

THE VILLAS AT SOUTHTOWNE REZONE

ORDINANCE #19-08

AN ORDINANCE AMENDING AND FIXING THE BOUNDARIES OF A ZONE DISTRICT OF THE SANDY CITY ZONING ORDINANCE; TO WIT: REZONING APPROXIMATELY 9.32 ACRES OF A TOTAL OF 11.89 ACRES ON THREE PARCELS FROM CN “PLANNED CENTER-NEIGHBORHOOD DISTRICT” TO PUD-12 “PLANNED UNIT DEVELOPMENT (12 UNITS PER ACRE)”, LOCATED AT APPROXIMATELY 10670 SOUTH 700 EAST; ALSO PROVIDING A SAVING CLAUSE AND AN EFFECTIVE DATE FOR THE ORDINANCE.

BE IT KNOWN AND REMEMBERED that the City Council of Sandy City, Utah, finds and determines as follows:

1. Pursuant to Sections 10-9a-501 through 10-9a-505 Utah Code Annotated 1953 as amended the City has authority to make and amend a zoning plan which divides the City into zoning districts and within those districts to regulate the erection, construction, reconstruction, alteration, and uses of buildings and structures and the uses of land.
2. A request has been made for a change of zoning on the below described property.
3. The Planning Commission held a public hearing on February 7, 2019, *which meeting was preceded by notice published in the Salt Lake Tribune on January 21, 2019, and by posting in Sandy City Hall, Sandy Parks & Recreation, the Salt Lake County Library-Sandy, the Sandy City Website - <http://www.sandy.utah.gov>, and the Utah Public Notice Website - <http://pmn.utah.gov> on January 18, 2019; and* to review the request for rezoning and has made recommendations thereon to the City Council.
4. The City Council of Sandy City, Utah has held a public hearing before its own body on March 26, 2019 which hearing was preceded by publication in the Salt Lake Tribune, on March 12, 2019, and by posting in Sandy City Hall, Sandy Parks & Recreation, the Salt Lake County Library-Sandy, the Sandy City Website - <http://www.sandy.utah.gov>, and the Utah Public Notice Website - <http://pmn.utah.gov> on March 7, 2019; and has taken into consideration citizen testimony, planning and demographic data, the desires of the owners of the property and the Planning Commission recommendation as part of the Council's deliberations.

5. The rezoning of said parcel will be appropriate, it is in accordance with the General Plan, it will promote the health and general welfare of the City, it will be compatible with the best interests of the particular neighborhood involved and it will be sensitive to the needs of the City as a whole.

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

Section 1. Amendment. The zoning ordinance which sets forth the zone districts within Sandy City which portion of the said zoning ordinance is established by a zoning map, is hereby amended as follows:

The property described in **EXHIBIT A**, which is attached hereto and by this reference made a part hereof, affects approximately 9.32 acres of a total of 11.89 acres on three parcels, located at approximately 10670 South 700 East, Sandy, Utah, and currently zoned as the CN “Planned Center-Neighborhood District”, shall be zoned to the PUD-12 “Planned Unit Development (12 units per acre)” to allow the potential development of the property, and the land use map is amended accordingly. The subject property is located in City Council District #1.

ZONING PRIOR TO EFFECTIVE DATE OF THIS ORDINANCE:

CN “Planned Center-Neighborhood District”

ZONING AFTER EFFECTIVE DATE OF THIS ORDINANCE:

PUD-12 “Planned Unit Development (12 units per acre)”

Section 2. Severable. If any part of this ordinance or the applications thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to 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 _____ day of _____, 2019.

Kristin Coleman-Nicholl
Sandy City Council

ATTEST:

City Recorder

PRESENTED to the Mayor of Sandy City for his approval this _____ day of _____, 2019.

APPROVED this _____ day of _____, 2019.

Kurt Bradburn
Mayor

ATTEST:

City Recorder

RECORDED this _____ day of _____, 2019.

SUMMARY PUBLISHED this _____ day of _____, 2019.

EXHIBIT A
(Legal Description)

Parcel #: 28-18-426-026-0000, 28-18-426-027-0000 & 28-18-426-028-0000 (in whole or in part as described below)
Address: 10670 S. 700 E.

PART OF AN ENTIRE PARCEL OF PROPERTY IDENTIFIED BY TAX ID PARCEL NUMBERS, 28-18-426-026, 28-18-426-027 & 28-18-426-028, SITUATE IN THE NE1/4SE1/4 OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY LINE OF SAID ENTIRE PARCEL, SAID POINT BEING S00°07'19"W 293.00 FEET ALONG THE SECTION LINE AND N89°38'29"W 55.50 FEET AND N89°38'29"W 205.00 FEET FROM THE EAST QUARTER CORNER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE S00°24'06"W 550.00 FEET; THENCE S89°38'29"E 205.00 FEET TO THE WESTERLY RIGHT OF WAY LINE OF 700 EAST STREET AS DEFINED IN UDOT RIGHT OF WAY PROJECT No. F-0071(23)9; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE S00°24'06"W 386.29 FEET TO THE NORTHERLY LINE OF COTTONWOOD PLACE NO. 3 SUBDIVISION AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER IN BOOK 93-3, PAGE 35, SAID POINT BEING THE SOUTHEAST CORNER OF ENTIRE PARCEL; THENCE N89°09'41"W 572.16 FEET ALONG SAID NORTHERLY SUBDIVISION LINE TO THE EASTERLY LINE OF COTTONWOOD PLACE NO. 2 SUBDIVISION AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER IN BOOK 92-5, PAGE 106, SAID POINT BEING THE SOUTHWEST CORNER OF ENTIRE PARCEL; THENCE NORTH 655.39 FEET ALONG SAID EASTERLY SUBDIVISION LINE TO THE SOUTHEASTERLY LINE OF THE CRESENT ESTATES NO. 4 SUBDIVISION AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER IN BOOK NN, PAGE 22; THENCE N38°08'00"E 35.35 FEET ALONG SAID SOUTHEASTERLY SUBDIVISION LINE; THENCE N22°55'00"E 268.74 FEET ALONG SAID SOUTHEASTERLY SUBDIVISION LINE AND TO AND ALONG THE SOUTHEASTERLY LINE OF CRESENT ESTATES SUBDIVISION AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER IN BOOK FF, PAGE 71 TO THE NORTHWEST CORNER OF ENTIRE PARCEL; THENCE S89°38'29"E 247.20 FEET TO THE POINT OF BEGINNING.

CONTAINS: 9.32 ACRES+/-