

**GRANTSVILLE
ORDINANCE 2026-18**

**AN ORDINANCE OF GRANTSVILLE CITY APPROVING AMENDMENTS TO
CHAPTERS 4, 6, 7, 8, 9, 14, 15, 16, 20, AND 21 OF THE GRANTSVILLE CITY
LAND USE AND MANAGEMENT CODE**

WHEREAS, Grantsville City (the “City”) is authorized pursuant to Utah law to adopt and amend land use regulations to promote the health, safety, and general welfare of its residents; and

WHEREAS, the City has undertaken a review of Chapters 4, 6, 7, 8, 9, 14, 15, 16, 20, and 21 of the Grantsville City Land Use and Management Code (the “Code”); and

WHEREAS, the proposed amendments include the removal of certain provisions, the addition of new provisions, and other clarifying revisions intended to improve the organization, clarity, and administration of the Code; and

WHEREAS, the Planning Commission reviewed the proposed amendments and provided a recommendation to the City Council on March 17th, 2026; and

WHEREAS, the City Council finds that the proposed amendments are in the best interest of the public health, safety, and welfare of the residents of Grantsville City;

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

SECTION 1: **AMENDMENT** “7.3 Site Plan And Permit Required” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

7.3 Site Plan And Permit Required

AFTER AMENDMENT

7.~~3~~4 Site Plan And Permit Required

SECTION 2: **AMENDMENT** “7.4 Fee” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

7.4 Fee

(1) The application for any conditional use permit shall be accompanied by the appropriate fee as determined by the City Council.

(2) Application fees are not refundable

AFTER AMENDMENT

7.4~~5~~ Fee

SECTION 3: AMENDMENT “7.6 Staff Report And Site Plan Report” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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.

AFTER AMENDMENT

7.6~~7~~ Staff Report And Site Plan Report

SECTION 4: REPEAL “7.7 Public Hearing” of the Grantsville Land Use Ordinances is hereby *repealed* as follows:

BEFORE REPEAL

7.7 Public Hearing

A public hearing may be held if the Chairman of the Planning Commission shall deem a hearing to be necessary and in the public interest.

AFTER REPEAL

~~7.7 Public Hearing (Repealed)~~

~~A public hearing may be held if the Chairman of the Planning Commission shall deem a~~

~~hearing to be necessary and in the public interest.~~

SECTION 5: AMENDMENT “4.16 Clear View Of Intersecting Streets” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

4.16 Clear View Of Intersecting Streets

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

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

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

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

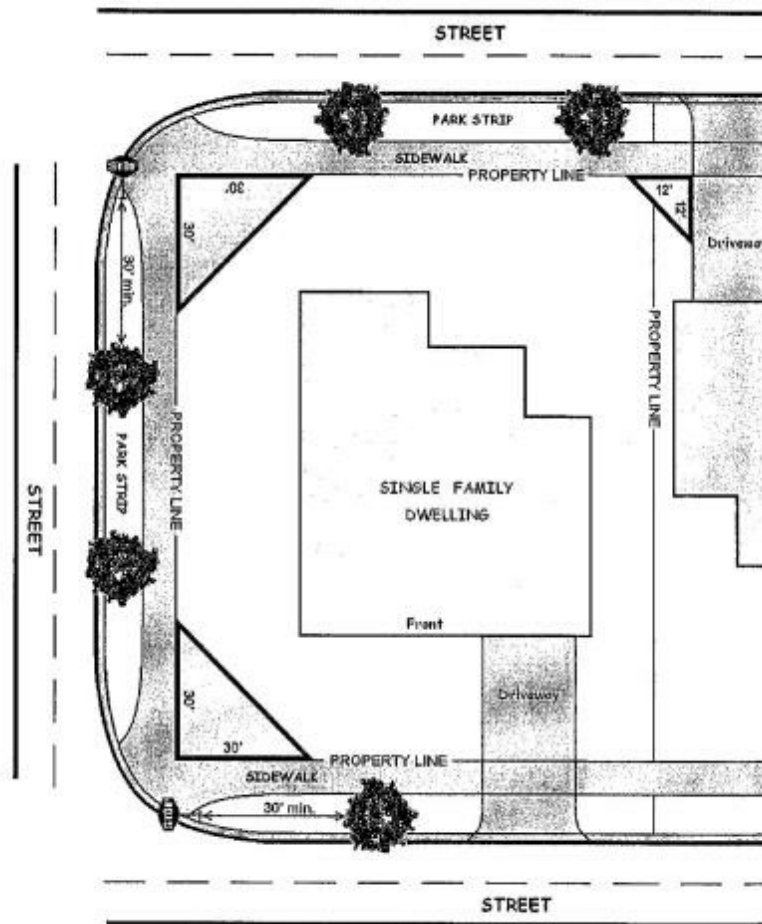
D. The clear view area for the intersection of a driveway and a street shall have no obstruction to view in excess of three feet (3') in height and shall be placed at any automobile access way

within the triangular area formed of points twelve feet (12') along the property line and twelve feet (12') along the driveway line. The driveway clear view fencing provisions may not be required on corner and double frontage lots for a secondary drive access that is gated, locked, and that accesses the rear yard, if it is determined by the City Engineer that the drive access is not a primary access.

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

**APPROVED TREE LIST FOR
PARK STRIPS**

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



AFTER AMENDMENT

4.16 Clear View Of Intersecting Streets

A(1): For the purpose of providing adequate vision of vehicular and pedestrian traffic, a clear-view area shall be maintained at the intersection of every street, whether public or private street. The clear-view provisions are considered life-safety standards and shall supersede any conflicting provisions of this Code. . This Code applies to residential streets with speeds 25 mph or less. All sight triangles and clear view areas shall comply with the latest edition of the

Geometric Design of Highway and Streets “Greenbook” by the American Association of State Highway and Transportation Officials.

~~B.~~(2) No provision of this section shall be constructed to allow the continuance of any nonconforming tree, shrub, plant or plant growth, fence wall, other screening material, or other obstruction which interferes with the safety of pedestrians or vehicle traffic.

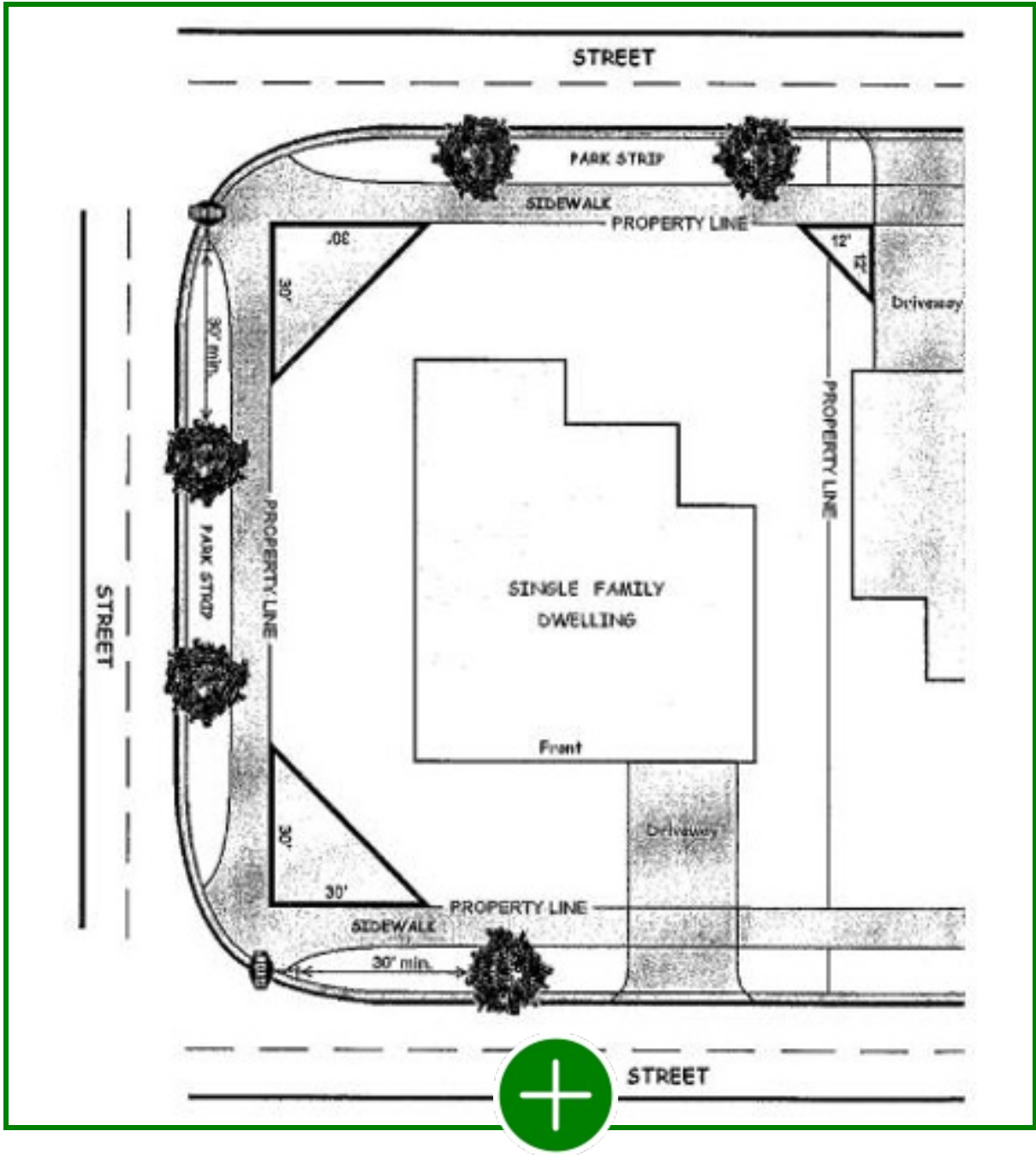
~~C.~~(3) No obstruction to view in excess of three feet (3') in height shall be placed on any corner lot within a triangular area formed by the street property lines and line connecting them at points thirty feet (30') from the intersection of the street lines. Within that clear-view area, the following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

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

~~D.~~(4) The clear view area for the intersection of a driveway and a street shall have no obstruction to view in excess of three feet (3') in height and shall be placed at any automobile access way within the triangular area formed of points twelve feet (12') along the property line and twelve feet (12') along the driveway line. The driveway clear view fencing provisions may not be required on corner and double frontage lots for a secondary drive access that is gated, locked, and that accesses the rear yard, if it is determined by the City Engineer that the drive access is not a primary access.

~~E.~~(5) Trees, shrubs that are located within the park strip must be thirty feet (30') from any traffic or street sign and must be pruned above the sidewalk seven feet (7') for pedestrian safety and above the road thirteen feet-six inches (13'6") for emergency and maintenance vehicles.





SECTION 6: AMENDMENT “6.14.1 Driveway Construction Requirements” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

6.14.1 Driveway Construction Requirements

A. Driveway Construction

1. Driveways hereinafter constructed in the City shall be designed and constructed in conformance with this Chapter.
2. All driveways shall be hard surfaced, with a material approved by the City Engineer, and shall be designed and constructed to conform to current American Public Works Association ("APWA") standards as well as all standards developed by the City.
3. No building permit shall be issued for the erection or construction of a building unless all proposed driveways are reviewed and approved by the City.
4. No driveway or driveway approach shall be permitted to encompass any municipal facility, including but not limited to traffic signal standards, catch basins, fire hydrants, crosswalks, loading zones, storm drains, utility poles, fire alarm supports, meter boxes, manholes and sewer cleanouts.
 - a. Any person, company, or enterprise found violating this Section shall be fined up to \$1,000 per violation, and subject to all other fines and penalties found in this Chapter and allowed by law, including GCC 17-1-6.
 - b. Any person, company or enterprise found violating this Section, in addition to any penalties found in 6.14(A)(4)(a), shall be liable for all costs repair or restore the municipal facility, all costs to remove, relocate, or bring into compliance the offending driveway or driveway approach, and all actual damages to real property caused by the offense.
5. Variations from the requirements of this Chapter may only be approved by the City Council.

AFTER AMENDMENT

6.14.1 Driveway Construction Requirements

(1) Driveway Construction

- (a) Driveways hereinafter constructed in the City shall be designed and constructed in conformance with this Chapter.
- (b) All driveways shall be hard surfaced, with a material approved by the City Engineer, and shall be designed and constructed to conform to current American Public Works Association ("APWA") standards as well as all standards developed by the City.
- (c) No building permit shall be issued for the erection or construction of a building unless all proposed driveways are reviewed and approved by the City.
- (d) No driveway or driveway approach shall be permitted to encompass any municipal facility, including but not limited to traffic signal standards, catch basins, fire hydrants, crosswalks, loading zones, storm drains, utility poles, fire alarm supports, meter boxes, manholes and sewer cleanouts.

- (i) Any person, company, or enterprise found violating this Section shall be fined up to \$1,000 per violation, and subject to all other fines and penalties found in this Chapter and allowed by law, including GCC 17-1-6.
- (ii) Any person, company or enterprise found violating this Section, in addition to any penalties found in 6.14(A)(4)(a), shall be liable for all costs repair or restore the municipal facility, all costs to remove, relocate, or bring into compliance the offending driveway or driveway approach, and all actual damages to real property caused by the offense.
- (e) ~~Variations from the requirements of this Chapter may only be approved by the City Council.~~

SECTION 7: AMENDMENT “6.14 Driveway Regulations” 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

6.14 Driveway Regulations

6.14 Purpose

A. Purpose

1. The safety and efficiency of a roadway is impacted by the amount and type of interference experienced by the vehicles moving on it. Some interference may result from other vehicles on the roadway, moving in either the same or the opposite direction. The major form of interference, however, is from vehicles entering, leaving, or crossing the roadway at intersecting streets and driveways. In order to reduce interference with traffic flow, minimize accidents and assure the best overall utilization of the roadway of the motoring public, it is necessary to regulate vehicles entering and leaving roadside developments and intersecting streets.
2. Grantsville City recognizes the legal rights of abutting property owners to have access to their property. However, it must also consider the right of other roadway users to travel with relative safety and freedom from interference. Since these rights are at time in conflict, it is the City's responsibility to reconcile and, to the extent feasible, satisfy the needs and desires of all roadway users.

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

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(1) Purpose

- (a) The safety and efficiency of a roadway is impacted by the amount and type of interference experienced by the vehicles moving on it. Some interference may result from other vehicles on the roadway, moving in either the same or the opposite direction. The major form of interference, however, is from vehicles entering, leaving, or crossing the roadway at intersecting streets and driveways. In order to reduce interference with traffic flow, minimize accidents and assure the best overall utilization of the roadway of the motoring public, it is necessary to regulate vehicles entering and leaving roadside developments and intersecting streets.
- (b) Grantsville City recognizes the legal rights of abutting property owners to have access to their property. However, it must also consider the right of other roadway users to travel with relative safety and freedom from interference. Since these rights are at time in conflict, it is the City's responsibility to reconcile and, to the extent feasible, satisfy the needs and desires of all roadway users.

SECTION 8: AMENDMENT “6.14.2 Secondary Access Permit Required”
of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

6.14.2 Secondary Access Permit Required

A. Permit

- 1. A driveway permit is required prior to the construction of a secondary access to any lot.
- 2. Construction of a secondary driveway access may be permitted with a driveway approach permit and payment of applicable fees, as designated in the City's Fee Schedule.
- 3. Applicants shall demonstrate that traffic safety, sight distances, and character of the neighborhood is not adversely impacted and shall comply with the design standards set forth in this Chapter.
- 4. Grantsville City's Engineer may deny any proposed driveway that violates any part of this Chapter.
- 5. The driveway approach for a secondary access must be inspected by Grantsville City prior to driveway construction, including the pouring of concrete or road base. The construction requirements must be in compliance with APWA standards, as applicable.

AFTER AMENDMENT

6.14.2 Secondary Access Permit Required

(1) Permit

- (a) A driveway permit is required prior to the construction of a secondary access to any lot.
- (b) Construction of a secondary driveway access may be permitted with a driveway approach permit and payment of applicable fees, as designated in the City's Fee Schedule.
- (c) Applicants shall demonstrate that traffic safety, sight distances, and character of the neighborhood is not adversely impacted and shall comply with the design standards set forth in this Chapter.
- (d) Grantsville City's Engineer may deny any proposed driveway that violates any part of this Chapter.
- (e) The driveway approach for a secondary access must be inspected by Grantsville City prior to driveway construction, including the pouring of concrete or road base. The construction requirements must be in compliance with APWA standards, as applicable.

- (2) Requirements: (a) Minimum Frontage: A lot must have a minimum frontage of 150 feet to qualify for a secondary access permit. (b) Driveway Width: Driveway approaches located in front or corner yards shall not exceed thirty feet (30') in width. (c) Parking Compliance: All required parking spaces located elsewhere on the lot shall comply with the applicable parking standards of this Chapter. (d) Parkway Parking Prohibited: No parkway or public right-of-way adjacent to or near the lot may be used for parking. (e) Number and Total Width of Driveway Approaches. (i) No more than two (2) driveway approaches are permitted. (ii) The combined width of two or more driveway approaches may not exceed one-third (1/3) of the lot frontage along which the approaches are constructed. (iii) A minimum separation of twelve feet (12') shall be maintained between driveway approaches, excluding flares. (f) Access to Arterial or Collector Streets: A secondary driveway shall not access an arterial or collector street unless approved by both the City Engineer and the City Council. (g) Minimum Separation Requirements. (i) Driveways shall not be located closer than: (A) Twelve feet (12') to each other (not including flares); and (B) Sixty feet (60') from the point of intersection of any road or street right-of-way, measured from the back of sidewalk or property line to the edge of the driveway. (h) Circular Driveways: Circular driveways are permitted only on local residential streets. (i) A minimum lot frontage of one hundred and fifty feet (150') is required: For corner lots, a minimum spacing of thirty-five feet (35') from the curb line to the leading edge of the driveway is required. (j) Setback from Property Lines: A secondary driveway must be located no closer than ten feet (10') from any adjacent property line, measured from the property line to the edge of the driveway, excluding flares. (3) Secondary Access Permit – Approval Criteria (a) A Secondary Access Permit may be approved only if the City makes all of the following findings: (i) Compliance with Dimensional Standards. (ii) The proposed secondary access complies with all frontage, width, spacing, and setback requirements of this Code, including the minimum lot frontage, maximum driveway widths, minimum separation distances, and property-line setbacks. (iii) No Adverse Traffic or Safety Impacts. (iv) The secondary access will not create unsafe turning movements, sight-distance conflicts, queuing issues, or other traffic hazards for vehicles.

pedestrians, cyclists, or adjacent properties, as determined by the City Engineer. (v) Street Classification Compatibility. (vi) The secondary access does not connect to an arterial or collector street unless specifically approved by both the City Engineer and the City Council. (vii) No Use of Parkway or Right-of-Way for Parking. (viii) The proposal does not rely on or encourage parking within any parkway or public right-of-way adjacent to or near the lot. (ix) No Increase in On-Street Congestion. (x) The secondary access will not increase on-street congestion, block travel lanes, or interfere with emergency access. (xi) Adequate On-Site Parking and Circulation. (xii) All required parking is provided on the lot in compliance with this Chapter, and the secondary access improves or maintains safe on-site circulation rather than creating conflicts. (xiii) No Negative Impact on Adjacent Properties. (xiv) The location and design of the secondary access will not create drainage, noise, lighting, or traffic impacts that adversely affect neighboring properties. (xv) Driveway Design Meets City Standards. (xvi) The driveway approach, surfacing, slope, drainage, and construction materials comply with City engineering standards and specifications. (xvii) Consistency with Purpose of Secondary Access. (xviii) The secondary access is necessary to improve site circulation, reduce congestion, enhance safety, or accommodate unique lot conditions, and is not requested solely for convenience or to increase parking beyond what is permitted.

SECTION 9:**AMENDMENT** “6.14.3 Tempering With City Infrastructure”
of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

6.14.3 Tempering With City Infrastructure

A. Damage to City Property

1. It shall be unlawful for any person or firm to construct, cut, break out, or remove any curb along a public street, alley or right-of-way without prior authorization by the City Engineer and City Public Works Director.
2. No person or firm shall remove, alter, or construct any curb, driveway, gutter, pavement or perform any other improvement in a public street or other property owned by or dedicated to the City without first obtaining a permit or prior authorization from the City Public Works Director authorizing such improvements.

B. Penalties

1. Failure to secure a permit of authorization as described in this Chapter, or failure to construct a driveway in the manner described herein, is a violation of this Chapter and may result in a penalty of fifty dollars (\$50.00) per violation, per day.

- a. Prior to the issuance of any monetary penalty, the City shall provide the offender written notification of violation and permit the offender at least fourteen (14) days to come into compliance.
- b. The City shall be required to notify the offender that he has the right to appeal the notice of violation to the Grantsville City Council. All decisions of the City Council shall be final.

AFTER AMENDMENT

6.14.3 Tempering With City Infrastructure

(1) Damage to City Property

- (a) It shall be unlawful for any person or firm to construct, cut, break out, or remove any curb along a public street, alley or right-of-way without prior authorization by the City Engineer and City Public Works Director.
- (b) No person or firm shall remove, alter, or construct any curb, driveway, gutter, pavement or perform any other improvement in a public street or other property owned by or dedicated to the City without first obtaining a permit or prior authorization from the City Public Works Director authorizing such improvements.

(2) Penalties

- (a) Failure to secure a permit of authorization as described in this Chapter, or failure to construct a driveway in the manner described herein, is a violation of this Chapter and may result in a penalty of fifty dollars (\$50.00) per violation, per day.
 - (i) Prior to the issuance of any monetary penalty, the City shall provide the offender written notification of violation and permit the offender at least fourteen (14) days to come into compliance.
 - (ii) The City shall be required to notify the offender that he has the right to appeal the notice of violation to the Grantsville City Council. All decisions of the City Council shall be final.

SECTION 10: **AMENDMENT** “6.14.4 Driveway Location” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

6.14.4 Driveway Location

A. Streets and Roadways

- 1. Driveways for off-street parking shall be located on streets designated as local, residential, or main street unless otherwise permitted herein.
- 2. Driveways accessing arterial, rural, or collector streets require pre-authorization approval from the City Council prior to construction.

- a. Approval will be granted only if access to the property off another road is impossible or overly burdensome.
 - 3. Driveways shall not be constructed along the acceleration or deceleration lanes and tapers connecting to interchange ramp terminals.
- B. Shared Access
 - 1. Shared access driveways between adjacent lots are hereby encouraged.
- C. Right-of-Way
 - 1. Driveways, including the radii, but not including right-turn lanes, passing lanes, and tapers, shall be located entirely within the applicant's right-of-way frontage. This right-of-way frontage is determined by projecting the lot lines to the edge of pavement of the road. Encroachment of curb and radii on adjacent right-of-way frontage shall be permitted only upon written certifications from the adjacent property owner(s) (agreeing to such encroachment) and upon written confirmation from the City that the City has determined that such encroachment is necessary to preserve safe roadway conditions.

AFTER AMENDMENT

6.14.4 Driveway Location

- (1) Streets and Roadways
 - (a) Driveways for off-street parking shall be located on streets designated as local, residential, or main street unless otherwise permitted herein.
 - (b) Driveways accessing arterial, rural, or collector streets require pre-authorization approval from the ~~City Council~~ Planning Commission prior to construction.
 - (i) Approval will be granted only if access to the property off another road is impossible or overly burdensome.
 - (c) Driveways shall not be constructed along the acceleration or deceleration lanes and tapers connecting to interchange ramp terminals.
- (2) Shared Access; Shared access driveways between adjacent lots are hereby encouraged.
 - ~~(a) Shared access driveways between adjacent lots are hereby encouraged.~~
- (3) Right-of-Way; Driveways, including the radii, but not including right-turn lanes, passing lanes, and tapers, shall be located entirely within the applicant's right-of-way frontage. This right-of-way frontage is determined by projecting the lot lines to the edge of pavement of the road. Encroachment of curb and radii on adjacent right-of-way frontage shall be permitted only upon written certifications from the adjacent property owner(s) (agreeing to such encroachment) and upon written confirmation from the City that the City has determined that such encroachment is necessary to preserve safe roadway conditions.
 - ~~(a) Driveways, including the radii, but not including right-turn lanes, passing lanes, and tapers, shall be located entirely within the applicant's right-of-way frontage. This right-of-way frontage is determined by projecting the lot lines to the edge of pavement of the road. Encroachment of curb and radii on adjacent~~

~~right-of-way frontage shall be permitted only upon written certifications from the adjacent property owner(s) (agreeing to such encroachment) and upon written confirmation from the City that the City has determined that such encroachment is necessary to preserve safe roadway conditions.~~

SECTION 11: AMENDMENT “6.14.5 Residential Districts” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

6.14.5 Residential Districts

A. Residential Districts

1. The following restrictions shall apply to single family detached, single family attached and two family dwellings:
 - a. Parking on driveways located between the front or corner side lot line and building shall not be allowed for satisfying the requirements stated in this Chapter.
 - b. Unless an exception is granted by the City Council, driveway approaches in front and corner yards shall not be greater than thirty feet (30') in width.
 - c. The provision of parking spaces elsewhere on the lot shall conform to the other applicable requirements of this Chapter. Requirements for garages shall be specified in each zoning district regulations.
 - d. No parkway right-of-way adjacent to or near the lot shall be used for parking.
 - e. For each single-family residential lot no more than two driveway approaches shall be permitted. In all instances, the total width of two or more driveway approaches may not exceed one-third of the lot frontage in which the drive approaches are constructed. A drive approach shall have a minimum width of twelve feet (12') between them, not including flares.
 - f. The second driveway cannot access an arterial or collector street, unless approved by the City Engineer and City Council.
 - g. Driveways shall not be closer than:
 - (1) Twelve feet (12') to each other; and
 - (2) Sixty feet (60') along the right of ways to a point of a road or street right-of-way intersection as measured from back of sidewalk or property line to edge of driveway.
 - h. Circular driveways shall only be permitted on local residential streets. A minimum lot frontage of one hundred feet (100') or greater is required of if located on a corner lot, at least thirty-five feet (35') of spacing from the curb line to the leading edge of the driveway.

- i. Secondary driveways must be no closer than 10' from the adjacent property line, as measured from the property line to the edge of driveway, not including flares.

AFTER AMENDMENT

6.14.5 Residential Districts

(1) Residential Districts

- (a) The following restrictions shall apply to ~~single family detached, single family attached and two family dwellings~~ **all residential developments**:

- (i) Parking on driveways located between the front or corner side lot line and building shall not be allowed for satisfying the requirements stated in this Chapter.
- (ii) Unless an exception is granted by the City Council, driveway approaches in front and corner yards shall not be greater than thirty feet (30') in width.
- (iii) The provision of parking spaces elsewhere on the lot shall conform to the other applicable requirements of this Chapter. Requirements for garages shall be specified in each zoning district regulations.
- (iv) No parkway right-of-way adjacent to or near the lot shall be used for parking.
- (v) For each single-family residential lot no more than two driveway approaches shall be permitted. In all instances, the total width of two or more driveway approaches may not exceed one-third of the lot frontage in which the drive approaches are constructed. A drive approach shall have a minimum width of twelve feet (12') between them, not including flares.
- (vi) The second driveway cannot access an arterial or collector street, unless approved by the City Engineer and City Council.
- (vii) ~~Driveways~~ **Drive approaches** shall not be closer than:
 - A. Twelve feet (12') to each other; and
 - B. Sixty feet (60') along the right of ways to a point of a road or street right-of-way intersection as measured from back of sidewalk or property line to edge of driveway.
- (viii) Circular driveways shall only be permitted on local residential streets. A minimum lot frontage of one hundred feet (100') or greater is required of if located on a corner lot, at least thirty-five feet (35') of spacing from the curb line to the leading edge of the driveway.
- (ix) Secondary driveways must be no closer than 10' from the adjacent property line, as measured from the property line to the edge of driveway, not including flares.

SECTION 12: **AMENDMENT** “6.14.6 Commercial Or Industrial Districts” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

6.14.6 Commercial Or Industrial Districts

- A. The following restrictions shall apply to all commercial or industrial district driveways:
1. All driveways shall be paved in their entirety, using either concrete or asphalt.
 2. All driveways shall be constructed with concrete curb and gutter along the entire required entry and exit radii for the driveway.
 3. No more than two (2) driveways are permitted per street frontage for any parcel, tract, or development, including access to any and all property designated as out parcels to be leased or sold for future development.
 - a. Exceptions: The City Engineer, in consultation with the City Public Works Director, may recommend to the City Planning Commission and City Council for their approval three driveways provided the parcel has at least one thousand feet (1000') of frontage and a Traffic Impact Analysis is performed by a qualified engineer at the property owner's expense, justifying an additional driveway.

AFTER AMENDMENT

6.14.6 Commercial Or Industrial Districts

- (1) The following restrictions shall apply to all commercial or industrial district driveways:
- (a) All driveways shall be paved in their entirety, using either concrete or asphalt.
 - (b) All driveways shall be constructed with concrete curb and gutter along the entire required entry and exit radii for the driveway.
 - (c) No more than two (2) driveways are permitted per street frontage for any parcel, tract, or development, including access to any and all property designated as out parcels to be leased or sold for future development.
 - (i) Exceptions: The City Engineer, in consultation with the City Public Works Director, may recommend to the City Planning Commission and City Council for their approval three driveways provided the parcel has at least one thousand feet (1000') of frontage and a Traffic Impact Analysis is performed by a qualified engineer at the property owner's expense, justifying an additional driveway.

SECTION 13: **AMENDMENT** “6.14.7 Public Safety Access Driveway” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

6.14.7 Public Safety Access Driveway

A. Public Safety Access Driveway Required

1. The owner or developer of any new residence, occupied structure or commercial building or facility or portion thereof which is hereafter constructed or moved into the City, which is located more than one-hundred and fifty feet (150') from the City street or from an approved private street, shall be required to construct and maintain a public safety access driveway from the City street or private street to within one-hundred feet (100') of the residence, structure, building or facility and each part thereof, pursuant to the following standards:
 - a. A public access driveway shall be constructed and maintained with an all-weather dustless surface that meets the requirements of the City for a standard residential street section. Said driveway shall also have constructed and maintained at its terminus, an emergency vehicle apparatus turnaround which shall comply with City's standards and specifications for public cul-de-sacs or the minimum specifications of the current International Fire Code or its appendices for dead-end fire apparatus access road turnarounds.
 - b. If the public safety access driveway is more than 500 feet in length, it shall be constructed and maintained as provided for above, except that the base course shall be at least 26 feet wide.
 - c. The distance from the public or private street to the residence, building, etc., shall be determined by a measurement along the private driveway from the street to the structure.
2. The public safety access driveway as required by this section shall be completed prior to the issuance of an occupancy permit. The owner of the property shall ensure that the public safety access driveway is maintained pursuant to the standards set forth in this Section and failure to maintain the same shall be guilty of an Infraction.

AFTER AMENDMENT

6.14.7 Public Safety Access Driveway

(1) Public Safety Access Driveway Required

- (a) The owner or developer of any new residence, occupied structure or commercial building or facility or portion thereof which is hereafter constructed or moved into the City, which is located more than one-hundred and fifty feet (150') from the City street or from an approved private street, shall be required to construct and maintain a public safety access driveway from the City street or private street to within one-hundred feet (100') of the residence, structure, building or facility and each part thereof, pursuant to the following standards:

- (i) A public access driveway shall be constructed and maintained with an all-weather dustless surface that meets the requirements of the City for a standard residential street section. Said driveway shall also have constructed and maintained at its terminus, an emergency vehicle apparatus turnaround which shall comply with City's standards and specifications for public cul-de-sacs or the minimum specifications of the current International Fire Code or its appendices for dead-end fire apparatus access road turnarounds.
 - (ii) If the public safety access driveway is more than 500 feet in length, it shall be constructed and maintained as provided for above, except that the base course shall be at least 26 feet wide.
 - (iii) The distance from the public or private street to the residence, building, etc., shall be determined by a measurement along the private driveway from the street to the structure.
- (b) The public safety access driveway as required by this section shall be completed prior to the issuance of an occupancy permit. The owner of the property shall ensure that the public safety access driveway is maintained pursuant to the standards set forth in this Section and failure to maintain the same shall be guilty of an Infraction.

SECTION 14: **ADOPTION** “7.3 Approval Criteria” of the Grantsville Land Use Ordinances is hereby *added* as follows:

BEFORE ADOPTION

7.3 Approval Criteria (Non-existent)

AFTER ADOPTION

7.3 Approval Criteria(*Added*)

A Conditional Use Permit shall be approved if reasonable conditions can be imposed to mitigate or eliminate the reasonably anticipated detrimental impacts of the proposed use. If the Planning Commission, or upon authorization the Community Development Director, Zoning Administrator, or their designee, determines that the detrimental impacts of the proposed use cannot be substantially mitigated through reasonable conditions, the application shall be denied. The burden of demonstrating compliance with applicable standards rests with the applicant.

SECTION 15: **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 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

AFTER AMENDMENT

7.56 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 [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.

Amended 01/03 by Ordinance 2003-02

SECTION 16: AMENDMENT “7.9 Planning Commission Action” 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

7.9 Planning Commission Action

The staff’s written recommendation shall be considered at the meeting. At the conclusion of the meeting, the Planning Commission shall either

- (1) approve the conditional use;

- (2) approve the conditional use subject to specific modifications;
- (3) postpone a decision pending consideration of additional information to be submitted by the applicant; or
- (4) deny the conditional use.

AFTER AMENDMENT

7.9 Planning Commission Action

(1) The staff’s written recommendation shall be considered at the meeting. A decision of the Planning Commission shall include findings of fact at the time of its ruling. At the conclusion of the meeting, the Planning Commission shall either

~~(1) approve the conditional use; (2) approve the conditional use subject to specific modifications; (3) postpone a decision pending consideration of additional information to be submitted by the applicant; or (4) deny the conditional use.~~

(a) approve the conditional use; (b) approve the conditional use subject to specific modifications; (c) postpone a decision pending consideration of additional information to be submitted by the applicant; or deny the conditional use.

SECTION 17: AMENDMENT “7.10 Effect Of Approval Of Conditional Use” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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.

AFTER AMENDMENT

7.10 Effect Of Approval Of Conditional Use

The approval of ~~a proposed~~ the conditional use by the Planning Commission, ~~or~~ the

Community Development Director, Zoning Administrator, or their designee ~~shall~~does not authorize the establishment or extension of ~~any~~the use ~~nor~~ the development, construction, reconstruction, alteration or ~~moving~~relocation of any building or structure, ~~but~~ Such approval 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 Permits, Certificates of Occupancy and subdivision approval.

SECTION 18: 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 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.

Amended 01/03 by Ordinance 2003-02

AFTER AMENDMENT

7.14 Public Hearing and 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 properties~~ within 500 feet. ~~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.

Amended 01/03 by Ordinance 2003-02

SECTION 19: ADOPTION “7.17 Proposed Uses Not Listed In The Use Table” of the Grantsville Land Use Ordinances is hereby *added* as follows:

BEFORE ADOPTION

7.17 Proposed Uses Not Listed In The Use Table (Non-existent)

AFTER ADOPTION

7.17 Proposed Uses Not Listed In The Use Table(*Added*)

(1) When a proposed land use is not expressly listed as a permitted, conditional, or prohibited use within the applicable zoning district, the applicant may request a determination of use classification pursuant to this section. (2) Upon receipt of a complete request, the Community Development Director, Zoning Administrator, or their designee shall evaluate the proposed use based on the following factors: (a) similarity in nature, scale, intensity, and operational characteristics to existing listed uses; (b) compatibility with the purpose and intent of the zoning district; (c) consistency with the General Plan and Future Land Use Map; (d) potential impacts on surrounding properties; and (e) whether the use is reasonably anticipated to require conditions to mitigate detrimental impacts. (3) The Community Development Director, Zoning Administrator, or their designee may issue a written determination classifying the proposed use as: (a) a permitted use; (b) a conditional use; or (c) a prohibited use. (4) The determination shall include written findings supporting the classification. (5) If the proposed use cannot be reasonably classified under existing categories, the applicant may petition the City to amend the use table or create a new use category. Such amendments shall follow the procedures for legislative land use amendments, including public hearings and City Council approval. (6) Any determination made under this section may be appealed in accordance with Chapter 7.11.

SECTION 20: **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 Community Development Director, Zoning Administrator, or their designee :

(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 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 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:

(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 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

AFTER 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 Community Development Director, Zoning Administrator, or their designee :(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 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 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:(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 residencee;(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 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.~~

(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 remain subordinate to the primary residential use of the dwelling and shall not alter the residential character of the dwelling or neighborhood. (b) The occupation shall occupy no more than 25% of the gross floor area of the dwelling unit or 500 square feet, whichever is less. (c) Only residents of the dwelling may engage in the occupation, unless otherwise authorized by permit. (d) The residence must be the principal residence of the applicant; (e) The occupation shall not produce tools, items, equipment or occupations which are offensive or noxious by reason of the emission of odor, smoke, gas, vibration, magnetic interference noise traffic, or other impacts detectable beyond the property boundaries. (f) No outdoor display, storage, or activity related to the occupation shall be visible from adjoining properties or public rights-of-way. (g) . No more than two clients or customers per day may visit the premises. Deliveries shall be limited to those normally made to a residence (e.g., postal service, small parcel carriers). (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) No on-site advertising or signage is permitted, except as specifically allowed by ordinance. (j) Any conditional use permit issued for a home occupation shall ensure that the residential character of the premises and neighborhood is preserved. (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: (a) Artists, illustrators, writers, photographers, editors, drafters, publishers Consultants, private investigators, f record keeping, and Bookkeeping (b) Home occupations that require a client to come to the home for service

may be permitted, provided no more than two clients or customers per day visit the premises. Physicians, therapists, or other health care providers must obtain approval of a home occupation permit from the Planning Commission. (3) 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: (a) Confirmation that client traffic will not exceed two clients or customers per day. (b) A description of the type of business proposed; (c) A listing of the individuals at the home who will be working on the business; (d) The expected hours of operation of the business; and (e) If the business is conducted in an apartment, the application must also be approved by the apartment management. (4) 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. (5) The Community Development Director, Zoning Administrator, or their designee shall issue a permit for the home occupation if they find 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. (6) 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. (a) 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: (b) any of the required licenses or permits necessary for the operation of the business have been revoked or suspended; (c) violation or disregard of any condition issued in approval of the permit; or (d) violation of any of the provisions of this Ordinance anywhere on the property. (7) 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. (8) 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. (9) 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 21: AMENDMENT “8.9 Micro Entrepreneurship” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

8.9 Micro Entrepreneurship

Micro Entrepreneurship A. Purpose & Intent The purpose of the Micro Entrepreneurship use is to support small, locally owned businesses that operate at a low-intensity and neighborhood-compatible scale. This use is intended to encourage economic vitality, self-employment, and innovation while preserving Grantsville City’s rural character and minimizing land-use impacts such as traffic, noise, and visual clutter.

B. Use Description (What It Is) Micro Entrepreneurship is a small-scale use consisting of one independent micro-business operating within a single building or site. Activities are primarily conducted indoors and are characterized by: 1. No more than two (2) employees, which means the owner of the property and 1 employee, and 2. Customer traffic limited to approximately two to four (2-4) customers per hour, except for holidays and City events, and 3. Low environmental impact. Indoor activities are defined as business operations conducted entirely within an enclosed structure, including production, preparation, assembly, storage, office work, instruction, and customer interactions, with some regular outdoor business activity. The use may include small scale, small services, or limited sales that are incidental and proportional to the small scale of the operation. This use is not intended for industrial operations, large-scale retail, or high-traffic commercial centers.

C. Permitted Components (What’s Allowed) The following activities may be permitted individually or in combination, subject to the Planning Commission approval and conditions: 1. Artisan or craft production. (e.g., woodworking, art, textiles, small-batch goods) 2. Cottage-scale and Micro Enterprise Kitchen food production consistent with Utah State Law 4-5a, 26B-7-416, and Tooele County Health Department. 3. Professional or creative offices. (e.g., design, consulting, technology services) 4. Personal services by appointment. (e.g., tutoring, repair services) 5. On-site and online sales of goods and produce. 6. Accessory storage directly related to on-site activities. a. Accessory Structure Standards: b. The permitted accessory structure shall be limited to one (1) freestanding, movable structure not exceeding ten feet by ten feet (10’ x 10’) in size. The structure may be used only for accessory storage and incidental on-site sales directly related to the approved Micro Entrepreneurship use. The structure shall not be permanently affixed to the ground, shall not contain plumbing or permanent utilities unless otherwise approved, and shall comply with applicable setback, visibility, and compatibility standards.

D. Operational Limitations (How It Operates) 1. Businesses shall be small-scale and non-industrial in nature. 2. The maximum number of tenants or operators shall be limited to one (1),

unless otherwise approved. 3. Retail sales shall be secondary to on-site production or services. 4. Wholesale distribution is prohibited. 5. No outdoor production activities unless expressly approved by the Planning Commission, subject to compatibility standards. 6. Events, classes, or demonstrations shall be limited in size and frequency and may require additional approval.

E. Compatibility Standards 1. Noise, odor, vibration, and emissions shall not exceed levels typical of residential or low-intensity areas of no more than 85 decibels as measured 20 feet from the property line. 2. Outdoor storage is prohibited unless screened and approved by the Planning Commission. 3. Hours of operation shall be limited to 7:00 a.m. to 7:00 p.m. to ensure neighborhood compatibility. 4. Lighting shall be downward-directed. Minimized, and no light trespassing. 5. Signage shall comply with applicable sign regulations chapter 20. 6. Traffic generation shall be comparable to a home occupation.

F. Site & Development Standards 1. Parking, setbacks, landscaping, and buffering shall comply with the requirements of the underlying zoning district. 2. Existing structures may be reused or adapted where compliant with applicable code requirements. 3. Lots used for Micro Entrepreneurship shall have a minimum of 150 feet of frontage.

G. Approval Type Conditional Use, as determined by the Planning Commission. Definition (If Added to Code) Micro Entrepreneurship: A low-intensity use consisting of one small, independent business operating at a limited scale, with minimal off-site impacts, and designed to be compatible with surrounding residential or rural uses.

H. Enforcement & Flexibility 1. Conditions of approval may be imposed to address site-specific impacts. 2. Expansion, additional tenants, or changes in activity type require review and new approval. 3. Activities not expressly approved are prohibited. I. Required Attachments 1. Site plan meeting Chapter 11 Site Plan Review requirements

AFTER AMENDMENT

8.9 Micro Entrepreneurship

~~Micro Entrepreneurship A. Purpose & Intent The purpose of the Micro Entrepreneurship use is to support small, locally owned businesses that operate at a low-intensity and neighborhood-compatible scale. This use is intended to encourage economic vitality, self-employment, and innovation while preserving Grantsville City's rural character and minimizing land-use impacts such as traffic, noise, and visual clutter. B. Use Description (What It Is) Micro Entrepreneurship is a small-scale use consisting of one independent micro-business operating within a single building or site. Activities are primarily conducted indoors and are characterized by: 1. No more than two (2) employees, which means the owner of the property and 1 employee, and 2. Customer traffic limited to approximately two to four (2-4) customers per hour, except for holidays and City events, and 3. Low environmental impact. Indoor activities are defined as business operations conducted entirely within an enclosed structure, including production, preparation, assembly, storage, office work, instruction, and customer~~

interactions, with some regular outdoor business activity. The use may include small scale, small services, or limited sales that are incidental and proportional to the small scale of the operation. This use is not intended for industrial operations, large-scale retail, or high-traffic commercial centers.

C. Permitted Components (What's Allowed) The following activities may be permitted individually or in combination, subject to the Planning Commission approval and conditions:

1. Artisan or craft production. (e.g., woodworking, art, textiles, small-batch goods)
2. Cottage-scale and Micro Enterprise Kitchen food production consistent with Utah State Law 4-5a, 26B-7-416, and Tooele County Health Department.
3. Professional or creative offices. (e.g., design, consulting, technology services)
4. Personal services by appointment. (e.g., tutoring, repair services)
5. On-site and online sales of goods and produce.
6. Accessory storage directly related to on-site activities.

a. Accessory Structure Standards:

b. The permitted accessory structure shall be limited to one (1) freestanding, movable structure not exceeding ten feet by ten feet (10' x 10') in size. The structure may be used only for accessory storage and incidental on-site sales directly related to the approved Micro Entrepreneurship use. The structure shall not be permanently affixed to the ground, shall not contain plumbing or permanent utilities unless otherwise approved, and shall comply with applicable setback, visibility, and compatibility standards.

D. Operational Limitations (How It Operates)

1. Businesses shall be small-scale and non-industrial in nature.
2. The maximum number of tenants or operators shall be limited to one (1), unless otherwise approved.
3. Retail sales shall be secondary to on-site production or services.
4. Wholesale distribution is prohibited.
5. No outdoor production activities unless expressly approved by the Planning Commission, subject to compatibility standards.
6. Events, classes, or demonstrations shall be limited in size and frequency and may require additional approval.

E. Compatibility Standards

1. Noise, odor, vibration, and emissions shall not exceed levels typical of residential or low-intensity areas of no more than 85 decibels as measured 20 feet from the property line.
2. Outdoor storage is prohibited unless screened and approved by the Planning Commission.
3. Hours of operation shall be limited to 7:00 a.m. to 7:00 p.m. to ensure neighborhood compatibility.
4. Lighting shall be downward-directed. Minimized, and no light trespassing.
5. Signage shall comply with applicable sign regulations chapter 20.
6. Traffic generation shall be comparable to a home occupation.

F. Site & Development Standards

1. Parking, setbacks, landscaping, and buffering shall comply with the requirements of the underlying zoning district.
2. Existing structures may be reused or adapted where compliant with applicable code requirements.
3. Lots used for Micro Entrepreneurship shall have a minimum of 150 feet of frontage.

G. Approval Type Conditional Use, as determined by the Planning Commission.

Definition (If Added to Code)

Micro Entrepreneurship: A low-intensity use consisting of one small, independent business operating at a limited scale, with minimal off-site impacts, and designed to be compatible with surrounding residential or rural uses.

H. Enforcement & Flexibility

1. Conditions of approval may be imposed to address site-specific impacts.
2. Expansion, additional tenants, or changes in activity type require review and new approval.
3. Activities not expressly approved are prohibited.

I. Required Attachments

1. Site plan meeting Chapter 11 Site Plan Review requirements

(1) Purpose & Intent: The purpose of the Micro Entrepreneurship use is to support small, locally owned businesses that operate at a low-intensity and neighborhood-compatible scale. This use is intended to encourage economic vitality, self-employment, and innovation while

preserving Grantsville City's rural character and minimizing land-use impacts such as traffic, noise, and visual clutter. (2) Use Description (What It Is) Micro Entrepreneurship is a small-scale use consisting of one independent micro-business operating within a single building or site. Activities are primarily conducted indoors and are characterized by: (a) No more than two (2) employees, which means the owner of the property and 1 employee, and (b) Customer traffic limited to approximately two to four (2-4) customers per hour, except for holidays and City events, and (c) Low environmental impact. Indoor activities are defined as business operations conducted entirely within an enclosed structure, including production, preparation, assembly, storage, office work, instruction, and customer interactions, with some regular outdoor business activity. The use may include small scale, small services, or limited sales that are incidental and proportional to the small scale of the operation. This use is not intended for industrial operations, large-scale retail, or high-traffic commercial centers. (3) Permitted Components (What's Allowed) The following activities may be permitted individually or in combination, subject to the Planning Commission approval and conditions: (a) Artisan or craft production. (e.g., woodworking, art, textiles, small-batch goods) (b) Cottage-scale and Micro Enterprise Kitchen food production consistent with Utah State Law 4-5a, 26B-7-416, and Tooele County Health Department. (c) Professional or creative offices. (e.g., design, consulting, technology services) (d) Personal services by appointment. (e.g., tutoring, repair services) (e) On-site and online sales of goods and produce. (f) Accessory storage directly related to on-site activities. (i) Accessory Structure Standards; The permitted accessory structure shall be limited to one (1) freestanding, movable structure not exceeding ten feet by ten feet (10' x 10') in size. The structure may be used only for accessory storage and incidental on-site sales directly related to the approved Micro Entrepreneurship use. The structure shall not be permanently affixed to the ground, shall not contain plumbing or permanent utilities unless otherwise approved, and shall comply with applicable setback, visibility, and compatibility standards. (4) Operational Limitations (How It Operates) (a) Businesses shall be small-scale and non-industrial in nature. (b) The maximum number of tenants or operators shall be limited to one (1), unless otherwise approved. (c) Retail sales shall be secondary to on-site production or services. (d) Wholesale distribution is prohibited. (e) No outdoor production activities unless expressly approved by the Planning Commission, subject to compatibility standards. (f) Events, classes, or demonstrations shall be limited in size and frequency and may require additional approval. (5) Compatibility Standards (a) Noise, odor, vibration, and emissions shall not exceed levels typical of residential or low-intensity areas of no more than 85 decibels as measured 20 feet from the property line. (b) Outdoor storage is prohibited unless screened and approved by the Planning Commission. (c) Hours of operation shall be limited to 7:00 a.m. to 7:00 p.m. to ensure neighborhood compatibility. (d) Lighting shall be downward-directed. Minimized, and no light trespassing. (e) Signage shall comply with applicable sign regulations chapter 20. (f) Traffic generation shall be comparable to a home occupation. (6) Site & Development Standards (a) Parking, setbacks, landscaping, and buffering shall comply with the requirements of the underlying zoning district. (b) Existing structures may be reused or adapted were compliant with applicable code requirements. (c) Lots used for Micro Entrepreneurship shall have a minimum of 150 feet of frontage. (7) Approval Type; Conditional Use, as determined by the Planning Commission. (8) Enforcement & Flexibility (a) Conditions of approval may be imposed to address site-specific impacts. (b) Expansion, additional tenants, or changes in activity type require review and new approval. (c) Activities

not expressly approved are prohibited. (9) Required Attachments; Site plan meeting Chapter 11 Site Plan Review requirements

SECTION 22: AMENDMENT “9.2 Enforcement Of Landscape Requirements” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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.

AFTER AMENDMENT

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.

(1) Definitions (a) Parkway; Parkway means the portion of the public right-of-way located between the back of curb and the sidewalk, or between the curb and the property line where no sidewalk exists, intended for landscaping, street trees, or utilities. (b) Park Strip; Park Strip means the linear landscaped area within the parkway, typically located between the curb and sidewalk, designed for street trees, turf, groundcover, or other approved plantings. (c) Median; Median means the raised or flush landscaped or hardscaped area located between opposing travel lanes within a public or private street right-of-way, intended to provide visual separation, traffic control, and support approved landscaping or streetscape features. (2) Enforcement of Landscaping in Parkways, Park Strips, and Medians (a) Responsibility for Installation and Maintenance; The property owner, subdivider, or developer is responsible for installing and

maintaining all required landscaping within any parkway, park strip, or median adjacent to or associated with the lot, in accordance with the approved landscape plan and City standards. (3) Prohibited Activities; No person shall remove, damage, alter, or fail to maintain landscaping within a parkway, park strip, or median required by an approved landscape plan. Parking, storing vehicles, or placing materials within these areas is prohibited unless expressly authorized by the City. (4) Failure to Maintain. (a) Failure to install or maintain required landscaping within a parkway, park strip, or median constitutes a violation of this Ordinance and may result in: (i) issuance of a notice of violation; (ii) withholding or revocation of a certificate of occupancy; (iii) correction by the City with costs billed to the responsible party; or (iv) any other enforcement action authorized by this Code. (5) City Authority to Modify Requirements; The Community Development Director, Zoning Administrator, or their designee may modify landscaping requirements within a parkway, park strip, or median. (6) Restoration After Damage; Any damage to landscaping within a parkway, park strip, or median caused by construction, parking, utility work, or other activity shall be repaired or replaced by the responsible party within the timeframe specified by the City.

SECTION 23: AMENDMENT “9.3 Landscape Plan” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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 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 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 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.

AFTER AMENDMENT

9.3 Landscape Plan

(1) ~~Except for the construction of detached single-family residences and two-family residences~~ a A landscape plan shall be required for any change in use, building additions or increases in occupancy. Such a 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, refuse 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 ;
- (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 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 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 24: **ADOPTION** “9.8 Permitted Landscape Plants” of the Grantsville Land Use Ordinances is hereby *added* as follows:

BEFORE ADOPTION

9.8 Permitted Landscape Plants (Non-existent)

AFTER ADOPTION

9.8 Permitted Landscape Plants(*Added*)

(1) Purpose: This section establishes drought-tolerant, low-maintenance landscaping standards for parkways and medians to conserve water, enhance streetscape quality, and ensure long-term plant survivability in Grantsville's climate. (2) Shade Trees (a) City-Approved Shade Trees (Preferred Species) The following tree species are approved and strongly encouraged for use in parkways and medians due to their adaptability, canopy structure, and drought tolerance: (i) Hackberry (Celtis occidentalis) (ii) Ginkgo (Ginkgo biloba) — male cultivars only (iii) White Oak (Quercus alba) (b) The following species may be considered on a case-by-case basis subject to staff approval and site conditions: (i) Bur Oak (Quercus macrocarpa) (ii) Thornless Honey locust (Gleditsia triacanthos var. interims) (iii) Kentucky Coffee tree (Gymnocladus dioicous) (iv) Autumn Blaze Maple (Acer × freeman 'Autumn Blaze') (v) Chanticleer Pear (Pyrus caller Yana 'Chanticleer') (3) Shrubs Deciduous Shrubs: The following deciduous shrubs are permitted: (a) Silver Sagebrush (Artemisia cana) (b) Yellow Rabbitbrush (Chrysanthemums viscidiflorus) (c) Apache Plume (Fallugia paradoxa) (d) Western Sand cherry (Prunus besseyi) (4) Evergreen Shrubs The following evergreen shrubs are permitted. (a) Blue Chip Juniper is expressly prohibited: (b) Medora Juniper (Juniperus scopulorum 'Medora') (c) Dwarf Mogo Pine (Pinus mugo var. pumila) (5) Ornamental Grasses The following ornamental grasses are permitted: (a) Feather Reed Grass (Calamagrostis × acutiflora 'Karl Foerster') (b) Blue Fescue (Festuca glauca 'Blue Elijah') (c) 'Heavy metal' Switchgrass (Panicum virgatum 'Heavy metal') (d) Indian Grass (Sorghastrum nutans 'Sioux Blue') (6) Perennials The following perennial species are permitted: (a) Licorice Hyssop (Agastache rupestris) (b) Red Torch Lily (Kniphofia 'Stark's Early Hybrids') (7) General Landscaping Requirements Permitted and not Permitted (a) Turf grass is prohibited within medians. (b) Turf grass is permitted within parkways only where slopes do not exceed fifty percent (50%). (c) Evergreen groundcovers and shrubs shall not exceed eighteen (18) inches in mature height. (d) Thorn-bearing shrubs or groundcovers are prohibited. (e) Drip irrigation systems are required for all plant materials. (f) Trees are permitted in both medians and parkways. 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. (g) Bark, Mulch, Gravel, and concrete, is permitted in parkways. (h) Impervious materials are permitted in medians.(Brick pavers, Concrete) (i) Flowers are permitted. Flower bed not to exceed 24" in height at maturity. (j) Driveway and Walkways (carriage to street) are permitted. (k) Irrigation is required for plant materials. (l) Prohibited Materials - Large rock exceeding 1-½" inch, asphalt, concrete, thorny bearing plants, ground cover and shrubs exceeding 18" inches in height.

SECTION 25: ADOPTION “9.9 Applicability Standards” of the Grantsville Land Use Ordinances is hereby *added* as follows:

BEFORE ADOPTION

9.9 Applicability Standards (Non-existent)

AFTER ADOPTION

9.9 Applicability Standards(*Added*)

(1) 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 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. (a) Turf is permitted on slope grades up to fifty percent. Turf is not recommended on slopes greater than fifty percent. (b) 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. (c) A limited variety of shrubs are available that will not exceed 18 inches in height at maturity. Thorn bearing shrubs are prohibited. (d) Flowers shall not include thorn bearing species. (e) 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. (f) Retaining walls, fences, steps, and other similar structural encroachments shall be prohibited unless they are specifically approved through the City. A retaining wall is defined as a wall designed to resist the lateral displacement of soil or other material.

SECTION 26: AMENDMENT “14.6 Codes And Symbols, Use Table 14.1” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

14.6 Codes And Symbols, Use Table 14.1

In the following sections of this chapter, uses of land or buildings which are allowed in various districts are shown as "permitted uses," indicated by a "P" in the appropriate column, or as a

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

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

USE	A	RR-5	RR-2.5	RR-1
<p>Accessory buildings & uses incidental to permitted ag uses (except for the keeping of animals). Said uses shall be kept a minimum of 100' from the property line on which the primary building fronts and 100' from any pre-existing dwelling. If these accessory buildings and uses have been kept prior to the construction of a residential dwelling on an adjoining parcel, said uses need not be kept 100' away from the new dwelling, but may be</p>	P	P	P	P

maintained. (Amended 2008,2009)				
Accessory buildings and uses customarily incidental to permitted uses other than those listed above.	P	P	P	P
Accessory buildings and uses customarily incidental to conditional uses	C	C	C	C
Accessory buildings for the housing of animals customarily incidental to permitted ag uses, including pens, corrals and pastures for the keeping of animals. Such accessory buildings and uses shall not be allowed closer than 100' from any pre-existing residential dwelling on an adjoining parcel. If these accessory buildings and uses have been kept, prior to the construction of a residential	P	C	C	C

<p>dwelling, but may be maintained subject to the terms of any required conditional use permit. (Amended 2008, 2009)</p>				
<p>Family Food Production and the Raising of Large, Medium, and Small Animals. The first large animal (fully grown) shall have 10,000 sq ft of open area, each additional large animal shall have an additional 2,000 sq ft of open area. Each medium sized animal (fully grown) shall have 1,000 sq ft of open area. Each small sized animal (fully grown) shall have 500 sq ft of open area. The area of stables, barns and pens accessible to regulate animals may count towards the open area requirements. No</p>	<p>P</p>	<p>P</p>	<p>P</p>	<p>C</p>

<p>animal shall be kept, corralled, penned, or raised within 100' from any pre-existing residential dwelling located on an adjoining lot measured at the nearest corner. There is no setback requirement from neighboring residential dwellings if a C.U.P. has been issued prior to the start of construction of a residential dwelling on an adjoining lot measured at the nearest corner.</p>				
<p>Class "A" Kennel (4-15 animals only). No animal shall be kept, penned, or raised within 100' from any preexisting residential dwelling located on an adjoining lot measured at the nearest corner and it must have 4,000 sq ft for each additional animal over 5.</p>	C	C	C	C
<p>Sportsman's</p>				

Permit for 4-6 dogs. No dog shall be kept, penned, or raised within 100' of an adjoining residence or dwelling measured at the nearest corner.	C	C	C	C
Raising of Rabbits, Ducks, Chickens (hens only), or Turkeys with not more than six (6) such animals in any combination	P	P	P	P
Temporary buildings for uses incidental to construction work, including living quarters for guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work.	C	C	C	C
Mobile Homes for temporary living quarters and such other temporary uses found appropriately by the Planning Commission.	C	C	C	C

Agriculture, including grazing and pasturing of animals.	P	C	C	C
Agricultural Industry (Amended 2010)	C	C	C	-
Fruit/Vegetable Stand	P	C	C	C
Farm (Amendment 8/21/02, complete addition of term)	P	P	P	C
Accessory Farm Employee Housing. Each accessory farm employee housing unit must be located on a contiguous parcel that contains at least 10 acres or more for each such unit and which must have at least 10 additional acres if it is located on the same property as the primary residential dwelling. (Amended 8/21/02, complete addition of term)	C	C	C	C
Farms devoted to raising and marketing				

chickens, turkeys or other fowl or poultry, fish or frogs, mink, rabbits, including wholesale and retail sale (does not include family food production).	P	C	-	-
Forestry and forest industry, such as a saw mill, wood products, plants, or others	C	-	-	-
Apiary	P	C	C	C
Aviary	P	P	P	P
Public Stable, riding academy or riding ring, horse show barns or facilities	C	C	C	C
<u>RESIDENTIAL</u>	A	RR-5	RR-2.5	RR-1
Single-Family Dwellings Detached	P	P	P	P
Single-Family Attached Dwellings	P	P	P	P
Two-Family Dwellings	P	P	P	P
Twin Home Dwellings	-	C	C	C
Congregate Care Facility	-	-	C	C

Nursing Care Facility	C	C	C	C
Group Home, Small	C	C	C	C
Group Home, Large	C	C	-C	C-
Transitional Treatment Home, Small	C	C	C	C
Transitional Treatment Home, Large	C	C	C	C
Residential facilities for handicapped or elderly	P	P	P	P
Home Occupation	C	C	C	C
Household Pets, other than a sportsman permit	P	P	P	P
<u>INSTITUTIONAL</u>	A	RR-5	RR-2.5	RR-1
Adult Day Care Center	C	C	C	C
Child Day Care Center	C	C	C	C
Places of Worship (Amended 7/98)	-	-	C	C
Schools, professional and vocational	C	C	C	C
Kennel	P	C	C	C

Mine, Quarry, Gravel Pit, Rock Crusher, Concrete Batching Plant, or Asphalt Plant, Oil Wells or Steam Wells, Land Excavations	C	-	-	-
<u>POWER GENERATION</u> (Primary Power for on-site use)	A	RR-5	RR-2.5	RR-1
Solar	P	P	P	P
Wind driven under 5.9 KVA output	P	P	P	P
Auxiliary, temporary, and/or wind, with more than 6 KVA, but less than 150 KVA output	P	C	C	C
Steam, hydro, or reciprocating engine with more than 10.05 KVA, but less than 150 kVA output	C	C	C	C
<u>RECREATION , CULTURAL & ENTERTAINMENT</u>	A	RR-5	RR-2.5	RR-1
Dude Ranch; Family Vacation Ranch	C	-	-	-

Natural Open Space & Conservation Areas	P	P	P	P
Parks and Playgrounds, Public and Private, Less than one acre in size	C	P	P	P
Community & Recreations Centers	C	C	C	C
Pedestrian Pathways, Trails & Greenways	P	P	P	P
Community Gardens	-	C	C	C
Commercial Outdoor Recreation (amended 6/11)	C	-	-	-
<u>MISCELLANEOUS</u>	A	RR-5	RR-2.5	RR-1
Personal Wireless Telecommunication Facilities (Amended 4/01)	C	-	-	-
Public/private Utility Transmission Wires, Line, Pipes, and Poles	P	P	P	P
Public/Private Utility Buildings and Structures	C	C	C	C

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

AFTER AMENDMENT

14.6 Codes And Symbols, Use Table 14.1

In the following sections of this chapter, uses of land or buildings which are allowed in various districts are shown as "permitted uses," indicated by a "P" in the appropriate column, or as a "conditional use," indicated by a "C" in the appropriate column. If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by a dash, "-." If a regulation applies in a given district, it is indicated in the appropriate column by a numeral to show the linear or square feet required, or by the letter "A." If the regulation

does not apply, it is indicated in the appropriate column by a dash, "-." No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained in the multiple use, agricultural, or rural residential districts except as provided in this Code.

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

USE	A	RR-5	RR-2.5	RR-1
<p>Accessory buildings & uses incidental to permitted ag uses (except for the keeping of animals). Said uses shall be kept a minimum of 100' from the property line on which the primary building fronts and 100' from any pre-existing dwelling. If these accessory buildings and uses have been kept prior to the construction of a residential dwelling on an adjoining parcel, said uses need not be kept 100' away from the new dwelling, but may be maintained. (Amended 2008,2009)</p>	P	P	P	P

Accessory buildings and uses customarily incidental to permitted uses other than those listed above.	P	P	P	P
Accessory buildings and uses customarily incidental to conditional uses	C	C	C	C
Accessory buildings for the housing of animals customarily incidental to permitted ag uses, including pens, corrals and pastures for the keeping of animals. Such accessory buildings and uses shall not be allowed closer than 100' from any pre-existing residential dwelling on an adjoining parcel. If these accessory buildings and uses have been kept, prior to the construction of a residential dwelling, but may be maintained	P	C	C	C

<p>subject to the terms of any required conditional use permit. (Amended 2008, 2009)</p>				
<p>Family Food Production and the Raising of Large, Medium, and Small Animals. The first large animal (fully grown) shall have 10,000 sq ft of open area; each additional large animal shall have an additional 2,000 sq ft of open area. Each medium sized animal (fully grown) shall have 1,000 sq ft of open area. Each small sized animal (fully grown) shall have 00 sq ft of open area. The area of stables; barns and pens accessible to regulate animals may count towards the open area requirements. No animal shall be kept, corralled, penned, or raised</p>				

~~within 100' from any pre-existing residential dwelling located on an adjoining lot measured at the nearest corner. There is no setback requirement from neighboring residential dwellings if a C.U.P. has been issued prior to the start of construction of a residential dwelling on an adjoining lot measured at the nearest corner.~~

Family Food Production and the Raising of Large, Medium, and Small Animals. The first large animal (fully grown) shall have 10,000 sq ft of open area, each additional large animal shall have an additional 2,000 sq ft of open area. Each medium sized animal (fully grown) shall have 1,000 sq ft of open area, not to exceed more than 6 medium

P

P

P

C

animals per half acre. Each small sized animal (fully grown) shall have 100 sq ft of open area, not to exceed more than 6 medium animals per half acre. The area of stables, barns, and pens accessible to regulate animals may count towards the open area requirements. No animal shall be kept, corralled, penned, or raised within 100' from any pre-existing residential dwelling located on an adjoining lot measured at the nearest corner. There is no setback requirement from neighboring residential dwellings if a C.U.P. has been issued prior to the start of construction of a residential dwelling on an adjoining lot measured at the nearest corner.

Class "A"

<p>Kennel (4-15 animals only). No animal shall be kept, penned, or raised within 100' from any preexisting residential dwelling located on an adjoining lot measured at the nearest corner and it must have 4,000 sq ft for each additional animal over 5.</p>	C	C	C	C
<p>Sportsman's Permit for 4-6 dogs. No dog shall be kept, penned, or raised within 100' of an adjoining residence or dwelling measured at the nearest corner.</p>	C	C	C	C
<p>Raising of Rabbits, Ducks, Chickens (hens only), or Turkeys with not more than six (6) such animals in any combination</p>	P	P	P	P
<p>Temporary buildings for uses incidental to construction work, including living quarters for guard or night</p>				

watchman, which buildings must be removed upon completion or abandonment of the construction work.	C	C	C	C
Mobile Homes for temporary living quarters and such other temporary uses found appropriately by the Planning Commission.	C	C	C	C
Agriculture, including grazing and pasturing of animals.	P	C	C	C
Agricultural Industry (Amended 2010)	C	C	C	-
Fruit/Vegetable Stand	P	C	C	C
Farm (Amendment 8/21/02, complete addition of term)	P	P	P	C
Accessory Farm Employee Housing. Each accessory farm employee housing unit must be located on a contiguous parcel that contains at least 10 acres or				

more for each such unit and which must have at least 10 additional acres if it is located on the same property as the primary residential dwelling. (Amended 8/21/02, complete addition of term)	C	C	C	C
Farms devoted to raising and marketing chickens, turkeys or other fowl or poultry, fish or frogs, mink, rabbits, including wholesale and retail sale (does not include family food production).	P	C	-	-
Forestry and forest industry, such as a saw mill, wood products, plants, or others	C	-	-	-
Apiary	P	C	C	C
Aviary	P	P	P	P
Public Stable, riding academy or riding ring, horse show barns or facilities	C	C	C	C

<u>RESIDENTIAL</u>	A	RR-5	RR-2.5	RR-1
Single-Family Dwellings Detached	P	P	P	P
Single-Family Attached Dwellings	P	P	P	P
Two-Family Dwellings	P	P	P	P
Twin Home Dwellings	-	C	C	C
Congregate Care Facility	-	-	C	C
Nursing Care Facility	C	C	C	C
Group Home, Small	C	C	C	C
Group Home, Large	C	C	-C	C-
Transitional Treatment Home, Small	C	C	C	C
Transitional Treatment Home, Large	C	C	C	C
Residential facilities for handicapped or elderly	P	P	P	P
Home Occupation	<u>PE</u>	<u>PE</u>	<u>PE</u>	<u>PE</u>
Household Pets, other than a sportsman permit	P	P	P	P

<u>INSTITUTION</u> <u>AL</u>	A	RR-5	RR-2.5	RR-1
Adult Day Care Center	C	C	C	C
Child Day Care Center	C	C	C	C
Places of Worship (Amended 7/98)	-	-	C	C
Schools, professional and vocational	C	C	C	C
Kennel	P	C	C	C
Mine, Quarry, Gravel Pit, Rock Crusher, Concrete Batching Plant, or Asphalt Plant, Oil Wells or Steam Wells, Land Excavations	C	-	-	-
<u>POWER</u> <u>GENERATION</u> (Primary Power for on-site use)	A	RR-5	RR-2.5	RR-1
Solar	P	P	P	P
Wind driven under 5.9 KVA output	P	P	P	P
Auxiliary, temporary, and/or wind, with more than 6 KVA, but less than 150	P	C	C	C

KVA output				
Steam, hydro, or reciprocating engine with more than 10.05 KVA, but less than 150 kVA output	C	C	C	C
<u>RECREATION</u> <u>, CULTURAL</u> <u>&</u> <u>ENTERTAINMENT</u>	A	RR-5	RR-2.5	RR-1
Dude Ranch; Family Vacation Ranch	C	-	-	-
Natural Open Space & Conservation Areas	P	P	P	P
Parks and Playgrounds, Public and Private, Less than one acre in size	C	P	P	P
Community & Recreations Centers	C	C	C	C
Pedestrian Pathways, Trails & Greenways	P	P	P	P
Community Gardens	P-	PE	PE	PE
Commercial Outdoor Recreation (amended 6/11)	C	-	-	-
<u>MISCELLANE</u>				

OUS	A	RR-5	RR-2.5	RR-1
Personal Wireless Telecommunication Facilities (Amended 4/01)	C	-	-	-
Public/private Utility Transmission Wires, Line, Pipes, and Poles	P	P	P	P
Public/Private Utility Buildings and Structures	C	C	C	C
Veterinary Offices	P	P	P	P
Governmental Uses and Facilities	C	C	C	C
Municipal Service Uses, Including City Utility Uses, Police and Fire Stations	C	C	C	C
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (1-249 Beds)	-	-	-	-
Correctional Facility, Detention Center,				

Jail, Penitentiary, Prison, Penal Institution (250 or more Beds)	-	-	-	-
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SECTION 27: AMENDMENT “15.7 Codes And Symbols And Use Table 15.1” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

15.7 Codes And Symbols And Use Table 15.1

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

Table 15.1 Use Regulations

C

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

use has been previously established or is constructed simultaneously with the residential use.					
Accessory buildings and uses customarily incidental to permitted uses, when the residential use has not previously been established.	C	C	C	C	C
Accessory buildings and uses customarily incidental to conditional uses.	C	C	C	C	C
The tilling of the soil, the raising of crops, horticulture and home gardening.	P	P	P	P	P
Fruit/Vegetable Stand	-	C	C	-	C
Farm	R-1-8	R-1-12	R-1-21	RM-7	RM-15
Accessory Farm					

<p>Employee Housing. Each accessory farm employee housing unit must be located on a contiguous parcel that contains at least 10 acres or more for each such unit and which must have at least 10 additional acres if it is located on the same property as the primary residential dwelling.</p>	-	C	C	C	-
<p>Family Food Production and the Raising of Horses. The first large animal (fully grown) shall have 10,000 sq ft of open area, each additional large animal shall have an additional 2,000 sq ft of open area. Each medium</p>					

sized animal (fully grown) shall have 1,000 sq ft of open area ach small sized animal (fully grown) shall have 100 sq ft of open areaThe area of stables, barns and pens accessible to regulate animals may count towards the open area requirements. No animal shall be kept, corralled, penned, or raised within 100' from any pre-existing residential dwelling located on an adjoining lot. measured at the nearest corner There is no setback requirement from neighboring residential dwellings if a C.U.P. has been issued prior to the start of construction

-

C

C

C

-

of a residential dwelling on an adjoining lot.					
<p>Class "A" Kennel (4-15 animals only). No animal shall be kept, penned, or raised within 100' from any pre-existing residential dwelling located on an lot measured at residence the nearest corner. Each animal shall have a minimum area of 1,000 sq. ft. and must have 4,000 sq ft for each additional animal over 5.</p>	-	C	C	C	-
<p>Sportsman's Permit for 4-6 dogs. No dog shall be kept, penned, or raised within 100' from any pre-existing residential dwelling located on an adjoining lot</p>	-	C	C	C	C

measured at the nearest corner. Each animal shall have a minimum area of 1,000 sq. ft..					
Raising of Rabbits, Ducks, Chickens (hens only), or Turkeys with not more than six (6) such animals in any combination, provided that appropriate cages, pens, coops, houses, etc. shall be provided for when these animals are kept outdoors. (Amended 04/11, 02/13)	P	P	P	P	P
<u>RESIDENTIAL</u>	R-1-8	R-1-12	R-1-21	RM-7	RM-15
Single-Family Dwellings Detached	P	P	P	P	P
Single-Family Attached Dwellings	P	P	P	P	P
Two-Family Dwelling	-	C	C	P	P

(Amended 5/97)					
Twin Home Dwellings (Amended 5/97)	-	C	C	C	C
Multiple Family Dwellings	-	-	-	C	C
Congregate Care Facility	-	-	C	C	C
Nursing Care Facility	C	C	C	C	C
Group Home, Small	C	C	C	C	C
Group Home, Large	C	C	C	C C	
Transitional Treatment Home, Small	C	C	C	C	C
Mobile Home Parks	-	-	-	C	C
Mobile Home Subdivisions	C	C	C	C	C
Residential facilities for handicapped or elderly	P	P	P	P	P
HOME OCCUPATION	C	C	C	C	C
Household pets, other than Sportsman Permit	P	P	P	P	P

<u>INSTITUTIONAL</u>	R-1-8	R-1-12	R-1-21	RM-7	RM-15
Adult Day Care Center	-	-	C	C	P
Child Day Care Center (in a home, no more than 12 children at any one time with 1 provider and up to 16 with 2 providers, including those residing in the home with no more than 2 children under the age of two)	C	C	C	C	C
Commercial Day Care Center (not in a home) no more than 20 children at any one time	-	C	C	-	P
Child Day Care Facility (a commercial operation, not in a home, no more than 100 children at any one time)	-	-	C	-	P
Hospital	-	-	-	-	C
Medical or dental clinic	-	C	C	-	C

Places of Worship	C	C	C	C	C
Preschool (in a home, no more than 10 children from the ages of 4 to 6 years in age, including those residing in the home, with a maximum length of four hours for those who do not reside there)	C	C	C	C	C
Preschool (a commercial operation, not in a home, no more than 20 children from the ages of 4 to 6 years in age, at any one time, for a period not to exceed four hours)	-	-	C	-	C
Private educational institution having a curriculum similar to the public schools, grades K-12	C	C	C	C	C

Schools of higher education, community colleges, off campus facilities	-	-	C	-	C
Schools, professional and vocational	-	-	C	-	-
<u>POWER GENERATION</u>	R-1-8	R-1-12	R-1-21	RM-7	RM-15
Solar	P	P	P	P	P
<u>RECREATION, CULTURAL & ENTERTAINMENT</u>					
Private Recreational Grounds and Facilities not open to the public, in which no admission charge is made	C	C	C	C	C
Natural Open Space Areas	P	P	P	P	P
Community & Recreation Centers	C	C	C	C	C
Parks and Playgrounds, Public and	P	P	P	P	P

Private					
Pedestrian Pathways, Trails & Greenways	P	P	P	P	P
Community Gardens	P	P	P	P	P
<u>MISCELLANEOUS</u>	R-1-8	R-1-12	R-1-21	RM-7	RM-15
Public/Private Utility Transmission Wires, Lines, Pipes and Poles	P	P	P	P	P
Public/Private Utility Buildings and Structures	C	C	C	C	C
Cemetery	C	C	C	C	C
Golf Course	C	C	C	C	C
Government Uses and Facilities	C	C	C	C	C
Municipal Service Uses, including City utility uses, Police and Fire Stations	C	C	C	C	C
Temporary Buildings for uses incidental to construction work,					

including living quarters for guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work	C	C	C	C	C
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (1 -249 beds)	-	-	-	-	-
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (250 or more beds)	-	-	-	-	-

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

AFTER AMENDMENT

15.7 Codes And Symbols And Use Table 15.1

(1) In the following sections of this chapter, uses of land or buildings which are allowed in various districts are shown as "permitted uses," indicated by a "P" in the appropriate column,

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

Table 15.1 Use Regulations

C

USE	R-1-8	R-1-12	R-1-21	RM-7	RM-15
Accessory buildings and uses customarily incidental to permitted residential uses, when the residential use has been previously established or is constructed simultaneously with the residential use.	P	P	P	P	P
Accessory buildings and uses customarily incidental to permitted uses, when the residential use has not previously been established.	C	C	C	C	C

Accessory buildings and uses customarily incidental to conditional uses.	C	C	C	C	C
The tilling of the soil, the raising of crops, horticulture and home gardening.	P	P	P	P	P
Fruit/Vegetable Stand	-	C	C	-	C
Farm	R-1-8	R-1-12	R-1-21	RM-7	RM-15
Accessory Farm Employee Housing. Each accessory farm employee housing unit must be located on a contiguous parcel that contains at least 10 acres or more for each such unit and which must have at least 10 additional acres if it is located on the	-	C	C	C	-

same property as the primary residential dwelling.

Family Food Production and the Raising of Horses, and the Keeping of Large, Medium and Small Animals

The first large animal (fully grown) shall have 10,000 sq ft of open area, each additional large animal shall have an additional 2,000 sq ft of open area. Each medium sized animal (fully grown) shall have 1,000 sq ft of open area not to exceed more than 6 medium animals per half acre. Each small sized animal (fully grown) shall have 100 sq ft of open area not to exceed more

<p><u>than 6 medium animals per half acre.</u> The area of stables, barns and pens accessible to regulate animals may count towards the open area requirements. No animal shall be kept, corralled, penned, or raised within 100' from any pre-existing residential dwelling located on an adjoining lot. measured at the nearest corner There is no setback requirement from neighboring residential dwellings if a C.U.P. has been issued prior to the start of construction of a residential dwelling on an adjoining lot.</p>	-	C	C	-e	-
<p>Class "A" Kennel (4-15</p>					

<p>animals only). No animal shall be kept, penned, or raised within 100' from any pre-existing residential dwelling located on an lot measured at residence the nearest corner. Each animal shall have a minimum area of 1,000 sq. ft. and must have 4,000 sq ft for each additional animal over 5.</p>	-	C	C	-€	-
<p>Sportsman's Permit for 4-6 dogs. No dog shall be kept, penned, or raised within 100' from any pre-existing residential dwelling located on an adjoining lot measured at the nearest corner. Each animal shall have a minimum area of 1,000 sq. ft..</p>	-	C	C	-€	C

<p>Raising of Rabbits, Ducks, Chickens (hens only), or Turkeys with not more than six (6) such animals in any combination, provided that appropriate cages, pens, coops, houses, etc. shall be provided for when these animals are kept outdoors. (Amended 04/11, 02/13)</p>	P	P	P	P	P
<u>RESIDENTIAL</u>	R-1-8	R-1-12	R-1-21	RM-7	RM-15
Single-Family Dwellings Detached	P	P	P	P	P
Single-Family Attached Dwellings	P	P	P	P	P
Two-Family Dwelling (Amended 5/97)	-	C	C	P	P
Twin Home Dwellings (Amended 5/97)	-	C	C	C	C

Multiple Family Dwellings	-	-	-	C	C
Congregate Care Facility	-	-	C	C	C
Nursing Care Facility	C	C	C	C	C
Group Home, Small	C	C	C	C	C
Group Home, Large	C	C	C	C C	
Transitional Treatment Home, Small	C	C	C	C	C
Mobile Home Parks	-	-	-	C	C
Mobile Home Subdivisions	C	C	C	C	C
Residential facilities for handicapped or elderly	P	P	P	P	P
HOME OCCUPATION	<u>PE</u>	<u>PE</u>	<u>PE</u>	<u>PE</u>	<u>PE</u>
<u>Micro Entrepreneurship</u>				<u>C</u>	
Household pets, other than Sportsman Permit	P	P	P	P	P
<u>INSTITUTIONAL</u>	R-1-8	R-1-12	R-1-21	RM-7	RM-15
Adult Day Care Center	-	-	E	E	P

Child Day Care Center (in a home, no more than 12 children at any one time with 1 provider and up to 16 with 2 providers, including those residing in the home with no more than 2 children under the age of two)	C	C	C	C	C
Commercial Day Care Center (not in a home) no more than 20 children at any one time	-	€	€	-	P
Child Day Care Facility (a commercial operation, not in a home, no more than 100 children at any one time)	-	-	€	-	P
Hospital	-	-	-	-	€
Medical or dental clinic	-	€	€	-	€
Places of Worship	C	C	C	C	C

Preschool (in a home, no more than 10 children from the ages of 4 to 6 years in age, including those residing in the home, with a maximum length of four hours for those who do not reside there)	C	C	C	C	C
Preschool (a commercial operation, not in a home, no more than 20 children from the ages of 4 to 6 years in age, at any one time, for a period not to exceed four hours)	-	-	€	-	€
Private educational institution having a curriculum similar to the public schools; grades K-12	€	€	€	€	€
Schools of higher education; community	-	-	€	-	€

colleges, off campus facilities					
Schools, professional and vocational	-	-	€	-	-
<u>POWER GENERATION</u>	R-1-8	R-1-12	R-1-21	RM-7	RM-15
Solar	P	P	P	P	P
<u>RECREATION, CULTURAL & ENTERTAINMENT</u>					
Private Recreational Grounds and Facilities not open to the public, in which no admission charge is made	C	C	C	C	C
Natural Open Space Areas	P	P	P	P	P
Community & Recreation Centers	C	C	C	C	C
Parks and Playgrounds, Public and Private	P	P	P	P	P
Pedestrian Pathways;					

Trails & Greenways	P	P	P	P	P
Community Gardens	P	P	P	P	P
<u>MISCELLANEOUS</u>	R-1-8	R-1-12	R-1-21	RM-7	RM-15
Public/Private Utility Transmission Wires, Lines, Pipes and Poles	P	P	P	P	P
Public/Private Utility Buildings and Structures	C	C	C	C	C
Cemetery	€	€	€	€	€
Golf Course	€	€	€	€	€
Government Uses and Facilities	C	C	C	C	C
Municipal Service Uses, including City utility uses, Police and Fire Stations	C	C	C	C	C
Temporary Buildings for uses incidental to construction work, including living quarters for guard or					

night watchman, which buildings must be removed upon completion or abandonment of the construction work	C	C	C	C	C
Correctional Facility; Detention Center, Jail, Penitentiary, Prison, Penal Institution (1-249 beds)	-	-	-	-	-
Correctional Facility; Detention Center, Jail, Penitentiary, Prison, Penal Institution (250 or more beds)	-	-	-	-	-

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

SECTION 28: AMENDMENT “16.8 Codes And Symbols And Use Table 16.1” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

16.8 Codes And Symbols And Use Table 16.1

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

Table 16.1 Use Regulations

USE	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
<u>COMMERCIAL</u>							
Cabinet and Woodworking Mills	-	-	C	C	P	P	-
Bakery, Commercial	-	-	P	C	P	P	-
Blacksmith Shop	-	-	P	C	P	P	-
Carpet Cleaning	-	-	P	C	P	P	-
Commercial Laundries, Linen Service and Dry Cleaning	-	-	P	C	P	P	-
Convenience Store	C	P	P	C	P	P	-
Diaper Service	-	-	P	C	P	P	-
Gas Station							

(sales and/or minor repairs)	C	P	P	C	P	P	-
Greenhouse for Food and Plant Production	-	-	P	C	P	P	-
Heavy Equipment (Rental)	-	-	-	C	P	P	-
Heavy Equipment (Sales and Service)	-	-	-	C	P	P	-
Laboratory: Medical, Dental, Optical	-	-	P	C	-	-	-
Laboratory: Testing	-	C	P	C	P	P	-
Mini-warehouse	-	-	P	C	P	-	-
Motion Picture Studio	-	P	P	C	-	-	-
Photofinishing Lab	-	P	P	C	P	P	-
Plant and Garden Shop, including outdoor retail sales	C	C	C	C	-	-	-

area							
Precision Equipment Repair	-	-	P	C	P	P	-
Twin Commercial Units	C	C	C	C	C	C	-
Sign Painting/Fabrication	-	-	P	C	P	P	-
Welding Shop	-	-	P	C	P	P	-
Wholesale Distributors	-	-	P	C	P	P	-
Tobacco Specialty Store: This use is not permitted in any part of the proposed or existing building containing the use is located within 1,000 feet from (a) any school (public or private kindergarten, elementary, middle,							

charter, junior high, or high school), public park, public recreation facility, youth center, library, or church and (b) any other Tobacco Specialty Store. Distances shall be measured in a straight line, without regard to intervening structures or zoning districts, from a Tobacco Specialty Store structure to the property line of a school, public park,

-

C

C

C

P

P

-

library, church, youth center, cultural activity, residential use, zoning district boundary, or other Tobacco Specialty Store.							
<u>MANUF ACTURI NG</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Chemical Manufact uring and Storage	-	-	-	-	-	C	-
Concrete Manufact uring	-	-	-	-	-	P	-
Drop- Forge Industry	-	C	C	-	C	P	-
Explosive Manufact uring and Storage	-	-	-	-	-	C	-
Flammabl e Liquids or Gases, Heating Fuel Distributi on & Storage	-	-	-	-	-	P	-

Grain Elevator	-	-	-	-	-	P	-
Bottling Plant	-	-	-	C	P	P	-
Cabinet Making/ Woodworking Mills	-	-	-	C	P	P	-
Heavy Manufacturing	-	-	-	-	-	P	-
Incinerator, Medical Waste/ Hazardous Waste	-	-	-	-	-	C	-
Industrial Assembly	-	-	-	C	P	P	-
Light Manufacturing	-	-	-	C	P	P	-
Moving and Storage	-	-	-	C	P	P	-
Paint Manufacturing	-	-	-	-	-	P	-
Publishing Company	-	-	-	C	P	P	-
Railcar fabrication, repair and cleaning	-	-	-	-	-	C	C
Recycling Collection Station	-	-	-	C	P	P	-

Recycling Processing Center	-	-	-	C	C	P	-
Rock, Sand, and Gravel Storage and Distribution	-	-	-	-	-	C	C
Truck Freight Terminal	-	-	-	C	P	P	-
Sign Painting/Fabrication	-	-	-	C	P	P	-
Warehousing	-	-	-	C	P	P	-
<u>OFFICE AND RELATED USES</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Financial Institution, without drive through facilities	C	P	P	C	P	P	-
Financial Institution, with drive through facilities	-	P	P	C	P	P	-
Offices	C	P	P	C	P	P	-
Veterinary Offices, operating							

entirely within an enclosed building and keeping animals	-	-	P	C	P	-	-
<u>RETAIL SALES & SERVICES</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Auction Sales	-	P	P	C	-	-	-
Automobile Repair, Major	-	P	P	C	P	-	-
Automobile Repair, Minor	C	P	P	C	P	-	-
Automobile Sales/Rental and Service	C	P	P	C	C	-	-
Boat/Recreational Vehicle Sales and Service	-	P	P	C	C	-	-
Car Wash	C	P	P	C	P	P	-
Convenience retail store	C	P	P	C	P	P	-
Department Stores	-	P	P	C	-	-	-
Equipment rental, indoor	-	P	P	C	P	-	-

and outdoor							
Furniture Repair Shop	-	P	P	C	P	P	-
Health and Fitness Facility	-	P	P	C	-	-	-
Large Truck Rental	-	-	P	C	P	P	-
Liquor Store	-	C	C	C	-	-	-
Manufactured Home Sales, Service, and Storage	-	-	P	C	P	-	-
Pawnshop	-	-	P	C	P	-	-
Restaurants, with drive through facilities	C	P	P	C	P	P	-
Restaurants, without drive through facilities	C	P	P	C	P	P	-
Retail Goods Establishments	C	P	P	C	-	-	-
Retail Services Establish	C	P	P	C	P	P	-

ments							
Upholster y Shop	-	P	P	C	P	-	-
<u>RECRE ATIONA L, CULTU RAL, AND ENTER TAINME NT</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Amuseme nt Park	-	P	P	C	-	-	-
Art Gallery	C	P	P	C	-	-	-
Art Studio	C	P	P	C	-	-	-
Commerci al Indoor Recreatio n	-	P	P	C	P	-	-
Commerci al Outdoor Recreatio n	-	P	P	C	P	-	-
Commerci al Video Arcade	-	C	C	C	-	-	-
Dance Studio	C	P	P	C	-	-	-
Live Performan ce Theaters	-	P	P	C	-	-	-
Miniature Golf	-	P	P	C	P	-	-

Movie Theaters	-	P	P	C	-	-	-
Private Club	-	C	C	C	P	-	-
Sexually Oriented Businesses (Amended 4/05)	-	-	-	-	C	-	-
Tavern/Lounge/Brew Pub; more than 5,000 sq. ft. in floor area	-	C	C	C	-	-	-
<u>RESIDENTIAL</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Dwelling Unit (Single Family)	C	C	C	C	C	C	-
Living Quarters for Caretaker or Security Guard	C	C	C	C	C	C	-
<u>INSTITUTIONAL</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Adult Day Care Center	C	P	P	C	P	P	-

Child Day Care Center or Pre-School (a commercial operation) Amended 9/2011	C	P	P	C	P	P	-
Government Facilities	C	P	P	C	P	P	-
Hospital	-	-	P	C	-	-	-
Medical or Dental Clinic	C	P	P	C	P	P	-
Museum	-	P	P	C	-	-	-
Music Conservatory	-	P	P	C	-	-	-
Places of Worship				C			
Schools, Professional and Vocational	C	P	P	C	P	P	-
Schools of higher education, community colleges, off campus facilities	-	-	-	C	C	C	-
<u>MISCELLANEOUS</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX

<u>US</u>							
Accessory Uses, except those that are otherwise specifically regulated in this Chapter, or elsewhere in this Code	C	P	P	C	P	P	-
Animal Pound (Amended 10/02)	-	-	-	-	-	P	-
Kennel (Amended 10/02)	C	C	-	C	C	C	-
Auditorium	-	P	P	C	-	-	-
Automobile Salvage & Recycling (Indoor)	-	-	-	C	P	P	-
Automobile Salvage & Recycling (Outdoor)	-	-	-	C	C	P	-
Boilerworks	-	-	-	-	-	P	-
Bus Line	-	-	P	C	P	P	-

Terminals							
Bus Line Yards and Repair Facilities	-	-	-	C	-	P	-
Commercial Parking Garage or Lot	C	C	C	C	C	C	C
Personal Wireless Telecommunication Facilities (Amended 4/02)	-	C	C	C	-	-	-
Communication Towers	-	P	P	C	P	P	-
Communication Towers, exceeding the maximum building height, but not higher than 80 feet	-	-	C	C	C	C	-
Contractor's Yard/Office (with outdoor storage)	-	-	P	C	P	P	-
Crop Production	-	-	P	C	P	P	-

n							
Display Room; Wholesale	-	-	-	C	P	P	-
Farmer's Market	-	P	P	C	P	-	-
Flea Market (indoor)	-	P	P	C	P	-	-
Flea Market (outdoor)	-	P	P	C	P	-	-
Funeral Home	-	P	P	C	-	-	-
Hotel or Motel	-	P	P	C	-	-	-
Limousine Service	-	C	P	C	P	P	-
Outdoor Sales and Display	-	P	P	C	P	-	-
Commercial Storage Units	-	C	C	C	C	C	-
Outdoor Storage	-	-	P	C	P	P	-
Poultry Farm or Processing Plant	-	-	-	-	-	P	-
Public/Private Utility Transmission Wires, Lines,	C	P	P	C	P	P	-

Pipes, and Poles							
Public/Private Utility Buildings and Structures	C	C	P	C	P	P	-
Radio, Television Station	-	C	P	C	P	P	-
Sewage Treatment Plant	-	-	-	C	C	C	-
Golf Course	-	C	C	C	C	C	-
Ambulance Services dispatching, staging, and maintenance conducted entirely within an enclosed building	-	P	P	C	P	P	-
Vehicle Auction Use	-	-	P	C	P	P	-
Governmental Uses and Facilities	C	C	C	C	C	C	-
Municipal Service Uses,							

including City Utility Uses, Police and Fire Stations	C	C	C	C	C	C	-
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (1 -249 beds)	-	-	-	-	C	C	C
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (250 or more beds)	-	-	-	-	-	-	-
<u>MINING AND EXCAVATION</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Accessory uses and buildings customarily							

y incidental to conditional uses	-	-	-	-	-	-	C
Agriculture, grazing of animals, raising crops	-	-	-	-	-	-	P
Automobile and truck service station	-	-	-	-	-	-	C
Cast stone, cement, cinder, terra cotta, tile brick, synthetic cast stone, block, pumice stone, and gypsum products	-	-	-	-	-	-	C
Coffee Shop	-	-	-	-	-	-	C
Construction equipment and supply trailer, temporary	-	-	-	-	-	-	C
Construction field	-	-	-	-	-	-	C

office, temporary							
Convenience store with gasoline sales	-	-	-	-	-	-	C
Gravel and sand excavation:							
1. Commercial operations	-	-	-	-	-	-	C
2. Temporary project specific operations	-	-	-	-	-	-	C
Machine Shop	-	-	-	-	-	-	C
Mines	-	-	-	-	-	-	C
Quarries	-	-	-	-	-	-	C
Parking lot incidental to a use conducted on the premises	C	C	C	C	C	C	C
Parking lot not incidental to a use conducted on the premises	C	C	C	C	C	C	C

Pottery, plaster, incidental plaster, plaster of paris, ceramic, and clay	-	-	-	-	-	-	C
Power generation (electrical) for on-site use							
Solar under 50 kvas	P	P	P	C	P	P	P
Solar 50 kva and above	C	C	C	C	C	C	C
Fuel cells, steam, hydro, or reciprocating engine	C	C	C	C	C	C	C
Wind under 5.9 kva	-	-	-	-	-	-	P
Auxiliary, temporary, wind, with more than 6 kva but less than 10 kva output	-	-	-	-	-	-	P
Fuel cells, steam, hydro, or reciprocating engine							

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

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

AFTER AMENDMENT

16.8 Codes And Symbols And Use Table 16.1

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

Table 16.1 Use Regulations

USE	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
<u>COMMERCIAL</u>							
<u>Adult Day Care Center</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	=	=	=
Cabinet and Woodworking Mills	-	-	C	C	P	P	-
Bakery, Commercial	-	-	P	C	P	P	-
Blacksmith Shop	-	-	P	C	P	P	-
Carpet Cleaning	-	-	P	C	P	P	-
Commercial Laundries, Linen Service and Dry	-	-	P	C	P	P	-

Cleaning							
<u>Commercial Day Care Center (not in a home) no more than 20 children at any one time</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	=	=	=
<u>Child Day Care Facility (a commercial operation, not in a home, no more than 100 children at any one time)</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	=	=	=
Convenience Store	C	P	P	C	P	P	-
Diaper Service	-	-	P	C	P	P	-
Gas Station (sales and/or minor repairs)	C	P	P	C	P	P	-
Greenhouse for Food and Plant Production	-	-	P	C	P	P	-

<u>Golf Course</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
Heavy Equipment (Rental)	-	-	-	C	P	P	-
Heavy Equipment (Sales and Service)	-	-	-	C	P	P	-
<u>Hospital</u>	<u>=</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>=</u>	<u>=</u>	<u>=</u>
Laboratory: Medical, Dental, Optical	-	-	P	C	-	-	-
Laboratory: Testing	-	C	P	C	P	P	-
Mini-warehouse	-	-	P	C	P	-	-
Motion Picture Studio	-	P	P	C	-	-	-
Photofinishing Lab	-	P	P	C	P	P	-
Plant and Garden Shop, including outdoor retail sales area	C	C	C	C	-	-	-
Precision Equipment Repair	-	-	P	C	P	P	-
<u>Preschool</u>							

<u>(a commercial operation, not in a home, no more than 20 children from the ages of 4 to 6 years in age, at any one time, for a period not to exceed four hours)</u>	C	C	C	C	=	=	=
<u>Private educational institution having a curriculum similar to the public schools, grades K-12</u>	C	C	C	C	=	=	=
<u>Schools of higher education, community colleges, off campus facilities</u>	C	C	C	C	=	=	=
<u>Schools, professional and</u>	C	C	C	C	=	=	=

<u>vocational</u>							
Twin Commercial Units	C	C	C	C	C	C	-
Sign Painting/Fabrication	-	-	P	C	P	P	-
Welding Shop	-	-	P	C	P	P	-
Wholesale Distributors	-	-	P	C	P	P	-
Tobacco Specialty Store: This use is not permitted in any part of the proposed or existing building containing the use is located within 1,000 feet from (a) any school (public or private kindergarten, elementary, middle, charter, junior							

high, or high school), public park, public recreation facility, youth center, library, or church and (b) any other Tobacco Specialty Store. Distances shall be measured in a straight line, without regard to intervening structures or zoning districts, from a Tobacco Specialty Store structure to the property line of a school, public park, library, church,

-

C

C

C

P

P

-

youth center, cultural activity, residential use, zoning district boundary, or other Tobacco Specialty Store.							
<u>MANUFACTURING</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Chemical Manufacturing and Storage	-	-	-	-	-	C	-
Concrete Manufacturing	-	-	-	-	-	P	-
Drop-Forge Industry	-	C	C	-	C	P	-
Explosive Manufacturing and Storage	-	-	-	-	-	C	-
Flammable Liquids or Gases, Heating Fuel Distribution & Storage	-	-	-	-	-	P	-
Grain Elevator	-	-	-	-	-	P	-

Bottling Plant	-	-	-	C	P	P	-
Cabinet Making/ Woodworking Mills	-	-	-	C	P	P	-
Heavy Manufacturing	-	-	-	-	-	P	-
Incinerator, Medical Waste/ Hazardous Waste	-	-	-	-	-	C	-
Industrial Assembly	-	-	-	C	P	P	-
Light Manufacturing	-	-	-	C	P	P	-
Moving and Storage	-	-	-	C	P	P	-
Paint Manufacturing	-	-	-	-	-	P	-
Publishing Company	-	-	-	C	P	P	-
Railcar fabrication, repair and cleaning	-	-	-	-	-	C	C
Recycling Collection Station	-	-	-	C	P	P	-
Recycling							

Processing Center	-	-	-	C	C	P	-
Rock, Sand, and Gravel Storage and Distribution	-	-	-	-	-	C	C
Truck Freight Terminal	-	-	-	C	P	P	-
Sign Painting/Fabrication	-	-	-	C	P	P	-
Warehousing	-	-	-	C	P	P	-
<u>OFFICE AND RELATED USES</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Financial Institution, without drive through facilities	C	P	P	C	P	P	-
Financial Institution, with drive through facilities	-	P	P	C	P	P	-
Offices	C	P	P	C	P	P	-
Veterinary Offices, operating entirely							

within an enclosed building and keeping animals	-	-	P	C	P	-	-
<u>RETAIL SALES & SERVICES</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Auction Sales	-	P	P	C	-	-	-
Automobile Repair, Major	-	P	P	C	P	-	-
Automobile Repair, Minor	C	P	P	C	P	-	-
Automobile Sales/Rental and Service	C	P	P	C	C	-	-
Boat/Recreational Vehicle Sales and Service	-	P	P	C	C	-	-
Car Wash	C	P	P	C	P	P	-
Convenience retail store	C	P	P	C	P	P	-
Department Stores	-	P	P	C	-	-	-
Equipment rental, indoor and	-	P	P	C	P	-	-

outdoor							
Furniture Repair Shop	-	P	P	C	P	P	-
Health and Fitness Facility	-	P	P	C	-	-	-
Large Truck Rental	-	-	P	C	P	P	-
Liquor Store	-	C	C	C	-	-	-
Manufactured Home Sales, Service, and Storage	-	-	P	C	P	-	-
Pawnshop	-	-	P	C	P	-	-
Restaurants, with drive through facilities	C	P	P	C	P	P	-
Restaurants, without drive through facilities	C	P	P	C	P	P	-
Retail Goods Establishments	C	P	P	C	-	-	-
Retail Services Establish	C	P	P	C	P	P	-

ments							
Upholster y Shop	-	P	P	C	P	-	-
<u>RECRE ATIONA L, CULTU RAL, AND ENTER TAINME NT</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Amuseme nt Park	-	P	P	C	-	-	-
Art Gallery	C	P	P	C	-	-	-
Art Studio	C	P	P	C	-	-	-
Commerci al Indoor Recreatio n	-	P	P	C	P	-	-
Commerci al Outdoor Recreatio n	-	P	P	C	P	-	-
Commerci al Video Arcade	-	C	C	C	-	-	-
Dance Studio	C	P	P	C	-	-	-
Live Performan ce Theaters	-	P	P	C	-	-	-
Miniature Golf	-	P	P	C	P	-	-
Movie							

Theaters	-	P	P	C	-	-	-
Private Club	-	C	C	C	P	-	-
Sexually Oriented Businesses (Amended 4/05)	-	-	-	-	C	-	-
Tavern/Lounge/Brew Pub; more than 5,000 sq. ft. in floor area	-	C	C	C	-	-	-
<u>RESIDENTIAL</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Dwelling Unit (Single Family)	C	C	C	C	C	C	-
Living Quarters for Caretaker or Security Guard	C	C	C	C	C	C	-
<u>INSTITUTIONAL</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Adult Day Care Center	C	P	P	C	P	P	-

Child Day Care Center or Pre-School (a commercial operation) Amended 9/2011	C	P	P	C	P	P	-
Government Facilities	C	P	P	C	P	P	-
Hospital	-	-	P	C	-	-	-
Medical or Dental Clinic	C	P	P	C	P	P	-
Museum	-	P	P	C	-	-	-
Music Conservatory	-	P	P	C	-	-	-
Places of Worship				C			
Schools, Professional and Vocational	C	P	P	C	P	P	-
Schools of higher education, community colleges, off campus facilities	-	-	-	C	C	C	-
<u>MISCEL</u>							

<u>LANEO US</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Accessory Uses, except those that are otherwise specifically regulated in this Chapter, or elsewhere in this Code	C	P	P	C	P	P	-
Animal Pound (Amended 10/02)	-	-	-	-	-	P	-
Kennel (Amended 10/02)	C	C	-	C	C	C	-
Auditorium	-	P	P	C	-	-	-
Automobile Salvage & Recycling (Indoor)	-	-	-	C	P	P	-
Automobile Salvage & Recycling (Outdoor)	-	-	-	C	C	P	-
Boilerworks	-	-	-	-	-	P	-
Bus Line							

Terminals	-	-	P	C	P	P	-
Bus Line Yards and Repair Facilities	-	-	-	C	-	P	-
Commercial Parking Garage or Lot	C	C	C	C	C	C	C
Personal Wireless Telecommunication Facilities (Amended 4/02)	-	C	C	C	-	-	-
Communication Towers	-	P	P	C	P	P	-
Communication Towers, exceeding the maximum building height, but not higher than 80 feet	-	-	C	C	C	C	-
Contractor's Yard/Office (with outdoor storage)	-	-	P	C	P	P	-
Crop							

Production	-	-	P	C	P	P	-
Display Room; Wholesale	-	-	-	C	P	P	-
Farmer's Market	-	P	P	C	P	-	-
Flea Market (indoor)	-	P	P	C	P	-	-
Flea Market (outdoor)	-	P	P	C	P	-	-
Funeral Home	-	P	P	C	-	-	-
Hotel or Motel	-	P	P	C	-	-	-
Limousine Service	-	C	P	C	P	P	-
Outdoor Sales and Display	-	P	P	C	P	-	-
Commercial Storage Units	-	C	C	C	C	C	-
Outdoor Storage	-	-	P	C	P	P	-
Poultry Farm or Processing Plant	-	-	-	-	-	P	-
Public/Private Utility Transmission Wires,	C	P	P	C	P	P	-

Lines, Pipes, and Poles							
Public/Private Utility Buildings and Structures	C	C	P	C	P	P	-
Radio, Television Station	-	C	P	C	P	P	-
Sewage Treatment Plant	-	-	-	C	C	C	-
Golf Course	-	C	C	C	C	C	-
Ambulance Services dispatching, staging, and maintenance conducted entirely within an enclosed building	-	P	P	C	P	P	-
Vehicle Auction Use	-	-	P	C	P	P	-
Governmental Uses and Facilities	C	C	C	C	C	C	-
Municipal Service							

Uses, including City Utility Uses, Police and Fire Stations	C	C	C	C	C	C	-
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (1 -249 beds)	-	-	-	-	C	C	C
Correctional Facility, Detention Center, Jail, Penitentiary, Prison, Penal Institution (250 or more beds)	-	-	-	-	-	-	-
<u>MINING AND EXCAVATION</u>	C-N	C-S	C-G	C-D	M-D	M-G	MD-EX
Accessory uses and buildings customarily							

y incidental to conditional uses	-	-	-	-	-	-	C
Agriculture, grazing of animals, raising crops	-	-	-	-	-	-	P
Automobile and truck service station	-	-	-	-	-	-	C
Cast stone, cement, cinder, terra cotta, tile brick, synthetic cast stone, block, pumice stone, and gypsum products	-	-	-	-	-	-	C
Coffee Shop	-	-	-	-	-	-	C
Construction equipment and supply trailer, temporary	-	-	-	-	-	-	C
Construction field							

office, temporary	-	-	-	-	-	-	C
Convenience store with gasoline sales	-	-	-	-	-	-	C
Gravel and sand excavation:							
1. Commercial operations	-	-	-	-	-	-	C
2. Temporary project specific operations	-	-	-	-	-	-	C
Machine Shop	-	-	-	-	-	-	C
Mines	-	-	-	-	-	-	C
Quarries	-	-	-	-	-	-	C
Parking lot incidental to a use conducted on the premises	C	C	C	C	C	C	C
Parking lot not incidental to a use conducted on the premises	C	C	C	C	C	C	C

Pottery, plaster, incidental plaster, plaster of paris, ceramic, and clay	-	-	-	-	-	-	C
Power generation (electrical) for on-site use							
Solar under 50 kvas	P	P	P	C	P	P	P
Solar 50 kva and above	C	C	C	C	C	C	C
Fuel cells, steam, hydro, or reciprocating engine	C	C	C	C	C	C	C
Wind under 5.9 kva	-	-	-	-	-	-	P
Auxiliary, temporary, wind, with more than 6 kva but less than 10 kva output	-	-	-	-	-	-	P
Fuel cells, steam,							

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

Amended 06/02 by Ord. 2002-07, 10/02 by Ord. 2002-20, 10/03 by Ord. 2003-25, 03/05 by Ord. 2005-02, 03/05 by Ord. 2005-03, 06/06 by Ord. 2006-08, 04/07 by Ord. 2007-10, 09/10 by Ord. 2010-21, 09/10 by Ord. 2010-22, 11/10 by Ord. 2010-25, 02/11 by Ord. 2011-01,

02/11 by Ord. 2011-09, 02/11 by Ord. 2011-10, 09/11 by Ord. 2011-28, 09/11 by Ord. 2011-29, 09/11 by Ord. 2011-32, 08/12 by Ord. 2012-13, 03/15 by Ord. 2015-05, 07/16 by Ord. 2016-09

SECTION 29: **AMENDMENT** “20.2 Definitions” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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 reasonable 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 in 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.
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 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.

33. TEMPORARY: A period not to exceed six (6) months.
34. TIME AND TEMPERATURE DEVICE: Any mechanism that displays the time and/or temperature, but does not display any commercial advertising or identification.
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.
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.

AFTER AMENDMENT

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 reasonable 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 in 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) ABANDON 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.
- (3) 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.
- (4) ANIMATED SIGN: Any sign which is designed and constructed to give its message through the flashing of or rotation of lights or figures. 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: (d) 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. (e) 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

- (5) APPURTENANT SIGN: See definition of On Premises Sign.
- (6) 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")
- (7) AWNING SIGN. A sign painted on, printed on, or attached flat against the surface of an awning.

- (8) BACK LIT AWNING. (see "Electric Awning Sign")
- (9) 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.
- (10) 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.
- (11) 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.
- (12) CANOPY: See definition of Marquee.
- (13) CANOPY SIGN. A sign affixed or applied to the exterior facing surface or surfaces of a building or freestanding canopy.
- (14) 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.
- (15) 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:
- (16) 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.
- (17) 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.
- (18) COPY, SIGN. The graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic, or alphabetic form.
- (19) 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.
- (20) DOUBLE-FACED SIGN. A sign with two faces diverged from a common angle of not more than 45 degrees or back-to-back
- (21) 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.
- (22) ELECTRICAL SIGN. A sign or sign-structure in which electrical wiring, connection, or fixtures are used.
- (23) ELECTRONIC MESSAGE CENTER (EMC): A sign with changeable copy that is controlled electronically via a remote programming device.
- (24) 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.
- (25) 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.
- (26) FACE OF A SIGN. The area of a sign on which the copy is placed.
- (27) FESTOONS (SIGN). A string of ribbons, tinsel, small flags, or pinwheels.
- (28) FLOODLIGHTED SIGN. (see "Illuminated Sign").
- (29) FLASHING SIGN. (see "Animated sign, Electrically Energized").

- (30) 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.
- (31) FLOODLIGHTED SIGN. (see "Illuminated Sign").
- (32) 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.
- (33) 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.
- (34) 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")
- (35) 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.
- (36) ILLEGAL SIGN. A sign which does not meet the requirements of this code and which has not received non-conforming status.
- (37) ILLUMINATED SIGN. A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.
- (38) 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.
- (39) LOGO SIGNS: Any sign whose single feature is a reproduction of the common recognized logo of the company and/or product.
- (40) LOW PROFILE SIGN (Also "Monument Sign"). A sign mounted directly to the ground with maximum height not to exceed six (6) feet.
- (41) MARQUEE: Any permanent roof like structure projection beyond a building or wall, generally designed and constructed to provide protection from the weather.
- (42) 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.
- (43) 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.
- (44) MOVABLE, FREESTANDING SIGN: Any sign not affixed to or erected into the ground.
- (45) NON-CONFORMING SIGN. A sign which was erected legally, but which does not comply with subsequently enacted sign restrictions and regulations. (A) A sign which does not conform to the sign code requirements, but for which a conditional use permit has been issued.
- (46) 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".
- (47) 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.
- (48) 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.
- (49) 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. A sign which pertains to the use; product or commodity sold; service performed on the premise and/or property on which it is located.
- (50) OUTDOOR ADVERTISING SIGN: See definition of On Premises Sign Or Appurtenant Sign.
- (51) PAINTED WALL SIGN. Any sign which is applied with paint or similar substance on the surface of a wall.
- (52) 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.
- (53) POLE COVER (SIGN). Cover enclosing or decorating poles or other structural supports of a sign.
- (54) POLITICAL SIGN. A temporary sign used in connection with a local, state, or national election or referendum.
- (55) PORTABLE SIGN. Any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.
- (56) PROJECTING SIGN: Any sign attached to a building or structural wall and extending horizontally outward from such wall more than eighteen inches (18").
- (57) 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")
- (58) 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.
- (59) PUBLIC INFORMATION SIGN: Signs presenting travel information and signs concerning historic and scenic sites, public recreation facilities, miscellaneous instructions and warnings.
- (60) READER BOARD: A sign with manually changeable copy such as gas station prices, school events, etc.
- (61) REAL PROPERTY: Land or real estate, with or without structures; not goods or services.
- (62)

- REAL ESTATE SIGN. A temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.
- (63) 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.
- (64) ROOF SIGN: Any sign which is erected upon or over the roof or over a parapet of any building or structure.
- (65) ROTATING SIGN. (see "Animated Sign, Mechanically Energized").
- (66) 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.
- (67) 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 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.
- (68) 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.
- (69) 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.
- (70) 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.
- (71) SNIPE SIGN. A temporary sign or poster affixed to a tree, fence, etc.
- (72) SUBDIVISION IDENTIFICATION SIGN. A freestanding or wall sign identifying a recognized subdivision, condominium complex, or residential development.
- (73) TEMPORARY: A period not to exceed six (6) months. A sign not constructed or intended for long-term use, with a maximum time period of ninety (90) days.
- ~~(74) 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.~~ TIME AND TEMPERATURE DEVICE: Any mechanism that displays the time and/or

- temperature, but does not display any commercial advertising or identification.
- (75) ~~TIME AND TEMPERATURE DEVICE: Any mechanism that displays the time and/or temperature, but does not display any commercial advertising or identification.~~ UNDER-CANOPY SIGN. A sign suspended beneath a canopy, ceiling, roof, or marquee.
- (76) "V" SIGN. A sign consisting of two essentially equal faces, positioned at an angle subtending less than 179 degrees.
- (77) 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.
- (78) 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.

SECTION 30: AMENDMENT “21.1.15 Open Space Requirements” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.1.15 Open Space Requirements

(1) Each subdivision or site plan shall provide a minimum of 10% of its total parcel acreage as open space. The open space shall be designated on the preliminary plan or site plan and

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

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

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

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

(5) For developments with a total aggregated development acreage is less than 20 acres, developers may pay in lieu of, or in a proportional combination with, the provision of 10% of the total parcel acreage as open space, The amount of the fee-in-lieu is determined by apply 10% of the predeveloped value of the total parcel acreage, as determined through a current owner provided appraisal by a certified real estate appraiser. The fees collected shall be used within 1 mile of the proposed development, or the nearest park to benefit the residents of the development.

(6) Land dedicated for use as a public park may be no smaller than ten acres and may not be located any closer than three quarters of a mile from another public park. The City Council may make exceptions to the minimum distance if walkability and other accessibility issues limit the residents of the proposed subdivision from safely or conveniently accessing the nearest

public park. Requiring improvements that remove the accessibility barriers may be considered proportionally not exceeding the appraised value of the predeveloped value of the total parcel acreage as detailed in 21.1.15.5.

AFTER AMENDMENT

21.1.15 Open Space Requirements

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

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

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

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

(5) For developments with a total aggregated development acreage is less than 20 acres, developers may pay in lieu of, or in a proportional combination with, the provision of 10% of

the total parcel acreage as open space, The amount of the fee-in-lieu is determined by apply 10% of the predeveloped value of the total parcel acreage, as determined through a current owner provided appraisal by a certified real estate appraiser. The fees collected shall be used within 1 mile of the proposed development, or the nearest park to benefit the residents of the development.

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

(7) This section includes specifications for playground equipment, pavilions, and other facilities. Playgrounds: Pour-in-place rubber surfaces shall be installed under all playground equipment. The manner and area of installation shall be done according to the approved plans and the manufacturer's recommendations for both the play structure and play surface. Colors must be neutral earth tone colors. Pavilions: Any pavilions installed shall be finished with an architectural powder coated metal or aluminum construction.

SECTION 31: AMENDMENT “21.6.12 Water Supply” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.6.12 Water Supply

(1) All development shall have a public water supply unless this requirement is waived by the city council.

(2) The supply of water from a source other than an approved public water system may be approved only if proof of adequate water rights and proof of water availability, flow and quality meeting the Safe Drinking Water Standards by a water sample from wells on ten percent of the lots rounded up to the next whole number and approval of the system is granted through either the Tooele County Health Department or Utah State Drinking Water Board, as applicable. In the preliminary stage, the developer shall show possession of sufficient water rights to provide domestic use for the total number of dwellings being proposed for the entire development. The design stage for the first phase of development shall include the engineering for the water system for the entire development to include a fire flow calculation. If the development is not being connected to the city public water supply, the county health department shall approve the location of the test wells prior to the developer drilling them. The samples shall be taken by, and have a complete chemical analysis performed and approved by the county health department. All drinking water systems shall meet the standards of Tooele

Health County Department Regulation # for non-public systems, or the Utah State Drinking Water Board, Utah Administrative Code R-309 for systems that fall under the requirements of a public water system.

(3) Each development shall provide the details on the type of water system proposed, documentation of existing or proposed water rights and sources, historic water use, the estimated number of gallons per day of water system requirements for indoor and outdoor use, and a description of water storage requirements for daily fluctuations, irrigation, and fire suppression. The developer is required to provide dedicated or perpetual water rights or sources to meet the indoor and outdoor use requirements of all of the property in the development and the rights shall be sufficient to meet the total volume of water used and a rate of flow sufficient to meet peak demand. Culinary water rights shall include a conveyance to the City of a type which is perpetual in character and readily capable of use by the City. Outdoor water from a secondary (non-City) source may be obtained and provided from a private well or private water or irrigation company. The general requirement for outdoor water shall be one acre foot of water per one-third acre of net irrigated area. Net irrigated acreage shall be considered to be 64 percent of the total area of a lot of up to one-half acre and 60 percent of the total acreage of lots over one-half acre in size. All open spaces within a development shall generally be considered as irrigated acreage and one acre foot of outdoor water per one-third acre or any portion thereof shall be required, unless a different plan is proposed by the developer and is approved by the City. The exact amount of indoor and outdoor water rights to be provided should be based on reasonable assumptions with respect to projected use and demand and as reflected in Grantsville City's Capital Facilities Plan and Water Rights Impact Fee Study, as amended. The conveyance of water rights to Grantsville City should also take into account the uncertainty and time lag often required in securing approval from the State Engineer for a change of use of non-municipal water rights for municipal purposes and potential reductions in the quantity of water available during periods of drought.

(4) Amendments to existing platted developments that require only up to a total of two acre feet of additional indoor water and only up to a total of eight acre feet of additional outdoor water for full development, may at the option of the owner or developer and in lieu of providing actual water rights to the City, pay at the time each building permit is issued for each lot, the applicable indoor and outdoor water rights acquisition impact fees as specified by Section 13-1-8 of the Grantsville City Code. Minor Subdivisions, small subdivisions and small planned unit developments which have a projected indoor and outdoor water usage comparable to four or fewer single family dwellings are also exempt from the foregoing requirements to provide indoor and outdoor water. A water acquisition impact fee will be charged pursuant to the provisions of Section 13-1-8 of the Grantsville City Code under such circumstances that the conveyance of water rights is waived.

(5) Notwithstanding anything to the contrary specified in this Chapter, property that is proposed for a development that was previously platted and developed, shall be required to convey culinary and secondary water rights to the city pursuant to subsection (3) above, even if the new proposed development has four or fewer lots. Any waiver of the requirement to

provide secondary water rights to the city by this section, shall not apply to property that has had a secondary water right attached to it or has been irrigated with secondary water within the past five years, pursuant to Section 7-1-22 of the Grantsville City Code.

AFTER AMENDMENT

21.6.12 Water Supply

(1) All development shall have a public water supply unless this requirement is waived by the city council.

(2) The supply of water from a source other than an approved public water system may be approved only if proof of adequate water rights and proof of water availability, flow and quality meeting the Safe Drinking Water Standards by a water sample from wells on ten percent of the lots rounded up to the next whole number and approval of the system is granted through either the Tooele County Health Department or Utah State Drinking Water Board, as applicable. In the preliminary stage, the developer shall show possession of sufficient water rights to provide domestic use for the total number of dwellings being proposed for the entire development. The design stage for the first phase of development shall include the engineering for the water system for the entire development to include a fire flow calculation. If the development is not being connected to the city public water supply, the county health department shall approve the location of the test wells prior to the developer drilling them. The samples shall be taken by, and have a complete chemical analysis performed and approved by the county health department. All drinking water systems shall meet the standards of Tooele Health County Department Regulation # for non-public systems, or the Utah State Drinking Water Board, Utah Administrative Code R-309 for systems that fall under the requirements of a public water system.

(3) Each development shall provide the details on the type of water system proposed, documentation of existing or proposed water rights and sources, historic water use, the estimated number of gallons per day of water system requirements for indoor and outdoor use, and a description of water storage requirements for daily fluctuations, irrigation, and fire suppression. The developer is required to provide dedicated or perpetual water rights or sources to meet the indoor and outdoor use requirements of all of the property in the development and the rights shall be sufficient to meet the total volume of water used and a rate of flow sufficient to meet peak demand. Culinary water rights shall include a conveyance to the City of a type which is perpetual in character and readily capable of use by the City. Outdoor water from a secondary (non-City) source may be obtained and provided from a private well or private water or irrigation company. The general requirement for outdoor water shall be one acre foot of water per one-third acre of net irrigated area. Net irrigated acreage shall be considered to be 64 percent of the total area of a lot of up to one-half acre and 60 percent of the total acreage of lots over one-half acre in size. All open spaces within a development shall generally be considered as irrigated acreage and one acre foot of outdoor water per one-third acre or any portion thereof shall be required, unless a different plan is proposed by the developer and is approved by the City. The exact amount of indoor and outdoor water rights to be provided should be based on reasonable assumptions with respect to

projected use and demand and as reflected in Grantsville City's Capital Facilities Plan and Water Rights Impact Fee Study, as amended. The conveyance of water rights to Grantsville City should also take into account the uncertainty and time lag often required in securing approval from the State Engineer for a change of use of non-municipal water rights for municipal purposes and potential reductions in the quantity of water available during periods of drought.

(4) Amendments to existing platted developments that require only up to a total of two acre feet of additional indoor water and only up to a total of eight acre feet of additional outdoor water for full development, may at the option of the owner or developer and in lieu of providing actual water rights to the City, pay at the time each building permit is issued for each lot, the applicable indoor and outdoor water rights acquisition impact fees as specified by Section 13-1-8 of the Grantsville City Code. Minor Subdivisions, small subdivisions and small planned unit developments which have a projected indoor and outdoor water usage comparable to four or fewer single family dwellings are also exempt from the foregoing requirements to provide indoor and outdoor water. A water acquisition impact fee will be charged pursuant to the provisions of Section 13-1-8 of the Grantsville City Code under such circumstances that the conveyance of water rights is waived.

(5) Notwithstanding anything to the contrary specified in this Chapter, property that is proposed for a development that was previously platted and developed, shall be required to convey culinary and secondary water rights to the city pursuant to subsection (3) above, even if the new proposed development has four or fewer lots. Any waiver of the requirement to provide secondary water rights to the city by this section, shall not apply to property that has had a secondary water right attached to it or has been irrigated with secondary water within the past five years, pursuant to Section 7-1-22 of the Grantsville City Code.

(6) All culinary water meters shall be installed within the park strip along the lot frontage. Where no park strip exists, the water meter shall be installed directly behind the sidewalk and within the public right of way or utility easement, as approved by the City Engineer. Water meters shall not be located within private yards, behind fences, or in any location that restricts City access for maintenance, reading, or replacement.

SECTION 32: **AMENDMENT** “21.6.13 Storm Drainage And Flood Plains” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.6.13 Storm Drainage And Flood Plains

(1) A storm drainage system for the entire development shall be designed by a professional engineer, licensed in the State of Utah and qualified to perform such work. Existing storm drainage features which are to be incorporated in the design shall be identified. If the subdivision has phases, a general storm drainage plan for the entire area shall be presented with

the infrastructure design and engineering drawings with the preliminary plat for the first phase. Appropriate development stages for the storm drainage system for each phase shall be indicated.

(2) No lot one acre or less in area shall include flood lands. All lots of more than one acre shall contain not less than 40,000 square feet of land at an elevation at least two feet above the elevation of the 100 year recurrence interval flood or, where such data is not available, five feet above the elevation of the maximum flood of record.

(3) Storm drainage systems shall be designed to consider the storm drainage basin as a whole and shall accommodate not only runoff from the development but also, where applicable, the runoff from those areas adjacent to and "upstream" from the development itself, as well as its effects on lands downstream.

(4) Storm drainage basins shall be designed and maintained to ensure that stormwater drains completely from any storm drainage basins within 72 hours after being filled to any capacity by a storm. If an owner of property containing a storm drainage basin fails to ensure the complete drainage of the basin within the 72-hour period described in this section, a representative or agent of the City's Public Works department may, for the safety and welfare of its citizens, intervene and enter onto the property of the storm water basin and take steps reasonably necessary to ensure the complete drainage of the basin. The City may then charge the owner of property containing the storm drainage basin the costs incurred by the City to completely drain the storm drainage basin.

(5) Storm drainage design and construction shall comply with Grantsville City Storm Drainage Design Requirements.

Storm Drainage Standards

AFTER AMENDMENT

21.6.13 Storm Drainage And Flood Plains

(1) A storm drainage system for the entire development shall be designed by a professional engineer, licensed in the State of Utah and qualified to perform such work. Existing storm drainage features which are to be incorporated in the design shall be identified. If the subdivision has phases, a general storm drainage plan for the entire area shall be presented with the infrastructure design and engineering drawings with the preliminary plat for the first phase. Appropriate development stages for the storm drainage system for each phase shall be indicated.

(2) No lot one acre or less in area shall include flood lands. All lots of more than one acre shall contain not less than 40,000 square feet of land at an elevation at least two feet above the elevation of the 100 year recurrence interval flood or, where such data is not available, five feet above the elevation of the maximum flood of record.

(3) Storm drainage systems shall be designed to consider the storm drainage basin as a whole and shall accommodate not only runoff from the development but also, where applicable, the runoff from those areas adjacent to and "upstream" from the development itself, as well as its effects on lands downstream.

(4) Storm drainage basins shall be designed and maintained to ensure that stormwater drains completely from any storm drainage basins within 72 hours after being filled to any capacity by a storm. If an owner of property containing a storm drainage basin fails to ensure the complete drainage of the basin within the 72-hour period described in this section, a representative or agent of the City's Public Works department may, for the safety and welfare of its citizens, intervene and enter onto the property of the storm water basin and take steps reasonably necessary to ensure the complete drainage of the basin. The City may then charge the owner of property containing the storm drainage basin the costs incurred by the City to completely drain the storm drainage basin.

(5) Storm drainage design and construction shall comply with Grantsville City Storm Drainage Design Requirements.

(6) Stormwater Storage Requirements (a) Surface Ponds Prohibited in Side and Rear Yards. Surface ponds, depressions, or other non engineered surface level stormwater storage features are prohibited within side yard and rear yard areas. (b) Limited Allowance in Front Yard Setback. Surface ponds may be permitted within the front yard setback only upon written approval from the City Engineer, and only after the applicant demonstrates that no other technically feasible stormwater management option exists on the site. (c) Permanent Stormwater Structures Required in Side and Rear Yards. Where stormwater storage or detention is located within a side yard or rear yard, the facility shall be constructed as a permanent, engineered stormwater structure. Permanent structures shall include, but are not limited to, underground detention systems, vaults, chambers, or other engineered facilities designed to meet City stormwater standards. Temporary or surface level storage features do not satisfy this requirement. (d) Design and Maintenance Standards. All permanent stormwater structures shall comply with the City's adopted stormwater design criteria, be designed by a licensed professional engineer, and include provisions for long term maintenance and access. (e) Surface ponds as individual storage solutions are not allowed over side or rear yard areas. Surface ponds may be allowed in the front yard setback area with special permission from the City Engineer after demonstrating other options are proved not viable. Permanent storm water storage structures are required in rear or side yard areas.

[Storm Drainage Standards](#)

SECTION 33: AMENDMENT “21.7.1 Improvement Installation Guarantee” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.7.1 Improvement Installation Guarantee

(1) In lieu of actual installation of off-site and common open space improvements required by this chapter, before recording a plat, the subdivider shall guarantee the installation of such improvements by executing a subdivision improvements agreement and by filing one or a combination of the following financial guarantee methods: a corporate surety bond, a deposit in escrow with an escrow holder or a letter of credit with a financial institution. The city council shall review the plat and may review the financial guarantee for the subdivision improvements at a public meeting where it can approve or deny the plat. If the financial guarantee and plat are approved, the plat shall be recorded within ninety days or it shall be void. The city council may authorize the Mayor and city staff to review and approve the financial guarantee, the final conveyance of water rights and the title insurance for the culinary water after approval of the final plat, but prior to the final plat being recorded.

(2) The guarantee shall be in an amount equal to 110% of the projected costs of required improvements as estimated by a licensed engineer retained by the subdivider and approved by the city engineer. The subdivision improvements agreement and the financial guarantee shall both assure the actual construction of such improvements within two years immediately following the approval of the final plat by the city council and shall include a maintenance guarantee as required by Section 21.7.3 herein.

(3) The guarantee shall be filed with the city recorder.

(4) The subdivision improvements agreement shall be executed by the developer and shall be accompanied by a financial guarantee issued by a company duly and regularly authorized to do a general surety business in the State of Utah and either (i) named in the current U.S. Treasury Department’s list of approved sureties (Department Circular 570) (as amended), or (ii) with a current “A-“ rating and a financial size category rating of at least a “VII” or better in A.M. Best Co., Inc.’s Best Insurance Reports, Property and Casualty Edition. The improvements agreement and the guarantee shall be approved as to method, institution and form by the city attorney.

AFTER AMENDMENT

21.7.1 Improvement Installation Guarantee

(1) ~~In lieu of actual installation of off-site and common open space improvements required by this chapter, before recording a plat, the subdivider shall guarantee the installation of such improvements by executing a subdivision improvements agreement and by filing one or a~~

~~combination of the following financial guarantee methods: a corporate surety bond, a deposit in escrow with an escrow holder or a letter of credit with a financial institution. The city council shall review the plat and may review the financial guarantee for the subdivision improvements at a public meeting where it can approve or deny the plat. If the financial guarantee and plat are approved, the plat shall be recorded within ninety days or it shall be void. The city council may authorize the Mayor and city staff to review and approve the financial guarantee, the final conveyance of water rights and the title insurance for the culinary water after approval of the final plat, but prior to the final plat being recorded.~~ In lieu of actual installation of off-site and common open space improvements required by this chapter, before recording a plat, the subdivider shall guarantee the installation of such improvements by executing a subdivision improvements agreement and by filing one or a combination of the following financial guarantee methods: a corporate surety bond or a deposit in escrow with an escrow holder with a financial institution. The city council shall review and approve the plat and shall approve the financial guarantee for the subdivision improvements at a public meeting. If the financial guarantee and plat are approved, the plat shall be recorded within ninety days or it shall be void. The city council may authorize the city staff to review and approve the final conveyance of water rights and the title insurance for the culinary water after approval of the final plat, but prior to the final plat being recorded; however, approval of the financial guarantee shall remain the sole authority of the City Council.

~~(2) The guarantee shall be in an amount equal to 110% of the projected costs of required improvements as estimated by a licensed engineer retained by the subdivider and approved by the city engineer. The subdivision improvements agreement and the financial guarantee shall both assure the actual construction of such improvements within two years immediately following the approval of the final plat by the city council and shall include a maintenance guarantee as required by Section 21.7.3 herein.~~ The guarantee shall be in an amount equal to 110% of the projected costs of required improvements as estimated by a licensed engineer retained by the subdivider and approved by the city engineer. The subdivision improvements agreement and the financial guarantee shall jointly ensure the actual construction of such improvements within two years immediately following City Council approval of the final plat, and shall include a maintenance guarantee as required by Section 21.7.3 herein.

(3) The guarantee shall be filed with the city recorder.

(4) The subdivision improvements agreement shall be executed by the developer and shall be accompanied by a financial guarantee issued by a company duly and regularly authorized to do a general surety business in the State of Utah and either (i) named in the current U.S. Treasury Department's list of approved sureties (Department Circular 570) (as amended), or (ii) with a current "A-" rating and a financial size category rating of at least a "VII" or better in A.M. Best Co., Inc.'s Best Insurance Reports, Property and Casualty Edition. The improvements agreement and the guarantee shall be approved as to method, institution and form by the city attorney.

SECTION 34: AMENDMENT “21.7.2 Default” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.7.2 Default

In the event the subdivider defaults or fails or neglects to satisfactorily install required improvements within two years from date of approval of the final plat, the City Council may declare the bond, escrow, or a deed of trust, and may execute thereon and install or cause the required improvements to be installed using the proceeds from the collection to defray the expenses thereof. The subdivider shall be responsible for all costs incurred by the city to complete the required improvements in excess of the proceeds of the guarantee amount.

AFTER AMENDMENT

21.7.2 Default

~~In the event the subdivider defaults or fails or neglects to satisfactorily install required improvements within two years from date of approval of the final plat, the City Council may declare the bond, escrow, or a deed of trust, and may execute thereon and install or cause the required improvements to be installed using the proceeds from the collection to defray the expenses thereof. The subdivider shall be responsible for all costs incurred by the city to complete the required improvements in excess of the proceeds of the guarantee amount.~~ In the event the subdivider defaults or fails or neglects to satisfactorily install required improvements within two years from date of approval of the final plat, the City Council may declare the financial guarantee in default and may call the bond or an escrow and install or cause the required improvements to be installed. The subdivider shall be responsible for all costs incurred by the city to complete the required improvements that exceed the amount recovered from the financial guarantee.

SECTION 35: AMENDMENT “21.7.3 Maintenance Guarantee” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.7.3 Maintenance Guarantee

(1) The subdivider shall guarantee all off-site improvements will remain in good condition for a period of one year after the date of final acceptance by the city. The subdivider shall make all repairs to and maintain the improvements in good condition during that one-year period at no cost to the city. The City shall retain up to 10% of the guarantee for a surety to cover the

maintenance period. The exact amount retained shall be determined per state law, in an amount the lesser of the municipal engineers original estimated cost of completion, or the applications reasonable proven cost of completion, by the City Engineer.

The City may require that the improvement assurance warranty be in place for a period of two years following final acceptance by the City, if the City determines for good cause that a lesser period would be inadequate for the following reasons:

- (1) to protect the public health, safety and welfare,
- (2) has substantial evidence of prior poor performance of the sub-divider/,
- (3) developer; unstable soil conditions exist within the subdivision or development area,
- (4) or extreme fluctuations exist in climatic conditions that would render impracticable the discovery of substandard or defective performance within a one-year period.

The guarantee shall extend to and include, but shall not be limited to necessary utilities, the entire street, subgrade, base and surface and all pipes, joints, valves, backfill and compacting, trails, as well as the working surface, curbs, gutters, sidewalks, landscaping and other accessories that are, or may be, affected by construction operations.

(3) Identifying necessary repairs and maintenance rests with the City Public Works Director, whose decision upon the matter shall be final and binding upon the subdivider/developer. The Public Works Director shall use City standards and specifications, the preliminary plat and engineering drawings and information from the City Engineer as the inspections standards for final acceptance of the required improvements. Whenever, in the judgment of the city public works director, the improvements shall need repairs, maintenance, or re-building, the City Public Works Director shall cause a written notice to be mailed or given to the subdivider/developer. Upon receipt, the subdivider/developer shall undertake and complete such repairs, maintenance or re-building. If repairs are not completed within the specified time, the city shall have such repairs made and the cost of such repairs shall be paid by the subdivider/developer or by the city using the guarantee.

AFTER AMENDMENT

21.7.3 Maintenance Guarantee

~~(1) The subdivider shall guarantee all off-site improvements will remain in good condition for a period of one year after the date of final acceptance by the city. The subdivider shall make all repairs to and maintain the improvements in good condition during that one-year period at no cost to the city. The City shall retain up to 10% of the guarantee for a surety to cover the maintenance period. The exact amount retained shall be determined per state law, in an amount the lesser of the municipal engineers original estimated cost of completion, or the applications reasonable proven cost of completion, by the City Engineer. The City may require that the improvement assurance warranty be in place for a period of two years following final~~

acceptance by the City, if the City determines for good cause that a lesser period would be inadequate for the following reasons: (1) to protect the public health, safety and welfare, (2) has substantial evidence of prior poor performance of the sub-divider/developer, (3) unstable soil conditions exist within the subdivision or development area, (4) or extreme fluctuations exist in climatic conditions that would render impracticable the discovery of substandard or defective performance within a one-year period. The guarantee shall extend to and include, but shall not be limited to necessary utilities, the entire street, subgrade, base and surface and all pipes, joints, valves, backfill and compacting, trails, as well as the working surface, curbs, gutters, sidewalks, landscaping and other accessories that are, or may be, affected by construction operations. (3) Identifying necessary repairs and maintenance rests with the City Public Works Director, whose decision upon the matter shall be final and binding upon the subdivider/developer. The Public Works Director shall use City standards and specifications, the preliminary plat and engineering drawings and information from the City Engineer as the inspections standards for final acceptance of the required improvements. Whenever, in the judgment of the city public works director, the improvements shall need repairs, maintenance, or re-building, the City Public Works Director shall cause a written notice to be mailed or given to the subdivider/developer. Upon receipt, the subdivider/developer shall undertake and complete such repairs, maintenance or re-building. If repairs are not completed within the specified time, the city shall have such repairs made and the cost of such repairs shall be paid by the subdivider/developer or by the city using the guarantee. (1) The subdivider shall guarantee all off-site improvements will remain in good condition for a period of one year after the date of final acceptance by the city. The subdivider shall make all repairs to and maintain the improvements in good condition during that one-year period at no cost to the city. The City shall retain up to 10% of the guarantee as a warranty guarantee during the maintenance period. The exact amount retained shall be determined in accordance with the state law and based on the City Engineer's estimated cost of completion, or the application's reasonable proven cost of completion, approved by the City Engineer. The City Council may require a warranty period of up to two years following final acceptance if, based on written recommendations from the Public Works Director and the City Engineer, the Council determines that a one-year period is inadequate due to: (a) the need to protect the public health, safety, and welfare, (b) substantial evidence of prior poor performance of the sub-divider/developer, (c) unstable soil or geologic conditions exist within the subdivision or development area, (d) or extreme climatic conditions that would delay the impracticable discovery of substandard or defective performance within a one-year period. The guarantee shall extend to and include, but shall not be limited to necessary utilities, the entire street, subgrade, base and surface and all pipes, joints, valves, backfill and compacting, trails, as well as the working surface, curbs, gutters, sidewalks, landscaping, and other accessories that are, or may be, affected by construction operations. Identifying necessary repairs and maintenance rests with the City Public Works Director, whose decision upon the matter shall be final and binding upon the subdivider/developer. The Public Works Director shall use City standards and specifications, the preliminary plat and engineering drawings and information from the City Engineer as the inspection's standards for final acceptance of the required improvements. Whenever, in the judgment of the city public works director, the improvements shall need repairs, maintenance, or re-building, the City Public Works Director shall cause a written notice to be mailed or given to the subdivider/developer. Upon receipt, the subdivider/developer shall undertake and complete

such repairs, maintenance, or re-building. If repairs are not completed within the specified time, the city shall have such repairs made and the cost of such repairs shall be paid by the subdivider/developer or by the city using the guarantee.

SECTION 36: AMENDMENT “21.7.4 Acceptance And Release Of Guarantee” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.7.4 Acceptance And Release Of Guarantee

(1) Upon completion of improvements, the subdivider/developer shall submit to the City a copy of the as-built construction drawings, along with a CAD file of said drawings and a GIS file containing at a minimum: address points, street centerlines, and parcel polygons in the current city coordinate system. Acceptance of all improvements shall be in writing from the public works director.

(2) The subdivider/developer shall in writing request that the city accept or reject the installation of required subdivision improvements or performance of warranty work.

(3) The city shall accept or reject the subdivision improvements within 45 days after receiving a written request from the subdivider/developer, or as soon as practicable after that 45-day period if inspection of the subdivision improvements is impeded by winter weather conditions.

(4) At the end of the warranty period the city shall accept or reject the performance of warranty work within 45 days after receiving a subdivider/developer’s written request or as soon as practicable after that 45-day period if inspection of the work is impeded by winter weather conditions.

(5) If the city determines that the installation of required subdivision improvements or the performance of warranty work does not meet the City’s adopted standards, the City shall comprehensively and with specificity list the reasons for its determination.

(6) Upon final completion of the performance warranty period and with the approval by the city public works director, the financial assurances may be released, at which time the subdivision will be deemed accepted.

(7) Nothing in this section and no action or inaction of the city relieves a subdivider/developer’s duty to comply with all applicable substantive ordinances and regulations.

(8) There shall be no money damages remedy arising from a claim under this section.

AFTER AMENDMENT

21.7.4 Acceptance And Release Of Guarantee

(1) Upon completion of improvements, the subdivider/developer shall submit to the City a copy of the as-built construction drawings, along with a CAD file of said drawings and a GIS file containing at a minimum: address points, street centerlines, and parcel polygons in the current city coordinate system. Acceptance of all improvements ~~shall be in writing from the public works director.~~ requires written verification from the Public Works Director and the City Engineer and approval by the City Council.

(2) The subdivider/developer shall in writing request that the city accept or reject the installation of required subdivision improvements or performance of warranty work.

(3) The city shall , upon receiving written recommendations from the Public Works Director and the City Engineer, accept or reject the subdivision improvements within 45 days after receiving a written request from the subdivider/developer, or as soon as practicable after that 45-day period if inspection of the subdivision improvements is impeded by winter weather conditions.

(4) At the end of the warranty period the city shall upon receiving written recommendations from the Public Works Director and the City Engineer, accept or reject the performance of warranty work within 45 days after receiving a subdivider/developer's written request or as soon as practicable after that 45-day period if inspection of the work is impeded by winter weather conditions.

(5) If the city determines that the installation of required subdivision improvements or the performance of warranty work does not meet the City's adopted standards, the City shall comprehensively and with specificity list the reasons for its determination.

(6) Upon final completion of the performance warranty period and after receiving written recommendations from the Public Works Director and the City Engineer, the financial guarantee may be released only upon approval by the City Council, ~~and with the approval by the city public works director, the financial assurances may be released,~~ at which time the subdivision will be deemed accepted.

(7) Nothing in this section and no action or inaction of the city relieves a subdivider/developer's duty to comply with all applicable substantive ordinances and regulations.

(8) There shall be no money damages remedy arising from a claim under this section.

SECTION 37: AMENDMENT "21.7.5 Engineering Review And Inspection Fee" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.7.5 Engineering Review And Inspection Fee

In addition to the improvement and maintenance guarantee, the subdivider shall deposit with the city recorder a sum equal to the percentage of the cost of the improvements as noted on the current adopted City fee schedule to cover engineering review and public works inspection.

AFTER AMENDMENT

21.7.5 Engineering Review And Inspection Fee

In addition to the improvement and maintenance guarantee, the subdivider shall deposit with the city the amount required under the City's currently adopted fee schedule, calculated as a percentage of the approved cost of the required improvements, ~~recorder a sum equal to the percentage of the cost of the improvements as noted on the current adopted City fee schedule~~ to cover engineering ~~review~~ and public works inspection.

SECTION 38: **AMENDMENT** "7.1 Definition Of Conditional Use" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

7.1 Definition Of Conditional Use

A conditional use permit is a land use that, because of its unique characteristics or potential impact on the 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.

AFTER AMENDMENT

7.1 Definition Of Conditional Use

~~A conditional use permit is a land use that, because of its unique characteristics or potential impact on the 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.~~ Conditional Use Permit means a permit issued pursuant to this Code authorizing a Conditional Use on a specific property, subject to conditions imposed by the approving authority to mitigate or eliminate detrimental impacts. A Conditional Use Permit may be granted only when the approving authority determines, based on substantial evidence, that all required conditions can be met and that the proposed use will be compatible with surrounding properties.

SECTION 39: **AMENDMENT** “7.2 No Presumption Of Approval” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

7.2 No Presumption Of Approval

The listing of a conditional use in any table of permitted and conditional uses found at the end of each chapter of this ordinance for each category of zoning district or districts does not constitute an assurance or presumption that such conditional use will be approved. Rather, each proposed conditional use shall be evaluated on an individual basis, in relation to its compliance with the standards and conditions set forth in this chapter and with the standards for the district in which it is located, in order to determine if the conditional use is appropriate at the particular location.

AFTER AMENDMENT

7.2 No Presumption Of Approval

~~The listing of a conditional use in any table of permitted and conditional uses found at the end of each chapter of this ordinance for each category of zoning district or districts does not constitute an assurance or presumption that such conditional use will be approved. Rather, each proposed conditional use shall be evaluated on an individual basis, in relation to its compliance with the standards and conditions set forth in this chapter and with the standards for the district in which it is located, in order to determine if the conditional use is appropriate at the particular location.~~ The listing of a conditional use in any table of permitted and conditional uses found at the end of each chapter of this ordinance for each category of zoning district or districts does not constitute an assurance or presumption that such conditional use will be approved. Each proposed conditional use shall be evaluated individually for its compliance with the standards and conditions set forth in this chapter and the standards for the district in which it is located, to determine whether the use is appropriate at that location.

SECTION 40: **AMENDMENT** “9.5 Parkway Landscaping” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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 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.

(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.

AFTER AMENDMENT

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 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.

(3) Permitted and Prohibited Materials in Parkway To ensure pedestrian safety, proper storm drainage, and aesthetic quality, parkway materials referenced in Table 9-1 are regulated as follows: Permitted Hardscape Materials The following materials are permitted within the parkway, provided they are installed and maintained according to the standards below: (a) Decorative Rock: Rock, crushed gravel, or cobble is permitted if it is 1.5 inches or larger in diameter (sized to prevent material from washing into the storm drain system). All rock must be contained behind the curb or a concrete mow strip to prevent migration into the roadway or sidewalk. (b) Pavers and Flagstone: Brick, concrete pavers, or natural stone may be used. To ensure the health of street trees, pavers must be installed on a permeable base or spaced to allow water infiltration. (c) Concrete Strips (Carriageways): Concrete strips are permitted to provide step-out access from the curb to the sidewalk. Strips shall not exceed 24 inches in width and must be spaced at 25 feet to allow for adequate tree irrigation. Prohibited Materials The following materials remain prohibited for the reasons stated below: Asphalt: Prohibited due to inconsistency with City urban design and rapid deterioration compared to concrete. (a) Material smaller than 1 inch (Pea Gravel/Sand): Prohibited as it is easily displaced into the roadway, creating slip hazards for pedestrians/cyclists and clogging storm drains. (b) Bark or Wood Chips: Prohibited due to low density; materials float during storm events and obstruct drainage infrastructure. (c) horn-bearing plants: Prohibited to prevent injury to pedestrians and cyclists. (d) Visual Obstructions: Ground cover and shrubs that exceed 18 inches in height at maturity are prohibited to preserve sight lines for vehicles and pedestrians. (e) Concrete: Concrete, including poured-in-place concrete and pre-cast concrete panels is prohibited where its installation would obstruct required landscaping, interfere with stormwater infiltration, increase runoff into the public right-of-way, or conflict with the City's adopted streetscape and parkway design standards. (4) Street Trees The developer or property owner is responsible for the planting and irrigation of street trees as required by Table 9-1. Hardscape installations must include a tree well with a minimum diameter of 36 inches (or equivalent square footage) around the trunk to allow for growth and water access. (5) Utility Clearance (Water Meters) To ensure access for maintenance and meter reading, no concrete, pavers, or permanent hardscape may be poured or installed within two (2) feet of any water meter, fire hydrant, or utility box. This clearance area must be covered with removable material, such as decorative rock, to allow City crews unobstructed access to the infrastructure.

~~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 *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. **Parkway Materials**

Parkway Turf	Evergreen Ground Cover	Shrubs	Trees	Flowers	Bark and Mulch	Driveway and Walkways (carriage to street)	Other Impervious Materials (brick pavers, concrete)	Street Trees	Irrigation	Materials	Retaining walls, fences, steps, and other similar structural encroachments
1 Permitted	2 Permitted - less than 18" in height at maturity	3 Permitted - less than 18" in height at maturity	Permitted - See Section 9.5.6	4 Permitted - flower bed not to exceed 24" in height at maturity	Permitted	Permitted	Not to exceed 25% of the park strip area	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.	5 Required for plant materials	Prohibited	6 Large rocks, asphalt, thorny bearing plants, ground cover and shrubs exceeding 18" in height.

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 41: ADOPTION "9 .6 Permitted Landscape Plants" of the Grantsville Land Use Ordinances is hereby *added* as follows:

BEFORE ADOPTION

9 .6 Permitted Landscape Plants (Non-existent)

AFTER ADOPTION

9.6 Permitted Landscape Plants(*Added*)

(1) Purpose; This section establishes drought-tolerant, low-maintenance landscaping standards for parkways and medians to conserve water, enhance streetscape quality, and ensure long-term plant survivability in Grantsville's climate. (2) Shade Trees (a) City-Approved Shade Trees (Preferred Species) The following tree species are approved and strongly encouraged for use in parkways and medians due to their adaptability, canopy structure, and drought tolerance: (i) Hackberry (*Celtis occidentalis*) (ii) Ginkgo (*Ginkgo biloba*) — male cultivars only (iii) White Oak (*Quercus alba*) (b) The following species may be considered on a case-by-case basis subject to staff approval and site conditions: (i) Bur Oak (*Quercus macrocarpa*) (ii) Thornless Honey locust (*Gleditsia triacanthos* var. *interims*) (iii) Kentucky Coffee tree (*Gymnocladus dioicous*) (iv) Autumn Blaze Maple (*Acer* × *freeman* 'Autumn Blaze') (v) Chanticleer Pear (*Pyrus caller* Yana 'Chanticleer') (3) Shrubs Deciduous Shrubs; The following deciduous shrubs are permitted: (a) Silver Sagebrush (*Artemisia cana*) (b) Yellow Rabbitbrush (*Chrysanthemums viscidiflorus*) (c) Apache Plume (*Fallugia paradoxa*) (d) Western Sand cherry (*Prunus besseyi*) (4) Evergreen Shrubs The following evergreen shrubs are permitted. (a) Blue Chip Juniper is expressly prohibited: (b) Medora Juniper (*Juniperus scopulorum* 'Medora') (c) Dwarf Mogo Pine (*Pinus mugo* var. *pumila*) (5) Ornamental Grasses The following ornamental grasses are permitted: (a) Feather Reed Grass (*Calamagrostis* × *acutiflora* 'Karl Foerster') (b) Blue Fescue (*Festuca glauca* 'Blue Elijah') (c) 'Heavy metal' Switchgrass (*Panicum virgatum* 'Heavy metal') (d) Indian Grass (*Sorghastrum nutans* 'Sioux Blue') (6) Perennials The following perennial species are permitted: (a) Licorice Hyssop (*Agastache rupestris*) (b) Red Torch Lily (*Kniphofia* 'Stark's Early Hybrids') (7) General Landscaping Requirements Permitted and not Permitted (a) Turf grass is prohibited within medians. (b) Turf grass is permitted within parkways only where slopes do not exceed fifty percent (50%). (c) Evergreen groundcovers and shrubs shall not exceed eighteen (18) inches in mature height. (d) Thorn-bearing shrubs or groundcovers are prohibited. (e) Drip irrigation systems are required for all plant materials. (f) Trees are permitted in both medians and parkways. 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. (g) Bark, Mulch, Gravel, and concrete, is permitted in parkways. (h) Impervious materials are permitted in medians.(Brick pavers, Concrete) (i) Flowers are permitted. Flower bed not to exceed 24" in height at maturity. (j) Driveway and Walkways (carriage to street) are permitted. (k) Irrigation is required for plant materials. (l) Prohibited Materials - Large rock exceeding 1-½" inch, asphalt, concrete, thorny bearing plants, ground cover and shrubs exceeding 18" inches in height.

SECTION 42: **ADOPTION** “9. 7 Applicability Standards” of the Grantsville Land Use Ordinances is hereby *added* as follows:

BEFORE ADOPTION

9. 7 Applicability Standards (Non-existent)

AFTER ADOPTION

9. 7 Applicability Standards(*Added*)

(1) 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. (a) Turf is permitted on slope grades up to fifty percent. Turf is not recommended on slopes greater than fifty percent. (b) 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. (c) A limited variety of shrubs are available that will not exceed 18 inches in height at maturity. Thorn bearing shrubs are prohibited. (d) Flowers shall not include thorn bearing species. (e) 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. (f) Retaining walls, fences, steps, and other similar structural encroachments shall be prohibited unless they are specifically approved through the City. A retaining wall is defined as a wall designed to resist the lateral displacement of soil or other material.

SECTION 43: 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 44: 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
Rhett Butler	_____	_____	_____	_____
Derek Dalton	_____	_____	_____	_____
Brittany Skinner	_____	_____	_____	_____
Jacob Thomas	_____	_____	_____	_____
Jeff Williams	_____	_____	_____	_____

Presiding Officer

Attest

Heidi Hammond, Mayor, Grantsville

Alicia Fairbourne, City Recorder,
Grantsville