GRANTSVILLE
ORDINANCE 2024-37

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

SECTION 1: **AMENDMENT** "21.1.3 Authority" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

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

21.1.3 Authority

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

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

21.1.3 Authority

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

SECTION 2: **AMENDMENT** "21.1.4 Definitions And Applicability" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

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

21.1.4 Definitions And Applicability

For the purposes of this Chapter all terms shall have the same definition as provided by Utah Code Ann. §1 0-9a-103, (2018).

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

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. §1 0-9a-103~~, (2018)~~.

SECTION 3: **AMENDMENT** "21.1.5 Jurisdictions And Penalties" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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))

AFTER AMENDMENT

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)~~)

SECTION 4: **AMENDMENT** "21.1.6 Creation Of Substandard Lots Prohibited" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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.

AFTER AMENDMENT

21.1.6 Creation Of Substandard Lots Prohibited

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

SECTION 5: **AMENDMENT** "21.1.7 Agricultural, Industrial, And Mining Protection Areas" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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 as 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))

AFTER AMENDMENT

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 as 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)~~)

SECTION 6: **AMENDMENT** "21.1.8 Notice Of Shooting Range Area" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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))

AFTER AMENDMENT

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)~~)

SECTION 7: **AMENDMENT** "21.1.10 Plats Required" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.1.10 Plats Required

(1) Unless exempt, under Utah Code Ann. Section §10-9a-605 (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 City shall approve the plat as provided in this code. Before final approval of a plat, the owner of the land shall provide the 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 (2022))

AFTER AMENDMENT

21.1.10 Plats Required

(1) Unless exempt, under Utah Code Ann. Section §10-9a-605 ~~(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 City shall approve the plat as provided in this code. Before final approval of a plat, the owner of the land shall provide the 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 ~~(2022)~~)

SECTION 8: **AMENDMENT** "21.1.14 Use Of Open Space" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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. §57-1 8-6 (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 us 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.

AFTER AMENDMENT

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. §57-1 8-6 ~~(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 us 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.

SECTION 9: **AMENDMENT** "21.1.15 Open Space Requirements" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.1.15 Open Space Requirements

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

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

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

(4) The open space shall be directly accessible to the largest practicable number of lots within the subdivision. The type of open space shall be taken into consideration when making the determination of direct accessibility. Open space parcels that are preserved as active agriculture or pasture land may have limited direct accessibility as the use requires restricted access, but it is expected that such uses shall be located along the sides of public streets or trails so that the open space will provide for the benefit and enjoyment of residents as it reserves the open rural atmosphere desired by the residents. Historic features or other unique natural features due to the nature of their location, characteristics and configuration may also limit direct accessibility but shall be showcased in such a way that it may provide for the benefit and enjoyment of residents as it preserves the open rural atmosphere desired by the residents. Non-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 aggregared development acerage 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 a 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 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

AFTER AMENDMENT

21.1.15 Open Space Requirements

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

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

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

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

(4) The open space shall be directly accessible to the largest practicable number of lots within the subdivision. The type of open space shall be taken into consideration when making the determination of direct accessibility. Open space parcels that are preserved as active agriculture or pasture land may have limited direct accessibility as the use requires restricted access, but it is expected that such uses shall be located along the sides of public streets or trails so that the open space will provide for the benefit and enjoyment of residents as it reserves the open rural atmosphere desired by the residents. Historic features or other unique natural features due to the nature of their location, characteristics and configuration may also limit direct accessibility but shall be showcased in such a way that it may provide for the benefit and enjoyment of residents as it preserves the open rural atmosphere desired by the residents. Non-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 aggregared development acreage ~~acerage~~ is less than 20 acres, developers may pay in lieu of, or in a proportional combination with, the provision of 10% of the total parcel acreage as open space, ~~the developer may, through agreement with the Planning Commission and City Council apply~~ The amount of the fee-in-lieu is determined by 10% of the predeveloped value of the total parcel acreage, as determined through a 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~~ The fees collected shall be used within 1 ~~½~~ mile of the proposed development, or the nearest park ~~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 may ~~shall~~ be no smaller than ten acres and may

~~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 21.1.15.5. ~~6~~

SECTION 10: **AMENDMENT** "21.2.2 Application Procedure" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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 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.

AFTER AMENDMENT

21.2.2 Application Procedure

(1) Each application for a subdivision shall have all required documents ~~submittals~~ before it is accepted as a complete application. No application for the next stage of the subdivision process

may ~~shall~~ be accepted until such time as the City has approved the application for the previous stage of the development.

(2) There ~~shall~~ may be no presumption of approval of any aspect of the process.

(3) No application ~~shall~~ may be accepted for any approval stage if the time limit has expired on the previous approval stage.

(4) 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 P~~p~~lanning C~~c~~ommission on any subdivision shall be made in writing to the C~~c~~ity C~~c~~ouncil within 30 days of the decision.

SECTION 11: **AMENDMENT** “21.2.3 Zoning Administrator To Determine A Complete Application” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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.

AFTER AMENDMENT

21.2.3 Zoning Administrator To Determine A Complete Application

The Z~~z~~oning A~~a~~dministrator shall determine if an application is complete and contains all required materials as required by this chapter.

SECTION 12: **AMENDMENT** “21.2.4 Lack Of Development Application Information - A Determination Of An Incomplete Application” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.2.4 Lack Of 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) The City will 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.

AFTER AMENDMENT

21.2.4 Lack Of Development Application Information - A Determination Of An Incomplete Application

(1) The ~~lack~~ omission of any information required by this ~~chapter~~ Chapter or the applicable checklists of the City for a complete application, or improper~~ ~~, illegible, or incomplete information supplied by the applicant, shall be cause for the zoning administrator to find the application incomplete.

(2) The City will not accept fees for an application until the Zoning Administrator determines the application to be complete. An application ~~shall~~ may not move forward for review and consideration until the application is complete and all application fees have been paid.

SECTION 13: **AMENDMENT** "21.2.6 Concept Plan Requirements" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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. and road layout indicating general scaled dimensions;
3. county, township, range, section, quarter section, blocks, the number of lots, principal meridian and true north;
4. vicinity map showing significant natural and man-made features off site with a scale of 1 inch = 2000 feet on the site;
5. acreage of the entire tract and the acreage of the portion to be developed;
6. area for which approval will be requested for the first phase of development except for

minor, commercial and industrial subdivisions;

7. 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. development area, the number of proposed dwelling units and the amount of open space;
10. 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. connections with existing greenspace and trails; and
20. parcels of land that will have a conservation easement or are to be dedicated for schools, roads, parks, or other public purposes.

AFTER AMENDMENT

21.2.6 Concept Plan Requirements

~~The~~ Any concept plan shall show:

1. the general location of the subdivision, the property boundaries and adjoining properties with ownership;
2. and road layout indicating general scaled dimensions;
3. county, township, range, section, quarter section, blocks, the number of lots, principal meridian and true north;
4. vicinity map showing significant natural and man-made features off site with a scale of 1 inch = 2000 feet on the site;
5. acreage of the entire tract and the acreage of the portion to be developed;
6. area for which approval will be requested for the first phase of development except for minor, commercial and industrial subdivisions;
7. 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. development area, the number of proposed dwelling units and the amount of open space;
10. 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. connections with existing greenspace and trails; and
20. parcels of land that will have a conservation easement or are to be dedicated for schools, roads, parks, or other public purposes.

SECTION 14: **AMENDMENT** "21.3.3 Lot Line Adjustments" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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.

AFTER AMENDMENT

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

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

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

SECTION 15: **AMENDMENT** "21.4.2 Approval Process" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.4.2 Approval Process

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

(a) The Pre-Application Meetingstage 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 as detailed in Section 21.2.10 of this Chapter documents detailed in Section 21.2.7 and 21.4.5 of this Chapter, review of the application by the DRC, 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, to city council, if the application is for a Level 5 action. Upon recommendation by the planning commission, 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 for consideration.

(d) The planning commission shall review the Level 4 final plat, infrastructure and design drawings, at a public meeting where it 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 drawingsat a public meeting where it may recommend approvalapprove or deny the plat and design drawings. If the planning commission recommends approval, the application shall move on to city council for considration. If approved, the final plat shall be recorded within 365 days or it shall be void.

(e) A Level 3 subdivision containing four (4) lots or less includes but may not be limited to: submittal of a complete Level 3 subdivision (Final Plat) application to the City containing the required documents 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 applicaiton will be placed on the planning commission public meeting agenda for a public

hearing, discussion and consideration ofapproval process.

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

AFTER AMENDMENT

21.4.2 Approval Process

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

(a) The Pre-Application Meetingstage is ~~a non-mandatory~~ an optional, recommended 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 as detailed in Section 21.2.10 of this Chapter documents detailed in Section 21.2.7 and 21.4.5 of this Chapter, review of the application by the DRC, 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. If the application is for a Level 5 action, rather than consideration of approval, the Planning Commission shall consider recommendation to City Council. In no event may the Planning Commission hold more than one public hearing on a Level 3 or Level 4 Preliminary Plat application. The Planning Commission may not hold more than four public meetings on the same application without taking a final action. If no action is taken at the fourth Planning Commission meeting which lists a particular application as an item for discussion or consideration, it shall be deemed a negative recommendation or denial, as applicable. Upon recommendation by the Planning Commission, a Level 5 preliminary plat application shall then be placed before City Council in a public meeting for their consideration. ~~The preliminary plat includes but may not be limited to; submittal of a complete Preliminary Plat application to the city containing the required as detailed in Section 21.2.10 of this Chapter documents detailed in Section 21.2.7 and 21.4.5 of this Chapter, review of the application by the DRC, 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, to city council, if the application is for a Level 5 action. Upon recommendation by the planning commission, a Level 5 preliminary plat application shall then be placed before city council in a public meeting for their consideration.~~

(c) The Level 4 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 and consideration for final approval by

the DRC. The City, including the DRC, may not engage in substantive review of the infrastructure and design drawings constituting subdivision improvement plans under UCA 10-9a-604.2 during the Preliminary Plan approval stage or at any other time prior to the beginning of the review cycles for subdivision improvement plans during final plat approval. ~~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 for consideration.~~

(d) ~~The planning commission shall review the Level 4 final plat, infrastructure and design drawings, at a public meeting where it 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.~~ The DRC shall review the Level 4 final plat, infrastructure and design drawings. If the Level 4 final plat

complies with all requirements, the DRC shall approve the Level 4 final plat. 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 drawingsat a public meeting where it may recommend approvalapprove or deny the plat and design drawings. If the planning commission recommends approval, the application shall move on to city council for considration. If approved, the final plat shall be recorded within 365 days or it shall be void.~~ 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) A Level 3 subdivision containing four (4) lots or less includes but may not be limited to: submittal of a complete Level 3 subdivision (Final Plat) application to the City containing the required documents 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 applicaiton will be placed on the P~~p~~lanning C~~c~~ommission public meeting agenda for a public hearing, discussion and consideration ofapproval process.

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

SECTION 16: **AMENDMENT** "21.4.4 Pre-Application Meeting" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.4.4 Pre-Application Meeting

As the 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 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.

AFTER AMENDMENT

21.4.4 Pre-Application Meeting

As the 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 C~~c~~ity 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.

SECTION 17: **AMENDMENT** "21.4.5 Preliminary Plat And Infrastructure Design Application" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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 amendment to the checklist have been approved by the Grantsville City Council by resolution.

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

(3) After receiving the review comments, the applicant shall submit to the zoning administrator all corrected drawings, design reports and other documents requested by the DRC, meeting the requirements of Utah Code Ann. 10-9a-604.2 (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 shall move forward for consideration by the necessary body as outlined in 21.4.2.

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

AFTER AMENDMENT

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 amendment to the checklist have been approved by the Grantsville City Council by resolution.

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

(3) After receiving the review comments, the applicant shall submit to the zoning administrator all corrected documents requested by the DRC. When the DRC determines that all of the corrections have been completed and necessary documentation has been submitted, the

application shall move forward for consideration by the necessary body as outlined in 21.4.2. ~~After receiving the review comments, the applicant shall submit to the zoning administrator all corrected drawings, design reports and other documents requested by the DRC, meeting the requirements of Utah Code Ann. 10-9a-604.2 (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 shall move forward for consideration by the necessary body as outlined in 21.4.2.~~

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

SECTION 18: **AMENDMENT** "21.4.6 Utility And Agency Response" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.4.6 Utility And Agency Response

Failure of any utility or agency to respond to request 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.

AFTER AMENDMENT

21.4.6 Utility And Agency Response

Failure of any utility or agency to respond to request 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.

SECTION 19: **AMENDMENT** "21.4.7 Final Plat Stage Application" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.4.7 Final Plat Stage Application

(1) Within six months of preliminary plat stage approval or within an approved six-month

extension, a complete application for the final plat and engineering design stage of a major subdivision shall be submitted to the zoning administrator. A final plat application may not be submitted if a Development Agreement or Amendment to a Development Agreement is deemed necessary as part of the preliminary plat process is still under consideration.

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

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

(4) After receiving the review comments the applicant shall submit to the zoning administrator all corrected drawings, design reports and other documents requested by the DRC, meeting the requirements of Utah Code Ann. 10-9a-604.2 (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 shall move forward for consideration by the necessary body as outlined in 21.4.2.

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

AFTER AMENDMENT

21.4.7 Final Plat Stage Application

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

deemed necessary as part of the preliminary plat process is still under consideration.

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

(3) After the applicant or authorized representative submits an application that has been determined by the Z~~z~~oning Z~~a~~dministrator to be complete per Section 21.2.2, 21.2.3 and 21.2.4 of this Chapter, and all required fees have been paid by the applicant, a DRC review will commence following the requirements found in Section 21.2.10 of this Chapter. Once the Applicant has received the review comments, a development review conference may be scheduled at the request of the andwithmembers of the DRC. Representatives of affected entities such as; county health department, county recorder, and any other private or public body that has jurisdiction or an interest in providing public or utility services to the subdivision shall be allowed to review the application and provide comments within the required review period.

(4) After receiving the review comments the applicant shall submit to the zoning administrator all corrected drawings, design reports and other documents requested by the DRC, meeting the requirements of Utah Code Ann. 10-9a-604.2 ~~(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. The review comments shall identify each deficiency in the application, including the engineering drawings and plans, and reference the code or standards which govern the requirements. Prior to the DRC advancing a Final Plat application for approval, all review comments shall be addressed by the Applicant in writing, including references to the codes, standards, and application components which satisfy those codes and standards. When the DRC determines that all of the corrections have been completed and necessary documentation has been submitted, the application shall move forward for consideration by the necessary body as outlined in 21.4.2.

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

SECTION 20: **ADOPTION** "21.2.12 Purpose And Procedures For Level 1 - Single Lot Development" of the Grantsville Land Use Ordinances is hereby *added* as follows:

BEFORE ADOPTION

21.2.12 Purpose And Procedures For Level 1 - Single Lot Development (Non-existent)

AFTER ADOPTION

21.2.12 Purpose And Procedures For Level 1 - Single Lot Development*(Added)*

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. The City staff is authorized by the City Council to approve the application.

SECTION 21: **ADOPTION** "21.2.13 Purpose And Procedures For Level 2 - Minor Subdivision" of the Grantsville Land Use Ordinances is hereby *added* as follows:

BEFORE ADOPTION

21.2.13 Purpose And Procedures For Level 2 - Minor Subdivision (Non-existent)

AFTER ADOPTION

21.2.13 Purpose And Procedures For Level 2 - Minor Subdivision*(Added)*

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 may 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 Subdivisions 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
    b. A plat depicting the lots, together with individual metes and bounds legal descriptions for each lot, and the overall boundary description for the subdivision and
    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
    b. Meets the intent of the General Plan
    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.
6. Then, the City staff is authorized by the City Council to approve the application.
7. If the application is found deficient in meeting the requirements in subsections 5 (1- 4), the City staff shall inform the applicant of the discrepancies; and allows 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.
8. 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.
9. 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.
10. 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.
11. After approval, and in accordance with Utah Code 10-9a-605(3)(a), documents dividing property by a metes and bounds description, including the required certificate of written approval from Grantsville City attached, shall be recorded in the County Recorder's office.

SECTION 22: **ADOPTION** "21.2.14 Purpose And Procedures For Level 3 - Subdivision 4 Lots Or Fewer" of the Grantsville Land Use Ordinances is hereby *added* as follows:

BEFORE ADOPTION

21.2.14 Purpose And Procedures For Level 3 - Subdivision 4 Lots Or Fewer (Non-existent)

AFTER ADOPTION

21.2.14 Purpose And Procedures For Level 3 - Subdivision 4 Lots Or Fewer*(Added)*

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 which meets 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.

SECTION 23: **ADOPTION** "21.2.15 Purpose And Procedures For Level 4 - Subdivision 5 Lots Or Greater" of the Grantsville Land Use Ordinances is hereby *added* as follows:

BEFORE ADOPTION

21.2.15 Purpose And Procedures For Level 4 - Subdivision 5 Lots Or Greater (Non-existent)

AFTER ADOPTION

21.2.15 Purpose And Procedures For Level 4 - Subdivision 5 Lots Or Greater*(Added)*

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 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 the 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 DRC. 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.

SECTION 24: **ADOPTION** "21.2.16 Purpose And Procedures For Level 5 Subdivisions" of the Grantsville Land Use Ordinances is hereby *added* as follows:

BEFORE ADOPTION

21.2.16 Purpose And Procedures For Level 5 Subdivisions (Non-existent)

AFTER ADOPTION

21.2.16 Purpose And Procedures For Level 5 Subdivisions*(Added)*

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 which meets 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.

1. 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.

SECTION 25: **AMENDMENT** "21.4.8 Appeals" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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.

AFTER AMENDMENT

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 Hearing Officer ~~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 Hearing Officer ~~city council~~ shall consider the appeal within 60 days of receipt of the written appeal.

Appeals from the engineering drawings qualifying as subdivision improvement plans under Utah Code Ann. §10-9a-604.2 shall be appealed to an appropriate ad hoc committee in accordance with that Section.

SECTION 26: **AMENDMENT** "21.5.1 Application" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.5.1 Application

1. If a Planned Unit Development is required due to:
    a. zoning requirements,
    b. proposes a mix of uses,
    c. contains sensitive soils areas,
    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.

AFTER AMENDMENT

21.5.1 ~~Application~~REPEALED

1. ~~If a Planned Unit Development is required due to: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.zoning requirements,proposes a mix of uses,contains sensitive soils areas,includes conditional uses, orincludes a non-compliant use that would require approval of exceptions or variations to zoning requirements or ordinances by Planning Commission,~~

SECTION 27: **AMENDMENT** "21.6.1 Application" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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 (hereinafter referred to as the City's Design Standards).

(2) The design and development 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.

AFTER AMENDMENT

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 (hereinafter referred to as the City's Design Standards).

(2) The design and development 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~~ may not be subdivided until the hazards have been eliminated or will be eliminated by the construction of the subdivision.

SECTION 28: **AMENDMENT** "21.6.2 Lots" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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

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

(5) 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.

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

AFTER AMENDMENT

21.6.2 Lots

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

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

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

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

(5) 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.

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

SECTION 29: **AMENDMENT** "21.6.3 Streets" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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 the City's Design Standards. No 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 developments shall be designed to meet the applicable requirements in the current adopted edition of the International Fire Code.

(5) 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 development. Streets within the proposed development shall be interconnected to the greatest extent possible. 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 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 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.

(14) 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's Design Standardsstandards on the side of the street fronting the development. The non-property line edge of street shall have installed a temporary ribbon-curb.

(15) 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.

(16) All associated improvements such as sidewalk, curb, gutter, or alternate drainage shall also be constructed to the standards for a "Public Road, Standard Street Section" as specified in Grantsville City's Design Standards.

(17) 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 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.

(18) 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.

(19) 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 of-way width to meet the half ofwidth 26 foot minimum) 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 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 meetthe 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 with the existing improvements or have bearing on potential future improvements associated with the proposed development.

(c) In cases where the existing street improvements do not meet the City's DesignStandards standards, deficiencies shall be corrected to meet the City'sDesign Standardsstandards. 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. Additional repair and replacement may be required beyond the right-of-way centerline if construction of improvements for the development such as trenching for utilities serving the development or construction activities for the 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 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 Design Standards shall include a paved surface width of a minimum of 26 feet for the full length of the development boundary frontage.

(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)(iii) (2021).

AFTER AMENDMENT

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 the City's Design Standards. No 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 developments shall be designed to meet the applicable requirements in the current adopted edition of the International Fire Code.

(5) 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 development. Streets within the proposed development shall be interconnected to the greatest extent possible. 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 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 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.

(14) 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's Design Standards~~standards~~ on the side of the street fronting the development. The non-property line edge of street shall have installed a temporary ribbon-curb.

(15) 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~~ 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.

(16) All associated improvements such as sidewalk, curb, gutter, or alternate drainage shall also be constructed to the standards for a "Public Road, Standard Street Section" as specified in Grantsville City's Design Standards.

(17) 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 shall require that the subdivision improvements be guaranteed for two years after their installation, in a manner consistent with guarantees required for a standard subdivision.

(18) 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.

(19) 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 of-way width to meet the half ~~of~~width (26 foot minimum) 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 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 meetthe 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 with the existing improvements or have bearing on potential future improvements associated with the proposed development.

(c) In cases where the existing street improvements do not meet the City's ~~DesignStandards standards,~~ deficiencies shall be corrected to meet the City'sDesign Standards~~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. Additional repair and replacement may be required beyond the right-of-way centerline if construction of improvements for the development such as trenching for utilities serving the development or construction activities for the 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 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 Design Standards shall include a paved surface width of a minimum of 26 feet for the full length of the development boundary frontage.

(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)(iii) (2021).

SECTION 30: **AMENDMENT** “21.6.4 Frontage On Arterial And Collector Streets” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.6.4 Frontage On Arterial And Collector Streets

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

AFTER AMENDMENT

21.6.4 Frontage On Arterial And Collector Streets

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

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

BEFORE AMENDMENT

21.6.12 Water Supply

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

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

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

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

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

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

AFTER AMENDMENT

21.6.12 Water Supply

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

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

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

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

drought.

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

(5) Notwithstanding anything to the contrary specified in this Chapter, property that is proposed for a development that was previously platted and developed, shall be required to convey culinary and secondary water rights to the city pursuant to subsection (3) above, even if the new proposed development has four or fewer lots. Any waiver of the requirement to provide secondary water rights to the city by this section, shall not apply to property that has

had a secondary water right attached to it or has been irrigated with secondary water within the past five years, pursuant to Section 7-1-22 of the Grantsville City Code.

SECTION 32: **AMENDMENT** "21.7.2 Default" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.7.2 Default

In the event the subdivider defaults or fails or neglects to satisfactorily install required improvements within two years from date of approval of the final plat, the city council may declare the bond, escrow, 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.

AFTER AMENDMENT

21.7.2 Default

In the event the subdivider defaults or fails or neglects to satisfactorily install required improvements within two years from date of approval of the final plat, the C~~c~~ity C~~c~~ouncil may declare the bond, escrow,or a 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.

SECTION 33: **AMENDMENT** "21.7.3 Maintenance Guarantee" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

21.7.3 Maintenance Guarantee

(1) The subdivider shall guarantee all off-site improvements will remain in good condition for a period of one year after the date of final acceptance by the city. The subdivider shall make all repairs to and maintain the improvements in good condition during that one-year period at no cost to the city. The city shall retain up to 10% of the guarantee for a surety to cover the maintenance period. The exact amount retained shall be determined per state law, in an amount

the lesser of the municipal engineers original estimated cost of completion, or the applications reasonable proven cost of completion, by the City Engineer.

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

(1) to protect the public health, safety and welfare,

(2) has substantial evidence of prior poor performance of the sub-divider/,

(3)developer; unstable soil conditions exist within the subdivision or development area,

(4) or extreme fluctuations exist in climatic conditions that would render impracticable the discovery of substandard or defective performance within a one-year period.

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

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

AFTER AMENDMENT

21.7.3 Maintenance Guarantee

(1) The subdivider shall guarantee all off-site improvements will remain in good condition for a period of one year after the date of final acceptance by the city. The subdivider shall make all repairs to and maintain the improvements in good condition during that one-year period at no cost to the city. The Ceity 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 Ceity may require that the improvement assurance warranty be in place for a period of two years following final acceptance by the Ceity, if the Ceity 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 C~~c~~ity P~~p~~ublic W~~w~~orks D~~d~~irector, whose decision upon the matter shall be final and binding upon the subdivider/developer. The P~~p~~ublic W~~w~~orks D~~d~~irector shall use C~~c~~ity standards and specifications, the preliminary plat and engineering drawings and information from the C~~c~~ity E~~e~~ngineer 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 C~~c~~ity P~~p~~ublic W~~w~~orks D~~d~~irector shall cause a written notice to be mailed or given to the subdivider/developer. Upon receipt, the subdivider/developer shall undertake and complete such repairs, maintenance or re-building. If repairs are not completed within the specified time, the city shall have such repairs made and the cost of such repairs shall be paid by the subdivider/developer or by the city using the guarantee.

SECTION 34: **AMENDMENT** "21.8.1 Vacating Or Changing A Subdivision Plat" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

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

21.8.1 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. §1 0- 9a-608 (2014))

AFTER AMENDMENT

21.8.1 Vacating Or Changing A Subdivision Plat

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

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

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

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

the revised plat.

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

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

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

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

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

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

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

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

(8) The owners of record of adjacent parcels that are described by either a metes and bounds description or a recorded plat, may exchange title to portions of those parcels, if the exchange of title is approved by the Zoning Administrator in accordance with this Subsection. The Zoning Administrator is designated as the land use authority for the purpose of reviewing and approving boundary line adjustments pursuant to the provisions of this subsection and Utah Code Ann. Section §10-9a-608(7) (~~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. §1 0- 9a-608 ~~(2014)~~)

SECTION 35: **AMENDMENT** "21.8.2 City Council Consideration Of Petition To Vacate Or Change A Plat" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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. §1 0-9a-609 (2014))

AFTER AMENDMENT

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. §1 0-9a-609 ~~(2014)~~)

SECTION 36: **AMENDMENT** "21.8.3 Vacating Or Altering A Street Or Alley" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

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))

AFTER AMENDMENT

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)~~)

PASSED AND ADOPTED BY THE GRANTSVILLE COUNCIL DECEMBER 04, 2024.

	AYE	**NAY**	**ABSENT**	**ABSTAIN**
Heidi Hammond	X			
Jolene Jenkins	X			
Jeff Williams	X			
Rhett Butler	X			
Jacob Thomas			X	

Attest

Presiding Officer

____
Neil Critchlow, Mayor, Grantsville

Braydee N. Baugh
____
Braydee Baugh, City Recorder, Grantsville