



December 3rd, 2025

**City Council Meeting
Information Packet**

Agenda Item # 1

Public Comment

Agenda Item # 2

Summary Action Items

a. Approval of Minutes from the November 17, 2025 City Council Work Meeting, November 17, 2025 City Council Regular Meeting and November 18, 2025 City Council and Planning Commission Joint Work Meeting

b. Approval of Bills

Agenda Item # 3

Presentation by Jess Clifford, Tooele
Valley Small Business Development
Center report

Agenda Item # 4

Consideration of appointing John
Montgomery as Alternate Planning
Commissioner

Agenda Item # 5

Consideration of approving Resolution 2025-84, a Resolution approving certain impact fee waivers for Soelberg's Development

Soelberg's Proposed New Grocery Store/Development
Northwest Corner of Durfee Street and Matthews Lane
Grantsville City Permit Fees; Transportation Impact Fees Abatement Request
City Council Meeting - December 3, 2025

The Jefferies Family and Soelberg's Market appreciate the opportunity to share with you an opportunity to reinvest back into our growing Grantsville community with the development of a new grocery store, hardware store and retail commercial shopping center in Grantsville, Utah.

As you may be aware, our family has been in the grocery business serving the community for over 130 years and the community is in need of a newer, larger, more modern grocery store, hardware store and other retail amenities such as restaurants, professional office etc.

Most recently, we have been working closely with the Matthews Family to purchase an +8-acre site for the replacement of our old 25,000 square foot store on Main Street into a new +/-46,000 square foot state-of-the-art new grocery store and a new hardware store, with additional land to develop other retail commercial buildings. We closed on that property earlier this year. Attached for your review is a copy of the final approved site plan. The site is located on the northwest corner of the intersection of Durfee Street and Matthews Lane (see attached site plan). All plans have been reviewed and approved by the city and other governmental authorities for compliance to all codes and regulations.

It is anticipated that the cost for the +/-46,000 square foot grocery store and 11,348 square foot hardware store, including land, building, site improvements, soft costs and equipment will exceed \$19 million dollars. The project will create additional needed jobs and create additional incremental property and sales tax revenues to the city and other taxing authorities that could potentially be earmarked to help pay for Transportation Impact Fees of the proposed new grocery, hardware store and shopping center, and without affecting the current city sales and property tax revenue stream. Only incremental property and sales tax revenue dollars would be allocated towards the payment of the Transportation Impact Fees for the proposed new project.

Attached to this letter are the various permit and impact fees from the city associated specifically with our project. The various permit fees are \$88,606.34 (see attached Grantsville city invoice). We anticipated that those fees could be paid through various economic development incentive programs available by the city and the state called Community Redevelopment Assistance/Authority programs or CRDA. Unfortunately, those programs were rendered unavailable as a result of new rules passed by the Utah Legislature/HB151 in 2024 without having an affordable housing component attached to the CRDA programs. We have been trying to make adjustments to our project cost to pay for these permit specific fees of \$88,606.34 and have found a way to make that happen.

In addition to the permit fees of \$88,606.34 above, there was an unexpected Transportation Impact Fee assessed to us as a result of the cost to widen Matthews Lane. The Transportation Fees assessed for our project are \$461,201.23 (see attached invoice from Grantsville City). Again, it was anticipated that any Impact Fees would be paid from the incremental property and sales tax that our project could generate for the city and for the other taxing agencies. Below is a summary of what those projected sales and property tax revenues will be related specifically to our project.

Property Tax Increment: It is our understanding that the proposed site is currently greenbelt and accrues minimal tax revenue (+/- \$2,000 annually) to the taxing entities. It is also projected that the proposed new project will create needed incremental property tax revenue for the city and other participating taxing entities in the form of property tax revenue, currently not being captured as a result of the current greenbelt status. The projected annual increase in Property Tax Revenue to all taxing entities for this site is estimated to be \$1,610,714 over the next 10-year period. Grantsville City's portion of that is 22% or \$354,357 over a ten-year period (see attached schedule).

Sales Tax Revenue: It is our understanding that the City of Grantsville receives one-half of one percent of the gross sales of retail grocery and hardware stores in the form of Retail Grocery Stores Sales Tax Revenue. It is also our understanding that the City of Grantsville is experiencing a higher-than-normal leakage of Retail Grocery Store and Hardware Sales Tax Revenue out of Grantsville and into Tooele City and Stansbury Park. In addition, it is anticipated that with the opening of the new Smith's Marketplace in Tooele next month that Grantsville city will lose an additional 12-15% of its grocery stores sales tax revenue to the city of Tooele.

The projected increase in grocery/hardware store Sales Tax Revenue, with the addition of the new grocery store and hardware store for the next 10 years, equates to a projected amount of \$604,494/grocery + \$241,639/hardware = \$846,133 (see attached 10-Year Sales Tax Revenue Schedule).

Soelbergs would like to assist the city in capturing a significant portion of those leaking grocery store and hardware store related Sales Tax dollars leaving Grantsville city and utilize a portion of those incremental Sales Tax Revenue funds for the payment of the Transportation Impact Fees associated with the development and construction of the proposed new grocery and hardware store project.

In addition to the added projected 10-year annual incremental Sales Tax Revenue of \$846,133 there will be an additional \$354,357 available to the city from the projected annual incremental Property Tax Revenue.

In total, the proposed new project will create over a 10-year period additional sales and property tax revenue to the city of \$1,200,490 of which \$461,201 could go towards the payment of the Transportation Impact Fees, leaving the balance of \$739,289 (1,200,490 - 461,201) to go towards other needed expenses in the city.

We are anxious to work with you and the community to bring to the City a new, state-of-the-art, larger, enhanced fresh grocery store and hardware store experience that will better meet the needs of our growing community while capturing valued added property and sales tax dollars while generating additional new jobs into our community. We are committed to doing all in our power to make this happen so that Soelberg's can continue to serve this great community for another +100 years.

Thank you for your consideration in this important matter.

Warm Regards,
Dave & Carol Jefferies
Soelberg's Market

Soelberg's Landing Shopping Center

Soelbergs Proposed Retail Commercial Shopping Center Development

Real Property Tax 10-Year Increment Revenue Forecast Analysis

Grantsville, Utah

11/25/2025

Real Property Taxes Revenue Increment Forecast: Commercial Development Grocery Store Lot 1 & Ace Hardware Lot 1A - Phase 1

Summary Facts:

Matthews Property - YE 2022 Greenbelt Property Taxes (Allocation)	1
Matthews Property - YE 2023 Greenbelt Property Taxes (Allocation)	1
Matthews Property - YE 2024 Greenbelt Property Taxes (Allocation)	1
Matthews Property - YE 2025 New Property Taxes	1
Soelberg's Existing 25K Store Projected Real Property Taxes - YE 2024 Projected	54,000
New Grocery Store Size + Ace Hardware - Square Feet	58,230

Projected Assessed Value for Real Property- New 45K Soelberg's	206.08	12,000,000
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Tooele County Assessors Office - Current Real Property Tax Rate	0.010867
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Total - Projected Real Property Taxes - Soelberg's New Store Only	130,404	2.24 psf
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Comparables:

Eagle Mountain Maceys/Ace - 2023 Value & Real Property Taxes	11,697,400	90,485
Santaquin - Macey's/Ace - 2023 Value and Real Property Taxes	11,945,600	108,506

Projected Incremental New Real Property Tax Revenue Created - Grocery Store for Phase 1 - Grantsville City

	Matthews Greenbelt Annual Property Taxes	Tooele County Assessor New 46K Projected Annual Property Taxes	Incremental Difference
Est. Tooele Co. Assessor	Year 1 - 2025 2,000	130,404	128,404
Est. Tooele Co. Assessor	Year 2 - 2026 2,060	141,538	139,478
Est. Tooele Co. Assessor	Year 3 - 2027 2,122	153,132	151,010
Est. Tooele Co. Assessor	Year 4 - 2028 2,185	157,726	155,540
Est. Tooele Co. Assessor	Year 5 - 2029 2,251	162,458	160,207
Est. Tooele Co. Assessor	Year 6 - 2030 2,319	167,331	165,013
Est. Tooele Co. Assessor	Year 7 - 2031 2,388	172,351	169,963
Est. Tooele Co. Assessor	Year 8 - 2032 2,460	177,522	175,062
Est. Tooele Co. Assessor	Year 9 - 2033 2,534	182,847	180,314
Est. Tooele Co. Assessor	Year 10 - 2034 2,610	188,333	185,723
	TOTALS 22,928	1,633,642	1,610,714

Total - Projected Incremental New Real Property Tax Revenue Created - Grocery Store & Ace Hardware for Phase 1 Over 10-Years (Grocery & Ace Hardware Only)	1,610,714
Grantsville City %	22%

354,357

Soelberg's Landing Shopping Center
Soelbergs Proposed Retail Commercial Shopping Center Development
Sales Tax 10-Year Incremental Revenue Forecast Analysis
Grantsville, Utah
11/25/2025

Commercial Development Grocery Store Only Lot 1 - Phase 1

Historical Gross Sales and Sales Tax Revenue - Soelberg's/Grocery:	Gross Sales	Annual Sales	
	Tax revenue		% of Gross Sales
Gross Annual Sales Soelberg's - YE 2021	11,437,835		
Gross Annual Sales Soelberg's - YE 2022	12,603,006	115,039	0.91%
Gross Annual Sales Soelberg's - YE 2023	13,243,385	120,816	0.91%
Gross Annual Sales Soelberg's - YE 2024 Projected	3.00%	13,640,687	125,000 0.92%

Projected Incremental Sales Tax Revenue Captured Grocery Store for Phase 1 - Grantsville City

	Existing 25K Store		New 45K Projected		Incremental
		<u>Gross Annual</u>		<u>Gross Annual</u>	<u>Difference</u>
Year 2024		13,640,687		17,420,000	3,779,313
Year 1 - 2025	3%	14,049,907	7.60%	18,743,400	4,693,493
Year 2 - 2026	3%	14,471,404	8.03%	20,248,800	5,777,396
Year 3 - 2027	3%	14,905,546	3%	20,856,264	5,950,718
Year 4 - 2028	3%	15,352,713	3%	21,481,952	6,129,239
Year 5 - 2029	3%	15,813,294	3%	22,126,410	6,313,116
Year 6 - 2030	3%	16,287,693	3%	22,790,203	6,502,510
Year 7 - 2031	3%	16,776,324	3%	23,473,909	6,697,585
Year 8 - 2032	3%	17,279,614	3%	24,178,126	6,898,513
Year 9 - 2033	3%	17,798,002	3%	24,903,470	7,105,468
Year 10 - 2034	3%	18,331,942	3%	25,650,574	7,318,632
TOTALS		174,707,126		241,873,108	67,165,982

Projected Incremental Sales Tax Captured from 2025 thru 2034 (10 years) - Soelberg's/Grocery	Incremental \$	Total Dollars \$
Incremental Gross Annual Sales Captured - Grocery Store Only	67,165,982	241,873,108
Assumed Current Utah State Sales Tax POS Shared Rate - Grantsville City	0.90%	0.90%
Total - Projected 10-Year Incremental Sales Tax Revenue Captured Grocery Store - Grantsville	604,494	2,176,858

Commercial Development Grocery Store Only Lot 1 - Phase 2

Summary Facts:	Building	New - Projected	
Building Area:	<u>Square Feet</u>	<u>PSF</u>	<u>Gross Annual</u>
Lot 1A/Ace Hardware	11,348	169.81	1,927,000
Lot 2/Pad 2	6,200	200.00	1,240,000
Lot 3/Pad 3	7,400	200.00	1,480,000
Other	-	-	-
TOTALS	24,948		4,647,000

Projected Incremental Sales Tax Revenue Lots 1A, 2, 3 for Phase 2 - Grantsville

	New 26,081 Retail		Projected 26,081K		Incremental
		<u>Gross Annual</u>		<u>Gross Annual</u>	<u>Difference</u>
Lots 1A, 2, 3, 4	Year 1 - 2025	-	-	1,927,000	1,927,000
Lots 1A, 2, 3, 4	Year 2 - 2026	3%	3.00%	2,091,522	2,091,522
Lots 1A, 2, 3, 4	Year 3 - 2027	3%	3.00%	4,982,854	4,982,854 Lot 1, 2 - Opens
Lots 1A, 2, 3, 4	Year 4 - 2028	3%	3%	5,132,339	5,132,339
Lots 1A, 2, 3, 4	Year 5 - 2029	3%	3%	5,286,309	5,286,309
Lots 1A, 2, 3, 4	Year 6 - 2030	3%	3%	5,444,899	5,444,899
Lots 1A, 2, 3, 4	Year 7 - 2031	3%	3%	5,608,246	5,608,246
Lots 1A, 2, 3, 4	Year 8 - 2032	3%	3%	5,776,493	5,776,493
Lots 1A, 2, 3, 4	Year 9 - 2033	3%	3%	5,949,788	5,949,788
Lots 1A, 2, 3, 4	Year 10 - 2034	3%	3%	6,128,282	6,128,282
	TOTALS			48,327,732	48,327,732

Projected Incremental Sales Tax Captured from 2024 thru 2033 (10 years) - Phase 2 Lots 1A, 2, 3	
Incremental Gross Annual Sales Captured - Grocery Store Only	48,327,732
Assumed Current Utah State Sales Tax POS Shared Rate - Grantsville City	0.50%
Total - Projected Incremental Sales Tax Revenue Lots 1A, 2, 3 for Phase 2 - Grantsville	241,639
	Incremental \$
Total - Projected Incremental Sales Tax Revenue Lots 1, 1A, 2, 3 for Phase 2 Over 10 Years (Grocery Phase 1 & Other Retail Phase 2)	846,132

Total - Projected Sales Tax Revenue Lots 1, 1A, 2, 3 for Phase 2 Over 10 Years (Not Incremental) (Grocery Phase 1 & Other Retail Phase 2)	2,418,497
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**GRANTSVILLE CITY
RESOLUTION NO. 2025-84
A RESOLUTION APPROVING CERTAIN IMPACT FEE WAIVERS FOR
SOELBERG'S DEVELOPMENT**

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

WHEREAS, Soelberg's Market ("Developer") is constructing a commercial development within Grantsville City (the "City"), which is subject to the City's adopted impact fees, including but not limited to the Transportation Impact Fee and other applicable impact fees; and

WHEREAS, the Developer has requested that the City consider the waiver of certain impact fees associated with the project, which fees will be identified in a schedule attached to this Resolution; and

WHEREAS, Utah Code § 11-36a-403 authorizes a local political subdivision to adjust or waive impact fees for a particular development when the waiver is based on a generally applicable standard, is formally approved by the governing body, and the local political subdivision funds the waiver from a source other than impact fees; and

WHEREAS, the City Council finds that granting the requested waivers serves a legitimate public purpose by supporting economic development, job creation, and community-serving commercial services within the City; and

WHEREAS, the City Council further finds that the waivers approved herein comply with the requirements of Utah Code § 11-36a-403, including the requirement that waived amounts be funded from non-impact fee revenues; and

WHEREAS, the City Council desires to formally approve the waiver of certain impact fees for the Soelberg's development as set forth herein.

WHEREAS, an exhibit showing the proposed fee waivers of the Soelberg's development is attached to this resolution as Exhibit A;

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

Section 1. Approval of Impact Fee Waivers: The City Council hereby approves the waiver of the impact fees, or portion thereof listed in Exhibit A, attached hereto and incorporated herein.

Section 2. Compliance with Utah Code § 11-36a-403: All waivers authorized by this Resolution shall be implemented in compliance with Utah Code § 11-36a-403. Specifically:

- a. The waivers constitute a generally applicable policy decision of the City Council.
- b. The total amount of waived fees shall be funded using lawful non-impact fee revenue sources.
- c. The City shall account for the waived amounts in accordance with state law.

Section 3. Administrative Direction: City staff is authorized and directed to:

- a. Calculate the total amount of waived impact fees based on the fee schedule in effect at the time of the Developer's application;
- b. Amend the City's financial records to reflect the funding source for such waivers; and
- c. Provide written confirmation of the approved waivers to the Developer.

Section 4. Effective Date: This resolution shall take effect immediately upon its passage and approval as provided by law.

Section 5. 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
____ DAY OF _____, 2025.

BY THE ORDER OF THE GRANTSVILLE CITY COUNCIL:

By Mayor Neil Critchlow

ATTEST

Alicia Fairbourne, City Recorder

Exhibit “A”

Proposed Fee Waivers for Soelberg’s Development



INVOICE

Bill To.:
SOLEBERGS MARKET 213 E MAIN ST GRANTSVILLE, UT 84029

Date Due: 11/30/2025
Invoice Number: 25371
Invoice Date: 11/25/2025

Item	Amount
Waste Water Impact Fee - Building	\$36,935.61
Public Safety Fee	\$35,686.24
Sewer/Water Lateral Inspection Fee	\$125.00
2" Water Meter	\$900.00
Indoor Drinking Water Impact Fee	\$5,397.52
Outdoor Drinking Water Impact Fee	\$5,714.47
*Commercial Plan Check Fee	\$3,847.50
Transportation Impact Fee (Office)	\$9,340.73
Transportation Impact Fee (Retail)	\$448,605.22
Transportation Impact Fee (Warehouse)	\$3,255.28
Balance Due	\$549,807.57

Date	Paid By	Payment Type	Amount
		Total Paid	\$0.00
		Amount Due	\$549,807.57

Impact Analysis							
Traffic Impact Fees	Fee	Office SQ	Retail SQ.	Warehouse Sq. FT	Total SQ. FT.		Total Cost
Warehouse	\$ 286.38			11,367	11,367	11,367	\$ 3,255.28
Retail	\$ 10,484.86		44,000		42,786	42,786	\$ 448,605.22
Office	\$ 2,291.08	4,077			4,077	4,077	\$ 9,340.73
Total					58,230		\$ 461,201.23
Hardware Store				11,348	11,348	11,348	
Soelbergs Mark			46,882		46,882	46,882	
Total					58,230		\$ -

- Proposed Impact Fees

Development Type	Peak Hour Trips Rate	Impact Fee	Units
Single Family	0.99	\$3,150.23	per Dwelling Unit
Multi-Unit	0.56	\$1,781.95	per Dwelling Unit
Trailer	0.46	\$1,463.74	per Dwelling Unit
Industrial / Manufacturing	0.37	\$1,177.36	per 1,000 sf Building Area
Warehousing	0.09	\$286.38	per 1,000 sf Building Area
Retail	3.295	\$10,484.86	per 1,000 sf Building Area
Church	0.049	\$155.92	per 1,000 sf Building Area
School	0.0655	\$208.34	per Student
Office	0.72	\$2,291.08	per 1,000 sf Building Area

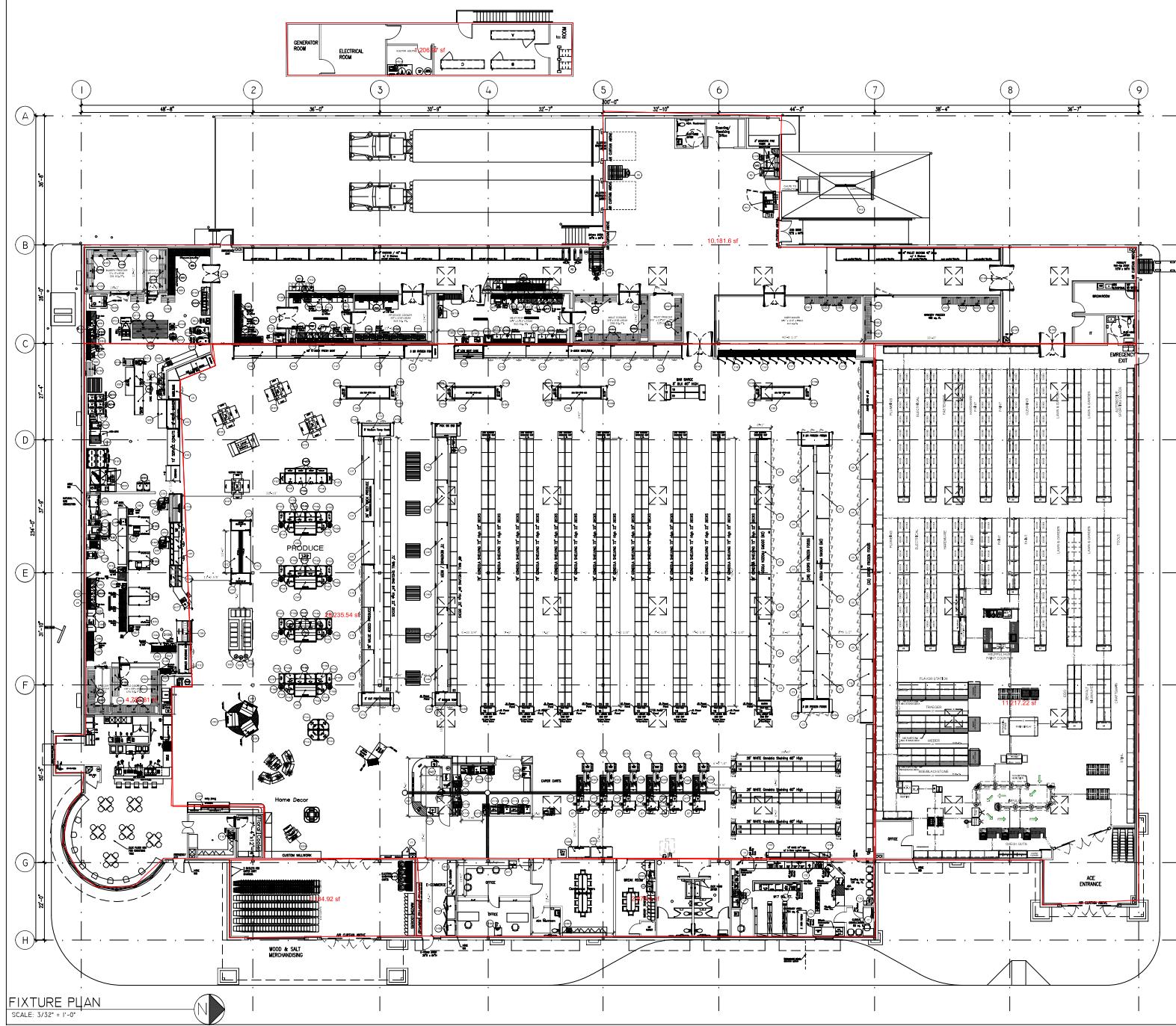


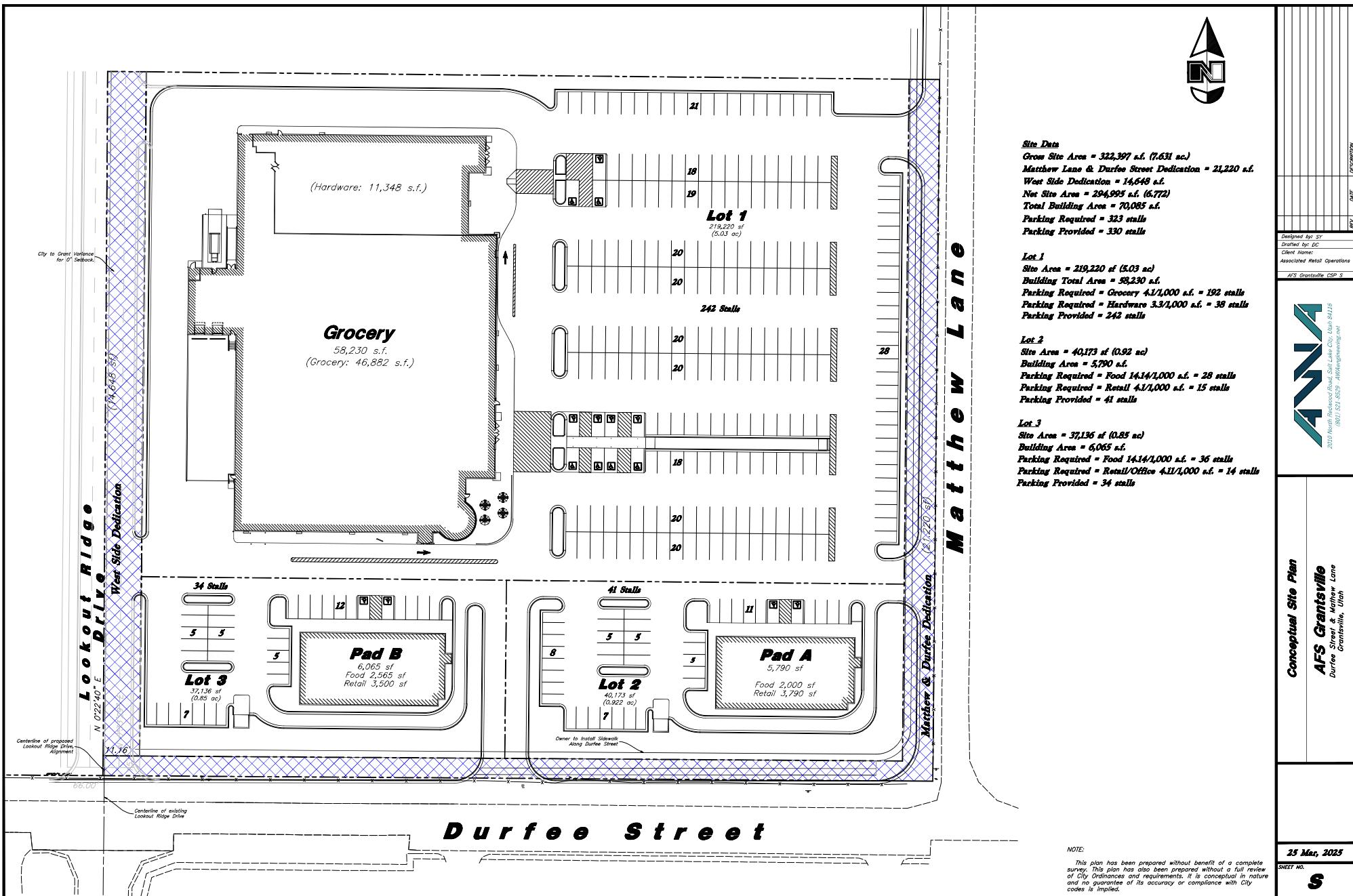
SOELBURG'S MARKET

GRANTSVILLE, UTAH

FIXTURE PLAN

Al.2





Agenda Item # 6

Consideration of approving Ordinance 2025-43, an Ordinance of Grantsville City approving the Master Development Template for Grantsville City

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



STAFF REPORT

To: Grantsville City Planning Commission
From: Shelby Moore, Planning and Zoning Administrator
Meeting Date: November 18, 2025
Public Hearing Date: November 18, 2025
Re: Master Development Agreement Template

Background

Grantsville City has been working since **July 2025** to finalize a standardized **Master Development Agreement (MDA) Template** for use with all subdivisions and larger planned developments. The objective is straightforward: create a consistent, predictable, and defensible MDA format that both the **Planning Commission (PC)** and **City Council (CC)** can formally adopt as the City's baseline agreement.

The template outlines the governing structure, vesting provisions, development standards, infrastructure obligations, open space requirements, modification process, bonding expectations, and enforcement mechanisms applicable to all qualifying development projects. A full draft of the proposed template is on file and included in this packet.

Purpose of the Template

The City routinely negotiates MDAs for larger or more complex subdivision applications. Historically, the content and structure of these agreements have varied from project to project, leading to inconsistencies, extended review timelines, and recurring debate over standard provisions that should be uniform.

By formally adopting a standard MDA Template:

- **All Parties Operate From a Common Baseline**
Developers, staff, PC, and CC will share a single, consistent foundation document.
- **Only Project-Specific Sections Change**
Key exhibits (legal description, development standards modifications, phasing, bonding, upsizing requirements, and other unique terms) become the only modifiable components. All core provisions—vesting, default, infrastructure, open space, enforcement, notices, development review process—remain standard unless explicitly justified.

*** 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.



- **Efficient Review Process**
Staff and legal review time is significantly reduced when the baseline language no longer needs re-negotiation with each application.
- **Greater Transparency and Predictability**
Applicants understand City expectations on Day 1, reinforcing consistent application of development standards.
- **Improved Legal Defensibility**
A uniform MDA reduces risk tied to inconsistent conditions or non-standard language.

Highlights of the Proposed Template

(All content cited here is derived from the draft MDA Template.)

- **Comprehensive Recitals** documenting developer authority, property description, zoning status, and the legal basis under Utah Code §10-20-101 et seq.
- **Clear Effective Date and Termination Clause**, tied to the adopting ordinance and project activity.
- **Integrated Development Standards System**, including use of Exhibits C and D for modifications or zoning adjustments.
- **Phasing and Development Review Process** to ensure projects advance in an orderly, code-compliant sequence.
- **Explicit Infrastructure and Upsizing Requirements**, including dedication, inspection, acceptance procedures, and the City's rights regarding incomplete improvements.
- **Required Open Space Ratios** and timing expectations for open space completion.
- **HOA fallback authority** ensuring the City can maintain critical areas if an HOA dissolves.
- **Structured Default and Remedies Process** to align with state law and protect the public interest.
- **Vesting Section** that defines which future laws apply and which do not, along with listed exceptions.
- **Notices, General Provisions, and Recording Requirements** consistent with standard municipal development agreements.

The template is intentionally broad enough to support a variety of subdivision types while maintaining consistent rules across all development.

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



Analysis

The value of adopting this MDA Template is substantial. Grantsville has reached the point where development activity requires a predictable framework—especially as subdivision complexity, long-term phasing, and utility coordination demands increase.

Finalizing the template now ensures:

- The City speaks with a unified voice.
- Planning Commission and City Council decisions remain aligned.
- Staff can process applications more quickly.
- Developers receive a clear road map early in the process.
- Only the **project-specific exhibits** change from one development to another, dramatically reducing negotiation friction.

Given the ongoing effort since July 2025 and the level of refinement within the document, the draft is ready for formal consideration and adoption.

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

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



GRANTSVILLE CITY
ORDINANCE NO. 2025-43

**AN ORDINANCE OF GRANTSVILLE CITY APPROVING THE MASTER
DEVELOPMENT AGREEMENT TEMPLATE FOR GRANTSVILLE CITY**

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

WHEREAS, Grantsville City (“City”) is authorized under its general police powers and the Utah Municipal Land Use, Development, and Management Act (Utah Code Title 10, Chapter 9a) to enter into development agreements governing the development of land within the City; and

WHEREAS, the City finds it beneficial and necessary to adopt a standardized Master Development Agreement template (“MDA Template”) to ensure consistency, efficiency, and clarity in the negotiation and administration of development agreements; and

WHEREAS, the MDA Template establishes uniform terms, conditions, obligations, and processes applicable to future development agreements, while allowing for project-specific amendments as approved by the City; and

WHEREAS, the City Council has reviewed the MDA Template, finds it to be in the best interest of the City and its residents, and desires to approve and adopt it for use in future development applications;

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

Section 1: Adoption of Master Development Agreement Template: The Master Development Agreement Template attached hereto as *Exhibit A* is hereby approved and adopted by Grantsville City. City staff, the City Attorney, and the Planning and Zoning Administrator are authorized to utilize the MDA Template in preparing and negotiating development agreements, subject to final approval by the City Council.

Section 2. Conflicting Provisions: In the event of any conflict between the MDA Template and any previously adopted templates, forms, or administrative practices, the MDA Template adopted by this Ordinance shall control.

Section 3. Effective Date: This Ordinance shall take effect immediately upon its passage and approval as provided by law.

Section 4. Severability clause. If any part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all provisions, clauses and words of this Ordinance shall be severable.

ADOPTED AND PASSED BY THE CITY COUNCIL OF GRANTSVILLE CITY, THIS
_____, DAY OF _____, 2024.

BY THE ORDER OF THE GRANTSVILLE CITY COUNCIL:

By Mayor Neil Critchlow

ATTEST

Alicia Fairbourne, City Recorder

Approved as to Form:

Tysen J. Barker, Grantsville City Attorney

Exhibit “A”

WHEN RECORDED, RETURN TO:
Grantsville City
Attn: City Recorder
429 East Main Street
Grantsville, Utah 84029

COVER AND PROJECT INFORMATION SHEET
FOR GRANTSVILLE CITY MASTER DEVELOPMENT AGREEMENT

made as of the _____ day of _____ in the year _____.

Between the “Developer”:

and the “City”:

Grantsville City, a political subdivision and municipal corporation of Utah
Attn: City Recorder
429 East Main Street
Grantsville, Utah 84029

for the following **Project**:

Name:
Project Location:
Type:
Description (detailed):

Underlying Zone(s):

Effective Date: _____

Developer Contact:

City Contacts: Planning Department: Shelby Moore (pzcommission@grantsvilleut.gov)
Recorder: Alicia Fairbourne (afairbourne@grantsvilleut.gov)
City Attorney: Tysen Barker (tbarker@grantsvilleut.gov)

Approval Ordinance: _____

GRANTSVILLE CITY
MASTER DEVELOPMENT AGREEMENT
FOR
[PROJECT NAME]

THIS MASTER DEVELOPMENT AGREEMENT (“**Agreement**”) is made and entered as of the Effective Date by and between City and Developer, as each is defined in the Cover and Project Information Sheet (“**Cover Sheet**”) for this Agreement, each a “Party” and collectively “Parties” herein.

RECITALS

WHEREAS, the Developer seeks to develop property within Grantsville City, Utah (the “**Project**”). The property consists of approximately _____ acreage/owner _____, identified as Tooele County Parcel No. _____ and is more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference (the “**Property**”); and

WHEREAS, the Property is entirely located in the Underlying Zone and is subject to all applicable Grantsville City Code and development standards;

WHEREAS, the Developer is owner or authorized agent of the owner of the all individual parcels or lots of the Property and has authority to enter into the transactions on behalf of the owner; and

WHEREAS, the City seeks to promote the health, safety, and welfare of the inhabitants of the City through the establishment and administration of zoning, development, and subdivision regulations concerning the use and development of land in the City;

WHEREAS, the City is desirous of development of the Property for the purpose of developing the Project in the manner outlined to the City;

WHEREAS, the City Planning Commission held a duly noticed public hearing, and subsequently recommended approval of the application for the Project on _____ date _____, with the conditions specified in that recommendation incorporated into this Agreement; and

WHEREAS, it is in the best interests of both the Developer and the City that this Agreement be adopted and effective as a “development agreement” within the meaning, and subject to the provisions, of Utah Code Ann. Section 10-20-101 *et seq.* and to consent to all the terms of this Agreement as valid conditions of development of the Project.

NOW THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged and accepted by both parties, the parties hereto mutually agree and covenant as follows:

1. Effective Date, Termination

- 1.1. The “Effective Date” of this Agreement is the effective date of the enacting ordinance by the City Council, regardless of any difference or delay in time between that date and the date(s) upon which it is signed by any of the Parties, and shall be indicated on the Cover Sheet. The City may not execute this Agreement until approved by the City in accordance with GLUDMC.
- 1.2. This Agreement shall be in full force and effect until the earliest occurrence of: (i) such date as the Project is abandoned, defined as written notice from Developer to the City that it no longer intends to develop the Project; (ii) the use or active development is discontinued for a period of more than two (2) years; or (iii) the Developer defaults on any provision of this Agreement and the default is not resolved as specified in this Agreement. Failure to proceed with development pursuant to this Agreement shall be deemed failure to implement the application with reasonable diligence pursuant to Utah Code Ann. Section 10-20-902.

2. Project Description

The Project is as described more fully herein, on the Cover Sheet, and as illustrated in the conceptual site plan for the Project, attached **Exhibit B**, to be modified as necessary in accordance with this Agreement’s Development Standards and as specified in this Agreement.

3. Development Standards

- 3.1. Development Standards. The site development standards, procedures, and rules of the Underlying Zone and applicable code and law are modified as shown on **Exhibit C** “Development Standards.” All development standards applicable to the Project not expressly modified by this Agreement, including the Utah Municipal Land Use Development and Management Act, remain in full force and effect. Together, Exhibit C standards and the remaining development standards in the City code are the **“Development Standards”** for the Project.

These Development Standards shall apply to all buildings on the Property including both principal buildings and accessory buildings on the Property.

- 3.2. Use of the Property. This Agreement does not modify, amend, or otherwise alter the uses permitted, conditioned, or restricted in the Underlying Zone except as expressly identified on **Exhibit D** “Zoning Modifications.” All uses not expressly modified by this Agreement remain in full force and effect. Developer acknowledges a separate rezoning request must be submitted to modify the permitted and conditional uses in the applicable zone.

- 3.3. Phasing. If the Project includes multiple phases, Developer shall include general depiction of any potential phases in the conceptual site plan attached hereto as **Exhibit B**. All phasing shall comply with Section 21.4.3 of the Grantsville City Land Use Development and Management Code (“**GLUDMC**”). City and Developer hereby acknowledge that any additional phases of the Project shall be subject to the terms of this Agreement and which may be reviewed and approved by the City.
- 3.4. Density; Maximum Units; Square Footage. Subject to the Development Standards, Developer may build up to # residential units in the Project. The City does not, and may not, provide Developer with any guarantee of the number of units, density, or non-residential square footage which may be built in the Project. Developer assumes all responsibility for development and design of the Project within the Development Standards, which may result in fewer total unit than expected.
- 3.5. Approvals. Prior to issuance of a building permit for any phase of the Project, Developer shall submit an application for “**Development Review**” of the site plan and building elevations to the City for review and approval. Review and approval by the City is intended to assure that certain development components substantially conform with this Agreement. Development Review approval submittals need only include that portion of the Property for which approval is being sought by Developer. Following approval by the City, the approved Development Review Submittals (defined below), supporting data and materials shall be made part of this Agreement and deemed to be an integral part of this Agreement. In the event of any inconsistency between approved plans and the terms of this Agreement, the terms of this Agreement shall govern. Any Development Review Submittals and approvals shall comply with the requirements of GLUDMC for the appropriate development application, including preliminary and final checklists published by the City.
 - 3.5.1. Development Review Submittals shall include all other information necessary to illustrate substantial conformance with this Agreement. The City may consider the standards of GLUDMC, as modified by this Agreement, when considering Development Review approval. In the event of any conflict or ambiguity, the provisions in this Agreement shall govern.
 - 3.5.2. The Developer shall comply with all applicable requirements set forth in Grantsville City Code, Title 5, Chapter 3 (Flood Damage Prevention Regulations), as amended. The provisions of Title 5, Chapter 3 are hereby incorporated by reference as though fully set forth herein. It is the Developer’s responsibility to review and adhere to these regulations in the planning, permitting, development, and maintenance of the Planned Community.
 - 3.5.3. Notwithstanding anything to the contrary in Grantsville City Code, this Agreement, or the Master Plan, prior to obtaining a certificate of occupancy for any structure, Developer shall obtain a Fire Marshalls Certification which shall ensure that available

fire flow meets or exceeds the IFC standards for the structure type. Grantsville may withhold issuance of any certificate of occupancy for a structure where this provision is not satisfied.

- 3.6. Modification. The terms and conditions of this Agreement or of any Development Review approval issued in accordance with this Agreement may be modified administratively by the Planning Commission upon written request by Developer so long as the modifications are in “substantial compliance” with the terms of this Agreement, including those modifications described in GLUDMC Section 12.5(1) (“**Minor Change**”). Any change that results in: (a) a change in the uses allowed for the Project to another use not permitted in the Underlying Zone, as modified by this Agreement; (b) an increase in the net site area and the boundaries of the Property contemplated herein; (c) an increase to the overall density of the Project; or (d) a reduction in the minimum periphery setbacks, (“**Major Change**”) shall be considered a change that is not in “substantial compliance” with the terms of this Agreement. Any Major Change shall be reviewed by the same procedures applicable to a new master development agreement, as set forth in applicable laws and must be reviewed and approved by the City Council.
- 3.7. Fees. Nothing herein shall be construed to relieve Developer of the standard obligations to also pay application fees, impact fees, connection fees, and other City fees and charges, at the time of permit application or pulling permits, in the ordinary course, as part of the development process, as set forth in the existing City fee schedule. These costs will be paid pursuant to the completion assurance procedures and other procedures set forth in City ordinances and policies.
- 3.8. Compliance with the Final Plat and this Agreement. Development of the Project shall be in accordance with Utah’s Land Use, Development and Management Act, GLUDMC, the City’s future laws which include 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 (to the extent they are applicable as specified in this Agreement), the final plat and this Agreement.

4. Infrastructure Improvements; Public Uses.

- 4.1. Infrastructure Improvements. Developer agrees to construct and/or dedicate project improvements as reasonably directed by the City in the ordinary course, including but not limited to roads, driveways, landscaping, water, sewer, and other utilities as shown on the approved final plans and in accordance with current City standards.
 - 4.1.1. Developer shall satisfactorily complete construction of all Project improvements for each phase in a good and workmanlike manner, no later than two (2) years after the recording of the plat for that phase, subject to reasonable delays due to events of force majeure.

- 4.1.2. Developer shall comply with all completion assurance and bonding requirements of the City, as modified in **Exhibit E**.
- 4.1.3. Developer shall bear responsibility, including premises liability and risk of loss, 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 may 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.
- 4.1.4. The City agrees to accept all Project improvements constructed by Developer, or Developer's contractors, subcontractors, agents or employees, provided that (1) the City Planning and Public Works Departments promptly review and approve the plans for any Project improvements prior to construction; (2) Developer permits City Planning and Public Works representatives to inspect upon request any and all of said Project improvements during the course of construction; (3) Developer shall provide Contractor as-built drawings in PDF and native format and GIS shapefiles of as-built conditions per City's GIS requirements and standards ; (4) Developer has warranted the Project improvements as required by the City Public Work Department; and (5) the Project improvements pass a final inspection by the City Public Works.
- 4.1.5. 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.
- 4.1.6. The City may require completion of all infrastructure improvements in any phase prior to issuance of any building permits.
- 4.1.7. The Developer may request and the City may grant in its reasonable discretion extensions and delays for certain infrastructure improvements upon a showing of good cause by Developer, such as completing sidewalks after construction of residential units.
- 4.1.8. The Developer agrees that in the event it does not: (a) complete all improvements within the time period specified under this Agreement, or secure an extension of said completion date, (b) construct said improvements in accordance with City standards and as set forth in the paragraphs 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 may 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.

- 4.2. Upsizing. Except as otherwise described herein, the City may not require Developer to “upsizes” any future infrastructure improvements (i.e., to construct the infrastructure to a size larger than required to service the Project) unless financial arrangements (such as credits to otherwise applicable City fees, or pioneering or reimbursement agreements) reasonably acceptable to Developer are made to compensate Developer for the incremental or additive costs of such upsizing to the extent required by law. The City shall notify the Developer of any known or anticipated upsizing requirements as soon as practicable. Notwithstanding the foregoing, Developer is solely responsible for any costs associated with any public improvements within its development required to serve other phases of the Project or other related development. As of the Effective Date, the City has identified the potential upsizing requirements shown on **Exhibit F**.
- 4.3. Parks; Open Space. The Project shall contain no less than 20% of the total net developable Project acreage as open space (“**Required Open Space**”).
 - 4.3.1. Public open space shall be counted toward the Required Open Space, and include impervious surfaces in any planned public park, and potentially other uses such as sports courts, pavilions, walking paths, trails, parking areas, and other recreational facilities.
 - 4.3.2. Each phase of the Project shall meet the Required Open Space ratio for the entire Project. Previously completed open space may be counted toward the Required Open Space calculation for a proposed phase.
 - 4.3.3. The Developer may request, and the City may grant, in its sole discretion, to meet the proportional Required Open Space requirement for a phase by including open space in the next future phase, provided that the Developer shows good cause for the delay, addresses the shortfall, and provides sufficient detail of the proposed future open space. Notwithstanding the foregoing, in no event may the total open space upon completion of a phase be less than seventy-five percent (75%) of the proportional Required Open Space for the Project to be completed at that phase.
 - 4.3.4. Parks and trails to be dedicated for public use may not make up more than fifty percent (50%) of any phase.

4.3.5. All development and construction for open space and related amenities must be completed within three (3) months of completion of the non-open space development for the applicable phase. Developer may incur fees or other penalties for failure to complete open space development in accordance with this Agreement.

4.4. Additional Requirements. Any additional Project-specific requirements are identified in **Exhibit G.**

5. Homeowners Association.

If a Homeowners Association (“HOA”) is created as part of the Project to enforce legal deed restrictions or maintain Required Open Space for the Property and that HOA later becomes insolvent or fails to maintain proper documentation and filings with the State of Utah and loses its authority to operate and transact business as a property owners association in the State of Utah, then the City shall have the right to, but is not obligated to, enforce the deed restrictions and maintain the Required Open Space. The City shall have all authority granted to the HOA by virtue of this document and related HOA articles, bylaws, and recorded covenants, conditions, and restrictions, or similar documents, including but not limited to, the authority to impose and collect maintenance fees and other necessary fees and/or assessments to further the upkeep of Property improvements as deemed necessary by the City.

6. Recording.

The responsibilities and commitments of Developer and the City as detailed in this document, when executed shall constitute a covenant and restriction running with the land and shall be binding upon the Developer/Owner of the Property, their assignees and successors in interest and this Agreement or a notice thereof shall be recorded in the Office of the Tooele County Recorder by City at Developer’s cost.

7. Default.

7.1. Failure to present a detailed development plan including proposed uses for the Project or any phase thereof, gain City approval, and obtain land use and building permits and complete construction of the Project specified in this Agreement shall constitute a default by Developer, its successors or assigns in interest.

7.1.1. In the event that any of the conditions constituting default by Developer occur, the City finds that the public benefits to accrue from rezoning as outlined in this Agreement will not be realized. In such case, the City shall examine the reasons for the default and either approve an extension of time or major change to the Project or initiate steps to revert the zoning designation to its former zone.

7.2. Notice. If the 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 a written “**Notice of Default**” to the other Party

7.3. Contents of the Notice of Default. The Notice of Default shall:

- 7.3.1. Specify the claimed event of default;
- 7.3.2. Identify with particularity the provisions of any applicable law, rule, regulation or provision of this Agreement that is claimed to be in default; and
- 7.3.3. 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.

7.4. Remedies. Upon the occurrence of any default, and after notice as required above, then the parties may have the following remedies:

- 7.4.1. Law and Equity. All rights and remedies available at law and in equity, including, but not limited to, injunctive relief and/or specific performance.
- 7.4.2. Security. The right to draw on any security posted or provided in connection with the Project and relating to remedying of the particular default.
- 7.4.3. 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.
- 7.5. Public Meeting. Before any remedy in Section 7.4 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.
- 7.6. Default of Assignee. A default of any obligations expressly assumed by an assignee shall be deemed a default of Developer.
- 7.7. Limitation on Recovery for Default – No Damages against the City. Notwithstanding anything to the contrary in this Agreement, Developer is not entitled to seek or recover monetary damages for any breach of this Agreement and expressly waives any such claims. Developer's sole and exclusive remedy, and that of any assignee, shall be specific performance.

8. Vesting.

Upon the Effective Date of this Agreement the Developer's right to construct the Project, under the terms and conditions of this Agreement shall be vested to the fullest extent allowable under Utah Code Ann. Section 10-20-902. Except as expressly and mutually agreed in writing by the Parties, all development of the Project, including any later phases, shall be governed by the applicable law in effect on the Effective Date of this Agreement. Nothing in this Agreement will

limit the future exercise of the police power by the City in enacting zoning, subdivision, development, transportation, environmental, open space, and related land use plans, policies, ordinances and regulations after the date of this Agreement. Notwithstanding the retained power of the City to enact such legislation under its police power, such legislation will not modify Developer's vested right as set forth herein unless facts and circumstances are present which meet the exceptions to the vested rights doctrine as set forth in Western Land Equities, Inc. v. City of Logan, 617 P.2d 388 (Utah, 1980), its progeny, or any other exception to the doctrine of vested rights recognized under state or federal law.

- 8.1. Exceptions. The vested rights and the restrictions on the applicability of the City's Future Laws to the Project as specified in Section 8.1 are subject to the following exceptions:
 - 8.1.1. Master Developer Agreement. The City's future laws or other regulations to which the Developer agrees in writing;
 - 8.1.2. 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;
 - 8.1.3. 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;
 - 8.1.4. 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;
 - 8.1.5. 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;
 - 8.1.6. 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.*;
 - 8.1.7. Planning and Zoning Modification. Changes by the City to its planning principles and design standards as permitted by Local, State or Federal law; and

8.1.8. **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. Section 10-9a-509.

9. Notices. Any notice or other communication required or permitted hereunder shall be in writing and shall be delivered personally, sent by a nationally recognized overnight courier service, or sent by email. Notice by email shall be effective upon receipt of electronic confirmation of delivery. Notices to the parties shall be sent to the addresses set forth on the Cover Sheet to this Agreement or such other address as a party may designate by notice to the other party.

10. General Provisions.

- 10.1. Both parties recognize the advantageous nature of this Agreement which provides for the accrual of benefits and protection of interests to both parties.
- 10.2. The City will issue land use permits only for those uses determined to be within the general land use types allowed in the zone, as modified by this Agreement, and more specifically on more detailed development plans for the Project or phase thereof submitted to and approved by the City.
- 10.3. The recitals contained in this Agreement, the introductory paragraph preceding the Recitals, and all Exhibits to this Agreement are hereby incorporated into this Agreement as if fully set forth herein.
- 10.4. The captions used in this Agreement are for convenience only and are not intended to be substantive provisions or evidence of intent.
- 10.5. This Agreement may be amended only in writing signed by the Parties hereto.
- 10.6. This Agreement with any amendments shall be in full force and effect until all construction and building occupancy has taken place as per the Project development plans or expiration or termination of this Agreement as provided herein.
- 10.7. Nothing contained in this Agreement constitutes a waiver of the City's sovereign immunity under any applicable state law.
- 10.8. In the event that legal action is required in order to enforce the terms of this Agreement, the prevailing party shall be entitled to receive from the faulting party any costs and attorney's fees incurred in enforcing this Agreement from the defaulting party.
- 10.9. This Agreement constitutes the entire agreement between the parties. No changes or modifications may be made in this Agreement except in writing signed by both parties.

- 10.10. The requirements, obligations and conditions contained within this Agreement shall be binding upon Developer, its successors and assigns, and if different than Developer, the legal title holders and any ground lessors. All rights granted hereunder to Developer shall ensure to the benefit of the Developer's successors and assigns, and if different than Developer, the legal title holder and any ground lessors.
- 10.11. This Agreement does not create a joint venture relationship, partnership or agency relationship or fiduciary 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.
- 10.12. If any term or provision of this Agreement, or the application of any term or provision of this Agreement to a particular situation, is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining terms and provisions of this Agreement, or the application of this Agreement to other situations, will continue in full force and effect unless amended or modified by mutual consent of the Parties. Notwithstanding the foregoing, if any material provision of this Agreement, or the application of such provision to a particular situation, is held to be invalid, void or unenforceable by the final order of a court of competent jurisdiction, either Party to this Agreement may, in its sole and absolute discretion, terminate this Agreement by providing written notice of such termination to the other Party.
- 10.13. 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.
- 10.14. Each Party will execute and deliver to the other any further instruments and documents as may be reasonably necessary to carry out the objectives and intent of this Agreement, the conditions to development, and to provide and secure to the other Party the full and complete enjoyment of its rights and privileges hereunder.
- 10.15. The singular will include the plural; the masculine gender will include the feminine; "will" and "shall" are mandatory; "may" is permissive.
- 10.16. 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.
- 10.17. The Developer may sell, convey, reassign, or transfer the Property or the Project to another entity at any time.

- 10.18. This Agreement shall be recorded against the Property senior to any respective covenants and any debt security instruments encumbering the Property.
- 10.19. This Agreement is entered into in Tooele County in the State of Utah and shall be construed under the laws of the State of Utah, irrespective of Utah's choice of law rules, and the parties hereto intend that Utah law shall apply to the interpretation thereof.
- 10.20. Any action to enforce this Agreement shall be brought only in the Third District Court, Tooele County in and for the State of Utah.
- 10.21. Time is of the essence to this Agreement and every right or responsibility shall be performed within the times specified.
- 10.22. 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 representatives for the City and Developer are hereby appointed as indicated on the Cover Sheet.

The Parties may change their designated representatives by providing written 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.

- 10.23. No action taken by any Party may be deemed to constitute a waiver of compliance by such Party with respect to any representation, warranty, or condition contained in this Agreement. Any waiver by any Party of a breach of any provision of this Agreement will not operate or be construed as a waiver by such Party of any subsequent breach.
- 10.24. The City may not unreasonably withhold, condition, or delay its determination to enter into any agreement with another public agency concerning the subject matter and provisions of this Agreement if necessary or desirable for the development of the Project and if such agreement is consistent with this Agreement and applicable law. Nothing in this Agreement will require that the City take any legal action concerning other public agencies and their provision of services or facilities other than with regard to compliance by any such other public agency with any agreement between such public agency and the City concerning subject matter and provisions of this Agreement.
- 10.25. Each party represents and warrants that it has the respective power and authority, and is duly authorized, to enter into this Agreement on the terms and conditions herein stated and to execute, deliver, and perform its obligations under this Agreement. Specifically, on behalf of the City, the signature of the City Manager or Mayor of the City is affixed to this Agreement lawfully binding the City pursuant to the Approval Ordinance indicated on the Cover Sheet. Developer further represents and warrants that it is not aware of any material impediment, including contractual obligations, easements, or other property-related or ownership-related issues, to its completion of

the development outlined in this Agreement and shall notify City of any new information that would present a substantial obstacle to Developer's consummation of the transactions and activities required and anticipated by this Agreement.

- 10.26. This Agreement may be executed in several counterparts and all so executed shall constitute one agreement binding on all the parties, notwithstanding that each of the parties are not signatory to the original or the same counterpart. Further, executed copies of this Agreement delivered by email shall be deemed originally signed copies of this Agreement.
- 10.27. Except as expressly modified by this Agreement, any statute or municipal code referred to in this Agreement shall be deemed to include that statute as amended, restated, and/or replaced from time to time, and any successor legislation to the same general intent and effect.
- 10.28. 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 Ann. Section 63G-27-201 and could result in termination of this Agreement.

[signature page follows]

IN WITNESS WHEREOF, the parties hereto, having been duly authorized, have executed this Agreement this _____ day of _____, 20__.

CITY ACCEPTANCE

Grantsville City
By: _____
Its: _____

Attest:

Approval as to Form:

Grantsville City Recorder

Grantsville City Attorney

DEVELOPER ACCEPTANCE

Developer
By: _____
Its: _____

STATE OF UTAH)
:ss.
COUNTY OF _____)

On the _____ day of _____, 20____, personally appeared before me _____, who being by me duly sworn, did say that he/she is the [POSITION TITLE] of [DEVELOPER], a [STATE] [LLC/Corporation/Individual] 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: _____

Exhibit A

Legal Description of Property

Exhibit B

Depiction of Project

[If there are multiple phases, Exhibit B must include a detailed site plan of the phase seeking initial approval and a general depiction of the remaining area to be developed.]

Exhibit C

Modifications to Development Standards

[If none specified, no modifications are applicable.]

Standard	Existing	Modification	Applicable Code

Exhibit D

Zoning Modifications

[If none specified, no modifications are applicable.]

Exhibit E

Completion Assurance and Bond Requirements

[If none specified, no modifications are applicable.]

Exhibit F

Upsizing Requirements

[If none specified, no modifications are applicable.]

Exhibit G

Additional Project-Specific Requirements

[If none specified, no modifications are applicable. Use additional pages as necessary.]

[These provisions are in addition to those modifications from the zoning and development standards or other project-specific items, which may include, without limitation:

- Moderate income housing or other housing programs, including deed restrictions, limits, and triggers.
 - Reporting and compliance timelines and events.
 - Unusual circumstances, rationales, or negotiated compromises.
- Any other term, requirement, right, or obligation not documented elsewhere in the Agreement or its other exhibits.

Agenda Item # 7

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).

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 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

*** 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.

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



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.

Staff Analysis

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

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

*** 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.



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.

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

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

**GRANTSVILLE
ORDINANCE 2025-39**

**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.**

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

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

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

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

SECTION 1: **AMENDMENT** "1.16 Inspection" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

1.16 Inspection

The Zoning Administrator or their designated representatives are authorized to inspect or to have inspected all land uses to determine compliance with zoning ordinance provisions. The 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.

AFTER AMENDMENT

1.16 Inspection

The Zoning Administrator or their designated representatives 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.

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

B E F O R E A M E N D M E N T

Chapter 2 Definitions

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

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

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

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

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

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

architectural and engineering design or systems necessary to balance or optimize active components.

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

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

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

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

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

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

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

(12) AMUSEMENT PARK. Any place of organized amusement activity not conducted wholly within a completely enclosed building, whether a commercial or non-profit enterprise,

except temporary celebrations sanctioned by the City Council by a special permit.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

feet along each street, and drawing a line between the two back points to form a triangular area.

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

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

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

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

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

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

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

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

(62) CONDOMINIUM. The ownership of a single unit in a multi-unit project, together with an undivided interest in common in the common areas and facilities of the property as provided by state law. A condominium-development is comparable to a subdivision in that each

development is characterized by multiple individual ownership in a single development. In a condominium development the multiple individual ownership are in structures, whereas in subdivision such ownership are in land. For regulation purposes the development of a condominium project is treated by Utah State law and by this code as a subdivision, and condominium developments must comply with the subdivision regulation of this Code.

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

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

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

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

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

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

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

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

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

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

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

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

(74) DENSITY. Density is a measure of the number of dwelling units per acre. It shall be expressed dwelling units per acre (DU/acre).

(74 a) Net Density and Developable Acreage: Net Density shall be determined by using the developable acreage of the entire proposed development. Developable acreage is land which is capable of being improved with landscaping or Dwelling Units. 1. Land allocated to or containing the following purposes or features may not be considered developable acreage and shall be omitted from the total acreage used to determine density: a. Street rights of way (not including public utility easements situated entirely on individual lots); b. Public and private open space and buffers; c. Commercial uses; d. Detention/Retention Basins; e. Geological Hazards and/or related environmental protection zones; f. Slopes of 25% or greater; or g. Is otherwise restricted from being developed for landscaping or with Dwelling Units by contract or law.

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

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

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

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

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

include information about sales of agricultural products produced upon the premises.

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

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

(82) DRIVEWAY. An area on private property providing access for motor vehicles to a public right-of-way or private street. Minimum driveway length shall be 25-feet and primary access shall be provided by a standard residential street which the residence fronts.

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

(82.2) DRIVEWAY WIDTH. The width of the driveway measured at the right-of-way parallel with the roadway centerline. Minimum driveway length shall be 25-feet and primary access shall be provided by a standard residential street which the residence fronts.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(99) ESSENTIAL FACILITIES. Those facilities which are common to the community and essential for servicing the residents and businesses; utilities, radio and television stations (transmitting only), cable TV, sanitation, health and public safety for overhead, surface or underground services, and such other necessary uses as may be approved by the City Council

by resolution, but excluding any building, electrical sub-station, or transmission line of 50 kv or greater capacity.

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

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

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

(103) FAMILY. One individual, or two or more persons related by blood, marriage, or adoption, living together in a single dwelling unit and maintaining a common household. a family may include four, but not more than four, non-related persons living with the residing family, the term family shall not be construed to mean a group of non-related individuals, a fraternity, club, or institutional group.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(120) FRONTAGE. All property fronting on side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end street, or political subdivision boundary, measured along the street line. all intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts, or that common line between a lot and a public street. Street lines across which access is denied or

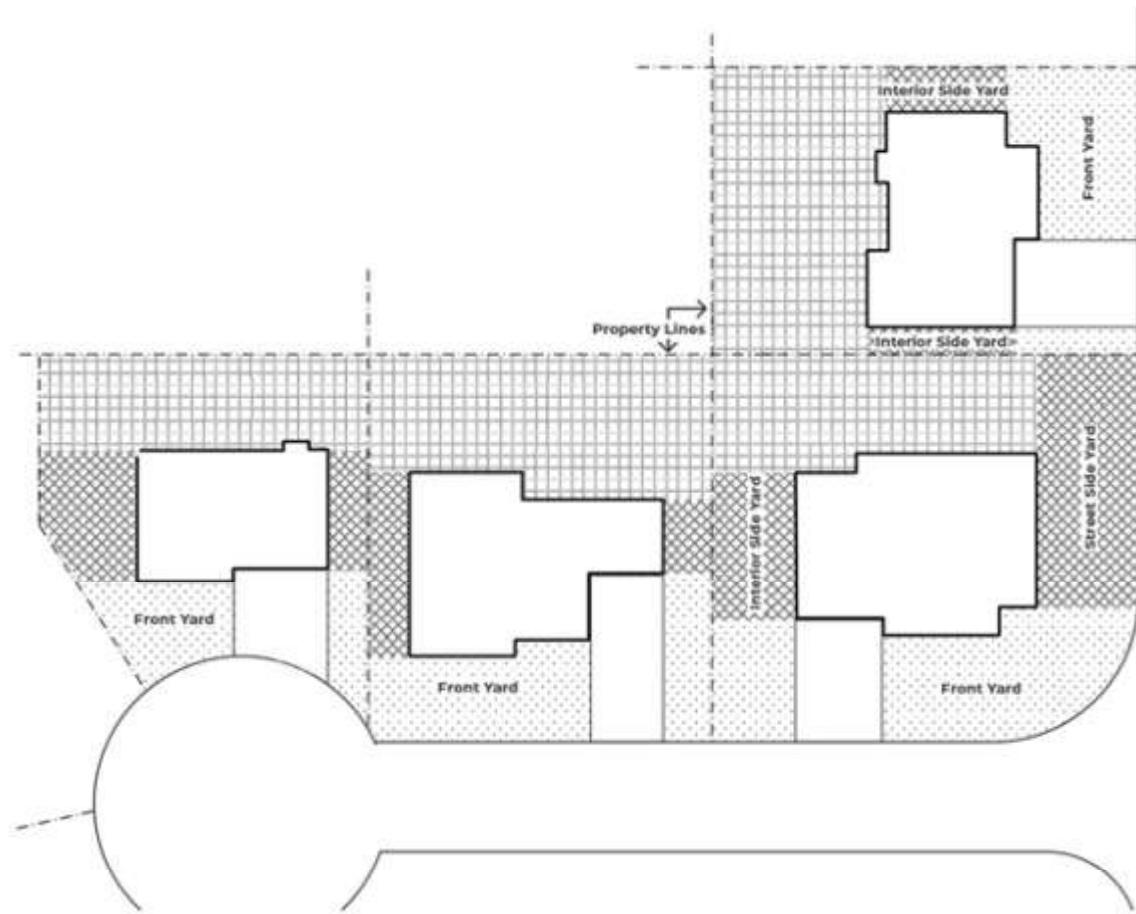
cannot be had because of topography or for other reasons shall not constitute frontage for purposes of this Code.

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

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

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

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



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

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

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

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

(128) GEOLOGIC HAZARD. A hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property, or improvements, due to the movement, failure, or shifting of the earth. Geologic hazards include but are not limited to; rockfills, slide areas, flood plains, fault lines, high water table, and ground water problems, such as liquefaction, etc.

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

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

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

- (a) For buildings adjoining one street only, the elevation of the sidewalk at the center of the wall adjoining the street.
- (b) For buildings adjoining more than one street, the average of the elevations of the sidewalk at the centers of all walls adjoining the streets.
- (c) For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the centers of all exterior walls of the building.
- (d) Any wall parallel or nearly parallel to and not more than 5 feet from a street line is to be considered as adjoining the street.

(132) GROUND ANCHOR. Any device at the mobile home stand designed for the purpose

of securing a mobile home to the ground.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(158) LAND DEVELOPMENT STANDARDS. Adopted construction standards, including

but not limited to: drawings, tables, charts and references which have been adopted by the City Council by resolution and which set standards for the construction of improvements to land and which regulate said construction of improvements to land.

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

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

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

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

(163) LEGISLATIVE BODY. The City Council.

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

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

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

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

development plat map, or condominium lot map, provided it is created pursuant to this Code.

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

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

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

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

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

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

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

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

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

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

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

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

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

(180) LOT, RESTRICTED. A lot having an average slope of 15 percent or more; a lot which does not contain at least 75 feet by 100 feet, or the minimum size of a lot permitted in the

zoning district where located, with an average slope of less than 15 percent; and/or a lot which has vehicular ingress to the main building or structure which, upon completion of construction on the site, has a slope of 15 percent or greater; or a lot subject to geologic hazards.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(207) NON CONFORMING SIGN.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(247) PRIVATE LANE (Amended 5/97, 2/00, 9/07, 2/09, __/25) A privately owned way or lane which affords the principal means of access to property. A private lane which serves up to two (2) dwelling units shall have a right of way width of not less than 36 feet with or without fire hydrants and shall be constructed and maintained with an all-weather dustless surface that meets the specifications of the City for a standard residential street section, except that the base course need only be 26 feet wide with or without fire hydrants with a slope or crown of 2 to 4%, no bituminous surface course need be applied and said street shall have a shoulder v-ditch

sized appropriately per Grantsville City Storm Drainage requirements. Any private lane that is longer than 150 feet as measured from the face of curb on the perpendicular intersecting street to the private lane, shall have a cul-de-sac or hammerhead at the end thereof. The dimensions or layout of any required cul-de-sac or hammerhead shall comply with City's standards and specifications for public cul-de-sac or the minimum specifications of the current International Fire Code for hammerheads.

(247a) Private Streets that serve more than two dwelling(2) units or any business activity shall have a right of way width of not less than 54 feet and shall be constructed and maintained with an all-weather dustless surface that meets the specifications of the City for a standard residential street section, except that the pavement need only be 32 feet wide with a slope or crown of 2 to 4%, street shall have a bituminous surface course and include a 30-inch wide mountable curb and gutter, modified Type F Curb APWA Detail 205.2. Any private street that is longer than 150 feet as measured from the face of curb on the perpendicular intersecting street, shall have a cul-de-sac, or hammerhead at the end thereof. not to exceed 750 feet in length The dimensions or layout of any required cul-de-sac or hammerhead, shall comply with City's standards and specifications for public cul-de-sac or the minimum specifications of the current International Fire Code for hammerheads. developer or owner(s) of a private street shall place a street sign at the intersection of the private street and all public streets, indicating the name of the private street, the north or east coordinate and that the street is a "private street". location and specifications for the Curb and gutter shall be painted red private with "No Parking" signs on each end of Private Street every 150 feet if a thru private street and "No Parking" sign on entrance to dead end private streets.street sign shall be determined by the City Public Works Director.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(262.1) RECORD OF SURVEY MAP. A map of a survey of land prepared in accordance

with Utah Code Ann. Section 10-9a-603 (2023), Section 17-23-17 (2023), Section 17-27a-603 (2023), and Section 57-8-13 (2003).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(279) SIGN, AREA OF.

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

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

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

embellishment, if extended over that grade.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

energy system.

(296) SPECIAL DISTRICT. All entities established under authority of Title 17A and any other governmental or quasi-governmental entity that is not a county, municipality, school district, or unit of the state.

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

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

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

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

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

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

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

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

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

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

(a) Arterial - A limited access street which is designed to carry through traffic with their only access being from Collector streets and State roads at intervals of no less than 1/2 mile.

Arterial streets are intended to serve 3500 to 8000 average daily trips when the service area is fully developed.

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

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

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

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

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

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

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

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

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

(305) STRUCTURE. Anything constructed, the use of which requires fixed location on the ground or attachment to something having a fixed location on the ground, includes "building".

(306) SUBDIVIDER (DEVELOPER). Means any person, firm, corporation, partnership or

association who causes land to be divided into a subdivision for himself/herself or others; a developer.

(307) SUBDIVISION. Any land that is divided, resubdivided or purposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

1. "Subdivision" includes:

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

2. "Subdivision" does not include:

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

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

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

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

low-density character for the residential lots in the subdivision.

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

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

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

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

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

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

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

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

(317) TWIN HOME DWELLINGS. (Amendment 7/97) A two-family dwelling that is divided into attached single-family dwellings as the result of a division of the property upon which the two dwellings are situated into two separate lots along the common wall of the two single-family dwellings. The adjoining lots occupied by a twin home shall have the minimum square footage required for any lot in the zoning district in which the property is located, plus the additional square footage required for an additional dwelling unit in the same zone. Twin home

dwellings shall be either approved as a part of an initial subdivision application and approval process or as a result of the subdivision amendment process specified by the provisions of Chapter 21, Section 10 of this Code.

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

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

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

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

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

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

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

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

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

proposed for development.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

A F T E R A M E N D M E N T

Chapter 2 Definitions

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

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

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

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

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

(4) ACTIVE SOLAR SYSTEM. A system of equipment capable of collecting and converting incident solar radiation into heat, mechanical or electrical energy, and transferring these forms

of energy by a separate apparatus to storage or to the point of use. It includes water heating, space heating or cooling, electric energy generating or mechanical energy generating and the architectural and engineering design or systems necessary to balance or optimize active components.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(74) DENSITY. Density is a measure of the number of dwelling units per acre. It shall be expressed dwelling units per acre (DU/acre).

(74 a) Net Density and Developable Acreage: Net Density shall be determined by using the developable acreage of the entire proposed development. Developable acreage is land which is capable of being improved with landscaping or Dwelling Units. 1. Land allocated to or containing the following purposes or features may not be considered developable acreage and shall be omitted from the total acreage used to determine density: a. Street rights of way (not including public utility easements situated entirely on individual lots); b. Public and private open space and buffers; c. Commercial uses; d. Detention/Retention Basins; e. Geological Hazards and/or related environmental protection zones; f. Slopes of 25% or greater; or g. Is otherwise restricted from being developed for landscaping or with Dwelling Units by contract or law.

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

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

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

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

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

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

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

(82) DRIVEWAY. An area on private property providing access for motor vehicles to a public right-of-way or private street. Minimum driveway length shall be 25-feet and primary access shall be provided by a standard residential street which the residence fronts.

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

(82.2) DRIVEWAY WIDTH. The width of the driveway measured at the right-of-way parallel with the roadway centerline. Minimum driveway length shall be 25-feet and primary access shall be provided by a standard residential street which the residence fronts.

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

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

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

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

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

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

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

(90) DWELLING UNITS. One or more rooms in a dwelling, apartment complex, hotel, or

motel, designed for and/or occupied by family for living or sleeping purposes and having but not more than kitchen or set of fixed cooking facilities, other than hot plates or other portable cooking units.

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

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

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

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

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

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

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

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

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

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

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

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

(103) FAMILY. One individual, or two or more persons related by blood, marriage, or adoption, living together in a single dwelling unit and maintaining a common household. a family may include four, but not more than four, non-related persons living with the residing family, the term family shall not be construed to mean a group of non-related individuals, a fraternity, club, or institutional group.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

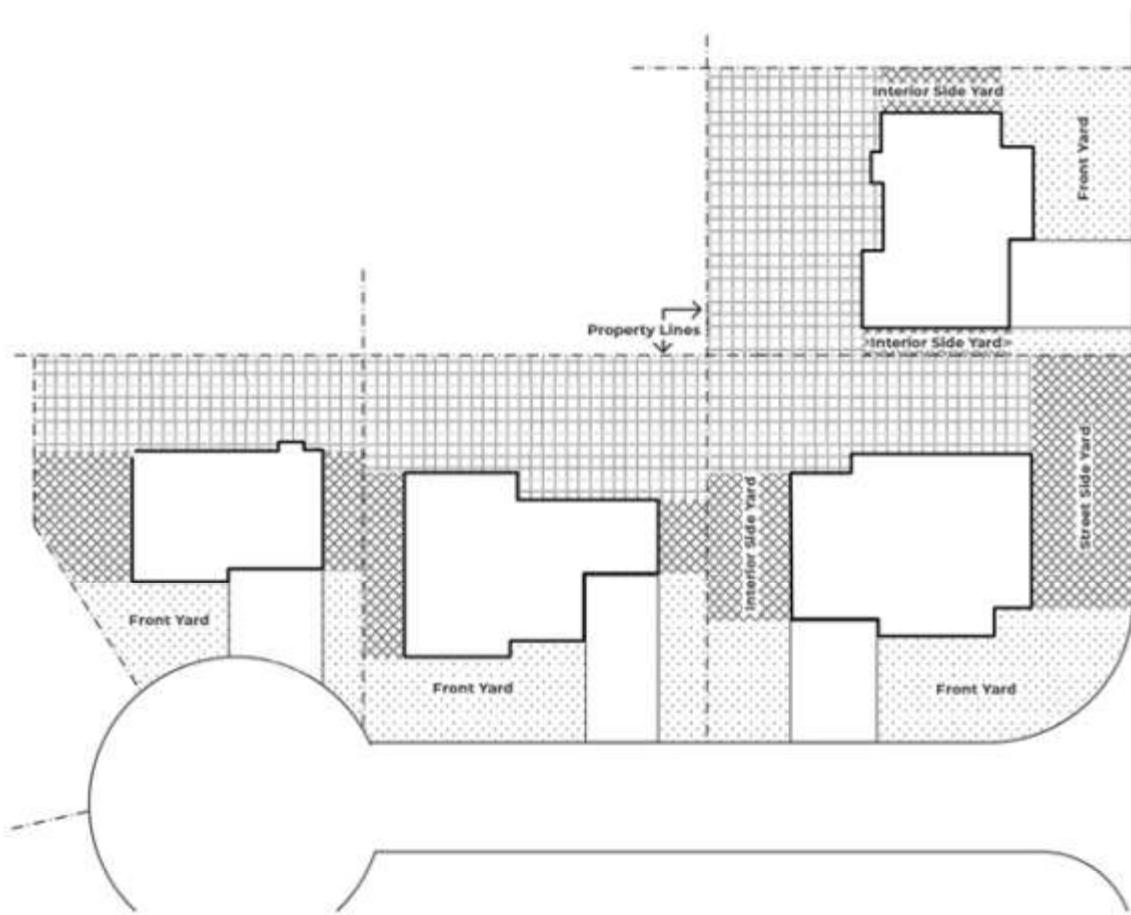
(120) FRONTAGE. All property fronting on side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end street, or political subdivision boundary, measured along the street line. all intercepting street shall determine only the boundary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

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

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

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

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



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

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

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

(127) GENERAL PLAN. A document that a municipality adopts that sets forth general guidelines for proposed future development of the land within Grantsville City (2.1.9). General

Plan also includes what is commonly referred to as a "master plan", or "comprehensive plan".

(128) GEOLOGIC HAZARD. A hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property, or improvements, due to the movement, failure, or shifting of the earth, Geologic hazards include but are not limited to; rockfills, slide areas, flood plains, fault lines, high water table, and ground water problems, such as liquefaction, etc.

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

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

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

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

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

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

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

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

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

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

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

in, and contribute to a residential neighborhood.

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

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

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

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

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

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

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

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

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

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

engineer to be impervious within the meaning of this definition will also be classed as impervious surfaces.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(161) LANDSCAPING (LANDSCAPED). The planting, paving and dressing of finished

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

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

(163) LEGISLATIVE BODY. The City Council.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(184) LOW PROFILE SIGN (Also "Monument Sign"). A sign mounted directly to the ground

with maximum height not to exceed six (6) feet.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(207) NON CONFORMING SIGN.

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

(208) NON CONFORMING STRUCTURE. A structure that legally existed before the current zoning designation and because of subsequent zoning changes, does not conform with

the zoning regulation's setback, height restrictions, or other regulations that govern the structure.

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

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

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

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

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

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

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

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

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

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

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

(220) OPEN SPACE, IMPROVED. Park area that is improved as part of a residential development. Improved open space may include, but need not be limited to, lawns, landscape areas, improved/paved trails, active recreation areas, children's playgrounds, swimming pools,

ball fields, multi-purpose courts, tennis courts, and other approved park improvements. The design and included elements in required improved open space are approved at the discretion of the planning commission and city council.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(247) PRIVATE LANE (Amended 5/97, 2/00, 9/07, 2/09, /25) A privately owned way or lane which affords the principal means of access to property. A private lane which serves up to two (2) dwelling units shall have a right of way width of not less than 36 feet with or without fire hydrants and shall be constructed and maintained with an all-weather dustless surface that meets the specifications of the City for a standard residential street section, except that the base course need only be 26 feet wide with or without fire hydrants with a slope or crown of 2 to 4%, no bituminous surface course need be applied and said street shall have a shoulder v-ditch sized appropriately per Grantsville City Storm Drainage requirements. Any private lane that is longer than 150 feet as measured from the face of curb on the perpendicular intersecting street to the private lane, shall have a cul-de-sac or hammerhead at the end thereof. The dimensions or layout of any required cul-de-sac or hammerhead shall comply with City's standards and specifications for public cul-de-sac or the minimum specifications of the current International Fire Code for hammerheads.

(247a) Private Streets that serves more than two dwelling(2) units or any business activity shall have a right of way width of not less than 54 feet and shall be constructed and maintained with an all-weather dustless surface that meets the specifications of the City for a standard residential street section, except that the pavement need only be 32 feet wide with a slope or crown of 2 to 4%, street shall have a bituminous surface course and include a 30-inch wide mountable curb and gutter, modified Type F Curb APWA Detail 205.2. Any private street that is longer than 150 feet as measured from the face of curb on the perpendicular intersecting street, shall have a cul-de-sac, or hammerhead at the end thereof. not to exceed 750 feet in length The dimensions or layout of any required cul-de-sac or hammerhead, shall comply with City's standards and specifications for public cul-de-sac or the minimum specifications of the

current International Fire Code for hammerheads. developer or owner(s) of a private street shall place a street sign at the intersection of the private street and all public streets, indicating the name of the private street, the north or east coordinate and that the street is a "private street". location and specifications for theCurb and gutter shall be painted red private with "No Parking" signs on each end of Private Street every 150 feet if a thru private street and "No Parking" sign on entrance to dead end private streets.street sign shall be determined by the City Public Works Director.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(265) RESIDENTIAL FACILITY FOR HANDICAPPED PERSONS. A single-family or

multiple-family dwelling unit that meets the requirements of Chapter 8 of this Code and any ordinance adopted under authority of that chapter.

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

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

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

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

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

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

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

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

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

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

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

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

(277) SIDE YARD SETBACK. That part of a lot that adjoins another lot, between the side

line of the building and the side lot line, and extending from the Front yard setback to the Rear Yard setback. The width of the side yard is measured from the lot line to the end of the eaves or the side line of a building whichever is closer to the side lot line. Unenclosed stoops of six foot by six foot or less is not considered the side line of a building.

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

(279) SIGN, AREA OF.

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

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

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

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

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

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

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

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

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

(286.1) SINGLE USE RESIDENTIAL DEVELOPMENT. A development that contains only single family dwellings, two family dwellings, or townhomes which are subject to the

processes prescribed in Utah Code Ann. 10-9a-604.1 (2023) and 10-9a-604.2 (2023).

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

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

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

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

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

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

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

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

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

(296) SPECIAL DISTRICT. All entities established under authority of Title 17A and any other governmental or quasi-governmental entity that is not a county, municipality, school district, or unit of the state.

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

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

(298) SPOT ZONE. A zoning amendment which singles out a relatively small parcel for a use classification totally different from that of the surrounding area, for the benefit of the owner of

such property, which is invalid because it is not in accordance with a comprehensive plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(305) STRUCTURE. Anything constructed, the use of which requires fixed location on the ground or attachment to something having a fixed location on the ground, includes "building".

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

(307) SUBDIVISION. Any land that is divided, resubdivided or purposed to be divided into two or more lots, parcels, sites, units, plots, or other divisions of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

1. "Subdivision" includes:

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

and industrial purposes.

2. "Subdivision" does not include:

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

3. A boundary line agreement recorded with the Tooele County Recorder between owners of adjoining subdivided properties adjusting the mutual lot line boundary in accordance with Utah Code Ann. Section 10-9a-524 (2021) and 10-9a-608 (2023), if:
 - a. No new dwelling lot or housing unit will result from the adjustment; and
 - b. The adjustment will not violate any applicable land use ordinance.
 - c. A bona fide division of land by deed or other instrument if the deed or other instrument states in writing that the division:
 - i. Is in anticipation of future land use approvals on the parcel or parcels;
 - ii. Does not confer any land use approvals; and
 - iii. Has not been approved by the land use authority.
 - d. A parcel boundary adjustment;
 - e. A lot line adjustment;
 - f. A road, street, or highway purpose; or
 - g. Any other division or land authorized by law.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 3: AMENDMENT “3.8 Document Submission And Review Procedures” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

3.8 Document Submission And Review Procedures

- (1) Pre-Submission Procedures. To facilitate the handling of applications, the Planning Commission may adopt pre-submission procedures to allow for adequate investigations and staff review and may require compliance with such pre-submission review procedures as a prerequisite to formal receipt and action by the Planning Commission , provided such pre-submission review is not inconsistent with state law. Pre-submission review shall in no way be interpreted to mean review by the Planning Commission.
- (2) Initial Contact for Planned Unit Developments. Applicants seeking a planned unit development are encouraged to submit preliminary information and obtain initial comments from the Zoning Administrator, Planning Commission, and/or City Council prior to submitting an application.
- (3) Submission and Docketing for Review. Upon receipt of all required fees and information for any specific step of the review procedure, the Zoning Administrator and other members of the Development Review Committee if established, shall review the application for completeness and compliance with the provisions of this Code and other pertinent municipal regulations. When the Zoning Administrator determines that the application is ready for Planning Commission review, the Zoning Administrator will docket the application for review at the next regular public meeting of the Planning Commission. Incomplete applications shall not be docketed for Planning Commission review.
- (4) Applications and concept plans are required for all land uses.

A F T E R A M E N D M E N T

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- (3) 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.

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

SECTION 4: AMENDMENT “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” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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

(1)

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

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

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

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

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

(4)

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

(b) If the municipal legislative body rejects the proposed general plan or amendment, it may

provide suggestions to the planning commission for its consideration.

(5) The legislative body shall adopt:

- (a) a land use element as provided in Subsection 3.10(3)(a)(i);
- (b) a transportation and traffic circulation element as provided in Subsection 3.10(3)(a)(ii); and
- (c) for all cities, after considering the factors included in Subsection 3.10(3)(b)(ii), a plan to provide a realistic opportunity to meet estimated needs for additional moderate income housing if long-term projections for land use and development occur.

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

Amended 08/08 by Ordinance 2008-35

A F T E R A M E N D M E N T

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

(1)

- (a) After completing its recommendation for a proposed general plan, or proposal to amend the general plan, the planning commission shall schedule and hold a public hearing on the proposed plan or amendment.
- (b) The planning commission shall provide notice of the public hearing, as required by Section 1.18(1).
- (c) After the public hearing, the planning commission may modify the proposed general plan or amendment.

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

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

(4)

- (a) The municipal legislative body may adopt or reject the proposed general plan or amendment either as proposed by the planning commission or after making any revision that the municipal legislative body considers appropriate.
- (b) If the municipal legislative body rejects the proposed general plan or amendment, it may provide suggestions to the planning commission for its consideration.

(5) The legislative body shall adopt:

- (a) a land use element as provided in Subsection 3.10(3)(a)(i);
- (b) a transportation and traffic circulation element as provided in Subsection 3.10(3)(a)(ii); and
- (c) for all cities, after considering the factors included in Subsection 3.10(3)(b)(ii), a plan to provide a realistic opportunity to meet estimated needs for additional moderate income housing if long-term projections for land use and development occur.

(6) No application for an amendment to the general plan shall be considered by the City Council or the Planning Commission within two years of the final decision of the city Council upon a prior application covering substantially the same subject or substantially the same property. This determination shall be made by the ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~ Community Development Director, Zoning Administrator, or their designee's final decision.

Amended 08/08 by Ordinance 2008-35

SECTION 5: AMENDMENT “3.18 Amendments And Rezoning” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

3.18 Amendments And Rezoning

- (1) The City Council may amend:
 - (a) The number, shape, boundaries, or area of any zoning district;
 - (b) any regulation of or within the zoning district, or

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

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

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

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

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

AFTER AMENDMENT

3.18 Amendments And Rezoning

(1) The City Council may amend;

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

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

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

(4) No application for an amendment to the land use regulations or zoning map designations may be reconsidered by the City Council or the Planning Commission within two years of the final decision of the City Council upon the prior application, if the new application proposes the same amendment to the land use regulations or includes the same zoning map designation and includes any of the same property that was described in the previous application. The restrictions contained in this subsection may not apply to a requested zoning map amendment, if the previous application included a proposed zone and a specific proposed use in that zone and the new application includes the same zoning district, but the proposed use has been changed by the applicant. Any application for a zoning map amendment that includes a specific proposed use as a part of the application, shall only be approved on condition that the actual use of the property is limited to the proposed use specified in the application. The 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's, 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.

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

SECTION 6: AMENDMENT “3.20 Organization And Procedures” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

3.20 Organization And Procedures

(1) The board of adjustment shall:

- (a) organize and elect a chairperson; and
- (b) adopt rules that comply with any ordinance adopted by the city council.

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

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

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

- (a) keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact;
- (b) keep records of its examinations and other official actions;

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

(6) The board of adjustment shall file its records in the office of the zoning administrator.

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

(8) Decisions of the board of adjustment become effective at the meeting in which the decision

is made, unless a different time is designated in the board's rules or at the time the decision is made.

(9) The city council may fix per diem compensation for the members of the board of adjustment based on necessary and reasonable expenses and on meetings actually attended.

A F T E R A M E N D M E N T

3.20 Organization And Procedures

(1) The board of adjustment shall:

(a) organize and elect a chairperson; and

(b) adopt rules that comply with any ordinance adopted by the city council.

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

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

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

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

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

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

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

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

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

(9) The city council may fix per diem compensation for the members of the board of adjustment based on necessary and reasonable expenses and on meetings actually attended.

SECTION 7: AMENDMENT “3.27 Zoning Administrator Authority And Duties” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

3.27 Zoning Administrator Authority And Duties

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

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

(a) Advise the Building Official on the issuance of building permits. When the zoning administrator gives written notification to the building official and applicant that an intended use, 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.)

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

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

(f) Upon authorization in the matrix of any zoning district, the zoning administrator, shall

approve a conditional use permit if reasonable conditions can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards in which a conditional use permit is required by the use regulations of that zoning district or elsewhere in these ordinances.

A F T E R A M E N D M E N T

3.27 Zoning Administrator Authority And Duties

(1) Primary responsibility for administering and enforcing this title shall be delegated to the ~~Zoning Administrator~~ 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 ~~zoning administrator~~ 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 ~~zoning administrator~~ 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.)

(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 ~~zoning administrator~~, shall approve a conditional use permit if reasonable conditions can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards in which a conditional use permit is required by the use regulations of that zoning district or elsewhere in these ordinances.

SECTION 8: AMENDMENT “6.13 Minimum Parking Requirements” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

6.13 Minimum Parking Requirements

Shared parking. The zoning administrator 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 zoning administrator, then the applicant shall submit sufficient data to indicate the principal operating hours of the uses. Based upon this information, the zoning administrator shall determine the appropriate shared parking requirement, if any, for such uses.

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

Table 6.3 Parking Requirements

General Land Use Classification	Weekdays 1:00 a.m. - 7:00 a.m.			Weekends 6:00 p.m. - 7:00 a.m.		
Office	5%	100%	5%	0%	15%	60%
Retail sales & services	0%	70%	100%	30%	75%	100%
Restaurant (not 24 hr)	20%	70%	100%	100%	75%	90%
Theater	0%	60%	100%	0%	80%	100%
Hotel - Guest Rooms	100%	55%	100%	100%	55%	100%
Hotel - Restaurant/ Lounge	40%	60%	100%	50%	45%	100%
Hotel - Conference Rooms	0%	100%	100%	0%	100%	100%
Religious Institution	0%	25%	50%	0%	100%	50%

Table 6.4 Parking Requirements

Use	Parking requirements
Athletic Club, Sports Club/Health Spa	4.37 spaces per 1,000 sq ft of gross floor area
Bank, Walk-In Only	0.63 spaces per 1,000 sq ft of gross floor area
Bank, Walk-In w/Drive-Up	4.23 spaces per 1,000 sq ft of gross floor area
Boarding House, Rooming House	1 space for each room for rent, +2 additional spaces if a portion of the bldg is used as a single dwelling unit
Bowling Alley	2.36 space per lane
	1.25 spaces for each 6 ft. of linear pew or 4 seats.

Church	<p>However,</p> <p>(a) Where a church building is designed or intended to be used by two congregations at the same time, parking of 2.25 parking spaces shall be provided for each 6 ft. of linear pew or 4 seats.</p> <p>(b) For buildings designed or intended to be used for conferences or other special meetings involving more than the regular congregations, the necessary parking shall be determined by the Planning Commission.</p>
Cleaning Services, Testing, or Repair of Material or Commodities	1 space for each 3 employees
Community Centers or Recreation Building	4 spaces per 1,000 sq ft of gross floor space
Daycare Facility	1 space for every 2 employees, + 2 additional parking space, +1 loading space for every 8 clients
Dwelling, Multi-Unit	2 spaces for each residential unit
Dwelling, Single Living Unit	2 spaces for each residential unit
Elderly- Disabled Housing/Nursing Home, and Assisted Living Facility	1 space for each 3 dwelling units
Furniture/Carpet/Appliance Store	1.22 spaces per 1,000 sq ft of gross floor area
Gas Station	2 spaces for each 2 employees, excluding spaces to serve gas pumps
Hospital	1.79 spaces per bed
Library, Art Gallery & Museum	2 spaces for each 1,000 sq ft of gross floor area
Light Industrial/Manufacturing (Wholesale Stores, Repair Shops for Household Equipment and Radio and Television, and Repair Establishment)	1.59 spaces per 1,000 sq ft of gross floor area
Machinery Sales	2.1 spaces per 1,000 sq ft floor area
Office, General	2.79 spaces per 1,000 sq ft floor area
Office, Government	3.84 spaces per 1,000 sq ft floor area
Office, Medical/Dental Clinic	4.11 spaces per 1,000 sq ft floor area
Paint/Home Improvements/Hardware Store	3.29 spaces per 1,000 sq ft gross floor area
Private Club and Lodge	1 space for each room for rent, +1 space for each 100 sq ft gross floor area + 1 space for each 4

	employees
Production & Manufacturing Building	1.59 spaces per 1,000 sq ft floor area
Public Utility & Public Services Use	1 space for each 3 employees + 5 spaces for public use
Restaurant, Bar, Cafeteria and Other Eating and Drinking Places:	
Fast Food Restaurant w/less than 21 seats	0.5 spaces per seat
Fast Food Restaurant w/21 or more seats	14.14 spaces per 1,000 sq ft of gross floor area
Quality/Family Restaurant, Cafeteria and Bar/Lounge	15.89 spaces per 1,000 sq ft of gross floor area
Retail Sales Store, Personal Service Establishment, Shoe Repair, Barber and Beauty Store, etc.	4.1 spaces per 1,000 sq ft of gross floor area
School, Elementary, Jr. High or Boarding (Except High School)	1 space for each 3 employees + 5 spaces
High School	0.19 spaces per student
Supermarket	3.42 spaces per 1,000 sq ft floor area
Theater & Auditorium	0.26 spaces per seat
Warehousing or Storage Building (not to include self storage)	0.5 spaces per 1,000 sq ft of gross floor area
Warehousing or Storage of Uses Not Elsewhere Classified	1 space per 1,000 sq ft of gross floor area
Other Uses	
For any other use not specifically mentioned or provided for in this Section, the zoning administrator shall determine the standards to be applied	For parking, using as a guide the listed use which most closely resembles the use proposed.

Amended 12/04 by Ordinance 2004-25, 04/05 by Ordinance 2005-08

A F T E R A M E N D M E N T

6.13 Minimum Parking Requirements

Shared parking. The ~~zoning administrator~~ 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 ~~zoning administrator~~ 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 ~~zoning administrator~~ Community Development Director, Zoning Administrator, or their designee shall determine the appropriate shared parking requirement, if any, for such uses.

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

Table 6.3 Parking Requirements

General Land Use Classification	Weekdays			Weekends		
	1:00 a.m. - 7:00 a.m.	7:00 a.m. - 6:00 p.m.	6:00 p.m. - 7:00 a.m.	1:00 a.m. - 7:00 a.m.	7:00 a.m. - 6:00 p.m.	6:00 p.m. - 1:00 a.m.
Office	5%	100%	5%	0%	15%	60%
Retail sales & services	0%	70%	100%	30%	75%	100%
Restaurant (not 24 hr)	20%	70%	100%	100%	75%	90%
Theater	0%	60%	100%	0%	80%	100%

Hotel - Guest Rooms	100%	55%	100%	100%	55%	100%
Hotel - Restaurant/ Lounge	40%	60%	100%	50%	45%	100%
Hotel - Conference Rooms	0%	100%	100%	0%	100%	100%
Religious Institution	0%	25%	50%	0%	100%	50%

Table 6.4 Parking Requirements

Use	Parking requirements
Athletic Club, Sports Club/Health Spa	4.37 spaces per 1,000 sq ft of gross floor area
Bank, Walk-In Only	0.63 spaces per 1,000 sq ft of gross floor area
Bank, Walk-In w/Drive-Up	4.23 spaces per 1,000 sq ft of gross floor area
Boarding House, Rooming House	1 space for each room for rent, +2 additional spaces if a portion of the bldg is used as a single dwelling unit
Bowling Alley	2.36 space per lane
Church	1.25 spaces for each 6 ft. of linear pew or 4 seats. However, (a) Where a church building is designed or intended to be used by two congregations at the same time, parking of 2.25 parking spaces shall be provided for each 6 ft. of linear pew or 4 seats. (b) For buildings designed or intended to be used for conferences or other special meetings involving more than the regular congregations, the necessary parking shall be determined by the Planning Commission.
Cleaning Services, Testing, or Repair of Material or Commodities	1 space for each 3 employees
Community Centers or Recreation Building	4 spaces per 1,000 sq ft of gross floor space
Daycare Facility	1 space for every 2 employees, + 2 additional parking space, +1 loading space for every 8

	clients
Dwelling, Multi-Unit	2 spaces for each residential unit
Dwelling, Single Living Unit	2 spaces for each residential unit
Elderly- Disabled Housing/Nursing Home, and Assisted Living Facility	1 space for each 3 dwelling units
Furniture/Carpet/Appliance Store	1.22 spaces per 1,000 sq ft of gross floor area
Gas Station	2 spaces for each 2 employees, excluding spaces to serve gas pumps
Hospital	1.79 spaces per bed
Library, Art Gallery & Museum	2 spaces for each 1,000 sq ft of gross floor area
Light Industrial/Manufacturing (Wholesale Stores, Repair Shops for Household Equipment and Radio and Television, and Repair Establishment)	1.59 spaces per 1,000 sq ft of gross floor area
Machinery Sales	2.1 spaces per 1,000 sq ft floor area
Office, General	2.79 spaces per 1,000 sq ft floor area
Office, Government	3.84 spaces per 1,000 sq ft floor area
Office, Medical/Dental Clinic	4.11 spaces per 1,000 sq ft floor area
Paint/Home Improvements/Hardware Store	3.29 spaces per 1,000 sq ft gross floor area
Private Club and Lodge	1 space for each room for rent, +1 space for each 100 sq ft gross floor area + 1 space for each 4 employees
Production & Manufacturing Building	1.59 spaces per 1,000 sq ft floor area
Public Utility & Public Services Use	1 space for each 3 employees + 5 spaces for public use
Restaurant, Bar, Cafeteria and Other Eating and Drinking Places:	
Fast Food Restaurant w/less than 21 seats	0.5 spaces per seat
Fast Food Restaurant w/21 or more seats	14.14 spaces per 1,000 sq ft of gross floor area
Quality/Family Restaurant, Cafeteria and Bar/Lounge	15.89 spaces per 1,000 sq ft of gross floor area
Retail Sales Store, Personal Service Establishment, Shoe Repair, Barber and	

Beauty Store, etc.	4.1 spaces per 1,000 sq ft of gross floor area
School, Elementary, Jr. High or Boarding (Except High School)	1 space for each 3 employees + 5 spaces
High School	0.19 spaces per student
Supermarket	3.42 spaces per 1,000 sq ft floor area
Theater & Auditorium	0.26 spaces per seat
Warehousing or Storage Building (not to include self storage)	0.5 spaces per 1,000 sq ft of gross floor area
Warehousing or Storage of Uses Not Elsewhere Classified	1 space per 1,000 sq ft of gross floor area
Other Uses	
For any other use not specifically mentioned or provided for in this Section, the zoning administrator <ins>Community Development Director, Zoning Administrator, or their designee</ins> shall determine the standards to be applied	For parking, using as a guide the listed use which most closely resembles the use proposed.

Amended 12/04 by Ordinance 2004-25, 04/05 by Ordinance 2005-08

SECTION 9: AMENDMENT “7.5 Application” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

7.5 Application

(1) The Planning Commission may authorize the Zoning Administrator to grant, attach conditions to, or deny conditional use permits, subject to such limitations or qualifications as are deemed necessary. The Zoning Administrator is also authorized to issue conditional use permits for family food production, the raising of animals and commercial uses in existing buildings, when appropriate, but may also defer any such application to the Planning Commission for its determination, in the sole discretion of the Zoning Administrator.

(2) The Zoning Administrator shall send out the appropriate notification for all conditional use permits. If comments are received that indicate a concern about the proposed conditional use, the conditional use shall be sent to Planning Commission for its consideration.

(3) The Zoning Administrator does not have authority to approve commercial conditional use permits requiring construction of new facilities or requiring exceptions or variances to the city ordinances and standards.

(4) All applications for a conditional use permit shall include:

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

viii. drainage features and environmental features.

- (j) Traffic Impact Analysis;
- (k) Geotechnical Report;
- (l) Sewer and Water Modeling
- (m) A statement indicating whether the applicant will require a variance in connection with the proposed conditional use permit;
- (n) mailing labels and first class postage for all property owners located within 500 feet of the subject property when a conditional use permit will be considered by the Planning Commission; and
- (o) Such other further information or documentation as the Zoning Administrator may deem to be necessary for a full and proper consideration and disposition of the particular application.

Amended 01/03 by Ordinance 2003-02

A F T E R A M E N D M E N T

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;
- (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;
 - viii. drainage features and environmental features.
- (j) Traffic Impact Analysis;
- (k) Geotechnical Report;
- (l) Sewer and Water Modeling

(m) A statement indicating whether the applicant will require a variance in connection with the proposed conditional use permit;

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

(o) Such other further information or documentation as the Zoning Administrator may deem to be necessary for a full and proper consideration and disposition of the particular application.

Amended 01/03 by Ordinance 2003-02

SECTION 10: AMENDMENT “7.6 Staff Report And Site Plan Report” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

7.6 Staff Report And Site Plan Report

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

A F T E R A M E N D M E N T

7.6 Staff Report And Site Plan Report

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

SECTION 11: AMENDMENT “7.8 Determination” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

7.8 Determination

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

- (a) The proposed use is one of the conditional uses specifically listed in the zoning district in which it is to be located;
- (b) That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, comfort, order or general welfare of persons residing or working in the vicinity;
- (c) That the use will comply with the intent, spirit, and regulations of these ordinances and is compatible with and implements the planning goals and objectives of the City, including applicable City master plans;
- (d) Make the use harmonious with the neighboring uses in the zoning district in which it is to be located;
- (e) That nuisances which would not be in harmony with the neighboring uses, will be abated by the conditions imposed;
- (f) That protection of property values, the environment, and the tax base for Grantsville City will be assured;
- (g) That the conditions shall be in compliance with the current comprehensive General Plan of Grantsville City;
- (h) That some form of a guarantee is made assuring compliance to all conditions that are imposed;
- (i) That the conditions imposed are not capricious, arbitrary or contrary to any precedence set by the Planning Commission on prior permits, which are similar in use and district, unless prior approvals were not in accordance with the provisions and standards of this ordinance;
- (j) The internal circulation system of the proposed development is properly designed;

- (k) Existing and proposed utility services are adequate for the proposed development;
- (l) Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts;
- (m) Architecture and building materials are consistent with the development and compatible with the adjacent neighborhood;
- (n) Landscaping is appropriate for the scale of the development;
- (o) The proposed use preserves historical, architectural and environmental features of the property; and
- (p) Operating and delivery hours are compatible with adjacent land uses.

A F T E R A M E N D M E N T

7.8 Determination

(1) The Planning Commission, or upon authorization, the ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~ Community Development Director, Zoning Administrator, or their designee. In authorizing any conditional use the Planning Commission or ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~ Community Development Director, Zoning Administrator, or their designee shall not authorize a conditional use permit unless the evidence presented is such as to establish:

- (a) The proposed use is one of the conditional uses specifically listed in the zoning district in which it is to be located;
- (b) That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, comfort, order or general welfare of persons residing or working in the vicinity;
- (c) That the use will comply with the intent, spirit, and regulations of these ordinances and

is compatible with and implements the planning goals and objectives of the City, including applicable City master plans;

- (d) Make the use harmonious with the neighboring uses in the zoning district in which it is to be located;
- (e) That nuisances which would not be in harmony with the neighboring uses, will be abated by the conditions imposed;
- (f) That protection of property values, the environment, and the tax base for Grantsville City will be assured;
- (g) That the conditions shall be in compliance with the current comprehensive General Plan of Grantsville City;
- (h) That some form of a guarantee is made assuring compliance to all conditions that are imposed;
- (i) That the conditions imposed are not capricious, arbitrary or contrary to any precedence set by the Planning Commission on prior permits, which are similar in use and district, unless prior approvals were not in accordance with the provisions and standards of this ordinance;
- (j) The internal circulation system of the proposed development is properly designed;
- (k) Existing and proposed utility services are adequate for the proposed development;
- (l) Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts;
- (m) Architecture and building materials are consistent with the development and compatible with the adjacent neighborhood;
- (n) Landscaping is appropriate for the scale of the development;
- (o) The proposed use preserves historical, architectural and environmental features of the property; and
- (p) Operating and delivery hours are compatible with adjacent land uses.

SECTION 12: AMENDMENT “7.10 Effect Of Approval Of Conditional Use” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

7.10 Effect Of Approval Of Conditional Use

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

A F T E R A M E N D M E N T

7.10 Effect Of Approval Of Conditional Use

The approval of a proposed conditional use by the Planning Commission or the ~~Zoning Administrator~~ 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.

SECTION 13: AMENDMENT “7.11 Appeals Of Decision” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

7.11 Appeals Of Decision

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

A F T E R A M E N D M E N T

7.11 Appeals Of Decision

Any person aggrieved by a decision of the Planning Commission regarding the issuance, denial or revocation or amendment of a conditional use permit, may appeal such decision to the City Council, whose decision shall then be final. All appeals to the City Council must be in

writing and filed with the ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~ Community Development Director, Zoning Administrator, or their designee and with the Clerk of the District Court.

SECTION 14: AMENDMENT “7.12 Inspection” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

7.12 Inspection

(1) Following the issuance of a conditional use permit by the Planning Commission or the Zoning Administrator:

- (a) The Zoning Administrator shall take in an application for approval of a building permit (if applicable), and shall insure that development is undertaken and completed in compliance with the conditional use permit, these ordinances, and the building codes.
- (b) The Zoning Administrator shall make periodic inspections to insure that compliance with all conditions imposed are being complied with. An Investigation Report will be issued to those who are out of compliance and if the discrepancy is not corrected in an allotted time, an Order to Show Cause will be issued for action by the Planning Commission.

A F T E R A M E N D M E N T

7.12 Inspection

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

- (a) The ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~ Community Development Director, Zoning Administrator, or their designee shall make periodic inspections to insure that compliance with all conditions imposed are being complied with. An Investigation Report will be issued to those who are out of compliance and if the discrepancy is not corrected in an allotted time, an Order to

Show Cause will be issued for action by the Planning Commission.

SECTION 15: AMENDMENT “7.14 Notification Required” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

7.14 Notification Required

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

Amended 01/03 by Ordinance 2003-02

AFTER AMENDMENT

7.14 Notification Required

When the Planning Commission considers an application for a conditional use permit at the work meeting, notification shall be sent by mail to all landowners appearing on the tax rolls of Tooele County Assessor that adjoin the property or within an area that the Planning Commission or the Zoning AdministratorCommunity 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.

Amended 01/03 by Ordinance 2003-02

SECTION 16: AMENDMENT “7.15 Amendment Of A Conditional Use Permit” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

7.15 Amendment Of A Conditional Use Permit

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

(a) The Zoning Administrator may administratively consider, approve, or disapprove modifications or changes which are consistent with the purpose and intent of this ordinance. In 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 Zoning Administrator may be appealed within 30 days to the Planning Commission.

(b) The Planning Commission may consider, approve with modifications, or disapprove amendments to a conditional use permit where the Zoning Administrator determines not to make an administrative determination as provided in (a) above and where the following requirements are met:

- i. The proposed modification or amendment complies with the intent and purpose of these ordinances.
- ii. Reasonable conditions may be attached, where and to the extent that the Planning Commission finds, that the imposition of the conditions will directly mitigate or eliminate some aspect of the proposed amendment that violate the intent and requirements of this chapter. Impacts must be of the magnitude that without the mitigation or elimination thereof, the amendment to the conditional use permit could not be granted.
- iii. All decisions of the Planning Commission regarding approval, denial, the imposition of special conditions may be appealed to the City Council as provided in this Chapter.

A F T E R A M E N D M E N T

7.15 Amendment Of A Conditional Use Permit

(1) Once granted, a conditional use permit shall not be enlarged, changed, extended, increased in intensity, or relocated unless an application is made to amend the existing permit, and approval is given by the Planning Commission, except as provided below:

(a) The Zoning Administrator 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 Zoning Administrator 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 ~~Zoning Administrator 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:

- i. The proposed modification or amendment complies with the intent and purpose of these ordinances.
- ii. Reasonable conditions may be attached, where and to the extent that the Planning Commission finds, that the imposition of the conditions will directly mitigate or eliminate some aspect of the proposed amendment that violate the intent and requirements of this chapter. Impacts must be of the magnitude that without the mitigation or elimination thereof, the amendment to the conditional use permit could not be granted.
- iii. All decisions of the Planning Commission regarding approval, denial, the imposition of special conditions may be appealed to the City Council as provided in this Chapter.

SECTION 17: AMENDMENT “8.1 Home Occupations” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

8.1 Home Occupations

(1) All home occupations whether allowed as a permitted use, or as a conditional use, shall comply with the following standards:

- (a) The home occupation must be clearly incidental and secondary to the primary use of the dwelling for residential purposes;
- (b) Under appropriate circumstances up to fifty percent of the usable floor space of a residence may be used for a home occupation, provided said home occupation does not change the character or primary use of the dwelling for residential purposes;
- (c) A home occupation is generally intended to involve persons residing at the location where a home occupation is conducted. Non-residents may be allowed to participate in a home occupation when deemed appropriate by the Planning Commission as a part of a conditional use permit. The character of the home occupation and the neighborhood in

which it is located shall be considered in granting any such conditional use permit. Appropriate conditions shall insure that any impacts upon the neighborhood are mitigated, which conditions may include adequate off-street parking. (Amended 1/99)

- (d) The residence must be the principal residence of the applicant;
- (e) Tools, items, equipment or occupations which are offensive or noxious by reason of the emission of odor, smoke, gas, vibration, magnetic interference or noise are prohibited;
- (f) Stock in trade, inventory or other merchandise shall be allowed to be kept only in one room of the dwelling and limited to 100 square feet of floor space;
- (g) Except for home occupation businesses authorized by a conditional use permit, no clients or customers shall come to the home nor shall any additional vehicular traffic or parking needs be generated.
- (h) The home shall not require any internal alterations other than those necessary for a home occupation approved as a conditional use, nor any external alterations to the residence, nor provide any visible evidence from the exterior that the building is being used for any other purpose than that of a residence;
- (i) Only one non-illuminated name plate, not exceeding two hundred square inches, and mounted flat against building; and
- (j) Except for home occupations authorized by a conditional use permit, no advertising by any method shall identify the home address.

(2) The following activities shall be permitted as home occupations that only require the approval of the Zoning Administrator :

- (a) Artists, illustrators, writers, photographers, editors, drafters, publishers;
- (b) Consultants, private investigators, field representatives and other similar activities where the entire work of the business, except for record keeping and telephone, are conducted off of the premises; and
- (c) Bookkeeping and other similar computer activities.
- (d) Home occupations that require a client to come to the home for service including barbers, beauticians, tax accountants, home instruction of musical instruments, voice and educational subjects and similar or professional services. Physicians, therapists or other health care providers must obtain approval of a home occupation permit from the Planning Commission. (Amended 5/02)

(3) Repealed (Reserved for Future Use). (Amended 5/02)

(4) Applications for home occupation permits shall be filed with the Zoning Administrator. The

applications shall include the following information:

- (a) The names and addresses of all residents within an three hundred (300) foot radius of the property (exclusive of intervening streets and alleys) and their signatures, when possible, stating whether they support or oppose the home occupation proposed;
- (b) The expected number of clients per day; (Amended 6/00)
- (c) A description of the type of business proposed;
- (d) A listing of the individuals at the home who will be working on the business;
- (e) The expected hours of operation of the business; and
- (f) If the business is conducted in an apartment, the application must also be approved by the apartment management.

(5) Upon receipt of an application for a home occupation, the Zoning Administrator shall make a determination of the completeness. If the application is determined to be complete, the Zoning Administrator shall approve or deny the application, or forward it to the Planning Commission for a conditional use permit.

(6) The Zoning Administrator shall issue a permit for the home occupation if they finds that the:

- (a) provisions of this Ordinance are satisfied;
- (b) proposed home occupation will be in keeping with the character of the neighborhood and will not adversely affect the desirability or stability of the neighborhood;
- (c) proposed home occupation does not diminish the use and enjoyment of adjacent properties or create an adverse traffic or parking impact on adjacent streets or properties;
- (d) proposed home occupation will not negatively impact the future use of the property as a residence;
- (e) proposed home occupation will not adversely affect the public health, safety or welfare; and
- (f) proposed home occupation conforms with all fire, building, plumbing, electrical and health codes.

(7) If the application is forwarded to the Planning Commission for special consideration before issuing a conditional use permit, the Planning Commission shall consider the application and approve with conditions or deny the application in accordance with the procedures and standards set forth in chapter 7, Conditional Use Permits.

(8) The Planning Commission, or the City Council, and Zoning Administrator, in the case of

home occupations authorized by this chapter, may terminate any permit for a home occupation use upon making findings that support either or both of the following conclusions:

- (a) any of the required licenses or permits necessary for the operation of the business have been revoked or suspended;
- (b) violation or disregard of any condition issued in approval of the permit; or
- (c) violation of any of the provisions of this Ordinance anywhere on the property.

(9) Any termination of a home occupation conditional use permit may be appealed to the Planning Commission if such appeal is made 30 days following the date of termination. Any person adversely affected by the denial or issuance of a home occupation conditional use permit may appeal that decision to the Planning Commission pursuant to chapter 3.23.

(10) Existing licenses for home occupations which were legal under the prior ordinance regulating home occupations but which are not permitted under this Ordinance may be kept and reissued for subsequent years.

(11) Home occupation conditional use permits issued under this Ordinance are personal to the applicant, non-transferable and do not run with the land.

Amended 05/02 by Ordinance 2002-06, 01/03 by Ordinance 2003-02

A F T E R A M E N D M E N T

8.1 Home Occupations

(1) All home occupations whether allowed as a permitted use, or as a conditional use, shall comply with the following standards:

- (a) The home occupation must be clearly incidental and secondary to the primary use of the dwelling for residential purposes;
- (b) Under appropriate circumstances up to fifty percent of the usable floor space of a residence may be used for a home occupation, provided said home occupation does not change the character or primary use of the dwelling for residential purposes;
- (c) A home occupation is generally intended to involve persons residing at the location where a home occupation is conducted. Non-residents may be allowed to participate in a home occupation when deemed appropriate by the Planning Commission as a part of a conditional use permit. The character of the home occupation and the neighborhood in which it is located shall be considered in granting any such conditional use permit. Appropriate conditions shall insure that any impacts upon the neighborhood are mitigated, which conditions may include adequate off-street parking. (Amended 1/99)
- (d) The residence must be the principal residence of the applicant;

- (e) Tools, items, equipment or occupations which are offensive or noxious by reason of the emission of odor, smoke, gas, vibration, magnetic interference or noise are prohibited;
- (f) Stock in trade, inventory or other merchandise shall be allowed to be kept only in one room of the dwelling and limited to 100 square feet of floor space;
- (g) Except for home occupation businesses authorized by a conditional use permit, no clients or customers shall come to the home nor shall any additional vehicular traffic or parking needs be generated.
- (h) The home shall not require any internal alterations other than those necessary for a home occupation approved as a conditional use, nor any external alterations to the residence, nor provide any visible evidence from the exterior that the building is being used for any other purpose than that of a residence;
- (i) Only one non-illuminated name plate, not exceeding two hundred square inches, and mounted flat against building; and
- (j) Except for home occupations authorized by a conditional use permit, no advertising by any method shall identify the home address.

(2) The following activities shall be permitted as home occupations that only require the approval of the Community Development Director, Zoning Administrator, or their designee ~~Zoning Administrator~~ :

- (a) Artists, illustrators, writers, photographers, editors, drafters, publishers;
- (b) Consultants, private investigators, field representatives and other similar activities where the entire work of the business, except for record keeping and telephone, are conducted off of the premises; and
- (c) Bookkeeping and other similar computer activities.
- (d) Home occupations that require a client to come to the home for service including barbers, beauticians, tax accountants, home instruction of musical instruments, voice and educational subjects and similar or professional services. Physicians, therapists or other health care providers must obtain approval of a home occupation permit from the Planning Commission. (Amended 5/02)

(3) Repealed (Reserved for Future Use). (Amended 5/02)

(4) Applications for home occupation permits shall be filed with the ~~Zoning Administrator~~ Community Development Director, Zoning Administrator, or their designee. The applications shall include the following information:

- (a) The names and addresses of all residents within an three hundred (300) foot radius of the property (exclusive of intervening streets and alleys) and their signatures, when

possible, stating whether they support or oppose the home occupation proposed;

- (b) The expected number of clients per day; (Amended 6/00)
- (c) A description of the type of business proposed;
- (d) A listing of the individuals at the home who will be working on the business;
- (e) The expected hours of operation of the business; and
- (f) If the business is conducted in an apartment, the application must also be approved by the apartment management.

(5) Upon receipt of an application for a home occupation, the ~~Zoning Administrator~~ Community Development Director, Zoning Administrator, or their designee shall make a determination of the completeness. If the application is determined to be complete, the ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~ Community Development Director, Zoning Administrator, or their designee shall issue a permit for the home occupation if they finds that the:

- (a) provisions of this Ordinance are satisfied;
- (b) proposed home occupation will be in keeping with the character of the neighborhood and will not adversely affect the desirability or stability of the neighborhood;
- (c) proposed home occupation does not diminish the use and enjoyment of adjacent properties or create an adverse traffic or parking impact on adjacent streets or properties;
- (d) proposed home occupation will not negatively impact the future use of the property as a residence;
- (e) proposed home occupation will not adversely affect the public health, safety or welfare; and
- (f) proposed home occupation conforms with all fire, building, plumbing, electrical and health codes.

(7) If the application is forwarded to the Planning Commission for special consideration before issuing a conditional use permit, the Planning Commission shall consider the application and approve with conditions or deny the application in accordance with the procedures and standards set forth in chapter 7, Conditional Use Permits.

(8) The Planning Commission, or the City Council, and ~~Zoning Administrator~~ 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:

- (a) any of the required licenses or permits necessary for the operation of the business have been revoked or suspended;
- (b) violation or disregard of any condition issued in approval of the permit; or
- (c) violation of any of the provisions of this Ordinance anywhere on the property.

(9) Any termination of a home occupation conditional use permit may be appealed to the Planning Commission if such appeal is made 30 days following the date of termination. Any person adversely affected by the denial or issuance of a home occupation conditional use permit may appeal that decision to the Planning Commission pursuant to chapter 3.23.

(10) Existing licenses for home occupations which were legal under the prior ordinance regulating home occupations but which are not permitted under this Ordinance may be kept and reissued for subsequent years.

(11) Home occupation conditional use permits issued under this Ordinance are personal to the applicant, non-transferable and do not run with the land.

Amended 05/02 by Ordinance 2002-06, 01/03 by Ordinance 2003-02

SECTION 18: AMENDMENT “8.9 City Council Review And Approval Of Certain Developments Required” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

8.9 City Council Review And Approval Of Certain Developments Required

(1) Notwithstanding any other provision to the contrary in this Code or under any other Grantsville city Ordinance, all new developments or construction projects having multiple occupancy non-residential structures with over four separate occupants or uses and all apartment or condominium structures or developments having more than two residential units, shall be first reviewed and approved by the City Council prior to the commencement or construction.

(2) The City Council review and approval required by this Section shall take place prior to the issuance of any building permits for the proposed project or development. This requirement does not otherwise modify any other review and approval requirements by the Zoning Administrator or the Planning Commission. The standard review and proceduresapproval shall be completed prior to the review and approval by the City Council under this Section.

(3) The review and approval by the City Council under this Section shall be conducted in an effort to ensure that all departments of the City are notified of the proposed project prior to construction, that all applicable building and zoning regulations have been complied with, that utilities are efficiently provided to the property and that any negative impacts to the neighborhood or community are mitigated. The City Council may impose such reasonable conditions and requirements as it deems necessary in order to achieve the foregoing objectives and to ensure that City planning issues are raised and resolved prior to construction.

Amended 05/05 by Ordinance 2005-09

A F T E R A M E N D M E N T

8.9 City Council Review And Approval Of Certain Developments Required

(1) Notwithstanding any other provision to the contrary in this Code or under any other Grantsville city Ordinance, all new developments or construction projects having multiple occupancy non-residential structures with over four separate occupants or uses and all apartment or condominium structures or developments having more than two residential units, shall be first reviewed and approved by the City Council prior to the commencement or construction.

(2) The City Council review and approval required by this Section shall take place prior to the issuance of any building permits for the proposed project or development. This requirement does not otherwise modify any other review and approval requirements by the Community Development Director, Zoning Administrator, or their designee, or the Planning Commission. The standard review and procedures approval shall be completed prior to the review and approval by the City Council under this Section.

(3) The review and approval by the City Council under this Section shall be conducted in an effort to ensure that all departments of the City are notified of the proposed project prior to construction, that all applicable building and zoning regulations have been complied with, that utilities are efficiently provided to the property and that any negative impacts to the neighborhood or community are mitigated. The City Council may impose such reasonable conditions and requirements as it deems necessary in order to achieve the foregoing objectives and to ensure that City planning issues are raised and resolved prior to construction.

Amended 05/05 by Ordinance 2005-09

SECTION 19: AMENDMENT “9.2 Enforcement Of Landscape Requirements” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

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 Zoning Administrator, on a case by case basis, in response to input from the City Police Department regarding the effects of required landscaping on crime prevention.

A F T E R A M E N D M E N T

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 Zoning Administrator, 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.

SECTION 20: AMENDMENT “9.3 Landscape Plan” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

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 Zoning Administrator 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 Zoning Administrator, 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 other recreational facilities, and other freestanding structural features as determined necessary by the Zoning Administrator;

- (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 Zoning Administrator;
- (f) Existing and proposed grading of the site indicating contours at two foot intervals. Proposed berming 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 Zoning Administrator.
- (i) Water efficient irrigation system (separate plan required); and
- (j) Summary data indicating the area of the site in the following conditions:
 - i. Total area and percentage of the site in landscape area;
 - ii. Total area and percentage of the site in domestic turf grasses; and
 - iii. Total area and percentage of the site in drought tolerant plant species.

A F T E R A M E N D M E N T

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 ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~, 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 other recreational facilities, and other freestanding structural features as determined necessary by the Community Development Director, Zoning Administrator, or their designee ~~Zoning Administrator~~;
- (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 ~~Zoning Administrator~~ Community Development Director, Zoning Administrator, or their designee;
- (f) Existing and proposed grading of the site indicating contours at two foot intervals. Proposed berming 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 ~~Zoning Administrator~~ Community Development Director, Zoning Administrator, or their designee.
- (i) Water efficient irrigation system (separate plan required); and
- (j) Summary data indicating the area of the site in the following conditions:
 - i. Total area and percentage of the site in landscape area;
 - ii. Total area and percentage of the site in domestic turf grasses; and
 - iii. Total area and percentage of the site in drought tolerant plant species.

SECTION 21: AMENDMENT “9.4 Selection, Installation, And Maintenance Of Plant Materials” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

9.4 Selection, Installation, And Maintenance Of Plant Materials

(1) Planting materials used in conformance with the provisions of this Chapter shall be of good quality, of a species normally grown in Northern Utah, and capable of withstanding the extremes of individual site microclimates. Size and density of plant material, both at the time of planting and at maturity, are additional criteria which shall be considered when selecting plant materials. The use of drought tolerant plant material is preferred.

(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 Zoning Administrator. 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.

A F T E R A M E N D M E N T

9.4 Selection, Installation, And Maintenance Of Plant Materials

(1) Planting materials used in conformance with the provisions of this Chapter shall be of good quality, of a species normally grown in Northern Utah, and capable of withstanding the extremes of individual site microclimates. Size and density of plant material, both at the time of planting and at maturity, are additional criteria which shall be considered when selecting plant materials. The use of drought tolerant plant material is preferred.

(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 ~~Zoning Administrator~~ 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.

SECTION 22: AMENDMENT “9.5 Parkway Landscaping” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

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) 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 Zoning Administrator; and
- (e) The Zoning Administrator 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.

(3) Materials prohibited in parkways referenced in Table 9-1 include rocks, gravel, bark, asphalt, thorn bearing plant species, ground cover and shrubs which exceed 18 inches in height at maturity. These materials are prohibited for the reasons stated below:

- (a) Rocks, gravel, and bark are hazardous to pedestrians and bicyclists, are difficult to walk across particularly when covered with snow, are kicked or washed into the street and sidewalk causing potential traffic hazards and clog storm drainage systems, and requires additional City street cleaning and maintenance costs;

- (b) Asphalt is inconsistent with the City's urban design policy, and deteriorates quicker than concrete or pavers;
- (c) Thorn bearing plant species are hazardous to pedestrians and bicyclists, and are difficult to walk across; and
- (d) Ground cover and shrubs which exceed eighteen inches in height at maturity are hazardous to pedestrians due to sight distance problems, are difficult to walk across, provides a visual barrier to promote crime, and limits access to vehicles parked adjacent to the parkway.
- (e) The developer in a subdivision or planned unit development is responsible for the planting of street trees.

Table 9-1, Parkway Design Standards *

Parkway Materials	Parkway
Turf ¹	Permitted
Evergreen Ground Cover ²	Permitted - less than 18" in height at maturity
Shrubs ³	Permitted - less than 18" in height at maturity
Trees	Permitted - See Section 9.5.6
Flowers ⁴	Permitted - flower bed not to exceed 24" in height at maturity
Bark and Mulch	Permitted
Driveway and Walkways (carriage to street)	Permitted
Other Impervious Materials (brick pavers, concrete)	Not to exceed 25% of the park strip area
Street Trees	Street trees shall be planted within one growing season from the date the certificate of occupancy was issued. The developer in a subdivision or P.U.D., is responsible for the planting of street trees.
Irrigation ⁵	Required for plant materials
Prohibited Materials ⁶	Large rocks, asphalt, thorny bearing plants, ground cover and shrubs exceeding 18" in height.

Notes:

* These standards apply to all properties in the City that have street curb and/or gutter. Owners of property on streets that do not have curb and gutter, and vacant lot owners do not have to maintain landscaping within the public right-of-way. However, these properties shall not

maintain rocks, gravel, bark, or other similar materials within the public right-of-way. In addition, vacant property owners shall maintain native grasses and weeds to a maximum height of six (6) inches.

1 Turf is permitted on slope grades up to fifty percent. Turf is not recommended on slopes greater than fifty percent.

2 Ground covers are defined as any perennial evergreen plant material species that cover one hundred percent of the ground all year. Perennial is defined as a plant having a life span of more than two years. Evergreen is defined as a plant having foliage that remains on the plant throughout the year. Ground covers shall not exceed 18 inches in height at maturity. Flowers as permitted above are an exception to this definition and shall not exceed 36 inches in height at maturity. Thorn bearing ground covers are prohibited.

3 A limited variety of shrubs are available that will not exceed 18 inches in height at maturity. Thorn bearing shrubs are prohibited.

4 Flowers shall not include thorn bearing species.

5 Irrigation shall be provided to adequately maintain all plant materials in parkway areas. Irrigation may include a permanent "in-ground" system or manual hose and sprinkler application.

6 Retaining walls, fences, steps, and other similar structural encroachments shall be prohibited unless they are specifically approved through the City. Retaining wall is defined as a wall designed to resist the lateral displacement of soil or other material.

A F T E R A M E N D M E N T

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) 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 ~~Zoning Administrator~~ Community Development Director, Zoning Administrator, or their designee; and

(e) The ~~Zoning Administrator~~ 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.

(3) Materials prohibited in parkways referenced in Table 9-1 include rocks, gravel, bark, asphalt, thorn bearing plant species, ground cover and shrubs which exceed 18 inches in height at maturity. These materials are prohibited for the reasons stated below:

(a) Rocks, gravel, and bark are hazardous to pedestrians and bicyclists, are difficult to walk across particularly when covered with snow, are kicked or washed into the street and sidewalk causing potential traffic hazards and clog storm drainage systems, and requires additional City street cleaning and maintenance costs;

(b) Asphalt is inconsistent with the City's urban design policy, and deteriorates quicker than concrete or pavers;

(c) Thorn bearing plant species are hazardous to pedestrians and bicyclists, and are difficult to walk across; and

(d) Ground cover and shrubs which exceed eighteen inches in height at maturity are hazardous to pedestrians due to sight distance problems, are difficult to walk across, provides a visual barrier to promote crime, and limits access to vehicles parked adjacent to the parkway.

(e) The developer in a subdivision or planned unit development is responsible for the planting of street trees.

Table 9-1, Parkway Design Standards *

Parkway Materials	Parkway
Turf ¹	Permitted
Evergreen Ground Cover ²	Permitted - less than 18" in height at maturity
Shrubs ³	Permitted - less than 18" in height at maturity

Trees	Permitted - See Section 9.5.6
Flowers ⁴	Permitted - flower bed not to exceed 24" in height at maturity
Bark and Mulch	Permitted
Driveway and Walkways (carriage to street)	Permitted
Other Impervious Materials (brick pavers, concrete)	Not to exceed 25% of the park strip area
Street Trees	Street trees shall be planted within one growing season from the date the certificate of occupancy was issued. The developer in a subdivision or P.U.D., is responsible for the planting of street trees.
Irrigation ⁵	Required for plant materials
Prohibited Materials ⁶	Large rocks, asphalt, thorny bearing plants, ground cover and shrubs exceeding 18" in height.

Notes:

* These standards apply to all properties in the City that have street curb and/or gutter. Owners of property on streets that do not have curb and gutter, and vacant lot owners do not have to maintain landscaping within the public right-of-way. However, these properties shall not maintain rocks, gravel, bark, or other similar materials within the public right-of-way. In addition, vacant property owners shall maintain native grasses and weeds to a maximum height of six (6) inches.

1 Turf is permitted on slope grades up to fifty percent. Turf is not recommended on slopes greater than fifty percent.

2 Ground covers are defined as any perennial evergreen plant material species that cover one hundred percent of the ground all year. Perennial is defined as a plant having a life span of more than two years. Evergreen is defined as a plant having foliage that remains on the plant throughout the year. Ground covers shall not exceed 18 inches in height at maturity. Flowers as permitted above are an exception to this definition and shall not exceed 36 inches in height at maturity. Thorn bearing ground covers are prohibited.

3 A limited variety of shrubs are available that will not exceed 18 inches in height at maturity. Thorn bearing shrubs are prohibited.

4 Flowers shall not include thorn bearing species.

5 Irrigation shall be provided to adequately maintain all plant materials in parkway areas. Irrigation may include a permanent "in-ground" system or manual hose and sprinkler

application.

6 Retaining walls, fences, steps, and other similar structural encroachments shall be prohibited unless they are specifically approved through the City. Retaining wall is defined as a wall designed to resist the lateral displacement of soil or other material.

SECTION 23: AMENDMENT “10.4.7 Manufactured Home And Manufactured Home Park Approval Procedures” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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 Zoning Administrator 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, 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 Zoning Administrator 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.

AFTER AMENDMENT

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 ~~Zoning Administrator~~ 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, 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 Zoning Administrator 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.

SECTION 24: AMENDMENT “11.3 Scope Of Modifications Authorized”
of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

11.3 Scope Of Modifications Authorized

(1) The authority of the Zoning Administrator through the site plan review process to require modification of a proposed site development shall be limited to the following elements in order to achieve the objectives set forth below:

- (a) Minimizing dangerous traffic movements and promoting the smooth and efficient flow of traffic in accordance with standards in the Institute of Traffic Engineers' Transportation Handbook, and other local sources of authority as adopted by resolution;
- (b) Optimizing the efficient use of parking facilities through provisions for adequate interior circulation, parking stalls and travel aisles;
- (c) Promoting compatibility with adjacent and nearby properties;
- (d) Preserving and protecting valuable natural features and amenities to the greatest extent practical;
- (e) Promoting the efficient provision of public services;
- (f) Preserving existing healthy and long-lived trees wherever practically feasible;
- (g) Designing drainage facilities to promote the use and preservation of natural watercourse and patterns of drainage;

- (h) Minimizing alterations to existing topography;
- (i) Protecting important views and vistas as identified in adopted plans;
- (j) Promoting the use of plant material compatible with the climate of the region and micro-climate conditions on the site;
- (k) Ensuring that plant material can be maintained for long term health and continued growth;
- (l) Maximizing water conservation;
- (m) Ensuring that the arrangement of required landscaping produces the optimal visual effect;
- (n) Ensuring that the location, size and orientation of signage do not impair the visibility of or distract motorists;
- (o) Ensuring that the location, size and orientation of signage minimize obstructions and hazards to pedestrians; and
- (p) Ensuring that the proposed site development conforms to all applicable requirements of this Code and other ordinances and regulations.

A F T E R A M E N D M E N T

11.3 Scope Of Modifications Authorized

(1) The authority of the ~~Zoning Administrator~~ 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:

- (a) Minimizing dangerous traffic movements and promoting the smooth and efficient flow of traffic in accordance with standards in the Institute of Traffic Engineers' Transportation Handbook, and other local sources of authority as adopted by resolution;
- (b) Optimizing the efficient use of parking facilities through provisions for adequate interior circulation, parking stalls and travel aisles;
- (c) Promoting compatibility with adjacent and nearby properties;
- (d) Preserving and protecting valuable natural features and amenities to the greatest extent practical;
- (e) Promoting the efficient provision of public services;
- (f) Preserving existing healthy and long-lived trees wherever practically feasible;

- (g) Designing drainage facilities to promote the use and preservation of natural watercourse and patterns of drainage;
- (h) Minimizing alterations to existing topography;
- (i) Protecting important views and vistas as identified in adopted plans;
- (j) Promoting the use of plant material compatible with the climate of the region and micro-climate conditions on the site;
- (k) Ensuring that plant material can be maintained for long term health and continued growth;
- (l) Maximizing water conservation;
- (m) Ensuring that the arrangement of required landscaping produces the optimal visual effect;
- (n) Ensuring that the location, size and orientation of signage do not impair the visibility of or distract motorists;
- (o) Ensuring that the location, size and orientation of signage minimize obstructions and hazards to pedestrians; and
- (p) Ensuring that the proposed site development conforms to all applicable requirements of this Code and other ordinances and regulations.

SECTION 25: AMENDMENT “11.4 Site Plan Content” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

11.4 Site Plan Content

(1) Two copies of a site plan, drawn to a scale of 20 feet to the inch or such other scale as the Zoning Administrator shall deem appropriate, shall be submitted along with any permit application and shall contain the following information:

- (a) The applicant’s name, address, telephone number and interest in the property;
- (b) The owner’s name, address and telephone number, if different than the applicant, and the owner’s signed consent to the filing of the application;
- (c) The street address and legal description of the subject property;

- (d) The zoning classification, zoning district boundaries and present use of the subject property;
- (e) A vicinity map with north point, scale and date, indicating the zoning classifications and current uses of properties within 85 feet of the subject property (exclusive of intervening streets and alleys);
- (f) The proposed title of the project and the names, addresses and telephone numbers of the architect, landscape architect, planner or engineer on the project, and a signature panel for Zoning Administrator approval;
- (g) The boundaries of the subject property, all existing property lines, setback lines, existing streets, buildings, water courses, water ways or lakes, wetlands, and other existing physical features in or adjoining the project;
- (h) Topographic survey, showing the elevation of streets, alleys, buildings, structures, water courses and their names. The topography shall be shown by adequate spot elevations. The finished grade for the entire site shall be shown as well as the first floor elevation of all buildings. Additionally, on all site plans the following information must be provided:
 - i. Significant topographical or physical features of the site, including existing trees;
 - ii. The elevation of the curb (if existing or proposed) in front of each lot shall be indicated; and
 - iii. Elevations of the top of bank and toe of slope, slope ratio of fill, and limits of fill, including access, shall be indicated;
- (i) The location and size of sanitary and storm sewers, water, gas, telephone, electric and other utility lines, culverts and other underground structures in or affecting the project, including existing and proposed facilities and easements for these facilities. In the case of City-owned utilities, such information shall be provided to the applicant by the Public Utility department;
- (j) The location, dimensions and character of construction of proposed streets, alleys, loading areas (including numbers of parking and loading spaces), outdoor lighting systems, storm drainage and sanitary facilities, sidewalks, curbs and gutters and all curb cuts. Where necessary to meet the purposes and intent of this chapter, such information shall be provided for the site itself and for an area within 50 feet of any property line of the site; except, that additional area may be required to be shown to indicate connections or proposed connections to major utilities;
- (k) The location of all proposed buildings and structures, accessory and principal, showing the number of stories and height, dwelling type, if applicable, major excavations and the total square footage of the floor area by proposed use;
- (l) The location, height, type and material of all fences and walls;

- (m) The location, character, size, height and orientation of proposed signs, as proposed to be erected in accordance with Chapter 20, Sign ordinance, and elevations of buildings showing signs to be placed on exterior walls. Signs which are approved in accordance with this Chapter shall be considered a part of the approved site plan. Thereafter, signs shall not be erected, painted, constructed, structurally altered, hung, rehung or replaced except in conformity with the approved site plan. Any changes in signs from the approved site plan or any additions to the number of signs as shown on the site plan shall be allowed only after approval of an amendment of the site plan by the Planning Commission;
- (n) The proposed nature and manner of grading of the site, including proposed treatment of slopes in excess of ten percent to prevent soil erosion and excessive runoff;
- (o) The location of dumpsters or other outdoor trash receptacles;
- (p) The location and dimensions of proposed recreation areas, open spaces and other required amenities and improvements;
- (q) A tabulation of the total number of developable acres in the project and the percentage and acreage thereof proposed to be allocated to off- street parking, open space, parks, and other reservations;
- (r) A tabulation of the total number of dwelling units within the project and the overall project density calculated as net density based on developable acreage as identified and defined in GLUDMC (for residential projects); and
- (s) The proposed and required off-street parking and loading areas, including parking and access for the handicapped, as specified in the Utah Uniform Statewide Building Code, as amended.

(2) The Zoning Administrator may waive any of the above listed requirements upon making a determination that such requirements are unnecessary due to the scope and nature of the proposed development.

A F T E R A M E N D M E N T

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 ~~approval~~;
- (g) The boundaries of the subject property, all existing property lines, setback lines, existing streets, buildings, water courses, water ways or lakes, wetlands, and other existing physical features in or adjoining the project;
- (h) Topographic survey, showing the elevation of streets, alleys, buildings, structures, water courses and their names. The topography shall be shown by adequate spot elevations. The finished grade for the entire site shall be shown as well as the first floor elevation of all buildings. Additionally, on all site plans the following information must be provided:
 - i. Significant topographical or physical features of the site, including existing trees;
 - ii. The elevation of the curb (if existing or proposed) in front of each lot shall be indicated; and
 - iii. Elevations of the top of bank and toe of slope, slope ratio of fill, and limits of fill, including access, shall be indicated;
- (i) The location and size of sanitary and storm sewers, water, gas, telephone, electric and other utility lines, culverts and other underground structures in or affecting the project, including existing and proposed facilities and easements for these facilities. In the case of City-owned utilities, such information shall be provided to the applicant by the Public Utility department;
- (j) The location, dimensions and character of construction of proposed streets, alleys, loading areas (including numbers of parking and loading spaces), outdoor lighting systems, storm drainage and sanitary facilities, sidewalks, curbs and gutters and all curb cuts. Where necessary to meet the purposes and intent of this chapter, such information shall be provided for the site itself and for an area within 50 feet of any property line of the site; except, that additional area may be required to be shown to indicate connections or proposed connections to major utilities;
- (k) The location of all proposed buildings and structures, accessory and principal, showing the number of stories and height, dwelling type, if applicable, major excavations and the total square footage of the floor area by proposed use;

- (l) The location, height, type and material of all fences and walls;
- (m) The location, character, size, height and orientation of proposed signs, as proposed to be erected in accordance with Chapter 20, Sign ordinance, and elevations of buildings showing signs to be placed on exterior walls. Signs which are approved in accordance with this Chapter shall be considered a part of the approved site plan. Thereafter, signs shall not be erected, painted, constructed, structurally altered, hung, rehung or replaced except in conformity with the approved site plan. Any changes in signs from the approved site plan or any additions to the number of signs as shown on the site plan shall be allowed only after approval of an amendment of the site plan by the Planning Commission;
- (n) The proposed nature and manner of grading of the site, including proposed treatment of slopes in excess of ten percent to prevent soil erosion and excessive runoff;
- (o) The location of dumpsters or other outdoor trash receptacles;
- (p) The location and dimensions of proposed recreation areas, open spaces and other required amenities and improvements;
- (q) A tabulation of the total number of developable acres in the project and the percentage and acreage thereof proposed to be allocated to off- street parking, open space, parks, and other reservations;
- (r) A tabulation of the total number of dwelling units within the project and the overall project density calculated as net density based on developable acreage as identified and defined in GLUDMC (for residential projects); and
- (s) The proposed and required off-street parking and loading areas, including parking and access for the handicapped, as specified in the Utah Uniform Statewide Building Code, as amended.

(2) The 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.

SECTION 26: AMENDMENT “11.10 Procedures For Site Plan Review” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

11.10 Procedures For Site Plan Review

- (1) Before filing an application for approval of a site development plan, landscape plan and other applicable plans, the applicant is encouraged to confer with the Zoning Administrator,

City Planner, Chief of Police, Fire Department and Public Works Department regarding the general proposal. Such action does not require formal application fees, or filing of a site development plan, or landscape plan and is not to be construed as an application for formal approval. No representation made by the Zoning Administrator or other city personnel or departments during such conference shall be binding upon the City with respect to an application subsequently submitted.

(2) After the site plan, landscape plan, other applicable plans and related materials and fees have been submitted and the application has been determined by the Zoning Administrator to be complete, the application shall be reviewed and processed in coordination with the appropriate personnel and City departments. In considering and acting upon site plans, landscape plans and other applicable plans, the Zoning Administrator shall take into consideration the public health, safety, and welfare, the comfort and convenience of the public in general and of the immediate neighborhood in particular. If the plan is approved, the Zoning Administrator, shall certify approval on the site plan and state the conditions of such approval, if any. If the plan is disapproved, the Zoning Administrator shall indicate reasons in writing to the applicant. No permit may be issued by the Zoning Administrator, Building Inspector, or the Planning Commission without site plan approval.

(3) Any appeal of the Zoning Administrator's denial of a site plan shall be made to the Board of Adjustment, provided that such appeal is filed within 30 days from the date of such denial.

(4) The action of the Zoning Administrator approving the application shall be noted on all copies of the site plan, landscape plan and other applicable plans to be retained in the record, including any changes or conditions required as part of the site plan approval. One such copy shall be returned to the applicant, and others retained as required for records or further action by the Zoning Administrator or other affected agencies of the City.

(5) Building Permits shall be issued in accordance with approved plans. A copy of the approved site plan shall be retained in the records of the office of the Building Inspector and all buildings and occupancy permits shall conform to the provisions of said site development plans.

(6) Amendments or modifications to approved site plans and/or landscape plans must be submitted to the Zoning Administrator. Such modifications shall be submitted in accordance with the procedures and requirements of this Chapter and shall be distributed to the appropriate City departments for review. The Zoning Administrator may waive this requirement where the Zoning Administrator has determined that such modification of the original site plan and/or landscape plan has no significant impact upon the original proposal and still remains in conformance with City standards and regulations.

(7) Approval of the site plan, landscape plan and other applicable plans shall be void unless a Building Permit, Conditional Use Permit or use of the land has commenced within 12 months from the date of approval. Upon request, re-validation of the site plan may be granted for an additional 12 months if all factors of the original site plan review are the same; provided, however, that written notice requesting re-validation must be received by the Zoning

Administrator prior to expiration of the original 12 month period.

(8) A stop work order shall be put on the project if any improvements required are not consistent with the approved site development plan, landscape plan or other applicable plans.

(9) When any improvement is to be accepted for dedication, maintenance or operation by the City, the applicant may be required to provide a certified check or bond (with surety acceptable to the City Attorney) in the amount of twenty percent of the total construction costs of the project to cover the costs of any defects which may occur in such improvements within two years after the date of acceptance by the City. The Manager of the Road Department or other responsible City official shall be responsible for determining when such security shall be required.

A F T E R A M E N D M E N T

11.10 Procedures For Site Plan Review

(1) Before filing an application for approval of a site development plan, landscape plan and other applicable plans, the applicant is encouraged to confer with the ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~ Community Development Director, Zoning Administrator, or their designee shall indicate reasons in writing to the applicant. No permit may be issued by the ~~Zoning Administrator~~ Community Development Director, Zoning Administrator, or their designee, Building Inspector, or the Planning Commission without site plan approval.

(3) Any appeal of the ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~ Community Development Director, Zoning Administrator, or their designee. Such modifications shall be submitted in accordance with the procedures and requirements of this Chapter and shall be distributed to the appropriate City departments for review. The ~~Zoning Administrator~~ Community Development Director, Zoning Administrator, or their designee may waive this requirement where the ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~ Community Development Director, Zoning Administrator, or their designee prior to expiration of the original 12 month period.

(8) A stop work order shall be put on the project if any improvements required are not consistent with the approved site development plan, landscape plan or other applicable plans.

(9) When any improvement is to be accepted for dedication, maintenance or operation by the City, the applicant may be required to provide a certified check or bond (with surety acceptable to the City Attorney) in the amount of twenty percent of the total construction costs of the project to cover the costs of any defects which may occur in such improvements within two years after the date of acceptance by the City. The Manager of the Road Department or other responsible City official shall be responsible for determining when such security shall be required.

SECTION 27: AMENDMENT “12.5 Application Procedure” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

12.5 Application Procedure

(1) PUD District Application. Each PUD District application shall include the following:

(a) a “PUD District Map and Plan”, which shall include, at a minimum: (i) a depiction of the total area proposed to be covered by the PUD District identifying the general location of residential and nonresidential uses within the proposed PUD District; and (ii) a list identifying the number of residential units and unit types and the square feet of nonresidential development; and (iii) all information required in the City’s online application portal;

(b) a “PUD Development Plan,” that is drawn to scale and is legible if printed on an 11 x 17 sheet. At a minimum, the PUD Development Plan shall include: (i) site plan contents from GLUDMC Chapter 11; (ii) the proposed configuration of lots and types of uses proposed for the property; (iii) the general location of major roadways, main utility infrastructure, and open space networks; and (iv) a proposed phasing plan showing the sequence and general location of phases including estimated number of units by unit type, minimum lot sizes, nonresidential square footage for each phase throughout the PUD District;

(c) a land use table outlining proposed permitted and conditional uses (either by incorporation of the underlying zones or proposed deviations, as applicable), including an explanation of how any proposed deviations benefits the development and the surrounding community and any other justifications for the proposed deviations from the City Code;

(d) a table of development standards outlining proposed deviations from underlying City Code or development standards, including references to the existing code, including an explanation of how any proposed deviations benefits the development and the surrounding community and any other justifications for the proposed deviations from the City Code (the proposed deviations shall include specific references to the affected ordinances and a comparison of the requirement and proposed deviations);

(e) a proposed development agreement applicable to the entire PUD District (contact the City offices for the latest form);

(f) a geotechnical report;

(g) a traffic study and report for the entire proposed development; and

(h) a written statement addressing 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 PUD District relates to and promotes each listed objective.

(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 Zoning Administrator promptly upon learning of any easement or access issues after the application is submitted and at any point throughout the application and review process;

(2) PUD District Application Review.

(a) The PUD District application shall be submitted to the Planning Commission for review and recommendation to the City Council. The Planning Commission shall notice and hold a public hearing prior to making a recommendation to the City Council. The Planning Commission shall have the

authority to recommend to the City Council reasonable and appropriate conditions in any PUD District application, including recommendations to change, alter, modify, or waive of the standards and uses of the underlying zone as they apply to the proposed PUD District. Public health and safety issues including but not limited to: line of site; public utilities and associated easements; secondary and emergency access; and quantity of required parking are outside of the Planning Commission authority to recommend for modification or waiver. The Planning Commission's recommendations are not binding upon the City Council, but the City Council shall consider the recommendations. (b) Upon receiving a recommendation by the Planning Commission, the City Council shall review the PUD District application as a legislative land use regulation application. In the event the applicant has included revisions based on discussion and/or recommendations from the Planning Commission, City staff shall include in its report or presentation to the City Council discussion of the latest revisions as they relate to the application presented to the Planning Commission. The applicant may not make significant or material revisions to the application after the Planning Commission's recommendation that are not directly related to addressing concerns identified at the Planning Commission. The City Council may determine, in its discretion, that the revisions introduced after the Planning Commission held its public hearing are material and require a subsequent public hearing at the Planning Commission on the revisions prior to acting on the revised plan. (c) The approval of the PUD District application shall include approval of all special conditions applicable to the PUD District. All special conditions and approved variations to the GLUDMC shall be included in the Development Agreement which shall be approved by Planning Commission and City Council, as applicable. The development agreement shall also include the phasing plan required in the PUD Development Plan. (d) The City may allow or require the development agreement for the PUD District application to be processed and approved separately from the PUD District itself. If the development agreement does not modify any rights of the City or developer with respect to land use development, it may be approved by the City administratively, without a public hearing at the planning commission. Otherwise, the development agreement shall be processed as a land use regulation under Utah Code 10-9a-501, et seq. and applicable Grantsville City Code. (3) PUD Development Plan or Development Agreement Modification. While the PUD Development Plan is submitted and approved with the PUD District Application, it is anticipated that the PUD Development Plan be adjusted as the development proceeds and is refined. Major modifications and minor changes are handled differently. (a) Major Modifications. Any adjustment to the PUD Development Plan that would alter or expand the intent of the provisions in the PUD Development Plan, including the phasing plan, is a major modification. A major modification is initiated by the applicant submitting a separate application to modify the PUD Development Plan. The separate application shall supersede the initial application in all respects so there may not be multiple approvals pending on the same proposed PUD District. The Planning Commission may recommend approval (with or without conditions) or denial of a request for a major modification to the City Council, upon finding that any changes in the plan as approved will be in substantial conformity with the PUD District Map and Plan. The development agreement shall be amended or supplemented to account for any major modifications to the PUD Development Plan. (b) Minor Changes. Minor changes to a PUD Development Plan that do not include a subdivision of land may be

made subject to approval of the City Engineer and Public Works department when such adjustments appear necessary in light of technical or engineering considerations. Such minor changes shall be limited to the following elements: (i) the distance as shown on the approved Plan between any one structure or group of structures, and any other structure or group of structures, or any vehicular circulation element or any boundary of the site; (b) Adjusting the location of any open space. The size or amount of open space that was approved shall not be compromised; (c) Adjusting any final grade; and (d) Altering the types of landscaping elements and their arrangement within the required landscaping buffer area. (c) Minor changes shall be consistent with the intent and purpose of GLUDMC and the PUD District Map and Plan provisions as approved, and shall be the minimum necessary to overcome the particular difficulty and shall not be approved if such adjustments would result in a violation of any standard or requirement of this Code. (d) Any proposed change to the PUD District Map and Plan and any proposed change which would require a modification of the PUD District Map and Plan to remain consistent with the PUD District approval shall constitute a new application and shall be processed in accordance with this Chapter. (e) Non-substantive amendments to the development agreement not otherwise addressed in this section may be made administratively following confirmation of the City Attorney that the amendments do not affect substantive rights with respect to development of land. (4) Subdivision and Site Plan Approval. Each phase shall follow the appropriate site plan or subdivision approval procedure in GLUDMC, except that the City shall also review those applications for compliance with the PUD District Map and plan and the PUD Development Plan. If the City determines that an amendment to the PUD District Map and Plan or PUD Development Plan is required for the site plan or subdivision application to comply, the preliminary site plan or preliminary subdivision application will be rejected.

A F T E R A M E N D M E N T

12.5 Application Procedure

(1) PUD District Application. Each PUD District application shall include the following: (a) a “PUD District Map and Plan”, which shall include, at a minimum: (i) a depiction of the total area proposed to be covered by the PUD District identifying the general location of residential and nonresidential uses within the proposed PUD District; and (ii) a list identifying the number of residential units and unit types and the square feet of nonresidential development; and (iii) all information required in the City’s online application portal; (b) a “PUD Development Plan,” that is drawn to scale and is legible if printed on an 11 x 17 sheet. At a minimum, the PUD Development Plan shall include: (i) site plan contents from GLUDMC Chapter 11; (ii) the proposed configuration of lots and types of uses proposed for the property; (iii) the general location of major roadways, main utility infrastructure, and open space networks; and (iv) a proposed phasing plan showing the sequence and general location of phases including estimated number of units by unit type, minimum lot sizes, nonresidential square footage for each phase throughout the PUD District; (c) a land use table outlining proposed permitted and conditional uses (either by incorporation of the underlying zones or proposed deviations, as applicable), including an

explanation of how any proposed deviations benefits the development and the surrounding community and any other justifications for the proposed deviations from the City Code; (d) a table of development standards outlining proposed deviations from underlying City Code or development standards, including references to the existing code, including an explanation of how any proposed deviations benefits the development and the surrounding community and any other justifications for the proposed deviations from the City Code (the proposed deviations shall include specific references to the affected ordinances and a comparison of the requirement and proposed deviations); (e) a proposed development agreement applicable to the entire PUD District (contact the City offices for the latest form); (f) a geotechnical report; (g) a traffic study and report for the entire proposed development; and (h) a written statement addressing 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 PUD District relates to and promotes each listed objective. (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 Community Development Director, Zoning Administrator, or their designee ~~Planning and Zoning Administrator~~ promptly upon learning of any easement or access issues after the application is submitted and at any point throughout the application and review process; (2) PUD District Application Review. (a) The PUD District application shall be submitted to the Planning Commission for review and recommendation to the City Council. The Planning Commission shall notice and hold a public hearing prior to making a recommendation to the City Council. The Planning Commission shall have the authority to recommend to the City Council reasonable and appropriate conditions in any PUD District application, including recommendations to change, alter, modify, or waive of the standards and uses of the underlying zone as they apply to the proposed PUD District. Public health and safety issues including but not limited to: line of site; public utilities and associated easements; secondary and emergency access; and quantity of required parking are outside of the Planning Commission authority to recommend for modification or waiver. The Planning Commission's recommendations are not binding upon the City Council, but the City Council shall consider the recommendations. (b) Upon receiving a recommendation by the Planning Commission, the City Council shall review the PUD District application as a legislative land use regulation application. In the event the applicant has included revisions based on discussion and/or recommendations from the Planning Commission, City staff shall include in its report or presentation to the City Council discussion of the latest revisions as they relate to the application presented to the Planning Commission. The applicant may not make significant or material revisions to the application after the Planning Commission's recommendation that are not directly related to addressing concerns identified at the Planning Commission. The City Council may determine, in its discretion, that the revisions introduced after the Planning Commission held its public hearing are material and require a subsequent public hearing at the Planning Commission on the revisions prior to acting on the revised plan. (c) The approval of the PUD District application shall include approval of all special conditions applicable to the PUD District. All special conditions and approved variations to the GLUDMC shall be included in the Development Agreement which shall be approved by Planning Commission and City Council, as applicable. The development agreement shall also include the phasing plan

required in the PUD Development Plan. (d) The City may allow or require the development agreement for the PUD District application to be processed and approved separately from the PUD District itself. If the development agreement does not modify any rights of the City or developer with respect to land use development, it may be approved by the City administratively, without a public hearing at the planning commission. Otherwise, the development agreement shall be processed as a land use regulation under Utah Code 10-9a-501, et seq. and applicable Grantsville City Code. (3)PUD Development Plan or Development Agreement Modification. While the PUD Development Plan is submitted and approved with the PUD District Application, it is anticipated that the PUD Development Plan be adjusted as the development proceeds and is refined. Major modifications and minor changes are handled differently. (a) Major Modifications. Any adjustment to the PUD Development Plan that would alter or expand the intent of the provisions in the PUD Development Plan, including the phasing plan, is a major modification. A major modification is initiated by the applicant submitting a separate application to modify the PUD Development Plan. The separate application shall supersede the initial application in all respects so there may not be multiple approvals pending on the same proposed PUD District. The Planning Commission may recommend approval (with or without conditions) or denial of a request for a major modification to the City Council, upon finding that any changes in the plan as approved will be in substantial conformity with the PUD District Map and Plan. The development agreement shall be amended or supplemented to account for any major modifications to the PUD Development Plan. (b)Minor Changes. Minor changes to a PUD Development Plan that do not include a subdivision of land may be made subject to approval of the City Engineer and Public Works department when such adjustments appear necessary in light of technical or engineering considerations. Such minor changes shall be limited to the following elements: (i) the distance as shown on the approved Plan between any one structure or group of structures, and any other structure or group of structures, or any vehicular circulation element or any boundary of the site; (b) Adjusting the location of any open space. The size or amount of open space that was approved shall not be compromised; (c) Adjusting any final grade; and (d) Altering the types of landscaping elements and their arrangement within the required landscaping buffer area. (c)Minor changes shall be consistent with the intent and purpose of GLUDMC and the PUD District Map and Plan provisions as approved, and shall be the minimum necessary to overcome the particular difficulty and shall not be approved if such adjustments would result in a violation of any standard or requirement of this Code. (d)Any proposed change to the PUD District Map and Plan and any proposed change which would require a modification of the PUD District Map and Plan to remain consistent with the PUD District approval shall constitute a new application and shall be processed in accordance with this Chapter. (e)Non-substantive amendments to the development agreement not otherwise addressed in this section may be made administratively following confirmation of the City Attorney that the amendments do not affect substantive rights with respect to development of land. (4)Subdivision and Site Plan Approval. Each phase shall follow the appropriate site plan or subdivision approval procedure in GLUDMC, except that the City shall also review those applications for compliance with the PUD District Map and plan and the PUD Development Plan. If the City determines that an amendment to the PUD District Map and Plan or PUD Development Plan is required for the site plan or subdivision

application to comply, the preliminary site plan or preliminary subdivision application will be rejected.

SECTION 28: AMENDMENT “12.6 Effect Of PUD District Approval” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

12.6 Effect Of PUD District Approval

(1) Distinct Zones. Each PUD District is unique and may be governed by its own standards and regulations imposed by its at approval and any applicable development agreements. Unless otherwise specified in the PUD District’s approval, the most restrictive combination of use restrictions and development standards provided by the underlying zones shall govern.

(2) Commercial Rezone. Upon approval of a PUD District, the underlying zone(s) in effect for the commercial area(s) shall be automatically rezoned to an appropriate commercial zone as designated by the City Council to provide assurance that the areas anticipated to be developed as commercial are retained for that purpose going forward. The City may record a notice of the zoning change against the commercial area(s) in its discretion.

(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 Zoning Administrator, 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.

(4) Permanent Effect upon Buildout. A PUD District approval may not expire after the final subdivision plat approval or site plan approval covered by the PUD District Map and Plan and its phasing plan is approved.

(5) Joint Consideration. With respect to any subsequent application subject to a PUD District Map and Plan or PUD Development Plan, including site plan and subdivision plat applications, the City may consider each and every other phase, plan, or application previously, currently, or anticipated to be submitted that is governed by the same PUD District Map and Plan or PUD Development Plan.

A F T E R A M E N D M E N T

12.6 Effect Of PUD District Approval

(1) Distinct Zones. Each PUD District is unique and may be governed by its own standards

and regulations imposed by its at approval and any applicable development agreements. Unless otherwise specified in the PUD District's approval, the most restrictive combination of use restrictions and development standards provided by the underlying zones shall govern.

(2) Commercial Rezone. Upon approval of a PUD District, the underlying zone(s) in effect for the commercial area(s) shall be automatically rezoned to an appropriate commercial zone as designated by the City Council to provide assurance that the areas anticipated to be developed as commercial are retained for that purpose going forward. The City may record a notice of the zoning change against the commercial area(s) in its discretion. (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 Zoning Administrator~~ 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. (4) Permanent Effect upon Buildout. A PUD District approval may not expire after the final subdivision plat approval or site plan approval covered by the PUD District Map and Plan and its phasing plan is approved. (5) Joint Consideration. With respect to any subsequent application subject to a PUD District Map and Plan or PUD Development Plan, including site plan and subdivision plat applications, the City may consider each and every other phase, plan, or application previously, currently, or anticipated to be submitted that is governed by the same PUD District Map and Plan or PUD Development Plan.

SECTION 29: AMENDMENT “12.7 Appeals” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

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 writing and filed with the Zoning Administrator within thirty (30) days of the date of the decision appealed from and prior to any further consideration by the 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 Zoning Administrator within thirty (30) days of the date of the decision appealed from

A F T E R A M E N D M E N T

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 writing and filed with the ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~ Community Development Director, Zoning

Administrator, or their designee within thirty (30) days of the date of the decision appealed from

SECTION 30: AMENDMENT “16.7 Mining, Quarry, Sand, And Gravel Excavation Zone (MG-EX)” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

16.7 Mining, Quarry, Sand, And Gravel Excavation Zone (MG-EX)

(1) The mining, quarry, sand, and gravel excavation zone (MG-EX) is a zoning district which allows and protects the mining, quarry, sand and gravel excavation industry while protecting the environment. The zone is to assure that the operations of such sites do not impact adjoining uses, and are not encroached upon by surrounding non-compatible land uses.

Minimum Lot Size:20,000 sq. ft. Minimum Width at Front and Rear Setback80 feet

Minimum Yard Setback Requirements:

Front Yard and Corner Side Yard35 feet Interior Side Yard
.....20 feet Rear Yard
.....35 feet Buffer Yards required in accordance with Chapter 9, Landscaping, on any lot abutting a lot in a residential district.

Maximum Building Height80 feet. Except chimneys and smokestacks shall be permitted up to 120 feet in height.

(2) This chapter regulates the location, operations and reclamation of mining, quarries, and gravel pits to provide safe conditions and protection of the environment in Grantsville City.

Adopted 09/10 by Ordinance 2010-22, 10/12 by Ordinance 2012-17

(1) The conditional use permit required by this section shall be obtained prior to the commencement of use of any sand or gravel pit, mine or quarry within Grantsville City.

All mining, quarry, sand, and gravel excavation operations shall fit into one of the two following categories:

(1) Permanent commercial operations are those that supply materials to the public on a continual basis. A permanent commercial operation may be approved by the zoning administrator with the minimum requirements. If it is determined by the zoning administrator that the minimum requirements do not adequately mitigate potential or actual impacts to surrounding properties, it shall then be submitted to the planning commission. All commercial pit operations shall work under an approved five year operation plan. Upon expiration of the previous plan, a new five year plan shall be submitted, otherwise closure and reclamation operations shall begin within six months. The conditional use permit shall remain in effect until such time that full reclamation has been made on the site. (2) Temporary project specific operations supply material for specific projects, the termination of which shall also terminate the conditional use permit and the use of the pit. A temporary project may be approved by the zoning administrator with the minimum requirements. If it is determined by the zoning administrator that the minimum requirements do not adequately mitigate potential or actual impacts to surrounding properties, it shall then be submitted to the planning commission. A temporary project shall be allowed to operate for a period up to six months and may be extended in six month intervals for a period not to exceed two years. It is the responsibility of the land owner or operator to make application for an extension before the expiration of the current permit. Once the project is completed, the owner or operator shall begin closure and reclamation operations within six months.

(1) All applications for conditional use permits shall be accompanied by the following materials:

- (a) application form;
- (b) evidence of ownership or control over the land and a legal description of the property where the pit will be located;
- (c) Evidence of capability to complete the project, which includes:
 - (i) A statement of the applicants ability to post performance bonds or other financial assurance;
 - (ii) Cost estimates for reclamation costs to include removal of roads, buildings, overburden, etc.;
 - (iii) Liability insurance coverage;
- (d) a site plan showing:
 - (i) all prominent man made and geologic features within the surrounding areas that will be affected by the operation;
 - (ii) dimensions;

- (iii) locations, clearances, and rights-of-ways, easements, utility lines; and
- (iv) Property lines and names of adjoining property owners;
- (v) Ingress and egress;
- (vi) General geologic and top soils data from a qualified source;
- (vii) A contour map in intervals of one foot showing existing water courses, drainage and calculations.

(e) a reclamation plan addressing:

- (i) types of existing dominant vegetation;
- (ii) segregation and stockpiling of materials capable of supporting vegetation as determined by soils analysis or practical re-vegetation experience;
- (iii) figures outlining depths of and volumes of topsoil to be stockpiled, measures to protect topsoil from wind and water erosion, and pollutants;
- (iv) method of depths, volumes, removal and storage of other overburden, plus a description of the procedures to be used in overburden replacement and stabilization and high wall elimination, including:
 - (1) Slope factors; (2) Lift heights; (3) Terracing; and (4) Any testing procedures employed.
- (v) methods of processing and disposing of waste and reject material, including toxicity analysis explaining in detail means for containment and long range stability;
- (vi) existing site and post-contour cross sections typical of regrading designs;
- (vii) redistribution of topsoil and subsoil on the regraded area, indicating final depth of soil cover;
- (viii) re-seeding, types or species to be used, the rate of application. Reseeding shall be based upon recommendations from the Soil Conservation District;
- (ix) a description of the reclamation which shall include reasoning for the leaving of roads, pads or other similar structures and features; and

(f) an operations plan that outlines:

- (i) proposed hours of operation;
- (ii) traffic safety measures proposed on existing roads and streets adjoining the site;

- (iii) the location, arrangement and dimensions of loading and processing facilities;
- (iv) a open and closure plan stating the phasing, acreage and duration of the operation involved, with the maps and narratives that describe the expected sequence of disturbed areas, processing and material treatment;
- (v) the extent of the land previously disturbed as well as the proposed extent of land disturbance;
- (vi) areas of overburden and/or topsoil removal and storage areas, also the location of disposal and stockpile areas for reject materials, waste, and useable materials;
- (vii) appropriation and use of necessary water rights;
- (viii) onsite control of surface and storm water drainage;
- (ix) evidence that all required federal and state requirements for environmental health, occupational safety, and reclamation are completed and approved as required by each of the following entities:
 - (A) Tooele County Health Department; (B) OSHA, State of Utah OGM, and MSHA (C) Soil Conservation District (D) UDOT (E) the State archeologist and paleontologist.
- (x) a statement identifying mitigation of hazards to the public safety and welfare, including test hole closures, fencing, slopes, disposal of trash, scrap metal, wood, extraneous debris, waste oil, solvents, fuels, chemicals, explosives and sewage;
- (xi) UDOT permit if accessing a state highway;
- (xii) methods of fugitive dust suppression for processing and site operations.

(2) Applications for conditional use permits shall have a design review by Grantsville City staff completed before being placed on the Planning Commission agenda. Staff shall schedule a meeting with the applicant, roads, and planning department. Staff may make a site visit with the applicant as part of the review process.

All operations shall comply with the following requirements:

- (1) warning signs, fences, trees, and berms shall be placed on the perimeter of the property to protect the public and act as barriers to access, fugitive dust, noise, glare, and/or view shall be indicated;
- (2) no adverse drainage which would create soil instability or erosion shall be permitted. All drainage shall be contained on site;

- (3) maximum slopes shall be in accordance with MSHA;
- (4) the applicant shall post a reclamation guarantee for the area of disturbance giving financial assurance in a form approved by the Grantsville City Attorney and City Council, guaranteeing the satisfactory reclamation of all disturbed areas. The amount of reclamation shall not be less than \$1,000.00 per acre, with a \$10,000.00 minimum and shall be adjusted upon the renewal of the operations plan to meet projected costs of reclamation based upon time, material and equipment needed to clean-up and remove structures, backfill, slopes (to include mine dumps) shall be graded to no greater than a 3:1 finished slope or in relation to the contour of adjacent undisturbed land. The release of the financial assurance and obligations for reclamation shall not be made until Grantsville City staff consults with the Soil Conservation District, the Grantsville City Attorney and approves the release in writing.
- (5) All facilities and activities shall comply with applicable land use, health, building, plumbing, mechanical, and electrical codes.
- (6) All fuel tanks and flammable materials shall be located above ground, in such locations, with containment, and under such conditions as to conform to the requirements of the national fire codes;
- (7) All crossing of state, county and city roads shall be done in such a manner as to hold Grantsville City harmless from any and all legal proceedings as a result of the applicant's use of such roads. The applicant shall make provisions to place suitable road signs, restraints and flagging personnel at work-sites and road crossings as approved by the MUTCD and the Grantsville City Public Works Director.
- (8) All damage to state, county and city roads shall be repaired at the applicant's expense under the direction of the Public Works Director.
- (9) The applicant shall maintain on file, proof of liability insurance for the operation in the office of the City Recorder.
- (10) Grantsville City reserves the right to limit and restrict the time activities of the operation should the planning commission deem those activities a public nuisance;
- (11) Access roads shall include acceleration, deceleration and left turn lanes as approved prior to operation;
- (12) All activities shall be maintained and operated in such a way as to minimize fumes, dust, and smoke emissions;
- (13) Sufficient restroom facilities shall be provided at each location for employee use; and
- (14) The applicant shall not begin operations until such time that they enter into a mitigation agreement with Grantsville City addressing the upgrade, construction and maintenance of infrastructure.

A F T E R A M E N D M E N T

16.7 Mining, Quarry, Sand, And Gravel Excavation Zone (MG-EX)

(1) The mining, quarry, sand, and gravel excavation zone (MG-EX) is a zoning district which allows and protects the mining, quarry, sand and gravel excavation industry while protecting the environment. The zone is to assure that the operations of such sites do not impact adjoining uses, and are not encroached upon by surrounding non-compatible land uses.

Minimum Lot Size:20,000 sq. ft. Minimum Width at Front and Rear Setback80 feet

Minimum Yard Setback Requirements:

Front Yard and Corner Side Yard35 feet Interior Side Yard
.....20 feet Rear Yard
.....35 feet Buffer Yards required in accordance with Chapter 9, Landscaping, on any lot abutting a lot in a residential district.

Maximum Building Height80 feet. Except chimneys and smokestacks shall be permitted up to 120 feet in height.

(2) This chapter regulates the location, operations and reclamation of mining, quarries, and gravel pits to provide safe conditions and protection of the environment in Grantsville City.

Adopted 09/10 by Ordinance 2010-22, 10/12 by Ordinance 2012-17

(1) The conditional use permit required by this section shall be obtained prior to the commencement of use of any sand or gravel pit, mine or quarry within Grantsville City.

All mining, quarry, sand, and gravel excavation operations shall fit into one of the two following categories:

(1) Permanent commercial operations are those that supply materials to the public on a continual basis. A permanent commercial operation may be approved by the ~~zoning administrator~~ Community Development Director, Zoning Administrator, or their designee with the minimum requirements. If it is determined by the ~~zoning administrator~~ 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 ~~zoning administrator~~ Community Development Director, Zoning Administrator, or their designee with the minimum requirements. If it is determined by the ~~zoning administrator~~ 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.

(1) All applications for conditional use permits shall be accompanied by the following materials:

- (a) application form;
- (b) evidence of ownership or control over the land and a legal description of the property where the pit will be located;
- (c) Evidence of capability to complete the project, which includes:
 - (i) A statement of the applicants ability to post performance bonds or other financial assurance;
 - (ii) Cost estimates for reclamation costs to include removal of roads, buildings, overburden, etc.;
 - (iii) Liability insurance coverage;
- (d) a site plan showing:
 - (i) all prominent man made and geologic features within the surrounding areas that will be affected by the operation;
 - (ii) dimensions;
 - (iii) locations, clearances, and rights-of-ways, easements, utility lines; and
 - (iv) Property lines and names of adjoining property owners;
 - (v) Ingress and egress;
 - (vi) General geologic and top soils data from a qualified source;

(vii) A contour map in intervals of one foot showing existing water courses, drainage and calculations.

(e) a reclamation plan addressing:

(i) types of existing dominant vegetation;

(ii) segregation and stockpiling of materials capable of supporting vegetation as determined by soils analysis or practical re-vegetation experience;

(iii) figures outlining depths of and volumes of topsoil to be stockpiled, measures to protect topsoil from wind and water erosion, and pollutants;

(iv) method of depths, volumes, removal and storage of other overburden, plus a description of the procedures to be used in overburden replacement and stabilization and high wall elimination, including:

(1) Slope factors; (2) Lift heights; (3) Terracing; and (4) Any testing procedures employed.

(v) methods of processing and disposing of waste and reject material, including toxicity analysis explaining in detail means for containment and long range stability;

(vi) existing site and post-contour cross sections typical of regrading designs;

(vii) redistribution of topsoil and subsoil on the regraded area, indicating final depth of soil cover;

(viii) re-seeding, types or species to be used, the rate of application. Reseeding shall be based upon recommendations from the Soil Conservation District;

(ix) a description of the reclamation which shall include reasoning for the leaving of roads, pads or other similar structures and features; and

(f) an operations plan that outlines:

(i) proposed hours of operation;

(ii) traffic safety measures proposed on existing roads and streets adjoining the site;

(iii) the location, arrangement and dimensions of loading and processing facilities;

(iv) a open and closure plan stating the phasing, acreage and duration of the operation involved, with the maps and narratives that describe the expected sequence of disturbed areas, processing and material treatment;

(v) the extent of the land previously disturbed as well as the proposed extent of land disturbance;

(vi) areas of overburden and/or topsoil removal and storage areas, also the location of disposal and stockpile areas for reject materials, waste, and useable materials;

(vii) appropriation and use of necessary water rights;

(viii) onsite control of surface and storm water drainage;

(ix) evidence that all required federal and state requirements for environmental health, occupational safety, and reclamation are completed and approved as required by each of the following entities:

(A) Tooele County Health Department; (B) OSHA, State of Utah OGM, and MSHA (C) Soil Conservation District (D) UDOT (E) the State archeologist and paleontologist.

(x) a statement identifying mitigation of hazards to the public safety and welfare, including test hole closures, fencing, slopes, disposal of trash, scrap metal, wood, extraneous debris, waste oil, solvents, fuels, chemicals, explosives and sewage;

(xi) UDOT permit if accessing a state highway;

(xii) methods of fugitive dust suppression for processing and site operations.

(2) Applications for conditional use permits shall have a design review by Grantsville City staff completed before being placed on the Planning Commission agenda. Staff shall schedule a meeting with the applicant, roads, and planning department. Staff may make a site visit with the applicant as part of the review process.

All operations shall comply with the following requirements:

(1) warning signs, fences, trees, and berms shall be placed on the perimeter of the property to protect the public and act as barriers to access, fugitive dust, noise, glare, and/or view shall be indicated;

(2) no adverse drainage which would create soil instability or erosion shall be permitted. All drainage shall be contained on site;

(3) maximum slopes shall be in accordance with MSHA;

(4) the applicant shall post a reclamation guarantee for the area of disturbance giving financial assurance in a form approved by the Grantsville City Attorney and City Council, guaranteeing the satisfactory reclamation of all disturbed areas. The amount of reclamation shall not be less than \$1,000.00 per acre, with a \$10,000.00 minimum and shall be adjusted upon the renewal of the operations plan to meet projected costs of reclamation based upon time, material and equipment needed to clean-up and remove structures, backfill, slopes (to include mine dumps)

shall be graded to no greater than a 3:1 finished slope or in relation to the contour of adjacent undisturbed land. The release of the financial assurance and obligations for reclamation shall not be made until Grantsville City staff consults with the Soil Conservation District, the Grantsville City Attorney and approves the release in writing.

(5) All facilities and activities shall comply with applicable land use, health, building, plumbing, mechanical, and electrical codes.

(6) All fuel tanks and flammable materials shall be located above ground, in such locations, with containment, and under such conditions as to conform to the requirements of the national fire codes;

(7) All crossing of state, county and city roads shall be done in such a manner as to hold Grantsville City harmless from any and all legal proceedings as a result of the applicant's use of such roads. The applicant shall make provisions to place suitable road signs, restraints and flagging personnel at work-sites and road crossings as approved by the MUTCD and the Grantsville City Public Works Director.

(8) All damage to state, county and city roads shall be repaired at the applicant's expense under the direction of the Public Works Director.

(9) The applicant shall maintain on file, proof of liability insurance for the operation in the office of the City Recorder.

(10) Grantsville City reserves the right to limit and restrict the time activities of the operation should the planning commission deem those activities a public nuisance;

(11) Access roads shall include acceleration, deceleration and left turn lanes as approved prior to operation;

(12) All activities shall be maintained and operated in such a way as to minimize fumes, dust, and smoke emissions;

(13) Sufficient restroom facilities shall be provided at each location for employee use; and

(14) The applicant shall not begin operations until such time that they enter into a mitigation agreement with Grantsville City addressing the upgrade, construction and maintenance of infrastructure.

SECTION 31: AMENDMENT “16.7.2 Operation Categories” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

16.7.2 Operation Categories

All mining, quarry, sand, and gravel excavation operations shall fit into one of the two following categories:

(1) Permanent commercial operations are those that supply materials to the public on a continual basis. A permanent commercial operation may be approved by the zoning administrator with the minimum requirements. If it is determined by the zoning administrator that the minimum requirements do not adequately mitigate potential or actual impacts to surrounding properties, it shall then be submitted to the planning commission. All commercial pit operations shall work under an approved five year operation plan. Upon expiration of the previous plan, a new five year plan shall be submitted, otherwise closure and reclamation operations shall begin within six months. The conditional use permit shall remain in effect until such time that full reclamation has been made on the site. (2) Temporary project specific operations supply material for specific projects, the termination of which shall also terminate the conditional use permit and the use of the pit. A temporary project may be approved by the zoning administrator with the minimum requirements. If it is determined by the zoning administrator that the minimum requirements do not adequately mitigate potential or actual impacts to surrounding properties, it shall then be submitted to the planning commission. A temporary project shall be allowed to operate for a period up to six months and may be extended in six month intervals for a period not to exceed two years. It is the responsibility of the land owner or operator to make application for an extension before the expiration of the current permit. Once the project is completed, the owner or operator shall begin closure and reclamation operations within six months.

A F T E R A M E N D M E N T

16.7.2 Operation Categories

All mining, quarry, sand, and gravel excavation operations shall fit into one of the two following categories:

(1) Permanent commercial operations are those that supply materials to the public on a continual basis. A permanent commercial operation may be approved by the ~~zoning administrator~~ Community Development Director, Zoning Administrator, or their designee with the minimum requirements. If it is determined by the ~~zoning administrator~~ 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 ~~zoning administrator~~ Community Development Director, Zoning Administrator, or their designee with the minimum

requirements. If it is determined by the ~~zoning administrator~~ 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.

SECTION 32: AMENDMENT “17.3 Codes And Symbols And Use Table 17.1” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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 Zoning Administrator 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, "-." If a regulation applies in a given district, it is indicated in the appropriate column by a numeral to show the linear or square feet required, or by the letter "A." If the regulation does not apply, it is indicated in the appropriate column by a dash, "-." No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained in the multiple use, agricultural, or rural residential districts except as provided in this Code.

Table 17.1 Use Regulations

USE	D-1	D-2
<u>COMMERCIAL</u>		
Cabinet and Woodworking Shop	P	P
Bakery, Retail.	P	P
Convenience Store	-	P
Gas Station (sales and/or minor repair)	C	P
<u>OFFICE AND RELATED USES</u>	D-1	D-2
Financial Institution, without drive through facilities	P	P

Financial Institution, with drive through facilities	C	P
Offices	P	P
Veterinary Offices, operating entirely within an enclosed building and keeping animals overnight only for treatment	P	P
<u>RETAIL SALES & SERVICES</u>	D-1	D-2
Commercial Laundries, Linen Service and Dry Cleaning	-	P
Department Stores	P	P
Health and Fitness Facility	-	P
Liquor Store	C	C
Merchandise Display Rooms	P	P
Restaurants, with drive through facilities	C	P
Restaurants, without drive through facilities	P	P
Retail Goods Establishments	P	P
Retail Services Establishments	P	P
Upholstery Shop	-	P
<u>RECREATIONAL, CULTURAL & ENTERTAINMENT</u>	D-1	D-2
Art Gallery	P	P
Artist Loft and Studios	P	P
Brew Pub	P	P
Commercial Indoor Recreation	P	P
Commercial Video Arcade	P	P
Movie Theaters	-	P
Performance Arts Theaters	-	P
Private Club	-	C
Tavern/Lounge	-	C
<u>RESIDENTIAL</u>	D-1	D-2
Dwelling Unit, above ground floor only	P	P
<u>INSTITUTIONAL</u>	D-1	D-2

Adult Day Care Center	P	P
Child Day Care Center (a commercial operation, not in a home)	P	P
Government Facilities	P	P
Medical or Dental Clinic	P	P
Museum	P	P
Music Conservatory	P	P
<u>MISCELLANEOUS</u>	D-1	D-2
Accessory Uses, except those that are otherwise specifically regulated in this Chapter, or elsewhere in this Code	P	P
Auditorium	P	P
Automobile Repair, Minor	C	P
Automobile Repair, Major	C	P
Commercial Parking Garage or Lot	C	P
Communication Towers	P	P
Communication Towers, exceeding the maximum building height, but not higher than 80 feet.	C	C
Farmer's Market	-	P
Funeral Home	P	P
Hotel or Motel	P	P
Limousine Service	-	P
Outdoor Sales and Display	C	P
Public/Private Utility Transmission Wires, Lines, Pipes, and Poles	P	P
Public/Private Utility Buildings and Structures	C	C
Publishing Company	-	P
Radio, Television Station	P	P
Schools, Professional and Vocational	P	P
Social Services Missions and Charity Dining Halls	-	P
Street Vendors	P	P
Temporary Labor Hiring Office	-	P
Warehouse	-	P
Wholesale Distribution	-	P

Governmental Uses and Facilities	c	c
Municipal Service Uses, Including City Utility Uses, Police and Fire Stations	C	C

AFTER AMENDMENT

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 Zoning Administrator 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, "-." If a regulation applies in a given district, it is indicated in the appropriate column by a numeral to show the linear or square feet required, or by the letter "A." If the regulation does not apply, it is indicated in the appropriate column by a dash, "-." No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained in the multiple use, agricultural, or rural residential districts except as provided in this Code.

Table 17.1 Use Regulations

USE	D-1	D-2
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Cabinet and Woodworking Shop	P	P
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OFFICE AND RELATED USES	D-1	D-2
Financial Institution, without drive through facilities	P	P
Financial Institution, with drive through facilities	C	P
Offices	P	P
Veterinary Offices, operating entirely within an enclosed building and keeping animals overnight only for treatment	P	P
RETAIL SALES & SERVICES	D-1	D-2

Commercial Laundries, Linen Service and Dry Cleaning	-	P
Department Stores	P	P
Health and Fitness Facility	-	P
Liquor Store	C	C
Merchandise Display Rooms	P	P
Restaurants, with drive through facilities	C	P
Restaurants, without drive through facilities	P	P
Retail Goods Establishments	P	P
Retail Services Establishments	P	P
Upholstery Shop	-	P
RECREATIONAL, CULTURAL & ENTERTAINMENT	D-1	D-2
Art Gallery	P	P
Artist Loft and Studios	P	P
Brew Pub	P	P
Commercial Indoor Recreation	P	P
Commercial Video Arcade	P	P
Movie Theaters	-	P
Performance Arts Theaters	-	P
Private Club	-	C
Tavern/Lounge	-	C
RESIDENTIAL	D-1	D-2
Dwelling Unit, above ground floor only	P	P
INSTITUTIONAL	D-1	D-2
Adult Day Care Center	P	P
Child Day Care Center (a commercial operation, not in a home)	P	P
Government Facilities	P	P
Medical or Dental Clinic	P	P
Museum	P	P
Music Conservatory	P	P

MISCELLANEOUS	D-1	D-2
Accessory Uses, except those that are otherwise specifically regulated in this Chapter, or elsewhere in this Code	P	P
Auditorium	P	P
Automobile Repair, Minor	C	P
Automobile Repair, Major	C	P
Commercial Parking Garage or Lot	C	P
Communication Towers	P	P
Communication Towers, exceeding the maximum building height, but not higher than 80 feet.	C	C
Farmer's Market	-	P
Funeral Home	P	P
Hotel or Motel	P	P
Limousine Service	-	P
Outdoor Sales and Display	C	P
Public/Private Utility Transmission Wires, Lines, Pipes, and Poles	P	P
Public/Private Utility Buildings and Structures	C	C
Publishing Company	-	P
Radio, Television Station	P	P
Schools, Professional and Vocational	P	P
Social Services Missions and Charity Dining Halls	-	P
Street Vendors	P	P
Temporary Labor Hiring Office	-	P
Warehouse	-	P
Wholesale Distribution	-	P
Governmental Uses and Facilities	c	c
Municipal Service Uses, Including City Utility Uses, Police and Fire Stations	C	C

SECTION 33: AMENDMENT “19.5 Construction Within Floodways And Floodplains Restricted” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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 Zoning Administrator has reviewed the plans of the development to assure that:

- (a) The proposed development is consistent with the need to minimize flood damage;
- (b) The area has had an evaluation by the U. S. Army Corp of Engineers to determine a classification as a wetlands;
- (c) All public utilities and facilities such as water, sewer, gas electrical, and water systems are located and constructed to minimize or eliminate flood damage;
- (d) Adequate drainage is provided to minimize or reduce exposure to flood hazards;
- (e) All necessary permits have been received from those agencies from which approval is required by federal and state law; and
- (f) A geological survey establishes fifty (50) and one hundred (100) year flood levels,

(2) No building shall be constructed and no addition to an existing building shall take place within any floodway. Mobile home parks that are nonconforming because they are located within a floodway, shall be allowed to place mobile homes in such parks only if they comply with Chapter 10.

(3) No new residential building shall be constructed and no substantial improvement of a residential building may take place within any floodplain unless the lowest floor (including basement) of the building or improvement is elevated to, or above the base flood level. Other structures shall comply with the following:

- (a) Residential accessory structures shall be allowed within floodplains provided that they are firmly anchored to prevent flotation; and
- (b) Anchoring of any accessory buildings shall be done by bolting the building to a concrete slab or by over-the-top ties. When bolting to a concrete slab, one-half inch bolts, six (6) feet on center with a minimum of two per side shall be required. If over-the-top ties are used, a minimum of two ties with a force adequate to secure the building is required.

(4) No new residential building shall be constructed and no substantial improvements of a

nonresidential building shall take place within any floodplain unless the lowest floor (including basement) of the building or improvement is elevated or flood proof to, or above the base flood level. Where flood proofing is used in lieu of elevation, a registered professional engineer or architect shall certify that any new construction or substantial improvement has been designed to withstand the flood depths, pressure, velocities, impact, and uplift forces associated with the base flood at the location of the building and that the walls below the base flood level are substantially impermeable to the passage of water.

(5) For purposes of this Section, "substantial improvement" means for a building constructed prior to the effective date of this chapter, any repair, reconstruction, addition, or improvement of a building the cost of which equals or exceeds fifty (50) percent of the market value of the structure either:

- (a) before the improvement or repair is started; or
- (b) if the structure has been damaged and is being restored, before the damage occurred.

(6) "Substantial improvement" occurs when the first alteration on any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term shall not, however, include either:

- (a) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications that are solely necessary to insure safe living conditions; or
- (b) any alteration of a building listed on the National Register of Historic Places or a State Inventory of Historic Places.

(7) No building permit or conditional use permit shall be issued for any development within a floodplain until the Building Inspector has reviewed the plans to assure that any new construction or substantial improvements shall be:

- (a) Designed (or modified) and adequately anchored to prevent flotation collapse, or lateral movement of the structure;
- (b) Constructed with materials and utility equipment resistant to flood damage; and
- (c) Constructed by methods and practices that minimize flood damage.

(8) Notwithstanding any other provision of this chapter, no mobile home shall be located or relocated within that portion of the floodplain outside of the floodway, unless the following criteria is met:

- (a) Ground anchors for tie downs are provided in accordance with Chapter 10 of this ordinance;
- (b) The following tie-down requirements are met:

- i) Over the top ties are required at each of the four corners of the mobile home, with one additional tie per side at an intermediate location, for mobile homes less than fifty (50) feet long. Two additional ties per side are required for mobile homes more than fifty (50) feet long;
- ii) Frame ties are required in conjunction with each over-the top tie; and
- iii) All components of the anchoring must be capable of carrying a force of 4,800 pounds;

(c) Lots or pads are elevated on compacted fill or by any other method approved by the Building Inspector so that the lowest habitable floor of the mobile home is at or above the base flood level;

(d) Adequate surface drainage and easy access for mobile home hauler is provided; and

(e) Load-bearing foundation supports such as piers or pilings shall be placed in accordance with Chapter 10 of this code, except that if the support height is greater than seventy two (72) inches, the support must contain steel reinforcement.

(9) Whenever any portion of a floodplain is filled in with dirt, slopes shall be adequately stabilized to withstand the erosive force of the base flood.

A F T E R A M E N D M E N T

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 Zoning Administrator, Community Development Director, Zoning Administrator, or their designee has reviewed the plans of the development to assure that:

- (a) The proposed development is consistent with the need to minimize flood damage;
- (b) The area has had an evaluation by the U. S. Army Corp of Engineers to determine a classification as a wetlands;
- (c) All public utilities and facilities such as water, sewer, gas electrical, and water systems are located and constructed to minimize or eliminate flood damage;
- (d) Adequate drainage is provided to minimize or reduce exposure to flood hazards;
- (e) All necessary permits have been received from those agencies from which approval is required by federal and state law; and
- (f) A geological survey establishes fifty (50) and one hundred (100) year flood levels,

(2) No building shall be constructed and no addition to an existing building shall take place

within any floodway. Mobile home parks that are nonconforming because they are located within a floodway, shall be allowed to place mobile homes in such parks only if they comply with Chapter 10.

(3) No new residential building shall be constructed and no substantial improvement of a residential building may take place within any floodplain unless the lowest floor (including basement) of the building or improvement is elevated to, or above the base flood level. Other structures shall comply with the following:

(a) Residential accessory structures shall be allowed within floodplains provided that they are firmly anchored to prevent flotation; and

(b) Anchoring of any accessory buildings shall be done by bolting the building to a concrete slab or by over-the-top ties. When bolting to a concrete slab, one-half inch bolts, six (6) feet on center with a minimum of two per side shall be required. If over-the-top ties are used, a minimum of two ties with a force adequate to secure the building is required.

(4) No new residential building shall be constructed and no substantial improvements of a nonresidential building shall take place within any floodplain unless the lowest floor (including basement) of the building or improvement is elevated or flood proof to, or above the base flood level. Where flood proofing is used in lieu of elevation, a registered professional engineer or architect shall certify that any new construction or substantial improvement has been designed to withstand the flood depths, pressure, velocities, impact, and uplift forces associated with the base flood at the location of the building and that the walls below the base flood level are substantially impermeable to the passage of water.

(5) For purposes of this Section, "substantial improvement" means for a building constructed prior to the effective date of this chapter, any repair, reconstruction, addition, or improvement of a building the cost of which equals or exceeds fifty (50) percent of the market value of the structure either:

(a) before the improvement or repair is started; or

(b) if the structure has been damaged and is being restored, before the damage occurred.

(6) "Substantial improvement" occurs when the first alteration on any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term shall not, however, include either:

(a) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications that are solely necessary to insure safe living conditions; or

(b) any alteration of a building listed on the National Register of Historic Places or a State Inventory of Historic Places.

(7) No building permit or conditional use permit shall be issued for any development within a

floodplain until the Building Inspector has reviewed the plans to assure that any new construction or substantial improvements shall be:

- (a) Designed (or modified) and adequately anchored to prevent flotation collapse, or lateral movement of the structure;
- (b) Constructed with materials and utility equipment resistant to flood damage; and
- (c) Constructed by methods and practices that minimize flood damage.

(8) Notwithstanding any other provision of this chapter, no mobile home shall be located or relocated within that portion of the floodplain outside of the floodway, unless the following criteria is met:

- (a) Ground anchors for tie downs are provided in accordance with Chapter 10 of this ordinance;
- (b) The following tie-down requirements are met:
 - i) Over the top ties are required at each of the four corners of the mobile home, with one additional tie per side at an intermediate location, for mobile homes less than fifty (50) feet long. Two additional ties per side are required for mobile homes more than fifty (50) feet long;
 - ii) Frame ties are required in conjunction with each over-the top tie; and
 - iii) All components of the anchoring must be capable of carrying a force of 4,800 pounds;
- (c) Lots or pads are elevated on compacted fill or by any other method approved by the Building Inspector so that the lowest habitable floor of the mobile home is at or above the base flood level;
- (d) Adequate surface drainage and easy access for mobile home hauler is provided; and
- (e) Load-bearing foundation supports such as piers or pilings shall be placed in accordance with Chapter 10 of this code, except that if the support height is greater than seventy two (72) inches, the support must contain steel reinforcement.

(9) Whenever any portion of a floodplain is filled in with dirt, slopes shall be adequately stabilized to withstand the erosive force of the base flood.

SECTION 34: AMENDMENT “20.3 Classification Of Signs” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

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.

A F T E R A M E N D M E N T

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~~
Community Development Director, Zoning Administrator, or their designee.

SECTION 35: AMENDMENT “20.4 General Requirements” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

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.

(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.

(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 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.

(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.

(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.

(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.

(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.

A F T E R A M E N D M E N T

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.

(2) Permits: The approval of the City shall be evidenced by a permit issued by the ~~zoning administrator~~ Community Development Director, Zoning Administrator, or their designee.

(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.

(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 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.

(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 of 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.
- (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.

(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.

(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.

SECTION 36: AMENDMENT “20.5 Violation And Remedies” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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.

AFTER AMENDMENT

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 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 Zoning Administrator Community Development Director, Zoning Administrator, or their designee 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.

SECTION 37: AMENDMENT “21.2.3 Zoning Administrator To Determine A Complete Application” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

21.2.3 Zoning Administrator To Determine A Complete Application

The Zoning Administrator shall determine if an application is complete and contains all required materials as required by this chapter.

A F T E R A M E N D M E N T

21.2.3 Zoning Administrator To Determine A Complete Application

The Zoning Administrator 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.

SECTION 38: AMENDMENT “21.2.4 Lack Of Development Application Information - A Determination Of An Incomplete Application” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

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 zoning administrator to find the application incomplete.

(2) The City will not accept fees for an application until the Zoning Administrator determines

the application to be complete. An application may not move forward for review and consideration until the application is complete and all application fees have been paid.

A F T E R A M E N D M E N T

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 ~~zoning administrator~~ 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 ~~zoning administrator~~ 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.

SECTION 39: **AMENDMENT** “21.2.5 Appeal Of Zoning Administrator's Determination Of Completeness” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

21.2.5 Appeal Of Zoning Administrator's Determination Of Completeness

Any person aggrieved by a decision of the zoning administrator in a determination of a complete application may appeal the zoning administrator's decision in writing within 30 days of the zoning administrator's decision to the planning commission.

A F T E R A M E N D M E N T

21.2.5 Appeal Of Zoning Administrator's Determination Of Completeness

Any person aggrieved by a decision of the zoning administrator in a determination of a complete application may appeal the ~~zoning administrator~~ 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.

SECTION 40: **AMENDMENT** “21.2.10 Development Review Committee” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.2.10 Development Review Committee

- (1) Each application for a subdivision shall be reviewed by the Development Review Committee (DRC) prior to its consideration of approval.
- (2) The purpose of the DRC is to provide an opportunity for the city staff to review the application package and provide guidance to the applicant concerning revisions to the design of the proposed development and application documents that may be required for city approval.
- (3) The members of the DRC review the application for compliance with the General Plan, current ordinances, local, state and federal regulations, applicable standards and specifications as well as of the impacts of the proposed action in benefit and costs to the community.
- (4) The Development Review Committee shall consist of a designated representative involved in the development review and approval process, including, but not limited to, the Zoning Administrator, City Planner, City Inspector, the Public Works Director, the Fire Marshall, City Attorney, and the City Engineer.
- (5) The DRC review process for all single use residential development applications shall comply with current Utah Code requirements found in Utah Code Ann. 10-9a-604.2 (2023).
- (6) For single use residential development applications as defined in GLUDMC Chapter 2, Definitions, the DRC shall be given 15 business days (Preliminary) and 20 business days (Final) to review the application package and submit review comments to the applicant. For all other development applications, the DRC shall be given 20 business days (Preliminary) and 20 business days (Final) to review the application package and submit review comments to the applicant. After receiving the review comments, the applicant may request a Development Review Conference with members of the DRC to discuss review comments and answer applicant questions.
- (7) Upon submittal of revised drawings and documents as requested by the DRC, the review process outlined in paragraph (6) may occur up to three additional times, only as necessary, before moving forward for consideration.
- (7) Only complete applications with the approval of the DRC will move forward for consideration

AFTER AMENDMENT

21.2.10 Development Review Committee

- (1) Each application for a subdivision shall be reviewed by the Development Review Committee (DRC) prior to its consideration of approval.

(2) The purpose of the DRC is to provide an opportunity for the city staff to review the application package and provide guidance to the applicant concerning revisions to the design of the proposed development and application documents that may be required for city approval.

(3) The members of the DRC review the application for compliance with the General Plan, current ordinances, local, state and federal regulations, applicable standards and specifications as well as of the impacts of the proposed action in benefit and costs to the community.

(4) The Development Review Committee shall consist of a designated representative involved in the development review and approval process, including, but not limited to, the Community Development Director, Zoning Administrator, or their designee, City Planner, City Inspector, the Public Works Director, the Fire Marshall, City Attorney, and the City Engineer.

(5) The DRC review process for all single use residential development applications shall comply with current Utah Code requirements found in Utah Code Ann. 10-9a-604.2 (2023).

(6) For single use residential development applications as defined in GLUDMC Chapter 2, Definitions, the DRC shall be given 15 business days (Preliminary) and 20 business days (Final) to review the application package and submit review comments to the applicant. For all other development applications, the DRC shall be given 20 business days (Preliminary) and 20 business days (Final) to review the application package and submit review comments to the applicant. After receiving the review comments, the applicant may request a Development Review Conference with members of the DRC to discuss review comments and answer applicant questions.

(7) Upon submittal of revised drawings and documents as requested by the DRC, the review process outlined in paragraph (6) may occur up to three additional times, only as necessary, before moving forward for consideration.

(7) Only complete applications with the approval of the DRC will move forward for consideration

SECTION 41: AMENDMENT “21.3.3 Lot Line Adjustments” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

21.3.3 Lot Line Adjustments

(1) The owners of record of adjacent parcels that are described by either a metes and bounds description or a recorded plat, may exchange title to portions of those parcels, if the exchange of title is approved by the Zoning Administrator in accordance with Subsection 21.3.3(2). The Zoning Administrator is designated as the land use authority for the purpose of reviewing and

approving boundary line adjustments pursuant to the provisions of this subsection and Utah Code Ann. Section §10-9a-608(7) .

(2) The Zoning Administrator shall approve an exchange of title under Subsection 21.3.3(1) if no new dwelling lot or housing unit will result from the exchange of title; and the exchange of title will not result in a violation of any land use ordinance.

(3) If an exchange of title is approved under Subsection 21.3.3(2):

(i) a notice of approval shall be recorded in the office of the county recorder which:

(A) is executed by each owner included in the exchange and by the Zoning Administrator;

(B) contains an acknowledgment for each party executing the notice in accordance with the provisions of Utah Code Ann. §57-2a , Recognition of Acknowledgments Act;

(C) recites the descriptions of both the original parcels and the parcels created by the exchange of title and

(D) contains a certificate of approval by the City, signed by the Zoning Administrator and attested by the City Recorder.

(ii) a conveyance of title reflecting the approved change shall be recorded in the office of the county recorder.

(iii) A notice of approval recorded under this section does not act as a conveyance of title to real property and is not required for the recording of a document purporting to convey title to real property.

A F T E R A M E N D M E N T

21.3.3 Lot Line Adjustments

(1) The owners of record of adjacent parcels that are described by either a metes and bounds description or a recorded plat, may exchange title to portions of those parcels, if the exchange of title is approved by the Zoning AdministratorCommunity Development Director, Zoning Administrator, or their designee in accordance with Subsection 21.3.3(2). The Zoning AdministratorCommunity 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 Zoning AdministratorCommunity 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:

(A) is executed by each owner included in the exchange and by the ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~ Community Development Director, Zoning Administrator, or their designee and attested by the City Recorder.

(ii) a conveyance of title reflecting the approved change shall be recorded in the office of the county recorder.

(iii) A notice of approval recorded under this section does not act as a conveyance of title to real property and is not required for the recording of a document purporting to convey title to real property.

SECTION 42: AMENDMENT “21.4.5 Preliminary Plat Application” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

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 zoning administrator to be complete per section 21.2.2, 21.2.3 and 21.2.4 of this Chapter, and all required fees have been paid by the applicant, a DRC review will commence following the requirements found in Section 21.2.10 of this Chapter. Once the

Applicant has received the review comments, a development review conference may be scheduled at the request of the and with membersandwithmembers 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 zoning administrator 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.

(4) The preliminary plat approval shall be valid for a period of not more than six months. The applicant or authorized representative may obtain no more than two six-month extensions by petitioning the planning commission. The planning commission may not grant any extension without substantial progress having been demonstrated by the applicant or authorized representative.

A F T E R A M E N D M E N T

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 ~~zoning administrator~~ 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 membersandwithmembers 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 ~~zoning administrator~~ 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.

(4) The preliminary plat approval shall be valid for a period of not more than six months. The

applicant or authorized representative may obtain no more than two six-month extensions by petitioning the planning commission. The planning commission may not grant any extension without substantial progress having been demonstrated by the applicant or authorized representative.

SECTION 43: AMENDMENT “21.4.7 Final Plat Stage Application” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.4.7 Final Plat Stage Application

(1) Within six months of preliminary plat stage approval or within an approved six-month extension, a complete application for the final plat and engineering design stage of a major subdivision shall be submitted to the zoning administrator. A final plat application may not be submitted if a Development Agreement or Amendment to a Development Agreement is deemed necessary as part of the preliminary plat process is still under consideration.

(2) The requirements for a Final Plat Application are detailed in the Final Plat Checklist that is attached to the Final Plat Application that shall be provided by the City upon request. The Final Plat requirements found on the checklist and subsequent amendments to the checklist have been approved by the Grantsville City Council by resolution.

(3) After the applicant or authorized representative submits an application that has been determined by the Zoning Administrator to be complete per Section 21.2.2, 21.2.3 and 21.2.4 of this Chapter, and all required fees have been paid by the applicant, a DRC review will commence following the requirements found in Section 21.2.10 of this Chapter. Once the Applicant has received the review comments, a development review conference may be scheduled at the request of the andwithmembers of the DRC. Representatives of affected entities such as; county health department, county recorder, and any other private or public body that has jurisdiction or an interest in providing public or utility services to the subdivision shall be allowed to review the application and provide comments within the required review period.

(4) After receiving the review comments the applicant shall submit to the zoning administrator all corrected drawings, design reports and other documents requested by the DRC, meeting the requirements of Utah Code Ann. 10-9a-604.2 If necessary, due to changes in design or estimates being more than 6 months old a new cost estimate of off-site infrastructure improvements shall also be submitted. The review process outlined in 21.2.10(6) of this chapter may occur up to three additional times, only as necessary, before moving forward for consideration. The review comments shall identify each deficiency in the application, including the engineering drawings and plans, and reference the code or standards which govern the requirements. Prior to the DRC advancing a Final Plat application for approval, all review comments shall be addressed by the Applicant in writing, including references to the codes,

standards, and application components which satisfy those codes and standards. When the DRC determines that all of the corrections have been completed and necessary documentation has been submitted, the application shall move forward for consideration by the necessary body as outlined in 21.4.2.

(5) If approved, the plat shall be recorded within three hundred sixty-five days or it shall be void. A final plat shall not be recorded if a Development Agreement or Amendment to a Development Agreement is still under consideration. The city council shall authorize the mayor and city staff to review and approve the financial guarantee, the final conveyance of water rights and the title insurance for culinary water after approval of the final plat, but prior to the final plat being recorded. (Utah Code Ann. §10-9a-10310-9a-207, §10-9a-603, §10-9a-604)

A F T E R A M E N D M E N T

21.4.7 Final Plat Stage Application

(1) Within six months of preliminary plat stage approval or within an approved six-month extension, a complete application for the final plat and engineering design stage of a major subdivision shall be submitted to the ~~zoning administrator~~ 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.

(2) The requirements for a Final Plat Application are detailed in the Final Plat Checklist that is attached to the Final Plat Application that shall be provided by the City upon request. The Final Plat requirements found on the checklist and subsequent amendments to the checklist have been approved by the Grantsville City Council by resolution.

(3) After the applicant or authorized representative submits an application that has been determined by the ~~Zoning Administrator~~ 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 andwithmembers of the DRC. Representatives of affected entities such as; county health department, county recorder, and any other private or public body that has jurisdiction or an interest in providing public or utility services to the subdivision shall be allowed to review the application and provide comments within the required review period.

(4) After receiving the review comments the applicant shall submit to the ~~zoning administrator~~ 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.

(5) If approved, the plat shall be recorded within three hundred sixty-five days or it shall be void. A final plat shall not be recorded if a Development Agreement or Amendment to a Development Agreement is still under consideration. The city council shall authorize the mayor and city staff to review and approve the financial guarantee, the final conveyance of water rights and the title insurance for culinary water after approval of the final plat, but prior to the final plat being recorded. (Utah Code Ann. §10-9a-10310-9a-207, §10-9a-603, §10-9a-604)

SECTION 44: AMENDMENT “21.4.8 Appeals” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

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 zoning administrator 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.

A F T E R A M E N D M E N T

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 zoning administrator 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.

SECTION 45: AMENDMENT “21.8.1 Vacating Or Changing A Subdivision Plat” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.8.1 Vacating Or Changing A Subdivision Plat

(1) Subject to Section 21.8.3, and provided that notice has been given pursuant to Section 1.18, the City Council may, with or without a petition, consider and resolve any proposed vacation, alteration, or amendment of a subdivision plat, any portion of a subdivision plat, or any lot contained in a subdivision plat.

(2) If a petition is filed, the City Council shall hold a public hearing within 45 days after the petition is filed or, if applicable, within 45 days after receipt of the planning commission's recommendation under Subsection (3), if:

(a) any owner within the plat notifies the City of their objection in writing within ten days of mailed notification; or

(b) a public hearing is required because all of the owners in the subdivision have not signed the revised plat.

(3) The planning commission shall consider and provide a recommendation for a proposed vacation, alteration, or amendment under Subsection (1) before the City Council takes final action. The planning commission shall give its recommendation within 30 days after the proposed vacation, alteration, or amendment is referred to it, or as that time period is extended by agreement with the applicant.

(4) The public hearing requirement of Subsection (1) does not apply and the City Council may consider at a public meeting an owner's petition to alter a subdivision plat if the petition seeks to join two or more of the owner's contiguous, residential lots and notice has been given pursuant to local ordinance.

(5) Each request to vacate or alter a street or alley, contained in a petition to vacate, alter, or amend a subdivision plat, is also subject to Section 21.8.3.

(6) Any fee owner, as shown on the last county assessment rolls, of land within the subdivision that has been laid out and platted as provided in this part may, in writing, petition to have the plat, any portion of it, or any street or lot contained in it, vacated, altered, or amended as provided in this section and Section 21.8.3.

(7) Each petition to vacate, alter, or amend an entire plat, a portion of a plat, or a street or lot contained in a plat shall include:

(a) the name and address of all owners of record of the land contained in the entire plat;

(b) the name and address of all owners of record of land adjacent to any street that is proposed to be vacated, altered, or amended; and

(c) the signature of each of these owners who consents to the petition.

(8) The owners of record of adjacent parcels that are described by either a metes and bounds description or a recorded plat, may exchange title to portions of those parcels, if the exchange of title is approved by the Zoning Administrator in accordance with this Subsection. The Zoning Administrator is designated as the land use authority for the purpose of reviewing and approving boundary line adjustments pursuant to the provisions of this subsection and Utah Code Ann. Section §10-9a-608(7) (. The Zoning Administrator shall approve an exchange of title under this Subsection if no new dwelling lot or housing unit will result from the exchange of title; and the exchange of title will not result in a violation of any land use ordinance. If an exchange of title is approved under this Subsection, a notice of approval shall be recorded in the office of the county recorder which is executed by each owner included in the exchange and by the Zoning Administrator, contains an acknowledgment for each party executing the notice in accordance with the provisions of Utah Code Ann. §57-2a , Recognition of Acknowledgments Act, recites the descriptions of both the original parcels and the parcels created by the exchange of title and contains a certificate of approval by the City, signed by the Zoning Administrator and attested by the City Recorder. A conveyance of title reflecting the approved change shall be recorded in the office of the county recorder. A notice of approval recorded under this subsection does not act as a conveyance of title to real property and is not required for the recording of a document purporting to convey title to real property.

(9)

(a) The name of a recorded subdivision may be changed by recording an amended plat making that change, as provided in this section and subject to Subsection (9)(c).

(b) The surveyor preparing the amended plat shall certify that the surveyor:

(i) holds a license in accordance with Utah Code Ann. §58-22 Professional Engineers and Professional Land Surveyors Licensing Act;

(ii) has completed a survey of the property described on the plat in accordance with Utah Code Ann. Section §17-23-17 has verified all measurements; and

(iii) has placed monuments as represented on the plat.

(c) An owner of land may not submit for recording an amended plat that gives the subdivision described in the amended plat the same name as a subdivision in a plat already recorded in the county recorder's office.

(d) Except as provided in Subsection (9)(a), the recording of a declaration or other document that purports to change the name of a recorded plat is voidable. (Utah Code Ann. §10-9a-608)

A F T E R A M E N D M E N T

21.8.1 Vacating Or Changing A Subdivision Plat

(1) Subject to Section 21.8.3, and provided that notice has been given pursuant to Section 1.18, the City Council may, with or without a petition, consider and resolve any proposed vacation, alteration, or amendment of a subdivision plat, any portion of a subdivision plat, or any lot contained in a subdivision plat.

(2) If a petition is filed, the City Council shall hold a public hearing within 45 days after the petition is filed or, if applicable, within 45 days after receipt of the planning commission's recommendation under Subsection (3), if:

- (a) any owner within the plat notifies the City of their objection in writing within ten days of mailed notification; or
- (b) a public hearing is required because all of the owners in the subdivision have not signed the revised plat.

(3) The planning commission shall consider and provide a recommendation for a proposed vacation, alteration, or amendment under Subsection (1) before the City Council takes final action. The planning commission shall give its recommendation within 30 days after the proposed vacation, alteration, or amendment is referred to it, or as that time period is extended by agreement with the applicant.

(4) The public hearing requirement of Subsection (1) does not apply and the City Council may consider at a public meeting an owner's petition to alter a subdivision plat if the petition seeks to join two or more of the owner's contiguous, residential lots and notice has been given pursuant to local ordinance.

(5) Each request to vacate or alter a street or alley, contained in a petition to vacate, alter, or amend a subdivision plat, is also subject to Section 21.8.3.

(6) Any fee owner, as shown on the last county assessment rolls, of land within the subdivision that has been laid out and platted as provided in this part may, in writing, petition to have the plat, any portion of it, or any street or lot contained in it, vacated, altered, or amended as provided in this section and Section 21.8.3.

(7) Each petition to vacate, alter, or amend an entire plat, a portion of a plat, or a street or lot contained in a plat shall include:

- (a) the name and address of all owners of record of the land contained in the entire plat;
- (b) the name and address of all owners of record of land adjacent to any street that is proposed to be vacated, altered, or amended; and
- (c) the signature of each of these owners who consents to the petition.

(8) The owners of record of adjacent parcels that are described by either a metes and bounds description or a recorded plat, may exchange title to portions of those parcels, if the exchange of title is approved by the Zoning Administrator in accordance with this Subsection. The Community Development Director, Zoning Administrator, or their designee ~~Zoning Administrator~~ is designated as the land use authority for the purpose of reviewing and approving boundary line adjustments pursuant to the provisions of this subsection and Utah Code Ann. Section §10-9a-608(7) f. The ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~ 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.

(9)

- (a) The name of a recorded subdivision may be changed by recording an amended plat making that change, as provided in this section and subject to Subsection (9)(c).
- (b) The surveyor preparing the amended plat shall certify that the surveyor:
 - (i) holds a license in accordance with Utah Code Ann. §58-22 Professional Engineers and Professional Land Surveyors Licensing Act;
 - (ii) has completed a survey of the property described on the plat in accordance with Utah Code Ann. Section §17-23-17 has verified all measurements; and
 - (iii) has placed monuments as represented on the plat.
- (c) An owner of land may not submit for recording an amended plat that gives the subdivision described in the amended plat the same name as a subdivision in a plat already recorded in the county recorder's office.
- (d) Except as provided in Subsection (9)(a), the recording of a declaration or other document that purports to change the name of a recorded plat is voidable. (Utah Code Ann. §10-9a-608)

SECTION 46: AMENDMENT “24.4 SLD Application” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

24.4 SLD Application

(1) The applicant shall submit an application to Planning and Zoning Administrator 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;

- A. Name, address and phone number of applicant and/or owner.
- B. Vicinity plan showing adjacent parcels, lots, owners and buildings.
- C. Date, scale and north arrow.
- D. Parcel location and boundary.
- E. Address and tax identification number.
- F. Proposed building dimensions and setbacks.
- G. Existing and proposed street right-of-way widths.
- H. Existing and proposed street improvements (curb, gutter, sidewalk, park strip, pavement), access and driveways.
- I. Existing and/or proposed waterways, utilities, easements, flood boundary, geologic hazards, fencing, fire hydrants, streetlights, storm drain system, soil conditions, other features and infrastructure on or adjacent to the property.
- J. If new construction, intent to serve forms from all utilities that will be serving the development.
- K. City staff shall review the application and provide connections, if necessary, to the applicant. The applicant shall resubmit the plans which may then be approved or denied by city staff.

A F T E R A M E N D M E N T

24.4 SLD Application

(1) The applicant shall submit an applicant to ~~Planning and Zoning Administrator 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;

- A. Name, address and phone number of applicant and/or owner.
- B. Vicinity plan showing adjacent parcels, lots, owners and buildings.
- C. Date, scale and north arrow.
- D. Parcel location and boundary.
- E. Address and tax identification number.
- F. Proposed building dimensions and setbacks.
- G. Existing and proposed street right-of-way widths.
- H. Existing and proposed street improvements (curb, gutter, sidewalk, park strip, pavement), access and driveways.
- I. Existing and/or proposed waterways, utilities, easements, flood boundary, geologic hazards, fencing, fire hydrants, streetlights, storm drain system, soil conditions, other features and infrastructure on or adjacent to the property.
- J. If new construction, intent to serve forms from all utilities that will be serving the development.
- K. City staff shall review the application and provide connections, if necessary, to the applicant. The applicant shall resubmit the plans which may then be approved or denied by city staff.

SECTION 47: AMENDMENT “24.5 Application Review” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

24.5 Application Review

(1) The application shall be reviewed by the Planning and Zoning Administrator (Administrator) and other city staff as the Administrator 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.

(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 Zoning Administrator 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 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.

(8) If any waivers or exceptions to the code are required, any associated building permit review and approval shall be put on hold and the SLD application shall go before Planning Commission at the earliest practical public meeting to determine the status of the waivers and exceptions that will be required. Any exceptions or waivers granted shall be included in a development agreement.

A F T E R A M E N D M E N T

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 ~~Administrator~~ 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.

(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 Zoning Administrator~~ 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.

(8) If any waivers or exceptions to the code are required, any associated building permit review and approval shall be put on hold and the SLD application shall go before Planning Commission at the earliest practical public meeting to determine the status of the waivers and exceptions that will be required. Any exceptions or waivers granted shall be included in a development agreement.

SECTION 48: AMENDMENT “24.8 Appeals” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

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 zoning administrator 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.

A F T E R A M E N D M E N T

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 zoning administrator~~ 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.

SECTION 49: AMENDMENT “25.2.1 Internal ADU Provisions” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

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 Zoning Administrator.
3. All residences with an IADU shall only have one front door visible from the street.
4. ADU height shall be limited by both the regulations of the base zoning district and by the height of the primary dwelling unit and shall be the lesser height of the two.

A F T E R A M E N D M E N T

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 Zoning Administrator~~ Community Development Director, Zoning Administrator, or their designee.
3. All residences with an IADU shall only have one front door visible from the street.
4. ADU height shall be limited by both the regulations of the base zoning district and by the height of the primary dwelling unit and shall be the lesser height of the two.

SECTION 50: AMENDMENT “25.2.4 Accessory Dwelling Units” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

25.2.4 Accessory Dwelling Units

Purpose: The purposes of this section and any rules, regulations, standards and specifications adopted pursuant hereto are:

1. Minimal Impacts: To accommodate such housing in residential

neighborhoods with minimal impacts on the neighborhood in terms of traffic, noise, parking, congestion, proximity to neighboring dwelling units, and compatible scale and appearance of residential buildings.

2. Decline In Quality: To prevent the proliferation of rental dwellings, absentee ownership, Building Code violations and associated decline in quality of residential neighborhoods.

3. Terms And Conditions: To set forth standardized terms and conditions for ADUs and procedures for review and approval of the same.

a. Applications. Applications for a DADU shall be submitted and reviewed by the Planning Department as outlined in title 25.2.12. b. Allowed Use: ADUs may be an allowed use as designated by the underlying zone(s) found in title 25.2.3. c. Standards: The following standards and conditions shall apply to all Detached Accessory Dwelling Units (DADUs) as specified, in addition to any terms and conditions of approval as imposed by the Planning Department or the Planning Commission during the permitted use, conditional use permit, or subdivision process:

4. Location: An ADU shall only be allowed as part of, or in conjunction with, a single-family dwelling, and DADUs shall meet the height and building footprint area standards of the underlying zone for accessory buildings. 5. Number: A maximum of one ADU may be allowed per single-family dwelling. 6. Design And Character: The ADU or IADU shall be clearly incidental to the single-family dwelling, and shall not adversely affect the residential character of the surrounding neighborhood. An ADU shall be designed in such a way that neighbors or passersby would not, under normal circumstances, be aware of its existence. 7. Size: DADU shall be equal to or subordinate to the footprint of the original Single-family dwelling. An IADU shall be equal to or subordinate to the floor area of the original single family dwelling.

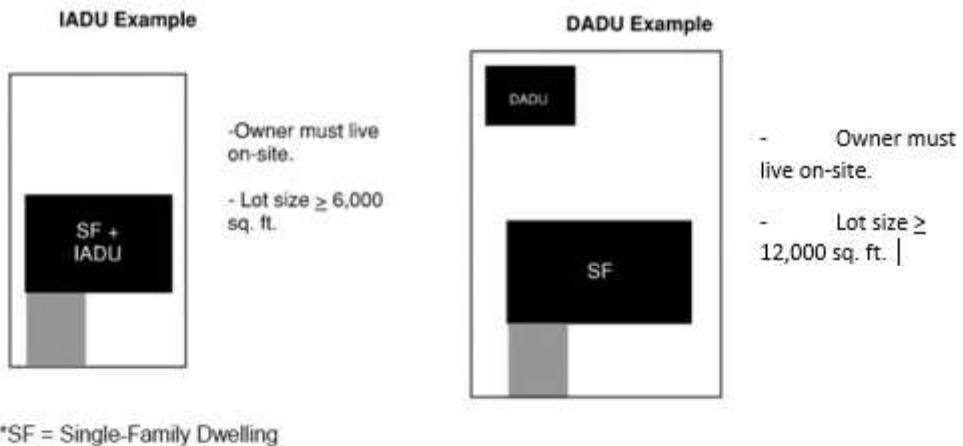
a. No basements will be permitted within a DADU. b. No more than 3 bedrooms will be permitted within a DADU.

8. Lot Size:

a. The creation of an IADU is prohibited if the lot size\containing the primary dwelling is less than six thousand (6,000) square feet in size. b. The creation of a DADU is prohibited if the lot containing the primary dwelling is less than twelve thousand (12,000) square feet in size.

9 Setbacks

a. 10' foot separation between buildings b. Side yard setbacks: 7.5/15* feet c. Rear yard setbacks: 10 feet



10. Construction Codes: The ADU shall comply with all Construction, Housing and Building Codes in effect at the time the ADU is constructed and shall comply with all procedures and requirements of the City building regulations. 11. Foundation: The ADU must be adequately installed and secured to a permanent concrete foundation in accordance with the building codes, as adopted and amended by the City.

12. Occupants: The ADU shall be occupied exclusively by one family.

a. See Grantsville definition of a family.

13. Temporary Absentee Ownership:

a. Temporary absentee property ownership may be allowed due to circumstances, such as military assignments, employment commitments, family obligations and quasipublic service.
 b. Notwithstanding the foregoing, the maximum time period allowed for temporary absentee property ownership shall not exceed twelve (12) months. In the event such temporary absentee property ownership occurs, the property owner may rent both the ADU and the primary dwelling to unrelated third parties as defined herein. c. The Zoning Administrator may extend the twelve (12) month temporary absentee owner period when the property owner can provide sufficient evidence that the circumstances justifying the exception will last longer than one year. The Zoning Administrator may not authorize a temporary absentee ownership unless the application includes a definite termination date of the temporary absence. d. An unrelated third party is any person who is not related to the primary owner of a dwelling within 3 degrees of consanguinity. e. This subsection does not prohibit the occupation of a primary dwelling or ADU by a related party, or a domestic partner of the property owner, during a period of the property owner's absence.

15. Notice Of ADU: Grantsville City will record a notice in the office of the Tooele County Recorder on the lot in which the ADU is located. The notice shall include:

a. A statement that the lot contains an ADU including the type and address; and b. A

statement that the ADU may only be used in accordance with the City's regulations. The City shall, upon recording the notice deliver a copy of the notice to the owner of the ADU.

16. Site Development: Upon consideration of approval of a permitted use, or a conditional use permit for an ADU, an application for site development shall be submitted in accordance with the provisions of chapter 7 of this title.

A F T E R A M E N D M E N T

25.2.4 Accessory Dwelling Units

Purpose: The purposes of this section and any rules, regulations, standards and specifications adopted pursuant hereto are: 1. Minimal Impacts: To accommodate such housing in residential neighborhoods with minimal impacts on the neighborhood in terms of traffic, noise, parking, congestion, proximity to neighboring dwelling units, and compatible scale and appearance of residential buildings.

2. Decline In Quality: To prevent the proliferation of rental dwellings, absentee ownership, Building Code violations and associated decline in quality of residential neighborhoods.

3. Terms And Conditions: To set forth standardized terms and conditions for ADUs and procedures for review and approval of the same.

a. Applications. Applications for a DADU shall be submitted and reviewed by the Planning Department as outlined in title 25.2.12. b. Allowed Use: ADUs may be an allowed use as designated by the underlying zone(s) found in title 25.2.3. c. Standards: The following standards and conditions shall apply to all Detached Accessory Dwelling Units (DADUs) as specified, in addition to any terms and conditions of approval as imposed by the Planning Department or the Planning Commission during the permitted use, conditional use permit, or subdivision process:

4. Location: An ADU shall only be allowed as part of, or in conjunction with, a single-family dwelling, and DADUs shall meet the height and building footprint area standards of the underlying zone for accessory buildings. 5. Number: A maximum of one ADU may be allowed per single-family dwelling. 6. Design And Character: The ADU or IADU shall be clearly incidental to the single-family dwelling, and shall not adversely affect the residential character of the surrounding neighborhood. An ADU shall be designed in such a way that neighbors or passersby would not, under normal circumstances, be aware of its existence. 7. Size: DADU shall be equal to or subordinate to the footprint of the original Single-family dwelling. An IADU shall be equal to or subordinate to the floor area of the original single family dwelling.

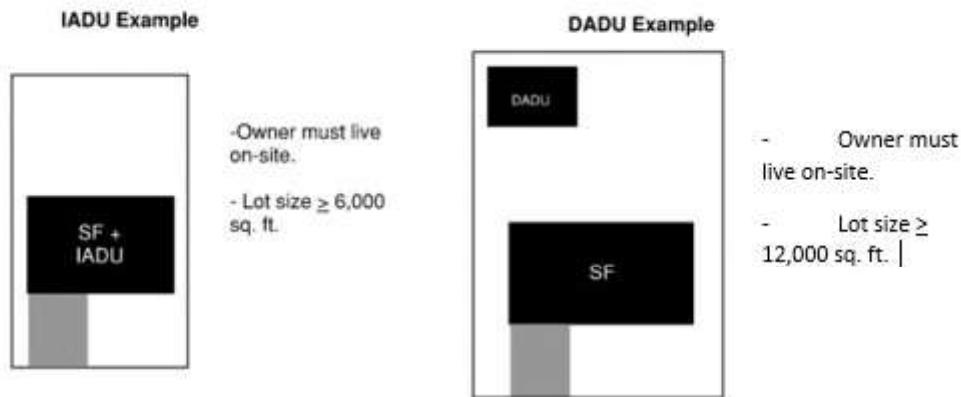
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8. Lot Size:

- a. The creation of an IADU is prohibited if the lot size\containing the primary dwelling is less than six thousand (6,000) square feet in size.
- b. The creation of a DADU is prohibited if the lot containing the primary dwelling is less than twelve thousand (12,000) square feet in size.

9. Setbacks

- a. 10' foot separation between buildings
- b. Side yard setbacks: 7.5/15* feet
- c. Rear yard setbacks: 10 feet



*SF = Single-Family Dwelling

10. Construction Codes: The ADU shall comply with all Construction, Housing and Building Codes in effect at the time the ADU is constructed and shall comply with all procedures and requirements of the City building regulations. 11. Foundation: The ADU must be adequately installed and secured to a permanent concrete foundation in accordance with the building codes, as adopted and amended by the City.

12. Occupants: The ADU shall be occupied exclusively by one family.

- a. See Grantsville definition of a family.

13. Temporary Absentee Ownership:

- a. Temporary absentee property ownership may be allowed due to circumstances, such as military assignments, employment commitments, family obligations and quasipublic service.
- b. Notwithstanding the foregoing, the maximum time period allowed for temporary absentee property ownership shall not exceed twelve (12) months. In the event such

temporary absentee property ownership occurs, the property owner may rent both the ADU and the primary dwelling to unrelated third parties as defined herein. c. The ~~Zoning Administrator~~ 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 ~~Zoning Administrator~~ 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. d. An unrelated third party is any person who is not related to the primary owner of a dwelling within 3 degrees of consanguinity. e. This subsection does not prohibit the occupation of a primary dwelling or ADU by a related party, or a domestic partner of the property owner, during a period of the property owner's absence.

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- a. A statement that the lot contains an ADU including the type and address; and b. A statement that the ADU may only be used in accordance with the City's regulations. The City shall, upon recording the notice deliver a copy of the notice to the owner of the ADU.

16. Site Development: Upon consideration of approval of a permitted use, or a conditional use permit for an ADU, an application for site development shall be submitted in accordance with the provisions of chapter 7 of this title.

SECTION 51: AMENDMENT “25.2.7 Parking” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

25.2.7 Parking

1. An ADU shall provide one additional on-site parking stall per ADU. No ADU parking space may be located within the front or side yard setbacks adjacent to a street except for within an approved driveway.
2. If parking within a garage is displaced due to the construction of an internal ADU, the equivalent number of parking stalls must be replaced on site.
3. The Zoning Administrator shall review all ADU site plans to determine the required number of parking stalls required for the ADU.

A F T E R A M E N D M E N T

25.2.7 Parking

1. An ADU shall provide one additional on-site parking stall per ADU. No ADU parking space may be located within the front or side yard setbacks adjacent to a street except for within an approved driveway.
2. If parking within a garage is displaced due to the construction of an internal ADU, the equivalent number of parking stalls must be replaced on site.
3. The ~~Zoning Administrator~~ 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.

SECTION 52: AMENDMENT “25.2.15 Appeals” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

B E F O R E A M E N D M E N T

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 Zoning Administrator or Planning Commission regarding an ADU to the Grantsville City Board of Adjustment. Any decision issued by the Board of Adjustment shall be final.
2. Any appeal shall be presented to the Grantsville City Recorder in writing within 30 days after the entry of the decision appealed from. The City shall schedule a Board of Adjustment hearing to consider the appeal within 60 days of receipt of the written appeal.

A F T E R A M E N D M E N T

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 ~~Zoning Administrator~~ 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.
2. Any appeal shall be presented to the Grantsville City Recorder in writing within 30 days after the entry of the decision appealed from. The City shall schedule a Board of Adjustment hearing to consider the appeal within 60 days of receipt of the written appeal.

SECTION 53: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 54: EFFECTIVE DATE This Ordinance shall be in full force and effect immediately upon its passage and approval as provided by law.

PASSED AND ADOPTED BY THE GRANTSVILLE COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Heidi Hammond	_____	_____	_____	_____
Jolene Jenkins	_____	_____	_____	_____
Jeff Williams	_____	_____	_____	_____
Rhett Butler	_____	_____	_____	_____
Jacob Thomas	_____	_____	_____	_____

Presiding Officer

Attest

Neil Critchlow, Mayor, Grantsville

Braydee Baugh, City Recorder,
Grantsville

Agenda Item # 8

Consideration of a proposed amendment
to the Grantsville City Land Use and
Management Code, Chapter 20 Sign
Regulations

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: November 4, 2025

PUBLIC HEARING DATE: November 4, 2025

RE: Consideration of Amendment to the Sign Ordinance (Chapter 20)

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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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.



- 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.

Staff Analysis

- The proposed changes are in furtherance of the City's stated goals and policies and reflect recent staffing changes in the City.

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. Further references and definitions can be found in the Sign Research Foundation's Sign Glossary as an industry standard if additional clarification is needed.**

- (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**.

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(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.

(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 **in form, style, shape, or structure** 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 (**EMC**): 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 **location, character, style, materials, construction, size, or 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,

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Planning and Zoning
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674



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.

(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.

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(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.

(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 **non-commercial** 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) (33) 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

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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.

(2) Permits: The approval of the City shall be evidenced by a permit issued by the Zoning Administrator.

(3) Animated Signs: No strobing, 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 temporary~~ promotions, banner signs may be displayed for sixty (60) consecutive days (only 1 such display per business location ~~-licensee~~).

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(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.

(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 (EMCs) 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. EMCs shall follow the NWSC/ISA recommended 0.3 footcandle approach to ensure these signs will not be too bright – that is, electronic message centers shall dim light output to the extent that the light output is not more than 0.3 footcandle over ambient lighting conditions when measured from one hundred feet (100') away from the sign. EMCs shall not flash light or illuminate any pixels brighter than the surrounding panel or any portion thereof, and shall have a dwell time of at least 8 seconds. No animation on EMCs is permitted.**

(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.

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(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.

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.

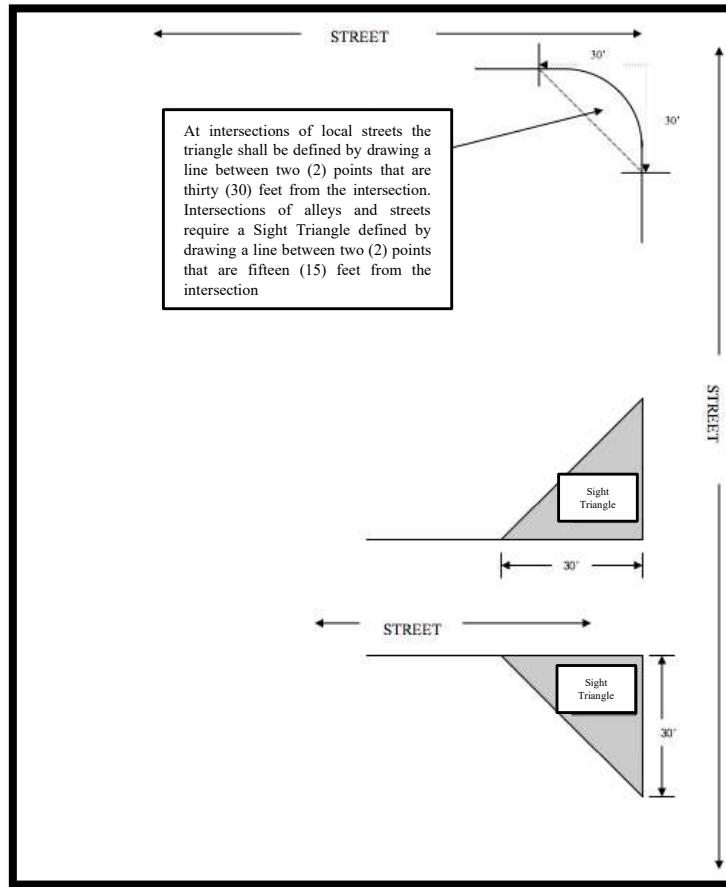
20.7 Locations And Standards

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')~~ ~~twenty feet (20')~~ in height. No such sign shall ~~project more than fifteen feet (15') into any required front yard~~ ~~shall be placed further than 5'~~

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from the public right of way. Freestanding signs shall complement the 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.

	Agriculture (A-10)	Rural Residential (RR-5)	Rural Residential (RR-2.5)	Rural Residential (RR-1)
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
Movable, Freestanding	P	P	P	P	P
Non-appurtenant	₱ -	₱ -	₱ -	₱ -	₱ -
Outdoor Advertising	₱ -	₱ -	₱ -	₱ -	₱ -
Projection	€ -	€ -	€ -	€ -	€ -
Public Event	₱ -	₱ -	₱ -	₱ -	₱ -
Public Information	P	P	P	P	P
Reader Board	₱ -	₱ -	₱ -	₱ -	₱ -
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	-	EP	EP	EP	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	EP	EP	EP	EP	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	EP	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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- (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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**GRANTSVILLE CITY
ORDINANCE NO. 2025-44**

**AMENDING CHAPTER 20 OF THE GRANTSVILLE CITY LAND USE AND
MANAGEMENT CODE REGARDING SIGN REGULATIONS**

Be it enacted and ordained by the City Council of Grantsville City, Utah as follows:

WHEREAS, the City Council of Grantsville City finds it necessary and appropriate to review and amend Chapter 20 "Sign Regulations" to ensure consistency with current legal requirements, clarify standards, and provide updated provisions that better serve the public interest; and

WHEREAS, the City Council has determined that the proposed amendments are in the best interest of the health, safety, and welfare of the residents of Grantsville City;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GRANTSVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1: Proposed Amendments

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. Further references and definitions can be found in the Sign Research Foundation's Sign Glossary as an industry standard if additional clarification is needed.

- (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.
- (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 **in form, style, shape, or structure** 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 (**EMC**): 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 **location, character, style, materials, construction, size, or** 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.

(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.

(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 **non-commercial** 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.

(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~~ **temporary** 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.

(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 (EMCs) 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. EMCs shall follow the NWSC/ISA recommended 0.3 footcandle approach to ensure these signs will not be too bright – that is, electronic message centers shall dim light output to the extent that the light output is not more than 0.3 footcandle over ambient lighting conditions when measured from one hundred feet (100') away from the sign. EMCs shall not flash light or illuminate any pixels brighter than the surrounding panel or any portion thereof, and shall have a dwell time of at least 8 seconds. No animation on EMCs is permitted.**

(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.

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.

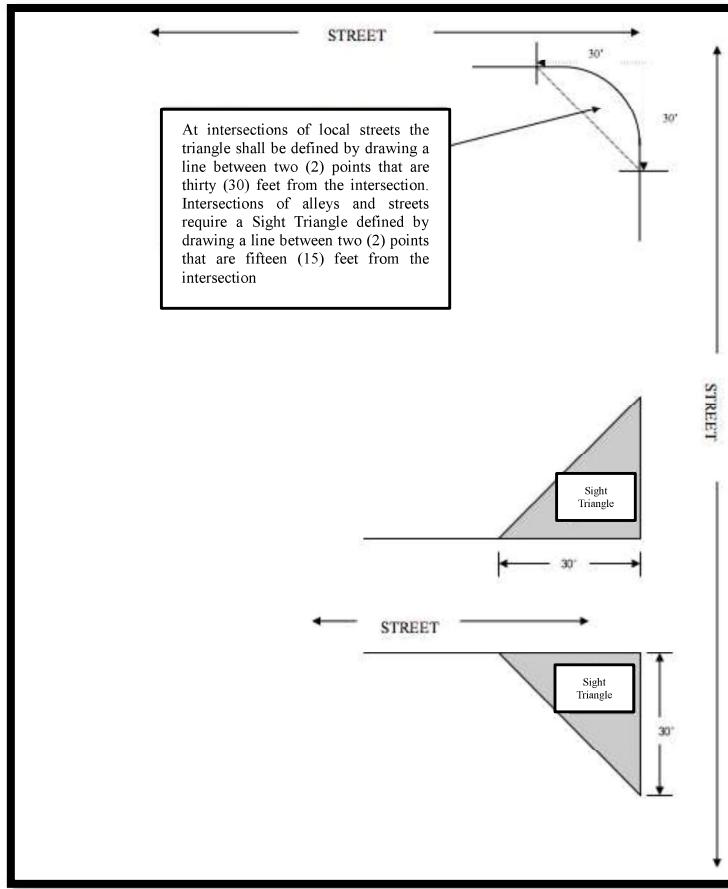
(3) Any official flag, pennant or insignia of any nation, state, city or other political unit.

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.



(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 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:



***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')~~ ~~twenty feet (20')~~ in height. No such sign shall ~~project more than fifteen feet (15') into any required front yard~~ ~~shall be placed further than 5'~~ from the public right of way.

Freestanding signs shall complement the 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).



***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.**



***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.**



***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.

	Agriculture (A-10)	Rural Residential (RR-5)	Rural Residential (RR-2.5)	Rural Residential (RR-1)
A-Frame	P	P	P	P
Animated	-	-	-	-
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	€-	€-
Movable, Freestanding	P	P	€-	€-
Non-appurtenant	₱ -	₱ -	₱ -	₱ -
Outdoor Advertising	₱ -	₱ -	₱ -	₱ -
Projection	-	-	-	-
Public Event	P	P	P	P
Public Information	₱ -	₱ -	₱ -	₱ -
Reader Board	P	P	₱ -	₱ -
Roof Zone	-	-	-	€ -
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	€-	€-	€-	€-	€-
Monument	€-	€-	₱-	P	P
Movable, Freestanding	P	P	P	P	P
Non-appurtenant	₱-	₱-	₱-	₱-	₱-
Outdoor Advertising	₱-	₱-	₱-	₱-	₱-
Projection	€-	€-	€-	€-	€-
Public Event	₱-	₱-	₱-	₱-	₱-
Public Information	P	P	P	P	P
Reader Board	₱-	₱-	₱-	₱-	₱-
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
Animated	€ P	€ P	€ P	€ P	€ P	€ P	€ P
Appurtenant	P	P	P	P	P	P	P
Banner	€ P	€ P	P	P	P	P	P
Billboard	-	€ -	€ -	€ -	P	P	P
Canopy/Marquee	€ P	€ P	P	P	P	P	P
Electronic Message Center	P	P	P	€ P	€ P	€ P	€ P
Entry Feature	-	P	P	P	P	P	P
Floating	€ P	€ P	P	P	€ P	€ P	€ P
Freestanding	€ -	€ -	€ -	€ -	P	P	P
Monument	€ P	P	P	P	P	P	P
Movable, Freestanding	€ P	P	P	€ P	€ P	€ P	€ P
Non-appurtenant	P	P	P	P	P	P	P
Outdoor Advertising	P	P	P	P	P	P	P
Projection	€ -	P	P	€ P	€ P	€ P	€ P
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

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;

- (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.

Section 2. Effective Date: This Ordinance shall take effect immediately upon its passage and approval as provided by law.

Section 3. Severability clause. If any part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all provisions, clauses and words of this Ordinance shall be severable.

ADOPTED AND PASSED BY THE CITY COUNCIL OF GRANTSVILLE CITY, THIS [xx] DAY OF [xxxx], 2025.

BY THE ORDER OF THE GRANTSVILLE CITY COUNCIL:

By Mayor Neil Critchlow

ATTEST

Alicia Fairbourne, City Recorder

Approved as to Form:

Tysen Barker, Grantsville City Attorney

Agenda Item # 9

Consideration of approving Ordinance 2025-45, an Ordinance of Grantsville City approving the rezone for 655 S. Willow Street, 635 S. Willow Street, 387 E. Nygreen Street, 400 E. Heritage Lane, 420 E. Heritage Lane, and parcel #18-049-0-000R, from the RR-1 (Rural Residential) zoning designation to the R-1-21 (Single-Family Residential) zoning designation

Planning and Zoning
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674



STAFF REPORT

To: Grantsville City Planning Commission
From: Shelby Moore, Planning and Zoning Administrator

Public Hearing: 11/18/2025

Meeting Date: 11/18/2025

Re: Consideration of a Proposed Rezone — 655 S. Willow Street, 635 S. Willow Street, 387 E. Nygreen Street, 400 E. Heritage Lane, 420 E. Heritage Lane, and Parcel #18-049-0-000R

Request: Rezone from RR-1 (Rural Residential) to R-1-21 (Single-Family Residential)

Background

The applicants are requesting a rezone of six properties along the Willow Street / Nygreen Street / Heritage Lane area from RR-1 to R-1-21. The properties are currently surrounded by a mix of RR-1, RR-2.5, and R-1-21 zoning districts, creating a transitional environment where urban-edge and established single-family patterns intersect.

The City's **Future Land Use Map** designates this area as **Low Density Residential**, intended for residential development up to two dwelling units per acre. The proposed R-1-21 zoning aligns directly with this designation and supports the expected buildout character for the area.

General Plan Consistency

The General Plan emphasizes structured, centralized, and infrastructure-efficient growth. Several themes from the plan directly support this rezone:

Addressing Conditions Prior to Implementation

The plan identifies scattered, non-contiguous development as a long-standing challenge. Rezoning consistent with the Future Land Use Map helps reduce that scatter by guiding development toward predictable, planned residential densities. These parcels lie within an area where infrastructure already exists or can be extended logically, correcting the inefficiencies noted in the General Plan.

Future Land Use Map Guidance

The map is a forward-looking tool meant to direct zoning decisions. While not regulatory, it sets clear expectations for density patterns. This rezone fits squarely within the Low-Density

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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.



Residential category and strengthens the intended long-term development form of the neighborhood.

Goal 1 – Maintain Community Character

R-1-21 is compatible with existing single-family patterns in the vicinity. It complements nearby R-1-21 areas and continues a consistent, low-density character that matches community expectations and established neighborhoods.

Goal 2 – Manage Growth

The General Plan calls for growth that aligns with available infrastructure and avoids leap-frog development. This area is within the community's existing development footprint, allowing the City to use current roadway and utility systems efficiently rather than extending services outward prematurely.

Goal 3 – Support a Mix of Land Uses

This rezone supports a balanced residential landscape without increasing density beyond what the plan anticipates. It reinforces the “out-from-the-center” growth pattern, bringing zoning into alignment with the long-term plan and preventing future zoning inconsistencies.

Analysis

The request is straightforward:

- **Meets the Future Land Use designation.**
- **Maintains compatibility with surrounding zoning districts.**
- **Strengthens the cohesive residential fabric of the area.**
- **Aligns with smart-growth principles identified in the General Plan.**
- **Keeps density within the two-units-per-acre threshold for Low Density Residential.**

No conflicts with adopted policies or infrastructure limitations have been identified. The rezone provides a logical extension of existing single-family zoning already present nearby.

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Planning and Zoning
336 W. Main St.
Grantsville, UT 84029
Phone: (435) 884-1674

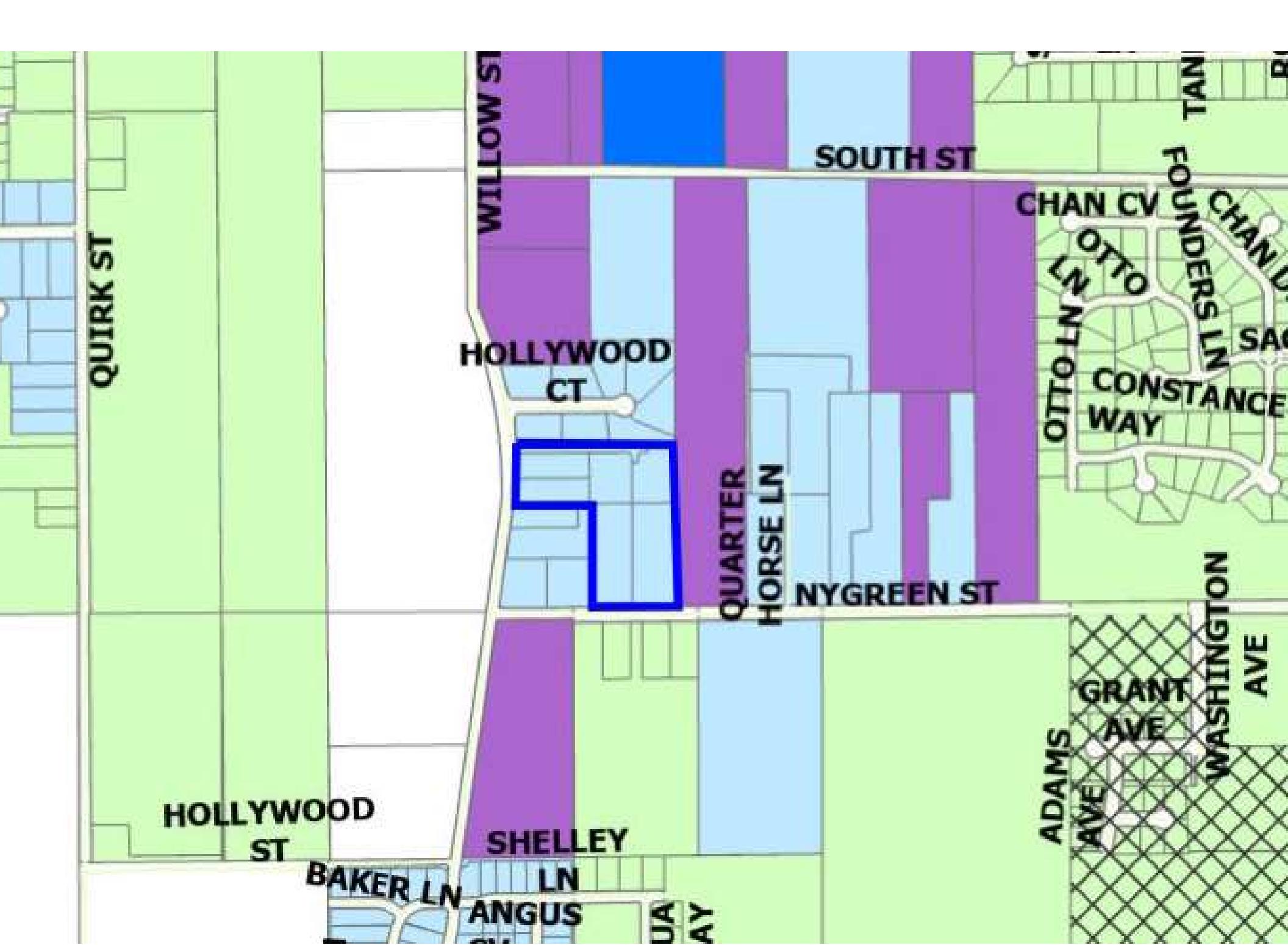


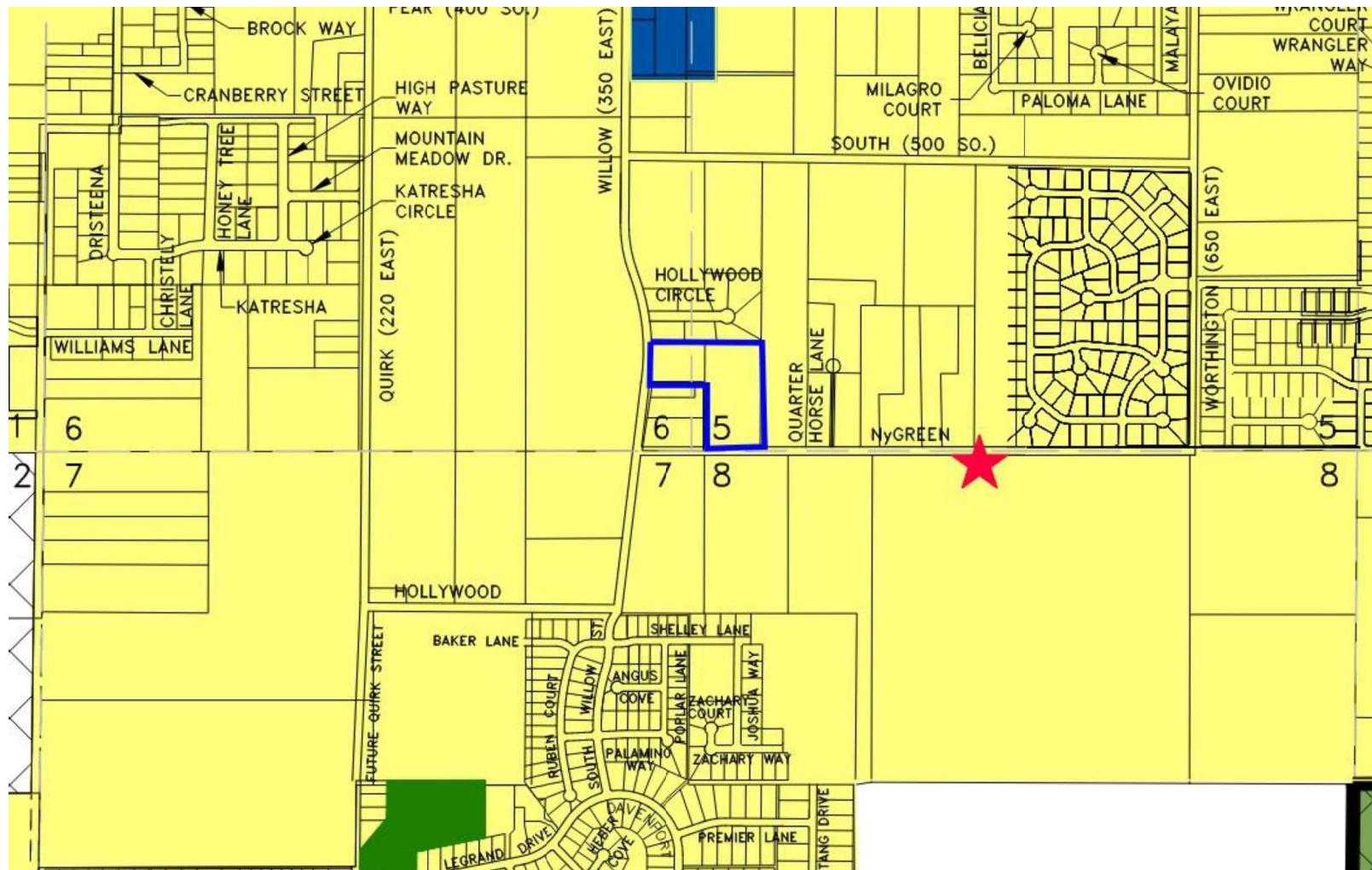
Staff Recommendation

Staff recommends **APPROVAL** of the proposed rezone from **RR-1 to R-1-21** for the listed parcels. The request is consistent with the City's General Plan goals, Future Land Use Map, and long-term land-use strategy.

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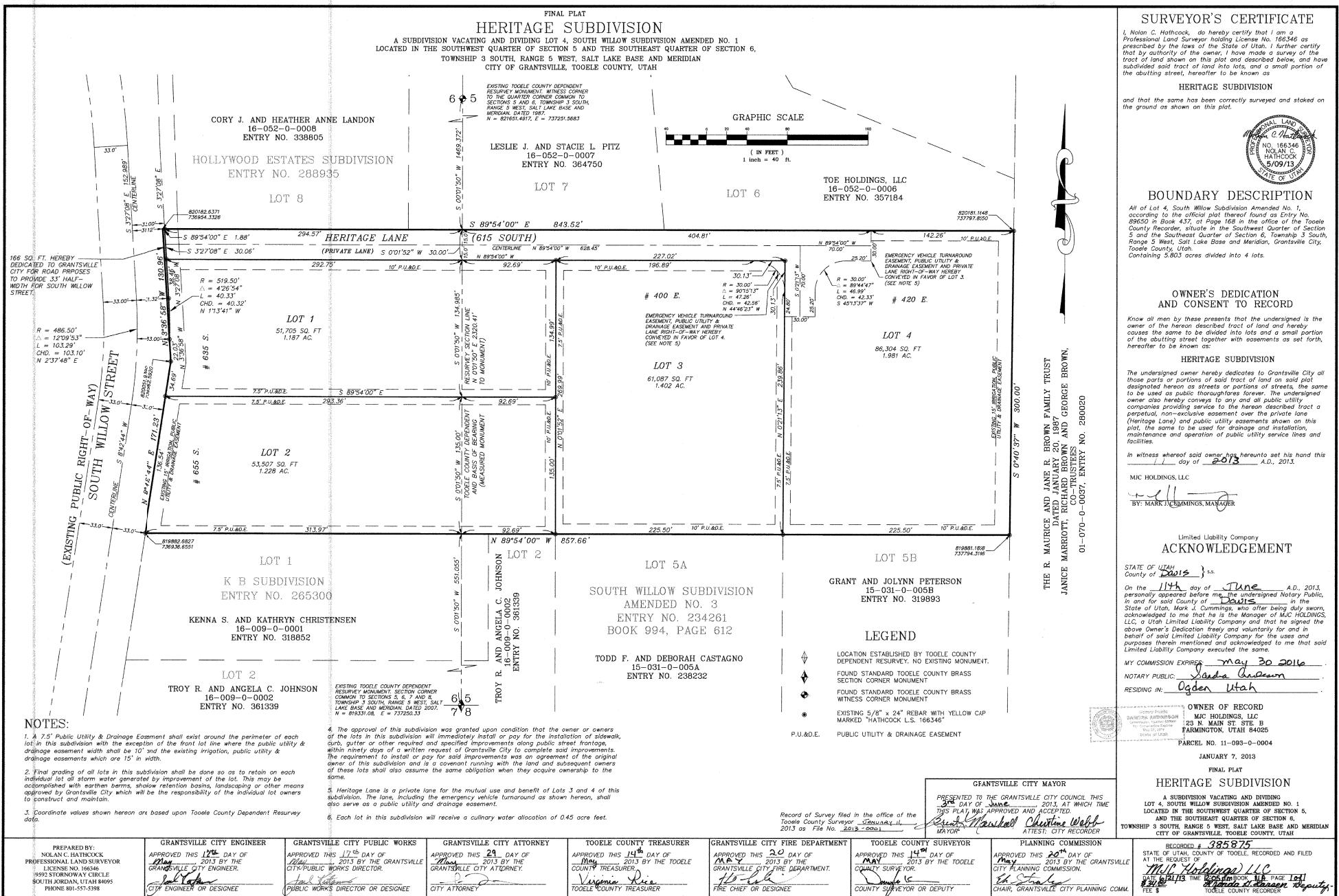
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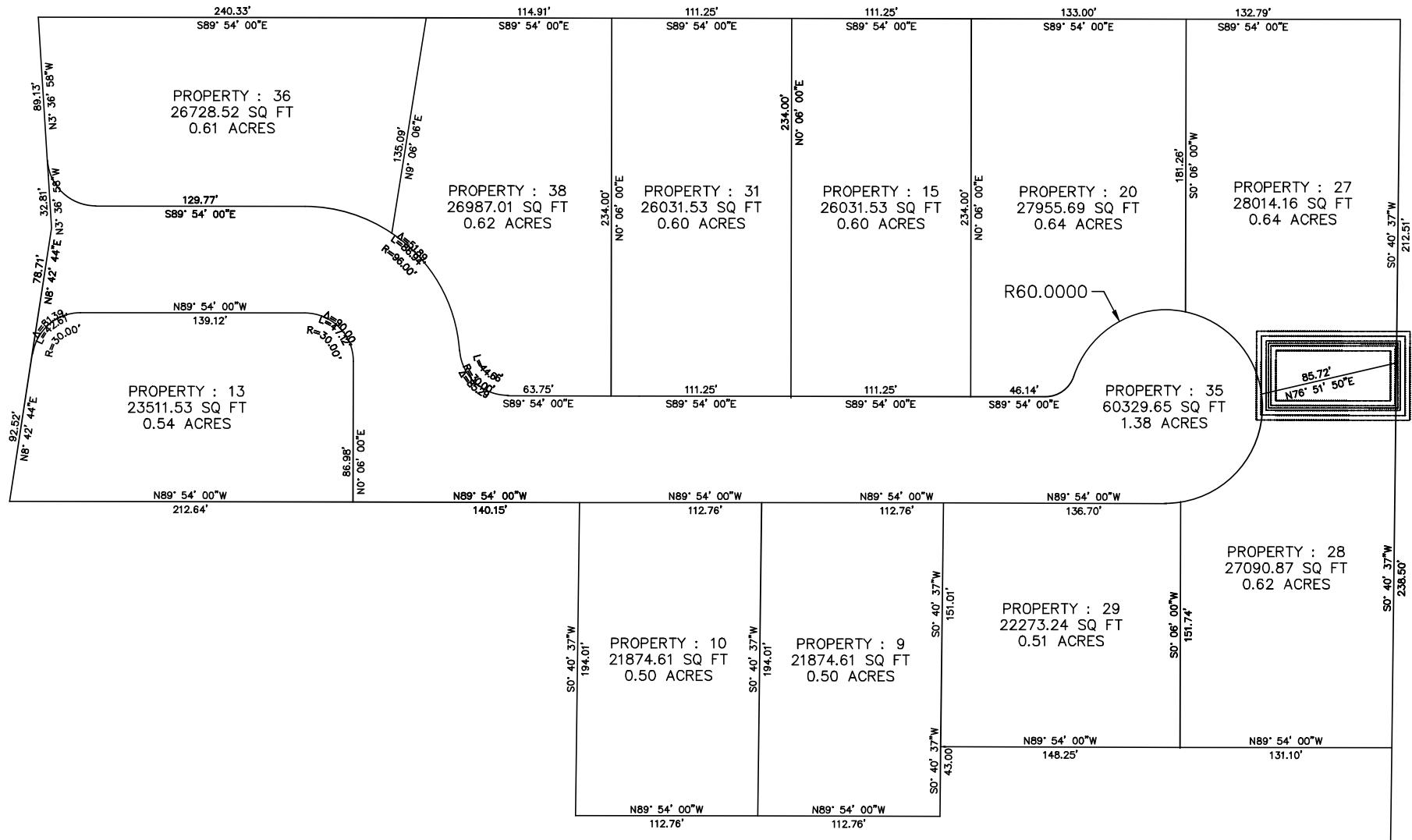




Low Density Residential
(Residential use, allowing a maximum of 2
dwelling units per acre)









**GRANTSVILLE CITY
ORDINANCE NO. 2025-45**

AN ORDINANCE OF GRANTSVILLE CITY APPROVING THE REZONE FOR 655 S. WILLOW STREET, 635 S. WILLOW STREET, 387 E. NYGREEN STREET, 400 E. HERITAGE LANE, 420 E. HERITAGE LANE, AND PARCEL #18-049-0-000R, FROM THE RR-1 (RURAL RESIDENTIAL) ZONING DESIGNATION TO THE R-1-21 (SINGLE-FAMILY RESIDENTIAL) ZONING DESIGNATION.

Be it enacted and ordained by the City Council of Grantsville City, Utah as follows:

WHEREAS, Grantsville City (“City”) is authorized under Utah law and the Grantsville City Land Use and Management Code to enact and amend zoning regulations in order to promote the health, safety, and general welfare of the community; and

WHEREAS, the owners of the properties located at **655 S. Willow Street, 635 S. Willow Street, 387 E. Nygreen Street, 400 E. Heritage Lane, 420 E. Heritage Lane**, and **Parcel #18-049-0-000R** (collectively, the “Properties”) have petitioned the City for a zoning map amendment; and

WHEREAS, the Properties are currently designated **RR-1 (Rural Residential)** on the Grantsville City Zoning Map; and

WHEREAS, the applicants seek to rezone the Properties to **R-1-21 (Single-Family Residential)** to allow for residential development consistent with surrounding land uses and the City’s long-range planning objectives; and

WHEREAS, the Planning Commission held a duly noticed public hearing, reviewed the proposed zoning map amendment, received public input, and forwarded a recommendation to the City Council; and

WHEREAS, the City Council has reviewed the application, staff reports, Planning Commission recommendation, and all relevant evidence and comments presented at its public meeting; and

WHEREAS, the City Council finds that the proposed rezone is consistent with the Grantsville City General Plan, is compatible with surrounding zoning and land uses, and is in the best interest of the City and its residents.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GRANTSVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Approval of Rezone: The City Council hereby approves the rezoning of the Properties located at:

- 655 S. Willow Street
- 635 S. Willow Street
- 387 E. Nygreen Street
- 400 E. Heritage Lane
- 420 E. Heritage Lane
- Parcel No. 18-049-0-000R

from **RR-1 (Rural Residential)** to **R-1-21 (Single-Family Residential)**.

Section 2. Effective Date: This Ordinance shall take effect immediately upon its passage and approval as provided by law.

Section 3. Severability clause. If any part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all provisions, clauses and words of this Ordinance shall be severable.

ADOPTED AND PASSED BY THE CITY COUNCIL OF GRANTSVILLE CITY, THIS
[DAY] DAY OF [MONTH], 2025.

BY THE ORDER OF THE GRANTSVILLE CITY COUNCIL:

By Mayor Neil Critchlow

ATTEST

Alicia Fairbourne, City Recorder

Approved as to Form:

Tysen J. Barker, Grantsville City Attorney

Agenda Item # 10

Consideration of approving Resolution 2025-85, a Resolution appointing the Chief Administrative Officer and Records Officer(s) for Grantsville City in compliance with the Utah Government Data and Privacy Act (GDPA)

**GRANTSVILLE CITY
RESOLUTION NO. 2025-85**

**A RESOLUTION APPOINTING THE CHIEF ADMINISTRATIVE OFFICER AND
RECORDS OFFICER(S) FOR GRANTSVILLE CITY IN COMPLIANCE WITH THE
UTAH GOVERNMENT DATA AND PRIVACY ACT**

WHEREAS, the Utah Government Data and Privacy Act (“GDPA”), Utah Code Title 63A, Chapter 16, requires governmental entities to designate a **Chief Administrative Officer** (“CAO”) responsible for ensuring compliance with the Act, including accountability for privacy, data governance, data security, and related duties; and

WHEREAS, the GDPA further requires each governmental entity to appoint one or more **Records Officers** responsible for records management, records requests, data inventory responsibilities, and coordination with the Utah Division of Archives and Records Service; and

WHEREAS, Grantsville City finds it necessary and appropriate to formally designate individuals to fulfill these statutory responsibilities and ensure compliance with the GDPA and all associated rules and guidance issued by the Utah Division of Technology Services and the Utah State Archives.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANTSVILLE CITY, STATE OF UTAH, AS FOLLOWS:

SECTION 1. Appointment of Chief Administrative Officer: The City Council hereby appoints **Grantsville City Manager** as the **Chief Administrative Officer (CAO)** for Grantsville City for purposes of the Government Data and Privacy Act. The CAO shall exercise overall responsibility for compliance with the GDPA and shall:

1. Oversee and ensure compliance with all requirements of Utah Code Title 63A, Chapter 16;
2. Supervise the creation, maintenance, and updating of the City’s **Privacy Policy, Data Security Plan, and Data Classification & Sharing Guidelines** as required by the Act;
3. Coordinate with the Utah State Privacy Officer, Utah Division of Technology Services, and Utah State Archives;
4. Ensure that Records Officer(s) receive necessary training and certification; and
5. Carry out all additional duties assigned under the GDPA or its administrative rules.

SECTION 2. Appointment of Records Officer(s): The City Council hereby appoints the following individuals as **Records Officers** for Grantsville City pursuant to the GDPA:

- **Grantsville City Recorder**, Records Officer
- **Grantsville City Administrative Assistant to the Chief of Police**, Records Officer

Each Records Officer shall:

1. Manage City records in accordance with the Government Data and Privacy Act and the Utah Government Records Access and Management Act (GRAMA);
2. Maintain the City's records retention schedules;
3. Assist the CAO in maintaining data inventories and ensuring proper classification of stored information;
4. Serve as the point of contact for the Utah State Archives for all training, reporting, and compliance requirements; and
5. Perform all other duties assigned under the GDPA and applicable administrative rules.

SECTION 3. Authorization: The CAO and Records Officer(s) are authorized to take all actions necessary to implement and maintain compliance with the GDPA, including adopting administrative procedures, completing mandatory training, and submitting required notices or documentation to the Utah State Archives and other state entities.

SECTION 4. Effective Date: This resolution shall take effect immediately upon its passage and approval as provided by law.

ADOPTED AND PASSED BY THE CITY COUNCIL OF GRANTSVILLE CITY, THIS

DAY OF _____, 2025.

BY THE ORDER OF THE GRANTSVILLE CITY COUNCIL:

By Mayor Neil Critchlow

ATTEST

Alicia Fairbourne, City Recorder

Agenda Item # 11

**Closed Session – (Imminent Litigation,
Real Estate Negotiations, Personnel)**

Agenda Item # 12

Adjourn