



Sandy City, Utah

10000 Centennial Parkway
Sandy, UT 84070
Phone: 801-568-7256

Meeting Minutes

Planning Commission

Joe Baker
Dave Bromley
Monica Collard
Ron Mortimer
Cyndi Sharkey
Cory Shupe
Jamie Tsandes
Michael Christopherson (Alternate)
Jeff Lovell (Alternate)

Thursday, July 19, 2018

6:15 PM

Council Chambers

4:30 PM FIELD TRIP

1. [18-272](#) Field Trip for July 19, 2018 Planning Commission meeting.

5:15 PM EXECUTIVE SESSION

Discussion regarding Short Term Rentals

2. [18-259](#) Vote for Chair and Vice Chair
Ron Mortimer was voted Chair and Cory Shupe was voted Vice Chair.

6:15 PM REGULAR SESSION

Roll Call

Staff: James Sorensen, Community Development Director; Jared Gerber, Assistant Community Development Director; Brian McCuiston, Planning Director; Mike Wilcox, Zoning Administrator; Darien Alcorn, Sr. City Attorney; Britney Ward, Transportation Engineer; Dustin Fratto, City Council Analyst; Matt Huish, CAO; Raima Fleming, Planning Secretary

- Present** 8 - Commissioner Joe Baker
Commissioner Dave Bromley
Commissioner Monica Collard
Commissioner Cyndi Sharkey
Commissioner Jamie Tsandes
Commissioner Michael Christopherson
Commissioner Cory Shupe
Commissioner Ron Mortimer
- Absent** 1 - Commissioner Jeff Lovell

Welcome

Pledge of Allegiance

Introductions

Public Hearings

3. [SUB-07-17-5](#) Miles Olsen Subdivision (Preliminary Review)
[285](#)

8860 S. 220 E.
Historic Sandy, Community #4

Mike Wilcox introduced this item to the Planning Commission.

Miles Olsen, owner, stated he would like to bring his property into compliance with zoning.

Bryce Dallimore, Applicant, gave an overview of the proposed item.

Commissioner Joe Baker stated he is concerned with the application of the overlay. He asked what the code is for the Historic Sandy Development Overlay.

Brian McCuiston stated using the overlay zone, the minimum lot size could be 5,000 Sq. Ft.

Commissioner Joe Baker, the applicant, and staff had discussion on the lot size and special exceptions.

The Chair opened and closed this item to public comment and there was none.

A motion was made by Dave Bromley, seconded by Cory Shupe, that the Planning Commission determine that preliminary review is complete for the Miles Olsen Subdivision, and approve the use of the Historic Sandy Development Overlay Zone, located at 8860 South 220 East, based on the following two findings and subject to the one condition listed in the staff report. The motion carried by the following vote:

Yes: 6 - Dave Bromley
Monica Collard
Cyndi Sharkey
Jamie Tsandes
Cory Shupe
Ron Mortimer

No: 1 - Joe Baker

Absent: 1 - Jeff Lovell

4. [CODE-06-18](#) Alcohol and Tobacco Specialty Store Update - Amend Title 15A, Chapter
[-5446](#) 8, Permitted Land Use Matrix by the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts, & Chapter 37, Definitions, Revised Ordinances of Sandy City, 2008

Mike Wilcox presented this item to the Planning Commission.

The Chair opened this item to public comment and there was none.

Commissioner Cyndi Sharky pointed out wording and grammar errors.

A motion was made by Cyndi Sharkey, seconded by Ron Mortimer, that the Planning Commission forward a positive recommendation to the City Council to adopt the proposed ordinance amendment as shown in Exhibit "A", for the two reasons listed in the staff report. The motion carried by the following vote:

Yes: 7 - Joe Baker
Dave Bromley
Monica Collard
Cyndi Sharkey
Jamie Tsandes
Cory Shupe
Ron Mortimer

Absent: 1 - Jeff Lovell

5. [CODE-06-18](#) Residential Short Term Rentals (STRs) - Amend Title 15A, Chapter 11, Special Uses, Chapters 7, 8, 9, & 10, Permitted Land Use Matrices for Residential, Commercial, Office, Industrial, Mixed Use, Transit Corridor, Research and Development, Institutional Care, and Open Space Districts, & Chapter 37, Definitions, Land Development Code, Revised Ordinances of Sandy City, 2008

[-5441](#)

Dave Bromley recued himself. Michael Christopherson sat in for him.

Mike Wilcox presented this item to the Planning Commission. He stated the proposed amendment would replace previous regulation adopted in 1998. He believes there are roughly 300 short term rentals operating in Sandy currently. This proposed ordinance would help address the fact that there are short term rentals operation in Sandy which could be permitted and regulated. It would also propose a new administrative enforcement mechanism which involves a fines rather than civil court.

Commissioner Monica Collard asked Mike Wilcox to give an explanation as to why this item is being proposed.

Mike Wilcox stated this item came at the direction of the City Council but staff is also recommending approval. The city currently doesn't allow short term rentals. Inspite of that, there are about 300 that is currently operation in Sandy City. This ordinance would give the city the tools to manage those more effectively.

Dustin Fratto, City Council Office, gave an overview of how this code revision came about.

The Chair opened this item to public comment.

Chelsea Cruse stated she is not in opposition of this item but she does not agree with the short term rentals needing to have a business license. She is concerned about the cost of a business license.

Brook Disuza, stated she agrees with Chelsea Cruse. She feels like the purpose of this ordinance would be to satisfy the legislative requirements instead of making a way for the community to utilize it effectively.

Michael Tingy stated this is a property rights issue. He also stated this is a major issue.

He feels a notice should be given to homes located near or around a short term rental so the neighbors would know whom to call with any issues.

Ross & Lisa Lingua stated they currently run an Airbnb. They are concerned about the one permit for every 100 single - family dwellings.

Pete Mathis stated he is neither for or against short term rentals. He asked if there would be online reviews for airbnb's located in Sandy. He also asked about restrictions.

Anica Falconrath stated the vacation rental home on her street has decreased her property value. She is not in favor of the proposed ordinance.

Bree Dubrie stated she is not in favor of short term rentals.

Spencer Dubrie questioned how this law impacts institutional care and group homes throughout the Sandy City residential areas.

Commissioner Monica Collard stated those homes fall under a different ordinance.

Scott Kallen stated he is in opposition of this ordinance. He also stated this ordinance is not well written and this item should be postponed until the language in the proposed ordinance is corrected.

Piera Aladalla stated she supports the proposed ordinance. She feels the property owner has the right to own an airbnb.

Randon Draper stated he is in support of short term rentals. He believes it is the owners right.

The Chair closed this item to public comment.

The Planning Commission and staff had discussion about complaint calls, enforcement, and property rights.

Commissioner Joe Baker stated he likes the proposed ordinance. He questioned why a homeowner would have to provide so many documents to show proof of ownership.

The Planning Commission and staff had discussion on general standards and requirements and regulations.

Commissioner Cory Shupe asked about noticing the neighbors.

Mike Wilcox replied this would be an administrative review. We do not typically notify the public of administrative actions.

Commissioner Joe Baker stated he is uncomfortable with one permit for every 100 single - family dwellings. He would much rather have an applicant make application according to a set criteria established. With owners rights, if the homeowner meets the criteria, they should have the right to have a short term rental.

The Planning Commission and staff had discussion on one permit for every 100 single - family dwelling.

A motion was made by Ron Mortimer, seconded by Cyndi Sharkey, that the Planning Commission forward a positive recommendation to the City Council to

adopt the proposed ordinance amendments for the two reasons listed in the staff report with an amendment to: section C(3)(A&B) to not be so restrictive and section C(3)(B)(1-3) to use "or" statements and add a section to have a waiting list. The motion carried by the following vote:

Yes: 7 - Joe Baker
Monica Collard
Cyndi Sharkey
Jamie Tsandes
Michael Christopherson
Cory Shupe
Ron Mortimer

Absent: 1 - Jeff Lovell

Recused: 1 - Dave Bromley

Administrative Business

There was no Director's Report given.

6. [18-271](#) Minutes from the July 5, 2018 Planning Commission meeting.

A motion was made bu Cory Shupe, seconded by Ron Mortimer, to approve the meeting minutes of July 5, 2018 Planning Commission meeting. The motion carried by the following votes:

Yes: 7 - Joe Baker
Monica Collard
Cyndi Sharkey
Jamie Tsandes
Michael Christopherson
Cory Shupe
Ron Mortimer

Absent: 1 - Jeff Lovell

Recused: 1 - Dave Bromley

Sandy City Development Report

Director's Report

Adjournment

Meeting Procedure

1. Staff Introduction
2. Developer/Project Applicant presentation
3. Staff Presentation
4. Open Public Comment (if item has been noticed to the public)
5. Close Public Comment
6. Planning Commission Deliberation
7. Planning Commission Motion

In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be limited to 2 minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed 5 minutes to speak. Comments which cannot be made within these time limits should be submitted in writing to the Community Development Department prior to noon the day before the scheduled meeting.

Planning Commission applications may be tabled if: 1) Additional information is needed in order to take action on the item; OR 2) The Planning Commission feels there are unresolved issues that may need further attention before the Commission is ready to make a motion. No agenda item will begin after 11 pm without a unanimous vote of the Commission. The Commission may carry over agenda items, scheduled late in the evening and not heard, to the next regular scheduled meeting.

In compliance with the Americans With Disabilities Act, reasonable accommodations for individuals with disabilities will be provided upon request. For assistance, or if you have any questions regarding the Planning Commission Agenda or any of the items, please call the Sandy City Planning Department at (801) 568-7256