

**GRANTSVILLE  
ORDINANCE 2024-11**

**AN ORDINANCE OF GRANTSVILLE CITY AMENDING GRANTSVILLE LAND  
USE CODE CHAPTER 1.18 - "NOTICING"**

**WHEREAS**, Grantsville City wishes to keep its code current and in alignment with corresponding changes in Utah State Code concerning noticing requirements;

**WHEREAS**, Grantsville City wishes to clarify requirements for proper posting of signage as required for land use amendments;

**WHEREAS**, the Public Works and Community Development staff have discussed and prepared amendments to §1.18 of the Grantsville City Land Use Ordinances to accomplish the above items and have prepared a "Staff Report Summary" and memorandum titled "Responsibility of Noticing Requirements" attached hereto in Exhibit A; and

**WHEREAS**, section 2-4-1 of the Grantsville City Code authorizes the City Council to exercise its legislative powers through ordinances and amendments to ordinances.

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

**SECTION 1:**        **AMENDMENT** "1.18 Notice" of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

1.18 Notice

Grantsville City shall provide the proper notice for the following actions:

(1) The planning commission shall hold a public hearing for any modification to the general plan. For notice of public hearings and public meetings to consider general plan or modifications:

(a) Grantsville City shall provide:

(i) notice of the date, time, and place of any public hearing of the planning commission to consider the original adoption or any modification of all or any portion of a general plan; and

(ii) notice of each public meeting on the subject.

(b) Each notice of a public hearing under Subsection (1 )(a)(i) shall be at least ten calendar days before the public hearing and shall be:

(i) published in a newspaper of general circulation in the area;

(ii) before the public hearing held by the planning commission the city shall mail to each affected entity as defined in Utah Code Ann. §10-9a-103 (2018) at least ten calendar days before the public hearing;

(iii) posted:

(iv) in at least three public locations within the city; or

(v) on the municipality's official website.

(c) Each notice of a public meeting under Subsection (1)(a)(ii) shall be at least 24 hours before the meeting and shall be:

(i) submitted to a newspaper of general circulation in the area; and

(ii) posted:

(A) in at least three public locations within the municipality; or

(B) on the city's official website.

(2) The planning commission shall hold a public hearing for the adoption or any modification of a land use ordinance or zoning map. For notice of public hearings and public meetings to consider the adoption or any modification of a land use ordinance or zoning map:

(a) Grantsville City shall provide:

(i) notice of the date, time, and place of any public hearing of the planning commission; and

(ii) notice of each public meeting on the subject.

(b) Each notice of a public hearing under Subsection

(i) before the public hearing held by the planning commission the city shall mail to each affected entity as defined in Utah Code Ann. §10-9a-103 (2018) at least ten calendar days before the public hearing;

(ii) posted:

(A) in at least three public locations within the municipality; or

(B) on the municipality's official website; and

(iii) (A) published in a newspaper of general circulation in the area at least ten calendar days before the public hearing; or

(B) before the public hearing held by the planning commission the city shall mail at least three days before the public hearing to:

1. each property owner whose land is directly affected by the land use ordinance change; and
2. the record owner of each parcel within 500 feet of the property directly affected by the land use code change.

(C) Each notice of a public meeting under Subsection (2)(a)(ii) shall be at least 24 hours before the meeting and shall be posted:

- (i) in at least three public locations within the municipality; or
- (ii) on the city's official website.

(3) The planning commission shall hold a public hearing for a proposed subdivision or an amendment to a subdivision. For notice of public hearings and public meetings to consider a proposed subdivision or an amendment to a subdivision:

(a) Grantsville City's planning commission shall provide notice of the date, time, and place of a public hearing that is:

(i) before the public hearing held by the planning commission the city shall mail not less than three calendar days before the public hearing and addressed to the record owner of each parcel within 500 feet of that property; or

(ii) posted not less than three calendar days before the public hearing, on the property proposed for subdivision, in a visible location, with a sign of sufficient size, durability, and print quality that is reasonably calculated to give notice to passers-by.

(b) Grantsville City's land use authority shall mail notice to each affected entity as defined in Utah Code Ann. §10-9a-103 (2018) of a public hearing to consider a preliminary plat describing a multiple-unit residential development or a commercial or industrial development.

(4) The planning commission shall hold a public hearing for any proposal to vacate, alter, or amend a platted street. The planning commission shall hold a public hearing and shall give notice of the date, place, and time of the hearing by:

(a) mailing notice as required in Section (3) above;

(b) mailing notice to each affected entity as defined in Utah Code Ann. §10-9a-103 (2018); and

(c) publishing notice once a week for four consecutive weeks before the hearing in a newspaper of general circulation in the municipality in which the land subject to the petition is located.

(5) If notice given under authority of this part is not challenged under Utah Code Ann. §10-9a-801 (2018) within 30 days after the meeting or action for which notice is given, the notice is considered adequate and proper.

## AFTER AMENDMENT

### 1.18 Notice

Grantsville City shall provide the proper notice for the following actions:

(1) The ~~p~~Planning ~~e~~Commission shall hold a public hearing for any modification to the general plan. For notice of public hearings and public meetings to consider general plan or modifications:

(a) Grantsville City shall provide:

(i) notice of the date, time, and place of any public hearing of the ~~p~~Planning ~~e~~Commission to consider the original adoption or any modification of all or any portion of a general plan; and

(ii) notice of each public meeting on the subject.

(b) Each notice of a public hearing under Subsection (1)(a)(i) shall be at least ten calendar days before the public hearing and shall be:

~~(i) published in a newspaper of general circulation in the area;~~

~~(ii) before the public hearing held by the planning commission the city shall mail to each affected entity as defined in Utah Code Ann. §10-9a-103 (2018) at least ten calendar days before the public hearing;~~

~~(iii) posted:~~

~~(A) in at least three public locations within the municipality-city; or~~

~~(B) on the municipality's official website; and:~~

~~(C) posted not less than three calendar days before the Public Hearing, on the property proposed for subdivision, in a visible location, with a sign of sufficient size, durability, and print quality that is reasonably calculated to give notice to passers-by.~~

~~(iii) before the Public Hearing held by the Planning Commission the city shall mail to each affected entity as defined in Utah Code Ann. §10-9a-103 (2018) at least ten calendar days before the public hearing;~~

(c) Each notice of a public meeting under Subsection (1)(a)(ii) shall be at least 24 hours

before the meeting and shall be posted:

~~(i) submitted to a newspaper of general circulation in the area; and~~

~~(ii) posted:~~

~~(iA)~~ in at least three public locations within the municipality; or

~~(iiB)~~ on the city's official website.

(2) The ~~p~~Planning ~~e~~Commission shall hold a public hearing for the adoption or any modification of a land use ordinance or zoning map. For notice of public hearings and public meetings to consider the adoption or any modification of a land use ordinance or zoning map:

(a) Grantsville City shall provide:

(i) notice of the date, time, and place of any public hearing of the ~~p~~Planning ~~C~~eommission; and

(ii) notice of each public meeting on the subject.

(b) Each notice of a public hearing under Subsection (2)(A)(ii) shall be at least ten calendar days before the public hearing and shall be:

~~(i) before the public hearing held by the planning commission the city shall mail to each affected entity as defined in Utah Code Ann. §10-9a-103 (2018) at least ten calendar days before the public hearing;~~

~~(ii) posted:~~

~~(A) in at least three public locations within the municipality; or~~

~~(B) on the municipality's official website; and~~

(C) on the property proposed for subdivision, in a visible location, with a sign of sufficient size, durability, and print quality that is reasonably calculated to give notice to passers-by.

~~(iii) (A) published in a newspaper of general circulation in the area at least ten calendar days before the public hearing; or (B) b~~Before the public hearing held by the ~~p~~Planning ~~e~~Commission the ~~C~~eity shall mail at least ~~three~~ten days before the public hearing to:

~~1~~1~~(A).~~ each property owner whose land is directly affected by the land use ordinance change; and

~~2~~2~~(B).~~ the record owner of each parcel within 500 feet of the property directly affected by the land use code change; and

(C) before the Public Hearing held by the Planning Commission the city shall mail to each affected entity as defined in Utah Code Ann. §10-9a-103 (2018) at least ten calendar days before the public hearing;

(c) Each notice of a public meeting under Subsection (2)(a)(ii) shall be at least 24 hours before the meeting and shall be posted:

- (i) in at least three public locations within the municipality; or
- (ii) on the city's official website.

(3) The Planning Commission shall hold a public hearing for a proposed subdivision or an amendment to a subdivision. For notice of public hearings and public meetings to consider a proposed subdivision or an amendment to a subdivision:

(a) Grantsville City's Planning Commission shall provide notice of the date, time, and place of a public hearing that is:

- (i) before the public hearing held by the Planning Commission the City shall mail not less than ~~threeten~~ calendar days before the public hearing and addressed to the record owner of each parcel within 500 feet of that property; ~~and or~~
- (ii) posted not less than ~~three-ten~~ calendar days before the public hearing, on the property proposed for subdivision, in a visible location, in a manner that will not impeded the right-of-way views of the public, with a sign of sufficient size, durability, and print quality that is reasonably calculated to give notice to passers-by.:-

(b) Grantsville City's land use authority shall mail notice to each affected entity as defined in Utah Code Ann. §10-9a-103 (2018) of a public hearing to consider a preliminary plat describing a multiple-unit residential development or a commercial or industrial development.

(4) The Planning Commission shall hold a public hearing for any proposal to vacate, alter, or amend a platted street. The Planning Commission shall hold a public hearing and shall give notice of the date, place, and time of the hearing by:

- (a) mailing notice as required in Section (3) above;
- (b) mailing notice to each affected entity as defined in Utah Code Ann. §10-9a-103 (2018); and

~~(c) publishing notice once a week for four consecutive weeks before the hearing in a newspaper of general circulation in the municipality in which the land subject to the petition is located.~~

(5) If notice given under authority of this part is not challenged under Utah Code Ann. §10-9a-801 (2018) within 30 days after the meeting or action for which notice is given, the notice is considered adequate and proper.

