

ORDINANCE 19-35

AN ORDINANCE AMENDING TITLE 21 OF THE SANDY CITY MUNICIPAL CODE: CHAPTER 21, "SUBDIVISION DESIGN STANDARDS", SECTION 10, "STREET STANDARDS FOR ALL TYPES" TO AMEND REGULATIONS FOR CUL-DE-SAC LENGTHS ON STREETS; ALSO PROVIDING A SAVING CLAUSE AND EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, a request has been made to amend Title 21 of the Sandy City Municipal Code (formerly Title 15A of the Revised Ordinances of Sandy City), Chapter 21, "Subdivision Design Standards", Section 10, "Street Standards for All Types" to amend regulations for cul-de-sac lengths on streets; and

WHEREAS, the Planning Commission held a public hearing on November 21, 2019 which meeting was preceded by notice by publication in the Salt Lake Tribune on November 7, 2019, and by posting in Sandy City Hall, the Sandy City Parks & Recreation Building, Salt Lake County Library – Sandy, on the Sandy City Website – <http://www.sandy.utah.gov>, and the Utah Public Notice Website – <http://pmn.utah.gov> on November 4, 2019; and

WHEREAS, following the public hearing before the Planning Commission, the Commission recommended the amendment to the City Council; and

WHEREAS, a public meeting was held by the Sandy City Council on December 17, 2019 to consider adoption of the proposed amendment, which meeting was preceded by publication in the Salt Lake Tribune, November 7, 2019, and by posting in Sandy City Hall, the Sandy City Parks & Recreation Building, Salt Lake County Library-Sandy, on the Sandy City Website - <http://www.sandy.utah.gov>, and the Utah Public Notice Website – <http://pmn.utah.gov>, on November 4, 2019; and

WHEREAS, the City Council has been given specific authority in Title 10, Chapter 9a, Utah Code Ann. to adopt land use regulations to regulate the erection, construction, reconstruction, alteration, repair and uses of buildings and structures, and the uses of land; and

WHEREAS, the State legislature has granted welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the City to pass ordinances which are reasonable and appropriate to the objectives of that power, i.e., providing for the public safety, health, morals, and welfare; and

WHEREAS, the forgoing legitimate governmental objectives are achieved by reasonable means, in that any adverse impact on private property value or use has been carefully balanced against the corresponding gain to the public; and the regulations have been calculated, on recommendation of City planning staff to permit property owners to beneficially use their properties for the practical purposes to which the property is reasonably adaptable; and procedures have been established by the Land Development Code and Utah Code Ann. Whereby appeals can be heard and

decided if it is alleged that there is legislative or administrative error, or where a special exception or variance to the ordinance is required.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Sandy City, State of Utah, as follows:

Section 1. Amendment. Title 21 is amended as shown on **Exhibit "A"**, which is attached hereto and by this reference made a part hereof.

Section 2. Severable. If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgement shall not affect, impair or invalidate the remainder of this ordinances or the application thereof to other persons and circumstances, but shall be confined in its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved I the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted of such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section 3. Effective. This ordinance shall become effective up on publication of a summary thereof.

PASSED AND APPROVED this 17th day of December, 2019.



Chris M. McCandless
Chris McCandless, Sandy City Council

ATTEST:

Wendy D.
City Recorder

PRESENTED to the Mayor of Sandy City for his approval this 19TH day of DECEMBER, 2019.

APPROVED this 19TH day of DECEMBER, 2019.

Kurt Bradburn
Kurt Bradburn, Mayor

ATTEST:

Wendy D.
City Recorder

PUBLISHED this 29 day of December, 2019.



Exhibit "A"

Sec. 21-21-10. - Street Standards for All Types.

- (h) A cul-de-sac, or single access road, is discouraged, but may be permitted (as allowed herein) on local streets. It must be terminated by an approved turn-around designed according to the Standard Specifications. A cul-de-sac is the only type of permitted termini for a public street. Private streets may use any form of terminus as approved by the City Engineer and described in the Standard Specifications. A cul-de-sac, or single access road, shall not exceed 500 feet in length, as measured from its intersection of centerlines with another street to the furthest edge of the top back of curb of the turn-around.
- (1) *Special Exception.* The Planning Commission may grant a special exception to allow a cul-de-sac, or single access road, to extend up to a maximum of 750 feet, after considering a recommendation from the Director and City Engineer, and under the following circumstances:
 - a. It is demonstrated that the proposed development is land-locked by properties that are already fully developed;
 - b. No feasible second point of access can be master planned with redevelopment of the surrounding properties; and
 - c. The Director and City Engineer have reviewed the potential for impairment of such single access resulting from vehicle congestion, condition of the terrain, climatic conditions or other factors that could limit access and have made either a positive or negative recommendation to the Planning Commission with regards to increasing the length of the road.

