Establishments	C	P	P	C	-	-	-
Retail Services Establishments	C	P	P	C	P	P	-
Upholstery Shop	-	P	P	C	P	-	-
RECREATIONAL, CULTURAL, AND ENTERTAINMENT	**C-N**	**C-S**	**C-G**	**C-D**	**M-D**	**M-G**	**MD-EX**
Amusement Park	-	P	P	C	-	-	-
Art Gallery	C	P	P	C	-	-	-
Art Studio	C	P	P	C	-	-	-
Commercial Indoor Recreation	-	P	P	C	P	-	-
Commercial Outdoor Recreation	-	P	P	C	P	-	-
Commercial Video Arcade	-	C	C	C	-	-	-
Dance Studio	C	P	P	C	-	-	-
Live Performance Theaters	-	P	P	C	-	-	-
Miniature Golf	-	P	P	C	P	-	-
Movie Theaters	-	P	P	C	-	-	-
Private Club	-	C	C	C	P	-	-
Sexually Oriented Businesses (Amended 4/05)	-	-	-	-	C	-	-

Tavern/Lounge/Brew Pub; more than 5,000 sq. ft. Ft. in floor area	-	C	C	C	-	-	-
RESIDENTIAL	**C-N**	**C-S**	**C-G**	**C-D**	**M-D**	**M-G**	**MD-EX**
Dwelling Unit (Single Family)	C	C	C	C	C	C	-
~~Multi-Family Dwellings of a density not greater than 30 dwelling units per acre~~	-	-	-	~~C~~	-	-	-
Living Quarters for Caretaker or Security Guard	C	C	C	C	C	C	-
~~Conditional and permitted uses in the RM-7 zoning district~~	-	-	-	~~C~~	-	-	-
INSTITUTIONAL	**C-N**	**C-S**	**C-G**	**C-D**	**M-D**	**M-G**	**MD-EX**
Adult Day Care Center	C	P	P	C	P	P	-
Child Day Care Center or Pre-School (a commercial operation) Amended 9/2011	C	P	P	C	P	P	-
Government Facilities	C	P	P	C	P	P	-
Hospital	-	-	P	C	-	-	-
Medical or Dental Clinic	C	P	P	C	P	P	-
Museum	-	P	P	C	-	-	-
Music Conservatory	-	P	P	C	-	-	-
Places of Worship				C			
Schools, Professional and Vocational	C	P	P	C	P	P	-
Schools of higher education, community colleges, off campus facilities	-	-	-	C	C	C	-
MISCELLANEOUS	**C-N**	**C-S**	**C-G**	**C-D**	**M-D**	**M-G**	**MD-EX**

Accessory Uses, except those that are otherwise specifically regulated in this Chapter, or elsewhere in this Code	C	P	P	C	P	P	-
Animal Pound (Amended 10/02)	-	-	-	-	-	P	-
Kennel (Amended 10/02)	C	C	-	C	C	C	-
Auditorium	-	P	P	C	-	-	-
Automobile Salvage & Recycling (Indoor)	-	-	-	C	P	P	-
Automobile Salvage & Recycling (Outdoor)	-	-	-	C	C	P	-
Boiler works	-	-	-	-	-	P	-
Bus Line Terminals	-	-	P	C	P	P	-
Bus Line Yards and Repair Facilities	-	-	-	C	-	P	-
Commercial Parking Garage or Lot	C	C	C	C	C	C	C
Personal Wireless Telecommunication Facilities (Amended 4/02)	-	C	C	C	-	-	-
Communication Towers	-	P	P	C	P	P	-
Communication Towers, exceeding the maximum building height, but not higher than 80 feet	-	-	C	C	C	C	-
Contractor's Yard/Office (with outdoor storage)	-	-	P	C	P	P	-
Crop Production	-	-	P	C	P	P	-
Display Room; Wholesale	-	-	-	C	P	P	-
Farmer's Market	-	P	P	C	P	-	-
Flea Market (indoor)	-	P	P	C	P	-	-
Flea Market (outdoor)	-	P	P	C	P	-	-

Funeral Home	-	P	P	C	-	-	-
Hotel or Motel	-	P	P	C	-	-	-
Limousine Service	-	C	P	C	P	P	-
Outdoor Sales and Display	-	P	P	C	P	-	-
Commercial Storage Units	-	C	C	C	C	C	-
Outdoor Storage	-	-	P	C	P	P	-
Poultry Farm or Processing Plant	-	-	-	-	-	P	-
~~Planned Unit Developments~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~-~~
Public/Private Utility Transmission Wires, Lines, Pipes, and Poles	C	P	P	C	P	P	-
Public/Private Utility Buildings and Structures	C	C	P	C	P	P	-
Radio, Television Station	-	C	P	C	P	P	-
Sewage Treatment Plant	-	-	-	C	C	C	-
Golf Course	-	C	C	C	C	C	-
Ambulance Services dispatching, staging, and maintenance conducted entirely within an enclosed building	-	P	P	C	P	P	-
Vehicle Auction Use	-	-	P	C	P	P	-
Governmental Uses and Facilities	C	C	C	C	C	C	-
Municipal Service Uses, including City Utility Uses, Police and Fire Stations	C	C	C	C	C	C	-
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (1 -249 beds)	-	-	-	-	C	C	C

Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (250 or more beds)	-	-	-	-	-	-	-
MINING AND EXCAVATION	**C-N**	**C-S**	**C-G**	**C-D**	**M-D**	**M-G**	**MD-EX**
Accessory uses and buildings customarily incidental to conditional uses	-	-	-	-	-	-	C
Agriculture, grazing of animals, raising crops	-	-	-	-	-	-	P
Automobile and truck service station	-	-	-	-	-	-	C
Cast stone, cement, cinder, terra cotta, tile brick, synthetic cast stone, block, pumice stone, and gypsum products	-	-	-	-	-	-	C
Coffee Shop	-	-	-	-	-	-	C
Construction equipment and supply trailer, temporary	-	-	-	-	-	-	C
Construction field office, temporary	-	-	-	-	-	-	C
Convenience store with gasoline sales	-	-	-	-	-	-	C
Gravel and sand excavation:							
1. Commercial operations	-	-	-	-	-	-	C
2. Temporary project specific operations	-	-	-	-	-	-	C
Machine Shop	-	-	-	-	-	-	C
Mines	-	-	-	-	-	-	C
Quarries	-	-	-	-	-	-	C
Parking lot incidental to a use conducted on the premises	C	C	C	C	C	C	C

Parking lot not incidental to a use conducted on the premises	C	C	C	C	C	C	C
Pottery, plaster, incidental plaster, plaster of paris, ceramic, and clay	-	-	-	-	-	-	C
Power generation (electrical) for on-site use							
Suns under 50 kvass	P	P	P	C	P	P	P
Solar 50 kva and above	C	C	C	C	C	C	C
Fuel cells, steam, hydro, or reciprocating engine	C	C	C	C	C	C	C
Wind below 5.9 kva	-	-	-	-	-	-	P
Auxiliary, temporary, wind, with more than 6 kva but less than 10 kva output	-	-	-	-	-	-	P
Fuel cells, steam, hydro, or reciprocating engine with more than 10.5 kva, but less than 150 kva output	-	-	-	-	-	-	C
Steam, hydro, or reciprocating engine with more than 150 kva, but less than 150 kva output	-	-	-	-	-	-	C
Rock crusher/concrete batch plant	-	-	-	-	-	-	C
Truck and freighting operation	-	-	-	-	-	-	C
Truck and heavy equipment service station and repair facility	-	-	-	-	-	-	C
Truck wash	-	-	-	-	-	-	C

AGENDA ITEM #5

Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 19a Mixed Use District.

Chapter 19a Mixed Use District

Enacted 02/11 by Ordinance 2011-04, amended 09/18 by Ordinance 2018-16

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~~ Master Planned 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. All residential development shall create an equal ratio of different types of residential uses that preserve the character of Grantsville while providing opportunities for people of all ages and varying economic status the ability to live in Grantsville if they so desire.

(4) Architectural design, scale and heights of development are designed to fit the scale and aesthetics of the surrounding properties in the district. Where proposed uses are different than surrounding properties buffering and transition of uses and architectural design shall be incorporated to mitigate potential conflicts of use.

A Master Planned Development 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 a Master Planned Development, 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.
(b) If the developer request deviations to the code, the developer shall prove detailed proposed deviations from Grantsville City ordinance requirements and explain how this variation will lead to a more desirable environment;
(c) 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 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 Master Planned 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;
(d) Preservation of buildings which are architecturally or historically significant contribute to the character of the City;

(e) 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
(f) Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation.
(g) Provide residential housing that conforms with the State moderate income requirements.

HISTORY
Amended by Ord. 2021-13 on 4/28/2021
Amended by Ord. 2021-35 on 8/18/2021
Amended by Ord. 2022-14 on 8/3/2022
Amended by Ord. 2023-07 on 7/19/2023

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.

HISTORY
Amended by Ord. 2022-14 on 8/3/2022

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.

HISTORY
Amended by Ord. 2021-13 on 4/28/2021
Amended by Ord. 2022-14 on 8/3/2022

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.

HISTORY
Amended by Ord. 2022-14 on 8/3/2022

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.

HISTORY
Amended by Ord. 2021-13 on 4/28/2021
Amended by Ord. 2022-14 on 8/3/2022

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.

19a.9 (Repealed)

HISTORY
Adopted by Ord. 2021-13 on 4/28/2021

19a.10 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 to the proposed planned development. Public health and safety issued including but not limited to; line of site, public utilities and associated easements, secondary and emergency access, and quantity of required parking are outside of the Planning Commission authority to recommend for modification or waiver. No such change, alteration, modification or waiver shall 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 19.1. It is recognized that not all properties include historic or blighted structures, nor will all purposes specifically apply to non-residential uses and thus may be considered "Not Applicable". Residential projects that do not seek to increase the overall density allowed within the applicable district shall not be required to provide a moderate-income housing element unless the applicant otherwise desires to provide moderate income or affordable housing. For residential projects requesting density, at least 50% of the requested additional density shall meet state moderate income standards.

(b) Will not violate the general purposes, goals and objectives of this Code, or any plans adopted by the Planning Commission or the City Council.

(c) 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.

19a.11 Diligence

(1) No Master Planned Development approval (that does not include a subdivision) shall be valid for a period longer than one year unless a building permit has been issued, construction has actually begun within that period and construction has been diligently pursued. Upon written request of the applicant, the one-year period may be extended by the Planning Commission for such time as it shall determine for good cause shown, without further hearing.

19a.12 Adjustments To Development Plan

(1) No major alteration or amendments to a development plan that would alter or expand the intent of the provisions in the approved Master Planned Development shall be made without a new application being filed and processed pursuant to the provisions of this Chapter. Minor alterations to a development plan that do not include a subdivision of land, may be made subject to written approval of the Planning Commission when such adjustments appear necessary in light of technical or engineering considerations. Such minor adjustments shall be limited to the following elements:

(a) Adjusting the distance as shown on the approved Plan between any one structure or group of structures, and any other structure or group of structures, or any vehicular circulation element or any boundary of the site;

(b) Adjusting the location of any open space. The size or amount of open space that was approved shall not be compromised.

(c) Adjusting any final grade, and

(d) Altering the types of landscaping elements and their arrangement within the required landscaping buffer area.

(2) Such minor adjustments shall be consistent with the intent and purpose of the Code and the provisions as approved, and shall be the minimum necessary to overcome the particular difficulty and shall not be approved if such adjustments would result in a violation of any standard or requirement of this Code.

(3) Any adjustment to the Development Plan that would alter or expand the intent of the provisions in the approved Master Planned Development 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 Master Planned Development as approved, then the Planning Commission shall make a recommendation to City Council.

19a.13 Codes And Symbols And Use Table

(1) In the following sections of this chapter, uses of land or buildings which are permitted in this district 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 this 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 19a.14 Use Regulations

USE	MU	C-N	C-S	C-G
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.	C	C	C	C
Accessory buildings and uses customarily incidental to permitted uses, when the residential use has not previously been established.	C	C	C	C
Accessory buildings and uses customarily incidental to conditional uses.	C	C	C	C
Class "A" Kennel (4-15 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~~ dogs. No dog shall be kept, penned, or raised within 100' of an adjoining residence or dwelling.	-	C	C	C
Raising of Rabbits, Ducks, Chickens (hens only), or Turkeys with not more than six (6) such animals in any combination, provided that appropriate cages, pens, coops, houses, etc. shall be provided for when these	C	C	C	C

animals are kept outdoors. (Amended 04/11, 02/13)				
Sportsman's Permit for 2-4 dogs. No dog shall be kept, penned, or raised within 100' of an adjoining residence or dwelling.	C	-	-	-
RESIDENTIAL	**MU**	**C-N**	**C-S**	**C-G**
Single-Family Dwellings Detached	P	C	C	C
Single-Family Attached Dwellings	P	C	C	C
Two-Family Dwelling (Amended 5/97)	C	-	-	-
Twin Home Dwellings (Amended 5/97)	C	-	-	-
Living Quarters for Caretaker or Security Guard	C	C	C	C
Multiple Family Dwellings	C	-	-	-
~~Congregate Care Facility~~	-	-	-	-
~~Nursing Care Facility~~	-	-	-	-
~~Group Home, Small~~	-	-	-	-
~~Group Home, Large~~	-	-	-	-
~~Transitional Treatment Home, Small~~	-	-	-	-
~~Mobile Home Parks~~	-	-	-	-
~~Mobile Home Subdivisions~~	-	-	-	-
~~Residential facilities for handicapped or elderly~~	-	-	-	-

HOME OCCUPATION	MU	C-N	C-S	C-G
Household pets, other than Sportsman Permit	P	-	-	-
COMMERCIAL	**MU**	**C-N**	**C-S**	**C-G**
Cabinet and Woodworking Mills	C	-	-	C
Bakery, Commercial	C	-	-	P
Blacksmith Shop	C	-	-	P
Carpet Cleaning	C	-	-	P
Commercial Laundries, Linen Service and Dry Cleaning	C	-	-	P
Convenience Store	C	C	P	P
Diaper Service	C	-	-	P
Gas Station (sales and/or minor repairs)	C	C	P	P
Greenhouse for Food and Plant Production	C	-	-	P
~~Heavy Equipment (Rental)~~	-	-	-	-
~~Heavy Equipment (Sales and Service)~~	-	-	-	-
Laboratory: Medical, Dental, Optical	C	-	-	P
Laboratory: Testing	C	-	C	P
Mini-warehouse	C	-	-	P
Motion Picture Studio	C	-	P	P
Photofinishing Lab	C	-	P	P

Plant and Garden Shop, including outdoor retail sales area	C	C	C	C
Precision Equipment Repair	C	-	-	P
Twin Commercial Units	C	C	C	C
Sign Painting/Fabrication	C	-	-	P
Welding Shop	C	-	-	P
Wholesale Distributors	C	-	-	P
Tobacco Specialty Store: This use is not permitted in any part of the proposed or existing building containing the use is located within 1,000 feet from (a) any school (public or private kindergarten, elementary, middle, charter, junior high, or high school), public park, public recreation facility, youth center, library, or church and (b) any other Tobacco Specialty Store. Distances shall be measured in a straight line, without regard to intervening structures or zoning districts, from a Tobacco Specialty Store structure to the property line of a school, public park, library, church, youth center, cultural activity, residential use, zoning district boundary, or other Tobacco Specialty Store.	C	-	C	C
MANUFACTURING	**MU**	**C-N**	**C-S**	**C-G**
~~Chemical Manufacturing and Storage~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Concrete Manufacturing~~	~~-~~	~~-~~	~~-~~	~~-~~
Drop-Forge Industry	C	-	C	C
~~Explosive Manufacturing and Storage~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Flammable Liquids or Gases, Heating Fuel Distribution & Storage~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Grain Elevator~~	~~-~~	~~-~~	~~-~~	~~-~~

~~Bottling Plant~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Cabinet Making/Woodworking Mills~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Heavy Manufacturing~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Incinerator, Medical Waste/Hazardous Waste~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Industrial Assembly~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Light Manufacturing~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Moving and Storage~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Paint Manufacturing~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Publishing Company~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Railcar fabrication, repair and cleaning~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Recycling Collection Station~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Recycling Processing Center~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Rock, Sand, and Gravel Storage and Distribution~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Truck Freight Terminal~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Sign Painting/Fabrication~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Warehousing~~	~~-~~	~~-~~	~~-~~	~~-~~
OFFICE AND RELATED USES	**MU**	**C-N**	**C-S**	**C-G**
Financial Institution, without drive through facilities	P	C	P	P
Financial Institution, with drive through facilities	C	-	P	P

Offices	C	C	P	P
Veterinary Offices, operating entirely within an enclosed building and keeping animals	P	-	-	P
RETAIL SALES & SERVICES	**MU**	**C-N**	**C-S**	**C-G**
Auction Sales	C	-	P	P
Automobile Repair, Major	C	-	P	P
Automobile Repair, Minor	C	C	P	P
Automobile Sales/Rental and Service	C	-	P	P
Boat/Recreational Vehicle Sales and Service	C	-	P	P
Car Wash	C	C	P	P
Convenience retail store	C	C	P	P
Department Stores	C	-	P	P
Equipment rental, indoor and outdoor	C	-	P	P
Furniture Repair Shop	C	-	P	P
Health and Fitness Facility	C	-	P	P
Large Truck Rental	C	-	-	P
Liquor Store	C	-	C	C
Manufactured Home Sales, Service, and Storage	C	-	-	P
Pawnshop	C	-	-	P
Restaurants, with drive through facilities	C	C	P	P
Restaurants, without drive through facilities	C	C	P	P

Retail Goods Establishments	C	C	P	P
Retail Services Establishments	C	C	P	P
Upholstery Shop	C	-	P	P
RECREATIONAL, CULTURAL, AND ENTERTAINMENT	**MU**	**C-N**	**C-S**	**C-G**
Amusement Park	-	-	P	P
Art Gallery	C	C	P	P
Art Studio	C	C	P	P
Commercial Indoor Recreation	-	-	P	P
Commercial Outdoor Recreation	-	-	P	P
Commercial Video Arcade	-	-	C	C
Dance Studio	C	C	P	P
Live Performance Theaters	-	-	P	P
Miniature Golf	-	-	P	P
Movie Theaters	-	-	P	P
Private Club	-	-	C	C
~~Sexually Oriented Businesses (Amended 4/05)~~	~~-~~	~~-~~	~~-~~	~~-~~
Tavern/Lounge/Brew Pub; more than 5,000 sq. ft. Ft. in floor area	-	-	C	C
INSTITUTIONAL	**MU**	**C-N**	**C-S**	**C-G**
Adult Day Care Center	C	C	P	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	P	P
Commercial Day Care Center (not in a home) no more than 20 children at any one time	C	C	C	C
Child Day Care Facility (a commercial operation, not in a home, no more than 100 children at any one time)	C	C	P	P
Hospital	C	-	-	P
Medical or dental clinic	C	C	P	P
Nursing Care Facility	C	C	P	P
Museum	C	-	P	P
Music Conservatory	C	-	P	P
Places of Worship	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	-	-	-
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	P	P
Private educational institution having a curriculum similar to the public schools, grades K-12	C	C	P	P

Schools of higher education, community colleges, off campus facilities	C	-	-	-
Schools, professional and vocational	C	C	P	P
Government Facilities	P	C	P	P
RECREATION, CULTURAL & ENTERTAINMENT	**MU**	**C-N**	**C-S**	**C-G**
Natural Open Space Areas	P	P	P	P
Community & Recreation Centers	P	P	P	P
Parks and Playgrounds, Public and Private	P	-	-	-
Pedestrian Pathways, Trails & Greenways	P	-	-	-
Community Gardens	P	P	P	P
Amusement Park	C	-	P	P
Art Gallery	C	C	P	P
Art Studio	C	C	P	P
Commercial Indoor Recreation	C	-	P	P
Commercial Outdoor Recreation	C	-	P	P
Commercial Video Arcade	C	-	C	C
Dance Studio	C	C	P	P
Live Performance Theaters	C	-	P	P
Miniature Golf	C	-	P	P

Movie Theaters	C	-	P	P
Private Club	C	-	C	C
Sexually Oriented Businesses (Amended 4/05)	C	-	-	-
Tavern/Lounge/Brew Pub; more than 5,000 sq. ft. Ft. in floor area	C	-	C	C
MISCELLANEOUS	**MU**	**C-N**	**C-S**	**C-G**
Accessory Uses, except those that are otherwise specifically regulated in this Chapter, or elsewhere in this Code	-	C	P	P
~~Cluster subdivision or Planned Unit Developments~~	~~-~~	~~-~~	~~-~~	~~-~~
Cemetery	C	-	-	-
Golf Course	C	-	-	-
Government Uses and Facilities	C	-	-	-
Municipal Service Uses, including City utility uses, Police and Fire Stations	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	-	-	-
~~Animal Pound (Amended 10/02)~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Kennel (Amended 10/02)~~	~~C~~	~~C~~	~~C~~	~~-~~
Auditorium	C	-	P	P
~~Automobile Salvage & Recycling (Indoor)~~	~~-~~	~~-~~	~~-~~	~~-~~

~~Automobile Salvage & Recycling (Outdoor)~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Boiler works~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Bus Line Yards and Repair Facilities~~	~~-~~	~~-~~	~~-~~	~~-~~
Commercial Parking Garage or Lot	C	C	C	C
Personal Wireless Telecommunication Facilities (Amended 4/02)	-	-	C	C
Communication Towers	-	-	P	P
Communication Towers, exceeding the maximum building height, but not higher than 80 feet		-	-	C
Contractor's Yard/Office (with outdoor storage)	C	-	-	P
Crop Production	C	-	-	P
~~Display Room; Wholesale~~	~~-~~	~~-~~	~~-~~	~~-~~
Farmer's Market	C	-	P	P
Flea Market (indoor)	C	-	P	P
Flea Market (outdoor)	C	-	P	P
Funeral Home	C	-	P	P
Hotel or Motel	C	-	P	P
Limousine Service	C	-	C	P
Outdoor Sales and Display	C	-	P	P
Commercial Storage Units	C	-	C	C
Outdoor Storage	C	-	-	P

Poultry Farm or Processing Plant	-	-	-	-
Planned Unit Developments	C	C	C	C
Public/Private Utility Transmission Wires, Lines, Pipes, and Poles	C	C	P	P
Public/Private Utility Buildings and Structures	C	C	C	P
Radio, Television Station	C	-	C	P
~~Sewage Treatment Plant~~	~~-~~	~~-~~	~~-~~	~~-~~
Golf Course	C	-	C	C
Ambulance Services dispatching, staging, and maintenance conducted entirely within an enclosed building	C	-	P	P
Vehicle Auction Use	C	-	-	P
Governmental Uses and Facilities	C	C	C	C
Municipal Service Uses, including City Utility Uses, Police and Fire Stations	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)~~	~~-~~	~~-~~	~~-~~	~~-~~
~~**MINING AND EXCAVATION**~~	~~**MU**~~	~~**C-N**~~	~~**C-S**~~	~~**C-G**~~
~~Accessory uses and buildings customarily incidental to conditional uses~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Agriculture, grazing of animals, raising crops~~	~~-~~	~~-~~	~~-~~	~~-~~
~~Automobile and truck service station~~	~~-~~	~~-~~	~~-~~	~~-~~

~~Cast stone, cement, cinder, terra cotta, tile brick, synthetic cast stone, block, pumice stone, and gypsum products~~	-	-	-	-

AGENDA ITEM #6

Approval of minutes from the November 21, 2024 Planning Commission Regular Meeting.

Action Summary:

Agenda Item	Item Description	Action
#1	Code Amendment Ch. 2- Discussion	Discussed
#2	Code Amendment Ch. 14- Discussion	Recommended for approval
#3	Code Amendment Ch. 25- Discussion	Discussed
#4	Code Amendment Ch. 8- Consideration	Recommended for approval
#5	Code Amendment Ch. 15- Consideration	Recommended for approval
#6	Code Amendment Ch. 21.2.10- Consideration	Recommended for approval

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION, HELD ON NOVEMBER 21, 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: Chair Rick Barchers, Vice-Chair Derek Dalton, Rob Jaterka, Trent Stirling, Jeff Downward

Appointed Officers and Employees Present: Community & Economic Development Administrative Assistant Jaina Bassett, Aqua Consultant Shay Stark, Fire Chief Jason Smith, City Attorney Tysen Barker, City Council Member Rhett Butler, Lieutenant Jeff Watson

On Zoom: City Engineer Robert Rousselle

Citizens and Guests Present: Gary Pinkham, Penny Anderson, Richard Anderson, Mary Burgess

Citizens and Guests Present on Zoom: Unknowns

Commission Chairman Rick Barchers 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, November 21, 2024 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

a) **Proposed amendment to the Grantsville City Land Use and Management Code Chapter 2 (Definitions).**

Email Received 11/20/2024

GENERAL NOTES:

In each of the proposed definition's new verbiage, the sentence regarding the design of the cul-de-sacs and hammerheads should require that both of these features be designed to meet the City's Standards and the International Fire Code. As it is currently stated the cul-de-sacs only meet City Standards and not the fire code and the hammerheads only meet the fire code and not the City Standard.

For the reverse crowned street sections the driveway length should be changed to 24' minimum to keep the distance from the front of the building to the edge of pavement at 24.5', the same as for the out sloped street. A standard 4 door pickup or service van is 22' or longer and will not fit on a 22' driveway.

Placing water meters at the end of the housing units will place them on private property and many of them at a long distance from the unit they are to serve. Water meters should stay on public property and be placed in front of each unit. These private driveways and alleys will be placed between multi-unit housing units and there will still be public streets on the outside of each group of units. The meters can still be placed on public ROW.

FOR DEFINITION 247:

For the 30' wide driveways with 26' of surfacing, this will only leave 2' on either side of the driveway for the "V" ditch. This is insufficient width for an adequate ditch. The driveway will most likely be parked on and driven over resulting in it being obliterated and not providing the required drainage for the surface of the driveway.

The slope specified for the ditch, is this the invert or side slope?

FOR DEFINITION 304h:

Should the definition be for a diverging lane to a "parking lot or delivery/pickup or loading zone"? If it is entering a street it will be entering against the traffic on the left half of the street and will cause a safety hazard.

-Gary Pinkham

Gary Pinkham: Gary Pinkham was present to speak on this item. He mentioned the verbiage regarding the hammerhead and cul de sac, and stated that it should be corrected to address both the Fire Code and the City standard. He mentioned the street width, driveway length and

sidewalks, and said that the driveway length should be larger to keep vehicles off the street. He believes that the driveways should be 24 feet in areas with inverted streets, to keep vehicles off the road. He mentioned the section about putting water meters at the ends of buildings because of narrow alleys, and stated it could be a maintenance issue for the City, as well as an additional cost to developers. He expressed that he does not know why the meters would not be left in front of the buildings on City property. In regards to definition 247, he stated that the code will also need to be modified because it would conflict with this proposed definition. He said that the verbiage for the slope needs to be clarified to identify if it is for an inverted slope or not. In regards to definition 304h, he stated that the definition should be clarified that the ramp would only be allowed for loading and not for a quick ramp to a subdivision.

b) Proposed amendment to the Grantsville City Land Use and Management Code Chapter 14 (Multiple Use, Agriculture And Rural Residential Districts).

Email Received 11/20/2024

GENERAL NOTES:

In the table of uses, I would recommend against any permitted uses being created or continued in the City's Code. I have been advocating against them for several years now as they deny the City the legal right to set and maintain conditions for the uses. A "P" is the same as a wide open door that the property owner has the legal right to do as they please without any controls, conditions, or monitoring of the use. Since the City has designated the use as permitted, it is deemed approved and cannot be denied or regulated.

For the Class "A" Kennel and Sportsman's permits, what is the minimum yard size for the first 4 dogs?

What is the difference between a Class "A" Kennel for 6 dogs and a Sportsman's permit for 6 dogs?

-Gary Pinkham

Gary Pinkham: Gary Pinkham was present to speak on this item. He mentioned that the table is making some things permitted, and that he has been pushing the City for years to make every use conditional. He stated that this is because the City cannot put any conditions on permitted uses, but the City can put conditions on conditional uses. He stated that this would give the City more discretion when it comes to uses, and would allow them to only allow uses in areas where it makes sense with the surrounding uses. He also mentioned that there are two levels of Kennel Permits, and that he believes they should be more clear and restrictive.

c) Proposed amendment to the Grantsville City Land Use and Management Code Chapter 25 (Accessory Dwelling Units)

Gary Pinkham: Gary Pinkham was present to speak on this item. He stated that the City put off implementing ADU verbiage because of the state legislature. He stated that his concern is in regards to mother-in-law cottages, where a larger primary house is on a lot, then a smaller ADU is on the back of the lot, and that this would be everywhere in Grantsville. He stated that the Commissioners should discuss a way to limit this use, as infrastructure may not be able to support ADUs in existing areas. He stated that in regards to ADUs in new subdivisions, the fee structure should be reconsidered, including impact fees.

AGENDA

1. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 2 (Definitions).

Aqua Consultant Shay Stark was present to answer questions about this agenda item. He noted that the definitions being considered have to do with creating a more in depth definition of the word "alley". He also mentioned the definitions of "slip lanes" and "private streets".

Chairman Barchers expressed that he appreciates that the definition of "private street" was changed to "private lane".

Commission Chair Rick Barchers asked if the changes to these definitions are due to changes in the state legislature. Mr. Stark stated that the answer is yes and no. Chairman Barchers stated that the idea of cutting back the space of the right-of-way could bring about safety issues for those cutting into the road.

Mr. Stark stated that the City is trying to standardize the requirements of these definitions, as the definition has been questioned with many developments that have been proposed. He believes this is a driving factor for these code amendments.

Mr. Stark questioned what the definition of a primary access is. Chairman Barchers stated that a clear definition of a front yard would eliminate this issue. Mr. Stark noted that if a front yard is defined, it would be defined for every housing type in every zoning district, which must be kept in mind. Mr. Stark also noted that if a different standard is desired for townhouses or other housing types, it could be placed in that section of the code.

Commissioner Jeff Downward stated that he believes the minimum driveway length needs to be 25 feet, as that is City code. City Engineer Robert Rousselle clarified that the definition of a driveway in the City code does not include a driveway length. Mr. Stark clarified that the length is only set in the multi-family section of the code. The Commissioners requested the definition of a driveway to be clarified, and that the length to be 25 feet minimum. City Council Liaison Rhett Butler agreed that the deeper the driveway is, the better. Mr. Stark stated that they can let the City Engineer consider this point, and identify what is necessary.

City Attorney Tysen Barker noted that for DADUs (detached accessory dwelling units), the driveway for that unit would then become a private lane, which could be an issue. Chairman Barchers asked if the City would be able to require DADUs to be built at the time of construction of the primary dwelling, and not later.

Mr. Stark asked Mr. Rousselle if the slope of the private lane is sufficient. Mr. Rousselle stated that only two feet would be added for areas where there are no fire hydrants. Fire Chief Jason Smith noted that there are special provisions that could allow less space around fire hydrants, but that the City tries to stay away from that. Mr. Rousselle stated that if this is the case, the City should hold to the 36 feet of right-of-way. Chairman Barchers requested that City Staff work with the Engineer and Fire Chief to discuss this item.

Mr. Stark stated that it should be noted that hammerheads and cul de sacs need to meet both City standards and the International Fire Code.

Chairman Barchers reiterated his concern about the limited area of right-of-way in the private streets. Commissioner Rob Jaterka agreed that this would be a tight fit, and PUE would be required. Chief Smith noted that if there is utility work in one of these right-of-ways, public safety vehicles may not be able to respond to areas past that because there is not enough room.

Commissioners requested that the reduced right-of-way verbiage be removed, and the private streets be required to meet City standards of a wider street. Liaison Butler agreed and stated that people will park on the side of streets regardless of the road width or “no parking” signs being posted, so it is better to prepare for that with a wider road.

Chairman Barchers requested that verbiage be added to state that no access be allowed off of a slip lane. Mr. Stark stated that the idea of a slip lane is to allow access off of them, to get people out of the main traffic. The Commissioners requested that slip lanes be prohibited in the City.

Mr. Stark concluded that the Commissioners would like to see the definition of a driveway be modified to include language that requires the minimum length to be 25 feet, that a definition be added for a front yard that requires it to front a public street, that the minimum driveway width of 25 feet be clarified in the alley section, and that language be added to the definition of an alley stating that primary access shall be provided by a standard Residential Street which the residence fronts, after the section that says, “A segment of an alley shall serve no more than 12 units without a second connection to a public street.” He also clarified that they would like to remove the private street section and slip lane section as options, change the minimum overall width of a private lane to 36 feet, and change the minimum pavement width to 26 feet regardless of fire hydrants. The Commissioners confirmed that this was accurate.

2. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 14 (Multiple Use, Agriculture And Rural Residential Districts).

Aqua Consultant Shay Stark was present to answer questions about this agenda item. He noted that this amendment would include the uses of animals, kennel and sportsman permits, adult day care centers, child day care centers, and removing the allowance of nursing care facilities in some zones.

The Commissioners requested that the square footage requirement listed for kennel permits be included on the sportsman permits as well, and that the 100-foot distance requirement be clarified to be from a dwelling structure.

Vice-Chairman Derek Dalton noted that the Sportsman Permit is listed under the Miscellaneous section of this table, and needs to be removed.

> **Derek Dalton made a motion to make agenda item number two an action item. Jeff Downward seconded the motion. The vote is as follows: Rob Jaterka "Aye," Jeff Downward, "Aye," Trent Stirling "Aye," Derek Dalton "Aye," Rick Barchers "Aye." The motion carried unanimously.**
>
> **Derek Dalton made a motion to recommend approval of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 14 (Multiple Use, Agriculture And Rural Residential Districts), with the changes outlined by Shay Stark: that the square footage requirement listed for kennel permits be included on the sportsman permits as well, and that the 100-foot distance requirement be clarified to be from a dwelling structure, and that the Sportsman Permit needs to be removed from the Miscellaneous section of this table. Rob Jaterka seconded the motion. The vote is as follows: Rob Jaterka "Aye," Jeff Downward, "Aye," Trent Stirling "Aye," Derek Dalton "Aye," Rick Barchers "Aye." The motion carried unanimously.**

3. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 25 (Accessory Dwelling Units).

Aqua Consultant Shay Stark was present to answer questions about this agenda item. Vice-Chairman Dalton echoed resident Gary Pinkham's concern that subdivisions will come back in after their PUDs being denied, to propose several lots including ADUs. He also expressed concern regarding ADUs being added to existing lots. Chairman Barchers noted that setbacks will still need to be met, or it should be clearly stated that exceptions are allowed for these units. Chief Smith noted that the units will need to be 500 feet from a fire hydrant.

Chairman Barchers requested that there be a parking requirement for all ADUs to have two additional parking spaces.

Commissioner Trent Stirling expressed his concern regarding DADUs being allowed to be subdivided and separated off from the parcel of the primary residence. The Commissioners

agreed that this could cause issues, and they requested that all ADUs be required to remain as one parcel with the primary residence and no separate ownership be allowed.

The Commissioners expressed concerns about the minimum lot size where ADUs would be allowed, and that 10,000 square foot lots may not be large enough. Chairman Barchers requested that City Staff work with an engineer to determine what is needed on the engineering side of things, to allow additional dwellings and residents on the lot.

Mr. Stark asked if there should be a requirement for DADUs to be placed behind a primary residence on the lot, or if they should be allowed side by side if setbacks are still met. Mr. Stark and the Commissioners noted that separate utility meters would be preferable, but they were unsure if state code allows this requirement or not. Commissioners requested that City Staff look into the legality of separate utility meters. Attorney Barker stated that state law does not allow impact fees to be assessed for internal ADUs, and implies that they would also not be allowed for other types of ADUs.

Vice-Chairman Dalton noted that there are small ADUs like tiny homes, which would be a completely different scenario than a large ADU. He stated that he thinks the size of the ADU should be determined based on the size of the lot.

4. Consideration of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 8 Regulation Of General Applicability.

Aqua Consultant Shay Stark was present to answer questions about this agenda item. The Commissioners did not have any concerns for this item.

> **Rick Barchers made a motion to recommend approval of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 8 Regulation Of General Applicability. Derek Dalton seconded the motion. The vote is as follows: Rob Jaterka "Aye," Jeff Downward "Aye," Trent Stirling "Aye," Derek Dalton "Aye," Rick Barchers "Aye." The motion carried unanimously.**

5. Consideration 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.

Aqua Consultant Shay Stark was present to answer questions about this agenda item. He noted that the modifications of this one are similar to those in agenda item number three for the land use table.

The Commissioners noted that they did not have any concerns regarding this item, but would like to make the same conditions as number two:

- The Commissioners requested that the square footage requirement listed for kennel permits be included on the sportsman permits as well, and that the 100-foot distance requirement be clarified to be from a dwelling structure.
- Vice-Chairman Derek Dalton noted that the Sportsman Permit is listed under the Miscellaneous section of this table, and needs to be removed.

Rick Barchers made a motion to recommend approval 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, with the changes outlined in the discussion: that the square footage requirement listed for kennel permits be included on the sportsman permits as well, and that the 100-foot distance requirement be clarified to be from a dwelling structure, and that the Sportsman Permit needs to be removed from the Miscellaneous section of this table. Derek Dalton seconded the motion. The vote is as follows: Rob Jaterka "Aye," Jeff Downward "Aye," Trent Stirling "Aye," Derek Dalton "Aye," Rick Barchers "Aye." The motion carried unanimously.

6. Consideration 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.

Aqua Consultant Shay Stark was present to answer questions about this agenda item.

Vice-Chairman Dalton noted that he liked having a third party that provided information to the Commissioners.

Mr. Stark noted that when this code was originally written, the idea was that a member of the Planning Commission would fill this role and be a part of the DRC. He noted that this role is not a part of the Planning Commission, but that having a member of the Planning Commission be part of the DRC could be a legal issue with current State codes.

Rob Jaterka made a motion to recommend approval 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. Trent Stirling seconded the motion. The vote is as follows: Rob Jaterka "Aye," Jeff Downward "Aye," Trent Stirling "Aye," Derek Dalton "Nay," Rick Barchers "Aye." The motion carried.

7. Discussion regarding the removal of the Planned Unit Development (PUD), or changing the PUD to a zoning overlay district rather than a conditional use permit.

Aqua Consultant Shay Stark was present to answer questions about this agenda item.

Chairman Barchers asked if the language from the PUD section of code that states it is a conditional use permit, if that resolves the issue. Mr. Stark stated that some kind of verbiage would need to replace that verbiage and some sort of process change would be required.

Mr. Stark clarified that the issue with PUDs being CUPs is that it implies that the City will approve the permit, but with conditions. However, as a zoning overlay the implied approval is not there. He also noted that where the Mixed Use zone requires a PUD, applicants have been coming in requesting exceptions including exceptions to commercial development requirements. Mr. Stark noted that if the switch is made to a zoning overlay, verbiage would need to be implemented to put a limit of when it could be used.

Vice-Chairman Dalton asked what would happen if the switch was not made and the PUD was done away with altogether. Mr. Stark noted that he worked with a City that did that, and they saw every developer come in and ask for exceptions, rather than the few moving through the PUD process.

Chairman Barchers asked if they could remove the PUD altogether, and Attorney Barker confirmed that they could. Attorney Barker also noted that they may see the issues Mr. Stark noted.

Mr. Stark asked if the four meeting rule applies to rezones, and Attorney Barker stated that he was unsure.

Commissioner Stirling stated that regardless of the process, he would like to see a code change that indicates items they will and will not negotiate.

Mr. Stark stated that a good first step would be to remove the requirement of a PUD in specific zones, and then further discussions could be had regarding the exceptions process.

Chairman Barchers asked what happened to the previous discussion about the percentages in the zones. Attorney Barker stated that the City is waiting on an opinion from the ULCT regarding the legality of the proposal, and will follow up with them.

Attorney Barker noted that it needs to be seriously considered if they want the exceptions to go through an administrative or legislative process. He stated that any legislative action is subject to referendum, but administrative actions are final and could not be put on the ballot. Attorney Barker noted that Tooele City has their process set up as a legislative process at this time, and that each approval changes their zoning map. The Commissioners stated that they would all like to see these be legislative actions.

Mr. Stark recommended just repealing the PUD section of code at this time. The Commissioners agreed that this is the direction they would like to go.

8. Open Forum for Planning Commissioners.

Commissioner Downward asked what the final decision was regarding the Lighting Ordinance that was discussed at the last Planning Commission meeting. Vice-Chairman Dalton noted that it was only discussed, and that they provided feedback to City Staff.

Chairman Barchers asked that the City Council address the issue of certain individuals making promises to developers, outside of the public meetings and City codes.

Vice-Chairman Dalton stated that he would like to improve the review and approval process, so when projects are moved before the City Council all of the information is there.

9. Report from City Council.

City Council Liaison Rhett Butler was present for this item. He noted that the City Council had a great discussion about the park at Scenic Slopes at the last City Council meeting, and that he feels the City has some traction there. He noted that the City plans to notice the public for December 4th, and hopes to break ground on that park in the summer. He also noted that they discussed laying down some gravel and putting in an RV dump station at the West Street park.

Chairman Barchers stated that he would like a definition of parks and what amenities are required.

10. Adjourn.

> **Derek Dalton made a motion to adjourn. Trent Stirling seconded the motion. The vote is as follows: Rob Jaterka "Aye," Jeff Downward "Aye," Trent Stirling "Aye," Derek Dalton "Aye," Rick Barchers "Aye." The motion carried unanimously. The meeting ended at 9:35 P.M.**

AGENDA ITEM #07

Approval of minutes from the December 5, 2024 Planning Commission Regular Meeting.

Action Summary:

Agenda Item	Item Description	Action
#1	279 E. Main St.- Concept	Received unfavorably.
#2	Warm Springs General Plan Amendment- Discussion	Discussed, noted this would not receive a favorable recommendation.
#3	Warm Springs Rezone- Discussion	Discussed, noted this would not receive a favorable recommendation.
#4	799 N. 600 W. General Plan Amendment- Discussion	Pulled from agenda by applicant.
#5	799 N. 600 W. Rezone- Discussion	Pulled from agenda by applicant.
#6	CUP Richardson's Tires- Consideration	Tabled.
#7	CUP Elmer Automotive LLC- Consideration	Tabled.
#8	CUP AGX Automotive- Consideration	Tabled.
#9	Code Amendment to Remove PUD- Discussion	Voted to action item, recommended for approval.
#10	Code Amendment Ch. 3- Consideration	Recommended for approval.
#11	Code Amendment Ch. 21- Consideration	Recommended for approval.

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION, HELD ON DECEMBER 5, 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: Chair Rick Barchers, Trent Stirling, Jeff Downward

Absent: Vice-Chair Derek Dalton, Rob Jaterka

Appointed Officers and Employees Present: Community & Economic Development Administrative Assistant Jaina Bassett, Zoning Administrator Shelby Moore, City Attorney Tysen Barker, City Council Member Rhett Butler

On Zoom: Mayor Neil Critchlow

Citizens and Guests Present: Kevin Hall, Brent Marshall, Gary Pinkham, Stephen McCutchan, Stephen Richardson, Madison Schaverr, Sheri, Chris Willes, Wyatt Labrum, Teri Sprouse, Martin Anderson, Anthony Brown, Clifford Russell, Kaidon Elmer, Brad Sutton, Levi Pratt, Preston Shepherd, Duke North, Eric Anderson, Austin Anderson, Paul Rupp

Citizens and Guests Present on Zoom: Unknowns

Commission Chairman Rick Barchers 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, December 5, 2024 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

a) Proposed amendment to the Grantsville City General Plan and Future Land Use Map for Warm Springs Ranches to go from a Rural Residential 2 designation to a Medium Density designation, located at approximately 1379 N. Warm Springs Rd.

Brent Marshall: Brent Marshall was present to speak on this item, and thanked the Commissioners for the opportunity to speak. He stated that the QR code on the public notice sign did not work when he scanned it, and that there were no flyers in the box on the sign. He stated that he went to City Hall on December 2nd for clarification, then saw flyers in the box on December 4th.

He noted that this item requires a general plan amendment. He said that the City spent a lot of money and time on the general plan, including several public comments, and this project and others seem to have put that time and money to waste. He stated that this property originally had an MU40 zone, which was a manufacturing zone. He said that the property owner at that time rezoned the property because he did not have 40 acres, so it was changed to a 20-acre zone to build a house. He noted that the property owner came to the City a few years ago for a rezone to RR-5 so her children could build homes there, but her children never built a home. He continued to explain that a different family purchased the top portion of the property and built a home there. Mr. Marshall noted that this application would be the third rezone for this property, and is the complete opposite of what the general plan shows. He said this rezone would be spot zoning, and the approval of it would open up Pandora's box for the City.

He also mentioned that there is no infrastructure in this area- no water, no improved streets, and septic tanks. He said for a development like this, there would need to be several lift stations for sewer, which the City is trying to avoid, or several septic tanks which come with issues. Mr. Marshall stated that new wells would need to be drilled to accommodate this many houses, and that this area was never intended to be a housing track. He said that this area was set up for manufacturing to have a place in the City, where jobs can be provided locally, with close proximity to the freeway so trucks are not going through the City. He asked that, respectfully, the Commissioners deny this request.

Preston Shepherd: Preston Shepherd was present to speak on this item. He noted that he lives on the same street as the previous speaker. He noted that a few years ago the City granted to him a subdivision in the same area, for his children to be able to live there. He noted that half of the property was in the City limits and the other half was in County limits. He said that he learned a lot about the major and minor subdivisions during that process. He said that in looking further down the road and considering his future grandchildren, they considered subdividing into smaller lots. He stated that the City said, "Absolutely not," to that idea, and they were strictly held to A-10 parcels.

He said that other people moved in around him, and there are currently working farms and ranches in the area. Mr. Shepherd stated that he has seen this before, as he was run out of Stansbury because of development there. He said that this is what is happening here, and is tragic. He said that he is all for a man's right to his property, but that this affects other people too. He stated that he does not want snow plows, infrastructure, the City, or the Post Office down that road. He expressed that he is happy where he is and does not want the development. He stated that the property taxes with the development would force those already there to sell.

He stated that Susan was given an exception for smaller lots to provide lots for her children years ago, and questioned why the rules apply to him and not everybody else. He said that the rules should be applied equally. Mr. Shepherd asked that, respectfully, the Commissioners deny this request. He stated that if someone wants to buy a cow and land in the A-10 zone, he would love to have them.

Eric Anderson: Eric Anderson was present to speak on this item. He stated that he also lives in the area, and moved there because it is zoned A-10. He noted that he has cattle and horses and that if residences are put in the area, they will get complaints about the dust and smell associated with the current uses. He said that the current residents maintain all of the roads in the area, not the City. He requested that the Commissioners deny this rezone.

Austin Anderson: Austin Anderson was present to speak on this item, and stated that he moved out to this area for the A-10 zoning. He said they have cows, horses, and dogs, and requests that this application be denied.

Levi Pratt: Levi Pratt was present to speak on this item. He said that this project is directly across the street from his home. He said they moved out there for quality of life, expecting that it would stay A-10 and they would be able to maintain for their children and livestock, without the traffic and things that come with this development. He requested that this rezone be denied. He said there is no infrastructure in the area, and questioned who would pay for that if this were to be approved. He noted that this would be spot zoning.

b) Proposed Rezone of Warm Springs Ranches from zoning designation RR-5 to RR-2.5, located at approximately 1379 N. Warm Springs Rd.

Email Received 12/1/2024

Planning and Zoning Commission,

My name is Linda Herrera. I reside at 1318 Old Lincoln Highway. I have 10 Acres of land adjacent to the property located at 1379 N. Warm Springs Road, the property in question for possible rezoning.

I would ask the Planning Commission to deny the application allowing the rezoning of this property from Rural Residential to Medium Density Designation.

All the properties in this area are at least 5 acres or larger. Allowing this parcel of property to be split into parcels under 5 acres increases the density in this area. This request looks a lot like spot zoning.

My property butts up against the property in question for rezoning. My property is used for grazing purposes. If this rezoning is allowed, it could be detrimental to the agricultural use of my property. Why is Grantville City allowing Agricultural land to disappear?

Another concern is the access road leading to the property in question. This is a dirt road. Allowing the rezoning will add increased traffic to this road and then out on to Old Lincoln Highway. We already have a speeding problem with the current traffic on Old Lincoln Highway. People drive down this road going well above the posted 35 miles an hour. There are currently 2 new higher density housing developments going in, in the area. This is going to increase traffic. We do not need to continue adding to this problem. It appears that too much growth has already been approved for the Grantsville community. Why is an agricultural town allowing agricultural to leave the area? Please read my email during the meeting.

Linda Herrera

Email Received 12/1/2024

Dear Planning Commission,

My name is Joei Jaterka me and my husband Rob live at 1342 Old Lincoln Highway. I am writing this email because I am not able to attend the meeting due to previous commitments. As far as the rezone we would like to voice our opinion against this. Currently all of the lots around us are at least 5 acres, with the majority being larger. The are a few things that need to be brought up, first Warm Springs road is a gravel road, will the city be paving it to accommodate the possible 10 homes that could be built on this lot? Next there are no city utilities in this area, so is the county going to allow that many more septic tanks in this area? How about water? Is the developer or the city going to help the current home owners with lowering their wells if these

new homes draw down the aquifer? Our property is used to raise livestock, as is the case with many of our neighbors, does this zoning really fit in with the surrounding area? I would say no. It seems that Grantsville is losing agriculture at an alarming rate and this would be the start of the same thing in this area. So, I would like to ask you gentlemen as the land use authority to think long and hard before making your decision on this matter.

Joei Jaterka

Email Received 12/4/2024 (This was also read aloud during the meeting)

To the Grantsville City Zoning and Planning committee,

In addition to this being sent to every member of the planning and zoning committee, I would like this letter to be read in it's entirety at the planning and zoning meeting on December 5th. We were not given appropriate notice and unfortunately will not be able to attend the meeting due to previous unchangeable commitments.

I am writing this letter in regards to the request to change the zoning of the property located at 1379 N. Warm Springs Rd. Our property and home sits directly adjacent to the north of the property in question. Our entire south property line is the north property line of the property in question.

The first thing that we would like to address is the lack of notice that has been given to us. As of this date we have not received any mailed or emailed notice of this request. The first time that we had heard anything about this was the evening of Wednesday November 27th, when we came home from work and saw the posted signs of Grantsville City Public Notice. On our way home from work, we stopped and scanned the QR code and looked for papers in the flyer box. The flyer boxes were both empty. And the QR code simply took us to the Grantsville City website "current public notices" but did not have anything current listed or accessible that has anything to do with this property. We spent over half an hour scouring the website trying to find the information about this property request to no avail. This was extremely frustrating due to the fact that this was a holiday weekend and no one in the city offices would be available until Monday morning, 5 days after the signs appeared. We reached out to our neighbors who live on the same road as us, they had not received any mailed notice and could not find any pertinent information with the QR code or on the website either. We had to reach out to multiple people before we could find anyone who had any information about this purposed change. And flyers did not show up on the sign until Tuesday, December 3rd- two days before the meeting. With a city like ours, that is in a very active growth phase, these types of mistakes cannot be afforded, and should not be allowed. It is very disappointing and unprofessional- and I question if there is a legality concern involved as well.

In regards to the actual request to change the zoning, there are many reasons we are requesting that this request be denied:

- Isn't this considered "Spot Zoning"? This request is very much at odds with the current zoning of this area. It is in NO WAY harmonious with the surrounding property. There is no benefit- financially or civically- to changing the zoning, the property owner is the only person who would benefit from this. If there is no benefit to the city or any other citizens, then this should not even be considered.
- There is no city sewer accessible anywhere close to this property. From what I understand then it is not in line with the county health department rules to not allow a septic tank for a property less than 5 acres. With the potential for 10 homes on this property there is no way that this should be approved based on the septic tank requirements.
- There is no city water accessible anywhere close to this property. Even IF water rights could be found and purchased and each one of these homes were allowed to have individual wells, the aquaphor that we and all of the current property owners use would be severely depleted and affected in extremely negative ways. These water rights are something that we have all had to invest tens of thousands of dollars into. This would cause many severely devastating results to those of us who rely on those water rights. Not only the amount of money that we have invested, but to the necessity to use on our property that we have invested in. Without water, or having to pay even more money for water, would destroy livelihoods of many of the current property owners.
- We are one of the many landowners who have chosen to purchase land in this area, invested hundreds of thousands of dollars of our personal money into the development of our land. And we have done this for the sole reason of agricultural use. And the current zoning of agricultural use is why we have made these choices and investments. Some have done this for their livelihood and others for the benefit of their personal family. This change in zoning to allow this development would be very detrimental to our animal's wellbeing.
- The road that this development is located on is an unmaintained gravel/dirt road. The addition of 10 homes would be very detrimental to the structure of this road.
- Our road does not get snow plowed by the city. This is not a conducive situation for a 10 home development.

I appreciate you taking your time to consider some of these concerns we have about the request to change the zoning at 1379 N. Warm Springs Road. We hope that all of the concerns we have listed will be seriously considered and addressed.

Please respond back to me and confirm the receipt of this email.

Sincerely,

Brian and Ashley Davis

Preston Shepherd: Preston Shepherd was present to speak on this item. He stated that he understood when Susan received an exception to go to 5 acres, and is okay with that. He said if this is denied, he will shut up and go away. However, if it is approved he is looking for recourse since the law is being held against him and not others.

Fitzgerald: "Fitzgerald" was present on Zoom and noted the following: Against rezoning. No infrastructure.

c) Proposed conditional use permit for Stephen Richardson to own and operate Richardson's Tires, a tire repair and replacement business, on 0.44 acre at 148 S. West St. in the RM-7 zone.

No comments.

d) Proposed conditional use permit for Kaidon Elmer to own and operate Elmer Automotive LLC, a general automotive repair and maintenance business, on 0.32 acre at 23 W. Clark St. in the RM-7 zone.

Email Received 11/30/2024

Good Morning,

I received the notice in the mail this morning concerning 23 W Clark St and the Automotive shop. My husband and I have discussed how we feel about this as our property is 79 N Hale St, and we share a fence in our backyard with this neighbor.

We are torn but leaning toward a negative, considering the long-term consequences of this decision. We already have an automotive shop on our street, and we find often enough that in the process of testing the cars, there are recurring occasions of testing that result in racing up our street. We have four children, three of whom are five and under, which is already concerning for us. Having another mechanic shop around the corner, resulting in an added traffic of cars being tested at high speeds on our residential streets, seems like a safety concern for our children. This neighbor has already been clocked as driving his black truck at higher speeds up Hale St than is appreciated by those who have children.

However, we are very entrepreneurial, so this decision seems complicated. It would be ideal if there were a way to test the vehicles in places other than Clark and Hale.

I am very excited about this neighbor and his drive to start his own business; however, I do have concerns about how this would work with the lot in question, increasing traffic into the back portion of the property.

Our biggest question is whether this would improve the quality of our neighborhood, increase safety, or detract from both. We already have several businesses on Hale St, so between that and the fact that it is an access road from and to Burmester, we experience our fair share of cars speeding. As a parent who appreciates the mostly rural neighborhood quality of my area, I would really hate to see that increase.

However, I know this is a growing community, and I appreciate that someone can start a business and earn their family's livelihood. It is just a tough decision to make.

These are our concerns. Thank you for taking the time to read them.

With regards,

Linsey & Spencer Ostler

79 N Hale St.

Email Received 12/2/2024

To whom it may concern:

We ran by the proposed address for the Elmer Automotive LLC and it was far too narrow to have a car garage operating there.

Cars would be parked double stacked along the street in front of that property because there is no parking and it would block the sidewalk. There is already a garage just around the corner from this proposed site. One garage is an eyesore and two is a nightmare in the same vicinity. Thank you so much for your time.

Larry Rust

Teresa Sprouse: Teresa Sprouse was present to speak on this item. She noted that she owns property right next to this one, at 5 W. Clark St., which shares a fence with this property. She stated that she has spoken with the applicant and has no issues with this proposal.

Brad Sutton: Brad Sutton was present to speak on this item, and stated that he lives a few houses away from this one. He expressed that he does not have anything against the applicant, but that he feels this type of operation belongs in an RM-7 residential area. He stated that it is a bad precedent to set. He noted that there are some large commercial lots nearby, but that this is not one of them. He stated that he does not believe an application in other residential areas in the City would even be considered.

e) Proposed conditional use permit for AGX Automotive to own and operate an automobile wholesale dealer business, on 1.80 acre at 292 N. Hwy 138 in the M-D zone.

No comments.

f) Proposed amendments to the Grantsville City Land Use and Management Code to remove the Planned Unit Development (PUD) including modifications to Chapter 2, 3.6, 4.5, 4.12, 6.15, 8.9, 9.3, 9.5, 14.6, 15.7, 16.2, 16.4, 16.8, 17.3, 19.5, 19a.1, 21.1.15, 21.2.11, 21.6.2, and 21.6.12, and repealing Chapter 12 and 21.5

7:35

Gary Pinkham: Gary Pinkham was present to speak on this item. He stated that he is very much in favor of this proposal, and recommended it a few weeks previously to staff members and the Commissioners. He stated that the process is not being properly followed and is being misused by developers. He said that it looks like someone has done a good job of researching the code and finding the sections the PUD needs to be removed from. He said that he is concerned about chapter 12, where the MDA language is, and that by repealing the chapter the MDA language would be completely removed from the code as well. He noted that MDA language often discusses utilities, traffic, open space, and potential variances to the code. He stated that because of this the MDA language should at least require review by staff, public works, the fire department, the engineer, and Planning Commission, before being presented to the City Council.

AGENDA
1. Concept plan presentation for a possible PUD at 279 E. Main St., in the RM-7 zone.

Stephen McCutchan was present to represent this project. He noted that he heard the public hearing for the removal of the PUD from the code, and questioned what process would be used instead for projects like this one. Chairman Rick Barchers stated that a new variance process would be followed instead, possibly through the MDA process.

Mr. McCutchan stated that the subject property is just under 0.9 acre and is zoned RM-7. He stated that 5 units are allowed on the property with current zoning. He noted one option is to create four additional attached units to be rented out. He stated that one reason behind this proposal is to offer homeownership instead, with smaller lots. He said that they are hoping to get a sense of if this proposal is reasonable in this zone, rather than the 5-unit rental that is currently allowed. He noted that this proposal would be a PUD because variances would be required.

Chairman Barchers stated that he would have issues with the smaller lot sizes and other items. He said that only specific items can be discussed at this time, as it is a concept presentation. However, he noted that Mr. McCutchan alluded to a thinner road. Mr. McCutchan clarified that it would be 22 feet of asphalt and rolled curbs, with sidewalks. Chairman Barchers stated that the code only allows two units to be serviced by a private lane, for safety reasons and utilities. He

noted that a thinner road would be a safety issue for the residents, especially children. Chairman Barchers noted that he also has issues with reducing personal open space. Mr. McCutchan questioned how much open space is needed for one family dwelling unit. Chairman Barchers explained that there is no park close by, and the children need somewhere to go and play. He noted that there is research that supports the need for open space.

Commissioner Trent Stirling asked what the dimensions of the front side are. Zoning Administrator Shelby Moore clarified that the proposed lot is 54 feet wide, and 85 feet including the private lane. Chairman Barchers stated that he feels comfortable with the City code as is, and outlining the yard sizes, setbacks, and definitions.

Chairman Barchers read standard D from the applicant's response, in regards to the use being harmonious with the surrounding uses in the area. He reiterated that this proposed use is not harmonious with the surrounding uses. He also noted that flag lots are not allowed in Grantsville City anymore. Chairman Barchers acknowledged Mr. McCutchan's mention that attached dwellings are permitted in the zone, and stated that he would prefer to see that over this proposal.

2. Discussion of the proposed amendment to the Grantsville City General Plan and Future Land Use Map for Warm Springs Ranches to go from a Rural Residential 2 designation to a Medium Density designation, located at approximately 1379 N. Warm Springs Rd.

0:52:17

Manjinder Singh was present to represent this item. He stated that he appreciates the comments given by his neighbors. He noted that they just want to see what their options are for this property. He said there are properties nearby with 1 acre lots and condominiums. Mr. Singh stated that their goal is to create four parcels, but they have also considered creating just three parcels. He noted that one plan shows a private road and another shows a public road.

The Commissioners noted that the current zoning matches the zoning on the future land use map.

Commissioner Trent Stirling stated he is not comfortable with the three present Commissioners making a change as large as this one, to a future zoning that was decided by previous board members.

Chairman Barchers stated that his issue is the proposed zoning not aligning with the future land use map zoning. He also noted that the proposed lots would have to be on a septic system, and that the standards are pretty high for those. He stated that he would like to see the use stay as it is.

The size of the land was noted to be just under 10 acres, and therefore could not be split into two lots as they could not both be 5 acres. Mr. Singh explained that this was the reason for their rezone request, so they could have more than one lot and home there.

It was noted that a minor subdivision had already been done for this property, so a subdivision of this lot would need to be a level 3 subdivision. Attorney Tysen Barker read portions of the City code which mentioned the additional requirements of going from a level 2 to a level 3 subdivision.

The Commissioners concluded that they are not in favor of going against the general plan and future land use map.

Chairman Barchers noted to the applicant that if a rezone is denied, no rezone application can be made for that property for the next two years.

3. Discussion of the proposed Rezone of Warm Springs Ranches from zoning designation RR-5 to RR-2.5, located at approximately 1379 N. Warm Springs Rd.

No further discussion took place, as this item was discussed along with item number 2.

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

This item was pulled from the agenda.

5. Consideration of the proposed Rezone to go from zoning designation A-10 to MU, for the property located at approximately 799 N. 600 W.

This item was pulled from the agenda.

6. Consideration of the proposed conditional use permit for Stephen Richardson to own and operate Richardson's Tires, a tire repair and replacement business, on 0.44 acre at 148 S. West St. in the RM-7 zone.

Stephen Richardson was present to represent this item. He stated that he has lived in Grantsville for the last 5-6 years, and would like to offer his skillset to the community. He noted that the location of his property is unique in that the presence of customers would not get in the way of traffic. He explained that his business would allow residents to receive these services without having to travel to Tooele.

Ms. Moore noted that this use is prohibited by City Code, so staff is required to deny the permit. However, the applicant has the right to appeal the decision to the Planning Commission, which is why this item is being considered at this meeting. She also noted that while this is not allowed, other permits of similar uses have been approved in the same zone and similar areas.

Chairman Barchers asked if he has been operating this business, and Mr. Richardson stated that he has not performed these business functions.

Mr. Richardson noted that he has just one neighbor to the South, cows to the West, and a church to the North of his property. He expressed that his business will cause minimal

Commissioner Stirling asked how many cars could be parked in front of the house. Mr. Richardson stated that five cars could easily fit there at one time.

Commissioner Downward asked if the applicant had considered putting a privacy fence up around the property. Mr. Richardson noted that there is a privacy fence surrounding much of the property, and that the area which would be used for the business is not very visible from the road.

Chairman Barchers asked if the future land use zoning of this property would allow this use.

The Commissioners noted that they are in favor of approving this permit, but must wait until they receive some counsel from the City Attorney regarding the legality of it.

> **Rick Barchers made a motion to table the proposed conditional use permit for Stephen Richardson to own and operate Richardson's Tires, a tire repair and replacement business, on 0.44 acre at 148 S. West St. in the RM-7 zone. Jeff Downward seconded the motion. The vote is as follows: Jeff Downward "Aye," Trent Stirling "Aye," Rick Barchers "Aye." The motion carried unanimously.**

7. Consideration of the proposed conditional use permit for Kaidon Elmer to own and operate Elmer Automotive LLC, a general automotive repair and maintenance business, on 0.32 acre at 23 W. Clark St. in the RM-7 zone.

Ms. Moore noted that this item is similar to agenda item 6, where it is not an allowed use by code, but they are appealing the decision.

Chairman Barchers asked if in the future they could create an area in which businesses like this would be allowed. Attorney Barker confirmed that they could map an area in which businesses like this would be allowed.

The Commissioners noted that they must wait to make a decision on this until they receive some counsel from the City Attorney regarding the legality of it.

> **Rick Barchers made a motion to table the proposed conditional use permit for Kaidon Elmer to own and operate Elmer Automotive LLC, a general automotive repair and maintenance business, on 0.32 acre at 23 W. Clark St. in the RM-7 zone. Trent Stirling seconded the motion. The vote is as follows: Jeff Downward "Aye," Trent Stirling "Aye," Rick Barchers "Aye." The motion carried unanimously.**

8. Consideration of the proposed conditional use permit for AGX Automotive to own and operate an automobile wholesale dealer business, on 1.80 acre at 292 N. Hwy 138 in the M-D zone.

Ms. Moore noted that this item is similar to agenda items 6 and 7, where it is not an allowed use by code, but they are appealing the decision.

Wyatt Labrum was present and explained that the purpose of this permit is to

Chairman Barchers stated that he is not sure why automobile sales are not allowed in this zone. Mr. Labrum agreed that he is also unsure of why it is not permitted, especially as automobile repair is permitted. Chairman Barchers asked staff to prepare the proposed code amendment to have this use be a conditional use in this zone, and bring it forward at the next meeting.

> **Rick Barchers made a motion to table the proposed conditional use permit for AGX Automotive to own and operate an automobile wholesale dealer business, on 1.80 acre at 292 N. Hwy 138 in the M-D zone. Jeff Downward seconded the motion. The vote is as follows: Jeff Downward "Aye," Trent Stirling "Aye," Rick Barchers "Aye." The motion carried unanimously.**

9. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code to remove the Planned Unit Development (PUD) including modifications to Chapter 2, 3.6, 4.5, 4.12, 6.15, 8.9, 9.3, 9.5, 14.6, 15.7, 16.2, 16.4, 16.8, 17.3, 19.5, 19a.1, 21.1.15, 21.2.11, 21.6.2, and 21.6.12, and repealing Chapter 12 and 21.5.

Jay Springer with Smith Hartvigsen was present on Zoom to answer questions about this item. He noted that this was discussed briefly in a previous meeting, to fix the PUD process to better fit the needs of Grantsville. He noted that he has worked with staff on the chapters that mention the PUD, but that repealing the chapters right now is a possibility. He explained that without the PUD process deviation requests would still go through a review process, but that the City would have more discretion than with the PUD. He noted that any code deviation requires a legislative act through LUDMA. He explained that MDAs are required for any code deviation that requires a legislative act, repealing the PUD process is just removing the question of how the deviations were approved.

> **Trent Stirling made a motion to make agenda item number nine an action item. Jeff Downward seconded the motion. The vote is as follows: Jeff Downward "Aye," Trent Stirling "Aye," Rick Barchers "Aye." The motion carried unanimously.**
>
> **Trent Stirling made a motion to recommend approval of the proposed amendment to the Grantsville City Land Use and Management Code to remove the Planned Unit Development (PUD) including modifications to Chapter 2, 3.6, 4.5, 4.12, 6.15, 8.9, 9.3, 9.5, 14.6, 15.7, 16.2, 16.4, 16.8, 17.3, 19.5, 19a.1, 21.1.15, 21.2.11, 21.6.2, and 21.6.12, and repealing Chapter 12 and 21.5. Jeff Downward seconded the motion. The vote is as follows: Jeff Downward "Aye," Trent Stirling "Aye," Rick Barchers "Aye." The motion carried unanimously.**

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

Ms. Moore noted that she and Mr. Springer took the feedback from the previous meeting, and implemented it along with Aqua Consultant Shay Stark's proposal.

> **Rick Barchers made a motion to recommend approval of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 3 (Decision Making Bodies, And Officials). Jeff Downward seconded the motion. The vote is as follows: Jeff Downward "Aye," Trent Stirling "Aye," Rick Barchers "Aye." The motion carried unanimously.**

11. Consideration of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 21 (Subdivision Regulations), to implement modifications from SB174/ HB0476.

Ms. Moore noted some items that were changed, including words that were not intended to be there like, "duck", modifying language to match state code, and other basic corrections.

Mr. Springer noted that several corrections were made based on discussions previously had. He explained the changes in 21.2.11 and that the levels were identified, processes cleaned up, and modifications made to include the appropriate people in the processes.

> **Jeff Downward made a motion to recommend approval of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 21 (Subdivision Regulations), to implement modifications from SB174/ HB0476. Trent Stirling seconded the motion. The vote is as follows: Jeff Downward "Aye," Trent Stirling "Aye," Rick Barchers "Aye." The motion carried unanimously.**

12. Report from Zoning Administrator.

Ms. Moore asked if the Commissioners would be able to make it to the meeting on December 19, 2024. Commissioner Downward stated that he cannot attend that meeting. Chairman Barchers said he will attend via Zoom. Commissioner Stirling said he could make it if the others could. Ms. Moore asked the Commissioners to review the proposed ADU verbiage, and noted that they are required by the State to have ADU verbiage adopted by January 2025.

The Commissioners stated that they can attend the January 2, 2025 meeting.

City Council Liaison Rhett Butler asked Ms. Moore to provide the number of PUDs that are currently in the review process. He also requested that two individuals, one from the Planning Commission and one from the City Council, visit each public notice sign that is posted and scan the QR code to make sure it is working. Attorney Barker also volunteered to do this task if needed.

13. Open Forum for Planning Commissioners.

No further discussion took place.

14. Report from City Council.

No further discussion took place.

15. Adjourn.

Jeff Downward made a motion to adjourn. Trent Stirling seconded the motion. The vote is as follows: Jeff Downward "Aye," Trent Stirling "Aye," Rick Barchers "Aye." The motion carried unanimously. The meeting ended at 9:08 P.M.

AGENDA ITEM #08

Report from Zoning Administrator.

AGENDA ITEM #09

Open Forum for Planning Commissioners

AGENDA ITEM #10

Report from City Council.

AGENDA ITEM #11

Adjourn