

**GRANTSVILLE
ORDINANCE 2025-30**

**AMENDING CHAPTER 12 OF THE GRANTSVILLE LAND USE AND
DEVELOPMENT MANAGEMENT CODE TO RENAME THE CHAPTER
“PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT” AND TO APPROVE
REVISIONS THERETO**

WHEREAS, Chapter 12 of the Grantsville Land Use and Development Management Code currently governs Planned Unit Developments (PUDs) and has historically served as a regulatory framework for development projects seeking flexibility in design and land use standards; and

WHEREAS, the City Council recognizes the need to modernize and improve the framework for PUDs to promote quality development, ensure compatibility with surrounding land uses, and support City goals for housing, transportation, and economic development; and

WHEREAS, the proposed amendments rename Chapter 12 as “Planned Unit Development Overlay District” and comprehensively revise its content to provide clear standards for eligibility, land use designation, development standards, review procedures, and the effect of PUD District approval; and

WHEREAS, the Grantsville City Council finds that the proposed amendments serve the public interest and are consistent with the City’s General Plan and other adopted goals and policies;

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

SECTION 1: **AMENDMENT** “Chapter 12 Planned Unit Developments” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

Chapter 12 Planned Unit Developments

AFTER AMENDMENT

Chapter 12 Planned Unit ~~Developments~~ Development Overlay District

SECTION 2: **AMENDMENT** “12.1 Repeal As Use Type” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

12.1 Repeal As Use Type

Notwithstanding anything to the contrary in this Title, including its charts and/or appendices, planned unit development uses are prohibited in all zones in Grantsville by Ordinance.

AFTER AMENDMENT

12.1 ~~Repeal As Use Type~~ Purpose and Intent

(1) The Planned Unit Development District (PUD District) is an overlay district requiring legislative approval by the City Council. The PUD District is a discretionary and optional tool available to applicants for large-scale developments involving multiple components or land uses, mixed use projects, or any project seeking any deviation from design standards in an underlying zone, particularly projects with both residential and commercial components. Approval of any PUD District application is not guaranteed. (2) This district 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 PUD District, the City and developer will seek to achieve the following specific objectives: (a) to create 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 urban design and development, including aesthetic factors and recreational amenities; (b) to create a pleasing environment while preserving desirable site characteristics through the use of design, landscape, or architectural features such as natural topography, vegetation, and geologic features as open space; (c) to preserve buildings which are architecturally or historically significant and contribute to the character of the City; (d) to establish 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; (e) to eliminate blighted structures or incompatible uses through redevelopment or rehabilitation; (f) to provide residential housing that conforms with the State moderate income requirements; (g) to establish a well-rounded community with a mix of housing types; (h) to establish and improve commercial centers along main thoroughfares in the City, specifically along Main Street; (i) to integrate residential and commercial components into harmonious developments or communities; and (j) to foster development compatible with existing or anticipated uses on the surrounding properties.

~~Notwithstanding anything to the contrary in this Title, including its charts and/or appendices, planned unit development uses are prohibited in all zones in Grantsville by Ordinance.~~

SECTION 3: AMENDMENT “12.2 Authority To Modify Regulations” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

12.2 Authority To Modify Regulations

AFTER AMENDMENT

12.2 ~~Authority To Modify Regulations~~ Eligibility

(1) Single ownership of all land within the proposed PUD District is required. If the application is submitted by any person other than the owner, the owner shall provide written authorization to the City for the applicant to act on the owner's behalf with respect to the application (2) In determining whether to approve a PUD District, the City Council may consider: (a) the size and location of the proposed development; (b) the nature and extent of proposed deviations or variations from existing City code and development standards; (c) the underlying zone for the property, including the proposed use or mix of uses in relation to the existing underlying zone; (d) any and all considerations identified in the current General Plan, and Future Use Map or similar guiding documents adopted by the City; and/or (e) any other factors the Council deems relevant.

SECTION 4: AMENDMENT “12.4 Application Procedure” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

12.4 Application Procedure

- 1.
- 2.

AFTER AMENDMENT

12.4 ~~Application Procedure~~ Land Use Designations

Each PUD District shall allow those uses allowed in the underlying zoning districts as permitted or conditional uses as specified in the regulations for the underlying districts, as well as any additional residential or commercial uses identified in the PUD District approval by reference. Additional uses may be allowed by the City Council as permitted or conditional uses as part of the PUD District approval. Any use not listed or expressly identified as a permitted or conditional use is prohibited. If a PUD District is established over more than one underlying zoning district, the most restrictive combination of use restrictions and development standards provided by the underlying zones shall govern unless otherwise specified. The City Council

may restrict uses allowed in underlying zones that are not compatible with the PUD District plan as presented by so specifying in the PUD District approval.

SECTION 5: AMENDMENT “12.5 Adjustments To Development Plan” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

12.5 Adjustments To Development Plan

AFTER AMENDMENT

~~12.5 Adjustments To~~ 4 Development ~~Plan~~ Standards

Unless otherwise specified in the PUD District approval by the City Council, and notwithstanding anything to the contrary in other portions of the City Code, all development in PUD Districts shall be in accordance with the most restrictive of either (i) the standards of the underlying zone or (ii) those found in this chapter. (1) Minimum Lot Sizes. The minimum lot size for single family and twin-home dwellings is 4,000 square feet per unit. Attached dwelling unit residential development shall meet the minimum lot requirements found in GLUMDC 4.34. (2) Setbacks/Yard Requirements. Setbacks/yard requirements are intended to describe the amount of space required between buildings and property lines. All buildings in this zone, including accessory buildings, are required to maintain a minimum distance from property lines as follows: (a) Front: 20 feet. (b) Sides (single family and twin homes): 7.5/10 feet or PUE dimensions, whichever is greater. If twin-homes are attached to the property line, each side shall include a setback of 15 feet (15’). (c) Rear: 25 feet. (d) Corner lots (single family and twin homes): In order to maintain an adequate site triangle, there shall be a minimum setback on corner lots as follows: 25 feet on each side fronting a street, with 10-foot setback for the interior side. (e) All accessory buildings in this zone are required to maintain distances from property lines and other dwelling units as follows: sides and rear 7.5 feet. (f) Mixed-use buildings fronting Main Street and containing main floor commercial uses may allow the commercial uses to abut the street side property line with a portion of the building containing the main entrance to the commercial use, if an adjacent street side property is currently similarly configured. (g) Commercial buildings (excluding residential) shall conform to the commercial requirements found in the applicable commercial district (CN, CS & CG) for the equivalent type of use and size. (h) Attached dwelling unit residential development shall meet the setbacks/yard requirements found in GLUMDC 4.34 or the underlying zone. (3) Minimum Lot Frontage (a) For single family and twin homes, the minimum lot frontage/lot width may not be less than 50 feet. (b) Attached dwelling unit residential development shall meet the requirements found in GLUMDC 4.34. (c) All other uses in this district shall have at least 100 feet of frontage along a public street. (4) Maximum Height Of Structures. No residential structure in this zone may exceed a maximum of three (3) stories in height or 35 feet above grade at the street frontage for the lot. Commercial buildings shall conform to the commercial requirements found in the applicable commercial district (CN, CS & CG) for the equivalent

type of use and size. (5) Minimum Dwelling Size. Every dwelling unit in this zone shall contain a minimum of 900 square feet of living space. (6) Landscaping; Open Space. Open space is required for all developments in Grantsville. (a) All residential projects developed in PUD Districts shall have a minimum of 20% of the total project area to be used for landscaping or open space. This requirement may be calculated by including open space, landscaped setback areas and landscaped common areas. Required stormwater facilities may not be considered as part of the minimum open space. (b) All sensitive lands shall be protected as part of the landscaped and open space area of any development. Onsite paths and trails shall connect to the citywide trail system. Trails connecting to the citywide system shall be considered open space and shall be dedicated public trails allowing for public use. (c) For all projects containing a residential component containing more than 4 dwelling units defined as a level 4 and level 5 subdivisions in Chapter 21 of this code at least 10% of the total parcel acreage shall be improved, fully landscaped, amenity rich, active open space. All planned unit development projects shall conform at a minimum with open space and improved open space requirements found in Chapter 4.34. 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. (7) Density. Any request resulting in increased density relative to the most restrictive standard applicable in the underlying zone(s) shall be determined on a case-by-case basis by the City Council in its full discretion. The applicant shall provide a written justification for any requested increase. (8) Commercial Component Required. All PUD Districts that are one acre or greater shall include at least 25% of the land area as a commercial use, which may be reduced by the City Council in its full discretion. The commercial use shall be located fronting the major street. Master planning of multiple contiguous properties is encouraged in order to integrate the proposed development harmoniously into the surrounding neighborhood. Properties of less than one acre fronting major streets such as Main Street shall be developed as either commercial or a commercial/residential mix with the commercial fronting the street. Upon approval of a PUD District, the commercial area(s) shall be automatically committed to commercial use, as more fully described in Section 12.6, unless otherwise modified in accordance with GLUDMC or another zoning action by the City Council. (9) Balanced Residential Mix. Residential development within a PUD District shall include a balanced mix of residential types that reflect the character of Grantsville and provide housing opportunities for people of all ages and economic backgrounds. The PUD District application shall identify all residential use types intended to be included in the PUD. No single residential type may comprise more than 70% of the total residential units within the development, and no included type may constitute less than 10%, unless a different ratio is approved by the City Council based on site-specific factors and the overall goals of the PUD. (10) Compatibility and Integration. Architectural design, massing, scale, and heights of development shall be designed to fit the scale and aesthetics of the surrounding properties. Where proposed uses are different than surrounding properties, buffering and transition of uses and architectural design shall be incorporated to mitigate potential conflicts of use and appearance. 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 30' feet wide containing trees and privacy fencing shall be included. No lighting shall be allowed to reside in the 30-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 issues. (11) Moderate-income Housing PUD Districts that do not seek to increase the overall density allowed within the most restrictive of the underlying district for the applicable residential unit type may be eligible for a reduction in any moderate-income housing element requirements. For residential projects requesting increases in density, at least 50% of the requested additional units shall: (i) Be owner occupied for not less than 10 years; (ii) Be reserved for occupancy by households with gross household income equal to or less than 80% of the median gross income for households of the same size in the County; and (iii) Be subject to deed-restrictions or similar recorded documents in a form acceptable to the City Attorney to assure these conditions are enforced.

SECTION 6: ADOPTION “12.5 Application Procedure” of the Grantsville Land Use Ordinances is hereby *added* as follows:

BEFORE ADOPTION

12.5 Application Procedure (Non-existent)

AFTER ADOPTION

12.5 Application Procedure(*Added*)

(1) PUD District Application. Each PUD District application shall include the following: (a) a “PUD District Map and Plan”, which shall include, at a minimum: (i) a depiction of the total area proposed to be covered by the PUD District identifying the general location of residential and nonresidential uses within the proposed PUD District; and (ii) a list identifying the number of residential units and unit types and the square feet of nonresidential development; and (iii) all information required in the City’s online application portal; (b) a “PUD Development Plan,” that is drawn to scale and is legible if printed on an 11 x 17 sheet. At a minimum, the PUD Development Plan shall include: (i) site plan contents from GLUDMC Chapter 11; (ii) the proposed configuration of lots and types of uses proposed for the property; (iii) the general location of major roadways, main utility infrastructure, and open space networks; and (iv) a proposed phasing plan showing the sequence and general location of phases including estimated number of units by unit type, minimum lot sizes, nonresidential square footage for each phase throughout the PUD District; (c) a land use table outlining proposed permitted and conditional uses (either by incorporation of the underlying zones or proposed deviations, as applicable), including an explanation of how any proposed deviations benefits the development and the surrounding community and any other justifications for the proposed deviations from the City Code; (d) a table of development standards outlining

proposed deviations from underlying City Code or development standards, including references to the existing code, including an explanation of how any proposed deviations benefits the development and the surrounding community and any other justifications for the

proposed deviations from the City Code (the proposed deviations shall include specific references to the affected ordinances and a comparison of the requirement and proposed deviations); (e) a proposed development agreement applicable to the entire PUD District (contact the City offices for the latest form); (f) a geotechnical report; (g) a traffic study and report for the entire proposed development; and (h) a written statement addressing how the proposed development will promote the objectives set forth in Section 12.1 of this Chapter. The statement shall explain specifically how the proposed PUD District relates to and promotes each listed objective. (i) A written notification and explanation of any known easement or access issues affecting properties directly affected by or related to the proposed PUD District. The applicant shall provide a written update to the Planning and Zoning Administrator promptly upon learning of any easement or access issues after the application is submitted and at any point throughout the application and review process; (2) PUD District Application Review. (a) The PUD District application shall be submitted to the Planning Commission for review and recommendation to the City Council. The Planning Commission shall notice and hold a public hearing prior to making a recommendation to the City Council. The Planning Commission shall have the authority to recommend to the City Council reasonable and appropriate conditions in any PUD District application, including recommendations to change, alter, modify, or waive of the standards and uses of the underlying zone as they apply to the proposed PUD District. Public health and safety issues including but not limited to: line of site; public utilities and associated easements; secondary and emergency access; and quantity of required parking are outside of the Planning Commission authority to recommend for modification or waiver. The Planning Commission's recommendations are not binding upon the City Council, but the City Council shall consider the recommendations. (b) Upon receiving a recommendation by the Planning Commission, the City Council shall review the PUD District application as a legislative land use regulation application. In the event the applicant has included revisions based on discussion and/or recommendations from the Planning Commission, City staff shall include in its report or presentation to the City Council discussion of the latest revisions as they relate to the application presented to the Planning Commission. The applicant may not make significant or material revisions to the application after the Planning Commission's recommendation that are not directly related to addressing concerns identified at the Planning Commission. The City Council may determine, in its discretion, that the revisions introduced after the Planning Commission held its public hearing are material and require a subsequent public hearing at the Planning Commission on the revisions prior to acting on the revised plan. (c) The approval of the PUD District application shall include approval of all special conditions applicable to the PUD District. All special conditions and approved variations to the GLUDMC shall be included in the Development Agreement which shall be approved by Planning Commission and City Council, as applicable. The development agreement shall also include the phasing plan required in the PUD Development Plan. (d) The City may allow or require the development agreement for the PUD District application to be processed and approved separately from the PUD District itself. If the development agreement does not modify any rights of the City or developer with respect to land use development, it may be approved by the City administratively, without a public hearing at the planning commission. Otherwise, the

development agreement shall be processed as a land use regulation under Utah Code 10-9a-501, et seq. and applicable Grantsville City Code. (3) PUD Development Plan or Development Agreement Modification. While the PUD Development Plan is submitted and

approved with the PUD District Application, it is anticipated that the PUD Development Plan be adjusted as the development proceeds and is refined. Major modifications and minor changes are handled differently. (a) Major Modifications. Any adjustment to the PUD Development Plan that would alter or expand the intent of the provisions in the PUD Development Plan, including the phasing plan, is a major modification. A major modification is initiated by the applicant submitting a separate application to modify the PUD Development Plan. The separate application shall supersede the initial application in all respects so there may not be multiple approvals pending on the same proposed PUD District. The Planning Commission may recommend approval (with or without conditions) or denial of a request for a major modification to the City Council, upon finding that any changes in the plan as approved will be in substantial conformity with the PUD District Map and Plan. The development agreement shall be amended or supplemented to account for any major modifications to the PUD Development Plan. (b) Minor Changes. Minor changes to a PUD Development Plan that do not include a subdivision of land may be made subject to approval of the City Engineer and Public Works department when such adjustments appear necessary in light of technical or engineering considerations. Such minor changes shall be limited to the following elements: (i) Adjusting the distance as shown on the approved Plan between any one structure or group of structures, and any other structure or group of structures, or any vehicular circulation element or any boundary of the site; (b) Adjusting the location of any open space. The size or amount of open space that was approved shall not be compromised; (c) Adjusting any final grade; and (d) Altering the types of landscaping elements and their arrangement within the required landscaping buffer area. (c) Minor changes shall be consistent with the intent and purpose of GLUDMC and the PUD District Map and Plan provisions as approved, and shall be the minimum necessary to overcome the particular difficulty and shall not be approved if such adjustments would result in a violation of any standard or requirement of this Code. (d) Any proposed change to the PUD District Map and Plan and any proposed change which would require a modification of the PUD District Map and Plan to remain consistent with the PUD District approval shall constitute a new application and shall be processed in accordance with this Chapter. (e) Non-substantive amendments to the development agreement not otherwise addressed in this section may be made administratively following confirmation of the City Attorney that the amendments do not affect substantive rights with respect to development of land. (4) Subdivision and Site Plan Approval. Each phase shall follow the appropriate site plan or subdivision approval procedure in GLUDMC, except that the City shall also review those applications for compliance with the PUD District Map and plan and the PUD Development Plan. If the City determines that an amendment to the PUD District Map and Plan or PUD Development Plan is required for the site plan or subdivision application to comply, the preliminary site plan or preliminary subdivision application will be rejected.

SECTION 7: ADOPTION “12.6 Effect Of PUD District Approval” of the Grantsville Land Use Ordinances is hereby *added* as follows:

BEFORE ADOPTION

12.6 Effect Of PUD District Approval (Non-existent)

AFTER ADOPTION

12.6 Effect Of PUD District Approval(*Added*)

(1) Distinct Zones. Each PUD District is unique and may be governed by its own standards and regulations imposed by its at approval and any applicable development agreements. Unless otherwise specified in the PUD District's approval, the most restrictive combination of use restrictions and development standards provided by the underlying zones shall govern. (2) Commercial Rezone. Upon approval of a PUD District, the underlying zone(s) in effect for the commercial area(s) shall be automatically rezoned to an appropriate commercial zone as designated by the City Council to provide assurance that the areas anticipated to be developed as commercial are retained for that purpose going forward. The City may record a notice of the zoning change against the commercial area(s) in its discretion. (3) Diligence. A PUD District approval shall automatically expire after any period of one year during which no building permit, certificate of occupancy, or preliminary or final subdivision or site plan approval is granted. Upon written request of the applicant, the one-year period may be extended by the Planning and Zoning Administrator for up to one year for good cause shown. The applicant may appeal a denial of an extension request to the City Council. After an extension has been granted by the Planning and Zoning Administrator, the City Council may further extend the expiration of a PUD District approval for good cause shown. Upon expiration, the zoning shall revert to the underlying zones, after the zoning change for commercial areas identified in this Chapter and Section 12.6(2), in effect at the time of approval of the PUD District without any development rights or entitlements persisting after reversion. (4) Permanent Effect upon Buildout. A PUD District approval may not expire after the final subdivision plat approval or site plan approval covered by the PUD District Map and Plan and its phasing plan is approved. (5) Joint Consideration. With respect to any subsequent application subject to a PUD District Map and Plan or PUD Development Plan, including site plan and subdivision plat applications, the City may consider each and every other phase, plan, or application previously, currently, or anticipated to be submitted that is governed by the same PUD District Map and Plan or PUD Development Plan.

SECTION 8: **ADOPTION** “12.7 Appeals” of the Grantsville Land Use Ordinances is hereby *added* as follows:

BEFORE ADOPTION

12.7 Appeals (Non-existent)

AFTER ADOPTION

12.7 Appeals(*Added*)

(1) Appeal of PUD District Application or Major Modification of PUD Development Plan. Any party aggrieved by the final decision of the City Council regarding a PUD District application or a major modification of a PUD Development Plan may appeal such decision to the City's Land Use Hearing Officer, whose decision shall then be final. All appeals to the City's Land Use Hearing Officer shall be in writing and filed with the Zoning Administrator within thirty (30) days of the date of the decision appealed from and prior to any further consideration by the City of a subsequent step in the PUD Application or subsequent approval processes, provided the appellant (i) first present any and all information to the land use authority which it intends to raise before the appeal authority, (ii) presents to the designated appeal authority every theory of relief that it can raise in District Court, and (ii) does not present new information not previously presented to the land use authority. Only the final decision of the City's Land Use Hearing Officer with respect to the PUD District application may be appealed to the District Court, provided such appeal is filed within thirty (30) days of the decision of the City Council. Said appeal shall be filed with the City Recorder and with the Clerk of the District Court. The City's Land Use Hearing Officer shall be qualified in law or a related field and have relevant expertise as reasonably determined by the City Council, and be appointed by the City Council. (2) Appeal of Site Plan and Subdivision Plats. Appeals of site plan and subdivision plat applications shall be made in accordance with those applicable sections of GLUDMC. (3) Other Appeals. Appeals of any other final actions made by City staff or the Planning Commission not otherwise addressed may be appealed to the City Council by filing a written appeal with the Zoning Administrator within thirty (30) days of the date of the decision appealed from

SECTION 9: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 10: EFFECTIVE DATE This Ordinance shall take effect immediately upon its passage and approval as provided by law.

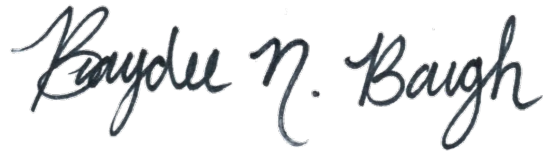
PASSED AND ADOPTED BY THE GRANTSVILLE COUNCIL JUNE 04, 2025.

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

Attest

Presiding Officer

Neil Critchlow, Mayor, Grantsville



Braydee Baugh, City Recorder,
Grantsville

