

ORDINANCE # 24-03

AN ORDINANCE REVISING TITLE 21 OF THE SANDY CITY MUNICIPAL CODE, CHAPTER 8, “LAND USES IN THE COMMERCIAL, OFFICE, INDUSTRIAL, MIXED USE, TRANSIT CORRIDOR, AND RESEARCH AND DEVELOPMENT DISTRICTS”, SECTION 2, “PERMITTED LAND USE MATRIX BY THE COMMERCIAL, OFFICE, INDUSTRIAL, MIXED USE, TRANSIT CORRIDOR, AND RESEARCH AND DEVELOPMENT DISTRICTS” AND CHAPTER 37, “DEFINITIONS”, SECTION 14, ““M” DEFINITIONS”; ALSO PROVIDING A SAVING CLAUSE AND EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, a request has been made to revise Title 21 of the Sandy City Municipal Code, Chapter 8, “Land Uses in the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts”, Section 2, “Permitted Land Use Matrix by the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts” and Chapter 37, “Definitions, Section 14, ““M” Definitions”. The purpose of the code amendment is to revise the development standards, locations, and definitions for the implementation of mixed-use development within sandy City; and

WHEREAS, the Planning Commission held a public hearings on February 1, 2024, which meeting was preceded by notice 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 January 19, 2024; and

WHEREAS, following the public hearing before the Planning Commission, the Commission made a recommendation to the City Council regarding the amendment; and

WHEREAS, a public meeting was held by the Sandy City Council on February 20, 2024 to consider adoption of the proposed amendment; 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 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”** and **Exhibit “B”**, which are 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 in 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 if 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 upon publication of a summary thereof.

PASSED AND APPROVED this 27 day of February, 2024.

DocuSigned by:
Ryan Mecham
CB903A3A8B1D42B...
Ryan Mecham, Sandy City Council Chair

ATTEST:
DocuSigned by:
Wendy D
688E7E8272014B1...
City Recorder

PRESENTED to the Mayor of Sandy City for her approval this 3/6/2024 day of 3/6/2024, 2024.

APPROVED this 3/6/2024 day of 3/6/2024, 2024.

DocuSigned by:
Monica Zoltanski
2FEF8CAF412042D...
Monica Zoltanski, Mayor



ATTEST:
DocuSigned by:
Wendy D
688E7E8272014B1...
City Recorder

PUBLISHED this 3/7/2024 day of 3/7/2024, 2024.

Exhibit "A"

Sec. 21-37-14. "M" Definitions.

...

- (10) ~~Mixed use, commercial and residential development. See Mixed use development. means a development consisting of a mixture of residential and commercial uses with an approved ratio, developed according to a master site plan. The development of the uses is of sufficient size and physical improvement to protect surrounding areas and the general community, and to ensure a harmonious integration into the neighborhood.~~
- (11) ~~Mixed use development means a development project that combines residential and one or more other non-residential land uses (commercial retail sales and services, office (professional and medical), institutional, or civic uses) that must be included within a building or set of buildings, which includes all of the following:~~
- ~~a. part of an overall master planned development or area that includes residential and one or more of the following land uses: retail, service, commercial, or office; and~~
 - ~~b. which vertically or horizontally, integrates mutually supportive uses, arranged in vertical or horizontal critical-massing of physical and functional components, into that area coherent plan; and~~
 - ~~c. incorporates a public amenity within the overall master plan (i.e. plaza, gathering space, etc.); and~~
 - ~~d. that promotes walkability through uninterrupted pedestrian connections with limited interruptions; and~~
 - ~~e. layout and mix of uses that reduces vehicular traffic and parking impacts; and~~
 - ~~f. contains sufficient size and physical improvement to protect and provide benefit to the surrounding areas, the general community, and ensures a harmonious integration into the neighborhood.~~
- ~~(12) Mixed use, horizontal, means commercial and residential uses, etc., which are in close proximity to each other and designed in a village manner, but not necessarily within the same building structures.~~
- ~~(13) Mixed use, residential and office use. See Mixed use development., means a development consisting of a mixture of residential and office uses with an approved ratio, developed according to a master site plan. The development of the uses is of sufficient size and physical improvement to protect surrounding areas and the general community, and to ensure a harmonious integration into the neighborhood.~~
- ~~(14) Mixed use, vertical, means commercial, office, or residential uses, etc., designed in a village manner which are within close proximity to each other within the same building structure.~~

...

Exhibit "A"

Sec. 21-8-2. Permitted Land Use Matrix by the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts.

(a) *Matrix Explanation.* The following matrix lists all permitted uses within Sandy City commercial, office, industrial, mixed use, transit corridor, and research and development districts. The letters "P," "C," "S," or "N" shall mean "Permitted," "Conditional," "Special Use," or "Not Permitted," respectively. Refer to special use standards within this title for all land uses allowed with an "S." For those letters which are followed by a slash "/" the second letter shall indicate those location restrictions for businesses located within 250 feet of a residential district (unless bisected by a major arterial road as determined by the Sandy City Transportation Engineer in the Transportation Element of the Sandy City General Plan). For those land uses marked with a superscript number (1), refer to Subsection (c) of this section for explanation.

(b) *Table of Uses.*

| Land Use Category | CB D | CB D-P | CB D-O | CB D-A & C | CR - PU D | RC | BC | CC | C N | Cv C | C N(HS N) | HB D | LC | P O | ID | A M (D ea ler ships) | A M (C o m m er cia l) | M U | TC | RD |
|-----------------------|----------------------------|----------------------------|----------------------------|-----------------------|---------------|----------------------------|---------------|---------------|---------------|------|----------------------|----------------------|---------------|-----|----|-----------------------|------------------------|-----|----|---------------|
| Mixed use development | <u>P²⁶</u> € | <u>P²⁶</u> € | <u>P²⁶</u> € | <u>P²⁶</u> | € <u>N</u> | € <u>P²⁶</u> | € <u>N</u> | € <u>N</u> | € <u>N</u> | N | <u>P^N</u> | <u>P^N</u> | € <u>N</u> | N | N | N | N | P | N | € <u>N</u> |

...

(c) *Explanatory Notes for Land Use Matrix.*

...

26. A mixed use development is only allowed within the Cairns Master Plan Area. These developments shall be regulated by the Cairns Design Standards.

Sec. 21-37-14. "M" Definitions.

...

- (10) *Mixed use, commercial and residential development* – see mixed use development.
- (11) *Mixed use development* means a project that combines residential and one or more other non-residential land uses (commercial retail sales and services, office (professional and medical), institutional, or civic uses) that must be included within a building or set of buildings, which includes all of the following:
- a. part of an overall master planned development or area; and
 - b. mutually supportive uses, arranged in vertical or horizontal massing of physical and functional components; and
 - c. incorporates a public amenity within the overall master plan (i.e. plaza, gathering space, etc.); and
 - d. promotes walkability through pedestrian connections with limited interruptions; and
 - e. layout and mix of uses that reduces vehicular traffic and parking impacts; and
 - f. contains sufficient size and physical improvement to protect and provide benefit to the surrounding areas, the general community, and ensures a harmonious integration into the neighborhood.
- (12) *Mixed use, residential and office use* – see mixed use development.

...

Exhibit "B"

Sec. 21-8-2. Permitted Land Use Matrix by the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts.

(a) *Matrix Explanation.* The following matrix lists all permitted uses within Sandy City commercial, office, industrial, mixed use, transit corridor, and research and development districts. The letters "P," "C," "S," or "N" shall mean "Permitted," "Conditional," "Special Use," or "Not Permitted," respectively. Refer to special use standards within this title for all land uses allowed with an "S." For those letters which are followed by a slash "/" the second letter shall indicate those location restrictions for businesses located within 250 feet of a residential district (unless bisected by a major arterial road as determined by the Sandy City Transportation Engineer in the Transportation Element of the Sandy City General Plan). For those land uses marked with a superscript number (¹), refer to Subsection (c) of this section for explanation.

(b) *Table of Uses.*

| Land Use Category | CB D | CB D-P | CB D-O | CB D-A & C | CR - PU D | RC | BC | CC | C N | Cv C | C N(HS N) | HB D | LC | P O | ID | A M (D ea ler ships) | A M (C o m m er cia l) | M U | TC | RD |
|-----------------------|-----------------|-----------------|-----------------|-----------------|-----------|-----------------|----|----|-----|------|-----------|------|----|-----|----|-----------------------|------------------------|-----|----|----|
| Mixed use development | p ²⁶ | p ²⁶ | p ²⁶ | p ²⁶ | N | p ²⁶ | N | N | N | N | N | N | N | N | N | N | N | P | N | N |

...

(c) *Explanatory Notes for Land Use Matrix.*

...

26. A mixed use development is only allowed within the Cairns Master Plan Area. These developments shall be regulated by the Cairns Design Standards.