



January 23, 2024
Planning Commission
Special Meeting
Information Packet

AMENDED

PUBLIC NOTICE:

The Grantsville City Planning Commission will hold a Special Meeting at 7:00 p.m. on Tuesday, January 23, 2024 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC HEARING

- a) AMENDMENT TO THE GRANTSVILLE LAND USE AND MANAGEMENT CODE – CHAPTER 12 - PLANNED UNIT DEVELOPMENTS
- b) AMENDMENT TO THE GRANTSVILLE LAND USE AND MANAGEMENT CODE - CHAPTER 16, TABLE 16.1
- c) AMENDMENT TO THE GRANTSVILLE LAND USE AND MANAGEMENT CODE - CHAPTER 21 SUBDIVISIONS

AGENDA:

- 1. Consideration to recommend approval of an Amendment to the Grantsville Land Use and Management Code – Chapter 12 - Planned Unit Developments.
- 2. Consideration to recommend approval of an Amendment to the Grantsville Land Use and Management Code - Chapter 16, Table 16.1.
- 3. Consideration to recommend approval of an Amendment to the Grantsville Land Use and Management Code - Chapter 21 Subdivisions.
- 4. Discussion of Planning Commission facilitation process.
- 5. Adjourn

Cavett Eaton
Zoning Administrator
Grantsville City Planning and Zoning

Join Zoom Meeting <https://us02web.zoom.us/j/85391561073>

Meeting ID: 853 9156 1073

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

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



GRANTSVILLE CITY PLANNING COMMISSION

**JANUARY 23, 2024
PUBLIC HEARING**

**AMENDMENT TO THE GRANTSVILLE LAND USE AND MANAGEMENT CODE –
CHAPTER 12 - PLANNED UNIT DEVELOPMENTS**

Notice is hereby given that in accordance with the provisions of Section §10-9A-205 and §10-9a-502 of the Utah Code, the Grantsville Planning Commission will hold a discussion and public hearing on January 23, 2024 at 7:00 p.m. at Grantsville City Hall. The meeting will also be broadcast on Zoom. The discussion, public hearing and meeting are to receive public input and consider action on the AMENDMENT TO THE GRANTSVILLE LAND USE AND MANAGEMENT CODE – CHAPTER 12 - PLANNED UNIT DEVELOPMENTS and make a recommendation to the City Council. You can view a copy of the proposed amendment online at the link below:

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

Or by emailing ceaton@grantsvilleut.gov All comments and concerns need to be sent in writing through email or mail and received no later than 5:00pm on January 23, 2024.

Dated this 10th day of January, 2024

**BY ORDER OF THE GRANTSVILLE
PLANNING COMMISSION**

Cavett Eaton
Zoning Administrator



Scan QR Code above or use the link below to join zoom meeting
<https://us02web.zoom.us/j/85391561073>

Meeting ID: 853 9156 1073



GRANTSVILLE CITY PLANNING COMMISSION

**JANUARY 23, 2024
PUBLIC HEARING**

**AMENDMENT TO THE GRANTSVILLE LAND USE AND MANAGEMENT CODE -
CHAPTER 16, TABLE 16.1**

Notice is hereby given that in accordance with the provisions of Section §10-9A-205 and §10-9a-502 of the Utah Code, the Grantsville Planning Commission will hold a discussion and public hearing on January 23, 2024 at 7:00 p.m. at Grantsville City Hall. The meeting will also be broadcast on Zoom. The discussion, public hearing and meeting are to receive public input and consider action on the PUBLIC HEARING ON AN AMENDMENT TO THE GRANTSVILLE LAND USE AND MANAGEMENT CODE - CHAPTER 16, TABLE 16.1 and make a recommendation to the City Council. You can view a copy of the proposed amendment online at the link below:

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

Or by emailing ceaton@grantsvilleut.gov All comments and concerns need to be sent in writing through email or mail and received no later than 5:00pm on January 23, 2024.

Dated this 10th day of January, 2024

**BY ORDER OF THE GRANTSVILLE
PLANNING COMMISSION**

Cavett Eaton
Zoning Administrator



Scan QR Code above or use the link below to join zoom meeting
<https://us02web.zoom.us/j/85391561073>

Meeting ID: 853 9156 1073



GRANTSVILLE CITY PLANNING COMMISSION

**JANUARY 23, 2024
PUBLIC HEARING**

**AMENDMENT TO THE GRANTSVILLE LAND USE AND MANAGEMENT CODE -
CHAPTER 21 SUBDIVISIONS**

Notice is hereby given that in accordance with the provisions of Section §10-9A-205 and §10-9a-502 of the Utah Code, the Grantsville Planning Commission will hold a discussion and public hearing on January 23, 2024 at 7:00 p.m. at Grantsville City Hall. The meeting will also be broadcast on Zoom. The discussion, public hearing and meeting are to receive public input and consider action on the AMENDMENT TO THE GRANTSVILLE LAND USE AND MANAGEMENT CODE - CHAPTER 21 SUBDIVISIONS and make a recommendation to the City Council. You can view a copy of the proposed amendment online at the link below:

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

Or by emailing ceaton@grantsvilleut.gov All comments and concerns need to be sent in writing through email or mail and received no later than 5:00pm on January 23, 2024.

Dated this 10th day of January, 2024

**BY ORDER OF THE GRANTSVILLE
PLANNING COMMISSION**

Cavett Eaton
Zoning Administrator



Scan QR Code above or use the link below to join zoom meeting
<https://us02web.zoom.us/j/85391561073>

Meeting ID: 853 9156 1073

AGENDA ITEM #1

Amendment to the Grantsville Land Use
and Management Code – Chapter 12 -
Planned Unit Developments

GLUDMC Chapter 12 Planned Unit Developments Proposed Amendment

~~Red Strike Through = To Remove~~

Green Underline = Added Text

Blue Text = Further Discussion

The changes in Chapter 12 are proposed to comply with the updated state land use code. The amendment has been revised per Discussion with City Council on January 3, 2024 and the Planning Commission approval on January 4, 2023.

12.1 Purpose

(1) A planned unit development is a distinct category of conditional use. As such, it is intended to encourage the efficient use of land and resources, promote greater efficiency in public and utility services, preservation of open space, efficient use of alternative transportation and encouraging innovation in the planning and building of all types of development. Through the flexibility of the planned unit development technique, the City and developer will seek to achieve the following specific objectives:

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

(b) The use of design, landscape or architectural features to create a pleasing environment while preserving desirable site characteristics such as natural topography, vegetation and geologic features as open space and providing recreational facilities. For projects containing a residential component containing more than 4 dwelling units defined as Level 4 and Level 5 subdivisions in Chapter 21 of this code, ~~a single dwelling unit~~ at least 10% of the total parcel acreage shall be improved, fully landscaped, amenity rich, active open space. All ~~P~~planned ~~U~~unit ~~D~~development projects shall conform at a minimum with open space and improved open space requirements found in Chapter 21. Topography with slopes greater than 30% on average with a site area greater than 5,000 square feet, natural water bodies and drainages shall be protected;

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

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

(e) Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation; and

(f) Provide residential housing that conforms with the State moderate income requirements.

HISTORY

Amended by Ord. 2019-08 on 4/17/2019

Amended by Ord. 2019-18 on 8/7/2019

12.2 Authority To Modify Regulations

(1) The Planning Commission shall have the authority to set reasonable and appropriate conditions in approving any planned development and to change, alter, modify or waive ~~any certain~~ provisions of ~~this~~ the land use Code as they apply to the proposed planned development. Public health, and safety issues including but not limited to; line of site, public utilities and associated easements, secondary and emergency access, and quantity of required parking are outside of the Planning Commission authority to modify or

Draft January 9, 2024

waive. No such change, alteration, modification or waiver shall be approved unless the Planning Commission shall find that the proposed planned unit development:

- (a) Will achieve all of the applicable purposes for which a planned development may be approved pursuant to Section 12.1. It is recognized that not all properties include historic or blighted structures, nor will all purposes specifically apply to non-residential uses and thus may be considered “Not Applicable”. Residential projects that do not seek to increase the overall density allowed within the applicable district shall not be required to provide a moderate-income housing element unless the applicant otherwise desires to provide moderate income or affordable housing. For residential projects requesting additional density, at least 50% of the requested increased density shall meet state moderate income standards.
- (b) Will not violate the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council.

12.3 Minimum Area

Repealed

~~(1) A planned development proposed for any parcel or tract of land under single ownership or control shall have a contiguous minimum net site area for each zoning district as set forth below:~~

<u>Zoning District</u>	<u>Minimum Planned Development Size</u>
Agriculture District, A	80 Acres
Rural Residential District, RR-5	20 Acres
Rural Residential District, RR-1	10 Acres
Residential District, R-1-21	10 Acres
Residential District, R-1-12	5 Acres
Multiple Residential District, RM-7	5 Acres
Multiple Residential District, RM-15	5 Acres

~~(2) Notwithstanding any provision herein to the contrary, any lot or parcel legally created or existing as of the effective date of this Code (July 15, 1996), that is currently located in a commercial or industrial zoning district, may in the discretion of the Planning Commission and City Council, be developed as a Planned Unit Development, even if said lot or parcel does not contain the above stated minimum net site area, provided said development is determined to comply with the other requirements of this Chapter.~~

12.4 Application Procedure

~~(1) Except as required by this section, the application and approval procedures for planned unit developments are the same as is specified in the Subdivision Regulations contained in Section 2 and Section 4 of Chapter 21 of this Code. Planned unit developments shall also comply with the other provisions of Chapter 21, where applicable, including design standards for subdivision.~~ If required by code or the

applicant is seeking proposed variations to a Grantsville City Ordinance, a PUD application shall be submitted and approved prior to the submittal of a development application such as but not limited to Preliminary Plan and Final Plat applications as detailed in Chapter 21.

(2) ~~In addition to the application requirements for subdivisions, a~~ An applicant for a planned unit development shall submit the following information with the Preliminary Plat application:

(a) The applicant shall submit a concept plan, that is drawn to scale and is legible if printed on an 11x17 sheet. At a minimum, the concept plan shall include:

i. The proposed configuration of lots and types of uses proposed for the property.

ii. Street rights-of-way, open spaces and other proposed common area or public use spaces shall be shown.

iii. Information shall be provided detailing minimum lot sizes, number of proposed lots for each type of use and calculations for over all areas for each type of use.

iv. Where proposed uses do not match uses on adjoining properties, a continuation of the adjoining use shall be implemented for lots against the lot boundary, or a passive use landscaped buffer of at least 50 feet wide containing trees and privacy fencing shall be included. No lighting shall be allowed to reside in the 50-foot buffer and no light shall escape onto adjacent properties. Landscaped buffer areas may be counted as open space if the open space complies with the requirements found in GLUDMC Section 21.1. For commercial properties that are not in use at night parking may encroach into the buffer area but trees and fencing are still required between the parking and the property boundary. Properties smaller than three acres or containing narrow areas of less than 200 feet may be granted modifications to the buffer width in those narrow areas if applicants and Planning Commission agree on an acceptable alternative such as transitions in architectural design that complement the neighboring uses.

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

~~(b e) At the preliminary phase,~~ the applicant shall submit a written statement indicating specifically what change, alteration, modification or waiver of any zoning or development regulations is being sought by the developer, if any. The proposed variations shall include specific references to the affected ordinances and a comparison of the requirement and proposed variations. The applicant shall also provide an explanation of how the proposed variation benefits the development and the surrounding community and explain the steps that are proposed to mitigate the effects of the proposed variation on the ordinance.

(3) The approval of the PUD application final plan or final plat (if required) shall include approval of ~~the final development plan and~~ all special conditions applicable to the planned unit development. All special conditions and approved variations to the GLUDMC shall be included in a Development Agreement which shall be approved by Planning Commission and City Council. The final plan or plat together with the final development plan and special conditions for the planned unit development, rather than any other provision of this Code, shall constitute the use, parking, loading, sign, bulk, space and yard and other regulations applicable to the subject property, and no use or development, other than a home occupation or temporary uses, not allowed by the final plan or plat development plan and conditions shall be permitted within the area of the planned unit development. The final plan or final plat shall include a notation of any changes, alterations, modifications or waivers of the regular standards of the zoning district and of this Code and shall list any special conditions.

(4) Any party aggrieved by the final decision of the Planning Commission, regarding a planned unit development, with respect to ~~a concept phase, preliminary plan or plat, final plan or plat, the development plan or~~ changes, alterations, modifications or waivers either granted or denied, may appeal such decision to the City Council, whose decision shall then be final. All appeals to the City Council must be in writing and filed with the Zoning Administrator within thirty (30) days of the date of the decision appealed from and prior to any further consideration by the Planning Commission of a subsequent step in the planned unit development approval process. Only the final decision of the City Council with respect to the Final Plan or plat, Development Plan or changes, alterations, modifications or waivers either granted or denied may be appealed to the District Court, provided such appeal is filed within thirty (30) days of the decision of the City Council. Said appeal shall be filed with the City Recorder and with the Clerk of the District Court.

(5) No planned unit development approval final plan (that does not include a subdivision) shall be valid for a period longer than one year unless a building permit has been issued, construction has actually begun within that period and construction has been diligently pursued. Upon written request of the applicant, the one year period may be extended by the Planning Commission for such time as it shall determine for good cause shown, without further hearing.

12.5 Adjustments To Development Plan

(1) No major alteration or amendment to a the final development plan that would alter or expand the intent of the provisions in the approved PUD shall be made without a new application being filed and processed pursuant to the provisions of this Chapter. Minor alterations to a development plan that do not include a subdivision of land, may be made subject to written approval of the Planning Commission when such adjustments appear necessary in light of technical or engineering considerations. Such minor adjustments shall be limited to the following elements:

(a) Adjusting the distance as shown on the approved ~~final~~ Development Plan between any one structure or group of structures, and any other structure or group of structures, or any vehicular circulation element or any boundary of the site;

(b) Adjusting the location of any open space. The size or amount of open space that was approved shall not be compromised.

(c) Adjusting any final grade, and

(d) Altering the types of landscaping elements and their arrangement within the required landscaping buffer area.

(2) Such minor adjustments shall be consistent with the intent and purpose of the Code and the PUD provisions Final Development Plan as approved, and shall be the minimum necessary to overcome the particular difficulty and shall not be approved if such adjustments would result in a violation of any standard or requirement of this Code.

(3) Any adjustment to the ~~approved Final~~ Development Plan that would alter or expand the intent of the provisions in the approved PUD and is not authorized by this Section, shall be considered to be a major adjustment. The Planning Commission following notice to at least all adjoining property owners, may approve an application for a major adjustment of the ~~Final~~ Development Plan, not requiring a modification of written conditions of approval or recorded easements, upon finding that any changes in the plan as approved will be in substantial conformity with the provisions of the approved PUD final Development Plan. If the Planning Commission determines that a major adjustment is not in substantial conformity with the provisions of the PUD Final Development Plan as approved, then the Planning Commission shall review the request in accordance with the procedures set forth in Section 12.4.

AGENDA ITEM #2

Amendment to the Grantsville Land Use
and Management Code - Chapter 16,
Table 16.1



Planning and Zoning

336 W. Main Street • Grantsville, UT 84029

Phone: (435) 884-1674 • Fax: (435) 884-0426

Code Amendment

Amendment to the Grantsville Land Use and Management Code - Chapter 16, Table 16.1

Summary and Recommendation

Parcel ID:	N/A	Meeting Date:	Jan. 04, 2024
Property Address:	N/A	Current Zone/Proposed Zone	N/A
Applicant Name:	Grantsville City Community and Economic Development		
Request:	Cavett Eaton / Mayor Critchlow		
Prepared by:	Cavett Eaton		

PROPOSAL DESCRIPTION

Several commercial businesses have been in violation of our City Code regarding Storage of Flammable Liquids and Gas. This action would correct that violation and provide a CUP to the affected vendors without disrupting their business. There will be a Public Hearing and 10 Day noticing scheduled for this item in the next Planning Commission Meeting.

The Staff's recommendation is to add a Conditional option to Commercial Zones C-S, C-G, and M-D to allow the Distribution & Storage of Flammable Liquids or Gases, Heating Fuel in those zones with a Conditional Use Permit.

Currently this is allowed only in the M-G Zoning District in Grantsville city limits.

SITE & VICINITY DESCRIPTION

Grantsville Land Use and Management Code - Chapter 16, Table 16.1

MANUFACTURING	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	-	-	-	-	-	P	-
Explosive Manufacturing and Storage	-	-	-	-	-	C	-
Flammable Liquids or Gases, Heating Fuel Distribution & Storage	-	C	C	-	C	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	-

Commercial Vendors of Flammable Liquids and Gas include South Fork Hardware, 54 West Main Street, and Ross Automotive, 6 E Main St.

MANUFACTURING	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	-	-	-	-	-	P	-
Explosive Manufacturing and Storage						C	-
Flammable Liquids or Gases, Heating Fuel Distribution & Storage	-	C	C	-	C	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	-

AGENDA ITEM #3

Amendment to the Grantsville Land Use
and Management Code - Chapter 21
Subdivisions

Chapter 21 Subdivisions

Proposed Amendments

January 9, 2024

Proposed Revisions

~~Proposed Deletions~~

Comments or ongoing staff discussion.

The changes in Chapter 21 are proposed to comply with the updated state land use code. The amendment has been revised per Discussion with City Council on January 3, 2024 and the Planning Commission approval on January 4, 2023.

The changes in Chapter 21 to comply with the updated state land use code have necessitated the creation of a new definition that will be included in Chapter 2 Definitions. This amendment to Chapter 2 will be included on the next agenda and public hearing. The proposed definition:

Single use residential development: A development that contains only single family dwellings, two family dwellings or townhomes which are subject to the processes prescribed in Utah Code Ann. §10-9a-604.1 (2023) and 10-9a-604.2 (2023)

The definitions in 21.1.9 will also be moved into Chapter 2 at this time.

21.1 General Provisions

21.1.1 Short Title

This Chapter shall be known and may be cited as the Grantsville City Subdivision Ordinance.

21.1.2 Purpose

(1) This Chapter is established to promote the health, safety and welfare of residents of Grantsville City and to provide for the orderly subdivision of land located within Grantsville City, Utah.

(2) The purpose of the Subdivision Ordinance is to provide policies, standards, requirements, and procedures to regulate and control the design and improvement of all subdivisions; ensure that all proposed subdivisions are consistent with the General Plan and applicable specific plans; and to ensure that land is subdivided in a manner that will promote public health, safety, convenience, general welfare and the physical, social and economic development of the area.

(3) It is the purpose and intent of Grantsville City to preserve open space within residential developments; provide flexibility to allow for creativity in developments; minimize the environmental and visual impacts of new development on critical natural resources and historically and culturally significant sites and structures; provide an interconnected network of permanent open space; encourage a more efficient form of development that consumes less open land and conforms to existing topography and natural features; reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation; enhance the community character; permit clustering of houses and structures which will reduce the amount of infrastructure, including paved surfaces and utility lines; encourage street design that controls traffic speeds and creates street inter-connectivity; and promote construction of convenient and accessible walking trails and bike paths both within a subdivision and connected to neighboring communities, businesses and facilities to reduce reliance on automobiles.

21.1.3 Authority

DRAFT January 9, 2024

This Chapter is enacted and authorized under the provisions of Utah Code Ann. §10-9a, et seq. Utah Code Annotated, 1953, as amended.

21.1.4 Definitions And Applicability

For the purposes of this Chapter all terms shall have the same definition as provided by Utah Code Ann. §10-9a-103, (2018).

21.1.5 Jurisdictions And Penalties

(1)

(a) An owner of any land located in a subdivision who transfers or sells any land in that subdivision before a plat of the subdivision has been approved and recorded violates this chapter for each lot or parcel transferred or sold.

(b) The description by metes and bounds in an instrument of transfer or other documents used in the process of selling or transferring does not exempt the transaction from being a violation of Subsection (1)(a) or from the penalties or remedies provided in this chapter.

(c) Notwithstanding any other provision of this chapter, the recording of an instrument of transfer or other document used in the process of selling or transferring real property that violates this part:

(i) does not affect the validity of the instrument or other document; and

(ii) does not affect whether the property that is the subject of the instrument or other document complies with applicable city ordinances on land use and development.

(2)

(a) The city may bring an action against an owner to require the property to conform to the provisions of this chapter.

(b) An action under this Subsection (2) may include an injunction, abatement, merger of title, or any other appropriate action or proceeding to prevent, enjoin, or abate the violation.

(c) The city need only establish the violation to obtain the injunction. (Utah Code Ann. §10-9a-611 (2016))

21.1.6 Creation Of Substandard Lots Prohibited

No lot shall be created that does not conform to the requirements of this code and the zoning district in which it is located.

21.1.7 Agricultural, Industrial, And Mining Protection Areas

(1) For any subdivision located in whole or in part within 300 feet of the boundary of an agriculture protection area, the owner of the subdivision shall provide notice on any plat filed with the county recorder the following notice:

Agriculture Protection Area This property is located in the vicinity of an established agriculture protection area in which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future be conducted on property included in the agriculture protection area. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal agricultural uses and activities. (Utah Code Ann. §17-41-403 (2009))

(2) For any subdivision located in whole or in part within 1000 feet of the boundary of an industrial protection area, the owner of the subdivision shall provide notice on any plat filed with the county recorder the following notice:

Industrial Protection Area This property is located in the vicinity of an established industrial protection area, in which normal industrial uses and activities have been afforded the highest priority use status. It can be anticipated that such industrial uses and activities may now or in the future be conducted on property included in the industrial protection area. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal industrial uses and activities. (Utah Code Ann. §17-41-403 (2009))

(3) For any subdivision located in whole or in part within 1000 feet of the boundary of a mining protection area, the owner of the subdivision shall provide notice on any plat filed with the county recorder the following notice:

Mining Protection Area This property is located in the vicinity of an established mining protection area, in which normal mining uses and activities have been afforded the highest priority use status. It can be anticipated that such industrial uses and activities may now or in the future be conducted on property included in the mining protection area. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal mining uses and activities. (Utah Code Ann. §17-41-403 (2009))

21.1.8 Notice Of Shooting Range Area

For any new subdivision development located in whole or in part within 1,000 feet of the boundary of any shooting range that was established, constructed or operated prior to the development of the subdivision, the owner of the development shall provide on any plat filed with the county recorder the following notice:

Shooting Range Area This property is located in the vicinity of an established shooting range or public shooting range. It can be anticipated that customary uses and activities at this shooting range will be conducted now and in the future. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from these uses and activities. (Utah Code Ann. §47-3-202 (4) (2013))

21.1.9 Definitions

All definitions have been moved to Chapter 2.

~~As used in this chapter:~~

~~"Culinary water authority" means the department, agency, or public entity with responsibility to review and approve the feasibility of the culinary water system and sources for the subject property.~~

~~"Lot line adjustment" means the relocation of the property boundary line in a subdivision between two adjoining lots with the consent of the owners of record.~~

~~"Person" means an individual, corporation, partnership, organization, association, trust, governmental agency, or any other legal entity.~~

~~"Plat" means a map or other graphical representation of lands being laid out and prepared in accordance with Utah Code Ann. Section §10-9a-603 (2017), §17-23-17 (2016), or §57-8-13 (2003).~~

~~"Record of survey map" means a map of a survey of land prepared in accordance with Utah Code Ann. Section §17-23-17 (2016).~~

~~"Sanitary sewer authority" means the department, agency, or public entity with responsibility to review and approve the feasibility of sanitary sewer services or onsite wastewater systems.~~

~~"Special district" means an entity established under the authority of Title 17A, Special Districts, and any other governmental or quasi-governmental entity that is not a county, municipality, school district, or unit of the state.~~

~~"Specified public utility" means an electrical corporation, gas corporation, telephone corporation, franchise or other quasi-public utility as those terms are defined in Utah Code Ann. Section §54-2-1 (2016).~~

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

~~"Subdivision" means any land that is divided, resubdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.~~

~~"Subdivision" includes:~~

DRAFT January 9, 2024

~~(1) the division or development of land whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument; and~~

~~(2) except as provided for in the following Subsection regarding the division or partition of agricultural land, divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.~~

~~"Subdivision" does not include:~~

~~(1) a bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance;~~

~~(2) a recorded agreement between owners of adjoining unsubdivided properties adjusting their mutual boundary if:~~

~~(a) no new lot is created; and~~

~~(b) the adjustment does not violate applicable land use ordinances; or~~

~~(3) a recorded document, executed by the owner of record:~~

~~(a) revising the legal description of more than one contiguous unsubdivided parcel of property into one legal description encompassing all such parcels of property; or~~

~~(b) joining a subdivided parcel of property to another parcel of property that has not been subdivided, if the joinder does not violate applicable land use ordinances.~~

~~(4) The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a subdivision under this Subsection as to the unsubdivided parcel of property or subject the unsubdivided parcel to the municipality's subdivision ordinance.~~

~~"Unincorporated" means the area outside of the incorporated area of Grantsville City.~~

~~"Zoning Map" means a map, adopted as part of a land use ordinance, that depicts land use zones, overlays, or districts.~~

21.1.10 Plats Required

(1) Unless exempt, under Utah Code Ann. Section §10-9a-605 (2010 2020) or not included in the definition of a subdivision, whenever any lands are divided, the owner of those lands shall have an accurate plat made of them that sets forth and describes:

(a) all the parcels of ground divided, by their boundaries, course, and extent, and whether they are intended for streets or other public uses, together with any areas that are reserved for public purposes; and

(b) the lot or unit reference, the block or building reference, the road or site address, the road name or coordinate address, the acreage or square footage for all parcels, units, or lots, and the length and width of the blocks and lots intended for sale.

(2)

(a) The owner of the land shall acknowledge the plat before an officer authorized by law to take the acknowledgment of conveyances of real estate.

(b) The surveyor making the plat shall certify it.

(c) The ~~planning commission~~ City shall approve the plat as provided in this code. Before final approval of a plat, the owner of the land shall provide the ~~planning commission~~ City with a tax clearance indicating that all taxes, interest, and penalties owing on the land have been paid.

(3) After the plat has been acknowledged, certified, and approved, the plat shall be kept by the City until the owner of the land shall file and record it in the county recorder's office. (Utah Code Ann. §10-9a-603 (2017 2022))

DRAFT January 9, 2024

21.1.11 Agricultural Exemptions From Plat Requirements

(1) A lot or parcel resulting from a division of agricultural land is exempt from the plat requirements of this code if the lot or parcel:

- (a) qualifies as land in agricultural use under Utah Code Ann. §59-2-5 (1987 – 2017), Farmland Assessment Act;
- (b) meets the minimum size requirement of applicable land use ordinances; and
- (c) is not used and will not be used for any nonagricultural purpose.

(2) The boundaries of each lot or parcel exempted under Subsection (1) shall be graphically illustrated on a record of survey map that, after receiving the same approvals as are required for a plat under this code, shall be recorded with the county recorder.

(3) If a lot or parcel exempted under Subsection (1) is used for a nonagricultural purpose, the lot or parcel shall comply with the requirements of the subdivision plat provisions of this code. (Utah Code Ann. §10-9a-603 (~~2017~~ 2022))

(4) A plat is not required for a recorded agreement between owners of adjoining subdivided properties adjusting their mutual boundary if no new dwelling lot or housing unit will result from the adjustment and the adjustment will not violate any applicable land use regulation. (Utah Code Ann. §10-9a-602 (~~2005~~ 2019))

21.1.12 Open Space Applicability Of Regulations

(1) In recognition that the residents of Grantsville highly value the open tracts of land that currently are characterized with recreational uses, agricultural uses, minimal development or remain in a natural state, Grantsville City desires to protect and preserve these characteristics while allowing for continued growth and improvement of the community by requiring each proposed development to consider and maintain some form of open space as described in the following regulations.

(2) All undeveloped parcels that come before the City as a **residential** subdivision of land **greater than four total lots** shall comply with the open space regulations found in this chapter. All development shall be in compliance with all applicable Grantsville City ordinances, regulations, or resolutions and when in conflict, the provisions of this chapter shall prevail.

21.1.13 Site Analysis Map

(1) Concurrent with the submission of a preliminary plat, or site plan, the applicant shall prepare and submit a site analysis map. The purpose of the site analysis map is to ensure that the important site features have been adequately identified prior to the creation of the site design, and that the proposed open space will meet the requirements of this chapter.

(2) The site analysis map shall include:

- (a) Location of natural drainages depicting flowline and top edge of channel; and
- (b) Springs, ponds, riparian zones, marsh and wetlands boundaries; and
- (c) Active agricultural, pasture areas; and
- (d) Rock outcroppings and slopes greater than 30%; and
- (e) Known archeological or historical resources; and
- (f) Wooded areas; and
- (g) Existing walking, equestrian, off-highway vehicle or bicycle trails; and
- (h) Existing streets, structures and utility infrastructure.

(i) Other unique site features that may hold value if incorporated in open space areas.

21.1.14 Use Of Open Space

(1) Open space is the portion of a subdivision or site that has been set aside for permanent protection. Activities within the open space shall be restricted in perpetuity through the use of an approved legal instrument.

(2) Open space areas shall be protected in perpetuity from further development or unauthorized use by permanent restrictive covenant. Grantsville City reserves the right to enforce all restrictive covenants and conservation easements per Utah Code Ann. §57-18-6 (1985). Uses of open space may include the following:

(a) conservation of natural, archeological or historical resources;

(b) meadows, woodlands, wetlands, riparian zones, raptor nesting sites, wildlife corridors, game preserves, habitat for endangered or threatened species, critical wildlife habitat as identified by the State of Utah, Division of Wildlife Resources, or similar conservation-oriented areas;

(c) cemeteries, archaeological sites and burial grounds and other historic and/or archaeological sites as identified by the Grantsville City Historical Preservation Committee and Utah Division of State History, Utah State Historical Society;

(d) walking, equestrian, off-highway vehicle or bicycle trails;

(e) passive recreation areas, public and private, including pedestrian, bicycle and equestrian trails, picnic areas, community commons or greens, and similar areas;

(f) active recreation areas, public and private, to include parks, playing fields, and playgrounds, but recreation areas with impervious surfaces greater than 15% of the total open space such as streets and parking lots shall be excluded;

(g) agriculture, horticulture, silviculture or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts;

(h) problematic soils and the 100-year floodplain as identified by (FEMA Flood Map);

(i) existing slopes greater than 30% on average with a site area greater than 5,000 square feet identified as part of a site analysis conducted by a registered engineer, land surveyor or landscape architect and calculated using topographic maps;

(j) other conservation-oriented uses compatible with the purposes of this chapter.

(3) As open space contributes to the overall character of the community, three underlying principles shall guide the siting and use of open space areas:

(a) Open space shall be accessible to the public where practicable. Open space shall be accessible internally, connected to public streets and trails, and generally available for public use and enjoyment with the understanding that some uses may necessitate limited public access such as but not limited to: active agricultural uses, historic structures, and equestrian facilities.

(b) Open space shall be visible. Open space shall be located and configured so that a portion of the open space bounds or intersects with public right-of-way or other publicly accessed parcels.

(c) Open space shall preserve the community's character. Open space shall preserve existing features in the community and/or create new amenities that are in harmony with the existing characteristics of the overall community.

HISTORY

Amended by Ord. 2021-09 on 4/28/2021

21.1.15 Open Space Requirements

DRAFT January 9, 2024

(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 ~~five~~ ~~ten~~-acre public park the City Council at its discretion may, by finding of a beneficial public purpose, choose to accept the dedication of such parcels and improvements.

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

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

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

(5) For developments which are not Planned Unit Developments and the total aggregated development acreage is less than 20 acres, in lieu of, or in a proportional combination with, the provision of 10% of the total parcel acreage as open space, the developer may, through agreement with the Planning Commission and City Council apply 10% of the predeveloped value of the total parcel acreage, as determined through an ~~an~~ current owner provided appraisal by a certified real estate appraiser, to purchase another parcel that would be designated as park or open space, construct amenities in existing public parks and open space located within ½ mile of the proposed development, and extend off site trails from the proposed development with sidewalk and trail connections between both parcels to benefit the residents of the development.

(6) Land dedicated for use as a public park shall be no smaller than ~~five~~ ~~ten~~ acres and shall 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 21.1.15.6

HISTORY

Amended by Ord. 2019-18 on 8/7/2019

21.1.16 Open Space Networks Configuration

The minimum standards for open space networks are as follows:

(1) The minimum width of any open space area is 25 feet.

(2) All paths shall be a minimum of 20 feet from any property line except where interparcel access may be provided.

DRAFT January 9, 2024

(3) All open space networks shall provide connectivity to any common areas within the development and to any adjacent public places and rights-of-way.

(4) Paths located in primary conservation areas shall be constructed of pervious materials.

(5) Where path networks cross internal subdivision streets or public streets, access points shall be directly across from each other or as approved by the city engineer.

(6) Crossings and access points shall be clearly identified to pedestrians and motorists and may include traffic control devices, bridges and tunnels as approved by the city engineer.

21.1.17 Open Space And Conservation Areas

21.1.17 was removed with the adoption of Ordinance 2018-16.

21.1.18 Primary Conservation Areas

21.1.18 was removed with the adoption of Ordinance 2018-16.

21.1.19 Value Of Primary Conservation Areas

21.1.19 was removed with the adoption of Ordinance 2018-16.

21.1.20 Secondary Conservation Areas

21.1.20 was removed with the adoption of Ordinance 2018-16.

21.1.21 Ownership And Management Of Open Space

21.1.21 was removed with the adoption of Ordinance 2018-16.

21.1.22 Prohibited Uses Of Open Space

(1) Uses of open space shall not include the following:

- (a) roads
- (b) parking lots that occupy more than 15% of the open space;
- (c) dwellings;
- (d) commercial uses; or
- (e) land set aside for use that solely benefits any one person or entity.

(2) The instrument for permanent protection shall include clear restrictions on the use of the open space. These restrictions shall include all restrictions contained in this chapter, as well as any further restrictions the applicant or City chooses to place on the use of the open space.

21.1.23 Requirements Of Conservation Easements

21.1.23 was removed with the adoption of Ordinance 2018-16.

21.1.24 Notice Of Disclosure

21.1.24 was removed with the adoption of Ordinance 2018-16.

21.1.25 Conservation Subdivisions, Open Space, And Density

21.1.25 was removed with the adoption of Ordinance 2018-16.

21.2 Subdivision Application Procedure

21.2.1 Diligence

Each development shall be actively pursued to completion. Any application that exceeds the time limits stated in this chapter will be deemed null and void and all vested rights are waived by the subdivider for that development. An application shall be null and void and all vested rights waived by the subdivider for that development if they do not complete a stage or they fail to make a progress report to the planning commission within 365 days. Any extension

must be requested prior to the expiration of the original approval. Should an application become void, the applicant must reapply at the first stage for that level of development.

21.2.2 Application Procedure

- (1) Each application for a subdivision shall have all required submittals before it is accepted as a complete application. No application for the next stage of the subdivision process shall be accepted until such time as the City has approved the application for the previous stage of the development.
- (2) There shall be no presumption of approval of any aspect of the process.
- (3) No application shall be accepted for any approval stage if the time limit has expired on the previous approval stage.
- (4) ~~The planning commission may request specific information found to be incomplete in its review and table further action until the information is submitted.~~ The City may require additional information to ensure compliance with current ordinances, applicable standards and specifications, or do not contain complete information in a manner consistent with current Utah Code requirements. (Utah Code Ann. §10-9a-604.2 (2023))
- (5) A denial shall include written findings of fact and decision. Denial may be based, in addition to other reasons of good cause, upon incompatibility with the general plan, lack of a culinary water supply, insufficient fire suppression system, geological concerns, location, incompatibility with surrounding land uses, the inability of city service or utility providers to provide public services, or the adverse effect on the health, safety, and general welfare of the city and its residents.
- (6) Appeals of the decision of a planning commission on any subdivision shall be made in writing to the city council within 30 days of the decision.

21.2.3 Zoning Administrator To Determine A Complete Application

The zoning administrator shall determine if an application is complete and contains all required materials as required by this chapter.

21.2.4 Lack Of ~~Preliminary Subdivision~~ Development Application Information - A Determination Of An Incomplete Application

- (1) The lack of any information required by this chapter for a complete application, or improper information supplied by the applicant, shall be cause for the zoning administrator to find the application incomplete.
- (2) ~~A determination of an incomplete application shall prohibit the scheduling of the application on a planning commission meeting agenda. If the application lacks any required information, the zoning administrator shall notify the applicant of the material or information lacking from the application. The zoning administrator shall allow 30 days from the date of notification for the applicant to provide the materials or information required. If the application remains incomplete after 30 days the zoning administrator shall return the entire incomplete application to the applicant, accompanied by all application fees paid. The City shall not accept fees for an application until the Zoning Administrator determines the application to be complete. An application shall not move forward for review and consideration until the application is complete and all application fees have been paid.~~

21.2.5 Appeal Of Zoning Administrator's Determination Of Completeness

Any person aggrieved by a decision of the zoning administrator in a determination of a complete application may appeal the zoning administrator's decision in writing within 30 days of the zoning administrator's decision to the planning commission.

21.2.6 Concept Plan Requirements

The concept plan shall show:

- (1) the general location of the subdivision, the property boundaries and adjoining properties with ownership;
- (2) lot and road layout indicating general scaled dimensions;

DRAFT January 9, 2024

- (3) county, township, range, section, quarter section, blocks, the number of lots, principal meridian and true north;
- (4) a vicinity map showing significant natural and man-made features off site with a scale of 1 inch = 2000 feet on the site;
- (5) the acreage of the entire tract and the acreage of the portion to be developed;
- (6) the area for which approval will be requested for the first phase of development except for minor, commercial and industrial subdivisions;
- (7) an area plan showing the total area on a single sheet for subdivisions requiring more than one sheet at the required scale;
- (8) the sites, if any, for multi-family dwellings, shopping centers, community facilities, commercial, industrial, or other uses exclusive of single-family dwellings;
- (9) total development area, the number of proposed dwelling units and the amount of open space;
- (10) easements and rights-of-way;
- (11) property boundaries;
- (12) all ponds, wetlands and other hydrologic features;
- (13) topographic contours;
- (14) all primary and secondary conservation areas labeled by type, as described in sections 21.1.18 and 21.1.110 of this chapter;
- (15) general vegetation characteristics;
- (16) general soil types;
- (17) the planned location of protected open space;
- (18) existing roads and structures;
- (19) potential connections with existing greenspace and trails.
- (20) parcels of land that will have a conservation easement or are to be dedicated for schools, roads, parks, or other public purposes; and
- ~~(21) an approval signature block for the planning commission chair.~~

HISTORY

Amended by Ord. 2021-09 on 4/28/2021

21.2.7 Preliminary ~~Plat~~ Plan Requirements

The requirements for a Preliminary Plan are detailed in the Preliminary Plan Checklist that is attached to the Preliminary Plan Application that shall be provided by the City upon request. The Preliminary Plan requirements found on the checklist and subsequent amendments to the checklist have been approved by the Grantsville City Council by resolution.

~~(1) The preliminary plat shall be prepared and certification made as to its accuracy by a registered land surveyor who holds a license in accordance with Title 58, Chapter 22, Professional Engineers and Land Surveyors Licensing Act, has completed a survey of the property described on the plat in accordance with Section 17-23-17, has verified all measurements and monumented any unmarked property corners, and has made reference to the filing number for the Record of Survey map filed with the Tooele County Surveyor's Office.~~

DRAFT January 9, 2024

- ~~(2) Every detail of the plat shall be legible. A poorly drawn or illegible plat shall be cause for its denial.~~
- ~~(3) A traverse shall not have an error of closure greater than one part in 10,000.~~
- ~~(4) Each plat shall show:~~
- ~~(a) the general location of the subdivision and adjoining properties with ownership;~~
 - ~~(b) all deed lines of the subject and adjoining properties and lines of occupation such as fence lines;~~
 - ~~(c) the 100-foot radius wellhead protection zone on all existing wells within and outside of the subdivision where the protection zone falls within the boundary of the subdivision;~~
 - ~~(d) bearing and distance tie in to the historic and dependant survey with at least two established control monuments referenced to the Tooele County Control Network.~~
 - ~~(e) county, township, range, section, quarter section blocks, plats and true north shall be included on the plat;~~
 - ~~(f) graphic scale of the plat;~~
 - ~~(g) existing ground contours at 2 foot intervals based on National Geodetic Survey Sea Level Datum;~~
 - ~~(h) the name of the subdivision as approved by the county recorder;~~
 - ~~(i) An open space management plan, as described in Section 21.1.20;~~
 - ~~(j) a vicinity map showing significant natural and man-made features on the site and within one mile of the subdivision perimeter boundary with a minimum scale of 1 inch = 2000 feet;~~
 - ~~(k) total project area;~~
 - ~~(l) locations and dimensions of existing structures;~~
 - ~~(m) lot perimeter utility easements; and~~
 - ~~(n) approval signature blocks for:~~
 - ~~(A) the public works director;~~
 - ~~(B) the city engineer;~~
 - ~~(C) the city planner;~~
 - ~~(D) the county surveyor; and~~
 - ~~(E) the planning commission chair.~~
 - ~~(F) the city fire department.~~
- ~~(5) the bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line. When the plat is bounded by an irregular shore line or a body of water, the bearings and distances of a closing meander traverse should be given and a notation made that the plat includes all land to the water's edge or otherwise.~~
- ~~(6) If a plat is revised, a copy of the old plat shall be provided for comparison purposes.~~
- ~~(7) All blocks and lots within each block shall be consecutively numbered. Addresses shall be issued by the city engineer and shall be shown on the plat with the corresponding lot number.~~
- ~~(8) For all curves in the plat, sufficient data shall be given to enable the re-establishment of the curves on the ground. The curve data shall include the radius, central angle, cord bearing and distance, tangent, and arc length.~~
- ~~(9) Excepted parcels shall be marked, "Not included in this subdivision."~~

- ~~(10) All public lands shall be clearly identified.~~
- ~~(11) All public roads shall be clearly marked as “dedicated public road.”~~
- ~~(12) All private roads shall be clearly marked as “private road.”~~
- ~~(13) All roads shall be identified by names approved by Grantsville City.~~
- ~~(14) All easements shall be designated as such and dimensions given.~~
- ~~(15) All lands within the boundaries of the subdivision shall be accounted for, either as lots, open space, walkways, streets, or as excepted parcels.~~
- ~~(16) Bearings and dimensions shall be given for all lot lines and easements, except that bearings and lengths need not be given for interior lot lines where the bearings and lengths are the same as those of both end lot lines.~~
- ~~(17) Parcels not contiguous shall not be included in one plat, neither shall more than one plat be made on the same sheet. Contiguous parcels owned by different parties may be embraced in one plat, provided that all owners join in the dedication and acknowledgments.~~
- ~~(18) Lengths shall be shown to hundredths of a foot. Angles and bearings shall be shown to seconds of arc.~~
- ~~(19) Surveys shall tie into the state grid or other permanent marker established by the county surveyor and shall give a description, the name and the date on survey monuments found.~~
- ~~(20) The plat shall be labeled “Preliminary plat.”~~
- ~~(21) If the subdivision does not have a public water system connection, the amount of water allocated to each lot in acre feet.~~
- ~~(22) The surveyor shall provide remainder descriptions for all property from the original parcel or lot that is not included in the subdivision. (Ref UCA §10-9a-603)~~
- ~~(23) Title Block with the name, address and license number of the land surveyor, preparation date and revision dates.~~

21.2.8 Final Plat Infrastructure Design And Engineering Drawings Requirements

The purpose of the final plat infrastructure design and engineering drawings is to develop engineered construction drawings of infrastructure required for development of the proposed phase or site. These drawings shall be required for all subdivisions and development site approvals.

The requirements for a Final Plat Infrastructure Design and Engineering Drawings are detailed in the Final Plat Checklist that is attached to the Final Plat Application that shall be provided by the City upon request. The Final Plat Infrastructure Design and Engineering Drawings requirements found on the checklist and subsequent amendments to the checklist have been approved by the Grantsville City Council by resolution.

~~The final plat infrastructure design and engineering drawings shall include:~~

- ~~(1) Infrastructure design and engineering drawings and documents shall be submitted in the design stage, and shall include:~~
 - ~~(a) plan, profile and typical cross section drawings of the roads, bridges, culverts, sewers, and drainage structures;~~
 - ~~(b) a grading and drainage plan indicated by solid line contours superimposed on dashed line contours of existing topography;~~
 - ~~(c) the general location of trees over six inches in diameter measured at four and one half feet above the ground, and in the case of heavily wooded areas, an indication of the outline of the wooded area and location of trees which are to remain;~~

- ~~(d) the size and location of proposed sewage systems, culinary water, secondary water, storm drainage, roads, power, gas and other utilities and any man-made features and the location and size of existing sewage, culinary water, secondary water, storm drainage, roads, power, gas and other utilities to 200 feet beyond the subdivision;~~
 - ~~(e) proposed road layouts in dashed lines for any portion of the property to be developed in a later phase;~~
 - ~~(f) water courses and proposed storm water drainage systems including culverts, water areas, delineated wetlands, streams, areas subject to occasional flooding, marshy areas or swamps;~~
 - ~~(g) areas within the 100-year flood plain;~~
 - ~~(h) soil types and soil interpretations taken from the National Cooperative Soils Survey;~~
 - ~~(i) the location of all street signs and traffic control devices required by the City in accordance with the Manual of Uniform Traffic Control Devices;~~
 - ~~(j) a signature block for the city engineer on each design and construction drawing;~~
 - ~~(k) a signature block for the city public works director on each design and construction drawing;~~
 - ~~(l) geologic maps and investigation reports regarding area suitability; and~~
 - ~~(m) a design report stamped by an engineer licensed in the State of Utah as may be required by the city engineer.~~
- ~~(2) All drawings shall be drawn to a scale not less than one inch equals 100 feet, and shall indicate the basis of bearings, true north, the name of the subdivision, township, range, section, and quarter section, and lot numbers of the property.~~
 - ~~(3) Poorly drawn or illegible design and engineering drawings shall be cause for denial.~~
 - ~~(4) To change any aspect of the design of the off-site improvements, a new set of infrastructure design and engineer drawings shall be submitted for approval. A signed set of drawings shall be on-site at all times during construction. All construction must conform to the approved plans.~~

21.2.9 Final Plat Requirements

The requirements for a Final Plat are detailed in the Final Plat Checklist that is attached to the Final Plat Application that shall be provided by the City upon request. The Final Plat requirements found on the checklist and subsequent amendments to the checklist have been approved by the Grantsville City Council by resolution.

- ~~(1) The final plat shall be prepared and certification made as to its accuracy by a registered land surveyor who holds a license in accordance with Utah Code Ann. §58-22 (1994-2017), Professional Engineers and Land Surveyors Licensing Act, has completed a survey of the property described on the plat in accordance with Utah Code Ann. Section §17-23-17 (2016), has verified all measurements, and monumented any unmarked property corners, and has made reference to the filing number for the Record of Survey map filed with the Tooele County Surveyor's Office. The surveyor making the plat shall bond or provide to the city adequate security to place monuments as represented on the plat upon completion of the subdivision improvements.~~
- ~~(2) Every detail of the plat shall be legible. A poorly drawn or illegible plat shall be cause for denial.~~
- ~~(3) A traverse shall not have an error of closure greater than one part in 10,000.~~
- ~~(4) The bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line. When the plat is bounded by an irregular shore line or a body of water, the bearings and distances of a closing meander traverse should be given and a notation made that the plat includes all land to the water's edge or otherwise.~~
- ~~(5) If a plat is revised, a copy of the old plat shall be provided for comparison purposes.~~
- ~~(6) All blocks and lots within each block shall be consecutively numbered. Addresses shall be issued by the city engineer and shall be shown on the plat with the corresponding lot number.~~

DRAFT January 9, 2024

~~(7) For all curves in the plat, sufficient data shall be given to enable the re-establishment of the curves on the ground. The curve data shall include the radius, central angle, cord bearing and distance, tangent, and arc length.~~

~~(8) Excepted parcels shall be marked, "Not included in this subdivision."~~

~~(9) All public lands shall be clearly identified.~~

~~(10) All public roads shall be clearly marked as "dedicated public road."~~

~~(11) All private roads shall be clearly marked as "private road."~~

~~(12) All roads shall be identified by names approved by Grantsville City.~~

~~(13) All easements shall be designated as such and dimensions given.~~

~~(14) All lands within the boundaries of the subdivision shall be accounted for, either as lots, walkways, roads, or as excepted parcels.~~

~~(15) Bearings and dimensions shall be given for all lot lines, except that bearings and lengths need not be given for interior lot lines where the bearings and lengths are the same as those of both end lot lines.~~

~~(16) Parcels not contiguous shall not be included in one plat, neither shall more than one plat be made on the same sheet. Contiguous parcels owned by different parties may be embraced in one plat, provided that all owners join in the dedication and acknowledgments.~~

~~(17) Lengths shall be shown to hundredths of a foot. Angles and bearings shall be shown to seconds of arc.~~

~~(18) Surveys shall tie into the state grid or other permanent marker established by the county surveyor.~~

~~(19) The plat shall be labeled "Final Plat."~~

~~(20) The information on the final plat shall include:~~

~~(a) the name of the subdivision, true north arrow and basis thereof, and date;~~

~~(b) the owner's dedication which shall contain the language:~~

~~OWNERS DEDICATION AND CONSENT TO RECORD Know all men by these presents that the undersigned are the owners of the hereon described tract of land and hereby cause the same to be divided into lots and streets together with easements as set forth hereafter to be known as NAME OF SUBDIVISION The undersigned owners hereby dedicate to Grantsville City all those parts or portions of said tract of land on said plat designated hereon as streets, the same to be used as public thoroughfares forever. The undersigned owners also hereby convey to any and all public and private utility companies providing service to the hereon described tract a perpetual, non-exclusive easement over the streets and public utility easements shown on this plat, the same to be used for drainage and the installation, maintenance and operation of public utility service lines and facilities.~~

~~(c) names of the owner or owners including beneficial owners of record under the signature lines in the owner's dedication;~~

~~(d) square footage of each lot under one acre or the lot acreage if one acre or larger;~~

~~(e) township, range, section and quarter section if a portion;~~

~~(f) graphic scale;~~

~~(g) the State plane coordinates on the subdivision boundary;~~

~~(h) survey monuments which are marked with a description, the name and the date;~~

~~(i) the total water allocation in acre/feet for each lot for its allocation of water;~~

DRAFT January 9, 2024

- ~~(j) the 100-foot radius wellhead protection zone on all existing wells;~~
- ~~(k) signature blocks for:~~
 - ~~(i) any improvement, service and special districts or areas where any part of the platted property is located;~~
 - ~~(ii) the city engineer;~~
 - ~~(iii) the city public works director;~~
 - ~~(iv) the city attorney;~~
 - ~~(v) the county treasurer indicating at the time of signing that the property taxes due and owing have been paid in full;~~
 - ~~(vi) the recordation of the plat by the Tooele County Recorder's office with a line for the recordation number, who it is recorded for, the date, time and fee;~~
 - ~~(vii) the city fire department;~~
 - ~~(viii) the county surveyor;~~
 - ~~(ix) the city planning commission chair; and~~
 - ~~(x) the mayor with an attest from the city recorder.~~

21.2.10 Development Review Committee

- (1) Each application for a subdivision shall be reviewed by the Development Review Committee (DRC) prior to its ~~presentation to a public body~~ prior to its consideration of approval.
- (2) The purpose of the DRC is to provide an opportunity for the city staff to review the application package and provide guidance to the applicant concerning revisions to the design of the proposed development and application documents that may be required for city approval.
- (3) The members of the DRC review the application for compliance with the General Plan, current ordinances, local, state and federal regulations, applicable standards and specifications as well as ~~the requirements of~~ the impacts of the proposed action in benefit and costs to the community.
- (4) The DRC consists of the zoning administrator, city planner, city public works director, city engineer, fire marshal, a planning commission representative, and the city attorney.
- (5) The DRC review process for all single use residential development applications shall comply with current Utah Code requirements found in (Utah Code Ann. §10-9a-604.2 (2023)).
- ~~(5) 6) For single use residential development applications as defined in GLUDMC Chapter 2 Definitions, the DRC shall be given 14 days 15 business days (Preliminary) and 20 business days (Final) to review the application package to a development review conference with and submit review comments to the applicant. For all other development applications, the DRC shall be given 20 business days (Preliminary) and 20 business days (Final) to review the application package and submit review comments to the applicant. After receiving the review comments and the applicant may request a A Development Review Conference will be held with the applicant and with members of the DRC to discuss review comments and answer applicant questions within 21 days of the submission of the application.~~
- ~~(6) 7) Upon submittal of revised drawings and documents as requested by the DRC, the review process outlined in paragraph (6) may occur up to three additional times, only as necessary, before moving forward for consideration. revised application package shall be distributed to the DRC members for their review. Within 14 days of the second submittal, the DRC will meet to discuss and verify that all changes were made. If additional revisions are needed or the submitted items are incorrect or incomplete an additional design review conference may be held with the applicant and DRC. All revised drawing submitted require a 14 day review by the DRC.~~
- (7) Only complete applications with the approval of the DRC will move forward for consideration ~~by planning commission and city council.~~

DRAFT January 9, 2024

HISTORY

Amended by Ord. 2021-09 on 4/28/2021

21.2.11 Determination of Appropriate Process

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

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

- (a) Level 1 Single Lot Development: The purpose of this process is to convert an undeveloped parcel into a legal zoning lot. The applicant shall submit an application meeting the requirements for the Single Lot Development as described in Chapter 24 of the Grantsville Land Use Development and Management Code. The City staff is authorized by the City Council to approve the application.

- (b) Level 2 Minor Subdivision: The purpose of this process is to divide property into up to 4 lots with all lots fronting an existing street containing the necessary utilities to serve the proposed lots. By utilizing this process, the applicant agrees to make the required improvements to bring the street frontage up to code and is not asking for any waivers or exceptions.
 1. The applicant will not be required to complete improvements that are greater than the greatest level of improvements found on an adjacent parcel or lot unless:
 - a. there is a compelling reason affecting the Health, Safety or Welfare of the public, or
 - b. an adjacent property is currently in an application process which will increase the level of improvement to the street, or
 - c. the City has a current project that is increasing the level of improvement to the street.
 2. Level 2 Minor Subdivisions shall not be required to provide open space or fee in lieu for open space but shall be assessed the applicable park impact fee with each building permit.
 3. The Application for a Level 2 Minor Subdivision shall include the information and documents found on the Minor Subdivision Checklist that is attached to the Minor Subdivision Application that shall be provided by the City upon request. The Minor Subdivision requirements found on the Minor Subdivision Checklist and subsequent amendments to the checklist have been approved by the Grantsville City Council by resolution.
 4. If no street improvements are required beyond additional utility service laterals, the only engineered drawings required will be:
 - a. A record of survey, and
 - b. A Plat, and

DRAFT January 9, 2024

- c. A site drawing showing the proposed locations of proposed utility service laterals and any required surface improvements, with finish grade elevations as appropriate and specifically referencing each of the appropriate City standard details that are necessary for the work.

- 5. If upon review the city staff finds;
 - a. That application to be complete, and
 - b. Meets the intent of the General Plan, and
 - c. Fully complies with the City zoning and land use ordinances, and
 - d. The existing public infrastructure along with the proposed improvements are adequate to serve the project and protect the health, safety and welfare of the public.

Then, the city staff is authorized by the City Council to approve the application.

- 6. If the application is found deficient in meeting the requirements in clause 5 (a-d) the City staff shall inform the applicant of the discrepancies and allow the applicant to choose to modify the application to bring the application into compliance or to withdraw the application and submit a new application under the applicable level of process.
- 7. If the applicant chooses to withdraw the application due to an incorrect fit with the requirements of the Level 2 Minor Subdivision and submit a new application under the appropriate process level, the fees paid for the original application shall be credited toward the new application fees.
- 8. The Level 2 Minor Subdivision process may only be used once to divide a parcel. Subsequent applications to divide the property shall utilize the Level 3 or Level 4 process. If the lot to be divided is part of a platted subdivision the subdivision amendment process found in Section 21.8 of this Chapter is the appropriate application.
- 9. The Minor Subdivision property owner may construct the required utility service connections with each building permit unless the required improvements include extension of pavement, curb and gutter and/or sidewalk along the frontage of the properties. Where surface improvements are required and in order to keep the surface improvements consistent, all improvements to the property frontages of each lot shall be completed by the property owners under the first building permit issued for any lot in the Minor Subdivision.
- c. Level 3 Subdivision 4 lots or less: The purpose of this process is to divide property into 4 lots or less where dedication of additional utilities or public improvements are required to serve the property. The applicant shall submit an application meeting the requirements for a final plat subdivision process as described in Section 21.2.8, 21.2.9 and 21.4.7 of this Chapter. A public hearing shall be held in a public Planning Commission meeting to fulfill the State requirements. Approval of the Level 3 application shall occur with Planning Commission.
 - 1. Level 3 Subdivisions of four lots or less shall not be required to provide physical open space or fee in lieu for open space but shall be assessed the applicable park impact fee with each building permit.
- d. Level 4 Subdivision Five Lots or Greater: The purpose of this process is to divide property into 5 or more lots or any division of property that requires dedication of offsite utilities or public improvements. The

DRAFT January 9, 2024

applicant shall submit an application meeting the requirements for a preliminary plan as described in Section 21.2.7 and 21.4.5 of this Chapter. Once the Preliminary Application has been approved by Planning Commission the applicant can then move forward with submittal of an application for a Final Plat process as described in Section 21.2.8, 21.2.9 and 21.4.7 of this Chapter. The Final Plat shall be approved by the Planning Commission. The Applicant may be required to submit an application for a Planned Unit Development prior to submission of a Preliminary Application if the proposed project meets any of the criteria found in Section 21.5.

- e. Level 5 Subdivision: The purpose of this process is to allow for the division of property as necessary for land uses other than those residential uses defined as single use residential development. These uses may include but are not limited to commercial, industrial, institutional, multifamily residential, residential projects with a mix of types of residential uses, and mixed use projects. The applicant shall submit an application meeting the requirements for a preliminary plan as described in Section 21.2.7 and 21.4.5 of this Chapter. Once the Preliminary Application has been approved by Staff, Planning Commission and the City Council in that order, the applicant can then move forward with submittal of an application for a final plat process as described in Section 21.2.8, 21.2.9 and 21.4.7 of this Chapter. The Final Plat shall be considered for recommendation by the Planning Commission and approved by the City Council.

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

21.3 Lot line Adjustments

21.3.3 Lot Line Adjustments

(1) The owners of record of adjacent parcels that are described by either a metes and bounds description or a recorded plat, may exchange title to portions of those parcels, if the exchange of title is approved by the Zoning Administrator in accordance with Subsection 21.3.3(2). The Zoning Administrator is designated as the land use authority for the purpose of reviewing and approving boundary line adjustments pursuant to the provisions of this subsection and Utah Code Ann. Section §10-9a-608(7) (2014).

(2) The Zoning Administrator shall approve an exchange of title under Subsection 21.3.3(1) if no new dwelling lot or housing unit will result from the exchange of title; and the exchange of title will not result in a violation of any land use ordinance.

(3) If an exchange of title is approved under Subsection 21.3.3(2):

(i) a notice of approval shall be recorded in the office of the county recorder which:

(A) is executed by each owner included in the exchange and by the Zoning Administrator;

(B) contains an acknowledgment for each party executing the notice in accordance with the provisions of Utah Code Ann. §57-2a (1988 – 2007), Recognition of Acknowledgments Act;

(C) recites the descriptions of both the original parcels and the parcels created by the exchange of title and

(D) contain a certificate of approval by the City, signed by the Zoning Administrator and attested by the City Recorder.

(ii) a conveyance of title reflecting the approved change shall be recorded in the office of the county recorder.

(iii) A notice of approval recorded under this section does not act as a conveyance of title to real property and is not required for the recording of a document purporting to convey title to real property.

HISTORY

Amended by Ord. 2021-09 on 4/28/2021

DRAFT January 9, 2024

21.4 Subdivisions

21.4.1 Application

A subdivision is a division of land into two (2) or more lots. Infrastructure and public facilities shall be dedicated as a part of the subdivision process.

HISTORY

Amended by Ord. 2021-09 on 4/28/2021

21.4.2 Approval Process

(1) A subdivision shall be processed utilizing the following in three stages as appropriate to the type of application:

(a) The ~~concept stage~~ Pre-Application Meeting is a non-mandatory stage in which the developer may bring a development concept to the city for discussion with city staff. A developer may request to present a conceptual project to planning commission and/or city council for discussion. This stage is provided solely for the benefit of the developer and any discussion is non-binding;

(b) the preliminary plat includes but may not be limited to; submittal of a complete Preliminary Plat application to the city containing the required documents detailed in section 21.2.7 and 21.4.5 of this Chapter, review of the application by the DRC as detailed in section 21.2.10 of this Chapter, after which the application will be placed on the planning commission public meeting agenda for a public hearing, discussion and consideration of approval if the application is a Level 3 or Level 4 action or for planning commission recommendation to city council if the application is for a Level 5 action. ~~The Upon recommendation by~~ planning commission, ~~recommendation of the approved a Level 5~~ preliminary plat application shall then be placed before city council in a public meeting for their consideration.

(c) the Level 4 and Level 5 final plat, infrastructure and design drawings, includes but may not be limited to; submittal of a complete Final Plat application to the city containing the required documents detailed in section 21.2.8, 21.2.9 and 21.4.7 of this Chapter, review of the application by the DRC as detailed in section 21.2.10 of this Chapter, which will be placed on the ~~planning commission public meeting agenda where it shall make a recommendation to the city council-~~ planning commission public meeting for consideration.

(d) The ~~city council-~~ planning commission shall review the Level 4 final plat, infrastructure and design drawings, at a public meeting where it ~~can~~ may approve or deny the plat and design drawings. If approved, the final plat shall be recorded within 365 days or it shall be void.

(e) The planning commission shall review the Level 5 final plat, infrastructure and design drawings, at a public meeting where it may recommend approval or deny the plat and design drawings. If the planning commission recommends approval the application shall move on to city council for consideration. If approved, the final plat shall be recorded within 365 days or it shall be void.

~~(e f) A Level 3 subdivision containing four (4) lots or less, and requiring no dedication of right-of-way or improvements other than water and sewer laterals, or a subdivision of ten (10) lots or less fronting an existing fully improved street and requiring no dedication of right-of-way improvements other than water and sewer laterals? may be allowed to combine the Preliminary and Final approval process.~~

includes but may not be limited to; submittal of a complete Level 3 Subdivision (Final Plat) application to the city containing the required documents detailed in section 21.2.8, 21.2.9 and 21.4.7 of this Chapter, review of the application by the DRC as detailed in section 21.2.10 of this Chapter, after which the application will be placed on the planning commission public meeting agenda for a public hearing, discussion and consideration of approval.

Amended 04-08, 06-09 Ordinance No. 2009-16

DRAFT January 9, 2024

HISTORY

Amended by Ord. 2021-09 on 4/28/2021

21.4.3 Phase Development

(1) The final platting of subdivisions containing more than fifty (50) lots shall be done in phases, except as provided in Subsection (3). Development shall be performed so that the phases will be contiguous, and the required improvements will be continuous.

(2) When off-site improvements are complete and approved by the city engineer, and the lots are 70 percent sold, the sub-divider may submit the next phase for final plat approval.

(3) The City may accept phases including more than fifty (50) lots, up to ten (10) lots greater per phase when the overall lot count of the subdivision contains fifteen or fewer lots beyond a number of lots divisible by fifty (50), or where street or utility improvements must extend past five or fewer additional lots to connect onto existing improvements. The City reserves the right to consider other situations that might provide a public benefit and still allow for the completion of infrastructure and sale of 70% of the subdivided lots within the two-year expiration period. Any agreements between the City and Developer concerning phasing that allow greater than fifty (50) lots per phase shall be included in the Development Agreement detailing the number of lots per each phase and a brief statement justifying the need for the additional lots in phases.

(4) Where it is prudent to engineer road or utility lines that extend into the next phase, such work may be done if shown in the prior phase.

HISTORY

Amended by Ord. 2019-22 on 10/2/2019

Amended by Ord. 2021-09 on 4/28/2021

21.4.4 ~~Concept Plan~~ Pre-Application Meeting

As the ~~concept plan~~ Pre-Application Meeting is not mandatory and the resulting discussion with city staff, planning commission and/or city council is advisory in nature and non-binding, there are no submission requirements. However, it is recommended that the information suggested in Section 21.2.6 of this Chapter be provided to the city ~~one-week~~ 15 business days prior to the developer's appointment to meet with city staff providing an opportunity for staff review. Additional information may be requested by staff in order to answer the developer's questions or to facilitate a discussion with planning commission and/or city council if requested by the developer.

21.4.5 Preliminary Plat And Infrastructure Design Application

(1) The requirements for a Preliminary Plat and Infrastructure Design Application are detailed in the Preliminary Plat Checklist that is attached to the Preliminary Plat Application that shall be provided by the City upon request. The Preliminary Plat requirements found on the checklist and subsequent amendments to the checklist have been approved by the Grantsville City Council by resolution.

~~(1) The application for preliminary plat approval of a major subdivision shall be submitted to the zoning administrator. A preliminary plan application shall include:~~

~~(a) the application form;~~

~~(b) two 24" X 36" prints and a .PDF file of the Preliminary Plat Drawings as detailed in Section 21.2.7; and~~

~~(c) a CAD file of the Preliminary Plat site plan including but not limited to parcel boundaries, street right of way, proposed lot lines, proposed parks, trails, open space, location of natural features to be preserved, drainage corridors and basin locations; and~~

~~(d) an 11" X 17" copy of the preliminary plan in each of the following circumstances (delivered directly to the applicable entities):~~

DRAFT January 9, 2024

- ~~(i) when a proposed subdivision lies wholly or partially within one mile of the corporate limits of Grantsville City, where notice will be given to Tooele County;~~
 - ~~(ii) for each servicing utility; and~~
 - ~~(iii) for the Utah State Department of Transportation if the property being subdivided abuts a state highway.~~
 - ~~(e) proof of ownership demonstrated by two copies of a title report and vesting documents of conveyance completed within the previous six months;~~
 - ~~(f) utility approval forms;~~
 - ~~(g) the proposed source and amounts of water for all lots;~~
 - ~~(h) names and addresses of the owners of all properties within 300 feet of the proposed subdivision's boundaries;~~
 - ~~(i) approval of the subdivision name from the recorder's office;~~
 - ~~(j) a plat map for the recorder's officer showing the property and all adjoining properties around it;~~
 - ~~(k) if the applicant is not the owner of record, a notarized statement that the applicant has been authorized by the owner to make application;~~
 - ~~(l) a letter from the local fire department acknowledging it can and will provide fire protection to the subdivision;~~
 - ~~(m) site analysis map as specified in Section 21.1.13; and~~
 - ~~(n) geologic technical maps and investigation reports;~~
 - ~~(o) if the development is not being connected to the city culinary water or sewer system, a letter showing a completed Tooele County Health Department Subdivision Feasibility Study deeming the project feasible;~~
 - ~~(p) a traffic study is required for all major subdivisions and commercial projects and shall be completed by a licensed engineer. A traffic study shall include trip generation, trip distribution on connecting streets and roadway capacity. Subdivisions and commercial projects with over 100 peak hour trips shall complete a traffic impact study in accordance with Institute of Transportation Engineers recommended standards;~~
 - ~~(q) A copy of the State Highway Access permit or railroad crossing permit when a new street will connect to a State highway or will cross a railroad, along with any design requirements as established by the Utah Department of Transportation.~~
 - ~~(r) the application fee along with any unpaid fees owed to Grantsville City for development of land, code enforcement, or building permits.~~
- ~~(2) A development phasing schedule, if applicable, including the sequence for each phase, approximate size in area of each phase, and proposed phasing of construction of all private and public improvements.~~
- ~~(3 2) Within 21 days after the applicant or authorized representative submits an application that has been determined by the zoning administrator to be complete per section 21.2.2, 21.2.3 and 21.2.4 of this Chapter, and all required fees have been paid by the applicant, a DRC review will commence following the requirements found in section 21.2.10 of this Chapter. Once the Applicant has received the review comments a, development review conference shall may be scheduled at the request of the applicant with the applicant, and members of the DRC. Representatives of affected entities such as; county health department, county recorder, and any other private or public body that has jurisdiction or an interest in providing public or utility services to the subdivision shall be allowed to review the application also be invited to attend the design review conference and provide comments within the required review period.~~
- ~~(4 3) After receiving the review comments, the development review conference, the applicant shall submit to the zoning administrator all corrected drawings, design reports and other documents requested by the DRC, meeting the requirements of Utah Code Ann. §10-9a-604.2 (2023). The review process outlined in 21.2.10 (6) of this chapter may occur up to three additional times, only as necessary, before moving forward for consideration. When the DRC~~

determines that all of the corrections have been completed and necessary documentation has been submitted, the application ~~will be placed on the planning commission public meeting agenda for public hearing, discussion and decision.~~ shall move forward for consideration by the necessary body as outlined in 21.4.2.

~~(5) Once the planning commission has made a recommendation to move the preliminary application forward, the application will be placed on the city council public meeting agenda for consideration and decision to approve or deny the application.~~

~~(6)~~ 4 The preliminary plat approval shall be valid for a period of not more than six months. The applicant or authorized representative may obtain no more than two six-month extensions by petitioning the planning commission. The planning commission may not grant any extension without substantial progress having been demonstrated by the applicant or authorized representative.

21.4.6 Utility And Agency Response

Failure of any utility or agency to respond to requested ~~approval~~ for review and comments within the review period allowed in Utah Code Ann. §10-9a-604.2 (2023) shall be deemed an approval by such agency.

21.4.7 Final Plat Stage Application

(1) Within six months of preliminary plat stage approval or within an approved six-month extension, a complete application for the final plat and engineering design stage of a major subdivision shall be submitted to the zoning administrator. A final plat application may not be submitted if a Development Agreement or Amendment to a Development Agreement is deemed necessary as part of the preliminary plat process is still under consideration.

(2) The requirements for a Final Plat Application are detailed in the Final Plat Checklist that is attached to the Final Plat Application that shall be provided by the City upon request. The Final Plat requirements found on the checklist and subsequent amendments to the checklist have been approved by the Grantsville City Council by resolution.

~~(2) The final plat and infrastructure design application shall include:~~

~~(a) the application form;~~

~~(b) two 24" X 36" prints and a .PDF file of the final plat drawings as detailed in Section 21.2.8 & 21.2.9; and~~

~~(c) a CAD file of the final plat and infrastructure design drawings; and~~

~~(d) an 11" X 17" copy of the plat drawings in each of the following circumstances (delivered directly to the applicable entities):~~

~~(i) when a proposed subdivision lies wholly or partially within one mile of the corporate limits of Grantsville City, where notice will be given to Tooele County;~~

~~(ii) for each servicing utility; and~~

~~(iii) for the Utah State Department of Transportation if the property being subdivided abuts a state highway.~~

~~(e) an original 24" X 36" Mylar of the final plat;~~

~~(f) draft agreement for subdivision improvements including a listing of all subdivision improvements and the estimated cost of each improvement;~~

~~(g) an instrument of permanent protection, such as a conservation easement as described in Section 21.1.22 for the open space;~~

~~(h) a list of off site improvements and an estimate of the cost to complete such improvements signed and stamped by a licensed engineer;~~

DRAFT January 9, 2024

~~(i) proof of ownership demonstrated by two copies of a title report and vesting documents of conveyance completed within the previous six months;~~

~~(j) engineering for the proposed water system and a calculation of all culinary and secondary water rights to be provided pursuant to Section 21.6.12(3); and~~

~~(k) a valid water conveyance of water rights pursuant to Section 21.6.12 of this Chapter to service the development and other documentation evidencing the perpetual availability of adequate non-City water for outdoor use. The developer shall also be required to pay for and submit to the city an opinion from an independent water rights attorney to be designated or approved by the City, indicating the legal status of the water rights to be conveyed, whether or not the proposed conveyance will meet the requirements of the City ordinances and that the transaction will be effective in conveying the required water and water rights to the City. The developer shall also obtain and pay for a policy of title insurance for the culinary water rights in an amount to be approved by the City and provide a valid deed or certificate to the City for all required secondary water rights. The secondary water rights shall be accompanied with a current letter from the irrigation company that issued the secondary water rights, indicating that the water rights are valid and that the conveyance to the City will be or is recognized by the irrigation company. The City will allow the culinary and secondary water rights to actually be transferred to the City after the city council has approved the final plat, but the developer shall be required to provide a copy of the proposed deeds or certificates and a commitment for the title insurance prior and letter from the irrigation company prior to final approval.~~

~~(l) the application fee along with any unpaid fees owed to Grantsville City for development of land, code enforcement, or building permits.~~

~~(m) A copy of the State Highway Access permit or railroad crossing permit when a new street will connect to a State highway or will cross a railroad, along with any design requirements as established by the Utah Department of Transportation.~~

~~(n) Copies of proposed protective covenants, trust agreement and homeowner's association articles and bylaws.~~

~~(o) Provide evidence of application for storm water discharge permit with State.~~

~~(p) Provide evidence of Record of Survey number by placing it on the first page of preliminary drawings.~~

~~(q) Evidence of application (Notice of Intent form) for a Utah Pollutant Discharge Elimination System.~~

~~(3) A tax clearance from the Tooele County Assessor indicating that all taxes, interest, and penalties owing for the property have been paid;~~

~~(4) A statement identifying the proposed method of bonding for required subdivision improvements, including street, roads, and related facilities, water distribution system, sewage collection system, flood plain protection, storm drainage facilities and such other necessary facilities as may be required by the City;~~

~~(5) 3 Within 21 days after the applicant or authorized representative submits an application that has been determined by the zoning administrator to be complete per section 21.2.2, 21.2.3 and 21.2.4 of this Chapter, and all required fees have been paid by the applicant, a DRC review will commence following the requirements found in section 21.2.10 of this Chapter. Once the Applicant has received the review comments a, development review conference shall may be scheduled at the request of the applicant with the applicant, and members of the DRC. Representatives of affected entities such as; county health department, county recorder, and any other private or public body that has jurisdiction or an interest in providing public or utility services to the subdivision shall be allowed to review the application also be invited to attend the design review conference and provide comments within the required review period.~~

~~(6) 4 After receiving the review comments, the development review conference, the applicant shall submit to the zoning administrator all corrected drawings, design reports and other documents requested by the DRC, meeting the requirements of Utah Code Ann. §10-9a-604.2 (2023). If necessary, due to changes in design or estimates being more than 6 months old a new cost estimate of off-site infrastructure improvements shall also be submitted. The review process outlined in 21.2.10 (6) of this chapter may occur up to three additional times, only as necessary, before moving forward for consideration. When the DRC determines that all of the corrections have been completed and necessary~~

documentation has been submitted, the application ~~will be placed on the planning commission public meeting agenda for public hearing, discussion and decision.~~ shall move forward for consideration by the necessary body as outlined in 21.4.2.

~~(7) Once the planning commission has made a recommendation to move the final plat application forward, the application will be placed on the city council public meeting agenda for consideration and decision to approve or deny the application.~~

~~(8) 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 approved, the plat shall be recorded within three hundred sixty-five days or it shall be void. A final plat shall not be recorded if a Development Agreement or Amendment to a Development Agreement is still under consideration. The city council ~~may~~ shall authorize the mayor and city staff to review and approve the financial guarantee, the final conveyance of water rights and the title insurance for culinary water after approval of the final plat, but prior to the final plat being recorded. (Utah Code Ann. §10-9a-103(~~2018~~ 2023), §10-9a-207 (2009), §10-9a-603(~~2017~~ 2022), §10-9a-604(~~2017~~ 2021))

21.4.8 Appeals

(1) The applicant or developer that has submitted a subdivision or development to the City under this Chapter, may appeal any decision made by the zoning administrator or planning commission regarding the proposed subdivision to the city council, whose decision shall then be final. Any such decision appealed from shall be presented to the city recorder in writing within 30 days after the entry of the decision appealed from. The city council shall consider the appeal within 60 days of receipt of the written appeal.

21.5 Planned Unit Development Subdivisions

21.5.1 Application

~~(1) A planned unit development is required for:~~

~~(a) a master planned residential community; or~~

~~(b) multiple family dwellings with or without the subdivision of land.~~

~~(2) A planned unit development shall meet the requirements of Chapter 12 and follow the procedures in Section 4 of this code.~~

~~(3) Infrastructure and public facilities shall be dedicated in a planned unit development. A planned unit development shall connect to the city's public water system which shall serve all lots being created. The water system shall provide for fire flow storage of water to supply hydrants that comply with the current state adopted fire code and NFPA guidelines for the type of occupancy and level of development.~~

~~(4) A planned unit development shall be filed on a plat drawn and stamped by a licensed surveyor and identified as such.~~

If a Planned Unit Development is required due to:

- a. zoning requirements, or
- b. proposes a mix of uses, or
- c. contains sensitive soils areas, or
- d. includes conditional uses, or
- e. includes a non-compliant use that would require approval of exceptions or variations to zoning requirements or ordinances by Planning Commission, then

a PUD application shall be submitted and approved prior to submitting a development application. PUD application requirements are found in GLUDMC Chapter 12 Planned Unit Development.

DRAFT January 9, 2024

21.6 Design Standards

21.6.1 Application

(1) “All developments shall be designed and constructed in full compliance with this Chapter and the Grantsville City Design and Construction Standards (herein after referred to as the City’s Design Standards)” ~~All subdivisions shall comply with the design standards set forth in this Chapter.~~

(2) The design and development ~~of subdivisions~~ of all developments shall preserve insofar as possible the natural terrain, natural drainage, existing topsoil, and trees.

(3) Land subject to hazardous conditions such as slides, mud flow, rock falls, snow avalanches, possible mine subsidence, shallow water table, open quarries, floods and polluted or non-potable water supply shall not be subdivided until the hazards have been eliminated or will be eliminated by the construction of the subdivision.

21.6.2 Lots

(1) No single lot shall be divided by a municipal, or county boundary line.

(2) A lot shall not be divided by a street or another lot.

~~(3) The frontage of a wedge shaped lot shall not be less than 30 feet in width.~~

(4) Side lot lines shall be at substantially right angles or radial to road lines.

(5) All lots shall front on a publicly dedicated street or private roads approved by the planning commission.

(6) Unless approved under the provisions of a planned unit development, all lots shall conform to area and dimensional minimum requirements of the existing zoning district.

(7) If the ~~subdivision~~ development is located in an area served by or to be served by ~~with~~ fire hydrants, the fire hydrants shall be installed and at operational pressure before construction on a structure proceeds beyond footings and foundation.

21.6.3 Streets

(1) Roads shall be designed in accordance with standards adopted by Grantsville City.

(2) Streets shall bear the names of existing aligned streets. There shall be no duplication of road names. All road names shall be approved by Grantsville City.

(3) The arrangement on new streets in a development shall provide for the continuation of existing streets in adjoining areas at widths as designated by the street classification as found in the Grantsville City Street Master Plan and ~~Grantsville City’s Street Technical Specifications and Standard Drawings~~ the City’s Design Standards. No ~~subdivision~~ street shall extend farther than 750 feet beyond its intersection with another street. (Amended 06/07)

(4) In addition to the City codes and standards, all ~~subdivisions~~ developments shall be designed to meet the applicable requirements in the current adopted edition of the International Fire Code.

(5) ~~Subdivisions~~ Developments proposing one- or two-family dwellings comprising of greater than thirty (30) lots shall have at least two (2) access points to existing through streets outside of the proposed ~~subdivision~~ Development. Streets within the proposed ~~subdivision~~ development shall be interconnected to the greatest extent possible. ~~Subdivisions~~ Developments utilizing multi-family dwelling units, commercial, or industrial areas shall meet the more stringent requirements of the current adopted edition of the International Fire Code or applicable City ordinances and standards.

(6) The design of the road system shall provide for continuous circulation throughout the project. Cul-de-sacs and temporary dead end roads stubbed for future development must have approval by the Planning Commission and are

only allowed where unusual conditions exist which cause interconnectivity of streets to be infeasible due to public safety, physical circumstance or ability to meet design standards.

(7) The maximum length of a cul-de-sac shall be 750 feet, as measured from the center line of the adjoining street to the center point of the turnaround, with no more than sixteen (16) single family dwelling units, or twenty four (24) multi-family dwelling units accessing the cul-de-sac.

(8) Each cul-de-sac shall be terminated with a turnaround or loop road of not less than 120' feet in diameter at the property line with minimum drivable surface (includes travel surface and gutter pans) of 96' feet in diameter. The City Engineer may require an increased diameter if design conditions necessitate increased diameter in order for large vehicles and emergency equipment to negotiate the turnaround or to meet the street design conditions such as park strip width and sidewalk width or additional widths due to center islands. In no case shall an exception be granted for a turnaround smaller than 120' foot minimum diameter.

(9) The design of streets in commercial and industrial zoning districts shall be determined by the ~~City Engineer~~ Developer using the Institute of Transportation Engineers' Trip Generation, current edition for road load and design for the transportation system.

(10) Pedestrian access: All cul-de-sacs shall provide pedestrian connectivity to open space areas, public facilities, trails, or adjacent subdivisions.

(11) ~~The subdivider shall bear the cost of all road and public safety signs which shall be erected by the city public works. The Developer shall furnish and install all road and public safety signs.~~

(12) Temporary road signs shall be installed by the developer with the road names approved on the plat.

(13) Temporary road signs shall be maintained by the developer until permanent road signs are installed ~~by Grantsville City when the infrastructure is inspected and accepted.~~

~~(14) The arrangement of streets in a new subdivision or development shall provide for the continuation of existing streets in adjoining areas at widths designated by the street classification found in the Grantsville Streets Master Plan and the City's design standards.~~

(15) Streets adjacent to a new subdivision or development shall be fully improved on the side of the street fronting the subdivision with a minimum paved travel surface width of 26 feet or half the pavement width per the street's classification, whichever is greater. All associated improvements such as sidewalk, curb, gutter, shoulders, ditches, and/or side slopes so as to assure proper drainage, bank stability, and traffic safety shall be construed to ~~city standards~~ City's Design Standards on the side of the street fronting the ~~subdivision~~ development. The non-property line edge of street shall have installed a temporary ribbon-curb.

(16) No development shall be approved unless streets and associated infrastructure leading to the subdivision provide an adequate level of service for existing users while accommodating the new development. The developer shall be responsible to mitigate off site impacts. The traffic impact study shall be considered in the determination of any off site impact mitigation requirements. The level of mitigation of off-site impacts shall be determined by the planning commission upon recommendation by the city engineer in conformance with the City's general plan including associated plans and studies, adopted ordinances, specifications, standards, and considerations of public health and safety.

(17) All associated improvements such as sidewalk, curb, gutter, or alternate drainage shall also be constructed to ~~the city standards~~ for a "Public Road, Standard Street Section" as specified in Grantsville City's ~~Technical Specifications and Standard Drawings~~ Design Standards, ~~unless waived by the city council.~~

(18) No building permit shall be issued until such time as all of the required improvements and the installation of utilities have been completed or until a financial assurance has been filed with the City that complies with the requirements of Chapter 21, Section 7 of this Code. The City Council ~~may also~~ shall require that the subdivision improvements be guaranteed for two year after their installation, in a manner consistent with guarantees required for a standard subdivision.

(19) Commercial developments having thirty (30) or more separate commercial lots or proposed businesses shall be required to provide for more than one means of vehicular ingress and egress to the development. The timing of the installation of the alternate means of ingress and egress shall be determined by the City Council, after a recommendation from the Planning Commission.

(20) Improvement of Existing Boundary Streets: Existing streets fronting or bounding the development shall be improved to meet the classification and construction standards specified by the City for the street. These requirements shall include:

(a) Dedication of ~~additional~~ right-of-way width to meet the ~~greater of the half of the minimum~~ width (26 foot minimum pavement width) required for the particular street classification, per City Street Master Plan, as measured from the centerline of the existing street right-of-way.

(b) Developer shall provide as part of preliminary plat application a survey of existing street improvements on existing street rights-of-way or the minimum width required to provide a 26' foot minimum pavement width meeting the International Fire Code access requirements bounding the proposed subdivision development and an assessment by a licensed Geotech assessing the condition of the existing concrete and bituminous pavement, base and subgrade materials and certifying whether or not the existing right-of-way improvements meet ~~Grantsville City's current development and construction standards~~ the City's Design Standards. The survey shall include topography, location and elevations of street crowns, edge of pavement, curb and gutter, sidewalk, utility boxes, manholes and any other permanent objects within the street right-of-way or adjacent to the street right-of-way that may be associated ~~to~~ with the existing improvements or have bearing on potential future improvements associated with the proposed subdivision development.

(c) In cases where the existing street improvements do not meet ~~current city improvement standards~~ the City's Design Standards, deficiencies shall be corrected to meet ~~current standards~~ the City's Design Standards. These corrections include any deficiencies in the right-of-way or edge of pavement beyond centerline to meet the minimum 26' foot minimum pavement width requirement ~~from the subdivision boundary to the greater of the centerline of the right of way~~. Additional repair and replacement may be required beyond the right-of-way centerline if construction of improvements for the subdivision development such as trenching for utilities serving the subdivision development or construction activities for the subdivision development have damaged existing improvements or the design of the proposed improvements requires additional reconstruction to provide smooth transitions, maintain appropriate drainage and maintain the safe operation of improvements.

(d) Improvements in the half width of the right-of-way as measured from the centerline of the existing street right-of-way shall meet the same construction finish standards required within the subdivision development. Existing pavement surfaces to remain shall be milled down and overlain with a minimum of 1-inch bituminous surface course providing a continuous surface from street centerline to edge of pavement at lip of curb or shoulder.

(e) If the existing boundary street right-of-way is not paved, improvements to bring the street in compliance with current ~~City standards~~ City Design Standards shall include a paved surface width of a minimum of 26 feet for the full length of the subdivision development boundary frontage. ~~or, in agreement with the City, full width improvements to the right of way for a distance proportional to the total length of subdivision boundary, as if partial improvement were completed.~~

(f) Residential off site parking shall include a minimum of two parking spaces per lot or unit per Utah Code Ann. §10-9a-533(c)(ii) (2021).

HISTORY

Amended by Ord. 2021-09 on 4/28/2021

21.6.4 Frontage On Arterial And Collector Streets

No residential dwelling lots shall directly access arterial or major collector streets. ~~Subdivision~~ The development design shall provide local access streets to lots along arterial and major collector streets.

21.6.5 Sidewalks, Curbs, And Gutters

(1) Sidewalks, curbs and gutters shall be provided in accordance with the requirements of the ~~zoning district or the planning commission.~~ City's Design Standards.

~~(2) Sidewalks, curbs and gutters shall be installed in accordance with standards adopted by Grantsville City.~~

~~(3) The City Engineer may also require a drainage plan and the installation of related flood control improvements and other city or private utilities as may be necessary.~~

HISTORY

Amended by Ord. 2021-09 on 4/28/2021

21.6.6 Blocks

Block lengths shall be approved by the planning commission. They shall provide for convenient access and circulation for emergency vehicles.

21.6.7 Monuments

(1) Permanent reference monuments shall be installed in accordance with standards adopted by Grantsville City. They shall be set on the external boundary of the ~~subdivision~~ development, at all road centerline intersections and all beginning and end points of curves, to provide line of sight control for re-establishing the survey.

(2) Block and lot monuments shall be set.

(3) At least one second order benchmark shall be set within every ~~subdivision~~ development.

21.6.8 Easements

(1) A ten-foot public utility easement shall be established along the front of each lot.

(2) A 7.5 foot public utility easement shall be established along the sides and back of each lot.

(3) Additional easement may be required for existing or future purposes such as but not limited to ~~G~~guying easements at corners may be required.

21.6.9 Utilities To Be Underground

All power lines, telephone lines, and other normally overhead utility lines shall be placed underground in all ~~subdivision~~ development. The developer shall establish final utility grades prior to utility lines being placed underground.

21.6.10 Sewer Systems

(1) Except as otherwise provided in this section, the subdivider shall provide connection to the city's sanitary sewer system throughout the development and ~~to the property line of every lot in the subdivision~~ to a point 10 feet inside each lot. The sewer system shall meet the minimum standards and requirements of ~~Grantsville City~~ City's Design Standards.

(2) On-site wastewater disposal systems will be approved only when an existing sewer system is more than one-half mile away from the boundary line of the ~~subdivision~~ development. All on-site wastewater disposal systems shall be approved in writing by the county health department. ~~Subdivisions~~ Developments proposing to use on-site wastewater disposal systems shall submit a feasibility report to the county health department, per Tooele County Health Department Regulation #12. Percolation tests and soil exploration pits shall be required to determine the adequacy of the soil involved for on-site wastewater disposal systems to absorb sewage effluent. At the time an application is made for a building permit, every individual lot which will be serviced by a septic system will require a soil evaluation test where the proposed drain field will be located. The following requirements shall also be met:

(a) Lands filled within the last ten years shall not be divided into building sites which are to be served by septic systems.

DRAFT January 9, 2024

- (b) Each septic system shall be installed at a depth and location approved by the county health department.
- (c) Land with unacceptable soil evaluations as determined by the county health department shall not be divided into building sites to be served by septic systems.
- (d) Land rated as having severe limitations for septic tank absorption fields as defined by the County soil survey, U.S. Department of Agriculture, or Natural Resource Conservation Service, shall not be divided into building sites to be serviced by septic systems unless each such building site contains not less than 20,000 square feet of other soils rated suitable for building construction and installation of a septic system.
- (e) An applicant desiring to install septic system in soils having severe limitations shall have additional on-site investigations made, including soil evaluation tests. The applicant shall obtain the certification of a soils scientist that specific areas lying within these soils are suitable for the proposed septic system. The facilities shall meet county health department standards and regulations. To be approved, the county health department must find that proposed corrective measures have overcome the severe soil limitations.

21.6.11 Sanitary Sewer Main, Laterals, And House Connections - Future

Where city and regional general plans indicate that construction or extension of sanitary sewers may serve the ~~subdivision~~ development area within a reasonable time, the planning commission may require the installation and capping of sanitary sewer mains and house connections by the subdivider in addition to the installation of temporary individual on-lot sewage disposal systems. Whenever individual on-lot sewage disposal systems are proposed, the ~~subdivider~~ developer shall either install such facilities or require by deed restrictions or otherwise as a condition of the sale of each lot or parcel within such ~~subdivision~~ development, that those facilities be installed prior to or during the construction of the principal building. No building permit shall be issued until such installation is assured. In all other cases, sewage disposal facilities shall be provided for every lot or parcel by a complete community or public sewer system.

21.6.12 Water Supply

- (1) All ~~subdivision~~ 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 ~~subdivider~~ 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 ~~subdivision~~ 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 ~~subdivider~~ 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 system⁵.
- (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 ~~subdivisions~~ ~~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 ~~subdivision~~ ~~development~~ that was ~~originally included as a part of a parcel that was~~ previously ~~platted and~~ developed ~~as a platted~~ ~~subdivision~~, shall be required to convey culinary and secondary water rights to the city pursuant to subsection (3) above, even if the new proposed ~~subdivision or minor subdivision~~ ~~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.

HISTORY

Amended by Ord. 2021-09 on 4/28/2021

21.6.13 Storm Drainage And Flood Plains

(1) A storm drainage system for the entire ~~subdivision~~ ~~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 ~~subdivision~~ ~~development~~ but also, where applicable, the runoff from those areas adjacent to and "upstream" from the ~~subdivision~~ ~~development~~ itself, as well as its effects on lands downstream.

21.6.14 Fugitive Dust Control

Any developer or person engaging in clearing or leveling of land greater than one-quarter acre in size, earthmoving, excavation, or movement of trucks or construction equipment over cleared land greater than one-quarter acre in size or access haul roads shall take steps to minimize fugitive dust from such activities. Such control may include watering and chemical stabilization of potential fugitive dust sources or other equivalent methods or techniques. A fugitive dust control plan shall be submitted to State of Utah DEQ, Division of Air Quality, within 30 days of the construction start-up. This section shall not apply to agricultural or horticultural activities.

HISTORY

Amended by Ord. 2021-09 on 4/28/2021

21.6.15 Essential Utilities And Infrastructure To Be Completed Prior To Issuance Of Building Permits

- (1) All essential utilities and infrastructure as identified herein, shall be installed and completed in each phase of a ~~subdivision, planned unit development that includes more than one lot, or multifamily dwelling~~ development, prior to the issuance of any building permit in that development. Essential utilities shall include culinary water, sewer lines, paved streets, curb, gutter and drainage improvements (when required by the final design), permanent street signs and electricity service. ~~Notwithstanding anything to the contrary herein, the City Public Works Director shall have authority to authorize the issuance of building permits in these developments, when the street and other required improvements have been completed, with the exception of the street surface course, when taking into account weather and temperature conditions and the feasibility of completing the surface course. If the Public Works Director authorizes building to be issued under these circumstances, no occupancy permits shall approved prior to the final completion of the street surface course.~~

21.7 Financial Assurance

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.

HISTORY

Amended by Ord. 2019-15 on 8/7/2019

Amended by Ord. 2021-09 on 4/28/2021

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, deed of trust, or letter of credit forfeit 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.

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.

HISTORY

Amended by Ord. 2019-15 on 8/7/2019

Amended by Ord. 2021-09 on 4/28/2021

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.

HISTORY

Amended by Ord. 2019-15 on 8/7/2019

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.

21.8 Vacation, Alteration, And Amendment Of Subdivision Plats

21.8.1 Vacating Or Changing A Subdivision Plat

(1) Subject to Section 21.8.3, and provided that notice has been given pursuant to Section 1.18, the City Council may, with or without a petition, consider and resolve any proposed vacation, alteration, or amendment of a subdivision plat, any portion of a subdivision plat, or any lot contained in a subdivision plat.

(2) If a petition is filed, the City Council shall hold a public hearing within 45 days after the petition is filed or, if applicable, within 45 days after receipt of the planning commission's recommendation under Subsection (3), if:

(a) any owner within the plat notifies the City of their objection in writing within ten days of mailed notification; or

(b) a public hearing is required because all of the owners in the subdivision have not signed the revised plat.

(3) The planning commission shall consider and provide a recommendation for a proposed vacation, alteration, or amendment under Subsection (1) before the City Council takes final action. The planning commission shall give its recommendation within 30 days after the proposed vacation, alteration, or amendment is referred to it, or as that time period is extended by agreement with the applicant.

(4) The public hearing requirement of Subsection (1) does not apply and the City Council may consider at a public meeting an owner's petition to alter a subdivision plat if the petition seeks to join two or more of the owner's contiguous, residential lots and notice has been given pursuant to local ordinance.

(5) Each request to vacate or alter a street or alley, contained in a petition to vacate, alter, or amend a subdivision plat, is also subject to Section 21.8.3.

(6) Any fee owner, as shown on the last county assessment rolls, of land within the subdivision that has been laid out and platted as provided in this part may, in writing, petition to have the plat, any portion of it, or any street or lot contained in it, vacated, altered, or amended as provided in this section and Section 21.8.3.

(7) Each petition to vacate, alter, or amend an entire plat, a portion of a plat, or a street or lot contained in a plat shall include:

(a) the name and address of all owners of record of the land contained in the entire plat;

(b) the name and address of all owners of record of land adjacent to any street that is proposed to be vacated, altered, or amended; and

(c) the signature of each of these owners who consents to the petition.

(8) The owners of record of adjacent parcels that are described by either a metes and bounds description or a recorded plat, may exchange title to portions of those parcels, if the exchange of title is approved by the Zoning Administrator in accordance with this Subsection. The Zoning Administrator is designated as the land use authority for the purpose of reviewing and approving boundary line adjustments pursuant to the provisions of this subsection and Utah Code Ann. Section §10-9a-608(7) (2014). The Zoning Administrator shall approve an exchange of title under this Subsection if no new dwelling lot or housing unit will result from the exchange of title; and the exchange of title will not result in a violation of any land use ordinance. If an exchange of title is approved under this Subsection, a notice of approval shall be recorded in the office of the county recorder which is executed by each owner included in the exchange and by the Zoning Administrator, contains an acknowledgment for each party executing the notice in accordance with the provisions of Utah Code Ann. §57-2a (1988 – 2007), Recognition of Acknowledgments Act, recites the descriptions of both the original parcels and the parcels created by the exchange of title and contains a certificate of approval by the City, signed by the Zoning Administrator and attested by the City Recorder. A conveyance of title reflecting the approved change shall be recorded in the office of the county recorder. A notice of approval recorded under this subsection does not act as a conveyance of title to real property and is not required for the recording of a document purporting to convey title to real property.

(9)

(a) The name of a recorded subdivision may be changed by recording an amended plat making that change, as provided in this section and subject to Subsection (9)(c).

(b) The surveyor preparing the amended plat shall certify that the surveyor:

(i) holds a license in accordance with Utah Code Ann. §58-22 (1994 – 2017), Professional Engineers and Professional Land Surveyors Licensing Act;

(ii) has completed a survey of the property described on the plat in accordance with Utah Code Ann. Section §17-23-17 (2016) and has verified all measurements; and

(iii) has placed monuments as represented on the plat.

(c) An owner of land may not submit for recording an amended plat that gives the subdivision described in the amended plat the same name as a subdivision in a plat already recorded in the county recorder's office.

(d) Except as provided in Subsection (9)(a), the recording of a declaration or other document that purports to change the name of a recorded plat is voidable. (Utah Code Ann. §10-9a-608 (2014))

21.8.2 City Council Consideration Of Petition To Vacate Or Change A Plat

(1) If the City Council is satisfied that the public interest will not be materially injured by the proposed vacation, alteration, or amendment, and that there is good cause for the vacation, alteration, or amendment, the land use authority may vacate, alter, or amend the plat or any portion of the plat, subject to Section 21.8.3.

(2) The City Council may approve the vacation, alteration, or amendment by signing an amended plat showing the vacation, alteration, or amendment.

(3) The City Council shall ensure that the amended plat showing the vacation, alteration, or amendment is recorded in the office of the county recorder in which the land is located.

(4) If an entire subdivision is vacated, the City Council shall ensure that a resolution containing a legal description of the entire vacated subdivision is recorded in the county recorder's office. (Utah Code Ann. §10-9a-609 (2014))

21.8.3 Vacating Or Altering A Street Or Alley

(1) If a petition is submitted containing a request to vacate or alter any portion of a street or alley within a subdivision:

(a) the City Council, after providing notice to each property owner that directly adjoins the street or alley that is proposed for vacation and after providing notice pursuant to Utah Code Ann. Section §10-9a-208 (2010), shall make a recommendation to the Mayor concerning the request to vacate or alter; and

(b) the Mayor shall conduct a public hearing in accordance with Utah Code Ann. Section §10-9a-208 (2010) and determine whether good cause exists for the vacation or alteration.

(2) If the Mayor vacates or alters any portion of a street or alley, the Mayor shall ensure that the plat is recorded in the office of the recorder of the county in which the land is located.

(3) The action of the Mayor vacating or narrowing a street or alley that has been dedicated to public use shall operate to the extent to which it is vacated or narrowed, upon the effective date of the vacating plat, as a revocation of the acceptance thereof, and the relinquishment of the city's fee therein, but the right-of-way and easements therein, if any, of any lot owner and the franchise rights of any public utility may not be impaired thereby. (Utah Code Ann. §10-9a-609.5 (2010))

AGENDA ITEM #4

Discussion of Planning Commission
facilitation process

Grantsville City is implementing a new process for the presentation of:

- Preliminary and Final Subdivision plans
- Planned Unit Development (PUD) plans
- Conditional Use Permits (CUP)
- Development Agreements

In a departure from the approach where developers typically presented these plans, the City staff will now take the lead in presenting the proposals to the Planning Commission. This shift aims to enhance clarity, consistency, and objectivity in the evaluation of development projects. By having City staff present the plans, it ensures that information is conveyed in a standardized manner, aligning with established regulations and guidelines.

This practice, common among many municipalities, fosters a more impartial and thorough assessment, promoting a fair decision-making process that prioritizes the best interests of the community. The new process reflects Grantsville City's commitment to efficient urban planning and sustainable development practices.

AGENDA ITEM #5

Adjourn