

ORDINANCE 19-10

AN ORDINANCE AMENDING TITLE 15A OF THE REVISED ORDINANCES OF SANDY CITY (THE LAND DEVELOPMENT CODE), 2008, CHAPTER 11-02, "ACCESSORY STRUCTURES" TO CHANGE THE REGULATIONS ON ACCESSORY STRUCTURES; 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 11-02, "Accessory Structures" by changing the regulations regarding detached garages; and

WHEREAS, the Planning Commission held a public hearing on January 17, 2019 which meeting was preceded by notice by publication in the Salt Lake Tribune on January 3, 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 December 26, 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 9, 2019 to consider adoption of the proposed amendment, which meeting was preceded by publication in the Salt Lake Tribune, on March 27, 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 26, 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:

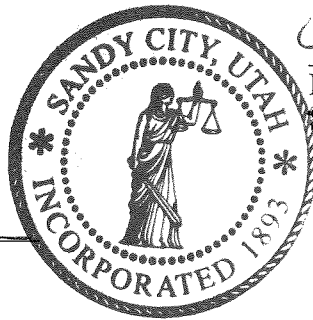
Section 1. Amendment. Title 15A is amended as shown on **Exhibit "A"**, which is attached hereto and by this reference made a part hereof.

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.

ASSESSED AND APPROVED this 9th day of April, 2019.



Kristin Coleman-Nicholl
Kristin Coleman-Nicholl
Sandy City Council

ATTEST:

Wendy D.
City Recorder

PRESENTED to the Mayor of Sandy City for his approval this 23rd day of APRIL, 2019.

APPROVED this 23rd day of APRIL, 2019.

Kurt Bradburn
Kurt Bradburn
Mayor

ATTEST:

Wendy D.
City Recorder

PUBLISHED this 25 day of April, 2019.



Exhibit "A"

15A-11-02 Accessory Structures

A. Residential Standards

1. Setbacks and Location Restrictions.

- g. Detached Garages. Detached garages or any detached structure 240 sq. ft. or larger shall be substantially set within the rear yard of the home. They shall not be permitted in the side yard, except for minor encroachments as determined by the Director, or unless the structure meets or exceeds the minimum setbacks of the primary dwelling. These structures will not be allowed to have an additional access to the public right-of-way closest to the structure, unless the Transportation Engineer reviews and approves the location based upon established standards of this code and after considering safety of pedestrians and vehicular access.

3. Maximum Height.

a. Table of Maximum Accessory Structure Height.

Zone Classification	Side Yard	Rear Yard
	Maximum Height to Peak	Maximum Height to Peak
R-1-12 or smaller (i.e., R-1-9, -8, etc)	10*	15
R-1-15 or larger (i.e. R-1-30, -40, etc)	10*	20

* If the structure otherwise meets the minimum setbacks for the zone for a primary dwelling, it may be built up to the maximum height of the rear yard. The Planning Commission may review a request for additional height through a Conditional Use Permit.

- 1) For those zones not listed (such as "SD" and "PUD" zones), the residential district most closely associated with that zone shall be used to determine the maximum height allowable. All zones with animal rights (with the "A" designation at the end of the zone classification) shall conform to its' similar non-animal right zone classification.