

ORDINANCE 21-14

AN ORDINANCE ENACTING A TEMPORARY LAND USE REGULATION PROHIBITING DEVELOPMENT ON PROPERTIES LOCATED EAST OF WASATCH BOULEVARD; ALSO PROVIDING A SAVING CLAUSE AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, within Sandy City there are numerous private properties that are located in or adjacent to foothill areas that contain steep slopes, and development on or adjacent to those areas would create concerns regarding water quality and watershed protection, preservation of drainage and debris flow corridors, identification of earthquake fault lines, rockfall hazards, and other geotechnical issues, and mitigation of wildland urban interface fire risks and other natural hazards; and

WHEREAS, Sandy City land use ordinances prohibit development on properties with steep slopes, but also allow development on adjacent areas that will impact or exacerbate these natural hazards on those sensitive lands, and create the potential of increased risk to other areas of the City; and

WHEREAS, Sandy City has a responsibility to protect the health, safety and welfare of its residents, and to ensure that any development on these sensitive lands does not create safety risks for the residents of those properties, or for residents in other areas of the City; and

WHEREAS, the City Council is concerned that allowing further development in these sensitive areas, without first taking the time necessary to identify, map and address these natural hazards, and to enact and ensure the appropriate regulatory controls and protections for those areas would create a significant risk to the public safety of City residents; and

WHEREAS, for these reasons, the City Council finds that a compelling, countervailing public interest exists in enacting a temporary land use ordinance to allow the City administration time to identify, investigate, evaluate and define how the natural hazards associated with these steep slope foothill property areas should be addressed and regulated to protect the health, safety and welfare of all the citizens of Sandy City, and to allow the City Council adequate time to evaluate and enact appropriate regulations; and

WHEREAS, pursuant to Utah Code section 10-9a-504, Sandy City has the authority to enact an ordinance establishing a temporary land use regulation within the City; and

WHEREAS, the City Council has determined that it is in the best interest of the City to enact this temporary land use regulation ordinance as set forth below.

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

Section 1. As of the effective date of this ordinance, no new application for zoning or development of any project on property located within Sandy City east of Wasatch Boulevard, as depicted on the map attached as **Exhibit "A"**, shall be accepted, considered or acted upon by the Sandy City staff, Planning Commission or City Council; and the erection or construction of any building or structure, for any property located within Sandy City east of Wasatch Boulevard, as depicted on the map attached hereto as **Exhibit "A"**, shall be and hereby is prohibited.

Section 2. The City Council hereby requests and directs City staff to study and seek advice from environmental scientists, engineers, the Planning Commission, key stake-holders, and other appropriate professionals to study various options for the areas depicted in **Exhibit "A"** and return to the City Council with recommendations for further legislative action.

Section 3. This ordinance shall become effective immediately.

Section 4. This ordinance will remain in effect for a period not to exceed six months.

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"