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MEMORANDUM

April 21, 2022

To: City Council via Planning Commission
From: Community Development Department
Subject: Amendments to SD(R-2-A) Fluckiger District CA02232022-0006273
Amend Title 21, Chapter 19, Special Development
Districts, Section 26, SD(R-2-A) District, of the
Sandy Municipal Code

HEARING NOTICE: *This item has been noticed on public websites and mailed notices to all property owners within 500' of the zone district at least 10 days prior to the Public Hearing.*

REQUEST

Laine and Cindi Fluekiger, property owners of the majority of the land within the SD(R-2-A) Fluckiger District, are proposing to Amend Title 21, Chapter 19, Special Development (SD) Districts, Section 26, SD(R-2-A) Fluckiger District, of the Sandy Municipal Code. The purpose of the Code Amendment is to amend the requirements of this SD Zone that would allow for a total of four (4) single-family lots within the zoned area (allows for potential of two additional lots) and other miscellaneous amendments to simplify and clarify the regulations. The applicants intend to file a subdivision application in the future that would create the additional lots if this request were approved. See the attached "Applicant Letter" for further information on their request.

BACKGROUND

The subject property area was annexed into the City in 1989. There was some debate and discussion regarding the appropriate zoning district to be assigned to this property. After seven failed motions, an approved motion by the City Council directed staff to develop an SD zone that would "allow two homes to be built on the property" (see the City Council minutes from the September 19, 1989 meeting). An SD Zone for this land area was created shortly thereafter and the property has been subject to that special zone district since that time. The land was subdivided in 1990 to create two (2) lots for new homes to replace the existing farmhouse. At some point since that subdivision was created, the owners have further split that land into two parcels without an approved subdivision plat.

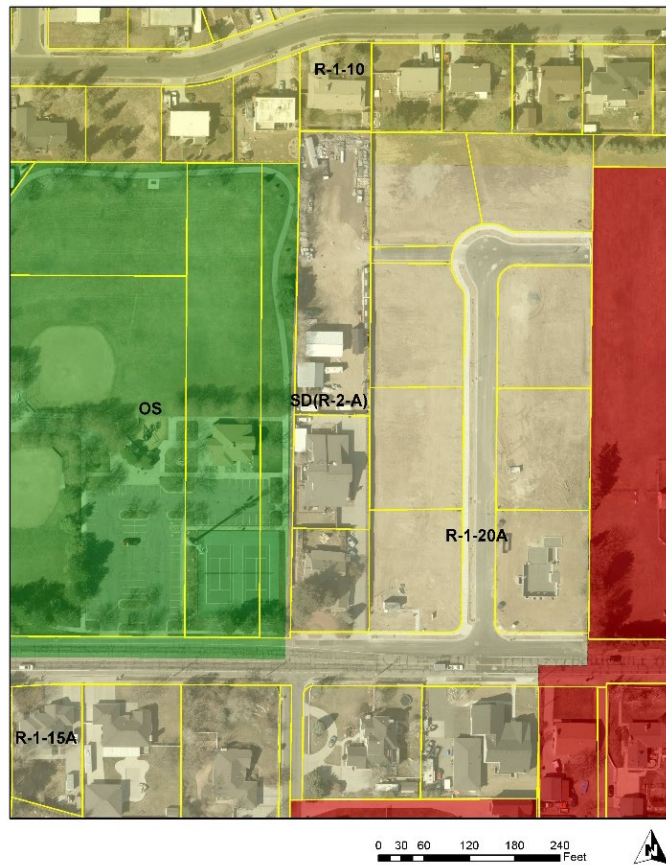
The SD(R-2-A) Fluckiger District is bordered by the Bell Canyon City Park to the west (zoned Open Space (OS), single-family developments to the north (zoned R-1-10), east (R-1-20A), and south (R-1-20A).

NOTICE

Notices were mailed to property owners within a 500-foot radius of the subject zone boundary to notify them of the Planning Commission meeting. The city also held a neighborhood meeting on March 10, 2022. A full report from the meeting is attached to this report.

ANALYSIS

The Fluekiger's provided city staff with the objective they wanted to achieve with their proposed code amendment. The main objective can be summarized that they are seeking to increase the maximum allowed density from 2 units per acre to 2.67 units per acre. Staff has suggested and prepared several other amendments to this section of the code that are intended to clarify and simplify the regulations for this zone.



Staff aided the applicants in preparation of the proposed language and edits to this Special Development District. Those amendments to this section of the code is shown in Exhibit "A" (redlined version) and Exhibit "B" (final clean version). A concise list of the proposed edits is as follows:

- **District Designation** – The current SD District name appears to denote two-family development (typically shown as R-2-XX), rather than a density maximum in its current formatting. Changing the 2 to 2.67 will more accurately reflect the proposed maximum density. And the "A" denotes animal rights.
- **Name Change** – The applicant's last name is now spelled differently, and this amendment accurately reflects the family's current spelling.
- **Uses** – Rather than a lengthy list of allowed uses, simply aligning this area with the uses allowed in the R-1-20A Zoning District makes it clearer and simpler.
- **Development Standards** – Simplifies the standards of this zone to mirror that of the R-1-20A Zone, except for a few deviations relating to maximum density and lot size minimums. Staff has proposed to eliminate all other special standards that were previously listed.

The biggest proposed change is related to the increase in density. All other proposed changes provide clarity and simplification of the existing code. In essence, this is accomplishing a rezone

of the property by increasing the number of units that were originally permitted in the creation of this SD Zone District.

The conceptual subdivision plat provided by the application shows two new lots being created. The average of those two proposed lots is over 18,000 sq. ft. The two existing lots average just over 15,000 sq. ft. The overall lot average would be 16,400 for this zone area, with the smallest lot being just under 14,000 sq. ft.

NON-CONFORMING USES

This Code Amendment would not create any non-conforming use situations.

LAND DEVELOPMENT CODE PURPOSE COMPLIANCE

The Sandy City Land Development Code in 21-1-3 lists the criteria explaining the intent and purpose of the Ordinance. The purpose is:

21-1-3 Purpose

This Code is adopted to implement Sandy City's General Plan and to promote: public health, safety, convenience, aesthetics, welfare; efficient use of land; sustainable land use and building practices; transportation options and accessibility; crime prevention; timely citizen involvement in land use decision making; and efficiency in development review and land use administration. Specifically, this Code is established to promote the following purposes:

1. General

- a. To facilitate the orderly growth and development of Sandy City.
- b. To facilitate adequate provision for transportation, water, sewage, schools, parks, and other public requirements.
- c. To stabilize property values.
- d. To enhance the economic well-being of Sandy City and its inhabitants.

2. Implementation of General Plan

To coordinate and ensure the implementation of the City's General Plan through effective execution of development review requirements, adequate facility and services review and other goals, policies, or programs contained in the General Plan.

3. Comprehensive, Consistent and Equitable Regulations

To establish a system of fair, comprehensive, consistent and equitable regulations, standards and procedures for review and approval of all proposed land development within the City.

4. Efficiently and Effectively Managed Procedures

- a. To promote fair procedures that are efficient and effective in terms of time and expense.
- b. To be effective and responsive in terms of the allocation of authority and delegation of powers and duties among ministerial, appointed, and elected officials.
- c. To foster a positive customer service attitude and to respect the rights of all applicants and affected citizens.

One of the stated purposes of the City's land use ordinances is to facilitate the orderly growth and development of Sandy City. Some of the general purposes of the City's Development Code are to implement Sandy City's General Plan, and to promote the following public policies: public health, safety, convenience, aesthetics, welfare; efficient use of land; sustainable land use and building

practices; transportation options and accessibility; crime prevention; timely citizen involvement in land use decision making; and efficiency in development review and land use administration.

GENERAL PLAN COMPLIANCE

The General Plan encourages appropriate development standards for all uses and zoning categories within Sandy City. This code amendment would further that goal and objective.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a positive recommendation to the City Council to amend Title 21, Chapter 19, Special Development (SD) Districts, Section 26, SD(R-2-A) Fluckiger District, of the Sandy Municipal Code, as shown in Exhibit "A," based on the following findings:

1. Compliance with the Purpose of the Land Development Code by promoting and facilitating the orderly growth and development of Sandy City.
2. Compliance with the Goals and Policies of the General Plan by establishing appropriate development standards for all uses and zoning categories within Sandy City.

Planner:



Mike Wilcox
Zoning Administrator