



JAMES SORENSEN  
COMMUNITY DEVELOPMENT  
DIRECTOR

KURT BRADBURN  
MAYOR

MATTHEW HUISH  
CHIEF ADMINISTRATIVE OFFICER

# MEMORANDUM

April 27, 2018

**To:** Planning Commission

**From:** Community Development Department

**Subject:** BD Medical - Proposed SD(MDM) Zone - Amend Title CODE-04-18-5389  
 15A, Chapter 19, Special Development (SD) Districts,  
 Land Development Code, Revised Ordinances of Sandy  
 City, 2008

**HEARING NOTICE:** *This item has been noticed on public websites, and in the newspaper at least 10 days prior to the Public Hearing.*

PROPERTY CASE HISTORY	
Case Number	Case Summary
A#83-04	The Deseret Company was annexed into Sandy City and given the ID Zone District.
SPR#92-38	Becton Dickinson - Office Addition for Research and Development
R#96-16	Rezoned from ID to the CBD Zone
SPR#05-27, #05-28, #05-31	BD Medical Sterilization - Parking Expansion, BD Medical Sterilization - Building Expansion, BD Medical - North Loading Dock Parking Expansion

## REQUEST

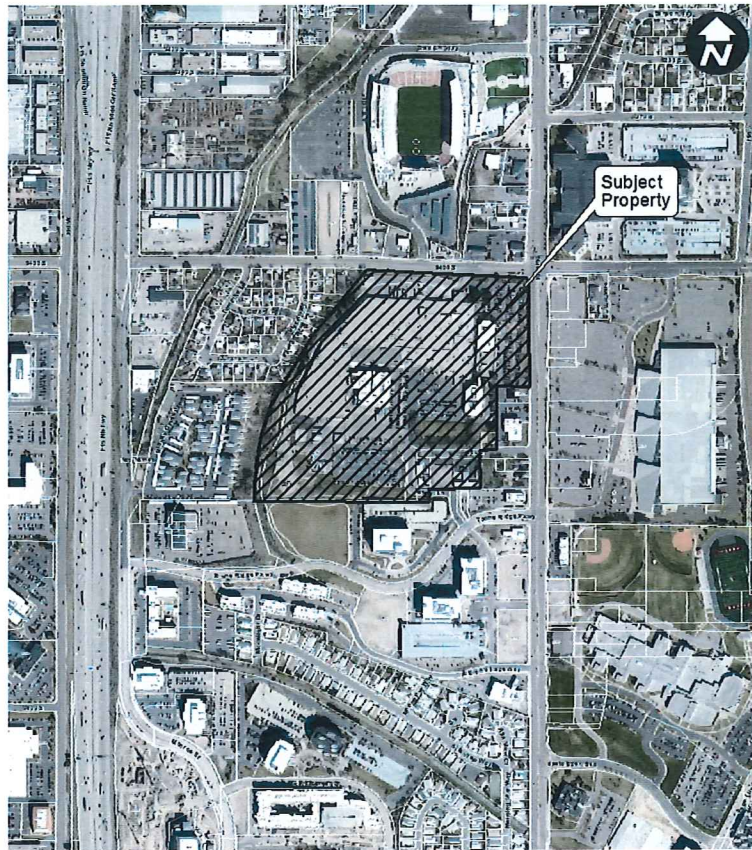
Matthew Smith, representing Becton, Dickinson, and Company (aka BD Medical), has submitted an application for a code amendment that would create a new Special Development District for the BD Medical site. The proposed application of this zone would affect approximately 38 acres located at 9450 S. State Street. The proposed zone is entitled "SD(MDM) Medical Device Manufacturing District". The proposed zone change would allow for BD Medical to expand their facility and remain in Sandy without need of seeking variances from the Board of Adjustment or approvals for expanding a legal non-conforming use from the Planning Commission. The proposed new zone would make both the current uses and buildings and the proposed future development legal and conforming.

## BACKGROUND

BD Medical has a long history on this site and is a major employer for Sandy City. Deseret Company first built upon the site in the 1960's. They did the majority of the current site expansion in the 1970's. They added office buildings to the site in the 1990's to expand their research and development. In the mid-2000's they expanded their loading docks, added medical sterilization areas to the complex and expanded the parking lots.

The City would like to keep BD Medical at this location and allow it to expand, for as long as the site fits their needs.

The subject area includes multiple parcels that are owned by BD Medical (see map). They are located on the west side of State Street and east of the East Jordan Canal, between 9400 South and 9560 South. The property is bordered by a variety of uses and zones. To the north, east and south, the properties are all zoned CBD and have multiple uses from Rio Tinto Stadium, banks, Jordan Commons, Mountain America Expo Center, Workers Compensation Offices, Tire & Automotive uses, restaurants, and even some legal non-conforming homes. To the west are residential uses (single-family homes and apartments) zoned R-1-6 and RM(12).



## ANALYSIS

BD Medical has expressed intentions of expanding their current operations on this site. However, the current zoning makes expansion cumbersome because the current use and site layout does not conform to the current zoning district. The applicant and staff have explored multiple options to make their use of the property both conforming to zoning and allow for their future expansion plans of their business. Allowing for expansion of legal non-conforming uses is supposed to be limited, and the intent of BD Medical's expansion plans are quite extensive and would likely not qualify under those provisions of the code.

This site has a unique use that has been in existence since the 1960's. As Sandy has grown around it, and the vision for the area has changed over time, the industrial use of the property is now an anomaly. The site abuts a canal, and is oddly shaped due to that facility.

Staff evaluated the existing zones that could be applied to help facilitate the growth and expansion of the current BD Medical use. The City's current ID Zone would certainly fit the current use and any expansion, but also allows for too many other uses that would not be appropriate for the site, now or in the future. Application of that zone would not be compliant with the General Plan or the Cairns Master Plan. Staff does not feel that any other existing zones

would be appropriate to apply to this area, nor would they conform to the Cairns Master Plan. Zoning that would conform to the Cairns District would continue to make the site legal non-conforming and thus difficult to allow for future expansion. As we considered options further, the creation of a Special Development District appeared to be the solution to accomplish the stated goals. The purpose of the Special Development Districts are “to allow the most efficient and creative development of lands that have unique or unusual characteristics. The SD District is intended to be used for development when it can be shown that no other zone classification would be adequate or appropriate for reasonable development.” (see section 15A-19-01(A)) This particular application seems to fit those criteria.

The proposed SD(MDM) zone accomplishes the purpose of allowing BD Medical to remain and expand their current uses on the site. It does contemplate that when and if they vacate the subject property, they agree to have the zone reverted to the previous zone classification or that of an abutting district. This proposal strikes a good balance between implementing the future goals of the Cairns District, with the immediate and near future needs of BD Medical.

### STAFF RECOMMENDATIONS

The Community Development Department requests that the Planning Commission forward a positive recommendation to the City Council to adopt the proposed ordinance amendment as shown in Exhibit “A”, attached, for the following reasons:

1. The proposal complies with the Purpose of the Land Development Code as stated in section 15A-01-03.
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:

Reviewed by:



Mike Wilcox  
Zoning Administrator



## Exhibit "A"

### 15A-19-13 SD(MDM) - Medical Device Manufacturing District – 9450 South State Street

- A. Purpose: The SD(MDM) Medical Device Manufacturing District is established to provide an area approved for professional and business offices, research and development, and medical device manufacturing.
- B. Uses Allowed:
1. Permitted Uses
    - a. Industry, Medium (limited to medical device and product manufacturing)
    - b. Professional Offices
    - c. Research and Development
    - d. Ancillary uses associated with the permitted uses (e. g. equipment and vehicle storage, parking structure/terrace, warehousing and distribution)
  2. Conditional Uses
    - a. Public Utility Station
- C. Development Standards: To ensure neighborhood compatibility, all developments shall be approved by the Planning Commission as a part of site plan review.
1. Building Height. Professional office buildings shall be no taller than one hundred fifty (150) feet in height along State Street or 9400 South. Other buildings on the Property shall be no taller than sixty-five (65) feet. Parking structures are limited to four (4) levels, unless screened from public view.
  2. Setback Requirements. All buildings shall be set back at least thirty (30) feet from residential property lines, at least twenty (20) feet from public rights-of-way, and at least ten (10) feet from all other exterior property lines. Parking structures shall be located at least one hundred (100) feet from residential property and arterial streets, and at least ten (10) feet from all other exterior property lines. Setbacks for a public utility station will be as determined by the Planning Commission.
  3. Signs. Signs will be in compliance with the Sandy City Sign Ordinance.
  4. Hours of Operation. Operations at the Property are conducted 24/7, including shipments and deliveries.
  5. Landscaping. Development shall be appropriately landscaped with ground cover, trees, and shrubs. A minimum of 15 feet of landscaping is required along public streets and at least ten (10) feet of landscaping where the Property abuts residential properties. At least five percent (5%) of the parking lot areas will be landscaped.
  6. Development Master Plan. The Planning Commission shall review and approve a development master plan, with phasing, prior to approval of a site plan.
  7. Parking. The number of parking spaces at the Property may be determined by the City Planning Commission based on a parking demand study.
  8. Shipping and Receiving. The Property must be able to accommodate at least thirty-five (35) truck trips per any 24 hour period.

9. General Development Standards. All general development standards found within this Title (Chapter 23, 24, and 25) shall be complied unless otherwise regulated in this SD District.

D. Reversion: If BD Medical vacates the property, or if there is a significant change in the use of the land, the zoning classification may be reverted to the previous classification or that of an abutting district after consideration by the City Council.