



# Community Development Department

Tom Dolan  
Mayor

Byron Jorgenson  
Chief Administrative Officer

Michael G. Coulam  
Director

## MEMORANDUM

September 27, 2016

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**To:** City Council via Planning Commission  
**From:** Community Development Department  
**Subject:** Public Utilities Director Authority– Amend CODE-9-16-5132  
 Title 15A, Chapter 23, Commercial, Office,  
 Industrial, and Transit Corridor Development  
 Standards, Land Development Code, Revised  
 Ordinances of Sandy City, 2008

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**HEARING NOTICE:** *This Code Amendment was noticed in the paper at least 10 days prior to the first Planning Commission meeting.*

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### BACKGROUND

The Sandy City Community Development Department has filed a request to amend Title 15A, Chapter 23, Commercial, Office, Industrial, and Transit Corridor Development Standards, Land Development Code, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to consider removing a portion of the Administrative Code, specific to the authority of the Public Utilities Director, and add this to the Land Development Code. This language is related to approving alternatives to undergrounding existing utility lines when found to be currently impractical and would be part of a future large scale project.

### ANALYSIS

In an effort to update all of the City's regulations in order to publish them all on line, it has been requested to remove a section of the Administrative Code and add the same specific language to the Land Development Code.

Section 15A-23-12 of the Land Development Code identifies development standards for utilities on all new commercial projects within Sandy City. The new language to be added is directly related to the regulations found within this section.

### NON-CONFORMING USES

This Code Amendment would not create any non-conforming situations.

**LAND DEVELOPMENT CODE PURPOSE COMPLIANCE**

The Sandy City Land Development Code in §15A-01-03 lists the criteria explaining the intent and purpose of the Ordinance. The purpose is:

**15A-01-03 Purpose**

This Code is adopted to implement Sandy City's General Plan and to promote: public health, safety, convenience, aesthetics, welfare; efficient use of land; sustainable land use and building practices; transportation options and accessibility; crime prevention; timely citizen involvement in land use decision making; and efficiency in development review and land use administration. Specifically, this Code is established to promote the following purposes:

**1. General**

- a. To facilitate the orderly growth and development of Sandy City.
- b. To facilitate adequate provision for transportation, water, sewage, schools, parks, and other public requirements.
- c. To stabilize property values.
- d. To enhance the economic well being of Sandy City and its inhabitants.

**2. Implementation of General Plan**

To coordinate and ensure the implementation of the City's General Plan through effective execution of development review requirements, adequate facility and services review and other goals, policies, or programs contained in the General Plan.

**3. Comprehensive, Consistent and Equitable Regulations**

To establish a system of fair, comprehensive, consistent and equitable regulations, standards and procedures for review and approval of all proposed land development within the City.

**4. Efficiently and Effectively Managed Procedures**

- a. To promote fair procedures that are efficient and effective in terms of time and expense.
- b. To be effective and responsive in terms of the allocation of authority and delegation of powers and duties among ministerial, appointed, and elected officials.
- c. To foster a positive customer service attitude and to respect the rights of all applicants and affected citizens.

The proposed Code Amendment will stabilize property values by establishing a system of fair, comprehensive, consistent and equitable regulations, and standards for all proposed land developments within the City.

**GENERAL PLAN COMPLIANCE**

The General Plan encourages appropriate development standards for all uses and zoning categories within Sandy City.

**OTHER**

Besides the purposes set out in the ordinances cited above, one of the stated purposes of the City's land use ordinances is to facilitate the orderly growth and development of

Sandy City (Rev. Ord. of Sandy City 2008, Section 15A-01-03(A)(1)). Some of the general purposes of the City's Development Code are to implement Sandy City's General Plan, and to promote the following public policies: public health, safety, convenience, aesthetics, welfare; efficient use of land; sustainable land use and building practices; transportation options and accessibility; crime prevention; timely citizen involvement in land use decision making; and efficiency in development review and land use administration (R.O.S.C. Sec. 15A-01-03(A)).

#### **STAFF RECOMMENDATION**

The Community Development Department requests that the Planning Commission forward a positive recommendation to the City Council to adopt the proposed ordinance amendment as shown in exhibit "A", attached, for the following reasons:

1. Compliance with the Purpose of the Land Development Code by stabilizing property values by establishing a system of fair, comprehensive, consistent and equitable regulations, and standards for all proposed land developments within the City.
2. Compliance with the Goals and Policies of the General Plan by establishing appropriate development standards for all uses and zoning categories within Sandy City.

Planner:



Brian McCuiston  
Zoning Administrator

Reviewed by:



## Exhibit "A"

### 15A-23-12 Utilities

All utility lines shall be placed underground in designated easements. No pipe, conduit, cable, line for water, gas, sewage, drainage, steam, electricity, or any other energy or service shall be installed on a permanent basis above ground. However, back flow devices have to be installed above ground. Therefore, no pole or other support structure shall be erected, altered, or replaced upon any lot (outside of any building) above the surface of the ground except for hoses, movable pipes used for irrigation or other purpose during construction.

- A. Transformers shall be grouped with other utility meters where possible. Gas meters, electric service meter panels, electric service entrance equipment, and other utility boxes shall be grouped together, where possible, and attached to the side of the buildings and shall be painted to match the adjacent building wall. (Ord 09-01, Amended 3-5-2009)
- B. Each contractor and owner/developer shall be responsible to know the whereabouts of all underground utilities. Protection of such utilities shall also be their responsibility. Prior to construction, contact must be made with "Blue Stakes" to identify underground utility lines.
- C. Where overhead poles exist, service lines to new developments must be placed underground from the nearest overhead service pole.
- D. This section does not require removal of any existing electrical transmission facilities and electrical distribution lines nor does it restrict the repair, minor relocation, and maintenance of any such existing facilities except that if any development requires a road widening to meet the impacts of that development and there are utility poles in the road to be widened, the developer, at his own expense, shall be responsible to remove those utility poles out of the public right-of-way and to underground all utility lines across the frontage of the development that may be associated with those utility pole(s). (Ord 11-07, Amended 5-3-2011)
- E. The director of the department of public utilities may approve, with the consent of the City Council, an alternative to the requirement of placing existing utility lines underground on a temporary basis, upon finding that burial is currently impractical and would be best accomplished as part of a future large-scale project. The director may also approve an alternative to the requirement of placing new and existing utility lines underground on Utah State highway projects, upon findings by the director.
- ~~E~~F. Street Tree/Street Light Coordination. Actual tree spacing during site plan review may be adjusted, as necessary, to match existing streetscape or to adapt to unique on-site conditions that would justify such, e.g., topography, street lights, power lines and poles, and other utilities. In some cases, street trees may need to be placed behind sidewalks, or eliminated, in order to accommodate on-site conditions. Parkstrips on arterial and collector streets should accommodate street trees, street lights, and other needed utilities. Street trees should be placed such that the street lighting system functions properly and achieves the desired result.

**FG.** All utility boxes, e.g., transformers, switch gear, telephone, cable tv, back flow preventers, etc., shall be shown on the site plan and utility plan and shall be placed a minimum of 5 feet from any sidewalk or parking lot curbing. Said utility boxes shall not be located within any required traffic sight triangle(s), as determined by the Sandy City Transportation Engineer, and shall be screened from view with appropriate landscaping or architectural elements compatible in material and color with the primary structure. Each box shall be shown in its exact location and shall be noted with its exact height, width, and length. (Ord 09-01, Amended 3-5-2009)