

SPECTRUM REZONE

ORDINANCE #19-28

AN ORDINANCE AMENDING AND FIXING THE BOUNDARIES OF A ZONE DISTRICT OF THE SANDY CITY ZONING ORDINANCE; TO WIT: REZONING TWO PARCELS, APPROXIMATELY 2.43 ACRES, FROM R-1-40A AND PUD(8.0) ZONES BOTH "RESIDENTIAL" ZONE DISTRICTS TO THE RC ZONE , "REGIONAL COMMERCIAL DISTRICT", LOCATED AT 9107 SOUTH MONROE STREET AND 9295 SOUTH 255 WEST; 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 November 7, 2019, which was preceded by notice published in the Salt Lake Tribune on October 25, 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 October 24, 2019, and reviewed 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 meeting before its own body on November 19, 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 rezone 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 2.43 acres, located at 9107 South Monroe Street and 9295 South 255 West, Sandy, Utah, and currently zoned as R-1-40A and PUD(8.0) Zones, both residential zone districts, shall be zoned to RC Zone, "Regional Commercial District" to allow the potential development of the area, and the land use map is amended accordingly.

ZONING PRIOR TO EFFECTIVE DATE OF THIS ORDINANCE:

R-1-40A and PUD(8.0) "Residential Zone Districts"

ZONING AFTER EFFECTIVE DATE OF THIS ORDINANCE:

RC Zone "Regional Commercial District"

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.

Chris McCandless
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 Descriptions)

Property A

The eastern portion, approximately 1.60 acres, of the following parcel that is currently zoned PUD(8.0) by Sandy City:

Parcel #: 27-01-451-019-0000

Address: 9295 S. 255

Legal Description (entire parcel):

LOT 1, WASATCH REAL SUB

Property B

The most southern portion, approximately 0.83 acres, of the following parcel that is currently zoned R-1-40A:

Parcel #: 27-01-426-009-0000

Address: 9107 S. Monroe Street

Legal Description (entire parcel):

BEGINNING AT A POINT WHICH IS WEST 1320 FEET AND SOUTH 580 FEET FROM THE EAST QUARTER CORNER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 89° 31' EAST. 377.46 FEET, MORE OR LESS, TO AN OLD FENCE LINE; THENCE SOUTH 760.45 FEET, MORE OR LESS, TO AN OLD FENCE LINE ALONG THE NORTHWESTERLY LINE OF THE JORDAN-SALT LAKE CANAL AS LOCATED ON THE GROUND; THENCE SOUTH 36° 19' WEST ALONG SAID FENCE LINE 79.02 FEET; THENCE SOUTH 48° 43' WEST ALONG SAID FENCE LINE 440 FEET; TO AN OLD FENCE LINE RUNNING NORTH AND SOUTH; THENCE NORTH ALONG SAID FENCE LINE 581.24 FEET TO THE SOUTH LINE OF THE LANDS CONVEYED TO R. G. SHAW, ET AL, BY DEED RECORDED NOVEMBER 28, 1958, AS ENTRY NO. 1623711, IN BOOK 1564, PAGE 232 OF OFFICIAL RECORDS; THENCE NORTH 89° 31' EAST 210 FEET TO THE SOUTHEAST CORNER OF SAID SHAW LANDS; THENCE NORTH 460 FEET ALONG FENCE LINE; THENCE SOUTH 89° 31' WEST 210 FEET, ALONG FENCE LINE; THENCE NORTH 70 FEET, TO THE PLACE OF BEGINNING.

LESS AND EXCEPTING THE FOLLOWING:

BEGINNING AT A POINT ON THE EAST LINE OF A 1·1/2 ROD NORTH AND SOUTH LANE, SAID POINT BEING SOUTH 650 FEET AND WEST 1343 FEET, AND EAST 282.66 FEET FROM THE EAST QUARTER CORNER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, THENCE NORTH 89° 31' EAST 116.33 FEET THENCE SOUTH 60 FEET; THENCE WEST 116.33 FEET; THENCE NORTH 60 FEET TO THE BEGINNING.

ALSO LESS AND EXCEPTING THE FOLLOWING:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE LANDS CONVEYED TO R.G. SHAW, ET AL, BY DEED RECORDED NOVEMBER 28, 1958, AS ENTRY NO, 1623711, IN BOOK 1564, PAGE 232 OF OFFICIAL RECORDS; SAID POINT BEING 1320 FEET WEST AND 1110 FEET SOUTH OF THE EAST QUARTER CORNER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND

MERIDIAN, AND RUNNING THENCE NORTH $89^{\circ} 31'$ EAST 377.46 FEET; THENCE SOUTH 230.45 FEET; MORE OR LESS TO AN OLD FENCE LINE ALONG THE NORTHWESTERLY LINE OF THE JORDAN-SALT LAKE CANAL AS LOCATED ON THE GROUND; THENCE SOUTH $36^{\circ} 19'$ WEST ALONG SAID FENCE LINE 79.02 FEET; THENCE SOUTH $48^{\circ} 43'$ WEST ALONG SAID FENCE LINE 440 FEET TO AN OLD FENCE LINE RUNNING NORTH AND SOUTH; THENCE NORTH ALONG SAID FENCE LINE 581.24 FEET, TO THE PLACE OF BEGINNING.