**PUBLIC NOTICE**

The Grantsville City Planning Commission will hold a Regular Meeting at 7:00 p.m. on Thursday, February 6, 2025 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

**ROLL CALL**

**PLEDGE of ALLEGIANCE**

**PUBLIC HEARING**

a) Proposed Amendments to Chapter 2 Grantsville Land Use and Management Code.
b) Proposed Amendments to the Presidents Park PUD located at approximately 600 E. Nygreen St.
c) Proposed General Plan and Future Land use amendment for Grantsville Springs located at approximately 880 N Old Lincoln Hwy to go from a RR-1 designation to a Mixed-use density.
d) Proposed Rezone for Grantsville Springs located at approximately 880 N Old Lincoln Hwy to go from a PUD designation to a MU designation

**AGENDA**

1. Consideration of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 2 (Definitions).
2. Discussion of the proposed Future Land use amendment for Grantsville Springs located at approximately 880 N Old Lincoln Hwy to go from a RR-1 designation to a Mixed-use density.
3. Discussion of the proposed Rezone for Grantsville Springs located at approximately 880 N Old Lincoln Hwy.
4. Discussion of the proposed amendment to the PUD for Presidents Park located at approximately 600 E. Nygreen St. and Washington Ave.
5. Approval of minutes from the November 7, 2024 Planning Commission Regular Meeting.
6. Approval of minutes from the December 5, 2024 Planning Commission Regular Meeting.
7. Report from Zoning Administrator
8. Open Forum for Planning Commissioners.
9. Report from City Council.
10. Adjourn.

**Shelby Moore**
**Zoning Administrator**
**Grantsville City Community & Economic Development**

**Scan QR code to join Zoom meeting.**

**Join Zoom Meeting**
https://us02web.zoom.us/j/87842474727
Meeting ID: 878 4247 4727

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

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

## Grantsville City Planning Commission

## February 6, 2025
## Public Notice

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

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 **February 6, 2025 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 2 (Definitions)** and make a recommendation to the City Council.

You can view a copy of the agenda and packet online by 5:00pm on January 31, 2024 at the link below:
https://grantsvilleut.gov/departments/community___economic_development/planning_commission .php

Or by emailing pzcommission@grantsvilleut.gov.

Dated this 27th day of January, 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.
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Meeting ID: 878 4247 4727

**GRANTSVILLE CITY PLANNING COMMISSION**

**February 6, 2025**
**PUBLIC NOTICE**

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 February 6, 2025 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 proposed PUD Amendment for the Presidents Park Townhomes PUD, located at approximately 600 E Nygreen Street and make a recommendation to the City Council. You can view a copy of the proposed application online at the link below, by January 31, 2025

https://www.grantsvilleut.gov/departments/community___economic_development/planning_commission.php

Or by emailing pzcommission@grantsvilleut.gov All comments and concerns need to be sent in writing through email or mail and received no later than noon February 5, 2025.

Dated this 27 day of January, 2025

**BY ORDER OF THE GRANTSVILLE PLANNING COMMISSION**

Shelby More
Zoning Administrator

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https://us02web.zoom.us/j/87842474727
Meeting ID: 878 4247 4727

**GRANTSVILLE CITY PLANNING COMMISSION**

**February 6, 2025**
**PUBLIC HEARING**

**Public hearing for the proposed amendment to the Future Land Use Map and General Plan, to go from Rural Residential 1 to Mixed-Use Density and the proposed Rezone to go from designation A-10 to Multi-Use, located at approximately 880 N Old Lincoln Hwy.**

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 February 6, 2025 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 proposed amendment to the Future Land Use Map and General Plan, to go from Rural Residential 1 to Mixed-Use Density and the proposed Rezone to go from designation A-10 to Multi-Use, located at approximately 880 N Old Lincoln Hwy. You can view a copy of the proposed application online at the link below, by January 31, 2025

https://www.grantsvilleut.gov/departments/community___economic_development/planning_commission.php

Or by emailing pzcommission@grantsvilleut.gov All comments and concerns need to be sent in writing through email or mail and received no later than noon February 5, 2025.

Dated this 27 day of January, 2025

**BY ORDER OF THE GRANTSVILLE PLANNING COMMISSION**

Shelby More
Zoning Administrator

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# AGENDA ITEM #1

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

## Chapter 2 Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(18) AUTOMATIC CAR WASH. A facility for automatic or self-service washing and cleaning of automobiles and small trucks not exceeding 1 & 1/2 tons capacity.

(19) AUTOMOBILE PAINT SHOP. A facility for painting of automobiles, trucks, trailers, boats, or other travel or recreation vehicles or unit.

(20) AUTOMOBILE REPAIR FACILITY OR SERVICE STATION**.** A place where gasoline or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and repair services performed may include tube and tire repair, battery charging, storage of merchandise, and tune-up of automobiles, including major auto repair.

(21) AUTOMOBILE SALES AREA. An open area used for display, sale, or rental of new or used motor vehicles, mobile homes, recreational coaches, or recreation vehicles in operable condition.

(22) AUTOMOTIVE SALVAGE YARD (AUTOMOBILE WRECKING OR PROCESSING YARD). A lot or portion thereof used for the storage, dismantling, demolition, or abandonment, other vehicles, other machinery, or parts thereof.

(23) AUTOMOBILE SELF SERVICE STATION. A place where gasoline or any other motor fuel for operating motor vehicles is offered for sale and is dispensed to the vehicle by the purchaser, the self service station may be independent or in conjunction with a retail store.

(24) AUTOMATIC TRUCK WASH. A facility for automatic self-service washing or cleaning of trucks exceeding 1/2 tons capacity.

(25) AVERAGE SLOPE. An expression of rise or fall in elevation along a line perpendicular to the contours of the land connecting the highest point of land to the lowest point of land within a lot or building area. A vertical rise of 100 feet between two points 100 feet apart measured on a horizontal plane is 100 percent slope.

(26) AWNING. A shelter projecting from and supported by the exterior wall of a building constructed of non rigid materials on a supporting framework. (Compare "Marquee")

(27) AWNING SIGN. A sign painted on, printed on. or attached flat against the surface of an awning.

(28) BACK LIT AWNING. (see "Electric Awning Sign")

(29) BANNER SIGN. A Sign made of fabric or any non rigid material with no enclosing framework.

(30) BASEMENT. A story whose floor is more than 12 inches below the average level of the adjoining ground, but where no more than 1/2 of its floor-to-ceiling heights is below the average contact level of the adjoining ground. A basement shall be counted as a story for purposes of height measurement, and as a half-story for the purpose of side-yard determination.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(103) FAMILY. One individual, or two or more persons related by blood, marriage, or adoption, living together in a single dwelling unit and maintaining a common household. a family may include four, but not

more than four, non-related persons living with the residing family, the term family shall not be construed to mean a group of non-related individuals, a fraternity, club, or institutional group.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

for the parking of motor vehicles in order to meet the parking requirements of this Code, or any such floor space intended and designed for accessory heating and ventilating equipment.

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

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

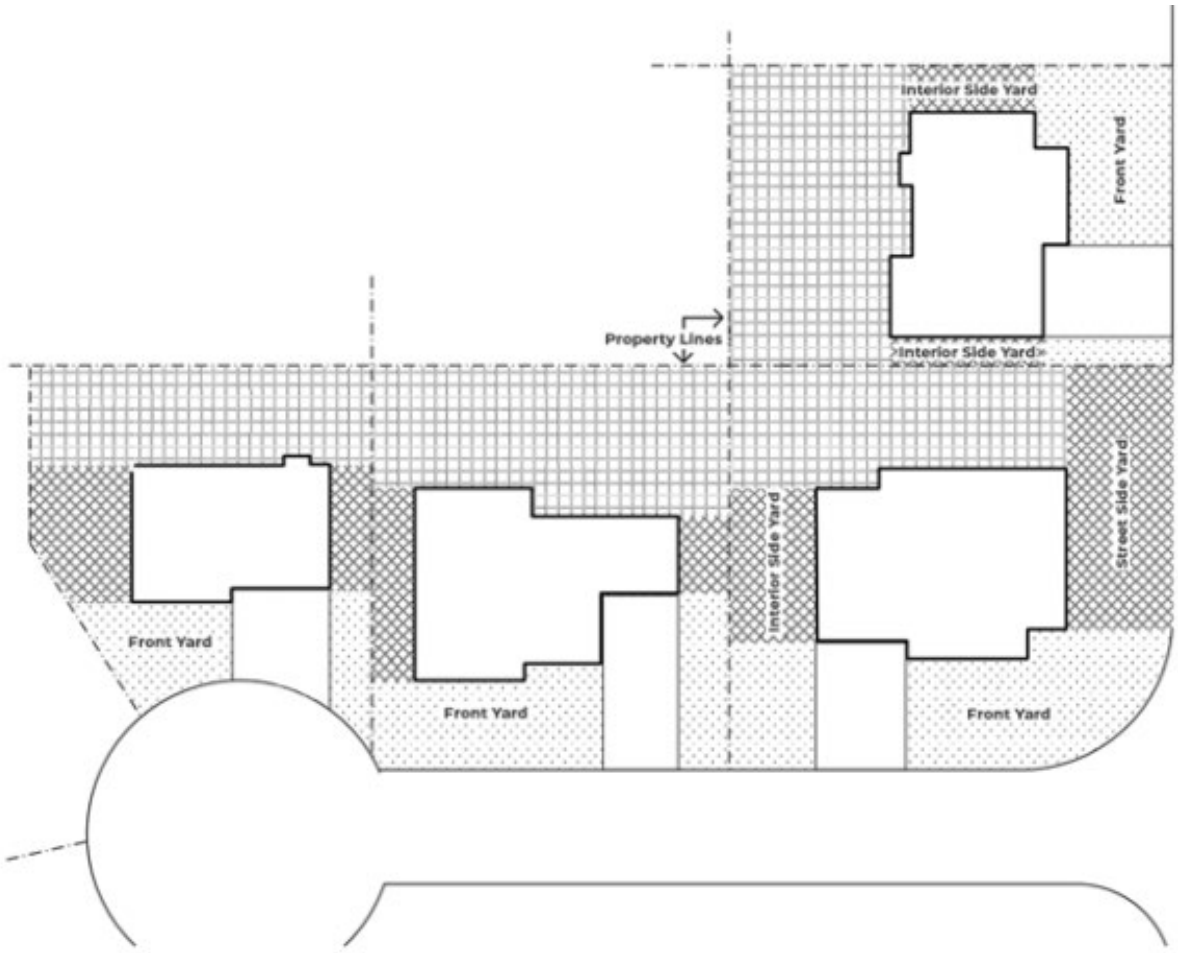
(120) FRONTAGE. All property fronting on side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end street, or political subdivision boundary, measured along the street line. all intercepting street shall determine only the boundary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

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

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

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

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




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

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

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

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

(128) GEOLOGIC HAZARD. A hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property, or improvements, due to the movement, failure, or

shifting of the earth, Geologic hazards include but are not limited to; rockfills, slide areas, flood plains, fault lines, high water table, and ground water problems, such as liquefaction, etc.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

neighborhood will remain in harmony with the general intent of the zoning district and that, where uncertainty exists, neighborhood residential values shall be considered paramount.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(163) LEGISLATIVE BODY. The City Council.

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

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

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

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

(167) LOT. Means a tract of land, regardless of any label, that is created by and shown on a subdivision plat that has been recorded in the office of the county recorder.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

manufactured homes constructed on or after June 15, 1976, shall be identifiable by the manufacturer's data plate bearing the date the unit was manufactured and a HUD label attached to the exterior of the home certifying the home was manufactured to HUD standards.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(207) NON CONFORMING SIGN.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) The open space shall be open to the sky or shall be open to view on at least two sides.

(b) The space shall be readily accessible by foot traffic from the dwelling unit to which it is accessory.

(c) If the space is provided on a balcony, roof, or other facility above grade, it shall have such protective devices as are deemed necessary by the building inspector to assure reasonably safe usage by the children and adults.

(d) The space shall not be provided from any required front or side yard, parking area, or driveway space.

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

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

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

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

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

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

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

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

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

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

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

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

(234) PERSON. An individual, corporation, partnership, organization, association, trust, governmental agency, or any other legalentity. legalinterest

(235) PLANNED UNIT DEVELOPMENT (PUD). An integrated design for development of residential, commercial or industrial uses, or limited combination of such uses, in which the density and location regulations of the district in which the development is situated may be varied or waived to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed requirements. Planned unit development regulations may govern the subdivision of land if it is proposed

by the development to sell individual lots in the planned unit development. Thus planned unit development regulations can be subdivision regulations which may be chosen by the developer as an alternative to specifically designated subdivision regulations of this Code, to become effective only through the planned unit development approval process.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(279) SIGN, AREA OF.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(307) SUBDIVISION. Any land that is divided, resubdivided or purposed to be divided into two or more lots, parcels, sites, units, plots, or other dividsion of land for the purpose, whether immediate or future, for

offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

1. "Subdivision" includes:
    1. The or development of land whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument, regardless of whether the division includes all or a portion of a parcel or lot; and
    2. Except as provided for in the following Subsection regarding the division or partition of agricultural land, divisions of land for residential and non-residential uses, including land used or to be used for commercial, agricultural, and industrial purposes.
2. "Subdivision" does not include:
    1. A bona fide division or partition of agricultural land for the purposes of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance;
    2. A recorded document, executed by the owner of record;
    3. Revising the legal description of multiple parcels into a legal description encompassing all such parcels; or
    4. Joining a lot to a parcel.
3. A boundary line agreement recorded with the Tooele County Recorder between owners of adjoining subdivided properties adjusting the mutual lot line boundary in accordance with Utah Code Ann. Section 10-9a-524 (2021) and 10-9a-608 (2023), if:
    1. No new dwelling lot or housing unit will result from the adjustment; and
    2. The adjustment will not violate any applicable land use ordinance.
    3. A bona fide division of land by deed or other instrument if the deed or other instrument states in writing that the division;
        1. Is in anticipation of future land use approvals on the parcel or parcels;
        2. Does not confer any land use approvals; and
        3. Has not been approved by the land use authority.
    4. A parcel boundary adjustment;
    5. A lot line adjustment;
    6. A road, street, or highway purpose; or
    7. Any other division or land authorized by law.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

HISTORY

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|---|---|---|---|---|---|
| *Amended* | *by* | *Ord.* | *2019-10* | *on* | *5/1/2019* |
| *Amended* | *by* | *Ord.* | *2019-15* | *on* | *8/7/2019* |
| *Amended* | *by* | *Ord.* | *2021-23* | *on* | *5/19/2021* |
| *Amended* | *by* | *Ord.* | *2022-31* | *on* | *12/7/2022* |
| *Amended* | *by* | *Ord.* | *2023-03* | *on* | *5/17/2023* |

*Amended by Ord. 2024-05 on 1/31/2024*

# AGENDA ITEM #2

Discussion of the proposed Future Land use amendment for Grantsville Springs located at approximately 880 N Old Lincoln Hwy to go from a RR-1 designation to a Mixed-use density.

# AGENDA ITEM #3

Discussion of the proposed Rezone for Grantsville Springs located at approximately 880 N Old Lincoln Hwy.

**GRANTSVILLE CITY PLANNING COMMISSION**

**February 6, 2025**
**PUBLIC HEARING**

**Public hearing for the proposed amendment to the Future Land Use Map and General Plan, to go from Rural Residential 1 to Mixed-Use Density and the proposed Rezone to go from designation A-10 to Multi-Use, located at approximately 880 N Old Lincoln Hwy.**

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 February 6, 2025 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 proposed amendment to the Future Land Use Map and General Plan, to go from Rural Residential 1 to Mixed-Use Density and the proposed Rezone to go from designation A-10 to Multi-Use, located at approximately 880 N Old Lincoln Hwy. You can view a copy of the proposed application online at the link below, by January 31, 2025

https://www.grantsvilleut.gov/departments/community___economic_development/planning_commission.php

Or by emailing pzcommission@grantsvilleut.gov All comments and concerns need to be sent in writing through email or mail and received no later than noon February 5, 2025.

Dated this 27 day of January, 2025

**BY ORDER OF THE GRANTSVILLE PLANNING COMMISSION**

Shelby More
Zoning Administrator

Scan QR Code above or use the link below to join Zoom Meeting
https://us02web.zoom.us/j/87842474727
Meeting ID: 878 4247 4727

# Rezone Application

**Date: 01/10/2025**

---

**Developer / Engineer**

| | | | |
|---|---|---|---|
| Developer Name: | Westates Companies - Colton Bryan | Engineer Name: | n/a |
| Address: | 1950 N 2200 W, Suite 900 | Address: | |
| City, State, Zip: | Salt Lake City | City, State, Zip: | |
| Phone: | 4358810579 | Phone: | n/a |
| Email: | colton@westates.us | Email: | n/a |

---

**Owner Information**

| | | | |
|---|---|---|---|
| Owner Name: | WC-NSR2, LLC | Phone: | |
| Address: | | Email: | |
| City, State, Zip: | | | |

---

**Location**

| | | | |
|---|---|---|---|
| Contact Type: | Developer | Development: | Grantsville Springs |
| Permit Type: | Rezone | # of Acres: | 398.18 |
| Development Type: | PUD | Total Lots: | 2500 |
| Site Address: | (Approx.) 848 Old Lincoln Highway Grantsville, UT 84029 | Lot Sizes: | |
| | | Current Zoning: | |
| City, State, Zip: | | | |
| Site Parcel #: | 01-040-A-0013, 01-040-A-0030, 01-040-A-0029, 01-040-A-0031, 01-040-A-0004, 01-040-A-0003, 01-040-A-0032 | | |

Project Description:

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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.

| Colton Bryan | 01/10/2025 |
|---|---|
| Name | Date |

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

**Permit # 2025007**

**Staff Report Summary for**
**The Rezone, General Plan Amendment, And The Future Land Use Amendment For Grantsville Springs Located At Approximately 880 N Old Lincoln Hwy.**

**Parcel ID(s):** 01-040-A-0003, 0013, 0004, 0029, 0031, 0032.
**Property Address:** 880 N Old Lincoln Hwy
**Applicant Name:** Colton Bryan and Travis Taylor
**Request:** Rezone and General Plan Amendment
**Prepared By:** Shelby Moore

**Meeting Date:** 02-06-2025
**Public Hearing Date:** 02-06-2025
**Current Zone:** PUD
**Proposed Zone:** MU
**Current Future Land Use:** RR-1
**Proposed Future Land Use:** Mixed-Use Density

**Planning Staff Explanation and Recommendation:** Discussion of the Rezone, General Plan Amendment, and The Future Land Use Amendment for Grantsville Springs located at approximately 880 N Old Lincoln Hwy.

This rezone encompasses roughly 398.18 acres of property located on Old Lincoln Hwy. The current zoning of this property is PUD. The zoning maps at one time stated the following, "an integrated design for development of residential , commercial or industrial uses, or limited combinations of such uses, in which the density and location regulations of the district in which the development is situated may be varied or waived to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed requirements." This language has since been removed from the zoning maps and Grantsville City does not currently have a Zoning Districts for PUD's.

This property currently has a utility easement for the Wal-Mart Distribution Center sewer and has multiple wells that have been built to City Standards for future development. On the east side of the property there is a sewer line that runs from the Willow Fields PUD Development and connects into the sewer line for the Wal-Mart Distribution Center.

This property is in the flood plain area FEMA study as attached in the staff report. This will require them to work with FEMA to determine how to retain the water on their property.

**Property Details:**

- **Utility Easement:** The property includes a utility easement for the Wal-Mart Distribution Center sewer.
- **Wells:** Multiple wells have been built to city standards for future development.

- **Sewer Line Connection:** On the south east side of the property, a sewer line runs from the Willow Fields PUD Development and connects to the sewer line for the Wal-Mart Distribution Center.
- **Flood Plain:** The property is within the flood plain area as indicated by the FEMA study attached to this report. This requires coordination with FEMA to determine appropriate measures for water retention on the property.

**Staff Analysis:**

1. **Current Zoning and Proposed Changes:** The subject property, approximately 398.18 acres located on Old Lincoln Hwy, is currently zoned as Planned Unit Development (PUD). The PUD zoning allows for integrated designs of residential, commercial, or industrial uses, offering flexibility in site and building design according to zoning maps. However, this language has been removed from the zoning maps, and Grantsville City does not currently recognize PUD zoning districts. The proposed rezone seeks to update the zoning designation to align with current city zoning regulations and development goals.
2. **Infrastructure and Utility Easements:** The property includes a utility easement for the Wal-Mart Distribution Center sewer. Additionally, multiple wells have been constructed to city standards, ensuring adequate water supply for future development. A sewer line from the Willow Fields PUD Development runs along the southeast side of the property and connects to the sewer line for the Wal-Mart Distribution Center.
3. **Flood Plain Considerations:** The property is located within a flood plain area as identified in the attached FEMA study. This necessitates coordination with FEMA to implement appropriate water retention measures to manage potential flood risks. Ensuring proper drainage and water retention is critical for the sustainable development of the property and surrounding areas.

*** 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.*

# TECHNICAL MEMORANDUM

**TO:** Shelby Moore, Grantsville City Planning and Zoning Administrator

**FROM:** Shay Stark, Planner

**DATE:** January 29, 2025

**SUBJECT:** Grantsville Springs Rezone Application – Background and Completeness Review

**PROJECT NO.:** -

AQUA Engineering has reviewed the documents provided for the Grantsville Springs Rezone Application for completeness with respect to the items required by current Grantsville City Land Use and Management Code (GLUDMC) Chapter 3.18 Amendments and Rezoning, Zoning Application Requirements and Checklist Requirements, Conformance with General Plan Future Land Use Map Per GLUDMC 3.12 and 3.13 and the applicable zoning district ordinances found in GLUDMA Chapters 13 – 19a. The following documents were provided by the applicant and are part of the review:

Rezone & PUD Application Documents (There are two applications that have been submitted to the City and not all documents submitted apply to the rezone):

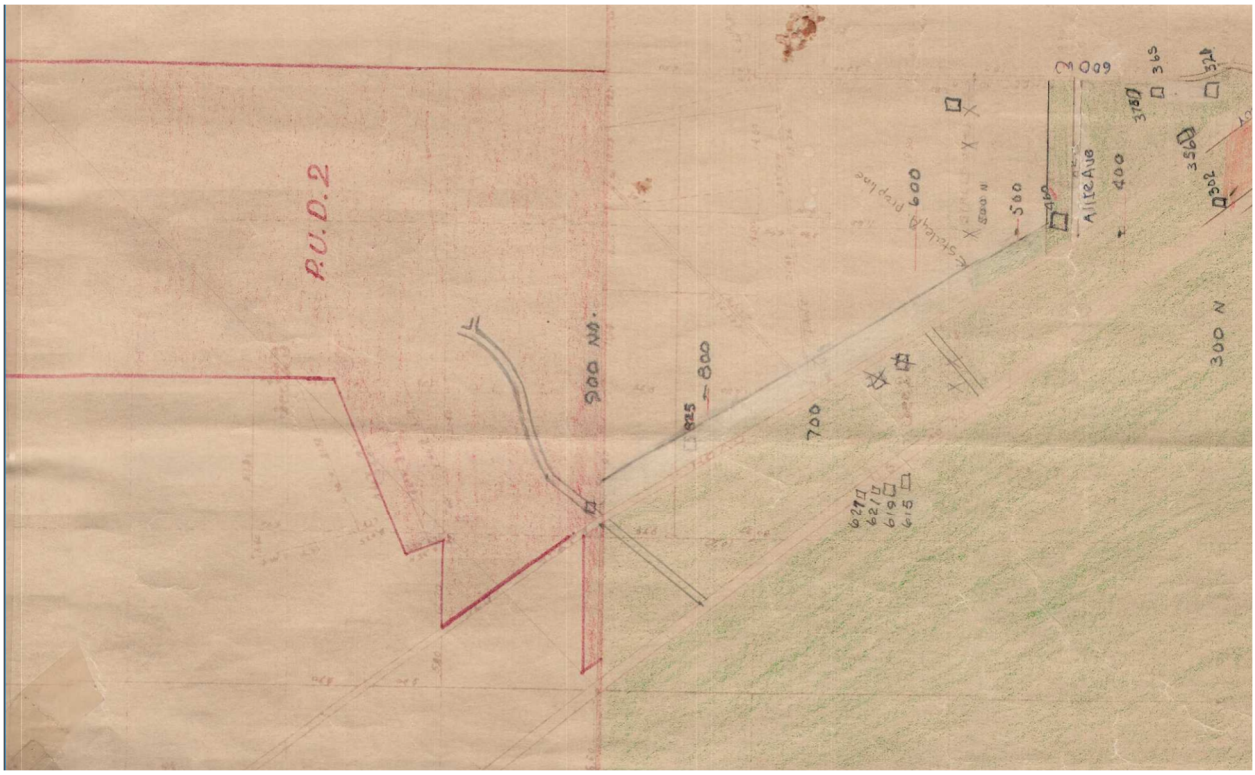
- Grantsville Springs Rezone Application, Applicant: Westates Companies – Colton Bryan, Dated 1/10/2025
- Legal Description
- Grantsville City Master Development Agreement for Grantsville Springs PUD Draft.
- Grantsville Springs Development Agreement – Addendum #1 – Request Variances to GLUDMC
- PUD Application Narrative Grantsville Springs – Requested Variances to GLUDMC
- Draft PUD Application Worksheet Grantsville Springs Master Plan.
- Master Development Concept with Wetlands Overlay
- Grantsville Springs PUD Application (Presentation) December 2024

**Background:**

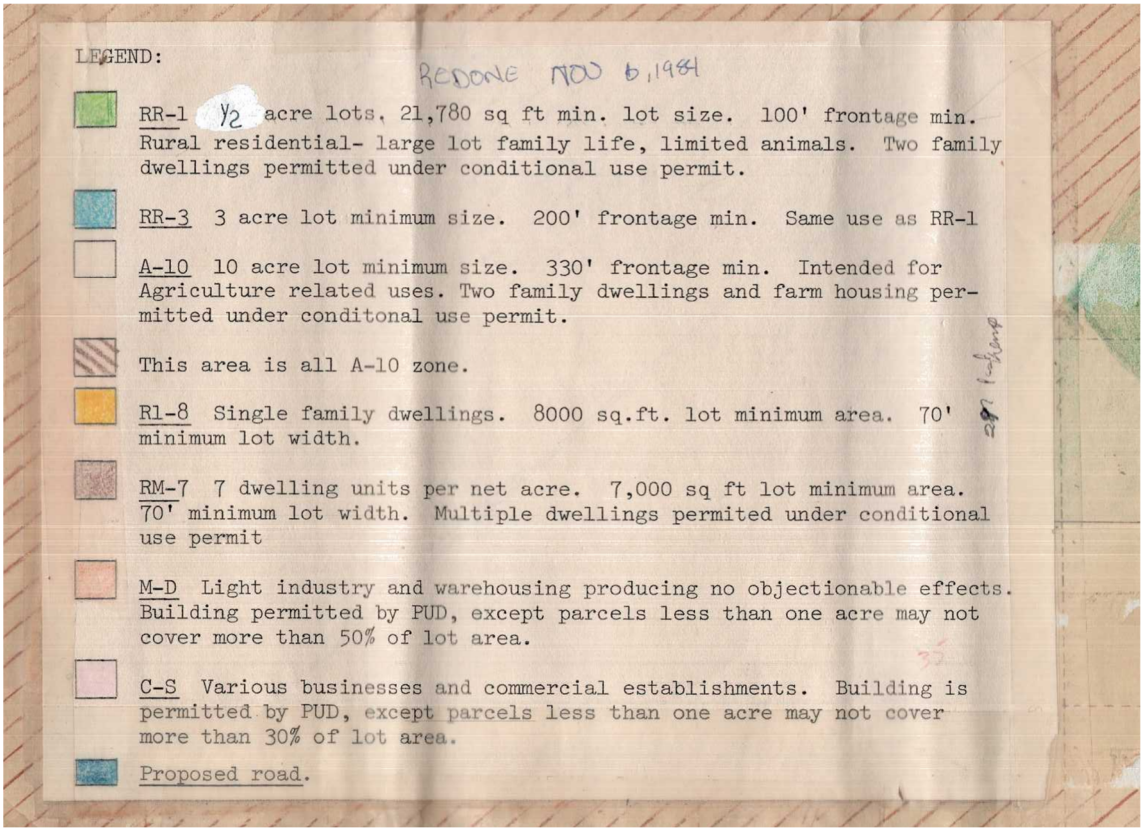
The Grantsville Springs Rezone application seeks to rezone the property from a PUD Zone to a Mixed-Use Zone. The purpose for this rezone is that the current Grantsville Land-Use Development and Management Code does not include a PUD zoning district.

The zoning of PUD on this property predates the earliest Grantsville Zoning Map on file with an amendment date of November 6, 1984. To my understanding the City has not found the annexation records for this property, nor have any historic ordinances been found that may have defined the PUD Zone that is assigned to the property. In fact the 1984 Zoning Map does not include a description of the PUD Zone in the Legend.


533 W 2600 S Suite 275 Bountiful, UT 84010
Phone: 801.299.1327 | Fax: 801.299.0153

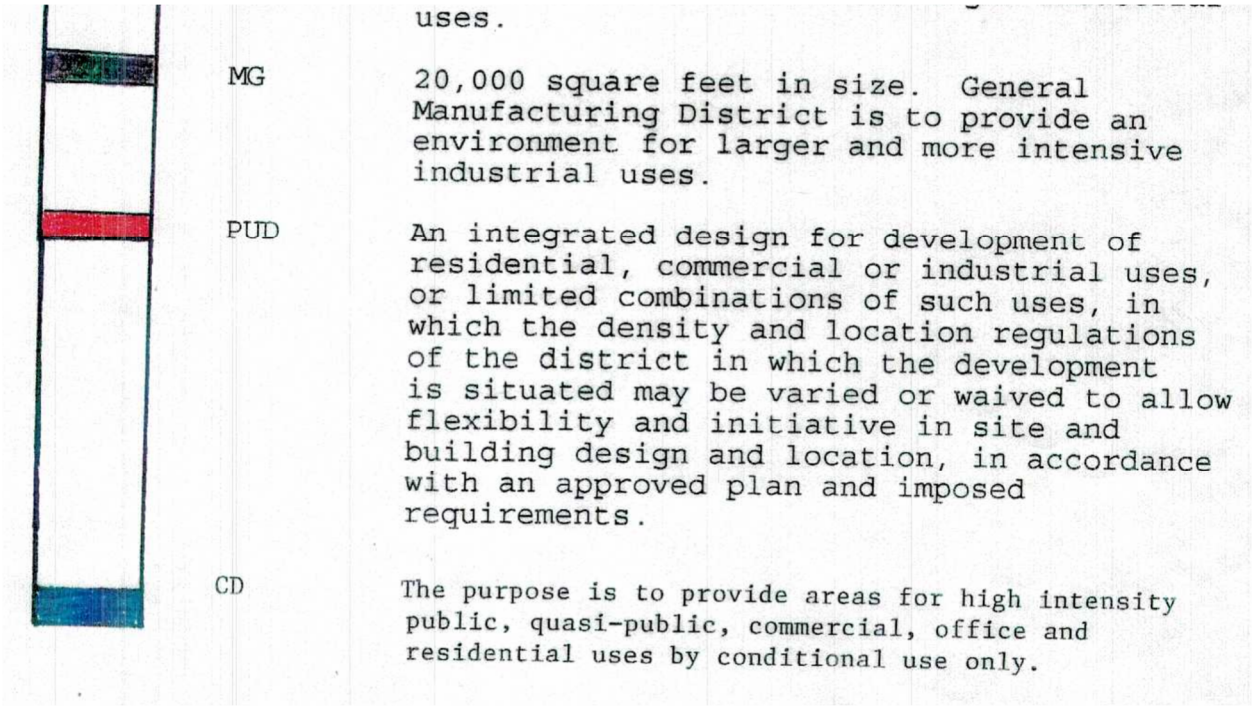



Subject Property shown zoned PUD 2 on 1984 Grantsville Zoning Map




Legend on 1984 Grantsville Zoning Map. Note that PUD-2 is not defined on the Legend

The next Zoning Map the City has found on file is dated July 1996. It was adopted along with a new set of land-use ordinances that formed the basis of the City's current land-use ordinances. On the 1996 Zoning Map the property is still shown zoned PUD, However, the Zoning Map Legend includes a description of the PUD zone:



Description of PUD Zone found on the Legend of the 1996 Grantsville Zoning Map.

This zoning description has carried through on each subsequent zoning map until the Planning Commission removed the descriptions off of the Zoning Map with the adoption of Zoning Maps on May 17, 2023. This step was taken because some of the language in the various zoning district descriptions conflicted between the Zoning Map and the actual GLUDMC ordinances. We have not found where the PUD zoning district was defined in the GLUDMC for at least the last eight years. We are not sure if it was defined previous to then.

This background is important because the lack of a definition of the PUD zone in the current or recent past GLUDMC, leaves the City and the Applicant in a bit of bind. According to state law 10-9a-306 Land Use Authority Requirements – Nature of Land Use Decision:

1. *A land use authority shall apply the plain language of land use regulations.*
2. *If a land use regulation does not plainly restrict a land use application, the land use authority shall interpret and apply the land use regulation to favor the land use application.*

The applicant is proposing in this application that property be rezoned to the mixed-use zone. This is the zone that the applicant feels best fits the intent of the original PUD zone.

**Completeness Review:**

REZONE APPLICATION:

The Application has been completely filled out and submitted. The project description that is requested in the application is addressed in the PUD documents describing the proposed project.

GRANTSVILLE CITY GENERAL PLAN AMENDMENT AND REZONE CHECKLIST:

1. Legal Description of the property for which the amendment is being requested:

   Complete

3. Radius report and plat map obtained from Tooele County along with envelopes, mailing labels and postage for each property owner located within 500 feet of the subject property boundary:

   To be determined by City.

5. Payment of Rezone Fee:

   To be determined by City

GLUDMC REZONE REQUIREMENTS (GLUDMC 3.18):

The guidance of this section applies mostly to procedural that the City Council and Planning Commission must follow in preparing and consideration of amendment to a zoning map or ordinance. These procedures are similar to the requirements found in state law 10-9a-503.

Item 4 explains that if the amendment is denied another application for rezone of the property may not be considered for two years with the exception of various situations explained in the language.

The subject property has not be up for rezone in the previous two years.

GENERAL PLAN FUTURE LAND-USE MAP:

GLUDMC 3.12 states that the General Plan is an “advisory guide for land use decisions.” This language mimics a portion of the language found in state law 10-9a-405.

GLUDMC 3.13 states that: *After the legislative body has adopted a general plan no street, park or other public way, ground, place, or space, no publicly owned building or structure, and no public utility, whether publicly or privately owned, may be constructed or authorized until and unless it conforms to the current general plan.* This language mimics State Law 10-9a-406.

The current (January 15, 2020) Future Land Use Map designates this property as Rural Residential 1(Residential use with applicable rural land uses, allowing 1 dwelling unit per 1 to 10 acres.)

GLUDMC CHAPTERS 13-19A:

GLUDMC Chapter 13 lists the Zoning Districts that are established in the City. This Chapter is the enabling legislation that provides authority to enforce the designations on the Zoning Map. Unlike the Future Land Use Map which is advisory only, through the adoption into ordinance of a Zoning District in Chapter 13 its location as described in the referenced zoning map and characteristic as described in subsequent chapters of the GLUDMC are enforceable. This is important as it provides not only the City the ability to limit uses and other important characteristics on a specific property but it also endows the property owner with a guarantee of specific rights of use as defined by the specific Zoning District. Thus, providing certain expectations of future use and value.

As was previously stated the PUD Zone is not currently found in Chapter 13. The Mixed-Use Zoning District is noted in Chapter 13 and is further characterized in Chapter 19a.

West Bank Master Plan:

The documents provided by the applicant make reference to the West Bank Master Plan. It must be mentioned that the land use planning portion of the is master plan was not adopted with the intention to amend the Grantsville City Future Land Use Map but that the Wet Bank Master Plan and Maps are only adopted to be used as guidance documentation in consideration of the Capital Facilities needs in the area. See the note below found on page 28 of the West bank Master Plan:

> Upon review of the Proposed Future Land Use Map in comparison with the Existing Grantsville Future Land Use Map and recognizing the large percentage of area within the study area that is currently vested with development rights, meaning that the intensity and types of uses have already been granted through land use actions such as approvals of Master Development Agreements, Planned Unit Developments, Preliminary and Final Plats, the Grantsville Planning Commission during its July 18th, 2024 meeting does not recommend wholesale Amendment of the existing Future Land Use Map to match the Proposed Future Land Use Map in the West Bank Master Plan but suggests that the West Bank Master Plan and included maps be used as a guidance document for consideration of Capital Facilities needs in the area.
>
> Grantsville City Council approved Resolution 2024-64 at the August 21st, 2024 City Council Meeting with the above recommendation from Planning Commission.

The rezone application for the proposed Grantsville Springs PUD has been found complete as far as providing the necessary information required by the City Code, Rezone Application and Rezone Checklist.

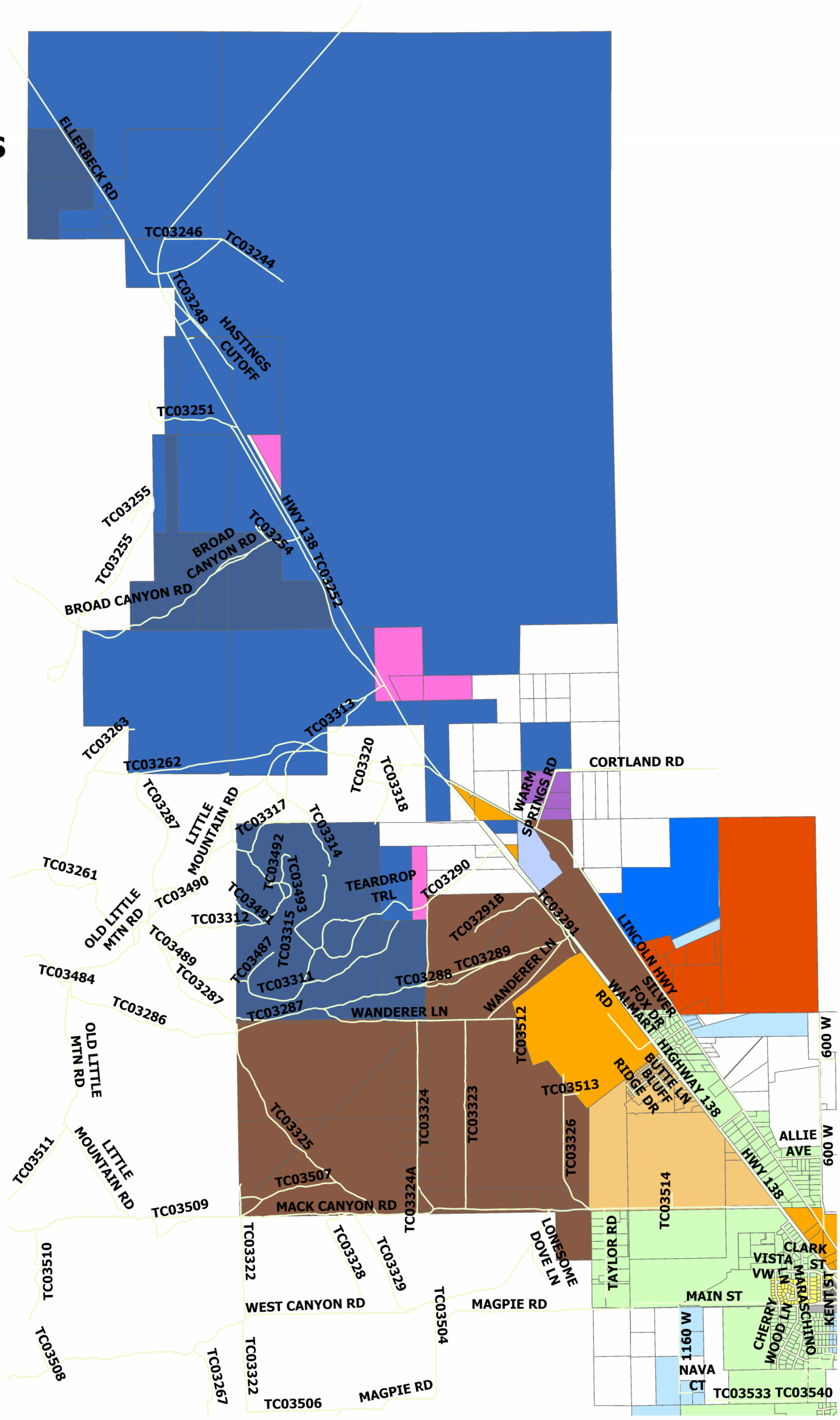
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01 040 A 0033
23 030 0 000A
Blue Fox Dr
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01 040 A 0032
05 078 0 0001
16 031 0 0002
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01 040 A 0026
01 040 A 0023
01 040 A 0013
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01 040 A 0022
01 040 A 0004
05 078 0 0002
05 078 0 0003
01 040 A 0001
Fox Hollow Dr
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01 062 0 0109
01 061 0 0001
01 061 0 0020
01 062 0 0001
01 062 0 0079
01 062 0 0081
01 062 0 0085
01 062 0 0056
01 062 0 0045
08 022 H 0001
01 062 0 0098
Picadilly St
01 062 0 0007
01 062 0 0009
01 062 0 0083
19 051 0 0004
01 061 0 0094
01 061 0 0093
01 061 0 0055
01 061 0 0056
01 061 0 0057

## LEGEND

### ZONING DISTRICTS

- A-10
- RR-5
- RR-2.5
- RR-1
- R-1-21
- R-1-12
- R-1-8
- RM-7
- RM-15
- CN
- CS
- CG
- CD
- MD
- MG
- MG-EX
- PUD
- MU




N

0 0.25 0.5 1 1.5 2 Miles

GRANTSVILLE
INCORPORATED 1867

# ZONING MAP
# FLUX AREA

Adopted May 17, 2023
Amended May 1, 2024

## LEGEND
## Future Land Use Designations

Ensuring that the land and the proposed land-uses within the community are utilized to meet a unified community vision or goal is the first and often most important responsibility of a general plan. outlined on this map is the proposed Future land use map for the City of Grantsville:

**Commercial**
(A variety of commercial, retail, office and light industrial associated with a retail presence fronting street with special approval)

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

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

**Medium Density Residential**
(Residential uses, allowing a maximum of 4 dwelling units per acre)

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

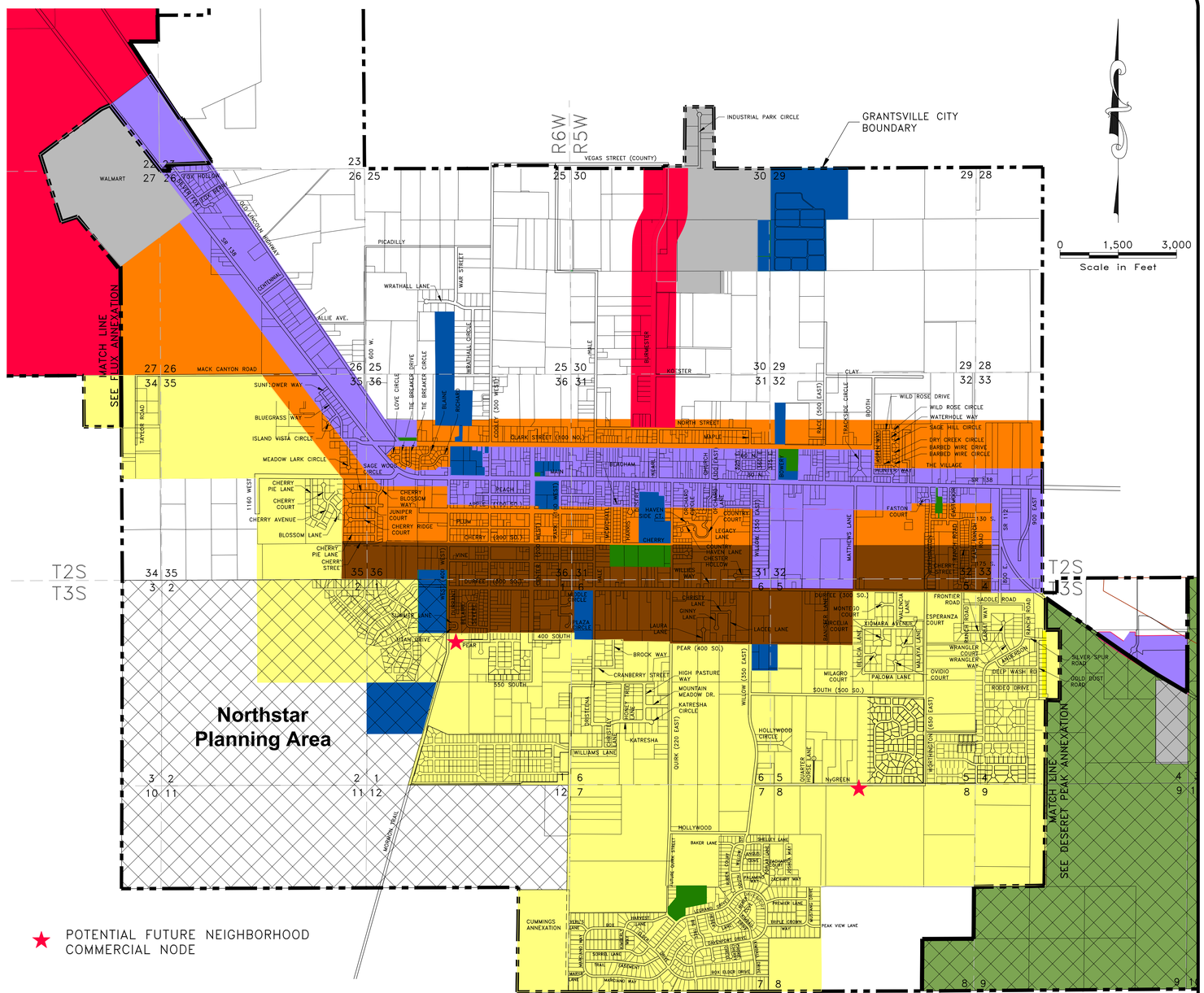
**Rural Residential – 1**
(Residential use with applicable rural land uses, allowing 1 dwelling unit per one to ten acres)

**Rural Residential 2**
(Residential use with applicable rural land uses, allowing 1 dwelling unit per five to ten acres)

**Industrial**
(Allowing industrial, light industrial and mining)

**Municipal/School:** This land use designates city-owned school district owned property serving a public purpose.

**Parks & Open Space:** Designates public parks, open space and recreational areas.




★ POTENTIAL FUTURE NEIGHBORHOOD COMMERCIAL NODE

# GRANTSVILLE CITY
## FUTURE LAND USE MAP
## CITY CENTER

ADOPTED JANUARY 15, 2020
REVISED JULY 30, 2021

THE PURPOSE OF DESIGNATED PLANNING AREAS IS TO FOSTER A JOINT WORKING RELATIONSHIP BETWEEN THE LANDOWNER(S) OF LARGE PARCELS OR GROUPS OF PARCELS OF 500 ACRES OR GREATER TO CREATE A MASTER PLAN FOR THE AREA WITH A BALANCE OF USES BENEFICIAL TO BOTH THE DEVELOPMENT AND THE SURROUNDING COMMUNITY AND WILL ADEQUATELY ADDRESS THE POTENTIAL IMPACTS ON TRANSPORTATION, UTILITIES, AND OTHER PUBLIC SERVICES AND AMENITIES.

AQUA ENGINEERING
533 W 2600 S, SUITE 275, BOUNTIFUL, UT 84010
PHONE (801) 299-1327 FAX (801) 299-0153

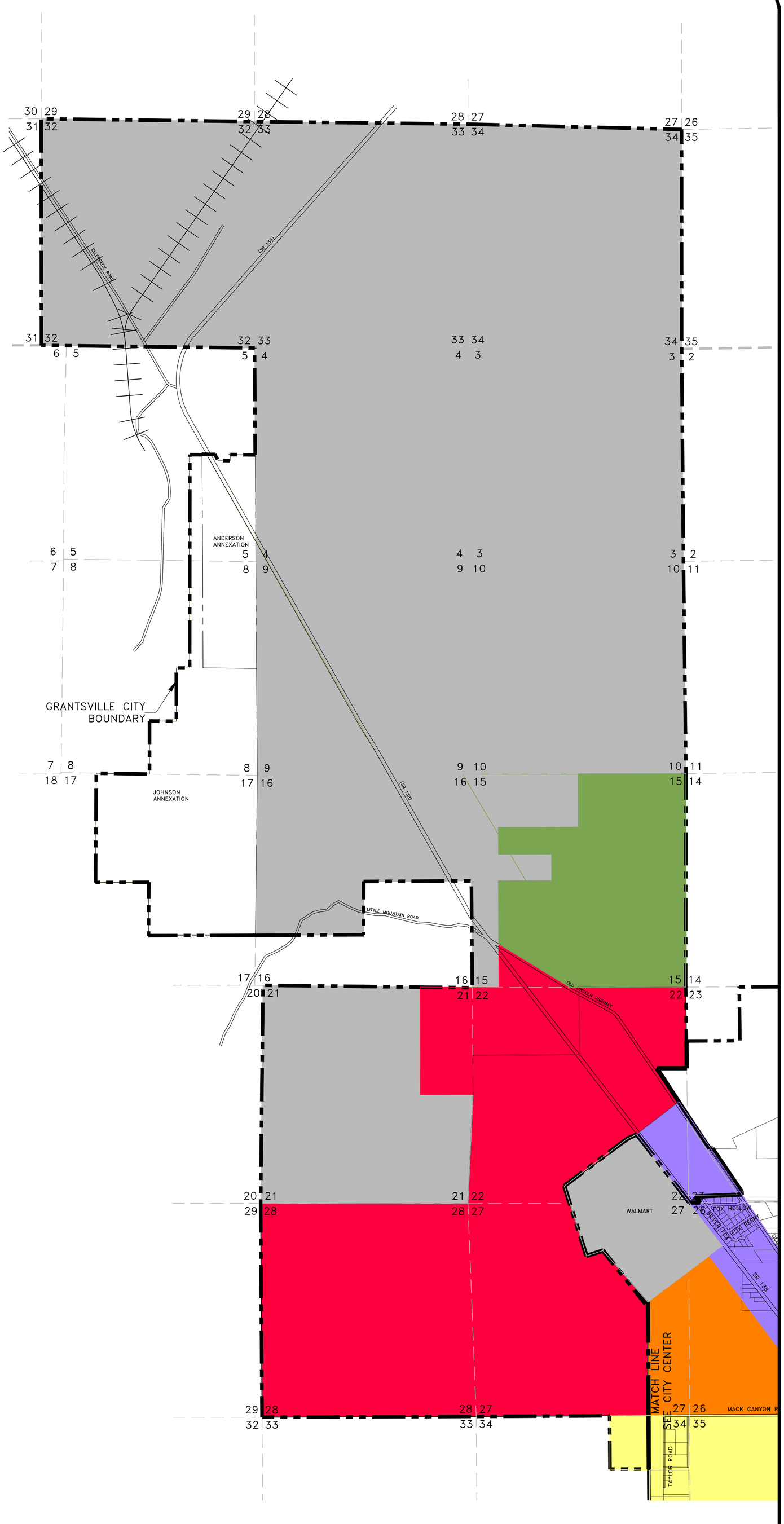
# GRANTSVILLE CITY

## FUTURE LAND USE MAP

## FLUX ANNEXATION

ADOPTED JANUARY 15, 2020
REVISED JULY 30, 2021

0 1,500 3,000
Scale in Feet




### LEGEND
### Future Land Use Designations

Ensuring that the land and the proposed land–uses within the community are utilized to meet a unified community vision or goal is the first and often most important responsibility of a general plan. outlined on this map is the proposed Future land use map for the City of Grantsville:

**Commercial**
(A variety of commercial, retail, office and light industrial associated with a retail presence fronting street with special approval)

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

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

**Medium Density Residential**
(Residential uses, allowing a maximum of 4 dwelling units per acre)

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

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

**Rural Residential 2**
(Residential use with applicable rural land uses, allowing 1 dwelling unit per five to ten acres)

**Industrial**
(Allowing industrial, light industrial and mining)

Municipal/School: This land use designates city–owned school district owned property serving a public purpose.

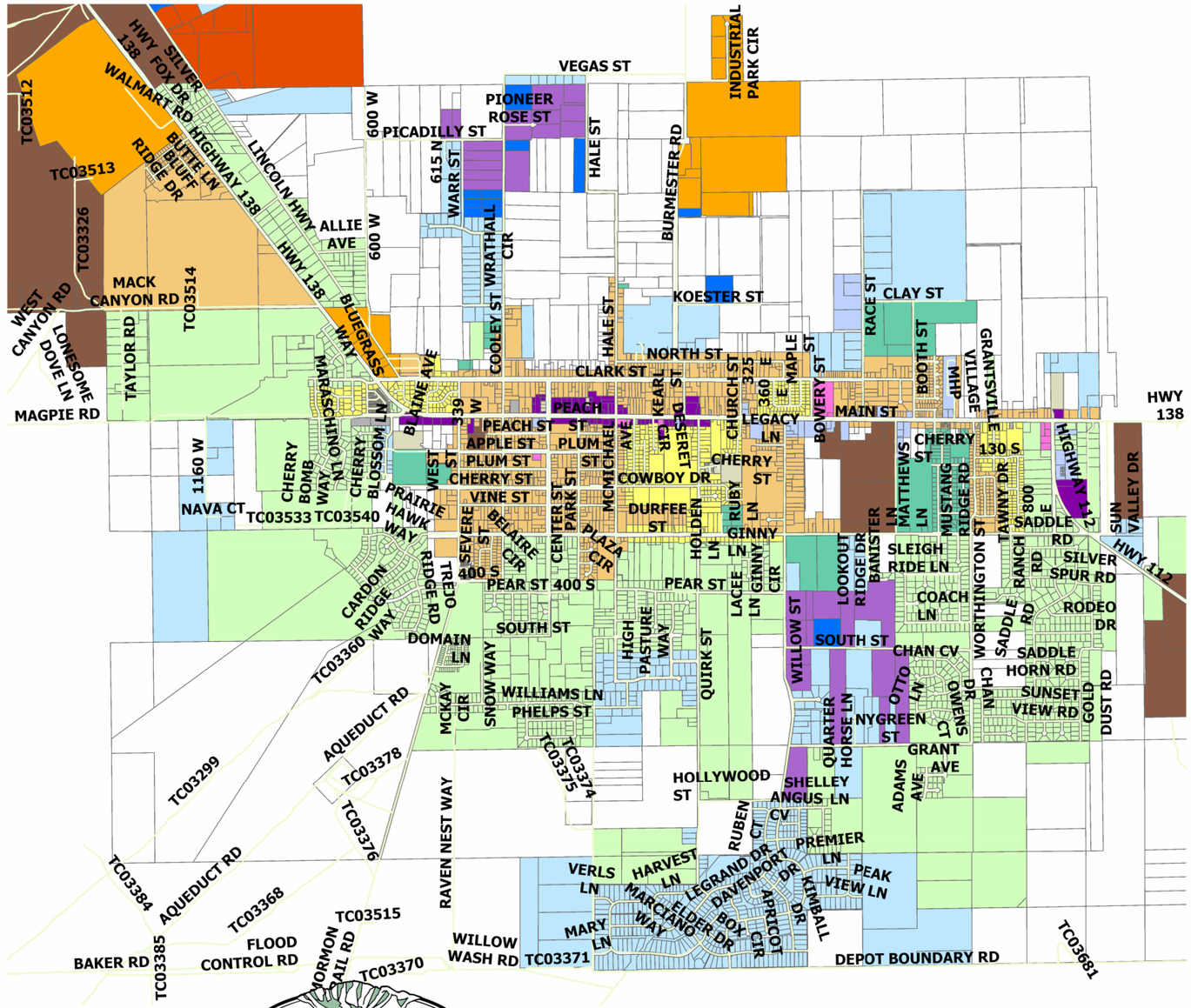
Parks & Open Space: Designates public parks, open space and recreational areas.

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## LEGEND

### ZONING DISTRICTS

- A-10
- RR-5
- RR-2.5
- RR-1
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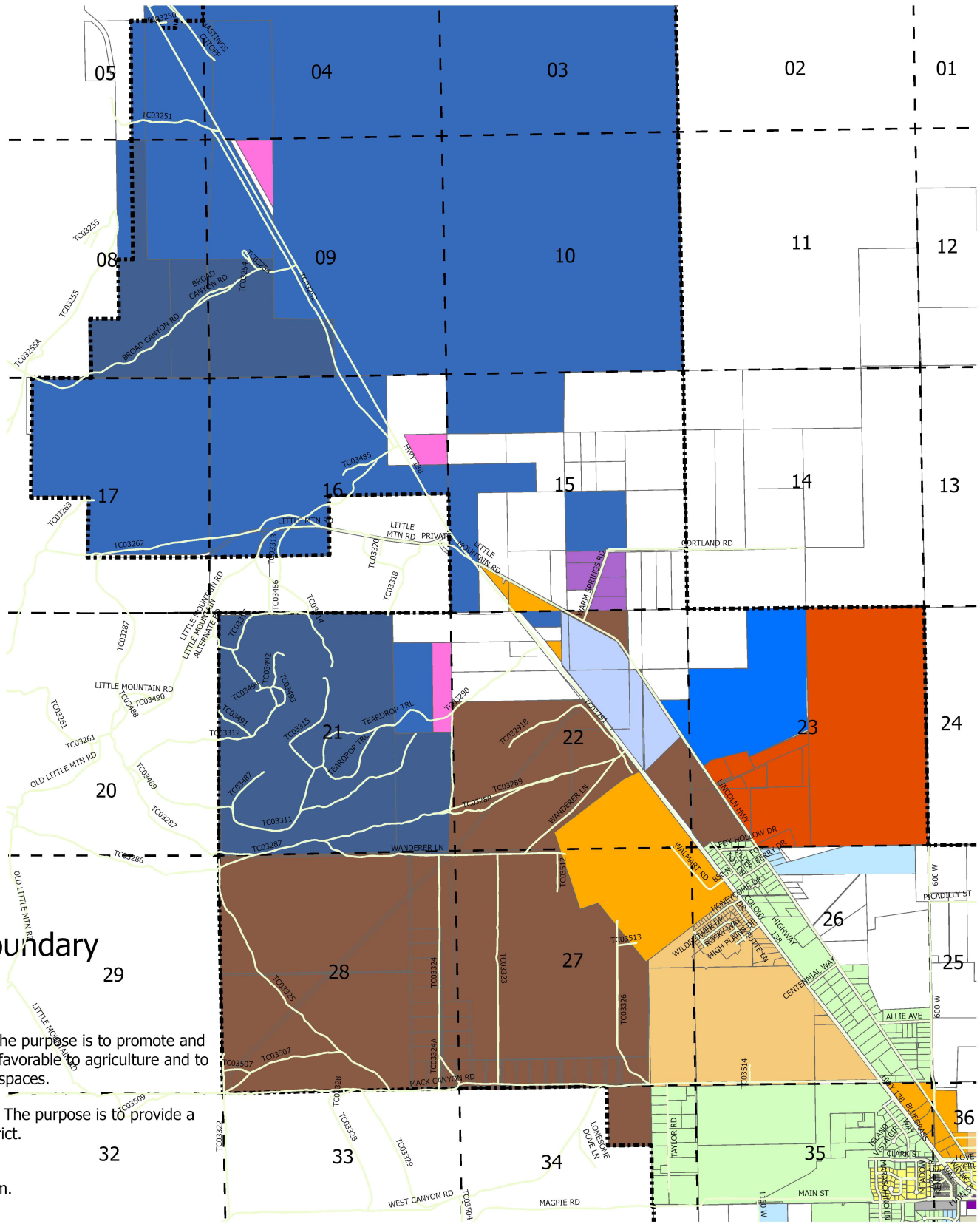

GRANTSVILLE
INCORPORATED 1867

# ZONING MAP
# CENTRAL AREA

Adopted May 17, 2023
Amended May 1, 2024

0 0.25 0.5 1 1.5 2 Miles

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## LEGEND

Grantsville City Boundary

Zoning

| | |
|---|---|
| A-10 | 10 Acre minimum. The purpose is to promote and preserve conditions favorable to agriculture and to maintain green belt spaces. |
| RR-5 | 5 Acre lot minimum. The purpose is to provide a rural residential district. |
| RR-2.5 | 2.5 Acre lot minimum. |
| RR-1 | 1 Acre lot minimum. |
| R-1-21 | 21,780 square feet in size. The purpose is to promote environmentally sensitive and visually compatible development suitable for rural locations. |
| R-1-12 | 12,000 square feet in size. |
| R-1-8 | 8,000 square feet in size. |
| RM-7 | 7,000 square feet in size. The provide areas for medium density single family and multi-family residential. |
| RM-15 | 8,000 square feet in size. The purpose is to provide areas for medium high density residential. |
| CN | Neighborhood Commercial District is intended to provide for small scale commercial uses that can be located within residential neighborhoods without having significant impacts upon residential uses. |
| CS | 60,000 square feet in size. Commercial Shopping District is to provide an environment for efficient and attractive shopping center development. |
| CG | 10,000 square feet in size. General District is to provide an environment for a variety of commercial uses. |
| CD | The purpose is to provide areas for high intensity public, quasi-public, commercial, office and residential uses by conditional use only. |
| MD | 20,000 square feet in size. Light Manufacturing and Distribution District is to provide an environment for light industrial uses. |
| MG | 20,000 square feet in size. General Manufacturing District is to provide an environment for larger and more intensive industrial uses. |
| MG-EX | Mining, quarry sand and gravel extraction industrial uses. |
| PUD | An integrated design for development of residential, commercial or industrial uses, or limited combinations of such uses, in which the density and location regulations of the district in which the district is situated may be varied or waived to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed requirements. |
| MU | A mixture of commercial/retail and residential uses, allowing up to 10 units per acre where surrounding uses are compatible. Heights are limited to two stories or a maximum of 35' above grade at street. Three stories above grade at street and /or 15 units per acre may be approved with special considerations of landscaping, buffering, and architectural design that fits the scale of the surrounding properties in the zone. (MU Description Updated with Ordinance 2021-35 ) |

GRANTSVILLE
INCORPORATED 1867

# ZONING MAP
# FLUX AREA

Draft October 19, 2022

**Draft PUD Application Worksheet Grantsville Springs master plan**

**Objective (a):**

*(a) Creation of a more desirable environment than would be possible through strict application of other City land use regulations through promotion of a creative approach to the use of land and related physical facilities resulting in better design and development, including aesthetic amenities. The developer shall detail the proposed variation from Grantsville City ordinance requirements and explain how this variation will lead to a more desirable environment;*

Response

Due to the vagueness of the current PUD zoning classification, a rezone and PUD agreement is essential for the development of the subject property. Through the proposed variations from the Grantsville municipal code, a more desirable and sustainable development that balances the needs of the community with the preservation of sensitive soils and wetlands will be created. The code variations include amendments to Chapter 19a which governs the Mixed-Use District as well as other general requirements and requirements referred to by Chapter 19a. The variances include:

1. ***Variance to Purpose and Intent- GLUMDC 19a.1 Mixed Use District:*** Defining major roadways in connection to the Westbank Master Plan which will help determine the location of commercial development.

2. ***Variance to Maximum Building Height - GLUMDC 19a.6 Mixed Use District:*** Increase the maximum building height from 35 ft to 45 ft, to measured at top of foundation wall or a maximum of 3 stories, whichever is less.

3. ***Variance to Minimum Dwelling Size - GLUMDC 19a.7 Mixed Use District:*** Decrease minimum dwelling unit size from 900 sqft to 500 sqft for stacked flat apartments and condominiums. All other dwelling units shall remain at the minimum of 900 sqft.

4. ***Variance to Minimum Lot Sizes - GLUMDC 4.34 2(a)*** **Multi-Unit Residential Development**: Density for townhouses, row houses and other attached but separately owned type units shall be calculated based upon the total gross land acreage with a minimum lot size of 1,800 sqft.

   Example Calculation based on 1 acre parcel (43,560 sqft) / 3,300 sqft = 24.2 units/acre

The minimum lot size for Multi-Unit Residential Development is to be used only for density calculations and does not represent a physical area to be subdivided.

5. ***Variance to Minimum Lot Sizes - GLUMDC 4.34 2(b)*** Multi-Unit Residential Development: Apartments and condominium density shall be calculated based upon the total gross land acreage with a minimum lot size of 1,800 sqft.

    Example Calculation based on 1 acre parcel (43,560 sqft) / 1,800 sqft = 24.2 units/acre

    The minimum lot size for Multi-Unit Residential Development is to be used only for density calculations and does not represent a physical area to be subdivided.

6. ***Variance to Minimum Unit Footprint - GLUMDC 4.34 2(a)*** **Multi-Unit Residential Development:** Decrease the minimum footprint for townhouses, row houses and other attached but separately owned type units from 1,000 sqft to 500 sqft to allow for units without a garage.

7. ***Variance to standard Setbacks - GLUMDC 4.34 2(c)*** Multi-Unit Residential Development: All multi-unit residential buildings including townhomes, condos and stacked flat apartments will be subject to the following setbacks of 15 ft between buildings and 20 ft from the building to the perimeter. This will replace front, side and rear setbacks as listed in chapter 4.34.

8. ***Variance to minimum lot frontage - GLUMDC 4.34 2(d)*** *Multi-Unit Residential Development:* Minimum lot frontage per unit will be based on the actual unit width.

9. ***Variance to Parking Requirements (Ratios) - GLUMDC 4.34 2(f.2-3)*** *Multi-Unit Residential Development:* The standard parking requirement of 2 stalls per unit plus required visitor parking will be amended to the following ratios to provide an equal distribution across residential projects.
    - 1.5 stalls per 1 bed/studio unit
    - 2 stalls per 2 bed unit
    - 2.5 stalls per 3 bed+

10. ***Variance to Parking Requirements (Driveways) – GLUMDC 6.9 and 6.14.5 Off Street Parking and Loading:*** The request is to allow parking on driveways located

between the front or corner side lot line and building to be counted as parking spaces to satisfy parking requirements when the meet a minimum size criteria of (‘ x 20’ per stall listed in any chapter of GLUMDC, including chapter 6 and chapter 4.34.

11. ***Variance to Section 12.1b Purpose Planned Unit Development Section 21.1.15 (3)*** *Subdivision Open Space Requirement:* at least 75% of the open space shall be in a contiguous or interconnecting *tract via trails, sidewalks, or paths*.

12. ***Variance to Section 12.1b Purpose Planned Unit Development Section 21.1.15 (4)*** *Subdivision Open Space Requirement:* The open space shall be directly accessible to the largest practicable number of lots within the *subdivision via trails, sidewalks, or paths*.

The proposed variations are intended to cluster development, promote the construction of affordable housing, enhance the open space, parking and living quality of the project, and maintain the general purposes, goals and objectives of this code.

- Definition of Cluster/Clustering: concentrating residential units in specific designated areas within the development project to minimize the impact on environmentally sensitive or unusable land.

**Objective (b):**

*(b) The use of design, landscape or architectural features to create a pleasing environment while preserving desirable site characteristics such as natural topography, vegetation and geologic features as open space and providing recreational facilities. For projects containing a residential component containing more than a single dwelling unit at least 10% of the total parcel acreage shall be open space. All Planned Unit Development projects shall conform at a minimum with open space and improved open space requirements found in Chapter 21. Topography with slopes greater than 30% on average with a site area greater than 5,000 square feet, natural water bodies and drainages shall be protected;*

Response

The proposed PUD agreement outlines landscape and architectural design requirements that will help protect, preserve, and create a pleasing environment containing the natural open space within the +/-398 ac property.

- Conduct a site analysis and wetland delineation study to map and protect existing topography, vegetation, and geological features.
- Establish buffer zones around natural water bodies and drainage systems to prevent disturbance and maintain water quality.
- Design facilities that integrate with the natural landscape, including interconnecting pathways, sidewalks, trails and walkways.

- Ensure a minimum of 10% of the total parcel acreage is designated as open space, specifically incorporating areas of natural green wetlands and sensitive soils.
- Open space areas strategically located to maximize ecological benefits and recreational access.

**Objective (c):**

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

Response

Not applicable. The land has historically been used for agriculture and grazing uses. There are no architecturally or historically significant buildings on the property.

**Objective (d):**

*(d) Establishment of interconnecting paths and trails for alternative transportation routes which lead to common and popular destinations and interface with automobile traffic at few and specific points. Onsite paths and trails shall connect to the citywide trail system. Trails connecting to the citywide system shall be considered public trails allowing for public use; and*

Response

Although this is in the conceptual stage, the goal is to provide interconnecting paths and trails that connect to the citywide trail allowing public access for all Grantsville residents. When development and growth occurs, neighboring developments can connect to the trails and sidewalks in this project.

**Objective (e):**

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

Response

Blighted structures or incompatible uses, if any, will be removed, redeveloped or rehabilitated.

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

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

*(a) At the preliminary phase, the applicant shall submit a written statement addressing each of the standards set forth in Section 7.8 herein entitled, Determination, when applicable and how the proposed development will promote the objectives set forth in Section 12.1 pf this Chapter. The statement shall explain specifically how the proposed planned unit development relates to each such standard and promotes a listed objective;*

**7.8 Determination**

*(1) The Planning Commission, or upon authorization, the Zoning Administrator, may permit a use to be located within a zoning district in which a conditional use permit is required by the use regulations of that zoning district or elsewhere in these ordinances. The Zoning Administrator is also authorized to issue conditional use permits for family food production and the raising of animals, when appropriate, but may also defer any such*

*application to the Planning Commission for its determination, in the sole discretion of the Zoning Administrator. In authorizing any conditional use the Planning Commission or Zoning Administrator shall impose such requirements and conditions as are necessary for the protection of adjacent properties and the public welfare. The Planning Commission or Zoning Administrator shall only approve with conditions, or deny a conditional use based upon written findings of fact with regard to each of the standards set forth below and, where applicable, any special standards for conditional uses set forth in a specific zoning district. The Planning Commission or Zoning Administrator shall not authorize a conditional use permit unless the evidence presented is such as to establish:*

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

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

**Standard (a):**

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

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

Chapter 14 Multiple Use, Agriculture and Rural Residential Districts

Chapter 15 Residential and Multiple Residential Districts

Chapter 16 Commercial and Industrial Districts If the project is located in

Chapters 17 Downtown Commercial Districts, 19 Sensitive area District, SA or 19a Mixed Use Districts

**Response (Check the Applicable Box):**

Permitted | Conditional X | Not Allowed | Not Applicable X

**Standard (b):**

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

Response

The contemplated uses and design standards within the Master Development Plan will not be detrimental to the health, safety, comfort, order or general welfare of those residing or working within the vicinity of the Property through adherence to Grantsville City code or any agreed variances.

**Standard (c):**

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

Response

The proposed mixed-use zone and PUD overlay will provide a balanced product mix; consistent with the contemplated residential options, commercial uses, and green space outlined in the City's West Bank Master Plan (page 22-24). The proposed development will look to incorporate aspects of walkability, sustainability, and offer an increased quality of life for all residents, which implements the planning goals and objectives of the West Bank Master Plan.

**Standard (d):**

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

Response

The proposed development is in the conceptual phase, but the design and amenities will be harmonious with the neighboring uses in the zoning district. It will offer similar housing options at similar and higher densities, ensuring a smooth transition from larger lot homes to commercial.

**Standard (e):**

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

Response

The proposed development will comply with the city code and ordinances or any agreed variances to abate any nuisances that would not be in harmony with the neighboring uses as the development progresses through the conceptual stages and completion.

**Standard (f):**

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

Response

The development will, by value of the improvements, increase the tax base, currently based on agricultural grazing uses. The sensitive land areas and environment will be protected according to state and federal regulations. The housing and densities proposed in the development will look to provide affordable housing options that meet local socioeconomic characteristics and needs for future residents. The commercial portion will provide an additional tax base.

**Standard (g):**

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

Response

The project will comply with the conditions in the current comprehensive General Plan of Grantsville City or any agreed variance. Any future changes would be made between the

owner and the city with the outcome of the modification to make the overall plan more desirable and in line with the core values of the General Plan.

**Standard (h):**

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

Response

The development agreement with the approved conceptual layout will be entered into by the property owner and the city, ensuring that the project proceeds as agreed upon. Changes to the plan in the future driven by changes in the market, new direction by the city, etc. may make modification to the plan desirable and prudent. This would require negotiation between the owner and the city.

**Standard (i):**

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

Response

If any conditions imposed are capricious, arbitrary or contrary to any precedence set by the Planning Commission on prior permits, the property owner and the city will work together to ensure the conditions imposed are in accordance with the provisions and standards of this ordinance.

**Standard (j):**

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

Response

The internal circulation system of the proposed development will conform with standard planning and engineering practices and any agreed variances.

**Standard (k):**

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

Response

Since this project is just in its conceptual planning stage, exact capacity requirements are unknown. The developer will work with utility providers to ensure proper service. Additional capacity may be required. The exact method will be determined when it is required to ensure that adequate capacity exists for the proposed phase of the development.

**Standard (l):**

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

Response

The development will provide the appropriate buffering to protect the adjacent land uses from light, noise and visual impacts that are in accordance with the Grantsville City Municipal Code.

**Standard (m):**

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

Response

Residential and commercial buildings will use architecture and building materials that are consistent with the proposed development and compatible with the area and market desirability. Exact materials will be specified in the conceptual design process.

**Standard (n):**

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

Response

Landscaping for the proposed project will be appropriate for the scale of development and comply with the code and regulations of Grantsville City.

**Standard (o):**

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

Response

Not Applicable - There are no historical, architectural or environmental features to preserve on site.

**Standard (p):**

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

Response

The proposed development will include operating and delivery hours that are compatible with adjacent land uses.

**REQUESTED DEVIATIONS FROM DEVELOPMENT REGULATIONS (GLUDMC Section 12-14-2 9b)):**

*(b) At the preliminary phase, the applicant shall submit a written statement indicating specifically what change, alteration, modification or waiver of any zoning or development regulations is being sought by the developer if any.*

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

Requested Deviation #1

| Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect. |
| --- |
| G.L.U.M.D.C. – Chapter 19a.1.2 Mixed Use District<br>All properties developed under the mixed Used District that are one acre or greater shall include at least 50% of the land are as commercial fronting the major street. |
| Describe Requested Deviation to Regulation. |
| In accordance with the West Bank Master Plan, major streets shall only existing and proposed arterial roads. |
| Describe How Requested Deviation Benefits the Project and the Community. |
| The added language is intended to help identify which areas will be developed as commercial and which areas will be developed as residential, ensuring a smooth transition between existing and future land uses. |
| Describe Mitigation Proposed to Maintain the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council. (12-2-1-(b)) |
| The additional language defining the major roadways is in line with the West Bank Master plan proposed roadways and future land use. |

Requested Deviation #2

| Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect. |
| --- |
| G.L.U.M.D.C. – Chapter 19a.6.1 Mixed Use District<br>No structure in this zone shall exceed a maximum of three (3) stories in height or 35 feet above grade at street. |
| Describe Requested Deviation to Regulation. |

| |
|---|
| The request is to allow a maximum height of 3 stories in height or 45 feet measure from the top of foundation wall. |
| Describe How Requested Deviation Benefits the Project and the Community. |
| The variance is intended to limit the maximum height of the building while allowing architectural features that match the surrounding area, such as pitched roofs. The change in language will also ensure consistent measurement of building in areas with significant slopes. |
| Describe Mitigation Proposed to Maintain the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council. (12-2-1-(b)) |
| The architectural features, as well as the affordable nature of the intended units being proposed will help maintain the general purposes, goals and objectives of this code. |

Requested Deviation #3

| |
|---|
| Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect. |
| G.L.U.M.D.C. – Chapter 19a.7.1 Mixed Use District<br>Every dwelling unit in this zone shall contain a minimum of 900 square feet of living space |
| Describe Requested Deviation to Regulation. |
| The request is to change the minimum dwelling size for apartments condominiums and townhouse without a garage from 900 sqft to 500 sqft of living space. All other dwelling units shall comply with the 900 sqft minimum of living space. |
| Describe How Requested Deviation Benefits the Project and the Community. |
| The proposed amendment will allow for a variety of housing types which will promote affordability within the project and community. |
| Describe Mitigation Proposed to Maintain the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council. (12-2-1-(b)) |

| |
|---|
| The affordable nature of the intended units being proposed while still providing a minimum limit mitigate any unintended consequence and maintain the general purposes, goals and objectives of this code. |

Requested Deviation #4

| Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect. |
|---|
| Section 19a.3 Minimum Lot Sizes Mixed Use District<br>GLUMDC 4.34 Multi-Unit Residential Development<br>Minimum lot size per individual unit for townhouses, row houses and other attached but separately owned type units is 2,400 sqft.<br>Example Calculation: 10 acres – 10% open space – 18% roads =10acres – 1 – 1.8 = (7.2 net developable acres * 43,560 sqft) / 2,400 sqft = 13 units/acre |
| Describe Requested Deviation to Regulation. |
| Townhouses, row houses and other attached but separately owned type units shall be calculated based upon the total gross land acreage (43,560 sqft per acre) divided by 3,300 sqft.<br>Example Calculation: (10 acres * 43,560 sqft) / 3,300 sqft = 13.2 units/acre<br><br>The minimum lot size for Multi Unit Residential Development of townhouses, row houses, and other attached but separately owned type units is to be used only for density calculations and does not represent a physical are to be subdivided. |
| Describe How Requested Deviation Benefits the Project and the Community. |
| A decrease in the minimum footprint will increase density and promote the construction of affordable housing while maintaining and enhancing the open space, parking and living quality of the project. |
| Describe Mitigation Proposed to Maintain the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council. (12-2-1-(b)) |
| The enhanced open space and amenities, as well as the affordable nature of the intended units being proposed will help maintain the general purposes, goals and objectives of this code. |

Requested Deviation #5

| Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect. |
| --- |
| Section 19a.3 Minimum Lot Sizes Mixed Use District<br>GLUMDC 4.34 Multi-Unit Residential Development<br>Minimum lot size for attached apartments and condominiums shall be calculated based upon an area per individual unit of 2,400 sqft.<br><br>Example Calculation: 10 acres – 10% open space – 18% roads =10acres – 1 – 1.8 = (7.2 net developable acres * 43,560 sqft) / 2,400 sqft = 13 units/acre<br><br>The minimum lot size for Multi Unit Residential Development of attached apartments and condominiums is to be used only for density calculations and does not represent a physical are to be subdivided. |
| Describe Requested Deviation to Regulation. |
| Apartments and condominiums shall be calculated based upon the total gross land acreage (43,560 sqft per acre) divided by 1,800 sqft.<br>Example Calculation: (10acres * 43,560 sqft) / 1,800 sqft = 24.2 units/acre |
| Describe How Requested Deviation Benefits the Project and the Community. |
| A decrease in the minimum lot size will increase density and promote the construction of affordable housing while maintaining and enhancing the open space, parking and living quality of the project. |
| Describe Mitigation Proposed to Maintain the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council. (12-2-1-(b)) |
| The enhanced open space and amenities, as well as the affordable nature of the intended units being proposed will help maintain the general purposes, goals and objectives of this code. |

Requested Deviation #6

| Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect. |
| --- |
| G.L.U.M.D.C. – Chapter 4.34 2(a) Multi-Unit Residential Development<br>The minimum unit footprint for townhouses, row houses, and other attached by separately owner type units is 1,000 square feet. |
| Describe Requested Deviation to Regulation. |
| The request is to reduce the minimum footprint required from 1,000 square feet to 500 square feet. |
| Describe How Requested Deviation Benefits the Project and the Community. |
| The variance is intended to allow such units to be constructed without a garage and provide opportunities for more affordable varieties of housing. |
| Describe Mitigation Proposed to Maintain the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council. (12-2-1-(b)) |
| The proposal is mitigated by providing alternative off street parking solutions which will promote affordable housing and maintain responsible development practices. This approach aligns seamlessly with the City's general purposes, goals, and objectives. |

Requested Deviation #7

| Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect. |
| --- |
| G.L.U.M.D.C. – Chapter 4.34 2(c) Multi-Unit Residential Development<br><br>Defines the setbacks for Multi Unit Residential Development as follows:<br><br>**Front:** 25 feet<br>**Sides** (attached dwellings): 30 feet spacing between buildings containing dwelling units;15 feet side setback to property line<br>**Rear:** 20 feet |

| |
|---|
| **Corner lots** (attached dwellings): 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. |
| Describe Requested Deviation to Regulation. |
| All setbacks, frontage, between buildings shall be 15 ft between buildings/20 ft perimeter. |
| Describe How Requested Deviation Benefits the Project and the Community. |
| The proposed amendment will simplify the requirements when constructing a variety of housing products. |
| Describe Mitigation Proposed to Maintain the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council. (12-2-1-(b)) |
| The enhanced open space and amenities, as well as the affordable nature of the intended units being proposed will help maintain the general purposes, goals and objectives of this code. |

Requested Deviation 8

| |
|---|
| Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect. |
| G.L.U.M.D.C. – Chapter 4.34 2(d) Multi-Unit Residential Development<br>Townhouses, rowhouses, and attached separately owned residential units shall have a lot frontage/lot width per unit of no less than 30 feet. |
| Describe Requested Deviation to Regulation. |
| Minimum lot frontage shall be determined by the width of the proposed unit |
| Describe How Requested Deviation Benefits the Project and the Community. |
| The proposed amendment will simplify and clarify the requirements when constructing a variety of housing products. |

| Describe Mitigation Proposed to Maintain the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council. (12-2-1-(b)) |
| --- |
| The proposal mitigates any potential concerns by significantly increasing open space, promoting affordable housing, and maintaining responsible development practices. This approach aligns seamlessly with the City's general purposes, goals, and objectives. |

Requested Deviation #9

| Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect. |
| --- |
| G.L.U.M.D.C. – Chapter 4.34 2(f.2-3) Multi-Unit Residential Development<br>Parking requirements found in Chapter 6 Off Street Parking and Loading shall apply with the following exceptions:<br><br>There shall be a minimum of two (2) parking spaced provided for each plus additional guest parking for the first 10 units at 1 stall per dwelling unit and .5 stalls for each additional unit after the first 10 |
| Describe Requested Deviation to Regulation. |
| The following parking ratios shall apply to all multi-unit residential development:<br>• 1.5 stalls per 1 bed/studio unit<br>• 2 stalls per 2 bed unit<br>• 2.5 stalls per 3 bed+ |
| Describe How Requested Deviation Benefits the Project and the Community. |
| The proposed amendment will provide an equitable amount of parking stalls based on the size of the units. The amendment also keeps sensitive lands protected when needed and creative potential for design. |
| Describe Mitigation Proposed to Maintain the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council. (12-2-1-(b)) |
| The proposal mitigates any potential concerns by preserving open space while ensuring an adequate amount of parking is provided and the City’s general purposes, goals and objectives are maintained. |

Requested Deviation #10

| Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect. |
| --- |
| G.L.U.M.D.C. – Chapter 6.9 and 6.14.5 Off Street Parking and Loading<br>Parking on driveways located between the front or corner side lot line and building shall not be allowed for satisfying the requirements stated in this chapter. |
| Describe Requested Deviation to Regulation. |
| The request is to amend the code in both sections to allow parking on driveways to be counted towards off street parking requirements. |
| Describe How Requested Deviation Benefits the Project and the Community. |
| The proposed amendment will provide an equitable amount of parking stalls based on the size of the units. The amendment also keeps sensitive lands protected when needed and creative potential for design. |
| Describe Mitigation Proposed to Maintain the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council. (12-2-1-(b)) |
| The proposal mitigates any potential concerns by significantly preserving open space and maintaining responsible development practices. This approach aligns seamlessly with the City's general purposes, goals, and objectives. |

Requested Deviation #11

| Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect. |
| --- |
| G.L.U.M.D.C. – Chapter21.1.15 Subdivision Regulations<br>At least 75% of the open space shall be in a contiguous or interconnecting tract. |
| Describe Requested Deviation to Regulation. |
| The request is add language which will clarify that 75% of open space will be connected in a contiguous or interconnecting tract *via trails, sidewalks, or paths*. |

| Describe How Requested Deviation Benefits the Project and the Community. |
| --- |
| The proposed change adds clarification to how open space should be designed. The amendment does not detract from the requirement but ensures that implementation will be fairly achieved. |
| Describe Mitigation Proposed to Maintain the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council. (12-2-1-(b)) |
| The proposal mitigates any potential concerns by significantly increasing open space and maintaining responsible development practices. This approach aligns seamlessly with the City's general purposes, goals, and objectives. |

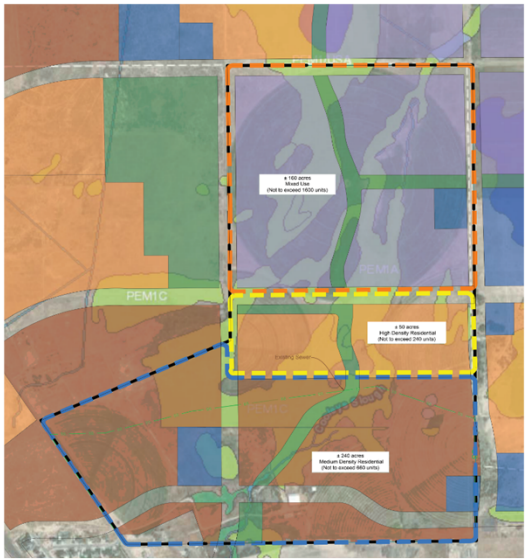
Requested Deviation #12

| Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect. |
| --- |
| G.L.U.M.D.C. – Chapter21.1.15 Subdivision Regulations<br>Open Space Requirements – The open space shall be directly accessible to the largest practicable number of lots within the subdivision. |
| Describe Requested Deviation to Regulation. |
| The request is to change the open space requirements such that open space shall be in a contiguous or interconnecting tract via trails, sidewalks, or paths. Open space shall be directly accessible to the largest practicable number of lots within the subdivision *via trails, sidewalks, or paths*. |
| Describe How Requested Deviation Benefits the Project and the Community. |
| The proposed change adds clarification to how open space should be designed. The amendment does not detract from the requirement but ensures that implementation will be fairly achieved. |

| Describe Mitigation Proposed to Maintain the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council. (12-2-1-(b)) |
| --- |
| The proposal mitigates any potential concerns by significantly increasing open space and maintaining responsible development practices. This approach aligns seamlessly with the City's general purposes, goals, and objectives. |

# GRANTSVILLE SPRINGS PUD APPLICATION

## DECEMBER 2024



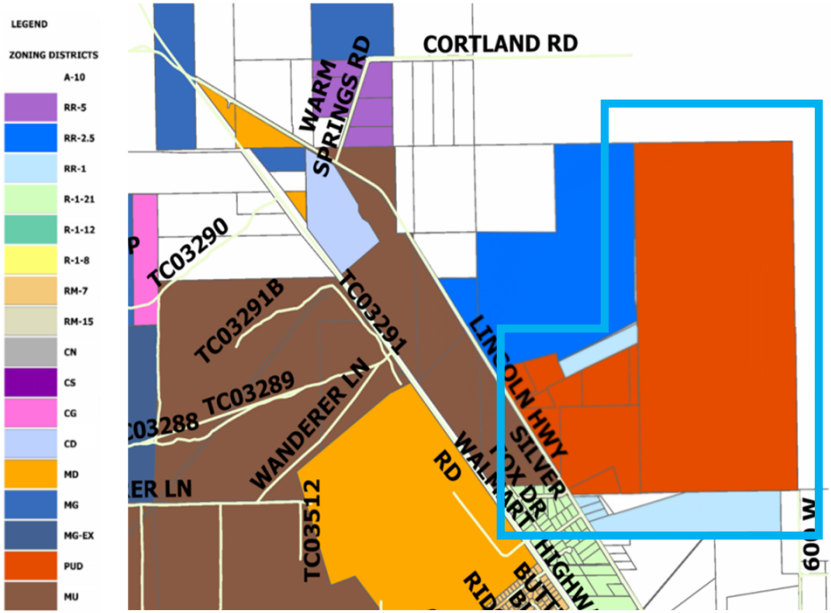

The Grantsville Springs PUD proposal has been made with consideration to the Grantsville City Code and General Plan, Westbank Mast Plan, and NWI wetland maps.

GRANTSVILLE
INCORPORATED

WESTATES
companies

# Objective

**CURRENT ZONE:** PUD
**PROPOSED ZONE:** MIXED-USE WITH A PUD OVERLAY




Due to the vagueness of the current PUD zoning classification, a rezone and PUD agreement is essential for any use of the subject property.

Through an approved development agreement with proposed variations to the Grantsville municipal code, a more desirable and sustainable development that balances the needs of the community with the preservation of sensitive soils and wetlands will be created.

WESTATES companies

# Proposal Summary

## PUD Overlay and Code Variations

With the proposed PUD Westates requests the following code variations.

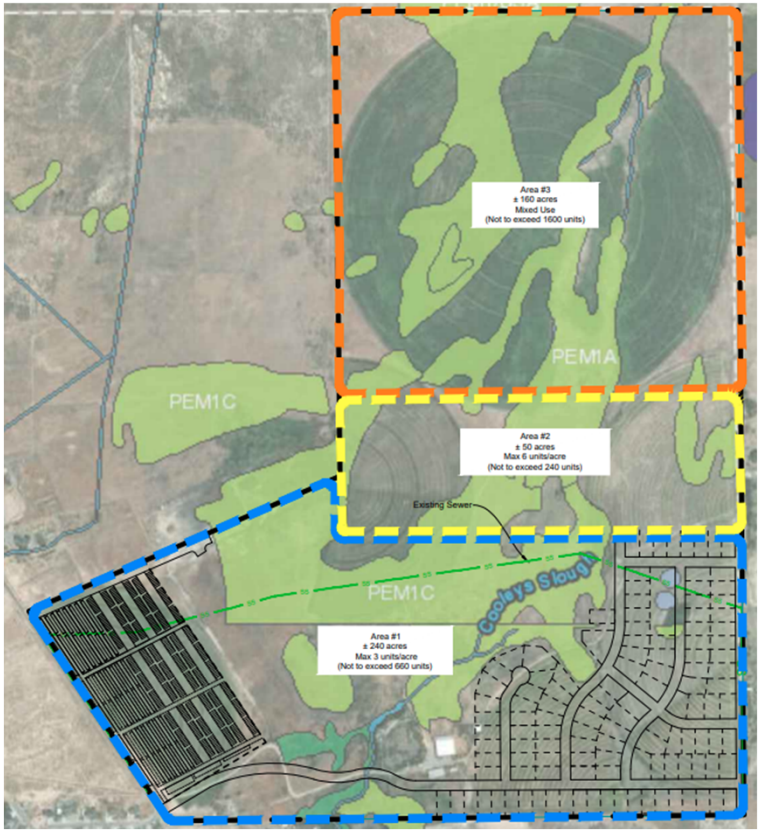
**Grantsville Springs PUD**
**Variance Request Table**

Chapters

| | Chapter 19a 1.2 - Mixed Use District | Proposed Ammendment |
|---|---|---|
| Description | Existing Code Requirment | Variance/Deviation |
| Commercial/Residential Mix | 50%of the land area fronting major streets as commercial | Additional clarification added - Major streets defined |
| Maximum Building Height | The lesser of 3 stories or 35 feet above grade at street | The lesser of 3 stories or 45 feet, measured at top of foundation |
| Minimum Dwelling Size | 900 sqft. | 500 sqft for stacked flat apartments and condominimums |
| | **Chapter 4.34 Multi Unit Residential Development** | **Proposed Ammendment** |
| Description | Existing Code Requirment | Variance/Deviation |
| Minimum Footprint - Townhouses, row houses, and other attached but separately owned type units. | 1,000 sqft. | Minimum footprint per individual unit for townhouses, row houses and other attached but separately owned type units is 500 sqft for units with no garage |
| Minimum Lot size - Townhouses, row houses, and other attached but separately owned type units. | 2,400' sqft. | Townhouses, row houses and other attached but separately owned type units shall be calculated based upon the total gross land acreage (43,560 sqft per acre) divided by 3,300 sqft. |
| Minimum Lot size - Conodminiums and Apartments | 2,400' sqft. | Townhouses, row houses and other attached but separately owned type units shall be calculated based upon the total gross land acreage (43,560 sqft per acre) divided by 1,800 sqft. |
| Minumum Lot Frontage | 30' | based on unit width |
| Setbacks | Front = 25ft. / Rear = 20ft. Side = 30ft. between buildings containing dwelling units; 15ft. to property line (perimeter) | 15ft. between buildings / 20 ft perimeter. |
| Offstreet Parking Requirments | 2 stalls + additional visitor parking | 1.5 stalls per 1 bed/studio; 2 stalls per 2 bed unit; 2.5 stall per 3 bed+ |
| | **Chapter 6 - Offstreet Parking and Loading** | **Deviations** |
| Description | Existing Code Requirment | Proposed Amendment |
| Driveways - Included in parking count? | No | Yes, must meet minimum parking standards of 9' x 20' |
| | **Chapter 21.1.15 - Subdivision Regulations** | **Deviations** |
| Description | Existing Code Requirment | Proposed Amendment |
| Contiguous or Interconnectiong Open Space | 75%of open space shall be in a contiguous or interconnecting tract | Additional clarification added - interconnecting via sidwalks, trails or paths |
| Accessibility of Open Space | Open space shall be directly accessible to the largest practicable number of lots | Additional clarification added - Open space shall be accessible via sidewalks, trails or paths |

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# Proposal Summary




**The proposed code variations will have the following impact.**

- Clustering density from unusable sensitive lands by concentrating residential units in specific designated areas within the development project .
- Encourage the construction of affordable housing
- Preserve natural open space
- Maintain the general purposes, goals and objectives of the Grantsville City code and General Plan

The desired result of the rezone and PUD agreement is the creation of three overlay areas within the Mixed-Use zone. The overlay areas are intended to limit the maximum density and ensure an appropriate transition to neighboring zones.

# Proposal Summary

Additional PUD architectural, landscape and design requirements aimed at protecting and preserve open space include:

- wetland delineation
- buffer zones around natural water bodies and drainage systems
- interconnecting pathways, sidewalks, trails and walkways.
- Ensure a minimum of 10% of the total parcel acreage is designated as open space
- Designated open space areas to maximize ecological benefits and recreational access.



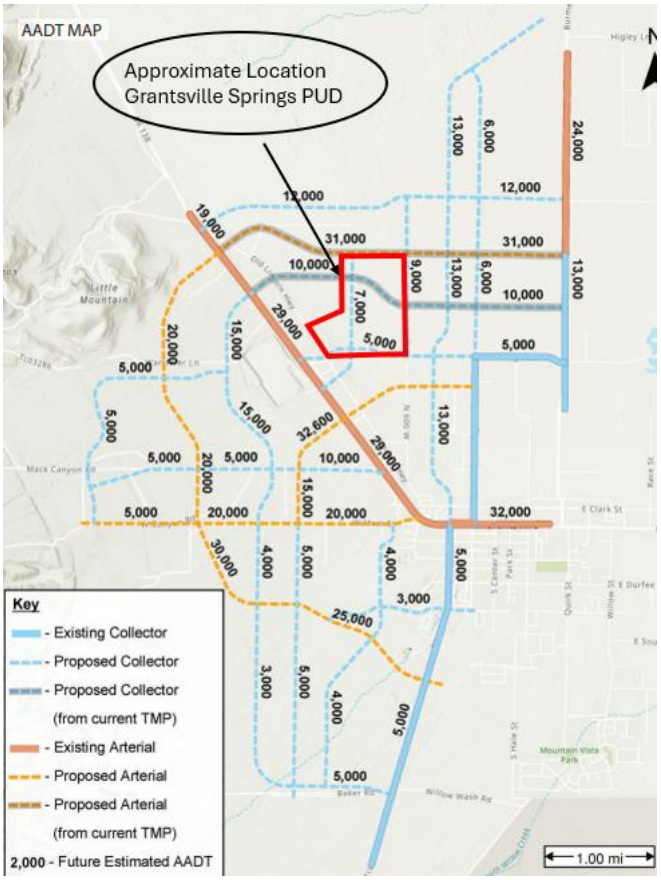
1950 N 2200 W STE 9, Salt Lake City, UT 84116

# Grantsville Springs
# Requested Variances to G.L.U.M.D.C.

1. **Variance to Purpose and Intent**

   *G.L.U.M.D.C. – Chapter 19a. 1.2 Mixed Use District*

   Chapter 19a.1.2 requires all properties developed under the Mixed Used District that are one acre or greater to include at least 50% of the land area as commercial when fronting a major street. The request is to define the meaning of "major streets" and designte which roads are subject to this requirement in an effort to clarify which areas will need to be developed as commercial. In accordance with the proposed roadways and future land use map of the approved West Bank Master Plan, the city agrees that major streets shall only include existing and proposed arterial roads.



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2. **Variance to Maximum Building Height**
   *G.L.U.M.D.C. – Chapter 19a. 6.1 Mixed Use District*

   Chapter 19a.6.1 limits structures in the Mixed Use District exceed a maximum building height of 3 stories in height or 35 feet above grade at street. The request is to limit the maximum building height at 3 stories in height or 45 feet, measured at the top of foundation wall. This is to allow for an appropriate roof pitch to match the architectural styles of the surrounding area when applied to a variety of housing types as appropriate within the Mixed Use District.

| | Existing Code Requirement | Proposed Variance | Difference |
|---|---|---|---|
| Maximum Building Height | 3 stories or 35' (measured from street) | 3 stories or 45' (measured from top of foundation wall | 10' |

3. **Variance to Minimum Dwelling Size**
   *G.L.U.M.D.C. – Chapter 19a. 7.1 Mixed Use District*

   Chapter 19a.7.1 limits the Minimum Dwelling Size for dwelling units to 900 square feet. The request to decrease the Minimum Dwelling Unit size from 900 square feet to 500 square feet for stacked flat apartments, condominiums. All other dwelling units shall remain at the minim of 900 square feet.

| | Existing Code Requirement | Proposed Variance | Difference |
|---|---|---|---|
| Minimum Dwelling Size (for specified unit types) | 900 sq ft | 500 sq ft | 400 sq ft |

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4. **Variance to Minimum Lot Sizes**
   *G.L.U.M.D.C. – Chapter 4.34 2(a) Multi-Unit Residential Development as referenced by Chapter 19a. 3.1*

   Chapter 4.34 section 2(a) provides a formula for calculating the permitted density of townhouses, row houses and other attached but separately owned type units based on the Minimum Lot Size. The request is to simplify the calculation for density permitted by using the gross area and a minimum lot size of 3,300 square feet. An example calculation based on a 1-acre parcel has been provided to help clarify.

   *Example Calculation based on 1 acre parcel (43,560 sqft) / 3,300 sqft = 13.2 units/acre*

   The minimum lot size for Multi-Unit Residential Development of townhouses, row houses, and other attached but separately owned type units is to be used only for density calculations and does not represent a physical area to be subdivided.

5. **Variance to Minimum Lot Sizes**
   *G.L.U.M.D.C. – Chapter 4.34 2(b) Multi-Unit Residential Development as referenced by Chapter 19a. 3.1*

   Chapter 4.34 section 2(b) provides a formula for calculating density of stacked flat apartments and condominiums based on the Minimum Lot Size. The request is to simplify the calculation for density permitted by using the gross area and a minimum lot size of 1,800 square feet. An example calculation based on a 1 acre parcel has been provided to help clarify.

   *Example Calculation based on 1 acre parcel (43,560 sqft) / 1,800 sqft = 24.2 units/acre*

   The minimum lot size for Multi-Unit Residential Development is to be used only for density calculations and does not represent a physical area to be subdivided.

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6. **Variance to Minimum Unit Footprint**

   *G.L.U.M.D.C. – Chapter 4.34 2(a) Multi-Unit Residential Development as referenced by Chapter 19a. 3(1)*

   Chapter 4.34 2(a) requires the minimum footprint for townhouses, row houses and other attached but separately owned type units be at least 1,000 square feet. The request is to reduce the minimum footprint required from 1,000 square feet to 500 square feet to allow such units to be constructed without a garage and provide opportunities for more affordable varieties of housing.

| | Existing Code Requirement | Proposed Variance | Difference |
|---|---|---|---|
| Minimum Unit Footprint | 1000 sq ft | 500 sq ft | 500 sq ft |

7. **Variance to Standard Setbacks**

   *G.L.U.M.D.C. – Chapter 4.34 2(c) Multi-Unit Residential Development as referenced by Chapter 19a. 4.1(h)*

   Chapter 4.34 section 2(c) defines the setbacks for all building types within the multi-unit residential development district as follows:

   i. Front: 25 feet
   ii. Sides (attached dwellings): 30 feet spacing between buildings containing dwelling units 15 feet side setback to property line
   iii. Rear: 20 feet
   iv. Corner lots (attached dwellings): In order to maintain an adequate sight triangle, there shall be a minimum setback on corner lots as follows: 25 feet on each side fronting a street

   The request is to simplify the standard setback requirements by defining all setbacks for buildings within multi-unit residential development as follows:

   i. Building-to-Building: 15 feet

ii. Building-to-Perimeter Boundary: 20 feet

These setbacks will replace those previously listed. The following table summarizes these changes.

| | Existing Code Requirement | Proposed Variance | Difference |
|---|---|---|---|
| Front Yard | 25 ft. | - | Undefined |
| Rear Yard | 15 ft. | - | Undefined |
| Side Yard | 0 ft. | - | Undefined |
| Townhome Area Perimeter | 20 ft. | 20 ft. | 0 ft. |
| Separated Structures | 15 ft. | 15 ft. | 0 ft. |

8. **Variance to Minimum Lot Frontage**
   *G.L.U.M.D.C. – Chapter 4.34 2(d) Multi-Unit Residential Development as referenced by Chapter 19a. 5(2)*

   Chapter 4.34 section 2(d) requires townhouses, row houses and attached but separately owned residential units to have a lot frontage/lot width per unit of no less than 30 feet. The request is amend the requirement to base the minimum lot width off of the actual unit width for multi-unit residential development.

| | Existing Code Requirement | Proposed Variance | Difference |
|---|---|---|---|
| Minimum Lot Width | 40 ft. | Based on unit width | Varies by unit |

9. **Variance to Parking Requirements (Ratios)**
   *G.L.U.M.D.C. – Chapter 4.34 2(f.2-3) Multi Unit Residential Development*

   Chapter 4.34 section 2(f.2-3) requires 2 stalls per unit plus additional visitor parking for multi-unit residential development. The requests is replace the standard Multi Unit Residential Development parking requirements with the following ratios:

   - 1.5 stalls per 1 bed/studio unit
   - 2 stalls per 2 bed unit
   - 2.5 stalls per 3 bed +

The intent of the amendment is to provide a more equitable amount of parking for each type of multi-unit product.

10. **Variance to Parking Requirements (Driveways)** –
*G.L.U.M.D.C. – Chapter 6.9 and 6.14.5 Off Street Parking and Loading*

Chapter 6 section 9 and 14.5 restrict driveways from being counted towards the required parking. The request is to allow driveways, specifically between the front or corner side lot line and building be included in satisfying the amount of required parking when they meet a minimum size criteria of 9'x 20' per stall

| Parking Requirements | Existing<br>Code Requirement | Proposed<br>Variance |
|---|---|---|
| Driveways Included | No | Yes |

11. **Variance to Open Space Requirements -**
*G.L.U.M.D.C. – Chapter 21.1.15.3 Subdivision Regulations (General Provisions)*

Chapter 21 section 1.15.3 requires that at least 75% of the open space shall be in a contiguous or interconnecting tract. The request is to clarify the requirement by adding verbiage to explain that 75% of the open shall be in a contiguous or interconnecting tract *via trails, sidewalks or paths.*

12. **Variance to Open Space Requirements -**
*G.L.U.M.D.C. – Chapter 21.1.15.4 Subdivision Regulations (General Provisions)*

Chapter 21 section 1.15.3 requires that the open space shall be directly accessible to the largest practicable number of lots within the subdivision. The request is to clarify the requirement by adding verbiage to explain that the open shall be in a contiguous or interconnecting tract *via trails, sidewalks or paths.*

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**Grantsville Springs Development Agreement**
**Addendum # 1**
**Requested Variances to G.L.U.M.D.C.**

The City of Grantsville agrees to the following exceptions to the G.L.U.D.M.A and Grantsville City Construction Standards and Specifications as listed below.

1. **Variance to Purpose and Intent**
   *G.L.U.M.D.C. – Chapter 19a.1.2 Mixed Use District*

   (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.

   Major streets shall only include proposed and existing arterials as shown in the Westbank Master Plan (Page 47)

2. **Variance to Maximum Building Height**
   *G.L.U.M.D.C. – Chapter 19a.6.1 Mixed Use District*

   (1) No structure in this zone shall exceed a maximum of three (3) stories in height or ~~35~~ 45 feet ~~above grade at street~~ measured from the top of foundation wall.

3. **Variance to Minimum Dwelling Size**
   *G.L.U.M.D.C. – Chapter 19a.7.1 Mixed Use District*

   (1) Every dwelling unit in this zone shall contain a minimum of 900 square feet of living space with the exception of stacked flat apartments and condominiums which shall be permitted a variance of 500 minimum square feet.

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4. **Variance to Minimum Lot Sizes**
   *G.L.U.M.D.C. – Chapter 4.34 2(a) Multi-Unit Residential Development*

   (a) The minimum lot size per individual unit for townhouses, row houses and other attached but separately owned type units is ~~2,400~~ 3,300 square feet including a minimum of 1,000 square foot unit footprint. ~~As the unit footprint increases in area the overall lot size shall increase equivalently as necessary to allow the unit the meet minimum frontage width and all setbacks. Lot sizes for end units shall include additional lot area to meet corner side setbacks of 25 feet. The minimum building to building spacing of 30 feet overall between buildings. The side setback along property boundaries shall be 15 feet. Setback areas may be held in common ownership. The minimum lot size only includes the area within the setbacks and does not include: public/private streets, private drives/ alleyways serving multiple units, visitor parking, common use areas such as playgrounds, neighborhood recreational amenities, sidewalks, pathways, or trails~~. The minimum lot size for Multi-Unit Residential Development of townhouses, row houses, and other attached but separately owned type units is to be used for density calculations based on the gross project area and does not represent a physical area to be subdivided.

5. **Variance to Minimum Lot Sizes**
   *G.L.U.M.D.C. – Chapter 4.34 2(b) Multi-Unit Residential Development*

   (b) The minimum lot size for attached apartments and condominiums shall be calculated based upon an area per individual unit of ~~2,400~~ 1,800 square feet. The building footprint is not included in the lot size calculation. Open space requirements shall apply. This minimum area includes parking lots internal driveways, common use areas, amenities, internal sidewalks pathways or trails. Regardless of the minimum lot size calculation building setbacks shall remain in force when locating all buildings on a site. Interior amenities for utilization of all residents such as gyms, pools, group meeting areas including amenities typically found in a club house may be calculated as part of the lot size if they do not contain residential units, building maintenance or mechanical areas serving the residential portions of the complex either in, above or below the amenity. Interior amenities, sheds and covered or enclosed parking shall not encompass more than

1/3 of the area calculated as minimum lot size. The minimum lot size for Multi-Unit Residential Development of townhouses, row houses, and other attached but separately owned type units is to be used only for density calculations based on the gross project area and does not represent a physical area to be subdivided.

6. **Variance to Minimum Unit Footprint**
   *G.L.U.M.D.C. – Chapter 4.34 2(a) Multi-Unit Residential Development*

~~(a)~~ The minimum lot size per individual unit for townhouses, row houses and other attached but separately owned type units is ~~2,400~~ 3,300 square feet including a minimum of 1,000 square foot unit footprint for units with a garage or a minimum of 500 square foot unit footprint for units without a garage.. ~~As the unit footprint increases in area the overall lot size shall increase equivalently as necessary to allow the unit the meet minimum frontage width and all setbacks. Lot sizes for end units shall include additional lot area to meet corner side setbacks of 25 feet. The minimum building to building spacing of 30 feet overall between buildings. The side setback along property boundaries shall be 15 feet. Setback areas may be held in common ownership. The minimum lot size only includes the area within the setbacks and does not include: public/private streets, private drives/ alleyways serving multiple units, visitor parking, common use areas such as playgrounds, neighborhood recreational amenities, sidewalks, pathways, or trails.~~ The minimum lot size for Multi-Unit Residential Development of townhouses, row houses, and other attached but separately owned type units is to be used only for density calculations based on the gross project area and does not represent a physical area to be subdivided.

7. **Variance to Standard Setbacks**
   *G.L.U.M.D.C. – Chapter 4.34 2(c) Multi-Unit Residential Development*

Setbacks

~~a) Front: 25 feet~~
~~b) Sides (attached dwellings): 30 feet spacing between buildings containing dwelling units 15 feet side setback to property line~~
~~c) Rear: 20 feet~~
~~d) Corner lots (attached dwellings): 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~~

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a) Perimeter: 20 feet
b) Building-to-Building: 20 feet

8. **Variance to Minimum Lot Frontage**
*G.L.U.M.D.C. – Chapter 4.34 2(d) Multi-Unit Residential Development*

d. Minimum Lot Frontage

i. Townhouses, rowhouses, and attached separately owned residential units shall have a lot frontage/lot width ~~per unit of no less than 30 feet~~ based on the unit width

9. **Variance to Parking Requirements (Ratios)**
*G.L.U.M.D.C. – Chapter 4.34 2(f.2-3) Multi-Unit Residential Development*

2. Parking for Residents: Parking requirements found in Chapter 6 Off Street Parking and Loading shall apply with the following exceptions:

~~a. There shall be a minimum of two (2) parking spaces provided for each unit~~a. The following parking ratios shall apply to all multi-unit residential development:

- 1.5 stalls per 1 bed/studio unit
- 2 stalls per 2 bed unit
- 2.5 stalls per 3 bed+

b. Additional parking for recreational, commercial, and other types of units will be required if the residents are not required to park them off-site by a rental/owner agreement.

~~3.Residential Visitor Parking: Parking requirements found in Chapter 6 Off Street Parking and Loading shall apply with the following exceptions:~~

~~a. Parking for the first ten (10) units shall provide one (1) separate designated visitor parking stall per dwelling unit. Each unit over the first ten (10) dwelling units, one (1) additional parking stall for each two (2) dwelling units shall be provided.For any partial stalls calculated, the applicant shall round up to the next whole number of stalls.~~

b. If sufficient separated designated visitor parking is not available in approved curbside locations, off-street parking shall be provided no more than 200 feet away from the units for which parking is serving.

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10. **Variance to Parking Requirements (Driveways)** –
*G.L.U.M.D.C. – Chapter 6.9 and 6.14.5 Off Street Parking and Loading*

(1) The following restrictions shall apply to single family detached, single family attached and two family dwellings:

(a) Parking on driveways located between the front or corner side lot line and building shall ~~not~~ be allowed for satisfying the requirements stated in this chapter when they meet a minimum size criteria of 9' x 20" per stall~~.~~

And

The following restrictions shall apply to single family detached, single family attached and two family dwellings:

1. Parking on driveways located between the front or corner side lot line and building shall ~~not~~ be allowed for satisfying the requirements stated in this Chapter when they meet a minimum size criteria of 9' x 20" per stall.

11. **Variance to Subdivision Open Space Requirments**
*G.L.U.M.D.C. – Chapter21.1.15 Subdivision Regulations*

(3) At least 75% of the open space shall be in a contiguous or interconnecting tract via trails, sidewalks, or paths. The open space shall be designed in such a way that it adjoins any neighboring areas of open space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected open space. If there is no defined or identified open space on adjoining land, then the open space shall provide areas for the eventual connection with future development as practicable

12. **Variance to Subdivision Open Space Requirments**
*G.L.U.M.D.C. – Chapter21.1.15 Subdivision Regulations*

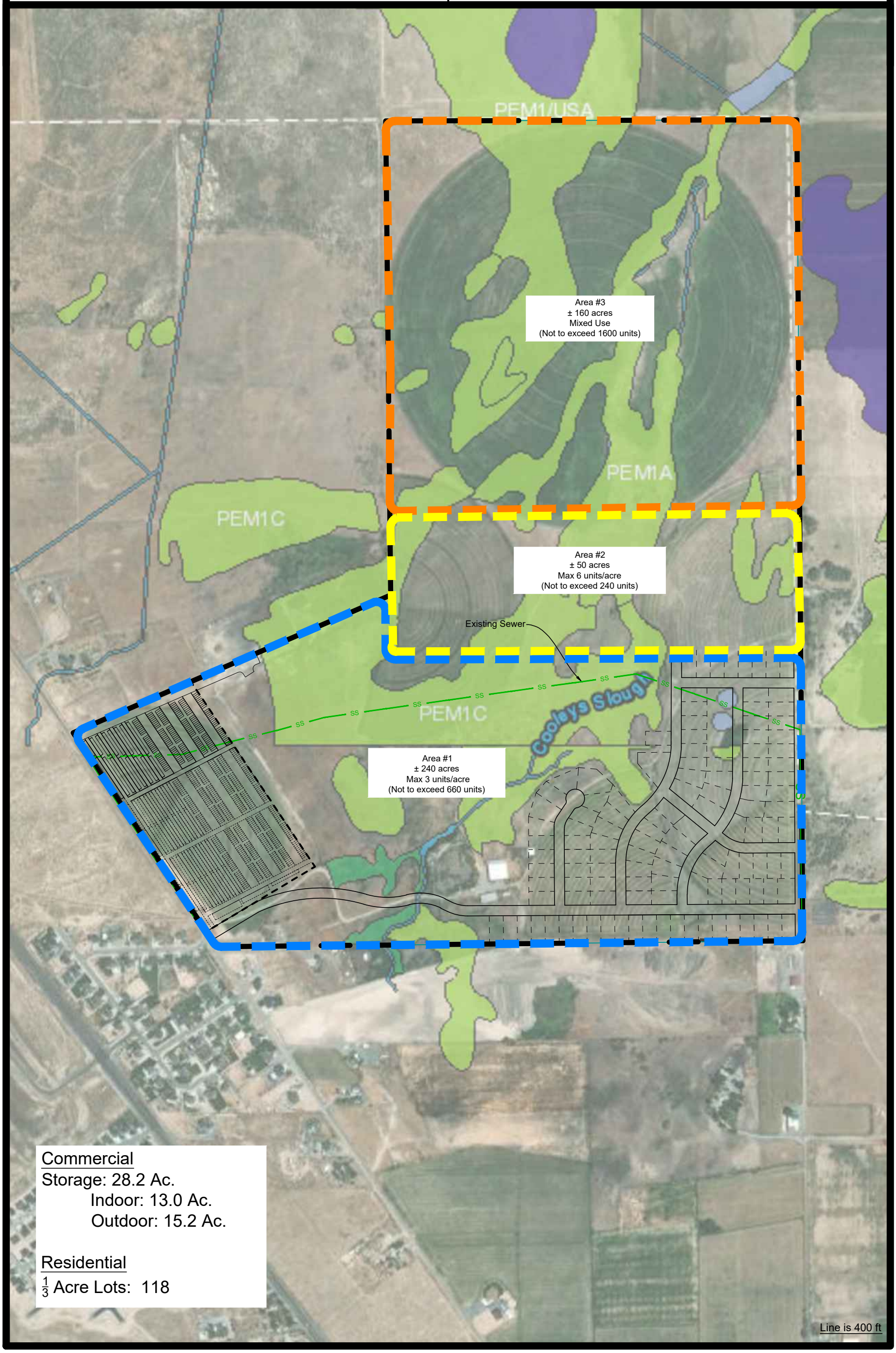
(4) The open space shall be directly accessible to the largest practicable number of lots within the subdivision via trails, sidewalks or paths. The type of open space shall be taken into consideration when making the determination of direct accessibility. Open space parcels that are preserved as active agriculture or pasture land may have limited direct accessibility as the use requires restricted access, but it is expected that such uses shall be located along the sides of public

streets or trails so that the open space will provide for the benefit and enjoyment of residents as it reserves the open rural atmosphere desired by the residents. Historic features or other unique natural features due to the nature of their location, characteristics and configuration may also limit direct accessibility but shall be showcased in such a way that it may provide for the benefit and enjoyment of residents as it preserves the open rural atmosphere desired by the residents. Non-adjoining lots shall be provided with safe, convenient access to the open space. Trails are encouraged in the subdivision to access both natural open space areas within the subdivision and those that may be located nearby. Just as with streets, trail connections for connectivity and access with future subdivisions and the City-wide trails system shall be considered.

WESTATES companies

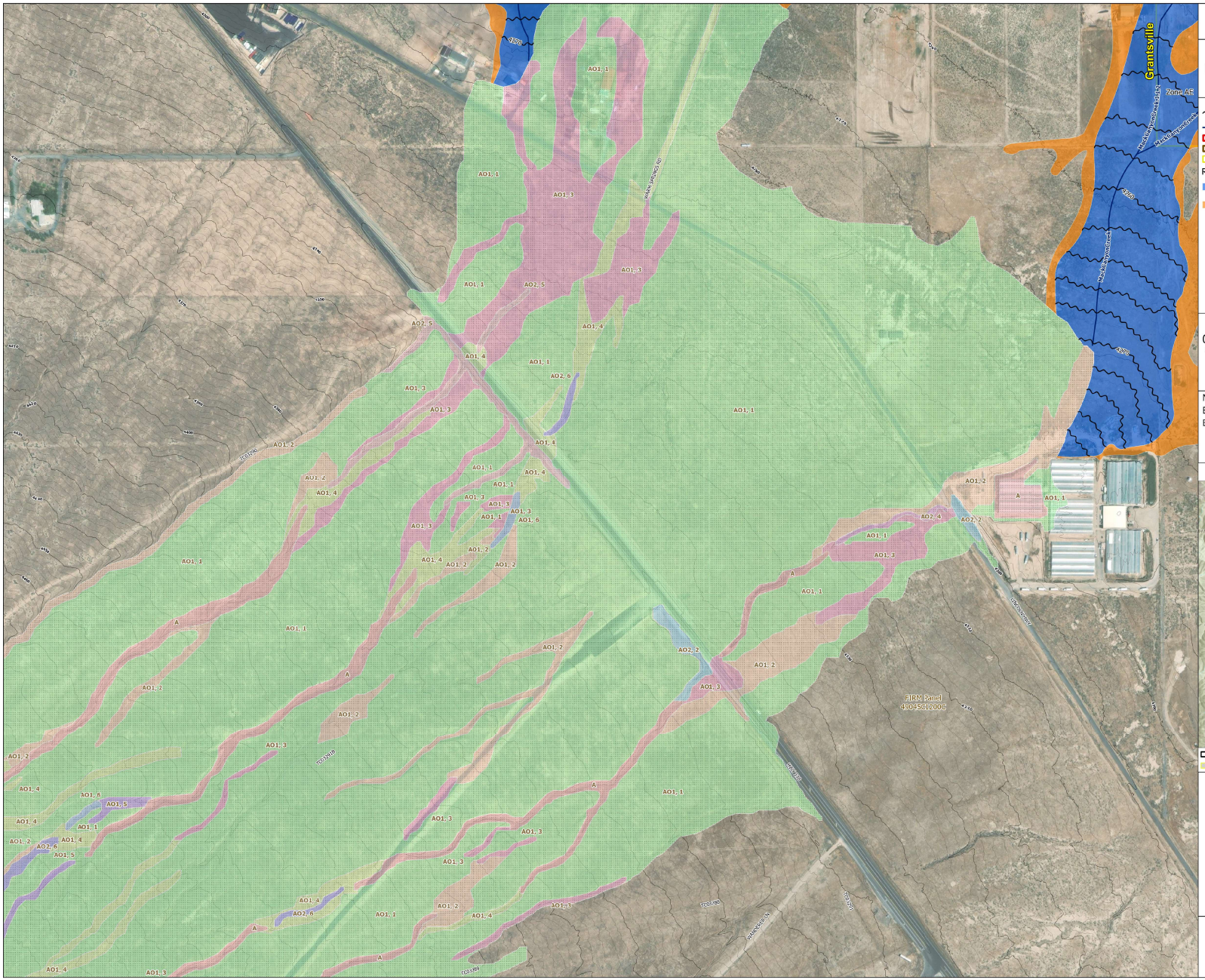
# Master Development Concept w/ Wetlands Overlay

Lincoln Hwy. Grantsville, UT



# Current Well Head Locations

a37152
a36684
15-787
15-1156
15-1153
15-1309
15-1155
15-1052
15-1053
15-488
a50747
15-3274
a34101
a50747
15-1186
a24471
15-5443
15-1236
a48649
15-4634
15-91
15-477
15-388
15-2761
15-1238
15-1235
15-477
15-862
Birch Wood Way
Blue Fox Dr
Fox Hollow Dr
Champion Dr




# Tooele County Flood Risk Study
## Tooele County, Utah

FLOODPLAIN WORKMAPS
FEMA Community No. 490141 (City of Grantsville)
FEMA Community No. 490140 (Tooele County)

Base Flood Elevation (BFE)
Streamlines
Model Limits
FIRM Panel
Corporate Boundary

Riverine Zones
1%-Annual-Chance Flood Zone (Zone AE)
0.2%-Annual-Chance Flood Zone

Active Alluvial Fan Zones
A
AO1, 1
AO1, 2
AO1, 3
AO1, 4
AO1, 5
AO1, 6
AO2, 2
AO2, 4
AO2, 5
AO2, 6

0 250 500 1,000
Feet
1 inch =200 feet

N

Notes:
Base imagery source: ESRI 2024
Elevation Data Sources:
-2018 LiDAR | Vertical Datum NAVD 88
-AECOM supplemental survey (2022, 2023) | Vertical Datum NAVD 88

**Map Sheet Index**

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| | 12 | 13 | 14 | 15 | 16 | 17 |
| | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | |
| 30 | 31 | 32 | 33 | 34 | 35 | 36 |
| 37 | 38 | 39 | 40 | 41 | 42 | 43 |
| 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 51 | 52 | 53 | 54 | 55 | 56 | 57 |
| 58 | 59 | 60 | 61 | 62 | 63 | 64 |
| | 65 | 66 | 67 | 68 | 69 | 70 |
| | 71 | 72 | 73 | 74 | | |
| | 75 | 76 | 77 | 78 | | |
| | | 79 | 80 | | | |

Grantsville
Erda
Detailed Mapping Limits
Corporate Boundary

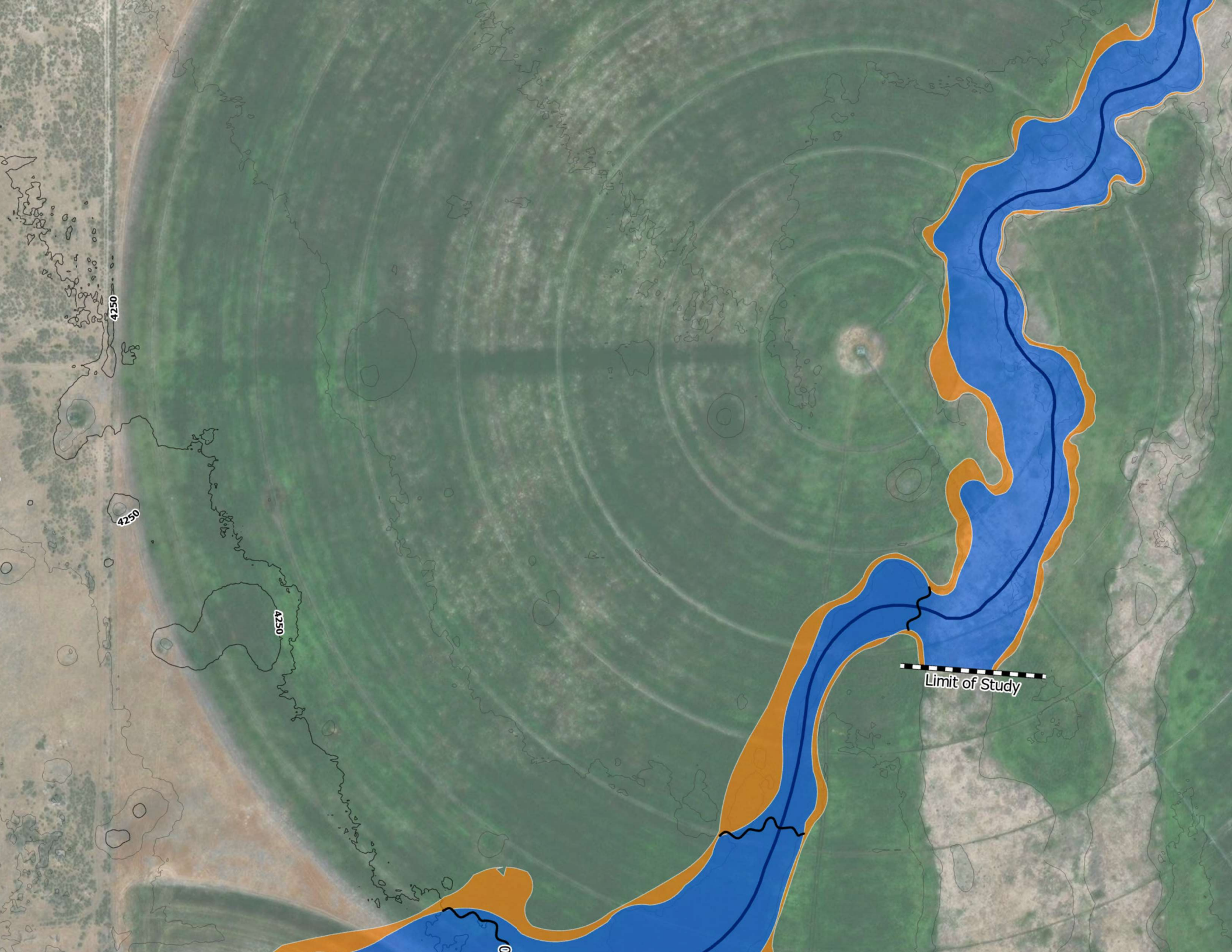
Sheet 25 of 80

DRAFT

The information provided on this map is intended for use within the Area of Interest (AOI). Areas outside the AOI are not part of this work product.

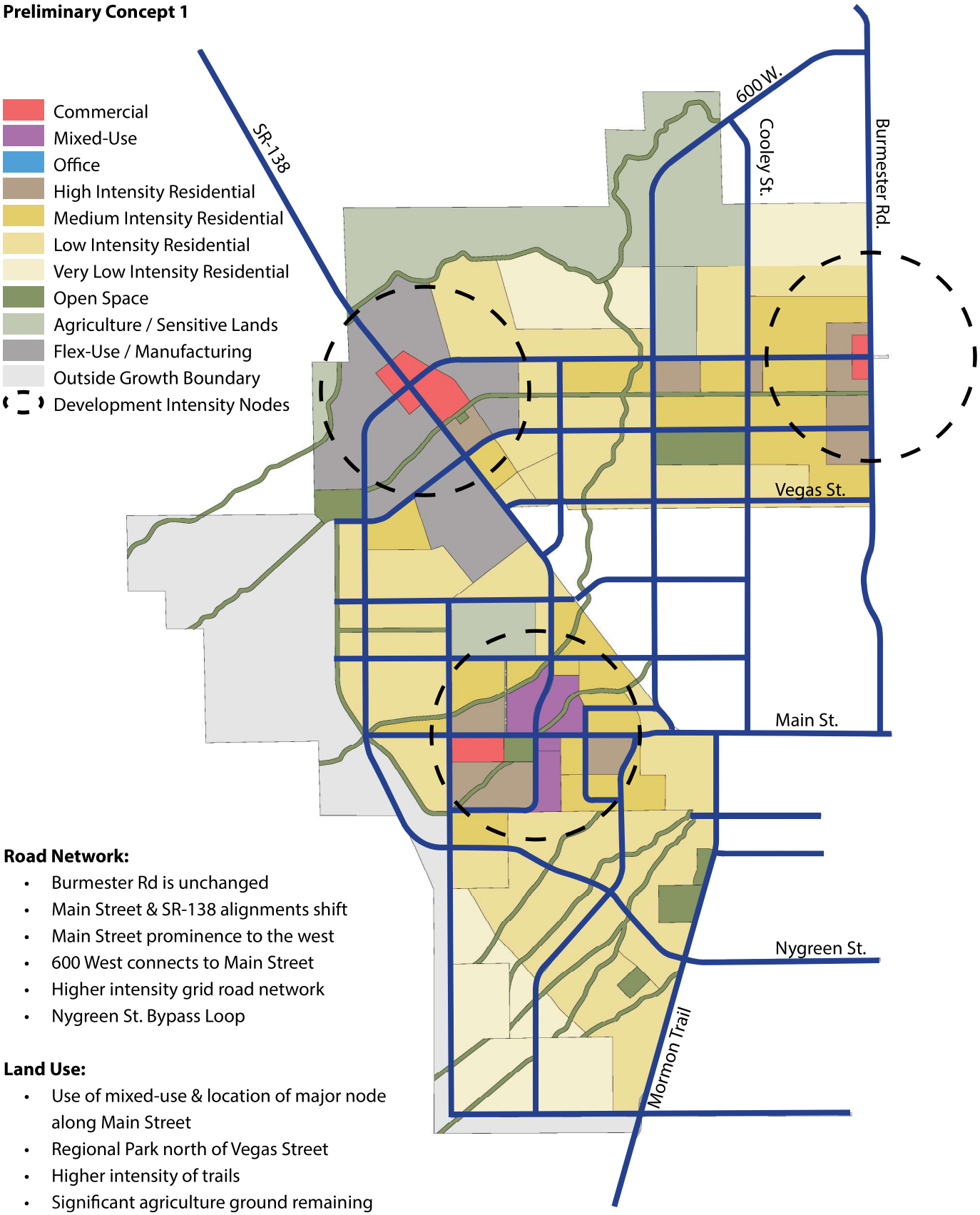
Flow discharges are derived from 100-year (1%) and 500-year (0.2%) recurrence interval FLO-2D rainfall-runoff models.

JE FULLER
8400 S Kyrene Rd, STE 201
Tempe, Arizona 85284
(480) 752-2124
www.jefuller.com


4250
4250
4250
Limit of Study

# West Bank Study

**Preliminary Concept 1**



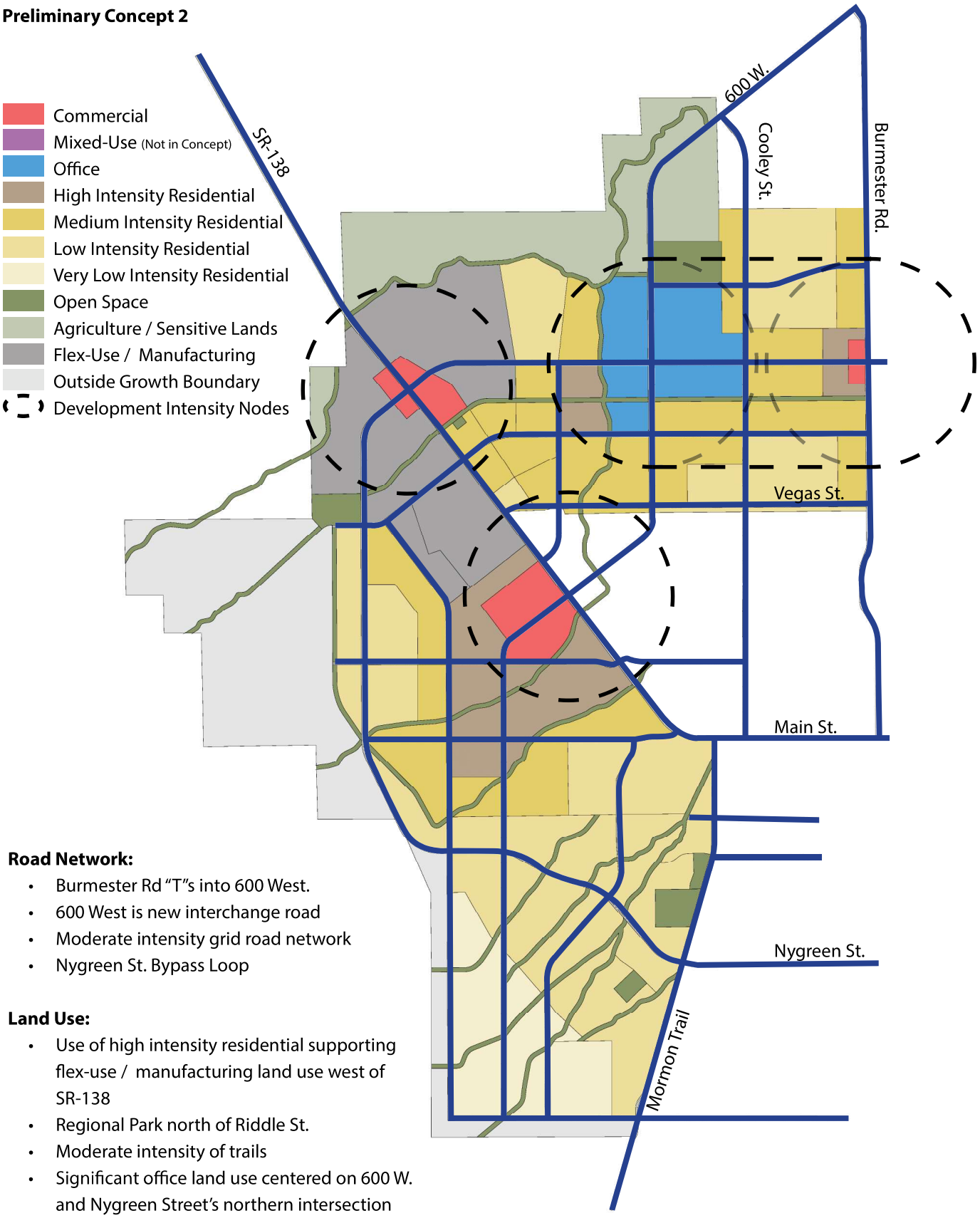

**Road Network:**

- Burmester Rd is unchanged
- Main Street & SR-138 alignments shift
- Main Street prominence to the west
- 600 West connects to Main Street
- Higher intensity grid road network
- Nygreen St. Bypass Loop

**Land Use:**

- Use of mixed-use & location of major node along Main Street
- Regional Park north of Vegas Street
- Higher intensity of trails
- Significant agriculture ground remaining
- Higher intensity node along Burmester Rd.

**Preliminary Concept 2**



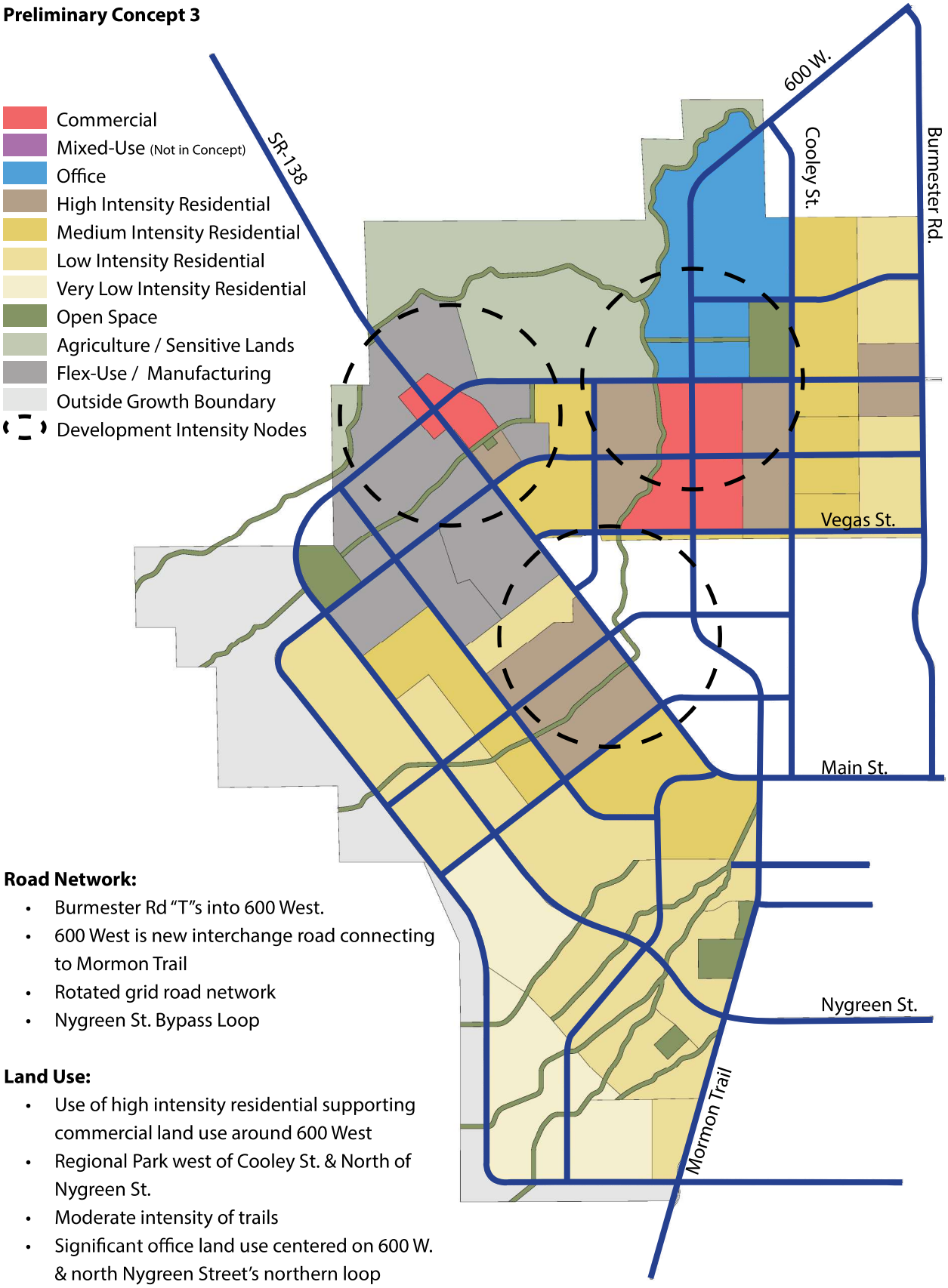

**Road Network:**

- Burmester Rd "T"s into 600 West.
- 600 West is new interchange road
- Moderate intensity grid road network
- Nygreen St. Bypass Loop

**Land Use:**

- Use of high intensity residential supporting flex-use / manufacturing land use west of SR-138
- Regional Park north of Riddle St.
- Moderate intensity of trails
- Significant office land use centered on 600 W. and Nygreen Street's northern intersection
- More low intensity residential

**Preliminary Concept 3**




**Road Network:**

- Burmester Rd "T"s into 600 West.
- 600 West is new interchange road connecting to Mormon Trail
- Rotated grid road network
- Nygreen St. Bypass Loop

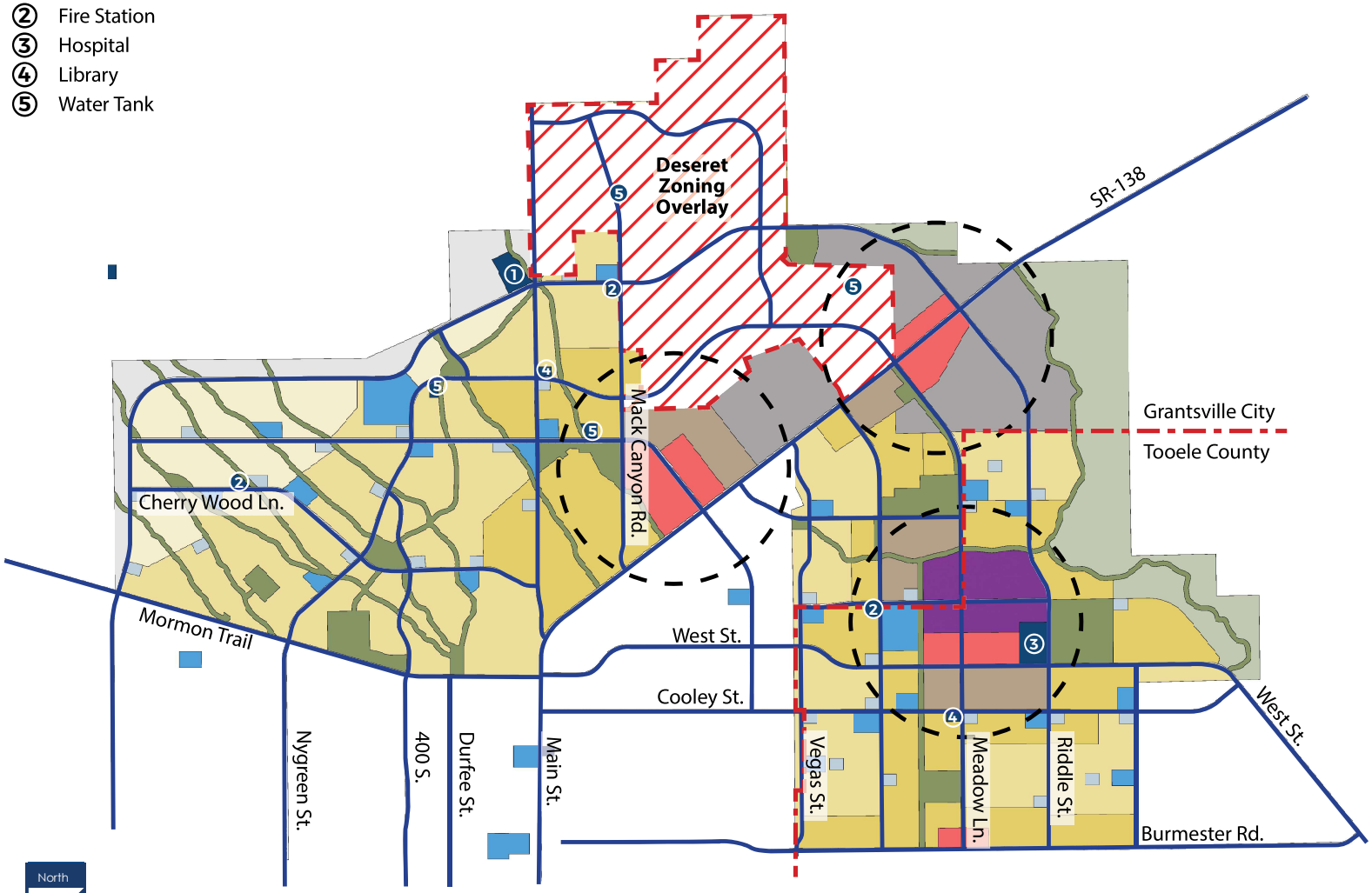
**Land Use:**

- Use of high intensity residential supporting commercial land use around 600 West
- Regional Park west of Cooley St. & North of Nygreen St.
- Moderate intensity of trails
- Significant office land use centered on 600 W. & north Nygreen Street's northern loop
- More high and very low intensity residential

## Proposed Concept

CIVIC USE LEGEND

① Cemetery
② Fire Station
③ Hospital
④ Library
⑤ Water Tank



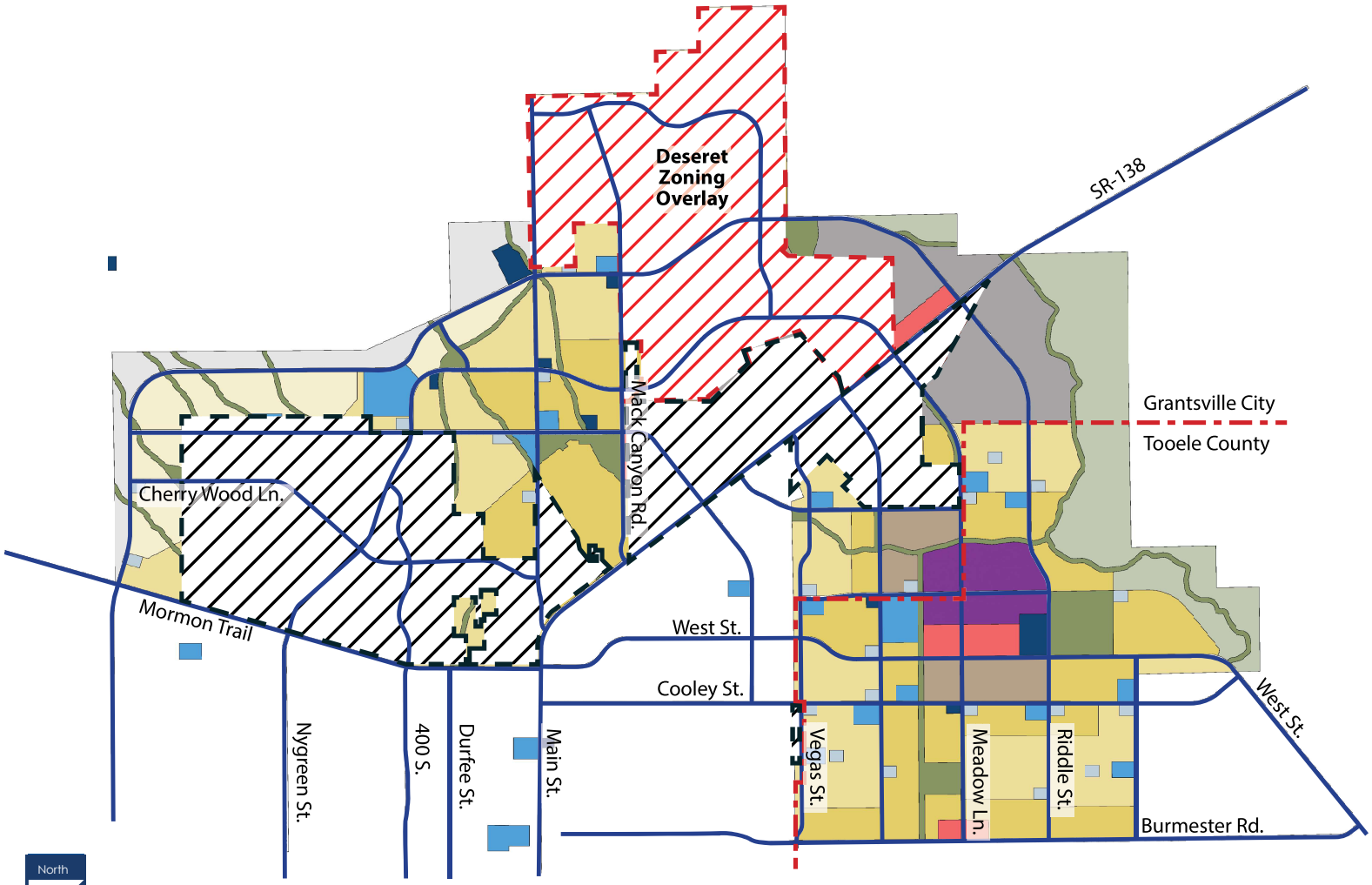

LAND USE LEGEND*

- Commercial
- Office
- Civic - School
- Civic - Services
- Religious
- High Intensity Residential
- Medium Intensity Residential
- Low Intensity Residential
- Very Low Intensity Residential
- Open Space / Drainage Trails
- Agriculture / Sensitive Lands
- Flex-Use / Manufacturing
- Outside Growth Boundary
- Development Intensity Nodes
- Desert Edge Overlay
- Existing / Proposed Streets

* See page 6-7 for land use descriptions

**Note:** The Proposed Concept has been used to calculate the intensity of use for determining the demands and necessary capacity of proposed infrastructure to serve the planning area. These intensities are based upon the highest and best use to ensure the sizing of the infrastructure will be adequate for potential future demands.

**Proposed Concept - Currently Vested Uses July 2024**




North

Scale 1"=1,500'

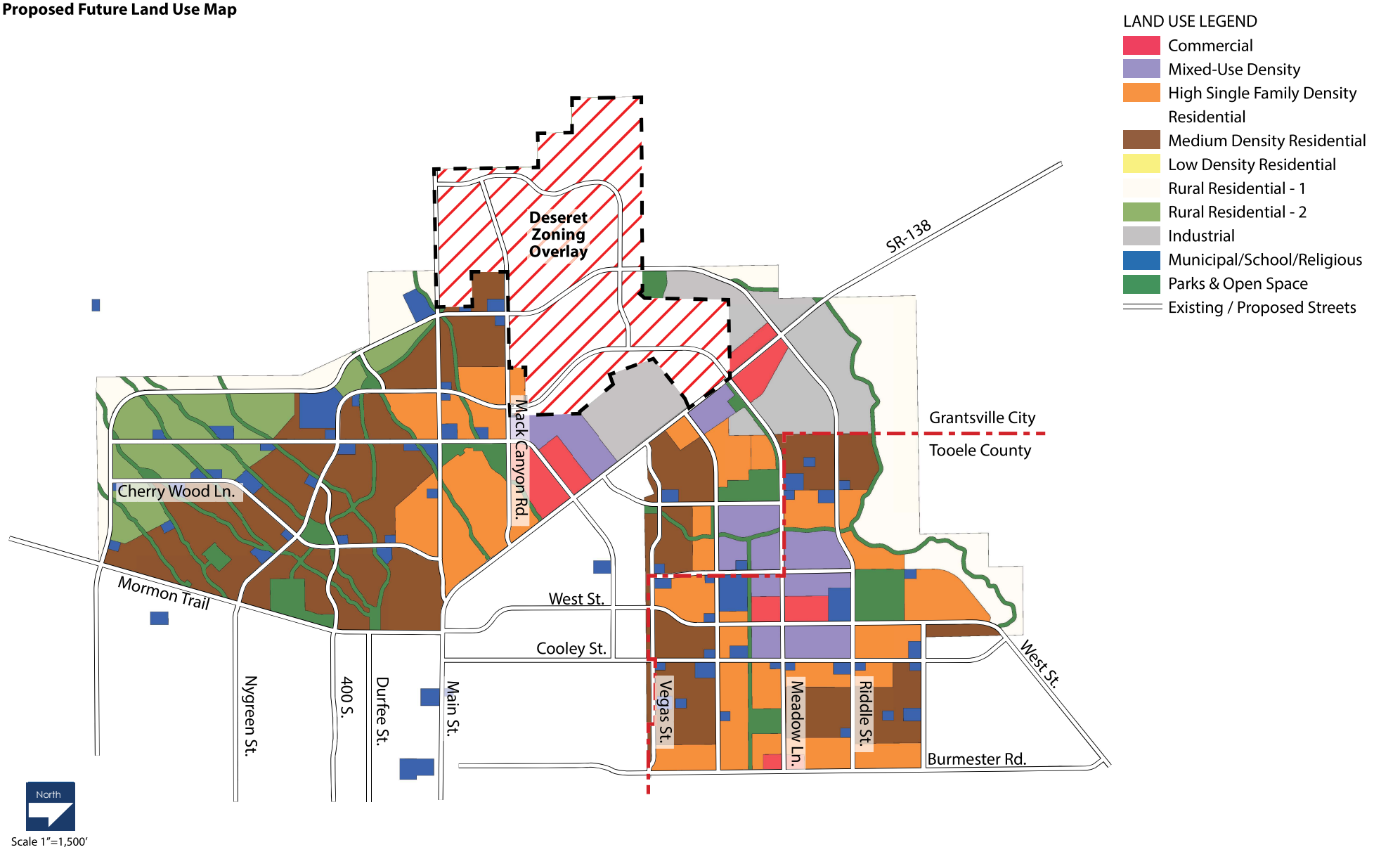
LAND USE LEGEND*

- Commercial
- Office
- Civic - School
- Civic - Services
- Religious
- High Intensity Residential
- Medium Intensity Residential
- Low Intensity Residential
- Very Low Intensity Residential
- Open Space / Drainage Trails
- Agriculture / Sensitive Lands
- Flex-Use / Manufacturing
- Outside Growth Boundary
- Development Intensity Nodes
- Desert Edge Overlay
- Vested Uses July 2024
- Existing / Proposed Streets

* See page 6-7 for land use descriptions

**Note:** The Proposed Concept has been revised to show the properties that are currently vested with specific development rights. Vesting has occurred through Zoning, Master Development Agreement, PUD Approval, Preliminary or Final Plat Approvals.

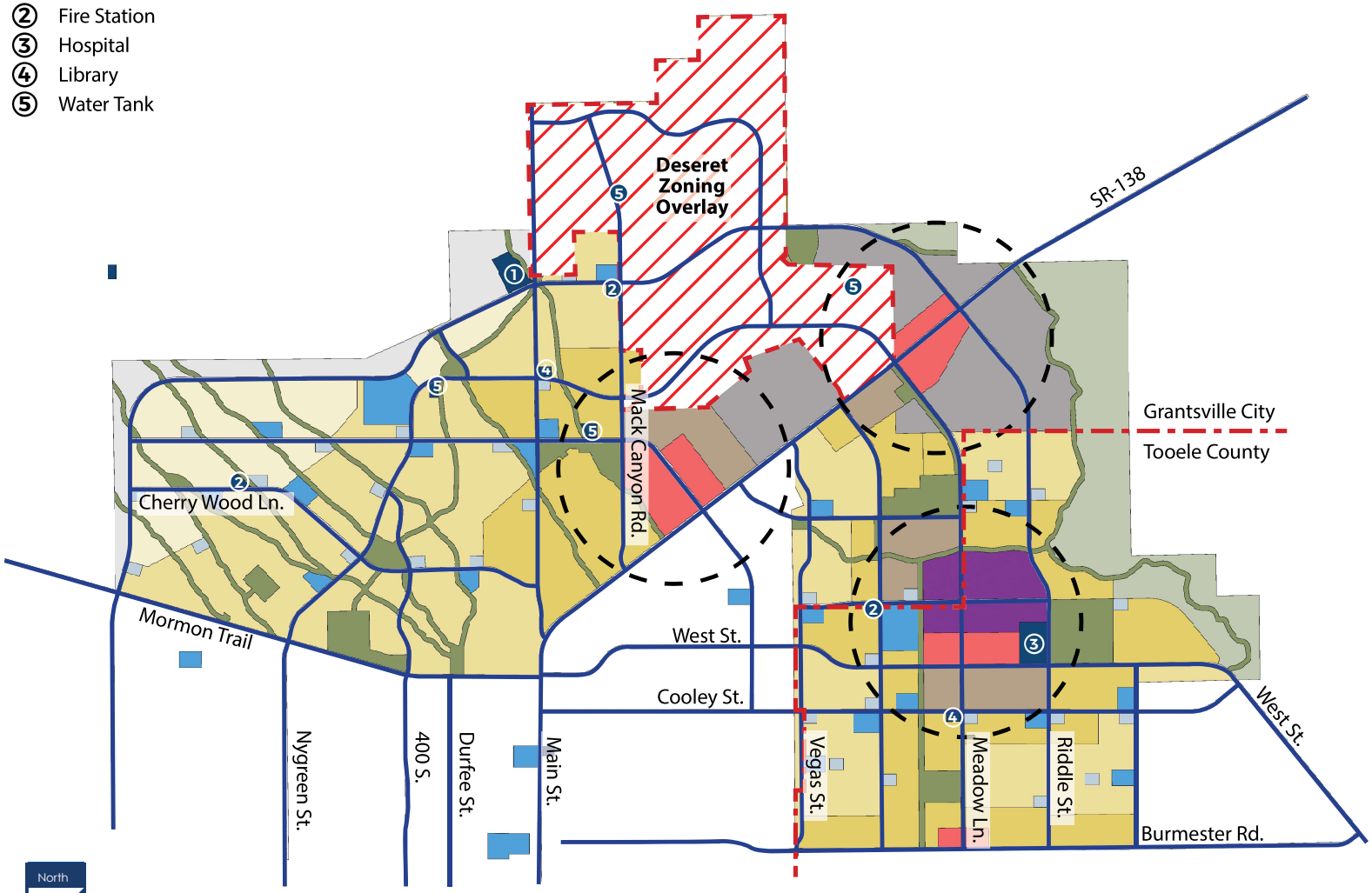
**Proposed Future Land Use Map**



## Proposed Concept

CIVIC USE LEGEND

① Cemetery
② Fire Station
③ Hospital
④ Library
⑤ Water Tank




LAND USE LEGEND*

- Commercial
- Office
- Civic - School
- Civic - Services
- Religious
- High Intensity Residential
- Medium Intensity Residential
- Low Intensity Residential
- Very Low Intensity Residential
- Open Space / Drainage Trails
- Agriculture / Sensitive Lands
- Flex-Use / Manufacturing
- Outside Growth Boundary
- Development Intensity Nodes
- Desert Edge Overlay
- Existing / Proposed Streets

* See page 6-7 for land use descriptions

**Note:** The Proposed Concept has been used to calculate the intensity of use for determining the demands and necessary capacity of proposed infrastructure to serve the planning area. These intensities are based upon the highest and best use to ensure the sizing of the infrastructure will be adequate for potential future demands.

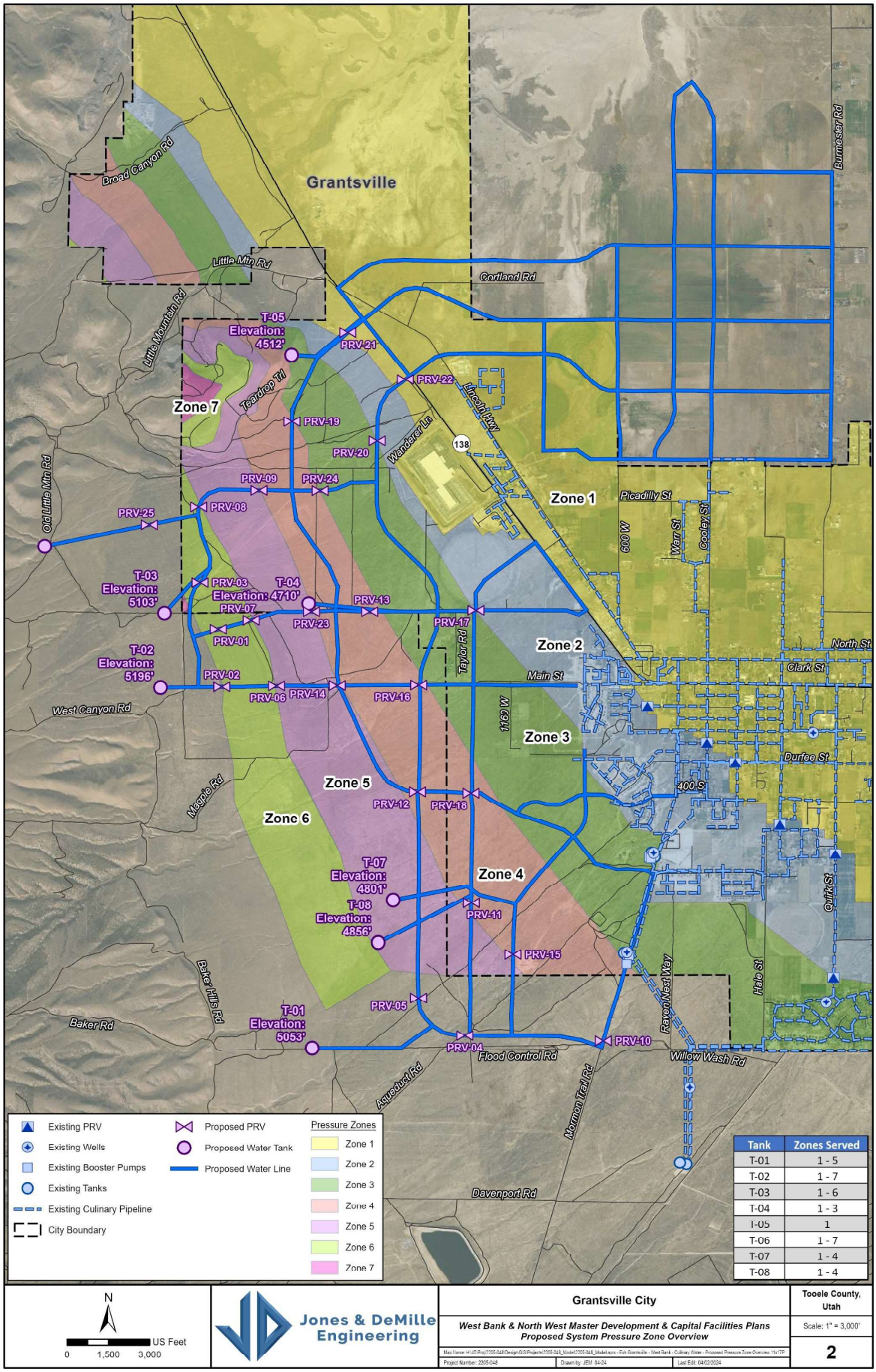



Figure 2. Proposed System Pressure Zone Overview

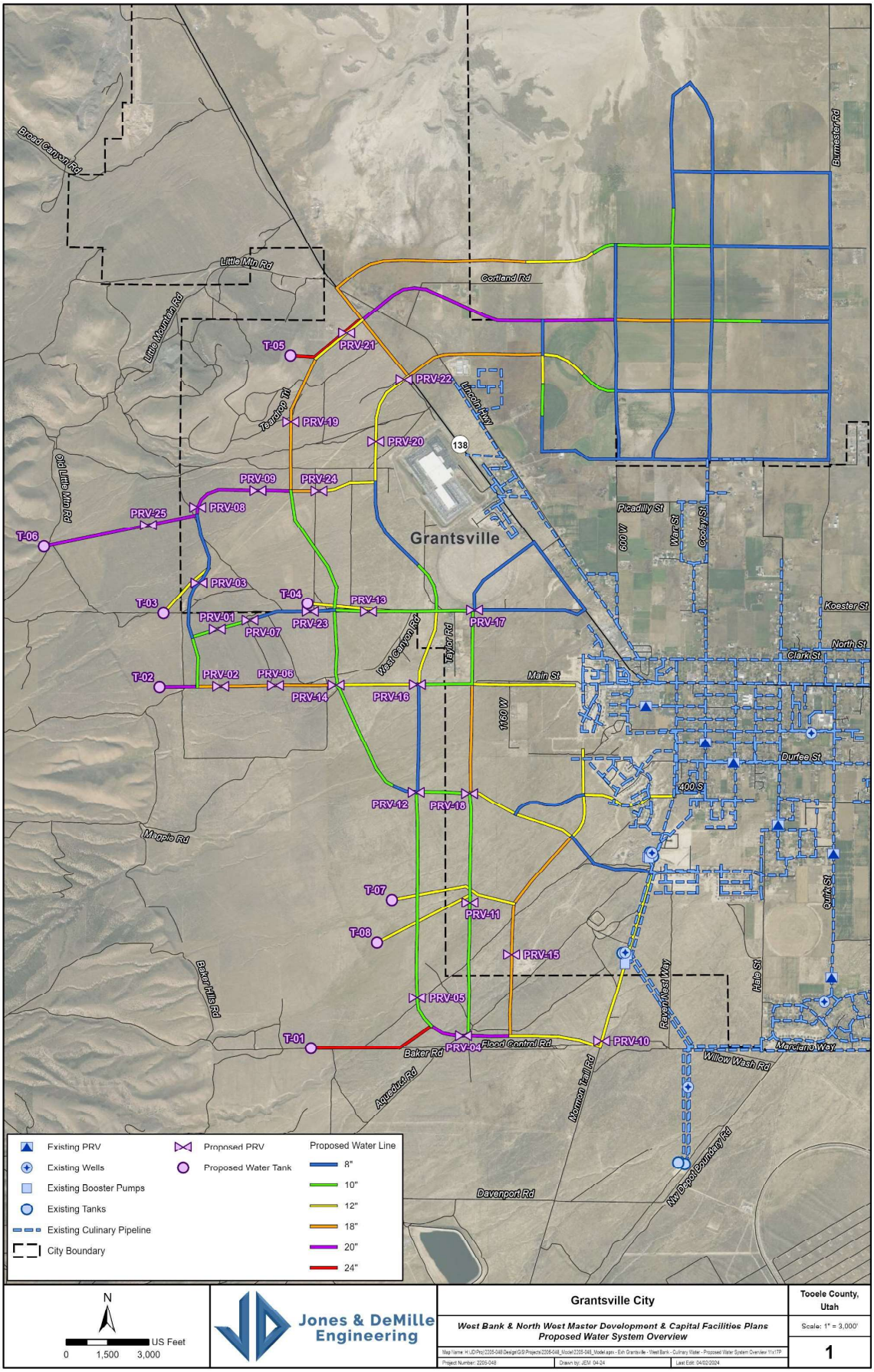



Figure 1. Proposed System Layout

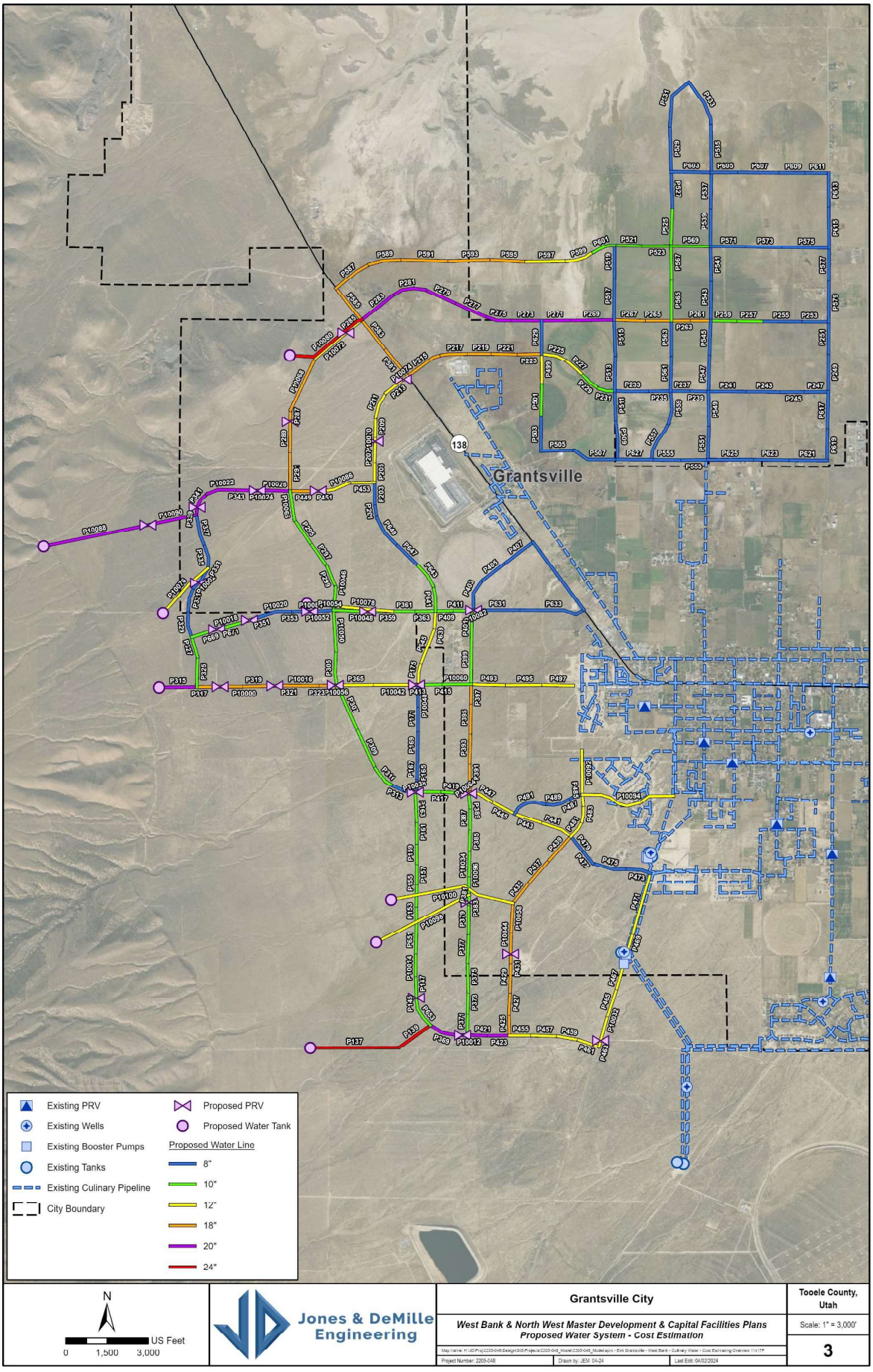



Figure 3. Cost Estimating Overview and Pipe Labels

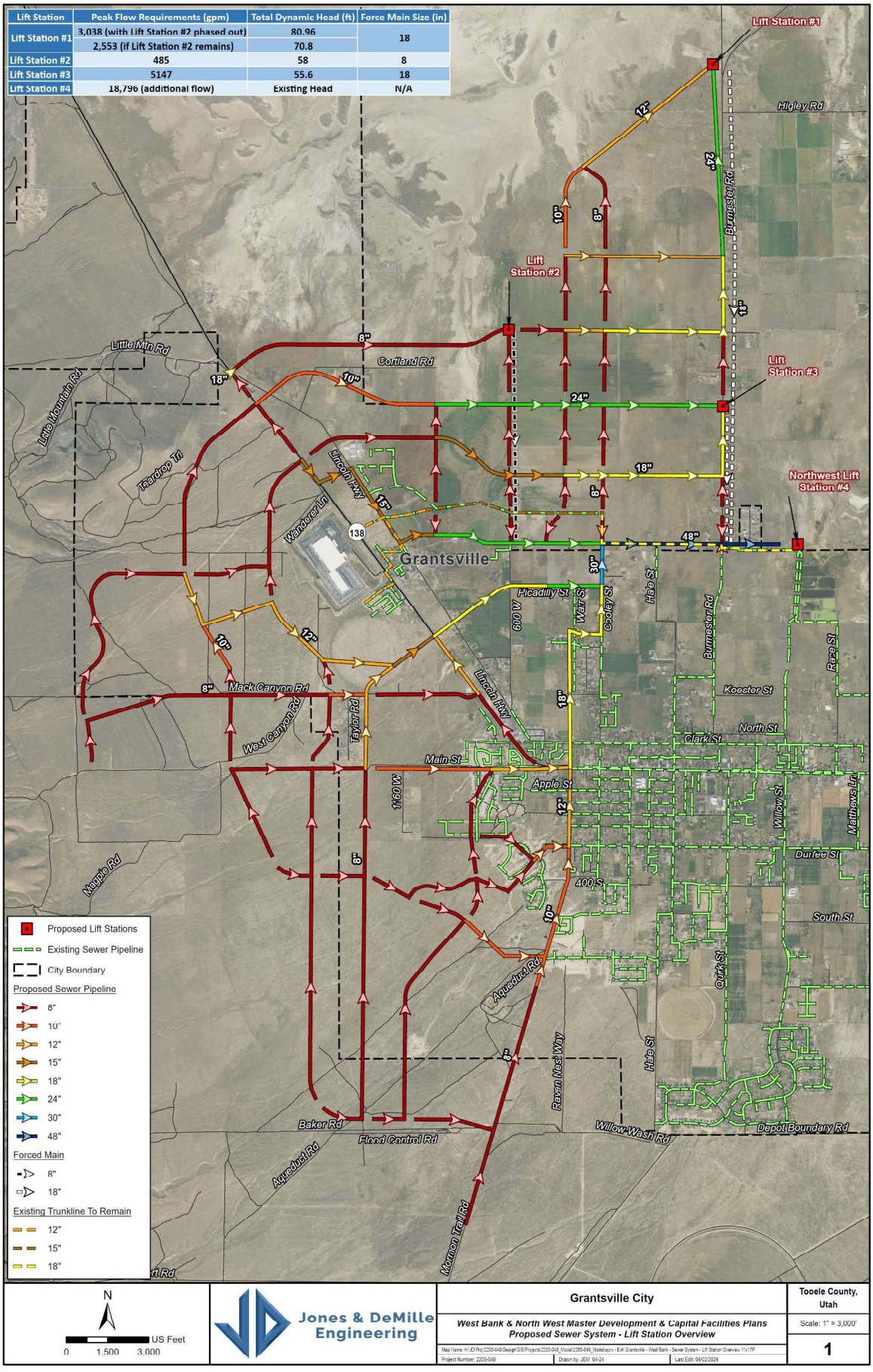



Figure 1. Trunkline and Lift Station Overview

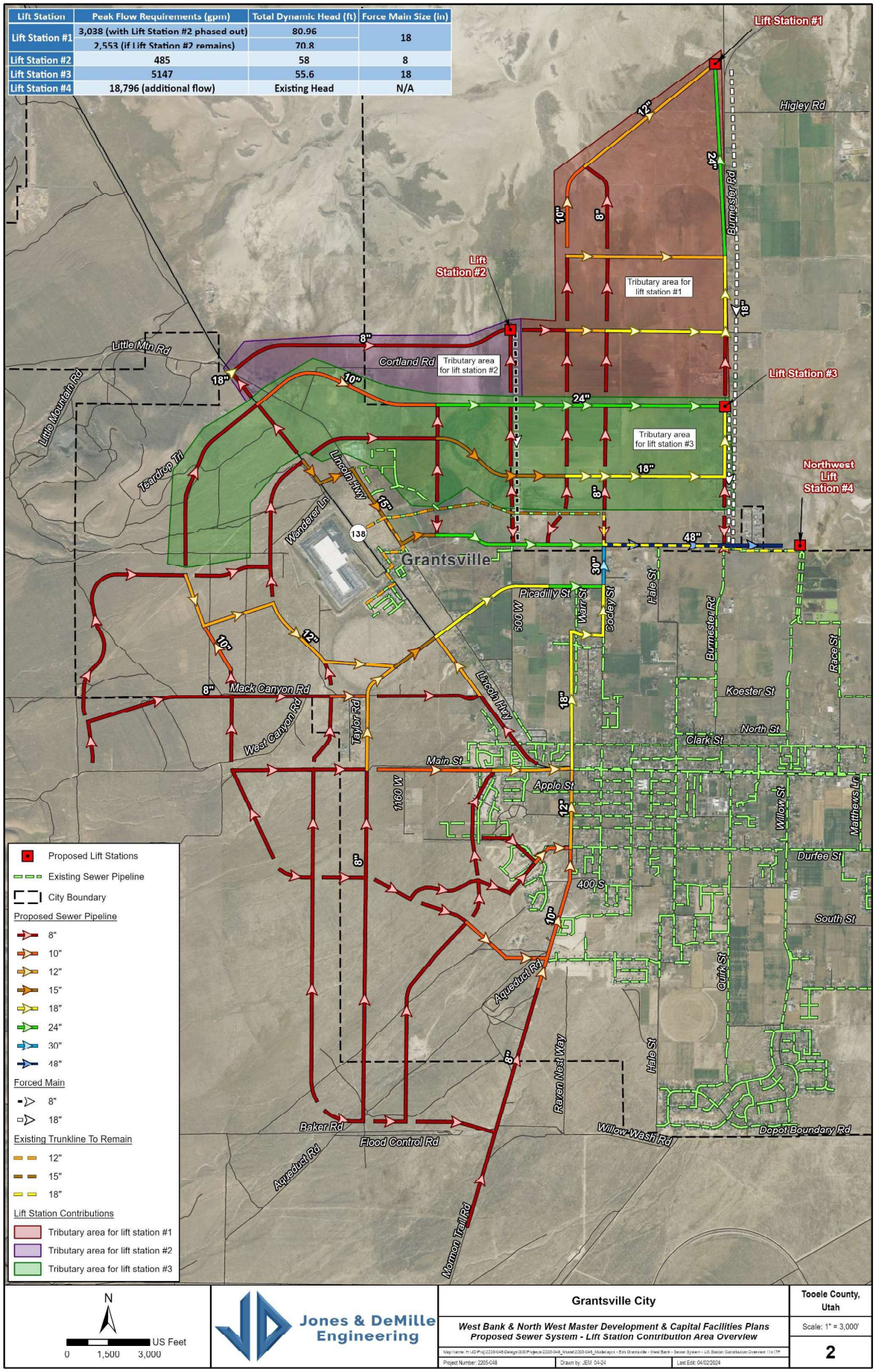



Figure 2. Lift Station Contribution Area Overview

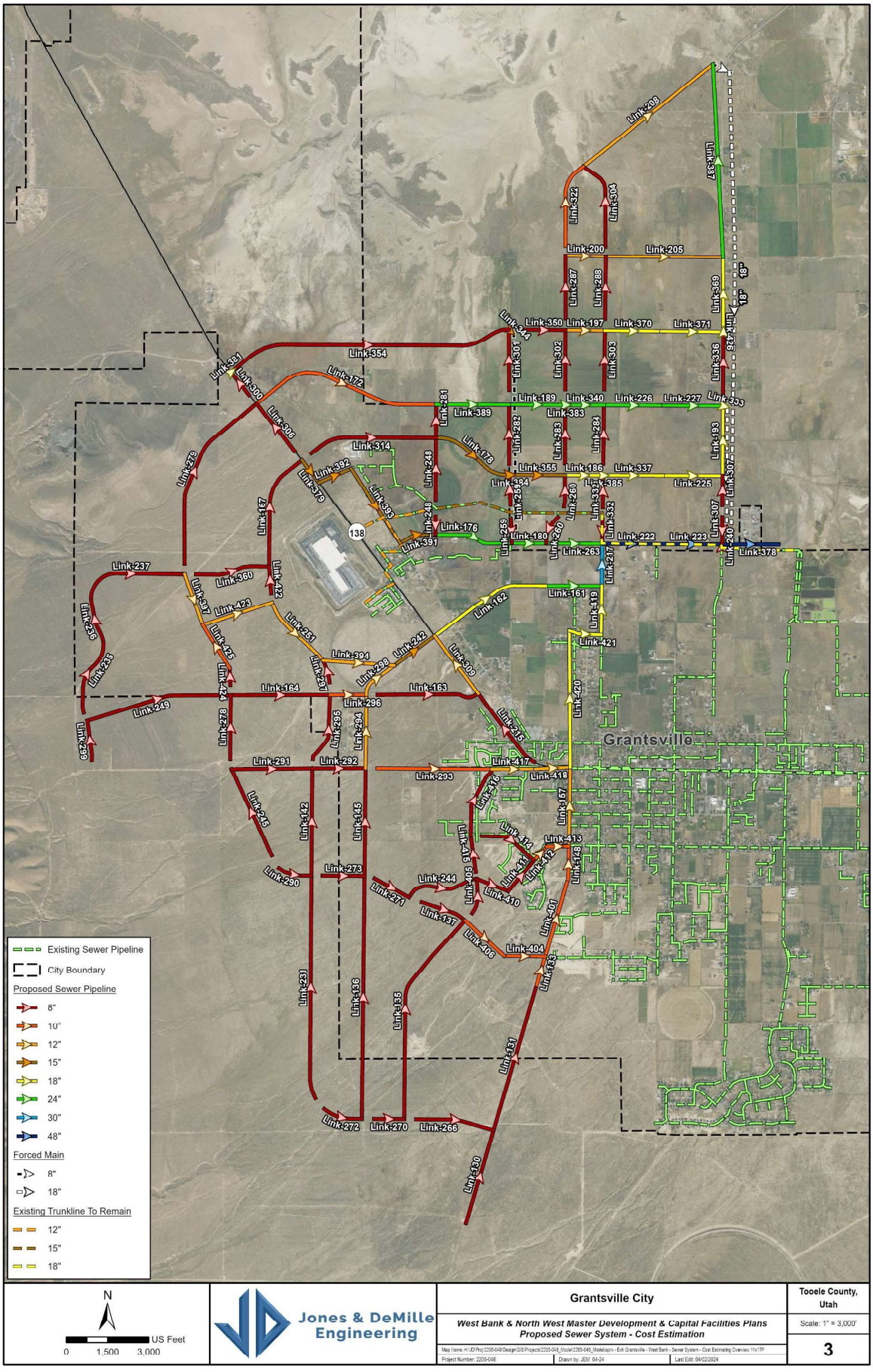


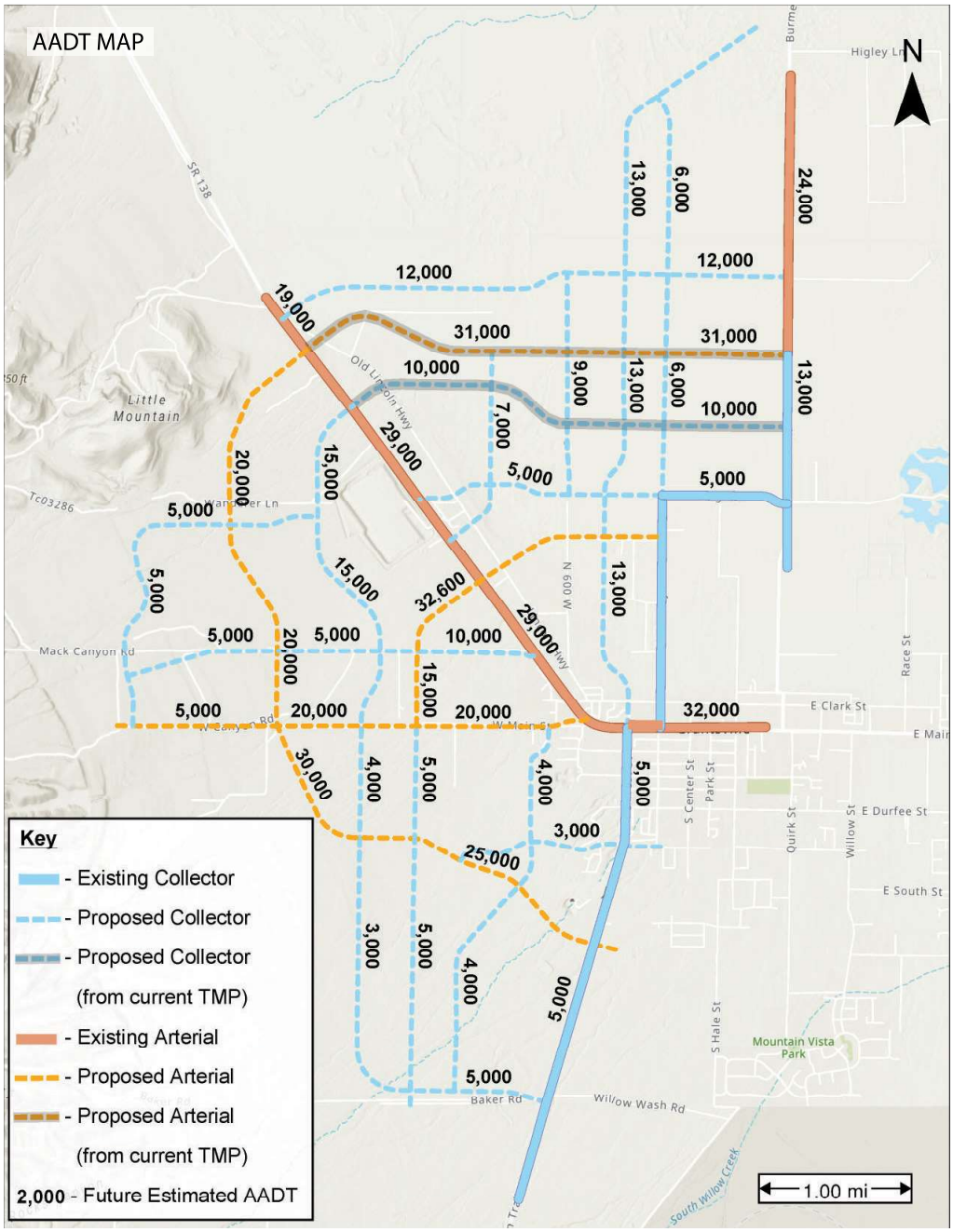

Figure 3. Cost Estimating Overview

## Transportation

**Annual Average Daily Traffic (AADT)**

The projected future AADTs completed for this study were based on the land uses and roadway network shown in the Grantsville West Bank Master Development Plan Proposed Concept Plan.

Trip generation rates published in the Institute of Transportation Engineers (ITE) Trip Generation,11th Edition were used to calculate the number of daily trips generated by each area in the Proposed Concept. These trips were assigned to the roadway network based on local and regional trip attractions. Trip attractions include commercial and employment areas both inside and outside the study area. Trips were assigned to roadways designated as collectors or arterials in this plan and in the Grantsville Transportation Master Plan (TMP) (August 2022).

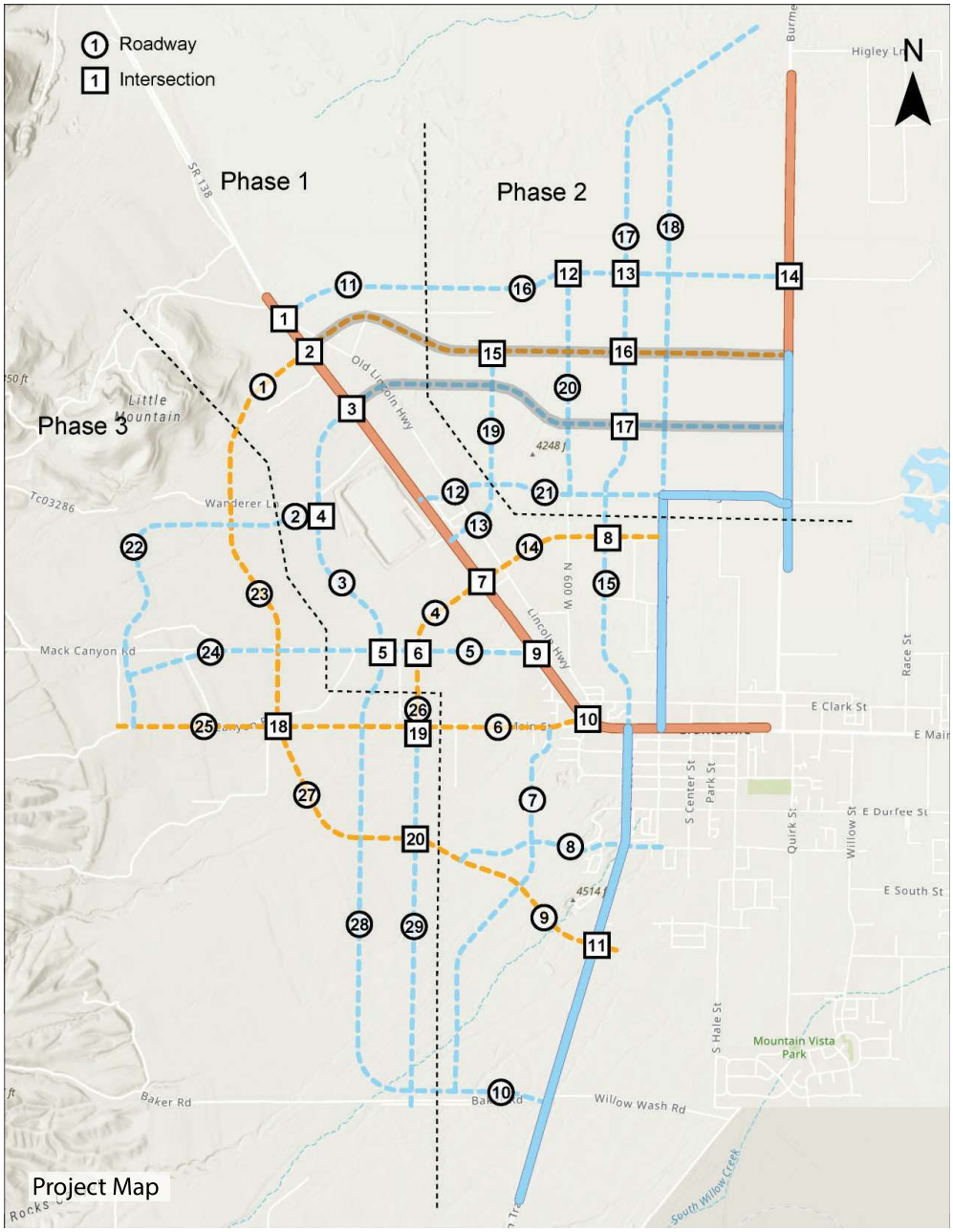


**Functional Classification**

The functional classification of each roadway shown in the Proposed Concept was designated based on functional classifications established in the Grantsville TMP and following the ITE guideline that arterial roads should be spaced approximately one mile apart.

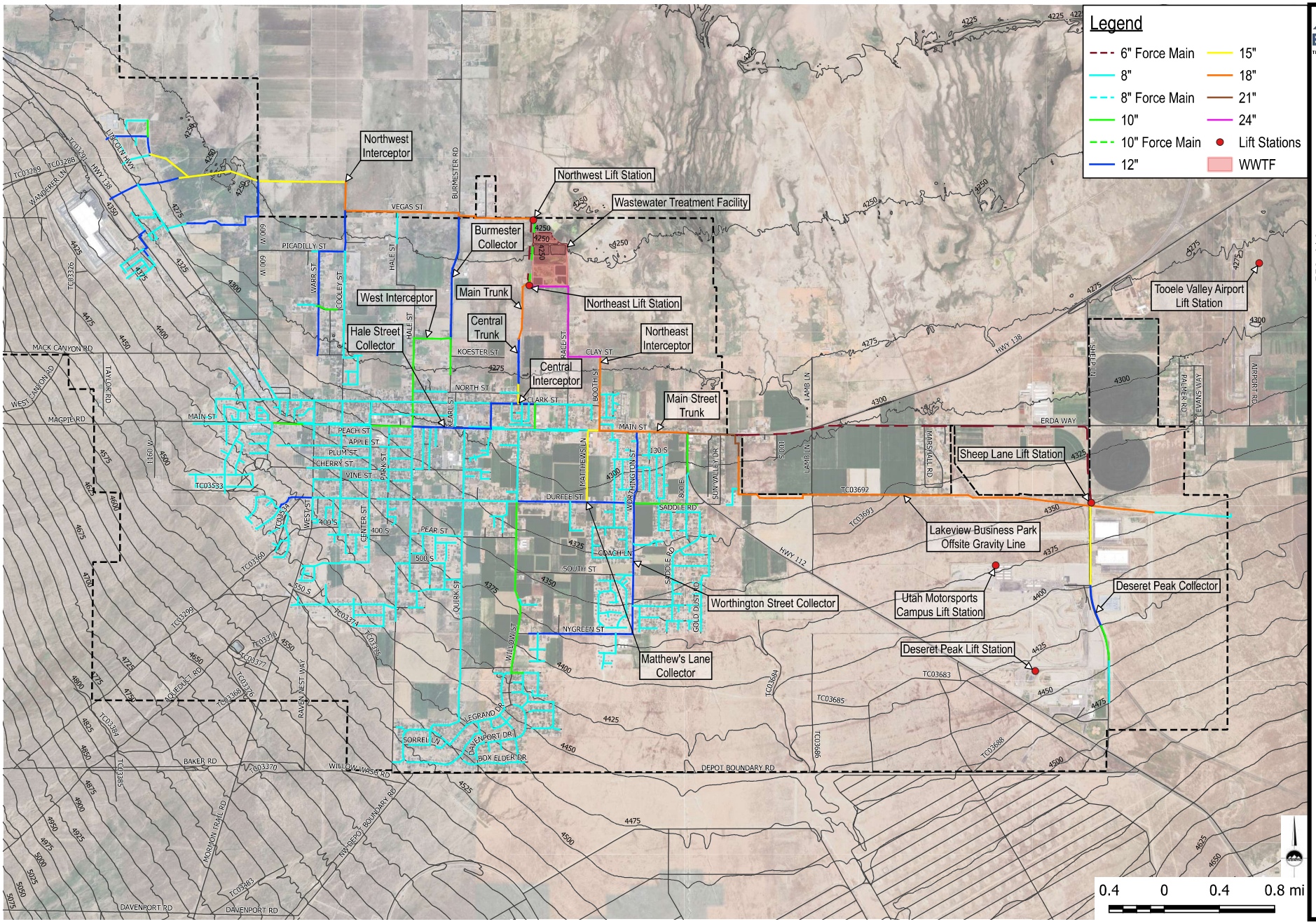
Roadways in the Proposed Concept that coincide with arterial roadways in the Grantsville TMP were designated as arterials. Roadways in the Proposed Concept that were extensions of arterial roadways in the Grantsville TMP were also designated as arterials.

Additional roadways in the Proposed Concept were designated as arterials such that the ITE recommended arterial spacing of one mile would be met where possible. All other roadways in the figure were designated as collectors.



Project Map

# Capital Facilities Plan




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TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
CITY OF GRANTSVILLE
429 E MAIN STREET
GRANTSVILLE, UTAH 84029

CONTACT:
MAYOR NEIL A. CRITCHLOW
PHONE: 435-884-3411

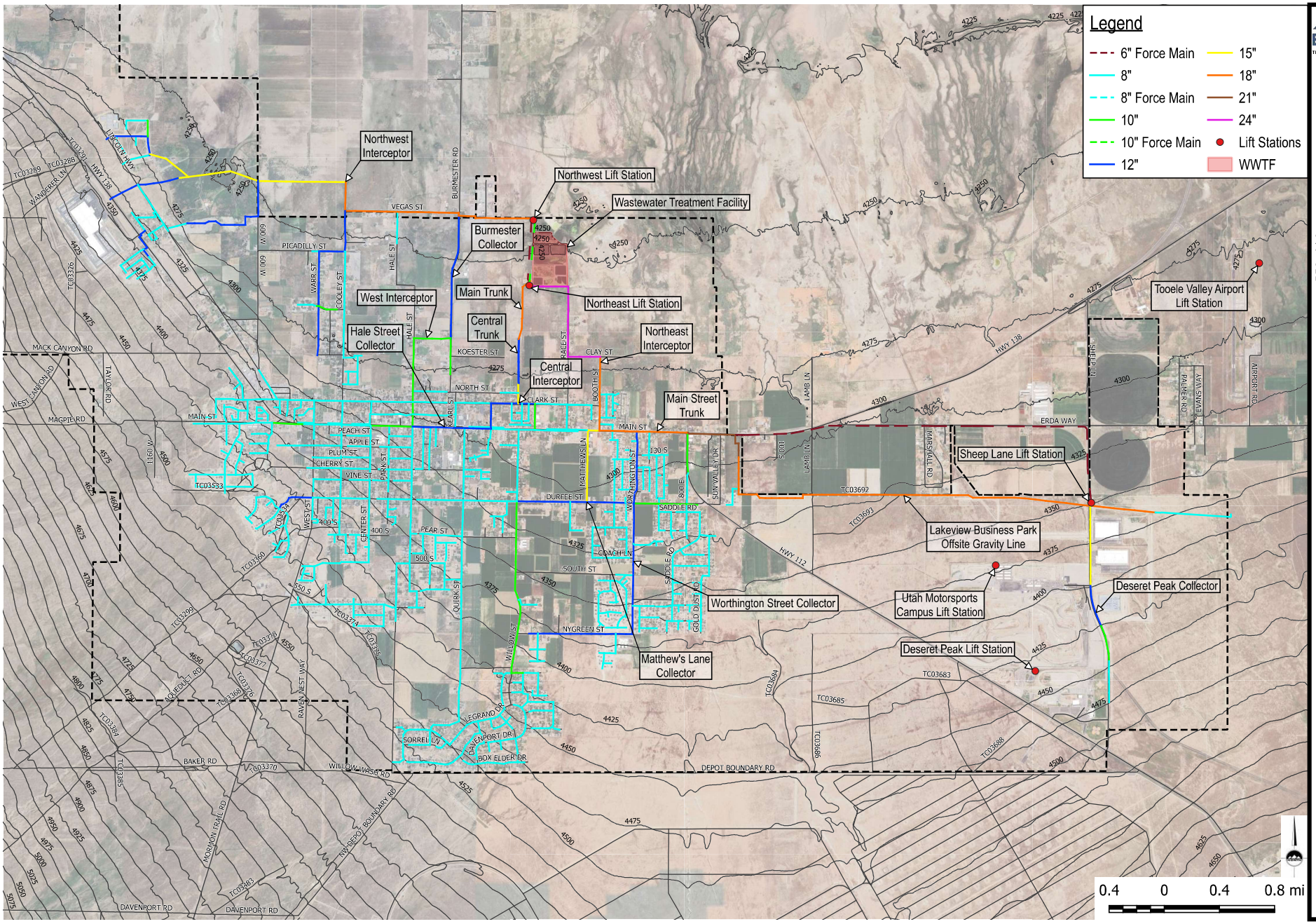
# GRANTSVILLE CFP, IFFP, AND IFA

GRANTSVILLE, UTAH

EXISTING WASTEWATER SYSTEM

PROJECT NUMBER 10766D
PRINT DATE 2024-03-08
PROJECT MANAGER R. ROUSSELLE
DESIGNED BY M. SANFORD

FIG 6-1




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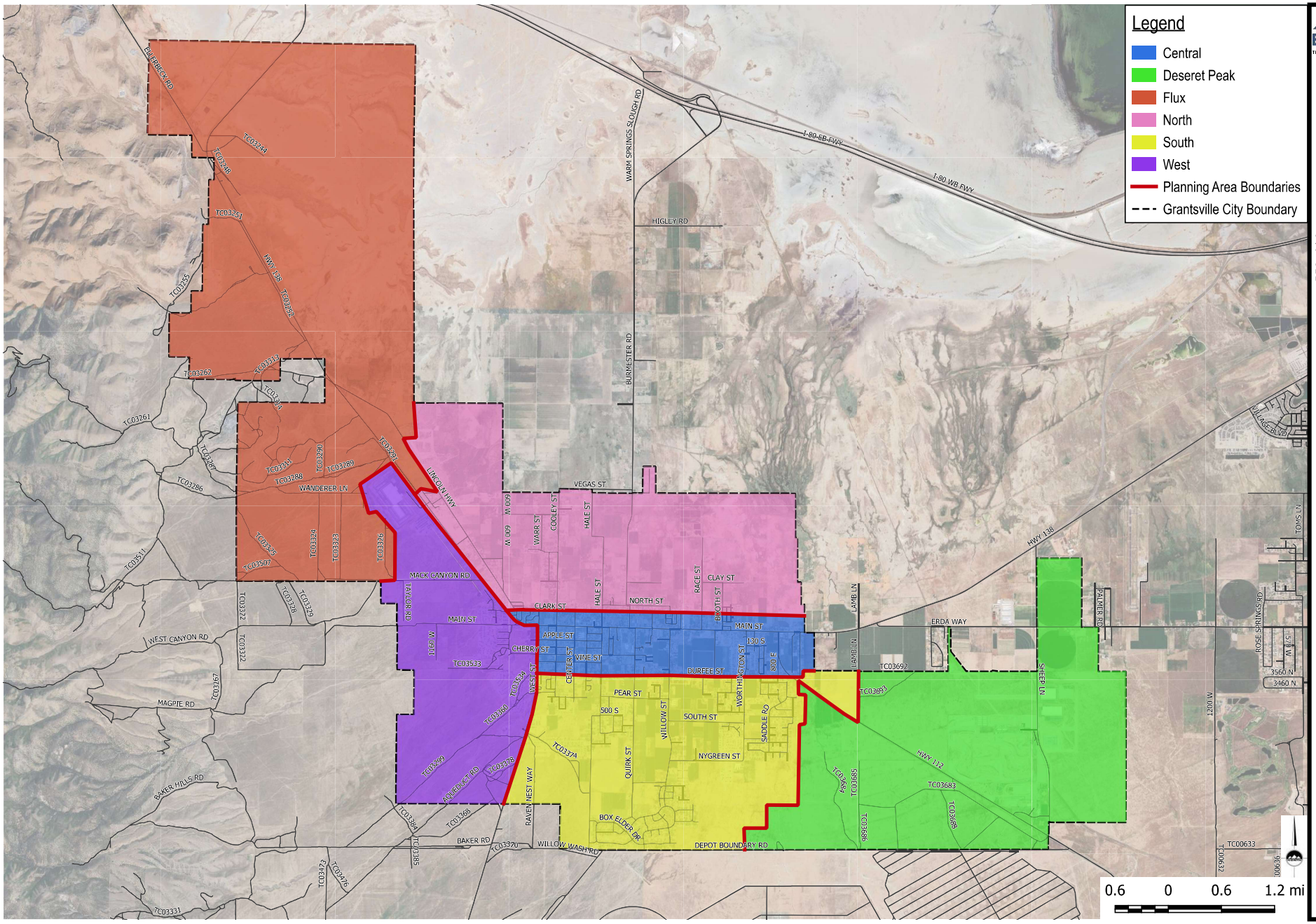
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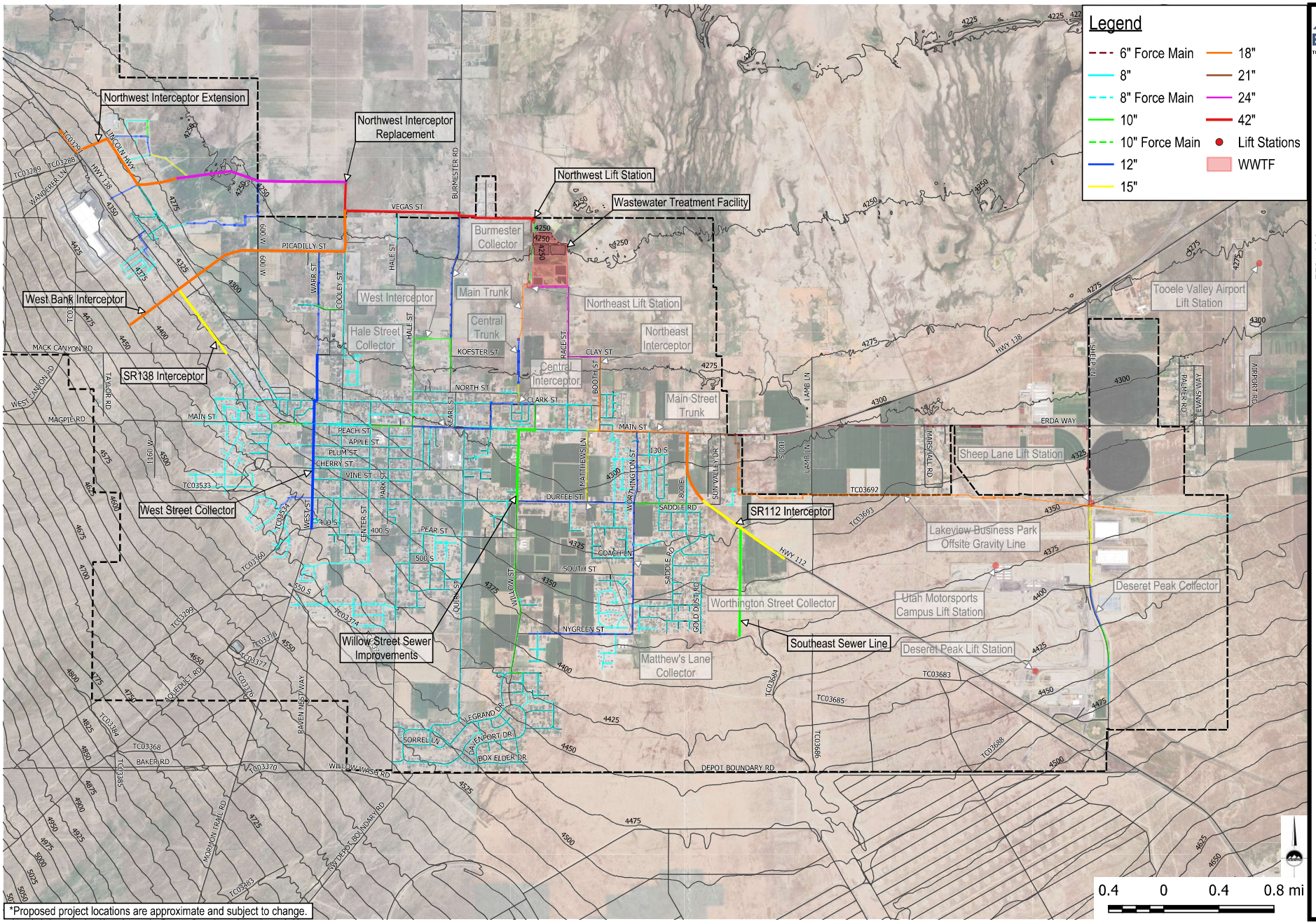
# GRANTSVILLE CFP, IFFP, AND IFA

GRANTSVILLE, UTAH

PLANNING AREAS

PROJECT NUMBER 10786D
PRINT DATE 2024-04-23
PROJECT MANAGER R. ROUSSELLE
DESIGNED BY M. SANFORD

FIG 2-1




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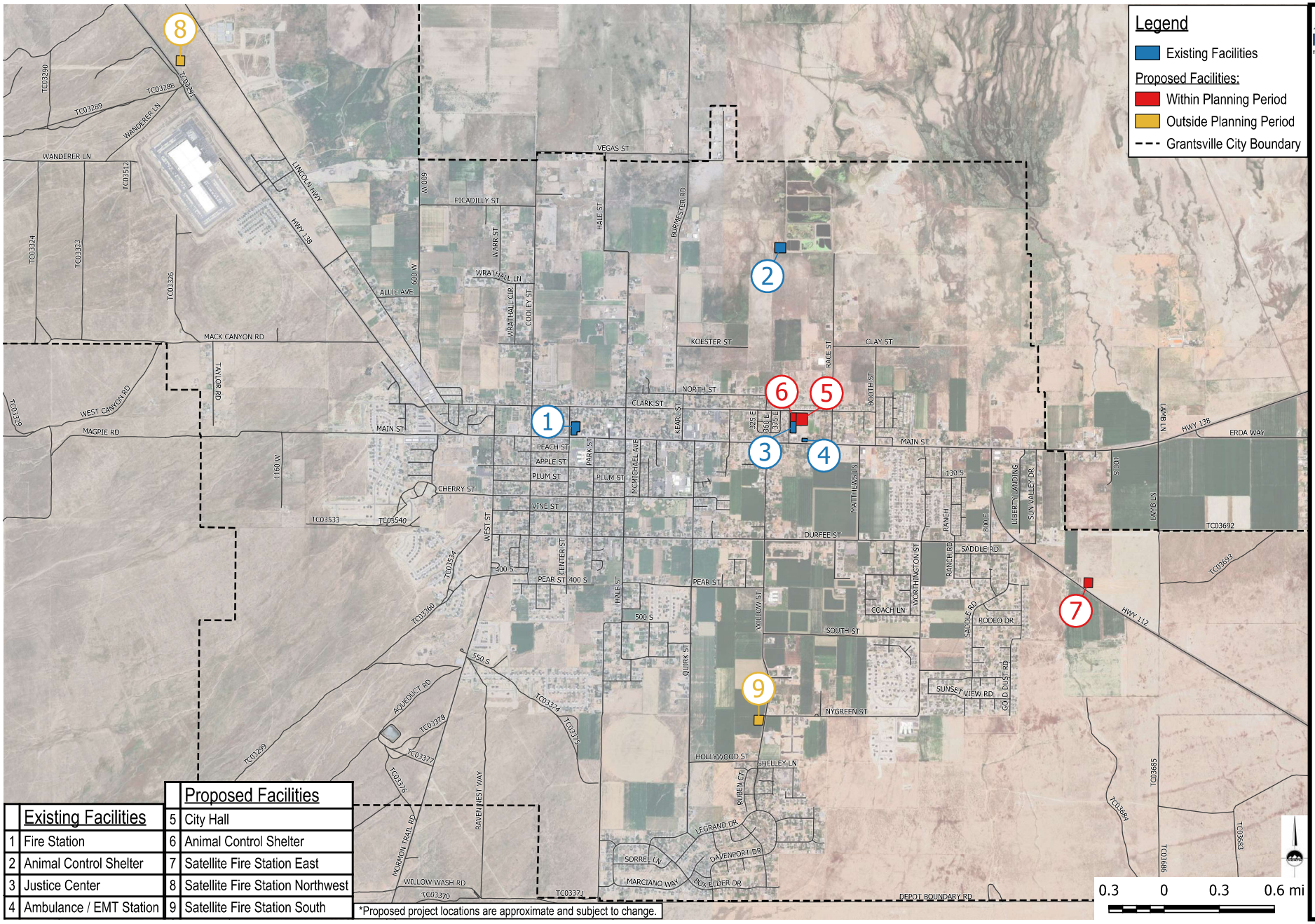
# GRANTSVILLE CFP, IFFP, AND IFA

GRANTSVILLE, UTAH

PROPOSED WASTEWATER SYSTEM

PROJECT NUMBER 10766D
PRINT DATE 2024-04-22
PROJECT MANAGER R. ROUSSELLE
DESIGNED BY M. SANFORD

FIG 6-2




| | Existing Facilities |
|---|---|
| 1 | Fire Station |
| 2 | Animal Control Shelter |
| 3 | Justice Center |
| 4 | Ambulance / EMT Station |

| | Proposed Facilities |
|---|---|
| 5 | City Hall |
| 6 | Animal Control Shelter |
| 7 | Satellite Fire Station East |
| 8 | Satellite Fire Station Northwest |
| 9 | Satellite Fire Station South |

*Proposed project locations are approximate and subject to change.


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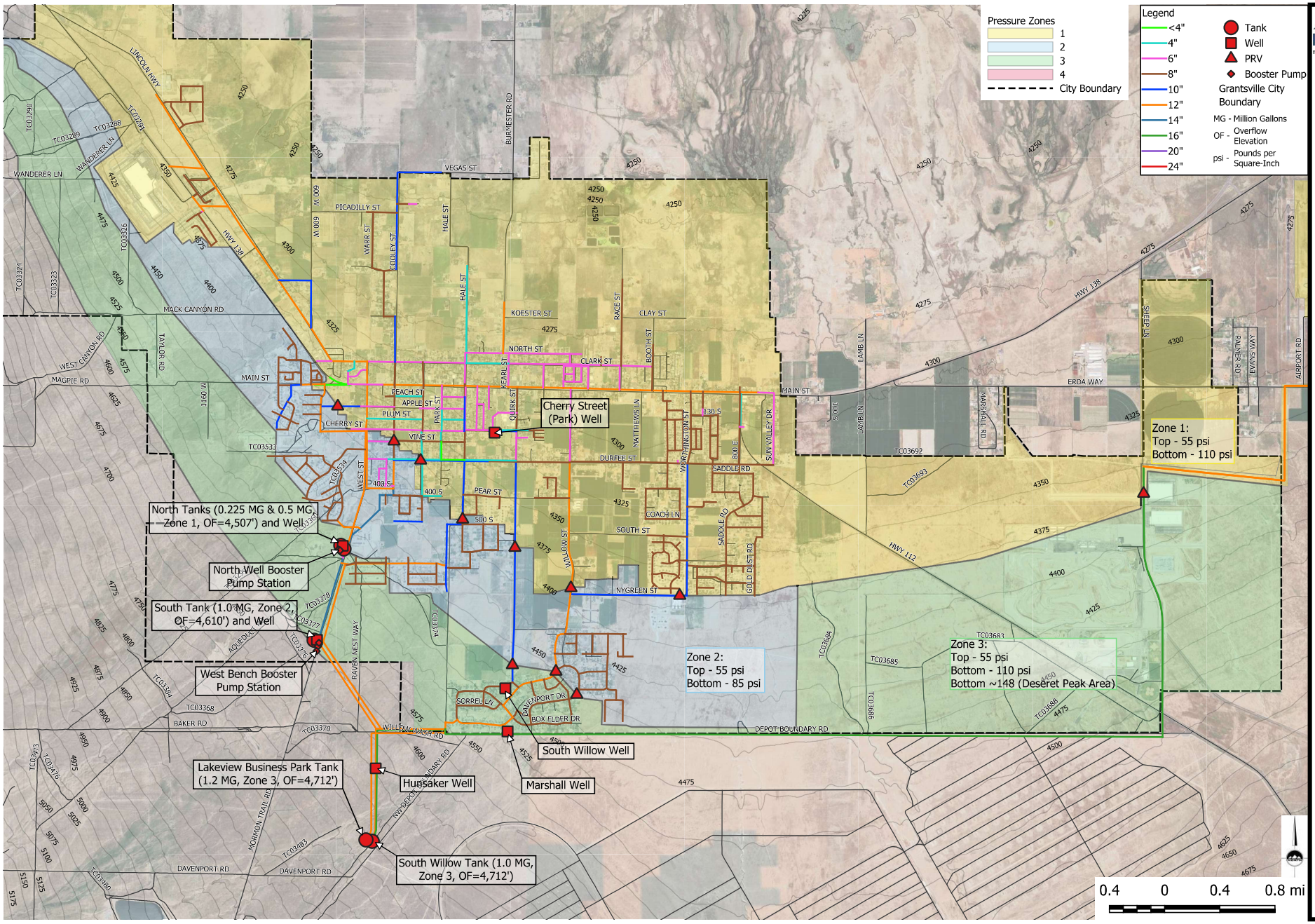

# GRANTSVILLE CFP, IFFP, AND IFA

GRANTSVILLE, UTAH

PUBLIC SAFETY FACILITIES

PROJECT NUMBER 10766D
PRINT DATE 2024-06-17
PROJECT MANAGER R. ROUSSELLE
DESIGNED BY M. SANFORD

FIG 4-1




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CONTACT:
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PHONE: 435-884-3411

# GRANTSVILLE CFP, IFFP, AND IFA

GRANTSVILLE, UTAH

EXISTING DRINKING WATER SYSTEM

PROJECT NUMBER 10766D
PRINT DATE 2024-07-12
PROJECT MANAGER R. ROUSSELLE
DESIGNED BY M. SANFORD

FIG 3-1

# GRANTSVILLE SPRINGS REZONE

## FEBRUARY 6TH, 2025

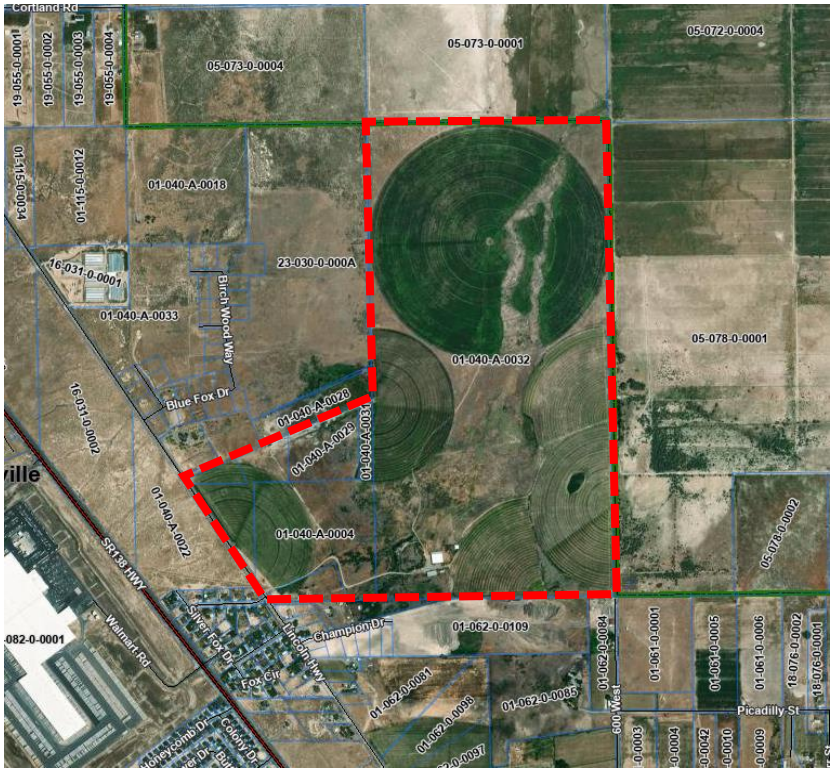



Image Source – Tooele County GIS

## CURRENT ZONE: PUD

- No PUD Zone is currently defined by GLUMDC
- Due to the vagueness of the current PUD zoning classification, a rezone is necessary for any use of the subject property
- Westates Companies would like to begin utilization of the land as its owner and desires to rezone the property

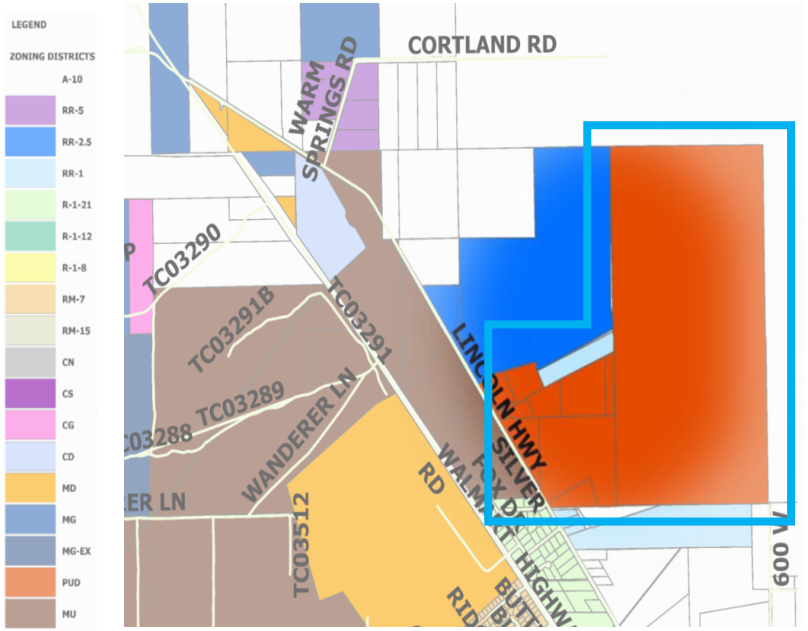



Image Source – Zoning Map Flux Area May 2024

The future land use map included in the Westbank Master Plan identifies uses that align with the **Grantsville General Plan**

Future Land Uses:

- **Commercial**
  - a variety of commercial, retail office and light industrial associated with a retail presence
- **Mixed-Use Density**
  - a mix of commercial retail and residential usses allowing up to 10 units / acre
- **High Single Family Density Residential**
  - Residential uses, allowing maximum of 6 dwelling units / acre
  - Anticipated (RM - 7) zoning
- **Medium Density Residential**
  - Residential uses, allowing a maximum of 3 dwelling units / acre
  - Anticipated (R-1-12) zoning
- **Low Density Residential**
  - Residential uses, allowing a maximum of 2 dwelling units / acre
  - Aniticipated (R-12-21) zoning
- **Rural Residential - 1**
  - Residential uses with applicable rural land uses, allowing a maximum of 1 dwelling units / acre
- **Rural Residential - 2**
  - Residential uses with applicable rural land uses, allowing a maximum of 2 dwelling units / acre
- **Industrial**
  - Allowing industrial, light industrial and mining
- **Municipal/School/Religious**
  - Allowing industrial, light industrial and mining
- **Parks & Open Space**
  - City or School District owned property serving a public purpose
- **Existing / Proposed Streets**

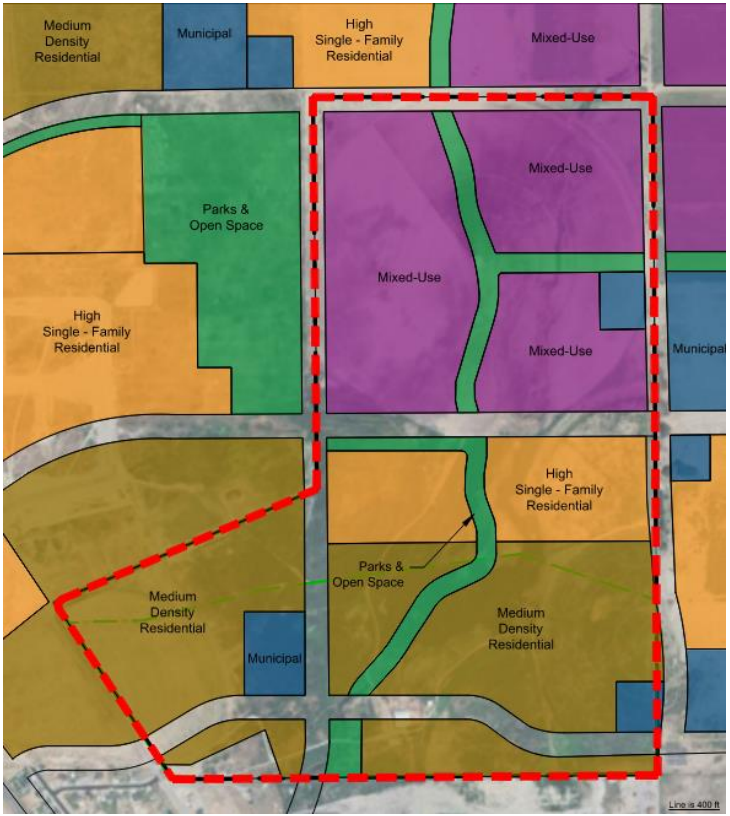



Image Source – Future Land Use Map (Westbank Master Plan)

## TARGET ZONE: MIXED - USE

- The Mixed-Use zone allows 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.
- The Mixed-Use zone aligns with the uses identified in the future land use map, including mixed-use, high single-family residential and medium density residential.
- As part of the Mixed-Use zone, the establishment of a planed unit development (PUD) and accompanying development agreement are required, However, the PUD language of GLUMDC Chapter 12 is currently being reviewed by Grantsville City.
- The PUD or resulting requirements will need to be addressed after the initial rezone.

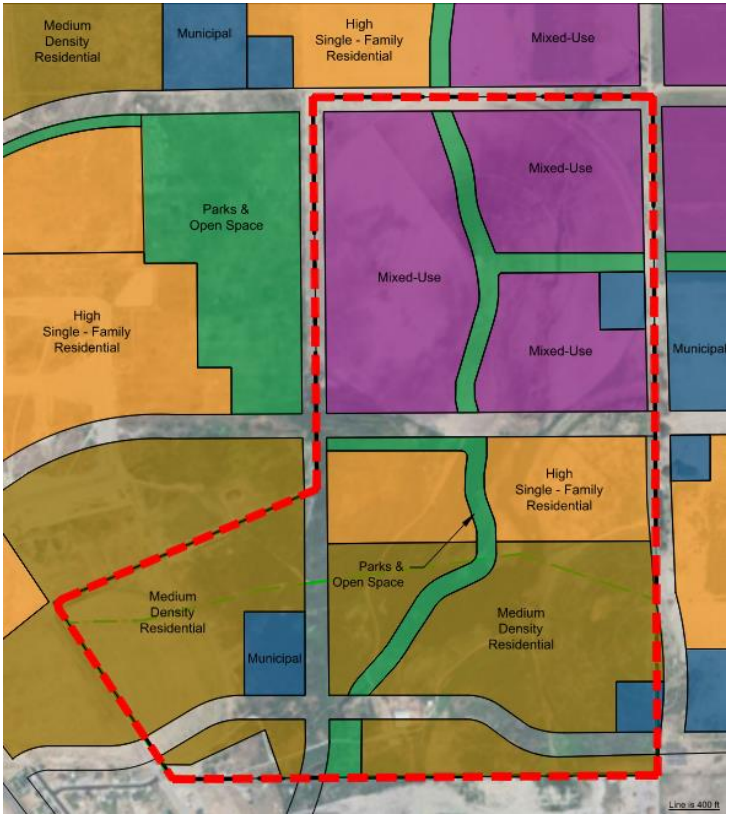



Image Source – Future Land Use Map (Westbank Master Plan)

## Additional Considerations

Other factors that will impact the use and future layout of the property may include:

- Wetlands
- Sensitive areas
- Existing utilities and easements
- Roadway alignments and connectivity
- Development phasing

These factors and other design guidelines will be addressed through the updated PUD requirements or overlay zones.

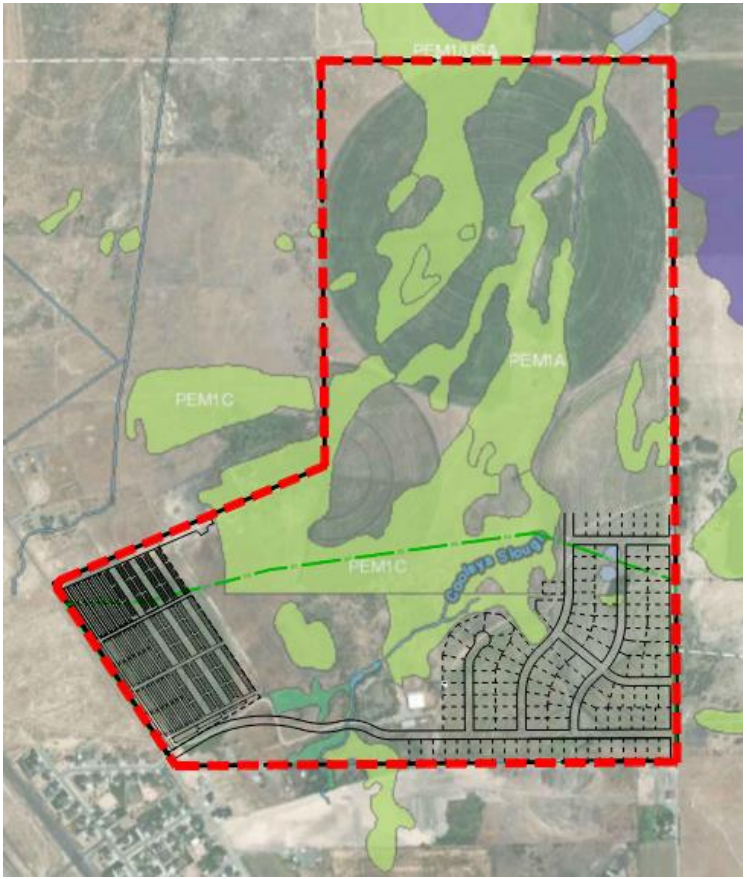



Image Source (Background) – Nation Wetlands Inventory Wetlands Mapper

WESTATES companies

## NEXT STEPS & APPROVAL PROCESS

1. Planning Commission – recommendation of rezone
2. City Council – approval of rezone
3. Updated PUD or zoning overlay requirements
4. Preliminary and final plats
5. Conditional use permits and sensitive land approvals, as necessary.

# Questions?





# AGENDA ITEM #4

Discussion of the proposed amendment to the PUD for Presidents Park located at approximately 600 E. Nygreen St. and Washington Ave.

**GRANTSVILLE CITY PLANNING COMMISSION**

**February 6, 2025**
**PUBLIC NOTICE**

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 February 6, 2025 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 proposed PUD Amendment for the Presidents Park Townhomes PUD, located at approximately 600 E Nygreen Street and make a recommendation to the City Council. You can view a copy of the proposed application online at the link below, by January 31, 2025

https://www.grantsvilleut.gov/departments/community___economic_development/planning_commission.php

Or by emailing pzcommission@grantsvilleut.gov All comments and concerns need to be sent in writing through email or mail and received no later than noon February 5, 2025.

Dated this 27 day of January, 2025

**BY ORDER OF THE GRANTSVILLE PLANNING COMMISSION**

Shelby More
Zoning Administrator

Scan QR Code above or use the link below to join Zoom Meeting
https://us02web.zoom.us/j/87842474727
Meeting ID: 878 4247 4727

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

**Permit # 2024127**

**Staff Report Summary for**
**Presidents Park PUD Amendment**

**Parcel ID(s):** 01-075-0-0044
**Property Address:** Washington Ave and Nygreen St.
**Applicant Name:** Colton Bryan and Travis Taylor
**Request:** PUD Amendment
**Prepared By:** Shelby Moore

**Meeting Date:** 02-06-2025
**Public Hearing Date:** 02-06-2025
**Current Zone:** R-1-21
**Proposed Density:** 9.5
**Allowed Density:** 8 units to the acre

## PLANNING STAFF ANALYSIS AND COMMENTS

**Background:**

The original PUD was approved in 2022. Travis Taylor has applied to amend Planned Unit Development (PUD) on November 5th, 2024. The proposal was reviewed by staff who raised concerns regarding existing utilities. The property is currently zoned R-1-21, and the future land use designation is Low Density Residential -2, with a node indicating potential future neighborhood commercial development.

**Proposal Summary:**

The Presidents Park PUD Townhomes project encompasses the following key components:

1. **Current Approved Units:** 298
2. **Proposed Units:** 338
3. **Zoning:** Current zoning is R-1-21.
4. **Future Land Use:** Designated as Low Density Residential -2, with a node for potential future neighborhood commercial development.
5. **Commercial Space:** The proposal includes 8.86 acres of commercial space.
6. **Park Space:** A 10-acre park is also included in the development plan.
7. **Existing Utilities:**

    a. Staff have noted concerns regarding the capacity and adequacy of existing utilities to support the proposed development. It is crucial to ensure that utility infrastructure can accommodate the additional demand generated by the PUD Townhomes.

6. **Community Benefits:**
    a. The proposed development includes a 10-acre park, which will provide recreational opportunities and green space for residents. This park is a significant amenity that enhances the quality of life for the community.

b. 8.86 acres of commercial.
c. Reduced housing costs.

7. **Items to Consider:**
   a. Site Triangle appear to be missed placed.
   b. Parking.
   c. Park Buildout.

**PUD Standards for Determination 12-14-2:**

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

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

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

**Exceptions Requested:**

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

**Buffer:**

GLUDMC Chapter 9 discusses Landscaping and buffers between disparate uses. GLUDMC Section 4.17 discusses the need for fencing.

**Parking:**

Per GLUDMC Chapter 12.2 1 notes that the Planning Commission does not have authority to waive public health and safety issues such as the quantity of parking required by the code. Parking is considered a public health and safety issue because inadequate parking availability typically leads to vehicles parking in restricted areas such as in front of fire hydrants, driveways,

sticking out in the street blocking sidewalks and impeding traffic and other restricted areas which impedes the ability for emergency ingress and egress. Therefore, it will be important that the proposed development comply with the necessary parking requirements found in GLUDMC Chapter 6 offstreet parking and loading and GLUDMC Section 4.34 Multi-Unit Residential Development.

**Site Triangle:**

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

*** 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.*

Shelby Moore <smoore@grantsvilleut.gov>

# Presidents Park town home sewer bullet points

1 message

**Cody Christensen** <cchristensen@grantsvilleut.gov> Mon, Jan 27, 2025 at 9:33 AM
To: Shelby Moore <smoore@grantsvilleut.gov>

Shelby,

Here are the bullet points for the sewer line that already exists in the town homes.

1. New sewer requires a Wye installed.
2. Every home requires a single lateral.

Reasons for sewer replaced.

1. Existing lateral lines may not line up.
2. Rouge sewer laterals throughout the project.
3. New sewer system should not consist of nose ons and repair bands. (Nose ons are drilled holes with boots into the sewer main. Repair bands are rubber boots where two cut pipes are banded together).
4. All misaligned sewer laterals must be removed. The city requires a straight lateral from the main sewer line to the back of the ROW. ( No angled fittings or deflected pipe).

Let me know if you have any questions.

Thank you
Cody

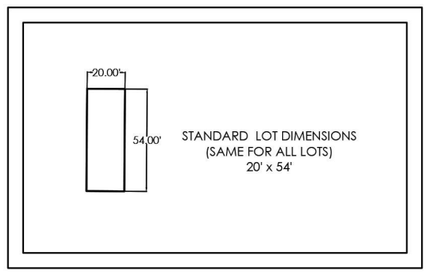
| Presidents Park- Grantsville, UT | | | | | | |
|---|---|---|---|---|---|---|
| Grantsville City Residential Uses | Grantsville City Residential Uses | R-1-21 | Chapter 4.34 | Signed Dev. Agreement & Adenda 1 | Addendum 3 | Proposed Variance |
| | **Description** | **City Code** | **City Code** | **Existing PUD** | **Existing PUD** | **PUD Ammendment** |
| | **Density** | | | | | |
| | Max Number of Units | | | 298 | 298 | 338 |
| | Max Units/ Acre | | | 8 | 8 | 9.5 |
| | Minimum Lot Size - Single Family | 21,780' Sq. Ft. | N/A | 14,500' Sq Ft. | 14,500' Sq Ft. | 13,000 Sq. Ft. with an average lot size of 14,500 Sq. Ft. |
| | Minimum Lot Size - Townhomes (to calculate density only) | N/A | 2,400' Sq. Ft. | - | 3,400 Sq. Ft. | 3,200 Sq. Ft. |
| | Minimum Size Corner Lots | 21,780' Sq. Ft. | 2,400' Sq. Ft. | 14,500' Sq Ft. | 3,400 Sq. Ft. | 3,200 Sq. Ft. |
| | Minumum Lot Width | 70' | 30' | - | 40' | 20' (based on unit width) |
| | Maximum Building Coverage | 20% | - | - | 60% | 60% of Site |
| | Minimum Dwelling Unit SF | - | 1,000' Sq. Ft. | - | *1,000' Sq. Ft. | - |
| | **Minimum Front Yard Setbacks (Single Family)** | | | | | |
| | Front Yard | 40' | N/A | 40' | 40' | 30' |
| | **Minimum Front Yard Setbacks (Townhomes)** | | | | | |
| | Front Yard | 30' | 25' | - | 25 | 20' Perimeter |
| | Driveway | - | - | - | 25 | 20' Perimeter |
| | Corner Front Yard | - | 25' | 30' | *25' | 20' Perimeter |
| | **Rear Yard** | | | | | |
| | Main Building | 30' | 20' | - | 15' | 20' Perimeter |
| | Accessory Building | 1' | *1' | - | *1' | 20' Perimeter |
| | **Side Yard** | | | | | |
| | Main Building | 5'**/15' | 15' | - | 0' | 20' Perimeter |
| | Accessory Building | 1' | *1' | - | *1' | 20' Perimeter |
| | Multi-Unit Building Spacing | N/A | 30' between buildings /15' Perimter | - | 15' between buildings /20' perimeter | 15' between buildings /20' perimeter |
| | Corner Side Yard | - | 25' | **25' | 25' | 20' Perimeter |
| | **R.O.W Cross-Section (Townhomes)** | - | - | 36'*** | 36'*** | 30' |

* Since this project is an existing PUD which has been previously approved, the underlying zoning applies when a varience was not addressed. The PUD approval included a concept drawing indicating where townhouse and mixed-mixed requirements should be applied.

**On corner lots, 2 front yards and 2 side yards are required.

***Refer to sheet C-301 included in the recorded Presidents Park Combined MDA




WESTATES companies

# SITE PLAN (CONCEPT)

## PRESIDENTS PARK

GRANTSVILLE CITY,
TOOELE COUNTY, UTAH

Site Data

| Lot Area | 394,724 SF | 9.06 Ac. |
|---|---|---|
| Public Road | 66,478 SF | 16.8 % |
| Building Area | 92,880 SF | 23.5 % |
| Paving Area | 114,677 SF | 29.1% |
| Landscape Area | 120,689 SF | 30.6 % |

Unit Count
Units Proposed: 86
Proposed Density: 10.6 Units/Ac.

Setbacks
Building to Building = 15'; Perimeter = 20'

Open Space
Required by Code: 10% = .90 Ac.
Required by MDA:1.60 Ac.
Provided: 2.4 Ac.

Parking Count
Parking required per Section 6.9 of GLUDMC
2 stalls per unit + parking for the first ten (10) units shall provide one (1) separate designated visitor parking stall per dwelling unit. each unit over the first ten (10) dwelling units, one (1) additional parking stall for each two (2) dwelling units shall be provided.

86 Units x 2 Stalls per Unit = 172 Stalls

10 Units x 1.0 Stalls per Unit = 10 Visitor Stalls
76 Units x 0.5 Stalls per Unit = 38 Visitor Stalls
Subtotal = 48 Visitor Stalls

Total Required Stalls: 220

| Parking Provided: | |
|---|---|
| Garages: | 172 |
| Driveways: | 172 |
| Street Stalls: | 48 |
| Total Stalls: | 392 |

392 Stalls Provided / 86 Units Proposed = 4.55 Stalls / Unit

SCALE: 1" = 80'

0 40 80 120 160 240




Designated Open Space

WESTATES companies

OPEN SPACE EXHIBIT

# PRESIDENTS PARK

GRANTSVILLE CITY,
TOOELE COUNTY, UTAH

Site Data

| | | |
|---|---|---|
| Lot Area | 394,724 SF | 9.06 Ac. |
| Required Open Space | 69,696 SF | 1.60 Ac. |
| Provided Open Space | 117,006 SF | 2.68 Ac. |

Code Definitions
GLUDMC Chapter 2

(221) Open Space, Usable -

Usable open space shall be any portion of a lot or building which meets all the following conditions:

(a) The open space shall be open to the sky or shall be open to view on at least two sides.

(b) The space shall be readily accessible by foot traffic from the dwelling unit to which it is accessory.

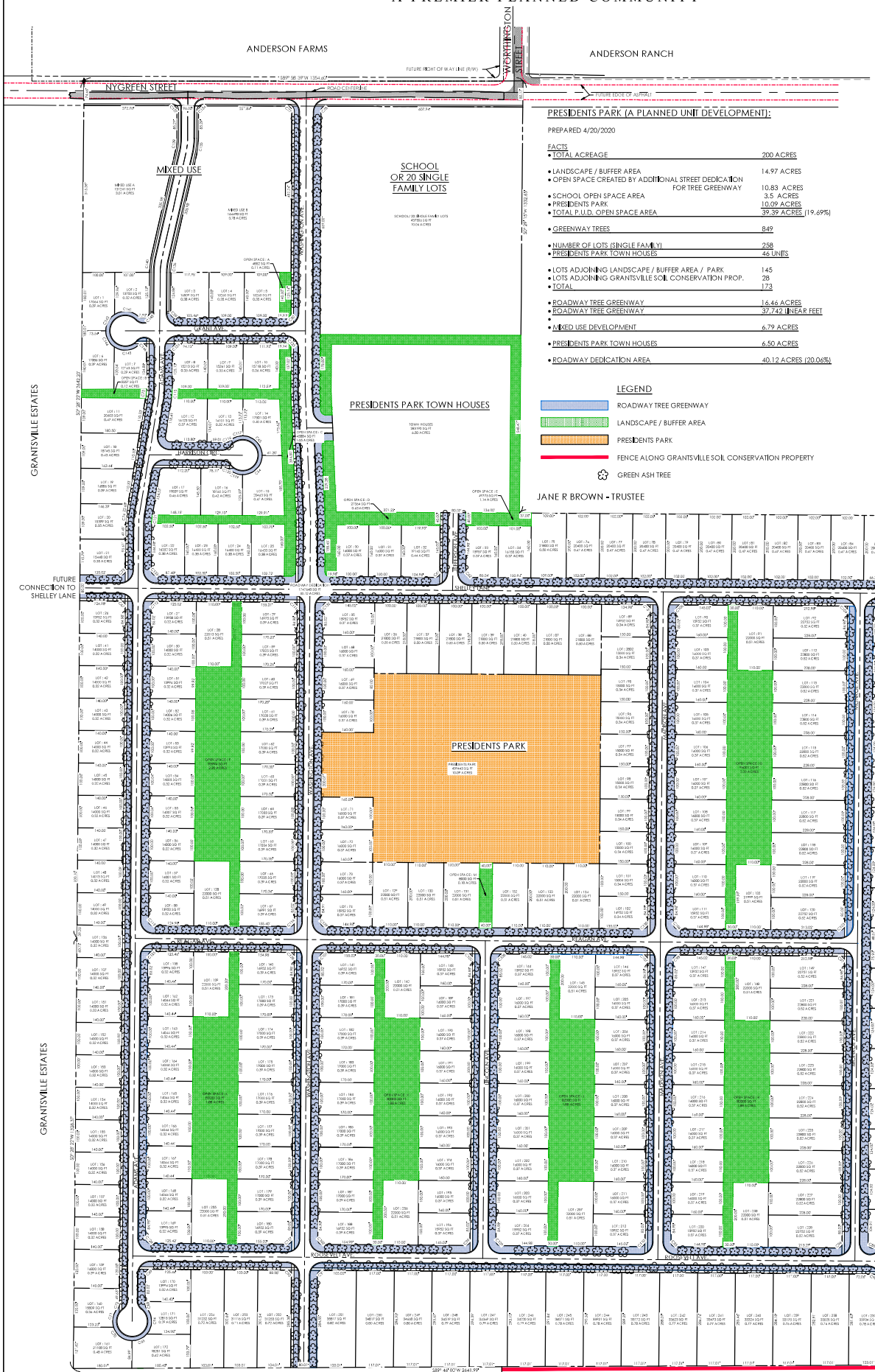
(c) If the space is provided on a balcony, roof, or there facility above grade, it shall have such protective devices as are deemed necessary by the building inspector to assure reasonably safe usage by the children and adults.

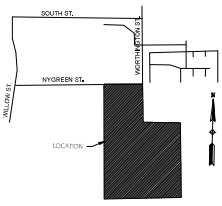
(d) The space shall not be provided from any required front or side yard, parking area, or driveway space.

SCALE: 1" = 80'

0 40 80 120 160 240

# PRELIMINARY PLAN - PRESIDENTS PARK P.U.D.
## A PREMIER PLANNED COMMUNITY




VICINITY MAP
1 INCH = 2000 FT

## PRESIDENTS PARK (A PLANNED UNIT DEVELOPMENT):

PREPARED 4/20/2020

FACTS

| | |
|---|---|
| • TOTAL ACREAGE | 200 ACRES |
| • LANDSCAPE / BUFFER AREA | 14.97 ACRES |
| • OPEN SPACE CREATED BY ADDITIONAL STREET DEDICATION FOR TREE GREENWAY | 10.83 ACRES |
| • SCHOOL OPEN SPACE AREA | 3.5 ACRES |
| • PRESIDENTS PARK | 10.09 ACRES |
| • TOTAL P.U.D. OPEN SPACE AREA | 39.39 ACRES (19.69%) |
| • GREENWAY TREES | 849 |
| • NUMBER OF LOTS (SINGLE FAMILY) | 258 |
| • PRESIDENTS PARK TOWN HOUSES | 46 UNITS |
| • LOTS ADJOINING LANDSCAPE / BUFFER AREA / PARK | 145 |
| • LOTS ADJOINING GRANTSVILLE SOIL CONSERVATION PROP. | 28 |
| • TOTAL | 173 |
| • ROADWAY TREE GREENWAY | 16.46 ACRES |
| • ROADWAY TREE GREENWAY | 37,742 LINEAR FEET |
| • MIXED USE DEVELOPMENT | 6.79 ACRES |
| • PRESIDENTS PARK TOWN HOUSES | 6.50 ACRES |
| • ROADWAY DEDICATION AREA | 40.12 ACRES (20.06%) |

LEGEND

- ROADWAY TREE GREENWAY
- LANDSCAPE / BUFFER AREA
- PRESIDENTS PARK
- FENCE ALONG GRANTSVILLE SOIL CONSERVATION PROPERTY
- GREEN ASH TREE


CIVIL PROJ-EX, INC
ENGINEERS * PLANNERS
9 GUIRK STREET
GRANTSVILLE, UTAH 84029

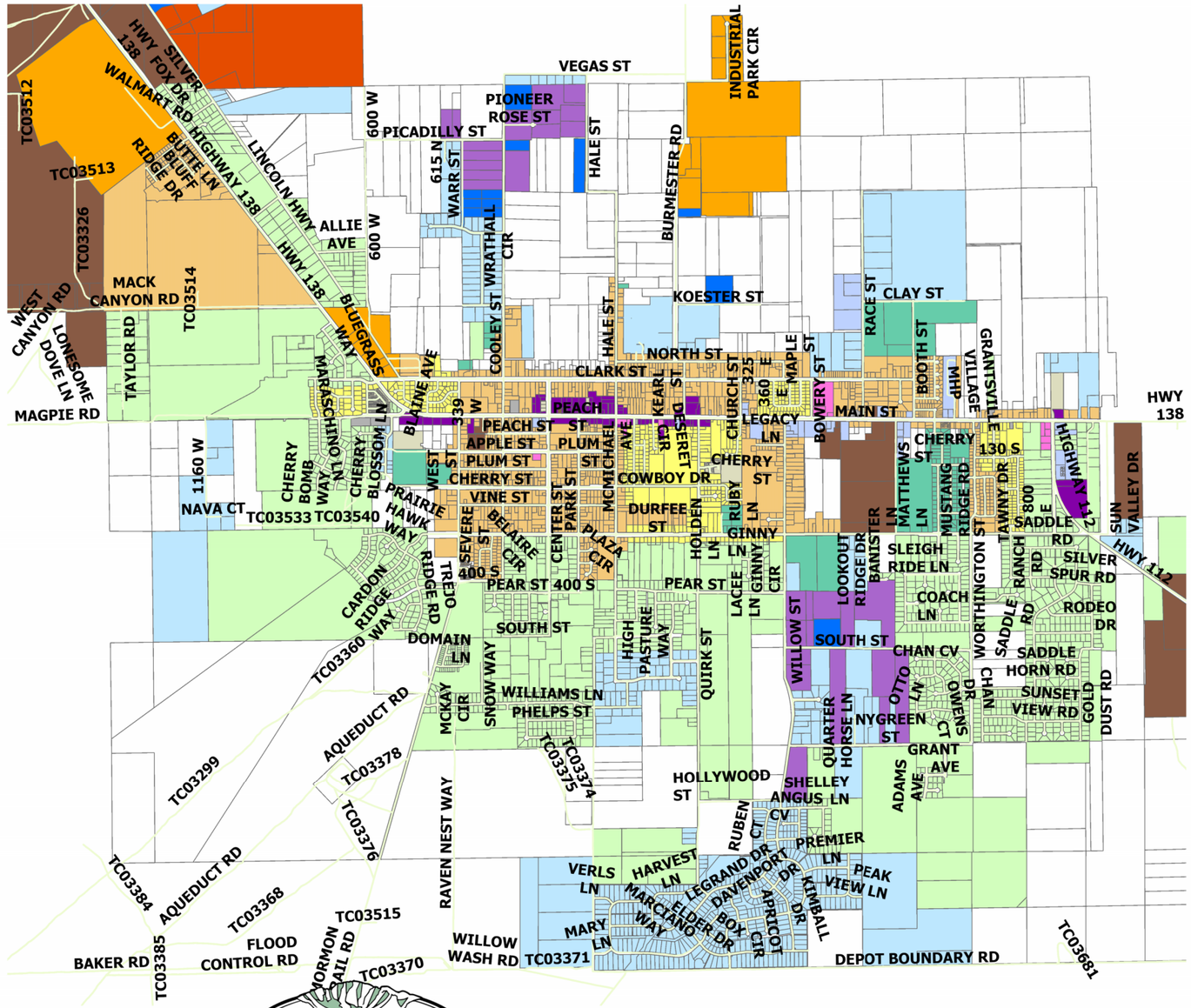

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V-001

## LEGEND

### ZONING DISTRICTS

- A-10
- RR-5
- RR-2.5
- RR-1
- R-1-21
- R-1-12
- R-1-8
- RM-7
- RM-15
- CN
- CS
- CG
- CD
- MD
- MG
- MG-EX
- PUD
- MU




GRANTSVILLE
INCORPORATED 1867

# ZONING MAP
# CENTRAL AREA

Adopted May 17, 2023
Amended May 1, 2024

0 0.25 0.5 1 1.5 2 Miles

N

## LEGEND
## Future Land Use Designations

Ensuring that the land and the proposed land-uses within the community are utilized to meet a unified community vision or goal is the first and often most important responsibility of a general plan. outlined on this map is the proposed Future land use map for the City of Grantsville:

**Commercial**
(A variety of commercial, retail, office and light industrial associated with a retail presence fronting street with special approval)

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

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

**Medium Density Residential**
(Residential uses, allowing a maximum of 4 dwelling units per acre)

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

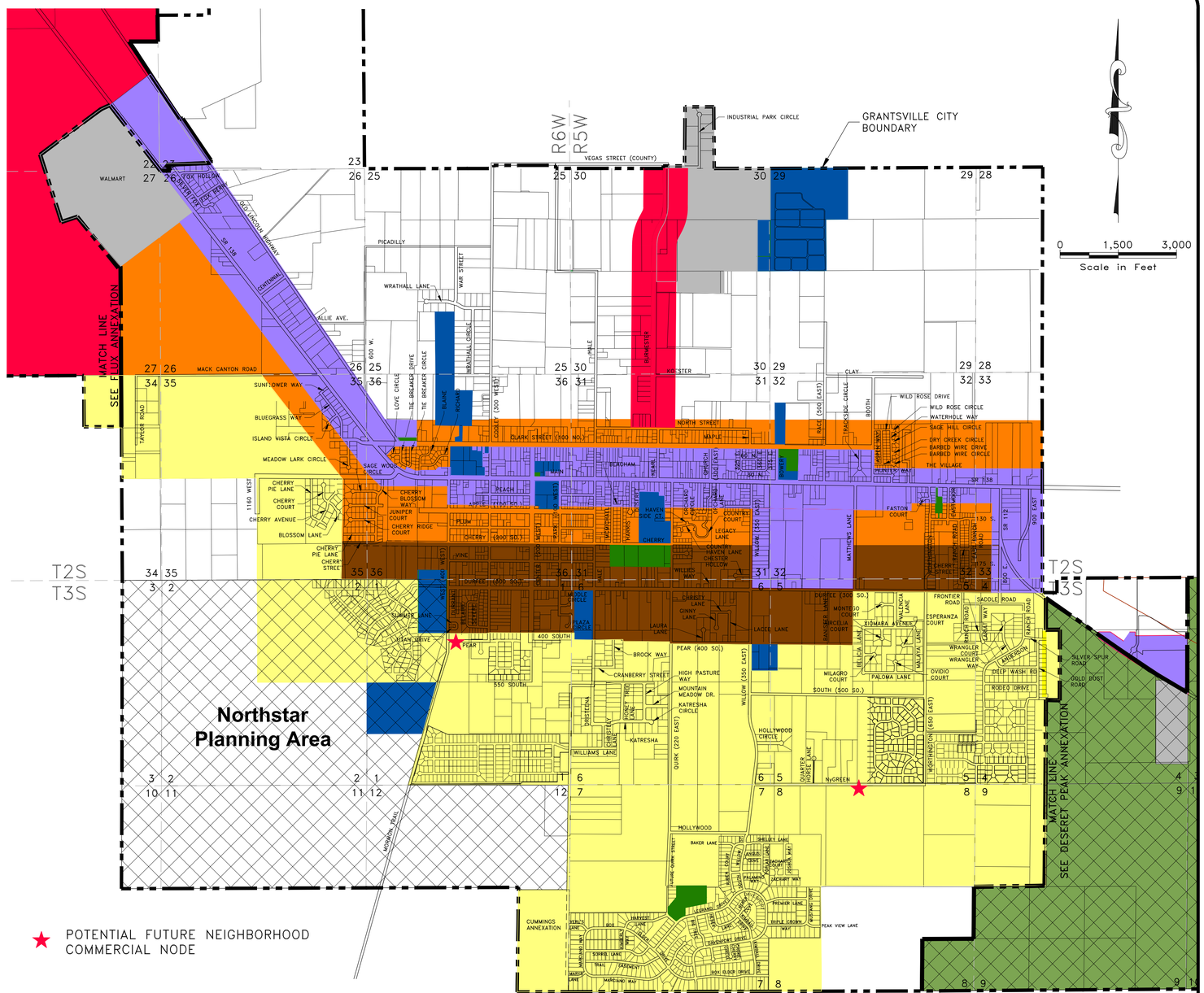
**Rural Residential – 1**
(Residential use with applicable rural land uses, allowing 1 dwelling unit per one to ten acres)

**Rural Residential 2**
(Residential use with applicable rural land uses, allowing 1 dwelling unit per five to ten acres)

**Industrial**
(Allowing industrial, light industrial and mining)

**Municipal/School:** This land use designates city-owned school district owned property serving a public purpose.

**Parks & Open Space:** Designates public parks, open space and recreational areas.




★ POTENTIAL FUTURE NEIGHBORHOOD COMMERCIAL NODE

# GRANTSVILLE CITY
## FUTURE LAND USE MAP
## CITY CENTER

ADOPTED JANUARY 15, 2020
REVISED JULY 30, 2021

THE PURPOSE OF DESIGNATED PLANNING AREAS IS TO FOSTER A JOINT WORKING RELATIONSHIP BETWEEN THE LANDOWNER(S) OF LARGE PARCELS OR GROUPS OF PARCELS OF 500 ACRES OR GREATER TO CREATE A MASTER PLAN FOR THE AREA WITH A BALANCE OF USES BENEFICIAL TO BOTH THE DEVELOPMENT AND THE SURROUNDING COMMUNITY AND WILL ADEQUATELY ADDRESS THE POTENTIAL IMPACTS ON TRANSPORTATION, UTILITIES, AND OTHER PUBLIC SERVICES AND AMENITIES.

AQUA ENGINEERING
533 W 2600 S, SUITE 275, BOUNTIFUL, UT 84010
PHONE (801) 299-1327 FAX (801) 299-0153

1950 N 2200 W STE 9, Salt Lake City, UT 84116

Westates Companies has reviewed the comments provided in the Grantsville City Development Review dated November, 25th 2024. This document provides responses (in blue) to the corresponding comments as well as an updated list of amendment requests for the President Park P.U.D.

**Responses to**
**Grantsville City Development Review**
**For**
**Presidents Park P.U.D. Amendment**

Submittal #1 – 11/25/24

Robert Rousselle
City Engineer

1. Show sight triangle which meet City standards and AASHTO Greenbook.
   Response: Sight triangles have been added and labeled on the conceptual site plan. See attached site plan.

2. Where is the location of water meters being proposed? Water is already in along with services. Cluster water meters off the side of buildings outside of driveway.
   Response: Noted. Water meters will be clustered off the side of buildings outside of driveway. A revised set of full engineering plans will be provided if the amendment to the P.U.D. is approved. An approximate location for proposed water meters has been added to the conceptual site plan.

3. Has water and sewer system been designed for these addition lots?
   Response: A revised set of full engineering plans will be provided if the amendment to the P.U.D. is approved.

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4. Has the impervious area increased and is the storm drainage system and retention basins been sized adequately?
   Response: It is expected that the impervious area will increase by approximately 41,512 SF. A revised set of full engineering plans showing how the increase in impervious area will be accommodated will be provided if the amendment to the P.U.D. is approved.

5. The water and sewer modeling would need to be updated
   Response: A revised set of full engineering plans will be provided if the amendment to the P.U.D. is approved.

6. Check scale. It appears to be slightly off.
   Response: Noted.

Shelby More
Planning Department

1. Possible site triangle issues
   Response: Sight triangles have been added and labeled on the conceptual site plan. See attached site plan.

2. Is this a park?
   Response: Labels have been added to help clarify amenity and park spaces. See attached site plan.

3. Define if this is a park
   Response: Labels have been added to help clarify amenity and park spaces. See attached site plan.

4. Use different color for sidewalk.
   Response: An updated site plan is provided.

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5. Show lot sizes, length, width, driveway length
   Response: An updated site plan with additional labels is provided.

6. What is the ROW width?
   Response: The R.O.W. width is 30 ft. An updated site plan with additional labels is provided.

7. What is the width between townhomes?
   Response: The width between townhomes ranges from 17 ft. to 20 ft. An updated site plan with additional labels is provided.

Cody Christensen

1. All sewer from the previous plan is present and all new sewer location will need to be installed with a wye.
   Response: Noted. A revised set of full engineering plans will be provided if the P.U.D amendment is approved.

2. Existing sewer main and laterals will need to be removed and re-laid with wyes instead of inserta tees.
   Response: Noted. A revised set of full engineering plans will be provided if the P.U.D amendment is approved.

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# Requested Amendments to the Presidents Parks PUD Master Development Agreement

1. **Maximum Number of Units allowed**

   *Master Development Agreement for Presidents Park P.U.D. - Terms 1.14*

   and

   *Presidents Park PUD Addendum #1; Attachment A (Developers Project Description- Section A.(1))*

   The existing PUD agreement allows for a total of 298 within the Presidents Park PUD. The request is for 40 additional townhome units, bringing the max number of units allowed to a total of 338.

| | Existing Agreement | Proposed Agreement | Difference |
|---|---|---|---|
| Max Units Allowed | 298 | 338 | 40 |
| | Unit Breakdown | | |
| Single Family Lots | 252 | 252 | 0 |
| Townhomes | 46 | 86 | 40 |

2. **Maximum Density per Acre (Townhomes)**

   *Master Development Agreement for Presidents Park P.U.D Agreement – Addendum #1, Terms - Section 3(a)*

   and

   *Presidents Park PUD Addendum #1; Attachment A (Developers Project Description) – Section H (1)*

   The existing PUD agreement allows for a maximum of 8 units per acre within the area designated for townhome use. The request is to increase the maximum number of units per acre to 9.5 within the same area.

| | Existing Agreement | Proposed Agreement | Difference |
|---|---|---|---|
| Parcel Area | 9.06 | 9.06 | - |
| Units / Acre | 8 | 9.5 | 1.5 |
| Max Units Allowed | 72 | 86 | 14 |

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3. **Single-Family Lot Size**

   *Master Development Agreement for Presidents Park P.U.D – Addendum #1, Terms - Section 3(a)*

   and

   *Presidents Park PUD Addendum #1; Attachment A (Developers Project Description – Section H (1))*

   The existing PUD agreement allows for a minimum lot area of 14,500 sq. ft. The request is to reduce the minimum lot size permitted to 13,000 as long as the average of all lots remains at least 14,500 sq. ft (1/3rd acre) or greater.

4. **Single-Family Lot Setbacks**

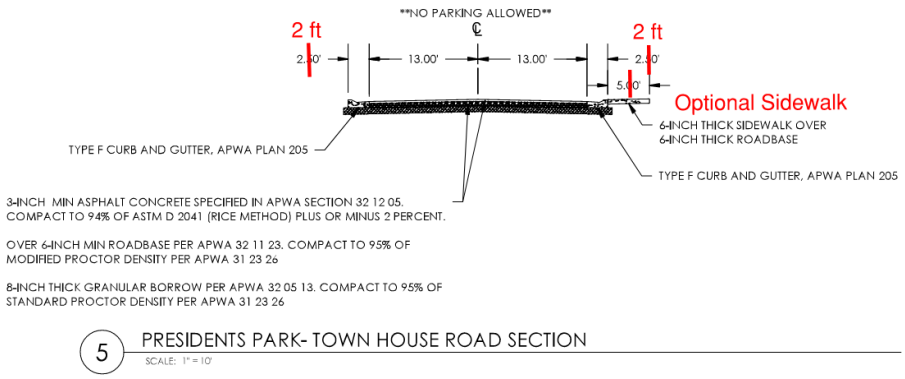
   *Master Development Agreement for Presidents Park P.U.D – Addendum #1, Attachment A (Developers Project Description – Section A(6))*

   The existing PUD agreement allows for a minimum front setback of 40 ft. for single-family detached lots. The request is to reduce the minimum setback to 30 ft. for single-family detached lots.

5. **Proposed Street Cross Section**

   *Master Development Agreement for Presidents Park P.U.D – Addendum #1, Attachment B (Sheet C-301 of the Phase 1 Construction Drawings)*

   The existing PUD agreement suggest a 36’ street cross section for the Townhome designated area. The request is to reduce the proposed cross-section from 36’ feet by reducing the curbs to 2 ft. wide on both sides of the driveway with an optional sidewalk.



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6. **Minimum Lot Size (for density)**

*Addendum No. 3 To Presidents Park P.U.D. Subdivision, Section 2(a)*

Addendum #3 of the existing development agreement defines the minimum lot size as 3,400 sq. ft. The request is to reduce the minimum lot size from 3,400 sq. ft. to 3,200 sq ft. The Minimum Lot Size is only to be used for density calculations within the townhome-use area and does not represent a physical area to be subdivided.

| | Existing Agreement | Proposed Agreement | Difference |
|---|---|---|---|
| Net Parcel Area (6.5 Acres) | 283,140 sq. ft. | 283,140 sq. ft. | - |
| Minimum Lot Size | 3,400 sq. ft. | 3,200 sq. ft. | 200 sq. ft. |
| Potential # of Lots | 83 | 88 | 5 |

7. **Building Setbacks**

*Addendum No. 3 To Presidents Park P.U.D. Subdivision, Section 2(b)*

Addendum #3 of the existing development agreement defines the setbacks for the front, rear, and side yards in addition to the perimeter setbacks and minimum building separation. With the intent to build rear-loaded townhomes, the request is to amend the existing PUD agreement to simplify the interpretation of setbacks by defining the setbacks for townhome use as 20 ft. around the perimeter and 15 ft. between buildings.

| | Existing Agreement | Proposed Agreement | Difference |
|---|---|---|---|
| Front Yard | 25 ft. | - | Undefined |
| Rear Yard | 15 ft. | - | Undefined |
| Side Yard | 0 ft. | - | Undefined |
| Townhome Area Perimeter | 20 ft. | 20 ft. | 0 ft. |
| Separated Structures | 15 ft. | 15 ft. | 0 ft. |

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8. **Minimum Lot Width**

*Addendum No. 3 To Presidents Park P.U.D. Subdivision, Section 2(e)*

Addendum #3 of the existing development agreement defines the minimum lot width as 40 ft. The request is to reduce the lot width, based on the unit width, to 20 ft from the previously approved 40 ft.

| | Existing Agreement | Proposed Agreement | Difference |
|---|---|---|---|
| Minimum Lot Width | 40 ft. | 20 ft. | 20 ft. |

9. **Maximum Building Coverage**

*Addendum No. 3 To Presidents Park P.U.D. Subdivision, Section 2(g)*

Addendum #3 of the existing development agreement defines the maximum lot coverage as 60%. The request is to clarify that the maximum lot coverage is 60% of the project site area.

| Site Area | Maximum Lot Coverage | Proposed Lot Coverage |
|---|---|---|
| 9.06 Acres | 60% (5.43 Acres) | 23.5% (2.12 Acres) |

# GRANTSVILLE CITY

# PUD APPLICATION WORKSHEET

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

| | |
|---|---|
| Project Name | PRESIDENTS PARK PUD |
| Applicant | TRAVIS TAYLOR |
| Project Location | WASHINGTON AVE. GRANTSVILLE, UT (PARCEL # 01-075-0-0044**)** |
| Project Acreage | 190 |
| Current Zoning | R-1-12 / EXISTING PUD |

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

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

## Objective (a):

*(a) Creation of a more desirable environment than would be possible through strict application of other City land use regulations through promotion of a creative approach to the use of land and related physical facilities resulting in better design and development, including aesthetic amenities. The developer shall detail the proposed variation from Grantsville City ordinance requirements and explain how this variation will lead to a more desirable environment;*

## Response

The proposed code variations and PUD amendments will provide an opportunity to create a more desirable housing type than would be possible under the existing PUD agreement. These changes will allow for the construction of a more affordable housing unit with enhanced architecture features and open space amenities. As a result, the livability of the townhome community will improve, especially for interior townhome units.

These benefits can be accomplished by making the following variances:

1. Increasing the density permitted in the Presidents Park agreement from 298 units to 338 units.
2. Increasing the maximum units per acre from 8 to 9.5 within the area designated for townhome use only.
3. Reducing the minimum lot size for single-family detached lots from 14,500 sqft to 13,000 sqft as long as the average lot size remains at least 14,500 sqft or greater.
4. Reducing the front setbacks for single-family detached lots from 40 ft to 30 ft.
5. Reducing the minimum lot size for townhomes from 3,400 sq ft. to 3,200 sq ft. This number is to be used for density calculations only and does not represent a physical area to be subdivided.
6. Amending the street cross-section to be used in the townhome designated area.
7. Reducing the minimum townhome width from 40 ft to 20 ft.

8. Clarifying the setback requirements for townhomes.
9. Clarifying the maximum building coverage requirement

Objective (b):

*(b) The use of design, landscape or architectural features to create a pleasing environment while preserving desirable site characteristics such as natural topography, vegetation and geologic features as open space and providing recreational facilities. For projects containing a residential component containing more than a single dwelling unit at least 10% of the total parcel acreage shall be open space. All Planned Unit Development projects shall conform at a minimum with open space and improved open space requirements found in Chapter 21. Topography with slopes greater than 30% on average with a site area greater than 5,000 square feet, natural water bodies and drainages shall be protected;*

Response

The proposed changes will aid the developer in enhancing the open space and provide opportunities for additional amenities. Such amenities include a pickleball court and playground.

The proposed changes to the code and development agreement will allow for flexibility within the building footprint previously approved and will not require the use of additional land previously intended for open space. It is expected that the open space provided will exceed the 1.60 acres of open space required by the previous PUD agreement by as much as 1.08 acres. The amount of open space being proposed is 2.68 acres.

There are not any concerns for this site related to topography, drainage flows or natural bodies of water.

Objective (c):

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

Response

Not Applicable – There are no existing buildings on this site.

Objective (d):

*(d) Establishment of interconnecting paths and trails for alternative transportation routes which lead to common and popular destinations and interface with automobile traffic at few and specific points. Onsite paths and trails shall connect to the citywide trail system. Trails connecting to the citywide system shall be considered public trails allowing for public use; and*

Response

The Presidents Park townhome community has been designed within the Presidents Park PUD. As a result, all paths and trails have been integrated to support the pedestrian traffic of the 200-acre project. The paths and trails are intended to connect all users to the centrally located 10.09-acre park along with several other open spaces integrated throughout the development. The paths and trails also promote the safety of users by interfacing with road traffic at intersections where it has been deemed appropriate and by connecting with existing city sidewalk infrastructure where possible.

Objective (e):

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

Response

Not Applicable – There are no blighted structures or incompatible uses on site.

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

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

*(a) At the preliminary phase, the applicant shall submit a written statement addressing each of the standards set forth in Section 7.8 herein entitled, Determination, when applicable and how the proposed development will promote the objectives set forth in Section 12.1 pf this Chapter. The statement shall explain specifically how the proposed planned unit development relates to each such standard and promotes a listed objective;*

***7.8 Determination***

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

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

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

Standard (a):

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

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

Chapter 14 Multiple Use, Agriculture and Rural Residential Districts

Chapter 15 Residential and Multiple Residential Districts

Chapter 16 Commercial and Industrial Districts

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

Response (Check the Applicable Box):

| Permitted | | Conditional | | Not Allowed | | Not Applicable | X |
|---|---|---|---|---|---|---|---|

Standard (b):

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

Response

The proposed use is multi-family residential and is compatible with the single family and civic/school use which the site borders. The multi-family residential use is also consistent with prior approvals.

Standard (c):

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

Response

The increase in density allows for a more affordable home design which will help create more housing options for Grantsville residents. The proposed use is also consistent with prior approval of the Presidents Park PUD.

Standard (d):

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

Response

The proposed use is consistent with existing approvals and will provide an appropriate transition of residential use between Twenty Wells Elementary and the Presidents Park single-family lots. The enhanced open space and amenities that will be made possible by the proposed amendments will create an attractive environment within the neighborhood.

Standard (e):

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

Response

Not Applicable – Multi-family Residential is compatible with civic/school use and single-family residential.

Standard (f):

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

Response

The property values, environment, and tax base will be preserved and ensured by the creation of an HOA.

Standard (g):

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

Response

The conditions are intended to create an affordable housing product that will be valuable to the residents of Grantsville as described in the Housing section of the Grantsville General Plan.

Standard (h):

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

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

Standard (i):

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

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

Standard (j):

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

Response

| |
|---|
| The internal circulation system is consistent with the previously approved designs for Presidents Park PUD. No changes have been made to the circulation system. |

Standard (k):

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

Response

| |
|---|
| The previously designed utility system with the addition of laterals for the additional units will be sufficient for the proposed layout. |

Standard (l):

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

Response

| |
|---|
| The proposed amendments can be made while maintaining a 20' buffer around the perimeter of the site consistent with prior approvals. Although the proposed multi-family use is intended to provide a compatible use for adjacent properties, this buffer will help protect from light, noise, and visual impacts. |

Standard (m):

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

Response

The architecture and building materials will be consistent with the development and compatible with the adjacent neighborhood.

Standard (n):

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

Response

The ratio of grass to water-wise landscaping throughout the development has been considered in an effort to accommodate the limited water supply within the Grantsville region while also creating a desirable space to live. Grass will only be located in areas where it can be easily maintained and watered. It is expected that the development will provide approximately 50,800 sq. ft. grass. This is approximately 43% of the open space proposed.

Standard (o):

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

Response

Not Applicable – There are not historical, architectural, or environmental features to preserve on site.

Standard (p):

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

Response

Not Applicable – Residential Use

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

*(b) At the preliminary phase, the applicant shall submit a written statement indicating specifically what change, alteration, modification or waiver of any zoning or development regulations is being sought by the developer, if any.*

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

Requested Deviation #1

| Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect. |
|---|
| **Maximum Number of Units allowed**<br>*Master Development Agreement for Presidents Park P.U.D. - Terms 1.14*<br>and<br>*Presidents Park PUD Addendum #1; Attachment A (Developers Project Description- Section A.(1))*<br><br>The existing PUD agreement allows for a total of 298 units throughout the entire PUD. |
| Describe Requested Deviation to Regulation. |
| The request is for 40 additional townhome units, bringing the max number of units allowed in the PUD to a total of 338. |
| Describe How Requested Deviation Benefits the Project and the Community. |
| The increased density will promote the construction of affordable housing while maintaining and enhancing the open space, parking and living quality of the project. |
| Describe Mitigation Proposed to Maintain *the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council*. (12-2-1-(b)) |
| The enhanced open space and amenities, as well as the affordable nature of the intended units being proposed will help maintain the general purposes, goals, and objectives of this code and the existing Presidents Park PUD agreement. |

Requested Deviation #2

| Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect. |
|---|
| **Maximum Density per Acre (Townhomes)**<br>*Master Development Agreement for Presidents Park P.U.D Agreement – Addendum #1, Terms - Section 3(a)*<br>and<br>*Presidents Park PUD Addendum #1; Attachment A (Developers Project Description) – Section H (1)*<br><br>The existing PUD agreement allows for a maximum of 8 units per acre within the area designated for townhome use. |
| Describe Requested Deviation to Regulation. |
| The request is to increase the maximum units per acre to 9.5 within the townhome-use area. |
| Describe How Requested Deviation Benefits the Project and the Community. |
| The increased density will promote the construction of affordable housing while maintaining and enhancing the open space, parking and living quality of the project. |
| Describe Mitigation Proposed to Maintain *the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council*. (12-2-1-(b)) |
| The enhanced open space and amenities, as well as the affordable nature of the intended units being proposed will help maintain the general purposes, goals, and objectives of this code and the existing Presidents Park PUD agreement. |

Requested Deviation #3

| Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect. |
|---|
| **Single-Family Lot Size**<br>*Master Development Agreement for Presidents Park P.U.D – Addendum #1, Terms - Section 3(a)*<br>and |

| |
|---|
| *Presidents Park PUD Addendum #1; Attachment A (Developers Project Description – Section H (1))*<br><br>The minimum lot size for single-family detached units is 14,500 sq. ft. |
| Describe Requested Deviation to Regulation. |
| The request is to reduce the minimum lot size permitted to 13,000 as long as the average of all lots remains at least 14,500 sq. ft (1/3rd acre) or greater. |
| Describe How Requested Deviation Benefits the Project and the Community. |
| The variance will allow for the creation of lots ranging in size and affordability. Overall this variance will help provide options for future residents while maintaining the nature of the neighborhood and city. |
| Describe Mitigation Proposed to Maintain *the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council*. (12-2-1-(b)) |
| Mitigation efforts are being made by requiring an average lot size which will help preserve an overall lot size. Ultimately, some lots will have to be bigger than the minimum requirement to meet this contingency. |

Requested Deviation #4

| |
|---|
| Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect. |
| **Single-Family Lot Setbacks**<br>*Master Development Agreement for Presidents Park P.U.D – Addendum #1, Attachment A (Developers Project Description – Section A(6))*<br><br>The existing PUD agreement allows for a minimum front setback of 40 ft. for single-family detached lots. |
| Describe Requested Deviation to Regulation. |
| The request is to reduce the minimum setback to 30 ft. for single-family detached lots. |
| Describe How Requested Deviation Benefits the Project and the Community. |
| The change in setbacks will promote the construction of affordable housing while maintaining and enhancing the open space at the rear of the lots. |
| Describe Mitigation Proposed to Maintain *the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council*. (12-2-1-(b)) |
| Mitigation efforts are being made by requiring an average lot size which will help preserve an overall lot size. Ultimately, some lots will have to be bigger than the minimum requirement to meet this contingency. |

Requested Deviation #5

| Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect. |
|---|
| **Proposed Street Cross Section**<br>Master Development Agreement for Presidents Park P.U.D – Addendum #1, Attachment B (Sheet C-301 of the Phase 1 Construction Drawings)<br><br>The existing PUD agreement suggest a 36’ street cross section for the Townhome designated area. |
| Describe Requested Deviation to Regulation. |
| The request is to reduce the proposed cross-section from 36’ feet by reducing the curbs to 2 ft. wide on both sides of the driveway with an optional sidewalk. |
| Describe How Requested Deviation Benefits the Project and the Community. |
| The amended cross section will promote walkability and safety for pedestrians by reducing the street cross-section. |
| Describe Mitigation Proposed to Maintain *the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council*. (12-2-1-(b)) |
| Striving for walkability and safety in high density areas will help maintain the general purposes, goals, and objectives of this code and the existing Presidents Park PUD agreement. |

Requested Deviation #6

| Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect. |
|---|
| **Minimum Lot Size (for density)**<br>Addendum No. 3 To Presidents Park P.U.D. Subdivision, Section 2(a)<br><br>Addendum #3 of the existing development agreement defines the minimum lot size as 3,400 sq. ft. |
| Describe Requested Deviation to Regulation. |
| The request will reduce the minimum lot size to 3,200 sq. ft from the previously approved 3,400 sq. ft. The request also includes that a clarification be made, indicating that the minimum lot size is only used for density calculations and does not represent an area to be subdivided. |

| Describe How Requested Deviation Benefits the Project and the Community. |
| --- |
| The increased density will promote the construction of affordable housing while maintaining and enhancing the open space, parking and living quality of the project. |
| Describe Mitigation Proposed to Maintain *the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council*. (12-2-1-(b)) |
| The enhanced open space and amenities, as well as the affordable nature of the intended units being proposed will help maintain the general purposes, goals, and objectives of this code and the existing Presidents Park PUD agreement. |

REQUESTED DEVIATION #7

| Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect. |
| --- |
| **Building Setbacks**<br>Addendum No. 3 To Presidents Park P.U.D. Subdivision, Section 2(b))<br><br>Addendum #3 of the existing development agreement defines the setbacks for the front, rear, and side yards in addition to the perimeter setbacks and minimum building separation. |
| Describe Requested Deviation to Regulation. |
| The request is to simplify the interpretation of setbacks by defining the setbacks for townhome use as 20 ft. around the perimeter and 15 ft. between buildings. |
| Describe How Requested Deviation Benefits the Project and the Community. |
| The proposed amendment will clarify the existing PUD agreement. |
| Describe Mitigation Proposed to Maintain *the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council*. (12-2-1-(b)) |
| The requested clarification will preserve and promote the open space amenities which will help maintain the general purposes, goals, and objectives of this code and the existing Presidents Park PUD agreement. |

Requested Deviation #8

| Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect. |
|---|
| **Minimum Lot Width**<br>Addendum No. 3 To Presidents Park P.U.D. Subdivision, Section 2(e)<br><br>Addendum #3 of the existing development agreement defines the minimum lot width as 40 ft. |
| Describe Requested Deviation to Regulation. |
| The request is to reduce the minimum lot width, based on the unit width, from 40 ft to 20 ft. |
| Describe How Requested Deviation Benefits the Project and the Community. |
| The increased density will promote the construction of affordable housing while maintaining and enhancing the open space, parking and living quality of the project. |
| Describe Mitigation Proposed to Maintain *the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council*. (12-2-1-(b)) |

REQUESTED DEVIATION #9

| Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect. |
|---|
| **Maximum Building Coverage**<br>Addendum No. 3 To Presidents Park P.U.D. Subdivision, Section 2(g)<br><br>Addendum #3 of the existing development agreement defines the maximum lot coverage as 60%. |
| Describe Requested Deviation to Regulation. |
| The request is to clarify the requirement for maximum coverage of 60% across the entire site designated for townhome use. With the area designated for townhome use being 9.06 Acres, this will limit the building footprint to a maximum of 5.43 acres.<br><br>The building footprint previously approved and maintained with the new amendments to the PUD is 92,880 SF or 23.5% of the entire site area. |
| Describe How Requested Deviation Benefits the Project and the Community. |
| The proposed amendment will clarify the existing PUD agreement. |

| Describe Mitigation Proposed to Maintain *the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council*. (12-2-1-(b)) |
| --- |
| The requested clarification will preserve and promote the open space amenities which will help maintain the general purposes, goals, and objectives of this code and the existing Presidents Park PUD agreement. |

SPECIAL CONSIDERATIONS:

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

| |
| --- |
| Not Applicable. |

1950 N 2200 W STE 9, Salt Lake City, UT 84116

**Response to Chapter 12, Section (f):**

Westates Companies is requesting an amendment to the Presidents Park PUD. As outlined in GLUMDC chapter 12, section 1(f), the City and developer *will seek* to provide residential housing that conforms with the State moderate income requirements through the flexibility of Planned Unit Developments.

The Utah Code of Amendment sections 10-9a-403(40) and 17-27a-403(43) define moderate income housing as "housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the housing is located. To ensure affordable housing meets the defined standards, the State requires a City or specified municipality without a fixed guideway public transit station to implement three or more of the moderate income housing strategies described in State Code Chapter 10-9a-403 Subsection (2)(b)(iii)

Through the requested amendment and subsequent approval, Westates Companies intends to assist Grantsville City in providing moderate income housing that meets the State Standard which will utilize the following strategies as listed in the State Code.

> *(A) Rezone for densities necessary to facilitate the production of moderate-income housing.*
> *(L) Implement zoning incentives for moderate income units in new developments*
> (Z) *Demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone dedicated to moderate income housing;*

Such strategies would allow Westates to ensure 10% of new residential development in the area designated for townhome-use in the Presidents Park PUD be dedicated to moderate income housing.

Entry #: 562368
12/16/2021 02:09 PM AGREEMENT
Page: 1 of 15
FEE: $40.00 BY: MICHAEL COLSON
Jerry Houghton, Tooele County, Recorder

**WHEN RECORDED, RETURN TO:**

**Brett Coombs, Esq.**
**Grantsville City Attorney**
**429 East Main Street**
**Grantsville City, Utah 84029**

# GRANTSVILLE CITY
# MASTER DEVELOPMENT AGREEMENT
# FOR
# PRESIDENTS PARK P.U.D. SUBDIVISION

THIS MASTER DEVELOPMENT Agreement ("**Agreement**") is made and entered as of the 16 day of DECEMBER, 2021, by and between Grantsville City, a municipal corporation of the State of Utah ("**City**") and Presidents Park, LLC, a Utah limited liability corporation ("**Developer**").

## RECITALS

A. The capitalized terms used in this Agreement and in these Recitals are defined in Section 1.2, below.

B. Developer owns and is developing the Property as a multi-use residential and commercial subdivision. Developer and the City desire that the Property be developed in a unified and consistent fashion pursuant to the Concept Plan and Final Plat. The Parties desire to enter into this Agreement to specify the rights and responsibilities of the Developer to develop the Property as expressed in this Agreement and the rights and responsibilities of the City to allow and regulate such development pursuant to the requirements of this Agreement.

C. The Parties understand and intend that this Agreement is a "development agreement" within the meaning of, and entered into pursuant to the terms of Utah Code Ann. §10-9a-101 (2005) *et seq*. This Agreement conforms with the intent of the City's General Plan and the Zoning.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and Developer hereby agree to the following, incorporating by reference the prior recitals as if fully set forth herein:

## TERMS

1. **Definitions.** As used in this Agreement, the words and phrases specified below shall have the following meanings:

1.1. **Agreement** means this Master Development Agreement including all of its Exhibits and Addenda, including Addenda added after this Agreement is executed.
1.2. **Applicant** means a person or entity submitting a Development Application.
1.3. **Buildout** means the completion of all of the development in each phase of the entire Project in accordance with this Agreement.
1.4. **City** means Grantsville City, a political subdivision of the State of Utah.
1.5. **City's Future Laws** means the ordinances, policies, standards, and procedures which may be in effect as of a particular time in the future when a Development Application is submitted for a part of the Project and which may or may not be applicable to the Development Application depending upon the provisions of this Agreement.
1.6. **Council** means the elected City Council of the City.
1.7. **Default** means a breach of this Agreement as specified herein.
1.8. **Developer** means Presidents Park, LLC and its successors/assignees as permitted by this Agreement.
1.9. **Development** means the development of any portion of the Property pursuant to anapproved Development Application.
1.10. **Development Application** means an application to the City for development of a portion of the Project or any other permit, certificate or other authorization from the City required for development of the Project.
1.11. **Final Plat** means the recordable map or other graphical representation of land prepared in accordance with Utah Code Ann. § 10-9a-603 (2019), and approved by the City, subdividing any portion of the Project.
1.12. **GLUDMC** means the Grantsville Land Use and Development Code.
1.13. **LUDMA** means the Land Use, Development, and Management Act, Utah Code Ann. § 10-9a-101 (2005), *et seq*.
1.14. **Maximum Residential Units** means the development on the Property of Presidents Park P.U.D. Subdivision, two-hundred ninety eight (298) Residential Dwelling Units
1.15. **Notice** means any notice to or from any Party to this Agreement that is either required or permitted to be given to another party.
1.16. **Party/Parties** means, in the singular, Developer or the City; in the plural Developer and the City.
1.17. **Final Plat** means the final plat for the development of the Project, which has been approved by the City and which is attached as Exhibit "B."
1.18. **Project** means the residential subdivision to be constructed on the Property, in phases, pursuant to this Agreement with the associated Public Infrastructure and private facilities, and all of the other aspects approved as part of this Agreement.
1.19. **Property** means the real property owned by and to be developed by Developer more fully described in **Exhibit A**.
1.20. **Public Infrastructure** means those elements of infrastructure that are planned to be dedicated to the City or other public entities as a condition of the approval of a Development Application.
1.21. **Residential Dwelling Unit** means a structure or portion thereof designed and intended for use as attached residences as illustrated on the Final Plan.
1.22. **Zoning** means the R-1-21 zoning of the Property.

2. **Development of the Project.**

2.1. **Compliance with the Final Plat and this Agreement.** Development of the Project shall be in accordance with LUDMA, GLUDMC, the City's Future Laws (to the extent they are applicable as specified in this Agreement), the Final Plat and this Agreement.

2.2. **Maximum Residential Units.** At Buildout, Developer shall be entitled to have developed the Maximum Residential Units of the type and in the general location as shown on the Final Plat.

3. **Vested Rights.**

3.1. **Vested Rights Granted by Approval of this Agreement.** To the maximum extent permissible under the laws of Utah and the United States and at equity, the Parties intend that this Agreement grants to Developer all rights to develop the Project in fulfillment of this Agreement, LUDMA, GLUDMC, the Zoning of the Property, and the Final Plat except as specifically provided herein. The Parties specifically intend that this Agreement grant to Developer the "vested rights" identified herein as that term is construed in Utah's common law and pursuant to Utah Code Ann. § 10-9a-509 (2019).

3.2. **Exceptions.** The vested rights and the restrictions on the applicability of the City's Future Laws to the Project as specified in Section 3.1 are subject to the following exceptions:

3.2.1. Developer Agreement. The City's Future Laws or other regulations to which the Developer agrees in writing;

3.2.2. State and Federal Compliance. The City's Future Laws or other regulations which are generally applicable to all properties in the City and which are required to comply with State and Federal laws and regulations affecting the Project;

3.2.3. Codes. Any City's Future Laws that are updates or amendments to existing building, fire, plumbing, mechanical, electrical, dangerous buildings, drainage, or similar construction or safety related codes, such as the International Building Code, the APWA Specifications, AAHSTO Standards, the Manual of Uniform Traffic Control Devices or similar standards that are generated by a nationally or statewide recognized construction/safety organization, or by the State or Federal governments and are required to meet legitimate concerns related to public health, safety or welfare;

3.2.4. Taxes. Taxes, or modifications thereto, so long as such taxes are lawfully imposed and charged uniformly by the City to all properties, applications, persons and entities similarly situated; or,

3.2.5. Fees. Changes to the amounts of fees for the processing of Development Applications that are generally applicable to all development within the City (or a portion of the City as specified in the lawfully adopted fee schedule) and which are adopted pursuant to State law.

3.2.6. Impact Fees. Impact Fees or modifications thereto which are lawfully adopted, and imposed by the City pursuant to Utah Code Ann. Section 11-36a-101 (2011) *et seq*.

3.2.7. Planning and Zoning Modification. Changes by the City to its planning principles and design standards as permitted by Local, State or Federal law.

3.2.8. Compelling, Countervailing Interest. Laws, rules or regulations that the City's land use authority finds, on the record, are necessary to avoid jeopardizing a compelling, countervailing public interest pursuant to Utah Code Ann. § 10-9a-

509(1)(a)(i) (2020).

4. **Term of Agreement.** Unless earlier terminated as provided for herein, the term of this Agreement shall be until January 31, 2026. If Developer has not been declared to be currently in Default as of January 31, 2026 (and if any such Default is not being cured) then this Agreement shall be automatically extended until January 31, 2031. This Agreement shall also terminate automatically at Buildout.

5. **Addenda** Addendum No. 1 contains the provisions of this Agreement that are specific to the development of phase 1 of Project. Any future phases of the Project may require an added addenda. If there is a conflict between this Agreement and Addendum No. 1 or any future addenda, then Addendum No. 1 and the future addenda shall control.

6. **Public Infrastructure.**

6.1. **Construction by Developer.** Developer, at Developer's cost and expense, shall have the right and the obligation to construct or cause to be constructed and install all Public Infrastructure reasonably and lawfully required as a condition of approval of this Development Application pursuant to GLUDMC. Such construction must meet all applicable standards and requirements and must be approved by the City's Engineer and Public Works Director.

6.2. **Responsibility Before Acceptance.** Developer shall be responsible for all Public Infrastructure covered by this Agreement until final inspection of the same has been performed by the City, and a final acceptance and release has been issued by the City. The City shall not, nor shall any officer or employee thereof, be liable or responsible for any accident, loss or damage happening or occurring to the Public Infrastructure, nor shall any officer or employee thereof, be liable for any persons or property injured by reason of said Public Infrastructure; all of such liabilities shall be assumed by the Developer.

6.3. **Warranty.** Developer shall repair any defect in the design, workmanship or materials in all Public Infrastructure which becomes evident during a period of one year following the acceptance of the improvements by the City Council or its designee (Durability Testing Period). If during the Durability Testing Period, any Public Infrastructure shows unusual depreciation, or if it becomes evident that required work was not done, or that the material or workmanship used does not comply with accepted standards, said condition shall, within a reasonable time, be corrected.

6.4. **Timing of Completion of Public Infrastructure.** In accordance with the diligence requirements for the various types of approvals as described in the GLUDMC, construction of the required Public Infrastructure for each phase shall be completed within one year after the City Council grants final plat approval for that phase and prior to recordation of the mylar for that phase. Upon a showing of good and sufficient cause by Developer the City shall, in accordance with the provisions of GLUDMC, extend the time of performance if requested prior to expiration of the completion date.

6.5. **Bonding.** In connection with any Development Application, Developer shall provide bonds or other development security, including warranty bonds, to the extent required by GLUDMC, unless otherwise provided by Utah Code § 10-9a-101, *et seq.* (2005), as amended. The Applicant shall provide such bonds or security in a form acceptable to the City or as specified in GLUDMC. Partial releases of any such required security shall be made as work progresses based on GLUDMC.

6.6. **City Completion.** The Developer agrees that in the event he does not: (a) complete all improvements within the time period specified under paragraph two above, or secure an extension of said completion date, (b) construct said improvements in accordance with City standards and as set forth in Paragraph one above, or (c) pay all claimants for material and labor used in the construction of said improvements, the City shall be entitled to declare the developer(s) in default, request and receive the funds held by the guarantor as surety and utilize the monies obtained to install or cause to be installed any uncompleted improvements and/or to pay any outstanding claims, as applicable. Provided however, that the City shall not be responsible for any work beyond the amount of funds so provided. Any funds remaining after completion of the improvements shall be returned to the Guarantor. The Developer further agrees to be personally liable for any cost of improvements above the amount made available under the terms of this agreement.

7. **Upsizing/Reimbursements to Developer.**

7.1. **Upsizing.** The City shall not require Developer to "upsize" any future Public Infrastructure (i.e., to construct the infrastructure to a size larger than required to service the Project) unless financial arrangements reasonably acceptable to Developer are made to compensate Developer for the incremental or additive costs of such upsizing to the extent required by law.

8. **Default.**

8.1. **Notice.** If Developer or the City fails to perform their respective obligations hereunder or to comply with the terms hereof, the Party believing that a Default has occurred shall provide Notice to the other Party.

8.2. **Contents of the Notice of Default.** The Notice of Default shall:

8.2.1. Specific Claim. Specify the claimed event of Default;

8.2.2. Applicable Provisions. Identify with particularity the provisions of any applicable law, rule, regulation or provision of this Agreement that is claimed to be in Default; and

8.2.3. Optional Cure. If the City chooses, in its discretion, it may propose a method and time for curing the Default which shall be of no less than thirty (30) days duration, if weather conditions permit.

8.3. **Remedies.** Upon the occurrence of any Default, and after notice as required above, then the parties may have the following remedies:

8.3.1. Law and Equity. All rights and remedies available at law and in equity, including, but not limited to, injunctive relief and/or specific performance.

8.3.2. Security. The right to draw on any security posted or provided in connection with the Project and relating to remedying of the particular Default.

8.3.3. Future Approvals. The right to withhold all further reviews, approvals, licenses, building permits and/or other permits for development of the Project in the case of a default by Developer until the Default has been cured.

8.4. **Public Meeting.** Before any remedy in Section 8.3 may be imposed by the City the party allegedly in Default shall be afforded the right to attend a public meeting before the City Council and address the City Council regarding the claimed Default.

8.5. **Default of Assignee.** A default of any obligations expressly assumed by an assignee shall not be deemed a default of Developer.

8.6. **Limitation on Recovery for Default – No Damages against the City.** Anything in

this Agreement notwithstanding, Developer shall not be entitled to any claim for any monetary damages as a result of any breach of this Agreement and Developer waives any claims thereto. The sole remedy available to Developer and any assignee shall be that of specific performance.

9. **Notices.** All notices required or permitted under this Agreement shall, in addition to any other means of transmission, be given in writing by certified mail and regular mail to the following address:

**To the Developer:**

Presidents Park, LLC

_____

_____

_____

**To the City:**

Grantsville City
Attn: Mayor
429 East Main Street
Grantsville, Utah 84029

10. **Dispute Resolution.** Any disputes subject to mediation or arbitration shall be resolved pursuant to Addendum No. 2.

11. **Incorporation of Recitals and Exhibits.** The Recitals and Exhibits "A" - "B" are hereby incorporated into this Agreement.

12. **Headings.** The captions used in this Agreement are for convenience only and a not intended to be substantive provisions or evidences of intent.

13. **No Third-Party Rights/No Joint Venture.** This Agreement does not create a joint venture relationship, partnership or agency relationship between the City, or Developer. Except as specifically set forth herein, the parties do not intend this Agreement to create any third-party beneficiary rights.

14. **Assignability.** The rights and responsibilities of Master Developer under this Agreement may be assigned in whole or in part, respectively, by Developer with the consent of the City as provided herein.

14.1. **Sale of Lots.** Developer's selling or conveying lots in any approved subdivision shall not be deemed to be an assignment.

14.2. **Related Entity.** Developer's transfer of all or any part of the Property to any entity "related" to Developer (as defined by regulations of the Internal Revenue Service in Section 165), Developer's entry into a joint venture for the development of the Project or Developer's pledging of part or all of the Project as security for financing shall also not be deemed to be an assignment. Developer shall give the City Notice of any event specified in this sub-section within ten (10) days after the event has occurred. Such Notice shall include providing the City with all necessary contact information for the newly responsible party.

14.3. **Process for Assignment.** Developer shall give Notice to the City of any proposed

assignment and provide such information regarding the proposed assignee that the City may reasonably request in making the evaluation permitted under this Section. Such Notice shall include providing the City with all necessary contact information for the proposed assignee. Unless the City objects in writing within twenty (20) business days of notice, the City shall be deemed to have approved of and consented to the assignment. The City shall not unreasonably withhold consent.

14.4. **Partial Assignment.** If any proposed assignment is for less than all of Master Developer's rights and responsibilities then the assignee shall be responsible for the performance of each of the obligations contained in this MDA to which the assignee succeeds. Upon any such approved partial assignment Master Developer shall not be released from any future obligations as to those obligations which are assigned but shall remain jointly and severally liable with assignee(s) to perform all obligations under the terms of this Agreement which are specified to be performed by Developer.

14.5. **Complete Assignment.** Developer may request the written consent of the City of an assignment of Developer's complete interest in this Agreement, which consent shall not be unreasonably withheld. In such cases, the proposed assignee shall have the qualifications and financial responsibility necessary and adequate, as required by the City, to fulfill all obligations undertaken in this Agreement by Developer. The City shall be entitled to review and consider the ability of the proposed assignee to perform, including financial ability, past performance and experience. After review, if the City gives its written consent to the assignment, Developer shall be released from its obligations under this Agreement for that portion of the Property for which such assignment is approved.

15. **No Waiver.** Failure of any Party hereto to exercise any right hereunder shall not be deemed a waiver of any such right and shall not affect the right of such party to exercise at some future date any such right or any other right it may have.

16. **Severability.** If any provision of this Agreement is held by a court of competent jurisdiction to be invalid for any reason, the Parties consider and intend that this Agreement shall be deemed amended to the extent necessary to make it consistent with such decision and the balance of this Agreement shall remain in full force and affect.

17. **Force Majeure.** Any prevention, delay or stoppage of the performance of any obligation under this Agreement which is due to strikes, labor disputes, inability to obtain labor, materials, equipment or reasonable substitutes therefor; acts of nature, governmental restrictions, regulations or controls, judicial orders, enemy or hostile government actions, wars, civil commotions, fires or other casualties or other causes beyond the reasonable control of the Party obligated to perform hereunder shall excuse performance of the obligation by that Party for a period equal to the duration of that prevention, delay or stoppage.

18. **Time is of the Essence.** Time is of the essence to this Agreement and every right or responsibility shall be performed within the times specified.

19. **Appointment of Representatives.** To further the commitment of the Parties to cooperate in the implementation of this Agreement, the City and Developer each shall designate and appoint a representative to act as a liaison between the City and its various departments and the Developer. The initial representative for the City shall be the Mayor. The initial representative for Developer shall be Mike Colson. The Parties may change their designated representatives by Notice. The representatives shall be available at all reasonable times to discuss and review the performance of the Parties to this Agreement and the development of the Project.

20. **Applicable Law.** This Agreement is entered into in Tooele County in the State of Utah and shall be construed in accordance with the laws of the State of Utah irrespective of Utah's choice of law rules.

21. **Venue.** Any action to enforce this Agreement shall be brought only in the Third District Court, Tooele County in and for the State of Utah.

22. **Entire Agreement.** This Agreement, and all Exhibits thereto, documents referenced herein, is the entire agreement between the Parties and may not be amended or modified except either as provided herein or by a subsequent written amendment signed by all Parties.

23. **Mutual Drafting.** Each Party has participated in negotiating and drafting this Agreement and therefore no provision of this Agreement shall be construed for or against any Party based on which Party drafted any particular portion of this Agreement.

24. **No Relationship.** Nothing in this Agreement shall be construed to create any partnership, joint venture or fiduciary relationship between the parties.

25. **Amendment.** This Agreement may be amended only in writing signed by the parties hereto.

26. **Recordation and Running with the Land.** This Agreement shall be recorded in the chain of title for the Project. This Agreement shall be deemed to run with the land.

27. **Priority.** This Agreement shall be recorded against the Property senior to any respective covenants and any debt security instruments encumbering the Property.

28. **Authority.** The Parties to this Agreement each warrant that they have all of the necessary authority to execute this Agreement. Specifically, on behalf of the City, the signature of the Mayor of the City is affixed to this Agreement lawfully binding the City pursuant to Resolution No. 2021-05 adopted by the City on February 3, 2023.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective, duly authorized representatives as of the day and year first herein above written.

DEVELOPER
Presidents Park, LLC

By: MICHAEL R. COLSON
Its: PARTNER

GRANTSVILLE CITY

By: Brent K. Marshall,
Its: Mayor

Approved as to form and legality:

City Attorney

Attest:

City Recorder

**CITY ACKNOWLEDGMENT**

STATE OF UTAH )
:ss.
COUNTY OF TOOELE )

On the 16 day of December, 2021 personally appeared before me Brent K. Marshall who being by me duly sworn, did say that he is the Mayor of Grantsville City, a political subdivision of the State of Utah, and that said instrument was signed in behalf of the City by authority of its City Council and said Mayor acknowledged to me that the City executed the same.

Kerri L. Anderson
NOTARY PUBLIC

My Commission Expires: 3/18/2023

Residing at: Tooele, UT

KERRI L ANDERSON
NOTARY PUBLIC -STATE OF UTAH
My Comm. Exp 03/18/2023
Commission # 705246

**DEVELOPER ACKNOWLEDGMENT**

STATE OF UTAH )
:ss.
COUNTY OF Tooele )

On the 16 day of December, 2021 personally appeared before me Brent Mike Colson, who being by me duly sworn, did say that he/she is the Representative of Presidents Park, a Utah limited liability company and that the foregoing instrument was duly authorized by the company at a lawful meeting held by authority of its operating agreement and signed in behalf of said company.

Braydee Baugh
NOTARY PUBLIC

My Commission Expires: 11/04/2025

Residing at: Tooele County, Utah

BRAYDEE BAUGH
NOTARY PUBLIC - STATE OF UTAH
My Comm. Exp. 11/04/2025
Commission # 721280

BRAYDEE BAUGH
NOTARY PUBLIC - STATE OF UTAH
My Comm. Exp. 11/04/2025
Commission # 721280

## TABLE OF EXHIBITS

| | |
|---|---|
| Exhibit "A" | Legal Description of Property |
| Exhibit "B" | Final Plat |
| Addendum No. 1 | Specific Project Terms |
| Exhibit 1 to Addendum No. 1 | Preliminary Plan Sheet V-001 |
| Addendum No. 2 | Dispute Resolution Procedures |

Exhibit "A"
Legal Description of Property

Tax Parcel No. 01-075-0-0040 and 01-075-0-0041 and 01-075-0-0042

Located in the Northeast Quarter of Section 8, Township 3 South, Range 5 West, Salt Lake Base and Meridian, Grantsville City, Tooele County, Utah described as follows:

Beginning at a point North 89°58'39" East 625.977 feet along the section line from the North Quarter Corner of Section 8, Township 3 South, Range 5 West, Salt Lake Base and Meridian and running thence North 89°58'39" East 728.633 feet along said section line; thence along the boundary of the property conveyed to the R. Maurice and Jane R. Brown Family Trust by Quit-Claim deed recorded 11/5/2001 as Entry No. 171734 of the Tooele County Recorder's office South 00°29'15" West 776.383 feet; thence North 89°47'22" West 619.58 feet; thence South 00°12'38" West 51.219 feet; thence North 89°47'22" West 66.000 feet; thence South 00°12'38" West 157.031 feet; thence North 89°31'38" West 58.163 feet; thence South 02°22'06" East 359.322 feet; thence North 89°40'39" West 418.932 feet; thence North 80°38'08" West 68.387 feet; thence North 09°21'52" East 22.681 feet; thence North 89°31'38" West 146.369 feet; thence North 00°28'17" East 713.048 feet along the north-south center line of said Section 8; thence North 89°58'39" East 643.961 feet; thence North 00°12'38" East 502.716 feet; thence Northwesterly 23.562 feet along a 15.000 foot radius curve to the left (delta = 90°00'00" and long chord bears North 44°47'22" West 21.213 feet); thence North 00°01'23" West 72.217 feet to the point of beginning.

Containing 1,029,594 square feet or 23.636 acres, more or less.

Subject to and together with agreements, conditions, restrictions, easements, rights, rights-of-way, reservations, and covenants of record, or apparent use, or enforceable in law or equity.

Exhibit "B"
Final Plat

## ADDENDUM NO. 1

## TERMS

1. **Definitions.** The capitalized terms used in this Addendum No. 1 shall have the meanings set forth in the MDA unless otherwise specified herein.

2. **PUD Objectives GLUDMC Chapter 12.1 Planned Unit Developments-Purpose.** The City has accepted that the Developers project description of the Presidents Park PUD provided in Attachment A of Addendum No. 1 conform to the five objectives listed in GLUDMC 12.1. Conformance to the objectives is a basic justification for the City allowing certain exceptions to the city ordinances as necessary to realize the PUD Plan.

3. **Modifications to GLUDMA and Other City Standards.** The City has agreed to the following exceptions to the GLUDMA and Grantsville City Construction Standards and Specifications:
   a. GLUDMC Chapter 15.1 Residential and Multiple Residential Districts- Residential District R-1-21. Lots smaller than 21,780 sq.ft. in the R-1-21 Zone. No single-family lot will be smaller than 14,500 sq.ft. (1/3rd acre). Townhomes will not exceed 8 units per acre. See Preliminary Plan Sheet V-001 found in Exhibit 1.
   b. Variance from Grantsville City Standard Street Sections. See Sheet C-301 of the Phase 1 Construction Drawings Presidents Park PUD January 11, 2021 located in in attachment B of Addendum No.1. The approved sections are consistent with the existing street sections in South Willow Estates which will eventually tie together. No on street parking shall be allowed which is also consistent with South Willow Estates. The park strips are maintained by the HOA and with now on street parking allowed that pavement width is reduced thus decreasing the maintenance cost to the City.
   c. Driveways in the Townhouse areas may not meet the minimum 60 distance between the driveway and the intersection street right of way as required in GLUDMC Chapter 6.9-g-ii Off-Street Parking and Loading-Residential Districts. Slower posted street speed limits and traffic calming devices shall be constructed per engineering recommendations to mitigate the reduced distance between driveways and intersections in the townhouse area. In no case shall the 60-foot minimum spacing be reduced at entry street intersections between the townhouse area and the street network serving the remainder of the subdivision.
   d. The front yard setback on corner lots is amended from forty feet (40') to thirty feet (30').
   e. The Development shall comply with all other GLUDMC and other City Standards.

4. **Offsite Improvements:**
   a. Street Improvements: As part of the first phase of development the Developer shall construct Nygreen Street from the Worthington Street intersection to the

Washington Avenue project entry road at a fully improved half width plus road base shoulder as depicted in Detail #6 on Sheet C-301 of the Phase 1 Construction Drawings Presidents Park PUD January 11, 2021 located in in attachment B of Addendum No.1.

b. With the construction of each phase of the project a fire flow test will be completed within the phase and the results of the fire flow test will be used to help determine which phase will require the extension of a culinary water line from the depot fence line water line into the project. If through the project phasing the south most phase containing the waterline alignment is reached before the fire flow test results show a need for the connection to the depot fence line water line the developer shall complete the water line connection as part of that phase.

5. **Open Space:**
   a. As detailed in the Preliminary Plan Sheet V-001 found in Exhibit (?), the Developer shall provide a total of 39.70 acres of which portions shall be dedicated to the City (Presidents Park 10.58 acres) other portions shall be owned and maintained by the School District (School Open Space Area 3.5 acres) and the remaining portions shall be owned and maintained by the project HOA.

6. **Construction Coordination:**
   a. The Developer shall provide the City 48 hours' notice to coordinate with the City prior to working on or around existing City water and sewer infrastructure.
   b. All connections to City water and sewer infrastructure shall be inspected by the City prior to back-filling.
   c. The Developer shall request inspections at least 48 hours prior to the day the Contractor desires the inspection to occur.
   d. The Developer shall request disinfection testing at least 48 hours prior to the day the Contractor desires the testing to occur.

**Addendum No. 2**
**(Dispute Resolution)**

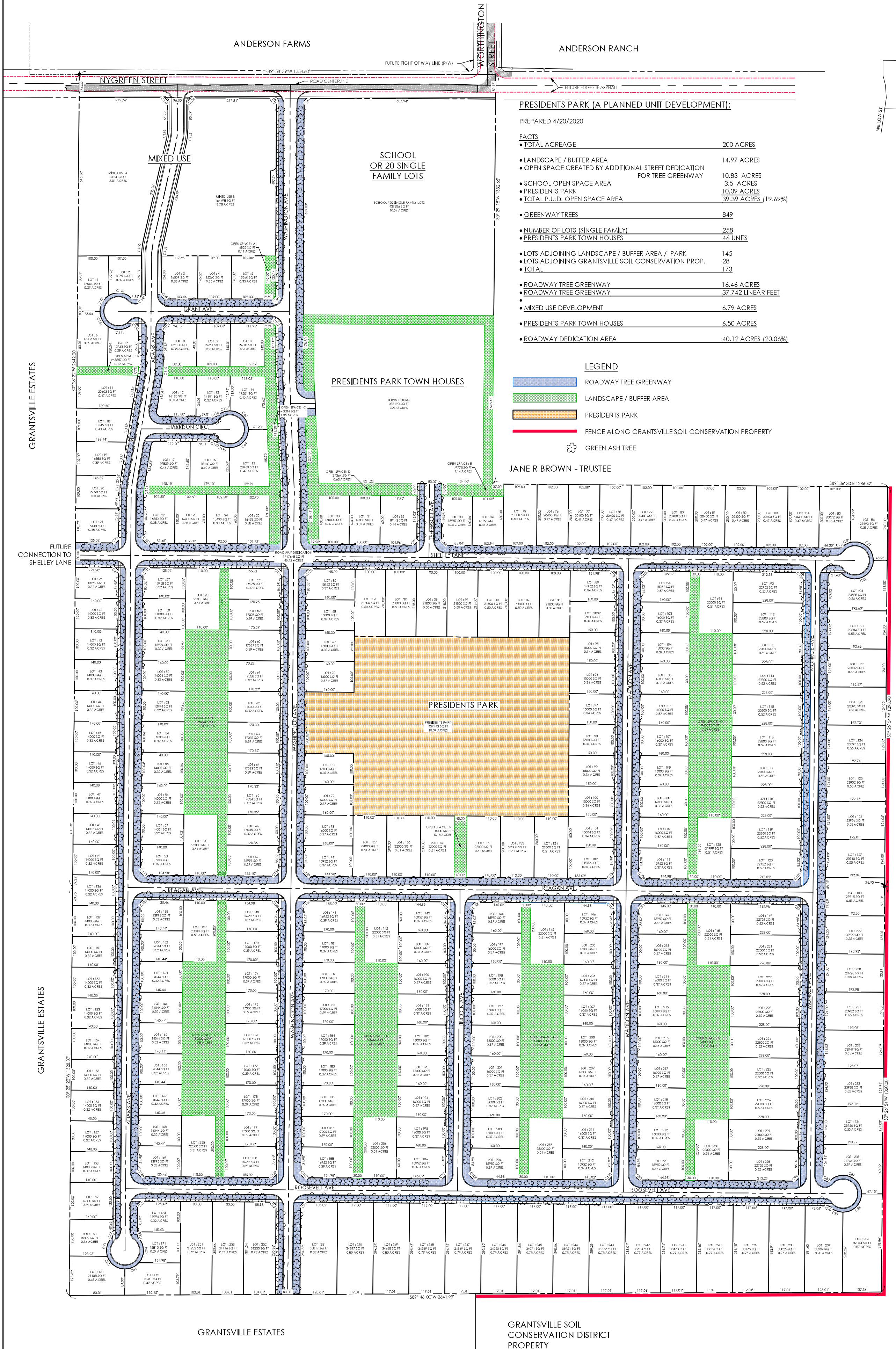
1. **Meet and Confer.** The City and Developer/Applicant shall meet within fifteen (15) business days of any dispute under this Agreement to resolve the dispute.

2. **Mediation.**

2.1. Disputes Subject to Mediation. Disputes that are not subject to arbitration provided in Section 3 shall be mediated.

2.2. Mediation Process. If the City and Developer/Applicant are unable to resolve a disagreement subject to mediation, the Parties shall attempt within ten (10) business days to appoint a mutually acceptable mediator with knowledge of the legal issue in dispute. If the Parties are unable to agree on a single acceptable mediator they shall each, within ten (10) business days, appoint their own representative. These two representatives shall, between them, choose the single mediator. Developer/Applicant shall pay the fees of the chosen mediator. The chosen mediator shall within fifteen (15) business days from selection, or such other time as is reasonable under the circumstances, review the positions of the Parties regarding the mediation issue and promptly attempt to mediate the issue between the Parties. If the Parties are unable to reach an agreement, the Parties shall request that the mediator notify the Parties in writing of the resolution that the mediator deems appropriate. The mediator's opinion shall not be binding on the Parties.

# PRELIMINARY PLAN - PRESIDENTS PARK P.U.D.
## A PREMIER PLANNED COMMUNITY




## PRESIDENTS PARK (A PLANNED UNIT DEVELOPMENT):

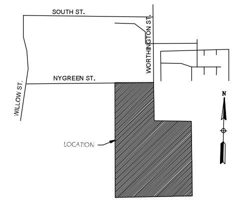
PREPARED 4/20/2020

FACTS

- TOTAL ACREAGE — 200 ACRES
- LANDSCAPE / BUFFER AREA — 14.97 ACRES
- OPEN SPACE CREATED BY ADDITIONAL STREET DEDICATION FOR TREE GREENWAY — 10.83 ACRES
- SCHOOL OPEN SPACE AREA — 3.5 ACRES
- PRESIDENTS PARK — 10.09 ACRES
- TOTAL P.U.D. OPEN SPACE AREA — 39.39 ACRES (19.69%)
- GREENWAY TREES — 849
- NUMBER OF LOTS (SINGLE FAMILY) — 258
- PRESIDENTS PARK TOWN HOUSES — 46 UNITS
- LOTS ADJOINING LANDSCAPE / BUFFER AREA / PARK — 145
- LOTS ADJOINING GRANTSVILLE SOIL CONSERVATION PROP. — 28
- TOTAL — 173
- ROADWAY TREE GREENWAY — 16.46 ACRES
- ROADWAY TREE GREENWAY — 37,742 LINEAR FEET
-
- MIXED USE DEVELOPMENT — 6.79 ACRES
- PRESIDENTS PARK TOWN HOUSES — 6.50 ACRES
- ROADWAY DEDICATION AREA — 40.12 ACRES (20.06%)

## LEGEND

- ROADWAY TREE GREENWAY
- LANDSCAPE / BUFFER AREA
- PRESIDENTS PARK
- FENCE ALONG GRANTSVILLE SOIL CONSERVATION PROPERTY
- GREEN ASH TREE




VICINITY MAP
1 INCH = 2000 FT

SCALE: 1" = 100'
0 100 200 300

GRANTSVILLE ESTATES

GRANTSVILLE SOIL CONSERVATION DISTRICT PROPERTY

CIVIL PROJ-EX, INC
ENGINEERS * PLANNERS
96 QUIRK STREET
GRANTSVILLE, UTAH 84029

4/20/2020 2:15:58 PM

V-001

**Presidents Park PUD**

**Addendum No. 1**

**Attachment A**

Developers Project Description

# PRESIDENTS PARK P.U.D.

*A Premier Master Planned Community*

## A. INTRODUCTION

Goal. Our intent with PRESIDENTS PARK is to create a model subdivision through mutual cooperation with Grantsville City that accomplishes 4 design goals.

1. Conserve natural resources.
2. Minimize maintenance costs for both residents and Grantsville City.
3. Provide diverse housing choices for Grantsville's citizens.
4. Create a connected and walkable neighborhood community.

Balance between Nature and Development. The design of PRESIDENTS PARK retains open space corridors between backyards. In addition to the function as drainage corridors, they also serve as open space, buffering, and pathways between neighborhoods. 95% of lots do not have neighbors adjoining the rear property line.

Highest Quality of Life. PRESIDENTS PARK is a community which fosters the highest quality of lifestyle for its residents. It is a community with lots large enough to enjoy living in, yet not too large to maintain. A range of lot sizes are designed to accommodate various price points of housing.

Characteristics. In developing a subdivision, just as in developing a city, there are eight ingredients of characteristics that are necessary to ensure a high quality of life for the residents. PRESIDENTS PARK has all eight of those characteristics which are summarized as follows:

1. **Low Density.** The 258 single-family lots and 46 townhomes on 190 acres is a density of 1.56 units per acres.

2. **Open Space and Recreational Areas.** 36.28 acres representing 18.14% of the site are set aside as open space. A 10-acre community park will be dedicated to Grantsville City.

3. **Buffering.** Buffering, both natural and through extensive landscaping, will provide an aesthetically pleasing appearance throughout the development.

4. **Walkable Community.** The development has an extensive system of sidewalks, and pathways that interconnect the entire development. With a future elementary school, community park and a mixed-use area providing neighborhood commercial amenities, PRESIDENTS PARK is truly a walkable community.

5. **Tree-lined Streets.** The development has shade trees on both sides of the streets throughout the entire development that will be maintained by the Home-Owner's Association.

6. **Lot Frontage and Minimum Setbacks.** All lots will have a minimum 100-foot frontage and a 40-foot minimum front yard setback to enhance the open feel of the subdivision.

7. **Covenants, Conditions, and Restrictions.** The development has Covenants, Conditions, and Restrictions (CC&Rs) that guarantee all construction is of high quality and the development is maintained to a high standard. These CC&Rs will ensure that the development will always be a quality community.

8. **Mixed Use.** The development has a mixture of single-family homes, retirement townhomes, an elementary school site, a community park, open-space areas and a neighborhood commercial area which helps create a complete community. This mixed-use merger creates an efficient, cost-effective, high-quality neighborhood.

## B. PROJECT DESCRIPTION

Project Location. PRESIDENTS PARK is located South of the intersection of Worthington and Nygreen. The property has historically been used for grazing. The Anderson Farms subdivision is located just North of PRESIDENTS PARK.

Zoning. The property is currently zoned R-1-21.

## C. STORM WATER RETENTION

Shallow swales in the park strips will be used for minor storm water detention. Major storm water flow will be detained through the open and park spaces.

## D. WATER RIGHTS

With the platting of each phase, the developer will transfer water rights to Grantsville City as required by the ordinances.

## E. OWNERS' ASSOCIATION

PRESIDENTS PARK will have an owners' association which will be formed by the developer. The association will own, operate, maintain the common open space, and maintain the park strips, greenways and buffer areas. The association will have the ability to assess dues on each lot to provide funds to maintain the landscaped areas. This will guarantee that the landscaping is maintained at a high level which will ensure the development's unique and beautiful environment.

## F. COVENANTS, CONDITIONS, AND RESTRICTIONS

PRESIDENTS PARK will have covenants, conditions, and restrictions that will help maintain an aesthetically pleasing neighborhood. The following is a brief proposal of the covenants, conditions, and restrictions:

1. The owners' association will charge each owner an assessment to maintain the park strips, greenways and buffer area landscaping.

2. Prior to landscaping, the plans must be approved by the owner's association, to ensure 50% xeriscape.

3. Minimum dwelling size of single-family homes is 1,400 square feet.

4. Fencing will be approved by the owners' association.

5. No parking in the streets.

## G. UTILITIES

1. Water. The development will be served by Grantsville City. 256.02 acre feet of culinary water shares are currently banked with Grantsville City under the ownership of Joe Cange (Clark Realty, LLC.) We are estimating 135 acre feet for 300 residential connections and 15 for commercial connections for a total of 150 acre feet required to serve all of development.

2. Secondary Water. The development will be served by Grantsville Irrigation. We have 172 irrigation shares on contract with Joe Cange. We estimate 270 shares required for single family and 10 shares for common areas including mixed use area for a total of 280 required to serve entire subdivision.

3. Sewer. The development will be served by Grantsville City.

4. Natural Gas. The development will be served by Dominion Energy.

5. Electric. The development will be served by Rocky Mountain Power.

6. Phone/Internet. The development will be served by Comcast and Century Link.

## H. VARIANCES REQUESTED

The following variances are requested from the R-1-21 zoning:

1. Lots smaller the 21,780 square feet in the R-1-21 zone. No single-family lot will be smaller the 14,500 square feet (1/3 acre). Townhomes will not exceed 8 units per acre.

2. Variance from the typical street section. See attached proposed street section. This would allow for the same street section as South Willow Estates. The reasons for street variance are as follows.
    1. To be consistent with South Willow Estates which we will eventually tie into the west.
    2. To minimize future maintenance costs for the City.
    3. No on-street parking is allowed, similar to South Willows' requirement whose street widths are more than adequate for safe, efficient traffic flow.

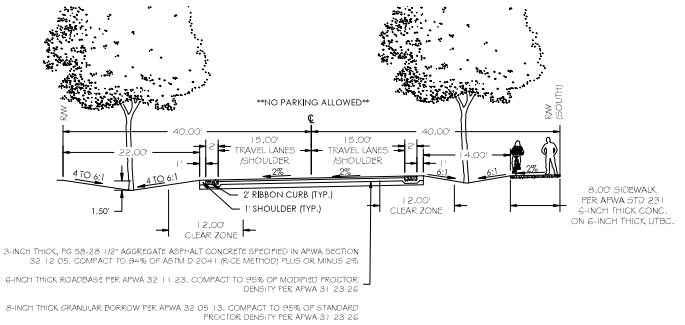
**Presidents Park PUD**

**Addendum No. 1**

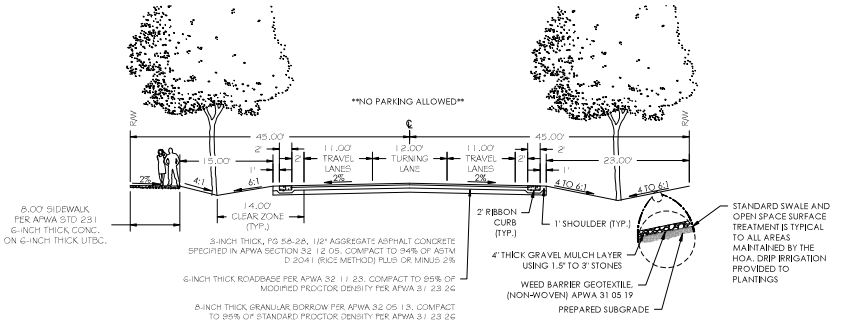
**Attachment B**

Sheet C-301 of the Phase 1 Construction Drawings Presidents Park PUD January 11, 2021.

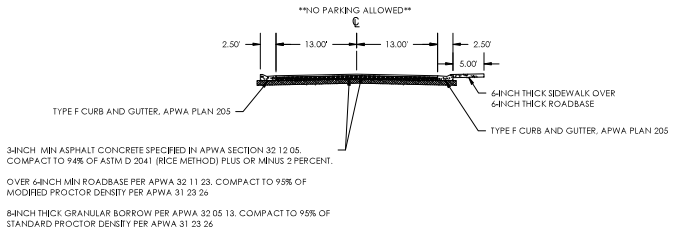
# CIVIL SECTIONS



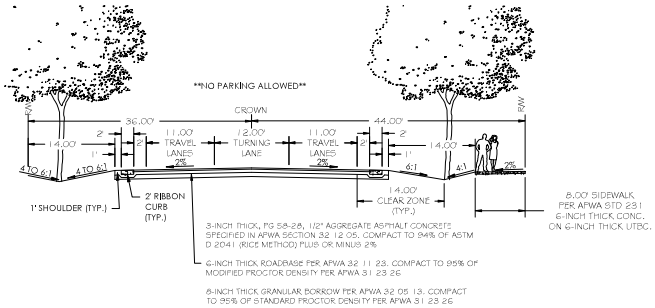

4 PRESIDENTS PARK RESIDENTIAL ROADWAY (EAST - WEST)
SCALE: 1" = 10'



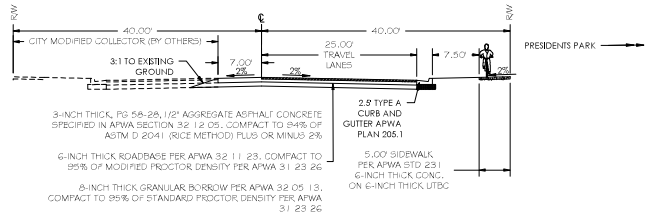

1 PRESIDENTS PARK BOULEVARD ROADWAY SECTION (WASHINGTON AVE. FROM NYGREEN TO SHELLEY LN.)
SCALE: 1" = 10'



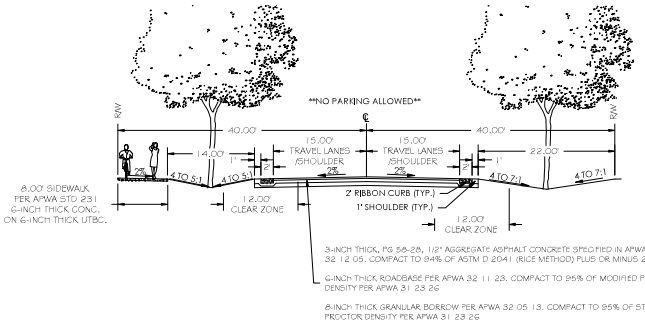

5 PRESIDENTS PARK- TOWN HOUSE ROAD SECTION
SCALE: 1" = 10'




2 PRESIDENTS PARK BOULEVARD (SHELLEY LANE TO SOUTH BOUNDARY)
SCALE: 1" = 10'




6 NYGREEN STREET (MODIFIED TO HALF WIDTH)
SCALE: 1" = 10'




3 PRESIDENTS PARK RESIDENTIAL ROADWAY SECTION (NORTH - SOUTH)
SCALE: 1" = 10'

GRANTSVILLE CITY ENGINEER
APPROVED FOR CONSTRUCTION THIS _____ DAY OF _____, 20__.
BY THE GRANTSVILLE CITY ENGINEER.
CITY ENGINEER OR REPRESENTATIVE

GRANTSVILLE CITY PUBLIC WORKS
APPROVED FOR CONSTRUCTION THIS _____ DAY OF _____, 20__.
BY THE GRANTSVILLE PUBLIC WORKS DEPARTMENT
GRANTSVILLE CITY PUBLIC WORKS DIRECTOR

| No. | Revisions | By | Date |
|---|---|---|---|

FOR CONSTRUCTION

| Project Number | Designed By | Date Issued |
|---|---|---|
| 19-45003 | BVB | 2021.01.11 |
| | Drawn By BVB | |

Project Name:
PHASE 1
PRESIDENTS PARK P.U.D.
GRANTSVILLE, TOOELE COUNTY, UTAH


CIVIL PROJ-EX, INC
ENGINEERS * PLANNERS
96 QUIRK STREET
GRANTSVILLE, UTAH 84029


PROFESSIONAL ENGINEER
7224167
BARRY V. BUNDERSON
2021.01.11
STATE OF UTAH

1/11/2021 11:32:54 AM

Sheet Name:
C-301

**ADDENDUM NO. 3**
**TO**
**PRESIDENT'S PARK P.U.D. SUBDIVSION**
(Mixed Used and Townhome Parcels)

**TERMS**

1. **Definitions.** The capitalized terms used in this Addendum No. 3 shall have the meanings set forth in the MDA unless otherwise specified herein.

2. **Modifications to GLUDMA and Other City Standards.** The City has agreed to the following exceptions to the GLUDMA and Grantsville City Construction Standards and Specifications for the Townhome phases within President's Park P.U.D., identified on "Exhibit A" to this Addendum:
   a. Minimum Lot size = 3,400 square feet.
   b. Main Structures Setbacks: Front yard = 25 ft, Rear yard = 15 ft, Side yard = 0 ft, Townhomes development area perimeter boundary = 20 ft, Separated Structures = 15 ft, from road right-of-way = 25 ft
   c. Minimum Roadway Pavement Width = 26 ft
   d. Minimum frontage at the front property line on approved street = 25 ft
   e. Minimum lot width at the front and rear setback lines = 40 ft
   f. Maximum building height = 35 ft
   g. Maximum lot coverage by main structure = 60%

3. **Mixed-Use Area Modification to GLUDMA and Other City Standards.** The City has agreed to the following exceptions to the GLUDMA and Grantsville City Construction Standards and Specifications for the Mixed-Use phases within President's Park P.U.D., identified on "Exhibit B" to this Addendum:
   a. Setbacks: Front: 25 ft, Side: none, if provided a side yard shall not be less than 6 feet, Rear: 20 ft, Corner lots: There shall be a minimum setback on corner lots as follows: 25 feet on each side fronting a street, with 10-foot setbacks for the other two sides.
   b. 15% of the gross area to be impervious/landscaped
   c. Minimum Lot size: 21,780 square feet
   d. Minimum Lot width at front and rear setback: 100 feet
   e. Minimum frontage on an approved street: 50 feet
   f. Maximum height of structures: 45 feet
   g. Maximum Building coverage: 50%

Approved

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON NOVEMBER 16, 2022 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH AND ON ZOOM. THE MEETING BEGAN AT 7:00 P.M.**

**Mayor and Council Members Present:**
Mayor Neil Critchlow
Jolene Jenkins
Scott Bevan
Jeff Hutchins
Darrin Rowberry
Jewel Allen

**Council Members Not Present:**

**Appointed Officers and Employees Present:**
Jacob Enslen, Police Chief
Braydee Baugh, Recorder
Jesse Wilson, City Manager
Brett Coombs, City Attorney
Gina Francom, Deputy Recorder
Sherrie Broadbent, Finance Director

**Citizens and Guests Present: Barry Bunderson, Mike Colson, Krista Hutchins, Whit Cook**

Mayor Critchlow asked Councilmember Hutchins to lead the Pledge of Allegiance.

**AGENDA:**

1. **Public Comments:** Barry Bunderson stood for public comment. Mr. Bunderson was concerned about the increase for outdoor water requirements being increased by 0.33 acre feet which would be 40" a year to water a property. Mr. Bunderson felt the increase was contradictory to the direction the City wanted to go with being "Waterwise" and wanted Council to scrutinize the plan further. Mike Colson stood for public comment. Mr. Colson expressed his concerns regarding the water acquisition increase for secondary.

2. **Summary Action Items.**
    a. Approval of minutes from November 2, 2022 regular meeting
    b. Approval of Bills totaling $319,263.22

Councilmember Hutchins noted the charge for graffiti removal and inquired if that was a regular occurrence. Councilmember Allen asked if there were cameras at the park. Mr.

Wilson advised the vandalism is consistent but there are cameras and the vandals have been identified.

**Motion:** Councilmember Allen made a motion to approve the summary action items.

**Second:** Councilmember Rowberry seconded the motion.

**Vote:** The vote was as follows: Councilmember Rowberry, "Aye", Councilmember Hutchins, "Aye", Councilmember Bevan, "Aye", Councilmember Allen "Aye", and Councilmember Jenkins, "Aye". The motion carried.

3. **Approval of the Water Banking and Transfer Agreement for SCI Investments/MJC Holdings**

**Motion:** Councilmember Hutchins made a motion to approve the Final Plat for Blue Spruce Subdivision.

**Second:** Councilmember Bevan seconded the motion.

**Vote:** The vote was as follows: Councilmember Rowberry, "Aye", Councilmember Hutchins, "Aye", Councilmember Bevan, "Aye", Councilmember Allen "Aye", and Councilmember Jenkins, "Aye". The motion carried.

4. **Consideration of Resolution 2022-72 approving the Final Plat for Blue Spruce Subdivision**

Todd Castagno was present for this item via Zoom. Councilmember Jenkins wanted to confirm the number of lots. Councilmember Jenkins requested there be a uniform document in the packets for each subdivision that would summarize the project to make it easier to see the information.

**Motion:** Councilmember Allen made a motion to approve the Final Plat for Blue Spruce Subdivision.

**Second:** Councilmember Rowberry seconded the motion.

**Vote:** The vote was as follows: Councilmember Rowberry, "Aye", Councilmember Hutchins, "Aye", Councilmember Bevan, "Aye", Councilmember Allen "Aye", and Councilmember Jenkins, "Aye". The motion carried.

5. **Consideration of Resolution 2022-73 approving the Development Agreement for the Harvest Meadows Subdivision**

**This item was pulled prior to the meeting**

6. **Consideration of Resolution 2022-74 approving the Development Agreement for Presidents Park Subdivision**

   Mike Colson and Barry Bunderson were present for this item. Councilmember Hutchins inquired to the additional parking concerns mentioned in Planning Commission. Mr. Colson advised that has been resolved. Councilmember Jenkins wanted to note these were townhomes. Mr. Colson advised originally the project was approved with 46 but this plan was for 40. Mr. Colson advised the development agreement was allowing for varying setbacks.

   **Motion:** Councilmember Allen made the motion approve Resolution 2022-74 approving the Development Agreement for Presidents Park Subdivision

   **Second:** Councilmember Rowberry seconded the motion.

   **Vote:** The vote was as follows: Councilmember Rowberry, "Aye", Councilmember Hutchins, "Aye", Councilmember Bevan, "Aye", Councilmember Allen "Aye", and Councilmember Jenkins, "Aye". The motion carried.

7. **Consideration of Resolution 2022-75 approving the amendment to the Grantsville City Employee Handbook to include provisions for Parental Leave**

   Jesse Wilson was present for this item. Mr. Wilson explained there was not a policy for Parental Leave. Mr. Wilson explained the policy would be for 6-weeks of paid leave and includes mothers or fathers.

   **Motion:** Councilmember Jenkins made a motion to approve Resolution 2022-75 approving the amendment to the Grantsville City Employee Handbook to include provision for Parental Leave

   **Second:** Councilmember Hutchins seconded the motion.

   **Vote:** The vote was as follows: Councilmember Rowberry, "Aye", Councilmember Hutchins, "Aye", Councilmember Bevan, "Aye", Councilmember Allen "Aye", and Councilmember Jenkins, "Aye". The motion carried.

8. **Consideration of Resolution 2022-76 declaring certain City Owned property surplus and approving of its disposal**

   Jesse Wilson was present for this item. Mr. Wilson explained there were old bleachers and a shop lift that have been replaced and would like to auction these items off. Councilmember Allen asked if the bleachers have been replaced. Mr. Wilson explained they were replaced as part of a grant and are on a concrete slab. Councilmember Jenkins if the previous bleachers could be used. Mr. Wilson advised that after an audit it was determined the bleachers would not be safe to continue to use.

**Motion:** Councilmember Allen made the motion to approve Resolution 2022-76 declaring certain City Owned property surplus and approving of its disposal

**Second:** Councilmember Rowberry seconded the motion.

**Vote:** The vote was as follows: Councilmember Rowberry, "Aye", Councilmember Hutchins, "Aye", Councilmember Bevan, "Aye", Councilmember Allen "Aye", and Councilmember Jenkins, "Aye". The motion carried.

**9. Consideration of Resolution 2022-29 adopting the Grantsville City Wastewater Treatment Plan**

Jesse Wilson stood for this item. Mr. Wilson advised all the engineering has not been done; however, the style of plant has been identified and wanted to adopt the plan before continuing. Councilmember Jenkins wanted to confirm what action was being taken with this vote. Finance Director, Sherrie Broadbent, advised this allows the City to go out for RFP and start the public outreach. Ms. Broadbent advised there will be a need for a rate increase. Ms. Broadbent advised this would be approximately 5 years from start to finish. Councilmember Jenkins asked if the City was approving the 3.5 gpd facility. Mr. Wilson confirmed that was the approval. Councilmember Jenkins asked if this approval included "dredging" the current ponds. Mr. Wilson advised that item is not part of this action.

**Motion:** Councilmember Rowberry made the motion to approve the adoption of the Grantsville City Wastewater Treatment Plan

**Second:** Councilmember Hutchins seconded the motion.

**Vote:** The vote was as follows: Councilmember Rowberry, "Aye", Councilmember Hutchins, "Aye", Councilmember Bevan, "Aye", Councilmember Allen "Aye", and Councilmember Jenkins, "Aye". The motion carried.

**10. Consideration of Resolution 2022-30 for the creation of the Veterans Memorial Committee**

Mayor Critchlow advised everyone on the committee is a Veteran and is helping identify how to proceed with the memorial.

**Motion:** Councilmember Allen made the motion to approve Resolution 2022-30 approving the creation of the Veterans Memorial Committee

**Second:** Councilmember Jenkins seconded the motion.

**Vote:** The vote was as follows: Councilmember Rowberry, "Aye", Councilmember Hutchins, "Aye", Councilmember Bevan, "Aye", Councilmember Allen "Aye", and Councilmember Jenkins, "Aye". The motion carried.

**11. Discussion regarding the Preliminary Plan for Highlands Phase 5**

No one was present for this item. Mayor Critchlow advised the development was originally slated for the affordable homes in Grantsville, but the market has driven prices really high. Councilmember Allen asked if there was an open space requirement. Mayor Critchlow advised this subdivision was approved before the open space requirement but any future phases would require the open space as they would be under the new code dictating open space.

**12. Discussion regarding the Grantsville City Justice Court**

Jesse Wilson was present for this item. Mr. Wilson explained that Judge Elton is going to be retiring and the administrator for the courts, Jim Peters, reached out to the City to inquire if they would like assistance in locating a new judge or if the City will be closing the Justice Court. Councilmember Hutchins advised that after reaching out to several people and weighing the costs, including the investment from the City for the new Justice Center, he is in favor keeping the court. Councilmember Hutchins voiced his support of keeping the Justice Court. Councilmember Jenkins noted that if Grantsville City shut down the Justice Court, it would be extremely hard to get back. Mayor Critchlow advised the Courts can be "paused" too provide the opportunity to review the cost of the Justice Court. Councilmember Allen noted that people will be more intimidated by going to County. Councilmember Jenkins advised with the growing population and the caseload in county, it could slowing things down. Councilmember Jenkins expressed support for keeping the Justice Court in Grantsville.

**13. Discussion regarding Interlocal Cooperative Operations Agreement**

Councilmember Jenkins expressed concerns with "emergency use" not being defined clearly and Grantsville City not having control what constitutes an emergency. Councilmember Jenkins continued that over building is a result of poor planning- not an emergency. Mayor Critchlow advised what constitutes an emergency is what Grantsville City Council determines is an emergency. Councilmember Hutchins advised the City Council will get to vote on what is an emergency. Councilmember Jenkins advised that "reservoirs" should be separate since the City cannot dictate that to Grantsville Irrigation. Councilmember Hutchins advised the advantage would allow Tooele Valley to think longer term about a secondary water resource. Councilmember Hutchins noted that long term it would open financing up to the City and there should be an escape clause for the City; which currently is only a year. Councilmember Allen asked why the City would connect. Mr. Wilson advised it would expand the opportunities for assistant in the event something catastrophic happens to our City. Councilmember Allen noted the agreement

says if an involved entity needs water they will pay for it and she was not comfortable with relinquishing that control for the City. Councilmember Hutchins noted the emergency Tooele City is experiencing right now could be Grantsville City's issue later. There was discussion regarding who would be in charge of the system. Mayor Critchlow advised that Grantsville City has the most water so the authority should remain there. It was acknowledged it was a collective agreement. Public Works Director, James Waltz noted there would have to be a study identifying what impact there would be on the City water levels and system as well. Mr. Waltz also noted questions regarding the direction of the meters or if the other partners have the water to send to Grantsville. Councilmember Hutchins noted the City of Grantsville is also vulnerable and sees water being used as a short-term solution for an immediate emergency- not a prolonged event or a supplement for growth. Councilmember Rowberry noted that Grantsville City could lose the water pumps in an emergency event and we could need the water from Stansbury or Tooele to get by until the repairs are made.

**14. Council Reports**

**Councilmember Jenkins: Remind everyone about the Tip-a-Cop. Has been working with Lt. Sagers regarding the speeding in neighborhoods and encouraged citizens to reach out to the Police Department.**
**Councilmember Bevan: Will be holding another meeting for the Beautification Committee before the end of the year. The Historic Preservation committee will be discussing the possibility of setting up tours of the older homes in the area.**
**Councilmember Allen: The PAR tax passed the election. Appreciates the staff for doing so.**
**Councilmember Hutchins: Appreciates the participation in the Park Survey and will be having a meeting with the Parks, Trails and Recreation Committee.**

**15. Closed Session (Imminent Litigation, Personnel, Property)**

**Councilmember Allen made the motion to go into a closed session.**

**Councilmember Rowberry seconded the motion.**

**Closed Session began at 8:35 pm**

**Closed Session ended at 8:48 pm**

**16. Adjourn**

**Councilmember Bevan made the motion to adjourn**
**Councilmember Rowberry seconded the motion.**

**Vote:** The vote was as follows: Councilmember Rowberry, "Aye", Councilmember Hutchins, "Aye", Councilmember Bevan, "Aye", Councilmember Allen "Aye", and Councilmember Jenkins, "Aye". The motion carried.



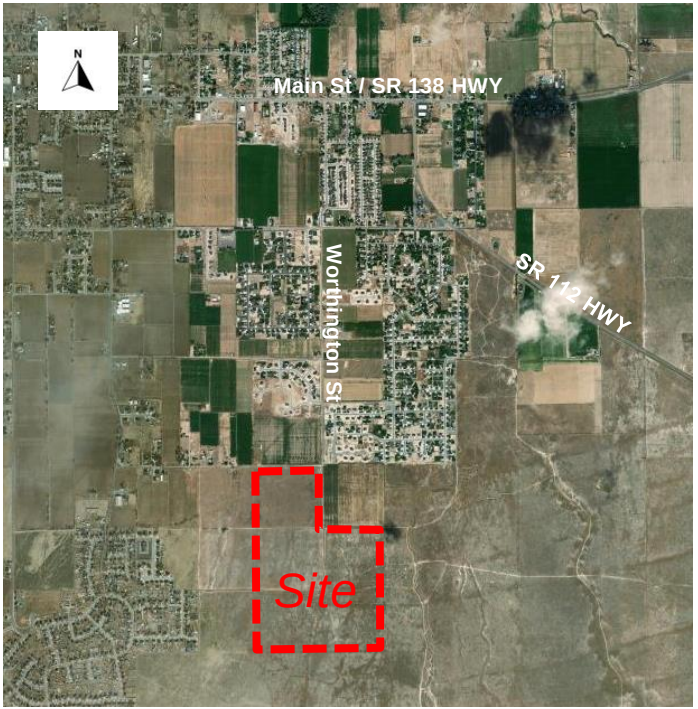
# Presidents Park PUD

## Proposed Development Agreement Amendment

GRANTSVILLE
INCORPORATED 1867

PRESIDENTS PARK
TOWNHOMES

# Presidents Park Background




Existing Zoning: PUD w/ Development Agreement

Approved by City Council on November 16, 2022

Westates Companies is requesting additional amendments to the PUD Development Agreement and associated site plan. The proposed amendments are intended to maximize the potential of the project and use space more efficiently

PRESIDENTS PARK
TOWNHOMES

# Utah has a Housing Affordability Problem



## Limited Supply

- Even with high interest rates, demand for homes continues to be strong in Utah
- 72% of homeowners have mortgages at 4% or less in Utah, more than any other state; people aren't moving – we need more supply

## Lack of Affordability

- House price to income ratio used to be 3-3.5x and is now over 6x
- Utah is third highest in the nation after Hawaii and California
- We need more affordable options (e.g., entry level homes/townhomes)

## Wealth Impact

- The average net worth of a homeowner in Utah is $396,200
- The average net worth of a renter in Utah is $10,400
- Entry-level home ownership is key for generating wealth

## Culture Impact

- As Utah (locally and as a state) gets more expensive relative to other places we end up exporting our children to locations with a lower cost of living.
- If we want to keep our families in the state, we do need to create more communities they can afford to live in.



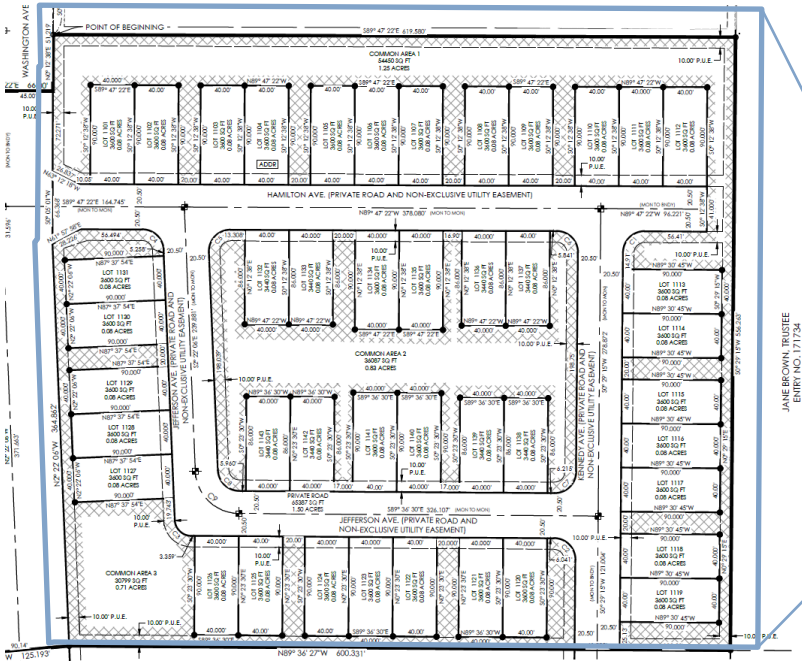
## Utah has a Housing Affordability Problem

## We Propose a Solution

- Incremental improvements such as re-evaluating developments will make the difference over time while maintaining the character of local communities
- The opportunity to amend the PUD development agreement at Presidents Park will help increase supply of affordable homes

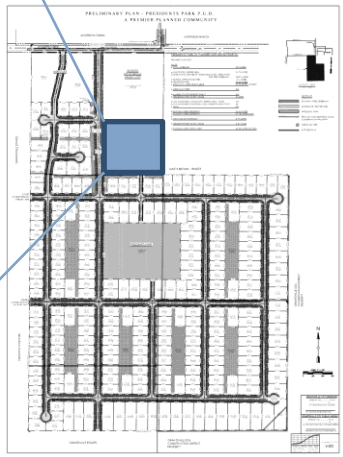
PRESIDENTS PARK
TOWNHOMES

# The previously approved layout of Presidents Park Townhomes is inefficient and results in more expensive units




## *Current Layout*

- 43 units total
- 5.3 units/ac
- Duplex / Three-plex units
- Wide “lots”
- More costly to build



PRESIDENTS PARK
TOWNHOMES

# Revising the community's layout reduces the cost of the home!



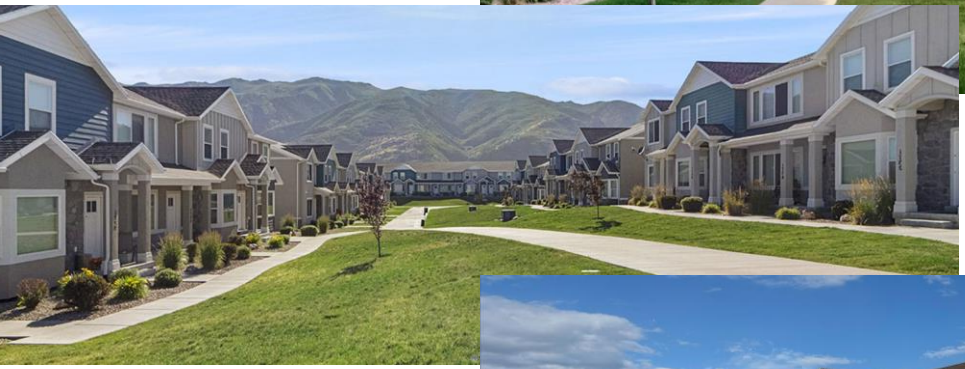

## *Proposed Layout*

- Traditional townhomes
- Product at traditional density for townhomes
- 86 Units
- 10.6 units/acre
- More efficient use of land
- Lower site cost per unit
- Better livability of units
- Desirable location for young families
- **<u>Targeting a price reduction of $80k per unit</u>**

PRESIDENTS PARK
TOWNHOMES

# Families that live in this type of community typically love the courtyard feel, neighbor connections, and livability







PRESIDENTS PARK
TOWNHOMES

# Next Steps

We Understand the next steps in the PUD amendment process include:

- Additional consideration by the Planning Commission
- Approval by the City Council
- Revised construction drawings and plat amendment following approval of the amendment





# Questions?

PRESIDENTS PARK
TOWNHOMES





# AGENDA ITEM #5

Approval of minutes from the November 7, 2024 Planning Commission Regular Meeting.

**Action Summary:**

| Agenda Item | Item Description | Action |
|---|---|---|
| #1 | Mountain Meadery Retails Goods Establishment- Consideration | Approved with conditions. |
| #2 | Mountain Meadery Mini Warehouse- Consideration | Approved with conditions. |
| #3 | Raven Management CUP (North Hale St. Rentals)- Consideration | Approved with conditions. |
| #4 | The Place General Plan Amendment- Discussion | Discussed. |
| #5 | The Place Rezone- Discussion | Discussed. |
| #6 | Brentwood PUD- Discussion | Discussed. |
| #7, 9, 11, 17 | Code Amendments for Chapters 1, 7, 11, and 21.6.13- Discussion | Voted to action item, recommended for approval. |
| #13 | Code Amendments for Chapters 12 | Recommended for approval with conditions on verbiage change. |
| #8, 10, 12, 14, 15, 16 | Code Amendments for Chapters 3, 8, 11.5, 15, 21, 21.2.10- Discussion | Discussed. |
| #18 | Minutes 9/19/2024 Regular Meeting- Consideration | Approved. |
| #19 | Minutes 9/25/2024 Special Meeting- Consideration | Approved. |
| #20 | Minutes 10/3/2024 Regular Meeting- Consideration | Approved. |

**MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION, HELD ON NOVEMBER 7, 2024 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH AND ON ZOOM. THE MEETING BEGAN AT 7:00 P.M.**

**Commission Members Present:** Vice-Chair Derek Dalton, Rob Jaterka, Trent Stirling

**On Zoom:** Chair Rick Barchers

**Commission Members Absent:** Jeff Downward

**Appointed Officers and Employees Present:** Zoning Administrator Shelby Moore, Deputy City Recorder Gina Roberts, City Engineer Robert Rousselle, City Attorney Tysen Barker, City Council Member Rhett Butler, City Council Member Heidi Hammond, Smith Hartvigsen Contracted Attorney Jay Springer

**On Zoom:** Aqua Consultant Shay Stark

**Citizens and Guests Present:** Camille Childs, Josh Childs, Michelle Pitt, Barry Pitt, Gary Pinkham, Lana C., Clayton Sheffer, Shere North, Duke North, Kevin Hall, Debbie Hall, Mick Moore, Garrett Doerr, Mildred Russell, Penny Anderson, Richard Anderson, DeeAnn Allen, Chris & Mindy Willes, Star & Chris Erickson, Jeffrey & Kimberly Walker, Diane Allen, Kasey Brown, Anthony Brown, Scott Miller, Camille Miller, Misty Russell, Clifford Russell, Bill Gentry, Janette Toone, Katelyn Butler, Macie Chukwuba, Mike Worthington, Jamie Fitzgerald, Randy Fitzgerald, Mary Burgess, Steve Burgess, Micheal Vanwyck, Diane Crawford

**Citizens and Guests Present on Zoom:** Unknowns

**Commission Vice-Chairman Derek Dalton called the meeting to order at 7:07 PM.**

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

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**PUBLIC HEARING**

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

No comments.

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

**Deanne Allen:** Deanne Allen was present to speak on this item. She stated that she lives near this location and loves the community as it is. She begged for a reconsideration of this project because of the issues that come with businesses bringing liquor into the community. She referenced crime, rowdiness, and drunk drivers. She stated that she feels this is the wrong thing to bring into Grantsville.

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

**Email Received 11/4/2024:**

THERE IS NO INFORMATION IN THE PACKET FOR AGENDA ITEM NO 4.

Gary Pinkham

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

**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: (This was also read aloud during the meeting)**

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.

**Kevin Hall:** Kevin Hall was present to speak on this item and noted that he lives directly adjacent to this proposal. He stated that he has a gate opening that is historic and referred to as The Other Place. He stated it has real meaning to him and his family, and was shocked that the applicant chose to name it similarly. He stated that himself and several of his neighbors are in opposition of this proposal. He mentioned the current agricultural uses of the property and surrounding areas. He said there is nothing nearby that is zoned MU or that has MU uses. He stated that he recognizes growth is here and will come, but that we should be real careful in changing things too quickly. He stated that this proposal would be the poster child for spot zoning, and that he sees no merits of it.

Mr. Hall also discussed the MU zone. He said that in his opinion, the MU zone is going to be the demise of Grantsville. He stated that the MU zone consists of tiny lots, apartments, townhouses, and those kinds of things. He noted the need for affordable housing, but said this zone will create nothing but those housing types in the community. He stated that the City needs to take a serious look at the code for the MU zone, as nothing good seems to come of it. He said that the reality of it is that if it is not managed, those housing types are all that will be seen in the City.

**Penny Anderson:** Penny Anderson was present to speak on this item and noted that she has several letters from residents regarding this proposal. The first was from Ed Barrus which stated, “I am definitely against an MU zone in the Picadilly Ln. area. Traditional farming and small lot property owners typically do not make good neighbors. Sincerely, Ed Barrus.” The second was from Joyce Summers which Ms. Anderson read as the following, “She has lived at her property for 23 years, and they were attracted there because it was an agricultural location. Her husband and her moved into this property so they could have horses and farm the ground. They spent countless hours irrigating and raising hay. We have also enjoyed being able to raise a garden and enjoy the land and outdoors. Our neighborhood is filled with farmers and ranchers that share our love of the rural lifestyle. I received notification that they’re wanting to have the zoning changed to an MU zone. Doing this would be considered spot zoning and does not conform to the City’s master plan. To put this type of zoning in the middle of an agricultural type of area would devalue the property and rural lifestyle. Please do not approve this zone change. Once you get this done, there is no going back.” The third was from Ms. Anderson and her husband Richard which stated, “My name is Penny Anderson and my husband Richard and I are both lifelong residents of Grantsville. My husband has been a rancher and farmer his whole life. Over 30 years ago we purchased a farm on the West end of Grantsville and we have farmed that property ever since. Our property is surrounded by other farmers and ranchers and the zoning is A-10. We purchased in this area because of the agricultural zoning. There has been a request to change the zoning in the middle of this area to go from an A-10 to an MU. This would potentially allow the owners of that property to put 250 residences on that 25 acre

piece. Think about that- 250 on 25 acres. I have several concerns about this zone change request. First, this is not at all conducive with Grantsville City's master plan. Second, to change the zoning in the middle of an A-10 zone to an MU zone would be considered spot zoning. Third, there's not any kind of infrastructure to support this kind of zone in this area. I don't know what the reason is for this zone request, but I do know that if this zone change is allowed, the property owner can change their minds about what they want to do and as long as they meet all the requirements of the MU zoning, the City cannot legally refuse the request. This is one of the last agricultural areas left in Grantsville that still exists. Please let us keep it that way. I drove up the road the other day and looked down, and all you could see were nice fields, people growing hay. You know, we have lots and lots of populated areas so let's keep some of these rural areas rural. There are plenty of other areas in the City that have already been stripped of their agricultural roots. Please don't let this area be added to that list. Thank you."

**Janette Toone:** Janette Toone was present to speak on this item. She said that over the past year she has observed the Commissioners making some difficult land use decisions. She said that every time she writes an opposing letter or comes before the Planning Commission or City Council, she is told that if the property in question hadn't already been zoned MU by a previous board, the discussion would not even be on the table. She said that she recognizes that the MU zone has a place to integrate residential, commercial, and industrial, but that it offers more benefits to developers than the residents. She noted she feels that it seems harder to enforce zoning codes in the MU zone. She noted that there are plenty of high-density areas going in, and referenced strain on public places like schools and medical care. She said that she enjoys the peace and quiet, and development takes that away. She said with more people around, there is more crime and issues. She urged the Commission not to approve any further MU properties. She said it is a conflict of interest for the Zoning Administrator to try to rezone her property to MU, when she has been there the last year and seen the challenges that the zone has brought the City.

**Mike Worthington:** Mike Worthington was present to speak on this item. He stated that he is good friends with Nick and Shelby, but disagrees with this zoning proposal. He said his family owns the property directly to the South of this property, and they do not want to see the infrastructure in the road that would be required to support the potential development here. He stated that this proposal does not fit with the surrounding uses.

**Clifford Russell:** Clifford Russell was present to speak on this item. He stated that he lives up the road from this property. He mentioned concerns about this proposal not matching the area and the infrastructure. He said that the road there is hardly wide enough for two vehicles to pass each other, let alone any equipment that could be there. He expressed that he hopes the Commissioners hear the public comments and decide accordingly.

**Chris Willes:** Chris Willes was present to speak on this item. He stated that he lives in the area of this project, and would not have known about this proposal if it wasn't for his neighbors. He mentioned that he saw the public notice sign, but that the QR code took him to a website that did not mention this application. He said it is frustrating that the QR code takes you to a website

where this application is not mentioned. He reiterated that this is not a good area for Mixed Use development. He said if he wanted to live in Daybreak, he would go live in Daybreak.

**Duke North:** Duke North was present to speak on this item. He stated that he owns property adjacent to this one, and he is friends with Nick and Shelby. He feels that Mixed Use is not anything he wants in Grantsville at all, and especially not in this area. He said that Mixed Use is horrible. He said that the zoning and lot sizes have been dropped continuously. He said that back in the day there were 3 police officers, and asked how many there are currently. It was noted that there are 19 officers at this time. He asked if the Commissioners received the public comment from his brother, Martin Anderson, and requested that it be read aloud at that time. The letter, previously listed, was read aloud.

**Micheal Vanwyck:** Micheal Vanwyck was present to speak on this item. He noted that on December 21st of last year, there were this many people in the room. He stated that he lives on the very East side of town. He stated that he has attended almost every meeting since December 21st of the previous year, and encouraged the public to get involved. He said that the more eyes that are involved, the better it is going to be.

He said that at the meeting the previous night, he heard a developer say the words, “detrimental impact.” He said that the engineer’s analysis of the project said that the current wastewater system is not sufficient for the proposed project of 954 units, and asked that no more growth or rezones be allowed until the system is adequate to service them. He said that in terms of detrimental impact, the City is five officers short. He said that the more growth allowed, the more the current residents are affected. He said that Grantsville is the last area around Salt Lake that has not been taken over, and asked again that new growth and rezones not be allowed.

**Diane Crawford:** Diane Crawford was present to speak on this item, and noted that she is a newer resident in The Highlands subdivision. She stated that she moved here from Salt Lake because her son-in-law hauls concrete to the Salt Lake are, but could not sleep during the day when needed. This led them to Grantsville where it is less noisy and populated, and they have valued that choice. She stated that she saw on Facebook before moving in, that residents were concerned about having enough water for new development. She said if there was not enough water before, where is it coming from now? She said that a lot more infrastructure and resources are needed before a development comes to the City. She expressed that the quality of her new home was not what they expected, and were sorely disappointed. She stated that after speaking with other residents in new homes, 75% of them were disappointed with the quality of them. She noted that Grantsville may come to be known for houses that lack.

**Shere North:** Shere North was present to speak on this item, and noted that she is a 63-year-old resident of Grantsville. She expressed that she does not have anything against the applicant, but is against this rezone proposal. She noted that she purchased her home in the agricultural area 28 years ago and has loved it for the views and quiet. She said she does not want high-density housing that will block the beautiful land that they love to look at on a daily basis. She expressed that she does not want the traffic that will come with the development. She also noted that there is no City water or sewer in the area. She stated that she would hate

to see that many homes coming in, that could contribute to her losing her well. She stated that farmers use their wells for their livelihood. She stated that the growth was to be on the South side of town, not the North side. She noted that Picadilly Road is not sufficient for high volumes of traffic.

**Any further public comments made during the meeting are not listed, as the handheld recording device stopped working at this point of the meeting. There were technical issues with the Zoom recording, so that recording is not available. We apologize for the inconvenience.**

e) **Proposed PUD for the Brentwood subdivision, located at approximately 47 S. Main St., including consideration of the concept plan and variance table.**

**Email Received 11/4/2024:**

FOR AGENDA ITEM 6 THE ADDRESS FOR THE PROPERTY IS INCORECT. SEE MY ATTACHED NOTES FROM A PREVIOUS REVIEW OF THE APPLICATION. THE ONLY CHANGE I SEE THEY MADE IS TO THE STREET TO THE EAST OF MAVERICK OFF SR138, IT IS NOW A 66' ROW. NOTE THE DEVELOPMENT STANDARDS TABLE DOES NOT MEET THE REQUIREMENTS OF GLUDMC 12.4.2.C.

FOR AGENDA ITEM 6 THE CODE WOULD PERMIT ROUGHLY 45 SINGLE FAMILY LOTS ON THE PROPERTY. THEY ARE ASKING FOR 146 UNITS WITH THIS PUD CONDITIONAL USE APPLICATION. THIS IS AN INCREASE FOR 100 UNITS THAT WILL REQUIRE 50% DESCRIBED AS MODERATE INCOME HOUSING.

FOR AGENDA ITEM 6, WILL UDOT PERMIT THE ACCESS POINT OFF SR138 FOR THE EASTERLY STREET? MOST OF THE SPACING DISTANCES LISTED IN THE UDOT ACCESS CHART EXCEED THE DISTANCE SHOWN ON THE DRAWING.

FOR AGENDA ITEM 6 THE WORD "POSSIBLE" FOR AMENITIES MEANS NO AMMENITIES.

FOR AGENDA ITEM 6 THE STREETS ARE TOO NARROW TO PERMIT STREET SIDE PARKING. DRIVEWAY SET BACKS LESS THAN 25' WILL NOT ACCOMMODATE A FULLSIZED PICKUP OR A SERVICE/DELIVERY VAN.

FOR AGENDA ITEM 6 THERE ARE NO SERVICES SHOWN ON THE FRONT OR SIDES OF THE BUILDINGS IN THE VARIOUS RENDERINGS. THIS WILL REQUIRE ALL SEERVICES TO COME INTO THE BUILDING FROM THE NON-STREET END OF THE UNIT. THERE MUST BE AN ALLEY WAY THAT WILL PROVID ALL WEATHER ACCESS TO THESE SERVICES FOR THE CITY AND THE FRANCHISE UTILITIES.

FOR AGENDA ITEM 6 THE PROPOSED MAVERICK LAND AND ROAD ALIGNMENT DOESN'T LOOK LIKE IT LINES UP VERY WELL.

FOR AGENDA ITEM 6 THE SECOND ACCESS ROAD EASEMENT SHOULD BE A DEDICATED CITY STREET RIGHT-OF-WAY NOT AN EASEMENT.

FOR AGENDA ITEM 6 BOTH OF THE EAST/WEST STREETS SHOULD BE 66' CITY STREET RIGHT-OF-WAYS TO PROVIDE PROPER ACCESS TO THE FUTURE DEVELOPMENT OF THE PROPERTIES TO THE EAST OF THIS PARCEL.

Gary Pinkham

**Email Received 11/5/2024:**

Hello,

I'm told this is the best address to reach out with concerns regarding the 146 town home development in Grantsville. High density townhomes do not feel appropriate or fit in well with the general feel, culture and tradition of the city of Grantsville.

Grantsville is far enough away from the greater Wasatch front that is not a convenient place to build townhomes - which usually coincide in proximity to more commercial development, public transportation and other business centers. Therefore, a large number of town homes just creates a lot of commuter traffic and congestion. By contrast, Grantsville is a small town that most people love for it's comparatively rural setting. High density development will only bring resentment from the people of the city and broader valley. Surely, a more appropriate and lower density zoning can be achieved as a win-win with the community.

As a resident of the Tooele valley, I plead with you to resist and reject this type of development in Grantsville and to relay this concern to other city planning and diving committee members.

Thank you, David Iverson

**Email Received 11/7/2024:**

Hello,

My name is Megan Flanagan, I am a proud citizen of Tooele County. I became aware that there is a meeting to discuss some zoning issues that the people of Tooele County absolutely do not want… more townhomes.

Townhomes are not for rural or even suburban life, they are for urban areas. Townhomes are not more efficient, affordable or desirable. Townhomes do not have backyards, nothing I've seen being newly built in Tooele County has a backyard. Tooele County is not a commuter town, we

don’t need that kind of housing here, especially in Grantsville! NIMBY is not affordable! Section 8 is segregation!

Please do not allow the developers to build 13 acres of townhomes in Grantsville. We don’t have the infrastructure in Tooele County to handle the traffic, the volume of people or the resources! Please do the right thing and vote AGAINST URBAN DEVELOPMEMT IN A NON-URBAN environment!!

Respectfully,

Megan Flanagan

**Email Received 11/7/2024:**

I am writing regarding my concern over a proposed development (Brentwood Subdivision) behind Maverick.

I would oppose more development in Grantsville.

I oppose developing farm land.

I oppose high density housing.

Many people like this town small and believe we do not have the infrastructure to support continued development.

Kathleen C

Grantsville Resident

**Email Received 11/7/2024:**

**Public Comment:** Planning and Zoning Commission -Meeting November 7, 2024 – 7pm – Agenda item #6 – Brentwood Subdivision
Hello,
My name is Terry Larsen, and I am a concerned resident of Grantsville. I am writing to express my strong opposition to the proposed new development (Brentwood subdivision) just off Hwy 112 behind the Maverick Gas Station.
While I understand the need for affordable housing in our city, I believe that this project would have a detrimental impact on our community. First and foremost, the proposed development is simply too large for the area. The increase in population density would put a strain on infrastructure, leading to increased traffic congestion. This type of housing being proposed is simply not in keeping with the character of our neighborhood and town. This development would bring in a large number of residents, which could lead to increased crime rates and other negative

social effects. It would also drastically alter the aesthetic of our area, replacing the existing open spaces with a monolithic, high-density housing complex.

I've lived in Grantsville for more than 25 years, and as time passes, developments are encroaching on the open space property. I have nothing against raising more tax revenue for the city or constructing affordable homes. The construction of these densely populated townhomes is what I oppose. Given Grantsville's reputation for wide space, people typically choose to go west because they want larger lots and acres where they can raise farm animals at a lower cost. Rapid expansion, particularly in the form of high-density housing, has been shown to have numerous detrimental effects, including overcrowded schools, traffic-strained infrastructure, and rationed natural resources such as water, loss of farm and open space, increased pollution, packed recreation sites, and increased concerns of safety and crime.

The developer clearly states that only 28 out of the 146 units will be considered “affordable housing.” Local property taxes and school taxes are not paid by people. The per-k of property worth determines how much they pay. A high-density housing project into a low-density neighborhood is, in my perspective, essentially stealing the tax base that already exists. The truth is that developers frequently understand how to circumvent local tax regulations in order to further lower their own tax obligations and shift the burden to others.

In conclusion, I strongly urge you to give this proposed housing development another look and to take my concerns into account. While I recognize the need for affordable housing, I believe that this project is simply not the right fit for this area. Thank you for your attention to this matter.

Concern 1: **Revising city code changes:** updating city code modifications; to allow for the construction of more townhomes, the developer is requesting that the planning and zoning commission update the setback regulations. In my opinion, the developer should not be allowed to alter the setback requirements in order to profit from the addition of additional townhomes in a smaller space. In my view, the city created these setbacks and other laws for a purpose; thus, unless there is a good cause, the city shouldn’t change their codes.

Concern 2: **Safety:** Will the developer be required to have bigger street sizes then proposed to accommodate emergency vehicles? People are known to park on the street in these townhome developments. How will an emergency vehicle be able to pass and reach the scene if there are multiple cars parked on the street?

Concern 3: **Traffic Congestion.** With 146 townhomes in that small area, two to three people living in each townhome on average, and two cars per household on average, that means 292 more cars are leaving the development and turning onto a very small stretch of road to turn at Grantsville's only stop light. Main Street is very crowded during morning and evening commutes, so even if the developers add another access point leaving the area, more cars will have to cross it without any lights. I don't see how this won't be a nightmare for traffic and a safety concern for everyone. Does the city have any plans to help alleviate this situation?

Concern 4: **Water:** Can the city supply the water required for Grantsville's increased population given its rapid growth? I'm concerned about the source of water for all these newly approved developments, which also increases everyone's taxes if new or upgraded infrastructure is

required. Also, an 8” water line was required when we built in that area; the city will require a 12” water line for that development. What impact will that have on my power and water while they're building there?
Concern 5: **Livestock:** Will the developer have to put up a privacy fence around the property? The area is home to numerous livestock-owning residences and pastures. If people own dogs, would their livestock—such as cows, horses, goats, and chickens—be in danger if they are not required to put up a fence?

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

FOR AGENDA ITEN 7;

THE SENTENCE IN 1.12(1) NEEDS TO BE REWRITTEN IN ITS ENTIRETY. IT CURRENTLY AND IN THE REVISED FORM MAKES NO SENSE.

> SUGGESTION – “GRANTSVILLE CITY OR ANY OWNER OF REAL ESTATE WITHIN GRANTSVILLE CITY ADVERSLY AFFECTED BY THIS CHAPTER OR ORDINANCES ENACTED UNDER THE AUTHORITY OF THIS CHAPTER MAY, IN ADDITION TO OTHER REMEDIES PROVIDED BY LAW, INSTITUTE:”

IN 1.19(7)(b), WHY CAN’T A CHARTER SCHOOL HAVE MORE PARKING IF THEY HAVE THE SPACE AND WANT IT? THEY DEFINITELY SHOULD NOT HAVE LESS.

Gary Pinkham

**g) Proposed amendment to the Grantsville City Land Use and Management Code Chapter 3 (Decision Making Bodies, And Officials), to implement modifications from SB174/ HB0476.**

FOR AGENDA ITEM 8;

IN 3.1(2), THIS DOES NOT READ CLEARLY.

> SUGGESTION – FAILURE TO MAKE A RECOMENDATION**,** WHENEVER SUCH RECOMMENDATION **IS** REQUIRED BY UTAH CODE OR THIS ORDINANCE**,**

IN 3.19.3 AND 3.19.4 THESE TWO STATED PROVISIONS DO NOT WORK TOGETHER. IN THE FIRST ONE THE CITY COUNCIL IS TO APOINT A PERSON TO BE THE HEARING OFFICER. IN THE SECOND THE CODE DEFINES IT TO BE THE PLANNING AND ZONING ADMINISTRATOR.

IN 3.20, CORRECT NUMBERING AND LETTERING OF THE SUB ITEMS.

IN 3.20(9), IF THE HEARING OFFICER IS TO BE THE PLANNING AND ZONING ADMINISTER, IS PER DIEM NECESSARY WHEN THIS IS PART OF THEIR WORK DESCRIPTION?

IN 3.21, THE HEARING OFFICER IS NOT PERMITTED TO GRANT DESCISIONS THAT ARE NOT IN STRICT COMPLIANCE WITH THE CODE. NO CHANGE, ALTERATION, MODIFICATION, OR WAIVER TO THE CODE MAY BE MADE WITHOUT PLANNING COMMISSION RECOMMENDATION AND CITY COUNCIL APPROVAL.

IN 3.23(1), HOW WILL THE HEARING OFFICER DECIDE ISSUES IN FRONT OF THE HEARRING OFFICER?

IN 3.25, NO CHANGE, ALTERATION, MODIFICATION, OR WAIVER (VARIANCE) TO THE CODE MAY BE MADE WITHOUT A RECOMMENDATION BY THE PLANNING COMMISSION AND APPROVAL BY THE CITY COUNCIL. A VARIANCE IS A CHANGE TO THE CODE AND THIS REQUIRES THE LEGISLATIVE BODY'S, CITY COUNCIL'S, APPROVAL.

Gary Pinkham

**h) Proposed amendment to the Grantsville City Land Use and Management Code Chapter 7 (Conditional Uses).**

No comments.

**i) Proposed amendment to the Grantsville City Land Use and Management Code Chapter 8 (Regulation Of General Applicability).**

FOR AGENDA ITEM 10;

IN 8.4(2) AND 8.4(3), VERRIFY THAT THE ZONES LISTED AS PERMITTING GROUP HOMES BY CONDITIONAL USE MATCH WHAT IS STATED IN TABLES 14.1 AND 15.1. IF THE TABLES NEED TO BE REVISED, MAKE EVERYTHING A CONDITIONAL USE TO MATCH THESE SECTIONS SO THE CITY CAN HAVE A SAY IN WHAT AND HOW THEY MAY BE RUN.

DITTO FOR 8.5(1) AND 8.5(3).

IN 8.8, ADD A SECTION THAT REQUIRES THAT ANY CONDITIONAL USE PERMIT THAT IS GOING TO HAVE A CHANGE, ALTERATIOIN, MODIFICATION, OR WAIVER TO THE CODE, A VARIANCE, BE REVIEWED BY THE PLANNING COMMISSION AND APPROVED BY THE CITY COUNCIL.

Gary Pinkham

**j) Proposed amendment to the Grantsville City Land Use and Management Code Chapter 11 (Site Plan Review).**

No comments.

**k) Proposed amendment to the Grantsville City Land Use and Management Code Chapter 11 (Site Plan Review) to modify the Lighting Ordinance in section 11.5.**

FOR AGENDA ITEM 12;

IN THE SECTION FOR THE AMENDMENTS TO CHAPTER 11, SECTION 11.5, I SEE NO HIGHLIGHTED AREAS OR SECTIONS THAT INDICATE WHAT IS BEING PROPOSED AS A CHANGE TO THE CODE. IS THIS CREATING TOTALLY NEW CODE? IF IT IS NEW CODE THE PUBLIC NOTICE SHOULD STATE THIS.

Gary Pinkham

**l) Proposed amendment to the Grantsville City Land Use and Management Code Chapter 12 (Planned Unit Developments), to implement modifications from SB174/ HB0476.**

FOR AGENDA ITEM 13;

FOR THE PROPOSED CHANGES TO CHAPTER 12, THE STATEMENT AT THE BOTTOM OF PAGE 2 IN THE NARATIVE FOLLOWING THE ZONING ADMINISTRATOR'S PUBLIC HEARING NOTICE TITLED "PLANNING COMMISSION TASK" SHOULD REQUIRE THAT IF THE PLANNER OR THE ATTORNEY MAKE CHANGES OR ADDITIONS TO THE PROPOSED VARIANCES, THEY MUST BE RESUBMITTED TO THE PLANNING COMMISSION FOR THEIR REVIEW AND RECOMMENDATION. THIS STEP IS REQUIRED BY THE SECOND SENTENCE IN THE PREVIOUS SECTION AND SECTION 3.18(2) OF THE GLDUMC.

THE OPENING SENTENCE IN CHAPTER 12 SPECIFICALLY DEFINES THE PUD AS A DISTINCT CATEGORY OF CONDITIONAL USE. IN CHAPTER 12 THE PUD APPLICATION IS TO COMPLY WITH SECTIONS IN CHAPTER 7, CONDITIONAL USES. ANY APPLICATION FOR A PUD CONDITIONAL USE SHOULD BE SUBMITTED IN COMPLIANCE WITH CHAPTER 7 WITH THE ADDED REQUIREMENTS OF CHAPTER 12.

ANOTHER IDEA IS TO COMBINE THE TWO CHAPTERS AND CREATE AN APPLICATION FOR A SIMPLE CONDITIONAL USE AND A MORE COMPREHENSIVE APPLICATION FOR THE PUD CONDITIONAL USE. THIS WOULD PUT ALL OF THE REQUIRED INFORMATION AND INSTRUCTIONS IN ONE PLACE IN THE CODE.

IN 12.1(b) THE REVISION SHOULD BE REVISED TO READ “A LEVEL 4 OR LEVEL 5”.

IN 12.4.1, THE NUMBER 1 IS BEING STRUCK. SHOULD THIS REMAIN NUMBER 1?

IN 12.4 2 THE NUMBERING AND ALPHABETICAL DESIGNATIONS FOR THE SUB-SECTIONS NEED TO BE CORRECTED.

IN 12.4.2.4 (AS IT IS NOW WRITTEN) THE STATEMENT REGARDING LIGHTING IN THE 50’ BUFFER NEEDS TO STATE “NO LIGHTS OR LIGHT POLES MAY”

IN THE SECOND 12.4.2.3 (AS IT IS NOW WRITTEN) THE LAST FOUR WORDS IN THAT SECTION MAY BE BETTER STATED “DEVIATIONS FROM THE ORDINACE”.

Gary Pinkham

m) **Proposed amendment to the Grantsville City Land Use and Management Code Chapter 15 (Residential And Multiple Residential Districts), to implement modifications from SB174/ HB0476.**

FOR AGENDA ITEM 14;

IN 15.4(1), THE WORDING IN THE SENTENCE REGARDING ATTACHED DWELLINGS OR MULTI-UNIT HOUSING IS COMPLETELY NEW.

DITTO FOR 15.5(1).

THE CHANGES IN 15.4(1) AND 15.4(2) MUST BE HIGHLIGHTED AND REVIEWED BY PLANNING COMMISSION AND APPROVED BY CITY COUNCIL.

THE HOUSING TYPES REFERED TO IN 15.4(1) AND 15.4(2) DO NOT APPEAR IN TABLE 15.1. THE TWO SECTIONS AND THE TABLE NEED TO HAVE MATCHING USE TYPES TO AVOID CONFUSION/LITIGATION.

IN TABLE 15.1 THERE NEEDS TO BE SOME MINIMUM STANDARDS SET FOR THE KENNEL/YARD FOR THE CLASS “A” KENNEL PERMIT.

Gary Pinkham

n) **Proposed amendment to the Grantsville City Land Use and Management Code Chapter 21 (Subdivision Regulations), to implement modifications from SB174/ HB0476.**

FOR AGENDA ITEM 15;

FOR THE PROPOSED CHANGES TO CHAPTER 21, THE STATEMENT AT THE BOTTOM OF PAGE 2 IN THE NARATIVE FOLLOWING THE ZONING ADMINISTRATOR'S PUBLIC HEARING NOTICE TITLED "PLANNING COMMISSION TASK" SHOULD REQUIRE THAT IF THE PLANNER OR THE ATTORNEY MAKE CHANGES OR ADDITIONS TO THE PROPOSED VARIANCES, THEY MUST BE RESUBMITTED TO THE PLANNING COMMISSION FOR THEIR REVIEW AND RECOMMENDATION. THIS STEP IS REQUIRED BY THE SECOND SENTENCE IN THE PREVIOUS SECTION AND SECTION 3.18(2) OF THE GLDUMC.

IN 21.2.11 THE NUMBERING SYSTEM FOR THE SUB-SECTIONS NEEDS TO BE REVISED. THERE ARE DUPLICATIONS OF NUMBERS.

IN 21.3 CLEANUP THE NUMBERING FOR THE SECTION.

IN 21.4.2(b) CLEANUP THE WORD SALAD.

IN 21.4.2 THERE IS NO APPROVAL PROCESS SPECIFIED FOR LEVELS 1 OR 2.

IN 21.5.1 THE PUD IS A CONDITIONAL USE AND MUST MEET THE STANDARDS OF CHAPTER 7 AS WELL AS CHAPTER 12. AS I STATED EARLIER, THE CITY MAY WANT TO LOOK AT COMBINING THE REQUIREMENTS OF CHAPTERS 7 AND 12 TO CREATE ONE CHAPTER ADDRESSING THE APPLICATIONS FOR CONDITIONAL USES INCLUDING THE PUD CONDITIONAL USE.

IN 21.6.3(17) THE TIME PERIOD FOR THE GUARANTEE SHOULD START WITH THE DATE OF ACCEPTEANCE BY THE CITY, NOT THE DATE OF INSTALLATION.

IN 21.6.3(19)(a) THE WORDING NEEDS TO BE CLEANED UP. THE MINIMUM IS TO BE HALF OF THE STANDARD RIGHT-OF-WAY OR SUFFUCIENT WIDTH TO PROVIDE A MINIMUM OF 26 OF ASPHALT SURFACE WHICH EVER IS GREATER.

IN 21.6.3(19)(c ) INCLUDE THE REQUIREMENT TO BRING THE ROADWAY SECTION UP TO CITY STANDARDS.

IN 21.6.6 THE BLOCK LENGTH MAY NOT EXCEED THAT PERMITTED BY THE FIRE CODE.

Gary Pinkham

o) **Proposed amendment to the Grantsville City Land Use and Management Code Chapter 21.2.10 (Development Review Committee) to remove the Planning Commission Consultant from the Development Review Committee.**

FOR AGENDA ITEM 16;

THE PROPOSED AMMENDMENT TO 21.2.10, THE PUBLIC ANOUNCEMENT STATES THAT THE PLANNING COMMISSION CONSULTANT IS BEING REMOVED FROM THE CODE. IN THE STAFF REPORT IT STATES THAT BOTH THE PLANNING COMMISSION CONSULTANT AND THE CITY ATTORNEY ARE BEING REMOVED. IN THE PROPOSED ORDINANCE ONLY THE PLANNING COMMISSION CONSULTANT IS BEING REMOVED. IN THE ATTACHED STAFF REPORT AND THE PROPOSED CHANGES SHOWN BACK IN 21.2.10 OF THE PREVIOUS AGENDA ITEM BOTH THE PLANNING COMMISSION CONSULTANT AND THE CITY ATTORNEY HAVE BEEN REMOVED. THIS AGENDA ITEM NEEDS TO BE CORRECTED AND RESUBMITTED TO THE PLANNING COMMISSION.

Gary Pinkham

p) **Proposed amendment to the Grantsville City Land Use and Management Code Chapter 21.6.13 (Storm Drainage And Flood Plains).**

No comments.

**AGENDA**

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

Jeff Walker was present to represent this item. He noted that the intent of this business is not for customers to congregate and consume on-site, but to purchase or taste the products and consume at home.

Commissioner Trent Stirling asked if this permit could be revoked once approved, if DUIs skyrocket. Attorney Tysen Barker clarified that the permit could only be revoked if the applicant was not in compliance with the conditions listed on the permit.

Vice-Chairman Derek Dalton read through the seven conditions listed on the staff report, and Mr. Walker agreed to them all. Attorney Barker clarified that typically a warrant is required for a police officer to search premises, and this condition would be the applicant waiving the need for a warrant to search the property. Mr. Walker agreed to this.

**Rob Jaterka made a motion to approve the proposed conditional use permit for Mountain Meadery to have a retail goods establishment for sales and tasting of alcohol products in the C-D zone, located at 822 E. Main St., in the South building, with the following conditions:**

1. **Building permit must be obtained for any changes made to the tenant space.**
2. **Business license must be obtained, through approval by the City Council.**

3. **The business license will not be issued until the bond required by Section 32B-6-705 of the Utah Code is in effect.**
4. **The premise shall be subject to inspection by any police officer.**
5. **All employees handling and selling alcohol must be at least twenty-one (21) years of age.**
6. **An air gap is required for any connection to a water source, to ensure the water remains uncontaminated.**
7. **Must be compliant with all state and federal regulations.**

**Trent Stirling seconded the motion. The vote is as follows: Rob Jaterka "Aye," Trent Stirling "Aye," Derek Dalton "Aye," Rick Barchers "Aye." The motion carried unanimously.**

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

Jeff Walker was present to represent this item. In response to Commissioner Stirling's concern about DUIs, Mr. Walker stated that he will likely stop offering tastings without a designated driver if he experiences several instances where he tells customers to call someone for a ride.

**Rob Jaterka made a motion to approve the proposed conditional use permit for Mountain Meadery to have a mini warehouse for the manufacturing, packaging, and bottling of wine/ mead in the C-D zone, located at 822 E. Main St., in the South building, with the following conditions:**

1. **Building permit must be obtained for any changes made to the tenant space.**
2. **Business license must be obtained, through approval by the City Council.**
3. **The business license will not be issued until the bond required by Section 32B-6-705 of the Utah Code is in effect.**
4. **The premise shall be subject to inspection by any police officer.**
5. **All employees handling and selling alcohol must be at least twenty-one (21) years of age.**
6. **An air gap is required for any connection to a water source, to ensure the water remains uncontaminated.**
7. **Must be compliant with all state and federal regulations.**

**Trent Stirling seconded the motion. The vote is as follows: Rob Jaterka "Aye," Trent Stirling "Aye," Derek Dalton "Aye," Rick Barchers "Aye." The motion carried unanimously.**

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

Holly Jones was present to represent this item. Vice-Chair Dalton asked if anything had changed since this item was previously discussed. Ms. Jones stated that utility modeling, a traffic study, and a landscape design were completed and submitted, as requested. She noted that no variances were being requested, just a conditional use.

Zoning Administrator Shelby Moore clarified that the private easement is 30 feet wide. Ms. Jones noted that the frontage off Hale Street is wider.

Vice-Chair Dalton asked what concerns staff has, and Ms. Moore noted the conditions listed on the staff report including upsizing the water line and installing a fire hydrant.

Commissioner Jaterka asked if the entire development would be fenced. Ms. Jones stated that a 6-foot fence of some kind is planned, hopefully not vinyl as it is blown away by Grantsville wind. City Attorney Tysen Barker stated that his analysis of the fencing placement is that the private lane Chiekezie would then not serve the residents of this development, and would then not need to be wider. Aqua Consultant Shay Stark clarified that the only code section that mentions the need for a wider road or buffering is in the PUD code, which does not apply to this application.

Ms. Jones noted that these will be single-level units, owned by one company, and designed for a 55+ community. She also noted that two of the units are already spoken for by family members.

Commissioners expressed concerns about parking on Chiekezie Ln. and Ms. Jones stated that all they can do is post signs for no parking.

Vice-Chair Dalton expressed that he does not like this application. He also expressed a concern about the impact to home values of surrounding property owners, and that he wishes there was more the City could do.

> **Trent Stirling made a motion to approve the proposed conditional use permit for Raven Management LLC to allow Multi-Family Housing in the form of two (2) fourplexes, located at 268 N. Hale St., in the RM-7 zone, with the following conditions:**
>
> 1. **The existing water line will need to be up-sized from a 4-inch water line to an 8-inch water line in order to meet a minimum fire flow of 1,000 GPM with 20 psi residual from North Street to the development.**
> 2. **The water line will need to be replaced from the intersection of North St. and Hale St. to the North end of the development's property line.**

3. **Furnish and install one (1) fire hydrant adjacent to the development. Placement of the hydrant is to be approved by the Fire Chief and City Engineer.**

**Rob Jaterka seconded the motion. The vote is as follows: Rob Jaterka "Aye," Trent Stirling "Aye," Derek Dalton "Aye," Rick Barchers "Aye." The motion carried unanimously.**

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

Items number four and five were discussed together. Chairman Rick Barchers noted that the applicant is a staff member, and asked Attorney Tysen Barker if she needs to step out of the room for the discussion. Attorney Barker stated that if that is the practice for Commissioners with an active application, that would be a good practice. Vice-Chair Dalton noted that he would like to ask the applicant some questions first.

Shelby Moore was present as the applicant for this item. She expressed her apologies to resident Kevin Hall for the name, and noted that she will change it. Vice-Chair Dalton asked Ms. Moore what her intentions are with this proposal. Ms. Moore noted that if this property were zoned to R-1-21, open space would not be required in a development. However, open space would be required in the MU zone and park amenities would be approved by the City Council.

Attorney Barker noted that this item is only for discussion, and it would be beneficial to Ms. Moore as a landowner to hear the discussion and feedback. He noted that she should leave the room when the vote is made.

Vice-Chair Dalton stated that he despises the MU zone, and until the City cleans up the code for that zone, he is against it. He noted that several developments in the MU zone have promised things that were never followed through on, and commercial development has often been cut short.

Ms. Moore noted that she intends to complete a Development Agreement for this property once rezoned, to protect what can be done with the future development there. Vice-Chair Dalton stated that he would like to see the Development Agreement before making a vote.

Vice-Chair Dalton asked if Ms. Moore would be open to a name change, and Ms. Moore confirmed that she is absolutely open to a name change for this project. Vice-Chair Dalton noted that he is concerned about spot zoning if this were rezoned as proposed. He stated that even if a development agreement was completed a developer could come back and amend it in the future, and do the things it was meant to protect against.

Vice-Chair Dalton said there must be a better way to achieve the goal, but the City has not found it yet and needs to dig deeper to do so. Ms. Moore stated that she is open to feedback. Commissioner Trent Stirling asked if she could just dedicate a portion of the property as a park now, without the need for a rezone. Ms. Moore stated that would not allow the City Council to determine the amenities at the park, or any at all. Chairman Rick Barchers noted that the definition of "open space" in the code needs to be modified, to require amenities automatically. He stated that would solve this issue in the first place.

Chairman Barchers stated that he has a hard time abandoning the general plan and the planned zoning and uses. Vice-Chair Dalton stated that he would like to see a zone that better matches the area. Commissioner Rob Jaterka stated that he lives in the area of this property and it is home to him. He stated that he would like it to continue feeling that way, and feels the MU zoning designation does not fit in there.

**5. Discussion of the proposed Rezone for "The Place" to go from zoning designation A-10 to MU, located at approximately 799 N. 600 W.**

Items number four and five were discussed together. See the notes from the discussion, listed under item number four.

**6. Discussion of the proposed PUD for the Brentwood subdivision, located at approximately 47 S. Main St., including consideration of the concept plan and variance table.**

It was clarified that the approximate address for this proposal is 808 E. Main St., not 47 S. Main St. as listed on the agenda.

Jake Clegg was present as the engineer for this project. He requested that a new variance table be shown in the meeting, and Vice-Chair Dalton granted this request. An unknown representative of the project was also present to answer questions for this item.

Vice-Chair Dalton asked if rights have been established for the road to the East, shown as a second access. The unknown representative stated that Josh Cummings is the current owner of that land, and that he is willing to grant them an access easement to the private road as shown on the concept plan. Mr. Clegg noted that they have discussed the gated access with UDOT and that they are still waiting for their approval. Ms. Moore noted that the City would rather have the access be public. The unknown representative stated that they are willing to discuss this with Josh Cummings. Ms. Moore noted that a corridor agreement is in progress with UDOT, which would include this as an intersection.

Mr. Stark noted that City code requires any development or phase over 30 feet, to have two accesses. He noted previous subdivisions that were required to provide temporary or emergency accesses in some phases, to make sure those units have a second access. He noted that this is the past precedent.

Commissioner Trent Stirling noted that the most northern private road does not seem to be large enough for potential future development. He asked if the applicant has considered widening the road to prepare for this. Mr. Clegg stated that they had not considered this point. The unknown representative stated that they would need to discuss this with their neighbor. Commissioner Stirling also asked about the right-of-way on the bottom curve. The representative stated that it has been a while since they discussed this with their neighbor, but they were previously amicable to the proposal. They also noted that utilities would need to be relocated there, which they would be willing to take on. They noted that the neighbor is amicable to this, as long as their access remains unimpaired. The representative asked if frontage improvements are required when the development comes in. Ms. Moore responded that they are required at that time, and the land owner would need to dedicate accordingly.

Commissioner Stirling asked if site triangles will be met. Ms. Moore mentioned the note on the variance table that they will be required to meet the site triangle requirements in the code, as designed on the preliminary plan.

Commissioner Jaterka stated that he believes another subdivision was required to put a buffer between the development and the neighboring land. Ms. Moore clarified that the buffering requirement for a PUD is 50 feet. Commissioner Jaterka stated that he would like to see a fence or something that will break up the density in this project, from the surrounding properties. The representative noted that they are asking for a 20-foot buffer variance, and asked if a masonry wall would be sufficient. Commissioner Jaterka stated that he would like to see a larger buffer.

Chair Rick Barchers stated that based on his interpretation of the code, they should meet the requirements of a standard residential street rather than using a private lane. He stated that a private street is to service one or two dwelling units, and this proposal has them servicing more than that. Mr. Stark confirmed that the code does only allow up to two units to be serviced by a private street. Chair Barchers stated that this variance is a hard no for him.

Chair Barchers also noted his concern about the front yard not meeting the setbacks or frontage as described in the code. Mr. Clegg stated it was their understanding that it is better to have smaller units and more open space, but can have eightplexes instead if that is more desired. The representative asked if it would be better for them to do apartments in the RM-15 zone.

Chair Barchers stated that they quoted the affordable housing clause, and asked what they are willing to commit to in writing, for affordable housing. The representative stated that they hope to meet the qualifications for USDA loans in the rural area, which would be affordable housing. They noted that they will do their best to meet the median house price of $450,000 and are open to discussions as to what they can do.

Chair Barchers asked if the applicant has completed a study that shows the half-width road is sufficient. Mr. Clegg stated that he would have to revisit the traffic study to confirm.

Commissioner Stirling expressed a concern about parking on the road going north to south. The representative stated that the homes will have two-car garages and driveways for parking, as well as the additional parking provided. They also noted that there is an HOA that will enforce these things. Mr. Clegg noted that they are asking to define the front yard as whichever side the driveway is on, for the townhomes, both front-loaded and rear-loaded. He noted that the driveways will be 25 feet deep to allow for sufficient parking.

Vice-Chair Dalton noted that he feels the City should focus on Chapter 12.1 of the City code when considering this application, regarding the PUD in creating a more desirable area than current code provides for.

The allowed and proposed uses for open space were discussed. The definition of front yards and side yards, along with the reason for the driveway and sidewalk placement were also discussed.

The Commissioners asked if it would be possible to have a bigger park area, and Mr. Clegg stated that it may be possible if some hurdles could be satisfied. Vice-Chair Dalton noted that because this area would be in an HOA, the park would not be for the public as a whole, but just for the residents there.

Commissioner Stirling reiterated that he wants to see a larger buffer than 20 feet. The representative stated that if a private road with an easement was allowed they could potentially provide a larger buffer, but if a public road is required they may not be able to do so. They also mentioned that they are proposing two-story units because they fit better in Grantsville, but that they could propose skinny three-story townhomes for rent instead.

Ms. Moore noted that the agenda for this meeting is large, and recommended scheduling a work meeting to further discuss the variances and concerns for this item.

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

Zoning Administrator Shelby Moore was present to represent this item. She noted that the purpose of this amendment is to clean up the code.

**8. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 3 (Decision Making Bodies, And Officials), to implement modifications from SB174/ HB0476.**

Zoning Administrator Shelby Moore was present to represent this item. She noted that the changes discussed during the work meeting will be made to this amendment.

Vice-Chair Dalton stated that he would feel more comfortable with appeals going through the Board of Adjustment or another public board, where the public can be a part of those meetings rather than a Hearing Officer. Smith Hartvigsen Attorney Jay Springer was present to answer

questions on this item. He noted that they can make it a requirement to have the Hearing Officer consider appeals in public meetings. Vice-Chair Dalton stated that if the Hearing Officer is a staff member, he would like items to be considered in public meetings. Chair Rick Barchers stated that he likes the verbiage that allows City Council to decide which items would go to the Hearing Officer or not. The Commissioners agreed that more transparency is always better.

**9. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 7 (Conditional Uses).**

Commissioner Jaterka stated that he likes that the geotech report and utility modeling was added.

> **Derek Dalton made a motion to make agenda item number nine an action item. Trent Stirling seconded the motion. The vote is as follows: Rob Jaterka "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 7 (Conditional Uses). Rob Jaterka seconded the motion. The vote is as follows: Rob Jaterka "Aye," Trent Stirling "Aye," Derek Dalton "Aye," Rick Barchers "Aye." The motion carried unanimously.**

**10. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 8 (Regulation Of General Applicability).**

Zoning Administrator Shelby Moore was present to represent this item. She noted that this chapter is also affected by the appeals Hearing Officer, as well as some uses in zoning districts such as transitional treatment homes and group homes.

Vice-Chair Dalton asked if there is State code that requires transitional treatment homes or group homes to be allowed in certain zones. Ms. Moore stated that she is unsure of this. Attorney Barker stated that he will research this and get back to them. Chair Barchers stated that he would like to see specific conditions as a standard for these uses. Ms. Moore stated that it makes more sense to list these conditions on the permits and not in the code, as that would complicate the code more.

**11. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 11 (Site Plan Review).**

Zoning Administrator Shelby Moore was present to represent this item, and noted some of the changes suggested.

**12. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 11 (Site Plan Review) to modify the Lighting Ordinance in section 11.5.**

Zoning Administrator Shelby Moore was present to represent this item, and noted some of the changes suggested. Vice-Chair Dalton stated that he would like some more clarification on how to determine which area you are in, to identify what is allowed. Chair Barchers stated that he would like verbiage added that defines holiday lighting, and how a situation with complaints can be remedied. Chair Barchers noted that permanent lighting is common, and may need to be addressed as well.

**13. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 12 (Planned Unit Developments), to implement modifications from SB174/ HB0476.**

Zoning Administrator Shelby Moore was present to represent this item, and noted that many of the changes are cleaning up the code. Commissioner Stirling asked if 12.4.1 will not be crossed out as previously discussed, and Ms. Moore confirmed that this will be corrected.

Chair Barchers asked if the terms variations and deviations are technical legal terms, and Mr. Springer stated it is for consistency.

Ms. Moore clarified that the code will be renumbered as needed.

> **Derek Dalton made a motion to make agenda item number thirteen an action item. Trent Stirling seconded the motion. The vote is as follows: Rob Jaterka "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 12 (Planned Unit Developments), to implement modifications from SB174/ HB0476, with the following condition: that the modification in 12.4 that is crossed out in red, still apply to that section. Trent Stirling seconded the motion. The vote is as follows: Rob Jaterka "Aye," Trent Stirling "Aye," Derek Dalton "Aye," Rick Barchers "Aye." The motion carried unanimously.**

**14. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 15 (Residential And Multiple Residential Districts), to implement modifications from SB174/ HB0476.**

Zoning Administrator Shelby Moore was present to represent this item, and noted that many of the changes are cleaning up the code. She stated that the biggest change includes allowing up to 3 animals before a special permit is required. She also noted that this item could not be voted on

until it is determined if the group home and transitional treatment homes will be allowed in the different zones.

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

Zoning Administrator Shelby Moore and Smith Hartvigsen Attorney Jay Springer were present to represent this item.

Vice-Chair Dalton expressed that he would like a third party involved in the DRC. Mr. Springer explained that a member of the Planning Commission cannot be involved in the DRC, according to State code. Vice-Chair Dalton stated that he would like to see a third party involved, so the Commission is not just getting all of their information from the City staff alone.

Mr. Springer clarified that SB174 and HB0476 are only required to apply to subdivisions for single-family, two-family, and townhomes. He noted that most cities do not want different approval processes, but that there can be different processes if desired.

**16. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 21.2.10 (Development Review Committee) to remove the Planning Commission Consultant from the Development Review Committee.**

Zoning Administrator Shelby Moore was present to represent this item. No further discussion took place.

**17. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 21.6.13 (Storm Drainage And Flood Plains).**

Zoning Administrator Shelby Moore was present to represent this item, and noted that this code outlines how drainage should occur. She explained some of the changes that are suggested. City Engineer Robert Rousselle was also present to answer questions on this item.

> **Derek Dalton made a motion to make agenda item number seventeen an action item. Rob Jaterka seconded the motion. The vote is as follows: Rob Jaterka "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 21.6.13 (Storm Drainage And Flood Plains). Rob Jaterka seconded the motion. The vote is as follows: Rob Jaterka "Aye," Trent Stirling "Aye," Derek Dalton "Aye," Rick Barchers "Aye." The motion carried unanimously.**

**18. Approval of minutes from the September 19, 2024 Planning Commission Regular Meeting.**

Chairman Rick Barchers abstained from this vote, as he was not present at the meeting in question.

> **Derek Dalton made a motion to approve the minutes from the September 19, 2024 Planning Commission Regular Meeting. Trent Stirling seconded the motion. The vote is as follows: Rob Jaterka "Aye," Trent Stirling "Aye," Derek Dalton "Aye." The motion carried unanimously.**

**19. Approval of minutes from the September 25, 2024 Planning Commission Special Meeting.**

Chairman Rick Barchers abstained from this vote, as he was not present at the meeting in question.

> **Derek Dalton made a motion to approve the minutes from the September 25, 2024 Planning Commission Special Meeting. Trent Stirling seconded the motion. The vote is as follows: Rob Jaterka "Aye," Trent Stirling "Aye," Derek Dalton "Aye." The motion carried unanimously.**

**20. Approval of minutes from the October 3, 2024 Planning Commission Regular Meeting.**

Chairman Rick Barchers abstained from this vote, as he was not present at the meeting in question.

> **Derek Dalton made a motion to approve the minutes from the October 3, 2024 Planning Commission Regular Meeting. Robert Jaterka seconded the motion. The vote is as follows: Rob Jaterka "Aye," Trent Stirling "Aye," Derek Dalton "Aye." The motion carried unanimously.**

**21. Report from Zoning Administrator.**

Zoning Administrator Shelby Moore was present for this item. She did not have any items to report.

**22. Open Forum for Planning Commissioners.**

Commissioner Stirling asked if they could get new ipads, and Ms. Moore stated that she can make the request.

**23. Report from City Council.**

City Council Liaison Rhett Butler was present for this item. He stated that he heard the concerns about the public notice signs not working, and requested that the link be fixed. Ms. Moore stated that she will modify the link once the new page is created to show the current meeting items.

**24. Adjourn.**

> **Trent Stirling made a motion to adjourn. Jeff Downward seconded the motion. The vote is as follows: Rob Jaterka "Aye," Trent Stirling "Aye," Derek Dalton "Aye," Rick Barchers "Aye." The motion carried unanimously. The meeting ended at 10:34 P.M.**

# AGENDA ITEM #6

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**

**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.**

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 noise or traffic to the area.

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.

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 #7

Report from Zoning Administrator.

# AGENDA ITEM #8

Open Forum for Planning Commissioners

# AGENDA ITEM #9

Report from City Council.

# AGENDA ITEM #10

Adjourn.