



May 4, 2023

**Planning Commission
Meeting**

Information Packet

PLEDGE OF ALLEGIANCE

ROLL CALL

AGENDA:

1. Consideration to recommend approval of Development Agreement for Matthews Development.
2. Consideration to recommend approval of PUD for Matthews Development
3. Discussion of MU (Mixed Use) zoning definition
4. Discussion of External ADU
5. Report from City Council liaison Mayor Critchlow
6. Adjourn

AGENDA ITEM #1

Consideration to recommend approval of
Development Agreement for Matthews
Development

**Planning and Zoning**

336 W. Main Street • Grantsville, UT 84029

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

File# 2023067-B**Development Agreement Summary and Recommendation****Parcel ID:** 01-055-0-0045, 01-055-0-0040; 01-070-0-0102 and 01-070-0-0103**Meeting Date:** April 13, 2023**Property Address:** Corners of Main Street and Williams Lane and Durfee Street, approximately 70 acres**Current Zone:** Mixed Use (MU)

| | |
|---------------------------------------|---|
| Applicants Names: | Brett Lovell / Connor O'Leary / Howard Schmidt |
| Request: | Matthews Development Agreement Approval |
| Prepared by: | Cavett Eaton |
| Planning Staff Recommendation: | The Development Agreement for Matthews Development was received and redlined by Dan (Joseph) England, City Engineer, and this is the major subject matter presented in this report. Most of the comments specific to the Development were made in the PUD Summary prepared by the P&Z Staff. Our staff has not had the opportunity to resolve many of the issues of concern with the developer. These concerns need to be addressed and remedied as this process moves toward consideration for approval by the City Council. We recommend this process of review be considered thoughtfully. |

Planning Staff Recommendation

In response to this staff summary, the development team respectfully requests that the Planning Commission not let the proposed location of the Solberg's grocery store site impact their decision to approve or deny this Development. They acknowledge that the Jefferies Family will be meeting with City Council and Planning Commission in a joint work meeting on the evening of May 10th to explain the conditions relative to locating the Soelberg's grocery store on the proposed site.

PROJECT DESCRIPTION / OVERVIEW

The owners desire to develop the Total Property as a mixed-use project containing both commercial uses and residential uses. As shown on the Conceptual Site Plan, there are two areas of the Total Property planned for commercial uses: one comprised of approximately 7.789 acres at the southeastern corner of the Total Property, and one comprised of approximately 6.32 acres on the northeastern portion of the Total Property.

The owners also desire to sell the commercial properties to one or more commercial developers to be developed and used to help meet the currently unmet commercial needs of the City. It is anticipated that the developers and operators of the Commercial Parcels may enter into their own separate supplemental development agreements with the City, containing provisions pertaining specifically to the development and use of the Commercial Parcels.

It is also their intent to develop the Total Property, except for the Commercial Parcels (the "Residential Property") for residential uses in accordance with the attached Concept Plan. As required by the Zoning, the Residential Property shall be developed and approved as a Planned Unit Development (PUD).

Zone: Mixed Use

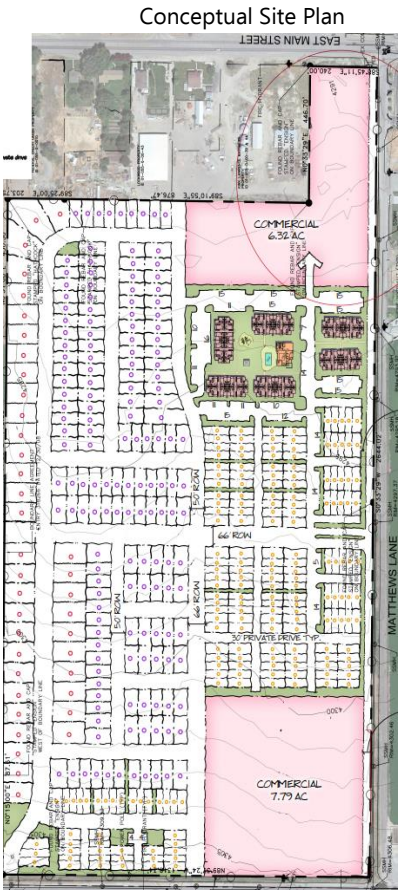
Total acreage: approximately 70 acres.

Total Acreage Commercial: 14 acres. Approximately 20% of total acreage.

Residential Units

- Total Proposed: 528
- Types of Residential Units (as shown on conceptual plan):
 - Apartments/Condos?, approximately 144 units. (The narrative discussed rental units)
 - Townhouses, 1,920 sf. lots, approximately 189 units
 - Single Family 3,600 sf. lots, approximately 156 units.
 - Single Family 7,150 sf. lots, approximately 39 units.
 - Average Density in Residential Acreage (56 acres): 9.4 units per acre.
 - Moderate Income or Affordable Housing: approximately 20% of residential units.

SITE & VICINITY DESCRIPTION



PLANNING STAFF ANALYSIS

The City staff has reviewed the PUD Application and supporting documents submitted for the Matthews Development PUD. As this application is being submitted prior to a Preliminary application it is understood that very little engineering has been completed at this point. Please understand that while every effort has been made by city staff to anticipate how the requirements and standards may apply to the concept that has been submitted, the Applicants design effort to meet the requirements and standards through an engineered design may cause changes that affect the conceptual layout, density and total number of units that can ultimately be constructed on the site. Any approvals granted by the approval of this PUD Application and the subsequent Development Agreement do not fully vest the applicant and are subject to change with the Preliminary approval.

The staff review has found that there is additional information needed in order to adequately consider the PUD Application and create a comprehensive Development Agreement. The following comments detail many important elements that must be addressed as part of the PUD Application and Development Agreement:

PUD Application Requirements: The Narrative that has been provided with the Application is very helpful for the City to understand the vision of the proposed development and what the applicant perceives as benefits to the community. This Narrative is a key element of the PUD Application. There are three elements that comprise the basic information that is necessary for consideration of the PUD and can be addressed in the Narrative or in separate documents. The approval of the PUD application will result in the creation of a document that is included in a Development Agreement detailing these three elements:

1. Description of compliance with Objectives detailed in Grantsville Land Use Development and Management Code (GLUDMC) Section 12.1. The objectives must be specifically cited with a description of how the objective is being met and those that are not applicable. This has been addressed in the Narrative that has been submitted as part of the application for the Development. No additional action required at this point.
2. Address each of the standards in GLUDMC Section 4.7.8. Since the PUD is a type of conditional use it must meet the standards for a conditional use permit. There are several standards and it is not expected that the responses are exhaustive but the response should explain how the proposed application applies or what efforts have been proposed to mitigate any issues of non-compliance. As the Conditional Use Standards have been written to cover a large range of conditional uses it is also likely that some of the standards are not applicable. Address each of the standards in GLUDMC Section 4.7.8.
3. Clearly state any exceptions or variances being requested, including the reference to applicable section in the GLUDMC as well as an explanation of the deviation and how it is being mitigated to comply with the general purposes, goals and objectives of the GLUDMC

or other plans adopted by Planning Commission or the City Council. The Narrative includes a table of exceptions which is missing the code references and is not inclusive of all the potential exceptions and variances necessary.

Attached is a Code Compliance Verification Table that provides a list of codes and standards that do not comply and would require exceptions or variances in order for Planning Commission and City Council to approve the PUD Application as submitted. Planning Commission makes these determinations, and this will be part of the discussion with Planning Commission at the meeting on April 13, 2023. The Applicant needs to Clearly state any exceptions or variances being requested, but it is recommended to wait for results of Planning Commission Discussion on April 13th to save an additional round of modifications.

A fourth element is created as the application is considered by city staff and public bodies:

4. Any special conditions that apply to the development shall also be stated in the supplement to the Development Agreement. No additional action required at this point.

GLUDMC Section 4.7.8. Standards:

The following section of code is being provided for the convenience of the Applicant:

1. Details of how the proposed project complies with the standards found in 4.7.8:

Since the PUD is a type of conditional use the application must include a description of the proposed project will meet the standards found in 4.7.8 of the Conditional Use Ordinance. Those standards are provided below:

- (a) The proposed use is one of the conditional uses specifically listed in the zoning district in which it is to be located;
- (b) That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, comfort, order or general welfare of persons residing or working in the vicinity;
- (c) That the use will comply with the intent, spirit, and regulations of these ordinances and is compatible with and implements the planning goals and objectives of the City, including applicable City master plans;
- (d) Make the use harmonious with the neighboring uses in the zoning district in which it is to be located;
- (e) That nuisances which would not be in harmony with the neighboring uses, will be abated by the conditions imposed;
- (f) That protection of property values, the environment, and the tax base for Grantsville City will be assured;
- (g) That the conditions shall be in compliance with the current comprehensive General Plan of Grantsville City;
- (h) That some form of a guarantee is made assuring compliance to all conditions that are imposed;

- (i) That the conditions imposed are not capricious, arbitrary or contrary to any precedence set by the Planning Commission on prior permits, which are similar in use and district, unless prior approvals were not in accordance with the provisions and standards of this ordinance;
- (j) The internal circulation system of the proposed development is properly designed;
- (k) Existing and proposed utility services are adequate for the proposed development;
- (l) Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts;
- (m) Architecture and building materials are consistent with the development and compatible with the adjacent neighborhood;
- (n) Landscaping is appropriate for the scale of the development;
- (o) The proposed use preserves historical, architectural and environmental features of the property; and
- (p) Operating and delivery hours are compatible with adjacent land uses.

In addition to items requiring additional information on the Code Compliance Verification Table, the following items need additional information submitted:

Open Space: Based on the 56 acres of residential use, 5.6 acres of open space are required. The Narrative notes several amenities that will be provided. The proposed amenities are a great asset to the project to mitigate the lack of space for personal outdoor amenities in the multi-family housing and the small single family lots. Per GLUDMC Chapter 12 the requirement for 10% open space is a minimum and is requisite in order for the City to grant the PUD. Open space must meet the requirements found in GLUDMC 21.1.14, 21.1.15, 21.1.16 and 21.1.22. Some of the areas that may be proposed as open space on the concept plan submitted with the application may not actually qualify as open space. Please review the open space requirements and provide a drawing that details where the open space and amenities will be provided and how it is interconnected throughout the subdivision. Calculations of the area to show that the open space complies with the 10% minimum requirement are also necessary.

Calculation of Residential Density: The Narrative states that the project will have an average density of 7.6 units per acre. This is based upon the full 70 acre site. Since the residential is segregated from the commercial the density should be factored on the 56 acres and not the full 70 acres. This brings the density up to an average of 9.4 units per acre. However, the code requires that density is calculated for each type of residential use to determine if there are any special conditions that need to be addressed. Please provide the acreage for each type of residential use and verify the approximate number of units for each type of residential use.

Streets: Please provide proposed typical cross sections for those streets that do not meet the City street standards. The necessary cross sections include the 50 foot and 30 foot private rights of way. If the 66-foot right-of-way is not configured like the City local street standard, then that cross section would also need to be provided.

Also, there are locations within the subdivision that transition from one width of street to another. Please provide any traffic study information or design criteria that was used to determine where these transitions will be made.

Boundary Streets: We appreciate that the project recognizes the need for additional right-of-way along Matthews Lane to bring the street up to an appropriate width. The 2022 Grantsville Transportation Master Plan and associated modeling shows that Matthews Lane will function as a Collector Street by 2031. That modeling was based upon uniform growth throughout the City. With the proposed Matthews Development, the street may be functioning as a Collector much sooner. Is the proposed dedication of right-of-way sufficient to develop the west side of the street as a Collector? 45 feet of right-of-way from street centerline is necessary. Is there adequate right-of-way width on Durfee Street to meet the current Conditional Collector Street classification? This project is located on the section of Durfee Street for which the Conditional Collector was derived. 40 feet of right-of-way from street centerline is necessary.

Snow Removal: How will snow removal be addressed? Where will snow be stored on the narrow streets?

Visitor Parking: The town homes and small frontage lots will not be allowed to have on street parking. Where will visitor parking be provided? Per Exhibit B it looks like only two parking stalls will be provided with each unit. Please clarify what parking is proposed on the townhouses and the small single-family lots. ie. Two car garages and two parking spaces in driveway or other? Inadequate parking leads to illegal parking and impairment of movement through the streets which delays emergency response. This is a public safety issue.

Stormwater: How will stormwater be addressed? There are no basins shown in the proposed development and the densities being requested will result in very high ratio of hardscape to softscape so the ability to absorb stormwater flows in landscaping will be minimal. This will be a key issue to address. Is there any soils information and percolation information that can be provided for the site? The use of low impact development principles such as retaining water where it is generated and putting the stormwater back into the ground at its point of generation will be important to minimizing the need for large areas containing basins. The number of residential units that will be allowed on the site will be dependent upon the area necessary to address the stormwater needs of the project.

Public Utilities: Narrow rights-of-way typically remove the areas that are traditionally used for public utilities. This creates a need for alternate utility corridors. In dense areas such as the proposed town houses the placement of utilities must be considered. Utility corridors need to be adequate for the utility requirements, accessible for maintenance. Trails are a great use of utility corridors.

The narrative proposes that the public utility easements around the lots be reduced in width and that the homes may encroach on these easements with bump outs, window wells and other obstructions that render these easements useless. Here again, there needs to be some type of corridor provided that will allow for possible future utility needs to mitigate the loss of usefulness of public utility easements. Provide a drawing or description that details how utility corridors will be provided to serve the subdivision.

Well Site: Please show the location of the existing well and the size of property that will be provided around it. If the well has not been constructed to a municipal culinary well standard the City would have to redrill the well and construct a new one that meets these standards. Very likely the existing well head would be capped and would become a monitoring well for the new culinary well that would be drilled nearby. Both wells would be required to be in a fenced compound. The municipal culinary well would also have protection zones that would place limitations on the uses nearby. Some of those types of limitations include the inability to store large volumes of potential contaminants such as oil, paint, herbicides and pesticides within 100 feet of the culinary well. No sewer lines can run within this 100-foot protection zone. There are other requirements that would affect the design of the surrounding area. The first step is to determine where this well is located and what is proposed around it.

MASTER DEVELOPMENT AGREEMENT FOR MATTHEWS MIXED-USE DEVELOPMENT
(When Viewed in Review/Show Comments Format – Dan England, City Engineers’ Comments Included)

WHEN RECORDED, RETURN TO:

Brett Coombs, Esq.
Grantsville City Attorney
429 East Main Street
Grantsville City, Utah 84029

**MASTER DEVELOPMENT AGREEMENT
FOR
MATTHEWS MIXED-USE DEVELOPMENT**

THIS AGREEMENT (this “**Agreement**”) is made and entered into as of _____, 2023, by and between **GRANTSVILLE CITY**, a municipal corporation of the State of Utah (“**City**”), and **M&M MATTHEWS PROPERTIES, LLC**, a Utah limited liability company (“**Matthews**”).

RECITALS

A. Certain capitalized terms used in this Agreement and in these Recitals are defined in Section 1 below.

B. Matthews is the current owner of four (4) adjacent parcels of land in Tooele County, Utah, totaling approximately seventy (70) acres, identified as Tooele Tax Parcels 01-055-0-0045, 01-055-0-0040; 01-070-0-0102 and 01-070-0-0103 and legally described on **Exhibit A** hereto (the “**Total Property**”).

C. Matthews desires to develop the Total Property as a mixed-use project containing both commercial uses and residential uses. As shown on the Conceptual Site Plan attached hereto as **Exhibit B** (the “**Concept Plan**”), there are two areas of the Total Property planned for commercial uses: one comprised of approximately 7.789 acres at the southeastern corner of the Total Property (the “**SEC Parcel**”), and one comprised of approximately 6.32 acres on the northeastern portion of the Total Property (the “**NEC Parcel**”) (collectively, the “**Commercial Parcels**”).

D. Matthews desires to sell the SEC Parcel and the NEC Parcel to one or more commercial developers to be developed and used to help meet the currently unmet commercial needs of the City. It is anticipated that the developers and operators of the Commercial Parcels may enter into their own separate supplemental development agreements with the City, containing provisions pertaining specifically to the development

and use of the Commercial Parcels. This Agreement, however, is intended to apply to and govern the development of the Total Property, including the Residential Property (defined below) and the Commercial Parcels.

Commented [JE1]: (this has no binding authority)

E. Matthews desires to develop the Total Property, except for the Commercial Parcels (the “**Residential Property**”) for residential uses in accordance with the attached Concept Plan and this Agreement. As required by the Zoning, the Residential Property shall be developed and approved as a Planned Unit Development.

F. The Parties intend that the Residential Property be developed in a manner consistent with the stated goals of the City’s General Plan and the Zoning, namely, that it will provide a variety of housing opportunities including moderate income housing that will meet the affordable housing needs of City residents.

Commented [JE2]: These are all non-committal words

G. Development of the Commercial Parcels and the Residential Property shall be completed in a manner that is consistent with the Concept Plan (the “**Project**”), with the objective of integrating the residential and commercial components into one harmonious development that is compatible with existing and/or anticipated uses of surrounding properties.

Commented [JE3]: They should add a concept of the commercial areas that would work with the residential.

H. The Parties desire to enter into this Agreement to specify certain rights and responsibilities for the development of the Total Property, as well as the rights and responsibilities of the City to allow and regulate such development pursuant to the requirements of this Agreement.

I. The Parties understand and intend that this Agreement is a “development agreement” within the meaning of, and entered into pursuant to the terms of, Utah Code Ann. §10-9a-101 (2005) *et seq.* This Agreement conforms with the intent of the City’s General Plan and the Zoning, including, without limitation, the provisions in Chapter 12 (“*Planned Unit Developments*”) and Chapter 19a (“*Mixed Use District*”) of GLUDMC. This Agreement reflects the terms of bargained-for exchanges and rights between the City and Matthews to promote and enhance the general welfare and benefits of the City and its residents as well as the property rights and development objectives of Matthews and the Total Property.

Commented [JE4]: Is Matthews the ones that will be doing the development? They are signing the agreement

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned parties hereby agree to the following provisions, incorporating by reference the prior recitals as if fully set forth herein:

TERMS

1. **Definitions.** As used in this Agreement, the words and phrases specified below shall have the following meanings:

1.1. **Agreement** means this Development Agreement including all of its Exhibits, as well as any Addenda signed by the Parties and added after this Agreement is executed.

1.2. **Applicant** means a person or entity submitting a Development Application.

1.3. **Buildout** means the completion of all of the development in each phase of the entire Project in accordance with this Agreement.

1.4. **CDRA** means the Project Area Plan that may be adopted by the City’s Community Development and Renewal Agency for this Project in accordance with the requirements of the “Limited Purpose Local Government Entities – Community Reinvestment Agency Act” in Utah Code Ann. § 17C-1-101 et seq. (the “**CDRA Act**”). The CDRA shall apply to this Project only if: (i) the Project Area Plan is duly approved and implemented in accordance with the requirements of the CDRA Act, and (ii) it is approved by the Matthews in writing, which approval shall not be unreasonably withheld. If either condition is not satisfied, the references in the rest of this Agreement to the CDRA shall have no force or effect.

1.5. **City** means Grantsville City, a political subdivision of the State of Utah.

1.6. **City’s Future Laws** means the ordinances, policies, standards, and procedures which may be in effect as of a particular time in the future when a Development Application is submitted for a part of the Project and which may or may not be applicable to the Development Application depending upon the provisions of this Agreement.

1.7. **Commercial Parcels** are defined above in Recital C.

1.8. **Concept Plan** is defined above in Recital C.

1.9. **Council** means the elected City Council of the City.

1.10. **Default** means a breach of this Agreement as specified herein.

1.11. **Developer**, as used herein, means Matthews and their successors/assignees who develop any portion of the Total Property. Because this Agreement runs with the land and is binding on and inures to the benefit of existing and future Owners, each third-party that acquires ownership of all or a portion of the Commercial Parcels or any portion of the Residential Property for the purpose of developing and improving the same shall be deemed to be a “Developer” hereunder with respect to the portion of the Total Property owned by such third-party.

1.12. **Development** means the development of any portion of the Total Property pursuant to an approved Development Application.

1.13. **Development Application** means an application to the City for development of a portion of the Project or any other permit, certificate or other authorization from the City required for development of the Project.

1.14. **Development Standards** means the development standards that will apply to and govern the development of the Project, which are attached hereto as **Exhibit C**. In the event of a conflict between the standards for development as set forth in the City’s ordinances and regulations, on the one hand, and the standards set forth in **Exhibit C** hereto, on the other hand, the Development Standards in **Exhibit C** shall govern.

1.15. **Final Plat** means the recordable map or other graphical representation of land prepared in accordance with Utah Code Ann. § 10-9a-603 (2019), and approved by the City, subdividing any portion of the Project.

1.16. **GLUDMC** means Grantsville City's Land Use Development and Management Code.

1.17. **LUDMA** means the Land Use, Development, and Management Act, Utah Code Ann. § 10-9a-101 (2005), *et seq.*

1.18. **Maximum Residential Units** means the maximum number of Residential Dwelling Units that may be developed and constructed within the Project, including single family detached homes, townhomes, and apartment units. For this Project, the Maximum Residential Units shall be five hundred twenty-eight (528), which shall include one hundred ninety-five (195) single family detached homes and the balance of which will be a mixture of townhomes and apartment units.

1.19. **Notice** means any notice to or from any Party that is either required or permitted to be given to another Party.

1.20. **"Owner"** means the lawful owner of fee title to any portion of the Total Property.

1.21. **Party/Parties** means, in the singular, Matthews, Developer, or the City; and in the plural, any two or more of Matthews, Developer, and/or the City.

1.22. **Plat** means the final approved subdivision plat of any portion or phase of the Project. Developer shall not be limited to a maximum of fifty (50) lots per plat/phase.

1.23. **Project** means the Commercial Parcels together with the rest of the Total Property to be developed for residential uses pursuant to this Agreement with the associated Public Infrastructure and private facilities, and all of the other aspects approved as part of this Agreement. The Project may be developed in one or more phases.

1.24. **Total Property** is defined above in Recital B.

1.25. **Public Infrastructure** means those elements of infrastructure that are planned to be installed for the Project and dedicated to the City or other public entities as a condition of the approval of a Development Application.

1.26. **Residential Dwelling Unit** means a residential structure designed and intended for use as a single family residence (including detached single family homes, townhomes, and apartment units) as illustrated on the Final Plats.

1.27. **Zoning** means current zoning of the Total Property, which is Mixed Use District.

Commented [JE5]:

I do not think we should lock the city into a set number of lots with this agreement. Certainly not this dense.

The number depends on the City allowing 30' private drives, 50' city right of ways. Narrow lots (40' wide) that do not meet city standards, do not allow for parking, does not have enough visitor parking, does not have an HOA that will maintain this development for the long term, tiny back yards and tiny green space, it appears there are no playgrounds except in the apartment area. There are not enough dimensions to understand what they are proposing.

This is in the Center of Grantsville, not on the outer edges, which makes it even harder for the existing home owners.

The single family lots should meet the city standards. The multifamily units should meet the the multifamily code.

Commented [JE6]: They should be limited to protect the city from overbuilding.

2. Development of the Project.

2.1. **Zoning.** The Total Property is already zoned under the “*Mixed Use District*” which allows for development of residential neighborhoods and commercial properties in accordance with the provisions of Chapter 19a of GLUDMC.

2.2. **Maximum Residential Units.** At Buildout, Matthews shall be entitled to have developed the Maximum Residential Units on the Residential Property. Matthews shall have the right to re-arrange the location and layout of the different residential products (single family homes, townhomes, and apartments) so long as: (i) the total residential units within the Project do not exceed the Maximum Residential Units allowed hereunder, (ii) the layout and design of each phase provides for reasonable connectivity and traffic flow consistent with applicable health and safety standards, and (iii) re-arrangement does not result in a failure of the Total Property or any part thereof to meet either of the requirements (a) of the Zoning, or (b) for inclusion within the CDRA.

2.3. **PUD Approval.** Simultaneously with the City’s approval of this Development Agreement, the City has also approved the Project as a Planned Unit Development under Chapter 12 of the City’s municipal code. Pursuant to Section 12.2 of the City Code, the City hereby agrees that the setback requirements, open space, and other Development Standards that shall apply to the residential portion of the Project are as set forth in the Concept Plan attached as **Exhibit C** hereto.

2.4. **Phases.** The City shall approve the development of the Project, in phases, so long as each phase complies with the requirements of this Agreement. Phases may not include more than fifty (50) lots per phase so long as adequate completion assurances are provided for completion of the Public Infrastructure in each phase/plot.

2.5. **Open Space and Amenities.** Given the PUD component of this Project and the benefits to be derived under this Agreement by the City and its existing and future residents, the Project is not required to meet the open space requirements that would otherwise apply. Moreover, the acreage of all common areas and recreational amenities (such as, without limitation, dog parks, pickleball courts, pool, clubhouse, playgrounds, and stormwater detention/retention basins) shall count as open space.

2.6. **Compliance.** Development of the Project shall be in accordance with LUDMA, GLUDMC, the City’s Future Laws (but only to the extent they are applicable as specified in this Agreement), the approved Final Plats for each subdivided portion of the Project, and this Agreement. If the CDRA is approved for the Project as set forth in Section 1.4 above, the Total Property shall be developed to comply with the requirements of the CDRA and the Zoning. Furthermore, the parties acknowledge pending Utah House Bill 151 which, if enacted into law, would restrict the ability of municipalities to enter into agreements to make certain incentive payments related to retail facilities except as approved by the State of Utah, and the Parties agree to work together in all reasonable respects to secure such approval from the State, as necessary for the benefit of the retail components of the Project.

2.7. **Well.** As development of the Project occurs, when Matthews no longer needs to use the well located on the Total Property for irrigation purposes, Matthews shall dedicate the well and all well-related improvements and equipment to the City. Said dedication will

Commented [JE7]: This project already does not meet the requirements.

Commented [JE8]: There are two sides to a PUD. Where is the list of what they are doing to make this a better area and a better city?

Commented [JE9]: I think it should be limited to 50 lots.

Commented [JE10]: Why would this not apply? This is a lot of homes with no open space. If they are providing any of these things it should be shown on the plans and approved by P&Z and CC

Commented [JE11]: This will is only for irrigation. It takes over a million \$ to install a new well even in the same location. Even abandoning the well is expensive. We do not even know if the water is good for a public well. The City could take the water rights and have them abandon the well.

be accepted by the City in partial satisfaction of open space requirements that would otherwise apply to this Project. Any change application fees, attorney fees, costs of approvals, etc. required by the Utah Division of Water Rights or Grantsville City in transferring ownership will be the sole responsibility of the City.

2.8. **Stormwater.** A master stormwater plan shall be designed and approved for the Project, in accordance with applicable City standards and requirements. As each phase of the Project is developed, stormwater facilities shall be constructed, installed, and dedicated to the City consistent with the master stormwater plan for this Project.

2.9. **Commercial Parcels.** Development of the Commercial Parcels may occur separately from development of the residential uses. The Developers of the residential uses shall not be required to construct or install any of the Public Infrastructure required for the Commercial Parcels except for street connectivity and utilities stubbed to the boundary lines of the Commercial Parcels. Matthews shall be allowed reasonable flexibility in finalizing the location and acreage of the NEC Parcel, and may re-arrange the location and layout of the NEC Parcel (and the resulting configuration of the Residential Property) so long as such re-arrangement does not result in a failure of the Total Property or any part thereof to meet either of the requirements (a) of the Zoning, or (b) for inclusion within the CDRA, and provided that in no event shall the size of the NEC Parcel be reduced below that which, when combined with the size of the SEC Parcel, is required for the Total Property to qualify for Mixed-Use District zoning. In no event, however, may Matthews alter the size or configuration of the SEC Parcel without the prior written consent of any third party that owns or is under contract to purchase the SEC Parcel.

2.10. **CDRA.** The commercial development of the SEC Parcel is intended to consist of a 40,000 - 45,000 square foot grocery store within a shopping center (the “SEC Project”). The City agrees to expand the current City Community Development and Renewal Area to include the Total Property. The terms, provisions, and financial benefits of the CDRA will be set forth in a separate CDRA agreement.

2.11. **Affordable Housing.** Matthews/Developer shall comply with and abide by any reasonable requirements of the CDRA/City economic development department regarding affordable housing (i.e., rent restrictions, housing prices that comply with moderate income housing standards, etc.) so long as such requirements are approved in advance by the Matthews in writing as required by Section 1.4 above.

3. Vested Rights.

3.1. **Vested Rights Granted by Approval of this Agreement.** To the maximum extent permissible under the laws of Utah and the United States and at equity, the Parties intend that this Agreement shall grant to Matthews and their successors and assignees all rights to develop the Project in accordance with the provisions of this Agreement, LUDMA, GLUDMC, the Zoning, including, without limitation, development of the Project consistent with the Concept Plan and the Development Standards. The Parties intend that this Agreement grant to the Owners/Developers the “vested rights” identified herein as that term is construed in Utah’s common law and pursuant to Utah Code Ann. § 10-9a-509 (2019), as amended.

Commented [JE12]: The property needs to maintain their own basin. There need to add a ditch along the west side of the property to allow SD to pass through to main street.

3.2. **Exceptions.** The vested rights and the restrictions on the applicability of the City's Future Laws to the Project as specified in Section 3.1 are subject to the following exceptions:

Commented [JE13]: This needs a time limit of about 1 year.

3.2.1. **Future Laws.** The City's Future Laws or other regulations to which the Owners agree in writing, but not otherwise;

3.2.2. **State and Federal Compliance.** The City's Future Laws or other regulations which are generally applicable to all properties in the City and which are required to comply with State and Federal laws and regulations affecting the Project;

3.2.3. **Codes.** Any of the City's Future Laws that are updates or amendments to existing building, fire, plumbing, mechanical, electrical, dangerous buildings, drainage, or similar construction or safety related codes, such as the International Building Code, the APWA Specifications, AAHSTO Standards, the Manual of Uniform Traffic Control Devices or similar standards that are generated by a nationally or statewide recognized construction/safety organization, or by the State or Federal governments and are required to meet legitimate concerns related to public health, safety or welfare;

3.2.4. **Fees.** Changes to the amounts of fees for the processing of Development Applications that are generally applicable to all development within the City (or a portion of the City as specified in the lawfully adopted fee schedule) and which are adopted pursuant to State law.

3.2.5. **Impact Fees.** Impact Fees or modifications thereto which are lawfully adopted, and imposed by the City pursuant to Utah Code Ann. Section 11-36a-101 (2011) *et seq.*

3.2.6. **Compelling, Countervailing Interest.** Laws, rules, or regulations that the City's land use authority finds, on the record, and necessary to avoid jeopardizing a compelling, countervailing public interest pursuant to Utah Code Ann. § 10-9a-509(1)(a)(i), amended, and are generally applicable to all properties in the City. Any compelling, countervailing public interest shall be established by clear and convincing evidence in order to alter the vested rights provided to the Total Property and the Owners under this Agreement.

4. **Adjacent Land.** If Matthews/Developer acquires additional land that is adjacent to part of the Project, such additional land may be added to (i.e., annexed into) this Project and be made subject to the same Development Standards and densities per acreage set forth in this Agreement so long as the City consents to the same in writing, which consent shall not be unreasonably withheld. In such event, an amendment to this Agreement shall be signed and recorded against the adjacent land that is added to the Project.

Commented [JE14]: I would not promise this without seeing what property and what the layout of the property might be.

5. **Term of Agreement.** Unless earlier terminated as provided for herein, the term of this Agreement shall be for a period of ten (10) years following the date on which this Agreement has been approved and signed by the parties hereto. Any termination or expiration of this Agreement, however, shall not impair or affect the continued validity of the CDRA, if adopted, or the period in which tax increment payments are to be made to the applicable Owner/Developer under the CDRA.

Commented [JE15]: Too long to many things could change. Maybe 3 years at the most. And extending 1 year for each new phase started. The prior phase must be completed prior to the new phase starting.

6. Public Infrastructure.

6.1. Construction by Developer. Developer, at Developer's cost and expense, with respect to each portion of the Project owned or to be developed by each Developer, shall have the right and the obligation to construct or cause to be constructed and install all Public Infrastructure reasonably and lawfully required as a condition of approval of this Development Application pursuant to GLUDMC. Such construction shall meet all applicable standards and requirements and must be approved by the City's Engineer and Public Works Director.

6.2. Responsibility Before Acceptance. Developer shall be responsible for all Public Infrastructure covered by this Agreement until final inspection of the same has been performed by the City, and a final acceptance and release has been issued by the City. The City shall not, nor shall any officer or employee thereof, be liable or responsible for any accident, loss or damage happening or occurring to the Public Infrastructure, nor shall any officer or employee thereof, be liable for any persons or property injured by reason of said Public Infrastructure; all of such liabilities shall be assumed by the Developer.

6.3. Warranty. Each Developer shall repair any defect in the design, workmanship or materials in all of such Developer's Public Infrastructure which becomes evident during a period of one year following the acceptance of the improvements by the City Council or its designee (the "**Durability Testing Period**"). If during the Durability Testing Period, any such Public Infrastructure shows unusual depreciation, or if it becomes evident that required work was not done, or that the material or workmanship used does not comply with accepted standards, said condition shall, within a reasonable time, be corrected.

6.4. Timing of Completion of Public Infrastructure. In accordance with the diligence requirements for the various types of approvals as described in the GLUDMC, construction of the required Public Infrastructure for each phase shall be completed within one year after issuance of the building permit for that phase. Upon a showing of good and sufficient cause by Developer the City shall, in accordance with the provisions of GLUDMC, extend the time of performance if requested prior to expiration of the completion date.

6.5. Bonding. In connection with any Development Application, Developer shall provide bonds or other development security, including warranty bonds, to the extent required by GLUDMC, unless otherwise provided by Utah Code § 10-9a-101, *et seq.* (2020), as amended. The Applicant shall provide such bonds or security in a form reasonably acceptable to the City or as specified in GLUDMC. Partial releases of any such required security shall be made as work progresses based on GLUDMC.

6.6. City Completion. The Developer agrees that in the event it does not: (a) complete all improvements within the time periods specified above, or secure an extension of said completion date, (b) construct said improvements in accordance with City standards and as set forth above, or (c) pay all claimants for material and labor used in the construction of said improvements, the City shall be entitled to declare the subject developer in default, request and receive the funds held by the guarantor as surety and utilize the monies obtained to install or cause to be installed any uncompleted improvements and/or to pay any outstanding claims, as applicable; provided, however,

that the City shall not be responsible for any work beyond the amount of funds so provided. Any funds remaining after completion of the improvements shall be returned to the Guarantor. The Developer further agrees to be personally liable for any cost of improvements above the amount made available under the terms of this Agreement.

7. Upsizing/Reimbursements to Developer.

7.1. Upsizing. The City shall not require Developer to “upsized” any future Public Infrastructure (i.e., to construct the infrastructure to a size larger than required to service the Project) unless financial arrangements reasonably acceptable to Developer are made to compensate Developer for the incremental or additive costs of such upsizing to the extent required by law. Developer is responsible to pay for all “project improvements” (as defined under Utah law). To the extent any “system improvements” are required to be constructed or installed, the City shall pay for (or reimburse Developer for) all costs associated with the same in excess of the costs that Developer would incur to construct necessary project improvements.

7.2. Matthews Lane. As development of the Project proceeds, the applicable Owners shall dedicate to the City the adjacent portions of Matthews Lane with a maximum dedication requirement of thirty-five (35) feet from the centerline of the existing roadway.

Commented [JE16]: The city should be required to pay the difference in the engineering estimate between the completion of the smaller utility size and the larger utility size. Any pre purchased items need to be negotiated to be fair between the city and the developer

Commented [JE17]: This needs to be dependent on a traffic study hired by the city and paid for by the developer. The study will determine the impact of the project on the City roads. Including Main street and Durfee

8. Default.

8.1. Notice. If Developer or the City fails to perform their respective obligations hereunder or to comply with the terms hereof, the Party believing that a Default has occurred shall provide Notice to the other Party reasonably describing the default and the requested cure to remedy the default.

8.2. Contents of the Notice of Default. The Notice of Default shall:

8.2.1. Specific Claim. Specify the claimed event of Default;

8.2.2. Applicable Provisions. Identify with particularity the provisions of any applicable law, rule, regulation or provision of this Agreement that is claimed to be in Default; and

8.2.3. Optional Cure. If the City chooses, in its discretion, it may propose a method and time for curing the Default which shall be of no less than thirty (30) days duration, if weather conditions permit.

8.3. Remedies. Upon the occurrence of any Default, and after notice as required above, then the Parties shall have the following remedies:

8.3.1. Law and Equity. All rights and remedies available at law and in equity, including, but not limited to, injunctive relief and/or

specific performance.

8.3.2. Security. The right to draw on any security posted or provided in connection with the Project and relating to remedying of the particular Default.

8.3.3. Future Approvals. The right to withhold all further reviews, approvals, licenses, building permits and/or other permits for development of the Project in the case of a default by Developer until the Default has been cured.

8.4. **Public Meeting**. Before any remedy in Section 8.3 may be imposed by the City, the party allegedly in Default shall be afforded the right to attend a public meeting before the City Council and address the City Council regarding the claimed Default.

8.5. **Default of Assignee**. A default of any obligations expressly assumed by an assignee shall not be deemed a default of the Developer who assigned thereto. No default by any Owner /Developer of a portion or phase of the Project shall be imputed to any other Owner/Developer or used as a basis to impose any remedies on any other Owner or Developer.

8.6. **Limitation on Recovery for Default – No Damages against the City**. Anything in this Agreement notwithstanding, Developer shall not be entitled to any claim for any monetary damages as a result of any breach of this Agreement, and Developer waives any claims thereto. The sole remedy available to Developer and any assignee shall be that of specific performance and the recovery of costs and attorney fees.

9. **Notices**. All notices required or permitted under this Agreement shall, in addition to any other means of transmission, be given in writing by certified mail and regular mail to the following address:

To Matthews:

M&M Matthews Properties LLC
Attn: Mary Chappell and Marlo Meno
1297 S. Hoytsville Road
Coalville, Utah 84017
Email: marymchappell@gmail.com
menoppmproperties@gmail.com

with a copy to:

Brett Lovell (email lovelldevelopmentgroup@gmail.com)
and Connor O'Leary (Email: connor@rdoproperties.com)

[and Howard Schmidt \(email: \[howard@braemarco.com\]\(mailto:howard@braemarco.com\)\)](#)

To the City:

Grantsville City
Attn: Mayor
429 East Main Street
Grantsville, Utah 84029

with a copy to:

Brett Coombs
Grantsville City Attorney (email bcoombs@grantsvilleut.gov)

10. **Dispute Resolution.** Any disputes arising out of this Agreement which are not cured in response to a Notice of Default shall be submitted to mediation, and the parties to the dispute shall participate in mediation in a good faith effort to resolve such dispute prior to pursuing any court action or other remedy.

11. **Incorporation of Recitals and Exhibits.** All Recitals and Exhibits are hereby incorporated into this Agreement.

12. **Headings.** The captions used in this Agreement are for convenience only and are not intended to be substantive provisions or evidences of intent.

13. **No Joint Venture.** This Agreement does not create a joint venture relationship, partnership or agency relationship between the City and any Owner or Developer.

14. **Assignability.** The rights and responsibilities of any Owner under this Agreement may be assigned in whole or in part, respectively, by such Owner with the consent of the City as provided herein, which consent shall not be unreasonably withheld.

14.1. **Sale of Lots.** Developer's selling or conveying of lots in any approved subdivision shall not be deemed to be an assignment.

14.2. **Related Entity.** Any Owner may transfer all or any part of its portion of the Total Property to any entity "related" to Developer (as defined by regulations of the Internal Revenue Service in Section 165), Developer's entry into a joint venture for the development of the Project or Developer's pledging of part or all of the Project as security for financing shall also not be deemed to be an assignment. Developer shall give the City Notice of any event specified in this sub-section within ten (10) days after the event has occurred. Such Notice shall include providing the City with all necessary contact information for the newly responsible party.

14.3. **Commercial Pad.** Matthews's sale of one or more Commercial Parcels to any commercial developer shall not be deemed to be an assignment that requires consent from the City.

14.4. **Residential Property.** Matthews's sale or conveyance of a portion or phase of the Residential Property to a different owner or developer shall not be deemed to be an assignment that requires consent from the City.

14.5. **Process for Assignment.** Matthews shall give Notice to the City of any proposed assignment and provide such information regarding the proposed assignee that the City may reasonably request in making the evaluation permitted under this Section. Such Notice shall include providing the City with all necessary contact information for the proposed assignee. Unless the City objects in writing within ten (10) business days of notice, the City shall be deemed to have approved of and consented to the assignment. The City shall not unreasonably withhold consent to any assignment.

14.6. **Partial Assignment.** If any proposed assignment is for less than all of Matthews's rights and responsibilities then the assignee shall be responsible for the performance of each of the obligations contained in this Agreement to which the assignee succeeds.

14.7. **Complete Assignment.** Developer may request the written consent of the City of an assignment of Developer's complete interest in this Agreement, which consent shall not be unreasonably withheld. In such cases, the proposed assignee shall have the qualifications and financial responsibility necessary and adequate, as reasonably required by the City, to fulfill all obligations undertaken in this Agreement by Developer. The City shall be entitled to review and consider the ability of the proposed assignee to perform, including financial ability, past performance and experience.

14.8. **Release.** After review, if the City gives its written consent to an assignment, the assignor shall be released from its obligations under this Agreement for that portion of the Total Property for which such assignment is approved.

15. **No Waiver.** Failure of any Party hereto to exercise any right hereunder shall not be deemed a waiver of any such right and shall not affect the right of such party to exercise at some future date any such right or any other right it may have.

16. **Severability.** If any provision of this Agreement is held by a court of competent jurisdiction to be invalid for any reason, the Parties consider and intend that this Agreement shall be deemed amended to the extent necessary to make it consistent with such decision and the balance of this Agreement shall remain in full force and affect.

17. **Force Majeure.** Any prevention, delay or stoppage of the performance of any obligation under this Agreement which is due to strikes, labor disputes, inability to obtain labor, materials, equipment or reasonable substitutes therefor; acts of nature, governmental restrictions, regulations or controls, judicial orders, enemy or hostile government actions, wars, civil commotions, fires or other casualties or other causes beyond the reasonable control of the Party obligated to perform hereunder shall excuse performance of the obligation by that Party for a period equal to the duration of that prevention, delay or stoppage.

18. **Time is of the Essence.** Time is of the essence to this Agreement and every right or responsibility shall be performed within the times specified.

19. **Appointment of Representatives.** To further the commitment of the Parties to cooperate in the implementation of this Agreement, the City and each Developer shall designate and appoint a representative to act as its liaison with the other Parties. The initial representative for the City shall be the Mayor. The initial representatives for Matthews shall be Brett Lovell, Howard Schmidt, and Connor O'Leary. The representatives shall be available at all reasonable times to discuss and review the performance of the Parties to this Agreement and the development of the Project.

20. **Applicable Law.** This Agreement is entered into in Tooele County in the State of Utah and shall be construed in accordance with the laws of the State of Utah irrespective of Utah's choice of law rules.

21. **Venue.** Any action to enforce this Agreement shall be brought only in the Third District Court, Tooele County in and for the State of Utah.

22. **Entire Agreement.** This Agreement, and all Exhibits thereto, documents referenced herein, is the entire agreement between the Parties and may not be amended or modified except either as provided herein or by a subsequent written amendment signed by all Parties.

23. **Mutual Drafting.** Each Party has participated in negotiating and drafting this Agreement and therefore no provision of this Agreement shall be construed for or against any Party based on which Party drafted any particular portion of this Agreement.

24. **No Relationship.** Nothing in this Agreement shall be construed to create any partnership, joint venture or fiduciary relationship between the parties.

25. **Amendment.** This Agreement may be amended only in writing signed by the parties hereto.

26. **Recordation and Running with the Land.** This Agreement shall be recorded in the chain of title for the Project. This Agreement shall be deemed to run with the land. This Agreement shall be deemed to run with the land and shall bind and benefit the successors of the Parties.

27. **Priority.** This Agreement shall be recorded against the Total Property senior to any respective covenants and any debt security instruments encumbering the Total Property.

28. **Authority.** The Parties to this Agreement each warrant that they have all of the necessary authority to execute this Agreement. Specifically, on behalf of the City, the signature of the Mayor of the City is affixed to this Agreement lawfully binding the City pursuant to Resolution No. _____ adopted by the City on _____.

29. **PUD Status.** The Project has been approved by the City as a Planned Unit Development (“**PUD**”). By so doing the Project is allowed to take advantage of Goal #3 Support a Mix of Land Uses Paragraph 7, found in the Land Use Element of the Grantsville City General Plan:

Allow the sizes of lots/units within a subdivision to vary from the zoning requirement while maintaining the overall zoning density of the parcel to provide Improved Open Space through the Planned Unit Development (PUD) Process.

As such the Developer is developing residential products as described in the Concept Plan with the standards described in the preceding “Land Use Summary.” Said Land Use Summary and the standards set forth therein are approved as part of the Project’s PUD approvals.

The approval of the PUD has taken into consideration and found Objectives provided by the Developer in the PUD Application to conform with the desired purposes found in Section 1 of Chapter 12, Planned Unit Developments, of the Grantsville City Land Use and Development Code as follows: The blended uses and modified standards for this Project will provide residential products and commercial uses that are desired and needed in the City.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective, duly authorized representatives as of the day and year first herein above written.

MATTHEWS:

M&M MATTHEWS PROPERTIES, LLC,

a Utah limited liability company

Mary Chappell, Member

By: _____

By: _____
Marlo Meno, Member

**STATE OF UTAH;
COUNTY OF TOOELE:**

On _____, 2023 personally appeared before me Mary Chappell and Marlo Meno, who duly acknowledged signing the foregoing instrument in the capacities indicated.

NOTARY PUBLIC: _____

| | |
|---|--|
| | CITY: |
| | GRANTSVILLE CITY, |
| | a municipal corporation of the State of Utah |
| | By: _____ |
| | Its: Mayor |
| Approved as to form and legality: | Attest: |
| _____ | _____ |
| City Attorney | City Recorder |
| STATE OF UTAH | |
| | :ss |
| COUNTY OF TOOELE | |
| On _____, 2023 personally appeared before me _____, who duly acknowledged signing the foregoing instrument in the capacity indicated. | |
| NOTARY PUBLIC: _____ | |
| TABLE OF EXHIBITS | |
| Exhibit A | Legal Description of Total Property |
| Exhibit B | Concept Plan |
| Exhibit C | Development Standards |
| Exhibit A | |
| Legal Description of Total Property | |

Commented [JE18]: These do not list the area of each property

Parcel 1:

Beginning at a point on the west line of Matthews Lane which lies North 89°49'41" East 2176.97 feet along the Tooele County Dependent Resurvey section line to the west line of Matthews Lane and North 0°33'29" East 975.04 feet along said west line of Matthews Lane from the unmarked location established by the Tooele County Dependent Resurvey for the Southwest Corner of Section 32, Township 2 South, Range 5 West, Salt Lake Base and Meridian, said unmarked Southwest Corner of Section 32 lies North 0°03'05" East 261.86 feet from a Tooele County Dependent Resurvey witness monument in Durfee Street and North 89°49'23" East 492.53 feet from a Tooele County Dependent Resurvey witness monument in South Willow Street (Note: Basis of bearing for this description is South 89°33'09" East 2638.14 feet along a line defined by said witness monument to the Southwest Corner of said Section 32 in Durfee Street and a Tooele County Dependent Resurvey monument also in Durfee Street, witness monument to the South Quarter Corner of said Section 32.); thence from said point of beginning, North 89°41'42" West 1320.75 feet to intersect an ancient fence line; thence along ancient fence lines the following three (3) courses; (1) North 0°39'00" East 535.53 feet; (2) North 0°31'00" East 450.50 feet; (3) South 89°25'00" East 203.75 feet to an ancient fence corner; thence South 89°10'55" East 876.47 feet; thence North 0°33'29" East 446.70 feet to the south line of Main Street; thence along said south line, South 88°45'11" East 240.00 feet to the west line of Matthews Lane; thence along said west line, South 0°33'29" West 1419.95 feet to the point of beginning.

Tax ID No.: 01-055-0-0045

Parcel 2:

Beginning at a point in an ancient fence line which lies North 89°49'41" East 857.25 feet along the Tooele County Dependent Resurvey section line from the unmarked location established by the Tooele County Dependent Resurvey for the Southwest Corner of Section 32, Township 2 South, Range 5 West, Salt Lake Base and Meridian, said unmarked Southwest Corner of Section 32 lies North 0°03'05" East 261.86 feet from a Tooele County Dependent Resurvey witness monument in Durfee Street and North 89°49'23" East 492.53 feet from a Tooele County Dependent Resurvey witness monument in South Willow Street (Note: Basis of Bearing for this description is South 89°33'09" East 2638.14 feet along a line defined by said witness monument to the Southwest Corner of said Section 32 and a Tooele County Dependent Resurvey monument also in Durfee Street, witness monument to the South Quarter Corner of said Section 32.); thence from said point of beginning, along ancient fence lines the following three (3) courses: (1) North 0°15'00" East 87.61 feet; (2) North 0°29'00" East 720.44 feet; (3) North 0°39'00" East 177.97 feet; thence South 89°41'42" East 1320.75 feet to the west line of Matthews Lane; thence along said west line, South 0°33'29" West 975.04 feet to intersect the Tooele County Dependent Resurvey section line, thence along said section line, South 89°49'41" West 1319.72 feet to the point of beginning.

Tax ID No.: 01-055-0-0040

Parcel 3:

Beginning at a point in an ancient fence line which lies North 89°49'41" East 857.25 feet along the Tooele County Dependent Resurvey section line from the unmarked location established by the Tooele County Dependent Resurvey for the Northwest Corner of Section 5, Township 3 South, Range 5 West, Salt Lake Base and Meridian, said unmarked Northwest Corner of Section 5 lies North 0°03'05" East, 261.86 feet from a Tooele County Dependent Resurvey witness monument in Durfee Street and North 89°49'23" East 492.53 feet from a Tooele County Dependent Resurvey witness monument in South Willow Street (Note: Basis of Bearing for this description is South 89°33'09" East 2638.14 feet along a line defined by said witness monument to the Northwest Corner of said Section 5 and a Tooele County Dependent Resurvey monument also in Durfee Street, witness monument to the North Quarter Corner of said Section 5.); thence from said point of beginning, along the Tooele County Dependent Resurvey section line, North 89°49'41" East 658.13 feet; thence South 242.694 feet to the north line of Durfee Street;

(legal description cont'd on following page):

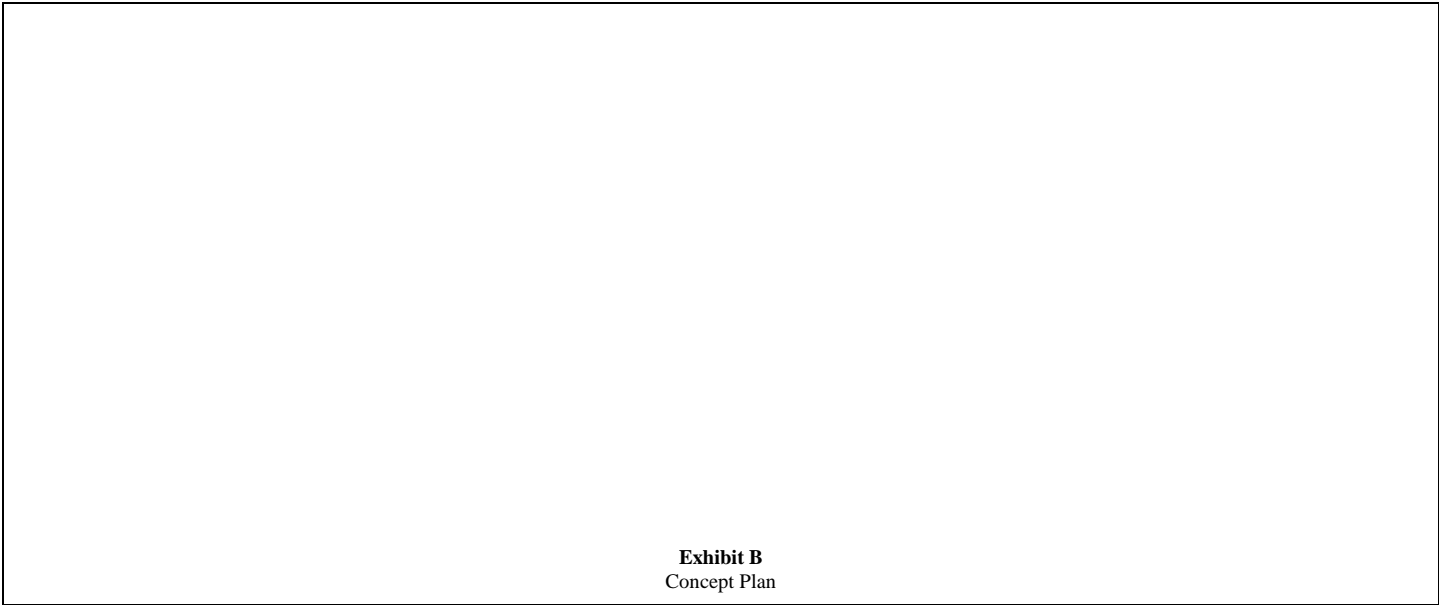
thence along said north line, North 89°37'24" West 659.17 feet to an ancient fence corner; thence along an ancient fence line, North 0°15'00" East 236.39 feet to the point of beginning.

Tax ID No.: 01-070-0-0102

Parcel 4:

Beginning at a point on the west line of Matthews Lane which lies North 89°49'41" East 2176.97 feet along the Tooele County Dependent Resurvey section line from the unmarked location established by the Tooele County Dependent Resurvey for the Northwest Corner of Section 5, Township 3 South, Range 5 West, Salt Lake Base and Meridian, said unmarked Northwest Corner of Section 5 lies North 0°03'05" East 261.86 feet from a Tooele County Dependent Resurvey witness monument in Durfee Street and North 89°49'23" East 492.53 feet from a Tooele County Dependent Resurvey witness monument in South Willow Street (Note: Basis of Bearing for this description is South 89°33'09" East 2638.14 feet along a line defined by said witness monument to the Northwest Corner of said Section 5 and a Tooele County Dependent Resurvey monument also in Durfee Street, witness monument to the North Quarter Corner of said Section 5.); thence from said point of beginning, along the west line of Matthews Lane, South 0°33'29" West 249.025 feet to the north line of Durfee Street; thence along said north line North 89°37'24" West 659.175 feet; thence North 242.694 feet to intersect the Tooele County Dependent Resurvey section line; thence along said section line, North 89°49'41" East 661.59 feet to the point of beginning.

Tax ID No.: 01-070-0-0103



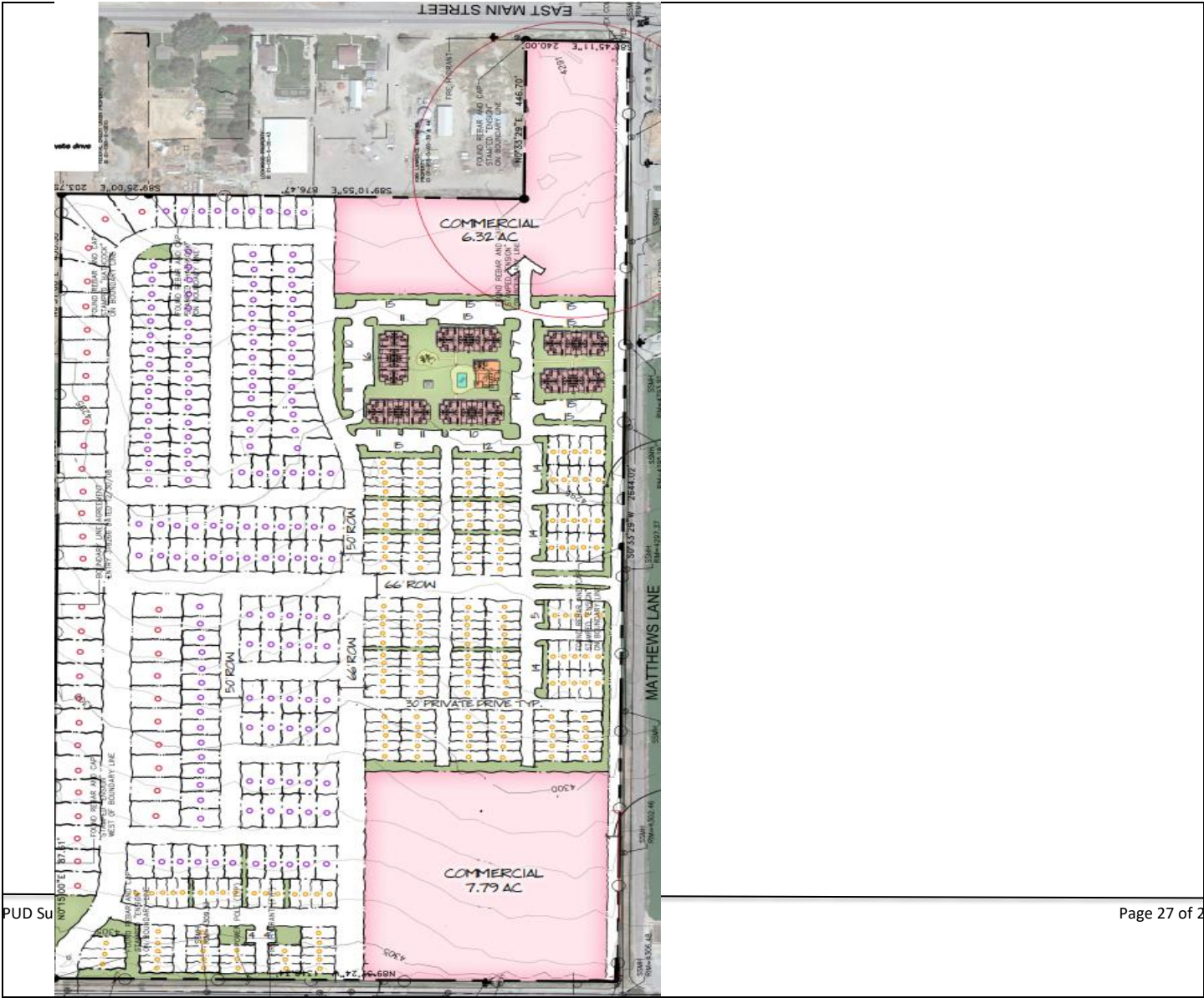


Exhibit C (Development Standards)

| MATTHEWS DEVELOPMENT - GRANTSVILLE, UT | | | | | | | | | |
|---|---|---|---|---|---------------|---|---|---|--|
| 11.1.22 | | | | | | | | | |
| Development Standards | | | | | | | | | |
| Code Requirement | Mixed Use - Comm | Mixed Use – Multifamily | Mixed Use - SPD | SPD 40-ft Lot | SPD 60-ft Lot | Townhomes | Multifamily | Commercial | |
| Minimum Lot Size | 1/2 acre | 7,000 SF 1 st unit + 4,000 SF for each additional ground level unit in the structure. Lot size for units in a structure on a corner is 10,000 SF | 4,000 SF | 3,600 SF (48' x 90') | 7,150 SF | 1,920 Per attached home (24' x 80') | NA | | |
| Minimum Lot Frontage ⁽¹⁾ | 100-foot | 50-foot | 50-foot | 40-foot | 65-foot | 24-foot | NA | | |
| Minimum Yard Setbacks | | | | | | | | | |
| Front Yard | 25-foot ⁽²⁾ | 25-foot ⁽²⁾ | 25-foot ⁽²⁾ | 20-foot | 20-foot | 20-foot | See distance between structures | | |
| Rear Yard | | | | | | | | | |
| - Main Building | 20-foot | 20-foot | 20-foot | 15-foot | 10-foot | 10-foot | See distance between structures | | |
| - Accessory Bldg. | 7.5-foot | 7.5-foot | 7.5-foot | NA | NA | NA | | TBD | |
| Side Yard | | | | | | | | | |
| - Main Building ⁽³⁾ | 7.5/10-foot ⁽²⁾ | 20-foot ⁽²⁾ | 7.5/10-foot ⁽²⁾ | 5-foot | 5-foot | 5-foot on attached side; 5-foot on open end units | See distance between structures | | |
| - Accessory Bldg. | 7.5-foot | 7.5-foot | 7.5-foot | NA | NA | | | | |
| - Corner Side Yard | 25-foot each side on the street 10-foot other two sides | 2 front yard setback | 5-foot each side in the street 10-foot other two sides | 10-foot | 10-foot | 10-foot | | TBD | |
| Building Height | 35-foot ⁽⁴⁾⁽⁵⁾ | 35-foot ⁽⁴⁾⁽⁵⁾ | *35-foot | 35-foot | 35-foot | 35-foot | 35-foot ⁽⁶⁾ | | |
| Minimum Distance between structures in the same lot | NA | 30-foot | NA | | | 5-foot | 30-foot between structures on a common lot | TBD | |
| Maximum Building Coverage | NA | | NA | 55% | 55% | 90% | 75% | | |
| Open Space Requirement ⁽¹⁾ | | | | See section 2.5 of Master Development Agreement | | | See section 2.5 of Master Development Agreement | See section 2.5 of Master Development Agreement | |
| Landscape Requirement | 25% of total Project area | 25% of total Project area | 25% of total Project area | 15% | | | TBD | TBD | |
| Minimum dwelling size | NA | | 900 SF of Living space | | NA | | | NA | |
| Parking | 4.1 spaces per 1,00 SF of gross floor area | 2 spaces per du+ Guest parking ⁽⁷⁾ | 2 spaces per dwelling – garage(s)/driveway(s) to count as parking and to be included in parking requirement calculations ⁽⁸⁾ | | | | | 4.1 spaces per 1,00 SF of gross floor area | |

FOOTNOTES

- (1) Minimum frontage (at property line on a public street or an approved private street)
- (2) Setbacks shall be listed or match the easement width, whichever is greater
- (3) Side Setback each side
- (4) Heights of 3-stories above grade and 15 DU/Ac may be approved with special considerations of landscaping, buffering and architectural design that fit the scale of the surrounding neighborhood
- (5) Front setback may be reduced to 12-feet if the garage is setback from the front plane of the home, but in no case can the garage be closer than 20-feet to the front property line
- (6) Parking for the first ten (10) units shall provide one (1) separate designate visitor parking stall per dwelling unit. For each unit over the first ten (10) dwelling units, one (1) additional parking stall for each two (2) dwelling units shall be provided. For any partial stalls calculated, the applicant shall round up to the next whole number of stalls.
- (7) Open space is based on an overall project wide basis
- (8) Building Height to be measured from natural grade to midpoint of roof

Permitted Encroachments (subject to building code requirements)

- Encroachments within all setbacks of up to two (2) feet are allowed for roof eaves/overhangs, brick ledges, bay/box windows, fireplaces/chimneys, entertainment center bump outs, counterforts, cantilevers, exterior post/columns, solar panels, mechanical equipment including HVAC, brick ledges, light fixtures, and like features may be closer than 2-feet to the property line.
- Encroachments within all setbacks of up to three -six inches (3'-6") is allowed for window wells, and like features of the structure.
- Ramps for handicap accessibility may encroach as needed.
- Stairs or steps from the home may encroach to the back of sidewalk outside of the private lot and including encroachments into public rights of way.
- Decks and covered patios may encroach up to seven (7) feet into the rear setback with the provision they are never enclosed.
- Only decks and covered patios less than 30-inches above grad may encroach into the side yard setback but must be a minimum of one-foot (1foot) from the side property line with the provision they are never enclosed.
- Permitted encroachments with the exception of concrete flatwork or pavers, may not be located in any easement.
- Steps, walks, screen walls, trash structures, structures used for ADA compliance and life safety measures are excluded from setback restrictions.

AGENDA ITEM #2

Consideration to recommend approval of PUD
for Matthews Development



Planning and Zoning

336 W. Main Street • Grantsville, UT 84029

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

File# 2023067-A

PUD Summary and Recommendation

| | | | |
|--------------------------|--|----------------------|----------------|
| Parcel ID: | 01-055-0-0045, 01-055-0-0040; 01-070-0-0102 and 01-070-0-0103 | Meeting Date: | April 13, 2023 |
| Property Address: | Corners of Main Street and Matthews Lane and Durfee Street, approximately 70 acres | Current Zone | Mixed Use (MU) |

| | |
|---------------------------------------|---|
| Applicants Names: | Brett Lovell / Connor O'Leary / Howard Schmidt |
| Request: | Matthews Development PUD Approval |
| Prepared by: | Cavett Eaton |
| Planning Staff Recommendation: | There are no less than 10 major concerns with this proposal for a PUD. The Development Agreement seems to be driving this PUD application and request, and there are many concerns that our staff has about various proposals for this development. These need to be addressed and remedied as this process moves toward consideration for approval by the Planning Commission. We recommend this process of review be considered thoughtfully. |

Planning Staff Recommendation

In response to this staff summary, the development team respectfully requests that the Planning Commission not let the proposed location of the Solberg's grocery store site impact their decision to approve or deny this Development. They acknowledge that the Jefferies Family will be meeting with City Council and Planning Commission in a joint work meeting on the evening of May 10th to explain the conditions relative to locating the Soelberg's grocery store on the proposed site.

PROJECT DESCRIPTION / OVERVIEW

The owners desire to develop the Total Property as a mixed-use project containing both commercial uses and residential uses. As shown on the Conceptual Site Plan, there are two areas of the Total Property planned for commercial uses: one comprised of approximately 7.789 acres at the southeastern corner of the Total Property, and one comprised of approximately 6.32 acres on the northeastern portion of the Total Property.

The owners also desire to sell the commercial properties to one or more commercial developers to be developed and used to help meet the currently unmet commercial needs of the City. It is anticipated that the developers and operators of the Commercial Parcels may enter into their own separate supplemental development agreements with the City, containing provisions pertaining specifically to the development and use of the Commercial Parcels.

It is also their intent to develop the Total Property, except for the Commercial Parcels (the "Residential Property") for residential uses in accordance with the attached Concept Plan. As required by the Zoning, the Residential Property shall be developed and approved as a Planned Unit Development (PUD).

Zone: Mixed Use

Total acreage: approximately 70 acres.

Total Acreage Commercial: 14 acres. Approximately 20% of total acreage.

Residential Units

- Total Proposed: 528
- Types of Residential Units (as shown on conceptual plan):
 - Apartments/Condos?, approximately 144 units. (The narrative discussed rental units)
 - Townhouses, 1,920 sf. lots, approximately 189 units
 - Single Family 3,600 sf. lots, approximately 156 units.
 - Single Family 7,150 sf. lots, approximately 39 units.
 - Average Density in Residential Acreage (56 acres): 9.4 units per acre.
 - Moderate Income or Affordable Housing: approximately 20% of residential units.

SITE & VICINITY DESCRIPTION



Conceptual Site Plan



PLANNING STAFF ANALYSIS

The City staff has reviewed the PUD Application and supporting documents submitted for the Matthews Development PUD. As this application is being submitted prior to a Preliminary application it is understood that very little engineering has been completed at this point. Please understand that while every effort has been made by city staff to anticipate how the requirements and standards may apply to the concept that has been submitted, the Applicants design effort to meet the requirements and standards though an engineered design may cause changes that affect the conceptual layout, density and total number of units that can ultimately be constructed on the site. Any approvals granted by the approval of this PUD Application and the subsequent Development Agreement do not fully vest the applicant and are subject to change with the Preliminary approval.

The staff review has found that there is additional information needed in order to adequately consider the PUD Application and create a comprehensive Development Agreement. The following comments detail many important elements that must be addressed as part of the PUD Application and Development Agreement:

PUD Application Requirements: The Narrative that has been provided with the Application is very helpful for the City to understand the vision of the proposed development and what the applicant perceives as benefits to the community. This Narrative is a key element of the PUD Application. There are three elements that comprise the basic information that is necessary for consideration of the PUD and can be addressed in the Narrative or in separate documents. The approval of the PUD application will result in the creation of a document that is included in a Development Agreement detailing these three elements:

1. Description of compliance with Objectives detailed in Grantsville Land Use Development and Management Code (GLUDMC) Section 12.1. The objectives must be specifically cited with a description of how the objective is being met and those that are not applicable. This has been addressed in the Narrative that has been submitted as part of the application for the Development. No additional action required at this point.
2. Address each of the standards in GLUDMC Section 4.7.8. Since the PUD is a type of conditional use it must meet the standards for a conditional use permit. There are several standards and it is not expected that the responses are exhaustive but the response should explain how the proposed application applies or what efforts have been proposed to mitigate any issues of non-compliance. As the Conditional Use Standards have been written to cover a large range of conditional uses it is also likely that some of the standards are not applicable. Address each of the standards in GLUDMC Section 4.7.8.
3. Clearly state any exceptions or variances being requested, including the reference to applicable section in the GLUDMC as well as an explanation of the deviation and how it is being mitigated to comply with the general purposes, goals and objectives of the

GLUDMC or other plans adopted by Planning Commission or the City Council. The Narrative includes a table of exceptions which is missing the code references and is not inclusive of all the potential exceptions and variances necessary.

Attached is a Code Compliance Verification Table that provides a list of codes and standards that do not comply and would require exceptions or variances in order for Planning Commission and City Council to approve the PUD Application as submitted. Planning Commission makes these determinations, and this will be part of the discussion with Planning Commission at the meeting on April 13, 2023. The Applicant needs to Clearly state any exceptions or variances being requested, but it is recommended to wait for results of Planning Commission Discussion on April 13th to save an additional round of modifications.

A fourth element is created as the application is considered by city staff and public bodies:

4. Any special conditions that apply to the development shall also be stated in the supplement to the Development Agreement. No additional action required at this point.

GLUDMC Section 4.7.8. Standards:

The following section of code is being provided for the convenience of the Applicant:

1. Details of how the proposed project complies with the standards found in 4.7.8:

Since the PUD is a type of conditional use the application must include a description of the proposed project will meet the standards found in 4.7.8 of the Conditional Use Ordinance. Those standards are provided below:

- (a) The proposed use is one of the conditional uses specifically listed in the zoning district in which it is to be located;
- (b) That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, comfort, order or general welfare of persons residing or working in the vicinity;
- (c) That the use will comply with the intent, spirit, and regulations of these ordinances and is compatible with and implements the planning goals and objectives of the City, including applicable City master plans;
- (d) Make the use harmonious with the neighboring uses in the zoning district in which it is to be located;
- (e) That nuisances which would not be in harmony with the neighboring uses, will be abated by the conditions imposed;
- (f) That protection of property values, the environment, and the tax base for Grantsville City will be assured;
- (g) That the conditions shall be in compliance with the current comprehensive General Plan of Grantsville City;
- (h) That some form of a guarantee is made assuring compliance to all conditions that are imposed;

- (i) That the conditions imposed are not capricious, arbitrary or contrary to any precedence set by the Planning Commission on prior permits, which are similar in use and district, unless prior approvals were not in accordance with the provisions and standards of this ordinance;
- (j) The internal circulation system of the proposed development is properly designed;
- (k) Existing and proposed utility services are adequate for the proposed development;
- (l) Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts;
- (m) Architecture and building materials are consistent with the development and compatible with the adjacent neighborhood;
- (n) Landscaping is appropriate for the scale of the development;
- (o) The proposed use preserves historical, architectural and environmental features of the property; and
- (p) Operating and delivery hours are compatible with adjacent land uses.

In addition to items requiring additional information on the Code Compliance Verification Table, the following items need additional information submitted:

Open Space: Based on the 56 acres of residential use, 5.6 acres of open space are required. The Narrative notes several amenities that will be provided. The proposed amenities are a great asset to the project to mitigate the lack of space for personal outdoor amenities in the multi-family housing and the small single-family lots. Per GLUDMC Chapter 12 the requirement for 10% open space is a minimum and is requisite in order for the City to grant the PUD. Open space must meet the requirements found in GLUDMC 21.1.14, 21.1.15, 21.1.16 and 21.1.22. Some of the areas that may be proposed as open space on the concept plan submitted with the application may not actually qualify as open space. Please review the open space requirements and provide a drawing that details where the open space and amenities will be provided and how it is interconnected throughout the subdivision. Calculations of the area to show that the open space complies with the 10% minimum requirement are also necessary.

Calculation of Residential Density: The Narrative states that the project will have an average density of 7.6 units per acre. This is based upon the full 70-acre site. Since the residential is segregated from the commercial the density should be factored on the 56 acres and not the full 70 acres. This brings the density up to an average of 9.4 units per acre. However, the code requires that density is calculated for each type of residential use to determine if there are any special conditions that need to be addressed. Please provide the acreage for each type of residential use and verify the approximate number of units for each type of residential use.

Streets: Please provide proposed typical cross sections for those streets that do not meet the City street standards. The necessary cross sections include the 50 foot and 30-foot private rights of way. If the 66-foot right-of-way is not configured like the City local street standard, then that cross section would also need to be provided.

Also, there are locations within the subdivision that transition from one width of street to another. Please provide any traffic study information or design criteria that was used to determine where these transitions will be made.

Boundary Streets: We appreciate that the project recognizes the need for additional right-of-way along Matthews Lane to bring the street up to an appropriate width. The 2022 Grantsville Transportation Master Plan and associated modeling shows that Matthews Lane will function as a Collector Street by 2031. That modeling was based upon uniform growth throughout the City. With the proposed Matthews Development, the street may be functioning as a Collector much sooner. Is the proposed dedication of right-of-way sufficient to develop the west side of the street as a Collector? 45 feet of right-of-way from street centerline is necessary.

Is there adequate right-of-way width on Durfee Street to meet the current Conditional Collector Street classification? This project is located on the section of Durfee Street for which the Conditional Collector was derived. 40 feet of right-of-way from street centerline is necessary.

Snow Removal: How will snow removal be addressed? Where will snow be stored on the narrow streets?

Visitor Parking: The town homes and small frontage lots will not be allowed to have on street parking. Where will visitor parking be provided? Per Exhibit B it looks like only two parking stalls will be provided with each unit. Please clarify what parking is proposed on the townhouses and the small single-family lots. ie. Two car garages and two parking spaces in driveway or other? Inadequate parking leads to illegal parking and impairment of movement through the streets which delays emergency response. This is a public safety issue.

Stormwater: How will stormwater be addressed? There are no basins shown in the proposed development and the densities being requested will result in very high ratio of hardscape to softscape so the ability to absorb stormwater flows in landscaping will be minimal. This will be a key issue to address. Is there any soils information and percolation information that can be provided for the site? The use of low impact development principles such as retaining water where it is generated and putting the stormwater back into the ground at its point of generation will be important to minimizing the need for large areas containing basins. The number of residential units that will be allowed on the site will be dependent upon the area necessary to address the stormwater needs of the project.

Public Utilities: Narrow rights-of-way typically remove the areas that are traditionally used for public utilities. This creates a need for alternate utility corridors. In dense areas such as the proposed town houses the placement of utilities must be considered. Utility corridors need to be adequate for the utility requirements, accessible for maintenance. Trails are a great use of utility corridors.

The narrative proposes that the public utility easements around the lots be reduced in width and that the homes may encroach on these easements with bump outs, window wells and other obstructions that render these easements useless. Here again, there needs to be

some type of corridor provided that will allow for possible future utility needs to mitigate the loss of usefulness of public utility easements. Provide a drawing or description that details how utility corridors will be provided to serve the subdivision.

Well Site: Please show the location of the existing well and the size of property that will be provided around it. If the well has not been constructed to a municipal culinary well standard the City would have to re-drill the well and construct a new one that meets these standards. Very likely the existing well head would be capped and would become a monitoring well for the new culinary well that would be drilled nearby. Both wells would be required to be in a fenced compound. The municipal culinary well would also have protection zones that would place limitations on the uses nearby. Some of those types of limitations include the inability to store large volumes of potential contaminants such as oil, paint, herbicides and pesticides within 100 feet of the culinary well. No sewer lines can run within this 100-foot protection zone. There are other requirements that would affect the design of the surrounding area. The first step is to determine where this well is located and what is proposed around it.

Matthews Development
Compliance with Applicable City Ordinances, Standards and Plans

GLUDMC Chapter 12 PLANNED UNIT DEVELOPMENTS CONSIDERATIONS

| Requirement | Standard | Proposed | Compliance Verified |
|---|-------------------------------|----------------|---------------------|
| PURPOSE (Objectives) the City and Developer will seek to achieve the following specific objectives. | GLUDMC Section 10-12-1 | | Complies |
| The statement shall explain specifically how the proposed planned unit development relates to each such standard and promotes a listed objective. | GLUDMC Section 10-12-4-2-a | | Complies |
| a. Creation of a more desirable environment than would be possible through strict application of other City land use regulations... | 10-12-1-a | | Complies |
| b. The use of design, landscape or architectural features to create a pleasing environment... | 10-12-1-b | | Complies |
| c. Preservation of architecturally or historically significant buildings. | 10-12-1-c | Not Applicable | Not Applicable |

(GLUDMC Chapter 12 PLANNED UNIT DEVELOPMENTS CONSIDERATIONS cont.)

| Requirement | Standard | Proposed | Compliance Verified |
|--|--------------------------|---|--|
| d. Establishment of interconnection paths and trails for alternate transport routes... | 10-12-1-d | | Complies |
| e. Elimination of blighted structures or incompatible uses... | 10-12-1-e | Not Applicable | Not Applicable |
| AUTHORITY TO MODIFY REGULATIONS | GLUDMC Section 10-12-2 | | |
| No such change, modification, alteration, or waiver shall be approved unless the Planning Commission shall find that the proposed planned unit development: a. Will achieve the purposes for which the planned unit development may be approved pursuant to section 12.1. 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. | | The exceptions to the current city land use ordinance, General Plan, Transportation Master Plan, Capital Facilities Plan, Foothill Stormwater Management Plan and City Development and Construction Standards shall be noted elsewhere. | This is determined by Planning Commission. |
| MINIMUM AREA | GLUDMC Section 10-12-3 | MU Zone for 70 Acres | Complies |
| APPLICATION PROCEDURE | GLUDMC Section 10-12-4 | | |
| | GLUDMC Section 10-12-4-1 | | |

(GLUDMC Chapter 12 PLANNED UNIT DEVELOPMENTS CONSIDERATIONS cont.)

| Requirement | Standard | Proposed | Compliance Verified |
|---|----------------------------|---|---|
| <p>Preliminary Provide following Information:</p> <p>a. ...applicant shall submit a written statement addressing each of the standards set forth in section 7.8 herein entitled, Determination, when applicable and how the proposed development will promote the objectives set forth in section 12.1 of this Chapter. The statement shall explain specifically how the proposed planned unit development relates to each such standard and promotes a listed objective</p> | GLUDMC Section 10-12-4-2-a | Applicant has not submitted a written statement addressing each of the applicable standards found in GLUDMC 10-7-8. | <p>Currently Does Not Comply.</p> <p>The standards include:</p> <p>(a) The proposed use is one of the conditional uses specifically listed in the zoning district in which it is to be located;</p> <p>(b) That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, comfort, order or general welfare of persons residing or working in the vicinity;</p> <p>(c) That the use will comply with the intent, spirit, and regulations of these ordinances and is compatible with and implements the planning goals and objectives of the City, including applicable City master plans;</p> <p>(d) Make the use harmonious with the neighboring uses in the zoning district in which it is to be located;</p> <p>(e) That nuisances which would not be in harmony with the neighboring uses, will be abated by the conditions imposed;</p> <p>(f) That protection of property values, the environment, and the tax base for Grantsville City will be assured;</p> <p>(g) That the conditions shall be in compliance with the current comprehensive General Plan of Grantsville City;</p> <p>(h) That some form of a guarantee is made assuring compliance to all conditions that are imposed;</p> <p>(i) That the conditions imposed are not capricious, arbitrary or contrary to any precedence set by the Planning Commission on prior permits, which are similar in use and district, unless prior approvals were not in accordance with the provisions and standards of this ordinance;</p> <p>(j) The internal circulation system of the proposed development is properly designed;</p> <p>(k) Existing and proposed utility services are adequate for the proposed development;</p> <p>(l) Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts;</p> <p>(m) Architecture and building materials are consistent with the development and compatible with the adjacent neighborhood;</p> <p>(n) Landscaping is appropriate for the scale of the development;</p> <p>(o) The proposed use preserves historical, architectural and environmental features of the property; and</p> <p>(p) Operating and delivery hours are compatible with adjacent land uses.</p> |

(GLUDMC Chapter 12 PLANNED UNIT DEVELOPMENTS CONSIDERATIONS cont.)

| Requirement | Standard | Proposed | Compliance Verified |
|---|----------------------------|--|----------------------------|
| Preliminary Provide following Information: b. ... application shall submit a written statement indicating specifically what change, alteration, modification or waiver of any zoning or development regulations is being sought by the developer, if any | GLUDMC Section 10-12-4-2-b | The applicant has submitted a table that details the requirements found in the MU Zone as part of their PUD Narrative. The table outlines the differences in what they are proposing. The tables do not specify the specific code sections that apply to each requested change. This is necessary as the exceptions and the requested change need to be able to be considered individually as to their merits and addressed individually in the Approval and in the Development Agreement. There are additional Sections of Code that are applicable to the proposed project that the proposed design does not comply with that are not spelled out in the table or elsewhere. | Currently Does Not Comply. |

GENERAL ZONING CONSIDERATIONS

| Requirement | Standard | Proposed | Compliance Verified |
|--|------------------------|---|----------------------------|
| AUTHORIZED USES WITHIN DISTRICTS ARE PLENARY The uses of land allowed in each district shall be plenary and uses of land not specifically allowed as set forth therein shall be prohibited in the respective district. | GLUDMC Section 10-13-4 | The proposed development utilizes some single family lots that are smaller than the minimum allowed in the MU Zone. No exception to this section of code has been requested. | Currently Does Not Comply. |

MU DISTRICT CONSIDERATIONS

| Requirement | Standard | Proposed | Compliance Verified |
|--|------------------------------|---|--|
| (1) The purpose of the Mixed-Use District is to allow for the establishment of medium density residential neighborhoods mixed with commercial properties. Planned Unit Developments are required in this zone such that open space, neighborhood parks, natural areas, trails, and other amenities are required as part of these types of development. Developments in the Mixed-Use zone shall be designed so as to integrate the residential and commercial components into one harmonious development and to be compatible with the existing or anticipated uses on the surrounding properties. | GLUDMC Section 10-19a-1-1 | Currently the surrounding properties are agricultural in nature. The future uses of the properties will most likely be determined by this project. Future development on surrounding properties will likely follow the pattern set by this development. | This is a discussion for Planning Commission and City Council as it will shape the future development in this area. |
| (2) While achieving a mix of commercial and residential uses in Mixed Use developments is the goal, the City will review proposals on an individual basis in determining an acceptable ratio for the residential and commercial components. Project designs that fail to sufficiently integrate commercial and residential uses will not be considered for approval. Creativity in both site design and architecture is expected. Master planning of multiple contiguous properties is encouraged in order to integrate the proposed development harmoniously into the surrounding neighborhood. | GLUDMC Section 10-19a-1-2 | The proposed project has a commercial component equaling 20% of the total land area. | Complies Planning Commission and City Council to determine if the ratio between residential and commercial is appropriate. |
| (3) This land use district, in conjunction with the City's Land Use Element, recognizes that in order for the City to be a well-rounded community, many different housing styles, types and sizes should be permitted. Where surrounding uses are compatible, the mixed-use development may allow residential uses up to ten (10) units per acre. | GLUDMC Section 10-19a-1-3 | The proposed development does provide for different housing styles and types and sizes. By the applicant's calculations the overall density of the project is 7.6 units per acre based upon the total 70 acres. Only 56 acres is proposed as residential and the overall density is 9.4 units per acre. The code states: "uses up to ten units per acre." There is not enough information on the area each type of residential use covers to determine individual densities. | While this is up to Planning Commission and City Council to Determine, the proposed project seems to comply with these two purposes. |
| (4) Architectural design, scale and heights of development are designed to fit the scale and aesthetics of the surrounding properties in the district. | GLUDMC Section 10-19a-1-4 | The proposed architectural design and scale are not detailed in the application | Requires additional information. |

(MU DISTRICT CONSIDERATIONS cont.)

| Requirement | Standard | Proposed | Compliance Verified |
|--|-------------------------------|---|----------------------------------|
| (1) This district shall allow residential developments and those uses allowed in the C-N, C-S, and C-G districts as permitted or conditional uses as specified in the regulations for these districts. | GLUDMC Section 10-19a-2 | | Complies |
| (1) The minimum lot size for single family dwellings is 4,000 square feet per unit. (2) The minimum lot size for any non-residential use in this zone is one-half (1/2) acre. (3) Minimum lot size for Multi-unit dwellings is 4,000 square feet for each unit. | GLUDMC Section 10-19a-3 | #1 Min. lot sizes 7,150 to 3,600 Sq.Ft. #2 14 acres of commercial split into 7.79 acre and 6.32 acres. #3 Multi-family (townhouses) Min. lot size 1,920 Sq.Ft. | Currently Does Not Comply. |
| (1) Setbacks/yard requirements are intended to describe the amount of space required between buildings and property lines. All buildings in this zone, including accessory buildings, are required to maintain a minimum distance from property lines as follows: (a) Front: 25 feet. The front setback may be reduced to 12 feet if the garage is setback from the front plane of the home, but in no case shall the garage be located closer than 20 feet to the front property line. (b) Sides: 7.5/10 feet or PUE dimension, whichever is greater. If twin-homes are attached to the property line, a setback of 15 feet (15') on each side. (c) Rear: 20 feet. (d) Corner lots: There shall be a minimum setback on corner lots as follows: 25 feet on each side fronting a street, with 10 foot setbacks for the other two sides. (e) All accessory buildings in this zone are required to maintain distances from property lines and other dwelling units as follows: sides and rear 7.5 feet. (f) Mixed use buildings fronting Main Street and containing main floor commercial uses may allow the commercial uses to abut the street side property line with a portion of the building containing the main entrance to the commercial use, if an adjacent street side property is currently similarly configured. | GLUDMC Section 10-19a-4 | (a.) Front Setback: 20 feet. (b.) Sides 5 feet SFD's Multi-family (townhouses) Zero lot line and 5 feet between buildings. (c.) Rear Setback: 15 large lots & 10 feet small lots and Multi-family (townhouses) units. (d.) 10 feet corner street side yard all others as noted above. (e.) Accessory buildings setbacks N/A | Most Requirements Do Not Comply. |

(MU DISTRICT CONSIDERATIONS cont.)

| Requirement | Standard | Proposed | Compliance Verified |
|--|-------------------------|---|---|
| (1) For single family homes, the minimum lot frontage/lot width shall be not less than 50 feet. Multi-use residential development shall meet the requirements found in GLUDMC 4.34. All other uses in this district shall have at least 100 feet of frontage along a public street. | GLUDMC Section 10-19a-5 | Min. frontage 40 feet small lots and 65 feet large lots SFD's. | Smallest Single-Family Lots Currently Does Not Comply. |
| (1) No structure in this zone shall exceed a maximum of two (2) stories in height or 35 feet above grade at street. | GLUDMC Section 10-19a-6 | | Complies |
| (1) Every dwelling unit in this zone shall contain a minimum of 900 square feet of living space. | GLUDMC Section 10-19a-7 | Large lots listed as 900 sq.ft. States N/A under small lots, Multi-family (townhouses). Nothing under the Multi-family (Apartments/Condo's). | Does Not Comply |
| (1) There shall be a minimum requirement of 25% of the total project area to be used for landscaping. All sensitive lands shall be protected as part of the landscaped area of any development. | GLUDMC Section 10-19a-8 | 15% SFD's & Multi-family (townhouses). To be determined Multi-family (Apartments/Condo's) & Commercial. | Does Not Comply |
| (1) Heights of three (3) stories above grade at street and fifteen (15) units per acres may be approved with special considerations of landscaping, buffering and architectural design that fit the scale of the surrounding properties in the zone. To be considered landscaping and buffering, area and design must exceed the minimum requirements found in Chapter 9, Landscaping and Buffers and Chapter 12, Planned Unit Developments. | GLUDMC Section 10-19a-9 | Once additional information is provided concerning the area of each type of residential use we will be able to determine if this exception will be necessary. | Requires additional information. |
| A mixture of commercial/retail and residential uses, allowing up to 10 units per acre where surrounding uses are compatible. Heights are limited to two stories or a maximum of 35' above grade at street. Three stories above grade at street and /or 15 units per acre may be approved with special considerations of landscaping, buffering, and architectural design that fits the scale of the surrounding properties in the zone. | Zoning Map Description | | Complies |

SUPPLEMENTARY LAND USE CONSIDERATIONS

| Requirement | Standard | Proposed | Compliance Verified |
|---|--------------------------|---|---|
| NONCONFORMING LOTS PROHIBITED AFTER ADOPTION OF CODE After adoption of this Code, no lot having less than the minimum width, depth and area required in the district in which it is located may be created nor shall building permits be issued for construction on such non-conforming lots created subsequent to adoption of this Code. | GLUDMC Section 10-4-4 | The project proposes various lot sizes that are smaller than the minimum widths and areas allowed in the respective districts. | Does Not Comply |
| LOT STANDARDS AND STREET FRONTAGE Except for planned unit developments, condominiums, and as otherwise provided in this Code, every lot presently existing or hereafter created shall have such area, width, and depth as required by this Code for the district in which such lot is located and shall have frontage upon a public street or upon a private street or right-of-way approved by the Planning Commission, before a building permit may be issued, provided that no lot containing 1/2 acres or less shall be created which is more than 3 times as long as it is wide. | GLUDMC Section 10-4-5 | This section allows for lots to have below standard area, width and depth by virtue of the opening statement: "Except for planned unit developments..." However, all lots less than ½ acre must be no more than 3 times as long as they are wide. The proposed 24 foot by 80-foot-wide town house lots do not comply with this requirement. | The Proposed 24 foot wide Townhouse Lot Ratio Does Not Comply |
| EVERY DWELLING TO BE ON A LOT - EXCEPTIONS Every dwelling structure shall be located and maintained on a separate lot having no less than the minimum area, width, depth and frontage required by this Code for the district in which the dwelling structure is located, except that farm or ranch dwellings, group dwellings, condominiums, and other multi-structure dwelling complexes under single ownership and management, which are permitted by this Code and have approval from the Planning Commission, may occupy a single lot. | GLUDMC Section 10-4-6 | The proposed lots do not meet the requirement of "minimum area width and depth of frontage as required by this Code for the district in which the dwelling is located. | Does Not Comply |
| Lots with frontage only on private streets shall be allowed by conditional use permit only and shall conform to City right of way standards. | GLUDMC Section 10-4-7 | The proposed project includes private streets that do not conform to the City right-of-way standards. | The PUD is a type of conditional use. Complies The proposed private streets Do Not Comply with the City right-of-way standards. Does Not Comply |

(SUPPLEMENTARY LAND USE CONSIDERATIONS cont.)

| Requirement | Standard | Proposed | Compliance Verified |
|--|-----------------------------|--|---|
| <p>CLEAR VIEW OF INTERSECTING STREETS</p> <p>C. No obstruction to view in excess of three feet (3') in height shall be placed on any corner lot within a triangular area formed by the street property lines and line connecting them at points thirty feet (30') from the intersection of the street lines. Within that clear-view area, the following shall apply:</p> <ol style="list-style-type: none"> 1. Solid fences, walls, signs, sight obscuring vegetation, and/or other sight obscuring devices shall not exceed three (3') feet in height above the level of the curb. 2. Open style fences shall not exceed four (4') feet in height above the level of the curb and front yard sold fencing shall not exceed three feet (3') in height. 3. Tree trunks shall not be located within the clear-view area, however, tree canopies may extend into the clear view area if they are trimmed at least seven (7) feet above the elevation of the sidewalk and eleven (11) feet above the elevation of the street. It is unlawful to allow any vegetation or other growth to black any traffic sign, traffic signal, street light, or other public safety device, regardless of whether it is located in a clear-view area or not. 4. No sight shall be allowed in the clear-view area unless it is specifically permitted in this Title and it is determined by the City Engineer that it is not a safety hazard. 5. No obstruction of any sort which interferes with the safety of pedestrians or traffic shall be allowed within the clear view area unless it is specifically permitted by this Title and it is determined by the City Engineer that it is not a safety hazard. | GLUDMC Section 10-4-16-C | <p>The proposed 20-foot front setback and 10-foot street side setback means the corner of the building will touch the line of the 30-foot clear view area. This means that nothing taller than 3 feet tall as measured from the right-of-way can be located outside of the corner of the building. This also means that vehicles cannot be parked in the driveways on corner lots as they will interfere with the clear view area.</p> <p>Who is going to police this and guarantee that it does not happen?</p> | <p>This needs further discussion. Dwellings can be made to comply but vegetation and landscaping are going to be a challenge as are vehicles parked in the driveways with in the clear zone. Does Not Comply.</p> <p>The intersections of the 30-foot private streets with other streets in the townhouse area Do Not Comply with this requirement.</p> <p>This is a safety issue that Should Not Be Waived.</p> |
| <p>D. The clear view area for the intersection of a driveway and a street shall have no obstruction to view in excess of three feet (3') in height and shall be placed at any automobile access way within the triangular area formed of points twelve feet (12') along the property line and twelve feet (12') along the driveway line. The driveway clear view fencing provisions may not be required on corner and double frontage lots for a secondary drive access that is gated, locked, and that accesses the rear yard, if it is determined by the City Engineer that the drive access is not a primary access.</p> | GLUDMC Section 10-4-16-D | <p>This will be a challenge to meet this requirement due to the short distance between driveways.</p> | <p>Discuss Further</p> |

SUPPLEMENTARY LAND USE CONSIDERATIONS (cont.)

| Requirement | Standard | Proposed | Compliance Verified |
|---|-------------------------------|--|---|
| PROPERTY DIVIDED BY ZONING DISTRICT BOUNDARIES Where a zoning district boundary cuts through a lot, the use regulations to each portion of the lot shall strictly apply to it and shall not extend into the other portion of the lot that has a different zoning district designation. | GLUDMC Section 10-4-22 | The proposed development utilizes a mix of uses over all of the districts. In order for this to occur this section would need to be waived as well as others noted. | Currently Does Not Comply |
| MULTI-UNIT RESIDENTIAL DEVELOPMENT For developments approved by the City to be constructed in other districts allowing multi-unit residential development, the minimum size requirements are: <ol style="list-style-type: none"> Minimum lot size shall be calculated as 7,000 square feet (sq.) for the first unit and an additional 4,000 square feet (sq.) for each additional ground level unit in the structure. The minimum lot size for units within a structure adjacent to a street corner shall be 10,000 square feet (sq.). Subject to the maximum number of units permitted in any other section of this Code, the maximum number of units per acre of lot size shall be fifteen (15) units Minimum frontage will be fifty feet (50') Minimum seatback for the front yard will be twenty-five feet (25') Minimum rear setback will be twenty feet (20') Minimum side yard setback will be twenty feet (20') For corner lots, there shall be two front yard setbacks If two or more structures are located on one lot, the minimum distance between the structures will be thirty feet (30') | GLUDMC Section 10-4-34-2-b | This section would be applied to the Townhouses & Apartments/Condo's. #1 The parcels surrounding the townhomes in consideration with the townhome lots are a minimum of 1,920 square feet per lot and thus do not meet the minimum lot size requirement. #2 Need additional information of the total area of each type of housing type to make a determination. #3 The frontage for each building is greater than 50 feet. #4 Front yard setbacks for the townhomes are 5 feet opening onto a open space parcel #5 Rear yard setback for the townhomes are five feet. #6 Side Setback 5' on end units #7 The corner lots seem to only have the 5-foot side setback. | Minimum Lot Size Does Not Comply Density Requires Additional Information Frontage Complies Setbacks Do Not Comply Structure Spacing Requires Additional Information |
| | | Applies to Apartment/Condo's | |

SUPPLEMENTARY LAND USE CONSIDERATIONS (cont.)

| Requirement | Standard | Proposed | Compliance Verified |
|---|--------------------------|---|--|
| <ol style="list-style-type: none"> All streets shall be designed and constructed to meet the City's standard for streets. There shall be a minimum of two (2) parking spaces provided for each unit. If sufficient separated designated visitor parking is not available in approved curbside locations, off-street parking shall be provided Additional parking for recreational, commercial, and other types of units will be required if the residents are not required to park them off-site by a rental/owner agreement Parking for the first ten (10) units shall provide one (1) separate designate visitor parking stall per dwelling unit. For each unit over the first ten (10) dwelling units, one (1) additional parking stall for each two (2) dwelling units shall be provided. For any partial stalls calculated, the applicant shall round up to the next whole number of stalls | GLUDMC Section 10-4-34-3 | <p>#1 Private streets don't meet City standards</p> <p>#2 It is not clear if they are providing single car garages and a single stall driveway or if it is a two car driveway.</p> <p>#3 Off street parking has been provided. The quantity is in question.</p> <p>#4 Unknow at this time how recreational vehicles will be addressed.</p> <p>#5 55 visitor parking stalls provided for 189 units. This should be 100 stalls.</p> | <p>Private Streets do not comply (see Street Considerations Section for explanation)</p> <p>Requires Additional Information.</p> <p>Requires Additional Information.</p> <p>Quantity Does Not Comply</p> |
| <ol style="list-style-type: none"> Maximum height is two (2) stories or thirty-five feet (35'), whichever is less Ground floor units shall be ADA accessible | GLUDMC Section 10-4-34-4 | Based upon the limited information provided the proposal meets height requirements. TBD noted on Apartments. | <p>(1.) Complies</p> <p>(2.) Unknown at this point.</p> |
| The portion of the lot not covered by improvements shall be fully landscaped in accordance with Chapter 9 of GLUMDC. | GLUDMC Section 10-4-34-5 | The concept drawings show everything fully landscaped. | Complies |

STREET CONSIDERATIONS

| Requirement | Standard | Proposed | Compliance Verified |
|--|--|--|--|
| PRIVATE STREETS A privately-owned way or lane which affords the principal means of access to property. A private street which serves up to two (2) dwelling units shall have a right of way width of not less than 30 feet and shall be constructed and maintained with an all-weather dustless surface that meets the specifications of the City for a standard residential street section, except that the base course need only be 20 feet wide with a slope or crown of 2 to 4%, no bituminous surface course need be applied and said street shall have a shoulder v-ditch with a slope of 6 to 8%. <u>Private streets that serve more than two dwelling units or any business</u> activity shall be constructed and maintained according to the City standards and specifications for a “standard residential street.” Any private street that is longer than 150 feet shall have a cul-de-sac or hammerhead at the end thereof. The dimensions or layout of any required cul-de-sac or hammerhead shall comply with City’s standards and specifications for public cul-de-sac or the minimum specifications of the current International Fire Code for hammerheads. The developer or owner(s) of a private street shall place a street sign at the intersection of the private street and all public streets, indicating the name of the private street, the north or east coordinate and that the street is a “private street”. The location and specifications for the private street sign shall be determined by the City Public Works Director. | GLUDMC 10-2-247 | A 30-foot-wide right-of-way is proposed for private streets. The Code requires that streets serving more than two dwellings, or a business must be constructed to meet the street standards for a standard residential street. See following section addressing the standard residential street cross section. | Does Not Comply |
| STANDARD STREET CROSS SECTIONS Local Street Cross Section (Grantsville’s Current Standard Residential Street) requires a minimum 66-foot right-of-way, 38-feet of pavement bound by 30-inch curb and gutter on both sides, 6.5 -foot park strips and 5-foot-wide sidewalks along boundaries of right-of-way. | Grantsville 2022 Transportation Master Plan, Figure 8 Typical Cross Sections - Local Roadway Section | There are no details as to what the 30-foot or the 50-foot cross section looks like. | Does Not Comply Additional Information Required. |
| Matthew’s Lane and Durfee Street should be improved as collector streets as detailed in the Grantsville 2022 Transportation Master Plan. Matthew’s Lane is currently shown as a local street with transition to collector after 2031 but the proposed PUD will very likely move this requirement up as center turn lanes will be necessary to serve the proposed uses. | Grantsville 2022 Transportation Master Plan, Figure 8 Typical Cross Sections - Collector Section | | Verify that the streets are being improved and appropriate right-of-way is being dedicated to meet the collector requirements. |

PARKING AND DRIVEWAY CONSIDERATIONS (Chapter 6)

| Requirement | Standard | Proposed | Compliance Verified |
|--|------------------|---|---|
| RESIDENTIAL DISTRICTS (1) The following restrictions shall apply to single family detached, single family attached and two family dwellings: (a) Parking on driveways located between the front or corner side lot line and building shall not be allowed for satisfying the requirements stated in this chapter. (b) The provision of parking spaces elsewhere on the lot shall conform to the other applicable requirements of this chapter. Requirements for garages shall be as specified in each zoning district regulations. (d) No parkway or right-of-way area adjacent to or near the lot shall be used for parking. (e) A maximum of four outdoor parking spaces shall be permitted per lot. Parking spaces located within 30 feet of an alley, and taking access from such alley, shall be exempt. Recreational vehicle parking, where permitted, shall be included. | GLUDMC 10-6-9 | In the standards table provided by the applicant they show that they intend to provide two parking spaces per lot. The single-family dwellings will need to have two car garages to provide the two parking spaces. | As the standard is minimum of two parking spaces per lot and they cannot be in front of the building or on the street side of a corner lot, the only option is two car garages. Per code No additional parking spaces will be allowed on the lot. If this is the case then the proposed development Complies with this requirement. |
| DRIVEWAY CONSTRUCTION REQUIREMENTS 1. Driveways hereinafter constructed in the City shall be designed and constructed in conformance with this Chapter. 2. All driveways shall be hard surfaced, with a material approved by the City Engineer, and shall be designed and constructed to conform to current American Public Works Association ("APWA") standards as well as all standards developed by the City. 3. No building permit shall be issued for the erection or construction of a building unless all proposed driveways are reviewed and approved by the City. 4. No driveway or driveway approach shall be permitted to encompass any municipal facility, including but not limited to traffic signal standards, catch basins, fire hydrants, crosswalks, loading zones, storm drains, utility poles, fire alarm supports, meter boxes, manholes and sewer cleanouts. a. Any person, company, or enterprise found violating this Section shall be fined up to \$1,000 per violation, and subject to all other fines and penalties found in this Chapter and allowed by law, including GCC 17-1-6. b. Any person, company or enterprise found violating this Section, in addition to any penalties found in 6.14(A)(4)(a), shall be liable for all costs repair or restore the municipal facility, all costs to remove, relocate, or bring into compliance the offending driveway or driveway approach, and all actual damages to real property caused by the offense. 5. Variations from the requirements of this Chapter may only be approved by the City Council. | GLUDMC 10-6-14-1 | | There is not enough information provided to make a determination of compliance at this time. Recommended that no exceptions are granted for this requirement. |

PARKING AND DRIVEWAY CONSIDERATIONS (Chapter 6 cont.)

| Requirement | Standard | Proposed | Compliance Verified |
|---|------------------|--|---|
| <p>1) Streets and Roadways</p> <p>a) Driveways for off-street parking shall be located on streets designated as local, residential, or main street unless otherwise permitted herein.</p> <p>b) Driveways accessing arterial, rural, or collector streets require pre-authorization approval from the City Council prior to construction.</p> <p>i) Approval will be granted only if access to the property off another road is impossible or overly burdensome.</p> <p>c) Driveways shall not be constructed along the acceleration or deceleration lanes and tapers connecting to interchange ramp terminals.</p> <p>2) Shared Access</p> <p>a) Shared access driveways between adjacent lots are hereby encouraged.</p> <p>3) Right-of-Way</p> <p>a. Driveways, including the radii, but not including right-turn lanes, passing lanes, and tapers, shall be located entirely within the applicant's right-of-way frontage. This right-of-way frontage is determined by projecting the lot lines to the edge of pavement of the road. Encroachment of curb and radii on adjacent right-of-way frontage shall be permitted only upon written certifications from the adjacent property owner(s) (agreeing to such encroachment) and upon written confirmation from the City that the City has determined that such encroachment is necessary to preserve safe roadway conditions.</p> | GLUDMC 10-6-14-4 | <p>The SR-12 limited access highway and Lamb Lane arterial do not have any driveways accessing them and have limited street access by intersections.</p> <p>Street G and Street J are serving as internal collector streets for the subdivision. They also have driveways onto the street.</p> | <p>While information is vague at this point, it looks as though the proposed configuration of lots and internal streets keep residential driveways off the collector streets. Complies.</p> |

PARKING AND DRIVEWAY CONSIDERATIONS (Chapter 6 cont.)

| Requirement | Standard | Proposed | Compliance Verified |
|---|---------------------|---|----------------------------------|
| <p>The following restrictions shall apply to single family detached, single family attached and two family dwellings:</p> <ol style="list-style-type: none"> 1. Parking on driveways located between the front or corner side lot line and building shall not be allowed for satisfying the requirements stated in this Chapter. 2. Unless an exception is granted by the City Council, driveway approaches in front and corner yards shall not be greater than thirty feet (30') in width. 3. The provision of parking spaces elsewhere on the lot shall conform to the other applicable requirements of this Chapter. Requirements for garages shall be specified in each zoning district regulations. 4. No parkway right-of-way adjacent to or near the lot shall be used for parking. 5. For each single-family residential lot no more than two driveway approaches shall be permitted. In all instances, the total width of two or more driveway approaches may not exceed one-third of the lot frontage in which the drive approaches are constructed. A drive approach shall have a minimum width of twelve feet (12') between them, not including flares. 6. The second driveway cannot access an arterial or collector street, unless approved by the City Engineer and City Council. 7. Driveways shall not be closer than: <ol style="list-style-type: none"> a. Twelve feet (12') to each other; and b. Sixty feet (60') along the right of ways to a point of a road or street right-of-way intersection as measured from back of sidewalk or property line to edge of driveway 8. Circular driveways shall only be permitted on local residential streets. A minimum lot frontage of one hundred feet (100') or greater is required of if located on a corner lot, at least thirty-five feet (35') of spacing from the curb line to the leading edge of the driveway. 9. Secondary driveways must be no closer than 10' from the adjacent property line, as measured from the property line to the edge of driveway, not including flares | GLUDMC 10-6-14-5 | <p>Pertaining to Requirement #7</p> <p>The applicant needs to determine the necessity to request an exception to the 12-foot minimum driveway spacing requirement. Due to lots frontage size no lots will be able to meet the 60- foot spacing from and intersection.</p> | Requires Additional Information. |

DEVELOPMENT CONSIDERATIONS (Chapter 21)

| Requirement | Standard | Proposed | Compliance Verified |
|---|---------------------------|--|-------------------------------------|
| 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. | GLUDMC Section 10-21-1-6 | The proposed lots are smaller than what are allowed in their respective zones. | Does Not Comply |
| OPEN SPACE APPLICABILITY OF REGULATIONS (1) In recognition that the residents of Grantsville highly value the open tracts of land that currently are characterized with recreational uses, agricultural uses, minimal development or remain in a natural state, Grantsville City desires to protect and preserve these characteristics while allowing for continued growth and improvement of the community by requiring each proposed development to consider and maintain some form of open space as described in the following regulations. (2) All undeveloped parcels that come before the City as a subdivision of land shall comply with the open space regulations found in this chapter. All development shall be in compliance with all applicable Grantsville City ordinances, regulations, or resolutions and when in conflict, the provisions of this chapter shall prevail. | GLUDMC Section 10-21-1-12 | The Narrative for the project claims that parks and trails and amenities are being provided as part of the project. There is not enough information to determine if the open space requirements have been met. The Applicant should review the requirements of 10-21-1-14, 15, 16 & 22 and provide more specificity of how the project will comply with the open space requirements. | Additional Information is Required. |
| SITE ANALYSIS MAP (1) Concurrent with the submission of a preliminary plat, or site plan, the applicant shall prepare and submit a site analysis map. The purpose of the site analysis map is to ensure that the important site features have been adequately identified prior to the creation of the site design, and that the proposed open space will meet the requirements of this chapter. (2) The site analysis map shall include: (a) Location of natural drainages depicting flowline and top edge of channel; and (b) Springs, ponds, riparian zones, marsh and wetlands boundaries; and (c) Active agricultural, pasture areas; and (d) Rock outcroppings and slopes greater than 30%; and (e) Known archeological or historical resources; and (f) Wooded areas; and (g) Existing walking, equestrian, off-highway vehicle or bicycle trails; and (h) Existing streets, structures and utility infrastructure. (i) Other unique site features that may hold value if incorporated in open space areas. | GLUDMC Section 10-21-1-13 | | Required at Preliminary. |

DEVELOPMENT CONSIDERATIONS (Chapter 21 cont.)

| Requirement | Standard | Proposed | Compliance Verified |
|--|------------------------------|----------|----------------------------------|
| <p>USE OF OPEN SPACE</p> <p>(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.</p> <p>(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:</p> <ul style="list-style-type: none"> (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. | GLUDMC Section 10-21-1-14 | | Additional Information Required. |

DEVELOPMENT CONSIDERATIONS (Chapter 21 cont.)

USE OF OPEN SPACE (cont.)

| Requirement | Standard | Proposed | Compliance Verified |
|--|------------------------------|--|---------------------------------|
| <p>(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:</p> <p>(a) Open space shall be accessible to the public where practicable. Open space shall be accessible internally, connected to public streets and trails, and generally available for public use and enjoyment with the understanding that some uses may necessitate limited public access such as but not limited to: active agricultural uses, historic structures, and equestrian facilities.</p> <p>(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</p> <p>(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</p> | GLUDMC Section 10-21-1-14 | <p>The open space has been provided for the benefit of the local residents who are paying for its maintenance and upkeep through an HOA</p> <p>The narrative describes the proposed parks to provide amenities with interlinking hardscape walks and trails for resident access.</p> | Additional Information Required |

DEVELOPMENT CONSIDERATIONS (Chapter 21 cont.)

| Requirement | Standard | Proposed | Compliance Verified |
|---|------------------------------|----------|---------------------------------|
| <p>OPEN SPACE REQUIREMENTS</p> <p>(1) Each subdivision or site plan shall provide a minimum of 10% of its total parcel acreage as open space. The open space shall be designated on the preliminary plan or site plan and recorded on the final plat. The minimum restricted open space shall comprise at least 10% of the total parcel acreage. The open space shall be held and maintained in a private protective trust. In limited cases such as the provision of a minimum of five-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.</p> <p>(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.</p> <p>(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</p> <p>(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</p> | GLUDMC Section 10-21-1-15 | | Additional Information Required |

DEVELOPMENT CONSIDERATIONS (Chapter 21 cont.)

OPEN SPACE REQUIREMENTS cont.

| Requirement | Standard | Proposed | Compliance Verified |
|---|------------------------------------|----------|---------------------------------|
| <p>(5) In lieu of, or in a proportional combination with, the provision of 10% of the total parcel acreage as open space, the developer may, through agreement with the Planning Commission and City Council apply 10% of the predeveloped value of the total parcel acreage, as determined through an 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</p> <p>6) Land dedicated for use as a public park shall be no smaller than five 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</p> | GLUDMC Section 10-21-1-15 cont. | | Additional Information Required |

| Requirement | Standard | Proposed | Compliance Verified |
|---|------------------------------|----------|---------------------------------|
| <p>OPEN SPACE NETWORK CONFIGURATION</p> <p>The minimum standards for open space networks are as follows:</p> <p>(1) The minimum width of any open space area is 25 feet.</p> <p>(2) All paths shall be a minimum of 20 feet from any property line except where interparcel access may be provided.</p> <p>(3) All open space networks shall provide connectivity to any common areas within the development and to any adjacent public places and rights-of-way.</p> <p>(4) Paths located in primary conservation areas shall be constructed of pervious materials.</p> <p>(5) Where path networks cross internal subdivision streets or public streets, access points shall be directly across from each other or as approved by the city engineer.</p> <p>(6) Crossings and access points shall be clearly identified to pedestrians and motorists and may include traffic control devices, bridges and tunnels as approved by the city engineer.</p> | GLUDMC Section 10-21-1-16 | | Additional Information Required |

DEVELOPMENT CONSIDERATIONS (Chapter 21 cont.)

| Requirement | Standard | Proposed | Compliance Verified |
|---|------------------------------|----------|---------------------------------|
| PROHIBITED USES OF OPEN SPACE (1) Uses of open space shall not include the following: (a) roads (b) parking lots that occupy more than 15% of the open space; (c) dwellings; (d) commercial uses; or (e) land set aside for use that solely benefits any one person or entity. (2) The instrument for permanent protection shall include clear restrictions on the use of the open space. These restrictions shall include all restrictions contained in this chapter, as well as any further restrictions the applicant or City chooses to place on the use of the open space. | GLUDMC Section 10-21-1-22 | | Additional Information Required |

DEVELOPMENT CONSIDERATIONS (Chapter 21 cont.)

| Requirement | Standard | Proposed | Compliance Verified |
|---|-----------------------------|--|---|
| 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 2022 Transportation Master Plan and Grantsville City's Street Technical Specifications and Standard Drawings. No subdivision street shall extend farther than 750 feet beyond its intersection with another street. (Amended 06/07) | GLUDMC Section 10-21-6-3 | #1 The proposed streets do not comply with the standards street cross sections | #1 Does Not Comply #2 N/A at This Stage #3 Complies |

DEVELOPMENT CONSIDERATIONS (Chapter 21 cont.)
STREETS (cont.)

| Requirement | Standard | Proposed | Compliance Verified |
|--|-----------------------------------|---|--|
| (4) In addition to the City codes and standards, all subdivisions shall be designed to meet the applicable requirements in the current adopted edition of the International Fire Code. | GLUDMC Section 10-21-6-3 cont. | #4 Not enough information on the street cross sections to determine at this time. | #4 Additional Information Required |
| (5) Subdivisions proposing one- or two-family dwellings comprising of greater than thirty (30) lots shall have at least two (2) access points to existing through streets outside of the proposed subdivision. Streets within the proposed subdivision shall be interconnected to the greatest extent possible. Subdivisions 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. | | #5 Multiple accesses are shown. Phasing to be determined with Preliminary. | #5 Complies to the Extent Necessary at This Stage. |
| (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. | | #6 | #6 Complies |
| (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. | | #7 Not Applicable | #7 Not Applicable |
| (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. | | #8 Not Applicable | #8 Not Applicable |
| (9) The design of streets in commercial and industrial zoning districts shall be determined by the City Engineer using the Institute of Transportation Engineers' Trip Generation, current edition for road load and design for the transportation system. | | #9 Not Applicable | #9 Not Applicable |

DEVELOPMENT CONSIDERATIONS (Chapter 21 cont.)

STREETS (cont.)

| Requirement | Standard | Proposed | Compliance Verified |
|--|-----------------------------------|--|--------------------------------------|
| (10) Pedestrian access: All cul-de-sacs shall provide pedestrian connectivity to open space areas, public facilities, trails, or adjacent subdivisions. | GLUDMC Section 10-21-6-3 cont. | #10 Not Applicable | #10 Not Applicable |
| (11) The subdivider shall bear the cost of all road and public safety signs which shall be erected by the city public works. | | #11 Construction | #11 Not Applicable at This Stage |
| (12) Temporary road signs shall be installed by the developer with the road names approved on the plat. | | #12 Construction | #12 Not Applicable at This Stage |
| (13) Temporary road signs shall be maintained by the developer until permanent road signs are installed by Grantsville City when the infrastructure is inspected and accepted. | | #13 Construction | #13 Not Applicable at This Stage |
| (14) The arrangement of streets in a new subdivision or development shall provide for the continuation of existing streets in adjoining areas at widths designated by the street classification found in the Grantsville Streets Master Plan and the City's design standards | | #14 No existing streets to extend. | #14 Not Applicable |
| (15) Streets adjacent to a new subdivision or development shall be fully improved on the side of the street fronting the subdivision with a minimum paved travel surface width of 26 feet or half the pavement width per the street's classification, whichever is greater. All associated improvements such as sidewalk, curb, gutter, shoulders, ditches, and/or side slopes so as to assure proper drainage, bank stability, and traffic safety shall be construed to city standards on the side of the street fronting the subdivision. The non-property line edge of street shall have installed a temporary ribbon-curb. | | #15. It is not clear what improvements are occurring on the adjacent streets. Both Durfee Street and Matthews Lane will require dedications of land to meet the street classification. | #15 Requires Additional Information |
| (16) No development shall be approved unless streets and associated infrastructure leading to the subdivision provide an adequate level of service for existing users while accommodating the new development. The developer shall be responsible to mitigate off site impacts. The traffic impact study shall be considered in the determination of any off site impact mitigation requirements. The level of mitigation of off-site impacts shall be determined by the planning commission upon recommendation by the city engineer in conformance with the City's general plan including associated plans and studies, adopted ordinances, specifications, standards, and considerations of public health and safety. | | #16 A Traffic Impact Study has not been submitted at this stage. | #16 Requires Additional Information. |
| (17) All associated improvements such as sidewalk, curb, gutter, or alternate drainage shall also be constructed to city standards for a "Public Road, Standard Street Section" as specified in Grantsville City's Technical Specifications and Standard Drawings, unless waived by the city council. | | #17 The street cross sections proposed for the 30-foot wide and 50-foot wide streets do not meet the standard street cross section requirements. | #17 Does Not Comply |

DEVELOPMENT CONSIDERATIONS (Chapter 21 cont.)
STREETS (cont.)

| Requirement | Standard | Proposed | Compliance Verified |
|--|---|--|---|
| (18) No building permit shall be issued until such time as all of the required improvements and the installation of utilities have been completed or until a financial assurance has been filed with the City that complies with the requirements of Chapter 21, Section 7 of this Code. The City Council may also require that the subdivision improvements be guaranteed for two year after their installation, in a manner consistent with guarantees required for a standard subdivision. | GLUDMC Section 10-21-6-3 cont. | #18 Construction | #18 Not Applicable at This Stage. |
| (19) Commercial developments having thirty (30) or more separate commercial lots or proposed businesses shall be required to provide for more than one means of vehicular ingress and egress to the development. The timing of the installation of the alternate means of ingress and egress shall be determined by the City Council, after a recommendation from the Planning Commission. | | #19 Not enough information to determine this at this time. However the frontage on public streets provides plenty of length for multiple accesses. | #19 Planning Commission may determine if this needs to be addressed at this time. |
| (20) Improvement of Existing Boundary Streets: Existing streets fronting or bounding the development shall be improved to meet the classification and construction standards specified by the City for the street. These requirements shall include: | | #20 | #20 Requires Additional Information |
| <p>(a) Dedication of additional right-of-way width to meet the greater of the half of the minimum width required for the particular street classification as measured from the centerline of the existing street right-of-way.</p> <p>(b) Developer shall provide as part of preliminary plat application a survey of existing street improvements on existing street rights-of-way or the minimum width required to provide a 26' foot minimum pavement width meeting the International Fire Code access requirements bounding the proposed subdivision and an assessment by a licensed Geotech assessing the condition of the existing concrete and bituminous pavement, base and subgrade materials and certifying whether or not the existing right-of-way improvements meet Grantsville City's current development and construction standards. The survey shall include topography, location and elevations of street crowns, edge of pavement, curb and gutter, sidewalk, utility boxes, manholes and any other permanent objects within the street right-of-way or adjacent to the street right-of-way that may be associated to the existing improvements or have bearing on potential future improvements associated with the proposed subdivision.</p> | | #20a | #20a Requires Additional Information. |
| | | #20b | #20b Not Applicable at This Stage |

DEVELOPMENT CONSIDERATIONS (Chapter 21 cont.)

STREETS (cont.)

| Requirement | Standard | Proposed | Compliance Verified |
|---|--------------------------------------|---|--|
| <p>(c) In cases where the existing street improvements do not meet current city improvement standards, deficiencies shall be corrected to meet current standards. These corrections include any deficiencies in the right-of-way or edge of pavement beyond centerline to meet the minimum 26' foot minimum pavement width requirement from the subdivision boundary to the greater of the centerline of the right-of-way. Additional repair and replacement may be required beyond the right-of-way centerline if construction of improvements for the subdivision such as trenching for utilities serving the subdivision or construction activities for the subdivision 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.</p> <p>(d) Improvements in the half width of the right-of-way as measured from the centerline of the existing street right-of-way shall meet the same construction finish standards required within the subdivision. 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.</p> <p>(e) If the existing boundary street right-of-way is not paved, improvements to bring the street in compliance with current City standards shall include a paved surface width of a minimum of 26 feet for the full length of the subdivision boundary frontage or, in agreement with the City, full width improvements to the right-of-way for a distance proportional to the total length of subdivision boundary, as if partial improvement were completed.</p> | GLUDMC Section 10-21-6-3 cont. | <p>#20c</p> <p>#20d</p> <p>#20e</p> | <p>#20c Requires Additional Information.</p> <p>#20d Not Applicable at This Stage.</p> <p>#20e Not Applicable at This Stage.</p> |
| <p>EASEMENTS</p> <p>(1) A ten-foot public utility easement shall be established along the front of each lot.</p> <p>(2) A 7.5-foot public utility easement shall be established along the sides and back of each lot.</p> <p>(3) Guying easements at corners may be required.</p> | GLUDMC Section 10-21-6-8 | The drawing does not show easements around lots. The setbacks will not allow for the 7.5-foot side easements. | Does Not Comply |

GENERAL PLAN CONSIDERATIONS

The General Plan makes the following statements that may be applicable to the proposed project:

The opening element of the Grantsville City General Plan lists the following Community Core Values which form the underlying values behind the policies and goals of each element of the General Plan.

Community Core Values

Core values of a community are specific statements that illustrate the residents' desires and needs for their community. These values support and prescribe the future of the community, while remaining adaptable to the ever-changing nature of a municipality. Grantsville values include:

- Retain the feel and atmosphere of a small community

Comment: Small Lots packed tightly together do not retain the feel and atmosphere of a small community unless generous amounts of open space is interspersed throughout the subdivision to open it up and break up the wall to wall buildings.

- Offer an increased quality of life for residents, regardless of age or socioeconomic status

Comment: The mixture of types and sizes of residential products provides opportunities for residence in this community regardless of age and socioeconomic status. The proposed PUD includes at least 20% affordable housing which is very much needed in Grantsville. Robust trail systems and generous parks with amenities to promote an active inviting space would help to increase the quality of life for its residents. Walk ability, bike ability, convenient services and attractions also help to improve quality of life.

- Attract and retain necessary amenities or services to encourage residents to shop locally.

Comment: The proposed PUD will provide opportunities for commercial development with one substantial commercial project already guaranteed as part of the project. The local shops proposed need local residents in an adequate density to keep them in business. The PUD also provides additional residential to support the commercial.

- Support development of the local tax base.

Comment: The local tax base increases as additional businesses come into the community.

- Provide affordable housing options that meet local needs and local socioeconomic characteristics for residents.

Comment: Affordable housing means options such as multi-family housing, apartments and smaller homes on smaller lots being made available in areas that have great transportation access and convenience of location to basic services and to employment. The proposed location is within walking distance of Main Street and a commercial component as part of the project that may provide support for the PUD's resident's needs.

- Support business development for local employment opportunities.

Comment: This project provides a balance of residential and commercial in the downtown area which will also provide additional employment opportunities. Commercial growth will not occur if there are not roof tops to support the businesses.

It is important to note that no development is going to meet all of the goals of the General Plan nor does the City want a development to meet all of the goals. The City land use map contains 10 distinct types of land uses and the Zoning Map contains 18 distinct zones. The expectation is that each of those zones serves a unique purpose that is different from the other zones. As conformance to the General Plan is considered for an application, the consideration should weigh its compatibility to surrounding uses, its fit within the zone and land use it would reside in and its compatibility in the community overall. We should not expect to meet moderate income housing needs with one-acre single family lots. Nor should we expect that those residing in one acre or larger lots will have convenient access to employment, goods and services within walking distance.

The Matthews Development seems to support or should support the following goals and policies:

LAND USE

Goals and Policies and Land Use

Goal 3. **Support a Mix of Land Uses.** Grantsville desires a well-balanced, financially sound, and functional mix of agricultural, residential, commercial, open-space, recreational, and institutional land uses.

Provide for the reservation of adequate land to meet projected institutional and infrastructure needs.

Policy 3. Ensure compatibility of future land uses with adjoining properties.

Comment: The proposed development is placing the higher densities nearer the downtown core with the largest single family lots in the proposed project bounding the west side to provide a buffer for future development to the west.

Policy 4. Promote neighborhood commercial development in targeted areas, to preserve existing or planned residential development without detracting from the residential character of the community. Increase density along the Main Street corridor, offering more clustered housing alternatives for lower income families within convenient access to necessary amenities.

Comment: The proposed PUD provides the opportunity for neighborhood commercial that is conveniently accessed for the PUD's residents and other living in the surrounding area. The walkable access to the Main Street downtown core is also a great plus to the proposed development.

Policy 7. Allow the sizes of lots/units within a subdivision to vary from the zoning requirement while maintaining the overall zoning density of the parcel to provide Improved Open Space through the Planned Unit Development (PUD) Process.

Comment: The proposed development provides a variety of sizes and types of lots and units.

Goals + Policies + Community Design

Goal 2. **Create a more pedestrian-friendly community.** As new development is proposed, and/or as resources become available to the City, invest in things that promote an active lifestyle.

Policy 2. Construct maintained pathways of adequate widths on streets in high density areas that currently do not have paths for other types of transportation other than driving.

Comment: If there are sidewalks on all of the streets and alleys the neighborhood with pathways that link the proposed amenities this project would meet this goal.

Goals + Policies + Transportation

Goal 1. **Provide for the existing and future transportation needs.** Develop and maintain transportation systems of adequate size and capacity to serve the existing and projected permanent and peak population in all areas of the city.

Policy 1. Street paving and pedestrian surfacing materials should be economical, serviceable, and easy to repair. The variety of surfacing materials should be kept to a minimum.

Policy 2. The parking policy shall be to require on-site parking enough to meet the anticipated parking demand of proposed development.

Comment: Adequate parking is still in question especially in the townhouse area. The definition of parking for single family lots by not allowing counting parking on the driveway in front of the house is also in question.

Policy 3. The City will require necessary transportation improvements, including adequate right-of-way dedications, and other transportation facility enhancements, concurrent with development approvals to adequately serve the development.

Comment: The proposed street rights-of-way don't comply with the City standards and parking for visitors for the townhouses and apartments is inadequate.

Goal 3. **Develop a comprehensive transportation system.** Incorporate many modes of travel, including private vehicle, mass transit, pedestrians and bicycles.

Policy 1. Access for the disabled shall be addressed in all public improvements.

Policy 2. Provide a pedestrian-oriented sidewalk, path and trail system that offers convenient access throughout the entire city.

Comment: Links to city wide trails and sidewalks are key to accomplishing these goals.

Policy 3. Walking and biking will be a practical and enjoyable means of travel within the City with the provision of safe sidewalks and multiple use trail system (including ATV and equestrian users).

Comment: This is something that can be further discussed.

Goals + Policies - Housing

Goal 1. **Housing Stock.** Grantsville seeks to develop a variety of housing opportunities.

Policy 1. Support the development of single-family dwellings, multi-family dwellings, and retirement housing.

Comment: This project provides a variety of types of housing helping to fulfill this need.

Policy 2. Encourage a variety of housing and residential opportunities by establishing and providing a range of allowed residential densities and lot sizes [as per UCA 10-9a-403(2)(b)(iii)(A)].

Comment: The Matthews Development is proposing that at least 20% of the residential will be affordable (moderate income housing). This is the basis of the grant they are pursuing for the development.

Goals + Policies - Recreation And Open Space

Goal 2. **Improve Recreation Opportunities.** Grantsville encourages the development and maintenance of parks with quality recreational facilities that connect all parts of the community.

Policy 4. Provide a connected and useable open space network.

Policy 5. Establish open space guidelines and maintenance options for existing and future open space areas.

Policy 6. All new developments will be required to contribute to the provision of open spaces within the City, either through onsite reservation, where appropriate, offsite contributions, or payment in lieu.

Policy 7. Increase prescribed play spaces for sporting teams or events, specifically soccer, baseball, softball and other sports.

Policy 8. Play structures/areas shall meet and/or exceed all current CPSC, ASTM, IPEMA standards, and ADA requirements.

Comment: The narrative mentions an abundance of amenities for the residents. Additional specific information is required to determine how this conforms with these goals.

Exhibit APUD Narrative – Provided by Matthews Development 03.08.23

The Proposed Matthews Development consisting of 70 acres will be a masterplan community comprised of well-located commercial, multifamily and single-family lots/units of varying densities. Through the PUD process, Land Owners/Developer will create a more desirable environment and development for the City, local economy and community. Through a variety of housing options and product types this development will provide housing for a wide demographic and varying housing budget(s). The residential product and housing options will be attractive to first time home buyers, young families, general workforce, renters looking for quality housing, in addition to product for individuals in all stages of life. The development will focus on consistent aesthetics, a cohesive site plan to blend varying residential product types with commercial/retail, and to maximize the benefit to the City, community and surrounding area. See Exhibit A for concept plan.

PUD Objective List

- a) As a joint collaboration between Land Owners and Developer, we are applying for a PUD that creates a more desirable environment for the City through the following:
 1. Commercial / Retail: We will provide much needed commercial and retail space in Grantsville. Through the 14 acres of commercial provided in this development, not only will this deliver residents and the community convenient and well-located amenities, but it will benefit the local economy and keep crucial dollars within Grantsville. With the anticipation of a local Grocery Store, Soelberg's will be building a new flagship large, scale, 45,000 SF store on the site. The commercial provided through this development will have an extremely positive impact on the City. The location of the commercial/retail is arguably the best in Grantsville and all of the commercial/retail will be strategically positioned to maximize exposure, create efficient traffic patterns, and provide a variety of amenities, retailers, etc. for current and future residents of the City.
 2. Affordable Housing: There is an apparent need for affordable housing within Grantsville, which has been discussed and addressed in the Grantsville General Plan to: "Encourage Affordable Housing – Work with and incentivize local developers to create vital affordable housing within Grantsville". This development aims to provide a variety of product types that will create some affordable housing (approximately 20% of the residential units) which the city desperately needs. This affordable housing component will allow Solberg's to apply for and qualify for CRDA treatment. In addition, the City's General Plan that outlines the importance to "Diversify Housing Stock – Encourage adequate density of housing stock within the community" will be addressed and provided in this development and will cater to a wide demographic of home buyers with the residential product offered. This development will not exceed 528 total residential units at build out. This creates a blended average of less than 7.6 units to the acre on the total master planned community (70 acres).
 3. Matthews Well: As development of the Project occurs and when Matthews (land owners) no longer needs to use the well located on the Total Property for irrigation purposes, Matthews shall dedicate the well and all well-related improvements and equipment to the City. This provides substantial value to the City from an infrastructure perspective. All documentation has been provided to the City surrounding the specifics of the well, but it is our understanding that this Well has value for Secondary or Culinary purposes, and can heavily benefit the City.

- b) The use of design, landscape and architectural features being designed in this development will create a community that utilizes precious resources in a responsible manner, creates a cohesive neighborhood and provides amenities/open space that are needed within the community. Anticipated amenities include, but are not limited to Swimming Pool(s), Pickleball Courts(s), Dog Park(s), and Playground Equipment. The Goal is to maximize amenities that resonate with residents and the community while conserving precious natural resources like water. To eliminate added pressure to the City's infrastructure and resources, and ensure all amenities are properly cared for, all amenities and open space will be maintained by the Master HOA of the development.
- c) Not applicable
- d) The entire master planned community will have connecting sidewalks that allow residents and the community a safe hardscape to walk the neighborhood and access the amenities, as well as commercial and retail development in the vicinity in a safe manner.
- e) Not Applicable

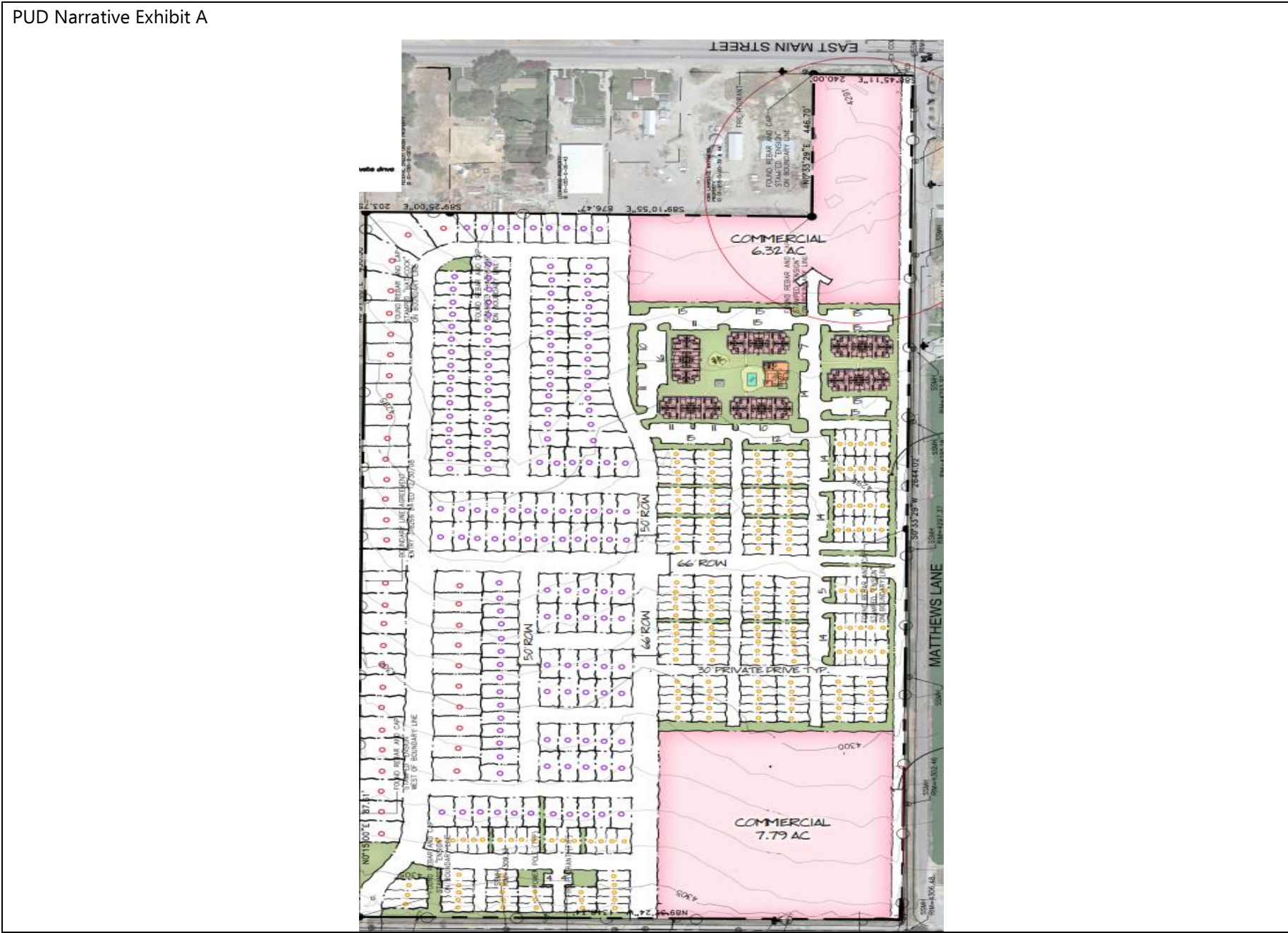
Highlighted PUD Features:

- 14 acres of prime, well-located commercial and retail, including 45,000 SF Flagship Grocery Store – Soelberg's.
- A variety of housing options, both for sale and for rent product, with an affordability component to appeal to a wide range of demographics.
- Valuable well contribution by land owner with infrastructure in place for possible secondary and culinary uses.
- Sidewalks and hardscape that connect through development and provide safe walkability to the entire master plan community and commercial/retail amenities.
- Covenants, conditions, and restrictions (CC&Rs) will be provided to ensure continued maintenance, cohesive architecture and landscaping throughout the neighborhood. The CC&Rs will enable the homeowner's association to enforce the CC&Rs and maintain the neighborhood, and ease the burden on the City for maintenance for all open space and amenities.
- Water conscious amenities and infrastructure to be put in place to limit the use of water - both culinary and secondary.

Deviations from Current City Standards:

While we realize that through the PUD we are requesting a deviation from City Standards, these deviations are necessary in order to create a cohesive master planned community with appropriate housing product and commercial that conforms to Grantsville City's vision, general plan, and Goal #3 Support a Mix of Land Uses Paragraph 7, found in the Land Use Element of the Grantsville City General Plan: "Allow the sizes of lots/units within a subdivision to vary from the zoning requirement while maintaining the overall zoning density of the parcel to provide Improved Open Space through the Planned Unit Development (PUD) Process. "

See Exhibit B for the development standards and deviations from current City standards that outline the proposed product type, which can also be found in the Master Development Agreement to be approved in conjunction with this PUD application.



PUD Narrative Exhibit B

| MATTHEWS DEVELOPMENT - GRANTSVILLE, UT | | | | 11.1.22 | | | | |
|---|---|---|---|---|---------------|---|---|---|
| Development Standards | | | | | | | | |
| Code Requirement | Mixed Use - Comm | Mixed Use – Multifamily | Mixed Use - SFD | SFD 40-ft Lot | SFD 65-ft Lot | Townhomes | Multifamily | Commercial |
| Minimum Lot Size | ½ acre | 7,000 SF 1 st unit + 4,000 SF for each additional ground level unit in the structure. Lot size for units in a structure on a corner is 10,000 SF | 4,000 SF | 3,600 SF (40' x 90') | 7,150 SF | 1,920 Per attached home (24' x 80') | NA | |
| Minimum Lot Frontage ⁽¹⁾ | 100-feet | 50-feet | 50-feet | 40-feet | 65-feet | 24-feet | NA | |
| Minimum Yard Setbacks | | | | | | | | |
| Front Yard | 25-feet ⁽⁵⁾ | 25-feet ⁽⁵⁾ | 25-feet ⁽⁵⁾ | 20-feet | 20-feet | 20-feet | See distance between structures | |
| Rear Yard | | | | | | | | |
| - Main Building | 20-feet | 20-feet | 20-feet | 15-feet | 10-feet | 10-feet | See distance between structures | TBD |
| -Accessory Bldg. | 7.5-feet | 7.5-feet | 7.5-feet | NA | NA | NA | | |
| Side Yard | | | | | | | | |
| -Main Building ⁽³⁾ | 7.5/10-feet ⁽²⁾ | 20-feet ⁽²⁾ | 7.5/10-feet ⁽²⁾ | 5-feet | 5-feet | 0-feet on attached side; 5-feet on open end units | See distance between structures | TBD |
| -Accessory Bldg. | 7.5-feet | 7.5-feet | 7.5-feet | NA | NA | | | |
| -Corner Side Yard | 25-feet each side on the street 10-feet other two sides | 2 front yard setback | 5-feet each side on the street 10-feet other two sides | 10-feet | 10-feet | 10-feet | | |
| Building Height | 35-feet ⁽⁴⁾⁽⁸⁾ | 35-feet ⁽⁴⁾⁽⁸⁾ | *35-feet | 35-feet | 35-feet | 35-feet | 35-feet ⁽⁸⁾ | |
| Minimum Distance between structures in the same lot | NA | 30-feet | NA | | | 5-feet | 30-feet between structures on a common lot | TBD |
| Maximum Building Coverage | NA | | NA | 55% | 55% | 90% | 75% | |
| Open Space Requirement ⁽⁷⁾ | | | | See section 2.5 of Master Development Agreement | | | See section 2.5 of Master Development Agreement | See section 2.5 of Master Development Agreement |
| Landscape Requirement | 25% of total Project area | 25% of total Project area | 25% of total Project area | 15% | | | TBD | TBD |
| Minimum dwelling size | NA | | 900 SF of Living space | | NA | | | NA |
| Parking | 4.1 spaces per 1,00 SF of gross floor area | 2 spaces per du+ Guest parking ⁽⁶⁾ | 2 spaces per dwelling – garage(s)/driveway(s) to count as parking and to be included in parking requirement calculations ⁽⁶⁾ | | | | 4.1 spaces per 1,00 SF of gross floor area | |

Exhibit B Continued**FOOTNOTES**

- (1) Minimum frontage (at property line on a public street or an approved private street)
- (2) Setbacks shall be listed or match the easement width, whichever is greater
- (3) Side Setback each side
- (4) Heights of 3-stories above grade and 15 DU/Ac may be approved with special considerations of landscaping, buffering and architectural design that fit the scale of the surrounding neighborhood
- (5) Front setback may be reduced to 12-feet if the garage is setback from the front plane of the home, but in no case can the garage be closer than 20-feet to the front property line
- (6) Parking for the first ten (10) units shall provide one (1) separate designate visitor parking stall per dwelling unit. For each unit over the first ten (10) dwelling units, one (1) additional parking stall for each two (2) dwelling units shall be provided. For any partial stalls calculated, the applicant shall round up to the next whole number of stalls.
- (7) Open space is based on an overall project wide basis
- (8) Building Height to be measured from natural grade to midpoint of roof

Permitted Encroachments (subject to building code requirements)

- Encroachments within all setbacks of up to two (2) feet are allowed for roof eaves/overhangs, brick ledges, bay/box windows, fireplaces/chimneys, entertainment center bump outs, counterforts, cantilevers, exterior post/columns, solar panels, mechanical equipment including HVAC, brick ledges, light fixtures, and like features may be closer than 2-feet to the property line.
- Encroachments within all setbacks of up to three -six inches (3'-6") is allowed for window wells, and like features of the structure.
- Ramps for handicap accessibility may encroach as needed.
- Stairs or steps from the home may encroach to the back of sidewalk outside of the private lot and including encroachments into public rights of way.
- Decks and covered patios may encroach up to seven (7) feet into the rear setback with the provision they are never enclosed.
- Only decks and covered patios less than 30-inches above grad may encroach into the side yard setback but must be a minimum of one-foot (1foot) from the side property line with the provision they are never enclosed.
- Permitted encroachments with the exception of concrete flatwork or pavers, may not be located in any easement.
- Steps, walks, screen walls, trash structures, structures used for ADA compliance and life safety measures are excluded from setback restrictions.

AGENDA ITEM #3

Discussion of MU (Mixed Use) zoning
Definition

**Proposed Mixed Use District Ordinance Amendment
Revision 4/25/2023 From Planning Commission Work Session.**

RED Remove From Existing Language.

Green Add to Language.

Blue for Discussion.

Chapter 19a Mixed Use District

19a.1 Purpose And Intent

19a.2 Permitted Uses

19a.3 Minimum Lot Sizes

19a.4 Setbacks/Yard Requirements

19a.5 Minimum Lot Frontage

19a.6 Maximum Height Of Structures

19a.7 Minimum Dwelling Size

19a.8 Landscaping Requirement

19a.9 Exceptions

Enacted 02/11 by Ordinance 2011-04, amended 09/18 by Ordinance 2018-16

19a.1 Purpose And Intent

(1) The purpose of the Mixed-Use District is to allow for the establishment of commercial properties integrated with subordinate residential uses. ~~medium density residential neighborhoods mixed with commercial properties.~~ Planned Unit Developments are required in this zone. ~~such that open space, neighborhood parks, natural areas, trails, and other amenities are required as part of these types of development.~~ Developments in the Mixed-Use zone shall be designed so as to integrate the residential and commercial components into one harmonious development and to be compatible with the existing or anticipated uses on the surrounding properties.

(2) While achieving a mix of commercial and residential uses in Mixed Use developments is the goal, the priority is to create a commercial core that is located on the City's major streets, and specifically along Main Street. To accomplish this goal properties of less than one acre fronting Major Streets such as Main Street shall be developed as commercial only or a commercial / residential mix with the commercial fronting the street. All properties developed under the Mixed-Use District that are one acre or greater shall include at least 50% of the land area as commercial fronting the Major Street. ~~the City will review proposals on an individual basis in determining an acceptable ratio for the residential and commercial components. Project designs that fail to sufficiently integrate commercial and residential uses will not be considered for approval. Creativity in both site design and architecture is expected.~~ Master planning of multiple contiguous properties is encouraged in order to integrate the proposed development harmoniously into the surrounding neighborhood.

It would be helpful to understand how much commercial Grantsville can realistically support and consider if the area designated in the future land use map as MU and the areas designated commercial are sufficient or exceed the necessary land requirements. It looks like this information may be provided with the Westside Master Plan and it will be useful to take this into consideration to make sure the city's demands for commercial are overly optimistic. My experience is that most smaller communities are far more optimistic in there desire for commercial development than realistically may occur. I state this because we may find that if we choose to focus on the downtown core for commercial then it may not

make sense to continue to show the full length of SR-138 as mixed use as it may cause very spread out commercial and not a commercial core.

(3) This land use district, in conjunction with the City's Land Use Element, recognizes that in order for the City to be a well-rounded community, many different housing styles, types and sizes should be permitted. Where surrounding uses are compatible, the mixed-use development may allow residential uses up to ten (10) units per acre. *Do we still want the density noted in the language?*

(4) Architectural design, scale and heights of development are designed to fit the scale and aesthetics of the surrounding properties in the district.

HISTORY

Amended by Ord. 2021-13 on 4/28/2021

Amended by Ord. 2021-35 on 8/18/2021

Amended by Ord. 2022-14 on 8/3/2022

19a.2 Permitted Uses

(1) This district shall allow residential developments and those uses allowed in the C-N, C-S, and C-G districts as permitted or conditional uses as specified in the regulations for these districts.

19a.3 Minimum Lot Sizes

(1) The minimum lot size for single family dwellings is 4,000 square feet per unit.

(2) The minimum lot size for any non-residential use in this zone is one-half (1/2) acre.

~~(3) Minimum lot size for Multi-unit dwellings is 4,000 square feet for each unit.~~

HISTORY

Amended by Ord. 2022-14 on 8/3/2022

19a.4 Setbacks/Yard Requirements

(1) Setbacks/yard requirements are intended to describe the amount of space required between buildings and property lines. All buildings in this zone, including accessory buildings, are required to maintain a minimum distance from property lines as follows:

(a) Front: 25 feet. ~~The front setback may be reduced to 12 feet if the garage is setback from the front plane of the home, but in no case shall the garage be located closer than 20 feet to the front property line.~~

(b) Sides: 7.5/10 feet or PUE dimension, whichever is greater. If twin-homes are attached to the property line, a setback of 15 feet (15') on each side.

(c) Rear: 20 feet.

(d) Corner lots: There shall be a minimum setback on corner lots as follows: 25 feet on each side fronting a street, with 10 foot setbacks for the other two sides.

(e) All accessory buildings in this zone are required to maintain distances from property lines and other dwelling units as follows: sides and rear 7.5 feet.

(f) Mixed use buildings fronting Main Street and containing main floor commercial uses may allow the commercial uses to abut the street side property line with a portion of the building containing the main entrance to the commercial use, if an adjacent street side property is currently similarly configured.

HISTORY

Amended by Ord. 2021-13 on 4/28/2021

Amended by Ord. 2022-14 on 8/3/2022

19a.5 Minimum Lot Frontage

(1) For single family homes, the minimum lot frontage/lot width shall be not less than 50 feet. Multi-use residential development shall meet the requirements found in GLUMDC 4.34. All other uses in this district shall have at least 100 feet of frontage along a public street.

HISTORY

Amended by Ord. 2022-14 on 8/3/2022

19a.6 Maximum Height Of Structures

(1) No structure in this zone shall exceed a maximum of ~~two (2)~~ three (3) stories in height or 35 feet above grade at street.

HISTORY

Amended by Ord. 2021-13 on 4/28/2021

Amended by Ord. 2022-14 on 8/3/2022

19a.7 Minimum Dwelling Size

(1) Every dwelling unit in this zone shall contain a minimum of 900 square feet of living space.

19a.8 Landscaping Requirement

(1) There shall be a minimum requirement of 25% of the total project area to be used for landscaping. All sensitive lands shall be protected as part of the landscaped area of any development.

19a.9 Exceptions

~~(1) Heights of three (3) stories above grade at street and fifteen (15) units per acres may be approved with special considerations of landscaping, buffering and architectural design that fit the scale of the surrounding properties in the zone. To be considered landscaping and buffering, area and design must exceed the minimum requirements found in Chapter 9, Landscaping and Buffers and Chapter 12, Planned Unit Developments.~~

HISTORY

Adopted by Ord. 2021-13 on 4/28/2021

The Westside Master Plan presentation was very insightful and pertinent to the MU discussion. The following information was provided from a database that they have created based upon previous planning projects they have done in other communities as well as Grantsville. The numbers below are a representation of the typical lot areas for different types of residential uses. While Grantsville may require other minimum areas for different uses, this table provides a good starting point to discuss what is reasonable to require.

- **Residential Property Types Minimum Lot Sizes**
 - Detached
 - Large Lot SF – 21,780 SF / lot
 - Medium Lot SF – 7,000 SF / lot
 - Small Lot SF – 3,000 SF / lot
 - Attached
 - Twin-home – 1,500 / unit
 - Triplex – 1,500 / unit
 - Fourplex – 1,500 / unit
 - Townhomes – 1,800 SF / lot
 - Condos – 600 SF / unit
 - Apartments – 600 SF / unit

I would suggest that our 4,000 square foot minimum lot size is barely adequate for single family residential but is oversized for attached multi-family uses. I also think that we should define an

acceptable minimum area for Apartments/Condos & stacked housing. This consideration also needs to be taken with the RM-15 and RM-7 Zones.

As an example, for attached housing such as twin-homes, townhomes etc. I would suggest a minimum area of 2,000 square feet per unit with an additional 1,000 square feet added to the area along street/private drives/alleys at corners to provide for appropriate line of sight. The setbacks for these structures are based upon the outside of the structure and the individual unit frontage is not dictated by the City but they should be required to construct a wide enough frontage to locate the water meter in a landscaped area outside of the units driveway. Other utilities should be provided a utility corridor around the buildings if there is not adequate frontage to locate transformers or other pedestals and boxes in front of the structures.

4.34 Multi Unit Residential Development

1. Multi-unit residential units shall include any structure that provides for more than one place of residence. The combined units in each structure will meet the requirements of GLUMDC 4.34(2). The structure shall be constructed to comply with all current building and fire codes.
2. The minimum size requirements for a multi-unit lot is:
 1. As specified in GLUMDC 15.4 and 15.5, if the development is located in those districts.
 2. For developments approved by the City to be constructed in other districts allowing multi-unit residential development, the minimum size requirements are:
 1. Minimum lot size shall be calculated as 7,000 square feet (sq) for the first unit and an additional 4,000 square feet (sq) for each additional ground level unit in the structure. The minimum lot size for units within a structure adjacent to a street corner shall be 10,000 square feet (sq).
 2. ~~Subject to the maximum number of units permitted in any other section of this Code, the maximum number of units per acre of lot size shall be fifteen (15) units.~~
 3. Minimum frontage will be fifty feet (50').
 4. Minimum setback for the front yard will be twenty-five feet (25').
 5. Minimum rear setback will be twenty feet (20').
 6. Minimum side yard setback will be twenty feet (20').
 7. For corner lots, there shall be two front yard setbacks.
 8. If two or more structures are located on one lot, the minimum distance between the structures will be thirty feet (30').
3. Street and Parking
 1. All streets shall be designed and constructed to meet the City's standard for streets.
 2. There shall be a minimum of two (2) parking spaces provided for each unit.
 3. If sufficient separated designated visitor parking is not available in approved curbside locations, off-street parking shall be provided.
 4. Additional parking for recreational, commercial, and other types of units will be required if the residents are not required to park them off-site by a rental/owner agreement.
 5. Parking for the first ten (10) units shall provide one (1) separate designate visitor parking stall per dwelling unit. For each unit over the first ten (10) dwelling units, one (1) additional parking stall for each two (2) dwelling units shall be provided. For any partial stalls calculated, the applicant shall round up to the next whole number of stalls.
4. Building Requirements
 1. Maximum height is two ~~(2)-stories~~ **three (3)** or thirty-five feet (35'), whichever is less.
 2. Ground floor units shall be ADA accessible.

5. The portion of the lot not covered by improvements shall be fully landscaped in accordance with Chapter 9 of GLUMDC.

HISTORY

Adopted by Ord. 2022-24 on 7/6/2022

15.4 Multiple Residential District RM-7

Effective June 4, 1999 no application to extend, enlarge or re-zone property to a RM-7 zoning district designation will be considered by Grantsville City. Areas previously designated with a RM-7 zoning district designation may continue after June 4, 1999 and the uses in these district's may continue subject to the following regulations.

- (1) The RM-7 Zoning District is intended to provide areas for medium density single family and multi-family residential with the opportunity for varied housing styles and character.

Minimum Lot Size (Lot Area):7,000
sq. feet Minimum Lot Size for Corner Lots10,000 sq.
feet Additional lot area for each additional dwelling unit on the lot6,000 sq.
feet

~~Maximum Density7 d.u./acre of lot~~
area as defined in GLUMDC Chapter 2 Lots shall comply with Chapter 4: Supplementary and
Qualifying Regulations - Section 4.5: Lots Standards and Street Frontage.

All multi-use residential development shall comply with GLUMDC 4.34 (Multi-Unit Residential Development)

Minimum Frontage (along curb face on a public street or an approved private street) 60 feet.

Minimum Yard Setback Requirements: (Amended 2000, 9/01) Front

Yard25 feet. Rear Yard for
Main Buildings20 feet Rear Yard for Accessory
Buildings1 foot, or match the easement width,
whichever is greater Side Yard for Main Building, Each
Side5*/15 feet Side Yard for Accessory
Buildings4 feet*

Setbacks for Accessory Buildings on a corner lot: On the side of the Main
Building4 feet* On the rear of the Main
Building1 foot* On corner lots 2 front yards and 2
side yards are required.

*Setback shall be as listed or match the easement width, whichever is greater

Maximum Building Height35 feet, or a
basement and two (2) floors, whichever is less Maximum Building
Coverage35%

Required Improvements:

Street grading Street base

Street Pavement to centerline or minimum paved width (per GLUMDC 21.6.3), whichever is greater

Surface drainage facilities Curb and Gutter Sidewalk Culinary water facilities Waste water disposal

Street name signs Fire hydrants Street monuments Shade trees (along public streets) Street lights

HISTORY

Amended by Ord. 2022-14 on 8/3/2022

15.5 Multiple Residential District RM-15

(1) To provide areas for medium high density residential with the opportunity for varied housing styles and character, including apartment and condominiums.

Minimum Lot Size (Lot Area):8,000
sq. feet Minimum Lot Size for Corner Lots10,000 sq.
feet Additional lot area for each additional dwelling unit on the lot4,000 sq.
feet of the lot area. ~~To achieve this density, housing units would need to be built above other housing units. Maximum Density15 d.u./acre~~

Lots shall comply with Chapter 4: Supplementary and Qualifying Regulations – Section 4.5: Lots Standards and Street Frontage.

All multi-use residential development shall comply with GLUMDC 4.34 (Multi-Use Unit Residential Development)

Minimum Frontage (at the property line on a public street or an approved private street)60 feet

Minimum Yard Setback Requirements: Front

Yard25 feet Rear Yard for
Main Buildings20 feet Rear Yard for Accessory
Buildings1 foot* Side Yard for Main Buildings, Each
Side7.5 feet Side Yard for Accessory
Buildings4 feet* On corner lots, 2 front yards and 2
side yards are required.

*Setback shall be as listed or match the easement, whichever is greater

Maximum Building Height35 feet Maximum
Building Coverage of the lot area50%

Required Improvements:

Street grading Street base

Street Pavement to centerline or minimum paved width (per GLUMDC 21.6.3), whichever is greater

Surface drainage facilities Curb and Gutter Sidewalk Culinary water facilities Waste water disposal

Street name signs Fire hydrants Street monuments Shade trees (along public streets) Street lights

HISTORY

Amended by Ord. 2022-14 on 8/3/2022

AGENDA ITEM #4

Discussion of External ADU

AGENDA ITEM #5

Report from City Council Liaison, Mayor
Critchlow

AGENDA ITEM #6

Adjourn