

## CHAPTER 18 PLANNING

For state municipal planning enabling act, see U.C.A., 1953, Section 10-9-19 to 10-9-30. As to subdivisions, see Section 25- to 25- of this Code. As to plot plan of trailer court, see Section 27- as to recommendation by planning commission for location of public utility substations in residential zone, see Section 29- .

### Sections:

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Section 18-1. Planning Commission created; composition; appointment of members; expenses, terms of office of members; vacancies; removal of members; appointment of employees and staff; limitation of expenditures; chairman; rules; record of proceedings.

There is hereby created a Planning Commission within and for Grantsville, Utah, to be known as the Grantsville City Planning Commission. Said Commission shall consist of seven (7) members, to be appointed by the Mayor with the consent of the City Council from among the qualified electors of said City. One of the members of said Commission shall be a member of the City Council.

The terms of office for the first appointed member of such Commission shall be two, four, and six years--two to be appointed for two years, two to be appointed for four years, and two to be appointed for six years. The term of office of the designated City Councilman shall correspond to his tenure of office as a Councilman. Thereafter, the terms of office for each appointed member shall be six (6) years. Vacancies occurring otherwise than through the expiration of terms shall be filled by appointment by the Mayor with the consent of the City Council. Members may be removed after public hearing by a majority vote of the City Council. Members shall be selected without respect to political affiliations and shall serve without compensation, except for reasonable expenses.

The Planning Commission may appoint such employees and staff as it may deem necessary and may contract with city planners and other consultants for such services as it requires, provided that expenditures of the Commission shall not be in excess of such sums as may be appropriated by the City Council and/or be placed at the disposal of the Planning Commission by gift or otherwise.

The Planning Commission shall elect from among its members, a chairman, and shall

adopt rules for its own organization and for the transaction of business and shall keep a public record of its proceedings. (Grantsville City Ordinance 62-1-1.)

Section 18-2. Duties and powers of Planning Commission.

The Grantsville City Planning Commission shall have and shall exercise all of the duties and powers pertaining to City Planning Commission as set forth in Title 10-9-1 to 10-9-30, Utah Code Annotated, as amended. (Grantsville City Ordinance 62-1-2.)

Section 18-3. Adoption of master plan; contents.

It shall be the function and duty of the Planning Commission to make, adopt and certify to the Council a master plan for the physical development of the city, including other areas outside of its boundaries which, in the Planning Commission's judgement, bear relation to the planning of the city. Where the plan involves territory outside of the boundaries of the city, action shall be taken with the concurrence of the county or other legislative body concerned. The master plan shall show the Planning Commission's recommendations and may include among other things the general location, character and extent of streets, parks, parkways, playgrounds, airports and other public buildings and spaces, the general location and extent of public utilities and terminals, whether publicly or privately owned, the acceptance widening, removal, extension, relocation, narrowing, vacation, abandonment or change of use of any of the foregoing, and general location, character, layout and extent of community centers and neighborhood units and the extent and layout of the planning of blighted areas.

Section 18-4. Surveys and studies in preparing master plan; general purpose of plan.

In preparing the master plan, the Planning Commission shall make careful and comprehensive surveys and studies of the existing conditions and provable future growth of the city and its environs. The plan shall be made with a general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the city in accordance with existing and future needs.

Section 18-5. Reports and recommendations by Planning Commission; powers generally.

The Planning Commission may make reports and recommendations relating to the plan and development of the city to public officials and agencies, public utility companies, civic, educational, professional and other organizations and citizens. In general, the Planning Commission shall have such powers as may be necessary to enable it to perform its functions and promote municipal planning.

Section 18-6. Zoning.\* (2)

The Planning Commission through its own initiative may, or by order of the Council shall, make recommendations for changes in the zone map or text of the Zoning Ordinance and shall have all the powers granted by law or by this Code in the preparation of zoning maps and the recommendations for zoning in the city.

After receiving the written recommendations of the Planning Commission, the Council may amend the zoning ordinance or map. No substantial change shall be made in any amendment recommended by the Planning Commission unless the same shall be resubmitted to the Planning Commission, which shall return the amendment to the Council within thirty days.

\*(2) For other provisions as to powers and duties of Planning Commission with respect to changes in Zoning Ordinance, see Section 29-8.

Section 18-7. Purchase or sale of land to be referred to Planning Commission.

No city-owned, improved or unimproved real property shall be sold nor shall land be purchased, until the Council shall have referred the proposition to sell or purchase such land to the Planning Commission for its review and recommendations, which shall be returned to the Council within thirty days.

Section 18-8. Conformity to master plan required; submission of matters to Planning Commission for approval.

Whenever the Council shall have adopted the master plan, or any part thereof, thenceforth no street, park or other public way, ground, place or space no public building or structure and no public utility, whether publicly or privately owned, shall be constructed or authorized until and unless the location and extent thereof shall conform to such plan or shall have been submitted to and approved by the Planning Commission; provided, that in the case of disapproval, the Planning Commission shall communicate its reasons to the council or other agency, by a vote of not less than a majority of its entire membership, shall have the power to overrule such disapproval. The acceptance, widening, removal, extension, relocation, narrowing, vacation, abandonment, change of use, acquisition of land for sale or lease of any street or public way, property or structure shall be subject to similar submission and approval and the failure to approve may be similarly overruled. The failure of the Planning Commission to act within thirty days from and after the date of official submission to it shall be deemed approval, unless a longer period be granted by the submitting body.

Section 18-9. Subdivisions.

It shall be the duty of the Planning Commission to review and approve or disapprove all subdivisions of land. No plat of a subdivision of land lying within the city shall be filed or recorded in the County Recorder's office until it shall have been submitted to and approved by the Planning Commission and council and such approval entered in writing on the plat by the secretary of the Planning Commission and Clerk of the Council, or other designated members or employees. The filing or recording of a plat of a subdivision without such approval shall be void.

Section 18-10. Building permits.

No permits shall be issued by the building inspector for any building or structure or parts thereof on any land located within the boundaries of the zoning map which would be in violation of the recommendations of the Planning & Zoning Commission and as shown on such official map. Any person aggrieved by his inability to obtain any permit may appeal to the board of adjustments. The board of adjustments shall have power upon an appeal filed with it by the owner of any such land to authorize the grant of the permit for a building or structure of part thereof within any zoned in any case in which the board of adjustments upon evidence finds just cause pursuant to Section 29-8 of the Zoning Code herein.

Section 18-11. Change and amendments.

The Zoning Ordinance, including the maps, may be amended from time to time by the Council after fifteen (15) days notice and a public hearing, but all proposed amendments shall be first proposed by the Planning and Zoning Commission or shall be submitted to that Commission for its consideration. Concerning any proposed amendment, the Planning and Zoning Commission within sixty- (60) day's time at which the proposed amendment is referred to said Commission, must report its approval or disapproval of such proposed amendment to the Council. The Planning and Zoning Commission may request that the Council grant an extension of time for the study of a proposed amendment but must show cause why such additional study is necessary. Failure of the Planning and Zoning Commission to submit a report or request an extension of time within the prescribed time shall be deemed approval by such Commission of the proposed change or amendment. The Council may overrule the Planning and Zoning Commission's recommendation by a majority vote of its members.

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