

## **PUBLIC NOTICE**

The Grantsville City Planning Commission will hold a Regular Meeting at 7:00 p.m. on Thursday, October 2, 2025 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

## **ROLL CALL**

## **PUBLIC HEARING**

- a) Consideration of the Proposed Preliminary Plat Application for West Haven PUD subdivision.
- b) Consideration of the preliminary plat for Falcon Landing located in the RM-7 and R-1-12 zoning.
- c) Consideration of the twin home dwelling layout located in Falcon Landing Subdivision.
- d) Recommendation of the proposed plat amendment for Cherry Wood Estates.
- e) Consideration of a proposed amendment to the Grantsville City Land Use and Management Code, specifically Chapters 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, and 25.
- f) Consideration of a proposed amendment to the Grantsville City Land Use and Management Code, Chapter 20 Sign Regulations.

## **AGENDA**

1. Recommendation of the proposed plat amendment for Cherry Wood Estates located in the R-1-21 zone.
2. Consideration of the Proposed Preliminary Plat Application for West Haven PUD Subdivision.
3. Discussion of the proposed rezone, and General Plan Amendment for the 5 Center Minor Subdivision.
4. Consideration of the twin home dwelling layout located in the Falcon Landing Subdivision.
5. Consideration of the preliminary plat for Falcon Landing located in the RM-7 and R-1-12 zoning.
6. Consideration of a proposed amendment to the Grantsville City Land Use and Management Code, specifically Chapters 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, and 25.
7. Consideration of a proposed amendment to the Grantsville City Land Use and Management Code, Chapter 20 Sign Regulations.
8. Consideration of a proposed amendment to the Planning Commission meeting schedule, changing the regular meetings from the 1st and 3rd Thursday of each month to the 1st and 3rd Tuesday for November and December 2025.
9. Approval of minutes from the September 4, 2025 Planning Commission Regular Meeting.
10. Report from Zoning Administrator
11. Open Forum for Planning Commissioners.
12. Report from City Council.
13. Adjourn.

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

**Join Zoom Meeting**  
<https://us02web.zoom.us/j/85868478559> Meeting ID: 858 6847 8559



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

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

# **AGENDA ITEM #1**

Recommendation of the proposed plat amendment for Cherry Wood Estates located in the R-1-21 zone.

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



## **STAFF REPORT**

**TO:** Planning Commission

**FROM:** Shelby Moore

**PUBLIC HEARING DATE:** 10/2/2025

**MEETING DATE:** 10/2/2025

**RE:** Consideration of the Cherry Wood Plat Amendment

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### **Applicant's Request**

The applicant is requesting approval of a plat amendment for the Cherry Wood Subdivision. The purpose of the amendment is to realign the right-of-way (ROW) to the north in order to correct a misalignment from the previously recorded plat. The existing alignment, if left unchanged, would encroach into the property located immediately to the south.

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### **Background**

As part of the Planned Unit Development (PUD) approval for the West Haven Townhomes, a condition was placed requiring the correction and proper alignment of this roadway. The ROW realignment fulfills that requirement and ensures consistency with the approved preliminary plat for the West Haven Townhomes.

The proposed ROW maintains a 66-foot width, consistent with City standards and the City's transportation plan.

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### **Staff Analysis**

- **ROW Realignment:** The proposed shift corrects the alignment to the north, avoiding encroachment on adjacent property to the south.
- **Consistency with Approvals:** The realignment is consistent with the conditions of approval tied to the West Haven Townhomes PUD.
- **Retaining Wall Concern:** During preliminary review, staff noted potential impacts to southern properties, specifically the possibility of a retaining wall. This matter has been addressed and is shown on the approved preliminary plat for West Haven Townhomes.
- **ROW Standard:** The 66-foot ROW is preserved, meeting city roadway standards.

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



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## Staff Recommendation

Staff recommends the **Planning Commission forward a recommendation of approval** to the City Council for the Cherry Wood Plat Amendment, subject to the following conditions:

1. The final plat shall reflect the corrected ROW alignment as presented.
2. All conditions of the West Haven Townhomes PUD approval, including the requirement for ROW alignment, remain in full effect.
3. Any retaining wall impacts shall be consistent with the details provided on the approved preliminary plat and shall not adversely impact adjacent property owners.

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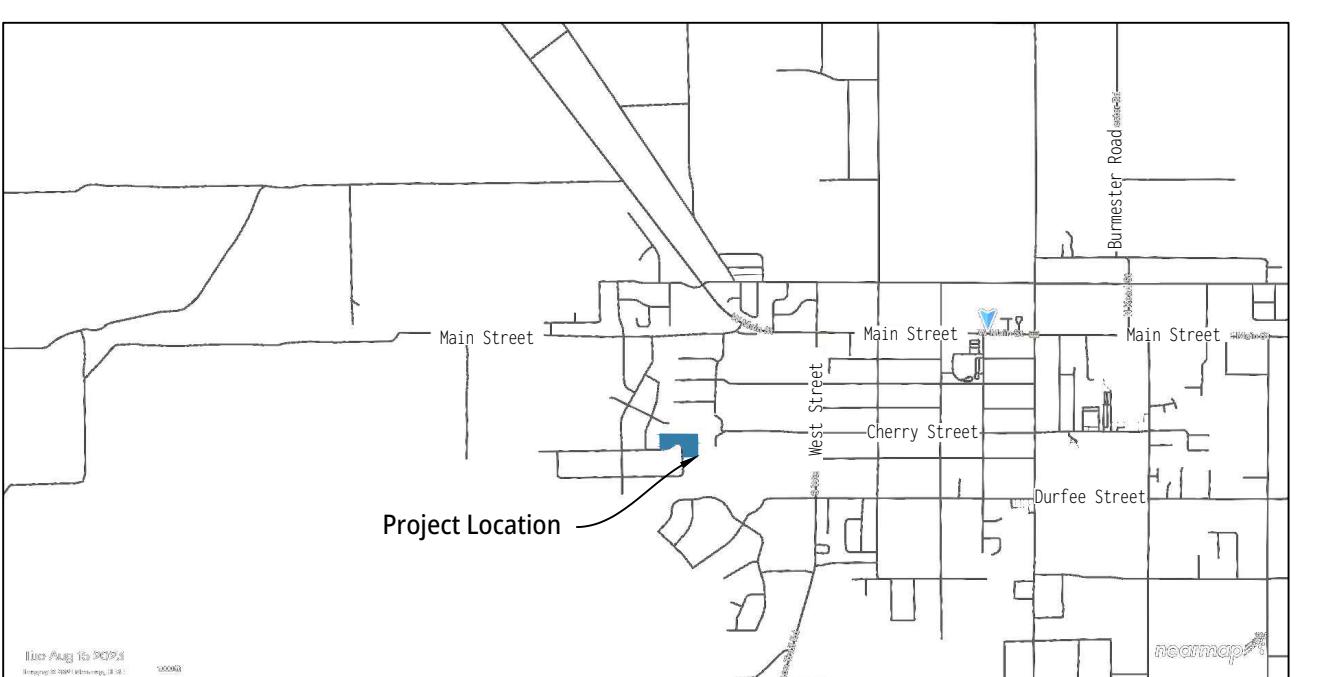
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# Cherry Street Re-alignment Subdivision

Preliminary Plat - Not to be Recorded

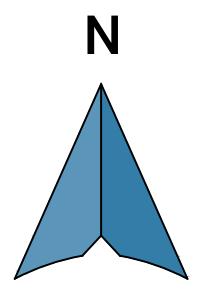
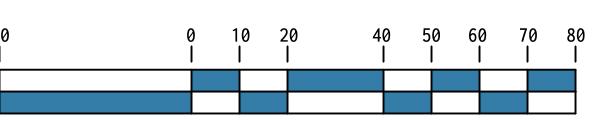
Located in the Southeast Quarter Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian US Survey  
Grantsville City, Tooele County Utah, February 2025

## VICINITY MAP N.T.S.



CURVE TABLE				
Curve #	Length	Radius	Delta	Chord Direction
C31	140.48'	233.00'	34°32'39"	N17°38'53"W
C32	6.74'	15.00'	25°43'53"	S22°03'11"E
C33	24.36'	70.00'	19°56'28"	N19°09'22"W
C34	4.16'	70.00'	3°24'20"	N46°29'19"E
C35	231.21'	371.64'	35°38'43"	N72°17'27"E
C36	76.51'	437.64'	10°01'47"	N59°28'58"W
C37	76.61'	70.00'	62°42'08"	S56°01'37"W
C38	7.80'	15.00'	29°47'03"	S39°34'20"W
C39	225.75'	367.00'	35°14'37"	S72°05'21"W
				222.20'

SCALE: 1" = 40'



## LEGEND

Measurements Between Monuments	Deed Line	Found Section Corner
Certified Macro Boundary Line	Fence Line	Calculated Section Corner
Certified Micro Boundary Line	Building Line	Calculated Monument
Easement Line	Center Line	Set Nail
Calc. Calculated N.T.S. Not to Scale	Edge of Concrete/Asphalt	Set Rebar & Cap
		Found Rebar
		Found Nail

## NOTES

- No monuments were placed as a result of this survey.
- All easements rights and privileges granted within the original plat are to remain unless otherwise noted.
- Original Plat is (R1) in the Data Reference Table.
- For more information regarding found monuments perpetuating the public land survey system please reference the recorded survey with Tooele County.
- A 7.50 foot side yard and 10.00 foot front and rear yard PU/DE Public Utility and Drainage Easement are parallel to the lot line as indicated by the dashed lines.

## GRANTSVILLE CITY ENGINEER

Approved as to form this \_\_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_\_ By Grantsville City Engineer.

## ACKNOWLEDGMENT

State of Utah } S.S.  
County of Tooele }  
The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024 by Shawn Holste.  
Residing at: \_\_\_\_\_  
Commission Number: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

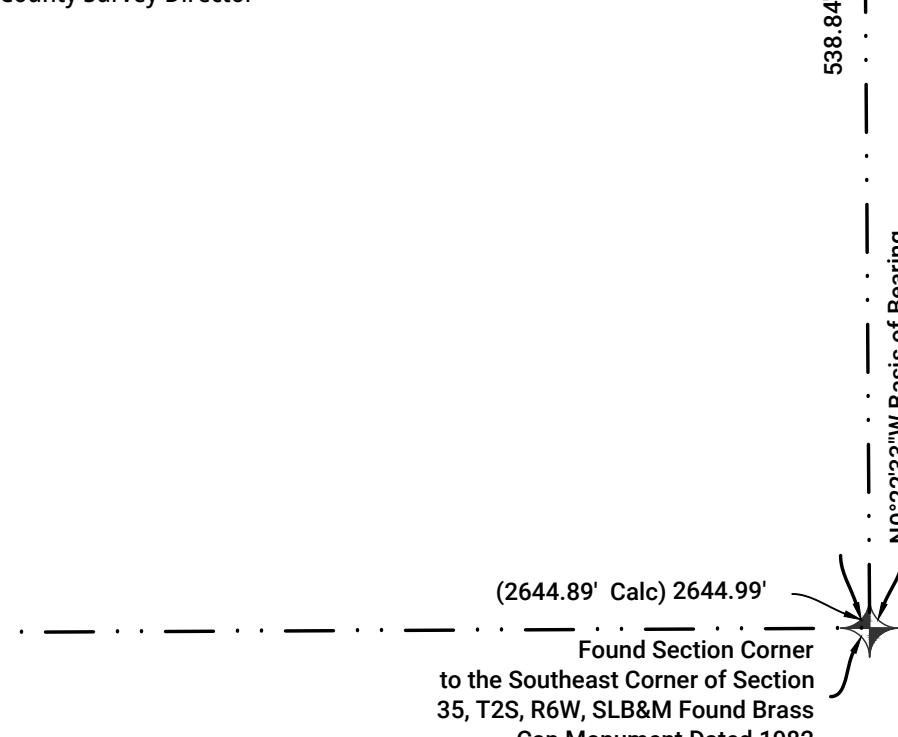
## GRANTSVILLE CITY MAYOR

Presented to this Grantsville City Mayor this Day of \_\_\_\_\_ A.D. \_\_\_\_\_ at which time this Condominium Plat was Accepted.

## TOOELE COUNTY SURVEYOR

Approved as to form this \_\_\_\_\_ day of April A.D. \_\_\_\_\_ by this Tooele County Surveyor. ROS# \_\_\_\_\_

Tooele County Survey Director



## BOUNDARY DESCRIPTION

### PARCEL A-207:

A parcel of land being apart of lot 207 Cherry Wood Estates Subdivision Phase 2, according to the official records of Tooele County being situated in the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base, and Meridian being more particularly described as follows.

Beginning at the Northeast corner of lot 208 of said subdivision, said point being measured as 538.84 feet North 0°22'33" West along the section line from the Southeast corner of Said Section, and running thence South 89°37'27" West 201.00 feet to the East Right-of-Way of Cherry Hill Street; thence along said East Right-of-Way the following four (4) courses: (1) North 0°22'33" West 106.42 feet to a point of tangency on a 233.00 foot radius curve to the left, (2) Northenly along said arc 140.48 feet (Central Angel Equals 34°32'39" and Long Chord Bears North 17°38'53" West 138.36 feet) to a point of reverse curvature on a 15.00 radius arc to the right, (3) along said arc 6.74 feet (Central Angel Equals 25°43'53" Long Chord Bears North 17°00'11" East 6.68 feet) to a point of reverse curvature on a 70.00 foot radius arc to the left, and (4) along said arc 24.36 feet (Central Angel Equals 19°56'28" Long Chord Bears North 19°09'22" West 24.24 feet) to a point on a 70.00 foot non-tangent arc to the right; thence along said arc 4.16 feet (Central Angel Equals 2°42'00" Long Chord Bears North 46°29'19" East 4.16 feet to a point on a non-tangent line; thence North 54°30'56" East 39.29 feet to a point of tangency on a 371.64 foot arc to the right; thence along said arc 231.21 feet (Central Angel Equals 35°38'43" Long Chord Bears North 72°17'27" East 227.50 feet to the East line of said Section; thence along the Section line South 0°22'33" East 360.92 feet to the point of beginning. Containing 1.674 acres, more or less.

### TOGETHER WITH

### PARCEL A-206:

A parcel of land being apart of lot 206 Cherry Wood Estates Subdivision Phase 2, according to the official records of Tooele County being situated in the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base, and Meridian being more particularly described follows.

Beginning at a point on a 437.64 radius arc to the left said point being 924.08 feet North 0°22'33" West along the Section line to the Northeast corner of said subdivision and 189.00 feet South 89°42'29" West from the Southeast corner of said Section and running thence along said arc 76.61 feet (Central Angel Equals 10°01'47" Long Chord Bears South 59°28'58" West 76.51 feet) to a point of tangency; thence South 54°29'34" West 74.95 feet to a point on a 70.00 foot non-tangent arc to the left; thence 6.61 feet along said arc (Central Angel Equals 62°42'08" Long Chord Bears South 56°01'37" West 72.84 feet) to a point of reverse curvature on a 15.00 foot radius arc to the right; thence along said arc 7.80 feet (Central Angel Equals 29°47'03" Long Chord Bears South 39°34'20" West 7.71 feet) to a point of tangency; thence South 54°28'04" West 5.05 feet to a point of tangency on a 367.00 foot radius arc to the right; thence along said arc 225.75 feet (Central Angel Equals 35°14'37" Long Chord Bears South 72°05'21" West 222.20 feet) to the Southeast corner of Lot 205 of said subdivision; thence North 0°17'19" West 198.22 feet along the East lot line of said Lot 205 to the South boundary of Cherry Grove Subdivision Phase D-2; thence along said South line and its extension North 89°42'29" East 408.79 feet to the point of beginning. Containing 1.1276 acres, more or less.

## SURVEYOR'S NARRATIVE

Ronald & Sherri Butler requested this Subdivision plat to amend Cherry Wood Estates Subdivision Phase 2 to adjust lots 207, 206 and the alignment of Cherry Street.

The bearing basis is North 0°22'33" West measured between the Southeast corner and East Quarter Corner of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, U.S. Survey.

For more information on the retrace of the boundary's shown here, please review the record of survey filed with the Tooele County Surveyor.

## OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned are the owners of the above described tract of land, and hereby cause the same to be divided into lots, parcels and streets, together with easements as set forth to be hereafter known as Cherry Street Re-alignment Subdivision

and do hereby dedicate for the perpetual use of the public all roads and other areas shown on this plat as intended for public use. The undersigned owner hereby conveys to any and all public utility companies a perpetual, non-exclusive easement over the public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities. The undersigned owners also hereby convey any other easements as shown and/or noted on this plat to the parties indicated and for the purposes shown and/or noted herein.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2025 C.G Grantsville LLC:

Shawn Holste - Registered Agent

## GRANTSVILLE CITY PLANNING COMMISSION

Approved This \_\_\_\_\_ Day of \_\_\_\_\_ A.D. \_\_\_\_\_ by this Grantsville City Planning Commission.

Approved as to form this \_\_\_\_\_ Day of \_\_\_\_\_ A.D. \_\_\_\_\_ by this Grantsville City Attorney.

Chairman Grantsville City Planning Commission

Grantsville City Attorney

## GRANTSVILLE CITY PUBLIC WORKS

Approved as to form this \_\_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_\_ By Grantsville City Public Works.

Approved as to form this \_\_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_\_ By Grantsville City Public Works.

Director, Grantsville City Public Works

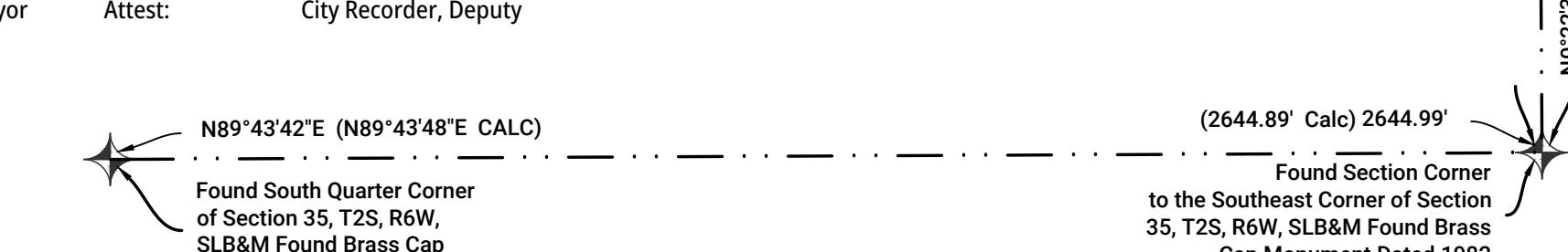
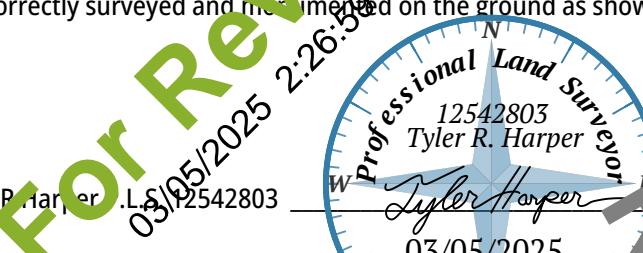
Grantsville City Fire Department

## GRANTSVILLE CITY FIRE DEPARTMENT

Approved as to form this \_\_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_\_ By Grantsville City Fire Department.

## SURVEYOR'S CERTIFICATE

I, Tyler R. Harper, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 12542803, in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act. I further certify that by the owners I have completed a survey of the property described on this subdivision plat in accordance with Section 17-23-17, have verified all measurements, and have subdivided said tract of land into lots and streets, together with easements. Hereafter to be known as Cherry Street Re-alignment Subdivision and that the same has been correctly surveyed and monumented on the ground as shown on this plat.





# **AGENDA ITEM #2**

Consideration of the Proposed Preliminary  
Plat Application for West Haven PUD  
Subdivision.



# Staff Report

**Prepared By:** Shelby Moore

**Subject:** Consideration of the West Haven Preliminary Plat

**Property Address:** West Cherry Street

**Applicant:** Ron and Sherrie Butler

**Request:** Approval of Preliminary Plat

**Meeting Date:** 10/2/2025

**Public Hearing:** 10/2/2025

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## Background & Timeline

- **PUD Application Submitted:** January 10, 2024
- **Public Hearing:** March 7, 2024 (Planning Commission recommended approval)
- **City Council Approval of PUD:** March 20, 2024
- **MDA Negotiations Began:** March 11, 2024
- **Planning Commission Approval of MDA:** September 19, 2024
- **City Council Approval of MDA:** October 2, 2024
- **Preliminary Plat Application Received:** January 10, 2024
- **Application Review Began:** January 23, 2025
- **Review Completed:** September 9, 2025

During review of the preliminary plat, it was confirmed that the alignment of **Cherry Street** requires adjustment, which impacts adjacent properties. To maintain a 60-foot ROW, the applicant must acquire land from homeowners on the south side of Cherry Street. In addition, the proposed alignment requires a **retaining wall** along adjacent southern properties, the responsibility and timing of which must be clarified.

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## Key Highlight

The **Master Development Agreement (MDA)** approved on **October 2, 2024** specifically requires that the **60-foot right-of-way (ROW) for Cherry Street be obtained prior to approval of the preliminary plat**. As of this review, the required ROW on the east end of Cherry Street has **not yet been secured by the applicant**.

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## Floodplain Requirements

A portion of the project area is located within **Flood Zone AE**. Flood Zone AE is the 1% Annual Chance Flood Zone with established base flood elevations (BFE). Notes have been added to the plat to ensure compliance with FEMA and City requirements.

### Floodplain Notes (to be recorded on plat):

7. HOA agrees to maintain the private retention areas. HOA further agrees not to alter the grading, nor allow any drainage to discharge onto neighboring properties, or put impervious surfaces on the retention area shown on this plat. This requirement will run with the property and apply to all future HOA or property owners. If at any time the HOA or property owners fails to maintain the basin to the reasonable satisfaction of the City, Grantsville City may make all necessary improvements, corrections, repairs, or replacements and collect from the property owner all incurred costs, fees, and interest.
8. HOA or property owners, successors, and assigns hereby grant a perpetual privilege and easement to Grantsville City to access the storm drain retention area at any time for the purpose of maintenance, inspection, repair, or replacement of any storm water or other utility or below ground, but not limited to the storm drain retention area.
9. Parcels A and C, Residential Lots 21 to 26, and Townhome Lots 27 to 38 are located within Flood Zone AE. The lowest habitable floor shall be a minimum of 1-foot above the BFE for all new or substantially improved residential structures. Residential Lots 21 to 26 and Townhome Lots 27 to 38 will not be allowed basements and are required to provide an Elevation Certificate with the building permit along with flood vents for any crawl space with a floor below the BFE.

### Additional Floodplain Design Considerations:

City DRC made the recommendation in the DRC Review that even though 1-foot is the minimum requirement for the lowest habitable floor above the BFE, the lowest habitable floor is recommended to be 2-feet above the BFE since the flood plain maps received by the City from the State are draft and subject to comments by FEMA. The draft flood plain work maps are the best available information the City has per its flood plain ordinance.

### Current Status:

During Development Review Committee (DRC) review of the preliminary plat, concerns were raised regarding the proposed Cherry Street alignment. Specifically, the current design would require a **retaining wall** along the southern properties adjacent to Cherry Street southwest of the intersection of Cherry Blossom Lane and future Cherry Street. The location of the wall is shown in the submitted exhibits. There is an approximate 12-foot elevation difference from the proposed Cherry Street to the highest point along the southern Cherry Street right-of-way. In addition, the 60-foot ROW on the east end of Cherry Street has not yet been secured, as outlined in the conditions of MDA approval on September 19, 2024.

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## City Staff Analysis & Comments

1. The 60-foot Cherry Street ROW must be secured in accordance with the MDA.
2. The applicant shall coordinate with the City Engineer to determine whether the wall shall be designed and constructed with this project or fee in-lieu paid ensuring design standards are met.
3. The Cherry Wood Plat must be amended to reflect Cherry Street's alignment and to ensure the road functions as a through road.
4. Stormwater shall be contained within the development, with long-term maintenance provided by the HOA as outlined in the plat notes.

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## Mitigation Efforts (Applicant & City Coordination)

1. Stormwater will be retained and managed within the development.
2. The applicant must secure the 60-foot ROW along the east end of Cherry Street prior to final plat approval.
3. Retaining wall responsibility must be resolved by design and construction or fee in-lieu in coordination with the City Engineer.

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## Conditions & Conclusions

In order to move forward with this project, the following conditions must be satisfied:

1. The **60-foot ROW** for Cherry Street must be obtained prior to approval of the preliminary plat.
2. The **amendment of the Cherry Wood Plat** must be completed prior to approval of the West Haven final plat.
3. The **alignment of Cherry Street** must be clearly shown and established as a through road in all plats and exhibits.
4. The applicant shall **coordinate with the City Engineer** to determine the necessity, design, and responsibility for the **retaining wall**. If deemed the applicant's responsibility, the wall shall be installed or bonded prior to final plat approval.
5. The applicant shall **coordinate with the City Engineer** to design and construct or pay a fee in-lieu in coordination with the City Engineer.

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**Planning and Zoning**  
336 W. Main St.  
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6. All **stormwater management improvements** shall be designed to City standards and approved by the City Engineer.
7. Any **public utility easements** impacted by the new alignment shall be modified or dedicated as needed at the developer's expense.
8. All **fees, impact assessments, and dedications** required by City Code shall be paid or recorded prior to final plat approval.

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## **Recommendation**

Staff recommends that the Planning Commission forward a recommendation of **conditional approval** of the West Haven Preliminary Plat to the City Council, subject to the conditions outlined above.

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West Haven Development - Grantsville, UT Development Standards					
Proposed Residential Uses	Zoning Designation R-1-21	Zoning Designation A-1 10	Variances (SFD)	Variances (SFD - Twin homes)	Variances (SFD - Townhomes)
Description	PUD Requirement			PUD Requirement	
Minimum Lot Size	21,780 SF (1/2 acre)	10 acres	8,000-SF	7,000-SF	2,500-SF
Minimum Size Corner Lots	2 Front yards / 2 Rear yards	2 Front yards / 2 Rear yards	8,000-SF	7,000-SF	2,500-SF
Additional Area for Each Additional Dwelling Unit on Lot					
Minimum Dwelling Unit SF			1,000-SF	1,000-SF	900-SF
Minimum Lot Frontage	70-FT	165-FT	60-feet	50-feet	24-feet
<b>Minimum Yard Setbacks</b>					
Front Yard	40-FT	40-FT	25-FT	25-FT	25-FT
Driveway					
<b>Rear Yard</b>					
Main Building	30-FT	60-FT	25-Feet	20-Feet	10-Feet
Accessory Building	*1-Foot	7.5-FT	*1-Foot		
<b>Side Yard</b>					
Main Building	5*/15-FT	20-FT	5*/15-FT	0-Feet Attached side; 7.5-feet End Units From Property Line	0-Feet Attached side; 5-feet End Units From Property Line
Accessory Building			*1- Foot	N/A	N/A
Multi-Unit Building Spacing				0-Feet Attached side; 15-feet End Units Building to Building	0-Feet Attached side; 20-feet Building to Building
Corner Side Yard	2 Front Yards / 2 Side Yards		10-Feet	10-Feet	10-Feet
Maximum Building Height	35-FT	45-FT	35-Feet	35-Feet	35-Feet
Maximum Building Area	20%		35%	40%	50%
* Since this project is a PUD which has previously been approved the underlying zoning does not directly apply. The PUD approval has been made based on a concept drawing which determines where each type of use will be applied. All use not defined in the table will refer to the underlying zoning.					
***The width between the homes will be a minimum of 30 feet(when separated by a road)which would include the 26 feet of asphalt and the 2 ½ feet of curb on both sides making it the minimum 30-foot width.					

**APPROVED**  
**Grantsville City**  
**Engineer**

# REVISIONS

## Grantsville City

### Planning Department

**APPROVED**  
**Grantsville City**  
**Planning Consultant**  
09/18/2025

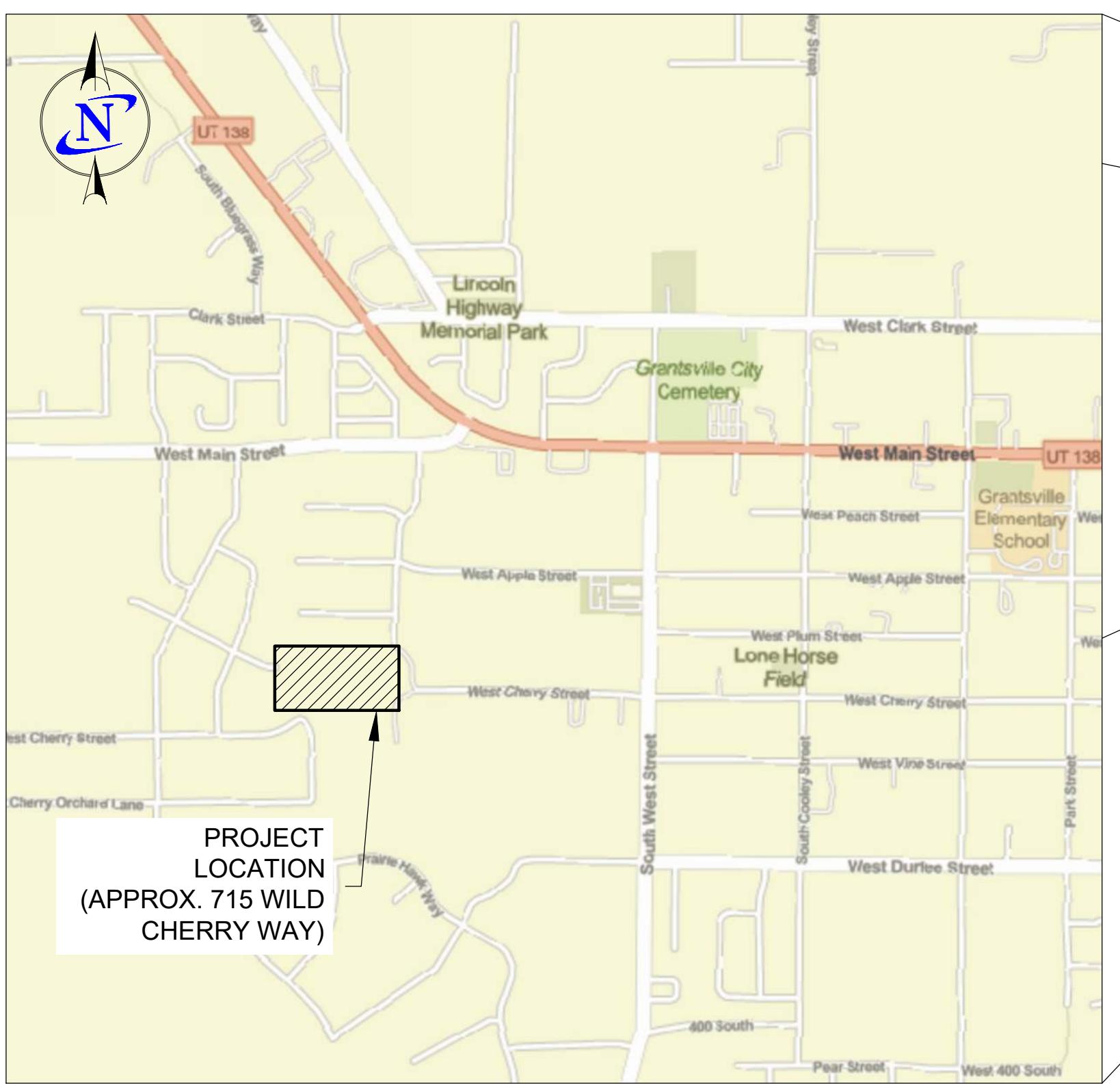
**APPROVED**  
**Grantsville City**  
**Fire Department**  
09/18/2025

Retaining wall on Cherry Street will be addressed with Planning Commission 60' ROW needs to be obtained.

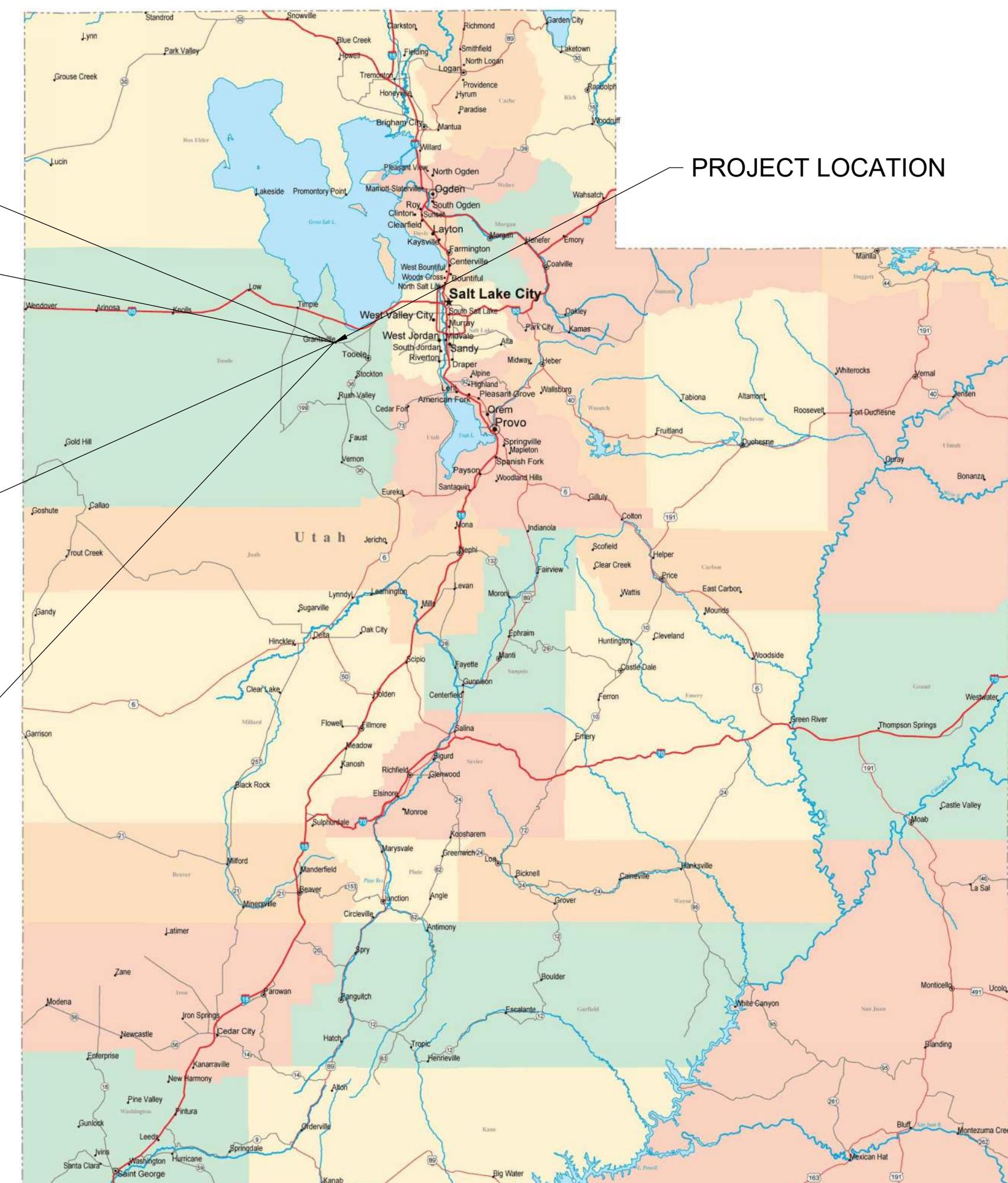
# **WEST HAVEN SUBDIVISION**

## **CONSTRUCTION DRAWINGS**

LOCATED IN THE SOUTHEAST QUARTER OF  
SECTION 35, TOWNSHIP 2 SOUTH, RANGE 6 WEST,  
SALT LAKE BASE & MERIDIAN,  
GRANTSVILLE CITY, UTAH



## *VICINITY MAP* N.T.S.



## PROJECT LOCATION

## **SHEET INDEX**

CV1	COVER SHEET
NT1	GENERAL NOTES
NT2	GENERAL NOTES
PL1	SUBDIVISION PLAT
SP1	SITE PLAN
IP1	STREET IMPROVEMENT PLAN
GP1	GRADING PLAN
DP1	DRAINAGE PLAN
SS1	SANITARY SEWER PLAN
DW1	DRINKING WATER PLAN
LS1	LANDSCAPE PLAN

PROJECT BENCHMARK

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THE BENCHMARK FOR THIS SURVEY IS THE SOUTHEAST CORNER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 6 WEST, SALT LAKE BASE AND MERIDIAN.  
BENCHMARK ELEVATION - 4545.741

### **BASIS OF BEARING:**

---

NORTH 00°22'33" WEST 2644.29' BETWEEN THE FOUND  
SOUTHEAST CORNER AND THE EAST QUARTER  
CORNER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE  
2 WEST, SALT LAKE BASE AND MERIDIAN.

## PROJECT LAND SURVEYOR:

---

HIGHLAND SURVEYING  
TYLER HARPER  
(385) 381-6582  
THARPER@HIGHLANDSURVEYING.COM



now what's **below.**



**WEST HAVEN SUBDIVISION**

---

**COVER SHEET**

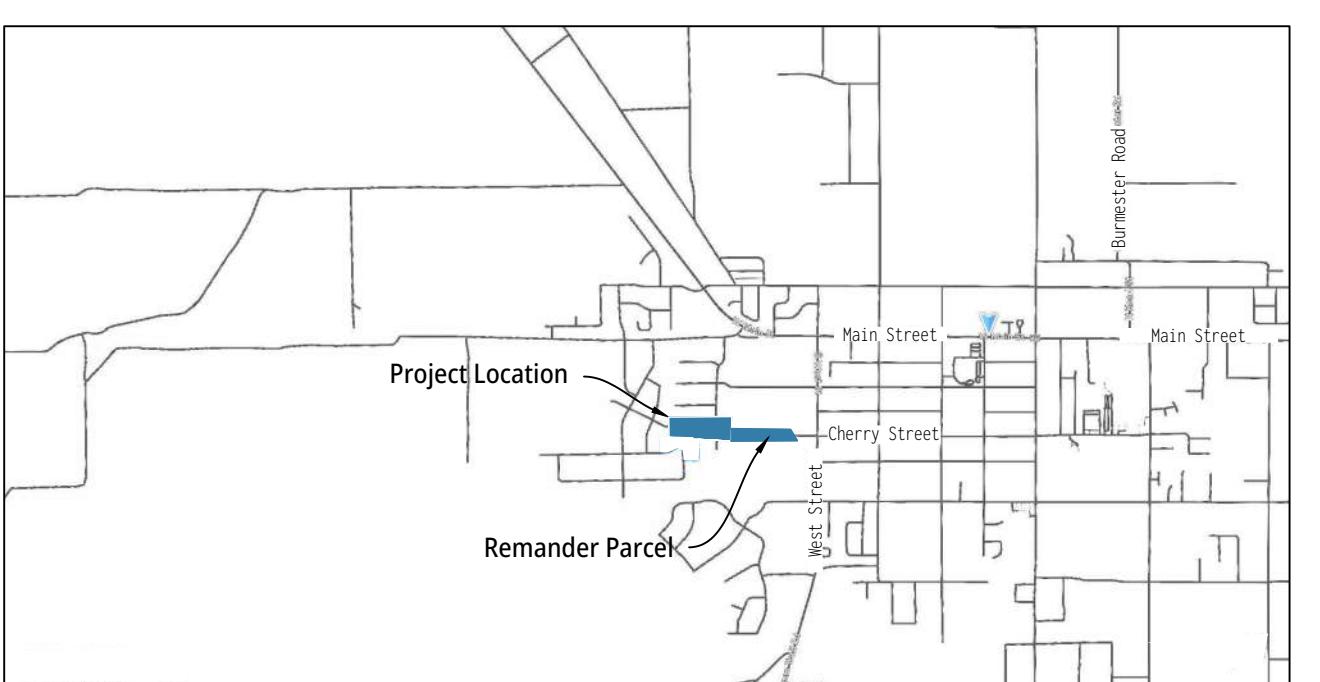
**CONSTRUCTION DRAWINGS**

Phone: (801) 253-0248 Fax: (801) 253-6139  
[www.proterragroup.com](http://www.proterragroup.com)

# Townhomes of West Haven Subdivision

Preliminary Plat -Not to be Recorded

## VICINITY MAP N.T.S.



## REMAINDER PARCEL DESCRIPTION

A parcel of land being Southwest Quarter of section 36, Township 2 south, Range 6 West, salt lake base, and meridian being more particularly described as follows.

Beginning at a Hathcock Rebar and cap 1025.19 feet North 0°22'33" West along the Section line and 502.88 feet North 89°37'27" East from the Southwest Corner of Section 36, and running thence South 89°33'29" East 185.72 Feet more or less to the intersection of the Westerly Boundary of the Southwest Addition of the City of Grantsville, recorded in Book HH at Page 379 in the office of the Tooele County Recorder; thence along said Westerly boundary South 00°20'17" East 125.46 Feet; thence along the Westerly extension of the Southerly Right-of-Way of Cherry Street, established by said Southwest Addition plat, North 89°16'34" West 400.53 Feet; thence North 00°08'00" West 66.01 Feet to the Westerly extension of the Centerline of said Southwest Addition plat; thence along said Westerly extension North 89°16'34" West 282.12 Feet; thence South 00°08'00" East 18.57 Feet; thence North 88°30'49" West 211.44 Feet to a point of non-tangency on a 219.19 Foot radius curve to the left; thence Westerly 23.60 Feet along said arc (Central Angle equals 06°10'09" Long Chord Bears South 87°21'26" West 23.59 Feet); thence along a line non-tangent to said curve, North 00°57'21" East, a distance of 72.57 Feet to the point of beginning.

Containing 77,323 Square Feet or 1.7751 Acres more or less.

Note: this is a remainder parcel description to update tax data. For more information regarding the boundary, see the Record of Survey filed at 2021-0064 with the Tooele County Surveyor's office.

## NOTES

1. A 5/8" X 24" Rebar and cap will be set at each lot corner. Nails in the curb will be set at the extension of the property line for each lot.
2. A 7.50 foot (5.00 feet for Twin Home) side yard and 10.00 foot front and rear yard PU&DE (Public Utility and Drainage Easement) are parallel to the lot line as indicated by the dashed lines.
3. A 50% max building area
4. Total roadway dedicated to Grantsville City is 110719.85 SQ.FT. or 2,54177 acres.
5. HOA is to maintain the park strip.
6. Twin home and Single family homes landscaping is left to the discretion of the owner of each lot. Water dedication in conjunction with this plat assumes that each of said lots will not be water wise landscaping.
7. HOA agrees to maintain the private retention areas. HOA further agrees not to alter the grading, nor allow any drainage to discharge onto neighboring properties, or put impervious surfaces on the retention area shown on this plat. This requirement will run with the property and apply to all future HOA or property owners. If at any time the HOA or property owners fails to maintain the basin to the reasonable satisfaction of the city, Grantsville City may make all necessary improvements, corrections, repairs, or replacements and collect from the property owner all incurred costs, fees, and interest.
8. HOA or property owners, successors, and assigns hereby grant a perpetual privilege and easement to Grantsville City to access the storm drain retention area at any time for the purpose of maintenance, inspection, repair, or replacement of any storm water or utility utility or below ground, but not limited to the storm drain retention area.
9. Parcels A and C, Residential Lots 21 to 26, Townhome Lots 27 to 38 are located within Flood Zone AE and the lowest habitable floor shall be a minimum of 1-foot above the BFE for all new or substantially improved residential structures. Residential Lots 21 to 26 and Townhome Lots 27 to 38 will not be allowed basements and are required to provide an Elevation Certificate with the building permit along with flood vents for any crawl space with a floor below the BFE.

Found East Quarter Corner of Section 35, T2S, R6W, SLB&M Found Brass Cap Monument Dated 1982

Cal 2644.29

Point of Beginning Remainder Parcel Found Hathcock Rebar and Cap

502.88

SEE SHEET TWO

72.57

NO 57'21"E

1025.19

NO 22'33"W Basis of Bearing

Found Section Corner to the Southeast Corner of Section 35, T2S, R6W, SLB&M Found Brass Cap Monument Dated 1982

## MACRO CURVE TABLE

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
A1	79.45'	219.19'	20°46'02"	S73° 53' 20"W	79.01'
A2	153.83'	331.23'	26°36'35"	S76° 48' 38"W	152.45'

## MICRO CURVE TABLE

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
B1	123.10'	402.20'	17°32'11"	S81° 40' 25"W	122.62'
B2	28.26'	15.00'	107°56'57"	N53° 06' 56"W	24.26'
B3	23.21'	15.00'	88°40'06"	S45° 17' 24"W	20.97'
B4	23.91'	15.00'	91°19'54"	N44° 42' 36"W	21.46'
B5	19.30'	15.00'	73°43'37"	N37° 49' 09"E	18.00'
B6	56.99'	211.62'	15°25'48"	N82° 23' 52"E	56.82'
B7	195.66'	437.64'	25°36'56"	S77° 18' 19"W	194.03'
B8	127.62'	277.62'	26°20'21"	N76° 56' 36"E	126.50'
B9	156.19'	336.20'	26°37'04"	N77° 04' 57"E	154.79'

## CENTER LINE CURVE TABLE

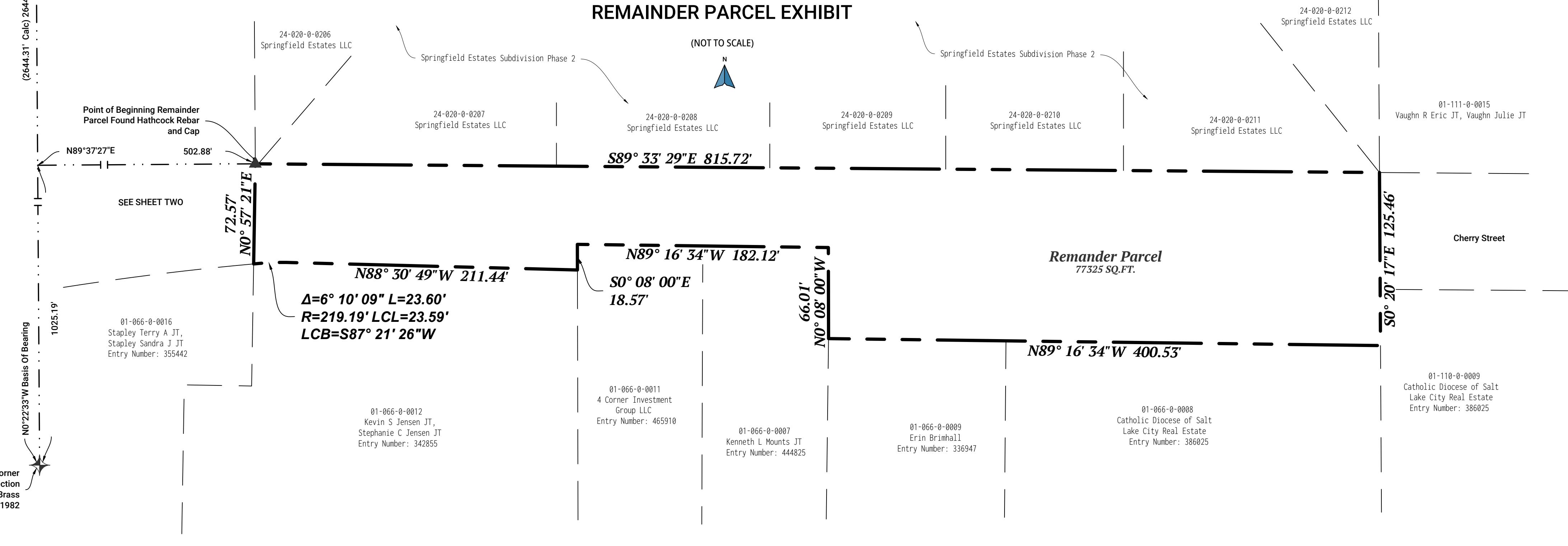
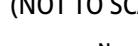
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	86.85'	404.64'	12°17'51"	N83° 57' 51"E	86.68'
C2	112.45'	244.62'	26°20'23"	N76° 56' 36"E	111.47'
C3	171.84'	369.20'	26°40'07"	N77° 06' 28"E	170.30'
C4	9.63'	244.62'	2°15'21"	N64° 54' 05"E	9.63'
C5	102.82'	244.62'	24°05'02"	N78° 04' 16"E	102.07'

## Parcel Line Table

Line #	Length	Direction
L1	110.00	N0° 22' 33"W
L2	0.30	S89° 33' 29"E

## REMAINDER PARCEL EXHIBIT

(NOT TO SCALE)



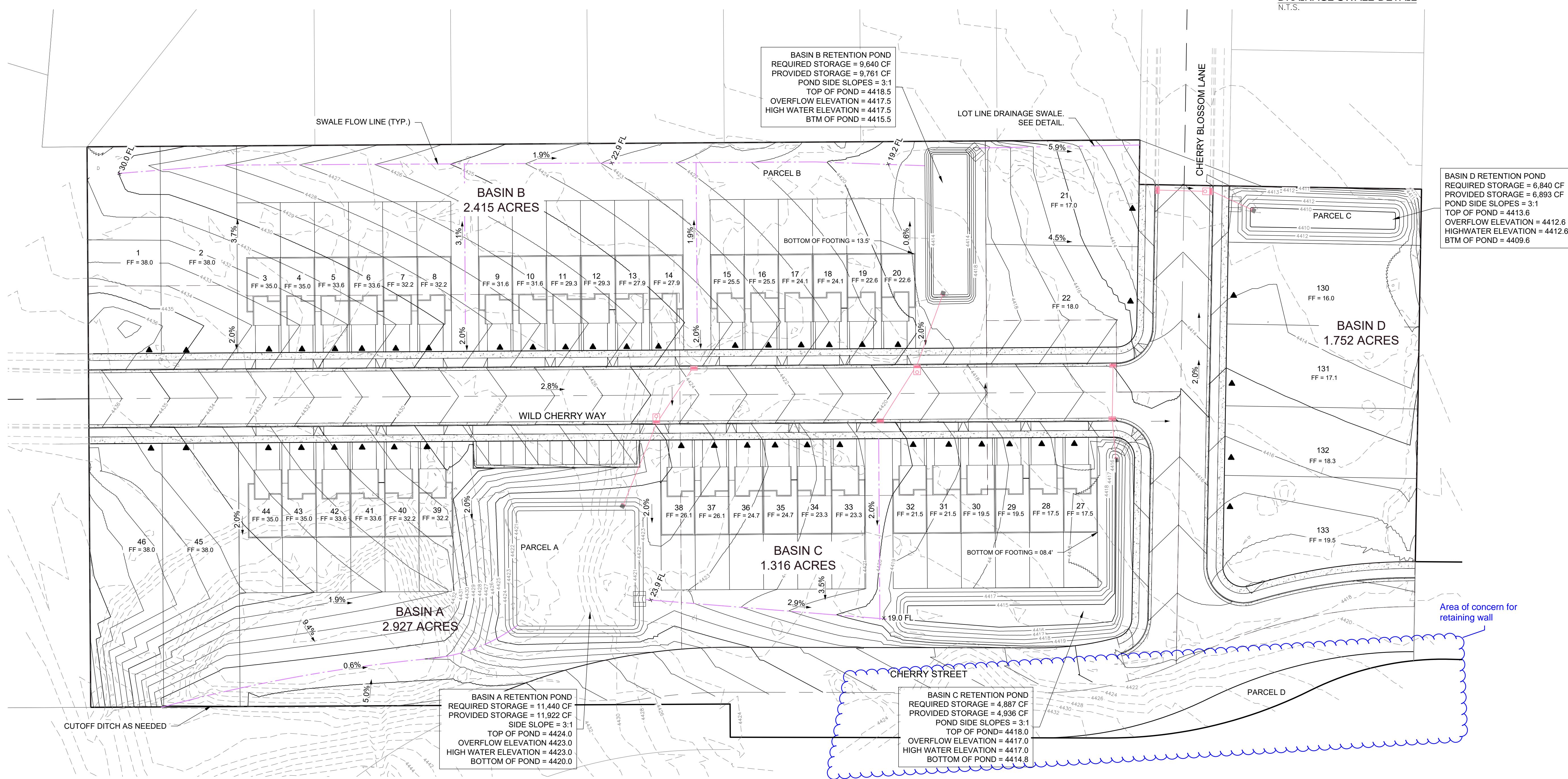


## PROJECT BENCHMARK

THE BENCHMARK FOR THIS SURVEY IS THE SOUTHEAST CORNER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 6 WEST, SALT LAKE BASE AND MERIDIAN.  
BENCHMARK ELEVATION = 4545.74'

### **NOTE**

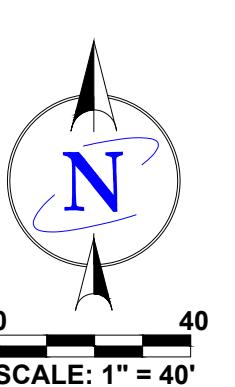
- PER THE GEOTECHNICAL REPORT PREPARED BY GSH GEOTECHNICAL INC., DEBRIS AND OTHER MATERIALS WERE FOUND ON SITE THAT NEED TO BE HANDLED. REFER TO SAID GEOTECHINICAL REPORT FOR THE DETAILED PROCEDURE RECOMMENDED.
- LOTS 21-22, 27-38 & 130-133 WILL BE REQUIRED TO PROVIDE AN ELEVATION CERTIFICATE PRIOR TO CONSTRUCTION AND ARE SUBJECT TO THE CITY FLOOD PLAIN ORDINANCE



#### ▲ ≡ DRIVEWAY LOCATION



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



40  
- 40'

10430 South 2700 West, South Jordan, Utah 84095  
Phone: (801) 253-0248 Fax: (801) 253-6139

130 South 2700 West, South Jordan, Utah 84095  
Phone: (801) 253-0248 Fax: (801) 253-6139

h 2700 West, South Jordan, Utah 84095  
(801) 253-0248 Fax: (801) 253-6139

# WEST HAVEN SUBDIVISION

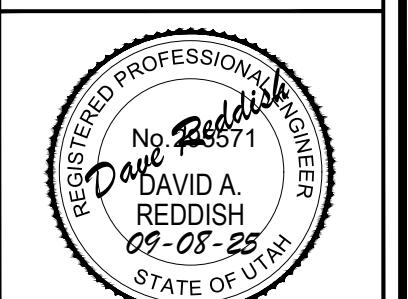
# GRADING PLAN

## CONSTRUCTION DRAWINGS

CONSTRUCTION DRAWINGS

### DESIGN CHECK

### DRAFTING CHECK:



SHEI

GP1

SHEET:

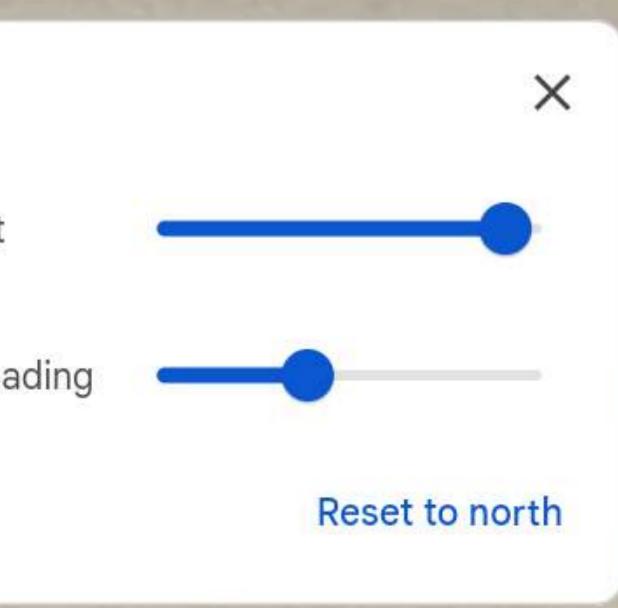


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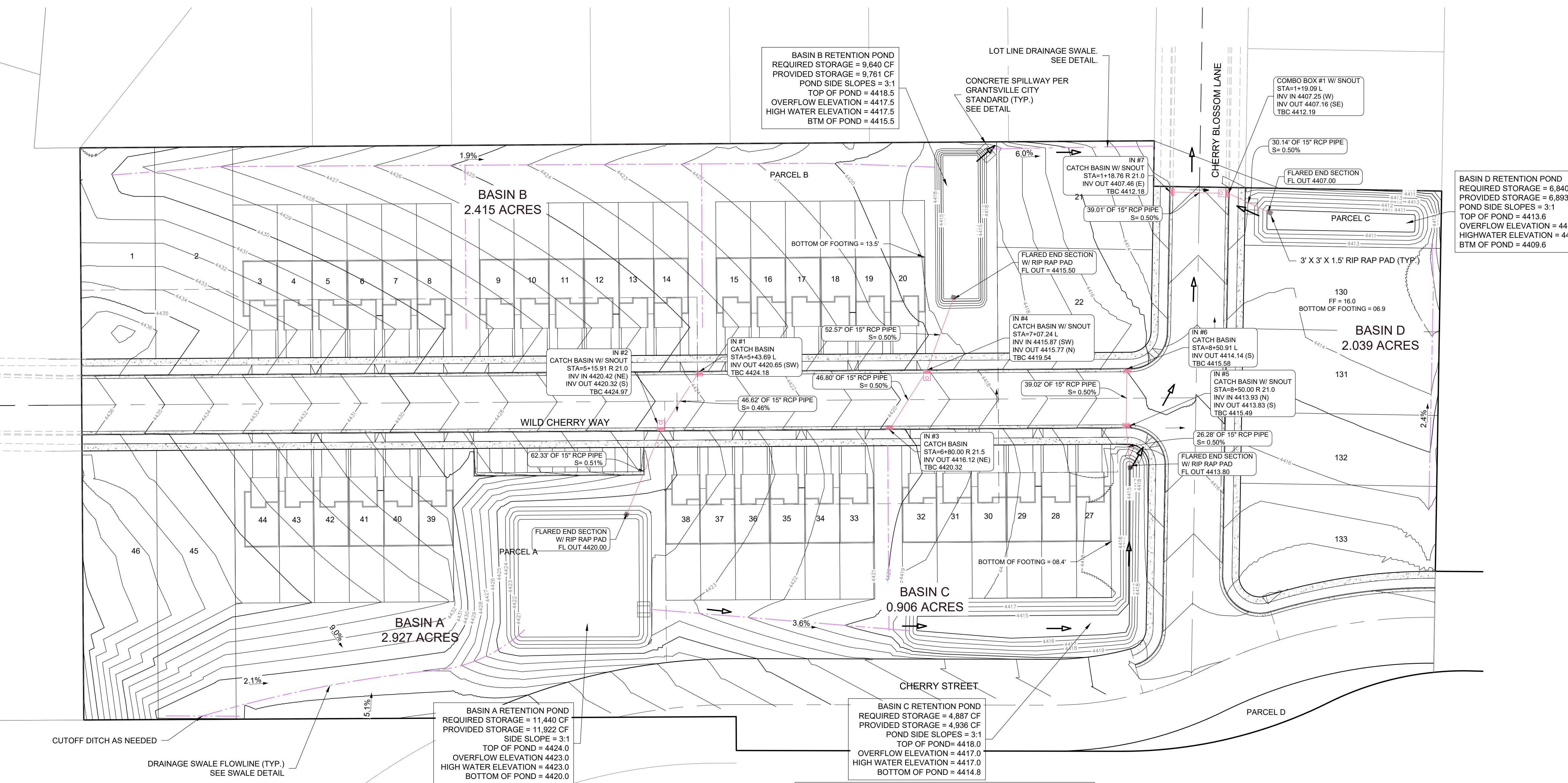


Heading





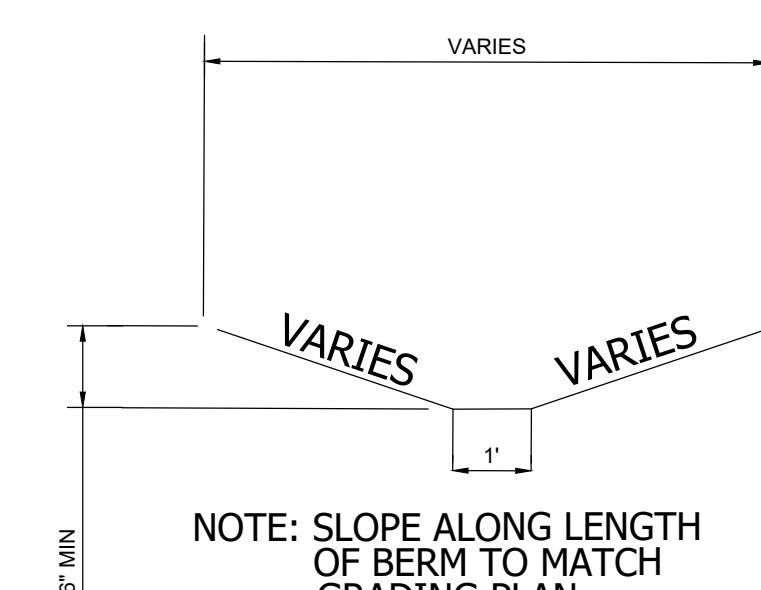
**WEST HAVEN SUBDIVISION**  
**DRAINAGE PLAN**  
CONSTRUCTION DRAWINGS



**PROJECT BENCHMARK**

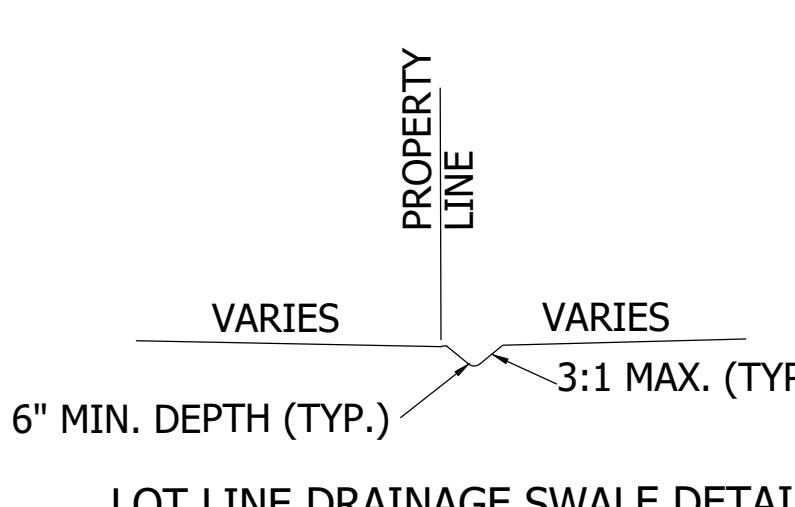
THE BENCHMARK FOR THIS SURVEY IS THE SOUTHEAST CORNER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 6 WEST, SALT LAKE BASE AND MERIDIAN.  
BENCHMARK ELEVATION = 4545.74'

→ = POND OVERFLOW ROUTE

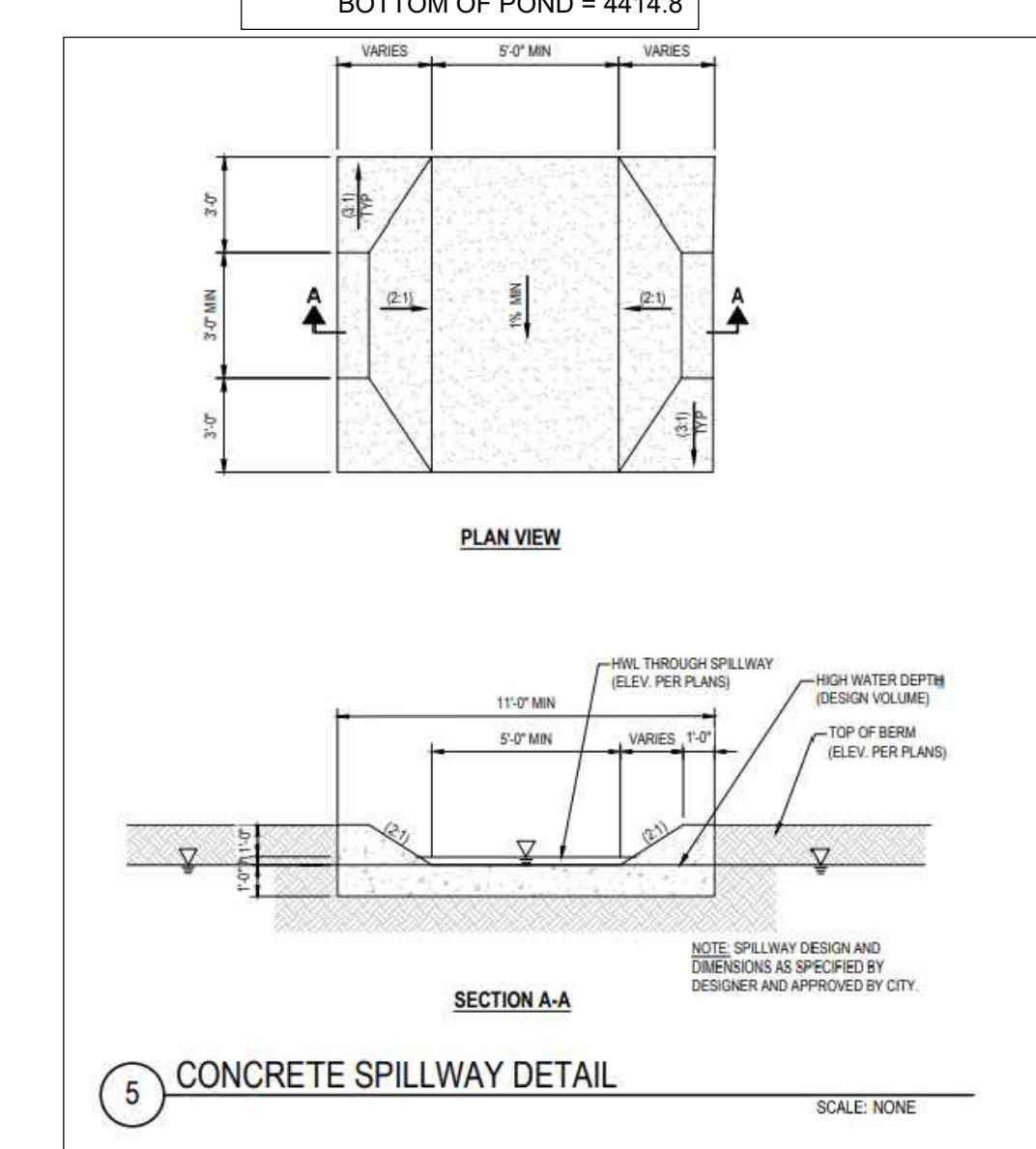


NOTE: SLOPE ALONG LENGTH OF BERM TO MATCH GRADING PLAN.

**DRAINAGE SWALE DETAIL**  
N.T.S.



**LOT LINE DRAINAGE SWALE DETAIL**  
N.T.S.



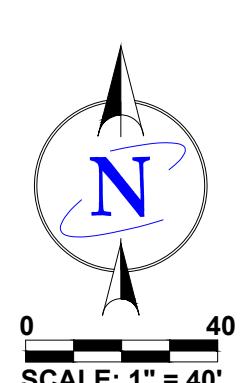
**CONCRETE SPILLWAY DETAIL**

**NOTE:**

PER THE GEOTECHNICAL REPORT PREPARED BY GSH GEOTECHNICAL INC., DEBRIS AND OTHER MATERIALS WERE FOUND ON SITE THAT NEED TO BE HANDLED. REFER TO SAID GEOTECHNICAL REPORT FOR THE DETAILED PROCEDURE RECOMMENDED.



Call before you dig.



0 40  
SCALE: 1" = 40'

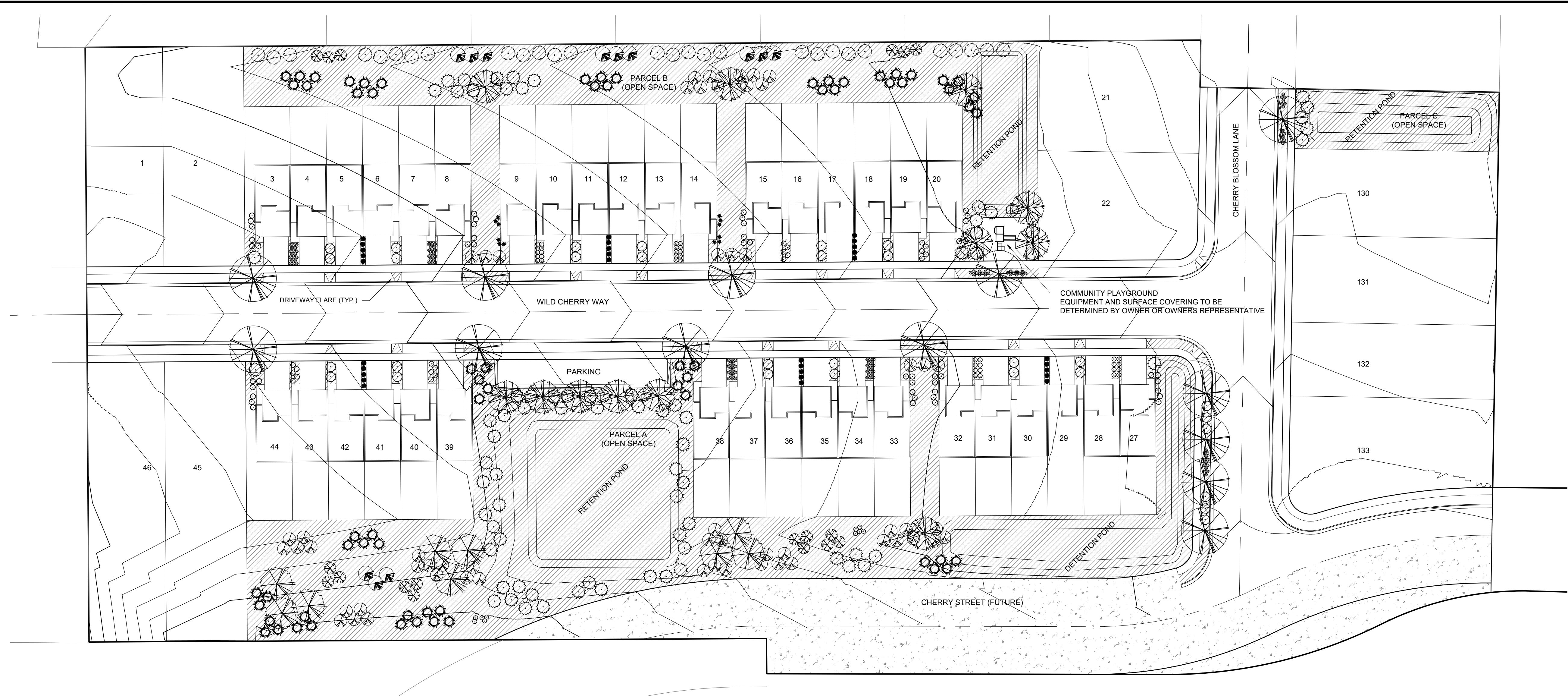
REVISIONS	DESCRIPTION	DATE

DESIGN CHECK:  
DRAFTING CHECK:  
REV. DATE

## WEST HAVEN SUBDIVISION

### LANDSCAPE PLAN

CONSTRUCTION DRAWINGS



#### PLANTING LEGEND

SYMBOL	QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE	PLANT SF AT Maturity	NOTES
13	1	COMMON HACKBERRY	<i>Celtis occidentalis</i>	2 1/2" Caliper	962	
9	1	GOLDEN RAIN TREE	<i>Koelreuteria paniculata</i>	2" Caliper	490	
12	1	CHOKECHERRY	<i>Prunus virginiana 'Canada Red'</i>	2" Caliper	490	
28	1	MOHICAN WAYFARINGTREE	<i>Viburnum lantana 'Mohican'</i>	5 Gal	80	
18	1	TIGER EYES SUMAC	<i>Rhus typhina 'Baltiger'</i>	5 Gal	80	
12	1	FORSYTHIA	<i>Forsythia 'Meadowlark'</i>	5 Gal	80	
30	1	GROW LOW SUMAC	<i>Rhus aromatica 'Grow Low'</i>	5 Gal	50	
20	1	POTENILLA	<i>Potentilla fruticosa 'Easy Hachiss'</i>	5 Gal	7	
12	1	RED HOT POKER TORCH LILY	<i>Kniphofia uvaria 'Falmenco'</i>	5 Gal	6	
10	1	RED YUCCA	<i>Hesperaloe parviflora</i>	5 Gal	12	
48	1	BLUE MIST SPIREA	<i>Caryopteris clandonensis 'Blue Mist'</i>	5 Gal	12	
20	1	RED JUPITER'S BEARD	<i>Centranthus ruber 'Roseus'</i>	1 Gal	7	
30	1	KARL FOERSTER FEATHER GRASS	<i>Calamagrostis x acutiflora 'Karl Foerster'</i>	1 Gal	9	
16	1	MUNSTEAD LAVENDER	<i>Lavandula angustifolia 'Munstead'</i>	1 Gal	9	
83	1	LITTLE TRUDY CATMINT	<i>Nepeta 'Little Trudy'</i>	1 Gal	9	
36	1	BLACK EYED SUSAN	<i>Rudbeckia fulgida 'Goldsturm'</i>	1 Gal	9	
82	1	CREEPING JUNIPER	<i>Juniperus communis 'Effusa'</i>	5 Gal	80	GREEN
64	1	CREEPING JUNIPER	<i>Juniperus horizontalis 'Hughes'</i>	5 Gal	80	SLIVER BLUE
56	1	CREEPING JUNIPER	<i>Juniperus horizontalis 'Bar Harbor'</i>	5 Gal	80	PURPLE IN WINTER

#### PLANTING LEGEND (continued)

SYMBOL	QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE	NOTES
102,680 sf	1	ROCK MULCH	1 1/2" Minus Nephi Crushed Stone Mulch by Staker Parsons, 3" Minimum Depth, or approved equal.		
1,493 sf	1	NATIVE VEGETATION (OR APPROVED EQUAL)	Re-seed in kind due to new construction and grading. (See Re-Vegetative seed mix info on this sheet)		
1	1	PLAY STRUCTURE - SIZE AND EXACT LOCATION TO BE DETERMINED			

#### RE-VEGETATIVE SEED MIX:

SPECIES	PERCENTAGE
SLENDER WHEATGRASS	15
WESTERN WHEATGRASS	17.5
BLUEBUNCH WHEATGRASS	16.25
SHEEP FESCUE	3.5
SANDBERG BLUEGRASS	2.75
INDIAN RICEGRASS	10
RUBBER RABBIT BRUSH	5
WESTERN SAGE	5
BLANKET FLOWER	5
BLUE FLAX	10
CALIFORNIA POPPY	10

APPLY SEED MIX AT A RATE OF TWENTY POUNDS PER ACRE (20 LBS./AC. SEEDMIX PROVIDED BY GRANITE SEED, LEHI UTAH)

#### LANDSCAPE TABLE

ITEM	AMOUNT (sf)	PERCENTAGE
TOTAL LANDSCAPE AREA	105,073	100%
LAWN (TURF-GRASS)	0	0%
SHRUB AREAS	100,379	96%
PARK STRIP	3,201	3%
NATIVE	1,493	1%

REVISIONS

DATE

DESIGN CHECK:

DRAFTING CHECK:

REV.

DESCRIPTION

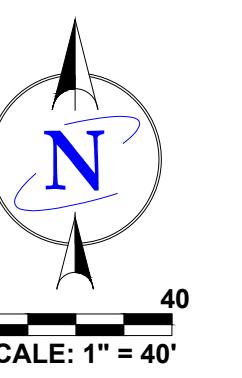
DATE

#### GENERAL NOTES

- ALL QUANTITIES ARE SHOWN AS AN AID ONLY. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR FOR ALL ACTUAL QUANTITY CALCULATIONS.
- PLANT COMMON NAMES ARE SHOWN AS AN AID ONLY. USE BOTANICAL NAME WHEN PURCHASING ALL PLANT MATERIAL.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UNDERGROUND UTILITIES, PIPES AND STRUCTURES.

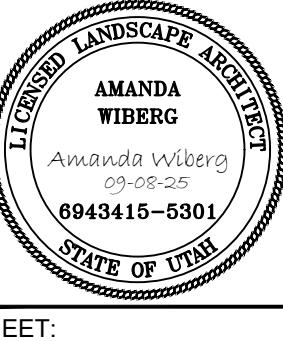
#### IRRIGATION NOTES

- AUTOMATIC IRRIGATION SYSTEM TO BE INSTALLED TO ADEQUATELY WATER ALL PLANT MATERIAL USING WATER CONSERVING DRIP IRRIGATION.



SCALE: 1" = 40'

LS1



CURRENTLY RECORDED DESCRIPTIONS

Parcel No. 01-065-0-0040  
Warranty Deed, Entry No. 473066

Beginning 569.54 feet South of the East quarter corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; running thence South 1150.71 feet; thence West 468.55 feet; thence North 1150.71 feet; thence North 89°37'27" East, 468.55 feet, to the point of beginning. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat 'B', recorded August 4, 2006 as Entry No. 264870. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat C PUD, recorded July 26, 2009 as Entry No. 289791.

Parcel No. 1-066-0-0018  
Warranty Deed, Entry No. 472784

Beginning at a point North 0°22'33" West 899.36 feet (North 897.00 feet record) along the Section line from the Southwest corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; and running thence South 89°53'05" East 501.76 feet (East 499.40 feet record); thence South 00°26'31" West 51.02 feet (South 54.30 feet record); thence South 89°33'29" East 50.00 feet (East 50.00 feet record); thence North 00°26'31" East 104.50 feet (North 104.50 feet record); thence South 89°33'29" East 183.30 feet (East 183.30 feet record) to an existing fence line; thence South 00°26'31" West 10.00 feet (South 10.00 feet record) along said fence line; thence South 89°33'29" East 182.10 feet (East 182.10 feet record); thence South 00°26'31" West 45.65 feet (South 10.00 feet record) to the South line of a 2 chain right of way (132.00 feet); thence South 89°33'29" East 406.85 feet (East 400.40 feet record) along the South line of said right of way to the Northwest corner of Block 62, Grantsville City Survey; thence North 00°26'31" East 132.00 feet (North 132.00 feet record) to the North line of said right of way and an existing fence line; thence North 89°33'29" West 823.00 feet (West 823.00 feet record) along said fence line; thence South 00°57'21" West 105.44 feet (South 102.15 feet record); thence North 89°53'05" West 500.41 feet (West 545.71 feet record) to the Section line; thence South 00°22'33" East 24.40 feet (South 22.85 feet record) along the Section line to the point of beginning.

Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156225 in Book 650 at Page 582

Parcel No. 01-066-0-0019  
Warranty Deed, Entry No. 472815

Beginning at a point North 0°22'33" West 899.36 feet (North 897.00 feet record) along the Section line from the Southwest corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; and running thence South 89°53'05" East 501.76 feet (East 499.40 feet record); thence South 00°26'31" West 51.02 feet (South 54.30 feet record); thence South 89°33'29" East 50.00 feet (East 50.00 feet record); thence North 00°26'31" East 104.50 feet (North 104.50 feet record); thence South 89°33'29" East 183.30 feet (East 183.30 feet record) to an existing fence line; thence South 00°26'31" West 10.00 feet (South 10.00 feet record) along said fence line; thence South 89°33'29" East 182.10 feet (East 182.10 feet record); thence South 00°26'31" West 45.65 feet (South 10.00 feet record) to the South line of a 2 chain right of way (132.00 feet); thence South 89°33'29" East 406.85 feet (East 400.40 feet record) along the South line of said right of way to the Northwest corner of Block 62, Grantsville City Survey; thence North 00°26'31" East 132.00 feet (North 132.00 feet record) to the North line of said right of way and an existing fence line; thence North 89°33'29" West 823.00 feet (West 823.00 feet record) along said fence line; thence South 00°57'21" West 105.44 feet (South 102.15 feet record); thence North 89°53'05" West 500.41 feet (West 545.71 feet record) to the Section line; thence South 00°22'33" East 24.40 feet (South 22.85 feet record) along the Section line to the point of beginning.

Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156225 in Book 650 at Page 582

Parcel No. 01-066-0-0022  
Warranty Deed, Entry No. 472850

Beginning at the West quarter corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; thence East 545.71 feet; thence South 1720.15 feet; thence West 545.71 feet; thence North 1720.51 feet to the point of beginning. Less and excepting therefrom that portion of the subject property as disclosed by that certain dedication plat of CHERRY GROVE SUBDIVISION PLAT 'A' being recorded March 16, 2000 as Entry No. 145105. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat 'B', recorded August 4, 2006 as Entry No. 264870. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat 'C' PUD, recorded July 26, 2009 as Entry No. 289791. Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156224 in Book 650 at Page 580. Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156225 in Book 650 at Page 582.

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

RECORD OF SURVEY FOR:

RONALD & SHERRI BUTLER

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 36,  
TOWNSHIP 2 SOUTH, RANGE 6 WEST,  
SALT LAKE BASE AND MERIDIAN  
GRANTSVILLE, TOOELLE COUNTY, UTAH

ADJUSTED DESCRIPTIONS

Adjusted Description Parcel A

A parcel of land situate in the Southwest Quarter of Section 36 and the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point which lies North 0°22'33" West 924.08 feet along the section line established by the Tooele County Dependent Survey in 1982, said Point lies North 0°22'33" West 1180.45 feet from a Tooele County Surveyor brass monument placed in 1982, representing the Southwest Corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian (Basis of Bearing for this description is North 0°22'33" West 2644.31 feet along the section line common to Sections 35 and 36 defined by Tooele County Surveyor brass monuments placed in 1982 representing the Southwest Corner and the West Quarter Corner of said Section 36);

Thence South 89°37'27" West 107.102 feet; thence North 0°22'33" West 125.00 feet; thence North 89°37'27" East 348.50 feet; thence South 0°22'33" East 125.00 feet; thence South 89°37'27" West 241.398 feet to the Point of Beginning. The above-described parcel of land contains approximately 43,562 square feet in area or 1.000 acre.

Adjusted Description Parcel C

A parcel of land situate in the Southwest Quarter of Section 36 and the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point on the section line established by the Tooele County Dependent Survey in 1982, said Point lies North 0°22'33" West 1180.45 feet from a Tooele County Surveyor brass monument placed in 1982, representing the Southwest Corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian (Basis of Bearing for this description is North 0°22'33" West 2644.31 feet along the section line common to Sections 35 and 36 defined by Tooele County Surveyor brass monuments placed in 1982 representing the Southwest Corner and the West Quarter Corner of said Section 36);

Thence South 89°37'27" West 107.102 feet; thence North 0°22'33" West 125.00 feet; thence North 89°37'27" East 348.50 feet; thence South 0°22'33" East 125.00 feet; thence South 89°37'27" West 241.398 feet to the Point of Beginning. The above-described parcel of land contains approximately 43,562 square feet in area or 1.000 acre.

Adjusted Description Parcel D

A parcel of land situate in the Southwest Quarter of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point which lies North 0°22'33" West 899.76 feet along the section line established by the Tooele County Dependent Survey in 1982 and South 89°53'05" East 204.537 feet from a Tooele County Surveyor brass monument placed in 1982, representing the Southwest Corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian (Basis of Bearing for this description is North 0°22'33" West 2644.31 feet along the section line common to Sections 35 and 36 defined by Tooele County Surveyor brass monuments placed in 1982 representing the Southwest Corner and the West Quarter Corner of said Section 36);

and length of South 76°58'26" West 102.101 feet to a point of reverse curvature; thence North 0°31'02" West 252.447 feet; thence North 89°37'27" East 122.78 feet; thence North 0°57'21" West 152.006 feet to intersect the southerly boundary of CHERRY GROVE PLAT C P.U.D., the official plat of which was recorded July 26, 2007 as Entry No. 289791 in the office of the Tooele County Recorder; thence along the boundary of said P.U.D., South 89°02'39" East 177.00 feet to the Southeast Corner of said P.U.D.;

thence along an old, established fence line, South 0°57'21" West 273.19 feet (record = 273.49 feet) to a fence corner; thence along an old, established fence line South 89°33'29" East 815.72 feet, more or less, (record = 807.312 feet) to intersect the westerly boundary of the SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE, recorded in Book HH at Page 379 in the office of the Tooele County Recorder;

thence along the boundary of said P.U.D., South 89°02'39" East 177.00 feet to the Southeast Corner of said P.U.D.;

thence along an old, established fence line, South 0°57'21" West 273.19 feet (record = 273.49 feet) to a fence corner;

thence along an old, established fence line South 89°33'29" East 815.72 feet, more or less, (record = 807.312 feet) to intersect the westerly boundary of the SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE, recorded in Book HH at Page 379 in the office of the Tooele County Recorder;

thence South 0°57'21" West 152.006 feet; thence South 89°37'27" West 152.78 feet; thence along said westerly boundary, South 0°20'17" East 125.465 feet (record = South 0°14'55" East 125.12 feet);

thence along the westerly extension of the southerly right-of-way line of Cherry Street as established by said SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE, North 89°16'34" West 400.53 feet (record = 392.01 feet);

thence North 0°08'00" West 66.01 feet to intersect a westerly extension of the centerline of Cherry Street as established by said SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE;

thence along said westerly extension, North 89°16'34" West 182.12 feet; thence South 0°08'00" East 18.575 feet;

thence North 0°26'31" West 5.27 feet;

thence North 89°33'29" West 27.81 feet to a point of curvature;

thence Southwesterly 103.048 feet along the arc of a tangent curve to the left having a radius of 219.19 feet, a central angle of 26°56'11" and a chord bearing and length of South 76°58'26" West 102.101 feet to a point of reverse curvature;

thence Southwesterly 153.832 feet along the arc of a reverse curve to the right whose center bears North 26°29'40" West, has a radius of 331.23 feet, a central angle of 26°36'35" and a chord bearing and length of South 76°48'38" West 152.453 feet to a point of tangency;

thence North 89°53'05" West 71.953 feet to the Point of Beginning.

The above-described parcel of land contains approximately 174,438 square feet in area or 4.005 acres.

SURVEYOR'S NARRATIVE

This survey was performed at the request of Barry Bunderson on behalf of Ronald and Sherri Butler for the purpose of defining on the ground the exterior boundary and adjusting the common boundaries of four parcels of land owned by Butler with the approval of Grantsville City.

Tooele County Dependent Survey monuments were found as shown hereon and relied upon for the bearing base of this survey. Boundaries were determined as follows:

The southerly boundary of the portion of the Butler parcels lying in Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian was held parallel with the northerly line of said Section 35 at the record distance southerly of 1720.25 feet. From the section line common to Sections 35 and 36 the record distance of 468.55 feet which arrives at a found rebar and cap set by Nolan C. Hathcock in 1996. See record of survey, File No. 1996-0009-01 in the files of the Tooele County Surveyor. The westerly line of this parcel was held parallel with the section line common to Sections 35 and 36 and extended northerly to intersect the southerly boundary of CHERRY GROVE PLAT C P.U.D. The southerly boundary of said CHERRY GROVE PLAT C P.U.D. defines the northerly boundary of the Butler parcels that share a common boundary with said P.U.D. From the southeasterly corner of said P.U.D. which is marked by an Ensign Engineering rebar and cap, the bearing of the easterly boundary of said P.U.D. was extended southerly along an old, well established fence line to a fence corner. An old fence line runs easterly from this point, which is the best available evidence of a long established boundary. This fence line was followed easterly to intersect the westerly boundary of SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE. The SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE was surveyed by Charles A. Herman, Land Surveyor, April 21, 1890 and approved by Charles A. Herman, Probate Judge, June 9, 1890. A hand written notation "H.H./379", appears on the upper left-hand corner of the plat which I interpret as a recording reference. No Entry No. appears on the plat.

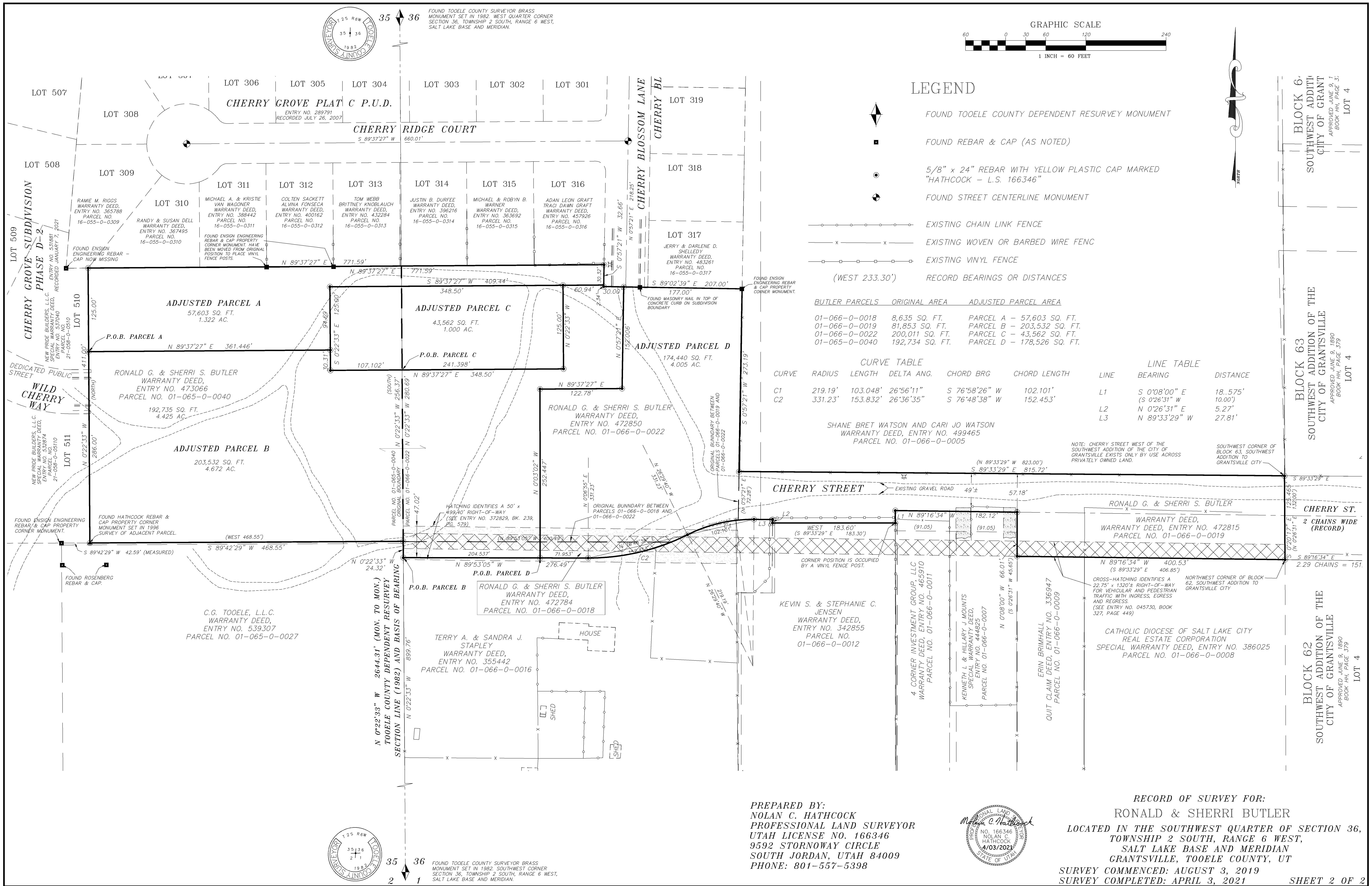
To establish the location of this plat on the ground the existing right-of-way lines of Durfee, Vine, Cherry, Plum, and Apple Streets were studied. The plat of SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE extends from Center Street westerly beyond West Street (shown on the plat as Cemetery Street). These streets have existed for many years from Center Street to West Street. These streets were not extended west of West Street until the late 1970's approximately. The right-of-way lines, determined from a study of the existing fence lines and other evidence of occupation easterly of West Street agrees very well with the 1890 plat. However, when these lines are extended westerly from West Street there is conflict with existing old fence lines. This determination for the location of the SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE disagrees with an old fence line along the north line of Cherry Street westerly of West Street and with the location of the Southwest corner of Block 63. A survey performed by Ensign Engineering for Eric Vaughn in 2015 (see file no. 2015-0062-01 in the files of the Tooele County Surveyor) agrees with the old fence line that appears to define the northerly right-of-way line of Cherry Street and to define the Southwest corner of block 63. In order to maintain harmony I have agreed with the Ensign Engineering survey to establish the northerly line of the Butler property along Cherry Street and to define the most easterly line of the Butler property, I have extended my determination for the southerly right-of-way line of Cherry Street, as previously explained, westerly from West Street. The plat of SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE served to dedicate Cherry Street at a width of 2 chains (132.00 feet) up to the westerly boundary of the plat. Westerly of the plat's westerly boundary Cherry Street exists by use only, crossing property owned by Butler.

Having arrived at the intersection of the old fence line, mentioned above, with the westerly boundary of said SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE, as determined by the Ensign Engineering survey, the plat boundary was followed southerly to intersect the southerly right-of-way line of Cherry Street, as determined by my analysis as described above. The southerly right-of-way line of Cherry Street was followed westerly to intersect the westerly boundary of Parcel No. 01-066-0-0007 and 01-066-0-0011 were created in November 1978 from a larger parcel of land. The descriptions contained in Warranty Deed, Entry No. 327672 in Book 165 at Pages 422-423 call "to the centerline of Cherry Street in Grantsville City, Utah, as extended westerly". For this reason I have held the westerly extension of the centerline of Cherry Street as the northerly boundary of these two parcels. The centerline of Cherry Street was followed westerly along the northerly boundary of these two parcels the record distance of 182.12 feet (perpendicularly 182.10 feet). The westerly boundary of Parcel No. 01-066-0-0011, once again, determined from old, established fence line evidence, was followed southerly to the northeast corner of Parcel No. 01-066-0-0012 as shown as the plat of survey by Nolan C. Hathcock, found as File No. 2018-0053-01 & 02. The northerly boundaries of Parcels 01-066-0-0012 and 01-066-0-0016 were then followed westerly to the section line common to Sections 35 and 36.

A 22.75 foot wide "Right-of-way for Vehicular and pedestrian traffic with ingress, egress and regress" exists across the most southerly portion of the Butler property adjacent to Parcel No. 01-066-0-0016. The right-of-way has its point of beginning at the Northwest corner of Block 62, Southwest Addition of the City of Grantsville. The right-of-way is 22.75 feet wide as shown hereon. It appears that whoever created the description of this right-of-way was not aware of the actual location of the Northwest corner of Block 62. This right-of-way lies approximately 50 to 60 feet south of the existing gravel road surface. There is no evidence that it has ever been used for access. At one point it is obstructed by an existing house. See document, Entry No. 045730, Book 327, Page 449 in the office of the Tooele County Recorder. A 50 foot wide easement also exists across the most southerly portion of the Butler property as shown hereon. See document, Entry No. 372829, in Book 239 at Page 579 in the office of the Tooele County Recorder. It should be noted that chain link fence and concrete driveway improvements on Parcel No. 01-066-0-0007 appear to extend northward onto the Butler property.

SURVEYOR'S CERTIFICATION

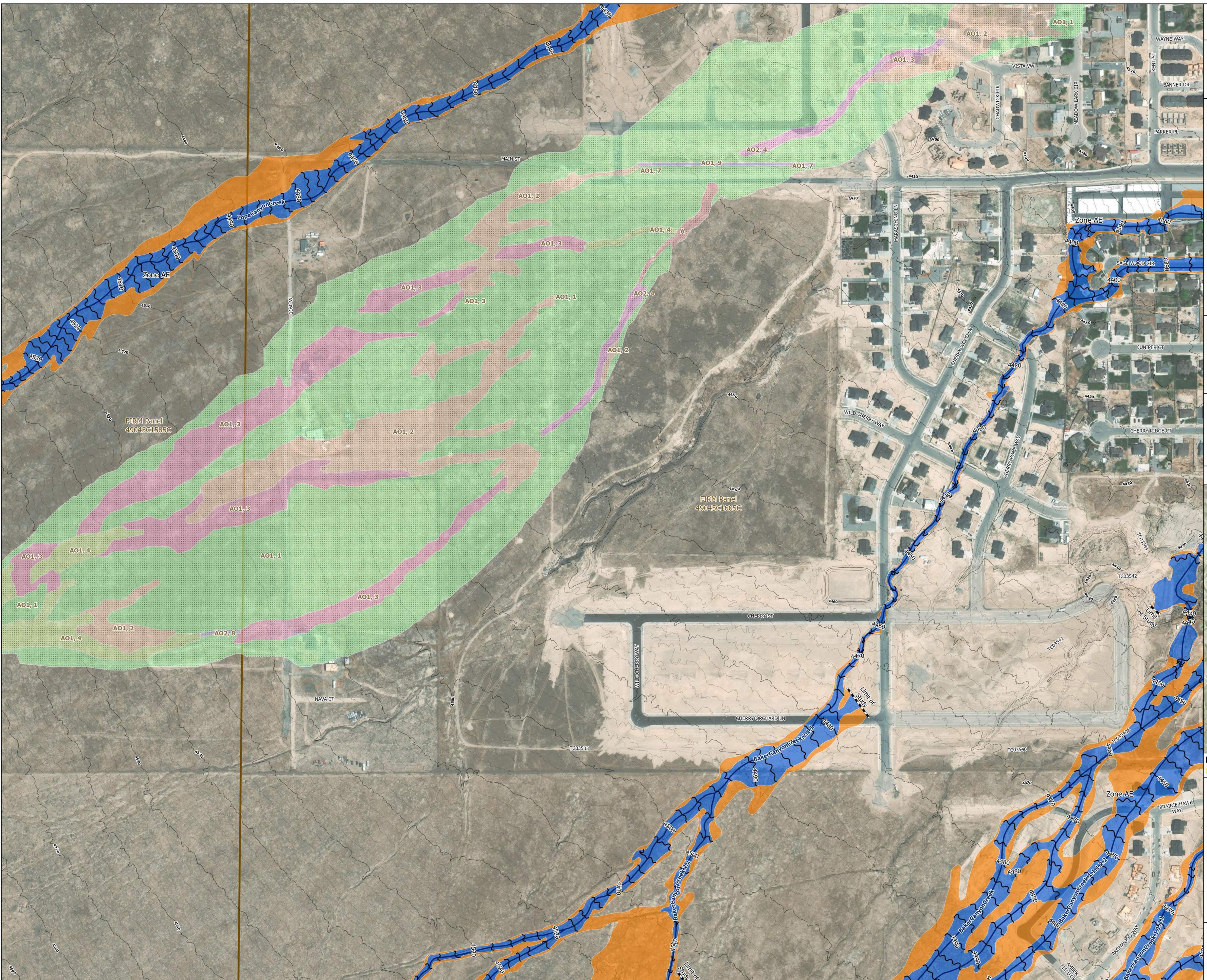




*PREPARED BY:  
NOLAN C. HATHCOCK  
PROFESSIONAL LAND SURVEYOR  
UTAH LICENSE NO. 166346  
9592 STORNOWAY CIRCLE  
SOUTH JORDAN, UTAH 84009  
PHONE: 801-557-5398*

*RECORD OF SURVEY FOR:  
RONALD & SHERRI BUTLER  
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 36,  
TOWNSHIP 2 SOUTH, RANGE 6 WEST,  
SALT LAKE BASE AND MERIDIAN  
GRANTSVILLE, TOOKELE COUNTY, UT  
SURVEY COMMENCED: AUGUST 3, 2019  
SURVEY COMPLETED: APRIL 3, 2021 SHEET 2 OF 2*

2021-0064



Tooele County Flood Risk Study  
Tooele County, Utah

FLOODPLAIN WORKMAPS

FEMA Community No. 490141 (City of Grantsville)

FEMA Community No. 490140 (Tooele County)

Limit of Study

Base Flood Elevation

(BFE)

Streamlines

Model Limits

FIRM Panel

Corporate Boundary

Riverine Zones

1%-Annual-Chance

Flood Zone (Zone AE)

0.2%-Annual-Chance

Flood Zone

AO1, 1

AO1, 2

AO1, 3

AO1, 4

AO1, 7

AO1, 9

AO2, 4

AO2, 8

Active Alluvial Fan

Zones

A

0 250 500 1,000

Feet

1 inch = 200 feet

N

Notes:

Base imagery source: ESRI 2024

Elevation Data Sources:

-2018 LiDAR | Vertical Datum NAVD 88

-AECOM supplemental survey (2022, 2023) | Vertical Datum NAVD 88

Map Sheet Index

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46
51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67
75	76	77	78	79	80											

Detailed Mapping Limits

Corporate Boundary

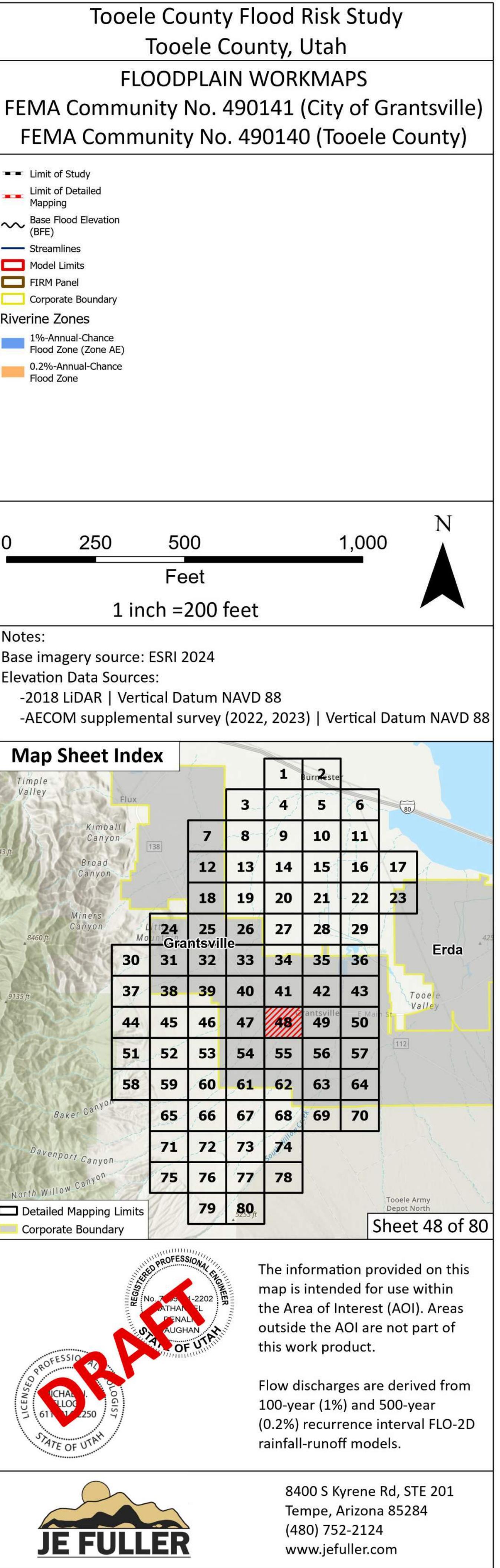
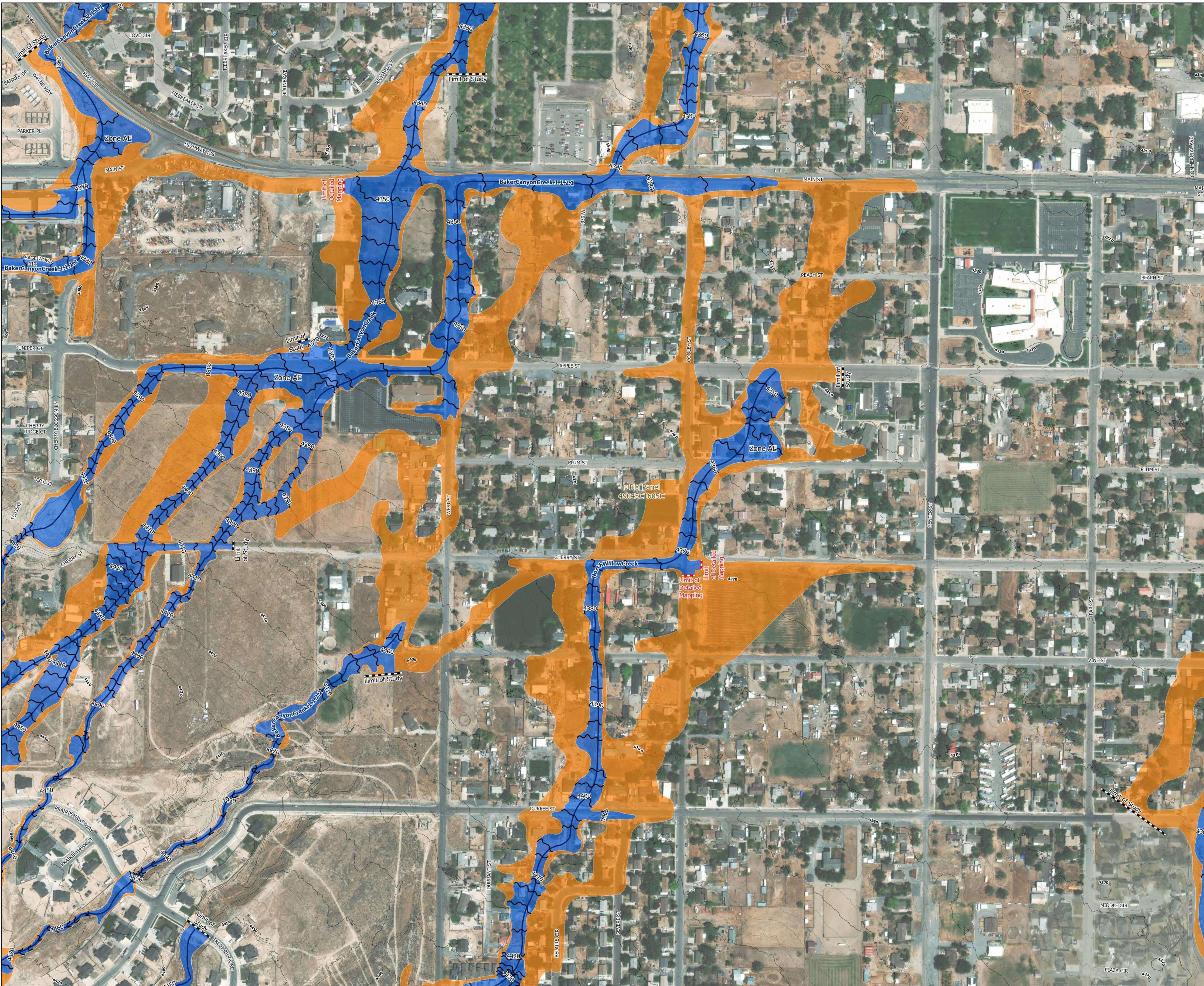
Sheet 47 of 80

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

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



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

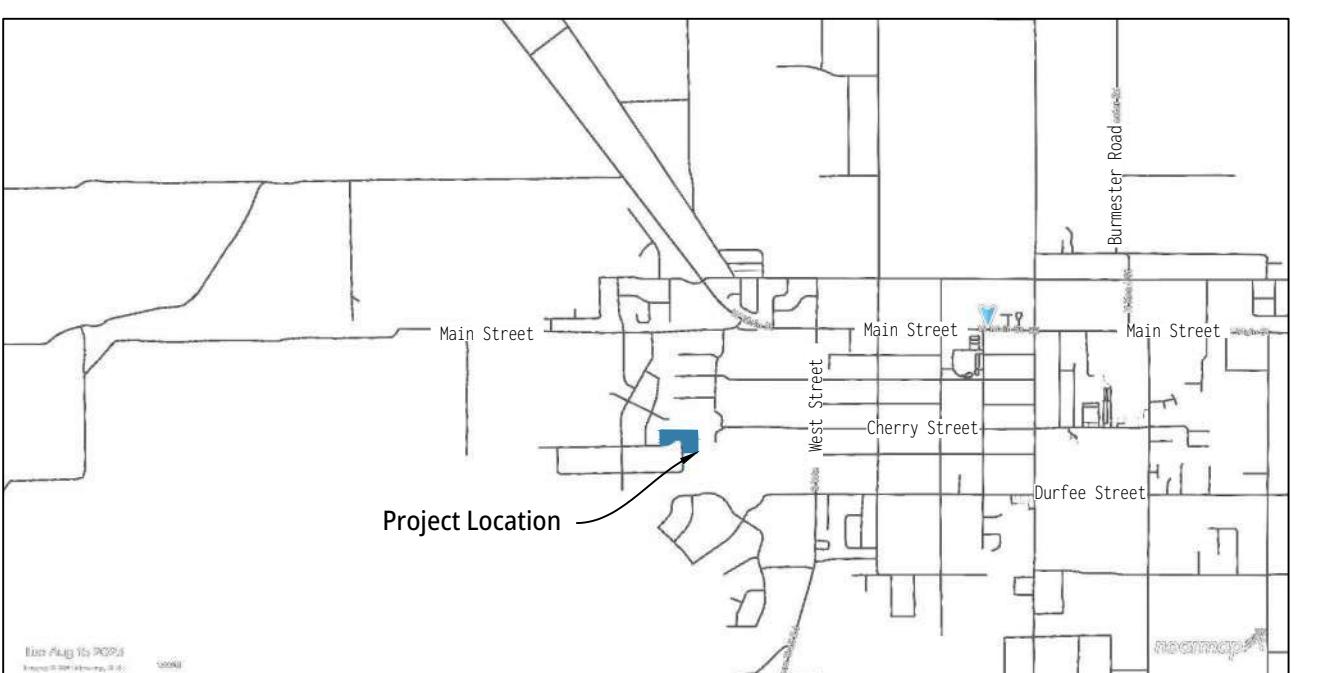


# Cherry Street Re-alignment Subdivision

Preliminary Plat - Not to be Recorded

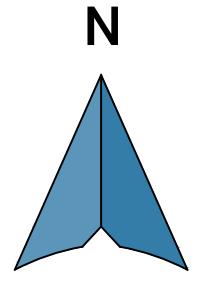
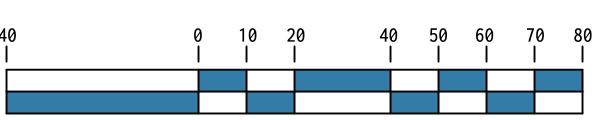
Located in the Southeast Quarter Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian US Survey  
Grantsville City, Tooele County Utah, February 2025

## VICINITY MAP N.T.S.



CURVE TABLE				
Curve #	Length	Radius	Delta	Chord Direction
C31	140.48'	233.00'	34°32'39"	N17°38'53"W 138.36'
C32	6.74'	15.00'	25°43'53"	S22°03'11"E 6.68'
C33	24.36'	70.00'	19°56'28"	N19°09'22"W 24.24'
C34	4.16'	70.00'	3°24'20"	N46°29'19"E 4.16'
C35	231.21'	371.64'	35°38'43"	N72°17'27"E 227.50'
C36	76.61'	437.64'	10°01'47"	N59°28'58"W 76.51'
C37	76.61'	70.00'	62°42'08"	S56°01'37"W 72.84'
C38	7.80'	15.00'	29°47'03"	S39°34'20"W 7.71'
C39	225.75'	367.00'	35°14'37"	S72°05'21"W 222.20'

SCALE: 1" = 40'



## LEGEND

Measurements Between Monuments	Deed Line	Found Section Corner
Certified Macro Boundary Line	Fence Line	Calculated Section Corner
Certified Micro Boundary Line	Building Line	Calculated Monument
Easement Line	Center Line	Set Nail
Calc. Calculated N.T.S. Not to Scale	Edge of Concrete/Asphalt	Set Rebar & Cap
		Found Rebar
		Found Nail

## NOTES

- No monuments were placed as a result of this survey.
- All easements rights and privileges granted within the original plat are to remain unless otherwise noted.
- Original Plat is (R1) in the Data Reference Table.
- For more information regarding found monuments perpetuating the public land survey system please reference the recorded survey with Tooele County.
- A 7.50 foot side yard and 10.00 foot front and rear yard PU&DE Public Utility and Drainage Easement are parallel to the lot line as indicated by the dashed lines.

## GRANTSVILLE CITY ENGINEER

Approved as to form this \_\_\_\_\_ day of \_\_\_\_\_ A.D., \_\_\_\_\_ By Grantsville City Engineer.

## ACKNOWLEDGMENT

State of Utah } S.S.  
County of Tooele }  
The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024 by Shawn Holste.  
Residing at: \_\_\_\_\_  
Commission Number: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

## GRANTSVILLE CITY MAYOR

Presented to this Grantsville City Mayor this Day of \_\_\_\_\_ A.D., \_\_\_\_\_ at which time this Condominium Plat was Accepted.

## TOOELE COUNTY SURVEYOR

Approved as to form this \_\_\_\_\_ day of April A.D., \_\_\_\_\_ by this Tooele County Surveyor. ROS# \_\_\_\_\_

Tooele County Survey Director

538.84' (538.79')

N0/22'33" W Basis of Bearing

## BOUNDARY DESCRIPTION

### PARCEL A-207:

A parcel of land being apart of lot 207 Cherry Wood Estates Subdivision Phase 2, according to the official records of Tooele County being situated in the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base, and Meridian being more particularly described as follows.

Beginning at the Northeast corner of lot 208 of said subdivision, said point being measured as 538.84 feet North 0°22'33" West along the section line from the Southeast corner of Said Section, and running thence South 89°37'27" West 201.00 feet to the East Right-of-Way of Cherry Hill Street; thence along said East Right-of-Way the following four (4) courses: (1) North 0°22'33" West 106.42 feet to a point of tangency on a 233.00 foot radius curve to the left, (2) Northenly along said arc 140.48 feet (Central Angel Equals 34°32'39" and Long Chord Bears North 17°38'53" West 138.36 feet) to a point of reverse curvature on a 15.00 radius arc to the right, (3) along said arc 6.74 feet (Central Angel Equals 25°43'53" Long Chord Bears North 17°38'53" East 6.68 feet) to a point of reverse curvature on a 70.00 foot radius arc to the left, and (4) along said arc 24.36 feet (Central Angel Equals 19°56'28" Long Chord Bears North 19°09'22" West 24.24 feet) to a point on a 70.00 foot non-tangent arc to the right; thence along said arc 4.16 feet (Central Angel Equals 2°42'00" Long Chord Bears North 46°29'19" East 4.16 feet to a point on a non-tangent line; thence North 54°30'56" East 39.29 feet to a point of tangency on a 371.64 foot arc to the right; thence along said arc 231.21 feet (Central Angel Equals 35°38'43" Long Chord Bears North 72°17'27" East 227.50 feet to the East line of said Section; thence along the Section line South 0°22'33" East 360.92 feet to the point of beginning. Containing 1.674 acres, more or less.

### TOGETHER WITH

### PARCEL A-206:

A parcel of land being apart of lot 206 Cherry Wood Estates Subdivision Phase 2, according to the official records of Tooele County being situated in the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base, and Meridian being more particularly described follows.

Beginning at a point on a 437.64 radius arc to the left said point being 924.08 feet North 0°22'33" West along the Section line to the Northeast corner of said subdivision and 189.00 feet South 89°42'29" West from the Southeast corner of said Section and running thence along said arc 76.61 feet (Central Angel Equals 10°01'47" Long Chord Bears South 59°28'58" West 76.51 feet) to a point of tangency; thence South 54°29'34" West 74.95 feet to a point on a 70.00 foot non-tangent arc to the left; thence 6.61 feet along said arc (Central Angel Equals 62°42'08" Long Chord Bears South 56°01'37" West 72.84 feet) to a point of reverse curvature on a 15.00 foot radius arc to the right; thence along said arc 7.80 feet (Central Angel Equals 29°47'03" Long Chord Bears South 39°34'20" West 7.71 feet) to a point of tangency; thence South 54°28'04" West 5.05 feet to a point of tangency on a 367.00 foot radius arc to the right; thence along said arc 225.75 feet (Central Angel Equals 35°14'37" Long Chord Bears South 72°05'21" West 222.00 feet) to the Southeast boundary of Lot 205 of said subdivision; thence North 0°17'19" West 198.22 feet along the East lot line of said Lot 205 to the South boundary of Cherry Grove Subdivision Phase D-2; thence along said South line and its extension North 89°42'29" East 408.79 feet to the point of beginning. Containing 1.1276 acres, more or less.

## SURVEYOR'S NARRATIVE

Ronald & Sherri Butler requested this Subdivision plat to amend Cherry Wood Estates Subdivision Phase 2 to adjust lots 207, 206 and the alignment of Cherry Street.

The bearing basis is North 0°22'33" West measured between the Southeast corner and East Quarter Corner of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, U.S. Survey.

For more information on the retrace of the boundary's shown here, please review the record of survey filed with the Tooele County Surveyor.

## OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned are the owners of the above described tract of land, and hereby cause the same to be divided into lots, parcels and streets, together with easements as set forth to be hereafter known as Cherry Street Re-alignment Subdivision

and do hereby dedicate for the perpetual use of the public all roads and other areas shown on this plat as intended for public use. The undersigned owner hereby conveys to any and all public utility companies a perpetual, non-exclusive easement over the public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities. The undersigned owners also hereby convey any other easements as shown and/or noted on this plat to the parties indicated and for the purposes shown and/or noted herein.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2025 C.G Grantsville LLC:

Shawn Holste - Registered Agent

## GRANTSVILLE CITY PLANNING COMMISSION

Approved This \_\_\_\_\_ Day of \_\_\_\_\_ A.D., \_\_\_\_\_ by this Grantsville City Planning Commission.

Approved as to form this \_\_\_\_\_ Day of \_\_\_\_\_ A.D., \_\_\_\_\_ by this Grantsville City Attorney.

Chairman Grantsville City Planning Commission

Grantsville City Attorney

## GRANTSVILLE CITY PUBLIC WORKS

Approved as to form this \_\_\_\_\_ day of \_\_\_\_\_ A.D., \_\_\_\_\_ By Grantsville City Public Works.

Approved as to form this \_\_\_\_\_ day of \_\_\_\_\_ A.D., \_\_\_\_\_ By Grantsville City Public Works.

Director, Grantsville City Public Works

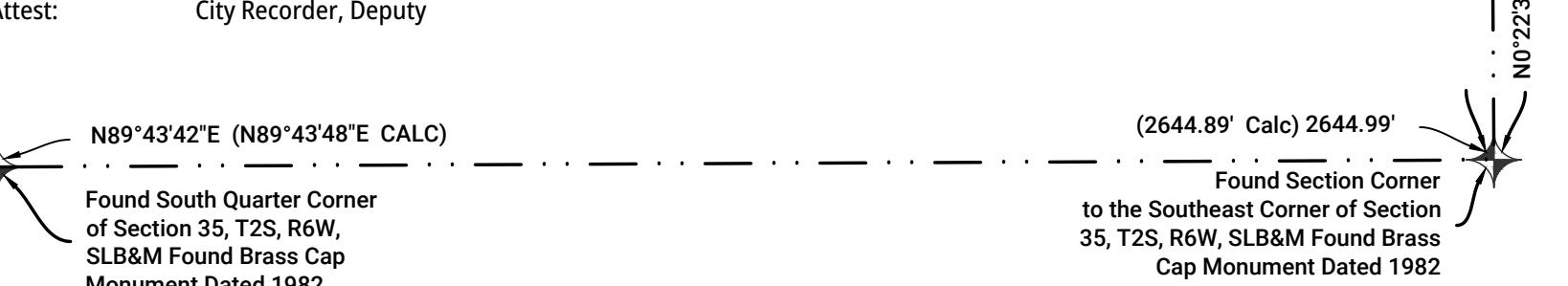
Grantsville City Fire Department

## GRANTSVILLE CITY FIRE DEPARTMENT

Approved as to form this \_\_\_\_\_ day of \_\_\_\_\_ A.D., \_\_\_\_\_ By Grantsville City Fire Department.

## SURVEYOR'S CERTIFICATE

I, Tyler R. Harper, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 12542803, in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act. I further certify that by the owners I have completed a survey of the property described on this subdivision plat in accordance with Section 17-23-17, have verified all measurements, and have subdivided said tract of land into lots and streets, together with easements. Hereafter to be known as Cherry Street Re-alignment Subdivision and that the same has been correctly surveyed and monumented on the ground as shown on this plat.





**GRANTSVILLE CITY  
RESOLUTION NO. 2024-xx**

**A RESOLUTION APPROVING THE PROPOSED MASTER DEVELOPMENT  
AGREEMENT AND VARIANCE TABLE FOR THE WEST HAVEN PUD LOCATED  
AT CHERRY STREET AND CHERRY BLOSSOM LANE**

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

**WHEREAS**, the developer Fil De Voce, LLC has submitted a Master Development Agreement (MDA) for the West Haven Planned Unit Development (PUD) located at Cherry Street and Cherry Blossom Lane in Grantsville City, Tooele County; and

**WHEREAS**, the West Haven PUD consists of approximately 10.19 acres and includes a total of 47 lots with varying lot sizes; and

**WHEREAS**, the West Haven PUD seeks approval of a variance table that outlines deviations from standard zoning requirements, which include minimum lot sizes, yard setbacks, building heights, and other applicable design standards, in accordance with Grantsville City's PUD ordinance; and

**WHEREAS**, the alignment and right-of-way dedication for Cherry Street is a necessary component of the proposed MDA, ensuring that Cherry Street maintains a width of 60 feet, and this alignment requires amendments to the Cherry Wood plat and the acquisition of right-of-way from neighboring property owners; and

**WHEREAS**, the proposed MDA and variance table, as well as the corresponding staff report (attached as Exhibit A) detailing the conditions of approval, have been reviewed by the Planning Commission, and the staff has recommended approval subject to the conditions set forth in said staff report, which includes mitigation efforts related to stormwater management, as well as ensuring proper completion of public infrastructure as required; and

**WHEREAS**, Grantsville City finds that the proposed Master Development Agreement and variance table will promote the orderly development of the area, improve traffic flow, and provide necessary infrastructure improvements while aligning with the City's General Plan and Land Use Ordinance;

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

**Section 1. Approval of the Master Development Agreement:** The City Council approves the Master Development Agreement (MDA) for the West Haven PUD, which outlines the rights and responsibilities of both the developer and the City regarding the development of approximately 47 lots.



**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 2ND DAY OF OCTOBER, 2024.

BY THE ORDER OF THE GRANTSVILLE CITY COUNCIL:

---

By Mayor Neil Critchlow

ATTEST

---

Braydee Baugh, City Recorder



# **EXHIBIT “A”**

Staff Report, MDA and variance table

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



**Permit # 2024004**

### **Staff Report Summary for West Haven PUD Master Development Agreement**

**Parcel ID(s):** 01-065-0-0059, 01-065-0-0060,  
01-066-0-0023, 01-066-0-0024

**Property Address:** West Cherry St.

**Applicant Name:** Ron and Sherrie Butler

**Request:** Approval of MDA

**Prepared By:** Shelby Moore

**Meeting Date:** 09/19/24

**Public Hearing Date:**

**Current Zone:** R-1-21 and A-10

**Proposed Density:** 4.7 DU per acre

**Allowed Density:** 1.3 DU per acre

**Planning Staff Explanation and Recommendation:** Consideration West Haven Master Development Agreement

### **PLANNING STAFF ANALYSIS AND COMMENTS**

#### **Background:**

On March 20th, 2024, the PUD conceptual layout for West Haven was officially approved. However, to finalize the PUD application, the MDA and variance chart need to be reviewed and approved by the staff. During the application reviews, it was identified that the alignment of Cherry St. needs to be adjusted, and consequently, the right-of-way of Cherry St. must be dedicated. To proceed with this adjustment, the developer will have to acquire the necessary right-of-way from homeowners located on the south side of Cherry St. in order to ensure that Cherry St. maintains a width of 60' ft.

### **CITY STAFF ANALYSIS & COMMENTS**

- 1) The deviation table needs to be approved along with the MDA.
- 2) The alignment of Cherry St. and the ROW needs to be included in the MDA.
- 3) The amendment of the Cherry Wood plat will need to take place to show the alignment of Cherry St. and that it is a through road.

#### **Mitigation Efforts:**

- 1) Storm water to be obtained within the development

### **CONDITIONS & CONCLUSIONS**

- 1) The right of way (ROW) needs to be obtained for Cherry Street.
- 2) The amendment of the Cherry Wood plat needs to take place prior to the approval of the West Haven Final plat.

In order to move forward with this project, there are certain conditions that need to be met. Firstly, it is imperative that the right of way (ROW) for Cherry Street is secured prior to the approval of the preliminary plat. Additionally, the amendment of the Cherry Wood plat must be completed before the final approval of the West Haven Final plat can be granted.

Furthermore, it is crucial that the deviation table is approved in conjunction with the MDA. The alignment of Cherry Street and the ROW should be clearly outlined in the MDA as well. Moreover, the amendment of the Cherry Wood plat is necessary to demonstrate the alignment of Cherry Street and confirm that it functions as a through road.

These steps are essential to ensure the successful execution of the West Haven PUD project.

*\*\* 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.*

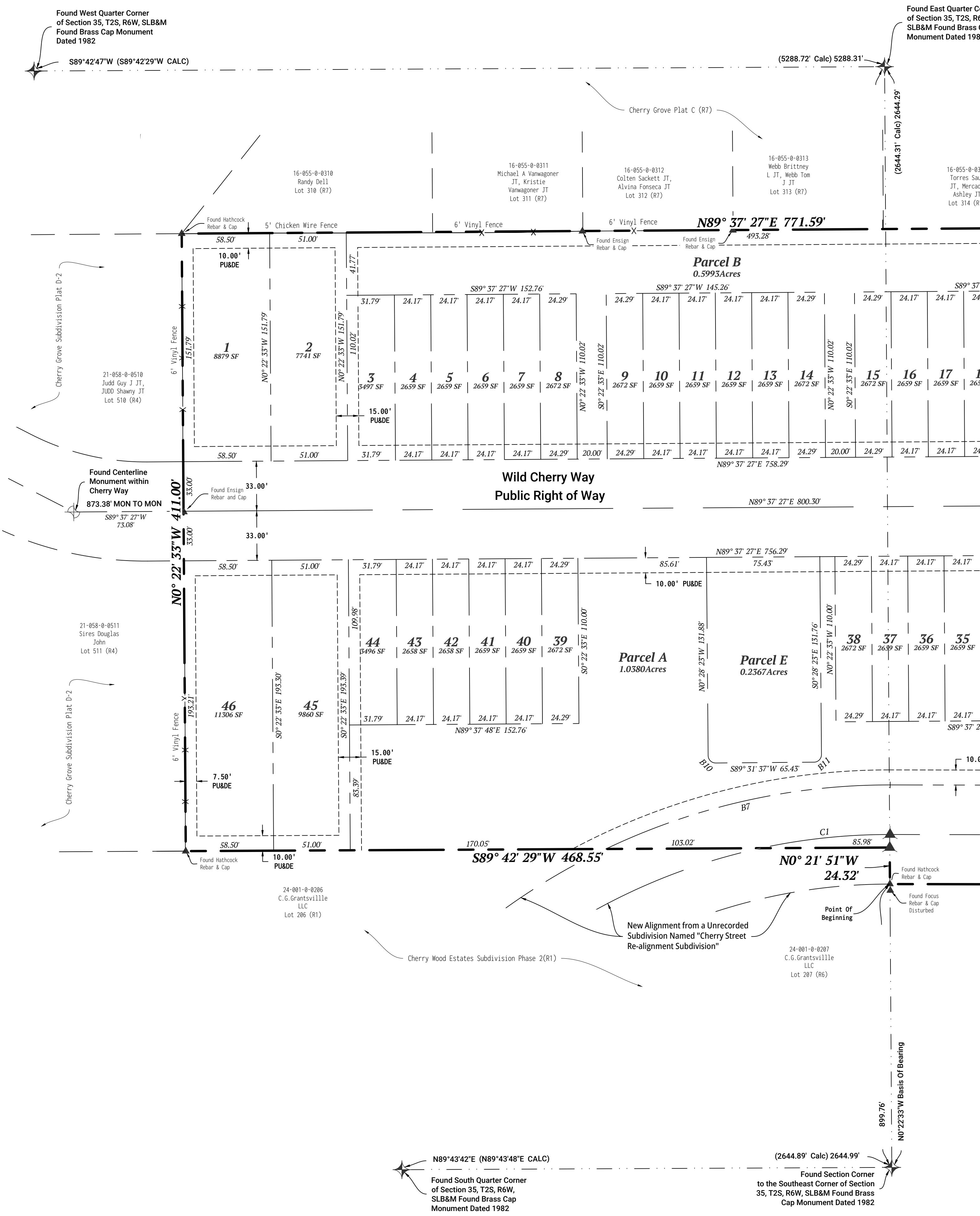
*The information provided is purely for the legislative body to interpret in their own right and context. It is crucial to maintain the integrity and context of the information shared, as it is meant to assist in the decision-making process without implying any endorsement or directive, but it is essential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



# Townhomes of West Haven Subdivision

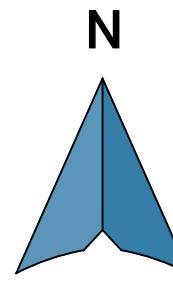
Preliminary Plat - Not to be Recorded

Located in the Southeast Quarter Section 35 and the Southwest Quarter of Section 26,  
Township 2 South, Range 6 West, Salt Lake Base and Meridian US Survey,  
Grantsville City, Tooele County Utah, July 2024



SCALE: 1" = 40'

Graphic Scale



## LEGEND

Measurements Between Monuments	Deed Line	Found Section Corner
Macro Boundary Line	—	Set Centerline Monument
Micro Boundary Line	—	Calculated Section Corner
Easement Line	- - -	Found Centerline Monument
Building Line	—	Set Nail
Center Line	—	Found Rebar
Calc. Calculated N.T.S. Not to Scale	—	Found Nail

**Proposed Deviation Table at Planning Commission**

Development Name - Grantsville, UT Development Standards						
Proposed Residential Uses	Zoning Designation R-1-21	Zoning Designation A-1 10	Future Land Use Designation R-8	Variances (SFD)	Variances (SFD - Twin homes)	Variances (SFD - Townhomes)
<b>Description</b>				<b>PUD Requirement</b>	<b>PUD Requirement</b>	<b>PUD Requirement</b>
Minimum Lot Size	21,780 SF (1/2 acre)	10 acres	8,000-SF	8,000-SF	7,000-SF	2,500-SF
Minimum Size Corner Lots	2 Front yards / 2 Rear yards	2 Front yards / 2 Rear yards	10,000-SF	8,000-SF	7,000-SF	2,500-SF
Additional Area for Each Additional Dwelling Unit on Lot						
Minimum Dwelling Unit SF				1,000-SF	1,000-SF	900-SF
Minimum Lot Frontage	70-FT	165-FT	60-FT	60-feet	50-feet	24-feet
<b>Minimum Yard Setbacks</b>						
Front Yard	40-FT	40-FT	30-FT	20-foot setback, Lot side of the sidewalk	20-foot setback, Lot side of the sidewalk	20-foot setback, Lot side of the sidewalk
Driveway						
<b>Rear Yard</b>						
Main Building	30-FT	60-FT	25-FT	25-Feet	20-Feet	10-Feet
Accessory Building	1-FOOT	7.5-FT	1-FOOT	1-FOOT		
<b>Side Yard</b>						
Main Building	5*/15-FT	20-FT	5*/15-FT	5*/15-FT	0-Feet Attached side; 7.5-feet End Units From Property Line	0-Feet Attached side; 0-feet End Units From Property Line
Accessory Building			4-FT	N/A	N/A	N/A
Multi-Unit Building Spacing					0-Feet Attached side; 15-feet End Units Building to Building	0-Feet Attached side; 15-feet End Units Building to Building
Corner Side Yard	2 Front Yards / 2 Side Yards		10-FT	10-Feet	10-Feet	10-Feet
Maximum Building Height	35-FT	45-FT	35-FT	35-Feet	35-Feet	35-Feet
Maximun Building Area	20%		35%	35%	40%	50%

\* Since this project is a PUD which has previously been approved the underlying zoning does not directly apply. The PUD approval has been made based on a concept drawing which determines where each type of use will be applied .

\*\*\*The width between the homes will be a minimum of 30 feet(when separated by a road)which would include the 26 feet of asphalt and the 2 ½ feet of curb on both sides making it the minimum 30-foot width.

# Updated Table

West Haven Development - Grantsville, UT Development Standards					
Proposed Residential Uses	Zoning Designation R-1-21	Zoning Designation A-1 10	Variances (SFD)	Variances (SFD - Twin homes)	Variances (SFD - Townhomes)
Description	PUD Requirement			PUD Requirement	
Minimum Lot Size	21,780 SF (1/2 acre)	10 acres	8,000-SF	7,000-SF	2,500-SF
Minimum Size Corner Lots	2 Front yards / 2 Rear yards	2 Front yards / 2 Rear yards	8,000-SF	7,000-SF	2,500-SF
Additional Area for Each Additional Dwelling Unit on Lot					
Minimum Dwelling Unit SF			1,000-SF	1,000-SF	900-SF
Minimum Lot Frontage	70-FT	165-FT	60-feet	50-feet	24-feet
<b>Minimum Yard Setbacks</b>					
Front Yard	40-FT	40-FT	25-FT	25-FT	25-FT
Driveway					
<b>Rear Yard</b>					
Main Building	30-FT	60-FT	25-Feet	20-Feet	10-Feet
Accessory Building	*1-Foot	7.5-FT	*1-Foot		
<b>Side Yard</b>					
Main Building	5*/15-FT	20-FT	5*/15-FT	0-Feet Attached side; 7.5-feet End Units From Property Line	0-Feet Attached side; 5-feet End Units From Property Line
Accessory Building			*1- Foot	N/A	N/A
Multi-Unit Building Spacing				0-Feet Attached side; 15-feet End Units Building to Building	0-Feet Attached side; 20-feet Building to Building
Corner Side Yard	2 Front Yards / 2 Side Yards		10-Feet	10-Feet	10-Feet
Maximum Building Height	35-FT	45-FT	35-Feet	35-Feet	35-Feet
Maximum Building Area	20%		35%	40%	50%
* Since this project is a PUD which has previously been approved the underlying zoning does not directly apply. The PUD approval has been made based on a concept drawing which determines where each type of use will be applied. All use not defined in the table will refer to the underlying zoning.					
***The width between the homes will be a minimum of 30 feet(when separated by a road)which would include the 26 feet of asphalt and the 2 ½ feet of curb on both sides making it the minimum 30-foot width.					

**WHEN RECORDED, RETURN TO:**

**Braydee Baugh  
Grantsville City Recorder  
429 East Main Street  
Grantsville City, Utah 84029**

**GRANTSVILLE CITY  
MASTER DEVELOPMENT AGREEMENT  
FOR  
TOWN HOMES OF WEST HAVEN SUBDIVISION**

THIS MASTER DEVELOPMENT Agreement (“**Agreement**”) is made and entered as of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between Grantsville City, a municipal corporation of the State of Utah (“**City**”) and Fil Di Voce LLC, a Utah Limited Liability Company (“**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 single-family residential subdivision. Developer and the City desire that the Property be developed in a unified and consistent fashion pursuant to the 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 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:

**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.
- 1.2. **Applicant** means a person or entity submitting a Development Application.
- 1.3. **Buildout** means the completion of all of the development on 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 Fil Di Voce LLC and its successors/assignees as permitted by this Agreement.

1.9. **Development** means the development of a 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 final plat for the development of the Project, which has been approved by the City, subdividing any portion of the Project, and attached and incorporated herein as **Exhibit B**.

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 *et seq.*

1.14. **Maximum Residential Units** Maximum Residential Units refers to the development of the Townhomes of West haven Subdivision, which shall have no more than forty-six (46) Residential Dwelling Units on the Property.

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. **Project** means the residential subdivision to be constructed on the Property pursuant to this Agreement with the associated Public Infrastructure and private facilities, and all of the other aspects approved as part of this Agreement.

1.18. **Property** means the real property owned by and to be developed by Developer more fully described in **Exhibit A**.

1.19. **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.

1.20. **Residential Dwelling Unit** means a structure or portion thereof designed and intended for use as attached residences as illustrated on the Final Plan.

1.21. **Zoning** The underlying Zoning Districts are A-10 and R-1-21 and development is proceeding under a Planned Unit Development (PUD). The deviations from the zoning standards of the underlying Zoning Districts have been mutually agreed upon by the parties in accordance with GLUDMC Chapter 12.

## 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.

**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. Master 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;

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 *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; and

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).

4. **Term of Agreement.** Unless earlier terminated as provided for herein, the term of this Agreement shall be until January 31, 2027. If Developer has not been declared to be currently in Default as of January 21, 2027 (and if any such Default is not being cured) then this Agreement shall be automatically extended until January 31, 2032. This Agreement shall automatically be terminated at Buildout.

5. **Addendum No. 1.** Addendum No. 1 contains the provisions of this Agreement that are specific to the development of the Project. If there is a conflict between this Agreement and Addendum No. 1, then Addendum No. 1 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 a Development Application pursuant to GLUDMC. Such construction must meet all applicable standards and requirements and must be approved by the City's engineer.

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 Council. 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 shall be completed within eighteen months (18) after the City Council grants final plat approval. 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.* 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, and (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 “upsizes” 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:**

Fil Di Voce, LLC  
60 South Main St. #6  
Tooele, Utah 84074  
Hjelevate@gmail.com

**To the City:**

Grantsville City  
Attn: City Recorder  
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. 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 effect.

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 Holly Jones. 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 City Manager of the City is affixed to this Agreement lawfully binding the City pursuant to Resolution No. [2024-81] adopted by the City on [10-02-2024].

29. **Further Assurances.** Each party shall execute and deliver such additional documents and take such further actions as may reasonably be necessary to effectuate the transactions contemplated by this Agreement.

30. **No Boycott.** The undersigned certifies that it is not currently engaged in a boycott of the State of Israel and agrees not to engage in a boycott of the State of Israel during the term of this Agreement. The undersigned further acknowledges that its engagement in a boycott of the State of Israel would be in violation of Utah Code Section 63G-27-201 and could result in termination of this Agreement.

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 Fil Di Voce, LLC

## GRANTSVILLE CITY

By: \_\_\_\_\_  
Its: \_\_\_\_\_

By:  
Its: [ ] Mayor [ ] City Ma

Approved as to form and legality: Attn:

Attest:

---

## City Attorney

---

## City Recorder

## **CITY ACKNOWLEDGMENT**

STATE OF UTAH )  
COUNTY OF TOOKELE ) :ss.

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ personally appeared before me \_\_\_\_\_ 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.

---

## NOTARY PUBLIC

## My Commission Expires:

Residing at:

## DEVELOPER ACKNOWLEDGMENT

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, personally appeared before me \_\_\_\_\_, who being by me duly sworn, did say that he/she is the Manager of Fil Di Voce, LLC 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.

---

## NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

Residing at:

## **TABLE OF EXHIBITS**

Exhibit "A"	Legal Description of Property
Exhibit "B"	Final Plat
Addendum No. 1	Specific Project Terms
Addendum No. 2	Dispute Resolution Procedures

# **EXHIBIT A**

(Legal Description of Property)

CURRENTLY RECORDED DESCRIPTIONS

Parcel No. 01-065-0-0040  
Warranty Deed, Entry No. 473066

Beginning 569.54 feet South of the East quarter corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; running thence South 1150.71 feet; thence West 468.55 feet; thence North 1150.71 feet; thence North 89°37'27" East, 468.55 feet, to the point of beginning. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat 'B', recorded August 4, 2006 as Entry No. 264870. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat C PUD, recorded July 26, 2009 as Entry No. 289791.

Parcel No. 1-066-0-0018  
Warranty Deed, Entry No. 472784

Beginning at a point North 0°22'33" West 899.36 feet (North 897.00 feet record) along the Section line from the Southwest corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; and running thence South 89°53'05" East 501.76 feet (East 499.40 feet record); thence South 00°26'31" West 51.02 feet (South 54.30 feet record); thence South 89°33'29" East 50.00 feet (East 50.00 feet record); thence North 00°26'31" East 104.50 feet (North 104.50 feet record); thence South 89°33'29" East 183.30 feet (East 183.30 feet record) to an existing fence line; thence South 00°26'31" West 10.00 feet (South 10.00 feet record) along said fence line; thence South 89°33'29" East 182.10 feet (East 182.10 feet record); thence South 00°26'31" West 45.65 feet (South 10.00 feet record) to the South line of a 2 chain right of way (132.00 feet); thence South 89°33'29" East 406.85 feet (East 400.40 feet record) along the South line of said right of way to the Northwest corner of Block 62, Grantsville City Survey; thence North 00°26'31" East 132.00 feet (North 132.00 feet record) to the North line of said right of way and an existing fence line; thence North 89°33'29" West 823.00 feet (West 823.00 feet record) along said fence line; thence South 00°57'21" West 105.44 feet (South 102.15 feet record); thence North 89°53'05" West 500.41 feet (West 545.71 feet record) to the Section line; thence South 00°22'33" East 24.40 feet (South 22.85 feet record) along the Section line to the point of beginning.

Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156225 in Book 650 at Page 582

Parcel No. 01-066-0-0019  
Warranty Deed, Entry No. 472815

Beginning at a point North 0°22'33" West 899.36 feet (North 897.00 feet record) along the Section line from the Southwest corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; and running thence South 89°53'05" East 501.76 feet (East 499.40 feet record); thence South 00°26'31" West 51.02 feet (South 54.30 feet record); thence South 89°33'29" East 50.00 feet (East 50.00 feet record); thence North 00°26'31" East 104.50 feet (North 104.50 feet record); thence South 89°33'29" East 183.30 feet (East 183.30 feet record) to an existing fence line; thence South 00°26'31" West 10.00 feet (South 10.00 feet record) along said fence line; thence South 89°33'29" East 182.10 feet (East 182.10 feet record); thence South 00°26'31" West 45.65 feet (South 10.00 feet record) to the South line of a 2 chain right of way (132.00 feet); thence South 89°33'29" East 406.85 feet (East 400.40 feet record) along the South line of said right of way to the Northwest corner of Block 62, Grantsville City Survey; thence North 00°26'31" East 132.00 feet (North 132.00 feet record) to the North line of said right of way and an existing fence line; thence North 89°33'29" West 823.00 feet (West 823.00 feet record) along said fence line; thence South 00°57'21" West 105.44 feet (South 102.15 feet record); thence North 89°53'05" West 500.41 feet (West 545.71 feet record) to the Section line; thence South 00°22'33" East 24.40 feet (South 22.85 feet record) along the Section line to the point of beginning.

Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156225 in Book 650 at Page 582

Parcel No. 01-066-0-0022  
Warranty Deed, Entry No. 472850

Beginning at the West quarter corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; thence East 545.71 feet; thence South 1720.15 feet; thence West 545.71 feet; thence North 1720.51 feet to the point of beginning. Less and excepting therefrom that portion of the subject property as disclosed by that certain dedication plat of CHERRY GROVE SUBDIVISION PLAT 'A' being recorded March 16, 2000 as Entry No. 145105. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat 'B', recorded August 4, 2006 as Entry No. 264870. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat 'C' PUD, recorded July 26, 2009 as Entry No. 289791. Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156224 in Book 650 at Page 580. Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156225 in Book 650 at Page 582.

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

RECORD OF SURVEY FOR:

RONALD & SHERRI BUTLER

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 36,  
TOWNSHIP 2 SOUTH, RANGE 6 WEST,  
SALT LAKE BASE AND MERIDIAN  
GRANTSVILLE, TOOELLE COUNTY, UTAH

ADJUSTED DESCRIPTIONS

Adjusted Description Parcel A

A parcel of land situate in the Southwest Quarter of Section 36 and the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point which lies North 0°22'33" West 924.08 feet along the section line established by the Tooele County Dependent Survey in 1982, said Point lies North 0°22'33" West 1180.45 feet from a Tooele County Surveyor brass monument placed in 1982, representing the Southwest Corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian (Basis of Bearing for this description is North 0°22'33" West 2644.31 feet along the section line common to Sections 35 and 36 defined by Tooele County Surveyor brass monuments placed in 1982 representing the Southwest Corner and the West Quarter Corner of said Section 36);

Thence South 89°37'27" West 107.102 feet; thence North 0°22'33" West 125.00 feet; thence North 89°37'27" East 348.50 feet; thence South 0°22'33" East 125.00 feet; thence South 89°37'27" West 241.398 feet to the Point of Beginning. The above-described parcel of land contains approximately 43,562 square feet in area or 1.000 acre.

Adjusted Description Parcel C

A parcel of land situate in the Southwest Quarter of Section 36 and the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point on the section line established by the Tooele County Dependent Survey in 1982, said Point lies North 0°22'33" West 1180.45 feet from a Tooele County Surveyor brass monument placed in 1982, representing the Southwest Corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian (Basis of Bearing for this description is North 0°22'33" West 2644.31 feet along the section line common to Sections 35 and 36 defined by Tooele County Surveyor brass monuments placed in 1982 representing the Southwest Corner and the West Quarter Corner of said Section 36);

Thence South 89°37'27" West 107.102 feet; thence North 0°22'33" West 125.00 feet; thence North 89°37'27" East 348.50 feet; thence South 0°22'33" East 125.00 feet; thence South 89°37'27" West 241.398 feet to the Point of Beginning. The above-described parcel of land contains approximately 43,562 square feet in area or 1.000 acre.

Adjusted Description Parcel D

A parcel of land situate in the Southwest Quarter of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point which lies North 0°22'33" West 899.76 feet along the section line established by the Tooele County Dependent Survey in 1982 and South 89°53'05" East 204.537 feet from a Tooele County Surveyor brass monument placed in 1982, representing the Southwest Corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian (Basis of Bearing for this description is North 0°22'33" West 2644.31 feet along the section line common to Sections 35 and 36 defined by Tooele County Surveyor brass monuments placed in 1982 representing the Southwest Corner and the West Quarter Corner of said Section 36);

and length of South 76°58'26" West 102.101 feet to a point of reverse curvature; thence North 0°31'02" West 252.447 feet; thence North 89°37'27" East 122.78 feet; thence North 0°57'21" West 152.006 feet to intersect the southerly boundary of CHERRY GROVE PLAT C P.U.D., the official plat of which was recorded July 26, 2007 as Entry No. 289791 in the office of the Tooele County Recorder; thence along the boundary of said P.U.D., South 89°02'39" East 177.00 feet to the Southeast Corner of said P.U.D.;

thence along an old, established fence line, South 0°57'21" West 273.19 feet (record = 273.49 feet) to a fence corner; thence along an old, established fence line South 89°33'29" East 815.72 feet, more or less, (record = 807.312 feet) to intersect the westerly boundary of the SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE, recorded in Book HH at Page 379 in the office of the Tooele County Recorder;

thence along the westerly boundary, South 0°20'17" East 125.465 feet (record = South 01°14'55" East 125.12 feet); thence along the westerly extension of the southerly right-of-way line of Cherry Street as established by said SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE, North 89°16'34" West 400.53 feet (record = 392.01 feet);

thence North 0°08'00" West 66.01 feet to intersect a westerly extension of the centerline of Cherry Street as established by said SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE;

thence along said westerly extension, North 89°16'34" West 182.12 feet; thence South 0°08'00" East 18.575 feet; thence North 0°26'31" East 5.27 feet;

thence North 89°33'29" West 27.81 feet to a point of curvature; thence Southwesterly 103.048 feet along the arc of a tangent curve to the left having a radius of 219.19 feet, a central angle of 26°56'11" and a chord bearing and length of South 76°58'26" West 102.101 feet to a point of reverse curvature;

thence Southwesterly 153.832 feet along the arc of a reverse curve to the right whose center bears North 26°29'40" West, has a radius of 331.23 feet, a central angle of 26°36'35" and a chord bearing and length of South 76°48'38" West 152.453 feet to a point of tangency;

thence North 89°53'05" West 71.953 feet to the Point of Beginning. The above-described parcel of land contains approximately 174,438 square feet in area or 4.005 acres.

SURVEYOR'S NARRATIVE

This survey was performed at the request of Barry Bunderson on behalf of Ronald and Sherri Butler for the purpose of defining on the ground the exterior boundary and adjusting the common boundaries of four parcels of land owned by Butler with the approval of Grantsville City.

Tooele County Dependent Survey monuments were found as shown hereon and relied upon for the bearing base of this survey. Boundaries were determined as follows:

The southerly boundary of the portion of the Butler parcels lying in Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian was held parallel with the northerly line of said Section 35 at the record distance southerly of 1720.25 feet. From the section line common to Sections 35 and 36 this line was extended westerly, the record distance of 468.55 feet which arrives at a found rebar and cap set by Nolan C. Hathcock in 1996. See record of survey, File No. 1996-0009-01 in the files of the Tooele County Surveyor. The westerly line of this parcel was held parallel with the section line common to Sections 35 and 36 and extended northerly to intersect the southerly boundary of CHERRY GROVE PLAT C P.U.D. The southerly boundary of said CHERRY GROVE PLAT C P.U.D. defines the northerly boundary of the Butler parcels that share a common boundary with said P.U.D.

From the southeasterly corner of said P.U.D. which is marked by an Ensign Engineering rebar and cap, the bearing of the easterly boundary of said P.U.D. was extended southerly along an old, well established fence line to a fence corner. An old fence line runs easterly from this point, which is the best available evidence of a long established boundary. This fence line was followed easterly to intersect the westerly boundary of SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE. The SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE was surveyed by Charles A. Herman, Land Surveyor, April 21, 1890 and approved by Charles A. Herman, Probate Judge, June 9, 1890. A hand written notation "H.H./379", appears on the upper left-hand corner of the plat which I interpret as a recording reference. No Entry No. appears on the plat.

To establish the location of this plat on the ground the existing right-of-way lines of Durfee, Vine, Cherry, Plum, and Apple Streets were studied. The plat of SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE extends from Center Street westerly beyond West Street (shown on the plat as Cemetery Street). These streets have existed for many years from Center Street to West Street. These streets were not extended west of West Street until the late 1970's approximately. The right-of-way lines, determined from a study of the existing fence lines and other evidence of occupation easterly of West Street agrees very well with the 1890 plat. However, when these lines are extended westerly from West Street there is conflict with existing old fence lines. This determination for the location of the SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE disagrees with an old fence line along the north line of Cherry Street westerly of West Street and with the location of the Southwest corner of Block 63. A survey performed by Ensign Engineering for Eric Vaughn in 2015 (see file no. 2015-0062-01 in the files of the Tooele County Surveyor) agrees with the old fence line that appears to define the northerly right-of-way line of Cherry Street and to define the Southwest corner of block 63. In order to maintain harmony I have agreed with the Ensign Engineering survey to establish the northerly line of the Butler property along Cherry Street and to define the most easterly line of the Butler property, I have extended my determination for the southerly right-of-way line of Cherry Street, as previously explained, westerly from West Street. The plat of SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE served to dedicate Cherry Street at a width of 2 chains (132.00 feet) up to the westerly boundary of the plat. Westerly of the plat's westerly boundary Cherry Street exists by use only, crossing property owned by Butler.

Having arrived at the intersection of the old fence line, mentioned above, with the westerly boundary of said SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE, as determined by the Ensign Engineering survey, the plat boundary was followed southerly to intersect the southerly right-of-way line of Cherry Street, as determined by my analysis as described above. The southerly right-of-way line of Cherry Street was followed westerly to intersect the westerly boundary of Parcel No. 01-066-0-0007 and 01-066-0-0011 were created in November 1978 from a larger parcel of land. The descriptions contained in Warranty Deed, Entry No. 327672 in Book 165 at Pages 422-423 call "to the centerline of Cherry Street in Grantsville City, Utah, as extended westerly". For this reason I have held the westerly extension of the centerline of Cherry Street as the northerly boundary of these two parcels. The centerline of Cherry Street was followed westerly along the northerly boundary of these two parcels the record distance of 182.12 feet (perpendicularly 182.10 feet). The westerly boundary of Parcel No. 01-066-0-0011, once again, determined from old, established fence line evidence, was followed southerly to the northeast corner of Parcel No. 01-066-0-0012 as shown in the plat of survey by Nolan C. Hathcock, found as File No. 2018-0053-01 & 02. The northerly boundaries of Parcels 01-066-0-0012 and 01-066-0-0016 were then followed westerly to the section line common to Sections 35 and 36.

A 22.75 foot wide "Right-of-way for Vehicular and pedestrian traffic with ingress, egress and regress" exists across the most southerly portion of the Butler property adjacent to Parcel No. 01-066-0-0016. The right-of-way has its point of beginning at the Northwest corner of Block 62, Southwest Addition of the City of Grantsville. The right-of-way is 22.75 feet wide as shown hereon. It appears that whoever created the description of this right-of-way was not aware of the actual location of the Northwest corner of Block 62. This right-of-way lies approximately 50 to 60 feet south of the existing gravel road surface. There is no evidence that it has ever been used for access. At one point it is obstructed by an existing house. See document, Entry No. 045730, Book 327, Page 449 in the office of the Tooele County Recorder. A 50 foot wide easement also exists across the most southerly portion of the Butler property as shown hereon. See document, Entry No. 372829 in Book 239 at Page 579 in the office of the Tooele County Recorder. It should be noted that chain link fence and concrete driveway improvements on Parcel No. 01-066-0-0007 appear to extend northward onto the Butler property.

SURVEYOR'S CERTIFICATION



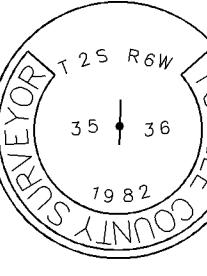
I, Nolan C. Hathcock, a Professional Land Surveyor licensed under Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act, holding license no. 166346, do hereby certify that this plat represents the results of a survey performed by me and that the information shown hereon is true and correct to the best of my knowledge and belief.

RECORD OF SURVEY FOR:  
RONALD & SHERRI BUTLER  
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 36,  
TOWNSHIP 2 SOUTH, RANGE 6 WEST,  
SALT LAKE BASE AND MERIDIAN  
GRANTSVILLE, TOOELLE COUNTY, UTAH

SURVEY COMMENCED: AUGUST 3, 2019  
SURVEY COMPLETED: APRIL 3, 2021

SHEET 1 OF 2

2021-0064



35  36  
FOUND TOOKEE COUNTY SURVEYOR BRASS  
MONUMENT SET IN 1982. WEST QUARTER CORNER  
SECTION 36, TOWNSHIP 2 SOUTH, RANGE 6 WEST,  
SALT LAKE BASE AND MERIDIAN.

35 36 FOUND TOOKEE COUNTY SURVEYOR BRASS  
MONUMENT SET IN 1982. SOUTHWEST CORNER  
SECTION 36, TOWNSHIP 2 SOUTH, RANGE 6 WEST  
SALT LAKE BASE AND MERIDIAN.

**LEGEND**

FOUND TOOELE COUNTY DEPENDENT RESURVEY MONUMENT

FOUND REBAR & CAP (AS NOTED)

5/8" x 24" REBAR WITH YELLOW PLASTIC CAP MARKED "HATHCOCK - L.S. 166346"

FOUND STREET CENTERLINE MONUMENT

EXISTING CHAIN LINK FENCE

EXISTING WOVEN OR BARBED WIRE FENCE

EXISTING VINYL FENCE

(WEST 233.30') RECORD BEARINGS OR DISTANCES

**BUTLER PARCELS**   **ORIGINAL AREA**   **ADJUSTED PARCEL AREA**

01-066-0-0018	8,635 SQ. FT.	PARCEL A - 57,603 SQ. FT.
01-066-0-0019	81,853 SQ. FT.	PARCEL B - 203,532 SQ. FT.
01-066-0-0022	200,011 SQ. FT.	PARCEL C - 43,562 SQ. FT.
01-065-0-0040	192,734 SQ. FT.	PARCEL D - 178,526 SQ. FT.

**CURVE TABLE**

CURVE	RADIUS	LENGTH	DELTA ANG.	CHORD BRG	CHORD LENGTH
C1	219.19'	103.048'	26°56'11"	S 76°58'26" W	102.101'
C2	331.23'	153.832'	26°36'35"	S 76°48'38" W	152.453'

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S 0°08'00" E (S 0°26'31" W)	18.575' 10.00'
L2	N 0°26'31" E	5.27'
L3	N 89°33'29" W	27.81'

**SHANE BRET WATSON AND CARI JO WATSON**  
WARRANTY DEED, ENTRY NO. 499465  
PARCEL NO. 01-066-0-0005

**NOTE:** CHERRY STREET WEST OF THE SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE EXISTS ONLY BY USE ACROSS PRIVATELY OWNED LAND.

**SOUTHWEST CORNER OF BLOCK 63, SOUTHWEST ADDITION TO GRANTSVILLE CITY**

**CHERRY STREET**   **EXISTING GRAVEL ROAD**

**RONALD G. & SHERRI S. BUTLER**  
WARRANTY DEED,  
WARRANTY DEED, ENTRY NO. 472815  
PARCEL NO. 01-066-0-0019

**KEVIN S. & STEPHANIE C. JENSEN**  
WARRANTY DEED,  
ENTRY NO. 342855  
PARCEL NO. 01-066-0-0012

**4 CORNER INVESTMENT GROUP, LLC**  
WARRANTY DEED, ENTRY NO. 465910  
PARCEL NO. 01-066-0-0011

**KENNETH L. & HILLARY J. MOUNTS**  
SPECIAL WARRANTY DEED,  
ENTRY NO. 444825  
PARCEL NO. 01-066-0-0007

**ERIN BRIMHALL**  
QUIT CLAIM DEED, ENTRY NO. 336947  
PARCEL NO. 01-066-0-0009

**CATHOLIC DIOCESE OF SALT LAKE CITY**  
REAL ESTATE CORPORATION  
SPECIAL WARRANTY DEED, ENTRY NO. 386025  
PARCEL NO. 01-066-0-0008

**BLOCK 62**  
SOUTHWEST ADDITION OF THE  
CITY OF GRANTSVILLE  
APPROVED JUNE 9, 1890  
BOOK HH, PAGE 379  
LOT 4

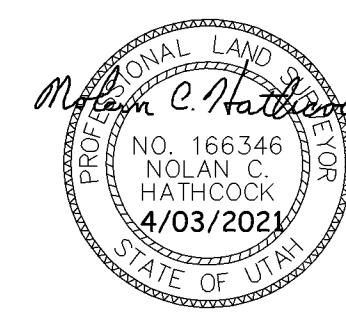
**BLOCK 63**  
SOUTHWEST ADDITION OF THE  
CITY OF GRANTSVILLE  
APPROVED JUNE 9, 1890  
BOOK HH, PAGE 379  
LOT 4

**BLOCK 6**  
SOUTHWEST ADDITION OF THE  
CITY OF GRANTSVILLE  
APPROVED JUNE 9, 1890  
BOOK HH, PAGE 379  
LOT 4

**SHED**

**NORTH**

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



*RECORD OF SURVEY FOR:  
RONALD & SHERRI BUTLER  
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 36,  
TOWNSHIP 2 SOUTH, RANGE 6 WEST,  
SALT LAKE BASE AND MERIDIAN  
GRANTSVILLE, TOOKELE COUNTY, UT  
SURVEY COMMENCED: AUGUST 3, 2019  
SURVEY COMPLETED: APRIL 3, 2021 SHEET 2 OF 2*

2021-0064

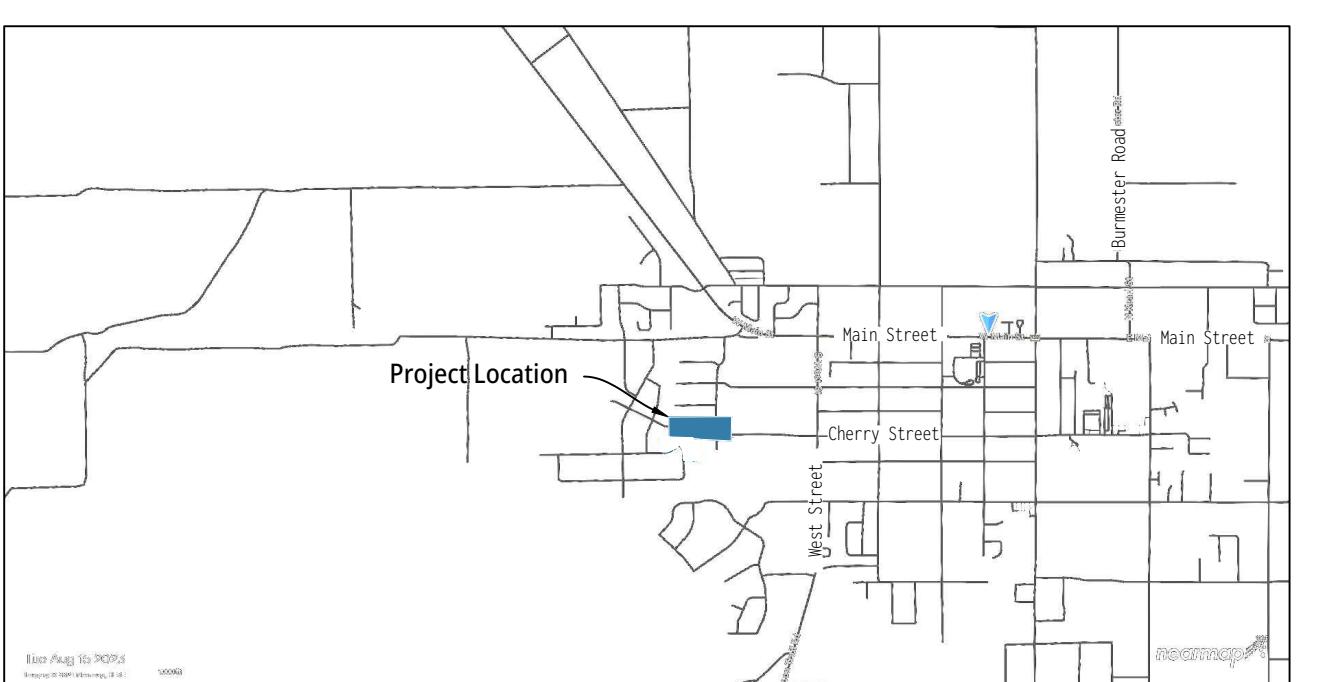
# **EXHIBIT B**

(Final Plat)

# Townhomes of West Haven Subdivision

Preliminary Plat -Not to be Recorded

## VICINITY MAP N.T.S.



## REMAINDER PARCEL DESCRIPTION

A parcel of land being Southwest Quarter of section 36, Township 2 south, Range 6 West, salt lake base, and meridian being more particularly described as follows.

Beginning at a Hathcock Rebar and cap 1025.19 feet North 0°22'33" West along the Section line and 502.88 feet North 89°37'27" East from the Southwest Corner of Section 36, and running thence South 89°33'29" East 815.72 Feet more or less to the intersection of the Westerly Boundary of the Southwest Addition of the City of Grantsville, recorded in Book HH at Page 379 in the office of the Tooele County Recorder; thence along said Westerly boundary South 00°20'17" East 125.46 Feet; thence along the Westerly extension of the Southerly Right-of-Way of Cherry Street, established by said Southwest Addition plat, North 89°16'34" West 400.53 Feet; thence North 00°08'00" West 66.01 Feet to the Westerly extension of the Centerline of said Southwest Addition plat; thence along said Westerly extension North 89°16'34" West 182.12 Feet; thence South 00°08'00" East 18.57 Feet; thence North 88°30'49" West 211.44 Feet to a point of non-tangency on a 219.19 Feet radius curve to the left; thence Westerly 23.60 Feet along said arc (Central Angle equals 06°10'09" Long Chord Bears South 87°21'26" West 23.59 Feet); thence along a line non-tangent to said curve, North 00°57'21" East, a distance of 72.57 Feet to the point of beginning.

Containing 77,323 Square Feet or 1.7751 Acres more or less.

Note: this is a remainder parcel description to update tax data. For more information regarding the boundary, see the Record of Survey filed at 2021-0064 with the Tooele County Surveyor's office.

## NOTES

1. A 5/8" X 24" Rebar and cap will be set at each lot corner. Nails in the curb will be set at the extension of the property line for each lot.
2. A 7.50 foot side yard and 10.00 foot front and rear yard PU&DE (Public Utility and Drainage Easement) are parallel to the lot line as indicated by the dashed lines.

Found East Quarter Corner of Section 35, T2S, R6W, SLB&M Found Brass Cap Monument Dated 1982

(2644.31 Calc) 2644.29'

No 072233 W/Basis of Bearing

Found Section Corner to the Southeast Corner of Section 35, T2S, R6W, SLB&M Found Brass Cap Monument Dated 1982

Point of Beginning Remainder Parcel Found Hathcock Rebar and Cap

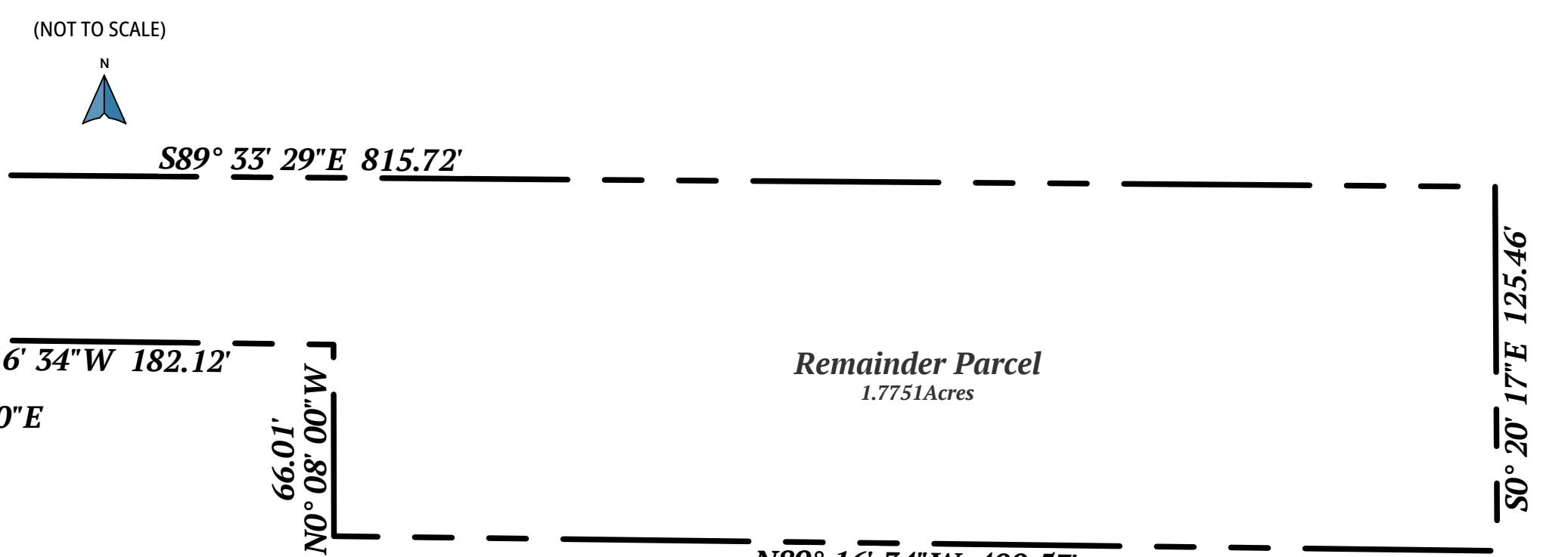
N89°37'27"E 502.88'

72.57' N0°57'21"E

Δ=6° 10' 09" L=23.60'  
R=219.19' LCL=23.59'  
LCB=S87° 21' 26"W

1025.19'

## REMAINDER PARCEL EXHIBIT



## BOUNDARY DESCRIPTION

A parcel of land being situated in the Southeast Quarter of Section 35, and the Southwest Quarter of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian being more particularly described as follows.

Beginning at a point on the Section line, said point being 899.76 feet North 0°22'33" West from the Southeast corner of said Section 35, and running thence North 00°21'51" West 24.32 Feet along said Section line; thence South 89°42'29" West 468.55 Feet; thence North 00°57'21" West 411.00 Feet; thence North 89°37'27" East 771.59 Feet; thence South 00°57'21" West 32.66 Feet; thence South 00°02'39" East 207.00 Feet; thence South 00°57'21" West 345.76 Feet to a point of non-tangency on a 219.19 Feet radius curve to the left; thence Westerly 79.45 Feet along said arc (Central Angle equals 46°02'02" Long Chord Bears South 73°53'20" West 79.01 Feet) to a point of reverse curvature on a 331.23 Feet radius; thence Westerly 153.83 Feet along said arc (Central Angle equals 26°36'35" Long Chord Bears South 76°48'38" West 152.45 Feet) to a point of tangency; thence North 89°53'13" West 276.50 Feet to the point of beginning.

Containing 401,379.59 Square Feet or 9.2144 Acres, more or less.

## SURVEYOR'S NARRATIVE

Ronald & Sherri Butler requested this Subdivision plat to dedicate roads and easements and to create parcels for residential housing. The bearing basis is North 0°22'33" West measured between the Southeast Corner and East Quarter Corner of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, U.S. Survey. For more information on the retrace of the boundary's shown here, please review the record of survey filed with the Tooele County Surveyor ROS 2021-0064.

## OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned are the owners of the above described tract of land, and hereby cause the same to be divided into lots, parcels and streets, together with easements as set forth to be hereafter known as Townhomes of West Haven Subdivision and do hereby dedicate to Grantsville City for the perpetual use of the public all roads and other areas shown on this plat as intended for public use. The undersigned owner hereby conveys to any and all public utility companies a perpetual, non-exclusive easement over the public utility and drainage easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities. The undersigned owners also hereby convey any other easements as shown and/or noted on this plat to the parties indicated and for the purposes shown and/or noted herein. We also here by dedicate Parcel C, Parcel E, Parcel F, and Parcel G to Grantsville City. Further more we hereby dedicate Parcel A, Parcel B, and Parcel D to West Haven Home Owners Association.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2024 Ronald and Sherry Butler:

Ronald Butler - Owner

Sherri Butler - Owner

## GRANTSVILLE CITY PLANNING COMMISSION

Approved This \_\_\_\_\_ Day of \_\_\_\_\_ A.D., \_\_\_\_\_ by this Grantsville City Planning Commission.

Approved as to form this \_\_\_\_\_ Day of \_\_\_\_\_ A.D., \_\_\_\_\_ by this Grantsville City Attorney.

Chairman Grantsville City Planning Commission

Grantsville City Attorney

## GRANTSVILLE CITY ATTORNEY

Approved as to form this \_\_\_\_\_ Day of \_\_\_\_\_ A.D., \_\_\_\_\_ by Grantsville City Public Works.

Approved as to form this \_\_\_\_\_ Day of \_\_\_\_\_ A.D., \_\_\_\_\_ by Grantsville City Public Works.

## GRANTSVILLE CITY PUBLIC WORKS

Approved as to form this \_\_\_\_\_ Day of \_\_\_\_\_ A.D., \_\_\_\_\_ by Grantsville City Public Works.

Approved as to form this \_\_\_\_\_ Day of \_\_\_\_\_ A.D., \_\_\_\_\_ by Grantsville City Public Works.

Director, Grantsville City Public Works

Grantsville City Fire Department

## GRANTSVILLE CITY FIRE DEPARTMENT

Approved as to form this \_\_\_\_\_ Day of \_\_\_\_\_ A.D., \_\_\_\_\_ by this Tooele County Surveyor. ROS# \_\_\_\_\_.

Approved as to form this \_\_\_\_\_ Day of \_\_\_\_\_ A.D., \_\_\_\_\_ by Grantsville City Engineer.

Tooele County Survey Director

Grantsville City Engineer

## GRANTSVILLE CITY MAYOR

Presented to this Sandy City Mayor this Day of \_\_\_\_\_ A.D., \_\_\_\_\_ at which Time this Condominium Plat was Accepted.

City Mayor Attest: City Recorder, Deputy

## SURVEYOR'S CERTIFICATE

I, Tyler R. Harper, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 12542803, in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act; I further certify that by authority of the owners I have completed a survey of the property described on this subdivision plat in accordance with Section 17-23-17, have verified all measurements, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as Townhomes of West Haven Subdivision and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

## For Review

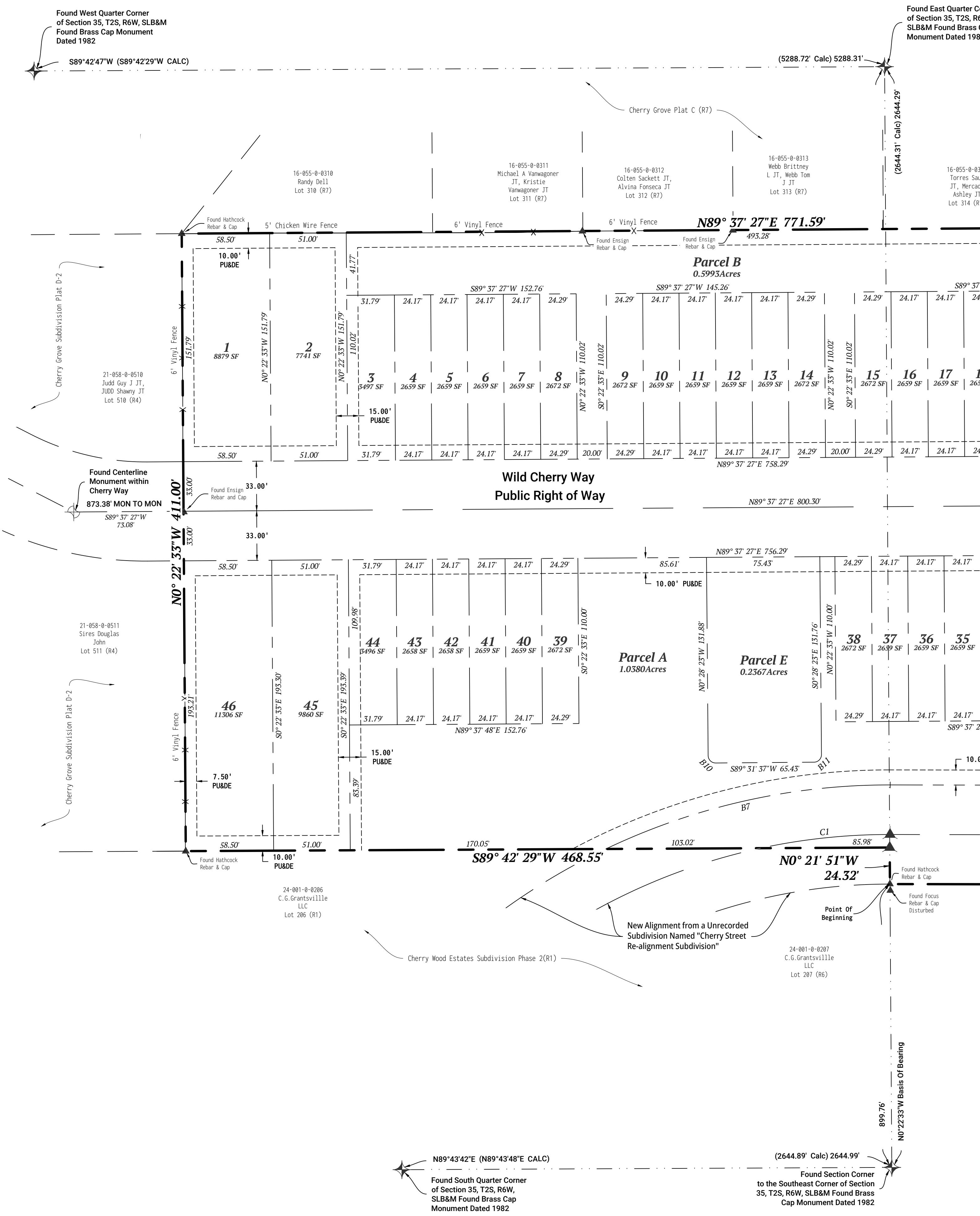
07/17/2024 4:43:14 PM

Tyler R Harper P.L.S. 12542803

# Townhomes of West Haven Subdivision

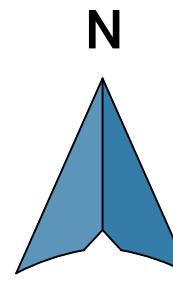
Preliminary Plat - Not to be Recorded

Located in the Southeast Quarter Section 35 and the Southwest Quarter of Section 26,  
Township 2 South, Range 6 West, Salt Lake Base and Meridian US Survey,  
Grantsville City, Tooele County Utah, July 2024



SCALE: 1" = 40'

Graphic Scale



**LEGEND**

Measurements Between Monuments	Deed Line	Found Section Corner
Macro Boundary Line	Fence Line	Calculated Section Corner
Micro Boundary Line	Building Line	Set Nail
Easement Line	Center Line	Found Rebar
Calc. Calculated		Set Rebar and Cap
N.T.S. Not to Scale		Found Nail

# **ADDENDUM NO. 1**

(Project-specific terms)

## Project-specific terms

1. The east side of Cherry Street to Cherry Blossom Way needs to be an all-weather dustless drivable surface as stated in GLUMDC.
2. The amendment of the Cherry Wood Plat needs to take place before approval of the final plat.
3. The right-of-way for Cherry Street needs to be obtained before the approval of the West Haven preliminary plat.
4. The front setbacks are to be a minimum of 25' feet.
5. A minimum of 20' ft. of unobstructed feet between townhome buildings.
6. In compliance with the City's Vested Laws, Developer shall construct no fewer than 23 units as Moderate-Income Housing. Developer reserves the right to locate the Moderate-Income Housing units throughout the Project at their sole discretion. Developer shall obtain certificates of occupancy for all Moderate-Income Housing prior to the City issuing building permits for the last 20 units of the units approved in the Project.
  - a. "Moderate-Income Housing" means housing which is owner occupied for not less than 10 years and is reserved for occupancy by households with (i) gross household income equal to or less than 80% of the median gross income for households of the same size in the County, and may not be sold for more than 80 percent (%) of the County median home price, and as determined at the time the housing unit is sold. Such restrictions shall be assured by deed restrictions or similar recorded documents in a form acceptable to the City Attorney, provided the City Attorney's approval may not be unreasonably withheld, conditioned, or delayed.

West Haven Development - Grantsville, UT Development Standards					
Proposed Residential Uses	Zoning Designation R-1-21	Zoning Designation A-1 10	Variances (SFD)	Variances (SFD - Twin homes)	Variances (SFD - Townhomes)
Description	PUD Requirement			PUD Requirement	
Minimum Lot Size	21,780 SF (1/2 acre)	10 acres	8,000-SF	7,000-SF	2,500-SF
Minimum Size Corner Lots	2 Front yards / 2 Rear yards	2 Front yards / 2 Rear yards	8,000-SF	7,000-SF	2,500-SF
Additional Area for Each Additional Dwelling Unit on Lot					
Minimum Dwelling Unit SF			1,000-SF	1,000-SF	900-SF
Minimum Lot Frontage	70-FT	165-FT	60-feet	50-feet	24-feet
<b>Minimum Yard Setbacks</b>					
Front Yard	40-FT	40-FT	25-FT	25-FT	25-FT
Driveway					
<b>Rear Yard</b>					
Main Building	30-FT	60-FT	25-Feet	20-Feet	10-Feet
Accessory Building	*1-Foot	7.5-FT	*1-Foot		
<b>Side Yard</b>					
Main Building	5*/15-FT	20-FT	5*/15-FT	0-Feet Attached side; 7.5-feet End Units From Property Line	0-Feet Attached side; 5-feet End Units From Property Line
Accessory Building			*1- Foot	N/A	N/A
Multi-Unit Building Spacing				0-Feet Attached side; 15-feet End Units Building to Building	0-Feet Attached side; 20-feet Building to Building
Corner Side Yard	2 Front Yards / 2 Side Yards		10-Feet	10-Feet	10-Feet
Maximum Building Height	35-FT	45-FT	35-Feet	35-Feet	35-Feet
Maximum Building Area	20%		35%	40%	50%
* Since this project is a PUD which has previously been approved the underlying zoning does not directly apply. The PUD approval has been made based on a concept drawing which determines where each type of use will be applied. All use not defined in the table will refer to the underlying zoning.					
***The width between the homes will be a minimum of 30 feet(when separated by a road)which would include the 26 feet of asphalt and the 2 ½ feet of curb on both sides making it the minimum 30-foot width.					

## **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 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.

## GRANTSVILLE CITY RESOLUTION 2024-18

### A RESOLUTION APPROVING THE PLANNED UNIT DEVELOPMENT (PUD) FOR WEST HAVEN SUBDIVISION

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

**WHEREAS**, Developer of the West Haven Subdivision has submitted an application for a Planned Unit Development (PUD) for the development of West Haven Subdivision within the City of Grantsville;

**WHEREAS**, the Grantsville City Planning Commission has reviewed the PUD application and has recommended the approval (see Exhibit A);

**WHEREAS**, the Grantsville City Planning Commission held a public hearing on March 7, 2024, during which the developer presented the PUD proposal and members of the public were given an opportunity to provide input; and

**WHEREAS**, Grantsville City Council has considered the Planning Commission's recommendation, the input received from the public, and all relevant information pertaining to the proposed PUD;

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

**Section 1. Approval of PUD.** The City Council hereby approves the Planned Unit Development (PUD) application submitted by Developer for the development of West Haven Subdivision within the City of Grantsville.

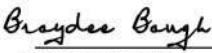
**Section 2. Effective Date.** This Resolution shall take effect immediately upon adoption.

**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 20<sup>th</sup> DAY OF MARCH, 2024.

DocuSigned by:  
  
By Mayor Neil Critchlow

ATTEST:

DocuSigned by:  
  
Braydee Baugh, City Recorder  
(S E A L)

Grantsville City  
Record of Resolution Adoption

A regular meeting of the City Council of Grantsville City was held at City Hall in Grantsville, Utah on Wednesday, the 20th day of March, 2024 at the hour of 7:00 p.m., there being present and answering roll call the following:

Neil Critchlow	Mayor
Rhett Butler	Council Member
Heidi Hammond	Council Member
Scott Bevan	Council Member
Jolene Jenkins	Council Member
Jeff Williams	Council Member

Also Present:

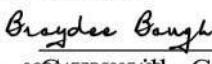
Braydee Baugh	City Recorder
Dallin Littlefield	City Attorney

Absent:

After the meeting had been duly called to order and the minutes of the preceding meeting approved, the Resolution 2024-18 was introduced in writing, read in full, and pursuant to a Motion made by Councilmember Butler. Seconded by Councilmember Williams and was adopted by the following vote:

Yea: Councilmember Williams, Councilmember Butler, Councilmember Bevan  
Opposed: Councilmember Jenkins, Councilmember Hammond  
Abstained: None

The resolution was then signed by the Mayor and recorded by the City Recorder in the official records of Grantsville City, Utah. The resolution is attached:

DocuSigned by:  
  
Braydee Baugh  
90074457-B328E5A8  
Grantsville City Recorder

# **Exhibit “A”**



## Planning and Zoning

336 W. Main Street • Grantsville, UT 84029  
Phone: (435) 884-1674 • Fax: (435) 884-0426

File# 2023152

# West Haven PUD / Rezone Summary and Recommendation

<b>Parcel ID:</b>	01-065-0-0075, 01-065-0-0076 01-066-0-0025, 01-066-0-0024 01-065-0-0078, 01-065-0-0077	<b>Meeting Date:</b>	<b>March 7, 2024</b>
<b>Property Address:</b>	Approximately 660 West Cherry Street and Cherry Blossom Lane Adjacent to Cherry Grove Plat C	<b>Current Zone</b>	R-1-21 & A-10
		<b>Proposed Zone:</b>	RM-15
<b>Applicant Name:</b>	Fil De Voce		
<b>Request:</b>	Planned Unit Development Approval		
<b>Prepared by:</b>	Cavett Eaton		
<b>Planning Staff Recommendation:</b>	This updated Staff Report and proposal is presented for Discussion after multiple meetings and concept presentations to City Staff and the Grantsville Planning Commission.		

If the Planning Commission feels comfortable with what is being proposed in the current application then staff makes the following recommendations:

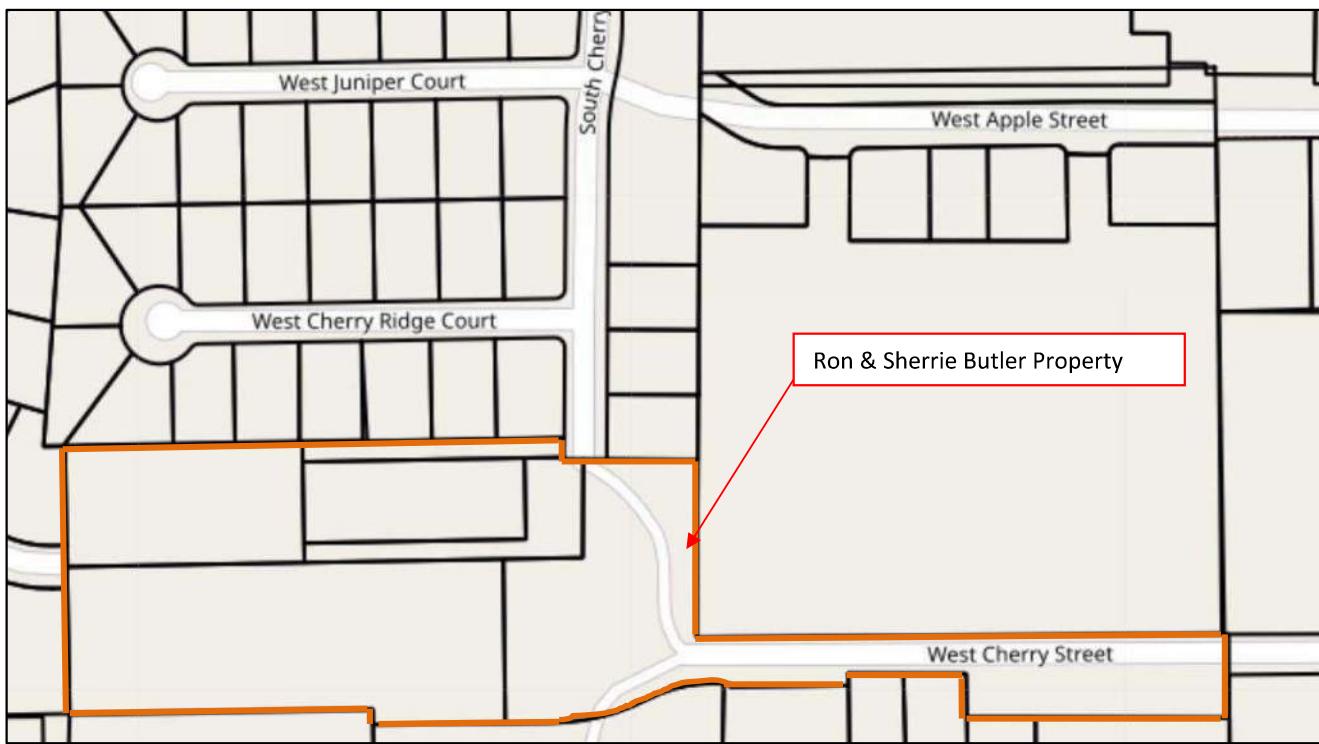
- If the PUD is granted the applicant should proceed with an application to request a re-zone to RM-15 with the granting of the rezone tied specifically to the development of the proposed project or a project of lesser density meeting all other code requirements.
- The requirements and conditions of the approved application PUD shall be included in a Development Agreement.

This PUD requires a Development Agreement as part of the PUD process. If the Planning Commission is ready to recommend approval for this PUD, one of the conditions that should be required is that there be a Development Agreement approved prior to final plat. This is supported by GLUDMA 12.4(2)(d) *The approval of the PUD application final plan or final plat (if required) shall include approval of all special conditions applicable to the planned unit development. All special conditions and approved variations to the GLUDMC shall be included in a Development Agreement which shall be approved by the Planning Commission and the City Council.*

Request: PUD / Rezone

File #: West Haven PUD

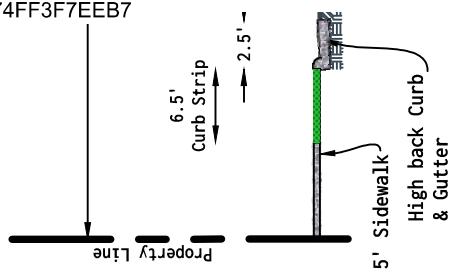
## SITE & VICINITY DESCRIPTION



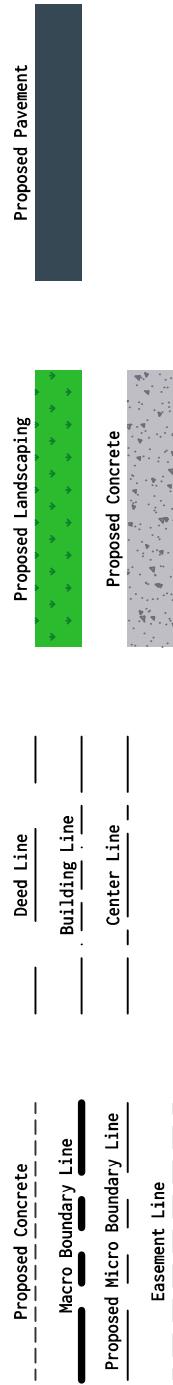
Google Maps View

## NEIGHBORHOOD RESPONSE

Radius Report was mailed Feb 26<sup>th</sup>. We have received no public comment as of 2/28/24.



## LEGEND



## PLANNING STAFF ANALYSIS and COMMENTS

---

City Staff have been working with the Applicant's representative Holly Jones for several months. The proposed project has been before Planning Commission in concept form multiple times. Regardless of the several discussions and options proposed in concept, the proposal being considered at this time is an application for a PUD and potential Rezone and needs to be considered upon the merits of the application and not on the previous non-binding discussion.

**Background:** These particular parcels have come before the City multiple times as lot line adjustments to try to massage the property into something that would be usable. The combined parcels equate to approximately 10.19 acres. The property is oddly shaped (narrow and long) and has a great deal of topographical relief that provide numerous challenges. Development has occurred on all sides which has created an added complexity of roads being stubbed in from multiple directions and at various elevations seemingly with little thought of how they would tie together on this property. The shape, varied topography and multiple stubbed streets create a parcel that is very expensive to develop.

In an effort to try to surmount the challenges that plague the property Holly Jones has previously come before Planning Commission with various concepts typically of higher densities than the surrounding properties to make development of the property feasible.

The proposed development that is the basis of this application includes a mix of single family, twin and townhomes totaling 47 lots. 4 lots are single family at 8,460 square feet each, 4 of the lots are twin home lots that range in size from 7,740 sq.ft. to 11,360 sq.ft., the great variation in size is due to the location of the existing street (Wild Cherry Way) that ties into the lot. The concept with the twin homes is to provide a structure that is similar size to an existing home to the west and utilize that as a buffer transitioning into the townhomes. The remainder (39) of the dwellings would be townhomes.

The single-family units have a proposed lot width of 60 feet. The twin homes have lot widths of 58.5 feet and 51 feet. The lot width of the townhomes varies between 40.8 feet and 20.67 feet. 24 units are 32.58 feet wide, 7 units are 22 feet wide, and 6 units are 20.67 feet wide. The two end units next to the twin homes are on 40-foot-wide lots to provide a setback between the townhomes and the twin homes.

Every dwelling would have a private backyard area. The townhomes abut common open space that acts as a buffer between the units and the adjacent subdivisions. The common open area equates to 2.268 Acres of landscaped open space with amenities. The right-of-way for the future extension of Cherry Street (0.99 acres), as well as the stormwater pond 7,818 sq.ft. are not counted in the open space calculation. The common open space equates to 22% of the total project area.

The amenities proposed in the open space include: a sports court, community playground, community garden and walking and biking paths.

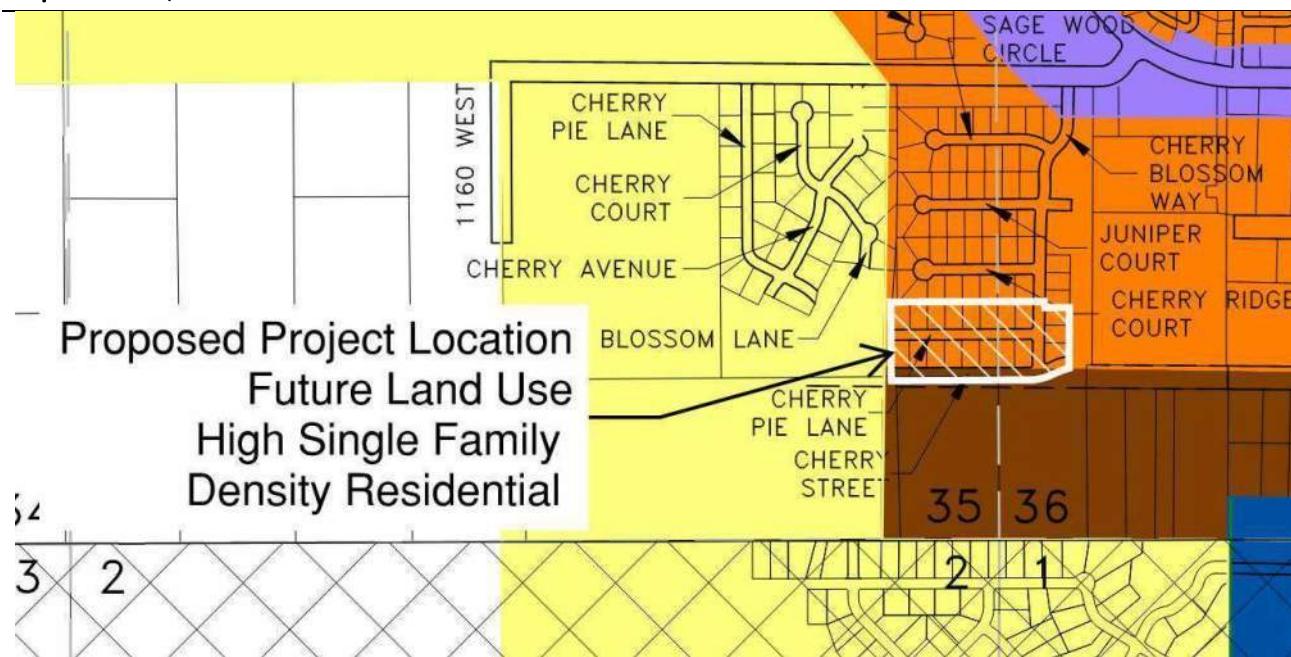
A Concept Plan is attached.

**Land Use:**

The Land Use designation of the property is mainly located in the High-Density Single-Family Density Residential.

Request: PUD / Rezone

File #: West Haven PUD



The current Land Use Map has been attached. The High Single Family Density Residential designation allows development up to a maximum of 6 dwelling units per acre. However, that is conditioned on the proposed use meeting the purposes and vision of the General Plan through implementation of its goals policies and strategies. Goal #1 -5 of the Land Use element states: Maintain the character of neighborhoods in the City by encouraging comparable uses and densities to existing neighborhoods and development patterns.

The compatibility of the proposed use with the existing surrounding neighborhoods is a vital element to be considered. The uses surrounding the proposed West Haven PUD are single family residential lots with 1/3 acre lots to the north and east and large lots and 1/2 acre lots to the south and west. Not all situations allow for the exact same uses to reside by each other. In those case transitions and buffers can be used to resolve compatibility issues. Some of the land use tools available to address these issues are to transition with additional lots of a similar or slightly smaller use when tying into existing neighborhoods. This creates a situation that new residents which choose to purchase lots next to a significantly different use make that choice knowing what is next to them. Or uses can be slowly transitioned by stepping down lot size in bands and locating higher densities in the center of the development, or next to existing high density or other uses such as commercial or public uses. Buffers and the use of architectural features and massing that complement the surrounding uses are tools that can be used in situations where space is limited for a transition. The key is utilizing the appropriate tool to make the transition or retooling or rejecting the application if the incompatibility is insurmountable.

The proposed West Haven PUD is on a smaller parcel and that utilizes a short transition with smaller but similar uses on the east and the west ends of the project and buffers on the north and south sides.

#### **Zoning:**

The current Zoning designation of the property is a split of R-1-21 and A -1 10.

Request: PUD / Rezone

File #: West Haven PUD



The current zoning map has been attached.

The application proposes to rezone the property to allow for 4.61 units per acre. A rezone to RM-15 is most likely what would be necessary to develop the townhomes and single-family lot sizes that are proposed in the application. With the recent changes to the RM-15 district and the addition of the requirements for multi-unit and attached housing in Chapter 4.34 the 6 units per acre as proposed is somewhat similar to what these requirements would allow. That is not to say that by zoning the property to RM-15 that there will not be exceptions requested but this would get it closer to compliance. The other key issue is that the other residential zones are very limited in what types of attached housing they will allow particularly when it comes to lot size. RM-15 is the only purely residential zone that remains open for rezone that references Chapter 4.34 allowing the smaller lot sizes typical of townhomes.

The current PUD ordinance in 12.2-1(a) states:

Residential projects that do not seek to increase the overall density allowed within the applicable district shall not be required to provide a moderate-income housing element unless the applicant otherwise desires to provide moderate income or affordable housing. For residential projects requesting density, at least 50% of the requested increased density shall meet state moderate income standards.

The RM-15 district would come the closest to providing the density desired and thus the increase in density would not be requested.

#### **PUD Objectives 12.1:**

Staff feels that the proposed project has made an effort to meet the PUD objectives (See the attached PUD Application Worksheet):

- Objective A. Creation of a more desirable environment than is possible through strict application of city Land Use regulations. While the proposed use is not the same as the surrounding uses the applicant has tried to soften the transition with landscape buffers and transitions of smaller but similar single family uses on the ends.
- Objective B. Providing improved open space. The proposed project provides 22% of the project as active landscaped amenity rich open space.
- Objective C. Preservation of historic buildings is not applicable in this case.

**Request: PUD / Rezone****File #: West Haven PUD**

- Objective D. Connecting paths, trails and streets. The project provides connections and right-of-way for future connections for Cherry Street, Cherry Blossom Lane and Wild Cherry Way. The project also is proposing internal walking and biking trails.
- Objective E. Elimination of blighted structures and incompatible uses is not applicable in this case.
- Objective F. Providing residential housing that meets State moderate income housing requirements. The application states that the project will provide moderate income and affordable housing. It is unknown if this housing meets state requirements. However, if the land is zoned RM-15 the project will not be asking for increased density and may not be required to provide housing that meets the state moderate income standards.

**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). If this property is rezoned to RM-15 this list will very likely change.

It is recognized 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 and not the remainder of the language in the ordinance.

As this is currently a discussion Staff will work with the applicant to true this table up to match the RM-15 district and Chapter 4.34 if the Planning Commission is willing to re-zone the property to RM-15. If not, then the PUD will very likely include the greater number of exceptions. Ultimately, either way can reach the proposed outcome if that is what Planning Commission finds acceptable.

Please review the table and discuss which exceptions on the applicants table are acceptable and which are not.

**Buffer:**

GLUDMC Chapter 12.4 2 (a) iv requires that uses that do not match surrounding uses must have a buffer of either lots against the surrounding use that are of similar use to the surrounding use or a physical buffer of 50 feet. Due to the location of the existing connection to Wild Cherry Way on the west end of the project the buffer that is being provided on the north side is 47 feet wide. The buffer on the south side varies but is far greater than 50 feet.

**Parking:**

**Request: PUD / Rezone****File #: West Haven PUD**

Grantsville Land Use Ordinance (GLUDMC) Chapter 4.34 f 2 (a) requires two parking spaces for each unit. These are onsite in the driveway. The garage is not counted because in small homes and lots people tend to utilize the garage for storage and for their toys such as four wheelers, motor bikes and snowmobiles. That is 94 parking stalls in driveways.

Utah State Code 10-9a-533-1 (c) ii requires at least two off-site parking spaces for each single-family residential property abutting a residential street. Grantsville requires this for the single-family lots. That calculates out to 16 on street or separate parking stalls for the four single family dwellings and the four twin homes. For the townhomes it is recognized that frontage for on street parking is very limited if not no existent. Visitor parking is still very necessary. Per GLUDMC 4.34 (f) 3 states that there shall be 1 parking stall for each of the first ten units and then one stall for every two unit beyond this. That calculates to 25 off-site parking stalls for the town homes. The total number of off-site parking stalls required is 41. On street parking can be counted as long as it does not encroach on driveways, fire hydrants, mailboxes, or sight triangles at intersections. The remainder must be located in dedicated parking stalls that are located no greater than 200 feet away from the units they serve.

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.

**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. The units located in the intersection of Wild Cherry Way and Cherry Blossom Lane need to be adjusted to allow for the correct site triangle. This will also allow the radiiuses at the back of walk to be increased to the city standard of 25 feet. If the radiiuses are not up to standard, then the streets in the subdivision will be designated private streets and the subdivision will be responsible to maintain and plow the streets.

**Comments from Engineering:**

Comments (attached) have been provided from the City Engineer concerning issues that will need to be considered if the proposed project moves forward. The City Engineers recommendations are included in the staff recommendations.

**Old High School**

As addressed in the geotechnical report, this site has non-engineering fills from 2.0-feet to 8.5-feet beneath existing ground surface. This non-engineered fill soils contain trash debris and other deleterious material. Geotechnical report recommendations will need to be incorporated when the design moves forward and followed through with construction.

**Roads**

It appears all the roads are 66-feet ROW in this development which meets the local roadway section. The new streets tie into existing streets which are 66-foot ROW.

**Drainage through site**

Above this development the drainages have already been filled in so there is not much they can do to convey drainage upstream.

The pond parcel is in an interesting location as it is slightly upgradient. This will need to be reviewed when design moves forward.

**Request: PUD / Rezone****File #: West Haven PUD****Water**

Water lines will need to be at least 8-inch through the development and need to be modeled in the City's hydraulic model to see if any additional improvements are required when design of this project moves forward.

**Sewer**

The sewer will flow to the south side of Main Street into the Center Street Collector, West Interceptor, Burmester Collector, and then into the Northwest Interceptor. The West Street Collector project will alleviate some of the flow from the aforementioned Collector lines. This southern sewer main line along Main Street will not tie into the West Street Collector.

**Project Benefits to the City and the Project Residents:**

- The applicant has offered to clean up the right-of-way boundary issues on Cherry Street so that when it is dedicated to the City it will be a standard street width.
- Right-of-way for the future connection of Cherry Street to Cherry Grove Subdivision will be dedicate to the City. This preserves the right-of-way to meet the requirements of the transportation master plan.
- This project provides infill development that minimizes the necessary expansion of infrastructure to serve the project thus also reducing the operating and maintenance costs of adding 47 new dwellings.
- With the landscaped buffers and proposed amenities the residents in the townhomes will have a common area open space to utilize that is readily accessible and is owned and maintained by the HOA.
- The landscaped buffer behind the townhouses make the units feel more like single family homes. And the neighbors will not feel like they have a wall of units right up against the property line.
- The connection of Wild Cherry Way and Cherry Blossom Lane will help improve traffic flow in the area as well as provide additional looping in the water system.
- All the proposed streets are constructed to the residential street standard.

**Mitigation Efforts:**

- The addition of the landscaped buffers provide a space between disparate uses to soften the transition. Per GLUDMC Chapter 12.4.2 (a) iv trees and fencing will be required in the buffer.
- The addition of the landscaped buffers and amenities provide the residents of the neighborhood an active open space to make up for the lack of a larger private back yard.
- The twin homes act as a transition between the homes in the Cherry Grove Subdivision and the town homes.
- Additional offsite parking will be required to make up for the lack of on street parking in front of the town homes.
- -
- -
- -

**Conditions:**

- The Development Agreement must be approved prior to the final plat.
- Rezone to RM-15?
- Note what exceptions to code are not acceptable.
- Provide 41 off-site parking stalls that meet the maximum of 200 foot distance from the units they serve either on street or in designated parking areas.
- 30-foot site triangles are required on the intersection of Wild Cherry Way and Cherry Blossom Lane.
- -
- -
- -

**Recommendation:**

The applicant is requesting a 47 dwelling development that is best suited for the RM-15 District. The applicant has tried to mitigate the effects of the different use from the existing surrounding use by using landscaped buffers which also serve as active open space for its residence, a transition to the townhomes with twin homes at the west end of the property. Buffering is mentioned in the PUD ordinance. The overall density of the proposed project is 4.61 units per acre.

If the Planning Commission feels comfortable with what is being proposed in the current application then staff makes the following recommendations:

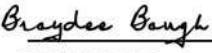
- If the PUD is granted the applicant should proceed with an application to request a re-zone to RM-15 with the granting of the rezone tied specifically to the development of the proposed project or a project of lesser density meeting all other code requirements.
- The requirements and conditions of the approved application PUD shall be included in a Development Agreement.

---

STATE OF UTAH )  
 ) SS:  
COUNTY OF TOOKELE )

I, Braydee Baugh, do hereby certify that I am the duly appointed, qualified and acting Recorder for the Grantsville City Council, (the "City"), State of Utah, and do further certify that the foregoing is a true and correct copy of Resolution 2024-18 duly adopted by the City of Grantsville, by the Council thereof at a meeting duly called and held in Grantsville, UT on the 20th day of March, 2024.

(S E A L)

DocuSigned by:  
  
9CB64E7D323F486  
Braydee Baugh  
City Recorder



## EXHIBIT A - WEST HAVEN DEVELOPMENT PARCELS

Dedication of land to Grantsville City for the future development of Cherry Street. A Survey land description to be included in the final plat approval.

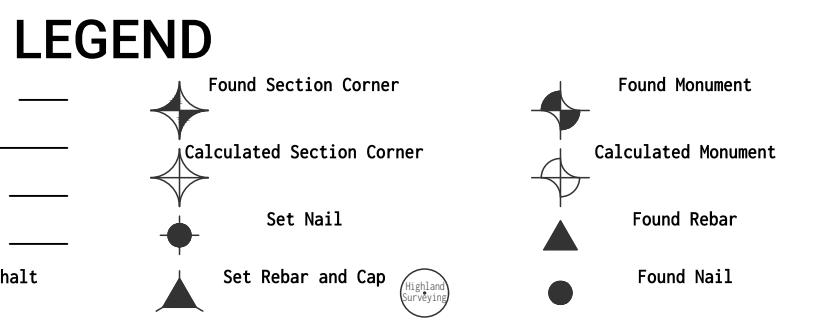
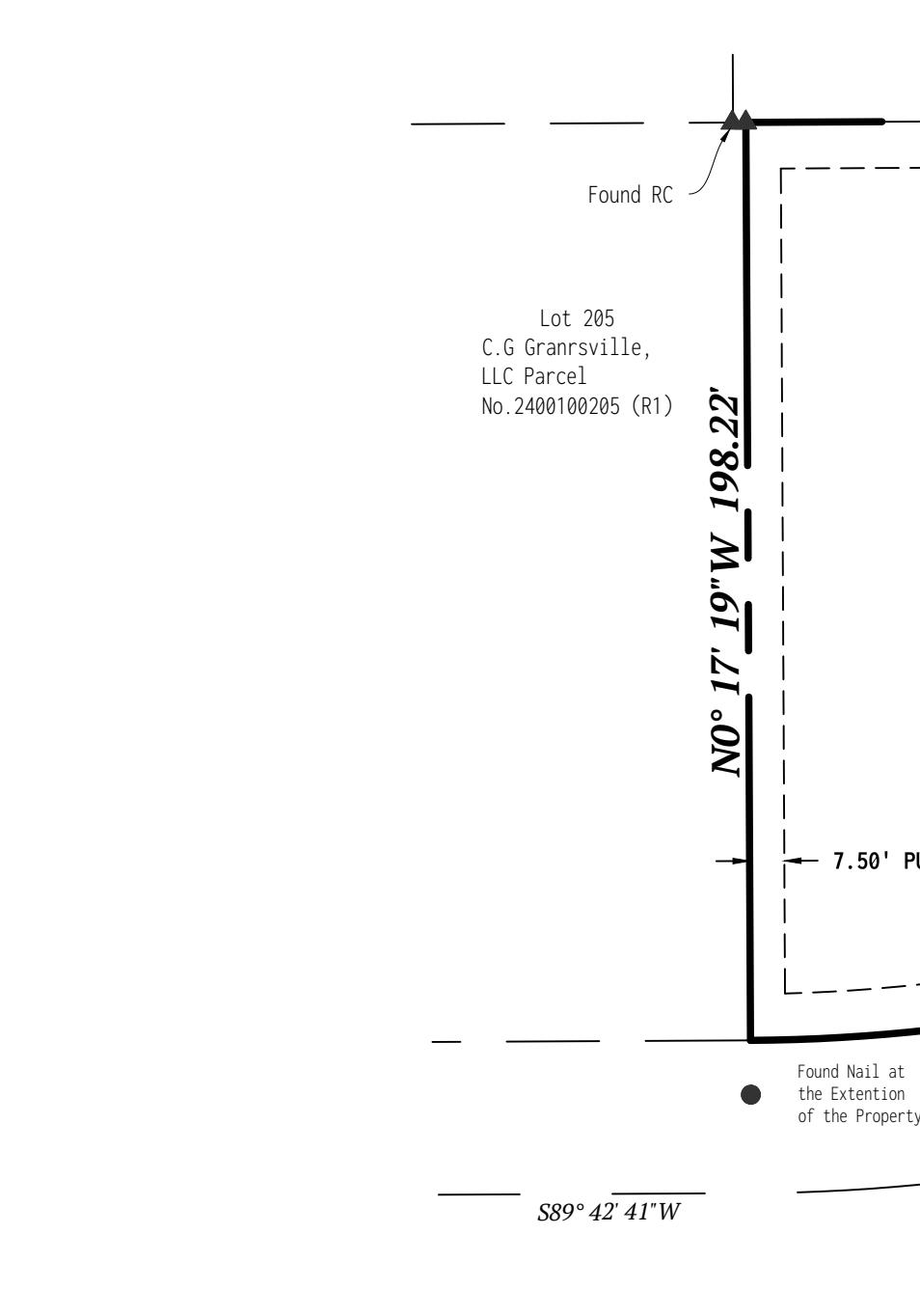
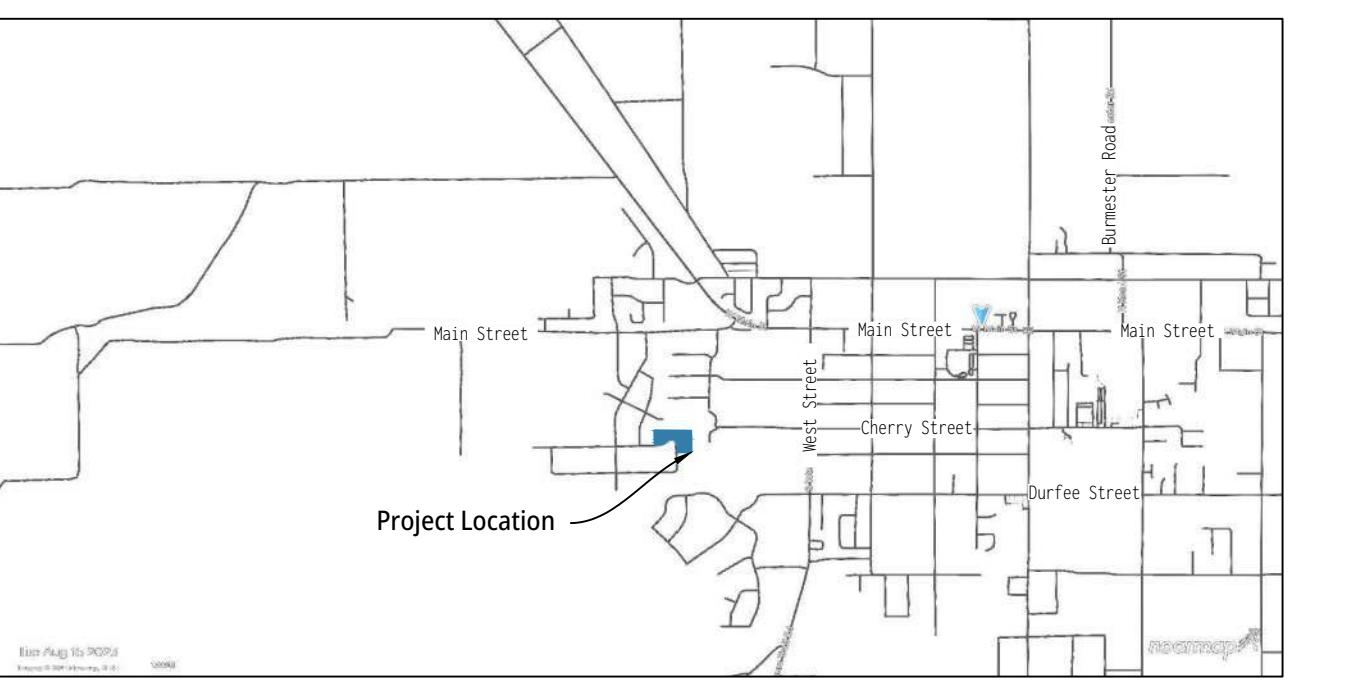


# Cherry Street Re-alignment Subdivision

Preliminary Plat - Not to be Recorded

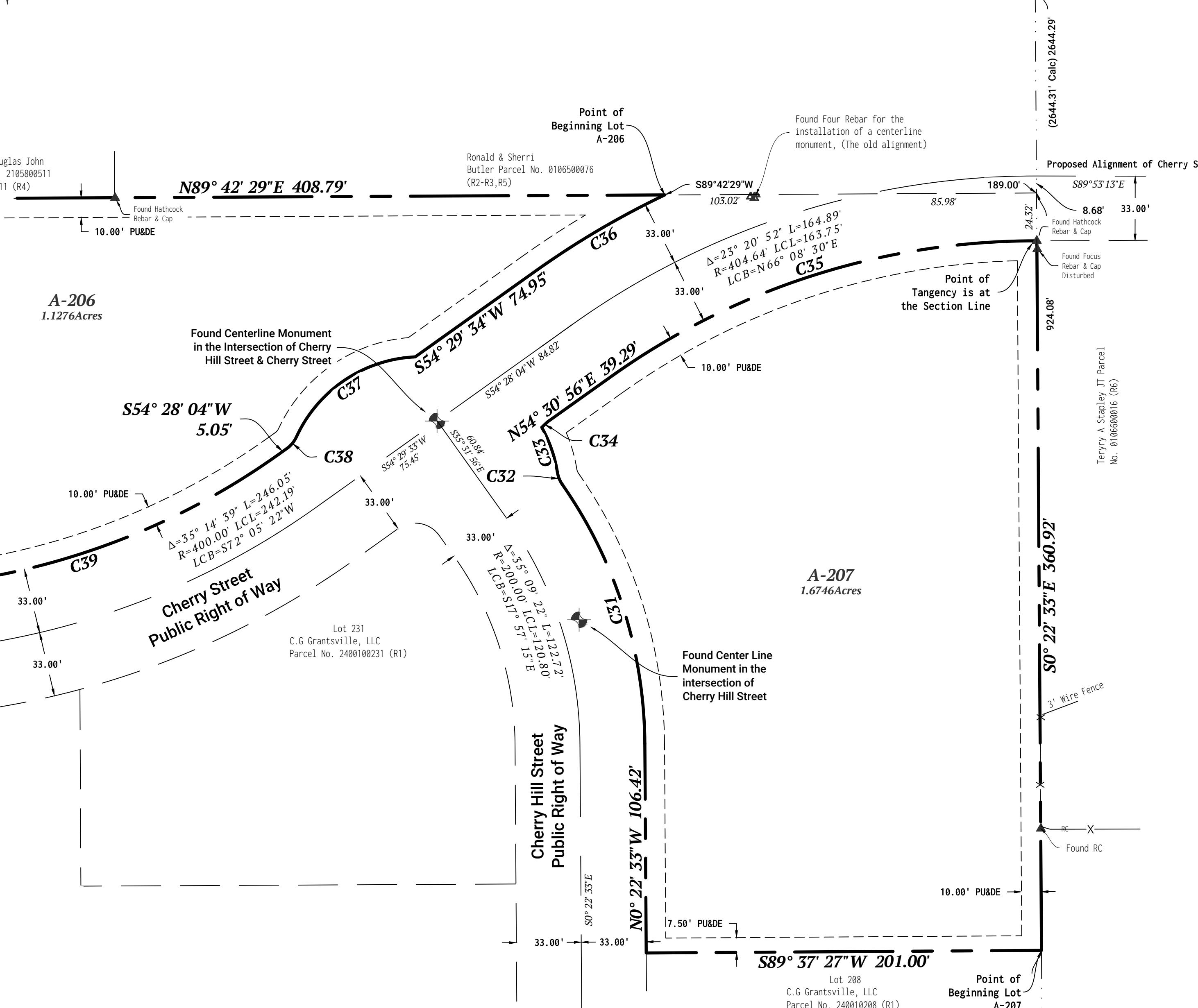
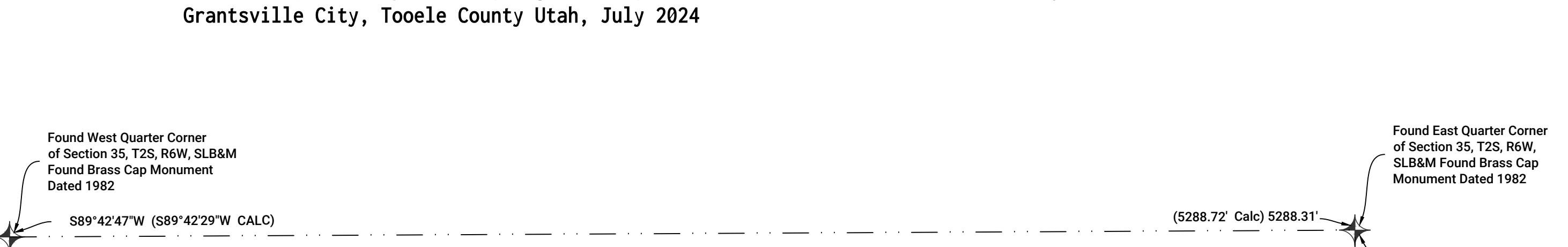
Located in the Southeast Quarter Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian US Survey  
Grantsville City, Tooele County Utah, July 2024

## VICINITY MAP N.T.S.



## CURVE TABLE

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C31	140.48'	233.00'	34°32'39"	N117° 38' 53" W	138.36'
C32	6.74'	15.00'	25°43'53"	S22° 03' 11" E	6.68'
C33	24.36'	70.00'	19°56'28"	N19° 09' 22" W	24.24'
C34	4.16'	70.00'	3°24'20"	N46° 29' 19" E	4.16'
C35	231.21'	371.64'	35°38'43"	N72° 17' 27" E	227.50'
C36	76.61'	437.64'	10°01'47"	S59° 28' 58" W	76.51'
C37	76.61'	70.00'	62°42'08"	S56° 01' 37" W	72.84'
C38	7.80'	15.00'	29°47'03"	S39° 34' 20" W	7.71'
C39	225.75'	367.00'	35°14'37"	S72° 05' 21" W	222.20'



## NOTES

- No monuments were placed as a result of this survey.
- All easements, rights and privileges granted within the original plat are to remain unless otherwise noted.
- Original Plat is (R1) in the Data Reference Table.
- For more information regarding found monuments perpetuating the public land survey system please reference the recorded survey with Tooele County.
- A 7.50 foot side yard and 10.00 foot front and rear yard PU&DE Public Utility and Drainage Easement are parallel to the lot line as indicated by the dashed lines.

## GRANTSVILLE CITY ENGINEER

Approved as to form this \_\_\_\_\_ day of \_\_\_\_\_ A.D., \_\_\_\_\_ By Grantsville City Engineer.

## ACKNOWLEDGMENT

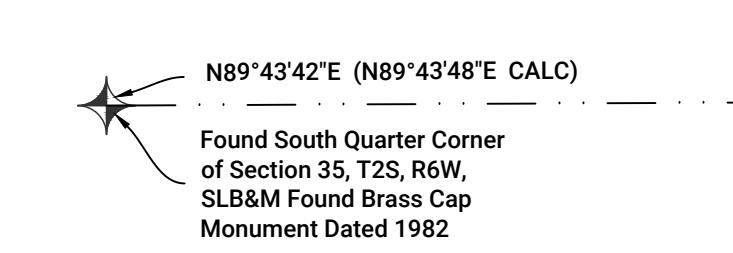
State of Utah } S.S.  
County of Tooele }  
The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024 by Shawn Holste.  
Residing at: \_\_\_\_\_  
Commission Number: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

## GRANTSVILLE CITY MAYOR

Presented to this Grantsville City Mayor this Day of \_\_\_\_\_ A.D., \_\_\_\_\_ at which Time this Condominium Plat was Accepted.

Grantsville City Engineer

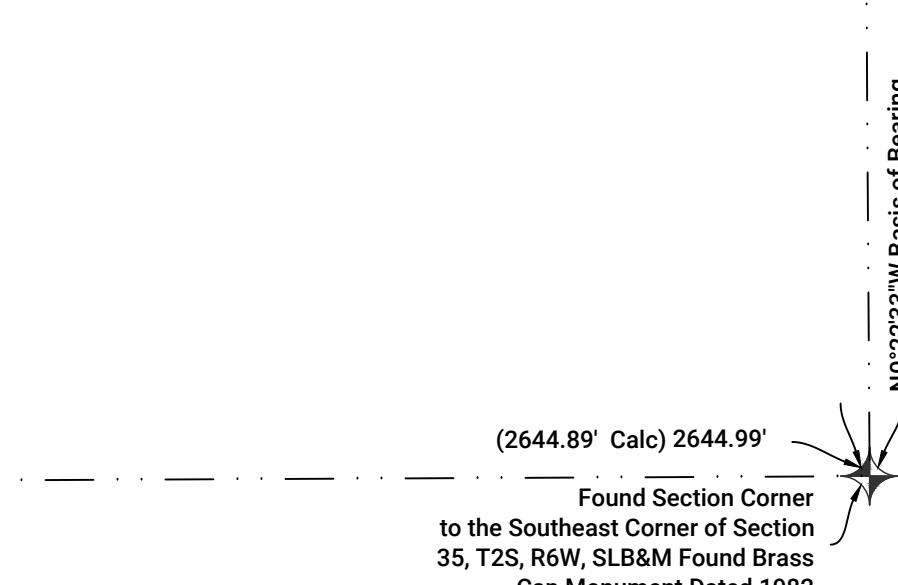
City Mayor Attest: City Recorder, Deputy



## TOOELE COUNTY SURVEYOR

Approved as to form this \_\_\_\_\_ Day of April A.D., \_\_\_\_\_ by this Tooele County Surveyor. ROS# \_\_\_\_\_

Tooele County Survey Director



## BOUNDARY DESCRIPTION

### PARCEL A-207:

A parcel of land being apart of lot 207 Cherry Wood Estates Subdivision Phase 2, according to the official records of Tooele County being situated in the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base, and Meridian being more particularly described as follows.

Beginning at the Northeast corner of lot 208 of said subdivision, said point being measured as 538.84 feet North 0°22'33" West along the section line from the Southeast corner of Said Section, and running thence South 89°37'27" West 201.00 feet to the East Right-of-Way of Cherry Hill Street; thence along said East Right-of-Way the following four (4) courses: (1) North 0°22'33" West 106.42 feet to a point of tangency on a 233.00 foot radius curve to the left, (2) Northenly along said arc 140.48 feet (Central Angel Equals 34°32'39" and Long Chord Bears North 17°38'53" West 138.36 feet) to a point of reverse curvature on a 15.00 radius arc to the right, (3) along said arc 6.74 feet (Central Angel Equals 25°43'53" Long Chord Bears North 22°00'11" East 6.68 feet) to a point of reverse curvature on a 70.00 foot radius arc to the left, and (4) along said arc 24.36 feet (Central Angel Equals 19°56'28" Long Chord Bears North 19°09'22" West 24.24 feet) to a point on a 70.00 foot non-tangent arc to the right; thence along said arc 4.16 feet (Central Angel Equals 2°42'00" Long Chord Bears North 46°29'19" East 4.16 feet to a point on a non-tangent line; thence North 54°30'56" East 39.29 feet to a point of tangency on a 371.64 foot arc to the right; thence along said arc 231.21 feet (Central Angel Equals 35°38'43" Long Chord Bears North 72°17'27" East 227.50 feet to the East line of said Section; thence along the Section line South 0°22'33" East 360.92 feet to the point of beginning. Containing 1.674 acres, more or less.

### TOGETHER WITH

### PARCEL A-206:

A parcel of land being apart of lot 206 Cherry Wood Estates Subdivision Phase 2, according to the official records of Tooele County being situated in the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base, and Meridian being more particularly described as follows.

Beginning at a point on a 437.64 radius arc to the left said point being 924.08 feet North 0°22'33" West along the Section line to the Northeast corner of said subdivision and 189.00 feet South 89°42'29" West from the Southeast corner of said Section and running along said arc 76.61 feet (Central Angel Equals 10°01'47" Long Chord Bears South 59°28'58" West 76.51 feet) to a point of tangency; thence South 54°29'34" West 74.95 feet to a point on a 70.00 foot non-tangent arc to the left; thence 76.61 feet along said arc (Central Angel Equals 62°42'08" Long Chord Bears South 56°17'28" West 72.84 feet) to a point of reverse curvature on a 15.00 foot radius arc to the right; thence along said arc 7.80 feet (Central Angel Equals 29°47'03" Long Chord Bears South 39°34'20" West 7.71 feet) to a point of tangency; thence South 54°28'04" West 5.05 feet to a point of tangency on a 367.00 foot radius arc to the right; thence along said arc 225.75 feet (Central Angel Equals 35°14'37" Long Chord Bears South 72°05'21" West 222.20 feet) to the Southeast corner of Lot 205 of said subdivision; thence North 0°17'19" West 198.22 feet along the East lot line of said Lot 205 to the South boundary of Cherry Grove Subdivision Phase D-2; thence along said South line and its extension North 89°42'29" East 408.79 feet to the point of beginning. Containing 1.1276 acres, more or less.

## SURVEYOR'S NARRATIVE

Ronald & Sherri Butler requested this Subdivision plat to amend Cherry Wood Estates Subdivision Phase 2 to adjust lots 207, 206 and the alignment of Cherry Street.

The bearing basis is North 0°22'33" West measured between the Southeast corner and East Quarter Corner of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, U.S. Survey.

For more information on the retrace of the boundary's shown here, please review the record of survey filed with the Tooele County Surveyor.

## OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned are the owners of the above described tract of land, and hereby cause the same to be divided into lots, parcels and streets, together with easements as set forth to be hereafter known as

### Cherry Street Re-alignment Subdivision

and do hereby dedicate for the perpetual use of the public all roads and other areas shown on this plat as intended for public use. The undersigned owner hereby conveys to any and all public utility companies a perpetual, non-exclusive easement over the public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities. The undersigned owners also hereby convey any other easements as shown and/or noted on this plat to the parties indicated and for the purposes shown and/or noted herein.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2024

C.G Grantsville LLC:

Shawn Holste - Registered Agent

## GRANTSVILLE CITY PLANNING COMMISSION

Approved This \_\_\_\_\_ Day of \_\_\_\_\_ A.D., \_\_\_\_\_ by this Grantsville City Planning Commission.

Approved as to form this \_\_\_\_\_ Day of \_\_\_\_\_ A.D., \_\_\_\_\_ by this Grantsville City Attorney.

Chairman Grantsville City Planning Commission

Grantsville City Attorney

Grantsville City Public Works

Approved as to form this \_\_\_\_\_ day of \_\_\_\_\_ A.D., \_\_\_\_\_ By Grantsville City Public Works.

Approved as to form this \_\_\_\_\_ day of \_\_\_\_\_ A.D., \_\_\_\_\_ By Grantsville City Fire Department.

Grantsville City Fire Department

## Data Reference Table

Reference No	Document Type	Name/Grantee	Entry No/Book/Page/File No.
R1	Subdivision Plat	Cherry Wood Estates Subdivision Phase 2	597599
R2	Record of Survey	Butler Boundary Line	2021-0131
R3	Record of Survey	Ronald Sherri Butler	2021-0064
R4	Subdivision Plat	Cherry Grove Subdivision Phase D-2	531881
R5	Warranty Deed	Ronald Sherri Butler	574160
R6	Warranty Deed	Terry and Sandra Stapley	355442

## SURVEYOR'S CERTIFICATE

I, Tyler R. Harper, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 12542803, in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act; I certify that by authority of the Surveyor I have completed a survey of the property described on this subdivision plat in accordance with Section 17-23-17, have verified all measurements, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as Cherry Street Re-alignment Subdivision and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

## For Review

07/17/2024 4:44:50 PM



CURRENTLY RECORDED DESCRIPTIONS

Parcel No. 01-065-0-0040  
Warranty Deed, Entry No. 473066

Beginning 569.54 feet South of the East quarter corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; running thence South 1150.71 feet; thence West 468.55 feet; thence North 1150.71 feet; thence North 89°37'27" East, 468.55 feet, to the point of beginning. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat 'B', recorded August 4, 2006 as Entry No. 264870. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat C PUD, recorded July 26, 2009 as Entry No. 289791.

Parcel No. 1-066-0-0018  
Warranty Deed, Entry No. 472784

Beginning at a point North 0°22'33" West 899.36 feet (North 897.00 feet record) along the Section line from the Southwest corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; and running thence South 89°53'05" East 501.76 feet (East 499.40 feet record); thence South 00°26'31" West 51.02 feet (South 54.30 feet record); thence South 89°33'29" East 50.00 feet (East 50.00 feet record); thence North 00°26'31" East 104.50 feet (North 104.50 feet record); thence South 89°33'29" East 183.30 feet (East 183.30 feet record) to an existing fence line; thence South 00°26'31" West 10.00 feet (South 10.00 feet record) along said fence line; thence South 89°33'29" East 182.10 feet (East 182.10 feet record); thence South 00°26'31" West 45.65 feet (South 10.00 feet record) to the South line of a 2 chain right of way (132.00 feet); thence South 89°33'29" East 406.85 feet (East 400.40 feet record) along the South line of said right of way to the Northwest corner of Block 62, Grantsville City Survey; thence North 00°26'31" East 132.00 feet (North 132.00 feet record) to the North line of said right of way and an existing fence line; thence North 89°33'29" West 823.00 feet (West 823.00 feet record) along said fence line; thence South 00°57'21" West 105.44 feet (South 102.15 feet record); thence North 89°53'05" West 500.41 feet (West 545.71 feet record) to the Section line; thence South 00°22'33" East 24.40 feet (South 22.85 feet record) along the Section line to the point of beginning.

Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156225 in Book 650 at Page 582

Parcel No. 01-066-0-0019  
Warranty Deed, Entry No. 472815

Beginning at a point North 0°22'33" West 899.36 feet (North 897.00 feet record) along the Section line from the Southwest corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; and running thence South 89°53'05" East 501.76 feet (East 499.40 feet record); thence South 00°26'31" West 51.02 feet (South 54.30 feet record); thence South 89°33'29" East 50.00 feet (East 50.00 feet record); thence North 00°26'31" East 104.50 feet (North 104.50 feet record); thence South 89°33'29" East 183.30 feet (East 183.30 feet record) to an existing fence line; thence South 00°26'31" West 10.00 feet (South 10.00 feet record) along said fence line; thence South 89°33'29" East 182.10 feet (East 182.10 feet record); thence South 00°26'31" West 45.65 feet (South 10.00 feet record) to the South line of a 2 chain right of way (132.00 feet); thence South 89°33'29" East 406.85 feet (East 400.40 feet record) along the South line of said right of way to the Northwest corner of Block 62, Grantsville City Survey; thence North 00°26'31" East 132.00 feet (North 132.00 feet record) to the North line of said right of way and an existing fence line; thence North 89°33'29" West 823.00 feet (West 823.00 feet record) along said fence line; thence South 00°57'21" West 105.44 feet (South 102.15 feet record); thence North 89°53'05" West 500.41 feet (West 545.71 feet record) to the Section line; thence South 00°22'33" East 24.40 feet (South 22.85 feet record) along the Section line to the point of beginning.

Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156225 in Book 650 at Page 582

Parcel No. 01-066-0-0022  
Warranty Deed, Entry No. 472850

Beginning at the West quarter corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian; thence East 545.71 feet; thence South 1720.15 feet; thence West 545.71 feet; thence North 1720.51 feet to the point of beginning. Less and excepting therefrom that portion of the subject property as disclosed by that certain dedication plat of CHERRY GROVE SUBDIVISION PLAT 'A' being recorded March 16, 2000 as Entry No. 145105. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat 'B', recorded August 4, 2006 as Entry No. 264870. Less and excepting therefrom that portion of the subject property as shown on the dedication plat of CHERRY GROVE SUBDIVISION, Plat 'C' PUD, recorded July 26, 2009 as Entry No. 289791. Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156224 in Book 650 at Page 580. Less and excepting therefrom that portion of the subject property as disclosed by that certain Quit-Claim Deed recorded December 7, 2000 as Entry No. 156225 in Book 650 at Page 582.

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

RECORD OF SURVEY FOR:

RONALD & SHERRI BUTLER

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 36,  
TOWNSHIP 2 SOUTH, RANGE 6 WEST,  
SALT LAKE BASE AND MERIDIAN  
GRANTSVILLE, TOOELLE COUNTY, UTAH

ADJUSTED DESCRIPTIONS

Adjusted Description Parcel A

A parcel of land situate in the Southwest Quarter of Section 36 and the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point which lies North 0°22'33" West 924.08 feet along the section line established by the Tooele County Dependent Survey in 1982, said Point lies North 0°22'33" West 1180.45 feet from a Tooele County Surveyor brass monument placed in 1982, representing the Southwest Corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian (Basis of Bearing for this description is North 0°22'33" West 2644.31 feet along the section line common to Sections 35 and 36 defined by Tooele County Surveyor brass monuments placed in 1982 representing the Southwest Corner and the West Quarter Corner of said Section 36);

Thence South 89°37'27" West 107.102 feet; thence North 0°22'33" West 125.00 feet; thence North 89°37'27" East 348.50 feet; thence South 0°22'33" East 125.00 feet; thence South 89°37'27" West 241.398 feet to the Point of Beginning. The above-described parcel of land contains approximately 43,562 square feet in area or 1.000 acre.

Adjusted Description Parcel C

A parcel of land situate in the Southwest Quarter of Section 36 and the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point on the section line established by the Tooele County Dependent Survey in 1982, said Point lies North 0°22'33" West 1180.45 feet from a Tooele County Surveyor brass monument placed in 1982, representing the Southwest Corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian (Basis of Bearing for this description is North 0°22'33" West 2644.31 feet along the section line common to Sections 35 and 36 defined by Tooele County Surveyor brass monuments placed in 1982 representing the Southwest Corner and the West Quarter Corner of said Section 36);

Thence South 89°37'27" West 107.102 feet; thence North 0°22'33" West 125.00 feet; thence North 89°37'27" East 348.50 feet; thence South 0°22'33" East 125.00 feet; thence South 89°37'27" West 241.398 feet to the Point of Beginning. The above-described parcel of land contains approximately 43,562 square feet in area or 1.000 acre.

Adjusted Description Parcel D

A parcel of land situate in the Southwest Quarter of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point which lies North 0°22'33" West 899.76 feet along the section line established by the Tooele County Dependent Survey in 1982 and South 89°53'05" East 204.537 feet from a Tooele County Surveyor brass monument placed in 1982, representing the Southwest Corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian (Basis of Bearing for this description is North 0°22'33" West 2644.31 feet along the section line common to Sections 35 and 36 defined by Tooele County Surveyor brass monuments placed in 1982 representing the Southwest Corner and the West Quarter Corner of said Section 36);

and length of South 76°58'26" West 102.101 feet to a point of reverse curvature; thence North 0°31'02" West 252.447 feet;

thence North 89°37'27" East 122.78 feet;

thence North 0°57'21" East 152.006 feet to intersect the southerly boundary of

CHERRY GROVE PLAT C P.U.D., the official plat of which was recorded July 26, 2007 as Entry No. 289791 in the office of the Tooele County Recorder;

thence along the boundary of said P.U.D., South 89°02'39" East 177.00 feet to the Southeast Corner of said P.U.D.;

thence along an old, established fence line, South 0°57'21" West 273.19 feet (record = 273.49 feet) to a fence corner;

thence North 0°22'33" West 125.00 feet;

thence North 89°37'27" East 60.94 feet;

thence South 0°57'21" West 2.34 feet;

thence South 89°02'39" East 30.00 feet;

thence South 0°57'21" West 152.006 feet;

thence South 89°37'27" West 122.78 feet;

thence South 0°03'02" East 252.447 feet;

thence along the westerly extension of the southerly right-of-way line of Cherry Street as established by said SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE, North 89°16'34" West 400.53 feet (record = 392.01 feet);

thence North 0°08'00" West 66.01 feet to intersect a westerly extension of the centerline of Cherry Street as established by said SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE;

thence along the westerly extension, North 89°16'34" West 182.12 feet;

thence South 0°08'00" East 18.575 feet;

thence North 0°26'31" East 5.27 feet;

thence North 89°33'29" West 27.81 feet to a point of curvature;

thence Southwesterly 103.048 feet along the arc of a tangent curve to the left

having a radius of 219.19 feet, a central angle of 26°56'11" and a chord bearing

and length of South 76°58'26" West 102.101 feet to a point of reverse curvature;

thence Southwesterly 153.832 feet along the arc of a reverse curve to the right

whose center bears North 26°29'40" West, has a radius of 331.23 feet, a central

angle of 26°36'35" and a chord bearing and length of South 76°48'38" West

152.453 feet to a point of tangency;

thence North 89°53'05" West 71.953 feet to the Point of Beginning.

The above-described parcel of land contains approximately 174,438 square feet in area or 4.005 acres.

SURVEYOR'S CERTIFICATION



I, Nolan C. Hathcock, a Professional Land Surveyor licensed under Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act, holding license no. 166346, do hereby certify that this plat represents the results of a survey performed by me and that the information shown herein is true and correct to the best of my knowledge and belief.

SURVEYOR'S NARRATIVE

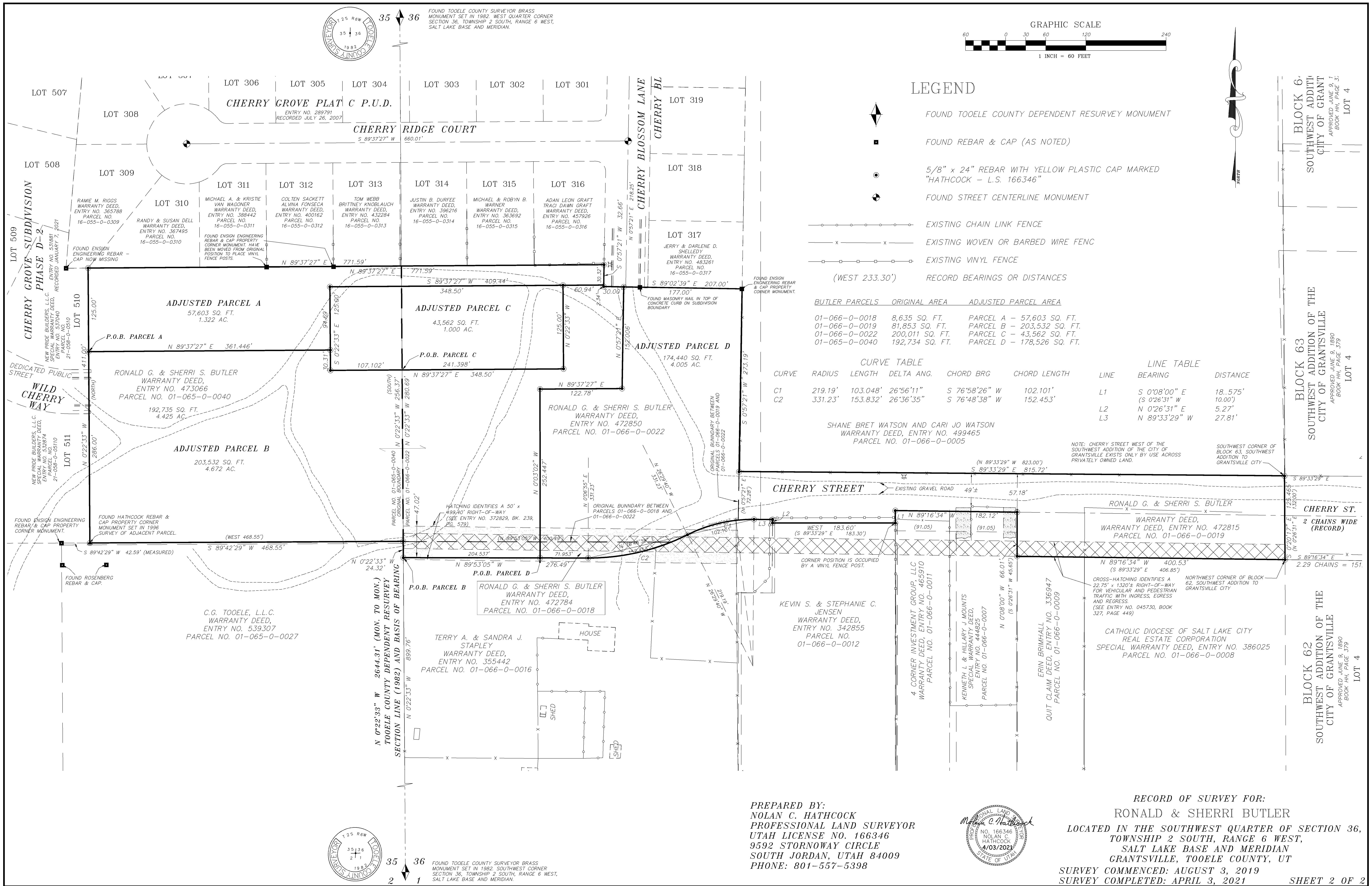
This survey was performed at the request of Barry Bunderson on behalf of Ronald and Sherri Butler for the purpose of defining on the ground the exterior boundary and adjusting the common boundaries of four parcels of land owned by Butler with the approval of Grantsville City.

Tooele County Dependent Survey monuments were found as shown herein and relied upon for the bearing base of this survey. Boundaries were determined as follows:

The southerly boundary of the portion of the Butler parcels lying in Section 35, Township 2 South, Range 6 West, Salt Lake Base and Meridian was held parallel with the northerly line of said Section 35 at the record distance southerly of 1720.25 feet. From the section line common to Sections 35 and 36 the record distance of 468.55 feet which arrives at a found rebar and cap set by Nolan C. Hathcock in 1996. See record of survey, File No. 1996-0009-01 in the files of the Tooele County Surveyor. The westerly line of this parcel was held parallel with the section line common to Sections 35 and 36 and extended northerly to intersect the southerly boundary of CHERRY GROVE PLAT C P.U.D. The southerly boundary of said CHERRY GROVE PLAT C P.U.D. defines the northerly boundary of the Butler parcels that share a common boundary with said P.U.D. From the southeasterly corner of said P.U.D. which is marked by an Ensign Engineering rebar and cap, the bearing of the easterly boundary of said P.U.D. was extended southerly along an old, well established fence line to a fence corner. An old fence line runs easterly from this point, which is the best available evidence of a long established boundary. This fence line was followed easterly to intersect the westerly boundary of SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE. The SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE was surveyed by Charles A. Herman, Land Surveyor, April 21, 1890 and approved by Charles A. Herman, Probate Judge, June 9, 1890. A hand written notation "HHT/379", appears on the upper left-hand corner of the plat which I interpret as a recording reference. No Entry No. appears on the plat.

To establish the location of this plat on the ground the existing right-of-way lines of Durfee, Vine, Cherry, Plum, and Apple Streets were studied. The plat of SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE extends from Center Street westerly beyond West Street (shown on the plat as Cemetery Street). These streets have existed for many years from Center Street to West Street. These streets were not extended west of West Street until the late 1970's approximately. The right-of-way lines, determined from a study of the existing fence lines and other evidence of occupation easterly of West Street agrees very well with the 1890 plat. However, when these lines are extended westerly from West Street there is conflict with existing old fence lines. This determination for the location of the SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE disagrees with an old fence line along the north line of Cherry Street westerly of West Street and with the location of the Southwest corner of Block 63. A survey performed by Ensign Engineering for Eric Vaughn in 2015 (see file no. 2015-0062-01 in the files of the Tooele County Surveyor) agrees with the old fence line that appears to define the northerly right-of-way line of Cherry Street and to define the Southwest corner of block 63. In order to maintain harmony I have agreed with the Ensign Engineering survey to establish the northerly line of the Butler property along Cherry Street and to define the most easterly line of the Butler property, I have extended my determination for the southerly right-of-way line of Cherry Street, as previously explained, westerly from West Street. The plat of SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE served to dedicate Cherry Street at a width of 2 chains (32 feet) up to the westerly boundary of the plat. Westerly of the plat's westerly boundary Cherry Street exists by use only, crossing property owned by Butler.

Having arrived at the intersection of the old fence line, mentioned above, with the westerly boundary of said SOUTHWEST ADDITION OF THE CITY OF GRANTSVILLE, as determined by the Ensign Engineering survey, the plat boundary was followed southerly to intersect the southerly right-of-way line of Cherry Street, as determined by my analysis as described above. The southerly right-of-way line of Cherry Street was followed westerly to intersect the westerly boundary of Parcel No. 01-066-0-0007 and 01-066-0-0011 were created in November 1978 from a larger parcel of land. The descriptions contained in Warranty Deed, Entry No. 327672 in Book 165 at Pages 422-423 call "to the centerline of Cherry Street in Grantsville City, Utah, as extended westerly". For this reason I have held the westerly extension of the centerline of Cherry Street as the northerly boundary of these two parcels. The centerline of Cherry Street was followed westerly along the northerly boundary of these two parcels the record distance of 182.12 feet (perpendicularly 182.10 feet). The westerly boundary of Parcel No. 01-066-0-0011, once again, determined from old, established fence line evidence, was followed southerly to the northeast corner of Parcel No. 01-066-0-0012 as shown in the plat of survey by Nolan C. Hathcock, found as File No. 2018-0053-01 & 02. The northerly boundaries of Parcels 01-066-0-0012 and 01-066-0-0016 were then followed westerly to the section line common to Sections 35 and 36.



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

*RECORD OF SURVEY FOR:  
RONALD & SHERRI BUTLER  
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 36,  
TOWNSHIP 2 SOUTH, RANGE 6 WEST,  
SALT LAKE BASE AND MERIDIAN  
GRANTSVILLE, TOOKEE COUNTY, UT  
SURVEY COMMENCED: AUGUST 3, 2019  
SURVEY COMPLETED: APRIL 3, 2021 SHEET 2 OF 2*

021-0064

## GRANTSVILLE CITY

### DRAFT PUD APPLICATION WORKSHEET

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

Project Name	WEST HAVEN
Applicant	FIL DE VOCE
Project Location	WILD CHERRY WAY & CHERRY BLOSSOM LANE GRANTSVILLE, UTAH 84029
Project Acreage	10.19 ACRES
Current Zoning	R-1-21 & A-10

#### 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

West Haven PUD is designed to meet the moderate-income housing requirements that will benefit the city's current and long-term growth. Addressing the need to incorporate an infrastructure enabling the future facilities with roads, sewer, water lines, storm drains, power, and a retention pond. The new infrastructure will improve transportation through the area by connecting the 3 dead-end streets of the surrounding subdivisions of Cherry Blossom, Wild Cherry Way, & will allow access from Cherry St. West Haven PUD will dedicate Cherry St to Grantsville City, this allows the City to address the current easement issues with homeowners living along Cherry St. The roads are designed to meet the Fire Code Requirements to which will allow Grantsville City's responders as well as service responders, trash & recycling collection suitable access.

We had multiple work meetings with the Planning Commission & City Staff to work through various designs for the PUD. In conclusion of those meetings, the design which satisfied the Planning Commission & Staff is directly in front of you for your consideration.

See the attached Zoning Variation Chart, the chart in general proposes smaller lot sizes, open spaces, amenities, and affordable housing for the current growth of the city.

**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**

See attached concept, The PUD total acreage of 10.19 includes improved open space requirements found in chapter 21 with over 10% Open Space totaling 2.268 Acres. The facilities will have private enclosed yard spaces with buffer zones beyond the private yards to the neighboring communities. The Buffer zones landscaping will include xeriscape, water wise plantation, walking paths and communal areas such as covered pavilion and playground.

**Objective (c):**

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

**Response**

Not Applicable

**Objective (d):**

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

**Response**

The West Haven PUD completion connects the city streets of Wild Cherry Way to Cherry Blossom Lane allowing access for the southern and western attached finished subdivisions that serve over 200 current homes. West Haven PUD intends to dedicate Cherry Street to Grantsville City, which gives the city the opportunity to rectify multiple access and easement issues for current land and homeowners on Cherry Street and the potential to continue cherry street to the west as the city grows.

Objective (e):

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

Response

Not Applicable

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

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

*(a) At the preliminary phase, the applicant shall submit a written statement addressing each of the standards set forth in Section 7.8 herein entitled, Determination, when applicable and how the proposed development will promote the objectives set forth in Section 12.1 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	<input type="checkbox"/>	Conditional	<input checked="" type="checkbox"/> x	-	Not Allowed	<input type="checkbox"/>	Not Applicable	<input type="checkbox"/>
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Standard (b):

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

Response

The proposed PUD will positively impact health, safety, and comfort. Order, and general welfare of residents and surrounding communities. Improved traffic flow, and responsible development contribute to a safe and comfortable environment. Private yard spaces with buffering zones to neighboring communities assist with noise mitigation. Overall, our development invites an inclusive community while respecting the surrounding neighborhood.

Standard (c):

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

Response

The PUD is designed according to the future land use map approved by the city of high single-family density residential. The approach is to provide the necessary infrastructure required for the PUD with all the amenities while maintaining the open spaces, landscaping, community amenities and affordable housing.

Standard (d):

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

Response

PUD's use of the future land use map, along with the multiple work meetings with the Planning Commission & City Staff members have guided the design of the West Haven PUD while addressing the demand for diverse housing choices. Shared open spaces and pedestrian pathways foster connections and strengthen the overall community feeling. The PUD will be maintaining a visually appealing and welcoming environment that harmonizes with the existing neighborhood.

Standard (e):

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

Response

The PUD is designed with private fenced yards along with a buffering zone and/or “Open Spaces” around the development. This allows for more privacy along with noise mitigation for all neighboring parties.

Standard (f):

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

Response

Grantsville City will receive benefits from all the above:

From the development of the PUD:

- Property values will be protected from thoughtfully designed housing attracting residents that raise value.
- The environment will be designed with open spaces, landscaping will be waterwise plantation to minimize environmental impact to create a desirable living environment.
- Taxes: Increase in density generates more property tax revenue enhancing public services.

Standard (g):

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

Response

The PUD design fully embraces the goals and objectives of the Grantsville City Comprehensive General Plan. From integrating multiple surrounding subdivisions infrastructure and connecting roads for enhanced transportation, maintaining open space objectives, and applying planning commission and city staff work meeting notes to the project to align with the city's vision for a vibrant and sustainable future.

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

PUD Internal Circulation System Design Proposed:

- Streets: Designed for efficient traffic flow
- Parking areas: Designed for organized parking.
- Pedestrian-friendly design: Wide sidewalks, crosswalks, and traffic calming measures prioritize pedestrian safety and comfort.
- Walking Paths: linking homes and amenities.

Designed to Grantsville City standards and specifications.

### Standard (k):

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

#### Response

The comprehensive analysis confirms existing and proposed utility services are more than adequate for the planned development. We've worked with utility providers to ensure sufficient capacity and seamless integration, leaving no infrastructure concerns.

### Standard (l):

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

#### Response

The PUD is designed with minimal environmental impacts to the surrounding areas. The design incorporates thoughtful buffering measures:

- Private fenced Yard
- Buffering and/or Open Spaces between the private fenced yards and neighboring communities to assist with noise mitigation.
- Strategic landscaping: Utilizing trees, shrubs, and natural features to dampen noise and soften visual impact.
- Building orientation: Optimizing placement to minimize shadows cast on neighboring properties.

Lighting design: Shielded fixtures and reduced nighttime illumination to prevent light trespass.

**Standard (m):**

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

**Response**

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

**Standard (n):**

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

**Response**

The landscaping will be designed using xeriscape, water wise plantation and drought resistant plants. Water efficient irrigation systems for resource management for sustainable practices.

**Standard (o):**

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

**Response**

Not Applicable

**Standard (p):**

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

**Response**

Not Applicable

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

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

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

### Requested Deviation #1

Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect.
R-1-21, Minimum Lot Size - 21,780 sqft A-10, Minimum Lot Size – 10 Acres
Describe Requested Deviation to Regulation.
See Attached Zoning Deviations Chart Minimum Lot Size – 1600 sq.ft (townhome), 2600 sq.ft (townhome), 8460 sq.ft (single family), 7740 sq.ft (twin home)
Describe How Requested Deviation Benefits the Project and the Community.
Reducing minimum lot sizes allows for larger open spaces, aesthetically pleasing landscaping, noise mitigation for the surrounding neighboring communities, enhancing transportation and infrastructure while allowing affordable housing, which benefits the community.
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.</i> (12-2-1-(b))
The proposal mitigates any potential concerns by significantly increasing open space, promoting affordable housing, and maintaining responsible development practices. This approach aligns seamlessly with the City's general purposes, goals, and objectives.

### Requested Deviation #2

Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect.
R-1-21, Minimum Frontage – 70 feet A-10, Minimum Frontage – 165 feet
Describe Requested Deviation to Regulation.
See attached Zoning Deviations Chart. Minimum Frontage – 20 feet (townhomes), 30 feet (townhomes), 50 feet (twin home), 60 feet (single family).
Describe How Requested Deviation Benefits the Project and the Community.
Reducing the minimum frontage allows for larger open space, and reducing the cost of home ownership, therefore benefiting the community by allowing for townhomes and higher density in isolated areas.
Describe Mitigation Proposed to Maintain <i>the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council.</i> (12-2-1-(b))
The proposal mitigates any potential concerns by significantly increasing open space, promoting affordable housing, and maintaining responsible development practices. This approach aligns seamlessly with the City's general purposes, goals, and objectives.

### Requested Deviation #3

Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect.
R-1-21, Minimum Front setback – 40 feet A-10, Minimum Front setback – 40 feet
Describe Requested Deviation to Regulation.
See attached Zoning Deviations Chart. Minimum Front setback – 20 feet (townhomes), 20 feet (single family), 20 feet (twin homes).
Describe How Requested Deviation Benefits the Project and the Community.

Reducing the minimum front setbacks allows for larger open space, and reducing the cost of home ownership, therefore benefiting the community by allowing for townhomes to not have driveways and single-family homes to have driveways large enough to fit a car in but no excessive length that would otherwise be causing more cost and less open space with no significant benefit.

**Describe Mitigation Proposed to Maintain *the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council.* (12-2-1-(b))**

The proposal mitigates any potential concerns by significantly increasing open space, promoting affordable housing, and maintaining responsible development practices. This approach aligns seamlessly with the City's general purposes, goals, and objectives.

#### Requested Deviation #4

**Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect.**

R-1-21, Minimum Rear setback – 30 feet

A-10, Minimum Rear setback – 60 feet

**Describe Requested Deviation to Regulation.**

See attached Zoning Deviations Chart.

Minimum Rear setback – 20 feet (townhomes to Open Space areas)

**Describe How Requested Deviation Benefits the Project and the Community.**

Reducing the minimum rear setbacks allows for larger open space, and reducing the cost of home ownership, therefore benefiting the community by allowing for townhomes to have rear load garages and single-family homes to have smaller lots.

**Describe Mitigation Proposed to Maintain *the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council.* (12-2-1-(b))**

The proposal mitigates any potential concerns by significantly increasing open space, promoting affordable housing, and maintaining responsible development practices. This approach aligns seamlessly with the City's general purposes, goals, and objectives.

## Requested Deviation #5

Cite Reference to Regulation and Describe Specific Requirement in Regulation That Requested Deviation Would Affect.
R-1-21. Minimum Side Setback- 5 feet A-10, Minimum Side setback- feet 20
Describe Requested Deviation to Regulation.
See attached Zoning Deviations Chart. Minimum Side setback – 0 feet (townhomes), 0 feet (twin homes), 7.5 feet (single family)
Describe How Requested Deviation Benefits the Project and the Community.
Reducing the minimum side setbacks allows for larger open space, and reducing the cost of home ownership, therefore benefiting the community by allowing for townhomes.
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.</i> (12-2-1-(b))
The proposal mitigates any potential concerns by significantly increasing open space, promoting affordable housing, and maintaining responsible development practices. This approach aligns seamlessly with the City's general purposes, goals, and objectives.

## 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.

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# AGENDA ITEM #3

Discussion of the proposed rezone, and General Plan Amendment for the 5 Center Minor Subdivision.

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



## **STAFF REPORT**

**TO:** Planning Commission

**FROM:** Shelby Moore, Community Development Department

**MEETING DATE:** 10/2/2025

Discussion – Proposed Rezone and General Plan Amendment for 5 Center Minor Subdivision

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## **Applicant Request**

The applicant has requested discussion on a proposed **Rezone** and **General Plan Amendment** for the **5 Center Minor Subdivision** property. The property is currently zoned **RM-15** (Residential Multi-Family).

The applicant is seeking guidance from the Planning Commission (PC) and City Council (CC) on the most appropriate zoning designation for the site to move forward with a formal application.

---

## **Surrounding Zoning and Land Uses**

- **North/West:** CS (Commercial Services)
- **East:** RM-7 (Residential Multi-Family,)
- **South:** RM-7 and CS
- **Site:** RM-15 (current zoning)

This creates a transition area between commercial and lower-intensity residential uses.

---

## **General Plan Designation**

According to the City's Future Land Use Map, the site is designated as **Mixed-Use Density**.

- Allows a mixture of commercial/retail and residential uses.
- Density: up to **10 units/acre** by right; up to **15 units/acre** with special design considerations.

*\*\* 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.*



- Building Height: up to 2 stories/35 feet; up to 3 stories may be approved with enhanced buffering, landscaping, and architectural design.

---

## Staff Analysis

The subject property lies at the edge of a commercial corridor (CS zoning) with residential neighborhoods located directly east and south. The **Mixed-Use Density** designation in the General Plan encourages a blend of residential and small-scale commercial uses to provide a transition between higher-intensity commercial and traditional neighborhoods.

Key considerations:

1. **Compatibility:** The property is surrounded by CS and RM-7 zones. Extending the CS zoning onto this property creates continuity along the corridor.
2. **General Plan Alignment:** The **Mixed-Use Density** designation supports commercial and residential uses together, making CS zoning a compatible option.
3. **Transition Role:** The property can act as a buffer between higher-intensity commercial on Main Street and lower-intensity residential to the east.
4. **Market Flexibility:** CS zoning provides opportunities for commercial development while still allowing mixed-use concepts if desired.

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## Staff Recommendation

Staff recommends that the Planning Commission and City Council consider **continuing the CS zoning** in this area. This approach:

- Aligns with the **Future Land Use Plan** for Mixed-Use Density.
- Maintains continuity with existing CS zoning to the west.
- Provides flexibility for both commercial and residential uses that are appropriately scaled.
- Serves as a buffer and transition between Main Street commercial uses and adjacent residential neighborhoods.

---

## Discussion Purpose

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



At this time, staff is requesting input and direction from the Planning Commission and City Council regarding:

- Whether CS zoning should be extended to this property, or
- Whether alternative zoning (e.g., mixed-use specific district or retaining RM-15) would better serve long-term planning goals.

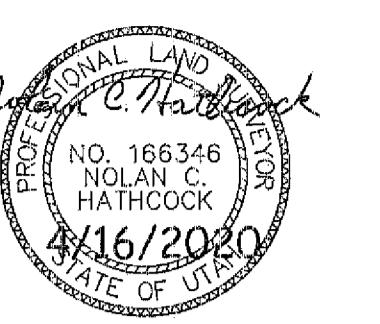
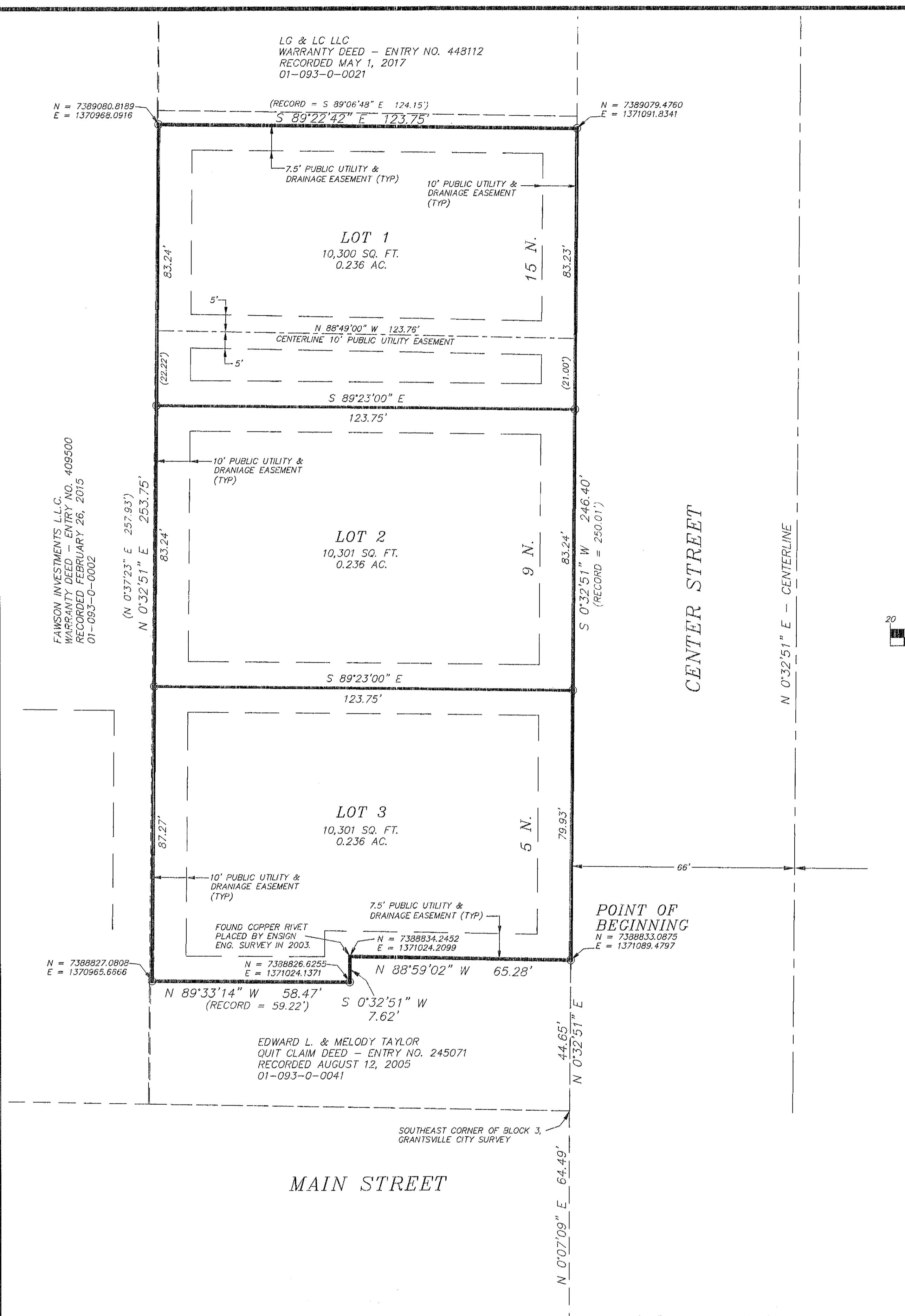
This discussion is not a public hearing or action item but will provide the applicant with a clear recommendation moving forward.

## **Next Steps**

1. **Planning Commission Discussion:** Provide input on preferred zoning and land use direction.
2. **Applicant Revision:** Based on feedback, the applicant may revise the application to propose a formal **Rezone** and **General Plan Amendment**.
3. **Public Hearing:** Once a formal application is submitted, staff will schedule public hearings with the Planning Commission and City Council.
4. **Formal Recommendation/Action:** Planning Commission will make a recommendation, and City Council will take final action on the proposed Rezone and General Plan Amendment.

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*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.*



**SURVEYOR'S CERTIFICATE**

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

**5 CENTER MINOR SUBDIVISION**

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

**BOUNDARY DESCRIPTION**

A parcel of land situated in the Northeast quarter of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian, said parcel also located within Block 3, Grantsville City Survey, more particularly described as follows:

Beginning North 032'51" East 44.65 feet from the Southeast Corner of Block 3, Grantsville City Survey, said Southeast Corner of Block 3 lies North 89'52'51" West 1062.13 feet along the section line and North 007'09" East 64.49 feet from the East Quarter Corner of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian, (Basis of Bearing for this description is South 88'43'36" East 5122.72 feet along a line defined by said East Quarter Corner of Section 36, Township 2 South, Range 6 West and a witness monument to the East Quarter Corner of Section 31, Township 2 South, Range 5 West, Salt Lake Base and Meridian); and running: thence North 88'59'02" West 65.28 feet; thence South 032'51" West 7.62 feet; thence North 89'33'14" West 58.47 feet (record = 59.22 feet); thence North 032'51" East 253.75 feet (record = N 003'7'23" E 257.93') to intersect the westerly extension of an old, established fence line; thence along said westerly extension and old, established fence line, South 89'22'42" East 123.75 feet (record = South 89'06'48" East 124.15 feet) to the westerly right-of-way line of Center Street; thence along said westerly right-of-way line, South 032'51" West 246.40 feet (record = 250.01 feet) to the Point of Beginning. The above described parcel of land contains approximately 30,902 square feet or 0.709 acre divided into three (3) lots.

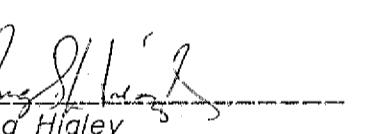
**OWNER'S DEDICATION  
AND CONSENT TO RECORD**

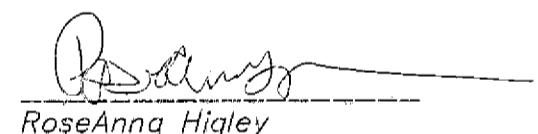
Know all men by these presents that the undersigned are the owners of the herein described tract of land and hereby cause the same to be divided into lots together with easements as set forth, hereafter to be known as:

**5 CENTER MINOR SUBDIVISION**

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

In witness whereof said owners have hereunto set their hands this 28th day of July, A.D., 2020.

  
Doug Higley

  
RoseAnna Higley

**ACKNOWLEDGEMENT**

STATE OF UTAH )  
County of Tooele )  
On the 28th day of July A.D.,  
2020, personally appeared before me, the undersigned  
Notary Public, in and for said County of Tooele  
State of Utah, Doug Higley and RoseAnna Higley, who  
after being duly sworn, acknowledged to me that they  
signed the above Owner's Dedication freely and voluntarily  
for the uses and purposes therein mentioned and  
acknowledged to me that they executed the same.

MY COMMISSION EXPIRES: May 17, 2023

NOTARY PUBLIC: Megan N. Perez

RESIDING IN: Tooele, UT

Notary Public - State of Utah  
MEGAN N. PEREZ  
Com. #706334  
My Commission Expires  
May 17, 2023  
MARCH 25, 2020

**FINAL PLAT**

**5 CENTER MINOR SUBDIVISION**

LOCATED IN THE NORTHEAST QUARTER OF SECTION 36,  
TOWNSHIP 2 SOUTH, RANGE 6 WEST,  
SALT LAKE BASE AND MERIDIAN  
CITY OF GRANTSVILLE, TOOELE COUNTY, UTAH

RECORDED 1510495  
STATE OF UTAH, COUNTY OF TOOELE, RECORDED AND FILED  
AT THE REQUEST OF  
Doug & Rose Anna Higley  
DATE 7/28/2020 TIME 3:57 PM  
TOOELE COUNTY RECORDER  
FEE \$

COOLEY

CLARK STREET (100 NO.)

PEACH

(100 SQ.)

MAIN

100 WEST)

100 (

## Commercial

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

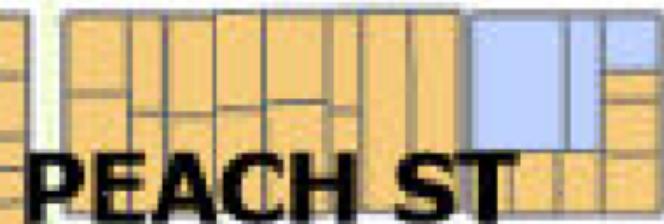
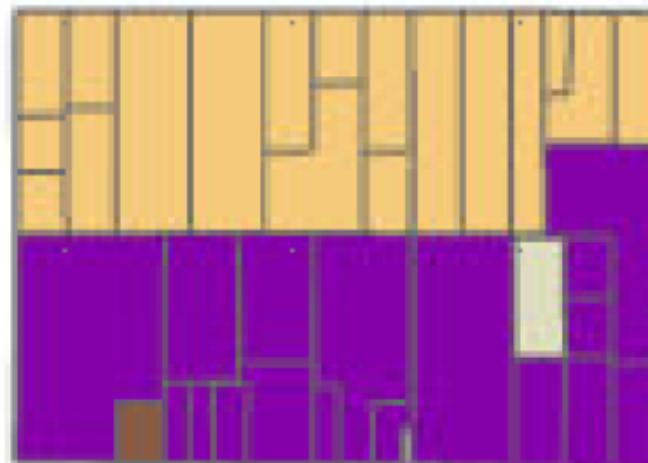
## Mixed-Use Density

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

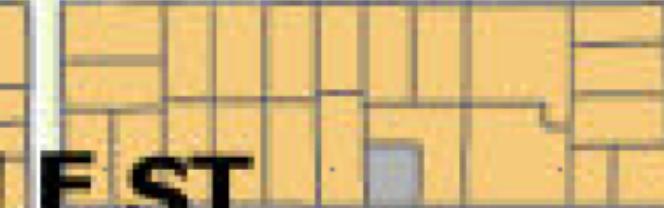
## High Single Family Density Residential

(Residential uses, allowing a maximum of 6 dwelling units per acre)

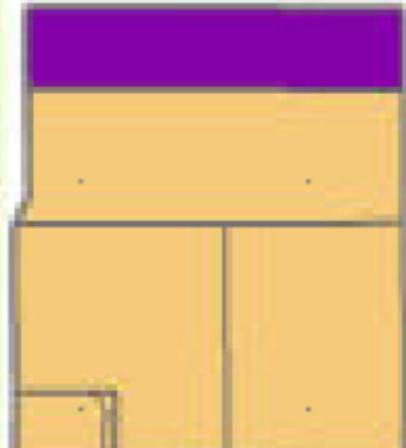
CLA



PEACH ST



F ST



PEACH ST

# LEGEND

A-10



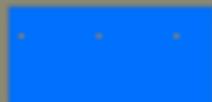
CN

RR-5



CS

RR-2.5



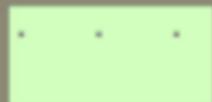
CG

RR-1



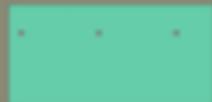
CD

R-1-21



MD

R-1-12



MG

R-1-8



MG-EX

RM-7

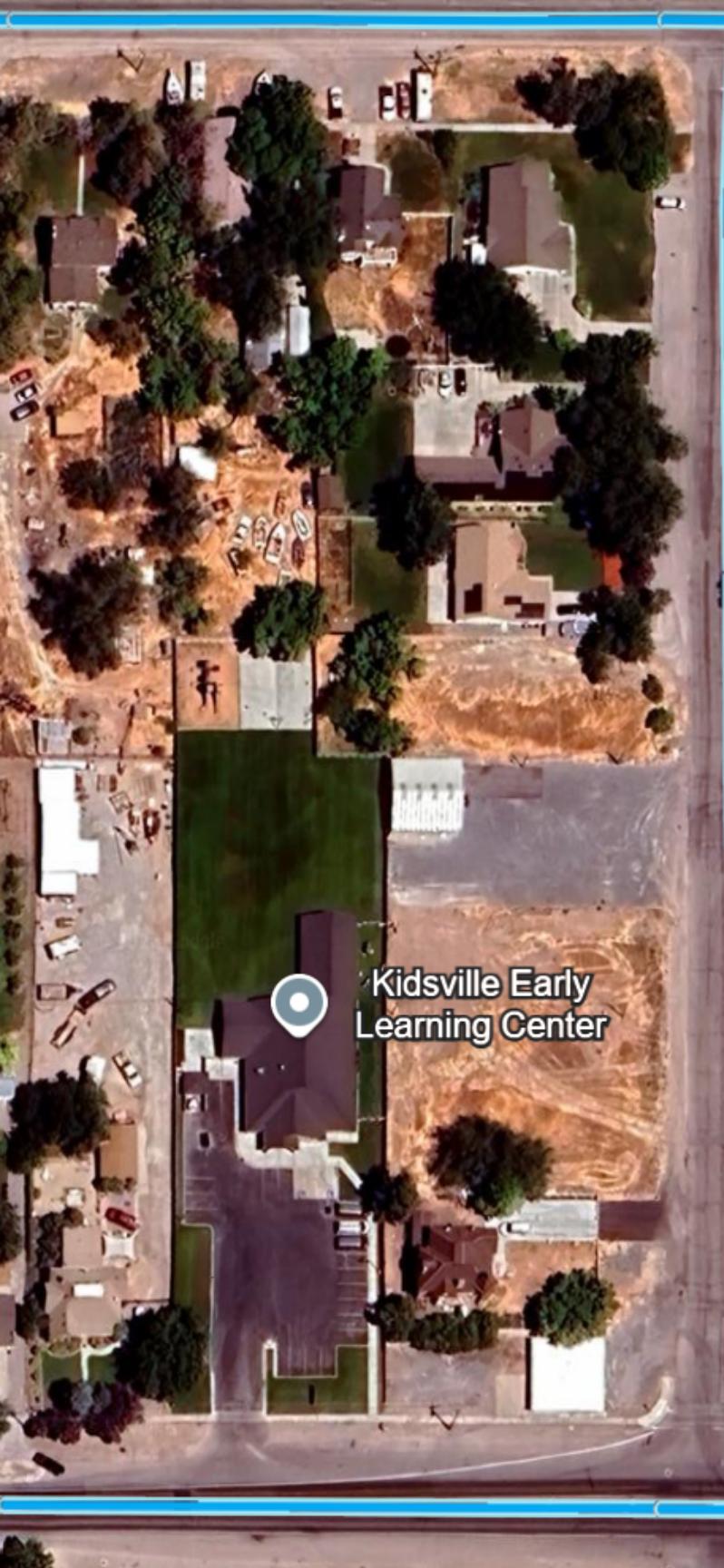


PUD

RM-15



MU





# **AGENDA ITEM #4**

Consideration of the twin home dwelling layout located in the Falcon Landing Subdivision.

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



## STAFF REPORT

**TO:** Planning Commission  
**FROM:** Shelby Moore, Community Development Department  
**MEETING DATE:** October 2, 2025  
**PUBLIC HEARING DATE:** October 2, 2025  
**RE:** Consideration of Twin Home Dwelling Layout – Falcon Landing Subdivision

---

### Applicant Request

The applicant is requesting approval of a **twin home dwelling layout** within the **Falcon Landing Subdivision**. The subject property includes areas zoned **RM-7** and **R-1-12**. Twin home dwellings are allowed as a **conditional use** in both zones.

---

### Twin Home Definition

Per Section 317 of the City Code (Amendment 7/97):

*Twin Home Dwellings: 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 homes must be approved either through the **initial subdivision approval process** or through the **subdivision amendment process**. (Note: The City Code refers to Chapter 21, Section 10, which no longer exists. Staff interprets this requirement as fulfilled through the subdivision approval process).

---

### Project Description

- The **twin home layout** is proposed **only within the R-1-12 zoning** portion of the subdivision.
- Homes within the **RM-7** zoning will remain **single-family dwellings**.
- Twin homes are proposed on **Lots 9 and 11–16**.
- The lot exhibit submitted (see *Falcon Landing Lot Exhibit*, dated 8/18/25) demonstrates compliance with lot size and configuration requirements.

---

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*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.*



## Setback Requests

The applicant is requesting the following setback standards for the twin home lots:

- **Interior Lots:**
  - Front Yard: 30 feet
  - Rear Yard: 25 feet (code requires 40 feet)
  - Side Yards: 7.5 feet on one side, 15 feet on the other (consistent with code).
- **Corner Lots:**
  - Front Yards (both): 30 feet (code requires 30 feet each)
  - Rear Yard: 25 feet (code requires 40 feet)
  - Side Yard (interior): 7.5 feet.

---

## Applicable Zoning Standards – R-1-12

- **Minimum Lot Size:** 12,000 sq. ft.
- **Minimum Frontage:** 70 feet
- **Setbacks (per code):**
  - Front Yard: 30 feet
  - Rear Yard: 40 feet
  - Side Yards: 7.5 feet one side, 15 feet opposite side
  - Corner Lots: two front yards at 30 feet each, plus side and rear yard requirements
- **Maximum Height:** 35 feet
- **Maximum Coverage:** 20%

The applicant's proposal meets **front yard and side yard** requirements but requests a **reduction of the rear yard setback from 40 feet to 25 feet**.

---

## Staff Analysis

- The proposed twin home layout complies with the **twin home dwelling definition and lot size/frontage requirements**.
- Allowing twin homes in the R-1-12 zone provides **housing variety** while maintaining lot sizes consistent with single-family character.
- The RM-7 lots will remain **single-family detached dwellings**, preserving a balance of housing types across the subdivision.

---

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## Staff Recommendation

Staff recommends the Planning Commission:

1. **Review the proposed twin home dwelling layout** for Lots 9 and 11–16 of Falcon Landing.
2. **Discuss and provide direction** regarding the applicant's request for a reduced **rear yard setback** (40 feet required; 25 feet requested).
3. Consider approval of the layout conditioned upon:
  - o Compliance with the **twin home dwelling definition**.
  - o Minimum lot size and frontage standards being met.

---

## Utah State Law: Conditional Use Permits

### Utah Municipal Land Use Act — Conditional Use Section

- **Utah Code § 10-9a-507** governs conditional uses for municipalities.
- Key provisions include:
  1. A municipality may adopt ordinances that include conditional uses and require compliance with objective standards.
  2. A land use authority **shall approve** a conditional use if **reasonable conditions** are or can be imposed to **mitigate the reasonably anticipated detrimental effects** of the use—provided those conditions achieve compliance with applicable standards.
  3. The statute clarifies that the requirement is not to eliminate all detrimental effects, but to **substantially mitigate** them.
  4. If the detrimental effects **cannot be substantially mitigated** by reasonable conditions to satisfy applicable standards, then the land use authority may deny the request.
  5. The decision (approval or denial) is considered an **administrative land use decision** (not legislative).
  6. The legislative body (city council) must classify uses in a zoning district as either **permitted** or **conditional** under the statute.
  7. A municipality **may not impose** a requirement or standard on a conditional use that conflicts with the state law (this chapter) or federal law.

---

## Standards & Best Practices in Local Codes / Guidance

- The **Utah League of Cities & Towns (ULCT)** guidance emphasizes that a city's code must include standards for approving/denying conditional uses; **otherwise, there's no basis to deny**.
- The guidance also underscores that a conditional use permitting process is **not a popularity contest** or a matter of public clamor; decisions must rest on objective standards and evidence.

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- Local jurisdictions often include procedures for expiration, revocation, and conditions (e.g. permit expires if construction/use doesn't begin within a timeframe).

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## Utah Code: Construction of Statutes

- **Utah Code § 68-3-2** states that the old common law rule that statutes in derogation of the common law must be strictly construed **does not apply** to the Utah Code. In other words, the statute should not be construed with excessive narrowness just because it changes or limits common-law rights. [Utah Legislature](#)
- It further notes that each provision and proceeding in the Utah Code “shall be construed with a view to effect the objects of the provision and to promote justice.” [Utah Legislature](#)

## Principles from Case Law / Doctrines (General)

- Jurisdictions apply the doctrine that **ambiguities in land use regulations favor the property owner** (i.e. interpret zoning ordinance in the more permissive way)

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## Recommended Motion

### Motion to Approve (with conditions):

“I move to approve the proposed twin home dwelling layout for Lots 9 and 11–16 of the Falcon Landing Subdivision, with the following conditions:

1. The setbacks shall remain as proposed.
2. The developer shall place a 6-foot privacy around the north, west, and south of the subdivision.
3. The developer shall meet all the requirements outlined in GLUMDC with the exception of the setbacks as proposed.

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*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.*



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

Know what's below.  
Call before you dig.

#### BENCHMARK

EAST QUARTER CORNER OF SECTION 32,  
TOWNSHIP 2 SOUTH, RANGE 5 WEST  
SALT LAKE BASE AND MERIDIAN

ELEV = 4290.9'

#### GENERAL NOTES

- ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
- ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
- SEE LANDSCAPE/ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND SCORE PATTERNS THROUGHOUT SITE.
- ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).
- ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOD, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
- NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
- THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.
- GROUNDWATER IS ENCOUNTERED AT DEPTHS OF 8 TO 10 FEET BELOW EXISTING NATURAL GRADE ACROSS THE SITE. CONTRACTORS SHALL PROVIDE AND COMPACT IMPORTED STRUCTURAL FILL MATERIAL AS NECESSARY FOR FOUNDATION AND BASEMENT CONSTRUCTION TO ENSURE COMPLIANCE WITH DESIGN SPECIFICATIONS AND MITIGATE POTENTIAL GROUNDWATER IMPACTS.

NOTE:  
TOTAL AREA OF TWIN HOME: 2,606 SF  
TOTAL AREA OF SINGLE TWIN UNIT: 1,303 SF



THE STANDARD IN ENGINEERING

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

SANDY  
Phone: 801.255.0529

LAYTON  
Phone: 801.547.1100

CEDAR CITY  
Phone: 435.865.1453

RICHFIELD  
Phone: 435.896.2983

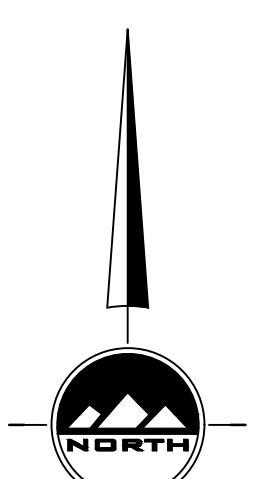
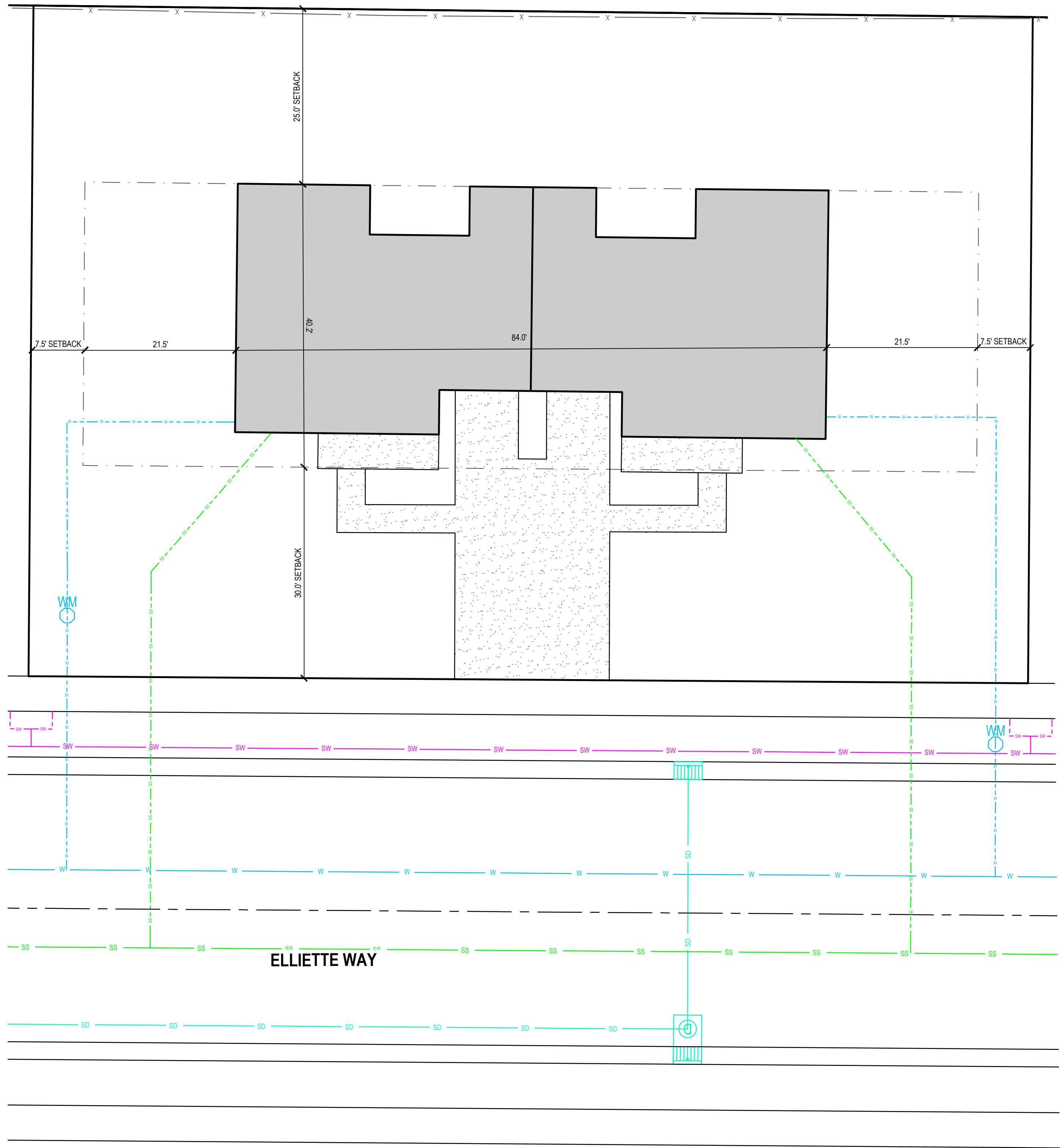
WWW.ENSIGNENG.COM

FOR:  
A2 CUSTOM BUILDERS  
8661 TRADESMAN PLACE  
WEST JORDAN, UTAH 84088

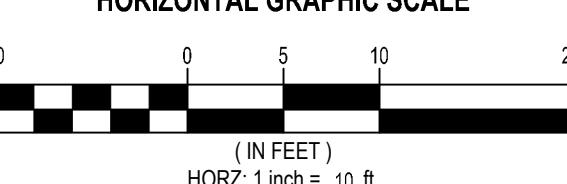
CONTACT:  
ANDY WELLISH  
PHONE: 385.256.5346

BOOTH STREET  
GRANTSVILLE, UTAH

## FALCONS LANDING SUBDIVISION



MULTIFAMILY 16,000 SF  
LOT EXHIBIT



10 0 5 10 20  
(IN FEET)  
HORZ: 1 inch = 10 ft.

PROJECT NUMBER: 12909A PRINT DATE: 2025-08-18  
PROJECT MANAGER: J. CLEGG DESIGNED BY: D. GEVERTS

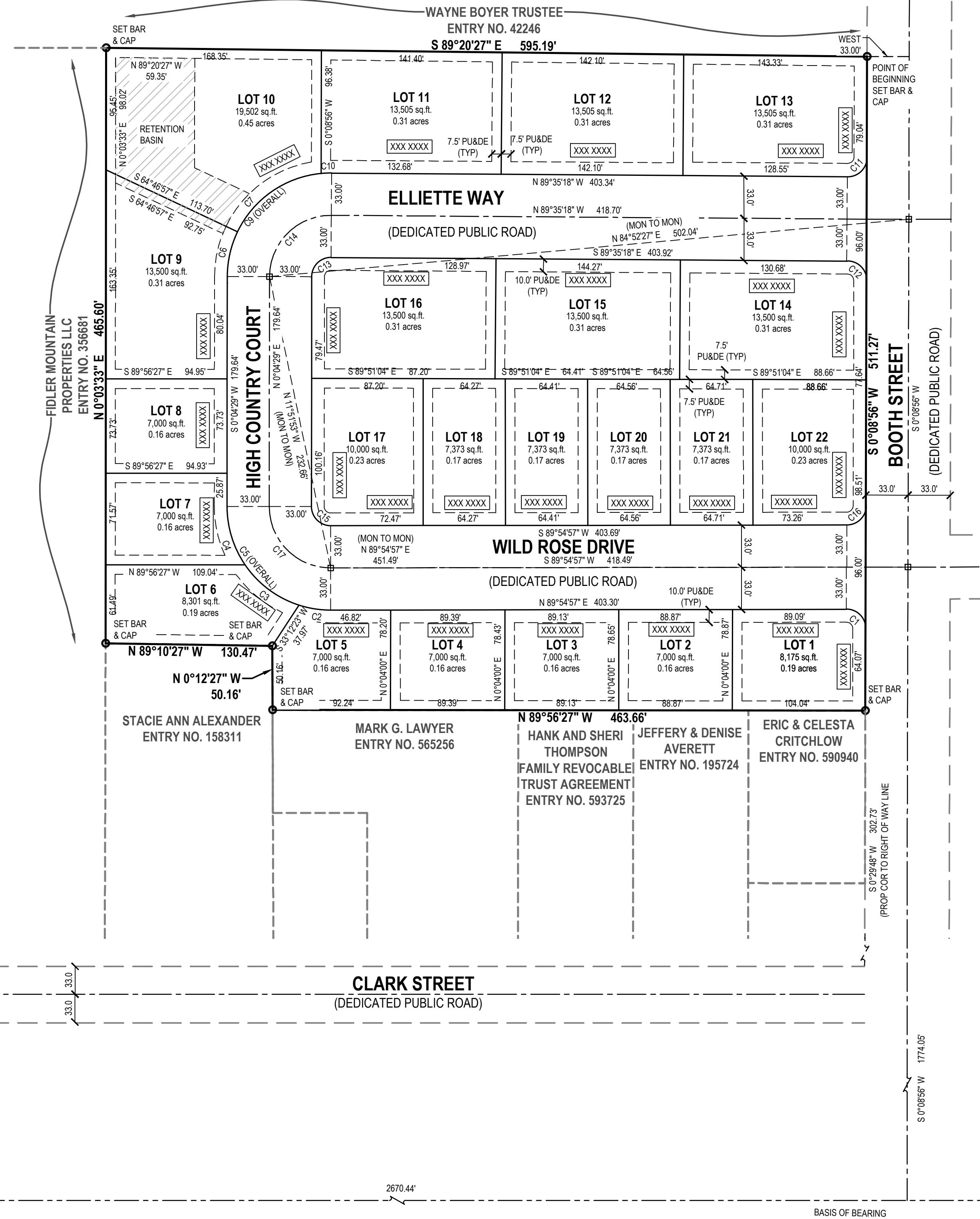
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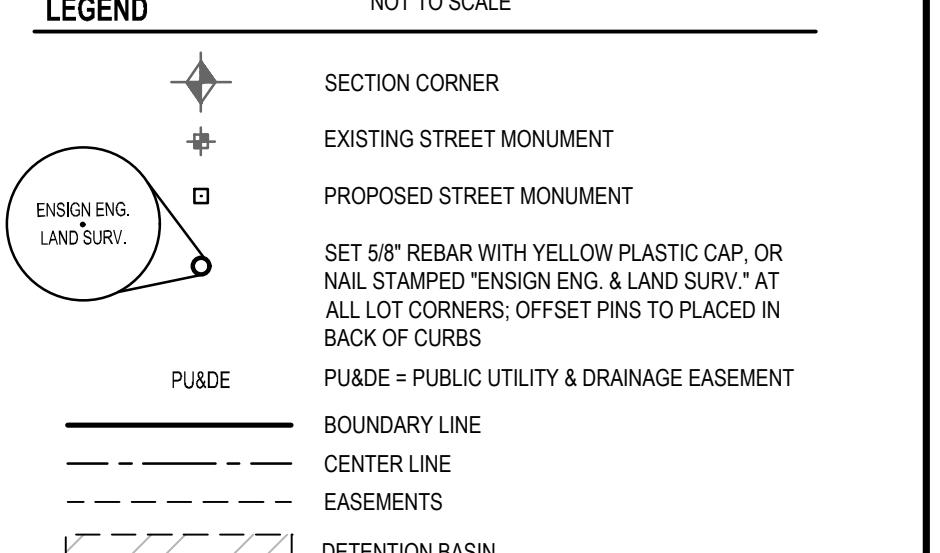
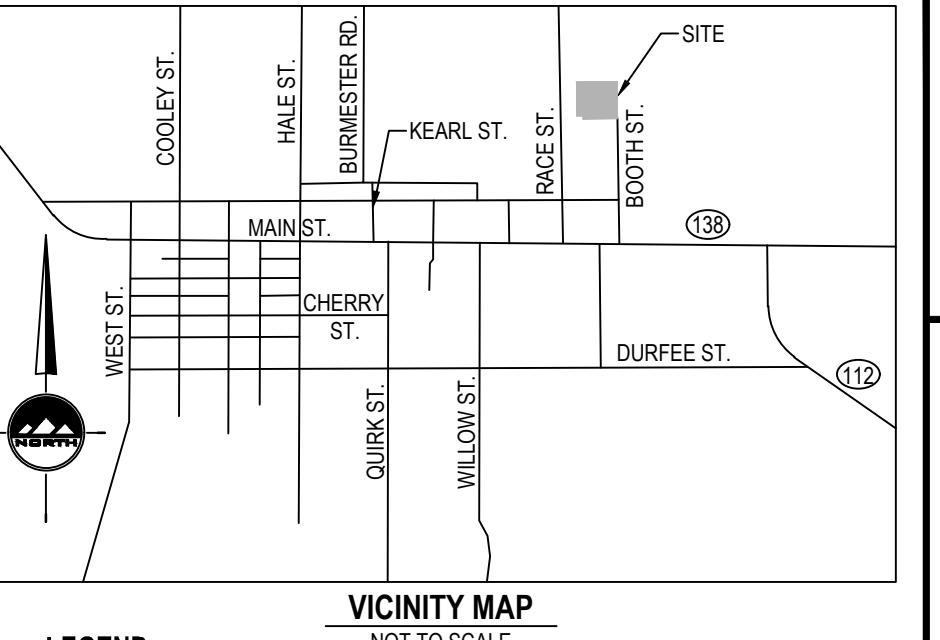
CALL BLUESTAKES  
@ 811 AT LEAST 48 HOURS  
PRIOR TO THE  
COMMENCEMENT OF ANY  
CONSTRUCTION.  
Know what's below.  
Call before you dig.

# PRELIMINARY PLAT FALCONS LANDING SUBDIVISION

LOCATED IN THE NORTHWEST QUARTER  
OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN,  
GRANTSVILLE CITY, TOOELE COUNTY, UTAH



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	15.00'	23.62'	90°13'59"	N48°18'04"W	21.26'
C2	81.00'	25.30'	17°53'46"	N81°08'10"W	25.20'
C3	81.00'	53.59'	37°54'28"	N53°14'03"W	52.62'
C4	81.00'	48.56'	34°20'49"	N17°02'42"W	47.83'
C5 (OVERALL)	81.00'	127.45'	90°09'03"	N45°00'32"W	114.70'
C6	81.00'	36.17'	25°34'57"	S12°51'17"W	35.87'
C7	81.00'	83.27'	58°54'03"	S58°54'48"W	79.65'
C9 (OVERALL)	81.00'	127.73'	90°20'53"	S45°14'15"W	114.90'
C10	81.00'	8.29'	5°51'52"	S87°28'46"W	8.29'
C11	15.00'	23.77'	90°47'47"	N45°32'59"E	21.36'
C12	15.00'	23.49'	89°44'14"	N44°43'11"W	21.16'
C13	15.00'	23.65'	90°20'42"	S45°14'21"W	21.28'
C14	48.00'	75.69'	90°21'01"	S45°14'11"W	68.09'
C15	15.00'	23.61'	90°09'03"	S44°59'30"E	21.25'
C16	15.00'	23.50'	89°46'01"	N45°01'56"E	21.17'
C17	48.00'	75.52'	90°09'03"	N45°00'32"W	67.97'



**SURVEYOR'S CERTIFICATE**  
I, **Douglas J Kinsman**, do hereby certify that I am a Professional Land Surveyor, and that I hold license No. **334575** in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act, which certifies that the surveyor or owners I have made a survey of the property described on this subdivision plat in accordance with Section 17-23-17, have verified all measurements, and have subdivided said tract of land into a lot, together with easements, hereafter to be known as **FALCONS LANDING SUBDIVISION**, and that the same has been correctly surveyed and monumented on the ground as shown on this plat. I further certify that the lot meets frontage width and area requirements of the applicable zoning ordinances.

## BOUNDARY DESCRIPTION

A parcel of land, situate in the Northwest Quarter of Section 32, Township 2 South, Range 5 West, Salt Lake Base and Meridian, said parcel also located in Grantsville City, Utah, more particularly described as follows:

Beginning at the westerly right-of-way line of Booth Street, a 66 foot wide public street, which is located North 88°53'23" West 2632.98 feet along the basis of bearing line and North 0°08'52" East 1774.05 feet to and along the centerline of said Booth Street and West 33 feet from the found Witness Corner monument to the East Quarter corner of Section 32, Township 2 South, Range 5 West, Salt Lake Base and Meridian (The basis of bearing for this survey is North 88°53'23" West 5303.42 feet, which is the measured line between the two witness corners to the East Quarter corner and West Quarter corner of Section 32, Township 2 South, Range 5 West, Salt Lake Base and Meridian) and running thence;

thence South 0°08'56" West (South 0°09'23" West by record) 511.27 feet along the Westerly right-of-way line of Booth Street to intersect the Southerly line of Lot 1, Fittin Minor Subdivision, a minor subdivision of the City of Grantsville created by recording of deeds with no recorded plat, said Southerly line of said Lot 1 being determined from the lot corner markers placed by Richard K. Johanson, original surveyor of said Fittin Minor Subdivision;

thence North 0°33'33" East (North 0°40'00" East by record) 463.66 feet along an ancient fence line to an ancient fence corner; thence South 0°12'27" East (South 0°12'00" West by record) 50.16 feet;

thence North 0°12'27" West (North 0°10'00" West by record) 130.47 feet;

thence South 0°04'00" West (South 0°04'27" West by record) 109.04 feet;

thence North 0°12'27" West (North 0°12'00" West by record) 50.16 feet;

thence South 0°04'00" West (South 0°04'27" West by record) 130.47 feet;

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thence South 0°04'00" West (South 0°04'27" West by record) 130.47 feet;

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thence South 0°04'00" West (South 0°04'27" West by record) 130.47 feet;

thence North 0°12'27

# **AGENDA ITEM #5**

Consideration of the preliminary plat for Falcon Landing located in the RM-7 and R-1-12 zoning.

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



## STAFF REPORT

**TO:** Planning Commission  
**FROM:** Shelby Moore, Community Development Department  
**MEETING DATE:** October 2, 2025  
**PUBLIC HEARING DATE:** October 2, 2025  
**RE:** Consideration of Preliminary Plat – Falcon Landing Subdivision

---

### Applicant Request

The applicant is requesting approval of the **Preliminary Plat** for the **Falcon Landing Subdivision**, located within the **RM-7** and **R-1-12** zoning districts. The subdivision includes a mix of single-family detached dwellings and **twin home dwellings** proposed on select lots in the R-1-12 portion.

---

### Project Description

- The subdivision includes lots in both **R-1-12** and **RM-7** zones.
- **Twin homes** are proposed on **Lots 9 and 11–16** in the R-1-12 zone.
- All other lots in the **R-1-12** and **RM-7** zones will remain **single-family detached dwellings**.

---

### Setback Requests – R-1-12 Twin Home Lots

The applicant requests the following setbacks for the twin home lots:

- **Interior Lots:**
  - Front Yard: 30 feet (complies with code)
  - Rear Yard: 25 feet (**code requires 40 feet**)
  - Side Yards: 7.5 feet on one side, 15 feet on the other (complies with code)
- **Corner Lots:**
  - Front Yards: 30 feet (complies with code)
  - Rear Yard: 25 feet (**code requires 40 feet**)
  - Side Yard (interior): 7.5 feet (complies with code)

---

### Applicable Zoning Standards – R-1-12

*\*\* 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.*



- Minimum Lot Size: 12,000 sq. ft.
- Minimum Frontage: 70 feet
- Setbacks (per code):
  - Front Yard: 30 feet
  - Rear Yard: 40 feet
  - Side Yards: 7.5 feet and 15 feet
  - Corner Lots: two front yards at 30 feet, plus side/rear requirements
- Maximum Height: 35 feet
- Maximum Coverage: 20%

**Variance from Code:** Applicant requests reduction of **rear yard setback from 40 feet to 25 feet.**

---

### Applicable Zoning Standards – RM-7

- Minimum Lot Size: 7,000 sq. ft. (10,000 sq. ft. for corner lots)
- Additional Lot Area: 6,000 sq. ft. for each additional dwelling unit
- Minimum Frontage: 60 feet
- Setbacks (per code):
  - Front Yard: 25 feet
  - Rear Yard: 20 feet
  - Side Yards: 7.5 feet and 15 feet
  - Corner Lot Yards: 25 feet on each side fronting a street
- Maximum Height: 35 feet, or basement + two floors (whichever less)
- Maximum Coverage: 35%

**Note:** All RM-7 lots are proposed as **single-family dwellings** and meet code standards.

---

### Staff Analysis

- The proposed **twin home layout** complies with the **definition of twin homes** and the lot size/frontage requirements of the R-1-12 zone.
- The **rear yard reduction** (40 feet required, 25 feet requested)
- The RM-7 lots conform to the established standards for front, rear, and side setbacks.
- Overall, the subdivision provides a **variety of housing types**, consistent with the intent of both the R-1-12 and RM-7 zones.

---

### Staff Recommendation

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



Staff recommends that the Planning Commission:

1. **Approve the preliminary plat with modifications**, with conditions, specifically addressing the rear yard setback reduction request; or

---

## Next Steps

- **Planning Commission:** Hold public hearing and provide recommendation on the preliminary plat.
- **City Council:** Consider final action based on Planning Commission recommendation.

---

## Recommended Motion

### **Motion to Approve with Conditions:**

“I move to approve the preliminary plat for the Falcon Landing Subdivision, with the following conditions:

1. The setbacks remain as proposed.
2. The developer will be required to meet all of the GLUMDC codes and ordinances with the exception of the setbacks.
3. The developer is required to place a 6-foot-tall privacy fence to the north, west, and south.
4. Fee in lieu of open space will be required to be paid prior to final platting.
5. All conditions placed on the application will be required to be placed into a development agreement.

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*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.*



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

# FALCONS LANDING SUBDIVISION

**APPROVED**  
Grantsville City  
Planning Department  
09/19/2025

**APPROVED**  
Grantsville City  
Engineer  
09/23/2025

**APPROVED**  
Grantsville City  
Planning Consultant  
09/23/2025

**APPROVED**  
Grantsville City  
Fire Department  
09/23/2025

**Approved**  
Grantsville  
Irrigation Co.  
09/23/2025

**APPROVED**  
Grantsville City  
Public Works  
09/23/2025

## BOOTH STREET GRANTSVILLE, UTAH

FOR REVIEW  
NOT FOR CONSTRUCTION

DATE PRINTED  
September 10, 2025

### INDEX OF DRAWINGS

1 OF 1	SUBDIVISION PRELIMINARY PLAT
C-001	GENERAL NOTES
C-002	GRANSTVILLE CITY GENERAL NOTES
C-003	GRANSTVILLE CITY GENERAL NOTES
C-004	GRANSTVILLE CITY PRE-CONSTRUCTION NOTES
C-005	GIS REQUIREMENTS
C-006	GIS REQUIREMENTS
C-100	SITE PLAN
C-200	GRADING AND DRAINAGE PLAN
C-201	DRAINAGE CALCULATIONS
C-300	UTILITY PLAN
C-400	EROSION CONTROL PLAN
C-500	DETAILS
C-501	DETAILS
C-502	DETAILS
L-100	LANDSCAPE AND IRRIGATION PLAN
L-200	LANDSCAPE DETAILS

#### NOTICE TO CONTRACTOR

ALL CONTRACTORS AND SUBCONTRACTORS PERFORMING WORK SHOWN ON OR RELATED TO THESE PLANS SHALL CONDUCT THEIR OPERATIONS SO THAT ALL EMPLOYEES ARE PROVIDED A SAFE PLACE TO WORK AND THE PUBLIC IS PROTECTED. ALL CONTRACTORS AND SUBCONTRACTORS SHALL COMPLY WITH THE "OCCUPATIONAL SAFETY" AND HEALTH REGULATIONS OF THE U.S. DEPARTMENT OF LABOR AND THE STATE OF UTAH DEPARTMENT OF INDUSTRIAL RELATIONS CONSTRUCTION SAFETY ORDERS. THE CIVIL ENGINEER SHALL NOT BE RESPONSIBLE IN ANY WAY FOR THE CONTRACTORS AND SUBCONTRACTORS COMPLIANCE WITH SAID REGULATIONS AND ORDERS.

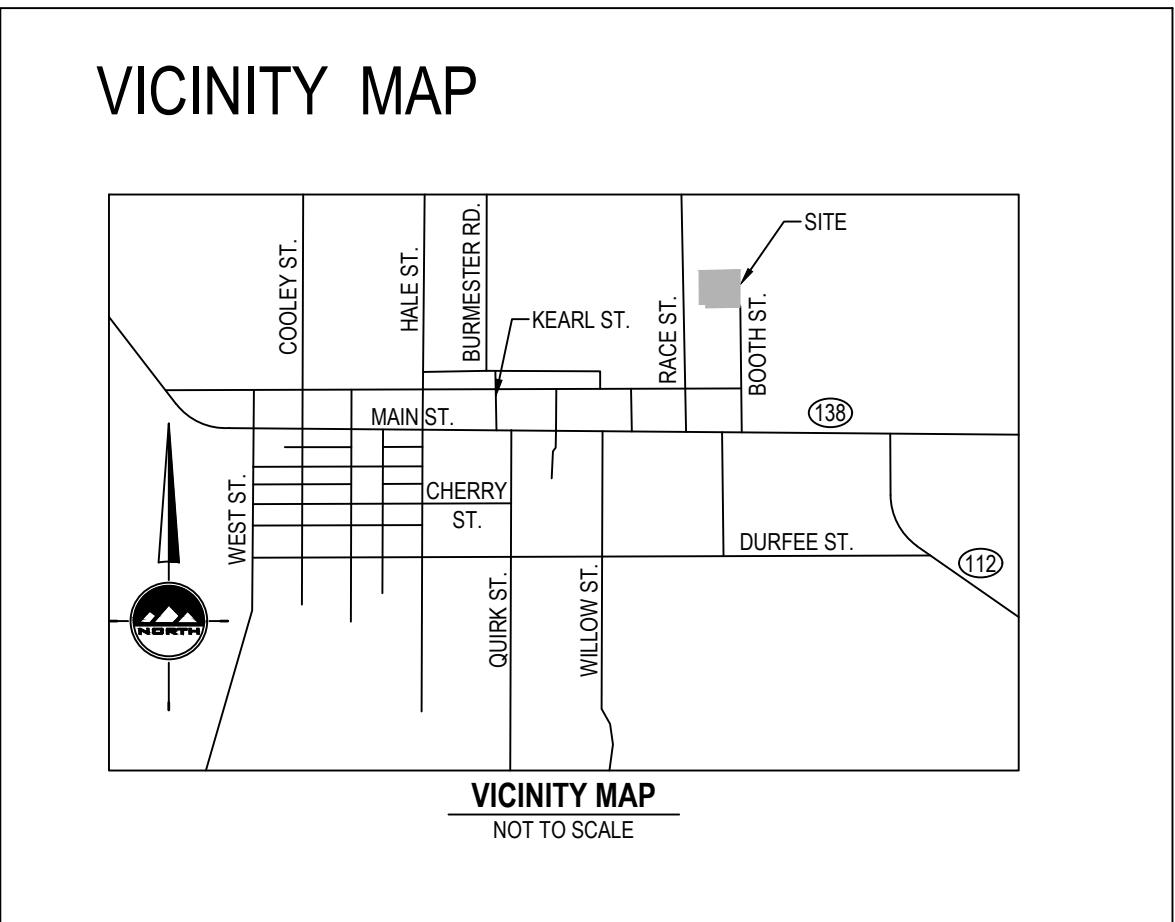
CONTRACTOR FURTHER AGREES TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB-SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE CIVIL ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR ENGINEER.

#### NOTICE TO DEVELOPER/ CONTRACTOR

UNAPPROVED DRAWINGS REPRESENT WORK IN PROGRESS, ARE SUBJECT TO CHANGE, AND DO NOT CONSTITUTE A FINISHED ENGINEERING PRODUCT. ANY WORK UNDERTAKEN BY DEVELOPER OR CONTRACTOR BEFORE PLANS ARE APPROVED IS UNDERTAKEN AT THE SOLE RISK OF THE DEVELOPER, INCLUDING BUT NOT LIMITED TO BIDS, ESTIMATION, FINANCING, BONDING, SITE CLEARING, GRADING, INFRASTRUCTURE CONSTRUCTION, ETC.

#### UTILITY DISCLAIMER

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND / OR ELEVATIONS OF EXISTING UTILITIES, AS SHOWN ON THESE PLANS, IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

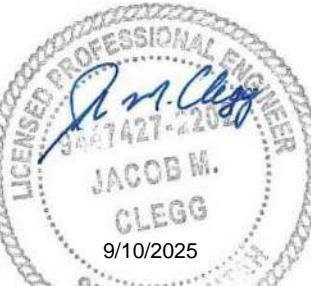


#### GENERAL NOTES

- ALL WORK SHALL CONFORM TO GRANSTVILLE CITY STANDARDS & SPECIFICATIONS.
- CALL BLUE STAKES AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES.
- BENCHMARK ELEVATION = EAST QUARTER CORNER OF SECTION 32, T2S, RSW SALT LAKE BASE & MERIDIAN ELEV. = 4290.9.

FALCONS LANDING SUBDIVISION

BOOTH STREET  
GRANTSVILLE, UTAH



COVER

PROJECT NUMBER: 12909A  
PRINT DATE: 2025-09-10  
PROJECT MANAGER: J. CLEGG  
DESIGNED BY: D. GEVERTS

C-000

FOR:  
A2 CUSTOM BUILDERS  
8667 TRADESMAN PLACE  
WEST JORDAN, UTAH 84088

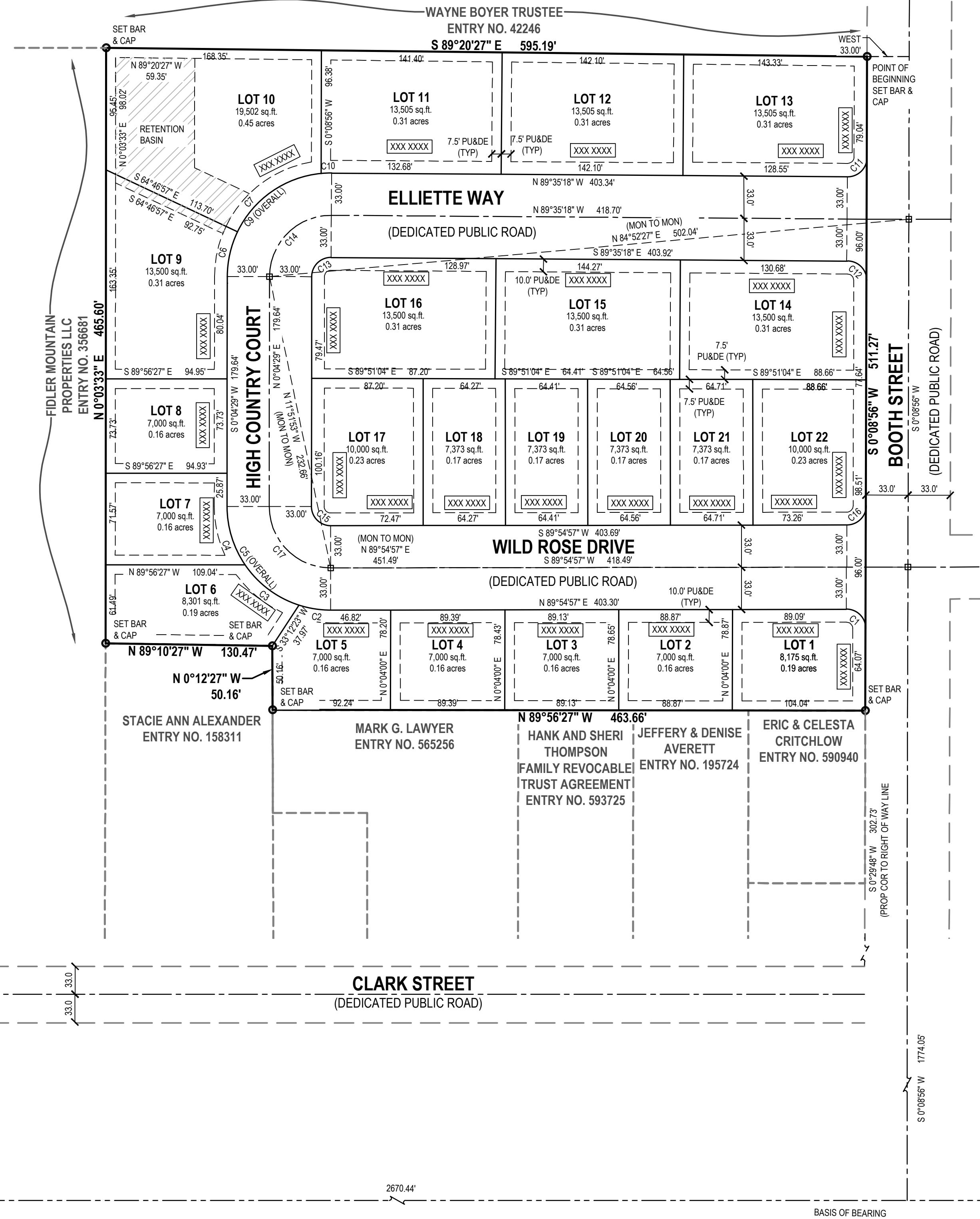
CONTACT:  
ANDY WELLISCH  
PHONE: 385.256.5346  
WWW.ENSIGNENG.COM



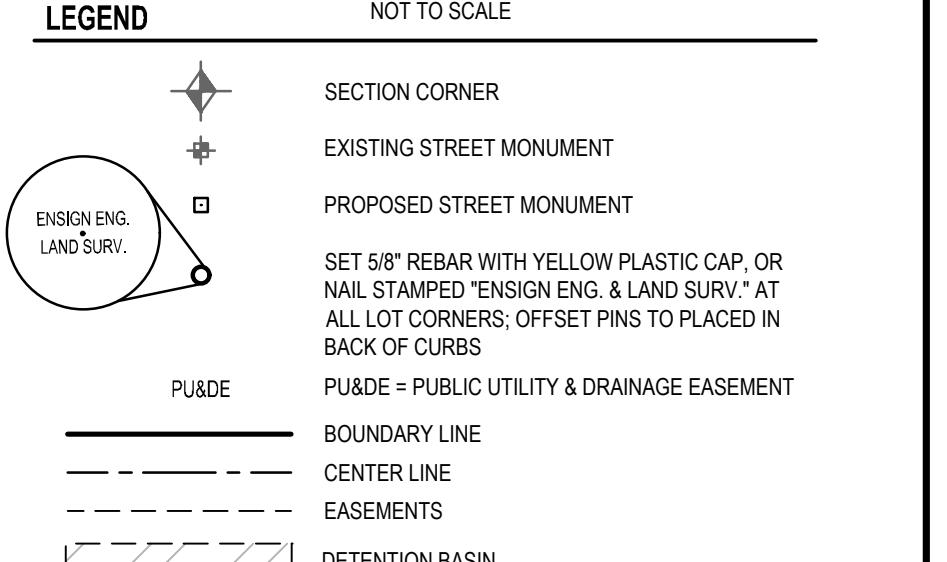
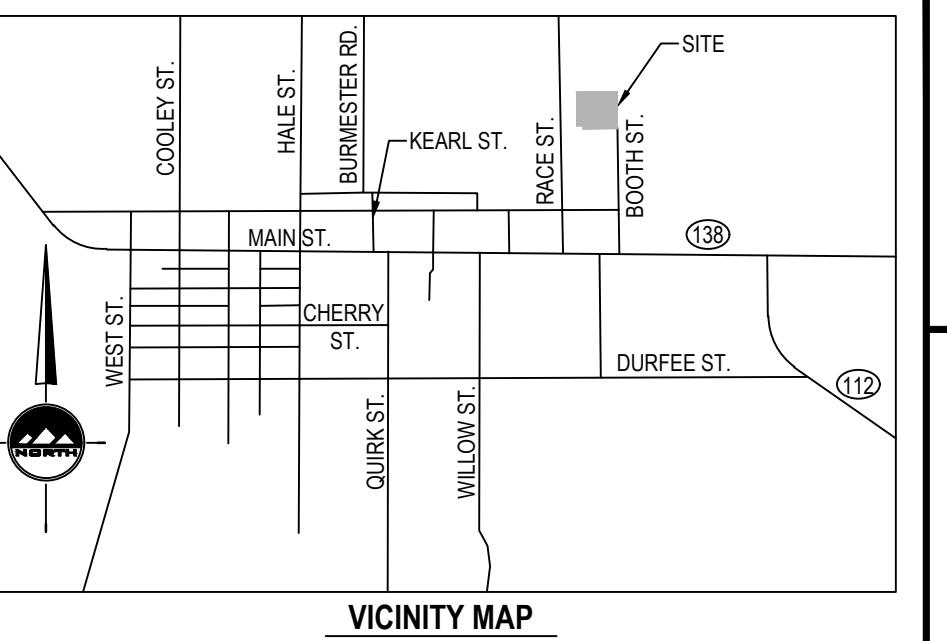
CALL BLUESTAKES  
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COMMENCEMENT OF ANY  
CONSTRUCTION.  
Know what's below.  
Call before you dig.

## PRELIMINARY PLAT FALCONS LANDING SUBDIVISION

LOCATED IN THE NORTHWEST QUARTER  
OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN,  
GRANTSVILLE CITY, TOOELE COUNTY, UTAH



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	15.00'	23.62'	90°13'59"	N48°18'04"W	21.26'
C2	81.00'	25.30'	17°53'46"	N81°08'10"W	25.20'
C3	81.00'	53.59'	37°54'28"	N53°14'03"W	52.62'
C4	81.00'	48.56'	34°20'49"	N17°02'42"W	47.83'
C5 (OVERALL)	81.00'	127.45'	90°09'03"	N45°00'32"W	114.70'
C6	81.00'	36.17'	25°34'57"	S12°51'17"W	35.87'
C7	81.00'	83.27'	58°54'03"	S58°54'48"W	79.65'
C9 (OVERALL)	81.00'	127.73'	90°20'53"	S45°14'15"W	114.90'
C10	81.00'	8.29'	5°51'52"	S87°28'46"W	8.29'
C11	15.00'	23.77'	90°47'47"	N45°32'59"E	21.36'
C12	15.00'	23.49'	89°44'14"	N44°43'11"W	21.16'
C13	15.00'	23.65'	90°20'42"	S45°14'21"W	21.28'
C14	48.00'	75.69'	90°21'01"	S45°14'11"W	68.09'
C15	15.00'	23.61'	90°09'03"	S44°59'30"E	21.25'
C16	15.00'	23.50'	89°46'01"	N45°01'56"E	21.17'
C17	48.00'	75.52'	90°09'03"	N45°00'32"W	67.97'



**SURVEYOR'S CERTIFICATE**  
I, Douglas J Kinsman do hereby certify that I am a Professional Land Surveyor, and that I hold license No. 334575 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act of Utah, that the property owners I have made a survey of the property described on this subdivision plat in accordance with Section 17-23-17, have verified all measurements, and have subdivided said tract of land into a lot, together with easements, hereafter to be known as the **FALCONS LANDING SUBDIVISION**, and that the same has been correctly surveyed and monumented on the ground as shown on this plat. I further certify that the lot meets frontage width and area requirements of the applicable zoning ordinances.

### BOUNDARY DESCRIPTION

A parcel of land, situate in the Northwest Quarter of Section 32, Township 2 South, Range 5 West, Salt Lake Base and Meridian, said parcel also located in Grantsville City, Utah, more particularly described as follows:

Beginning at the westerly right-of-way line of Booth Street, a 66 foot wide public street, which is located North 88°53'23" West 2632.98 feet along the basis of bearing line and North 0°08'56" East 1774.05 feet to and along the centerline of said Booth Street and West 33 feet from the found Witness Corner monument to the East Quarter corner of Section 32, Township 2 South, Range 5 West, Salt Lake Base and Meridian (The basis of bearing for this survey is North 88°53'23" West 5303.42 feet, which is the measured line between the two witness corners to the East Quarter corner and West Quarter corner of Section 32, Township 2 South, Range 5 West, Salt Lake Base and Meridian) and running thence;

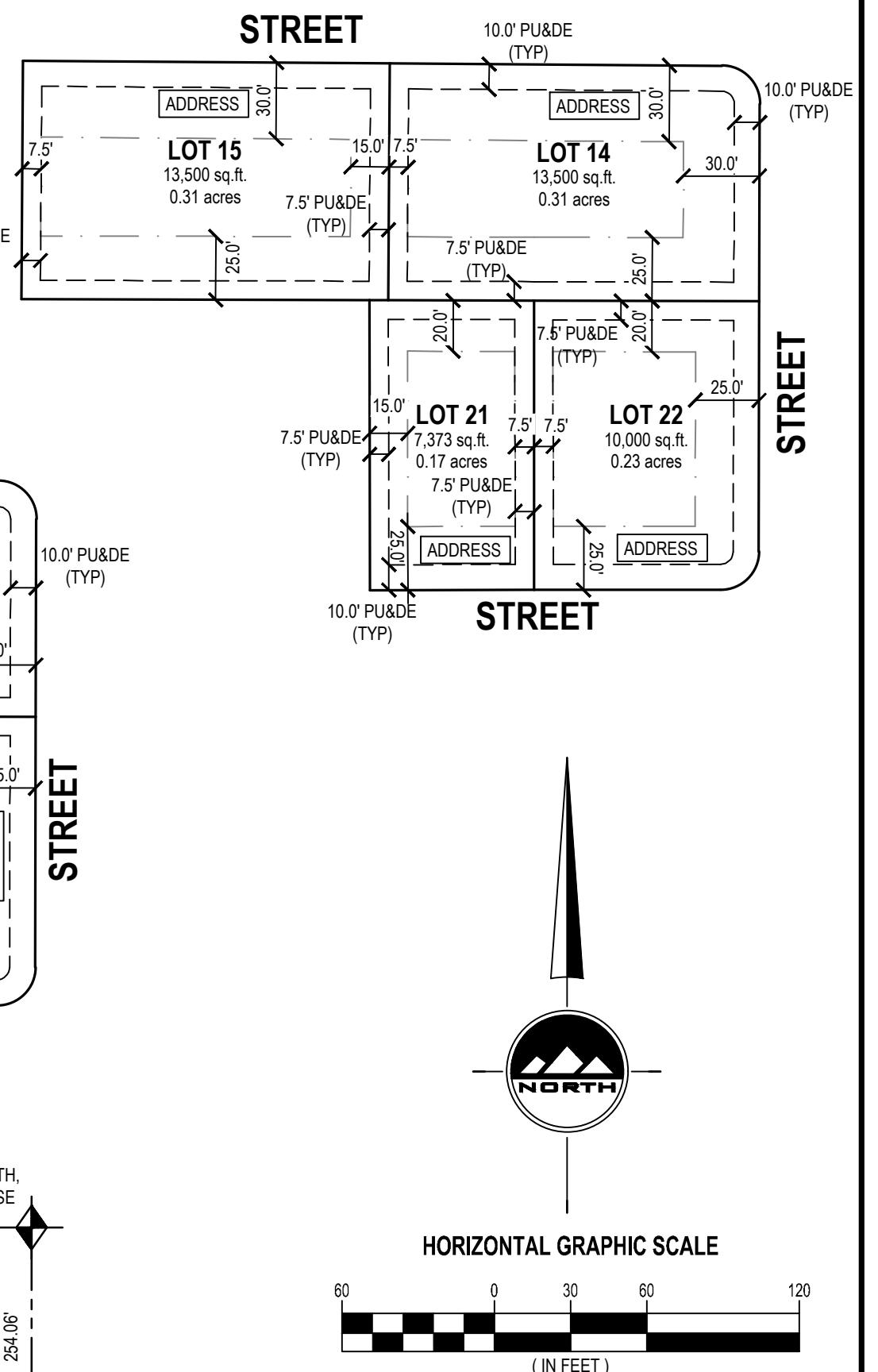
thence South 0°08'56" West (South 0°09'23" West by record) 511.27 feet along the Westerly right-of-way line of Booth Street to intersect the Southerly line of Lot 1, Fittin Minor Subdivision, a minor subdivision of the City of Grantsville created by recording of deeds with no recorded plat, said Southerly line of said Lot 1 being determined from the lot corner markers placed by Richard K. Johanson, original surveyor of said Fittin Minor Subdivision;

thence North 0°33'33" East (North 0°40'00" East by record) 463.66 feet along an ancient fence line to an ancient fence line; thence South 0°20'27" East (South 0°20'27" East by record) 465.60 feet along an ancient fence line to the Point of Beginning;

Contains 299.270 square feet or 6.87 acres.

SEPT 19, 2025

Date  
Douglas J. Kinsman  
License #334575



**ROCKY MOUNTAIN POWER COMPANY**

1. PURSUANT TO UTAH CODE ANN. § 64-27 THIS PLAT CONVEYS TO THE OWNERS OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.

2. PURSUANT TO UTAH CODE ANN. § 17-27A-603(4)(C)(ii) ROCKY MOUNTAIN POWER APPROVES DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT THE PUE HAS PURSUANT TO THE RECORDING OF THE PUE.

(1) RECORDED EASEMENT OR RIGHT-OF-WAY  
(2) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS  
(3) TITLE 54, CHAPTER 8A, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR  
(4) ANY OTHER PROVISION OF LAW.

APPROVED THIS DAY OF 20

ROCKY MOUNTAIN POWER

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

**ENBRIDGE GAS**

ENBRIDGE GAS UTAH - NOTE WITH NO EXISTING NATURAL GAS EASEMENT QUESTAR GAS COMPANY DBA ENBRIDGE GAS UTAH, APPROVES THIS PLAT SOLELY FOR THE PURPOSES OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. ENBRIDGE GAS UTAH MAY REQUIRE ADDITIONAL EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABRIGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES INCLUDING PRESCRIPTIVE RIGHTS AND OTHER RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE A RELEASE OF THE PLAT OWNER FROM ANY OBLIGATION TO MAINTAIN THE PLAT, INCLUDING THE SET FORTH IN THE OWNER'S DEDICATION OR IN THE NOTES, AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OR CONDITIONS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT ENBRIDGE GAS UTAH'S RIGHT-OF-WAY DEPARTMENT AT 800-368-8532

APPROVED THIS DAY OF 20

QUESTAR GAS COMPANY DBA ENBRIDGE GAS UTAH

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

## PRELIMINARY PLAT FALCONS LANDING SUBDIVISION

LOCATED IN THE NORTHWEST QUARTER  
OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN,  
GRANTSVILLE CITY, TOOELE COUNTY, UTAH

**TOOELE COUNTY RECORDER**

RECORDED # \_\_\_\_\_

STATE OF UTAH, COUNTY OF TOOELE, RECORDED AND FILED AT THE

REQUEST OF: \_\_\_\_\_

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

FEES: \_\_\_\_\_ TOOELE COUNTY RECORDER

GRANTSVILLE CITY MAYOR APPROVAL	GRANTSVILLE CITY ATTORNEY'S APPROVAL	GRANTSVILLE CITY PLANNER
APPROVED THIS DAY OF 20 BY THE GRANTSVILLE CITY MAYOR	APPROVED THIS DAY OF 20 BY THE GRANTSVILLE CITY ATTORNEY	APPROVED THIS DAY OF 20 BY THE GRANTSVILLE CITY PLANNER
GRANTSVILLE CITY FIRE DEPARTMENT APPROVAL	GRANTSVILLE CITY PUBLIC WORKS APPROVAL	GRANTSVILLE PLANNING COMMISSION APPROVAL
APPROVED THIS DAY OF 20 BY THE GRANTSVILLE CITY FIRE DEPT.	APPROVED THIS DAY OF 20 BY THE GRANTSVILLE CITY PUBLIC WORKS	APPROVED THIS DAY OF 20 BY THE GRANTSVILLE CITY PLANNING COMMISSION
GRANTSVILLE CITY FIRE CHIEF	GRANTSVILLE CITY PUBLIC WORKS DIRECTOR	CHAIR, GRANTSVILLE CITY PLANNING COMMISSION

TOOELE COUNTY SURVEY DEPARTMENT	GRANTSVILLE CITY ENGINEER'S CERTIFICATE
APPROVED THIS DAY OF 20 BY THE TOOELE COUNTY SURVEY DEPARTMENT	I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.
RECORD OF SURVEY FILE #2024-0016	GRANTSVILLE CITY ENGINEER DATE
TOOELE COUNTY SURVEY DEPT. DIRECTOR	

**DEVELOPER**  
A2 CUSTOM BUILDERS  
8667 TRADESMEN PLACE  
WEST JORDAN, UTAH  
ANDY  
385-256-5346

**SHEET 1 OF 1**  
PROJECT NUMBER : 129096  
MANAGER : J. CLEGG  
DRAWN BY : M. SANDOVAL  
CHECKED BY : D. KINSMAN  
DATE : 9/18/2025

**ENSIGN**  
TOOELE 169 North Main Street Unit 1  
Phone 801.255.0229  
LAYTON 1000 S. 100 E. 801.547.1100  
CEDAR CITY Phone 435.865.3590  
RICHFIELD Fax 435.866.1463  
Phone 435.866.2983  
WWW.ENSIGNING.COM

SALT LAKE CITY  
LAYTON  
CEDAR CITY  
RICHFIELD



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

Know what's below.  
Call before you dig.

**BENCHMARK**

EAST QUARTER CORNER OF SECTION 32,  
TOWNSHIP 2 SOUTH, RANGE 5 WEST  
SALT LAKE BASE AND MERIDIAN

ELEV = 4290.9'



THE STANDARD IN ENGINEERING  
TOOELE  
169 N. Main St, Unit 1  
Tooele, UT 84074  
Phone: 435.843.3590

SANDY  
Phone: 801.255.0529

LAYTON  
Phone: 801.547.1100

CEDAR CITY  
Phone: 435.865.1453

RICHFIELD  
Phone: 435.896.2983

WWW.ENSIGNENG.COM

Landscape				
Trees				
Qty	Symbol	Common Name	Botanical Name	Plant Size
41		Limber Pine	-	2' Min.
43		Autumn Gold Ginkgo	Ginkgo biloba 'Autumn Gold'	2.5' Cal.

Landscape Notes: In all park strip areas, install "turf", "mulch" or equiv. as required by Grantsville City Land Use Ordinance section 9.5. typ.

Irrigation		
Qty	Symbol	Description
5		RPZ Backflow Preventer
7		Rain Bird 100-PGA Globe
7		Rain Bird XCZ-100 COM
5		Irritrol Total Control R Series
		Pipe Sleeve 2x Diameter
		Mainline: 1 1/4" Schedule 40 PVC
		XT-700 XERIGATION DRIP TUBE (2) XB-10 Emitter per Shrub/Tree

\*\* NOTES \*\*  
THIS PLAN WAS DRAWN FOR GRAPHIC CLARITY ONLY.  
SOME FIELD MODIFICATIONS MAY BE NEEDED TO AVOID ON SITE  
OBSTRUCTIONS.

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

(1) SEE UTILITY PLANS FOR WATER LATERAL SIZES  
(2) TREE W/ ROOT WATERING SYSTEM (TYP.) SEE LANDSCAPING DETAIL SHEET L-200.

**EXTERIOR WATER REQUIREMENTS**

Drip Area - 0.4 Acres

Drip Area - 2 Acre/acre \* 0.4 Acre-ft

Total Water Requirements - 0.8 Acre-ft

LANDSCAPE SUMMARY TABLE		
DESCRIPTION	AREA (SF)	PERCENTAGE
LANDSCAPE	17,663	1%
TOTAL SITE	299,270 OR 6.87 ACRES	100%

**FALCONS LANDING SUBDIVISION**

BOOTH STREET  
GRANTSVILLE, UTAH

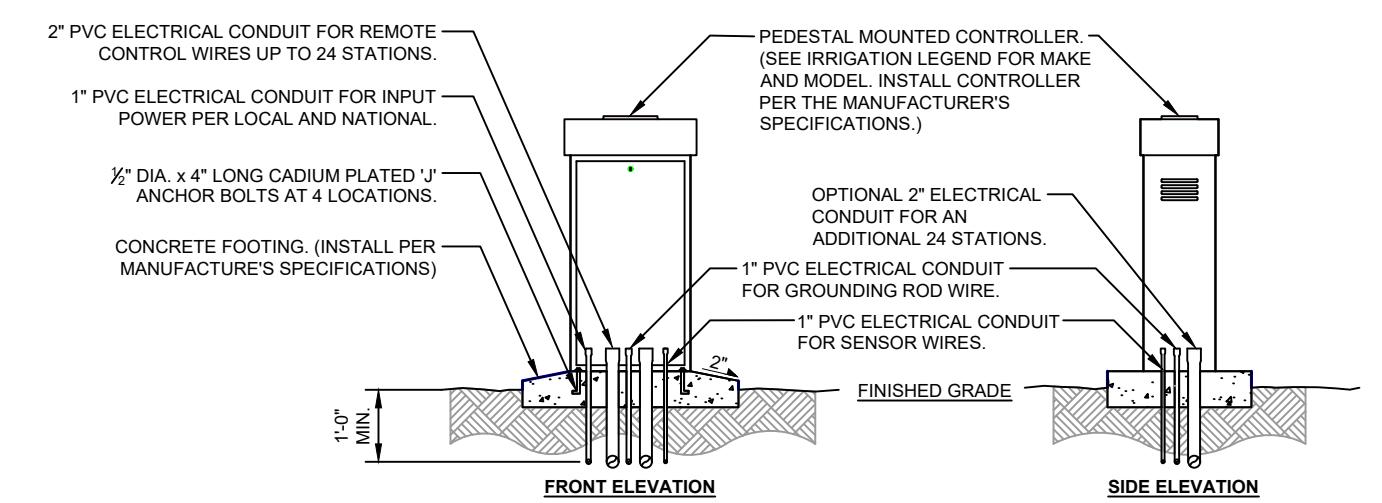
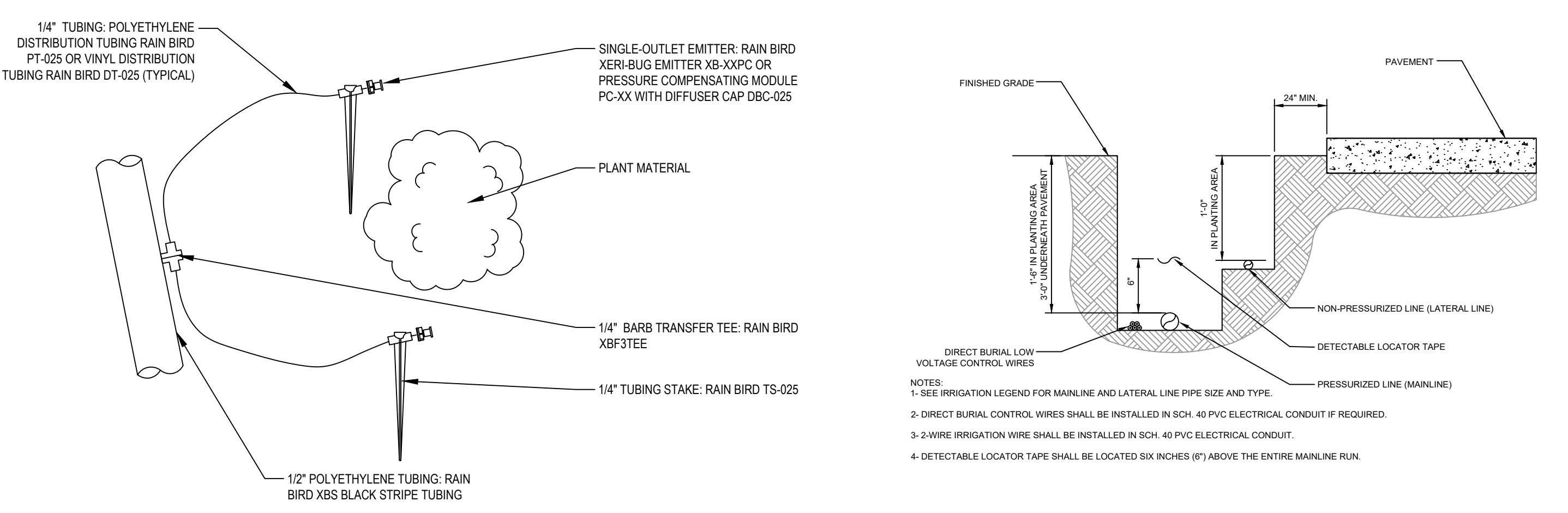
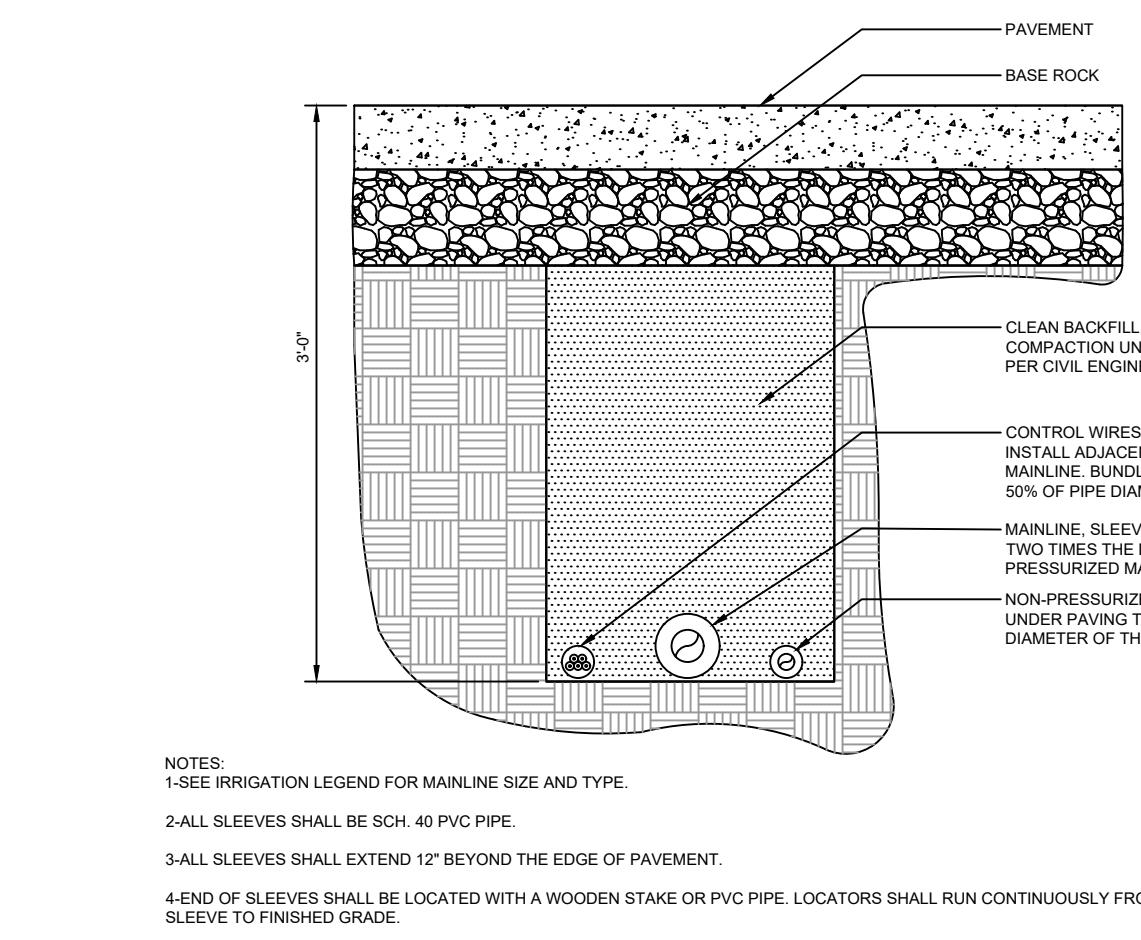


HORIZONTAL GRAPHIC SCALE  
30 0 15 30 60  
(IN FEET)  
HORZ: 1 inch = 30 ft.

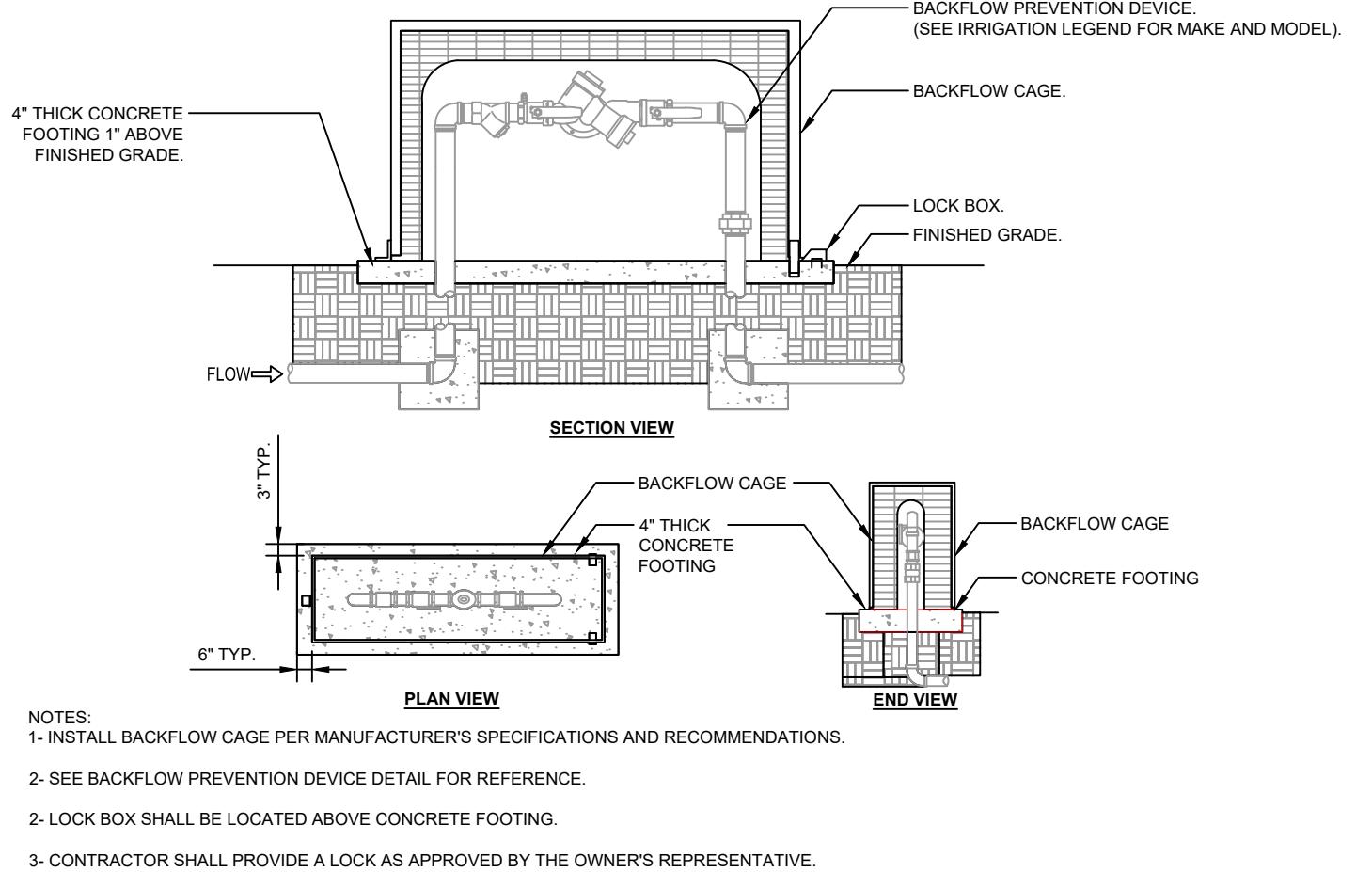
LANDSCAPE AND  
IRRIGATION PLAN

PROJECT NUMBER 12909A PRINT DATE 2025-09-10  
PROJECT MANAGER J. CLEGG DESIGNED BY D. GEVERTS

L-100


**1 PIPE BEHIND PAVEMENT**

SCALE: NONE


 NOTES:  
 1- INSTALL BACKFLOW CAGE PER MANUFACTURER'S SPECIFICATIONS AND RECOMMENDATIONS.  
 2- SEE BACKFLOW PREVENTION DEVICE DETAIL FOR REFERENCE.  
 2- LOCK BOX SHALL BE LOCATED ABOVE CONCRETE FOOTING.  
 3- CONTRACTOR SHALL PROVIDE A LOCK AS APPROVED BY THE OWNER'S REPRESENTATIVE.

**5 BACKFLOW CAGE**

SCALE: NONE

**GENERAL LANDSCAPE NOTES:**

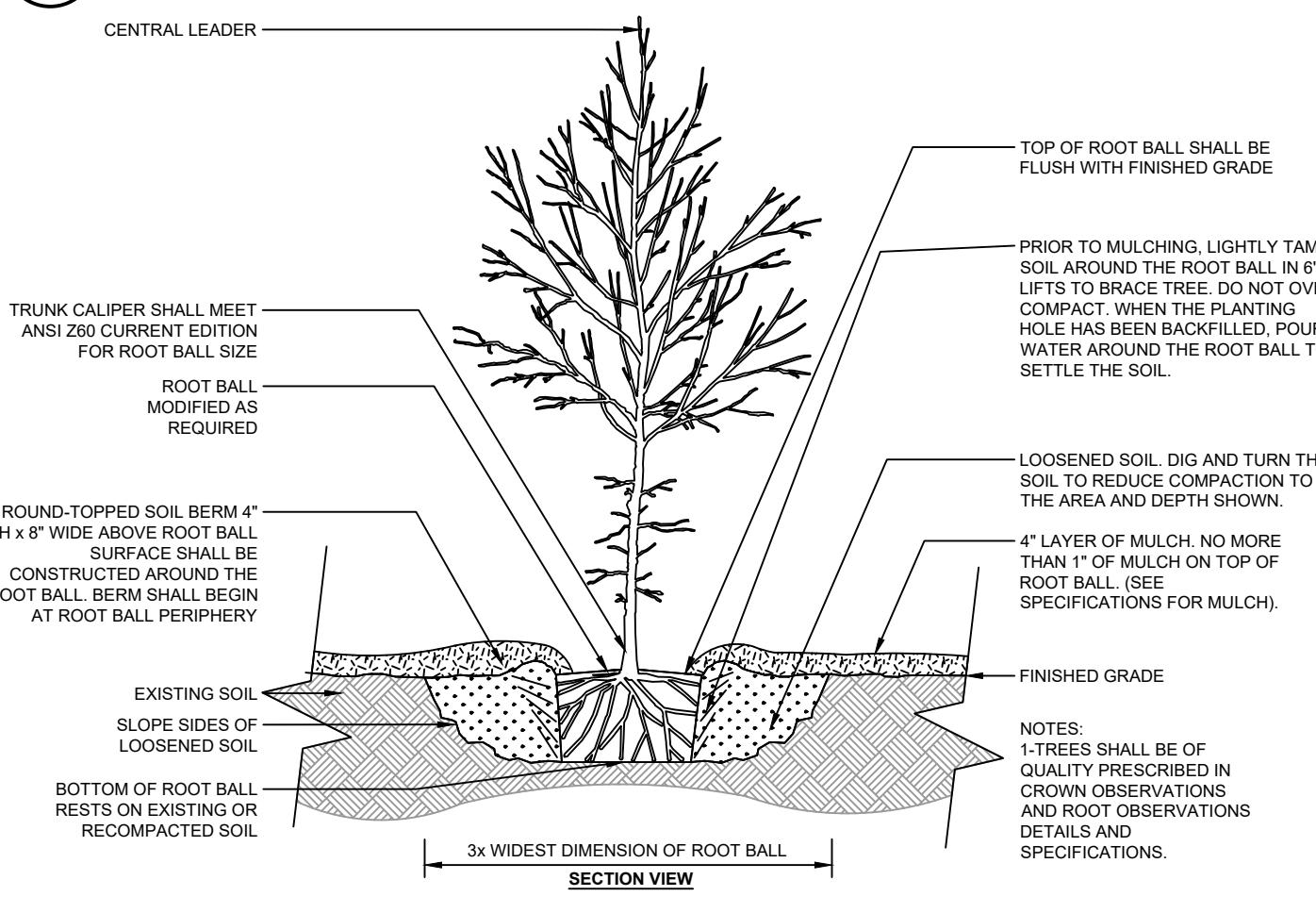
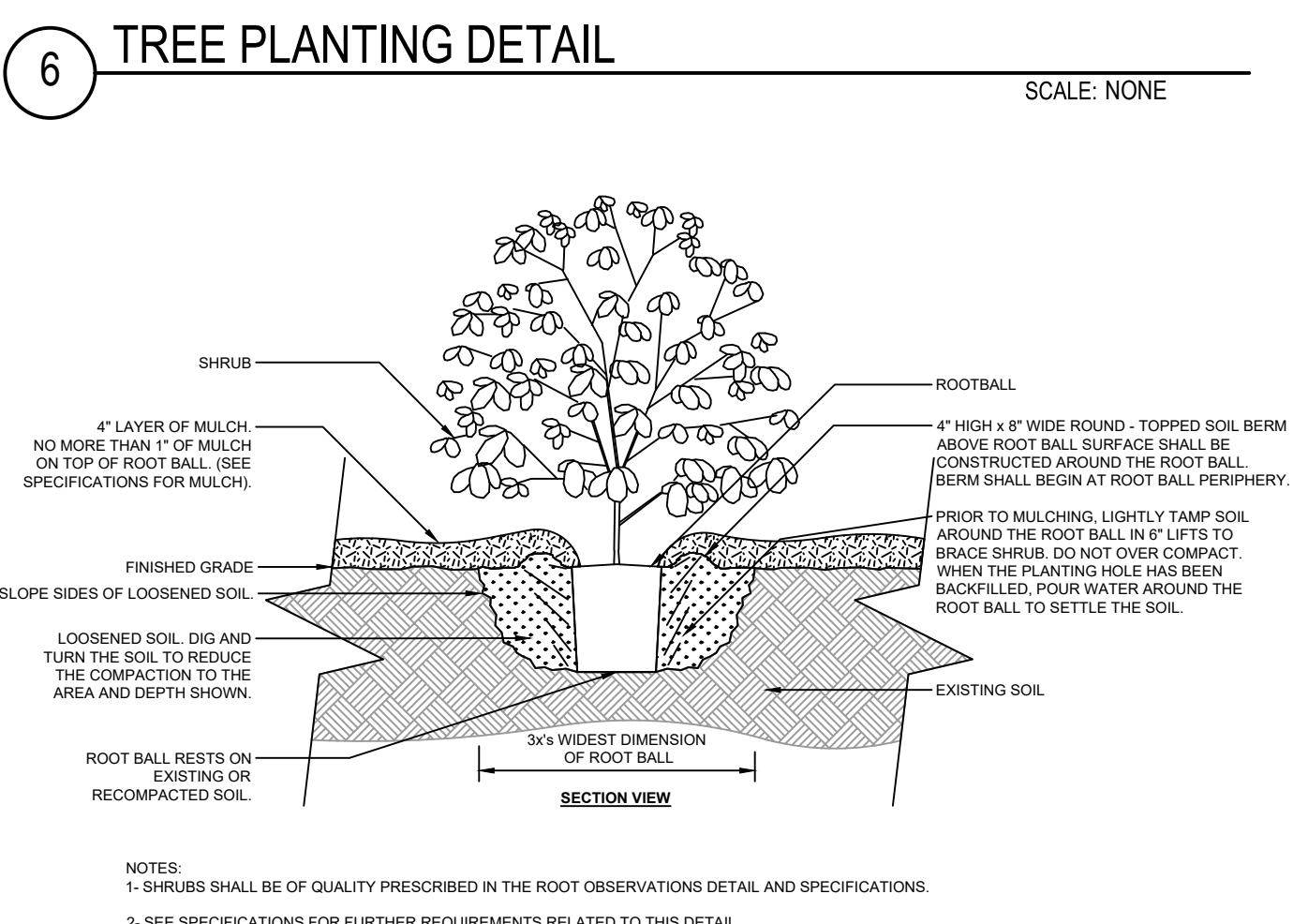
- LANDSCAPE CONTRACTOR HAS THE OPTION TO SUBSTITUTE PLANT MATERIAL IF SPECIFIED GENUS, SPECIES, AND/OR VARIETIES ARE NOT LOCALLY OR REGIONALLY AVAILABLE. LANDSCAPE CONTRACTOR SHALL REPLACE SAID PLANTS WITH THOSE OF LIKE HARDINESS ZONE, SIZE, FORM, MOISTURE AND SOLAR REQUIREMENTS, AND MEET THE GENERAL INTENT OF THE ORIGINAL DESIGN. ANY REPLACEMENT PLANTS SHALL BE APPROVED BY ENSIGN ENGINEERING AND LAND SURVEYING INC. OR PROJECT REPRESENTATIVE PRIOR TO INSTALLATION. ALL REPLACEMENT PLANT MATERIALS SHALL CONFORM TO CITY APPROVED PLANTS. ALL PLANTING SUBSTITUTION WILL BE APPROVED BY CITY.
- LOCATE ALL UTILITIES AND SITE LIGHTING CONDUITS BEFORE LANDSCAPE CONSTRUCTION BEGINS.
- NOTIFY LANDSCAPE REPRESENTATIVE OF ANY LAYOUT DISCREPANCIES PRIOR TO ANY PLANTING.
- FERTILIZE ALL PLANTS AT THE TIME OF PLANTING WITH TIME RELEASE FERTILIZER.
- MULCH, PER PLAN, SHALL BE USED AS A FOUR INCH (4") TOP DRESSING IN ALL PLANT BEDS AND AROUND ALL TREES. SINGLE TREES OR SHRUBS SHALL BE MULCHED TO THE OUTSIDE EDGE OF THE SAUCER OR LANDSCAPE ISLAND.
- LANDSCAPE CONTRACTOR SHALL INSTALL AN UNDERGROUND, POP-UP IRRIGATION SYSTEM WHICH PROVIDES COMPLETE COVERAGE OF THE SITE AND MEETS COUNTY/CITY REQUIREMENTS AT OR BEFORE THE INSTALLATION OF LANDSCAPE MATERIALS.
- ALL LANDSCAPE MATERIALS SHALL BE IN COMPLIANCE WITH THE AMERICAN STANDARD FOR NURSERY STOCK (ANSI-Z60.1-1986)
- CONTRACTOR SHALL USE AVAILABLE SUITABLE TOPSOIL THAT HAD BEEN STOCKPILED ON-SITE. IF QUANTITIES ARE NOT SUFFICIENT TO MEET SITE MINIMUMS CONTRACTOR SHALL PROVIDE ADDITIONAL MATERIALS. ADDITIONAL MATERIAL SHALL BE SUPPLIED BY A COMMERCIAL TOPSOIL SUPPLIER
- PROVIDE THE FOLLOWING TOP SOIL MINIMUMS:  
 A. 4" TOPSOIL IN ALL SOD AREAS  
 B. 6" TOP SOIL IN ALL PLANTER BEDS
- WEED FABRIC SHALL BE A DWEINT SUNBELT WOVEN GROUND COVER INSTALLED W/ GROUND STAPLES ACCORDING TO MANUFACTURER RECOMMENDATIONS.

**IRRIGATION NOTES:**

- IRRIGATION SYSTEM SHALL BE INSTALLED IN CONFORMANCE WITH ALL APPLICABLE STATE AND LOCAL CODES AND ORDINANCES BY A LICENSED CONTRACTOR AND EXPERIENCED WORKMEN. CONTRACTOR TO OBTAIN AND PAY FOR ALL REQUIRED PERMITS.
- CONTRACTOR TO CONFIRM THE LOCATION OF EXISTING UTILITIES PRIOR TO ANY EXCAVATION. CONTRACTOR TO REPAIR ANY DAMAGE CAUSED BY OR DURING THE PERFORMANCE OF HIS WORK AT NO ADDITIONAL COST.
- PARALLEL PIPES MAY BE INSTALLED IN A COMMON TRENCH. PIPES ARE NOT TO BE INSTALLED ONE ABOVE THE OTHER.
- TRENCHES ARE TO BE DEEP ENOUGH TO ALLOW FOR 18" MIN. COVER, ON MAIN LINES AND 12" MIN. COVER ON LATERAL LINES. BACKFILL TO BE WATERED IN AND COMPACTED.
- ALL MAIN AND LATERAL LINES SHALL BE SCHEDULE 40 PVC PIPE.
- ALL ELECTRICAL VALVES SHALL BE INSTALLED IN VALVE BOXES WITH LOCKING LIDS.
- DIRECT BURIAL 14 GAGE WIRE WITH SPEARS DRI-SPLICE CONNECTORS (OR EQUAL) SHALL BE USED. 6" SEPARATION BETWEEN MAIN LINE & WIRE EITHER BELOW PIPE OR TO SIDE.
- CONTRACTOR SHALL BE RESPONSIBLE TO ENSURE PROPER COVERAGE OF ALL IRRIGATED AREAS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR GRADING ALL LINES AND SHALL INSTALL MANUAL DRAINS AT ALL VALVE MANIFOLDS AND AT ALL LOW POINTS ON MAIN LINES - MANUAL VALVES SHALL BE INSTALLED IN WELL MARKED VALVE BOXES WITH LOCKING LIDS. KING AUTOMATIC DRAIN VALVES TO BE INSTALLED AT ALL LOW POINTS ON LATERAL LINES. CONTRACTOR TO INSTALL QUICK COUPLER VALVE AT ALL VALVE MANIFOLD LOCATIONS.
- ALL SPRINKLER LINES AND CONTROL WIRES CROSSING UNDER PAVED AREAS SHALL BE INSTALLED IN A SLEEVE TWICE THE SIZE OF THE PIPE.
- FLUSH MAIN LINES PRIOR TO THE INSTALLATION OF REMOTE CONTROL VALVES. FLUSH LATERAL LINES PRIOR TO THE INSTALLATION OF HEADS. MAIN LINES TO BE INSPECTED FOR LEAKS UNDER FULL PRESSURE PRIOR TO BACKFILLING TRENCHES.
- CONTRACTOR TO MAINTAIN A SET OF "AS BUILT" DRAWINGS, A REPRODUCIBLE COPY OF WHICH WILL BE TURNED OVER TO THE OWNER'S REPRESENTATIVE UPON COMPLETION.
- THE OWNER RESERVES THE RIGHT TO REJECT MATERIAL OR WORK WHICH DOES NOT CONFORM TO THESE DRAWINGS. REJECTED WORK SHALL BE REMOVED OR CORRECTED AT CONTRACTOR'S EXPENSE.

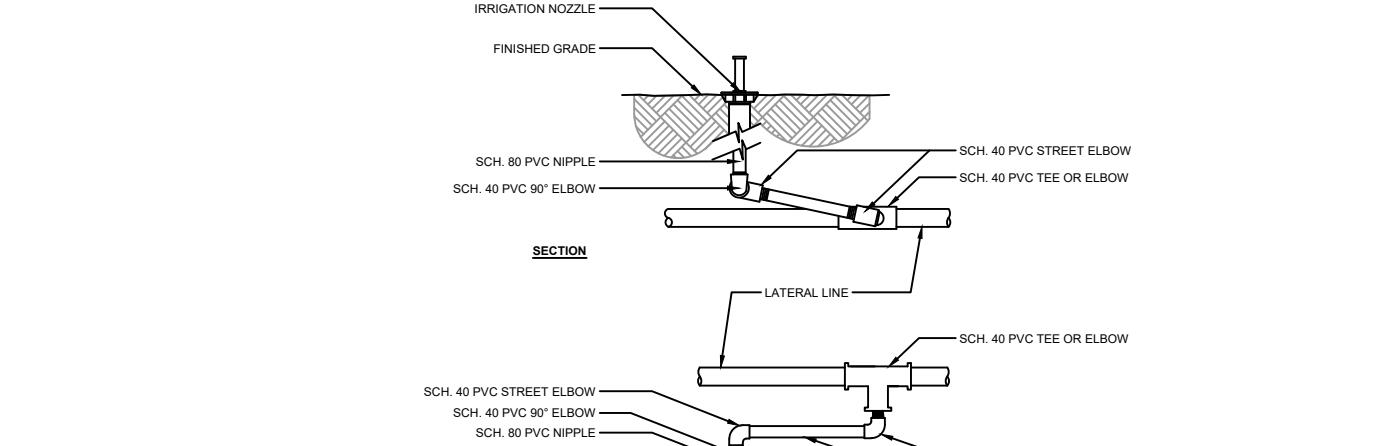
**2 DRIP DETAIL**

SCALE: NONE


 NOTES:  
 1- TREES SHALL BE OF QUALITY PRESCRIBED IN CROWN OBSERVATIONS AND ROOT OBSERVATIONS DETAILS AND SPECIFICATIONS.

 NOTES:  
 1- SHRUBS SHALL BE OF QUALITY PRESCRIBED IN THE ROOT OBSERVATIONS DETAIL AND SPECIFICATIONS.  
 2- SEE SPECIFICATIONS FOR FURTHER REQUIREMENTS RELATED TO THIS DETAIL.

**9 SHRUB PLANTING DETAIL**

SCALE: NONE

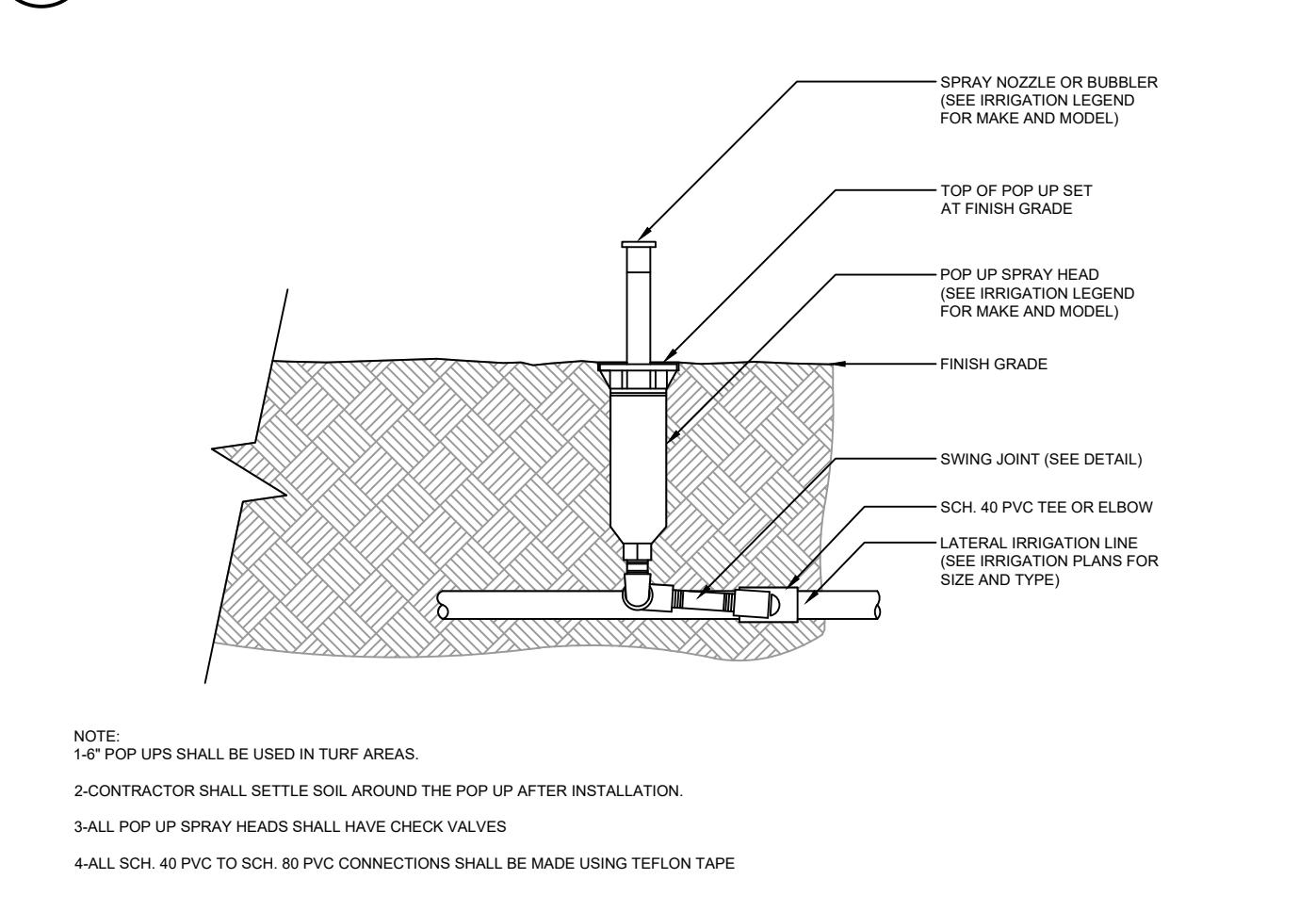

 NOTES:  
 1- ALL THREADED CONNECTIONS FROM SCH. 40 PVC TO SCH. 80 PVC SHALL BE MADE USING TEFLO TAPE.  
 2- HUNTER SWING JOINTS OR APPROVED EQUAL SHALL BE USED PER APPROVAL BY THE OWNER'S REPRESENTATIVE.

**12 SWING JOINT**

SCALE: NONE

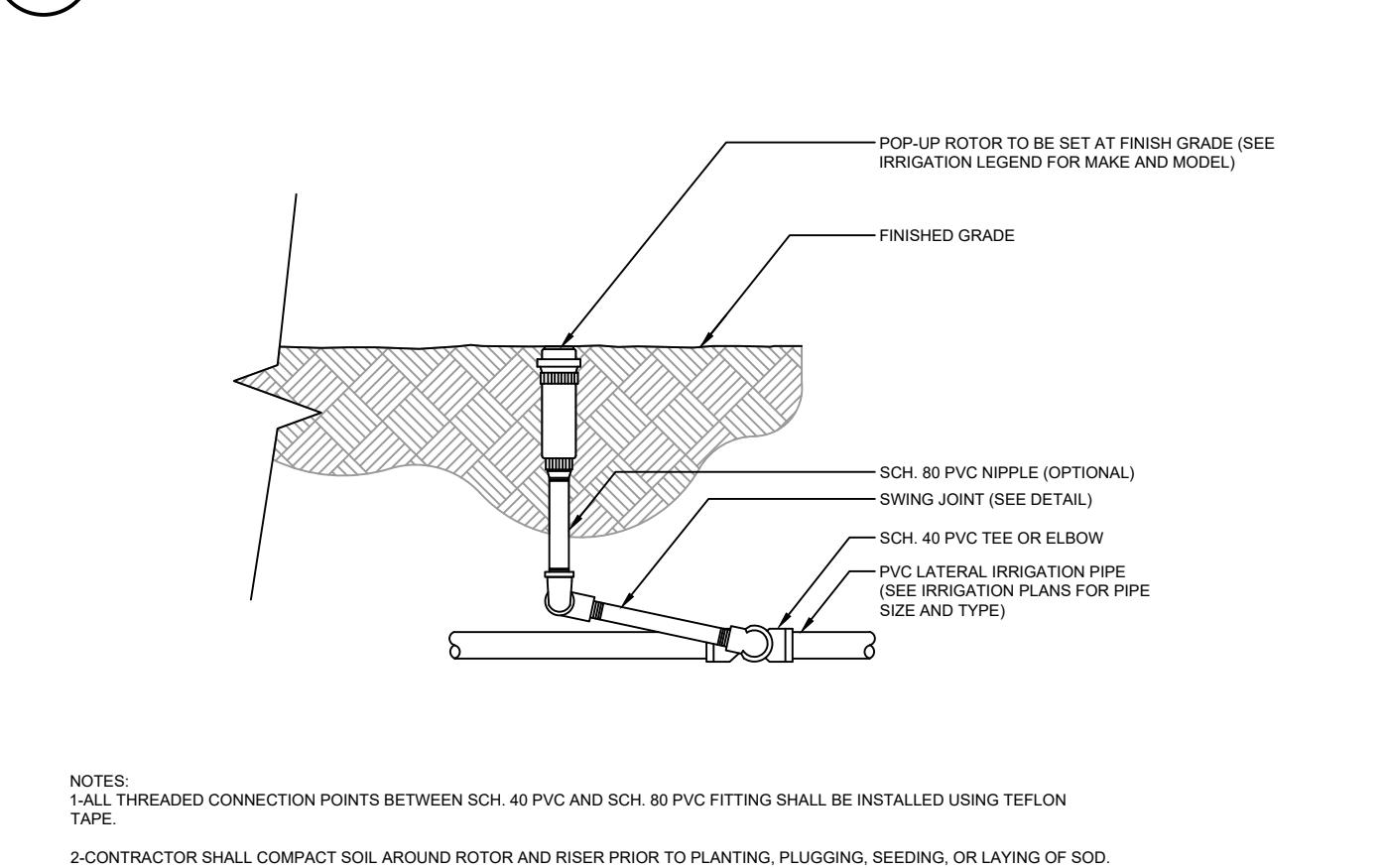
**3 IRRIGATION TRENCHING**

SCALE: NONE


 NOTES:  
 1- 1/2" POP UPS SHALL BE USED IN TURF AREAS.  
 2- CONTRACTOR SHALL SETTLE SOIL AROUND THE POP UP AFTER INSTALLATION.  
 3- ALL POP UP SPRAY HEADS SHALL HAVE CHECK VALVES.  
 4- ALL SCH. 80 PVC TO SCH. 80 PVC CONNECTIONS SHALL BE MADE USING TEFLO TAPE.

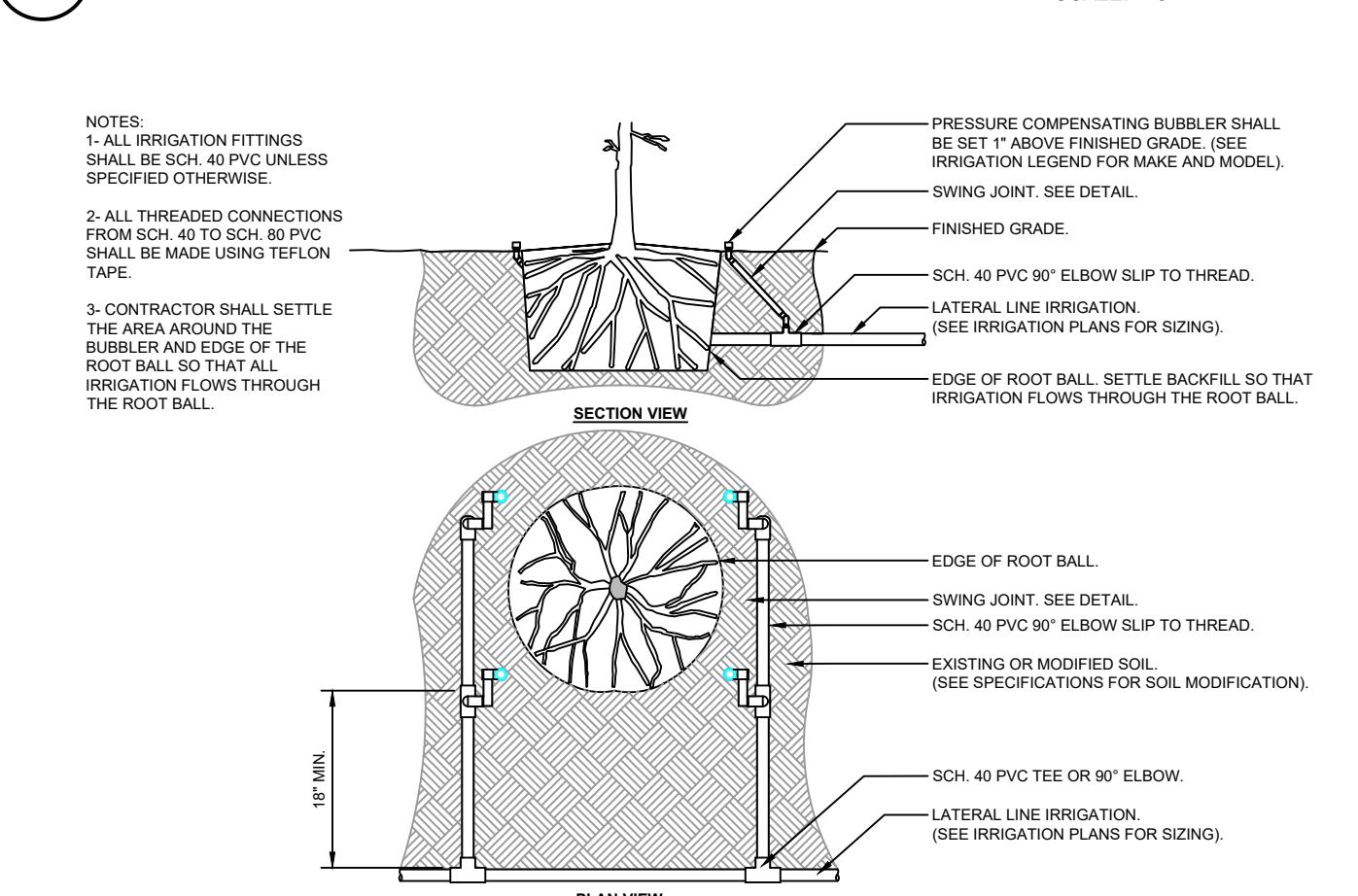
**7 POP-UP SPRAY SPRINKLER**

SCALE: NONE


 NOTES:  
 1- ALL THREADED CONNECTIONS BETWEEN SCH. 40 PVC AND SCH. 80 PVC FITTING SHALL BE INSTALLED USING TEFLO TAPE.  
 2- CONTRACTOR SHALL COMPACT SOIL AROUND ROTOR AND RISER PRIOR TO PLANTING, PLUGGING, SEEDING, OR LAYING OF SOD.

**10 ROTOR POP-UP HEAD**

SCALE: NONE

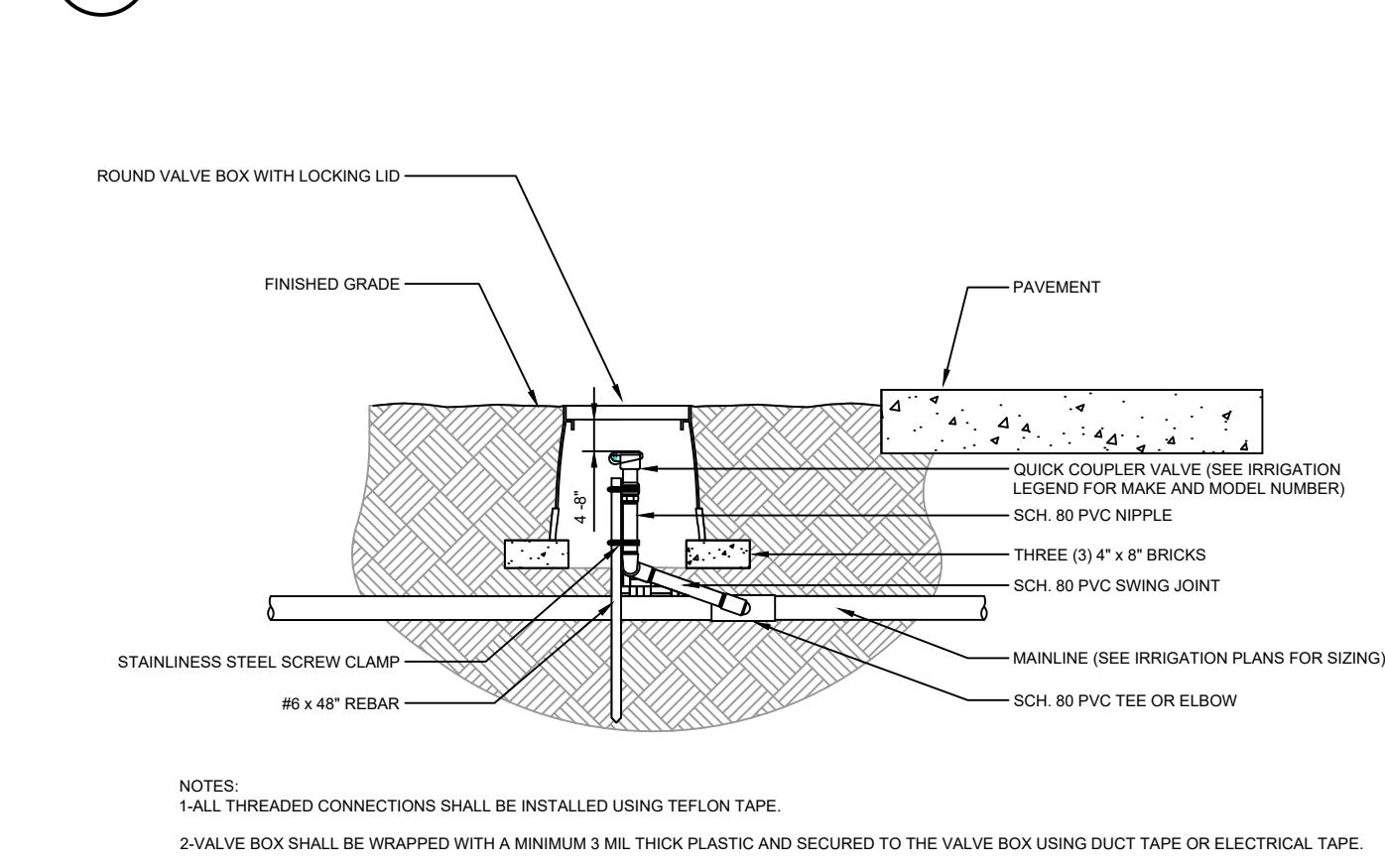

 NOTES:  
 1- ALL IRRIGATION FITTINGS SHALL BE SCH. 40 PVC UNLESS SPECIFIED OTHERWISE.  
 2- ALL THREADED CONNECTIONS FROM SCH. 40 PVC TO SCH. 80 PVC SHALL BE MADE USING TEFLO TAPE.  
 3- CONTRACTOR SHALL SETTLE THE AREA AROUND THE BUBBLER AND EDGE OF THE ROOT BALL SO THAT ALL IRRIGATION FLOWS THROUGH THE ROOT BALL.

**13 BUBBLER DETAIL**

SCALE: NONE

**8 CONTROL VALVE**

SCALE: NONE


 NOTES:  
 1- ALL THREADED CONNECTIONS SHALL BE INSTALLED USING TEFLO TAPE.  
 2- VALVE BOX SHALL BE WRAPPED WITH A MINIMUM 3 MIL THICK PLASTIC AND SECURED TO THE VALVE BOX USING DUCT TAPE OR ELECTRICAL TAPE.  
 3- ALL QUICK COUPLERS SHALL BE INSTALLED A MINIMUM OF 18" OFF THE MAINLINE.  
 4- VALVE BOXED SHALL BE LOCATED IN PLANTING AREAS.

**11 QUICK COUPLING VALVE**

SCALE: NONE


 NOTES:  
 1- ALL SWING JOINTS SEE DETAIL.

# **AGENDA ITEM #6**

Consideration of a proposed amendment to the Grantsville City Land Use and Management Code, specifically Chapters 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, and 25.

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



## **STAFF REPORT**

**TO:** Planning Commission

**FROM:** Bill Cobabe, Community Development Department

**MEETING DATE:** October 2, 2025

**PUBLIC HEARING DATE:** October 2, 2025

**RE:** Consideration of Amendment to Several Ordinances related to Parkway Landscaping (Chapter 9) and the authority and duties of the Community Development Director (various).

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## **Background**

The Code from time to time needs revision to address the changing nature of our departments, the need to clarify some points in the Code, and to provide additional regulations to more closely align with the values and goals of the City. The proposed changes are outlined in detail in the report below and in the subsequent attachments. Please note that the changes in the Code are noted with **additions in green and bold** and ~~deletions are red and strikethrough~~.

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## **Proposed Amendments**

(Please refer to the attached documents for the full text of the proposed Code changes).

### **Chapter 9. Landscaping and Buffers**

Section 9.5 addresses parkway landscaping – with “parkway” being defined as “the ground area within the street right-of-way situated between the back of curb (or edge of pavement) and the sidewalk”. This is sometimes called a park strip, sidewalk buffer, or a curb strip. The proposed changes clarify this definition, expanding it to include areas with no curb/gutter and sidewalk, and proposing language that defines whose responsibility it is for maintaining the parkway.

These changes were noted by our City Attorney who had the following comment:

Generally the rule is that the property owner abutting the parkstrip/parkway/ROW is responsible for landscaping and routine maintenance (irrigation, trees, trash/weeds, snow/sidewalk). There are a few exceptions found in many of these places: 1 where HOAs or other entity has been assigned maintenance, 2 where the entity has agreed to maintain specific areas, or 3 MDAs in developments that shift responsibilities. I think that your proposed Subsection (2) defining "parkway" is a good fit and provides clarity for situations we have struggled with in the past. I

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have no edits other than to suggest that perhaps we add that "Enforcement of the section shall proceed in accordance with Title 12 Nuisances of the Grantsville Municipal Code."

### **Community Development Director Amendments**

These changes, made to various parts of the Code, simply add the Community Development Director in to allow for authority and review in the different processes. The amended sections are extensive in number, but the changes are to simply add in the Community Development Director in each place where the Zoning Administrator currently is.

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### **Staff Analysis**

- The proposed changes are in furtherance of the City's stated goals and policies and reflect recent staffing changes in the City.

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### **Attachments**

#### **Attachment 1: Proposed Changes to Chapter 9: Landscaping and Buffers**

#### **Attachment 2: Proposed Changes to Various Chapters for the Community Development Director**

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## Attachment 1: Proposed Changes to Chapter 9: Landscaping and Buffers

### 9.5 Parkway Landscaping

(1) The intent of these requirements is to maintain the appearance of parkways, protect the users of parkways, expand landscape design flexibility, accommodate drought tolerant design options and improve environmental conditions. ~~The following requirements shall apply to all lots abutting parkways, the ground area within the street right of way situated between the back of curb (or edge of pavement) and the sidewalk. However, these requirements shall not apply to official beautification districts where exceptions to parkway standards are approved.~~

(2) For the purposes of this section, “parkway” means the ground area within the street right-of-way situated between the back of curb (or edge of pavement, if no curb exists) and the sidewalk. In areas where there is no sidewalk, the parkway includes the area between the edge of pavement and the property line.

(3) Maintenance Responsibility: All lots abutting a parkway shall be maintained by the adjacent property owner. This responsibility applies regardless of whether the abutting area is landscaped as a park strip, swale, or open space, and whether the area is adjacent to the front, side, or rear yard of the property.

(4) These requirements do not apply to official beautification districts where exceptions to parkway standards have been approved.

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## Attachment 2: Proposed Changes to Various Chapters for the Community Development Director

### **1.16 Inspection**

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

### **Chapter 2 Definitions**

(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 **Community Development Director**, Zoning Administrator, **or their designee** shall designate the rear lot line.

### **3.8 Document Submission And Review Procedures**

(2) Submission and Docketing for Review. Upon receipt of all required fees and information for any specific step of the review procedure, the **Community Development Director**, 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 **Community Development Director**, Zoning Administrator, **or their designee** determines that the application is ready for Planning Commission review, the **Community Development Director**, Zoning Administrator, **or their designee** 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.

### **3.11 Public Hearing By Planning Commission On Proposed General Plan Of Amendment Notice Revisions To General Plan Or Amendment Adoption/Rejection By Legislative Body**

(6) No application for an amendment to the general plan shall be considered by the City Council or the Planning Commission within two years of the final decision of the city Council upon a prior application covering substantially the same subject or substantially the same property. This determination shall be

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made by the **Community Development Director**, Zoning Administrator, **or their designee** upon receipt of an application. This provision shall not restrict the Mayor, a City Council member or a Planning Commissioner from proposing any future land use map category of the city at any time. The decision of the Zoning Administrator may be appealed to the City Council, provided a written appeal is filed with the City Recorder within 15 days of the **Community Development Director**, Zoning Administrator, **or their designee**'s final decision.

### **3.18 Amendments And Rezoning**

(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 **Community Development Director**, Zoning Administrator, **or their designee** 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 **Community Development Director**, Zoning Administrator, **or their designee** 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 **Community Development Director**, Zoning Administrator, **or their designee** within seven (7) days of receipt of the **Community Development Director**, Zoning Administrator, **or their designee**'s decision. If the application is accepted by the **Community Development Director**, Zoning Administrator, **or their designee** and an affected party ~~does~~ do not agree with said decision, that party may file a written appeal with the Planning Commission, provided that the appeal is filed with the **Community Development Director**, Zoning Administrator, **or their designee** 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.

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### **3.20 Organization And Procedures**

(6) The board of adjustment shall file its records in the office of the **Community Development Director**, Zoning Administrator, **or their designee**.

### **3.27 Zoning Administrator Authority And Duties**

(1) Primary responsibility for administering and enforcing this title shall be delegated to the **Community Development Director**, Zoning Administrator, **or their designee**. Except as otherwise specifically provided in this title, the **Community Development Director** or Zoning Administrator may designate a staff person or staff persons to carry out these responsibilities. Upon delegation, the designated staff member shall assume all duties, responsibilities, and authority of the zoning administrator with respect to the delegated functions. This delegation shall be in writing and specify the scope of duties and duration of the delegation. The staff person(s) to whom such delegations are made shall be referred to in this title as the "Designated Zoning Administrator".

(2) The ~~zoning administrator~~ **Community Development Director (Director)** is a land use authority and is authorized as an enforcing officer for all chapters of this land use ordinance. The ~~zoning administrator~~ **Community Development Director** shall be appointed by the mayor with the advice and consent of the city council. ~~Assistant zoning administrators may~~ **A Zoning Administrator shall** also be appointed in the same manner as the ~~administrator~~ **Community Development Director**, and shall have the same authority as the ~~zoning administrator~~ **Community Development Director**. The **Community Development Director**, Zoning Administrator, **or their designee** is hereby authorized to enforce this code and all provisions thereof, and shall do so by any legal means available to them, including but not limited to the following:

(a) Advise the Building Official on the issuance of building permits. When the **Community Development Director**, Zoning Administrator, **or their designee** gives written notification to the building official and applicant that an intended use, would be in violation of this code, such written notification shall be presumption of illegality and the building official shall not issue a building permit for such use, building, or structure.

(b) Inspect the uses of buildings, structures or land to determine compliance with the code. Such inspections shall be made at reasonable times.

(c) Issue notices of violation wherever lands are being used contrary to the provisions of this code. (This shall be done by providing notice in writing on any person engaged in said use and posting such notice on the premises.)

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(d) Inform the mayor or city council of all code violations and recommend specific courses of action with regard to such violations which are not being resolved through established zoning procedures.

(e) Maintain a file of code violations and action to be taken on such violations.

(f) Upon authorization in the matrix of any zoning district, the **Community Development Director**, Zoning Administrator, **or their designee**, shall approve a conditional use permit if reasonable conditions can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards in which a conditional use permit is required by the use regulations of that zoning district or elsewhere in these ordinances.

### **6.13 Minimum Parking Requirements**

Shared parking. The **Community Development Director**, Zoning Administrator, **or their designee** may authorize a reduction in the total number of required parking spaces for two or more uses jointly providing off-street parking when their respective hours of peak operation do not overlap. Shared parking shall be subject to the following conditions:

(1) Computation: The number of shared spaces for two or more distinguishable land uses shall be determined by the following procedure:

(a) Multiply the minimum parking required for each individual use, as set forth in Table 6.4 by the appropriate percentage indicated in Table 6.3 shared parking calculations, for each of the six designated time periods.

(b) Add the resulting sums for each of the six columns.

(c) The minimum-parking requirement shall be the highest sum among the six columns resulting from the above calculations.

(d) Select the time period with the highest total parking requirement and use that total as the shared parking requirement.

Other uses. If one or all of the land uses proposing to make use of shared parking facilities do not conform to the general land use classifications in Table 6.3, shared parking calculations, as determined by the **Community Development Director**, Zoning Administrator, **or their designee**, then the applicant shall submit sufficient data to indicate the principal operating hours of the uses. Based upon this information, the **Community Development Director**, Zoning Administrator, **or their designee** shall determine the appropriate shared parking requirement, if any, for such uses.

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Process. An application for shared parking shall be submitted on a form approved by the zoning administrator.

**Table 6.3 Parking Requirements**

Other Uses	
For any other use not specifically mentioned or provided for in this Section, the <b>Community Development Director</b> , Zoning Administrator, <b>or their designee</b> shall determine the standards to be applied	For parking, using as a guide the listed use which most closely resembles the use proposed.

## **7.5 Application**

- (1) The Planning Commission may authorize the **Community Development Director**, Zoning Administrator, **or their designee** to grant, attach conditions to, or deny conditional use permits, subject to such limitations or qualifications as are deemed necessary. The **Community Development Director**, Zoning Administrator, **or their designee** is also authorized to issue conditional use permits for family food production, the raising of animals and commercial uses in existing buildings, when appropriate, but may also defer any such application to the Planning Commission for its determination, in the sole discretion of the **Community Development Director**, Zoning Administrator, **or their designee**.
- (2) The **Community Development Director**, Zoning Administrator, **or their designee** shall send out the appropriate notification for all conditional use permits. If comments are received that indicate a concern about the proposed conditional use, the conditional use shall be sent to Planning Commission for its consideration.
- (3) The **Community Development Director**, Zoning Administrator, **or their designee** does not have authority to approve commercial conditional use permits requiring construction of new facilities or requiring exceptions or variances to the city ordinances and standards.
- (4) All applications for a conditional use permit shall include:
  - (a) The applicant's name, address, telephone numbers and interest in the property;
  - (b) The owner's name, address and telephone number, if different than the applicant, and the owner's signed consent to the filing of the application;
  - (c) The street address and legal description of the subject property;

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



- (d) The zoning classification, zoning district boundaries and present use of the subject property;
- (e) A vicinity map with North, scale and date, indicating the zoning classifications and current uses of properties within 500 feet of the boundaries of the subject property. When a conditional use permit will be considered by the Planning Commission, the application shall also include a current plat map showing the names and addresses of all property owners appearing on the tax rolls of the Tooele County Assessor within 500 feet of the boundaries of the subject property.
- (f) A plat or a survey of the parcel of land, lots block, blocks, or parts or portions thereof, drawn to scale, showing the actual dimensions of the piece or parcel, lot, lots, block, blocks, or portions thereof, according to the registered or recorded plat of such land;
- (g) The proposed title of the project and the names, addresses and telephone numbers of the architect, landscape architect, planner or engineer on the project;
- (h) A complete description of the proposed conditional use;
- (i) A plan or drawing drawn to scale of twenty feet to the inch (20' = 1 inch) or larger which includes the following information of the proposed use:
  - i. actual dimensions of the subject property;
  - ii. exact sizes and location of all existing and proposed buildings or other structures;
  - iii. driveways;
  - iv. parking spaces;
  - v. safety curbs;
  - vi. landscaping;
  - vii. location of trash receptacles; and
  - viii. drainage features and environmental features.
- (j) Traffic Impact Analysis;
- (k) A statement indicating whether the applicant will require a variance in connection with the proposed conditional use permit;

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(l) Envelopes, mailing labels and first class postage for all property owners located within 500 feet of the subject property when a conditional use permit will be considered by the Planning Commission: and

(m) Such other further information or documentation as the **Community Development Director**, Zoning Administrator, **or their designee** may deem to be necessary for a full and proper consideration and disposition of the particular application.

#### **7.6 Staff Report And Site Plan Report**

Once the Zoning Administrator has determined that the application is complete, a Staff Report evaluating the conditional use application shall be prepared by the **Community Development Director**, Zoning Administrator, **or their designee** and forwarded to the Planning Commission along with a Site Plan Review Report prepared by the **Community Development Director**, Zoning Administrator, **or their designee**.

#### **7.8 Determination**

(1) The Planning Commission, or upon authorization, the **Community Development Director**, Zoning Administrator, **or their designee**, 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 **Community Development Director**, Zoning Administrator, **or their designee** 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 **Community Development Director**, Zoning Administrator, **or their designee**. In authorizing any conditional use the Planning Commission or **Community Development Director**, Zoning Administrator, **or their designee** shall impose such requirements and conditions as are necessary for the protection of adjacent properties and the public welfare. The Planning Commission or **Community Development Director**, Zoning Administrator, **or their designee** 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 **Community Development Director**, Zoning Administrator, **or their designee** shall not authorize a conditional use permit unless the evidence presented is such as to establish:

#### **7.10 Effect Of Approval Of Conditional Use**

The approval of a proposed conditional use by the Planning Commission or the **Community Development Director**, Zoning Administrator, **or their designee** shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration or moving of any building or structure, but shall merely authorize the preparation, filing and processing of applications for any permits or approvals that may be required by the regulations of the City, including but not limited to a Building Permit, Certificate of Occupancy and subdivision approval.

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### **7.11 Appeals Of Decision**

Any person aggrieved by a decision of the Planning Commission regarding the issuance, denial or revocation or amendment of a conditional use permit, may appeal such decision to the City Council, whose decision shall then be final. All appeals to the City Council must be in writing and filed with the **Community Development Director**, Zoning Administrator, **or their designee** within thirty (30) days of the date of the decision appealed from. The decision of the City Council may be appealed to the District Court provided such appeal is filed within thirty (30) days of the decision of the City Council. Said appeal shall be filed with the **Community Development Director**, Zoning Administrator, **or their designee** and with the Clerk of the District Court.

### **7.12 Inspection**

(1) Following the issuance of a conditional use permit by the Planning Commission or the **Community Development Director**, Zoning Administrator, **or their designee**:

(a) The **Community Development Director**, Zoning Administrator, **or their designee** shall take in an application for approval of a building permit (if applicable), and shall insure that development is undertaken and completed in compliance with the conditional use permit, these ordinances, and the building codes.

(b) The **Community Development Director**, Zoning Administrator, **or their designee** shall make periodic inspections to ensure that compliance with all conditions imposed are being complied with. An Investigation Report will be issued to those who are out of compliance and if the discrepancy is not corrected in an allotted time, an Order to Show Cause will be issued for action by the Planning Commission.

### **7.14 Notification Required**

When the Planning Commission considers an application for a conditional use permit at the work meeting, notification shall be sent by mail to all landowners appearing on the tax rolls of Tooele County Assessor that adjoin the property or within an area that the Planning Commission or the **Community Development Director**, Zoning Administrator, **or their designee** deems to be impacted. It is the intent to make notification to all landowners or residents in the area that may be directly impacted by the conditional use action.

### **7.15 Amendment Of A Conditional Use Permit**

(1) Once granted, a conditional use permit shall not be enlarged, changed, extended, increased in intensity, or relocated unless an application is made to amend the existing permit, and approval is given by the Planning Commission, except as provided below:

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(a) The **Community Development Director**, Zoning Administrator, **or their designee** may administratively consider, approve, or disapprove modifications or changes which are consistent with the purpose and intent of this ordinance. In addition, such administrative determinations may be made only where the following conditions exist:

- i. All additions, modifications, or changes are determined not to have significant impact beyond the site.
- ii. Any decision of the **Community Development Director**, Zoning Administrator, **or their designee** may be appealed within 30 days to the Planning Commission.

(b) The Planning Commission may consider, approve with modifications, or disapprove amendments to a conditional use permit where the **Community Development Director**, Zoning Administrator, **or their designee** determines not to make an administrative determination as provided in (a) above and where the following requirements are met:

### **8.1 Home Occupations**

(2) The following activities shall be permitted as home occupations that only require the approval of the **Community Development Director**, Zoning Administrator, **or their designee**:

(4) Applications for home occupation permits shall be filed with the **Community Development Director**, Zoning Administrator, **or their designee**. The applications shall include the following information:

(5) Upon receipt of an application for a home occupation, the **Community Development Director**, Zoning Administrator, **or their designee** shall make a determination of the completeness. If the application is determined to be complete, the **Community Development Director**, Zoning Administrator, **or their designee** shall approve or deny the application, or forward it to the Planning Commission for a conditional use permit.

(6) The **Community Development Director**, Zoning Administrator, **or their designee** shall issue a permit for the home occupation if they finds that the:

(8) The Planning Commission, or the City Council, and **Community Development Director**, Zoning Administrator, **or their designee**, in the case of home occupations authorized by this chapter, may terminate any permit for a home occupation use upon making findings that support either or both of the following conclusions:

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

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(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 **Community Development Director**, Zoning Administrator, **or their designee**, 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.

### **9.2 Enforcement Of Landscape Requirements**

Whenever the submission and approval of a landscape plan is required by this Ordinance, such landscape plan shall be an integral part of any application for a building permit and occupancy permit. No permit shall be issued without City approval of a landscape plan as required herein. Failure to implement the approved landscape plan shall be cause for revocation of the occupancy permit. However, the requirements of this Chapter may be modified by the **Community Development Director**, Zoning Administrator, **or their designee**, on a case by case basis, in response to input from the City Police Department regarding the effects of required landscaping on crime prevention.

### **9.3 Landscape Plan**

(1) Except for the construction of detached single-family residences and two-family residences a landscape plan shall be required for any change in use, building additions or increases in occupancy. Such landscape plan shall be drawn in conformance with the requirements specified in this chapter. Landscape plans must be approved by the **Community Development Director**, Zoning Administrator, **or their designee** prior to issuance of a building permit. Landscape plans for planned unit developments or conditional uses, or other uses requiring site plan approval shall be reviewed and approved by the Planning Commission.

(2) Unless specifically waived by the **Community Development Director**, Zoning Administrator, **or their designee**, all landscape plans submitted for approval shall contain the following information:

(a) The location and dimensions of all existing and proposed structures, property lines, easements, parking lots and drives, roadways and rights-of-way, sidewalks, bicycle paths, ground signs, refuge disposal and recycling areas, bicycle parking areas, fences, freestanding electrical equipment, tot lots and

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other recreational facilities, and other freestanding structural features as determined necessary by the **Community Development Director**, Zoning Administrator, **or their designee**;

- (b) The location, quantity, size and name, both botanical and common names, of all proposed woody plant materials;
- (c) The location, quantity, size (where applicable) and name, both botanical and common names, of all proposed herbaceous plant material including ground cover, annuals/perennials and turf;
- (d) The location, quantity, size and name, both botanical common names, of all existing plant materials, including trees and other material in the parkway, and indicating plant material to be retained and removed;
- (e) The location of existing buildings, structures and plant materials on adjacent property within 20 feet of the site, as determined necessary by the **Community Development Director**, Zoning Administrator, **or their designee**;
- (f) Existing and proposed grading of the site indicating contours at two foot intervals. Proposed berthing shall be indicated using one-foot contour intervals;
- (g) Elevations of all fences and retaining walls proposed for location on the site;
- (h) Elevations, cross-sections and other details as determined necessary by the **Community Development Director**, Zoning Administrator, **or their designee**.

#### **9.4 Selection, Installation, And Maintenance Of Plant Materials**

(2) All landscaping materials shall be installed in accordance with the current planning procedures established by the American Association of Nurserymen. The installation of all plant material required by this Chapter may be delayed until the next optimal planting season, as determined by the **Community Development Director**, Zoning Administrator, **or their designee**. The owner of the premises shall be responsible for the maintenance, repair, and replacement of all landscaping materials and barriers, including refuse disposal areas, as may be required by the provisions of this Chapter. All landscaping materials shall be maintained in good condition so as to present a healthy, neat and orderly appearance, and plant material not in this condition shall be replaced when necessary and shall be kept free of refuse and debris. Fences, wall and hedges shall be maintained in good repair. Irrigation systems shall be maintained in good operating condition to promote the conservation of water.

#### **9.5 Parkway Landscaping**

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(1) The intent of these requirements is to maintain the appearance of parkways, protect the users of parkways, expand landscape design flexibility, accommodate drought tolerant design options and improve environmental conditions. The following requirements shall apply to all lots abutting parkways, the ground area within the street right-of-way situated between the back of curb (or edge of pavement) and the sidewalk. However, these requirements shall not apply to official beautification districts where exceptions to parkway standards are approved.

(2) All parkways shall be landscaped in conformance with the provisions of this Section. In general, this will involve improving the ground surface of the parkway with turf or other plant material, or hard surface treatments where permitted. Parkway trees shall be required and meet the following specifications:

- (a) Parkway trees shall be provided at the equivalent of not more than 30 feet apart in the right-of-way adjacent to the parcel;
- (b) Parkway trees may be clustered or spaced linearly in the right-of-way as determined appropriate by the Zoning Administrator;
- (c) Parkway trees shall have a minimum trunk size of two and one-half inches in caliper;
- (d) A variety of compatible species should be included in the planting plan for a specific site or development. The selecting of a tree species shall be reviewed and approved by the **Community Development Director**, Zoning Administrator, **or their designee**; and
- (e) The **Community Development Director**, Zoning Administrator, **or their designee** may waive or otherwise modify the requirements of this Section to better achieve the intent of this Section and address site specific conditions. This could also include requiring the planting of parkway trees on the lot adjacent to the right-of-way if adequate space is not available in the parkway.

#### **10.4.7 Manufactured Home And Manufactured Home Park Approval Procedures**

- 1) Approval Procedures.
  - a) Manufactured Home on a Lot of Record. A manufactured home may be established on a lot of record located in a zoning district allowing single-family residential dwelling units, upon a finding by the **Community Development Director**, Zoning Administrator, **or their designee** of compliance with all requirements of the applicable zoning district requirements and with a finding by the Building Official of compliance with the building codes of the City, as adopted.
  - b) Manufactured Home Park. A Manufactured Home Park may be considered and approved by Grantsville City as a Conditional Use in the RM-1 5 zoning district and by following the requirements for site plan approval, as provided by Chapter 11 herein, and compliance with all other applicable zoning,

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engineering, public improvement and construction standards and requirements and building codes of the City, as adopted.

c) Manufactured Home within a Manufactured Home Park. A manufactured home may be established on a lot within an approved Manufactured Home Park, upon a finding by the **Community Development Director**, Zoning Administrator, **or their designee** of compliance with all requirements of the applicable zoning district requirements and with a finding by the Building Official of compliance with the building codes of the City, as adopted.

### **11.3 Scope Of Modifications Authorized**

(1) The authority of the **Community Development Director**, Zoning Administrator, **or their designee** through the site plan review process to require modification of a proposed site development shall be limited to the following elements in order to achieve the objectives set forth below:

### **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 **Community Development Director**, Zoning Administrator, **or their designee** 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 **Community Development Director**, Zoning Administrator, **or their designee**;

(2) The **Community Development Director**, Zoning Administrator, **or their designee** may waive any of the above listed requirements upon making a determination that such requirements are unnecessary due to the scope and nature of the proposed development.

### **11.10 Procedures For Site Plan Review**

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- (1) Before filing an application for approval of a site development plan, landscape plan and other applicable plans, the applicant is encouraged to confer with the **Community Development Director**, Zoning Administrator, **or their designee**, City Planner, Chief of Police, Fire Department and Public Works Department regarding the general proposal. Such action does not require formal application fees, or filing of a site development plan, or landscape plan and is not to be construed as an application for formal approval. No representation made by the **Community Development Director**, Zoning Administrator, **or their designee**, or other city personnel or departments during such conference shall be binding upon the City with respect to an application subsequently submitted.
- (2) After the site plan, landscape plan, other applicable plans and related materials and fees have been submitted and the application has been determined by the **Community Development Director**, Zoning Administrator, **or their designee** to be complete, the application shall be reviewed and processed in coordination with the appropriate personnel and City departments. In considering and acting upon site plans, landscape plans and other applicable plans, the **Community Development Director**, Zoning Administrator, **or their designee** shall take into consideration the public health, safety, and welfare, the comfort and convenience of the public in general and of the immediate neighborhood in particular. If the plan is approved, the **Community Development Director**, Zoning Administrator, **or their designee**, shall certify approval on the site plan and state the conditions of such approval, if any. If the plan is disapproved, the **Community Development Director**, Zoning Administrator, **or their designee** shall indicate reasons in writing to the applicant. No permit may be issued by the **Community Development Director**, Zoning Administrator, **or their designee**, Building Inspector, or the Planning Commission without site plan approval.
- (3) Any appeal of the **Community Development Director**, Zoning Administrator, **or their designee**'s denial of a site plan shall be made to the Board of Adjustment, provided that such appeal is filed within 30 days from the date of such denial.
- (4) The action of the **Community Development Director**, Zoning Administrator, **or their designee** approving the application shall be noted on all copies of the site plan, landscape plan and other applicable plans to be retained in the record, including any changes or conditions required as part of the site plan approval. One such copy shall be returned to the applicant, and others retained as required for records or further action by the **Community Development Director**, Zoning Administrator, **or their designee** or other affected agencies of the City.
- (5) Building Permits shall be issued in accordance with approved plans. A copy of the approved site plan shall be retained in the records of the office of the Building Inspector and all buildings and occupancy permits shall conform to the provisions of said site development plans.
- (6) Amendments or modifications to approved site plans and/or landscape plans must be submitted to the **Community Development Director**, Zoning Administrator, **or their designee**. Such modifications shall

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be submitted in accordance with the procedures and requirements of this Chapter and shall be distributed to the appropriate City departments for review. The **Community Development Director**, Zoning Administrator, **or their designee** may waive this requirement where the **Community Development Director**, Zoning Administrator, **or their designee** has determined that such modification of the original site plan and/or landscape plan has no significant impact upon the original proposal and still remains in conformance with City standards and regulations.

(7) Approval of the site plan, landscape plan and other applicable plans shall be void unless a Building Permit, Conditional Use Permit or use of the land has commenced within 12 months from the date of approval. Upon request, re-validation of the site plan may be granted for an additional 12 months if all factors of the original site plan review are the same; provided, however, that written notice requesting re-validation must be received by the **Community Development Director**, Zoning Administrator, **or their designee** prior to expiration of the original 12-month period.

### **12.5 Application Procedure**

(A) (i) A written notification and explanation of any known easement or access issues affecting properties directly affected by or related to the proposed PUD District. The applicant shall provide a written update to the **Planning and Community Development Director**, Zoning Administrator, **or their designee** promptly upon learning of any easement or access issues after the application is submitted and at any point throughout the application and review process;

### **12.6 Effect Of PUD District Approval**

(3) Diligence. A PUD District approval shall automatically expire after any period of one year during which no building permit, certificate of occupancy, or preliminary or final subdivision or site plan approval is granted. Upon written request of the applicant, the one-year period may be extended by the Planning and Zoning Administrator for up to one year for good cause shown. The applicant may appeal a denial of an extension request to the City Council. After an extension has been granted by the **Planning and Community Development Director**, Zoning Administrator, **or their designee**, the City Council may further extend the expiration of a PUD District approval for good cause shown. Upon expiration, the zoning shall revert to the underlying zones, after the zoning change for commercial areas identified in this Chapter and Section 12.6(2), in effect at the time of approval of the PUD District without any development rights or entitlements persisting after reversion.

### **12.7 Appeals**

(1) Appeal of PUD District Application or Major Modification of PUD Development Plan. Any party aggrieved by the final decision of the City Council regarding a PUD District application or a major modification of a PUD Development Plan may appeal such decision to the City's Land Use Hearing Officer, whose decision shall then be final. All appeals to the City's Land Use Hearing Officer shall be in

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writing and filed with the **Community Development Director**, Zoning Administrator, **or their designee** within thirty (30) days of the date of the decision appealed from and prior to any further consideration by the City of a subsequent step in the PUD Application or subsequent approval processes, provided the appellant (i) first present any and all information to the land use authority which it intends to raise before the appeal authority, (ii) presents to the designated appeal authority every theory of relief that it can raise in District Court, and (ii) does not present new information not previously presented to the land use authority. Only the final decision of the City's Land Use Hearing Officer with respect to the PUD District application may be appealed to the District Court, provided such appeal is filed within thirty (30) days of the decision of the City Council. Said appeal shall be filed with the City Recorder and with the Clerk of the District Court. The City's Land Use Hearing Officer shall be qualified in law or a related field and have relevant expertise as reasonably determined by the City Council, and be appointed by the City Council.

(2) Appeal of Site Plan and Subdivision Plats. Appeals of site plan and subdivision plat applications shall be made in accordance with those applicable sections of GLUDMC.

(3) Other Appeals. Appeals of any other final actions made by City staff or the Planning Commission not otherwise addressed may be appealed to the City Council by filing a written appeal with the **Community Development Director**, Zoning Administrator, **or their designee** within thirty (30) days of the date of the decision appealed from.

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

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

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

(1) Permanent commercial operations are those that supply materials to the public on a continual basis. A permanent commercial operation may be approved by the **Community Development Director**, Zoning Administrator, **or their designee** with the minimum requirements. If it is determined by the **Community Development Director**, Zoning Administrator, **or their designee** that the minimum requirements do not adequately mitigate potential or actual impacts to surrounding properties, it shall then be submitted to the planning commission. All commercial pit operations shall work under an approved five-year operation plan. Upon expiration of the previous plan, a new five-year plan shall be submitted, otherwise closure and reclamation operations shall begin within six months. The conditional use permit shall remain in effect until such time that full reclamation has been made on the site.

(2) Temporary project specific operations supply material for specific projects, the termination of which shall also terminate the conditional use permit and the use of the pit. A temporary project may be approved by the **Community Development Director**, Zoning Administrator, **or their designee** with the

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minimum requirements. If it is determined by the **Community Development Director**, Zoning Administrator, **or their designee** that the minimum requirements do not adequately mitigate potential or actual impacts to surrounding properties, it shall then be submitted to the Planning Commission. A temporary project shall be allowed to operate for a period up to six months and may be extended in six-month intervals for a period not to exceed two years. It is the responsibility of the land owner or operator to make application for an extension before the expiration of the current permit. Once the project is completed, the owner or operator shall begin closure and reclamation operations within six months.

#### **16.7.2 Operation Categories**

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

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

#### **17.3 Codes And Symbols And Use Table 17.1**

- (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. A conditional use that can be issued by the **Community Development Director**, Zoning Administrator, **or their designee** by guidelines issued by the Planning Commission is indicated by a "CA" 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, "-".

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." 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.

### **19.5 Construction Within Floodways And Floodplains Restricted**

(1) No subdivision, planned unit development, building permit or conditional use permit shall be issued for any development within a floodplain until the **Community Development Director**, Zoning Administrator, **or their designee** has reviewed the plans of the development to assure that:

### **20.3 Classification Of Signs**

Every sign erected or proposed to be erected within the City shall be classified in accordance with the definitions of signs contained in this chapter. Any sign which does not clearly fall within one of the classifications shall be placed in the classification which the sign, in view of its design, location and purpose, most clearly approximates by the **Community Development Director**, Zoning Administrator, **or their designee**.

### **20.4 General Requirements**

(2) Permits: The approval of the City shall be evidenced by a permit issued by the **Community Development Director**, Zoning Administrator, **or their designee**.

### **20.5 Violation And Remedies**

It is unlawful to erect or maintain a sign contrary to the provisions of this chapter. If a sign is erected or maintained in violation of this chapter, the City may:

(1) Order the correction of the defect within ten (10) days from the date a notice is sent by the **Community Development Director**, Zoning Administrator, **or their designee** so long as the correction of the defect will bring the subject sign into compliance with the provisions of this Chapter; but

(2) If the violation cannot be brought into compliance with this Chapter, the subject sign shall be removed within ten (10) Days the date a notice is sent by the **Community Development Director**, Zoning Administrator, **or their designee** at the expense of the owner of the sign.

### **21.2.3 Zoning Administrator To Determine A Complete Application**

The **Community Development Director**, Zoning Administrator, **or their designee** shall determine if an application is complete and contains all required materials as required by this chapter.

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#### **21.2.4 Lack Of Development Application Information - A Determination Of An Incomplete Application**

- (1) The omission of any information required by this Chapter or the applicable checklists of the City for a complete application, or improper, illegible, or incomplete information supplied by the applicant, shall be cause for the **Community Development Director**, Zoning Administrator, **or their designee** to find the application incomplete.
- (2) The City will not accept fees for an application until the **Community Development Director**, Zoning Administrator, **or their designee** determines the application to be complete. An application may not move forward for review and consideration until the application is complete and all application fees have been paid.

#### **21.2.5 Appeal Of Zoning Administrator's Determination Of Completeness**

Any person aggrieved by a decision of the zoning administrator in a determination of a complete application may appeal the **Community Development Director**, Zoning Administrator, **or their designee**'s decision in writing within 30 days of the zoning administrator's decision to the Planning Commission.

#### **21.2.10 Development Review Committee**

- (4) The DRC consists of the **Community Development Director**, Zoning Administrator, **or their designee**, city planner, city public works director, city engineer, fire marshal, a planning commission representative, and the city attorney.

#### **21.3.3 Lot Line Adjustments**

- (1) The owners of record of adjacent parcels that are described by either a metes and bounds description or a recorded plat, may exchange title to portions of those parcels, if the exchange of title is approved by the **Community Development Director**, Zoning Administrator, **or their designee** in accordance with Subsection 21.3.3(2). The **Community Development Director**, Zoning Administrator, **or their designee** is designated as the land use authority for the purpose of reviewing and approving boundary line adjustments pursuant to the provisions of this subsection and Utah Code Ann. Section §10-9a-608(7) .
- (2) The **Community Development Director**, Zoning Administrator, **or their designee** shall approve an exchange of title under Subsection 21.3.3(1) if no new dwelling lot or housing unit will result from the exchange of title; and the exchange of title will not result in a violation of any land use ordinance.
- (3) If an exchange of title is approved under Subsection 21.3.3(2):
  - (i) a notice of approval shall be recorded in the office of the county recorder which:

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- (A) is executed by each owner included in the exchange and by the **Community Development Director**, Zoning Administrator, **or their designee**;
- (B) contains an acknowledgment for each party executing the notice in accordance with the provisions of Utah Code Ann. §57-2a , Recognition of Acknowledgments Act;
- (C) recites the descriptions of both the original parcels and the parcels created by the exchange of title and
- (D) contains a certificate of approval by the City, signed by the **Community Development Director**, Zoning Administrator, **or their designee** and attested by the City Recorder.

#### **21.4.5 Preliminary Plat Application**

- (1) The requirements for a Preliminary Plat and Infrastructure Design Application are detailed in the Preliminary Plat checklist that is attached to the Preliminary Plat Application that shall be provided by the City upon request. The Preliminary Plat requirements found on the checklist and subsequent amendment to the checklist have been approved by the Grantsville City Council by resolution.
- (2) After the applicant or authorized representative submits an application that has been determined by the **Community Development Director**, Zoning Administrator, **or their designee** to be complete per section 21.2.2, 21.2.3 and 21.2.4 of this Chapter, and all required fees have been paid by the applicant, a DRC review will commence following the requirements found in Section 21.2.10 of this Chapter. Once the Applicant has received the review comments, a development review conference may be scheduled at the request of the and with members and with members of the DRC. Representatives of affected entities such as the county health department, Recorder, and any other private or public body that has jurisdiction or an interest in providing public or utility services to the subdivision shall be allowed to review the application provide comments within the required review period.
- (3) After receiving the review comments, the applicant shall submit to the **Community Development Director**, Zoning Administrator, **or their designee** all corrected documents requested by the DRC. When the DRC determines that all of the corrections have been completed and necessary documentation has been submitted, the application shall move forward for consideration by the necessary body as outlined in 21.4.2.

#### **21.4.7 Final Plat Stage Application**

- (1) Within six months of preliminary plat stage approval or within an approved six-month extension, a complete application for the final plat and engineering design stage of a major subdivision shall be submitted to the **Community Development Director**, Zoning Administrator, **or their designee**. A final plat application may not be submitted if a Development Agreement or Amendment to a Development Agreement is deemed necessary as part of the preliminary plat process is still under consideration.

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(2) The requirements for a Final Plat Application are detailed in the Final Plat Checklist that is attached to the Final Plat Application that shall be provided by the City upon request. The Final Plat requirements found on the checklist and subsequent amendments to the checklist have been approved by the Grantsville City Council by resolution.

(3) After the applicant or authorized representative submits an application that has been determined by the **Community Development Director**, Zoning Administrator, **or their designee** to be complete per Section 21.2.2, 21.2.3 and 21.2.4 of this Chapter, and all required fees have been paid by the applicant, a DRC review will commence following the requirements found in Section 21.2.10 of this Chapter. Once the Applicant has received the review comments, a development review conference may be scheduled at the request of the and with members of the DRC. Representatives of affected entities such as; county health department, county recorder, and any other private or public body that has jurisdiction or an interest in providing public or utility services to the subdivision shall be allowed to review the application and provide comments within the required review period.

(4) After receiving the review comments the applicant shall submit to the **Community Development Director**, Zoning Administrator, **or their designee** all corrected drawings, design reports and other documents requested by the DRC, meeting the requirements of Utah Code Ann. 10-9a-604.2. If necessary, due to changes in design or estimates being more than 6 months old a new cost estimate of off-site infrastructure improvements shall also be submitted. The review process outlined in 21.2.10(6) of this chapter may occur up to three additional times, only as necessary, before moving forward for consideration. The review comments shall identify each deficiency in the application, including the engineering drawings and plans, and reference the code or standards which govern the requirements. Prior to the DRC advancing a Final Plat application for approval, all review comments shall be addressed by the Applicant in writing, including references to the codes, standards, and application components which satisfy those codes and standards. When the DRC determines that all of the corrections have been completed and necessary documentation has been submitted, the application shall move forward for consideration by the necessary body as outlined in 21.4.2.

#### **21.4.8 Appeals**

The applicant or developer that has submitted a subdivision or development to the City under this Chapter, may appeal any decision made by the **Community Development Director**, Zoning Administrator, **or their designee** or planning commission regarding the proposed subdivision to the Hearing Officer council, whose decision shall then be final. Any such decision appealed from shall be presented to the city recorder in writing within 30 days after the entry of the decision appealed from. The Hearing Officer council shall consider the appeal within 60 days of receipt of the written appeal.

#### **21.8.1 Vacating Or Changing A Subdivision Plat**

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(8) The owners of record of adjacent parcels that are described by either a metes and bounds description or a recorded plat, may exchange title to portions of those parcels, if the exchange of title is approved by the Zoning Administrator in accordance with this Subsection. The **Community Development Director**, Zoning Administrator, **or their designee** is designated as the land use authority for the purpose of reviewing and approving boundary line adjustments pursuant to the provisions of this subsection and Utah Code Ann. Section §10-9a-608. The **Community Development Director**, Zoning Administrator, **or their designee** shall approve an exchange of title under this Subsection if no new dwelling lot or housing unit will result from the exchange of title; and the exchange of title will not result in a violation of any land use ordinance. If an exchange of title is approved under this Subsection, a notice of approval shall be recorded in the office of the county recorder which is executed by each owner included in the exchange and by the **Community Development Director**, Zoning Administrator, **or their designee**, contains an acknowledgment for each party executing the notice in accordance with the provisions of Utah Code Ann. §57-2a, Recognition of Acknowledgments Act, recites the descriptions of both the original parcels and the parcels created by the exchange of title and contains a certificate of approval by the City, signed by the **Community Development Director**, Zoning Administrator, **or their designee** and attested by the City Recorder. A conveyance of title reflecting the approved change shall be recorded in the office of the county recorder. A notice of approval recorded under this subsection does not act as a conveyance of title to real property and is not required for the recording of a document purporting to convey title to real property.

#### **24.4 SLD Application**

(1) The applicant shall submit an application to **Planning and Community Development Director**, Zoning Administrator, **or their designee** for review by the city staff. The SLD application will consist of an application form, fee (contained in the City's Fee Schedule), a Boundary Survey (or Record of Survey) attached to a Deed as an Exhibit, an electronic .pdf file of the drawings including a site plan drawing showing the following and other information as requested by the city;

#### **24.5 Application Review**

(1) The application shall be reviewed by the **Planning and Zoning Administrator (Administrator)** **Community Development Director, Zoning Administrator, or their designee** and other city staff as the **Community Development Director** deems necessary.

(2) The City shall provide comments in no more than 14 business days from the date that the City has determined the application is complete and the fees have been paid.

(3) The Administrator shall review the application for compliance with the applicable land use and zoning ordinances. The City Engineer shall review the construction plans and determine compliance with the engineering and surveying standards and criteria set forth in this title and all other applicable ordinances of the city and the state.

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- (4) The Administrator may approve the SLD if the application fully complies with the applicable land use ordinances and is found by the City Engineer to comply with the improvement standards required by this title and if all easements are correctly described and located.
- (5) If the SLD application complies, the signed and notarized Deed with the attached Exhibit of Survey and Site Plan shall be signed by the Grantsville City Mayor, **Planning and Community Development Director**, Zoning Administrator, **or their designee** and City Engineer. The applicant shall then record the document with the Tooele County Recorder.
- (6) Once the SLD Application is approved, the developer's engineer shall prepare an estimate of the construction costs for all proposed public improvements.

- (7) If the SLD application or the construction plans do not comply, the **Administrator Community Development Director, Zoning Administrator, or their designee** shall return the plans to the applicant with comment. Once all application requirements have been met, redline corrections made, revised plans submitted, fees paid and bond posted, a building permit may be obtained.

#### **24.8 Appeals**

- (1) The applicant that has submitted an application to the City under this Chapter, may appeal any decision made by the **Planning and Community Development Director**, Zoning Administrator, **or their designee**, or planning commission regarding the proposed SLD to the City Council, whose decision shall be final. Any such decision appealed from shall be presented to the City Recorder in writing within 30 days after the entry of the decision appealed from. The City Council shall consider the appeal within 60 days of receipt of the written approval.

#### **25.2.1 Internal ADU Provisions**

1. The entrances to ADUs shall be to the side or rear of the primary dwelling or ADU.
2. Front access or entry into an IADU shall be reviewed by the **Planning and Community Development Director**, Zoning Administrator, **or their designee**.

#### **25.2.4 Accessory Dwelling Units**

13. Temporary Absentee Ownership:
  - a. Temporary absentee property ownership may be allowed due to circumstances, such as military assignments, employment commitments, family obligations and quasi-public service.
  - b. Notwithstanding the foregoing, the maximum time period allowed for temporary absentee property ownership shall not exceed twelve (12) months. In the event such temporary absentee property ownership occurs, the property owner may rent both the ADU and the primary dwelling to unrelated third parties as defined herein.

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

#### **25.2.7 Parking**

3. The **Community Development Director**, Zoning Administrator, **or their designee** shall review all ADU site plans to determine the required number of parking stalls required for the ADU.

#### **25.2.15 Appeals**

1. The applicant who has submitted an application to the City under this Chapter may appeal any decision made by the **Community Development Director**, Zoning Administrator, **or their designee** or Planning Commission regarding an ADU to the Grantsville City Board of Adjustment. Any decision issued by the Board of Adjustment shall be final.

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# **AGENDA ITEM #7**

Consideration of a proposed amendment to  
the Grantsville City Land Use and  
Management Code, Chapter 20 Sign  
Regulations.

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## **STAFF REPORT**

**TO:** Planning Commission

**FROM:** Bill Cobabe, Community Development Department

**MEETING DATE:** October 2, 2025

**PUBLIC HEARING DATE:** October 2, 2025

**RE:** Consideration of Amendment to the Sign Ordinance (Chapter 20)

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## **Background**

The Code from time to time needs revision to address the changing nature of our departments, the need to clarify some points in the Code, and to provide additional regulations to more closely align with the values and goals of the City. The proposed changes are outlined in detail in the report below and in the subsequent attachments. Please note that the changes in the Code are noted with **additions in green and bold** and **deletions are red and strikethrough**.

---

## **Proposed Amendments**

(Please refer to the attached documents for the full text of the proposed Code changes).

### **Chapter 20. Sign Regulations**

The changes to the Sign Regulations are summarized as follows:

- Definition for “Billboard” has been modified to state “regardless of size”
- Definition for “Disrepair” has been modified to create an exact replacement value.
- Definition for “Building Face” has been modified to include solid walls and roof.
- Definition for “Entry Sign Feature” has been modified to note that they are permanent, decorative elements and not temporary directional signage.
- Definition for “Erect” has been changed to put in the 50% value for triggering the permitting requirements.
- Definition for “Snipe Sign” was added.
- A requirement was added for moveable signs to limit the distance they may be placed in the sidewalk.
- Roof signs are allowed only by permit after verification for safety and feasibility.

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- Floating sign regulations revised to include being anchored, a maximum length, and not permitted near powerlines/other utilities.
- Illumination requirements revised to include language for Dark Sky compliance.
- Clear View Triangle regulations revised to 30' (not 25').
- Allowance for any/all signs on utility poles is restricted.
- Monument sign regulations are set forth and examples are provided.
- Freestanding sign regulations are set forth and examples are given.
- Provisions for allowing the Planning Commission to permit signs exceeding the allowances in the Code are removed.
- Use Table revisions are made, eliminating the requirements for conditional use permits.
- Section 20.14 is added in its entirety, addressing enforcement and abatements. Note that the last provision (Section 20.14 (8)) brought the following note from our City Attorney:

The Enforcement section (8) may expose the City to some level of liability for removing signs in an inconsistent manner authorizing any City employee to remove illegal signs they become aware of, I could see liberties being taken that may not be clear violations, and I would suggest using some qualification for the authority, perhaps "Authorize any employee of the City to remove illegal signs." This way the Zoning Administrator would need to give the authorization prior to removal.

This is something we can discuss at the Planning Commission meeting.

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## **Staff Analysis**

- The proposed changes are in furtherance of the City's stated goals and policies and reflect recent staffing changes in the City.

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## **Attachments**

### **Attachment 1: Proposed Changes to Chapter 20: Sign Regulations**

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## Attachment 1: Proposed Changes to Chapter 20: Sign Regulations

### Chapter 20 Sign Regulations

#### **20.1 Purpose**

The purpose of the sign regulations set forth in this chapter is intended to:

- (1) Eliminate potential hazards to motorists and pedestrians by requiring that signs are designed, constructed, installed and maintained in a manner that promotes the public health, safety and general welfare of the citizens of the City of Grantsville;
- (2) Encourage signs which, by their design, are integrated with and harmonious to the buildings and sites, including landscaping, which they occupy;
- (3) Preserve the appearance of the City as a place in which to live and to work, and create an attraction to nonresidents to come to visit or trade;
- (4) Allow each individual business to clearly identify itself and the nature of its business in such a manner as to become the hallmark of the business which will create a distinctive appearance and also enhance the City character.
- (5) Safeguard and enhance property values, and protect public and private investment in buildings and open space.

#### **20.2 Definitions**

**Notwithstanding other definitions found in the Code**, the following words and phrases whenever used in this chapter shall be construed as defined in this section. **If there is a conflict between the different portions of the Code, the definitions and provisions in this Section shall govern. Words not defined shall have the meanings found in accepted reference manuals, published online in reasonably acceptable websites, or in industry-standard publications or materials.**

- (1) A-FRAME SIGN: Any sign or structure composed of two (2) sign faces mounted or attached back to back in such a manner as to form a basically triangular vertical cross section through the faces.
- (2) ANIMATED SIGN: Any sign which is designed and constructed to give its message through the flashing of or rotation of lights or figures.
- (3) APPURTEnant SIGN: See definition of On Premises Sign ~~Or Appurtenant Sign~~.
- (4) BANNER: A flexible sign characteristically supported by two (2) or more points. It is generally made of fabric or other nonrigid materials with no enclosing frame. Flags supported by one point are considered banners.

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(5) BILLBOARD: A freestanding ground sign, **regardless of size**, located on real property that is designed and intended to direct attention to a business, product, service or message that is not sold, offered or existing on the property, nor specific to the property where the property sign is located.

(6) BUILDING FACE: The visible outer surface (**façade**) of an exterior wall of a building. The area of the face of the building shall be the total area such surface, including **the solid walls (including parapet or projecting walls), roof**, doors, and windows.

(7) CANOPY: See definition of Marquee.

(8) DISREPAIR: A sign shall be considered in disrepair when it fails to be in the same form as originally constructed, or when it fails to perform its intended function of conveying a message, **or when it reaches the point of a reduced value of over 50% of the value of the replacement cost**. Conditions shall include, but not be limited to:

- (a) Structural pole or support failure.
- (b) Signs not being held vertically or as originally constructed.
- (c) Borders falling off or already removed.
- (d) Panels missing or falling off.
- (e) Message falling off or in disrepair such that it cannot be interpreted by the motoring public.
- (f) Signs that are overgrown by trees or other vegetation.

(9) ELECTRONIC MESSAGE CENTER: A sign with changeable copy that is controlled electronically via a remote programming device.

(10) ENTRY FEATURE SIGN: A sign that is placed at the entrance of a subdivision or other residential or commercial project as part of a distinct architectural or landscape feature that identifies the project and displays the project name. **Entry feature signs are permanent, decorative elements, as distinct from other directional, real estate, or informational signs which are designed to be temporary in nature and which will eventually be removed.**

(11) ERECT: To build, construct, place, relocate, enlarge, substantially alter, attach, suspend, paint, post or display. Normal maintenance, including refinishing, **not to exceed 50% of the value of the sign**, is not included in this definition, provided the use of the sign is not changed or altered.

(12) FLOATING SIGN: Any inflatable or floating sign or advertising device that is affixed to or displayed at a place of business. Examples are blimps, hot air balloons, and inflatable figures.

(13) FREESTANDING SIGN: Any sign that is standing on or erected into the ground. Such signs are usually, but not necessarily, supported from the ground by one or more poles or posts or similar uprights, with or without braces. Any sign which is mounted into the ground, but has the supports to any portion of the roof of a building or structure, shall be considered to be a roof sign.

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(14) FRONTAGE: The length of the sides along the street or any other principal public thoroughfare, but not including such length along an alley, watercourse, railroad, street or thoroughfare with no permitted access.

(15) LOGO SIGNS: Any sign whose single feature is a reproduction of the common recognized logo of the company and/or product.

(16) MARQUEE: Any permanent roof like structure projection beyond a building or wall, generally designed and constructed to provide protection from the weather.

(17) MONUMENT SIGN: Any on premises sign which is mounted directly to the ground having a foundation or pedestal that is at least sixty percent (60%) of the width of the actual sign structure and meeting the standards for height set for monument signs.

(18) MOVABLE, FREESTANDING SIGN: Any sign not affixed to or erected into the ground.

(19) OFF PREMISES SIGN OR NONAPPURTEnant SIGN: Any sign which advertises products, development projects, services, or business establishments which are not located, conducted, manufactured or sold upon the same premises upon which the sign is erected.

(20) ON PREMISES SIGN OR APPURTEnant SIGN: Any sign which advertises products, services, development projects, or business establishments which are located, conducted, manufactured or sold upon the same premises on which the sign is erected.

(21) OUTDOOR ADVERTISING SIGN: See definition of On Premises Sign Or Appurtenant Sign.

(22) PROJECTING SIGN: Any sign attached to a building or structural wall and extending horizontally outward from such wall more than eighteen inches (18").

(23) PUBLIC EVENT BANNER: A banner pertaining to festivals or events which is installed as a temporary sign. Installation of banners across SR-138 and SR-112 are generally not permitted without special permission of UDOT and the Grantsville City Council.

(24) PUBLIC INFORMATION SIGN: Signs presenting travel information and signs concerning historic and scenic sites, public recreation facilities, miscellaneous instructions and warnings.

(25) READER BOARD: A sign with manually changeable copy such as gas station prices, school events, etc.

(26) REAL PROPERTY: Land or real estate, with or without structures; not goods or services.

(27) RESIDENTIAL ZONE OR DISTRICT: Any zone that is zoned as residential under Utah State law and the Grantsville City Land Use Management and Development Code.

(28) ROOF SIGN: Any sign which is erected upon or over the roof or over a parapet of any building or structure.

(29) SCENIC BYWAY: A road that possesses outstanding scenic, recreational, historical, educational, scientific or cultural values or features. The designation can be made by federal or state agencies.

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(30) SIGN: Any words, lettering, parts of letters, figures, numerals, phrases, sentences, devices, designs, pictures, trade names or trademarks by which anything is made known, such as are used to designate a firm, association, corporation, profession, business or service, whether placed on the ground, rocks, trees, stumps, or other natural objects, or on a building, wall, roof, frame, support, fence or other manmade structure, which are visible from any public street, public highway or public road right of way. For the purpose of this chapter, the word "sign" does not include the flag, pennant or insignia of any nation, state, City or other political unit, or of a nonprofit organization. It shall not include, further, any official notice issued by any court, public body or officer, or directional, warning or informational sign or structure required or authorized by law.

(31) SIGN AREA: The area of a sign that is used for display purposes, excluding the minimum frame and supports. In computing sign area, only one side of a double faced sign covering the same subject shall be computed. For signs that do not have a frame or a separate background, sign area shall be computed on the basis of the least rectangle, triangle or circle large enough to frame the display on one face. An electronic message center will be included in calculation of overall sign area.

**(32) SNIPE SIGN: Snipe signs, also known as bandit signs, are temporary, off-premises signs affixed to poles or by wire stakes to the ground in the public right-of-way or private property, and are used to advertise services, events, or businesses. This definition does not include political or candidate signs used during elections.**

~~(32)~~ (33) TEMPORARY: A period not to exceed six (6) months.

~~(33)~~ (34) TIME AND TEMPERATURE DEVICE: Any mechanism that displays the time and/or temperature, but does not display any commercial advertising or identification.

~~(34)~~ (35) WALL SIGNS: Any sign posted, or painted upon, suspended from, or otherwise affixed to a wall, fascia, canopy, or marquee of a building located on the site to which the sign pertains.

~~(35)~~ (36) WIND SIGNS: Any propeller, whirligig or similar commercial device which is designed to flutter, rotate or display other movement under the influence of wind. This definition shall not include pennants, flags or banners.

### **20.3 Classification Of Signs**

Every sign erected or proposed to be erected within the City shall be classified in accordance with the definitions of signs contained in this chapter. Any sign which does not clearly fall within one of the classifications shall be placed in the classification which the sign, in view of its design, location and purpose, most clearly approximates by the zoning administrator.

### **20.4 General Requirements**

The following general requirements shall apply to all signs and outdoor advertising structures which may be erected or maintained within the City.

(1) Sign Approval: Except as otherwise provided, it shall be illegal to erect or maintain any sign or outdoor advertising structure in the City without first obtaining the approval of the City for said sign or advertising structure, the granting of which shall be based upon the provisions of this chapter. Approval shall not be required for temporary nonelectrical wall signs less than six (6) square feet in area.

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(2) Permits: The approval of the City shall be evidenced by a permit issued by the Zoning Administrator.

(3) Animated Signs: No strobining, flashing, or rotating signs are permitted.

(4) Sound Or Emissions: No sign shall be designed for the purpose of emitting sound, smoke, or steam.

(5) Movable And Temporary Freestanding Signs: Except as otherwise provided in this chapter, all signs mounted or painted upon vehicles or trailers which are parked in any location for the purpose of calling attention to or advertising a person, place or thing. "Temporary" shall be construed to mean a period not to exceed thirty (30) days. Movable A-frame signs displaying a menu or special message in front of a place of business to be displayed during open hours of the business may be approved subject to a maximum size of thirty inches by thirty-six inches (30" x 48"). Such signs require a permit and must be stored inside the place of business when not in use and shall not obstruct sidewalks or streets, **and must be kept within three feet (3') of the business storefront to prevent sidewalk clutter.**

(6) Off-Premises Billboard Signs And Off-Premises Outdoor Advertising Structures: Off premises billboard signs and off premises outdoor advertising structures are not permitted in any location within the City of Grantsville. This does not include traffic and directional signs.

(7) Roof Signs: Roof signs may be permitted upon approval of a design **by the Community Development Director, Zoning Administrator, or designee** which hides all supporting members. Roof sign area will be included in the total allowed wall sign area for the wall over which the roof sign is erected. Roof signs **are not permitted by right require a permit from the Community Development Director, Zoning Administrator, or designee who may consult with building officials/inspectors to verify the safety and feasibility of any roof sign.**

(8) Canopy Signs: Signs painted on or affixed to canopies which are part of the building shall be considered part of the total allowed area of wall signs for the wall from which the canopy projects. Signs painted on or affixed to canopies which are freestanding shall be considered part of the total allowable area of freestanding signs for that use. Signs suspended under canopies (marquees) which project over public rights of way shall be limited to six (6) square feet. Signs with changeable copy (reader boards) located on marquees of theaters or similar public assembly uses may combine the total allowable area for all building faces as permitted by the City so long as there are no wall signs placed upon building faces other than the face to which the marquee is attached.

(9) Banner Signs: Banner signs will be permitted under the following conditions:

(a) Sign must be mounted or displayed on the face of a building or affixed to supporting poles or on a permanent fence in such a manner as to prevent displacement by wind or other cause. Location of banner sign must be such that safe sight distances are maintained for pedestrian and vehicular traffic.

(b) Sign may not be larger than one hundred (100) square feet.

(c) For grand opening promotions, banner signs may be displayed for sixty (60) consecutive days (only 1 such display per business location **-license**).

(d) For new businesses without permanent signs, a banner sign may be permitted for up to six (6) months. One six (6) month extension may be granted by the planning commission.

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- (e) For bankruptcy or going out of business promotions, banner signs may be displayed for sixty (60) days (only One (1) such display per business license).
- (f) For all other sales and events, banner signs may be displayed for a maximum of thirty (30) days per quarter (a three (3) month period).
- (g) Banner signs which become tattered, worn, or in a state of disrepair must be immediately removed, regardless of time limits. However, a replacement banner sign with the same message may be erected for the remainder of the time limit.

(10) Floating Signs: Such signs may be permitted as a temporary use for special events, sales, or similar occasions for a time period not exceeding twenty one (21) days. One such twenty one (21) day period may be approved in each three (3) month period. **Floating signs must be securely anchored in such a manner that they cannot become detached from their mooring point or anchor. Floating signs may float at the end of a tether no longer than 35' in length. Floating signs are not permitted where they may interfere with roadways, powerlines, or other utilities.**

(11) Illumination: Lighting fixtures used to illuminate any sign shall be mounted on the top of the sign structure and shielded to prevent the emission of light beyond the sign. **Further, all signage shall be constructed to comply with the standards and requirements outlined in the Dark Sky International guidelines. Generally speaking, this means that light trespass is prohibited, signage must dim to lower levels at night, light sources (other than electronic message centers and lighted reader boards) must be shielded to obscure the lighting source (downlighting or back lighting), and electronic message centers and lighted reader boards shall have automatic dimming features and controls.**

(12) Location: No sign shall be constructed or erected in such a location or manner that it obstructs or unreasonably interferes with an existing sign.

#### **20.5 Violation And Remedies**

It is unlawful to erect or maintain a sign contrary to the provisions of this chapter. If a sign is erected or maintained in violation of this chapter, the City may: (1) Order the correction of the defect within ten (10) days from the date a notice is sent by the Zoning Administrator so long as the correction of the defect will bring the subject sign into compliance with the provisions of this Chapter; but

- (2) If the violation cannot be brought into compliance with this Chapter, the subject sign shall be removed within ten (10) Days the date a notice is sent by the Zoning Administrator at the expense of the owner of the sign.
- (3) If the owner of the sign contests the order of the City, the remedy shall be an appeal to the Grantsville Board of Adjustment.
- (4) If the owner of the sign fails or refuses to remove the subject sign at the order of the City, the City may remove the sign at any time after the owner thereof exhausts their administrative remedies in relation thereto, unless otherwise ordered by a court of law. Removal by the City shall be at the expense of the owner, and the City may obtain judgment against the owner in an amount equal thereto, together with reasonable attorney fees and costs.

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## **20.6 Exceptions**

This chapter shall have no application to signs used exclusively for:

- (1) The display of official notices used by any court or public body or official, or the point of notices by any public officer in the performance of a duty, or by any person giving legal notice.
- (2) Directional, warning, or informational signs of a public or semi-public nature erected and maintained by an official body or public utility.
- (3) Any official flag, pennant or insignia of any nation, state, city or other political unit.

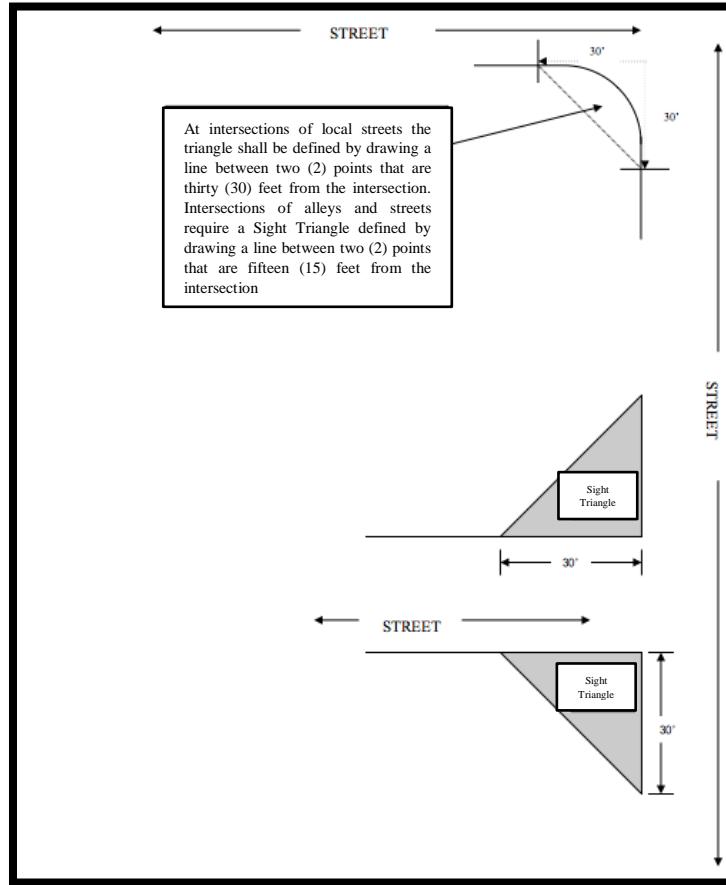
## **20.7 Locations And Standards**

All signs and outdoor advertising structures shall comply with the following location requirements:

- (1) Not Obstruct, Interfere: No sign shall be erected in such a manner that any portion of the sign or its support will interfere with the use of any fire escape, exit or standpipe, or obstruct any required stairway, door, ventilator or window. No sign or its support shall create a visual obstruction nor obstruct sidewalks or streets.
- (2) Sight Triangle: No freestanding or projecting sign shall be erected at any intersection improved for vehicular traffic within a triangular area formed by the property lines and their projections and a line connecting them at points ~~twenty five feet (25')~~ thirty feet 30' from the ~~an~~ intersection of and eight feet (3') above the curb grade, or said sign is within an area in which a building or structure is permitted by the provisions of the respective zone.

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(3) Utility Clearance: No sign shall be erected or maintained which has less horizontal or vertical clearance from communication lines and energized electrical power lines than that prescribed by the laws of the state or rules and regulations duly promulgated by agencies thereof or by electrical utility providers. No signs shall be erected or maintained on any utility pole ~~except by the utility company itself and the approval of City Council~~.

(4) Clearance: Public, Private Walkways: No sign shall be erected in such a manner that any portion of the sign or its support will extend over a public or private walkway with a minimum clearance of less than ten feet (10').

#### **20.8 Sign Development Standards**

(1) Monument signs are encouraged in all planned commercial and industrial zones and commercial zones located along the commercial corridor of SR-138 and SR-112. **Monument signs along these roads and in other commercial centers or industrial zones shall be a maximum of six feet (6') high, unless they are multi-tenant (two or more businesses per sign) signs, in which case the sign may be up to twenty feet (20'). Monument signs shall be comparable in aesthetic theme and style to the overall commercial development in the area and complementary to other existing signs. One monument**

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**sign is allowed per two hundred (200') of frontage, where it is a single-tenant sign or multi-tenant sign.**

(2) Monument signs are required in all other zones including planned developments, project entrances, historical zones, and park, church, and school sites. **Monument signs in these areas shall be a maximum of six feet (6') high.**

**Examples of monument signs:**



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**\*Note that the sign structure façade materials match the main structure to the left side of the image.**

(3) Wall signs shall be so placed as to utilize existing architectural features of a building without obscuring them. Wall signs shall be oriented toward pedestrians or vehicles within close proximity to the sign.

The area of wall sign shall be no greater than twenty percent (20%) of the total square footage of the wall where it is located. Marquee, canopy, and roof signs shall be considered part of the twenty percent (20%) area limit being used for signage area.

No part of any such sign shall extend above the top level of the wall upon, or in front of, which it is located.

No such sign, including any light box or structural part, shall project more than eighteen inches (18") from the face of the part of the building to which it is attached. No copy is permitted on the sides of any such sign.

(4) Freestanding signs: There may be one such sign for each two hundred feet (200') of frontage of the property, plus one additional sign for each additional two hundred foot (200') frontage. In the case of a parcel of property having multiple occupancies with a common frontage, the frontage shall be deemed to be that of the entire commonly used parcel of property and not the frontage of individual businesses or occupancies. Such signs shall not exceed thirty five feet (35') in height. No such sign shall project more than fifteen feet (15') into any required front yard. **Freestanding signs shall complement the**

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**architectural character of the principal building, using materials and design motifs that reflect its style. Support structures must not rely on exposed and/or single steel poles; instead, they must be fully clad or constructed of materials consistent with those of the main structure (such as masonry, stone, stucco, or matching facades).**



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**\*Note that this is a freestanding sign on two supports, with an attractive theme and style**



**\*This is unacceptable. Although the signage at the top is attractive, the single, painted pole is exposed.**

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**\*This is acceptable. In addition to two separate supports, the architectural details and materials are simple but complementary to the main architectural elements in the main building.**

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**\*This is unacceptable. While there are two steel poles as supports, the steel supports are exposed. If this sign were lowered to a height of six feet (6'), perhaps by removing the steel poles completely, it would be acceptable.**

(5) New buildings or clusters of buildings having more than one tenant or use shall provide a sign plan for the entire structure or project. The sign plan must be designated so that it establishes a common theme or design, uses similar construction methods, has compatible colors, lettering, lettering styles, scale, symbols, and size of signs and backgrounds. Only one freestanding sign may be allowed, if permitted by this chapter, for clusters of buildings. Individual businesses may be identified on the same sign. ~~The Planning Commission may approve a sign in excess of the maximum size permitted by this chapter when considering the overall sign plan.~~

#### **20.9 Signs Permitted In Agricultural, Rural Residential 5, Rural Residential 2.5, And Rural Residential 1 Zones**

Signs permitted in these zones can be found in Table 1, Chapter 14 Land Use Sign Table.

	<b>Agriculture (A-10)</b>	<b>Rural Residential (RR-5)</b>	<b>Rural Residential (RR-2.5)</b>	<b>Rural Residential (RR-1)</b>
A-Frame	P	P	P	P
Animated	-	-	-	-

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Appurtenant	P	P	P -	P -
Banner	P	P	P -	P -
Billboard	E -	E -	E -	-
Canopy/Marquee	-	-	E -	E -
Electronic Message Center	-	-	-	-
Entry Feature	P	P	P	P
Floating	E -	E -	E -	-
Freestanding	P	P	E -	E -
Monument	P	P	E -	E -
Movable, Freestanding	P	P	E -	E -
Non-appurtenant	P -	P -	P -	P -
Outdoor Advertising	P -	P -	P -	P -
Projection	-	-	-	-
Public Event	P	P	P	P
Public Information	P -	P -	P -	P -
Reader Board	P	P	P -	P -
Roof Zone	-	-	-	E -

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Time & Temperature	-	-	€-	€-
Wall Signs	-	-	-	-
Wind Signs	¶-	¶-	¶-	€-

#### LAND USE SIGN TABLE 1 , CHAPTER 14

##### 20.10 Signs Permitted In Residential 1-21, Residential 1-12, Residential 1-8, Multiple Residential 7, And Multiple Residential 15 Zones

Signs permitted in these zones can be found in Table 2, Chapter 15 Land Use Sign Table.

#### Land Use Sign Table 2, Chapter 15

	R-1-21	R-1-12	R-1-8	RM-7	RM-15
A-Frame	¶-	¶-	¶-	¶-	¶-
Animated	-	-	€-	€-	€-
Appurtenant	¶-	¶-	¶-	P	P
Banner	¶-	¶-	¶-	P	P
Billboard	-	-	-	-	-
Canopy/Marquee	€-	€-	¶-	¶-	¶-
Electronic Message Center	€-	€-	¶-	¶-	¶-
Entry Feature	P	P	P	P	P
Floating	-	-	€-	€-	€-
Freestanding	€-	€-	€-	€-	€-

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Monument	€ -	€ -	P -	P	P
Movable, Freestanding	P	P	P	P	P
Non-appurtenant	P -	P -	P -	P -	P -
Outdoor Advertising	P -	P -	P -	P -	P -
Projection	€ -	€ -	€ -	€ -	€ -
Public Event	P -	P -	P -	P -	P -
Public Information	P	P	P	P	P
Reader Board	P -	P -	P -	P -	P -
Roof Zone	-	-	-	€ P	€ P
Time & Temperature	€ -	€ -	€ -	€ P	€ P
Wall Signs	-	-	-	€ P	€ P
Wind Signs	-	-	€ -	€ P	€ P

**20.11 Signs Permitted In Neighborhood Commercial, Commercial Shopping, General Commercial, Central Development, Light Manufacturing And Distribution, General Manufacturing, And Mining, Quarry, Sand, And Gravel Excavation Zones**

Signs permitted in these zones can be found in Table 3, Chapter 16 Land Use Sign Table.

**Land Use Sign Table 3, Chapter 16**

	C-N	C-S	C-G	C-D	M-D	M-G	MG-EX
A-Frame	P	P	P	P	P	P	P

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Animated	EP						
Appurtenant	P	P	P	P	P	P	P
Banner	EP	EP	P	P	P	P	P
Billboard	-	E-	E-	E-	P	P	P
Canopy/Marquee	EP	EP	P	P	P	P	P
Electronic Message Center	P	P	P	EP	EP	EP	EP
Entry Feature	-	P	P	P	P	P	P
Floating	EP	EP	P	P	EP	EP	EP
Freestanding	E-	E-	E-	E-	P	P	P
Monument	EP	P	P	P	P	P	P
Movable, Freestanding	EP	P	P	EP	EP	EP	EP
Non-appurtenant	P	P	P	P	P	P	P
Outdoor Advertising	P	P	P	P	P	P	P
Projection	E-	P	P	EP	EP	EP	EP
Public Event	P	P	P	P	P	P	P
Public Information	P	P	P	P	P	P	P
Reader Board	P	P	P	P	P	P	P

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Roof Zone	-	EP	EP	EP	EP	EP	EP
Time & Temperature	EP	P	P	P	P	EP	EP
Wall Signs	EP	P	P	P	P	EP	EP
Wind Signs	EP	P	P	P	P	P	P

## **20.12 Nonconforming Signs**

(1) On Premises Signs: All on premises or appurtenant signs which have been made nonconforming by adoption of provisions contained within this chapter shall be subject to the following regulations:

(a) Unsafe Signs: Any sign or portion thereof declared unsafe by a proper public authority must be restored to a safe condition or removed within thirty (30) days of mailing or otherwise given notice of the unsafe condition.

(b) Alterations: A nonconforming sign shall not be reconstructed, raised, moved, placed, extended or enlarged or other alteration made unless said sign is changed so as to conform to all provisions of this chapter. "Alterations" shall also mean that changing of the text or message on the sign from one use of the premises to another use of the premises and the changing of the ownership of the sign when that ownership necessitates a change in the text or message of the sign. "Alterations" shall not be interpreted to include changing the text or copy on off premises Advertising signs, theater signs, outdoor bulletins or other similar signs which are designed to accommodate changeable copy.

(c) Restoration: Nonconforming signs which have been allowed to deteriorate or which have been damaged by fire, explosion, act of God, act of a public enemy, or damaged by any other cause, to the extent of more than **sixty fifty** percent (60 50 %) of its assessed value shall, if repaired or rebuilt, be repaired or rebuilt in conformity with the regulations of this chapter, or shall be removed.

(2) Off Premises Signs: All off premises signs which are made nonconforming uses by the provisions of this Chapter shall be subject to the provisions of 20.12.

## **20.13 Penalty**

If a sign is erected or maintained in violation of this chapter, it shall be deemed a class C misdemeanor.

## **20.14 Enforcement**

**The Community Development Director, Zoning Administrator, Code Enforcement Officer, or designee is hereby vested with the duty of enforcing the sign regulations of this Chapter and in the performance of such duty is empowered and directed to:**

**(1) Inspect and ascertain that all signs, construction of, or maintenance of any sign is in conformance with this Chapter;**

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*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.*



- (2) Issue a notice of violation to the person having charge, control or benefit of any sign found to be in violation of this Chapter;
- (3) Institute any appropriate action or proceedings where any sign is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or where any sign is used in violation of this Chapter and other applicable Ordinances to accomplish the following purposes: To prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, and to restrain, correct or abate such violation;
- (4) Abate and remove any unsafe or dangerous sign which is not repaired or made safe immediately or at the discretion of the Zoning Administrator or designee may elect to abate or remove within five (5) working days after giving appropriate notice to the person having charge, control, or benefit of any such sign;
- (5) Abate and remove any illegal sign other than unsafe or dangerous signs which is not made conforming within sixty (60) days after giving appropriate notice to the person having charge, control, or benefit of any such sign;
- (6) Abate and remove immediately any Snipe/Bandit Sign; and
- (7) Abate and remove any non-maintained or abandoned sign which is not repaired or put into use within sixty (60) days after giving appropriate notice to the person having charge, control, or benefit of any such sign. In the event that a sign is removed by the City, the person having charge, control, or benefit of such sign shall pay to Grantsville City the costs incurred in such removal within thirty (30) days after written notice is mailed to such person. Upon failure to pay the costs incurred in abating and removing an unsafe, dangerous, illegal, non-maintained or abandoned sign (use for which the sign is advertising has been abandon), Grantsville City may, by action of its City Council place a lien against property owned by the person having charge, control or benefit of such sign to assure compliance with this provision.
- (8) All employees of the City are authorized to, upon becoming aware of a violation of this sign ordinance, remove illegal signs. Such signs shall be kept by the City for 14 calendar days, after which they may be disposed of, or if they are picked up by the sign owner, shall be relinquished back.

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