



February 15, 2024
Planning Commission
Regular Meeting
Information Packet

PUBLIC NOTICE

The Grantsville City Planning Commission will hold a Regular Meeting at 7:00 p.m. on Thursday, February 15, 2024 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

- a) PROPOSED WAGSTAFF INVESTMENTS REZONE LOCATED AT APPROXIMATELY 112 S. STATE HWY 112
- b) PROPOSED CONDITIONAL USE PERMIT FOR RAAAM DUMPSTER RENTALS AT 434 S MADELINE CT
- c) PROPOSED AMENDMENT OF CHAPTER 12 PLANNED UNIT DEVELOPMENTS

AGENDA

- 1. Consideration to recommend approval of Proposed Wagstaff Investments Rezone located at approximately 112 S. State Hwy 112.
- 2. Consideration to recommend approval of Proposed Conditional Use Permit for RAAAM Dumpster Rentals at 434 S. Madeline Ct.
- 3. Consideration to recommend approval of Proposed Amendment of Chapter 12 Planned Unit Developments.
- 4. Discussion regarding parks, utilities, and amendments with respect to Planned Unit Developments (PUDs).
- 5. Report from City Council liaison Rhett Butler.
- 6. Adjourn

Cavett Eaton
Zoning Administrator
Grantsville City Planning and Zoning

Join Zoom Meeting <https://us02web.zoom.us/j/86156215292>
Meeting ID: 861 5621 5292

In compliance with the Americans with Disability Act, Grantsville City will accommodate reasonable requests to assist persons with disabilities to participate in meetings. Requests for assistance may be made by calling City Hall (435) 884-3411 at least 3 days in advance of a meeting.

CERTIFICATE OF POSTING: This agenda was posted on the Grantsville City Hall Notice Boards, the State Public Notice website at www.utah.gov/pmn/index.html, and the Grantsville City website at www.grantsvilleut.gov. Notification was sent to the Tooele Transcript Bulletin.



GRANTSVILLE CITY PLANNING COMMISSION

**FEBRUARY 15, 2024
PUBLIC HEARING**

**PROPOSED WAGSTAFF INVESTMENTS REZONE LOCATED AT
APPROXIMATELY 112 S. STATE HWY 112**

Notice is hereby given that in accordance with the provisions of Section §10-9A-205 and §10-9a-502 of the Utah Code, the Grantsville Planning Commission will hold a public hearing on February 15, 2024 at 7:00 p.m. at Grantsville City Hall. The meeting will also be broadcast on Zoom. The public hearing and meeting are to receive public input and consider action on the PUBLIC HEARING ON THE PROPOSED WAGSTAFF INVESTMENTS REZONE LOCATED AT APPROXIMATELY 112 S. STATE HWY 112 and make a recommendation to the City Council. You can view a copy of the proposed application online at the link below:

https://www.grantsvilleut.gov/departments/community_economic_development/planning_commission.php

Or by emailing ceaton@grantsvilleut.gov All comments and concerns need to be sent in writing through email or mail and received no later than 12:00pm on February 15, 2024.

Dated this 29th day of January, 2024

**BY ORDER OF THE GRANTSVILLE
PLANNING COMMISSION**

Cavett Eaton
Zoning Administrator



Scan QR Code above or use the link below to join zoom meeting
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GRANTSVILLE CITY PLANNING COMMISSION

**FEBRUARY 15, 2024
PUBLIC HEARING**

**PROPOSED CONDITIONAL USE PERMIT FOR RAAAM DUMPSTER RENTALS AT
434 S MADELINE CT**

Notice is hereby given that in accordance with the provisions of Section §10-9A-205 and §10-9a-502 of the Utah Code, the Grantsville Planning Commission will hold a discussion and public hearing on February 15, 2024 at 7:00 p.m. at Grantsville City Hall. The meeting will also be broadcast on Zoom. The discussion, public hearing and meeting are to receive public input and consider action on the PUBLIC HEARING ON THE PROPOSED CONDITIONAL USE PERMIT FOR RAAAM DUMPSTER RENTALS AT 434 S MADELINE CT and make a recommendation to the City Council. You can view a copy of the proposed application online at the link below:

https://www.grantsvilleut.gov/departments/community_economic_development/planning_commission.php

Or by emailing ceaton@grantsvilleut.gov All comments and concerns need to be sent in writing through email or mail and received no later than 12:00pm on February 15, 2024.

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GRANTSVILLE CITY PLANNING COMMISSION

**FEBRUARY 15, 2024
PUBLIC HEARING**

PROPOSED AMENDMENT OF CHAPTER 12 PLANNED UNIT DEVELOPMENTS

Notice is hereby given that in accordance with the provisions of Section §10-9A-205 and §10-9a-502 of the Utah Code, the Grantsville Planning Commission will hold a discussion and public hearing on February 15, 2024 at 7:00 p.m. at Grantsville City Hall. The meeting will also be broadcast on Zoom. The discussion, public hearing and meeting are to receive public input and consider action on the PUBLIC HEARING ON A PROPOSED AMENDMENT OF CHAPTER 12 PLANNED UNIT DEVELOPMENTS and make a recommendation to the City Council. You can view a copy of the proposed application online at the link below:

https://www.grantsvilleut.gov/departments/community_economic_development/planning_commission.php

Or by emailing ceaton@grantsvilleut.gov. All comments and concerns need to be sent in writing through email or mail and received no later than 12:00pm on February 15, 2024.

Dated this 29th day of January, 2024

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Cavett Eaton
Zoning Administrator



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Meeting ID: 861 5621 5292

AGENDA ITEM #1

Consideration to recommend approval of Wagstaff Investments Rezone located at approximately 112 S. State Hwy 112.



Planning and Zoning

336 W. Main Street • Grantsville, UT 84029

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

Permit# 2023161

Wagstaff Developments Rezone Summary

Parcel ID:	11-041-0-0005, 11-041-0-0004	Meeting Date:	Feb. 15, 2024
Property Address:	112 S. Hwy 112	Current Zone/Proposed Zone	R-1-12 Proposed to be Rezoned as CG

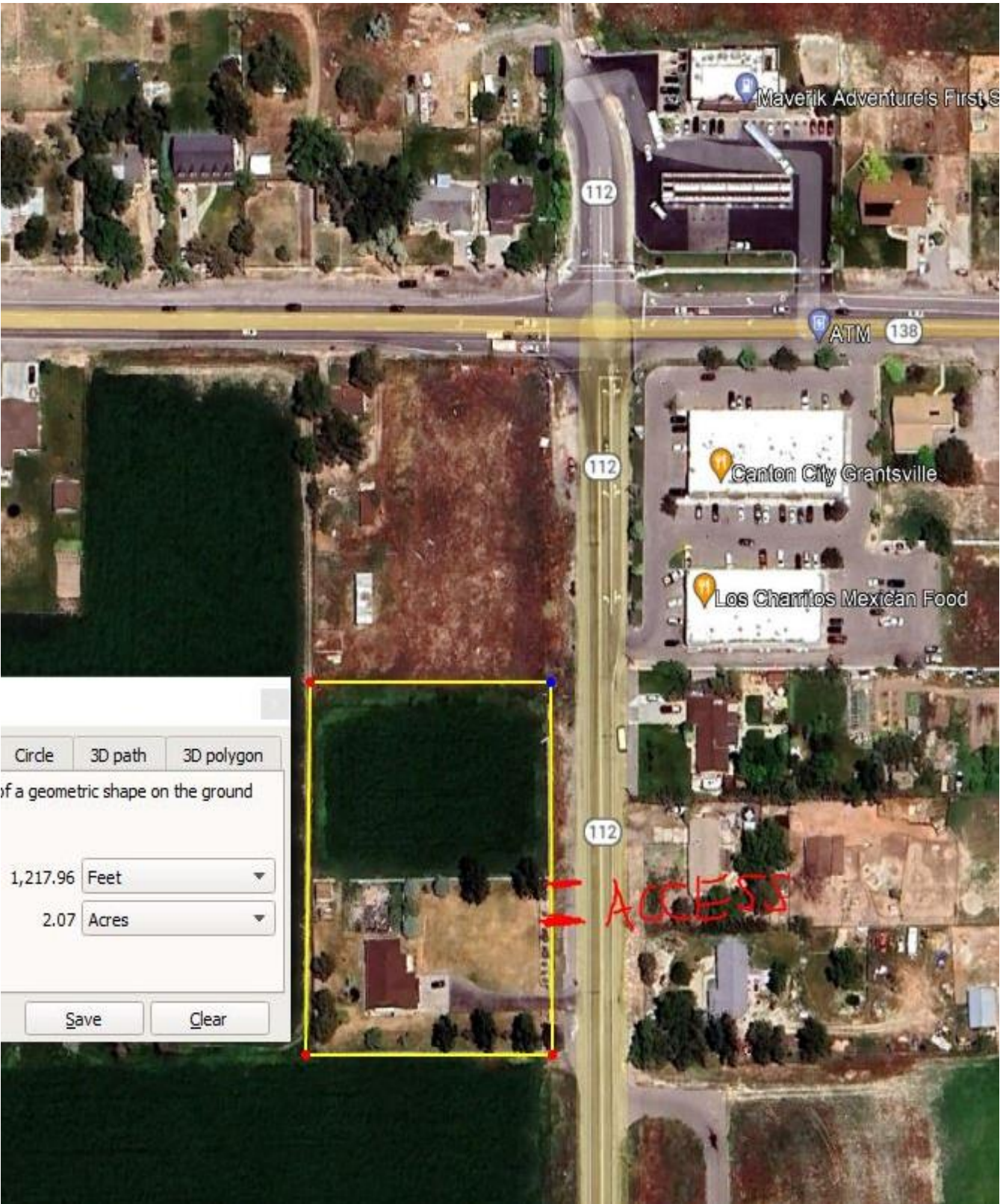
Applicant Name:	Wagstaff Investments, LLC
Request:	Scott Wagstaff
Prepared by:	Cavett Eaton

PROJECT DESCRIPTION

Applicant owns the southwest corner of Main St. / Hwy 112, which is zoned as General Commercial. They would like to rezone this property to match the corner property on the zoning map on the Future Land Use Map / General Plan. They are also proposing changing the zoning of parcel 11-041-0-0004 to General Commercial on the zoning map and the future land use map. This will allow all of the properties they own to be zoned the same.

Applicant advised that UDOT is granting access at 500' from the lighted intersection to the parcel. This will also be their only access along Hwy 112 for all of the properties.

SITE & VICINITY DESCRIPTION



PLANNING STAFF ANALYSIS

This Rezone was presented to the Planning Commission at the January 18, 2024 Planning Commission Regular meeting. It was discussed and received favorably.

PLANNING STAFF RECOMMENDATION

Planning Staff recommends approval of this Rezone.

AGENDA ITEM #2

Consideration to recommend approval of
Proposed Conditional Use Permit for
RAAAM Dumpster Rentals at 434 S.
Madeline Ct.



Planning and Zoning

336 W. Main Street • Grantsville, UT 84029

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

File# 2023138

RAAAM Dumpster Rentals Conditional Use Permit Summary and Recommendation

Parcel ID: 22-006-0-0104

Meeting Date: Feb. 15, 2024

Property Address: 434 S. Madeline Ct.

**Current
Zone:** R-1-21

Applicant Name: RAAAM Dumpster Rentals/ Raul Badillo

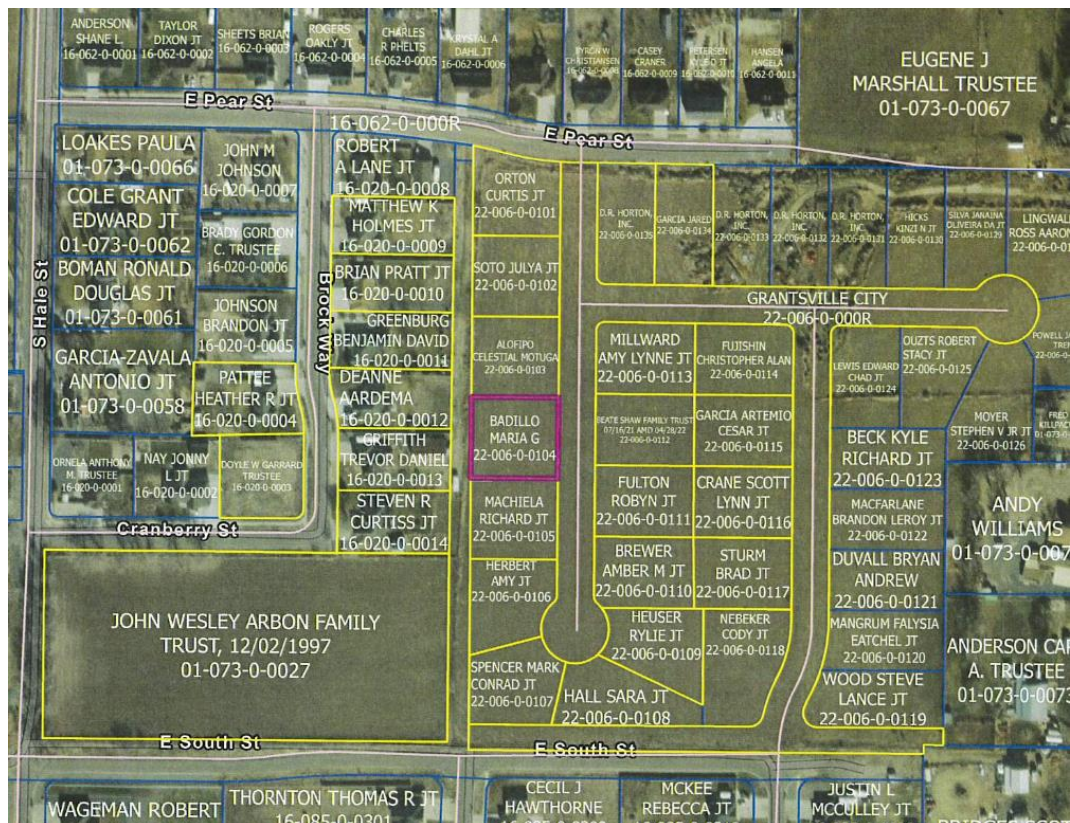
Request: Conditional Use Permit

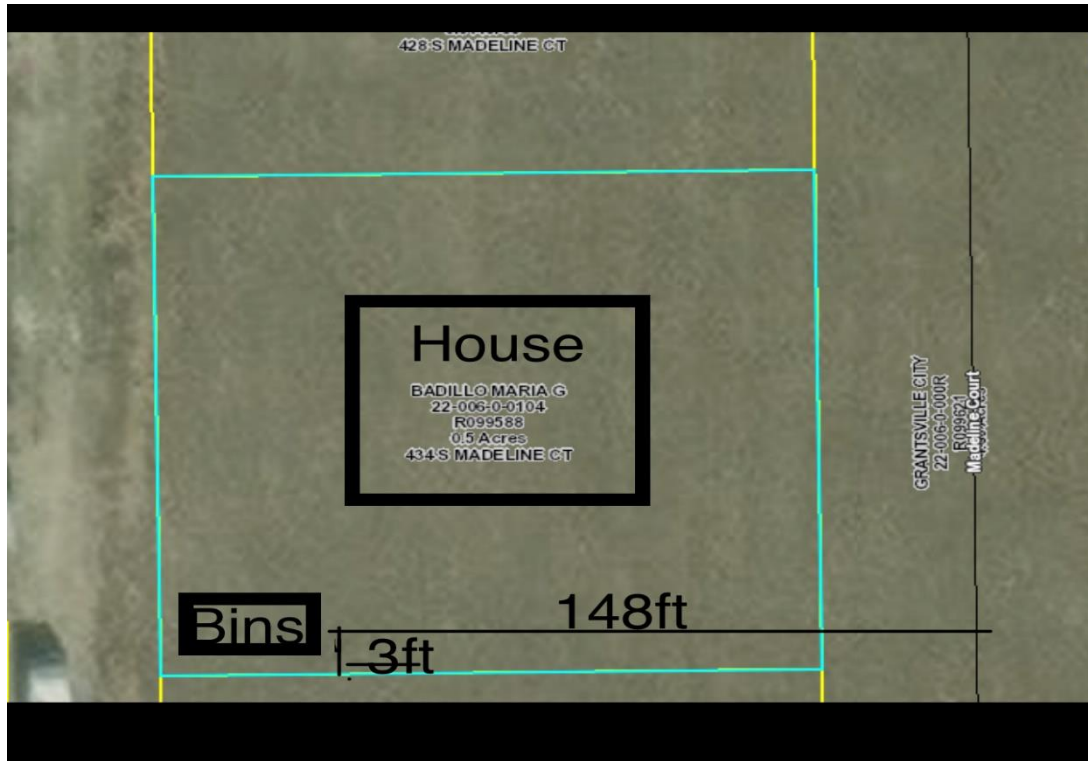
Prepared by: Cavett Eaton

Planning Staff Denial of Application

Recommendation:

SITE & VICINITY DESCRIPTION





APPLICANT STATEMENT REGARDING THE BUSINESS AND LAND USE

The applicant provided the responses to the following points:

- The expected number of clients per day that will be at your residence.
None. This will be a strictly an online business. Kind of like Uber or Uber eats.
- A listing of the individuals at the home who will be working on the business.
None. Self employed and only one.
- The expected hours of operation of the business.
8am-5pm
- Where clients will park, if any will be parking at the residence.
Nowhere. My address will not be on google or my website.

NEIGHBORHOOD RESPONSE

There have been no written responses to the radius report from any neighbors. We have had phone calls early on expressing concerns regarding this business, in which they state it has been in operation for several months without permits. They have expressed concerns about the number of trailers that are being stored on the property, the hours and frequency that this business operates, the noise level, and the proximity to their own fences and property lines that the trailers are kept.

An official complaint was made to the Grantsville City Police Department regarding this business. When the police investigated this, the applicant indicated that this is a temporary situation, and he is looking for a different place to store his equipment. The police recommended that he obtain a business license with Grantsville City in the meantime, to become compliant with City Code. The applicant then applied for a business license with Grantsville City. He was told that he needed to obtain a Conditional Use Permit first, so he applied for that with Grantsville City. Because complaints were received regarding this permit, it was moved from administrative approval to Planning Commission approval.

The photos at the end of this report were taken by a neighbor.

PLANNING STAFF ANALYSIS

When we reviewed this CUP (Conditional Use Permit) application in our iWorQ's queue, it was understood that the owner was seeking temporary storage while looking for a permanent location for the business container storage needs. The inherent disruption to neighbors and neighborhood was not anticipated at all and this was happening while the Community and Economic Development department was undergoing some sizeable disruptions. Unfortunately, an adequate response to the CUP request was delayed for some time and the applicant had to ask several times for a determination.

One neighbor of the applicant did reach out to our department with questions about the use of the property and made a formal complaint to the Grantsville Police Department.

The City Planning and Zoning Administrator was under the impression, from a previous conversation from our City legal department, that a public hearing and radius report was not always required for CUP's. Expecting that this temporary use of a resident's back yard for a storage could be controlled for noise and disruption by limitations placed on the CUP requirements, the Permit was approved. It was brought to our department's attention the next day by our City Recorder that CUPs needed a radius report and a possible public hearing if there were negative responses from neighbors.

We immediately rescinded the approval and started the radius report process and initiated a public hearing. We are at that juncture now, reviewing the CUP application and bringing the CUP application to the Planning Commission for their decision.

Referring to Grantsville's Land Use Development and Management Code - Chapter 7.

7.8 Determination

- (1) The Planning Commission, or upon authorization, the Zoning Administrator, may permit a use to be located within a zoning district in which a conditional use permit is required by the use regulations of that zoning district or elsewhere in these ordinances.
- (2) In authorizing any conditional use the Planning Commission or Zoning Administrator shall impose such requirements and conditions as are necessary for the protection of adjacent properties and the public welfare. The Planning Commission or Zoning Administrator shall only approve with conditions, or deny a conditional use based upon written findings of fact with regard to each of the standards set forth below and, where applicable, any special standards for conditional uses set forth in a specific zoning district. The Planning Commission or Zoning Administrator shall not authorize a conditional use permit unless the evidence presented is such as to establish:
 - (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.

PLANNING STAFF RECOMMENDATION

City Staff recognizes several conditions that cannot be met with the current operation and scope of this business and recommends a denial of this Conditional Use Permit with a possible time allowance for the applicant to relocate his storage operations.

Exhibit Photos









AGENDA ITEM #3

Consideration to recommend approval of
a Proposed Amendment of Chapter 12
Planned Unit Developments.

12.2 Authority To Modify Regulations [Edit](#)

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

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

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



Planning and Zoning

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Code Amendment

Amendment to the Grantsville Land Use and Management Code - Chapter 12, Section 12.2 (PUDs) Summary and Recommendation

Parcel ID:	N/A	Meeting Date:	Feb. 15, 2024
Property Address:	N/A	Current Zone/Proposed Zone	N/A
Applicant Name:	Grantsville City Community and Economic Development		
Request:	Cavett Eaton / Mayor Critchlow		
Prepared by:	Cavett Eaton		

PROPOSAL DESCRIPTION

The purpose of this proposal is to modify the process in which Planned Unit Developments (PUDs) are approved. Rather than the approval process moving through the Planning Commission alone, the Planning Commission would recommend approval to the City Council, after which the City Council would approve or deny the PUD.

Exhibit A

12.2 Authority To Modify Regulations [Edit](#)

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(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.

AGENDA ITEM #4

Discussion regarding parks, utilities, and amendments with respect to Planned Unit Developments (PUDs).

AGENDA ITEM #5

Report from City Council liaison Rhett Butler.

AGENDA ITEM #6

Adjourn.