



**July 9th, 2025**

**City Council Meeting  
Information Packet**

# **Agenda Item # 1**

Public Comment

# **Agenda Item # 2**

Summary Action Items

- a. Approval of Minutes
- b. Approval of Bills



# **Agenda Item # 3**

Consideration of Ordinance 2025-15  
approving the amendments to the  
Grantsville City Zoning Fee Schedule

**GRANTSVILLE  
ORDINANCE 2025-15**

**AN ORDINANCE OF GRANTSVILLE CITY AMENDING THE ZONING FEE  
SCHEDULE**

**WHEREAS**, the Grantsville City Council finds it necessary to update and amend the zoning fee schedule to ensure fees accurately reflect administrative costs and development requirements;

**WHEREAS**, the amendments to the zoning fee schedule are intended to promote fairness, transparency, and efficiency in land use application processes;

**WHEREAS**, the proposed amendments have been reviewed and recommended for approval;

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

**SECTION 1:**        **AMENDMENT** “Zoning Fees” of the Grantsville Fee Schedule is hereby *amended* as follows:

**BEFORE AMENDMENT**

Zoning Fees

<b>Annexation Application Fee</b>	\$1,000.00
<b>Board of Adjustment Fee</b>	\$200.00 per application
<b>Boundary Line Adjustment Fee</b>	\$350.00 per application
<b>Commercial Preliminary Site Plan - Large (greater than 2.5 acres)</b>	\$2,060.00 plus \$100.00 per acre
<b>Commercial Plan and Final Plat Review (greater than 2.5 acres)</b>	<ul style="list-style-type: none"><li>● \$4,175.00 for 0 to 3 acres</li><li>● plus \$350.00 per acre for 3.01 to 50 acres</li><li>● plus \$250.00 per acre for 50.1 or more acres</li></ul>
<b>Concept Plan (Discussion Only)</b>	\$200.00 per application for Staff Consultation \$350.00 per application for Planning Commission
<b>Conditional Use Permits (CUP):</b>	

Commercial/Industrial Amendment to Site Plan	\$1000.00 plus \$100.00 per unit
Commercial/Industrial Tenant Change Application	\$100.00 per application
Home Occupational Use	\$75.00 (if only Zoning Official approval) / \$200.00 (if Planning Commission approval)
Mining, Sand, Quarry, or Gravel	\$1100.00 per application
Miscellaneous Conditional Use Amendment	\$200.00 per application
Radius Report (in house)	\$30.00
Sign Permit	\$200.00 (permanent sign) / \$25.00 (temporary sign)
Sportsman, Kennel or Animal Permit	\$75.00 (if only Zoning Official approval) / \$200.00 (if Planning Commission approval)
Solar	\$250.00 per application
Temporary Construction Living Unit	\$100.00 per application
Temporary Construction Office	\$100.00 per application
Work Meeting	\$350.00 per meeting with Planning Commission \$350.00 per meeting with City Council
Development Agreement	\$800.00 Administrative Fee plus \$3,000.00 retainer for Development Agreement Attorney
<b>General Plan Amendment</b>	\$500.00 per application
<b>Planned Unit Development (Multi-Use, Commercial, Industrial)</b>	\$2,500.00 plus: <ul style="list-style-type: none"> <li>• \$100.00 per acre for the first 20 acres</li> <li>• \$30.00 per acre for the next 30 acres</li> <li>• \$10.00 per acre for each acre over 50 acres</li> </ul>
<b>Planned Unit Development (Residential)</b>	\$2,500.00 plus \$30.00 per dwelling unit per application
<b>Final Plat Amendment (Map)</b>	<ul style="list-style-type: none"> <li>• Final Plat: \$725.00 plus \$55.00 per affected lot</li> </ul>
<b>Public Infrastructure Districts (PID):</b>	

Letter of Intent	\$1,000.00
Governing Documents:	\$1,000.00
<b>Subdivision Preliminary Plat/Plan</b>	
Single Lot Process (Preliminary and Final Fees Combined)	See Final Fees
Two (2) to four (4) lots w/no street improvements needed	See Final Fees
Two (2) to four (4) lots <b>with</b> street improvements needed	See Final Fees
Five (5) and greater	\$1,600.00 plus \$112.00 per lot
<b>Subdivision Final Review</b>	
Single Lot Process (Preliminary and Final Fees Combined)	\$1,450.00
Two (2) to four (4) lots w/no street improvements needed	\$1,000.00
Two (2) to four (4) lots <b>with</b> street improvements needed	\$1,270.00
Five (5) and greater	\$1,525.00 plus \$163.00 per lot
<b>Rezone Application</b>	\$1500.00 per application
<b>Street Dedication/ Vacation</b>	\$340.00 per application
<b>Water Dedication Retainer</b>	\$3,000.00 (any additional costs will be billed by Grantsville City's water attorney)
<b>Internal ADU</b>	\$430.00
<b>Electronic Recording (Mylar, Development Agreements etc)</b>	\$20.00 for initial Signature plus \$10.00 per additional signature
<b>Community Development Class Enrollment</b>	\$15.00.00 for an individual or \$20.00.00 per couple
<b>Community Development Workshop Enrollment</b>	\$25 for an individual or \$30 per couple
<b>Public Hearing Notice - Signage</b>	\$100.00
SR-138 Waterline Connection Fee	\$500.00 per dwelling

## AFTER AMENDMENT

### Zoning Fees

<b>Annexation Application Fee</b>	\$1,000.00
<b>Board of Adjustment Fee</b>	<del>\$2</del> 500.00 per application
<b>Boundary Line Adjustment Fee</b>	<del>\$35</del> 700.00 per application
<u>Commercial Preliminary Site Plan – Small (0-3 acres)</u>	<u>\$2,000.00 plus \$100 per acre</u>
<u>Commercial Final Site Plan – Small (0-3 acres)</u>	<u>\$3,000.00 plus \$100.00 per acre</u>
<b>Commercial Preliminary Site Plan - Large (greater than <del>2.5</del>3 acres)</b>	<del>\$2,060</del> 4,285.00 plus \$ <del>1</del> 300.00 per acre
<b>Commercial Plan and Final Plat Review (greater than <del>2.5</del>3 acres)</b>	<ul style="list-style-type: none"> <li>• \$<del>4,175</del>6,100.00 <u>base</u> <del>for 0 to 3 acres</del></li> <li>• plus \$<del>350</del>310.00 per acre for 3.01 to <del>50</del>25 acres</li> <li>• plus \$<del>250</del>245.00 per acre for <del>50</del>25.1 or more acres</li> </ul>
<b>Concept Plan (Discussion Only)</b>	<u>\$200.00 Per application for Planning staff only</u> <del>\$2</del> 500.00 per application for <u>DRC</u> Staff Consultation <del>\$350</del> 700.00 per application for Planning Commission
<b>Conditional Use Permits (CUP):</b>	
<u>Commercial/Industrial Site Plan</u>	<u>\$1000.00 plus \$200 per unit</u>
Commercial/Industrial Amendment to Site Plan	<del>\$1000</del> 800.00 plus \$ <del>1</del> 200.00 per unit
Commercial/Industrial Tenant Change Application	\$ <del>1</del> 300.00 per application
Home Occupational Use	<del>\$75</del> 100.00 (if only Zoning Official approval) / \$200.00 (if Planning Commission approval)
Mining, Sand, Quarry, or Gravel	<del>\$1100</del> 1,040.00 per application
Miscellaneous Conditional Use Amendment	<del>\$2</del> 500.00 per application
<u>Miscellaneous Conditional Use Permits</u>	<u>\$650.00 (Planning Commission approval)</u>

<del>Radius Report (in house)</del>	<del>\$30.00</del>
Sign Permit	\$200.00 (permanent sign) / \$25.00 (temporary sign)
Sportsman, Kennel or Animal Permit	<del>\$75</del> 100.00 (if only Zoning Official approval) / \$200.00 (if Planning Commission approval)
Solar	<del>\$250</del> 825.00 per application
Temporary Construction Living Unit	<del>\$1</del> 200.00 per application
Temporary Construction Office	<del>\$1</del> 200.00 per application
Work Meeting	<del>\$350</del> 700.00 per meeting with Planning Commission <del>\$350</del> 700.00 per meeting with City Council
Development Agreement	<del>\$800.00 Administrative Fee plus \$3,000.00 retainer for Development Agreement Attorney</del> <u>\$2,600.00</u>
<u>Development Agreement Major Changes</u>	<u>\$2,300.00</u>
<u>Development Agreement Minor Changes</u>	<u>\$1,800.00</u>
<u>Pioneering Agreement and Interlocal Agreements</u>	<u>\$2,600.00 plus \$3,000.00 retainer for Pioneering Agreement Attorney</u>
<b>General Plan Amendment</b>	<del>\$500</del> 1,350.00 per application
<b>Planned Unit Development (Multi-Use, Commercial, Industrial)</b>	<del>\$2,500</del> 5,700.00 plus: <ul style="list-style-type: none"> <li>• <del>\$40</del>180.00 per acre for the first 20 acres</li> <li>• <del>\$30</del>135.00 per acre for the next 30 acres</li> <li>• \$100.00 per acre for each acre over 50 acres</li> </ul>
<b>Planned Unit Development (Residential)</b>	<del>\$25</del> ,500.00 plus <del>\$30</del> 133.00 per dwelling unit per application
<b>Final Plat Amendment (Map)</b>	<ul style="list-style-type: none"> <li>• Final Plat: \$725.00 plus \$55.00 per affected lot</li> </ul>
<b>Public Infrastructure Districts (PID):</b>	
Letter of Intent	\$1,000.00
Governing Documents:	\$1,000.00
<b>Subdivision Preliminary Plat/Plan</b>	
Single Lot Process (Preliminary and Final Fees Combined)	See Final Fees

Two (2) to four (4) lots w/no street improvements needed	See Final Fees
Two (2) to four (4) lots <b>with</b> street improvements needed	See Final Fees
Five (5) and greater	<del>\$1,600</del> 2,000.00 plus \$112.00 per lot
<b>Subdivision Final Review</b>	
Single Lot Process (Preliminary and Final Fees Combined)	<del>\$1,450</del> 1,320.00
Two (2) to four (4) lots w/no street improvements needed	<del>\$1,000</del> 325.00
Two (2) to four (4) lots <b>with</b> street improvements needed	<del>\$1,270.00</del> \$1,330.00 + \$100.00 per lot
Five (5) and greater	<del>\$1,525.00 plus \$163.00 per lot</del> \$2,000.00 base plus \$163.00 per lot
<b>Rezone Application</b>	<del>\$1,500</del> 1,365.00 per application
<b>Street Dedication/ Vacation</b>	\$340.00 per application
<b>Water Dedication Retainer</b>	\$3,000.00 (any additional costs will be billed by Grantsville City's water attorney)
<b>Internal ADU</b>	<del>\$430</del> 154.00
<u><b>External ADU</b></u>	<u>See Single Lot Fees</u>
<del><b>Electronic</b></del> Recording (Mylar, Development Agreements etc)	<del>\$150.00</del> 20.00 for initial Signature plus \$10.00 per additional signature
<del><b>Community Development Class Enrollment</b></del>	<del>\$15.00.00 for an individual or \$20.00.00 per couple</del>
<del><b>Community Development Workshop Enrollment</b></del>	<del>\$25 for an individual or \$30 per couple</del>
<b>Public Hearing Notice - Signage</b>	\$100.00
SR-138 Waterline Connection Fee	\$500.00 per dwelling
<u>Open Space Fee-in-lieu</u>	<u>10% of the pre-developed land value of the total parcel acreage.</u>
<u>Floodplain Review Fees</u>	<u>3rd Party Incurred Cost (consultant)</u>
<u>Fire Hydrant Testing</u>	<u>\$50.00 per hydrant</u>

<u>Infrastructure Reimbursement Application</u>	<u>\$1,000.00 per application</u>
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**SECTION 2:        SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**SECTION 3:        EFFECTIVE DATE** This Ordinance shall take effect immediately upon its passage and approval as provided by law.

PASSED AND ADOPTED BY THE GRANTSVILLE COUNCIL

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Heidi Hammond	_____	_____	_____	_____
Jolene Jenkins	_____	_____	_____	_____
Jeff Williams	_____	_____	_____	_____
Rhett Butler	_____	_____	_____	_____
Jacob Thomas	_____	_____	_____	_____

Presiding Officer

Attest

\_\_\_\_\_  
Neil Critchlow, Mayor, Grantsville

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Braydee Baugh, City Recorder,  
Grantsville



# **Agenda Item # 4**

Consideration of Ordinance 2025-16  
approving the amendments to the  
Grantsville City Engineering Fee  
Schedule

**GRANTSVILLE  
ORDINANCE 2025-16**

**AN ORDINANCE OF GRANTSVILLE CITY AMENDING THE ENGINEERING  
FEES IN THE CITY FEE SCHEDULE**

**WHEREAS**, Grantsville City has established engineering fees to cover the costs associated with grading permits, subdivision reviews, and infrastructure inspections; and

**WHEREAS**, the City has determined that amendments to the engineering fee schedule are necessary to account for updated costs, additional services, and equitable fee structures; and

**WHEREAS**, the Grantsville City Council finds it in the best interest of the City to adopt the revised engineering fees to ensure that costs associated with development are adequately funded;

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

**SECTION 1:**        **AMENDMENT** “Engineering Fees” of the Grantsville Fee Schedule is hereby *amended* as follows:

**BEFORE AMENDMENT**

Engineering Fees

Engineering Fees	
Regular Grading (less than cubic 1,000 yards)	\$200.00
Regular Grading Permit Review (more than 1,000 cubic yards)	\$150 per sheet (includes 2 Reviews)
Additional Grading Permit	\$90 per sheet

**AFTER AMENDMENT**

Engineering Fees

Engineering Fees	
Regular Grading (less than cubic 1,000 yards)	<del>\$200.00</del> <u>\$150.00 per sheet</u>
	<del>\$150</del> <u>\$189.00</u> per sheet (includes 2

Regular Grading Permit Review (more than 1,000 cubic yards)	Reviews)
Additional Grading Permit	\$90 per sheet
<u>Offsite Water</u>	<u>\$6,000.00 Base plus \$350.00 per sheet</u>
<u>Offsite Sewer</u>	<u>\$6,000.00 Base plus \$350.00 per sheet</u>

**SECTION 2:            AMENDMENT** “Subdivision Review Fees” of the Grantsville Fee Schedule is hereby *amended* as follows:

#### BEFORE AMENDMENT

##### Subdivision Review Fees

##### Subdivision Review and Engineering Base

\*Any additional reviews beyond those listed below will be charged at \$180.00 per hour.

Subdivision Preliminary Review Fees	
Single Lot Process	See Zoning Fees
Two (2) to Four (4) lots (with no street improvements needed)	See Final Fees
Two (2) to Four(4) lots (with street improvements needed)	See Final Fees
Five (5) lots or more	\$4,750.00 plus an additional \$100.00 per lot

Subdivision Final Review Fee	
Single Lot Process	See Zoning Fees
Single Lot Process with street improvements	\$850.00
Two(2) to Four (4) with no street improvements required	\$1,290.00 (Preliminary and Final Combined)
Two (2) to Four (4) with street improvements	\$2,120.00 (Preliminary and Final

required	Combined)
Five (5) lots or more	\$4,750.00 plus \$110.00
Inspection Fee - Engineer	2.5% of the engineer's probable cost estimate
Bond Fee	\$700.00
Water and Sewer Modeling Fee	\$1,500.00 for up to 50 lots + \$30.00 per lot over 50

#### AFTER AMENDMENT

##### Subdivision Review Fees

##### Subdivision Review and Engineering Base

\*Any additional reviews beyond those listed below will be charged at \$180.00 per hour.

Subdivision Preliminary Review Fees	
Single Lot Process	<del>See Zoning Fees</del> <u>See Final Fees</u>
Two (2) to Four (4) lots (with no street improvements needed)	See Final Fees
Two (2) to Four(4) lots (with street improvements needed)	See Final Fees
Five (5) lots or more	<del>\$4,750.00</del> <u>\$3,472.00</u> plus an additional <del>\$100.00</del> <u>\$146.00</u> per lot

Subdivision Final Review Fee	
Single Lot Process	<del>See Zoning Fees</del> <u>\$1,326.00</u>
Single Lot Process with street improvements	<u>\$1,450.00</u> <del>850.00</del>
Two(2) to Four (4) with no street improvements required	<u>\$1,458.00 + \$200.00 per lot</u> <del>1,290.00</del> (Preliminary and Final Combined)
Two (2) to Four (4) with street improvements required	<u>\$2,700.00 + \$250.00 per lot</u> <del>2,120.00</del> (Preliminary and Final Combined)
Five (5) lots or more	<del>\$4,750.00</del> <u>\$4,060.00</u> plus <u>\$256.00 per lot</u> <del>110.00</del>
Inspection Fee - Engineer	<del>2.5</del> <u>2.22</u> % of the engineer's probable cost estimate

Bond Fee	\$700.00
<del>Water and</del> Sewer Modeling Fee	\$1,500.00 for up to 50 lots + \$30.00 per lot over 50
<u>Water Modeling Fees</u>	<u>\$1,500 up to 50 lots + 10 per lot</u>

**SECTION 3:        SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**SECTION 4:        EFFECTIVE DATE** This Ordinance shall take effect immediately upon its passage and approval as provided by law.

PASSED AND ADOPTED BY THE GRANTSVILLE COUNCIL

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Heidi Hammond	_____	_____	_____	_____
Jolene Jenkins	_____	_____	_____	_____
Jeff Williams	_____	_____	_____	_____
Rhett Butler	_____	_____	_____	_____
Jacob Thomas	_____	_____	_____	_____

Presiding Officer

Attest

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Neil Critchlow, Mayor, Grantsville

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Braydee Baugh, City Recorder,  
Grantsville

# **Agenda Item # 5**

Consideration of Ordinance 2025-17  
approving the amendments the Building  
Fee Schedule

**GRANTSVILLE  
ORDINANCE 2025-17**

**AN ORDINANCE OF GRANTSVILLE CITY AMENDING THE BUILDING FEE  
SCHEDULE**

**WHEREAS**, the City of Grantsville has established building fees to cover the costs associated with permitting, inspections, and impact fees related to new construction and development within the City; and

**WHEREAS**, the City periodically reviews and updates its fee schedule to ensure that fees accurately reflect the costs incurred by the City in providing these services; and

**WHEREAS**, the City Council has determined that amendments to the existing building fee schedule are necessary to address changes in costs and to ensure the continued provision of building and inspection services;

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

**SECTION 1:**        **AMENDMENT** “General Building Fees” of the Grantsville Fee Schedule is hereby *amended* as follows:

**BEFORE AMENDMENT**

General Building Fees

<b><u>Building Permit Fee</u></b>	Minimum of \$150.00
<b><u>State Surcharge</u></b>	1% of Building Permit Fee
<b><u>Cut Permit Fee:</u></b>	
Single Excavation	\$25.00 plus any applicable inspection fee or service fee performed
Excavating more than 100 lineal feet or a series or exploratory or repair holes	\$25.00 for each 100 lineal feet or fraction thereof, plus any applicable inspection or service fees. (Performance Bond is required)
<b><u>Demolition Permits</u></b>	\$150 + 1% State Surcharge
<b><u>Plan Check Fee:</u></b>	
Total permit value <\$15,000	\$100.00 fee

Total permit value >\$15,000	.0052 x total permit value (minimum of \$100.00)
<b>Re-Inspection Fee</b>	\$50.00 (after two)
<b>Work Without a Permit</b>	Double the standard permit fee
<b><u>Zoning Inspection Fee:</u></b>	
Plan Check	\$25.00
Permit Fee	\$25.00

Notwithstanding the above schedule of fees, should the plan check, inspection, or other related cost of the City exceed those fees identified herein, the applicant shall be required to pay the actual costs incurred by the City, when said additional costs are determined and documented to exceed the fees paid by the applicant.

\*TOTAL PERMIT VALUE WILL BE DETERMINED USING BUILDING VALUATION DATA FROM THE ICC (International Code Council) — UPDATED ANUALLY ON JANUARY 1ST.

#### AFTER AMENDMENT

##### General Building Fees

<b><u>Building Permit Fee</u></b>	Minimum of \$150.00
<b><u>State Surcharge</u></b>	1% of Building Permit Fee
<b><u>Right of Way Permit:</u></b> <del>Cut Permit Fee:</del>	
<del>Single Excavation</del>	<del>\$25.00 plus any applicable inspection fee or service fee performed</del>
Excavating more than 100 lineal feet or a series or exploratory or repair holes	<del>\$50</del> 25.00 for each 100 lineal feet or fraction thereof, plus any applicable inspection or service fees. (Performance Bond is required)
<u>Sidewalk or Driveway Replacement</u>	<u>\$50.00 Per Lot.</u>
<u>Water or Sewer Connection</u>	<u>\$100.00 Per Connection.</u>
<u>Asphalt Repairs</u>	<u>\$100.00 Per Repair.</u>
<b>Demolition Permits</b>	\$150 + 1% State Surcharge



<b><u>Plan Check Fee:</u></b>	
Total permit value <\$15,000	\$100.00 fee
Total permit value >\$15,000	.0052 x total permit value (minimum of \$100.00)
<b>Re-Inspection Fee</b>	\$50.00 (after two)
<b>Work Without a Permit</b>	Double the standard permit fee
<b><u>Zoning Inspection Fee:</u></b>	
Plan Check	\$25.00
Permit Fee	\$25.00

**Notwithstanding the above schedule of fees, should the plan check, inspection, or other related cost of the City exceed those fees identified herein, the applicant shall be required to pay the actual costs incurred by the City, when said additional costs are determined and documented to exceed the fees paid by the applicant.**

\*TOTAL PERMIT VALUE WILL BE DETERMINED USING BUILDING VALUATION DATA FROM THE ICC (International Code Council) — UPDATED ANUALLY ON JANUARY 1ST.

**SECTION 2:           SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**SECTION 3:           EFFECTIVE DATE** This Ordinance shall take effect immediately upon its passage and approval as provided by law.

PASSED AND ADOPTED BY THE GRANTSVILLE COUNCIL

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Heidi Hammond	_____	_____	_____	_____
Jolene Jenkins	_____	_____	_____	_____
Jeff Williams	_____	_____	_____	_____
Rhett Butler	_____	_____	_____	_____
Jacob Thomas	_____	_____	_____	_____

Presiding Officer

Attest

\_\_\_\_\_  
Neil Critchlow, Mayor, Grantsville

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Braydee Baugh, City Recorder,  
Grantsville

# **Agenda Item # 6**

Consideration of Ordinance 2025-31  
amending Chapters of the Grantville  
Land Use Code

**GRANTSVILLE  
ORDINANCE 2025-31**

**AN ORDINANCE AMENDING CHAPTERS 2, 3, 4, 6, 8, 11, 14, 15, 16, 19A, AND 21  
OF THE LAND USE ORDINANCES OF THE GRANTSVILLE CITY MUNICIPAL  
CODE**

**WHEREAS**, the City's Land Use Ordinances are periodically reviewed and updated to address legal requirements, clarify existing provisions, and improve the administration and enforcement of land use regulations; and

**WHEREAS**, the Planning Commission held a public hearing and provided a recommendation on the proposed amendments in accordance with applicable law; and

**WHEREAS**, the Grantsville City Council has reviewed the proposed amendments and finds that they are in the best interest of the City and its residents;

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

**SECTION 1:**        **AMENDMENT** "3.6 Ex Parte Contact" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

**BEFORE AMENDMENT**

**3.6 Ex Parte Contact**

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

(2) Planning commission members shall be restricted from ex parte contact, including site or office visits, electronic communication, written communication, and verbal conversation either face-to-face or over the telephone, with any individual or representative of a company or entity when such interaction involves a request for a conditional use permit, planned unit development, a request for approval of a subdivision, or for an exception to the Grantsville Land Use Management and Development Code. Interaction between applicants and those in

opposition to an application shall only occur at a legally scheduled meetings where the public has received legal notice. This restriction on ex parte contact applies to all conditional use permit approval requests, planned unit development or subdivision requests, after an application for such is filed with the Grantsville City, while the application is under review by the planning commission, after a decision or recommendation on the application has been made by the planning commission, while the application is under review by the Grantsville City Council, or while the application is under appeal, if an appeal is filed. Planning commissioners shall not participate in ex parte contact with individuals or representatives of a company or entity opposed to a request for a conditional use permit, planned unit development or a subdivision approval, or an exception to the Grantsville Land Use Management and Development Code.

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

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

## AFTER AMENDMENT

### 3.6 Ex Parte Contact

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

(2) Planning commission members shall be restricted from ex parte contact, including site or office visits, electronic communication, written communication, and verbal conversation either face-to-face or over the telephone, with any individual or representative of a company or entity when such interaction involves a request for a conditional use permit, planned unit development, a request for approval of a subdivision, or for an exception to the Grantsville Land Use Management and Development Code. Interaction between applicants and ~~those in opposition to~~planning commission member who may vote on or decide on an application ~~shall~~may only occur at a legally scheduled meetings where the public has received legal notice. This restriction on ex parte contact applies to all conditional use permit approval requests,

planned unit development or subdivision requests, after an application for such is filed with the Grantsville City, while the application is under review by the planning commission, after a decision or recommendation on the application has been made by the planning commission, while the application is under review by the Grantsville City Council, or while the application is under appeal, if an appeal is filed. Planning commissioners ~~shall~~ may not participate in ex parte contact with individuals or representatives of a company or entity opposed to a request for a conditional use permit, planned unit development or a subdivision approval, or an exception to the Grantsville Land Use Management and Development Code.

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

(4) ~~Receipt of w~~ Written information regarding an active request for a conditional use permit, planned unit development or a subdivision, or an exception to the Grantsville Land Use Management and Development Code ~~shall be reviewed, provided such written information is disclosed at the next meeting of the planning commission and submitted as a part of the record of that meeting;~~ may only be submitted for consideration through the appropriate channels as identified in the applicable portions of that Code.

**SECTION 2:            AMENDMENT “3.8 Document Submission And Review Procedures” of the Grantsville Land Use Ordinances is hereby *amended* as follows:**

## BEFORE AMENDMENT

### 3.8 Document Submission And Review Procedures

(1) Pre-Submission Procedures. To facilitate the handling of applications, the Planning Commission may adopt pre-submission procedures to allow for adequate investigations and staff review and may require compliance with such pre-submission review procedures as a prerequisite to formal receipt and action by the Planning Commission. Pre-submission review shall in no way be interpreted to mean review by the Planning Commission.

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

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

## AFTER AMENDMENT

### 3.8 Document Submission And Review Procedures

(1) Pre-Submission Procedures. To facilitate the handling of applications, the Planning Commission may adopt pre-submission procedures to allow for adequate investigations and staff review and may require compliance with such pre-submission review procedures as a prerequisite to formal receipt and action by the Planning Commission, provided such pre-submission review is not inconsistent with state law. Pre-submission review shall in no way be interpreted to mean review by the Planning Commission.

(2) Initial Contact for Planned Unit Developments. Applicants seeking a planned unit development are encouraged to submit preliminary information and obtain initial comments from the Zoning Administrator, Planning Commission, and/or City Council prior to submitting an application.

~~(3)~~ Submission and Docketing for Review. Upon receipt of all required fees and information for any specific step of the review procedure, the Zoning Administrator and other members of the Development Review Committee if established, shall review the application for completeness and compliance with the provisions of this Code and other pertinent municipal regulations. When the Zoning Administrator determines that the application is ready for Planning Commission review, the Zoning Administrator will docket the application for review at the next regular public meeting of the Planning Commission. Incomplete applications shall not be docketed for Planning Commission review.

~~(4)~~ Applications and concept plans are required for all land uses.

**SECTION 3:            AMENDMENT “3.18 Amendments And Rezoning” of the Grantsville Land Use Ordinances is hereby *amended* as follows:**

## BEFORE AMENDMENT

### 3.18 Amendments And Rezoning

(1) The City Council may amend;

- (a) The number, shape, boundaries, or area of any zoning district;
- (b) any regulation of or within the zoning district, or
- (c) any other provision of a land use ordinance.

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

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

(4) No application for an amendment to the land use regulations or zoning map designations shall be reconsidered by the City Council or the Planning Commission within two years of the final decision of the City Council upon the prior application, if the new application proposes the same amendment to the land use regulations or includes the same zoning map designation and includes any of the same property that was described in the previous application. The restrictions contained in this subsection shall not apply to a requested zoning map amendment, if the previous application included a proposed zone and a specific proposed use in that zone and the new application includes the same zoning district, but the proposed use has been changed by the applicant. Any application for a zoning map amendment that includes a specific proposed use as a part of the application, shall only be approved on condition that the actual use of the property is limited to the proposed use specified in the application. The Zoning Administrator shall make an initial determination as to whether or not an application should be considered pursuant to this subsection. If the application is denied by the Zoning Administrator as being in violation of this subsection, the applicant may appeal that decision to the Planning Commission, by filing a written notice of appeal with the Zoning Administrator within seven (7) days of receipt of the Zoning Administrator's decision. If the application is accepted by the Zoning Administrator and an affected party does not agree with said decision, that party may file a written appeal with the Planning Commission, provided that the appeal is filed with the Zoning Administrator at least seven (7) days prior to the time the Planning Commission is scheduled to make its final recommendation on the application. Any party aggrieved by the decision of the Planning Commission with respect to this subsection, may file a written appeal with the City Council, provided that the appeal is filed with the City Recorder within seven (7) days of the decision of the Planning Commission. If the City Council overturns the decision of the Planning Commission that terminates consideration of an application because it was deemed to be in violation of the provisions of this subsection, the City Council shall remand the matter back to the Planning Commission for a recommendation on the application. The Planning Commission and City Council may also terminate consideration of an application at any time, if it determines that the application is prohibited by this subsection. The Decision of the City Council on a determination of whether or not an application is in conformity with the provisions of this subsection shall be final.

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

## AFTER AMENDMENT

### 3.18 Amendments And Rezoning

(1) The City Council may amend;

- (a) The number, shape, boundaries, or area of any zoning district;
- (b) any regulation of or within the zoning district, or



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

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

(3) The ~~c~~City ~~e~~Council shall comply with the procedure specified in Section 3.15 for land use regulations, ~~and~~ 3.16 for zoning maps, and Chapter 12 for PUD District enactment, in preparing and adopting any amendment or new regulation.

(4) No application for an amendment to the land use regulations or zoning map designations ~~shall~~ may be reconsidered by the City Council or the Planning Commission within two years of the final decision of the City Council upon the prior application, if the new application proposes the same amendment to the land use regulations or includes the same zoning map designation and includes any of the same property that was described in the previous application. The restrictions contained in this subsection ~~shall~~ may not apply to a requested zoning map amendment, if the previous application included a proposed zone and a specific proposed use in that zone and the new application includes the same zoning district, but the proposed use has been changed by the applicant. Any application for a zoning map amendment that includes a specific proposed use as a part of the application, shall only be approved on condition that the actual use of the property is limited to the proposed use specified in the application. The Zoning Administrator shall make an initial determination as to whether or not an application should be considered pursuant to this subsection. If the application is denied by the Zoning Administrator as being in violation of this subsection, the applicant may appeal that decision to the Planning Commission, by filing a written notice of appeal with the Zoning Administrator within seven (7) days of receipt of the Zoning Administrator's decision. If the application is accepted by the Zoning Administrator and an affected party does not agree with said decision, that party may file a written appeal with the Planning Commission, provided that the appeal is filed with the Zoning Administrator at least seven (7) days prior to the time the Planning Commission is scheduled to make its final recommendation on the application. Any party aggrieved by the decision of the Planning Commission with respect to this subsection, may file a written appeal with the City Council, provided that the appeal is filed with the City Recorder within seven (7) days of the decision of the Planning Commission. If the City Council overturns the decision of the Planning Commission that terminates consideration of an application because it was deemed to be in violation of the provisions of this subsection, the City Council shall remand the matter back to the Planning Commission for a recommendation on the application. The Planning Commission and City Council may also terminate consideration of an application at any time, if it determines that the application is prohibited by this subsection. The Decision of the City Council on a determination of whether or not an application is in conformity with the provisions of this subsection shall be final.

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

**SECTION 4:**        **AMENDMENT** “4.5 Lot Standards And Street Frontage” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

**BEFORE AMENDMENT**

4.5 Lot Standards And Street Frontage

Except for planned unit developments, condominiums, and as otherwise provided in this Code, every lot presently existing or hereafter created shall have such area, width, and depth as required by this Code for the district in which such lot is located and shall have frontage upon a public street or upon a private street or right-of-way approved by the Planning Commission, before a building permit may be issued, provided that no lot containing 1/2 acres or less shall be created which is more than 3 times as long as it is wide.

*Amended 09/2018 by Ordinance 2018-16*

**AFTER AMENDMENT**

4.5 Lot Standards And Street Frontage

Except ~~for planned unit developments, condominiums, and~~ as otherwise provided in this Code, every lot presently existing or hereafter created shall have such area, width, and depth as required by this Code for the district in which such lot is located and shall have frontage upon a public street or upon a private street or right-of-way approved by the Planning Commission, before a building permit may be issued, provided that no lot containing 1/2 acres or less shall be created which is more than 3 times as long as it is wide.

*Amended 09/2018 by Ordinance 2018-16*

**SECTION 5:**        **AMENDMENT** “4.12 Minimum Height Of Dwellings” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

**BEFORE AMENDMENT**

4.12 Minimum Height Of Dwellings

No dwelling shall be erected to a height less than 1 story above grade, except in a planned unit development.

**AFTER AMENDMENT**

4.12 Minimum Height Of Dwellings

No dwelling shall be erected to a height less than 1 story above grade, ~~except in a planned unit development.~~

**SECTION 6:            AMENDMENT** “4.18 Maximum Height Of Fences, Wall, And Hedges” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

#### BEFORE AMENDMENT

##### 4.18 Maximum Height Of Fences, Wall, And Hedges

(1) Fences, walls, and hedges may be erected or allowed to the permitted building height in the district when located within the required buildable area. Fences, walls, and hedges may not exceed 6 feet in height within any required rear yard or interior side yard. No view-obscuring fence, wall or hedge exceeding 3 feet in height shall be erected or allowed closer to any street line than the required building setback line. Non-view-obscuring fences or walls may be erected to a maximum height of 4 feet within the front yard. For the purpose of this section, single shrub planting shall not constitute a hedge if the closest distance between the foliage of any 2 plants is and remain at least 5 feet.

(a) Where a fence, wall, or hedge is located along a property line separating 2 lots and there is a difference in the grade of the properties on the two sides of the property line, the fence, wall, or hedge may be erected or allowed to the maximum height permitted on either side of the property line.

(b) All fence construction higher than six feet requires a building permit to be issued by the City Building Official.

(c) There shall be no fence nor hedge within 3 feet of any fire hydrant.

#### AFTER AMENDMENT

##### 4.18 Maximum Height Of Fences, Wall, And Hedges

(1) Fences, walls, and hedges may be erected or allowed to the permitted building height in the district when located within the required buildable area. Fences, walls, and hedges may not exceed ~~7~~ 6 feet in height within any required rear yard or interior side yard. No view-obscuring fence, wall or hedge exceeding 3 feet in height shall be erected or allowed closer to any street line than the required building setback line. Non-view-obscuring fences or walls may be erected to a maximum height of 4 feet within the front yard. For the purpose of this section, single shrub planting shall not constitute a hedge if the closest distance between the foliage of any 2 plants is and remain at least 5 feet.

(a) Where a fence, wall, or hedge is located along a property line separating 2 lots and there is a difference in the grade of the properties on the two sides of the property line, the fence,

wall, or hedge may be erected or allowed to the maximum height permitted on either side of the property line.

(b) All fence construction higher than ~~six~~ seven feet requires a building permit to be issued by the City Building Official.

(c) There shall be no fence nor hedge within 3 feet of any fire hydrant.

**SECTION 7:            AMENDMENT** “6.15 Access Requirements For Other Than Residential Lots” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

#### BEFORE AMENDMENT

##### 6.15 Access Requirements For Other Than Residential Lots

(1) In all cases where there is an existing curb and gutter or sidewalk on the street, the applicant for a permit shall provide a parking strip, with a minimum width of ten (10) feet, along the entire frontage of the property, except for the permitted driveways. On the street side of the parking strip a concrete curb shall be constructed, the height and type is a six (6) inch high back, unless another specification has been approved by the Planning Commission.

(4) In Planned Unit Developments (when required) and subdivisions that have a density greater than one (1) acre lots, and there is no existing curb and gutter or sidewalk, the applicant shall install a parking strip, sidewalk, curb and gutter, unless this requirement is waved by the Planning Commission.

*Amended 04/05 by Ordinance 2005-08*

#### AFTER AMENDMENT

##### 6.15 Access Requirements For Other Than Residential Lots

(1) In all cases where there is an existing curb and gutter or sidewalk on the street, the applicant for a permit shall provide a parking strip, with a minimum width of ten (10) feet, along the entire frontage of the property, except for the permitted driveways. On the street side of the parking strip a concrete curb shall be constructed, the height and type is a six (6) inch high back, unless another specification has been approved by the Planning Commission.

~~(4) In Planned Unit Developments (when required) and~~ subdivisions that have a density greater than one (1) acre lots, and there is no existing curb and gutter or sidewalk, the applicant shall install a parking strip, sidewalk, curb and gutter, unless this requirement is waved by the Planning Commission.

*Amended 04/05 by Ordinance 2005-08*

**SECTION 8:            AMENDMENT “8.7 Municipal Ordinances Governing Residential Facilities For Handicapped Persons” of the Grantsville Land Use Ordinances is hereby *amended* as follows:**

**BEFORE AMENDMENT**

**8.7 Municipal Ordinances Governing Residential Facilities For Handicapped Persons**

(1) The purpose of this chapter is to establish that a residential facility for handicapped persons shall be:

- (a) consistent with existing zoning of the desired location;
- (b) be occupied on a 24-hour-per-day basis by eight or fewer handicapped persons in a family-type arrangement under the supervision of a house family or manager; and
- (c) conform with applicable standards of the Department of Human Services and be operated by or operated under contract with that department.

(2) A residential facility for handicapped persons is a permitted use in any area where residential dwellings are allowed, except an area zoned exclusively single-family dwellings. Upon application for a building permit to establish a residential facility for handicapped persons in any area where residential dwellings are allowed, except an area zoned to permit exclusively single-family swellings, Grantsville City may decide only whether or not the residential facility for elderly persons conform to ordinances adopted by Grantsville City under this part. The building permit process shall require that:

- (a) the facility meet all applicable building, safety, zoning, and health ordinances applicable to similar dwellings;
- (b) the operator of the facility provides assurances that the residents of the facility will be properly supervised on a 24-hour basis;
- (c) the operator of the facility establishes a municipal advisory committee through which all complaints and concerns of neighbors may be addressed;
- (d) the operator of the facility provide adequate off-street parking space as is required in Chapter 6 of this code;
- (e) the facility be capable of use as a residential facility for handicapped persons without structural or landscaping alterations that would change the structure's residential character;
- (f) no residential facility for handicapped persons be established within three-quarters mile of another residential facility for handicapped persons;

- (g) no person being treated for alcoholism or drug abuse be placed in a residential facility for handicapped persons;
  - (h) no person who is violent be placed in a residential facility for handicapped persons; and
  - (i) placement in a residential facility for handicapped persons be on a strictly voluntary basis and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility.
- (3) Subject to granting of a conditional use permit, a residential facility for handicapped persons shall be allowed in any municipal zoning district that is zoned to permit exclusively single-family use. Subject to granting of a conditional use permit the Planning Commission shall be assured that:
- (a) no person who is being treated for alcoholism or drug abuse may be placed in a residential facility for handicapped persons;
  - (b) no person who is violent may be placed in a residential facility for handicapped persons; and
  - (c) placement in a residential facility for handicapped persons shall be on a strictly voluntary basis and may not be a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional institution.
  - (d) conforms to all applicable health, safety, zoning, and building codes;
  - (e) is capable of use as a residential facility for handicapped persons without structural or landscaping alterations that would change the structure's residential character; and
  - (f) no residential facility for handicapped persons be established within three-quarters mile of another existing residential facility for handicapped persons.
- (4) If Grantsville City determines that the residential facility for handicapped persons complies with those ordinances, it shall grant the requested permit to that facility.
- (5) The decision of a municipality regarding the application for a permit by a residential facility for handicapped persons shall be based on legitimate land use criteria and may not be based on:
- (a) handicapping condition of the facility's residents; and
  - (b) discrimination against handicapped persons and against residential facilities for handicapped persons.
- (6) The use granted and permitted by this section is non transferable and terminates if the structure is devoted to a use other than a residential facility for handicapped persons or if the structure fails to comply with the ordinances adopted under this part.

## AFTER AMENDMENT

### 8.7 Municipal Ordinances Governing Residential Facilities For Handicapped Persons

(1) The purpose of this chapter is to establish that a residential facility for handicapped persons shall be:

- (a) consistent with existing zoning of the desired location;
- (b) be occupied on a 24-hour-per-day basis by eight or fewer handicapped persons in a family-type arrangement under the supervision of a house family or manager; and
- (c) conform with applicable standards of the Department of Human Services and be operated by or operated under contract with that department.

(2) A residential facility for handicapped persons is a permitted use in any area where residential dwellings are allowed, except an area zoned exclusively single-family dwellings. Upon application for a building permit to establish a residential facility for handicapped persons in any area where residential dwellings are allowed, except an area zoned to permit exclusively single-family dwellings, Grantsville City may decide only whether or not the residential facility for elderly persons conform to ordinances adopted by Grantsville City under this part. The building permit process shall require that:

- (a) the facility meet all applicable building, safety, zoning, and health ordinances applicable to similar dwellings;
- (b) the operator of the facility provides assurances that the residents of the facility will be properly supervised on a 24-hour basis;
- (c) the operator of the facility establishes a municipal advisory committee through which all complaints and concerns of neighbors may be addressed;
- (d) the operator of the facility provide adequate off-street parking space as is required in Chapter 6 of this code;
- (e) the facility be capable of use as a residential facility for handicapped persons without structural or landscaping alterations that would change the structure's residential character;
- (f) no residential facility for handicapped persons be established within three-quarters mile of another residential facility for handicapped persons;
- (g) no person being treated for alcoholism or drug abuse be placed in a residential facility for handicapped persons;
- (h) no person who is violent be placed in a residential facility for handicapped persons; and
- (i) placement in a residential facility for handicapped persons be on a strictly voluntary basis

and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility.

(3) Subject to granting of a conditional use permit, a residential facility for handicapped persons shall be allowed in any municipal zoning district that is zoned to permit exclusively single-family use. Subject to granting of a conditional use permit the Planning Commission shall be assured that:

(a) no person who is being treated for alcoholism or drug abuse may be placed in a residential facility for handicapped persons;

(b) no person who is violent may be placed in a residential facility for handicapped persons; and

(c) placement in a residential facility for handicapped persons shall be on a strictly voluntary basis and may not be a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional institution.

(d) conforms to all applicable health, safety, zoning, and building codes;

(e) is capable of use as a residential facility for handicapped persons without structural or landscaping alterations that would change the structure's residential character; and

(f) no residential facility for handicapped persons be established within three-quarters mile of another existing residential facility for handicapped persons.

(4) If Grantsville City determines that the residential facility for handicapped persons complies with those ordinances, it shall grant the requested permit to that facility.

(5) The decision of a municipality regarding the application for a permit by a residential facility for handicapped persons shall be based on legitimate land use criteria and may not be based on:

(a) handicapping condition of the facility's residents; and

(b) discrimination against handicapped persons and against residential facilities for handicapped persons.

(6) The use granted and permitted by this section is non transferable and terminates if the structure is devoted to a use other than a residential facility for handicapped persons or if the structure fails to comply with the ordinances adopted under this part.

(7) All Handicap Facilities shall follow the permitting process and guide lines for group homes.



**SECTION 9:            AMENDMENT** “8.9 City Council Review And Approval Of Certain Developments Required” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

#### BEFORE AMENDMENT

##### 8.9 City Council Review And Approval Of Certain Developments Required

(1) Notwithstanding any other provision to the contrary in this Code or under any other Grantsville city Ordinance, all new developments or construction projects having an estimated new construction value of over \$250,000.00, all multiple occupancy non-residential structures with over four separate occupants or uses and all apartment or condominium structures or developments having more than two residential units, shall be first reviewed and approved by the City Council prior to the commencement or construction.

(2) The City Council review and approval required by this Section shall take place prior to the issuance of any building permits for the proposed project or development. The Building Official’s determination of valuation under Section 5- 2 of the Grantsville City Code shall be used to determine if the construction value of a project is over \$250,000.00 under this Section. This development also requires the review and approval of the Zoning Administrator or the Planning Commission, said review and approval shall be completed prior to the review and approval by the City Council under this Section.

(3) The review and approval by the City Council under this Section shall be conducted in an effort to ensure that all departments of the City are notified of the proposed project prior to construction, that all applicable building and zoning regulations have been complied with, that utilities are efficiently provided to the property and that any negative impacts to the neighborhood or community are mitigated. The City council may impose such reasonable conditions and requirements as it deems necessary in order to achieve the foregoing objectives and to ensure that city planning issues are raised and resolved prior to construction.

*Amended 05/05 by Ordinance 2005-09*

#### AFTER AMENDMENT

##### 8.9 City Council Review And Approval Of Certain Developments Required

(1) Notwithstanding any other provision to the contrary in this Code or under any other Grantsville city Ordinance, all new developments or construction projects having ~~an estimated new construction value of over \$250,000.00, all~~ multiple occupancy non-residential structures with over four separate occupants or uses and all apartment or condominium structures or developments having more than two residential units, shall be first reviewed and approved by the City Council prior to the commencement or construction.

(2) The City Council review and approval required by this Section shall take place prior to the issuance of any building permits for the proposed project or development. ~~The Building Official's determination of valuation under Section 5-2 of the Grantsville City Code shall be used to determine if the construction value of a project is over \$250,000.00 under this Section. This development also requires the~~ requirement does not otherwise modify any other review and approval requirements by ~~of~~ the Zoning Administrator or the Planning Commission, ~~said review and approval~~ The standard review and approval procedures shall be completed prior to the review and approval by the City Council under this Section.

(3) The review and approval by the City Council under this Section shall be conducted in an effort to ensure that all departments of the City are notified of the proposed project prior to construction, that all applicable building and zoning regulations have been complied with, that utilities are efficiently provided to the property and that any negative impacts to the neighborhood or community are mitigated. The City ~~e~~Council may impose such reasonable conditions and requirements as it deems necessary in order to achieve the foregoing objectives and to ensure that ~~e~~City planning issues are raised and resolved prior to construction.

*Amended 05/05 by Ordinance 2005-09*

**SECTION 10:**            **AMENDMENT** “11.4 Site Plan Content” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

#### BEFORE AMENDMENT

##### 11.4 Site Plan Content

(1) Two copies of a site plan, drawn to a scale of 20 feet to the inch or such other scale as the Zoning Administrator shall deem appropriate, shall be submitted along with any permit application and shall contain the following information:

- (a) The applicant's name, address, telephone number and interest in the property;
- (b) The owner's name, address and telephone number, if different than the applicant, and the owner's signed consent to the filing of the application;
- (c) The street address and legal description of the subject property;
- (d) The zoning classification, zoning district boundaries and present use of the subject property;
- (e) A vicinity map with north point, scale and date, indicating the zoning classifications and current uses of properties within 85 feet of the subject property (exclusive of intervening streets and alleys);

- (f) The proposed title of the project and the names, addresses and telephone numbers of the architect, landscape architect, planner or engineer on the project, and a signature panel for Zoning Administrator approval;
- (g) The boundaries of the subject property, all existing property lines, setback lines, existing streets, buildings, water courses, water ways or lakes, wetlands, and other existing physical features in or adjoining the project;
- (h) Topographic survey, showing the elevation of streets, alleys, buildings, structures, water courses and their names. The topography shall be shown by adequate spot elevations. The finished grade for the entire site shall be shown as well as the first floor elevation of all buildings. Additionally, on all site plans the following information must be provided:
- i. Significant topographical or physical features of the site, including existing trees;
  - ii. The elevation of the curb (if existing or proposed) in front of each lot shall be indicated; and
  - iii. Elevations of the top of bank and toe of slope, slope ratio of fill, and limits of fill, including access, shall be indicated;
- (i) The location and size of sanitary and storm sewers, water, gas, telephone, electric and other utility lines, culverts and other underground structures in or affecting the project, including existing and proposed facilities and easements for these facilities. In the case of City-owned utilities, such information shall be provided to the applicant by the Public Utility department;
- (j) The location, dimensions and character of construction of proposed streets, alleys, loading areas (including numbers of parking and loading spaces), outdoor lighting systems, storm drainage and sanitary facilities, sidewalks, curbs and gutters and all curb cuts. Where necessary to meet the purposes and intent of this chapter, such information shall be provided for the site itself and for an area within 50 feet of any property line of the site; except, that additional area may be required to be shown to indicate connections or proposed connections to major utilities;
- (k) The location of all proposed buildings and structures, accessory and principal, showing the number of stories and height, dwelling type, if applicable, major excavations and the total square footage of the floor area by proposed use;
- (l) The location, height, type and material of all fences and walls;
- (m) The location, character, size, height and orientation of proposed signs, as proposed to be erected in accordance with Chapter 20, Sign ordinance, and elevations of buildings showing signs to be placed on exterior walls. Signs which are approved in accordance with this Chapter shall be considered a part of the approved site plan. Thereafter, signs shall not be erected, painted, constructed, structurally altered, hung, rehung or replaced except in conformity with the approved site plan. Any changes in signs from the approved site plan

or any additions to the number of signs as shown on the site plan shall be allowed only after approval of an amendment of the site plan by the Planning Commission;

(n) The proposed nature and manner of grading of the site, including proposed treatment of slopes in excess of ten percent to prevent soil erosion and excessive runoff;

(o) The location of dumpsters or other outdoor trash receptacles;

(p) The location and dimensions of proposed recreation areas, open spaces and other required amenities and improvements;

(q) A tabulation of the total number of acres in the project and the percentage and acreage thereof proposed to be allocated to off- street parking, open space, parks, and other reservations;

(r) A tabulation of the total number of dwelling units in the project and the overall project density in the dwelling units per gross acre (for residential projects); and

(s) The proposed and required off-street parking and loading areas, including parking and access for the handicapped, as specified in the Utah Uniform Statewide Building Code, as amended.

(2) The Zoning Administrator may waive any of the above listed requirements upon making a determination that such requirements are unnecessary due to the scope and nature of the proposed development.

## AFTER AMENDMENT

### 11.4 Site Plan Content

(1) Two copies of a site plan, drawn to a scale of 20 feet to the inch or such other scale as the Zoning Administrator shall deem appropriate, shall be submitted along with any permit application and shall contain the following information:

(a) The applicant's name, address, telephone number and interest in the property;

(b) The owner's name, address and telephone number, if different than the applicant, and the owner's signed consent to the filing of the application;

(c) The street address and legal description of the subject property;

(d) The zoning classification, zoning district boundaries and present use of the subject property;

(e) A vicinity map with north point, scale and date, indicating the zoning classifications and current uses of properties within 85 feet of the subject property (exclusive of intervening streets and alleys);

- (f) The proposed title of the project and the names, addresses and telephone numbers of the architect, landscape architect, planner or engineer on the project, and a signature panel for Zoning Administrator approval;
- (g) The boundaries of the subject property, all existing property lines, setback lines, existing streets, buildings, water courses, water ways or lakes, wetlands, and other existing physical features in or adjoining the project;
- (h) Topographic survey, showing the elevation of streets, alleys, buildings, structures, water courses and their names. The topography shall be shown by adequate spot elevations. The finished grade for the entire site shall be shown as well as the first floor elevation of all buildings. Additionally, on all site plans the following information must be provided:
- i. Significant topographical or physical features of the site, including existing trees;
  - ii. The elevation of the curb (if existing or proposed) in front of each lot shall be indicated; and
  - iii. Elevations of the top of bank and toe of slope, slope ratio of fill, and limits of fill, including access, shall be indicated;
- (i) The location and size of sanitary and storm sewers, water, gas, telephone, electric and other utility lines, culverts and other underground structures in or affecting the project, including existing and proposed facilities and easements for these facilities. In the case of City-owned utilities, such information shall be provided to the applicant by the Public Utility department;
- (j) The location, dimensions and character of construction of proposed streets, alleys, loading areas (including numbers of parking and loading spaces), outdoor lighting systems, storm drainage and sanitary facilities, sidewalks, curbs and gutters and all curb cuts. Where necessary to meet the purposes and intent of this chapter, such information shall be provided for the site itself and for an area within 50 feet of any property line of the site; except, that additional area may be required to be shown to indicate connections or proposed connections to major utilities;
- (k) The location of all proposed buildings and structures, accessory and principal, showing the number of stories and height, dwelling type, if applicable, major excavations and the total square footage of the floor area by proposed use;
- (l) The location, height, type and material of all fences and walls;
- (m) The location, character, size, height and orientation of proposed signs, as proposed to be erected in accordance with Chapter 20, Sign ordinance, and elevations of buildings showing signs to be placed on exterior walls. Signs which are approved in accordance with this Chapter shall be considered a part of the approved site plan. Thereafter, signs shall not be erected, painted, constructed, structurally altered, hung, rehung or replaced except in conformity with the approved site plan. Any changes in signs from the approved site plan

or any additions to the number of signs as shown on the site plan shall be allowed only after approval of an amendment of the site plan by the Planning Commission;

(n) The proposed nature and manner of grading of the site, including proposed treatment of slopes in excess of ten percent to prevent soil erosion and excessive runoff;

(o) The location of dumpsters or other outdoor trash receptacles;

(p) The location and dimensions of proposed recreation areas, open spaces and other required amenities and improvements;

(q) A tabulation of the total number of developable acres in the project and the percentage and acreage thereof proposed to be allocated to off- street parking, open space, parks, and other reservations;

(r) A tabulation of the total number of dwelling units within the project and the overall project density calculated as net density based on developable acreage as identified and defined in GLUDMC ~~in the dwelling units per gross acre~~ (for residential projects); and

(s) The proposed and required off-street parking and loading areas, including parking and access for the handicapped, as specified in the Utah Uniform Statewide Building Code, as amended.

(2) The Zoning Administrator may waive any of the above listed requirements upon making a determination that such requirements are unnecessary due to the scope and nature of the proposed development.

**SECTION 11:**            **AMENDMENT** “14.6 Codes And Symbols, Use Table 14.1” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

## BEFORE AMENDMENT

### 14.6 Codes And Symbols, Use Table 14.1

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

**Table 14.1 Use Regulations** Amended 04/02 by Ordinance 2002-05, 08/02 by Ordinance 2002-15, 02/09 by Ordinance 2008-44, 11/10 by Ordinance 2010-23, 06/11 by Ordinance 2011-18, 03/15 by Ordinance 2015-05

USE	A	RR-5	RR-2.5	RR-1
Accessory buildings & uses incidental to permitted ag uses (except for the keeping of animals). Said uses shall be kept a minimum of 100' from the property line on which the primary building fronts and 100' from any pre-existing dwelling. If these accessory buildings and uses have been kept prior to the construction of a residential dwelling on an adjoining parcel, said uses need not be kept 100' away from the new dwelling, but may be maintained. (Amended 2008,2009)	P	P	P	P
Accessory buildings and uses customarily incidental to permitted uses other than those listed above.	P	P	P	P
Accessory buildings and uses customarily incidental to conditional uses	C	C	C	C
Accessory buildings for the housing of animals customarily incidental to permitted ag uses, including pens, corrals and pastures for the keeping of animals. Such accessory buildings and uses shall not be allowed closer than 100' from any pre-existing residential dwelling on an adjoining parcel. If these accessory buildings and uses have been kept, prior to the construction of a residential dwelling, but may be maintained subject to the terms of any required conditional use permit. (Amended 2008, 2009)	P	C	C	C
Family Food Production and the Raising of Large, Medium, and Small Animals. The first large animal (fully grown) shall have 10,000 sq ft of open area, each additional large animal shall have an additional 2,000 sq ft of open area; each medium sized animal (fully grown) shall have 4,000 sq ft of open area and each small sized animal (fully grown) shall have 500 sq ft of open area. The area of stables, barns and pens accessible to regulate animals may count towards the open area requirements. No animal shall be kept, corralled, penned, or raised	P	P	P	C

within 100' from any pre-existing residential dwelling located on an adjoining lot measured at the nearest corner. There is no setback requirement from neighboring residential dwellings if a C.U.P. has been issued prior to the start of construction of a residential dwelling on an adjoining lot measured at the nearest corner.				
Class "A" Kennel (4-15 animals only). No animal shall be kept, penned, or raised within 100' from any preexisting residential dwelling located on an adjoining lot measured at the nearest corner and it must have 4,000 sq ft for each additional animal over 5.	C	C	C	C
Sportsman's Permit for 4-6 dogs. No dog shall be kept, penned, or raised within 100' of an adjoining residence or dwelling measured at the nearest corner.	C	C	C	C
Raising of Rabbits, Ducks, Chickens (hens only), or Turkeys with not more than six (6) such animals in any combination.	P	P	P	P
Temporary buildings for uses incidental to construction work, including living quarters for guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work.	C	C	C	C
Mobile Homes for temporary living quarters and such other temporary uses found appropriately by the Planning Commission.	C	C	C	C
Agriculture, including grazing and pasturing of animals.	P	C	C	C
Agricultural Industry (Amended 2010)	C	C	C	-
Fruit/Vegetable Stand	P	C	C	C
Farm (Amendment 8/21/02, complete addition of term)	P	P	P	C
Accessory Farm Employee Housing. Each accessory farm employee housing unit must be located on a contiguous parcel that contains at least 10 acres or more for each such unit and which must have at least 10 additional acres if it is located on	C	C	C	C



the same property as the primary residential dwelling. (Amended 8/21/02, complete addition of term)				
Farms devoted to raising and marketing chickens, turkeys or other fowl or poultry, fish or frogs, mink, rabbits, including wholesale and retail sale (does not include family food production).	P	C	-	-
Forestry and forest industry, such as a saw mill, wood products, plants, or others	C	-	-	-
Apiary	P	C	C	C
Aviary	P	P	P	P
Public Stable, riding academy or riding ring, horse show barns or facilities	C	C	C	C
<b><u>RESIDENTIAL</u></b>	<b>A</b>	<b>RR-5</b>	<b>RR-2.5</b>	<b>RR-1</b>
Single-Family Dwellings Detached	P	P	P	P
Single-Family Attached Dwellings	P	P	P	P
Two-Family Dwellings	P	P	P	P
Twin Home Dwellings	-	C	C	C
Congregate Care Facility	-	-	C	C
Nursing Care Facility	C	C	C	C
Group Home, Small	C	C	C	C
Group Home, Large	C	C	-C	C-
Transitional Treatment Home, Small	C	C	C	C
Transitional Treatment Home, Large	C	C	C	C
Residential facilities for handicapped or elderly	P	P	P	P
Home Occupation	C	C	C	C
Household Pets, other than a sportsman permit	P	P	P	P
<b><u>INSTITUTIONAL</u></b>	<b>A</b>	<b>RR-5</b>	<b>RR-2.5</b>	<b>RR-1</b>
Adult Day Care Center	C	C	C	C
Child Day Care Center	C	C	C	C

Places of Worship (Amended 7/98)	-	-	C	C
Schools, professional and vocational	C	C	C	C
Kennel	P	C	C	C
Mine, Quarry, Gravel Pit, Rock Crusher, Concrete Batching Plant, or Asphalt Plant, Oil Wells or Steam Wells, Land Excavations	C	-	-	-
<b><u>POWER GENERATION</u></b> (Primary Power for on-site use)	<b>A</b>	<b>RR-5</b>	<b>RR-2.5</b>	<b>RR-1</b>
Solar	P	P	P	P
Wind driven under 5.9 KVA output	P	P	P	P
Auxiliary, temporary, and/or wind, with more than 6 KVA, but less than 150 KVA output	P	C	C	C
Steam, hydro, or reciprocating engine with more than 10.05 KVA, but less than 150 kVA output	C	C	C	C
<b><u>RECREATION, CULTURAL &amp; ENTERTAINMENT</u></b>	<b>A</b>	<b>RR-5</b>	<b>RR-2.5</b>	<b>RR-1</b>
Dude Ranch; Family Vacation Ranch	C	-	-	-
Natural Open Space & Conservation Areas	P	P	P	P
Parks and Playgrounds, Public and Private, Less than one acre in size	C	P	P	P
Community & Recreations Centers	C	C	C	C
Pedestrian Pathways, Trails & Greenways	P	P	P	P
Community Gardens	-	C	C	C
Commercial Outdoor Recreation (amended 6/11)	C	-	-	-
<b><u>MISCELLANEOUS</u></b>	<b>A</b>	<b>RR-5</b>	<b>RR-2.5</b>	<b>RR-1</b>
Personal Wireless Telecommunication Facilities (Amended 4/01)	C	-	-	-
Public/private Utility Transmission Wires, Line, Pipes, and Poles	P	P	P	P

Public/Private Utility Buildings and Structures	C	C	C	C
Veterinary Offices	P	P	P	P
Governmental Uses and Facilities	C	C	C	C
Municipal Service Uses, Including City Utility Uses, Police and Fire Stations	C	C	C	C
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (1 - 249 Beds)	-	-	-	-
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (250 or more Beds)	-	-	-	-

## AFTER AMENDMENT

### 14.6 Codes And Symbols, Use Table 14.1

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

**Table 14.1 Use Regulations** Amended 04/02 by Ordinance 2002-05, 08/02 by Ordinance 2002-15, 02/09 by Ordinance 2008-44, 11/10 by Ordinance 2010-23, 06/11 by Ordinance 2011-18, 03/15 by Ordinance 2015-05

USE	A	RR-5	RR-2.5	RR-1
Accessory buildings & uses incidental to permitted ag uses (except for the keeping of animals). Said uses shall be kept a minimum of 100' from the				

property line on which the primary building fronts and 100' from any pre-existing dwelling. If these accessory buildings and uses have been kept prior to the construction of a residential dwelling on an adjoining parcel, said uses need not be kept 100' away from the new dwelling, but may be maintained. (Amended 2008,2009)	P	P	P	P
Accessory buildings and uses customarily incidental to permitted uses other than those listed above.	P	P	P	P
Accessory buildings and uses customarily incidental to conditional uses	C	C	C	C
Accessory buildings for the housing of animals customarily incidental to permitted ag uses, including pens, corrals and pastures for the keeping of animals. Such accessory buildings and uses shall not be allowed closer than 100' from any pre-existing residential dwelling on an adjoining parcel. If these accessory buildings and uses have been kept, prior to the construction of a residential dwelling, but may be maintained subject to the terms of any required conditional use permit. (Amended 2008, 2009)	P	C	C	C
Family Food Production and the Raising of Large, Medium, and Small Animals. The first large animal (fully grown) shall have 10,000 sq ft of open area, each additional large animal shall have an additional 2,000 sq ft of open area. <del>E</del> Each medium sized animal (fully grown) shall have <del>4</del> 1,000 sq ft of open area <u>not to exceed more than 6 medium animals per half acre.</u> <del>and e</del> Each small sized animal (fully grown) shall have <del>5</del> 100 sq ft of open area, <u>not to exceed more than six (6) small animals in any combination per half acre.</u> The area of stables, barns and pens accessible to regulate animals may count towards the open area requirements. No animal shall be kept, corralled, penned, or raised within 100' from any pre-existing residential dwelling located on an adjoining lot measured at the nearest corner. There is no setback requirement from neighboring residential dwellings if a C.U.P. has been issued prior to the start of construction of a residential dwelling on an adjoining lot measured at	P	P	P	C

the nearest corner.				
Class "A" Kennel (4-15 animals only). No animal shall be kept, penned, or raised within 100' from any preexisting residential dwelling located on an adjoining lot measured at the nearest corner and it must have 4,000 sq ft for each additional animal over 5.	C	C	C	C
Sportsman's Permit for 4-6 dogs. No dog shall be kept, penned, or raised within 100' of an adjoining residence or dwelling measured at the nearest corner.	C	C	C	C
Raising of Rabbits, Ducks, Chickens (hens only), or Turkeys with not more than six (6) such animals in any combination <u>per half acre. At least 100 square feet shall be provided for each small animal.</u>	P	P	P	P
Temporary buildings for uses incidental to construction work, including living quarters for guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work.	C	C	C	C
Mobile Homes for temporary living quarters and such other temporary uses found appropriately by the Planning Commission.	C	C	C	C
Agriculture, including grazing and pasturing of animals.	P	C	C	C
Agricultural Industry (Amended 2010)	C	C	C	-
Fruit/Vegetable Stand	P	C	C	C
Farm (Amendment 8/21/02, complete addition of term)	P	P	P	C
Accessory Farm Employee Housing. Each accessory farm employee housing unit must be located on a contiguous parcel that contains at least 10 acres or more for each such unit and which must have at least 10 additional acres if it is located on the same property as the primary residential dwelling. (Amended 8/21/02, complete addition of term)	C	C	C	C
Farms devoted to raising and marketing chickens, turkeys or other fowl or poultry, fish or frogs, mink,				

rabbits, including wholesale and retail sale (does not include family food production).	P	C	-	-
Forestry and forest industry, such as a saw mill, wood products, plants, or others	C	-	-	-
Apiary	P	C	C	C
Aviary	P	P	P	P
Public Stable, riding academy or riding ring, horse show barns or facilities	C	C	C	C
<b><u>RESIDENTIAL</u></b>	<b>A</b>	<b>RR-5</b>	<b>RR-2.5</b>	<b>RR-1</b>
Single-Family Dwellings Detached	P	P	P	P
Single-Family Attached Dwellings	P	P	P	P
Two-Family Dwellings	P	P	P	P
Twin Home Dwellings	-	C	C	C
Congregate Care Facility	-	-	C	C
Nursing Care Facility	C	C	C	C
Group Home, Small	C	C	C	C
Group Home, Large	C	C	-C	C-
Transitional Treatment Home, Small	C	C	C	C
Transitional Treatment Home, Large	C	C	C	C
Residential facilities for handicapped or elderly	P	P	P	P
Home Occupation	C	C	C	C
Household Pets, other than a sportsman permit	P	P	P	P
<b><u>INSTITUTIONAL</u></b>	<b>A</b>	<b>RR-5</b>	<b>RR-2.5</b>	<b>RR-1</b>
Adult Day Care Center	C	C	C	C
Child Day Care Center	C	C	C	C
Places of Worship (Amended 7/98)	-	-	C	C
Schools, professional and vocational	C	C	C	C

Kennel	P	C	C	C
Mine, Quarry, Gravel Pit, Rock Crusher, Concrete Batching Plant, or Asphalt Plant, Oil Wells or Steam Wells, Land Excavations	C	-	-	-
<b><u>POWER GENERATION</u></b> (Primary Power for on-site use)	<b>A</b>	<b>RR-5</b>	<b>RR-2.5</b>	<b>RR-1</b>
Solar	P	P	P	P
Wind driven under 5.9 KVA output	P	P	P	P
Auxiliary, temporary, and/or wind, with more than 6 KVA, but less than 150 KVA output	P	C	C	C
Steam, hydro, or reciprocating engine with more than 10.05 KVA, but less than 150 kVA output	C	C	C	C
<b><u>RECREATION, CULTURAL &amp; ENTERTAINMENT</u></b>	<b>A</b>	<b>RR-5</b>	<b>RR-2.5</b>	<b>RR-1</b>
Dude Ranch; Family Vacation Ranch	C	-	-	-
Natural Open Space & Conservation Areas	P	P	P	P
Parks and Playgrounds, Public and Private, Less than one acre in size	C	P	P	P
Community & Recreations Centers	C	C	C	C
Pedestrian Pathways, Trails & Greenways	P	P	P	P
Community Gardens	-	C	C	C
Commercial Outdoor Recreation (amended 6/11)	C	-	-	-
<b><u>MISCELLANEOUS</u></b>	<b>A</b>	<b>RR-5</b>	<b>RR-2.5</b>	<b>RR-1</b>
Personal Wireless Telecommunication Facilities (Amended 4/01)	C	-	-	-
Public/private Utility Transmission Wires, Line, Pipes, and Poles	P	P	P	P
Public/Private Utility Buildings and Structures	C	C	C	C

Veterinary Offices	P	P	P	P
Governmental Uses and Facilities	C	C	C	C
Municipal Service Uses, Including City Utility Uses, Police and Fire Stations	C	C	C	C
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (1 - 249 Beds)	-	-	-	-
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (250 or more Beds)	-	-	-	-

**SECTION 12:** **AMENDMENT** “15.7 Codes And Symbols And Use Table 15.1” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

#### BEFORE AMENDMENT

##### 15.7 Codes And Symbols And Use Table 15.1

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

**Table 15.1 Use Regulations**

C

USE	R-1-8	R-1-12	R-1-21	RM-7	RM-15
Accessory buildings and uses customarily incidental to permitted residential uses, when the residential	P	P	P	P	P



use has been previously established or is constructed simultaneously with the residential use.					
Accessory buildings and uses customarily incidental to permitted uses, when the residential use has not previously been established.	C	C	C	C	C
Accessory buildings and uses customarily incidental to conditional uses.	C	C	C	C	C
The tilling of the soil, the raising of crops, horticulture and home gardening.	P	P	P	P	P
Fruit/Vegetable Stand	-	C	C	-	C
<b>Farm</b>	<b>R-1-8</b>	<b>R-1-12</b>	<b>R-1-21</b>	<b>RM-7</b>	<b>RM-15</b>
<b>Accessory Farm Employee Housing.</b> Each accessory farm employee housing unit must be located on a contiguous parcel that contains at least 10 acres or more for each such unit and which must have at least 10 additional acres if it is located on the same property as the primary residential dwelling.	-	C	C	C	-
<b>Family Food Production and the Raising of Horses.</b> The first large animal (fully grown) shall have 10,000 sq ft of open area, each additional large animal shall have an additional 2,000 sq ft of open area; each medium sized animal (fully grown) shall have 4,000 sq ft of open area and each small sized animal (fully grown) shall have 500 sq ft of open area. The area of stables, barns and pens accessible to regulate animals may count towards the open area requirements. No animal shall be kept, corralled, penned, or raised within 100' from any pre-existing residential	-	C	C	C	-

dwelling located on an adjoining lot. measured at the nearest corner There is no setback requirement from neighboring residential dwellings if a C.U.P. has been issued prior to the start of construction of a residential dwelling on an adjoining lot.					
<b>Class "A" Kennel (4-15 animals only).</b> No animal shall be kept, penned, or raised within 100' from any pre-existing residential dwelling located on an lot measured at residence the nearest corner. Each animal shall have a minimum area of 1,000 sq. ft. and must have 4,000 sq ft for each additional animal over 5.	-	C	C	C	-
<b>Sportsman's Permit for 4-6 dogs.</b> No dog shall be kept, penned, or raised within 100' from any pre-existing residential dwelling located on an adjoining lot measured at the nearest corner. Each animal shall have a minimum area of 1,000 sq. ft..	-	C	C	C	C
<b>Raising of Rabbits, Ducks, Chickens (hens only), or Turkeys</b> with not more than six (6) such animals in any combination, provided that appropriate cages, pens, coops, houses, etc. shall be provided for when these animals are kept outdoors. (Amended 04/11, 02/13)	P	P	P	P	P
<b><u>RESIDENTIAL</u></b>	<b>R-1-8</b>	<b>R-1-12</b>	<b>R-1-21</b>	<b>RM-7</b>	<b>RM-15</b>
Single-Family Dwellings Detached	P	P	P	P	P
Single-Family Attached Dwellings	P	P	P	P	P
Two-Family Dwelling (Amended 5/97)	-	C	C	P	P
Twin Home Dwellings (Amended 5/97)	-	C	C	C	C
Multiple Family Dwellings	-	-	-	C	C

Congregate Care Facility	-	-	C	C	C
Nursing Care Facility	C	C	C	C	C
Group Home, Small	C	C	C	C	C
Group Home, Large	C	C	C	C C	
Transitional Treatment Home, Small	C	C	C	C	C
Mobile Home Parks	-	-	-	C	C
Mobile Home Subdivisions	C	C	C	C	C
Residential facilities for handicapped or elderly	P	P	P	P	P
<b>HOME OCCUPATION</b>	C	C	C	C	C
Household pets, other than Sportsman Permit	P	P	P	P	P
<b><u>INSTITUTIONAL</u></b>	<b>R-1-8</b>	<b>R-1-12</b>	<b>R-1-21</b>	<b>RM-7</b>	<b>RM-15</b>
Adult Day Care Center	-	-	C	C	P
Child Day Care Center (in a home, no more than 12 children at any one time with 1 provider and up to 16 with 2 providers, including those residing in the home with no more than 2 children under the age of two)	C	C	C	C	C
Commercial Day Care Center (not in a home) no more than 20 children at any one time	-	C	C	-	P
Child Day Care Facility (a commercial operation, not in a home, no more than 100 children at any one time)	-	-	C	-	P
Hospital	-	-	-	-	C
Medical or dental clinic	-	C	C	-	C
Places of Worship	C	C	C	C	C
Preschool (in a home, no more than 10 children from the ages of 4 to 6 years in age, including those residing in the					

home, with a maximum length of four hours for those who do not reside there)	C	C	C	C	C
Preschool (a commercial operation, not in a home, no more than 20 children from the ages of 4 to 6 years in age, at any one time, for a period not to exceed four hours)	-	-	C	-	C
Private educational institution having a curriculum similar to the public schools, grades K-12	C	C	C	C	C
Schools of higher education, community colleges, off campus facilities	-	-	C	-	C
Schools, professional and vocational	-	-	C	-	-
<b><u>POWER GENERATION</u></b>	<b>R-1-8</b>	<b>R-1-12</b>	<b>R-1-21</b>	<b>RM-7</b>	<b>RM-15</b>
Solar	P	P	P	P	P
<b><u>RECREATION, CULTURAL &amp; ENTERTAINMENT</u></b>					
Private Recreational Grounds and Facilities not open to the public, in which no admission charge is made	C	C	C	C	C
Natural Open Space Areas	P	P	P	P	P
Community & Recreation Centers	C	C	C	C	C
Parks and Playgrounds, Public and Private	P	P	P	P	P
Pedestrian Pathways, Trails & Greenways	P	P	P	P	P
Community Gardens	P	P	P	P	P
<b><u>MISCELLANEOUS</u></b>	<b>R-1-8</b>	<b>R-1-12</b>	<b>R-1-21</b>	<b>RM-7</b>	<b>RM-15</b>
Public/Private Utility Transmission Wires, Lines, Pipes and Poles	P	P	P	P	P
Public/Private Utility Buildings and	C	C	C	C	C

Structures					
Cemetery	C	C	C	C	C
Golf Course	C	C	C	C	C
Government Uses and Facilities	C	C	C	C	C
Municipal Service Uses, including City utility uses, Police and Fire Stations	C	C	C	C	C
Temporary Buildings for uses incidental to construction work, including living quarters for guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work	C	C	C	C	C
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (1 -249 beds)	-	-	-	-	-
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (250 or more beds)	-	-	-	-	-

*Amended 08/02 by Ord. 2002-15, 10/02 by Ord. 2002-20, 02/09 by Ord. 2008-43, 02/11 by Ord. 2010-27, 04/11 by Ord. 2011-14, 08/11 by Ord. 2011-26, 09/11 by Ord. 2011-30, 09/11 by Ord. 2011-31, 09/12 by Ord. 2012-16, 03/15 by Ord. 2015-05*

## AFTER AMENDMENT

### 15.7 Codes And Symbols And Use Table 15.1

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

### **Table 15.1 Use Regulations**

C

USE	R-1-8	R-1-12	R-1-21	RM-7	RM-15
Accessory buildings and uses customarily incidental to permitted residential uses, when the residential use has been previously established or is constructed simultaneously with the residential use.	P	P	P	P	P
Accessory buildings and uses customarily incidental to permitted uses, when the residential use has not previously been established.	C	C	C	C	C
Accessory buildings and uses customarily incidental to conditional uses.	C	C	C	C	C
The tilling of the soil, the raising of crops, horticulture and home gardening.	P	P	P	P	P
Fruit/Vegetable Stand	-	C	C	-	C
<b>Farm</b>	<b>R-1-8</b>	<b>R-1-12</b>	<b>R-1-21</b>	<b>RM-7</b>	<b>RM-15</b>
<b>Accessory Farm Employee Housing.</b> Each accessory farm employee housing unit must be located on a contiguous parcel that contains at least 10 acres or more for each such unit and which must have at least 10 additional acres if it is located on the same property as the primary residential dwelling.	-	C	C	C	-
<b>Family Food Production and the Raising of Horses.</b> The first large animal (fully grown) shall have 10,000 sq ft of open area, each additional large animal shall have an additional 2,000 sq ft of open area. <del>e</del> Each medium sized animal (fully grown) shall have <del>4</del> 1,000 sq ft of open area <del>and not to exceed more than 6 medium animals per half acre.</del> <del>e</del> Each small sized animal (fully grown) shall					

have <del>5</del> 100 sq ft of open area, <u>not to exceed more than six (6) small animals in any combination per half acre</u> . The area of stables, barns and pens accessible to regulate animals may count towards the open area requirements. No animal shall be kept, corralled, penned, or raised within 100' from any pre-existing residential dwelling located on an adjoining lot. measured at the nearest corner There is no setback requirement from neighboring residential dwellings if a C.U.P. has been issued prior to the start of construction of a residential dwelling on an adjoining lot.	-	C	C	C	-
<b>Class "A" Kennel (4-15 animals only).</b> No animal shall be kept, penned, or raised within 100' from any pre-existing residential dwelling located on an lot measured at residence the nearest corner. Each animal shall have a minimum area of 1,000 sq. ft. and must have 4,000 sq ft for each additional animal over 5.	-	C	C	C	-
<b>Sportsman's Permit for 4-6 dogs.</b> No dog shall be kept, penned, or raised within 100' from any pre-existing residential dwelling located on an adjoining lot measured at the nearest corner. Each animal shall have a minimum area of 1,000 sq. ft..	-	C	C	C	C
<b>Raising of Rabbits, Ducks, Chickens (hens only), or Turkeys</b> with not more than six (6) such animals in any combination, provided that appropriate cages, pens, coops, houses, etc. shall be provided for when these animals are kept outdoors. <u>At least 100 square feet shall be provided for each small animal.</u> (Amended 04/11, 02/13)	P	P	P	P	P

<b><u>RESIDENTIAL</u></b>	<b>R-1-8</b>	<b>R-1-12</b>	<b>R-1-21</b>	<b>RM-7</b>	<b>RM-15</b>
Single-Family Dwellings Detached	P	P	P	P	P
Single-Family Attached Dwellings	P	P	P	P	P
Two-Family Dwelling (Amended 5/97)	-	C	C	P	P
Twin Home Dwellings (Amended 5/97)	-	C	C	C	C
Multiple Family Dwellings	-	-	-	C	C
Congregate Care Facility	-	-	C	C	C
Nursing Care Facility	C	C	C	C	C
Group Home, Small	C	C	C	C	C
Group Home, Large	C	C	C	C C	
Transitional Treatment Home, Small	C	C	C	C	C
Mobile Home Parks	-	-	-	C	C
Mobile Home Subdivisions	C	C	C	C	C
Residential facilities for handicapped or elderly	P	P	P	P	P
<b>HOME OCCUPATION</b>	C	C	C	C	C
Household pets, other than Sportsman Permit	P	P	P	P	P
<b><u>INSTITUTIONAL</u></b>	<b>R-1-8</b>	<b>R-1-12</b>	<b>R-1-21</b>	<b>RM-7</b>	<b>RM-15</b>
Adult Day Care Center	-	-	C	C	P
Child Day Care Center (in a home, no more than 12 children at any one time with 1 provider and up to 16 with 2 providers, including those residing in the home with no more than 2 children under the age of two)	C	C	C	C	C
Commercial Day Care Center (not in a home) no more than 20 children at any one time	-	C	C	-	P
Child Day Care Facility (a commercial operation, not in a home, no more than 100 children at any one time)	-	-	C	-	P



Hospital	-	-	-	-	C
Medical or dental clinic	-	C	C	-	C
Places of Worship	C	C	C	C	C
Preschool (in a home, no more than 10 children from the ages of 4 to 6 years in age, including those residing in the home, with a maximum length of four hours for those who do not reside there)	C	C	C	C	C
Preschool (a commercial operation, not in a home, no more than 20 children from the ages of 4 to 6 years in age, at any one time, for a period not to exceed four hours)	-	-	C	-	C
Private educational institution having a curriculum similar to the public schools, grades K-12	C	C	C	C	C
Schools of higher education, community colleges, off campus facilities	-	-	C	-	C
Schools, professional and vocational	-	-	C	-	-
<b><u>POWER GENERATION</u></b>	<b>R-1-8</b>	<b>R-1-12</b>	<b>R-1-21</b>	<b>RM-7</b>	<b>RM-15</b>
Solar	P	P	P	P	P
<b><u>RECREATION, CULTURAL &amp; ENTERTAINMENT</u></b>					
Private Recreational Grounds and Facilities not open to the public, in which no admission charge is made	C	C	C	C	C
Natural Open Space Areas	P	P	P	P	P
Community & Recreation Centers	C	C	C	C	C
Parks and Playgrounds, Public and Private	P	P	P	P	P
Pedestrian Pathways, Trails & Greenways	P	P	P	P	P

Community Gardens	P	P	P	P	P
<b><u>MISCELLANEOUS</u></b>	<b>R-1-8</b>	<b>R-1-12</b>	<b>R-1-21</b>	<b>RM-7</b>	<b>RM-15</b>
Public/Private Utility Transmission Wires, Lines, Pipes and Poles	P	P	P	P	P
Public/Private Utility Buildings and Structures	C	C	C	C	C
Cemetery	C	C	C	C	C
Golf Course	C	C	C	C	C
Government Uses and Facilities	C	C	C	C	C
Municipal Service Uses, including City utility uses, Police and Fire Stations	C	C	C	C	C
Temporary Buildings for uses incidental to construction work, including living quarters for guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work	C	C	C	C	C
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (1 -249 beds)	-	-	-	-	-
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (250 or more beds)	-	-	-	-	-

*Amended 08/02 by Ord. 2002-15, 10/02 by Ord. 2002-20, 02/09 by Ord. 2008-43, 02/11 by Ord. 2010-27, 04/11 by Ord. 2011-14, 08/11 by Ord. 2011-26, 09/11 by Ord. 2011-30, 09/11 by Ord. 2011-31, 09/12 by Ord. 2012-16, 03/15 by Ord. 2015-05*

**SECTION 13:**            **AMENDMENT** “19a.1 Purpose And Intent” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

#### BEFORE AMENDMENT

19a.1 Purpose And Intent

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

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

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

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

## AFTER AMENDMENT

### 19a.1 Purpose And Intent

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

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

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

**SECTION 14:**        **AMENDMENT** “19a.2 Permitted Uses” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

19a.2 Permitted Uses

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

AFTER AMENDMENT

19a.2 Permitted Uses

(1) This district shall allow single family and townhome residential developments as permitted uses 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.

**SECTION 15:**        **ADOPTION** “19a.10 Maximum Building Coverage” of the Grantsville Land Use Ordinances is hereby *added* as follows:

BEFORE ADOPTION

19a.10 Maximum Building Coverage (Non-existent)

AFTER ADOPTION

19a.10 Maximum Building Coverage(*Added*)

Building coverage area for any lot in this District may not exceed 50%.

**SECTION 16:**        **AMENDMENT** “21.1.15 Open Space Requirements” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

### 21.1.15 Open Space Requirements

(1) Each subdivision or site plan shall provide a minimum of 10% of its total parcel acreage as open space. The open space shall be designated on the preliminary plan or site plan and recorded on the final plat. The minimum restricted open space shall comprise at least 10% of the total parcel acreage. The open space shall be held and maintained in a private protective trust. In limited cases such as the provision of a minimum of ten-acre public park the City Council at its discretion may, by finding of a beneficial public purpose, choose to accept the dedication of such parcels and improvements.

(2) Above-ground utility rights-of-way and small areas of impervious surface may be included within the protected open space but cannot be counted towards the 10% minimum area requirement except that historic structures and existing trails with public access may be counted. Areas greater than 10% of the total open space area that is covered with any impervious surface shall be excluded from the open space calculation.

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

(4) The open space shall be directly accessible to the largest practicable number of lots within the subdivision. The type of open space shall be taken into consideration when making the determination of direct accessibility. Open space parcels that are preserved as active agriculture or pasture land may have limited direct accessibility as the use requires restricted access, but it is expected that such uses shall be located along the sides of public streets or trails so that the open space will provide for the benefit and enjoyment of residents as it reserves the open rural atmosphere desired by the residents. Historic features or other unique natural features due to the nature of their location, characteristics and configuration may also limit direct accessibility but shall be showcased in such a way that it may provide for the benefit and enjoyment of residents as it preserves the open rural atmosphere desired by the residents. Non-adjoining lots shall be provided with safe, convenient access to the open space. Trails are encouraged in the subdivision to access both natural open space areas within the subdivision and those that may be located nearby. Just as with streets, trail connections for connectivity and access with future subdivisions and the City-wide trails system shall be considered.

(5) For developments which are not Planned Unit Developments, and the total aggregated development acreage is less than 20 acres, developers may pay in lieu of, or in a proportional combination with, the provision of 10% of the total parcel acreage as open space. The amount of the fee-in-lieu is determined by apply 10% of the predeveloped value of the total parcel acreage, as determined through a current owner provided appraisal by a certified real estate appraiser. The fees collected shall be used within 1 mile of the proposed development, or the nearest park to benefit the residents of the development.

(6) Land dedicated for use as a public park may be no smaller than ten acres and may not be located any closer than three quarters of a mile from another public park. The City Council may make exceptions to the minimum distance if walkability and other accessibility issues limit the residents of the proposed subdivision from safely or conveniently accessing the nearest public park. Requiring improvements that remove the accessibility barriers may be considered proportionally not exceeding the appraised value of the predeveloped value of the total parcel acreage as detailed in 21.1.15.5.

## AFTER AMENDMENT

### 21.1.15 Open Space Requirements

(1) Each subdivision or site plan shall provide a minimum of 10% of its total parcel acreage as open space. The open space shall be designated on the preliminary plan or site plan and recorded on the final plat. The minimum restricted open space shall comprise at least 10% of the total parcel acreage. The open space shall be held and maintained in a private protective trust. In limited cases such as the provision of a minimum of ten-acre public park the City Council at its discretion may, by finding of a beneficial public purpose, choose to accept the dedication of such parcels and improvements.

(2) Above-ground utility rights-of-way and small areas of impervious surface may be included within the protected open space but cannot be counted towards the 10% minimum area requirement except that historic structures and existing trails with public access may be counted. Areas greater than 10% of the total open space area that is covered with any impervious surface shall be excluded from the open space calculation.

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subdivisions and the City-wide trails system shall be considered.

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(6) Land dedicated for use as a public park may be no smaller than ten acres and may not be located any closer than three quarters of a mile from another public park. The City Council may make exceptions to the minimum distance if walkability and other accessibility issues limit the residents of the proposed subdivision from safely or conveniently accessing the nearest public park. Requiring improvements that remove the accessibility barriers may be considered proportionally not exceeding the appraised value of the predeveloped value of the total parcel acreage as detailed in 21.1.15.5.

**SECTION 17:**        **AMENDMENT** “21.6.2 Lots” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

#### BEFORE AMENDMENT

##### 21.6.2 Lots

- (1) No single lot may be divided by a municipal, or county boundary line.
- (2) A lot may not be divided by a street or another lot.
- (3) Side lot lines shall be at substantially right angles or radial to road lines.
- (4) All lots shall front on a publicly dedicated street or private roads approved by the planning commission.
- (5) Unless approved under the provisions of a planned unit development, all lots shall conform to area and dimensional minimum requirements of the existing zoning district.
- (6) If the development is located in an area served by or to be served by fire hydrants, the fire hydrants shall be installed and at operational pressure before construction on a structure proceeds beyond footings and foundation.

#### AFTER AMENDMENT

##### 21.6.2 Lots

- (1) No single lot may be divided by a municipal, or county boundary line.
- (2) A lot may not be divided by a street or another lot.
- (3) Side lot lines shall be at substantially right angles or radial to road lines.
- (4) All lots shall front on a publicly dedicated street or private roads approved by the planning commission.
- (5) ~~Unless approved under the provisions of a planned unit development, a~~ All lots shall conform to area and dimensional minimum requirements of the existing zoning district.
- (6) If the development is located in an area served by or to be served by fire hydrants, the fire hydrants shall be installed and at operational pressure before construction on a structure proceeds beyond footings and foundation.

**SECTION 18:**            **AMENDMENT** “4.16 Clear View Of Intersecting Streets” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

#### BEFORE AMENDMENT

##### 4.16 Clear View Of Intersecting Streets

A. For the purpose of providing adequate vision of vehicular and pedestrian traffic, a clear-view area shall be maintained at the intersection of every street, whether public or private street. The clear-view provisions are considered life-safety standards and shall supersede any conflicting provisions of this Code.

B. No provision of this section shall be constructed to allow the continuance of any nonconforming tree, shrub, plant or plant growth, fence wall, other screening material, or other obstruction which interferes with the safety of pedestrians or vehicle traffic.

C. No obstruction to view in excess of three feet (3') in height shall be placed on any corner lot within a triangular area formed by the street property lines and line connecting them at points thirty feet (30') from the intersection of the street lines. Within that clear-view area, the following shall apply:

1. Solid fences, walls, signs, sight obscuring vegetation, and/or other sight obscuring devices shall not exceed three (3') feet in height above the level of the curb.
2. Open style fences shall not exceed four (4') feet in height above the level of the curb and front yard sold fencing shall not exceed three feet (3') in height.
3. Tree trunks shall not be located within the clear-view area, however, tree canopies may extend into the clear view area if they are trimmed at least seven (7) feet above the elevation of the sidewalk and eleven (11) feet above the elevation of the street. It is



unlawful to allow any vegetation or other growth to black any traffic sign, traffic signal, street light, or other public safety device, regardless of whether it is located in a clear-view area or not.

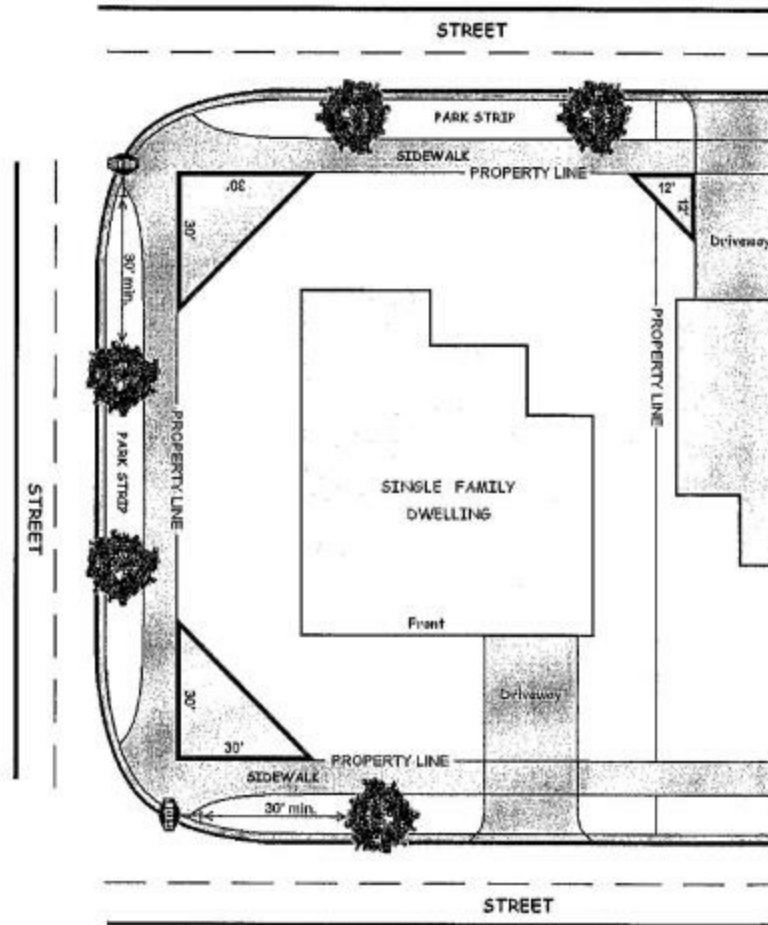
4. No sight shall be allowed in the clear-view area unless it is specifically permitted in this Title and it is determined by the City Engineer that it is not a safety hazard.
5. No obstruction of any sort which interferes with the safety of pedestrians or traffic shall be allowed within the clear view area unless it is specifically permitted by this Title and it is determined by the City Engineer that it is not a safety hazard.

D. The clear view area for the intersection of a driveway and a street shall have no obstruction to view in excess of three feet (3') in height and shall be placed at any automobile access way within the triangular area formed of points twelve feet (12') along the property line and twelve feet (12') along the driveway line. The driveway clear view fencing provisions may not be required on corner and double frontage lots for a secondary drive access that is gated, locked, and that accesses the rear yard, if it is determined by the City Engineer that the drive access is not a primary access.

E. Trees, shrubs that are located within the park strip must be thirty feet (30') from any traffic or street sign and must be pruned above the sidewalk seven feet (7') for pedestrian safety and above the road thirteen feet-six inches (13.6) for emergency and maintenance vehicles.

**APPROVED TREE LIST FOR  
PARK STRIPS**

- a. *Acer platanoides* 'Columnar' (Columnar Maple)
- b. *Celtis occidentalis* (Hackberry, Common, Prairie Pride, Chicagoland)
- c. *ECorylus collurna* (Turkish Hazel)
- d. *Fraxinus mandschurica* (Manchurian Ash)
- e. *Ginkgo biloba* (Maidenhair tree, any hybrid variety)
- f. *Quercus bicolor* (Swamp White Oak)
- g. *Tilia cordata* (Littleleaf Linden)



**AFTER AMENDMENT**

**4.16 Clear View Of Intersecting Streets**

A. For the purpose of providing adequate vision of vehicular and pedestrian traffic, a clear-view area shall be maintained at the intersection of every street, whether public or private street. The clear-view provisions are considered life-safety standards and shall supersede any conflicting provisions of this Code. This Code applies to residential streets with speeds 25 mph or less. All sight triangles and clear view areas shall comply with the latest edition of the Geometric Design of Highway and Streets "Greenbook" by the American Association of State Highway and Transportation Officials.

B. No provision of this section shall be constructed to allow the continuance of any nonconforming tree, shrub, plant or plant growth, fence wall, other screening material, or other obstruction which interferes with the safety of pedestrians or vehicle traffic.

C. No obstruction to view in excess of three feet (3') in height shall be placed on any corner lot within a triangular area formed by the street property lines and line connecting them at points thirty feet (30') from the intersection of the street lines. Within that clear-view area, the

following shall apply:

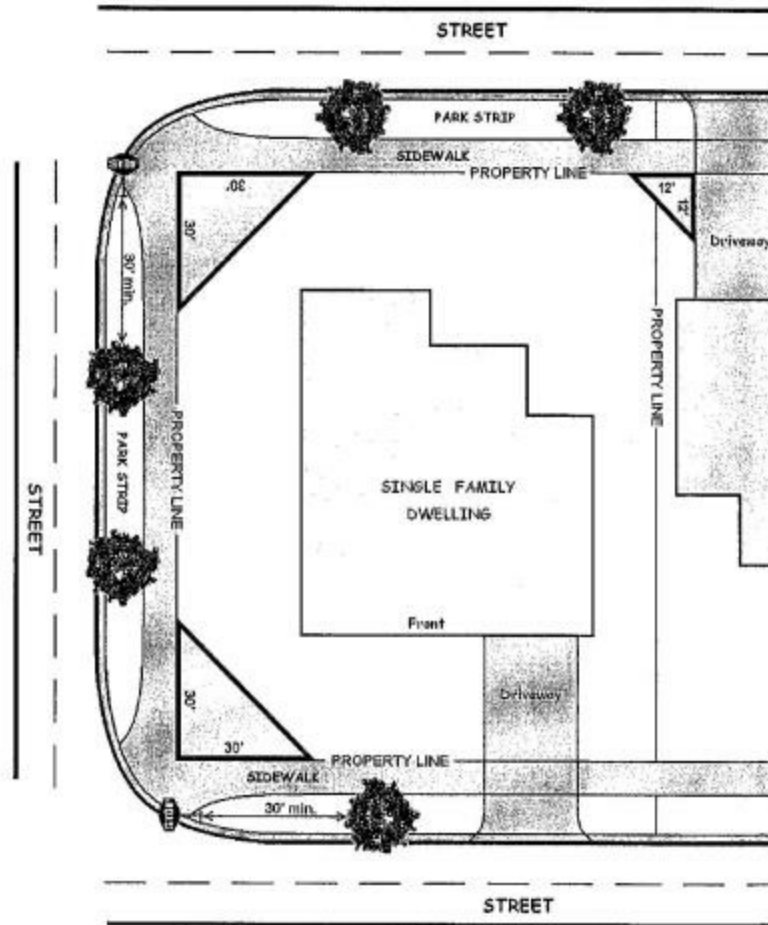
1. Solid fences, walls, signs, sight obscuring vegetation, and/or other sight obscuring devices shall not exceed three (3') feet in height above the level of the curb.
2. Open style fences shall not exceed four (4') feet in height above the level of the curb and front yard sold fencing shall not exceed three feet (3') in height.
3. Tree trunks shall not be located within the clear-view area, however, tree canopies may extend into the clear view area if they are trimmed at least seven (7) feet above the elevation of the sidewalk and eleven (11) feet above the elevation of the street. It is unlawful to allow any vegetation or other growth to block ~~black~~ any traffic sign, traffic signal, street light, or other public safety device, regardless of whether it is located in a clear-view area or not.
4. No ~~sight~~ sign shall be allowed in the clear-view area unless it is specifically permitted in this Title and it is determined by the City Engineer that it is not a safety hazard.
5. No obstruction of any sort which interferes with the safety of pedestrians or traffic shall be allowed within the clear view area unless it is specifically permitted by this Title and it is determined by the City Engineer that it is not a safety hazard.

D. The clear view area for the intersection of a driveway and a street shall have no obstruction to view in excess of three feet (3') in height and shall be placed at any automobile access way within the triangular area formed of points twelve feet (12') along the property line and twelve feet (12') along the driveway line. The driveway clear view fencing provisions may not be required on corner and double frontage lots for a secondary drive access that is gated, locked, and that accesses the rear yard, if it is determined by the City Engineer that the drive access is not a primary access.

E. Trees, shrubs that are located within the park strip must be thirty feet (30') from any traffic or street sign and must be pruned above the sidewalk seven feet (7') for pedestrian safety and above the road thirteen feet-six inches (13.6) for emergency and maintenance vehicles.

**APPROVED TREE LIST FOR  
PARK STRIPS**

- a. *Acer platanoides* 'Columnar' (Columnar Maple)
- b. *Celtis occidentalis* (Hackberry, Common, Prairie Pride, Chicagoland)
- c. *ECorylus collurna* (Turkish Hazel)
- d. *Fraxinus mandschurica* (Manchurian Ash)
- e. *Ginkgo biloba* (Maidenhair tree, any hybrid variety)
- f. *Quercus bicolor* (Swamp White Oak)
- g. *Tilia cordata* (Littleleaf Linden)



**SECTION 19:** **AMENDMENT** "16.2 Commercial Shopping District (C-S)" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

**BEFORE AMENDMENT**

**16.2 Commercial Shopping District (C-S)**

(1) The purpose of the C-S Commercial Shopping District is to provide an environment for efficient and attractive shopping center development at a community level scale. Development in the C-S Commercial Shopping District may be approved only as a planned development.

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

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

Minimum Yard Setback Requirements:

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

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

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

## AFTER AMENDMENT

### 16.2 Commercial Shopping District (C-S)

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

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

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

Minimum Yard Setback Requirements:

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

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

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

**SECTION 20:            AMENDMENT “16.4 Central Development District (C-D)”**  
of the Grantsville Land Use Ordinances is hereby *amended* as follows:

## BEFORE AMENDMENT

### 16.4 Central Development District (C-D)

(1) The purpose of the C-D Central Development District is to provide high intensity public, quasi-public, commercial, office, and multiple-family uses which may center in harmonious relationships based on planned development for mutual benefit. The district shall only allow those uses that are allowed in the R- M-30, R-M-7, C-N, C-S, C-G and M-D districts by conditional use.

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

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

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

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

Minimum Yard Setback Requirements: Front Yard and Corner Side Yard

.....by approval Interior Side Yard

.....by approval Rear Yard

.....by approval

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

Maximum Building Height.....by approval

## AFTER AMENDMENT

### 16.4 Central Development District (C-D)

(1) The purpose of the C-D Central Development District is to provide high intensity public, quasi-public, commercial, office, and multiple-family uses which may center in harmonious relationships based on planned development for mutual benefit. The district shall only allow those uses that are allowed in the R- M-30, R-M-7, C-N, C-S, C-G and M-D districts by conditional use.

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

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

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

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

Minimum Yard Setback Requirements: Front Yard and Corner Side Yard

.....by approval Interior Side Yard

.....by approval Rear Yard

.....by approval

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

Maximum Building Height.....by approval

**SECTION 21:            AMENDMENT “16.8 Codes And Symbols And Use Table 16.1” of the Grantsville Land Use Ordinances is hereby *amended* as follows:**

## BEFORE AMENDMENT

### 16.8 Codes And Symbols And Use Table 16.1

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

residential districts except as provided in this Code.

**Table 16.1 Use Regulations**

USE	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
<b><u>COMMERCIAL</u></b>							
Cabinet and Woodworking Mills	-	-	C	C	P	P	-
Bakery, Commercial	-	-	P	C	P	P	-
Blacksmith Shop	-	-	P	C	P	P	-
Carpet Cleaning	-	-	P	C	P	P	-
Commercial Laundries, Linen Service and Dry Cleaning	-	-	P	C	P	P	-
Convenience Store	C	P	P	C	P	P	-
Diaper Service	-	-	P	C	P	P	-
Gas Station (sales and/or minor repairs)	C	P	P	C	P	P	-
Greenhouse for Food and Plant Production	-	-	P	C	P	P	-
Heavy Equipment (Rental)	-	-	-	C	P	P	-
Heavy Equipment (Sales and Service)	-	-	-	C	P	P	-
Laboratory: Medical, Dental, Optical	-	-	P	C	-	-	-
Laboratory: Testing	-	C	P	C	P	P	-
Mini-warehouse	-	-	P	C	P	-	-
Motion Picture Studio	-	P	P	C	-	-	-
Photofinishing Lab	-	P	P	C	P	P	-
Plant and Garden Shop, including outdoor retail sales area	C	C	C	C	-	-	-
Precision Equipment Repair	-	-	P	C	P	P	-
Twin Commercial Units	C	C	C	C	C	C	-
Sign Painting/Fabrication	-	-	P	C	P	P	-
Welding Shop	-	-	P	C	P	P	-



Wholesale Distributors	-	-	P	C	P	P	-
Tobacco Specialty Store: This use is not permitted in any part of the proposed or existing building containing the use is located within 1,000 feet from (a) any school (public or private kindergarten, elementary, middle, charter, junior high, or high school), public park, public recreation facility, youth center, library, or church and (b) any other Tobacco Specialty Store. Distances shall be measured in a straight line, without regard to intervening structures or zoning districts, from a Tobacco Specialty Store structure to the property line of a school, public park, library, church, youth center, cultural activity, residential use, zoning district boundary, or other Tobacco Specialty Store.	-	C	C	C	P	P	-
<b><u>MANUFACTURING</u></b>	<b>C-N</b>	<b>C-S</b>	<b>C-G</b>	<b>C-D</b>	<b>M-D</b>	<b>M-G</b>	<b>MD-EX</b>
Chemical Manufacturing and Storage	-	-	-	-	-	C	-
Concrete Manufacturing	-	-	-	-	-	P	-
Drop-Forge Industry	-	C	C	-	C	P	-
Explosive Manufacturing and Storage	-	-	-	-	-	C	-
Flammable Liquids or Gases, Heating Fuel Distribution & Storage	-	-	-	-	-	P	-
Grain Elevator	-	-	-	-	-	P	-
Bottling Plant	-	-	-	C	P	P	-
Cabinet Making/Woodworking Mills	-	-	-	C	P	P	-
Heavy Manufacturing	-	-	-	-	-	P	-

Incinerator, Medical Waste/Hazardous Waste	-	-	-	-	-	C	-
Industrial Assembly	-	-	-	C	P	P	-
Light Manufacturing	-	-	-	C	P	P	-
Moving and Storage	-	-	-	C	P	P	-
Paint Manufacturing	-	-	-	-	-	P	-
Publishing Company	-	-	-	C	P	P	-
Railcar fabrication, repair and cleaning	-	-	-	-	-	C	C
Recycling Collection Station	-	-	-	C	P	P	-
Recycling Processing Center	-	-	-	C	C	P	-
Rock, Sand, and Gravel Storage and Distribution	-	-	-	-	-	C	C
Truck Freight Terminal	-	-	-	C	P	P	-
Sign Painting/Fabrication	-	-	-	C	P	P	-
Warehousing	-	-	-	C	P	P	-
<b><u>OFFICE AND RELATED USES</u></b>	<b>C-N</b>	<b>C-S</b>	<b>C-G</b>	<b>C-D</b>	<b>M-D</b>	<b>M-G</b>	<b>MD-EX</b>
Financial Institution, without drive through facilities	C	P	P	C	P	P	-
Financial Institution, with drive through facilities	-	P	P	C	P	P	-
Offices	C	P	P	C	P	P	-
Veterinary Offices, operating entirely within an enclosed building and keeping animals	-	-	P	C	P	-	-
<b><u>RETAIL SALES &amp; SERVICES</u></b>	<b>C-N</b>	<b>C-S</b>	<b>C-G</b>	<b>C-D</b>	<b>M-D</b>	<b>M-G</b>	<b>MD-EX</b>
Auction Sales	-	P	P	C	-	-	-
Automobile Repair, Major	-	P	P	C	P	-	-
Automobile Repair, Minor	C	P	P	C	P	-	-
Automobile Sales/Rental and Service	C	P	P	C	-	-	-

Boat/Recreational Vehicle Sales and Service	-	P	P	C	C	-	-
Car Wash	C	P	P	C	P	P	-
Convenience retail store	C	P	P	C	P	P	-
Department Stores	-	P	P	C	-	-	-
Equipment rental, indoor and outdoor	-	P	P	C	P	-	-
Furniture Repair Shop	-	P	P	C	P	P	-
Health and Fitness Facility	-	P	P	C	-	-	-
Large Truck Rental	-	-	P	C	P	P	-
Liquor Store	-	C	C	C	-	-	-
Manufactured Home Sales, Service, and Storage	-	-	P	C	P	-	-
Pawnshop	-	-	P	C	P	-	-
Restaurants, with drive through facilities	C	P	P	C	P	P	-
Restaurants, without drive through facilities	C	P	P	C	P	P	-
Retail Goods Establishments	C	P	P	C	-	-	-
Retail Services Establishments	C	P	P	C	P	P	-
Upholstery Shop	-	P	P	C	P	-	-
<b><u>RECREATIONAL, CULTURAL, AND ENTERTAINMENT</u></b>	<b>C-N</b>	<b>C-S</b>	<b>C-G</b>	<b>C-D</b>	<b>M-D</b>	<b>M-G</b>	<b>MD-EX</b>
Amusement Park	-	P	P	C	-	-	-
Art Gallery	C	P	P	C	-	-	-
Art Studio	C	P	P	C	-	-	-
Commercial Indoor Recreation	-	P	P	C	P	-	-
Commercial Outdoor Recreation	-	P	P	C	P	-	-
Commercial Video Arcade	-	C	C	C	-	-	-
Dance Studio	C	P	P	C	-	-	-
Live Performance Theaters	-	P	P	C	-	-	-

Miniature Golf	-	P	P	C	P	-	-
Movie Theaters	-	P	P	C	-	-	-
Private Club	-	C	C	C	P	-	-
Sexually Oriented Businesses (Amended 4/05)	-	-	-	-	C	-	-
Tavern/Lounge/Brew Pub; more than 5,000 sq. ft. in floor area	-	C	C	C	-	-	-
<b><u>RESIDENTIAL</u></b>	<b>C-N</b>	<b>C-S</b>	<b>C-G</b>	<b>C-D</b>	<b>M-D</b>	<b>M-G</b>	<b>MD- EX</b>
Dwelling Unit (Single Family)	C	C	C	C	C	C	-
Living Quarters for Caretaker or Security Guard	C	C	C	C	C	C	-
<b><u>INSTITUTIONAL</u></b>	<b>C-N</b>	<b>C-S</b>	<b>C-G</b>	<b>C-D</b>	<b>M-D</b>	<b>M-G</b>	<b>MD- EX</b>
Adult Day Care Center	C	P	P	C	P	P	-
Child Day Care Center or Pre- School (a commercial operation) Amended 9/2011	C	P	P	C	P	P	-
Government Facilities	C	P	P	C	P	P	-
Hospital	-	-	P	C	-	-	-
Medical or Dental Clinic	C	P	P	C	P	P	-
Museum	-	P	P	C	-	-	-
Music Conservatory	-	P	P	C	-	-	-
Places of Worship				C			
Schools, Professional and Vocational	C	P	P	C	P	P	-
Schools of higher education, community colleges, off campus facilities	-	-	-	C	C	C	-
<b><u>MISCELLANEOUS</u></b>	<b>C-N</b>	<b>C-S</b>	<b>C-G</b>	<b>C-D</b>	<b>M-D</b>	<b>M-G</b>	<b>MD- EX</b>
Accessory Uses, except those that							

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

Commercial Storage Units	-	C	C	C	C	C	-
Outdoor Storage	-	-	P	C	P	P	-
Poultry Farm or Processing Plant	-	-	-	-	-	P	-
Public/Private Utility Transmission Wires, Lines, Pipes, and Poles	C	P	P	C	P	P	-
Public/Private Utility Buildings and Structures	C	C	P	C	P	P	-
Radio, Television Station	-	C	P	C	P	P	-
Sewage Treatment Plant	-	-	-	C	C	C	-
Golf Course	-	C	C	C	C	C	-
Ambulance Services dispatching, staging, and maintenance conducted entirely within an enclosed building	-	P	P	C	P	P	-
Vehicle Auction Use	-	-	P	C	P	P	-
Governmental Uses and Facilities	C	C	C	C	C	C	-
Municipal Service Uses, including City Utility Uses, Police and Fire Stations	C	C	C	C	C	C	-
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (1 -249 beds)	-	-	-	-	C	C	C
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (250 or more beds)	-	-	-	-	-	-	-
<b><u>MINING AND EXCAVATION</u></b>	<b>C-N</b>	<b>C-S</b>	<b>C-G</b>	<b>C-D</b>	<b>M-D</b>	<b>M-G</b>	<b>MD-EX</b>
Accessory uses and buildings customarily incidental to conditional uses	-	-	-	-	-	-	C
Agriculture, grazing of animals, raising crops	-	-	-	-	-	-	P
Automobile and truck service station	-	-	-	-	-	-	C

Cast stone, cement, cinder, terra cotta, tile brick, synthetic cast stone, block, pumice stone, and gypsum products	-	-	-	-	-	-	C
Coffee Shop	-	-	-	-	-	-	C
Construction equipment and supply trailer, temporary	-	-	-	-	-	-	C
Construction field office, temporary	-	-	-	-	-	-	C
Convenience store with gasoline sales	-	-	-	-	-	-	C
<b>Gravel and sand excavation:</b>							
1. Commercial operations	-	-	-	-	-	-	C
2. Temporary project specific operations	-	-	-	-	-	-	C
Machine Shop	-	-	-	-	-	-	C
Mines	-	-	-	-	-	-	C
Quarries	-	-	-	-	-	-	C
Parking lot incidental to a use conducted on the premises	C	C	C	C	C	C	C
Parking lot not incidental to a use conducted on the premises	C	C	C	C	C	C	C
Pottery, plaster, incidental plaster, plaster of paris, ceramic, and clay	-	-	-	-	-	-	C
Power generation (electrical) for on-site use							
Solar under 50 kvas	P	P	P	C	P	P	P
Solar 50 kva and above	C	C	C	C	C	C	C
Fuel cells, steam, hydro, or reciprocating engine	C	C	C	C	C	C	C
Wind under 5.9 kva	-	-	-	-	-	-	P
Auxiliary, temporary, wind, with more than 6 kva but less than 10 kva output	-	-	-	-	-	-	P

Fuel cells, steam, hydro, or reciprocating engine with more than 10.5 kva, but less than 150 kva output	-	-	-	-	-	-	C
Steam, hydro, or reciprocating engine with more than 150 kva, but less than 150 kva output	-	-	-	-	-	-	C
Rock crusher/concrete batch plant	-	-	-	-	-	-	C
Truck and freighting operation	-	-	-	-	-	-	C
Truck and heavy equipment service station and repair facility	-	-	-	-	-	-	C
Truck wash	-	-	-	-	-	-	C

*Amended 06/02 by Ord. 2002-07, 10/02 by Ord. 2002-20, 10/03 by Ord. 2003-25, 03/05 by Ord. 2005-02, 03/05 by Ord. 2005-03, 06/06 by Ord. 2006-08, 04/07 by Ord. 2007-10, 09/10 by Ord. 2010-21, 09/10 by Ord. 2010-22, 11/10 by Ord. 2010-25, 02/11 by Ord. 2011-01, 02/11 by Ord. 2011-09, 02/11 by Ord. 2011-10, 09/11 by Ord. 2011-28, 09/11 by Ord. 2011-29, 09/11 by Ord. 2011-32, 08/12 by Ord. 2012-13, 03/15 by Ord. 2015-05, 07/16 by Ord. 2016-09*

## AFTER AMENDMENT

### 16.8 Codes And Symbols And Use Table 16.1

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

**Table 16.1 Use Regulations**

USE	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
<b><u>COMMERCIAL</u></b>							
Cabinet and Woodworking Mills	-	-	C	C	P	P	-



Bakery, Commercial	-	-	P	C	P	P	-
Blacksmith Shop	-	-	P	C	P	P	-
Carpet Cleaning	-	-	P	C	P	P	-
Commercial Laundries, Linen Service and Dry Cleaning	-	-	P	C	P	P	-
Convenience Store	C	P	P	C	P	P	-
Diaper Service	-	-	P	C	P	P	-
Gas Station (sales and/or minor repairs)	C	P	P	C	P	P	-
Greenhouse for Food and Plant Production	-	-	P	C	P	P	-
Heavy Equipment (Rental)	-	-	-	C	P	P	-
Heavy Equipment (Sales and Service)	-	-	-	C	P	P	-
Laboratory: Medical, Dental, Optical	-	-	P	C	-	-	-
Laboratory: Testing	-	C	P	C	P	P	-
Mini-warehouse	-	-	P	C	P	-	-
Motion Picture Studio	-	P	P	C	-	-	-
Photofinishing Lab	-	P	P	C	P	P	-
Plant and Garden Shop, including outdoor retail sales area	C	C	C	C	-	-	-
Precision Equipment Repair	-	-	P	C	P	P	-
Twin Commercial Units	C	C	C	C	C	C	-
Sign Painting/Fabrication	-	-	P	C	P	P	-
Welding Shop	-	-	P	C	P	P	-
Wholesale Distributors	-	-	P	C	P	P	-
Tobacco Specialty Store: This use is not permitted in any part of the proposed or existing building containing the use is located within 1,000 feet from (a) any school (public or private kindergarten, elementary, middle, charter, junior							

high, or high school), public park, public recreation facility, youth center, library, or church and (b) any other Tobacco Specialty Store. Distances shall be measured in a straight line, without regard to intervening structures or zoning districts, from a Tobacco Specialty Store structure to the property line of a school, public park, library, church, youth center, cultural activity, residential use, zoning district boundary, or other Tobacco Specialty Store.	-	C	C	C	P	P	-
<b><u>MANUFACTURING</u></b>	<b>C-N</b>	<b>C-S</b>	<b>C-G</b>	<b>C-D</b>	<b>M-D</b>	<b>M-G</b>	<b>MD-EX</b>
Chemical Manufacturing and Storage	-	-	-	-	-	C	-
Concrete Manufacturing	-	-	-	-	-	P	-
Drop-Forge Industry	-	C	C	-	C	P	-
Explosive Manufacturing and Storage	-	-	-	-	-	C	-
Flammable Liquids or Gases, Heating Fuel Distribution & Storage	-	-	-	-	-	P	-
Grain Elevator	-	-	-	-	-	P	-
Bottling Plant	-	-	-	C	P	P	-
Cabinet Making/Woodworking Mills	-	-	-	C	P	P	-
Heavy Manufacturing	-	-	-	-	-	P	-
Incinerator, Medical Waste/Hazardous Waste	-	-	-	-	-	C	-
Industrial Assembly	-	-	-	C	P	P	-
Light Manufacturing	-	-	-	C	P	P	-
Moving and Storage	-	-	-	C	P	P	-
Paint Manufacturing	-	-	-	-	-	P	-

Publishing Company	-	-	-	C	P	P	-
Railcar fabrication, repair and cleaning	-	-	-	-	-	C	C
Recycling Collection Station	-	-	-	C	P	P	-
Recycling Processing Center	-	-	-	C	C	P	-
Rock, Sand, and Gravel Storage and Distribution	-	-	-	-	-	C	C
Truck Freight Terminal	-	-	-	C	P	P	-
Sign Painting/Fabrication	-	-	-	C	P	P	-
Warehousing	-	-	-	C	P	P	-
<b><u>OFFICE AND RELATED USES</u></b>	<b>C-N</b>	<b>C-S</b>	<b>C-G</b>	<b>C-D</b>	<b>M-D</b>	<b>M-G</b>	<b>MD-EX</b>
Financial Institution, without drive through facilities	C	P	P	C	P	P	-
Financial Institution, with drive through facilities	-	P	P	C	P	P	-
Offices	C	P	P	C	P	P	-
Veterinary Offices, operating entirely within an enclosed building and keeping animals	-	-	P	C	P	-	-
<b><u>RETAIL SALES &amp; SERVICES</u></b>	<b>C-N</b>	<b>C-S</b>	<b>C-G</b>	<b>C-D</b>	<b>M-D</b>	<b>M-G</b>	<b>MD-EX</b>
Auction Sales	-	P	P	C	-	-	-
Automobile Repair, Major	-	P	P	C	P	-	-
Automobile Repair, Minor	C	P	P	C	P	-	-
Automobile Sales/Rental and Service	C	P	P	C	C-	-	-
Boat/Recreational Vehicle Sales and Service	-	P	P	C	C	-	-
Car Wash	C	P	P	C	P	P	-
Convenience retail store	C	P	P	C	P	P	-
Department Stores	-	P	P	C	-	-	-
Equipment rental, indoor and outdoor	-	P	P	C	P	-	-

Furniture Repair Shop	-	P	P	C	P	P	-
Health and Fitness Facility	-	P	P	C	-	-	-
Large Truck Rental	-	-	P	C	P	P	-
Liquor Store	-	C	C	C	-	-	-
Manufactured Home Sales, Service, and Storage	-	-	P	C	P	-	-
Pawnshop	-	-	P	C	P	-	-
Restaurants, with drive through facilities	C	P	P	C	P	P	-
Restaurants, without drive through facilities	C	P	P	C	P	P	-
Retail Goods Establishments	C	P	P	C	-	-	-
Retail Services Establishments	C	P	P	C	P	P	-
Upholstery Shop	-	P	P	C	P	-	-
<b><u>RECREATIONAL, CULTURAL, AND ENTERTAINMENT</u></b>	<b>C-N</b>	<b>C-S</b>	<b>C-G</b>	<b>C-D</b>	<b>M-D</b>	<b>M-G</b>	<b>MD- EX</b>
Amusement Park	-	P	P	C	-	-	-
Art Gallery	C	P	P	C	-	-	-
Art Studio	C	P	P	C	-	-	-
Commercial Indoor Recreation	-	P	P	C	P	-	-
Commercial Outdoor Recreation	-	P	P	C	P	-	-
Commercial Video Arcade	-	C	C	C	-	-	-
Dance Studio	C	P	P	C	-	-	-
Live Performance Theaters	-	P	P	C	-	-	-
Miniature Golf	-	P	P	C	P	-	-
Movie Theaters	-	P	P	C	-	-	-
Private Club	-	C	C	C	P	-	-
Sexually Oriented Businesses (Amended 4/05)	-	-	-	-	C	-	-
Tavern/Lounge/Brew Pub; more than 5,000 sq. ft. in floor area	-	C	C	C	-	-	-

<b><u>RESIDENTIAL</u></b>	<b>C-N</b>	<b>C-S</b>	<b>C-G</b>	<b>C-D</b>	<b>M-D</b>	<b>M-G</b>	<b>MD-EX</b>
Dwelling Unit (Single Family)	C	C	C	C	C	C	-
Living Quarters for Caretaker or Security Guard	C	C	C	C	C	C	-
<b><u>INSTITUTIONAL</u></b>	<b>C-N</b>	<b>C-S</b>	<b>C-G</b>	<b>C-D</b>	<b>M-D</b>	<b>M-G</b>	<b>MD-EX</b>
Adult Day Care Center	C	P	P	C	P	P	-
Child Day Care Center or Pre-School (a commercial operation) Amended 9/2011	C	P	P	C	P	P	-
Government Facilities	C	P	P	C	P	P	-
Hospital	-	-	P	C	-	-	-
Medical or Dental Clinic	C	P	P	C	P	P	-
Museum	-	P	P	C	-	-	-
Music Conservatory	-	P	P	C	-	-	-
Places of Worship				C			
Schools, Professional and Vocational	C	P	P	C	P	P	-
Schools of higher education, community colleges, off campus facilities	-	-	-	C	C	C	-
<b><u>MISCELLANEOUS</u></b>	<b>C-N</b>	<b>C-S</b>	<b>C-G</b>	<b>C-D</b>	<b>M-D</b>	<b>M-G</b>	<b>MD-EX</b>
Accessory Uses, except those that are otherwise specifically regulated in this Chapter, or elsewhere in this Code	C	P	P	C	P	P	-
Animal Pound (Amended 10/02)	-	-	-	-	-	P	-
Kennel (Amended 10/02)	C	C	-	C	C	C	-
Auditorium	-	P	P	C	-	-	-
Automobile Salvage & Recycling							

(Indoor)	-	-	-	C	P	P	-
Automobile Salvage & Recycling (Outdoor)	-	-	-	C	C	P	-
Boilerworks	-	-	-	-	-	P	-
Bus Line Terminals	-	-	P	C	P	P	-
Bus Line Yards and Repair Facilities	-	-	-	C	-	P	-
Commercial Parking Garage or Lot	C	C	C	C	C	C	C
Personal Wireless Telecommunication Facilities (Amended 4/02)	-	C	C	C	-	-	-
Communication Towers	-	P	P	C	P	P	-
Communication Towers, exceeding the maximum building height, but not higher than 80 feet	-	-	C	C	C	C	-
Contractor's Yard/Office (with outdoor storage)	-	-	P	C	P	P	-
Crop Production	-	-	P	C	P	P	-
Display Room; Wholesale	-	-	-	C	P	P	-
Farmer's Market	-	P	P	C	P	-	-
Flea Market (indoor)	-	P	P	C	P	-	-
Flea Market (outdoor)	-	P	P	C	P	-	-
Funeral Home	-	P	P	C	-	-	-
Hotel or Motel	-	P	P	C	-	-	-
Limousine Service	-	C	P	C	P	P	-
Outdoor Sales and Display	-	P	P	C	P	-	-
Commercial Storage Units	-	C	C	C	C	C	-
Outdoor Storage	-	-	P	C	P	P	-
Poultry Farm or Processing Plant	-	-	-	-	-	P	-
Public/Private Utility Transmission Wires, Lines, Pipes, and Poles	C	P	P	C	P	P	-

Public/Private Utility Buildings and Structures	C	C	P	C	P	P	-
Radio, Television Station	-	C	P	C	P	P	-
Sewage Treatment Plant	-	-	-	C	C	C	-
Golf Course	-	C	C	C	C	C	-
Ambulance Services dispatching, staging, and maintenance conducted entirely within an enclosed building	-	P	P	C	P	P	-
Vehicle Auction Use	-	-	P	C	P	P	-
Governmental Uses and Facilities	C	C	C	C	C	C	-
Municipal Service Uses, including City Utility Uses, Police and Fire Stations	C	C	C	C	C	C	-
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (1 -249 beds)	-	-	-	-	C	C	C
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (250 or more beds)	-	-	-	-	-	-	-
<b><u>MINING AND EXCAVATION</u></b>	<b>C-N</b>	<b>C-S</b>	<b>C-G</b>	<b>C-D</b>	<b>M-D</b>	<b>M-G</b>	<b>MD-EX</b>
Accessory uses and buildings customarily incidental to conditional uses	-	-	-	-	-	-	C
Agriculture, grazing of animals, raising crops	-	-	-	-	-	-	P
Automobile and truck service station	-	-	-	-	-	-	C
Cast stone, cement, cinder, terra cotta, tile brick, synthetic cast stone, block, pumice stone, and gypsum products	-	-	-	-	-	-	C
Coffee Shop	-	-	-	-	-	-	C
Construction equipment and supply trailer, temporary	-	-	-	-	-	-	C

Construction field office, temporary	-	-	-	-	-	-	C
Convenience store with gasoline sales	-	-	-	-	-	-	C
<b>Gravel and sand excavation:</b>							
1. Commercial operations	-	-	-	-	-	-	C
2. Temporary project specific operations	-	-	-	-	-	-	C
Machine Shop	-	-	-	-	-	-	C
Mines	-	-	-	-	-	-	C
Quarries	-	-	-	-	-	-	C
Parking lot incidental to a use conducted on the premises	C	C	C	C	C	C	C
Parking lot not incidental to a use conducted on the premises	C	C	C	C	C	C	C
Pottery, plaster, incidental plaster, plaster of paris, ceramic, and clay	-	-	-	-	-	-	C
Power generation (electrical) for on-site use							
Solar under 50 kvas	P	P	P	C	P	P	P
Solar 50 kva and above	C	C	C	C	C	C	C
Fuel cells, steam, hydro, or reciprocating engine	C	C	C	C	C	C	C
Wind under 5.9 kva	-	-	-	-	-	-	P
Auxiliary, temporary, wind, with more than 6 kva but less than 10 kva output	-	-	-	-	-	-	P
Fuel cells, steam, hydro, or reciprocating engine with more than 10.5 kva, but less than 150 kva output	-	-	-	-	-	-	C
Steam, hydro, or reciprocating engine with more than 150 kva, but less than 150 kva output	-	-	-	-	-	-	C
Rock crusher/concrete batch plant	-	-	-	-	-	-	C
Truck and freighting operation	-	-	-	-	-	-	C



Truck and heavy equipment service station and repair facility	-	-	-	-	-	-	C
Truck wash	-	-	-	-	-	-	C

*Amended 06/02 by Ord. 2002-07, 10/02 by Ord. 2002-20, 10/03 by Ord. 2003-25, 03/05 by Ord. 2005-02, 03/05 by Ord. 2005-03, 06/06 by Ord. 2006-08, 04/07 by Ord. 2007-10, 09/10 by Ord. 2010-21, 09/10 by Ord. 2010-22, 11/10 by Ord. 2010-25, 02/11 by Ord. 2011-01, 02/11 by Ord. 2011-09, 02/11 by Ord. 2011-10, 09/11 by Ord. 2011-28, 09/11 by Ord. 2011-29, 09/11 by Ord. 2011-32, 08/12 by Ord. 2012-13, 03/15 by Ord. 2015-05, 07/16 by Ord. 2016-09*

**SECTION 22:**            **AMENDMENT** “21.2.11 Determination Of Appropriate Process” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

## BEFORE AMENDMENT

### 21.2.11 Determination Of Appropriate Process

In recognition that not all land use actions are of the same magnitude and therefore may not require the same level of detail for consideration, Grantsville City has provided multiple application processes. For this purpose, the application processes have been organized as level with each level requiring greater detail and additional steps for consideration and approval. The applicant shall choose the application process that best fits their proposed land use action:

Development process Levels 1 through 4 are only applicable for use with single use residential development applications as defined in GLUDMC Chapter 2, Definitions, and shall meet all requirements of Utah Code Ann. 10-9a-604.1 (2023) and Utah Code Ann. 10-9a-604.2 (2023).

1. Level 1 - Single Lot Development: The purpose of this process is to convert an undeveloped parcel into a legal zoning lot. The applicant shall submit an application meeting the requirements for the Single Lot Development as described in Chapter 24 of the Grantsville Land Use Development and Management Code. The City staff is authorized by the City Council to approve the application.
2. Level 2 - Minor Subdivision: The purpose of this process is to divide property into up to 4 lots with all lots fronting an existing street containing the necessary utilities to serve the proposed lots. By utilizing this process, the applicant agrees to make the required improvements to bring the street frontage up to code and is not asking for any waivers or exceptions.
  - a. The applicant will not be required to complete improvements that are greater than the greatest level of improvements found on an adjacent parcel or lot unless:

- i. There is a compelling reason affecting the Health, Safety or Welfare of the public; or
  - ii. An adjacent property is currently in an application process which will increase the level of improvement to the street, or
  - iii. The City has a current project that is increasing the level of improvement to the street.
- b. Level 2: Minor Subdivisions shall not be required to provide open space or fee in lieu for open space but shall be assessed the applicable park impact fee with each building permit.
- c. The Application for a Level 2 Minor Subdivision shall include the information and documents found on the Minor Subdivision Checklist that is attached to the Minor Subdivision Application that shall be provided by the City upon request. The Minor Subdivision requirements found on the Minor Subdivisions Checklist and subsequent amendments to the checklist have been approved by the Grantsville City Council by resolution.
- d. If no street improvements are required beyond additional utility service laterals, the only engineered drawings required will be:
  - i. A record of survey, and
  - ii. A plat. Depicting the lots, together with individual metes and bounds legal descriptions for each lot, and the overall boundary description for the subdivision, and
  - iii. A site drawing showing the proposed locations of proposed utility service laterals and any required surface improvements, with finish grade elevations as appropriate and specifically referencing each of the appropriate City standard details that are necessary for the work.
- e. If upon review, the City staff finds:
  - i. That application to be complete, and
  - ii. Meets the intent of the General Plan, and
  - iii. Fully complies with the City zoning and land use ordinances, and
  - iv. The existing public infrastructure along with the proposed improvements are adequate to serve the project and protect the health, safety and welfare of the public.
- f. Then, the City staff is authorized by the City Council to approve the application.
- g. If the application is found deficient in meeting the requirements in clause 5 (a-d), the City staff shall inform the applicant of the discrepancies; and allows the applicant to choose to modify the application to bring the application into compliance, or to withdraw the application and submit a new application under the applicable level of process.
- h. If the applicant chooses to withdraw the application due to an incorrect fit with the requirements of the Level 2 Minor Subdivision and submit a new application under the appropriate process level, the fees paid for the original application shall be credited toward the new application fees.
- i. The Level 2 Minor Subdivision process may only be used once to divide a parcel. Subsequent applications to divide the property shall utilize the Level 3

or Level 4 process. If the lot to be divided is part of a platted subdivision, the subdivision amendment process found in Section 21.8 of this Chapter is the appropriate application.

- j. The Minor Subdivision property owner may construct the required utility service connections with each building permit unless the required improvements include extension of pavement, curb and gutter, and/or sidewalk along the frontage of the properties. Where surface improvements are required and in order to keep the surface improvements consistent, all improvements to the property frontages of each lot shall be completed by the property owners under the first building permit issued for any lot in the Minor Subdivision.
  - k. After approval, and in accordance with Utah State Code 19-9a-605(3)(a), documents shall be recorded in the County Recorder's office that divide property by a metes and bounds description with the required certificate of written approval from Grantsville City attached.
3. Level 3 - Subdivision 4 lots or less: The purpose of this process is to divide property into 4 lots or less where dedication of additional utilities or public improvements are required to serve the property. The applicant shall submit an application which meets the requirements for a final plat subdivision process as described in Section 21.2.8, 21.2.9 and 21.4.7 of this Chapter. A public hearing shall be held in a public Planning Commission meeting to fulfill the State requirements. Approval of the Level 3 application shall occur with Planning Commission.
- a. Level 3 Subdivisions of four lots or less shall not be required to provide physical open space or fee in lieu for open space but shall be assessed the applicable park impact fee with each building permit.
4. Level 4 - Subdivision 5 lots or greater: The purpose of this process is to divide property into 5 or more lots or any division of property that requires dedication of offsite utilities or public improvements. The applicant shall submit an application meeting the requirements for a preliminary plan as described in Section 21.2.7 and 21.4.5 of this Chapter. Once the Preliminary Application has been approved by the Planning Commission, the applicant can then move forward with submittal of an application for a Final Plat process as described in Section 21.2.8, 21.2.9 and 21.4.7 of this Chapter. The Final Plat shall be approved by the Planning Commission. The Applicant may be required to submit an application for a Planned Unit Development prior to submission of a Preliminary Application if the proposed project meets any of the criteria found in Section 21.5.
5. Level 5 - Subdivisions: The purpose of this process is to allow for the division of property as necessary for land uses other than those residential uses defined as single use residential development. These uses may include but are not limited to commercial, industrial, institutional, multifamily residential, residential projects with a mix of types of residential uses, and mixed use projects. The applicant shall submit an application which meets the requirements for a preliminary plan as described in Section 21.2.7 and 21.4.5 of this Chapter. Once the Preliminary Application has been approved by staff, Planning Commission and the City Council, in that order, the applicant can then move forward with submittal of an application for a final plat

process as described in Section 21.2.8, 21.2.9 and 21.4.7 of this Chapter. The Final Plat shall be considered for recommendation by the Planning Commission and approved by the City Council.

- a. Specific phases of a Level 5 Final Plat may qualify as, and be subject to Level 4 Final Plat requirements, if the specific phase application contains only residential uses that meet the definition of single use residential development as defined in GLUDMC Chapter 2 Definitions.

## AFTER AMENDMENT

### 21.2.11 Determination Of Appropriate Process

In recognition that not all land use actions are of the same magnitude and therefore may not require the same level of detail for consideration, Grantsville City has provided multiple application processes. For this purpose, the application processes have been organized as level with each level requiring greater detail and additional steps for consideration and approval. The applicant shall choose the application process that best fits their proposed land use action:

Development process Levels 1 through 4 are only applicable for use with single use residential development applications as defined in GLUDMC Chapter 2, Definitions, and shall meet all requirements of Utah Code Ann. 10-9a-604.1 (2023) and Utah Code Ann. 10-9a-604.2 (2023).

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  - a. The applicant will not be required to complete improvements that are greater than the greatest level of improvements found on an adjacent parcel or lot unless:
    - i. There is a compelling reason affecting the Health, Safety or Welfare of the public; or
    - ii. An adjacent property is currently in an application process which will increase the level of improvement to the street, or
    - iii. The City has a current project that is increasing the level of improvement to the street.
  - b. Level 2: Minor Subdivisions shall not be required to provide open space or fee in lieu for open space but shall be assessed the applicable park impact fee with each building permit.
  - c. The Application for a Level 2 Minor Subdivision shall include the information

and documents found on the Minor Subdivision Checklist that is attached to the Minor Subdivision Application that shall be provided by the City upon request. The Minor Subdivision requirements found on the Minor Subdivisions Checklist and subsequent amendments to the checklist have been approved by the Grantsville City Council by resolution.

- d. If no street improvements are required beyond additional utility service laterals, the only engineered drawings required will be:
  - i. A record of survey, and
  - ii. A plat. Depicting the lots, together with individual metes and bounds legal descriptions for each lot, and the overall boundary description for the subdivision, and
  - iii. A site drawing showing the proposed locations of proposed utility service laterals and any required surface improvements, with finish grade elevations as appropriate and specifically referencing each of the appropriate City standard details that are necessary for the work.
- e. If upon review, the City staff finds:
  - i. That application to be complete, and
  - ii. Meets the intent of the General Plan, and
  - iii. Fully complies with the City zoning and land use ordinances, and
  - iv. The existing public infrastructure along with the proposed improvements are adequate to serve the project and protect the health, safety and welfare of the public.
- f. Then, the City staff is authorized by the City Council to approve the application.
- g. If the application is found deficient in meeting the requirements in clause 5 (a-d), the City staff shall inform the applicant of the discrepancies; and allows the applicant to choose to modify the application to bring the application into compliance, or to withdraw the application and submit a new application under the applicable level of process.
- h. If the applicant chooses to withdraw the application due to an incorrect fit with the requirements of the Level 2 Minor Subdivision and submit a new application under the appropriate process level, the fees paid for the original application shall be credited toward the new application fees.
- i. The Level 2 Minor Subdivision process may only be used once to divide a parcel. Subsequent applications to divide the property shall utilize the Level 3 or Level 4 process. If the lot to be divided is part of a platted subdivision, the subdivision amendment process found in Section 21.8 of this Chapter is the appropriate application.
- j. The Minor Subdivision property owner may construct the required utility service connections with each building permit unless the required improvements include extension of pavement, curb and gutter, and/or sidewalk along the frontage of the properties. Where surface improvements are required and in order to keep the surface improvements consistent, all improvements to the property frontages of each lot shall be completed by the property owners under the first building permit issued for any lot in the Minor

Subdivision.

- k. After approval, and in accordance with Utah State Code 19-9a-605(3)(a), documents shall be recorded in the County Recorder's office that divide property by a metes and bounds description with the required certificate of written approval from Grantsville City attached.
3. Level 3 - Subdivision 4 lots or less: The purpose of this process is to divide property into 4 lots or less where dedication of additional utilities or public improvements are required to serve the property. The applicant shall submit an application which meets the requirements for a final plat subdivision process as described in Section 21.2.8, 21.2.9 and 21.4.7 of this Chapter. A public hearing shall be held in a public Planning Commission meeting to fulfill the State requirements. Approval of the Level 3 application shall occur with Planning Commission.
  - a. Level 3 Subdivisions of four lots or less shall not be required to provide physical open space or fee in lieu for open space but shall be assessed the applicable park impact fee with each building permit.
4. Level 4 - Subdivision 5 lots or greater: The purpose of this process is to divide property into 5 or more lots or any division of property that requires dedication of offsite utilities or public improvements. The applicant shall submit an application meeting the requirements for a preliminary plan as described in Section 21.2.7 and 21.4.5 of this Chapter. Once the Preliminary Application has been approved by the Planning Commission, the applicant can then move forward with submittal of an application for a Final Plat process as described in Section 21.2.8, 21.2.9 and 21.4.7 of this Chapter. The Final Plat shall be approved by the Planning Commission. ~~The Applicant may be required to submit an application for a Planned Unit Development prior to submission of a Preliminary Application if the proposed project meets any of the criteria found in Section 21.5.~~
5. Level 5 - Subdivisions: The purpose of this process is to allow for the division of property as necessary for land uses other than those residential uses defined as single use residential development. These uses may include but are not limited to commercial, industrial, institutional, multifamily residential, residential projects with a mix of types of residential uses, and mixed use projects. The applicant shall submit an application which meets the requirements for a preliminary plan as described in Section 21.2.7 and 21.4.5 of this Chapter. Once the Preliminary Application has been approved by staff, Planning Commission and the City Council, in that order, the applicant can then move forward with submittal of an application for a final plat process as described in Section 21.2.8, 21.2.9 and 21.4.7 of this Chapter. The Final Plat shall be considered for recommendation by the Planning Commission and approved by the City Council.
  - a. Specific phases of a Level 5 Final Plat may qualify as, and be subject to Level 4 Final Plat requirements, if the specific phase application contains only residential uses that meet the definition of single use residential development as defined in GLUDMC Chapter 2 Definitions.

**SECTION 23:**        **AMENDMENT** “Chapter 2 Definitions” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

## BEFORE AMENDMENT

### Chapter 2 Definitions

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

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

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

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

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

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

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

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

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

(8) ALLEY. A private access-way or thoroughfare minimum 26-feet in travel way width, which is privately owned and maintained and is designed to give secondary access to lots or abutting properties; or provide direct access to townhome garages an alley shall not be considered a street, for the purpose of this Ordinance. A segment of an alley shall serve no more than 12 units without a second connection to a public street. Primary access shall be provided by a standard Residential Street which the residence fronts. Any alley that is longer than 150 feet as measured from the face of curb on the perpendicular intersecting street to the alley, 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. If driveways are provided off alleyways the minimum driveway length shall be 25 feet. This 25 feet of driveway length does not include 30-inchwide mountable curb and gutter, modified Type F Curb APWA Detail 205.2, for a normal crown alley section or ribbon curb for a reverse crown alley section. Curb and gutter shall be painted red with "No Parking" signs on each end of alley and every 50 feet if a thru alley and "No Parking" sign on entrance to dead-end alley. Water meters shall not be located in alley driveway or concrete apron of alley and shall be clustered in landscaped, public utility easement on side of buildings.

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

(20) **AUTOMOBILE REPAIR FACILITY OR SERVICE STATION.** A place where gasoline or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for

sale to the public and repair services performed may include tube and tire repair, battery charging, storage of merchandise, and tune-up of automobiles, including major auto repair.

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

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

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

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

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

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

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

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

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

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

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

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

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

- (34) BILLBOARD. (see "Off-Premise Sign").
- (35) BLOCK. The land surrounded by streets or other rights-of-way, other than an alley, or land which is designated as a block on any recorded subdivision plat.
- (36) BOARDING HOUSE. A dwelling where, for compensation, meals are provided for a least 3 but not more than 15 persons.
- (37) BUILDABLE AREA. The portion of a lot remaining after required yards have been provided, except that land with an average grade exceeding 15 percent shall not be considered geotechnically buildable unless it is approved by conditional use permit.
- (38) BUILDING. Any structure used or intended to be used for the shelter or enclosure of persons, animals, or property.
- (39) BUILDING, ACCESSORY. A building which is subordinate to, and the use of which is incidental to that of the main building or use of the same lot.
- (40) BUILDING, HEIGHT OF. The vertical distance from the average natural grade surface at the foundation, to the highest point of the building roof or coping.
- (41) BUILDING OFFICIAL. The person designated or appointed as the Building Official for Grantsville City by the City Council.
- (42) CAMPGROUND. A public area designated by a public agency for camping, or a private area licensed by the City Council for camping.
- (43) CAMPING. A temporary establishment of living facilities such as tents or recreational coaches as regulated by this Code.
- (44) CANOPY (BUILDING). A rigid multi-sided structure that may or may not be illuminated by means of internal or external sources, covered with fabric, metal or other material and supported by a building at one or more points or extremities and by columns or posts embedded in the ground at other points or extremities. (compare "Marquee")
- (45) CANOPY (FREESTANDING). A rigid multi-sided structure that may or may not be illuminated by means of internal or external sources, covered with fabric, metal or other material and supported by columns or posts embedded in the ground.
- (46) CANOPY SIGN. A sign affixed or applied to the exterior facing surface or surfaces of a building or freestanding canopy.
- (47) CARPORT. A private garage not completely enclosed by walls or floors. For the purposes of this Code, a carport shall be subject to all the regulations prescribed for a private garage.
- (48) CELLAR. A room or rooms having more than 50 percent of the floor to ceiling height

under the average level of the adjoining ground.

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

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

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

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

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

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

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

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

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

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

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

(55) **CLINIC, DENTAL OR MEDICAL.** A building in which a group of dentists, physicians, and/or allied professionals in the healing arts are associated for the conduct of their professions.

The clinic may include a dental and/or medical laboratory and an apothecary, but it shall not include in-patient care or operating rooms for major surgery.

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

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

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

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

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

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

(61) CONDITIONAL USE. 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. Minimum driveway length shall be 25-feet and primary access shall be provided by a standard residential street which the residence fronts.

(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.

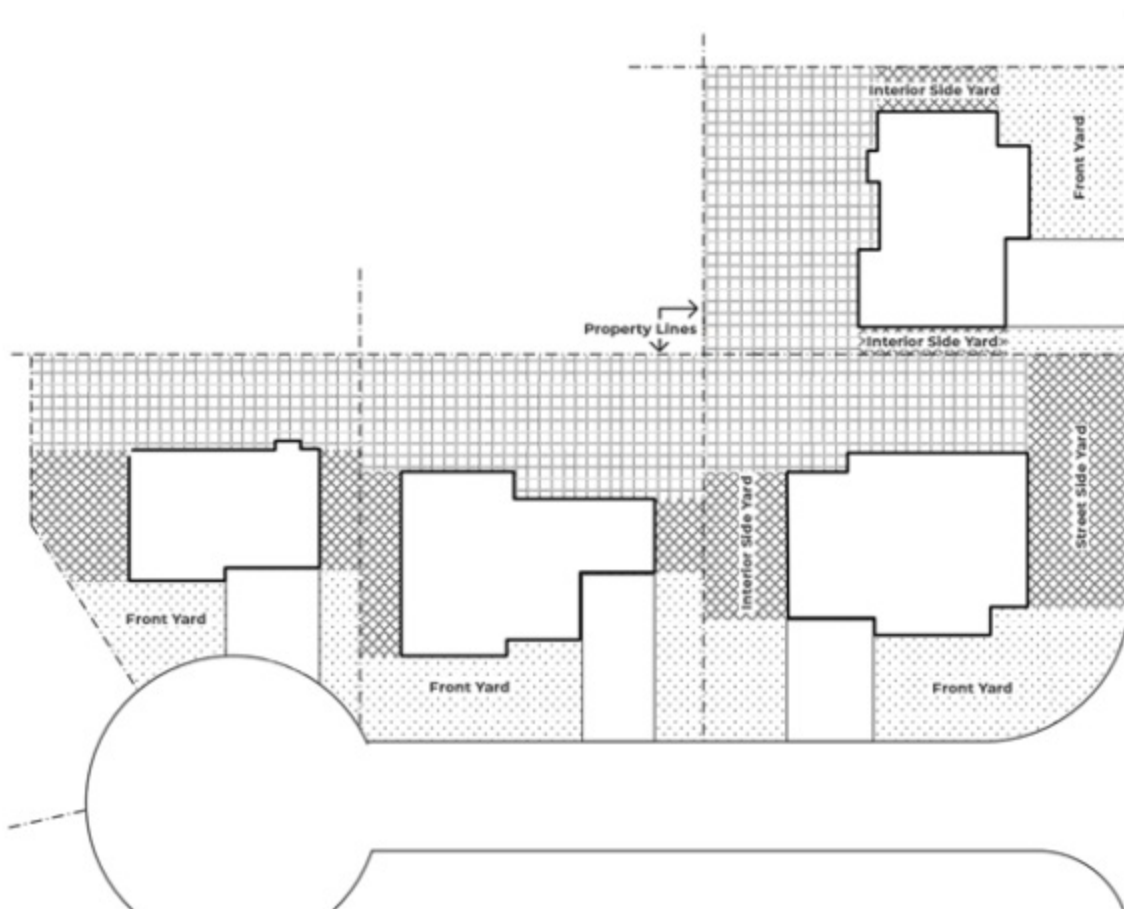
(121) FRONTAGE, BLOCK. All property fronting on one (1) side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end streets, or political subdivision boundary, measured along the street line. An intercepting street shall determine 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 . The front yard must front a public streetmain 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 interdisciplinary or generic care, treatment, or other services that are individually planned and coordinated to allow the person to function in, and contribute to a residential neighborhood.

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

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

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

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

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

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

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

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

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

(145) IMPERVIOUS SURFACE. Impervious surfaces are those that do not absorb precipitation (water) and thus cause ponding and/or runoff. All buildings, parking areas,

driveways, roads, sidewalks, and any areas in concrete and asphalt shall be considered impervious surfaces within this definition. In addition, other areas determined by the city engineer to be impervious within the meaning of this definition will also be classed as impervious surfaces.

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

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

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

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

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

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

(152) 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 devices, highly controlled testing, and small area accessory warehouses or storage facilities to accommodate the in-house manufactured items with their associated stocks of supplies area allowed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(196) MOBILE HOME PARK. A parcel of land that has been planned and improved for the

placement of mobile homes for non-transient use and consisting of two or more mobile home spaces, where the entire project is to be under single ownership or management and meets all of the requirements of this Code for mobile home parks.

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

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

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

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

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

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

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

(204) MUNICIPALITY. 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 legal entity. legal interest

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

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

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

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

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

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

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

(241) PREMISES. A parcel of land with its appurtenances and buildings which, because of its

unit of use, may be regarded as the smallest conveyable unit of real estate for that zoning district.

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

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

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

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

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

(247) PRIVATE LANE (Amended 5/97, 2/00, 9/07, 2/09, \_\_/25) A privately owned way or lane which affords the principal means of access to property. A private lane which serves up to two (2) dwelling units shall have a right of way width of not less than 36 feet with or without fire hydrants 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 26 feet wide with or without fire hydrants 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 sized appropriately per Grantsville City Storm Drainage requirements. Any private lane that is longer than 150 feet as measured from the face of curb on the perpendicular intersecting street to the private lane, 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.

(247a) Private Streets that serves more than two dwelling(2) units or any business activity shall have a right of way width of not less than 54 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 pavement need only be 32 feet wide with a slope or crown of 2 to 4%, street shall have a bituminous surface course and include a 30-inch wide mountable curb and gutter, modified Type F Curb APWA Detail 205.2. Any private street that is longer than 150 feet as measured from the face of curb on the perpendicular intersecting street, shall have a cul-de-sac, or hammerhead at the end thereof. not to exceed 750 feet in length 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. 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”. location and specifications for theCurb and gutter shall be painted red private with “No Parking” signs on each end of Private Street every 150 feet if a thru private street and “No Parking” sign on entrance to dead end private streets.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) RESIDENTIAL DRIVEWAY. A driveway providing vehicular access to property used for residential purposes. This includes driveways for single family detached/attached and two-family structures.

(264) RESIDENTIAL FACILITY FOR ELDERLY PERSONS. 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, remuneration, or sale.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(304a) STREET SIDE YARD. The permeable and visible (not impeded by a fence) area between the secondary street lot line and the side facing facade of the main building as illustrated in [Drawing 1 \(see definition for Front Yard\)](#).

(304 h) SLIP LANE. (Amended \_\_\_/24) A slip lane is a one-way lane which diverges from the main Arterial or Collector Street and allows vehicles to transition to a street running parallel to the arterial or Collector Street without requiring to stop or enter an intersection. The turnouts into the slip lanes must have a minimum 5:1 taper, refer to tables below for dimensions based on various design speeds. Slip lane turnout and mergers shall be a minimum of 300-feet from street intersections. Slip lanes typically have a 150-foot right-of-way, and are sloped at 2% from the street crown as shown in the slip lane street section below.

(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 division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

1. "Subdivision" includes:

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

and industrial purposes.

2. "Subdivision" does not include:

- a. A bona fide division or partition of agricultural land for the purposes of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance;
- b. A recorded document, executed by the owner of record;
- c. Revising the legal description of multiple parcels into a legal description encompassing all such parcels; or
- d. Joining a lot to a parcel.

3. A boundary line agreement recorded with the Tooele County Recorder between owners of adjoining subdivided properties adjusting the mutual lot line boundary in accordance with Utah Code Ann. Section 10-9a-524 (2021) and 10-9a-608 (2023), if:

- a. No new dwelling lot or housing unit will result from the adjustment; and
- b. The adjustment will not violate any applicable land use ordinance.
- c. A bona fide division of land by deed or other instrument if the deed or other instrument states in writing that the division;
  - i. Is in anticipation of future land use approvals on the parcel or parcels;
  - ii. Does not confer any land use approvals; and
  - iii. Has not been approved by the land use authority.
- d. A parcel boundary adjustment;
- e. A lot line adjustment;
- f. A road, street, or highway purpose; or
- g. Any other division or land authorized by law.

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

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

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

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



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

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

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

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

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

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

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

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

(319) UNINCORPORATED. 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.

(330) WATERWISE LANDSCAPE. Landscaping for water conservation with (1) No more than 35% of the total landscaped area planted in lawn, (2) Planting beds and landscape plants watered with a drip irrigation system, (3) Watering zones separate for lawn and landscape plants, (4) Back Flow Preventer required (5) and landscape plants should be waterwise, adapted to Grantsville's local climate, able to thrive on less water.

(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*

## AFTER AMENDMENT

### Chapter 2 Definitions

Unless the context requires otherwise, the following definitions shall be used in the interpretation and construction of this Code. Words used in the present tense shall include the future; the singular number shall include the plural, and the plural the singular; the word building shall include the word "structure;" the words "used" or "occupied" shall include

arranged, designed, constructed, altered, converted, rented, leased, or intended to be used or occupied; the word “shall” is mandatory and not directory, and the word may is permissive; the word “person” includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual; the word “lot” includes the words plot or parcel. Words used in this Code but not defined herein shall have the meaning as defined in any other ordinance adopted by Grantsville City.

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

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

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

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

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

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

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

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

(8) ALLEY. A private access-way or thoroughfare minimum 26-feet in travel way width, which is privately owned and maintained and is designed to give secondary access to lots or abutting properties; or provide direct access to townhome garages an alley shall not be

considered a street, for the purpose of this Ordinance. A segment of an alley shall serve no more than 12 units without a second connection to a public street. Primary access shall be provided by a standard Residential Street which the residence fronts. Any alley that is longer than 150 feet as measured from the face of curb on the perpendicular intersecting street to the alley, 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. If driveways are provided off alleyways the minimum driveway length shall be 25 feet. This 25 feet of driveway length does not include 30-inchwide mountable curb and gutter, modified Type F Curb APWA Detail 205.2, for a normal crown alley section or ribbon curb for a reverse crown alley section. Curb and gutter shall be painted red with "No Parking" signs on each end of alley and every 50 feet if a thru alley and "No Parking" sign on entrance to dead-end alley. Water meters shall not be located in alley driveway or concrete apron of alley and shall be clustered in landscaped, public utility easement on side of buildings.

(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 variable Message electronic Signs - Signs whose informational content can be changed or altered by means of computerized driven electronic impulses.

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

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

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

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

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

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

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

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

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

(57) COMMERCIAL STORAGE SHEDS. A facility that rents indoor storage spaces which

do not exceed 20 x 15 in size that are enclosed in a structure with one or more units, and/or outdoor storage space (RV storage, boat storage, etc.).

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

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

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

(61) CONDITIONAL USE. 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.~~

(74 a) Net Density and Developable Acreage: Net Density shall be determined by using the developable acreage of the entire proposed development. Developable acreage is land which is capable of being improved with landscaping or Dwelling Units. 1. Land allocated to or

containing the following purposes or features may not be considered developable acreage and shall be omitted from the total acreage used to determine density: a. Street rights of way (not including public utility easements situated entirely on individual lots); b. Public and private open space and buffers; c. Commercial uses; d. Detention/Retention Basins; e. Geological Hazards and/or related environmental protection zones; f. Slopes of 25% or greater; or g. Is otherwise restricted from being developed for landscaping or with Dwelling Units by contract or law.

(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. Minimum driveway length shall be 25-feet and primary access shall be provided by a standard residential street which the residence fronts.

(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. Minimum driveway length shall be 25-feet and primary access shall be provided by a standard residential street which the residence fronts.

(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 large, medium, and small animals for family food production, and horses, on adequately sized lots in appropriate locations. One rooster is allowed per parcel. a) At least 10,000 square feet shall be provided for the first large animal, (horse, cow, etc.) each additional large animal shall have an additional 2,000 sq ft of open area. b) At least 1,000 square feet shall be provided for each medium sized animal (pig, sheep, etc.) not to exceed more than 6 medium animals per half acre. c) At least 100 square feet shall be provided for each small animal (rabbits, poultry, etc.) not to exceed more than six (6) small animals in any combination per half acre. d) 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. ~~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

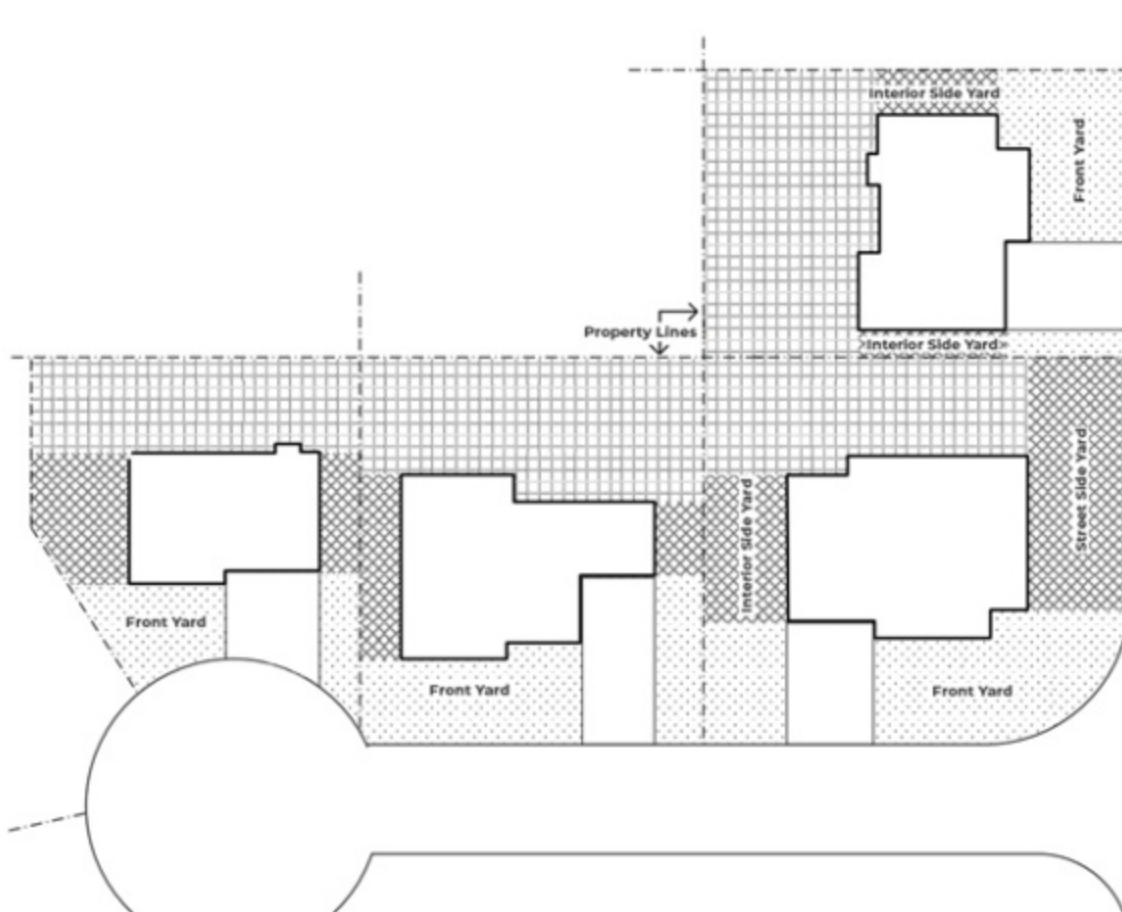


intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end streets, or political subdivision boundary, measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts, or 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 . The front yard must front a public streetmain 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 interdisciplinary or generic care, treatment, or other services that are individually planned and coordinated to allow the person to function in, and contribute to a residential neighborhood.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

which its operation is in violation of local, state and federal laws.

(152) 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 devices, highly controlled testing, and small area accessory warehouses or storage facilities to accommodate the in-house manufactured items with their associated stocks of supplies area allowed.

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

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

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

(168) LOT AREA. The area contained within the property lines of the individual parcels of land shown on a subdivision plat or required by this Code, excluding any area within an

existing street right-of-way, or any area required as open space under this Code, and including the area of any easements.

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

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

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

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

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

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

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

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

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

(177.1) LOT LINE ADJUSTMENT. The relocation of the property boundary line in a subdivision between two adjoining lots with the 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 than 15 percent.

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

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

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

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

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

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

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

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



- (191) MARKET ANALYSIS. An economic analysis of the feasibility of a project.
- (192) MARQUEE. A permanent roof-like structure or canopy of rigid materials supported by and extending from the facade of a building. (compare "Awning")
- (193) MARQUEE SIGN. Any sign attached to or supported by a marquee structure.
- (194) MOBILE HOME. A transportable factory built housing unit built prior to June 15, 1976, in accordance with a state mobile home code which existed prior to Federal Manufacturing Housing and Safety Standards Act (HUD Code).
- (195) MOBILE HOME LOT. A space designed and approved by Grantsville City for occupancy by mobile homes, and meeting all requirements of this Code.
- (196) MOBILE HOME PARK. A parcel of land that has been planned and improved for the placement of mobile homes for non-transient use and consisting of two or more mobile home spaces, where the entire project is to be under single ownership or management and meets all of the requirements of this Code for mobile home parks.
- (197) MOBILE HOME SERVICE EQUIPMENT. That equipment containing the disconnecting means, over current protective devices, and receptacles or other means for connecting a mobile home feeder assembly.
- (198) MOBILE HOME SPACE. A space within a mobile home park designed and to be used for the accommodation of mobile home.
- (199) MOBILE HOME STAND. That part of the mobile home space which has been reserved for the placement of the mobile home and its appurtenant structures or additions.
- (200) MOBILE HOME SUBDIVISION. A subdivision designed and intended for residential use where the lots are to be individually owned or leased, and occupied by mobile homes.
- (201) MODULAR UNIT. A structure built from sections which are manufactured in accordance with the construction standards adopted pursuant to Section 58-56-4 of the Utah Code and transported to a building site, the purpose of which is for human habitation, occupancy, or use.
- (202) MONUMENT SIGN. (see "Low Profile Sign").
- (203) MOTEL. A building or group of buildings for the accommodation of transient guests, comprising individual sleeping or living units, and designed and located to serve the motoring public.
- (204) MUNICIPALITY. 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.

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

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

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

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

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

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

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

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

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

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

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

(227) PARKING FACILITY (PARKING LOTS, PARKING STRUCTURES). A building or open area, other than a street, used for the parking of more than 4 automobiles and available

for public use, whether free, for compensation, or accommodation for clients or customers.

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

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

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

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

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

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

(234) PERSON. An individual, corporation, partnership, organization, association, trust, governmental agency, or any other legal entity. legal interest

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

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

(236.1) PLAT. An instrument subdividing property into lots as depicted on a map or other graphical representation of lands that a licensed professional land surveyor makes and prepares

in accordance with Utah Code Ann. Section 10-9a-603 (2023), and Section 57-8-13 (2003).

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

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

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

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

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

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

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

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

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

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

(247) PRIVATE LANE (Amended 5/97, 2/00, 9/07, 2/09, \_\_/25) A privately owned way or lane which affords the principal means of access to property. A private lane which serves up to two (2) dwelling units shall have a right of way width of not less than 36 feet with or without fire hydrants 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 26 feet wide with or without fire hydrants 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 sized appropriately per Grantsville City Storm Drainage requirements. Any private lane that is longer than 150 feet as measured from the face of curb on the perpendicular intersecting street to the private lane, 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.

(247a) Private Streets that serves more than two dwelling(2) units or any business activity shall have a right of way width of not less than 54 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 pavement need only be 32 feet wide with a slope or crown of 2 to 4%, street shall have a bituminous surface course and include a 30-inch wide mountable curb and gutter, modified Type F Curb APWA Detail 205.2. Any private street that is longer than 150 feet as measured from the face of curb on the perpendicular intersecting street, shall have a cul-de-sac, or hammerhead at the end thereof. not to exceed 750 feet in length 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. 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". location and specifications for the Curb and gutter shall be painted red private with "No Parking" signs on each end of Private Street every 150 feet if a thru private street and "No Parking" sign on entrance to dead end private streets. 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) RESIDENTIAL DRIVEWAY. A driveway providing vehicular access to property used for residential purposes. This includes driveways for single family detached/attached and two-family structures.

(264) RESIDENTIAL FACILITY FOR ELDERLY PERSONS. 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, remuneration, or sale.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(304a) STREET SIDE YARD. The permeable and visible (not impeded by a fence) area between the secondary street lot line and the side facing facade of the main building as illustrated in [Drawing 1 \(see definition for Front Yard\)](#).

(304 h) SLIP LANE. (Amended \_\_\_/24) A slip lane is a one-way lane which diverges from the main Arterial or Collector Street and allows vehicles to transition to a street running parallel to the arterial or Collector Street without requiring to stop or enter an intersection. The turnouts into the slip lanes must have a minimum 5:1 taper, refer to tables below for dimensions based on various design speeds. Slip lane turnout and mergers shall be a minimum of 300-feet from street intersections. Slip lanes typically have a 150-foot right-of-way, and are sloped at 2% from the street crown as shown in the slip lane street section below.

(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 division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

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

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

(309) SUBDIVISION IDENTIFICATION SIGN. A freestanding or wall sign identifying a

recognized subdivision, condominium complex, or residential development.

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

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

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

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

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

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

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

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

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

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

(319) UNINCORPORATED. 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.

(330) WATERWISE LANDSCAPE. Landscaping for water conservation with (1) No more than 35% of the total landscaped area planted in lawn, (2) Planting beds and landscape plants watered with a drip irrigation system, (3) Watering zones separate for lawn and landscape plants, (4) Back Flow Preventer required (5) and landscape plants should be waterwise, adapted to Grantsville's local climate, able to thrive on less water.

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

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

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

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

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

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

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

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

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



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

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

**SECTION 24:**        **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**SECTION 25:**        **EFFECTIVE DATE** This Ordinance shall be in full force and effect immediately upon its passage and approval as provided by law.

PASSED AND ADOPTED BY THE GRANTSVILLE COUNCIL

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Heidi Hammond	_____	_____	_____	_____
Jolene Jenkins	_____	_____	_____	_____
Jeff Williams	_____	_____	_____	_____
Rhett Butler	_____	_____	_____	_____
Jacob Thomas	_____	_____	_____	_____

Presiding Officer

Attest

\_\_\_\_\_  
Neil Critchlow, Mayor, Grantsville

\_\_\_\_\_  
Braydee Baugh, City Recorder,  
Grantsville

# **Agenda Item # 7**

Consideration of Ordinance 2025-26  
approving the President's Park  
Townhome PUD Amendment



**GRANTSVILLE CITY  
ORDINANCE NO. 2025-26**

**AN ORDINANCE OF GRANTSVILLE CITY APPROVING THE PRESIDENT'S PARK  
TOWNHOME PUD AMENDMENT**

Be it enacted and ordained by the City Council of Grantsville City, Utah as follows:

**WHEREAS**, the City Council of Grantsville City, Utah, has authority under Utah law and local ordinances to approve amendments to Planned Unit Developments (PUDs); and

**WHEREAS**, the applicants, Colton Bryan and Travis Taylor, submitted an application to amend the President's Park Planned Unit Development, located at or near Washington Avenue and Nygreen Street, identified as Parcel No. 01-075-0-0044; and

**WHEREAS**, the proposed amendment would increase the number of residential units from 298 to 382 while maintaining the 10-acre park area within the development; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing on February 6, 2025, and subsequently considered the request in a public meeting held on March 20, 2025; and

**WHEREAS**, after discussion and deliberation, the Planning Commission voted to recommend denial of the proposed amendment due to concerns regarding density, parking, utility capacity, and conformance with applicable land use standards and safety requirements; and

**WHEREAS**, the City Council has reviewed the Planning Commission's recommendation, the staff report, the application materials, and all public input, and has determined that approval of the amendment is in the best interest of the City and consistent with the legislative discretion of the Council; and

**WHEREAS**, the City Council finds that the proposed amendment, subject to applicable conditions and further development approvals, meets the general intent of the General Plan and the purposes of the Grantsville Land Use and Development Management Code.

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

**Section 1. Approval:** The amendment to the President's Park PUD, as proposed by Colton Bryan and Travis Taylor and as further described in the staff report attached hereto as Exhibit A, is hereby approved.

**Section 2. Effective Date:** This Ordinance shall take effect immediately upon its passage and approval as provided by law.

**Section 3. Severability clause:** If any part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all provisions, clauses and words of this Ordinance shall be severable.

ADOPTED AND PASSED BY THE CITY COUNCIL OF GRANTSVILLE CITY, THIS  
9th DAY OF July, 2025.

BY THE ORDER OF THE GRANTSVILLE CITY COUNCIL:

\_\_\_\_\_  
By Mayor Neil Critchlow

ATTEST

\_\_\_\_\_  
Braydee Baugh, City Recorder

Approved as to Form:

\_\_\_\_\_  
Tysen J. Barker, Grantsville City Attorney

# Exhibit “A”

Staff Report Summary for Presidents Park PUD Amendment



## 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](https://www.grantsvilleut.gov/departments/community_economic_development/planning_commission.php)

Or by emailing [pzcommission@grantsvilleut.gov](mailto: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:** 02-20-2025

**Public Hearing Date:** 02-06-2025

**Current Zone:** R-1-21

**Proposed Density:** 10.8

**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:** 382
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. **Park Space:** A 10-acre park is apart of the current approved PUD.
6. **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 Town homes.
7. **Community Benefits:**
  - a. Reduced housing costs.

## **7. Items to Consider:**

- a. Site Triangle
- b. Parking.
- c. Park Build out.

### **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>

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## Presidents Park town home sewer bullet points

1 message

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**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.

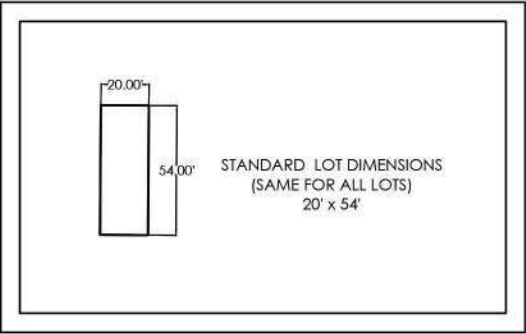
1. Existing lateral lines may not line up.
2. Rouge sewer laterals throughout the project.
3. New sewer system should not consist of nose ons and repair bands. (Nose ons are drilled holes with boots into the sewer main. Repair bands are rubber boots where two cut pipes are banded together).
4. All misaligned 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 variance 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						

First proposal with 20 foot wide townhomes.



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

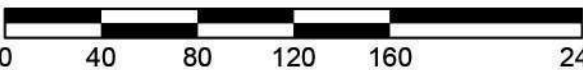
Total Required Stalls: 220

Parking Provided:

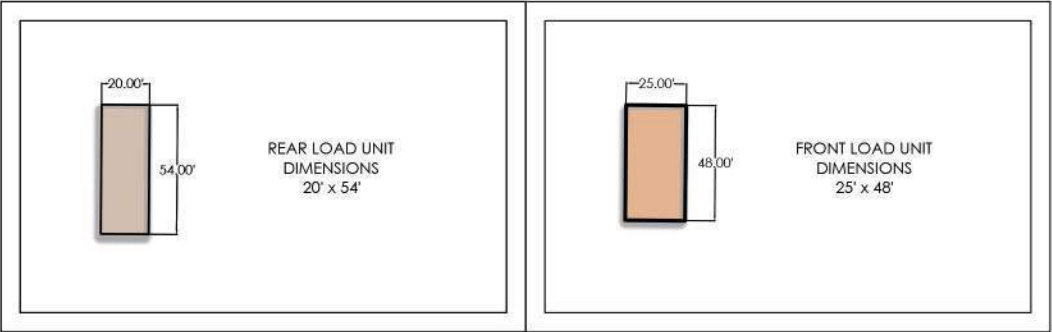
Garages:	172
Driveways:	172
Street Stalls:	48
Total Stalls:	392

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

SCALE: 1" = 80'







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	94,220 SF	23.9 %

Unit Count

Units Proposed: 84  
Proposed Density: 10.8 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.

84 Units x 2 Stalls per Unit = 168 Stalls

10 Units x 1.0 Stalls per Unit = 10 Visitor Stalls

74 Units x 0.5 Stalls per Unit = 37 Visitor Stalls

Subtotal = 47 Visitor Stalls

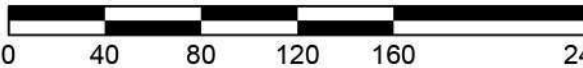
Total Required Stalls: 215

Parking Provided:

Garages:	168
Driveways:	168
Street Stalls:	38
Total Stalls:	374

374 Stalls Provided / 84 Units Proposed = 4.45 Stalls / Unit

SCALE: 1" = 80'







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

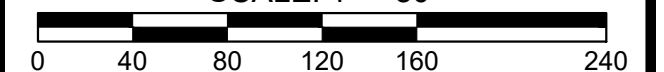
(221) Open Space, Usable -

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 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.

 Designated Open Space

SCALE: 1" = 80'



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

ANDERSON FARMS

ANDERSON RANCH

WASHINGTON STREET

MIXED USE

SCHOOL OR 20 SINGLE FAMILY LOTS

PRESIDENTS PARK TOWN HOUSES

## PRESIDENTS PARK (A PLANNED UNIT DEVELOPMENT):

PREPARED 4/20/2020

FACTS	200 ACRES
• 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)	238
• 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	14.46 ACRES
• ROADWAY TREE GREENWAY	37.42 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

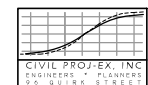
JANE R BROWN - TRUSTEE

PRESIDENTS PARK

GRANTSVILLE SOIL CONSERVATION DISTRICT PROPERTY



SCALE: 1" = 100'



V-001

GRANTSVILLE ESTATES

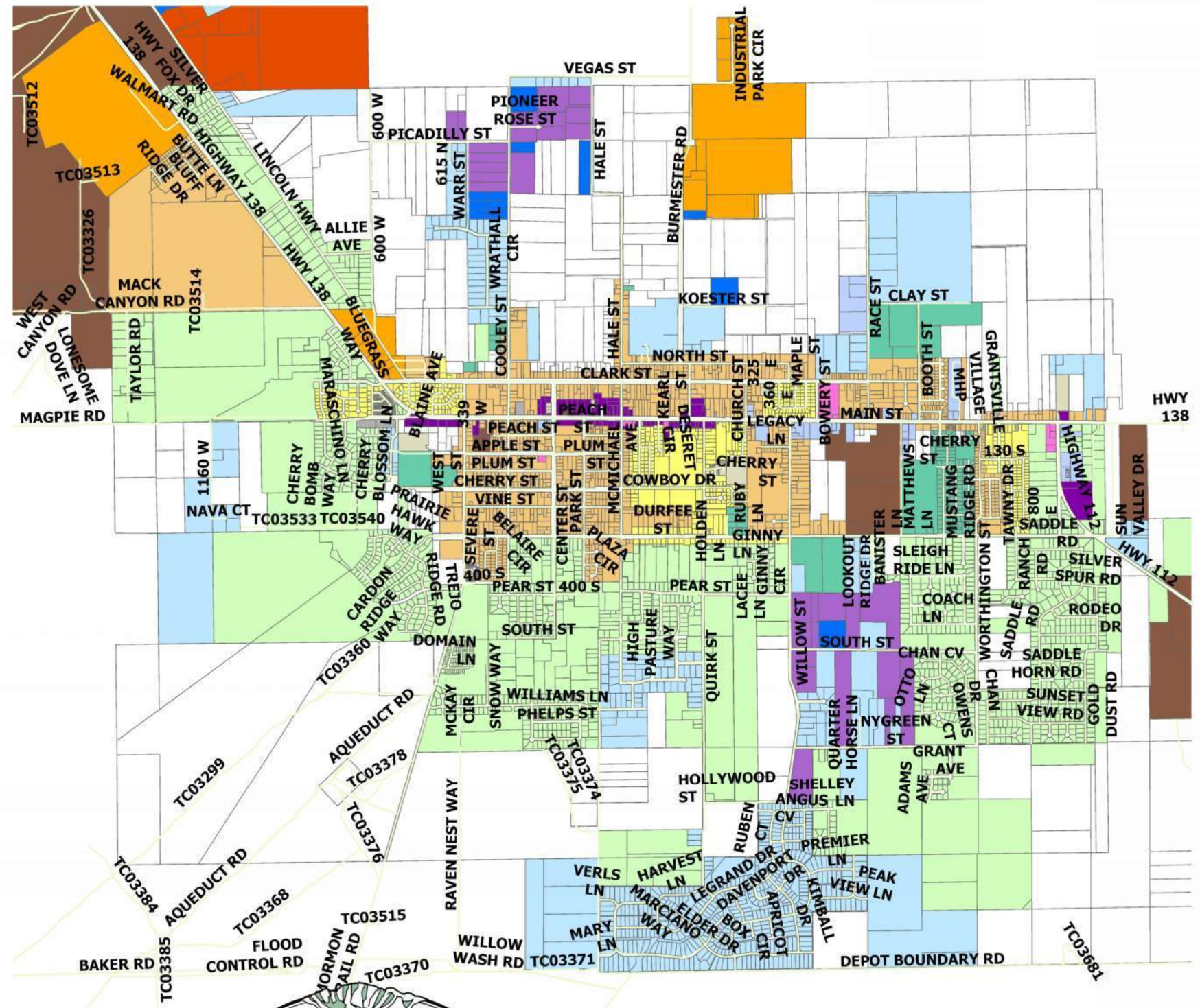
GRANTSVILLE SOIL CONSERVATION DISTRICT PROPERTY



LEGEND

ZONING DISTRICTS

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



ZONING MAP  
CENTRAL AREA

Adopted May 17, 2023  
Amended May 1, 2024





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:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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[illegible]

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.





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

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.



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

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.



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

**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

### 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 (1/3<sup>rd</sup> acre) or greater.

### 4. Single-Family Lot Setbacks

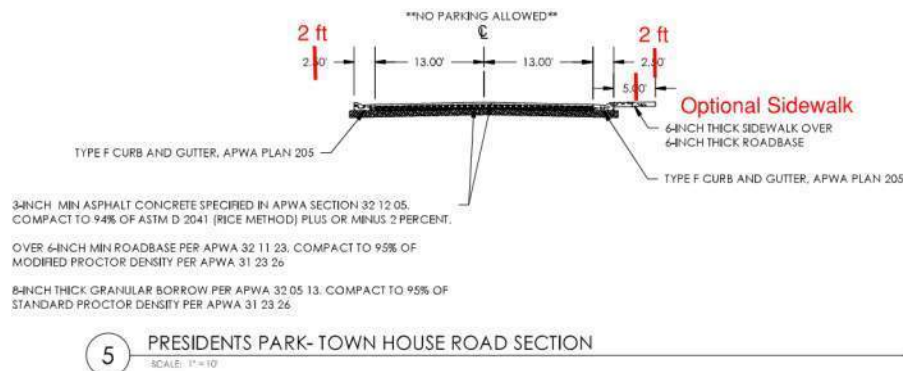
*Master Development Agreement for Presidents Park P.U.D – Addendum #1, Attachment A (Developers Project Description – Section A(6))*

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.





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

## 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.



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

**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 of 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

☒

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.
<b>Maximum Number of Units allowed</b> <i>Master Development Agreement for Presidents Park P.U.D. - Terms 1.14</i> and <i>Presidents Park PUD Addendum #1; Attachment A (Developers Project Description- Section A.(1))</i>  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 <i>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))</i>
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.
<b>Maximum Density per Acre (Townhomes)</b> <i>Master Development Agreement for Presidents Park P.U.D Agreement – Addendum #1, Terms - Section 3(a)</i> and <i>Presidents Park PUD Addendum #1; Attachment A (Developers Project Description) – Section H (1)</i>  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 <i>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))</i>
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.
<b>Single-Family Lot Size</b> <i>Master Development Agreement for Presidents Park P.U.D – Addendum #1, Terms - Section 3(a)</i> and

<i>Presidents Park PUD Addendum #1; Attachment A (Developers Project Description – Section H (1))</i>
The minimum lot size for single-family detached units is 14,500 sq. ft.
<b>Describe Requested Deviation to Regulation.</b>
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.
<b>Describe How Requested Deviation Benefits the Project and the Community.</b>
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.
<b>Describe Mitigation Proposed to Maintain <i>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))</i></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

<b>Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect.</b>
<b>Single-Family Lot Setbacks</b> <i>Master Development Agreement for Presidents Park P.U.D – Addendum #1, Attachment A (Developers Project Description – Section A(6))</i>
The existing PUD agreement allows for a minimum front setback of 40 ft. for single-family detached lots.
<b>Describe Requested Deviation to Regulation.</b>
The request is to reduce the minimum setback to 30 ft. for single-family detached lots.
<b>Describe How Requested Deviation Benefits the Project and the Community.</b>
The change in setbacks will promote the construction of affordable housing while maintaining and enhancing the open space at the rear of the lots.
<b>Describe Mitigation Proposed to Maintain <i>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))</i></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.
<b>Proposed Street Cross Section</b> 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.
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 <i>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))</i>
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.
<b>Minimum Lot Size (for density)</b> 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.
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 <i>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))</i>
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.
<p><b>Building Setbacks</b></p> <p>Addendum No. 3 To Presidents Park P.U.D. Subdivision, Section 2(b))</p> <p>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.</p>
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 <i>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))</i>
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.
<b>Minimum Lot Width</b> 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.
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 <i>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))</i>

#### REQUESTED DEVIATION #9

Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect.
<b>Maximum Building Coverage</b> 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%.
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.  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.

**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 an approved 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 “upsized” 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 are 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.

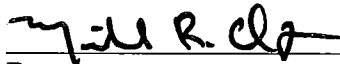
26. **Recordation and Running with the Land.** This Agreement shall be recorded in the chain of title for the Project. This Agreement shall be deemed to run with the land.

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.

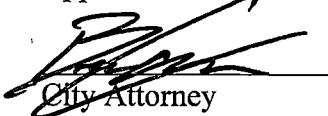
DEVELOPER  
Presidents Park, LLC

  
By: MICHAEL R. COLSON  
Its: PARTNER

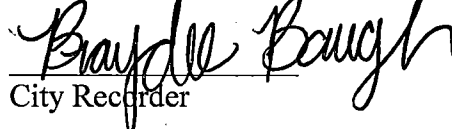
GRANTSVILLE CITY

  
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

**DEVELOPER ACKNOWLEDGMENT**

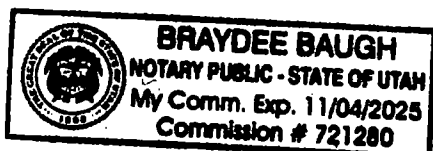
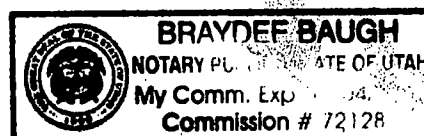
STATE OF UTAH                    )  
   :SS.  
 COUNTY OF Tooele            )

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





## 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. (1/3<sup>rd</sup> 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

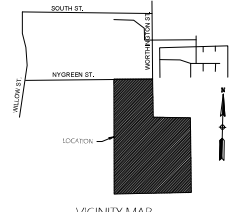
ANDERSON FARMS

ANDERSON RANCH

WASHINGTON STREET

NYGREEN STREET

FUTURE RIGHT OF WAY LINE (R/W/L)



## 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)	238
• 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	14.46 ACRES
• ROADWAY TREE GREENWAY	37.42 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

JANE R BROWN - TRUSTEE

PRESIDENTS PARK TOWN HOUSES

TOWN HOUSES (46 UNITS) 4.50 ACRES

OPEN SPACE - 3.5 ACRES

OPEN SPACE - 1.14 ACRES

OPEN SPACE - 1.14 ACRES

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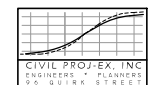
OPEN SPACE - 1.14 ACRES

OPEN SPACE - 1.14 ACRES

GRANTSVILLE SOIL CONSERVATION DISTRICT PROPERTY



SCALE: 1" = 100'



V-001

GRANTSVILLE ESTATES

GRANTSVILLE SOIL CONSERVATION DISTRICT PROPERTY

GRANTSVILLE ESTATES

GRANTSVILLE ESTATES

FUTURE CONNECTION TO SHELLEY LANE

NYGREEN STREET

WASHINGTON STREET

ANDERSON FARMS

ANDERSON RANCH

GRANTSVILLE ESTATES

GRANTSVILLE ESTATES

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**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.

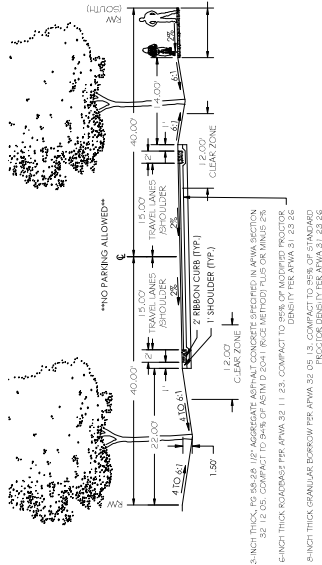
**Presidents Park PUD**

**Addendum No. 1**

**Attachment B**

Sheet C-301 of the Phase 1 Construction Drawings Presidents Park PUD January 11, 2021.

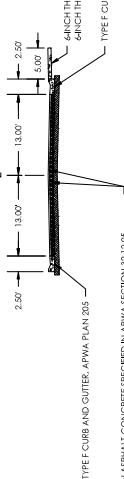
CIVIL SECTIONS



4 PRESIDENTS PARK RESIDENTIAL ROADWAY (EAST - WEST)

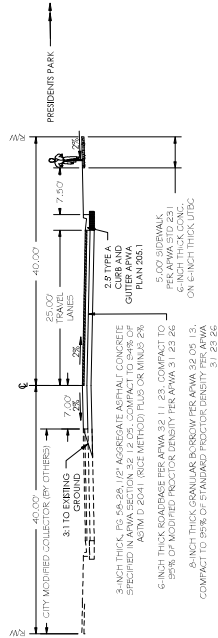
SCALE: 1" = 12'

"NO PARKING ALLOWED"



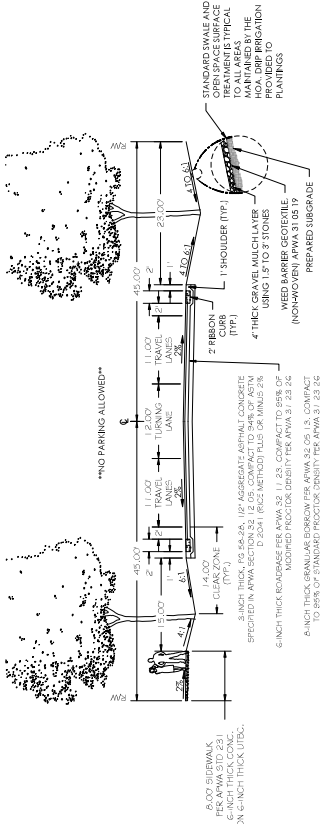
5 PRESIDENTS PARK - TOWN HOUSE ROAD SECTION

SCALE: 1" = 12'



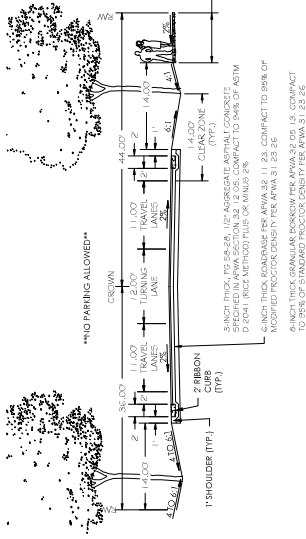
6 NYNGREEN STREET (MODIFIED TO HALF WIDTH)

SCALE: 1" = 12'



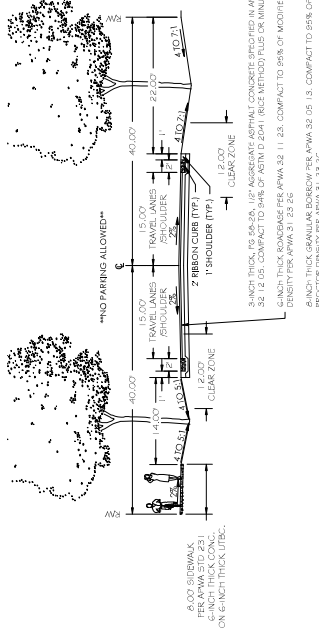
1 PRESIDENTS PARK BOULEVARD ROADWAY SECTION (WASHINGTON AVE. FROM NYNGREEN TO SHELLEY LN.)

SCALE: 1" = 12'



2 PRESIDENTS PARK BOULEVARD (SHELLEY LANE TO SOUTH BOUNDARY)

SCALE: 1" = 12'



3 PRESIDENTS PARK RESIDENTIAL ROADWAY SECTION (NORTH - SOUTH)

SCALE: 1" = 12'

Project Name: PHASE 1  
PRESIDENTS PARK P.U.D.  
GRANTSVILLE, UTAH

FOR CONSTRUCTION

Project Number: 19-45003  
Designed By: BVB  
Drawn By: BVB  
Date Issued: 2021.01.11

Project Name: PHASE 1  
PRESIDENTS PARK P.U.D.  
GRANTSVILLE, UTAH

FOR CONSTRUCTION

Project Number: 19-45003  
Designed By: BVB  
Drawn By: BVB  
Date Issued: 2021.01.11

CIVIL ENGINEER  
7224167  
PLANNING  
2021.01.11  
11/1/2021

GRANTSVILLE CITY ENGINEER  
APPROVED FOR CONSTRUCTION IN THE CITY OF GRANTSVILLE, UTAH

GRANTSVILLE CITY ENGINEER  
APPROVED FOR CONSTRUCTION IN THE CITY OF GRANTSVILLE, UTAH

GRANTSVILLE CITY ENGINEER  
APPROVED FOR CONSTRUCTION IN THE CITY OF GRANTSVILLE, UTAH

Sheet Name: C-301

Sheet Number: 11/1/2021

**ADDENDUM NO. 3**  
**TO**  
**PRESIDENT'S PARK P.U.D. SUBDIVISION**  
(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.

# **Agenda Item # 8**

Consideration of Ordinance 2025-07  
approving the Rezone of Property at 830  
East Main Street



**GRANTSVILLE CITY  
ORDINANCE NO. 2025-07**

**AN ORDINANCE OF GRANTSVILLE CITY REZONING PROPERTY AT 830 EAST  
MAIN STREET**

Be it enacted and ordained by the City Council of Grantsville City, Utah as follows:

**WHEREAS**, the Grantsville City Planning Commission held a public hearing on June 5, 2025, to consider the proposed rezone of property located at approximately 830 East Main Street from R-1-21 to CD; and

**WHEREAS**, the Planning Commission, following the public hearing and careful review of the request, voted unanimously on June 19, 2025, to recommend approval of the rezone to the City Council; and

**WHEREAS**, the City Council finds that the proposed rezone is in harmony with the General Plan, is compatible with adjacent zoning designations, and supports commercial growth along East Main Street as a designated commercial corridor; and

**WHEREAS**, the City Council finds it to be in the best interest of the health, safety, and welfare of the citizens of Grantsville City to approve the proposed rezone;

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

**Section 1. Rezone Approval:** The zoning designation of the parcel of land located at approximately 830 East Main Street (Parcel ID: 01-060-0-0004), comprising approximately 1 acre, is hereby amended from R-1-21 (Single-Family Residential) to CD (Central Development District), as shown in the attached Exhibit A – Zoning and Location Maps for 830 E Main Street Rezone.

**Section 2. Effective Date:** This Ordinance shall take effect immediately upon its passage and approval as provided by law.

**Section 3. Severability clause:** If any part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all provisions, clauses and words of this Ordinance shall be severable.

ADOPTED AND PASSED BY THE CITY COUNCIL OF GRANTSVILLE CITY, THIS [DAY] DAY OF [MONTH], 2025.

BY THE ORDER OF THE GRANTSVILLE CITY COUNCIL:

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By Mayor Neil Critchlow

ATTEST

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Braydee Baugh, City Recorder

Approved as to Form:

---

Tysen J. Barker, Grantsville City Attorney



# **Exhibit “A”**

Zoning and Location Maps for 830 E Main Street Rezone





BRENTWOOD LLC  
01-059-0-0029  
R029853

MJC HOLDINGS LLC  
01-059-0-0009  
R008382

MAVERIK INC  
01-059-0-0025  
R029272

GOODWORTH MITCHELL JT  
01-059-0-0030  
R029854

TRAVIS D WARR JT  
01-059-0-0011  
R013485

WILLIAMS ISRAEL JT  
01-059-0-0035  
R096321

995 LINCOLN ST LLC 30% INTEREST  
01-060-0-0003  
R002132

LAURA L ANDREOFF  
01-060-0-0004  
R020012

REED PROPERTIES, LLC  
01-060-0-0006  
R022642

THE PAYNE LIVING TRUST U/A DATED JANUARY 11, 2023  
01-060-0-0007  
R016101

HALL DAVID D JT  
01-060-0-0008  
R007398

SHEFFIELD DARIN D JT  
01-060-0-0009  
R004291

CLAYTON KRISTINE JT  
01-060-0-0034  
R091790

BAKER CHRISTOPHER NEAL JT  
23-002-0-0001  
R101402

PHELPS SKYLAR JT  
20-006-0-0301  
R091721

GALBRAITH SPENCER JT  
20-006-0-0302  
R091722

KATHY R BAKER JT  
17-097-0-0203  
R030840

JANEL R PHELPS TRUSTEE  
10-025-H-002A  
R030788

LIBERTY LANDING  
E ANN ALLEN LIVING TRUST 08/14/2023  
10-025-H-0003  
R014089

WAGSTAFF INVESTMENTS, LLC  
11-041-0-0003  
R006449

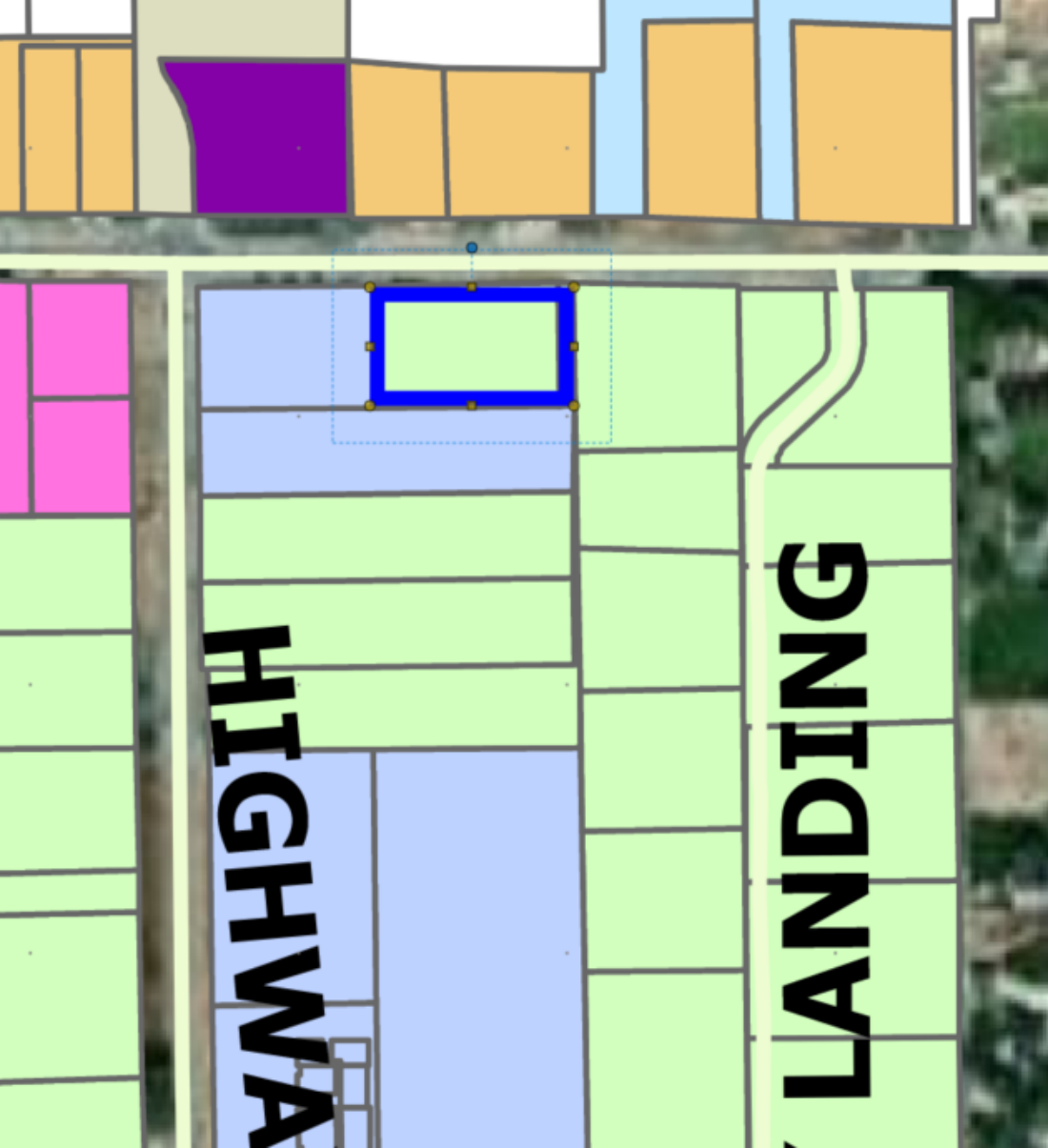
WAGSTAFF INVESTMENTS, LLC  
11-041-0-0004  
R003051

WAGSTAFF INVESTMENTS, LLC  
11-041-0-0005  
R022567

PEARCE GLEN S. JT  
14-080-0-006A  
R018822

OW LLC  
11-02  
4





**HIGHWAY**

**LANDING**

32 33

WILD ROSE DRIVE

WILD ROSE CIRCLE

WATERHOLE WAY

SAGE HILL CIRCLE

DRY CREEK CIRCLE

BARBED WIRE DRIVE

BARBED WIRE CIRCLE

THE VILLAGE

K WAY

SR 138

STON  
COURT

EAST MOOR

130 S.

SR 112

900 EAST

HINGTON


RANCH ROAD

EAST RANCH  
ROAD



### 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)

## **Agenda Item # 9**

Consideration of Resolution 2025-52  
approving the Memorandum of  
Understanding between Grantsville City  
and the Tooele County School District  
for an School Resource Officer



**GRANTSVILLE CITY  
RESOLUTION NO. 2025-52**

**A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING  
BETWEEN GRANTSVILLE CITY AND TOOELE COUNTY SCHOOL DISTRICT FOR  
A SCHOOL RESOURCE OFFICER FOR THE 2025-2026 SCHOOL YEAR**

Be it resolved by the City Council of Grantsville City, Utah as follows:

**WHEREAS**, the City of Grantsville and the Tooele County School District recognize the importance of maintaining a safe and secure environment for students, staff, and visitors in the schools within the district; and

**WHEREAS**, the presence of a School Resource Officer (SRO) is a proactive measure to prevent and address issues of safety and security in the schools; and

**WHEREAS**, Utah Code Ann. § 53G-8-703 authorizes local education agencies to enter into agreements with law enforcement agencies to provide school resource officers; and

**WHEREAS**, Grantsville City and the Tooele County School District have mutually agreed to collaborate on the assignment of a School Resource Officer for the 2025-2026 school year; and

**WHEREAS**, a Memorandum of Understanding (MOU) outlining the roles, responsibilities, and financial arrangements between Grantsville City and the Tooele County School District has been drafted and is attached hereto as Exhibit A;

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

**Section 1. Approval of MOU:** The City Council hereby approves the attached Memorandum of Understanding (Exhibit A) between Grantsville City and the Tooele County School District for the assignment of a School Resource Officer for the 2025-2026 school year.

**Section 2. Effective Date:** This resolution shall take effect immediately upon its passage and approval as provided by law.

**Section 3. Severability clause.** If any part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution and all provisions, clauses and words of this Resolution shall be severable.

ADOPTED AND PASSED BY THE CITY COUNCIL OF GRANTSVILLE CITY, THIS (xx) DAY OF (xx), 2025.

BY THE ORDER OF THE GRANTSVILLE CITY COUNCIL:



---

By Mayor Neil Critchlow

ATTEST

---

Braydee Baugh, City Recorder





# EXHIBIT “A”

Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING  
Between Grantsville City and  
Tooele County School District for a  
School Resource Officer  
2025-2026

A. Purpose

The purpose of this Memorandum of Understanding (MOU) is to establish protocols pertaining to the operation of the School Resource Officer (SRO) program of the Grantsville City Police Department and the Tooele County School District and to memorialize the agreement between the District and Grantsville City regarding such services.

B. General Provisions

1. In addition to the provisions of the MOU, School Resource Officers are required to comply with all the requirements of the Grantsville City personnel policy and procedures manual, the Grantsville City Police Department policy manual, and any Grantsville City Police Department directives (hereafter collectively referred to as Grantsville City policies). If anything in this MOU is found to be contrary to or to violate the higher requirements of law or Grantsville City policies, then the employee must adhere to the higher requirement.
2. This MOU is subject to change. The updated MOU will be provided to employees before any changes take effect. The revised MOU will be dated and will supersede all earlier versions.

C. Organization and Administration

1. The Grantsville City Police Department Police Chief (or designee) shall assign officers the responsibility to supervise the SROs. These officers shall report directly to the Chief through the appointed chain of command.
2. The Superintendent of the Tooele County School District will determine which school(s) will be assigned an SRO. For the purposes of this agreement, any secondary school in Grantsville City may be assigned an SRO. At the request of the School District, SROs may temporarily leave their assigned school to respond to reports or calls at any other school(s) in Grantsville City.
3. Personnel assignments will be the responsibility of the Grantsville City Police Department. In the event of leave time for an SRO, a replacement officer will be assigned to cover as SRO after more than two days of leave.
4. The school resource officer supervisor will evaluate officers assigned to this position with consideration given to advisory evaluation input provided by the principal of the assigned school.
5. The Grantsville City Police Department may order the reassignment of an SRO at any time to address Grantsville City Police Department and/or school district needs.

D. Requirements and Selection Process

1. The officer assigned as an SRO will be selected in accordance with Grantsville City policies.
2. Assignment will be made by the Grantsville City Police Chief after careful consideration of past work performance, internal affairs records, special skills, evaluations, education, training, and demonstrated public relations abilities. Before making the assignment, the Grantsville City Police Department will discuss the applicants with the District and will consider the District's input.
3. Assignment to SRO will be a lateral transfer. The length of assignment as an SRO is dependent upon the needs of the Grantsville City Police Department in addition to other variables, including job performance and the officer's ability to coordinate the SRO program within the school system.
4. Candidates for SRO should have three (3) years of full-time law enforcement experience as a certified law enforcement officer.
5. The SRO should, before entering the program or as soon after as possible, complete, together with the principal (or principal's designee) an approved basic SRO school/training program under Utah Code §53g-8-702.

E. Job Task Assignments

1. Individual job tasks will be assigned by the SRO's supervisor(s) in cooperation with the school principal. Although not directly responsible to school employees, the SRO must cultivate a high degree of cooperation and communication with school employees in order to be sensitive to the needs of the school. When lawful, permissible, and practical, the SRO should respond quickly and willingly to requests for assistance by school employees to address problems or meet school needs.
2. The SRO shall not participate in administrative disciplinary action against students. SROs are sworn, state-certified law enforcement officers and, as such, are governed by Constitutional, Federal, and State laws as well as Grantsville City policies. Enforcement action is to be initiated only based on reasonable suspicion and/or probable cause that a law violation has occurred, as outlined in section J below.
3. School employees should not assign, nor should an SRO accept routine, daily duties to be performed on a regular basis. Such duties include but are not limited to the following.
  - a. Cafeteria Monitor
  - b. Crossing Guard
  - c. Bus Duty
  - d. Substitute Teacher

The SRO is expected to be regularly present and involved, to some extent, in such activities as listed above, as well as any high traffic, high visibility activity or environment. However, he/she should not be depended on by the school system employees to perform specific duties on a daily basis.

4. If a request by a school employee has a direct conflict with Grantsville City policies, the SRO will inform the school employee of the conflict at the time the task is assigned and will not violate Grantsville City policies.

F. Conduct and Responsibilities

1. SROs shall conduct themselves responsibly and in a manner that best represents the interests of the Grantsville City Police Department and the Tooele County School District.
2. The SRO will be respectful with school administrators. This includes maintaining open lines of communication between the SRO and school administration as well as making the school administration informed and aware of any SRO activity with which they would reasonably and logically be concerned or about which they would have a foreseeable need to know.
3. The SRO must notify the SRO supervisor, as soon as practical, of any incident or occurrence arising in the course of his/her duties, about which the supervisor would have a foreseeable need to know. This includes but is not limited to the following:
  - a. Any unusual or extraordinary event which is likely to attract the attention of the public, the media, school officials, or other government or elected officials.
  - b. Any event or incident which personally involves the SRO or in which the SRO has a personal interest that extends beyond a professional nature. This includes but is not limited to, incidents in which the SRO is a victim of a crime or incidents resulting from personal conflict between the SRO and school employees, students, parents, or others.
  - c. Criminal complaints against school employees or Grantsville City personnel.
  - d. Sexual harassment complaints against school employees or Grantsville City personnel.
4. The SRO should contact other law enforcement agencies when students who reside outside of Grantsville City jurisdiction are involved in crimes or activities that might reasonably cross jurisdictional lines.
5. The SRO will arrive on the campus of his/her school thirty minutes prior to the official start of the school day and will leave no earlier than thirty minutes after the official dismissal time.
6. The SRO should use his/her Grantsville City vehicle to drive to and from school-related functions consistent with Grantsville City policies.
7. The SRO is responsible for arranging, planning, and providing security at special events as requested by the principal.
  - a. If the SRO provides security or services for an event for which it would be normal practice for the school to provide security or services by hiring an off-duty officer, the school is responsible for compensating the SRO and any other needed officers as requested by the school Principal or the district to fulfill the requested service at the current Grantsville City approved rate of pay of \$70 per hour with a 2-hour minimum.
  - b. Coaching – The SRO may, with the written approval of the Grantsville City Police Department administration and the written approval of the school administration, serve as a coach or assistant coach for school athletic teams. This section applies in like manner to any paid position for the School District.
    - 1) At times, the SRO will be filling a vacant, paid, or supplemented coaching position. Under these circumstances, the school is responsible for compensating the SRO for serving as a coach according to the rate of pay or the supplement established for that position.

- 2) Under other circumstances, the SRO, serving in a coaching capacity, may be compensated by mutual agreement between himself/herself and school officials.
  - 3) At no time shall an SRO be simultaneously compensated by more than one source for providing a special service.
8. Transporting students in Grantsville City vehicles is prohibited without prior approval of the SRO supervisor.
9. The SRO shall not fraternize with students except as stated in subsection d.
  - a. All interactions with students must be strictly professional in nature. SROs shall not become personally involved with a student or allow a personal relationship to develop.
  - b. There is to be no intentional contact or communication between the SRO and students outside of the SRO's official capacity. This includes but is not limited to written or verbal communication, telephone calls, emails, texting, or personal contact.
  - c. In all interactions with students, the SRO must consider every measure to avoid any appearance of impropriety.
  - d. If a student is a relative or family friend, then the student and SRO shall not have any confidential or private communications, whether electronically or in person. In other words, a responsible third party must be witness to all communications.
10. The SRO must notify the SRO supervisor and the school principal any time he/she will be away from his/her campus.
  - a. In accordance with Grantsville City policies, the SRO will supply written notice of any requested leave to the SRO supervisor at least two weeks in advance.
  - b. Notice of any unexpected absenteeism, such as illness, must be provided to the SRO supervisor at least four hours prior to the beginning of the shift.
  - c. When available, another officer will serve as a substitute during instances of absenteeism or when the SRO is required to leave campus.
11. The SRO is responsible for appearing in court as required.
12. The SRO is expected to adhere to and follow the chain of command of the Grantsville City Police Department.

G. Uniform and Appearance

1. The Grantsville City Police Department standard (class B) uniform is the designated uniform for SROs. When not wearing the Class B uniform, the SRO should wear the approved Class C special event uniform.
2. The SRO should be equipped with all items typically required of patrol officers, including all items listed in the Grantsville City Police Department Policies and Procedures Manual.
3. If an SRO desires to participate in informal, school-related activities, the SRO may, with permission of the SRO supervisor, wear civilian attire. Such permission may be granted on a case-by-case basis only and will apply to the specific activity for which it is requested. Mixing of civilian and official attire is not permitted.

4. Either the standard Class B uniform or the alternate Class C uniform should be worn at all times while on duty or attending any related event in an official capacity.
5. Uniforms worn by SROs are to be clean, presentable, and professional in appearance. Stains, excessive wrinkles, and offensive odors are considered violations of this rule. The SRO shall conform to the personal appearance and grooming regulations required by the Grantsville City Police Department.

#### H. Philosophy

The SRO program is organized around three fundamental principles:

1. Law Enforcement
  - a. Safety – The SRO shall engage in activities which help ensure a safe, healthy, and productive school environment, emphasizing the use of restorative approaches to address negative behavior.
  - b. Security – The SRO shall arrange, provide and/or plan for security at special events.
  - c. Enforcement – The SRO shall enforce violations of criminal law that occur on campus.
2. Mentoring – Although the SRO is not a professional counselor, he/she is expected to provide informal counseling on a regular basis. The SRO must be prepared to make referrals to the appropriate professional when necessary.
3. Teaching – The SRO will prepare and present to students, on a regular basis, lessons based on his/her knowledge, training, and experience, which will integrate law-enforcement concepts into the academic curriculum, including teaching a vocational law enforcement class at the request of the District.

#### I. Task Guidelines

1. The SRO shall perform law enforcement tasks within the school that includes but are not limited to the following:
  - a. Patrol school buildings and campus
  - b. Issue warnings and citations for traffic violations on or around school property.
  - c. Investigate traffic accidents that occur on school property.
  - d. Remove trespassers from school property upon the request of the principal or other authorized school administrator or as the SRO deems necessary for the safety of the school.
  - e. Receive complaints of criminal activity occurring on school property and complete reports.
  - f. Conduct investigations including, but not limited to:
    1. Reported criminal activity occurring on school property,
    2. Suspicious activity near or around the school,
    3. Threats to the school during school hours and after hours. Threats on school property or to occur in the future on school property. These investigations include looking into reports of students threatening to bring weapons to school to prevent these instances from occurring.
  - g. Coordinate drug-dog search activities.

- h. Assist school employees in developing and executing plans and strategies to prevent and/or minimize dangerous situations from occurring on campus.
- 2. The SRO shall perform mentoring tasks, which include but are not limited to:
  - a. Develop a positive rapport with students, parents, faculty, and school administration.
  - b. Participate in informal discussions with students to build trust.
  - c. Conduct conflict-resolution sessions.
  - d. Participate in conferences with parents, teachers, and students.
  - e. Identify potential and actual delinquent behavior problems in students and refer them to appropriate school, professional, and community services agencies.
  - f. The SRO shall not engage in informal counseling with students and should not meet alone with a student unless the door is open and both the SRO and student are visible through the open door.
- 3. The SRO shall perform tasks related to teaching, including:
  - a. Act as a positive role model for students.
  - b. Advise students, parents, and faculty concerning information relevant to the SRO's role.
  - c. At the request of school administration and approval of the Grantsville City supervisors, the SRO can organize and present materials arising from police knowledge, training, and experience to students and school staff.

J. Respect for Student Rights

- 1. An SRO may conduct or participate in a search of a student's person, possessions, or locker only where there is probable cause to believe that the search will turn up evidence that the student has committed or is committing a criminal offense.
  - a. It is recommended that in addition to having probable cause, the SRO should follow Utah state law and Grantsville City Police Department policy and procedures when conducting searches of persons and property, which may require a search warrant.
  - b. The SRO shall inform the school administration prior to conducting a probable cause search where practicable.
  - c. The SRO shall not ask school officials to search a student's person, possessions, or locker in an effort to circumvent the student's protections.
- 2. A school official may conduct a search of a student's person, possessions, or locker where there is a reasonable suspicion to believe that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school, and the search is justified in the scope given such suspicion.
  - a. Absent a real and immediate threat to the student, teacher, the SRO, or public safety, a school official shall not ask the SRO to be present or participate in such a search.
- 3. The SRO may question a student about criminal conduct that could expose the student to court involvement or arrest, provided that the requirements and procedures of Utah Code § §80-6-206 are satisfied.



- a. The SRO shall inform school administrators before questioning the student on school grounds where practicable.
  - b. The SRO shall not ask a school official to question a student in an effort to circumvent these protections.
  - c. Other conversations between SRO and students will be on the premise of building relationships to help develop a healthy learning environment and promote pro-social behaviors.
- 4. If an exigent circumstance or immediate threat exists, a school official or SRO may question a student about criminal conduct or conduct a search of a student's person or possessions.
- 5. Strip searches of a student by either school officials or SRO are prohibited.
- 6. SRO shall not use physical force or restraints on a student, including handcuffs, lasers, mace, or other physical or chemical restraints unless a student's actions pose a threat, or the student is subject to arrest.

K. Reporting and Records Requirement

- 1. It shall be the responsibility of each SRO to complete and submit all required reports in a timely manner.
- 2. Because of the large volume of daily encounters and the high number of informal requests for services associated with SROs, it would be counterproductive to require SROs to complete a report as part of every activity or response they perform. An appropriate report will be completed under circumstances including, but not limited to, the following:
  - a. Any incident which involves the commission or suspected commission of a criminal offense, even if no suspect information or intent to prosecute exists.
  - b. Fights.
  - c. Traffic crashes occurring on school property.
  - d. Providing assistance to other agencies or divisions or social services.
  - e. Any other event for which it is reasonably foreseeable that documentation will be necessary.
  - f. Any event required by Grantsville City Policy.
- 3. All evidence seized by an SRO must be documented and stored as required by Grantsville City policies. This does not include tobacco products intended solely as evidence of a civil tobacco violation. Such items may be cataloged and stored by the SRO in a secure location and destroyed upon disposition of the related case.
- 4. It shall be the responsibility of each SRO to complete monthly transmittal reports and submit them to the SRO supervisor.

L. Access to Education Records

- 1. School officials shall allow the SRO to inspect and copy any public records, including directory information, maintained by the school to the extent permitted by law.
- 2. If some information in a student's record is needed in an emergency to protect the health or safety of the student or other individuals, school officials shall disclose to the SRO that information that is needed to respond to the emergency situation based on (1) the



seriousness of the threat to health or safety of an individual; (2) the need of the information to meet the emergency situation; and (3) the extent to which time is of the essence.

3. If the SRO needs confidential student record information, but no emergency situation exists, the information may be disclosed only as allowed by applicable law, including FERPA (Family Education Rights Privacy Act).
4. Law Enforcement Unit Records. Law enforcement unit records created by the Grantsville City Police Department for law enforcement purposes, which the Grantsville City Police Department maintains, are not subject to FERPA. The Grantsville City Police Department may share law enforcement unit records with the District to the extent permitted under the Government Records Access Management Act (GRAMA) or other applicable laws. Once law enforcement unit records are provided to the District and maintained by the District, the records may become student education records protected by FERPA.

M. Financial Payment

Tooele County School District will pay a rate of \$103,584.10 for 1 SRO per school year 2025-2026 to Grantsville City for 9 months of full-time service. This rate will be paid in two equal payments of \$51,792.05. The first payment will be due on October 1st, 2025. The second payment will be due on May 01, 2026.

N. Signatures

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Tooele County School District, Mark Ernst, EdD                      Date

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Grantsville City Mayor, Neil Critchlow                      Date

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Attest: City Recorder                      Date

# Agenda Item # 10

Adjourn