

# Community Development Department

Tom Dolan  
Mayor

Byron Jorgenson  
Chief Administrative Officer

Michael G. Coulam  
Director

## MEMORANDUM

October 25, 2016

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**To:** City Council via Planning Commission  
**From:** Community Development Department  
**Subject:** Plant Nursery – Amend Title 15A, Chapter 8, Land CODE-10-16-5150  
 Uses in Commercial, Office, Industrial, Mixed Use,  
 Transit Corridor, and Research and Development Districts,  
 Land Development Code, Revised Ordinances of Sandy  
 City, 2008

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HEARING NOTICE: *This Code Amendment was noticed in the paper at least 10 days prior to the first Planning Commission meeting.*

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### BACKGROUND

The Sandy City Community Development Department has filed a request to amend Title 15A, Chapter 8, Land Uses in Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts, Land Development Code, Revised Ordinances of Sandy City, 2008. The purpose of the code amendment is to consider allowing a Plant Nursery as an allowed use within the CN(HSN) Zoning District.

### ANALYSIS

This code amendment is related to the Kuwahara Rezone application for property located at 8565 and 8575 South State Street. The rezone applicant has been operating a seasonal produce stand on the northern parcel over the last couple of years. This applicant has been working with the Community Development Department in order to allow this land use as a permanent business on these two properties.

Majority of this zoning district is on the east side of State Street from approximately 8500 South to 9000 South. There are twelve parcels included on the west side of State Street (approximately 8650 South to 8800 South). All along the east side of this zoning district are single family dwellings. *See attached zoning map.*

A few years ago staff surveyed the Planning Commission and City Council to determine what non-permitted uses would be a benefit to the CN(HSN) Zoning District in hopes of creating interest for new developments along State Street. One of the uses that received a positive vote was Plant Nurseries.

**NON-CONFORMING USES**

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

**LAND DEVELOPMENT CODE PURPOSE COMPLIANCE**

The Sandy City Land Development Code in §15A-01-03 lists the criteria explaining the intent and purpose of the Ordinance. The purpose is:

**15A-01-03 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.

The proposed Code Amendment will create consistency and equitable standards and procedures for all plant nursery projects that are developed under the CN(HSN) development standards.

**GENERAL PLAN COMPLIANCE**

The General Plan encourages appropriate development standards for all uses and zoning categories within Sandy City.

**OTHER**

Besides the purposes set out in the ordinances cited above, one of the stated purposes of the City's land use ordinances is to facilitate the orderly growth and development of Sandy City (Rev. Ord. of Sandy City 2008, Section 15A-01-03(A)(1)). 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 (R.O.S.C. Sec. 15A-01-03(A)).

**STAFF RECOMMENDATION**

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. Compliance with the Purpose of the Land Development Code by creating consistency and equitable standards and procedures for all plant nursery projects that are developed under the CN(HSN) development standards.
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:



Brian McCuiston  
Zoning Administrator

Reviewed by:



# Exhibit "A"

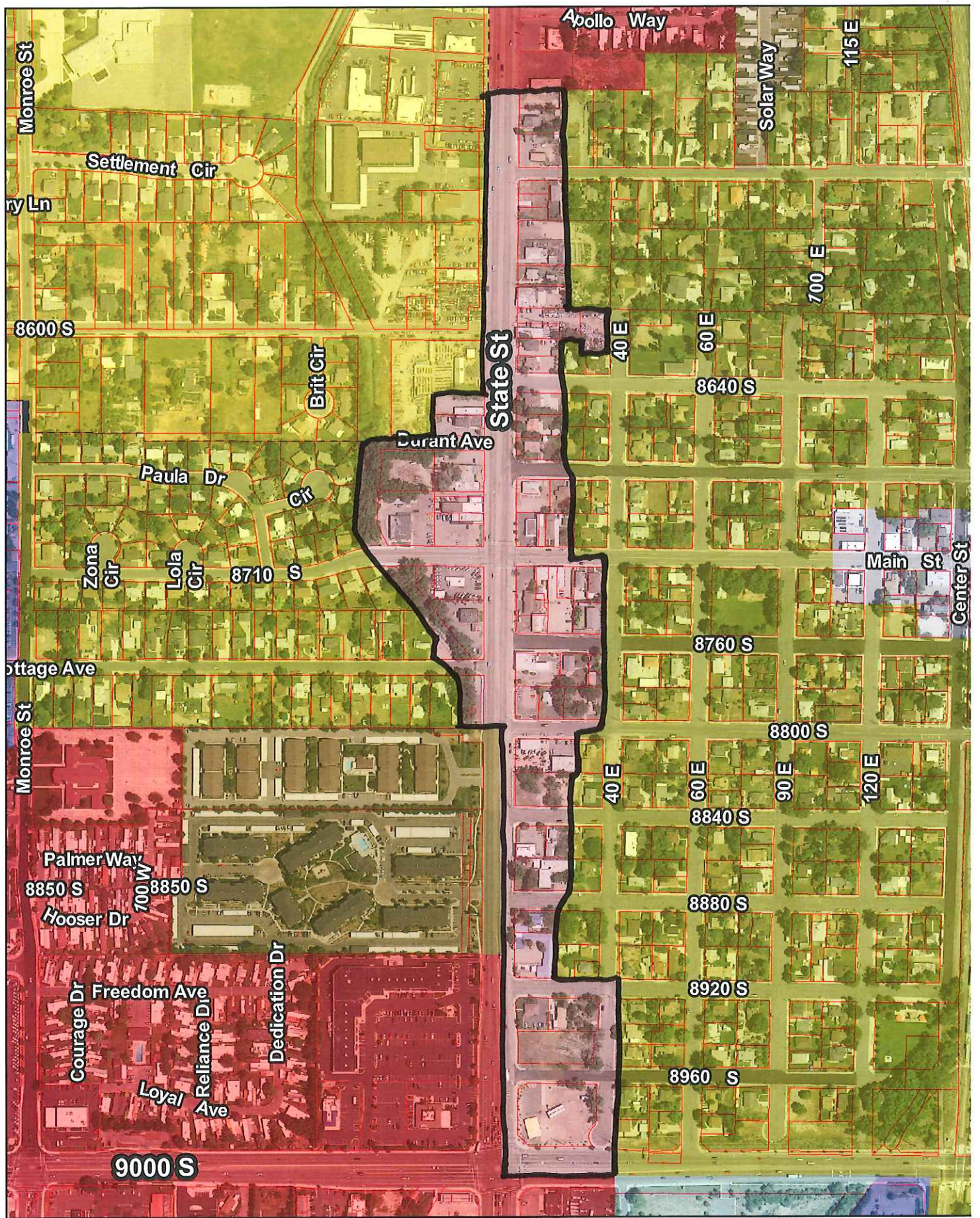
## 15A-08-02 Permitted Land Use Matrix by the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts

A. **Matrix Explanation.** The matrix below 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 the 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 (<sup>1</sup>), refer to sub-section C following the table for explanation.

B. Table of Uses.

Land Use Category	CBD	CBD-P	CBD-O	CBD-A&C	CR-PUD	RC	BC	CC	CN	CVC	CN(HSN)	HBD	LC	PO	ID	AM (Dealership)	AM (Commercial)	MU	TC	
Plant Nursery	N	N	N	N	P	P/C	P/C	C	C	N	<del>N</del> <sup>1</sup> <u>P/C</u>	N	P/C	N	N	N	N	C	N	N



CN(HSN) ZONE

