

Exhibit "B"

Sec. 21-19-1. - Special Development District SD.

- (a) *Purpose.* The Special Development District (SD) Zone designation is provided in order 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.
- (b) *Qualification.* For an applicant to qualify for SD District, classification the following conditions shall be present:
 - (1) The property to be classified shall be at least ~~one two~~ acres in size.
 - (2) The applicant shall demonstrate to the Planning Commission and City Council that development on the property would be substantially constrained by unusual topographic or other natural features, by difficult platting or ownership configuration, by an unusual or difficult impact from public utility structures or other public structures or facilities or that a similarly unusual hardship condition exists. Alternatively, a unique development proposal or land use that would not be allowed within an existing zone must be demonstrated.
 - (3) The entire site proposed for SD District classification shall be included in a development plan for review and Planning Commission approval.
- (c) *Land Uses Allowed.* Land uses allowed within an SD District shall be established by the review process as described in Subsection (e) of this section.
- (d) *District Designation.* When the land uses to be allowed in a specific SD District are determined, a permanent suffix for the district shall be established that shall be shown on the Sandy City Zone District Map. The suffix shall describe the dominant land use characteristic of the district, as illustrated the examples below illustrate:
 - (1) SD-R (residential uses).
 - (2) SD-I (industrial uses).
 - (3) SD-C (commercial uses).
 - (4) SD-X (mixed residential and commercial uses).
- (e) *Development Plan.*
 - (1) A development plan shall be presented to the Director for review and presentation to the Planning Commission. The Planning Commission shall review the plan, along with comments from the Director. The Commission shall recommend approval, recommend approval with conditions, or recommended disapproval.
 - (2) The development plan shall be a conceptual proposal for general development of the entire site proposed for SD classification and shall include the following:
 - a. A legal description and a map drawn to scale showing site boundaries, site orientation, major streets that serve the site and zoning classification and uses on abutting properties.
 - b. The general location of proposed land uses (including structures) and land area to be devoted to each use.
 - c. Existing contours and a general estimate of finished grades and contours.
 - d. Location and type of existing vegetation.
- (f) *Specific Development Standards and Regulations.*
 - (1) The Planning Commission or the Director may prepare specific development standards and regulations for the proposed site provided such standards and regulations are in conformity with

Planning Commission adopted policies, programs, and plans and all applicable chapters of this title. Such standards and regulations may include, but are not limited to:

- a. The height, location and bulk of buildings.
- b. The location, arrangement, and configuration of open space and building setback.
- c. The location and design of off-street parking areas.
- d. The number, size and location of all signs.
- e. Permitted or conditional uses.
- f. Such other regulations and standards as may be necessary to accomplish the purposes and intent of the SD District.

(2) Unless otherwise specified within the SD District, all current development standards shall apply.

- (g) *Zone Change Process.* A petition for an amendment to the Sandy Land Development Code for an SD Zone Classification shall conform to the process as described in the Amendment to Zone District Map and Land Development Code. Information for the petition shall include the development plan approved by the Planning Commission.
- (h) *Reversion.* There will be an annual review of SD zones. If substantial construction is not initiated within a year of the zone approval, the classification may be reverted to the previous classification, or that of an abutting district.

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Sec. 21-19-7. - SD(FM-HSN)—Historic Sandy Neighborhood Farmer’s Market

- (a) *Purpose.* The SD(FM-HSN) Zone is established to provide an area within the Historic Sandy Neighborhood to accommodate limited permanent and temporary commercial uses exclusively for an annual farmer’s market. This would allow for a permanent use of plant nursery, while also allowing long-term yet seasonal commercial uses (such as produce stands, farmer’s markets, mobile food vendors, temporary retail sales, etc.) on an annual basis.
- (b) *Uses Allowed.*
 - (1) *Permitted Uses.*
 - a. Agriculture.
 - b. Caretaker’s Residence (occupants of dwellings shall be limited to the owners or employees of the on-site business).
 - c. Temporary Uses (see subsection (d) below).
 - (2) *Conditional Use.*
 - a. Plant Nursery – production and growing only (public retail sales shall be limited to a temporary use provisions).
 - (3) *Not Permitted.* All other uses not listed above are prohibited in this zone district.
- (c) *Development Standards.* Planning Commission review and approval of a site plan is required according to standards outlined in the development review process and Special Development (SD) District to ensure neighborhood compatibility and adherence to these standards set forth. The following standards are to be considered as applying specifically to development in an SD(FM-HSN) District, in addition to general standards for commercial development provided in development, site and subdivision standards, and landscaping standards of the Land Development Code:

- (1) *Area Requirements.* The site must contain a minimum of one acre and be located within the Historic Sandy District boundary (as shown in the Historic Sandy Master Plan).
- (2) *Public Frontage.* The site must have a minimum of 100 feet of frontage to a major arterial public street. Infrastructure improvements (including sidewalk, parkstrip, curb, gutter, and asphalt) needed for the public right-of-way road improvements shall not be required. These improvements will occur with a future UDOT road improvement project. Road width dedication shall still be required as determined by the City Engineer and UDOT.
- (3) *Building Height and Setback Requirements.* Any development shall follow the requirements of the CN(HSN) Zone.
- (4) *Sign Standards.* All signs shall comply with Chapter 21-26.
- (5) *Site Plan.* A site plan shall be required that shows all proposed permanent and temporary uses and all associated structures (permanent and temporary). It shall also show all proposed and required site improvements such as walkways, landscape areas, parking areas, drive isles, etc. as typically required and shall follow all requirements for Commercial Site Plan Review as outlined in this title.
- (6) *Parking Standards.*
 - a. *Off Street Parking Requirement.* The number of parking spaces required shall be determined by the City Planning Commission based on a parking demand study. On-street parking along the street frontage of the property may be allowed to count toward the off-street parking requirements if approved by the City Engineer and UDOT (only if located on a UDOT right-of-way).
 - b. *Surface Materials.* Parking/driving surface alternatives to asphalt or concrete may be considered by the City Engineer and Director if another type of all-weather surface is proposed. All weather surface means a covering for driveways and parking spaces that is dust free and not adversely affected by inclement weather. It shall be surfaced with one of the following: asphalt, concrete, chip seal, gravel (graded and compacted), or other stabilized system. An alternative parking/driving surface must be approved by the Planning Commission after receiving a recommendation by the City Engineer and Director. If alternative surfaces are used, then all storm water must be fully retained on-site (including 100-year storm events). Accessible routes and other requirements for ADA must be met in consideration of alternative surfaces. Any deviations from the standard must be approved by the Planning Commission after receiving a recommendation from the City Engineer and the Chief Building Official.
- (7) *Zone District Boundary Screening and Fencing.* The Planning Commission shall review any requests for deviations from a standard eight-foot (8') masonry fence along the border of residentially zoned properties. If the Planning Commission finds unique circumstances or lessor impacts than typically anticipated from other commercial uses, they may approve of a smaller wall or may review and approve other methods of screening such as bermed landscaping, open style fencing, or combination of these methods to accomplish screening and buffering of adjacent residential uses.
- (8) *Buildings and Structures.* All proposed structures for any permanent or temporary use (including any accessory buildings) must be shown on the proposed site plan, including a notation of whether the structure will allow for public access. Structures may be allowed to remain permanently on site if constructed to meet all applicable zoning, fire, and building codes and have obtained site and building permits as permanent structures. Any temporary structures (tents, sanitary facilities, etc.) that will be utilized for temporary uses must also be shown on the approved site plan and meet all applicable zoning, fire, and building codes and permits. Temporary structures must be removed from the site each year after the temporary use period. Any new structures shall adhere to the architectural requirements of the CN(HSN) Zone and the Historic Sandy Master Plan.

- (9) *General Development Standards.* All general development standards for commercial development found within this title shall be complied with unless otherwise regulated in this SD District.
- (d) *Temporary Use Standards.* All standards set forth in this title relating to temporary uses shall apply to any proposed temporary or seasonal use operating within this zone, with exception of the following provisions:
 - (1) *Extended Duration.* All temporary uses shall be allowed to operate up to a maximum of 240 consecutive days per calendar year. The property owner shall identify a single 240-day temporary use period during the calendar year. No temporary use may commence prior to or terminate after the identified 240-day period.
 - (2) *Number of Temporary Business.* There shall be no limit to the number of temporary uses operating at the same time during the temporary use period provided that the site has sufficient off-street parking to accommodate the uses.
 - (3) *Farmer's Market.* These may occur on a site of at least one acre and may contain any number of individual produce growers, and/or manufacturers.
 - (4) *Structures.* There shall not be a limit to the number of structures used for a temporary use, provided they are shown on the approved site plan and obtain required permits each calendar year.
 - (5) *Other Standards.* All other standards of Temporary Uses found within this title shall be complied with unless otherwise regulated in this SD District.
- (e) *Other Land Uses.* If any proposed land use is not listed as a permitted or conditional use by this Special Development District, a rezone shall be required, and this special development code section will not be applicable to that proposed use or development.