

ORDINANCE 19-11

AN ORDINANCE AMENDING TITLE 15A OF THE REVISED ORDINANCES OF SANDY CITY (THE LAND DEVELOPMENT CODE), 2008, CHAPTER 19-03, "SD-MU MIXED USE" TO ALLOW FOR ALCOHOLIC BEVERAGE SINGLE EVENT PERMITS AND ALCOHOLIC BEVERAGE TEMPORARY BEER PERMITS; 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, Chapter 19-03, "SD-MU Mixed Use" by revising the permitted uses in the zone to allow for alcoholic beverage single event permits and alcoholic beverage temporary beer permits; and

WHEREAS, the Planning Commission held a public hearing on April 18, 2019 which meeting was preceded by notice by publication in the Salt Lake Tribune on April 4, 2019, and by posting in Sandy City Hall, the Sandy City Parks & Recreation Building, Salt Lake County Library-Sandy, and the Utah Public Notice Website - <http://pmn.utah.gov> on March 27, 2018; 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 April 23, 2019 to consider adoption of the proposed amendment, which meeting was preceded by publication in the Salt Lake Tribune, on April 4, 2019, and by posting in Sandy City Hall, the Sandy City Parks & Recreation Building, Salt Lake County Library-Sandy, on the Sandy City Website - <http://www.sandy.utah.gov>, and the Utah Public Notice Website - <http://pmn.utah.gov>, on March 27, 2019; and

WHEREAS, the City Council has been given specific authority in Title 10, Chapter 9a, Utah Code Ann. 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. whereby 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 23 day of APRIL, 2019.





Kristin Coleman-Nicholl
Sandy City Council

ATTEST:


City Recorder

PRESENTED to the Mayor of Sandy City for his approval this 2ND day of MAY, 2019.

APPROVED this 2ND day of MAY, 2019.


Kurt Bradburn
Mayor

ATTEST:


City Recorder

PUBLISHED this 4 day of MAY, 2019.



Exhibit "A"

15A-19-03 SD(MU) MIXED USE - 7800 S. 1300 E. & 9400 S. 1300 E.

A. **Purpose.** The purpose of the Special Use District (Mixed Use) is to provide for mixed uses, such as professional office, multi-family and quasi-public.

B. **Uses Allowed**

1. **Permitted Uses**

- a. Alcoholic Beverage Single Event Permit
- b. Alcoholic Beverage Temporary Beer Permit
- c. Athletic, Tennis or Health Club
- d. Business and Financial Services
- e. Commercial Retail Sales and Service up to 10,000 square feet for the entire development site
- f. Commercial School
- g. Medical and Health Care Offices
- h. Nursing Care Facility
- i. Quasi-public uses such as a library or other governmental facilities
- j. Recreation, Indoor
- k. Religious or Cultural Activity
- l. Research and Development Park
- m. Restaurant
- n. Theater, Concert Hall

2. **Conditional Uses.** Planning Commission review is required as set forth in the Conditional Uses chapter of the Development Code.

- a. Animal Kennel, Veterinary Office
- b. Arcade
- c. Automotive Self-Service Station
- d. Commercial Retail Sales and Service over 10,000 square feet for the entire development site
- e. Recreation Center (Outdoor)
- f. Restaurant, Drive-Inn
- g. Commercial Parking Garage
- h. Industry, Light
- i. Park and Ride Facilities