

**GRANTSVILLE
ORDINANCE 2024-06**

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

SECTION 1: **AMENDMENT** “12.2 Authority To Modify Regulations” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

12.2 Authority To Modify Regulations

(1) The Planning Commission shall have the authority to set reasonable and appropriate conditions in approving any planned development and to change, alter, modify or waive certain provisions of the land use Code as they apply to the proposed planned development. Public health and safety issued including but not limited to; line of site, public utilities and associated easements, secondary and emergency access, and quantity of required parking are outside of the Planning Commission authority to modify or waive. No such change, alteration, modification or waiver shall be approved unless the Planning Commission shall find that the proposed planned unit development:

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

- (b) Will not violate the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council.

AFTER AMENDMENT

12.2 Authority To Modify Regulations

(1) The Planning Commission shall have the authority to recommend to the City Council ~~set~~ reasonable and appropriate conditions in ~~approving~~ any planned development including recommendations ~~and~~ to change, alter, modify or waive ~~certain provisions~~ of the land use Code as they ~~applies~~ to the proposed planned development. Public health and safety issues including but not limited to; line of site, public utilities and associated easements, secondary and emergency access, and quantity of required parking are outside of the Planning Commission authority to recommend for modification or waiver. No such change, alteration, modification or waiver shall be approved unless the City Council ~~Planning Commission~~ shall find that the proposed planned unit development:

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

(b) Will not violate the general purposes, goals and objectives of this Code and of any plans adopted by the Planning Commission or the City Council.

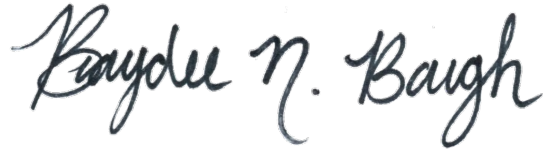
PASSED AND ADOPTED BY THE GRANTSVILLE COUNCIL FEBRUARY 21, 2024.

	AYE	NAY	ABSENT	ABSTAIN
Heidi Hammond	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Jolene Jenkins	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Jeff Williams	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Rhett Butler	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Scott Bevan	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Attest

Presiding Officer

Neil Critchlow, Mayor, Grantsville



Braydee Baugh, City Recorder,

Grantsville

