

ORDINANCE #16-35

AN ORDINANCE AMENDING TITLE 15A OF THE REVISED ORDINANCES OF SANDY CITY (THE LAND DEVELOPMENT CODE), 2008, BY AMENDING CHAPTER 7, "LAND USES IN RESIDENTIAL DISTRICTS", CHAPTER 8, "LAND USES IN COMMERCIAL, OFFICE, INDUSTRIAL, MIXED USE, TRANSIT CORRIDOR, AND RESEARCH AND DEVELOPMENT DISTRICTS", AND CHAPTER 37, "DEFINITIONS" TO DEFINE "PUBLIC PLAZA" AND IDENTIFY WHICH RESIDENTIAL AND COMMERCIAL ZONES THIS USE WOULD BE ALLOWED IN; ALSO PROVIDING A SAVING CLAUSE AND EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, a request has been made to amend Title 15A of the Revised Ordinances of Sandy City (the Land Development Code), 2008, by amending Chapter 7, "Land Uses in Residential Districts", Chapter 8, "Land Uses in Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts", and Chapter 37, "Definitions" to define "Public Plaza" and then identify which residential and commercial zones this use would be allowed in; and

WHEREAS, the Planning Commission held a public hearing on October 6, 2016 which meeting was preceded by notice by publication in the Salt Lake Tribune on September 22, 2016, and by posting in Sandy City Hall, the Sandy City Parks & Recreation Building, on the Sandy City Website - <http://www.sandy.utah.gov>, and the Utah Public Notice Website - <http://pmn.utah.gov> on September 16, 2016; and

WHEREAS, following the public hearing before the Planning Commission, the Commission recommended the amendment to the City Council; and

WHEREAS, a public meeting was held by the Sandy City Council on October 11, 2016 to consider adoption of the proposed amendment, which meeting was preceded by publication in the Salt Lake Tribune, on September 22, 2016, and by posting in Sandy City Hall, the Sandy City Parks & Recreation Building, on the Sandy City Website - <http://www.sandy.utah.gov>, and the Utah Public Notice Website - <http://pmn.utah.gov>, on September 16, 2016; and

WHEREAS, the City Council has been given specific authority in Title 10, Chapter 9a, Utah Code Ann. (2012) to adopt a zoning plan, including an ordinance and map which divide the municipality into districts or zones, and within such districts to regulate the erection, construction, reconstruction, alteration, repair and uses of buildings and structures, and the uses of land; and

WHEREAS, the State legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the City to pass ordinances which are reasonably and appropriately related to the objectives of that power, i.e., providing for the public safety, health, morals, and welfare; and

WHEREAS, the foregoing legitimate governmental objectives are achieved by reasonable means, in that any adverse impact on private property value or use has been carefully balanced against the corresponding gain to the public; and the regulations have been calculated, on recommendation of City planning staff to permit property owners to beneficially use their properties for the practical purposes to which the property is reasonably adaptable; and procedures have been established by the

Land Development Code and Utah Code Ann. where by appeals can be heard and decided if it is alleged that there is legislative or administrative error, or where a special exception or variance to the ordinance is required.

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

Section 1. Amendment. Title 15A is amended as shown on **Exhibit "A"**, which is attached hereto and by this reference made a part hereof.

Section 2. Severable. If any part of this ordinance or the application 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 in 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 11<sup>th</sup> day of October, 2016.

Stephen P. Smith  
Stephen P. Smith, Chairman  
Sandy City Council

ATTEST:

Molly Jira  
City Recorder

PRESENTED to the Mayor of Sandy City for his approval this 13<sup>th</sup> day of October, 2016.

APPROVED this 13<sup>th</sup> day of October, 2016.

Thomas M. Dolan  
Thomas M. Dolan, Mayor

ATTEST:

Molly Jira  
City Recorder

PUBLISHED this 20<sup>th</sup> day of October, 2016.



## Exhibit "A"

### 15A-07-02 Permitted Land Use Matrix by the Residential Districts

**A. Matrix Explanation.** The matrix below lists all permitted uses within Sandy City residential, civic or open space zones. 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 that 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	R-1-40	R-1-30	R-1-20	R-1-15	R-1-12	R-1-10	R-1-9	R-1-8	R-1-8INF	R-1-7.5(HS)	R-1-6	R-2-10	R-2-8	KU <sup>1</sup>	MH	PUD
Public Plaza	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

### 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 this 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
Public Plaza	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N	N	P	P

### 15A-37-17 "P" Definitions

Public Plaza – A publicly owned area that is in proximity to and associated with a publicly accessible structure or event facility. It is not identified and operated by the city as a Public Park and does not have a playground. Plazas are areas that function as pedestrian site arrival points and are available to the public as a place to display art, passive recreation, relaxation, walking, seating, socializing, reading, and eating.