

KUWAHARA REZONE

ORDINANCE 21-12

AN ORDINANCE AMENDING AND FIXING THE BOUNDARIES OF A ZONE DISTRICT OF THE SANDY CITY ZONING ORDINANCE; TO WIT: REZONING APPROXIMATELY 1.48 ACRES FROM CN(HSN) “NEIGHBORHOOD COMMERCIAL – HISTORIC SANDY NEIGHBORHOOD DISTRICT” TO SD(FM-HSN) “HISTORIC SANDY NEIGHBORHOOD FARMER’S MARKET”, LOCATED AT APPROXIMATELY 8565 & 8575 SOUTH STATE STREET; 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 zoning amendment on the below described property.

3. The Planning Commission held a public hearing on March 18, 2021, which meeting was preceded by notice published in the Deseret News on February 26, 2021, 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 February 23, 2021; and to review the request for rezoning and has made recommendations thereon to the City Council.

4. The City Council of Sandy City, Utah met on April 6, 2021, 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 1.48 acres, located at approximately 8565 & 8575 South State Street, Sandy, Utah, and currently zoned as the CN(HSN) “Neighborhood Commercial – Historic Sandy Neighborhood District”, shall be zoned to the SD(FM-HSN) “Historic Sandy Neighborhood Farmer’s Market” to allow a farmer’s market use in Historic Sandy. The zoning map is amended accordingly.

ZONING PRIOR TO EFFECTIVE DATE OF THIS ORDINANCE:

CN(HSN) “Neighborhood Commercial – Historic Sandy Neighborhood District”

ZONING AFTER EFFECTIVE DATE OF THIS ORDINANCE:

SD(FM-HSN) “Historic Sandy Neighborhood Farmer’s Market”

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 _____, 2021.

Cyndi Sharkey, Sandy City Council

ATTEST:

City Recorder

PRESENTED to the Mayor of Sandy City for his approval this ____ day of _____, 2021.

APPROVED this ____ day of _____, 2021.

Kurt Bradburn, Mayor

ATTEST:

City Recorder

RECORDED this ____ day of _____, 2021.

SUMMARY PUBLISHED this ____ day of _____, 2021.

EXHIBIT "A"
(Legal Description)

Rezoning – Kuwahara
ZONE-10-16-5148

PARCEL #22-31-353-004

BEG N 89°57'08" E 99.22 FT & N 0°21'25" E 447.66 FT & S 89°38'35" E 50 FT & S 0°21'25" W 116.92 FT M
OR L FR SW COR SEC 31, T 2S, R 1E, SLM; AS ESTABLISHED BY USGLO; S 89°36'53" E 166 FT; S 89°44'56" E
110.74 FT; S 137.65 FT; W 280 FT M OR L; N 137.65 FT M OR L TO BEG. 0.88 AC M OR L

PARCEL #22-31-353-005

COM N 66°27' E 166.9 FT & 66 FT N FR SW COR SEC 31 T 2S R 1ESL MER N 62 FT E 280 FT S 128 FT W 130 FT
N 66 FT W 150 FT TO BEG 0.59 AC