



Sandy City, Utah

10000 Centennial Parkway
Sandy, UT 84070
Phone: 801-568-7141

Meeting Agenda

City Council

Scott Cowdell, District 1
Maren Barker, District 2
Kristin Coleman-Nicholl, District 3
Chris McCandless, District 4
Steve Fairbanks, At-large
Linda Martinez Saville, At-large
Stephen P. Smith, At-large

Tuesday, November 14, 2017

5:15 PM

Council Chambers

Web address to view complete packet: <http://sandyutah.legistar.com>

The Sandy City Council has adopted Rules of Procedure which are available at the rear of the Council Chambers and online at: <http://sandy.utah.gov/government/city-council/procedure-guidelines.html>. Public comments during the Citizen Comment portion of the City Council meeting, or those offered during a Public Hearing may not exceed 3 minutes. If you wish to comment on a public hearing item(s), please hold your comments until that item is being discussed. Work Session items may or may not occur prior to 7:00 PM. Items not concluded during the Work Session will occur in the regular Council Meeting at the conclusion of other official business. Consent Calendar items have been previously considered or are otherwise routine in nature and will be considered in a single motion unless a Council Member wishes to discuss an item separately. In compliance with the Americans with Disabilities Act, reasonable accommodations for individuals with disabilities will be provided upon request. For assistance, please call (801) 568-7141.

4:30 Dinner

5:15 Work Session

Agenda Planning Calendar Review

Council Member Business

Council Office Director's Report

Mayor's Report

CAO Report

Information Items

1. [17-297](#) Wasatch Front Waste and Recycling District presenting information on their request for a residential fee increase

Attachments:

[Request to Sandy City for WFWRD 2018 Fee Increase](#)

[Wasatch Front Waste and Recycling Fee Increase 2018 Draft Resolution](#)

2. [17-309](#) Administration recommending the City Council take an opportunity to interview possible Administrative Hearing Officer, Dan McDonald

Attachments: [Hearing Officer](#)

3. [17-310](#) Administration updating the Council on the recodification of City Code

Attachments: [Legal Review City Responses](#)
[Memo on Project](#)
[New Table of Content](#)

4. [17-302](#) Redevelopment Agency of Sandy City 2017 Annual Report

Attachments: [2017 Annual Report \(11.1.2017\) Final](#)

7:00 Council Meeting

Roll Call

Opening Remarks / Prayer / Pledge of Allegiance

Special Recognition

5. [17-305](#) Sandy City Fire Department Badge Pinning and Swearing in Ceremony

Citizen Comments

Consent Calendar

6. [17-300](#) Approval of the October 17, 2017 Minutes.

Attachments: [October 17, 2017 Minutes.pdf](#)

7. [17-307](#) City Council requesting to amend their annual meeting schedule by adopting Resolution 17-60C, canceling the November 28, 2017, December 5, 2017, and December 26, 2017 meetings.

Attachments: [17- 60 C cancel 11 28,12 5 and 12 26 17 meetings.pdf](#)

Council Items

8. [17-304](#) Administration recommending the Council consent to appointment of Dan McDonald as the hearing officer for reasonable accommodation requests for group homes for disabled persons.

Attachments: [Resolution 17-57C.pdf](#)

9. [CODE-09-17-5305](#) The Sandy City Community Development Department has filed a request to amend Title 15A, Chapter 11, Home Occupations, Land Development Code, Revised Ordinances of Sandy City, 2008.

Attachments: [CC Staff Report.pdf](#)
[Exhibit A.pdf](#)
[Exhibit B.pdf](#)
[Exhibit C.pdf](#)
[PC10-19-2017 - draft.pdf](#)

10. [CODE-09-07-5306](#) The Sandy City Community Development Department has filed a request to amend Title 15A, Chapter 11, Mobile Food Businesses, Land Development Code, Revised Ordinances of Sandy City, 2008.

Attachments: [CC Staff Report.pdf](#)
[Exhibit A.pdf](#)
[Exhibit B.pdf](#)
[Exhibit C.pdf](#)
[PC10-19-2017 draft.pdf](#)

11. [CODE-9-16-5131](#) Code Amendment - Development Agreements, Amend Title 15A, Chapter 02, General Provisions, Land Use Development Code, Revised Ordinances of Sandy City, 2008

Attachments: [original staff report and PC minutes](#)
[Ordinance 17-27 with PC Exhibit and Alternate Exhibit](#)

12. [17-278](#) Finance Department recommending the City Council adopt Resolution #17-51C increasing total appropriations within the Equipment Management Fund.

Attachments: [17-51](#)

13. [17-279](#) Finance Department recommending the City Council adopt Resolution #17-52C increasing total appropriations and reappropriating unexpended funds within the Capital Project Funds

Attachments: [17-52](#)

14. [17-280](#) Finance Department recommending the City Council adopt Resolution #17-53C increasing total appropriations and reappropriating unexpended funds within the Special Revenue Funds

Attachments: [17-53](#)

15. [17-281](#) Finance Department recommending the City Council adopt Resolution #17-54C increasing total appropriations and reappropriating unexpended funds within the Proprietary Funds

Attachments: [17-54](#)

16. [17-298](#) Finance Department recommending the City Council adopt Resolution #17-59C amending the Sandy City Fee Schedule for Fiscal Year 2017-18

Attachments: [17-59C Fee Schedule change](#)

17. [17-306](#) Recess of the City Council and convene a meeting of the Sandy City Redevelopment Agency

Attachments: [RDA Packet](#)

Completion of reports and other items not held in the Work Session.

Adjournment



Staff Report

File #: 17-297, **Version:** 1

Date: 11/14/2017

Agenda Item Title:

Wasatch Front Waste and Recycling District presenting information on their request for a residential fee increase

Presenter: Pam Roberts

Description/Background:

Request Authorization of the District's 2018 Residential Fee Increase from \$14.75 per month to \$17.00 per month and a new fee for more than one recycling can in the amount of \$3.00 per can/per month. The fee for more than one garbage can will also increase from \$15.00 per month to \$17.00 per month.

Further action to be taken:

This item will be brought back to the City Council on November 21st for deliberation and a vote.



**Administrative Control
Board Members**

Craig Tischner, Chair
Herriman City Council

Steve Gunn, Vice Chair
Holladay City Council

Jim Brass
Murray City Council

Dama Barbour
Taylorsville City Council

Scott Bracken
Cottonwood Heights City
Council

Kris Nicholl
Sandy City Council

Dwight Marchant
Millcreek City Council

Kelly Bush
Kearns Metro Township
Council

Brint Peel
Magna Metro Township
Council

Sean Clayton
Copperton Metro Township
Council

Robert Paine
Emigration Canyon
Metro Township Council

Kay Dickerson
White City Metro Township

Jenny Wilson
Salt Lake County Council

Jim Bradley
Salt Lake County Council

Administration

Pam Roberts, MPA
Executive Director
proberts@wasatchfrontwaste.org
385-468-6342
604 West 6960 South
Midvale UT 84047

October 27, 2017

Chris McCandless, Chair Sandy City Council
10000 Centennial Pkwy
Sandy, Utah 84070

RE: Request Authorization of the District's 2018 Residential Fee Increase from \$14.75 per month to \$17.00 per month and a new fee for more than one recycling can in the amount of \$3.00 per can/per month. The fee for more than one garbage can will also increase from \$15.00 per month to \$17.00 per month.

Dear Honorable Chair and Sandy City Council;

I am writing to request the City Council's authorization for the District's Board to implement a fee increase to each homeowner in the District to be effective January 1, 2018. This request and fee increase relates to the City's annexed homes that are within the District boundaries. (Approximately 830 Homes)

The Administrative Control Board, of which Councilmember, Kris Nicholl, is currently serving, met on Monday, October 23, 2017 and tentatively adopted the Tentative 2018 Budget, which includes fee increases as listed above. The Board will hold a public hearing for public comment on Thursday, November 16, 2017 at 6:00 p.m. prior to the final budget adoption, which may occur that evening if there is no public comment.

As you may know, the District has in place certain measures that must be met to implement a fee increase to the basic service charges for our residents. Section 6.A. of the County Resolution also declares that "[a]n increase in a basic service charge will not be effective until it has been authorized by a majority of the governing bodies that have representation on the Board as reflected in letters, minutes, or other written confirmation."

Basic services are defined as weekly curbside waste and recycling collections, annual area cleanup, curbside Christmas Tree collections, central collections for glass and leaves, can repair/replacement and landfill vouchers.

Please see the following pages to illustrate the need to increase fees to our residents to sustain service levels and meet the waste and recycling needs of our community.

I appreciate your consideration on this request and I hope to gain your authorization of the 2018 basic fee increases. If you have any questions, please do not hesitate to contact me on my cell phone, 801-550-6324, or you can discuss the questions with the City's representative, Kris Nicholl. I would appreciate an affirmative confirmation of approval for increased fees for these services, from your Council.

Sincerely,

A handwritten signature in blue ink that reads "Pam Roberts". The signature is fluid and cursive, with the first name "Pam" being more prominent than the last name "Roberts".

Pam Roberts
Executive Director

cc: Mayor Tom Dolan

Wasatch Front Waste and Recycling District



2018 Proposed Rate Increase

GOALS 2018

- Meet State and County mandated services.
- Manage increased Costs.
 - Landfill Expenses
 - Maintenance Fees
 - Employee Pay and Benefits
 - Capital Assets
- Remain Competitive with Fee Structures.
- Meet Sustainability Goals.
- Work with needed Truck Replacement Schedules.
- Employee Recruitment and Retention.



Review of Services Provided for the Monthly Fees. Exceptions-Subscriptions Programs have Additional Fees.



**Weekly Garbage & Recycling Collection,
Subscription Green Waste & Curbside Glass**



Moving Box Pickup



Fall Leaf Pickup



**Glass Drop Off &
Subscription Curbside**



**Broken Can
Replacement**



Trailer Rental



Curbside Collection



Area Cleanup

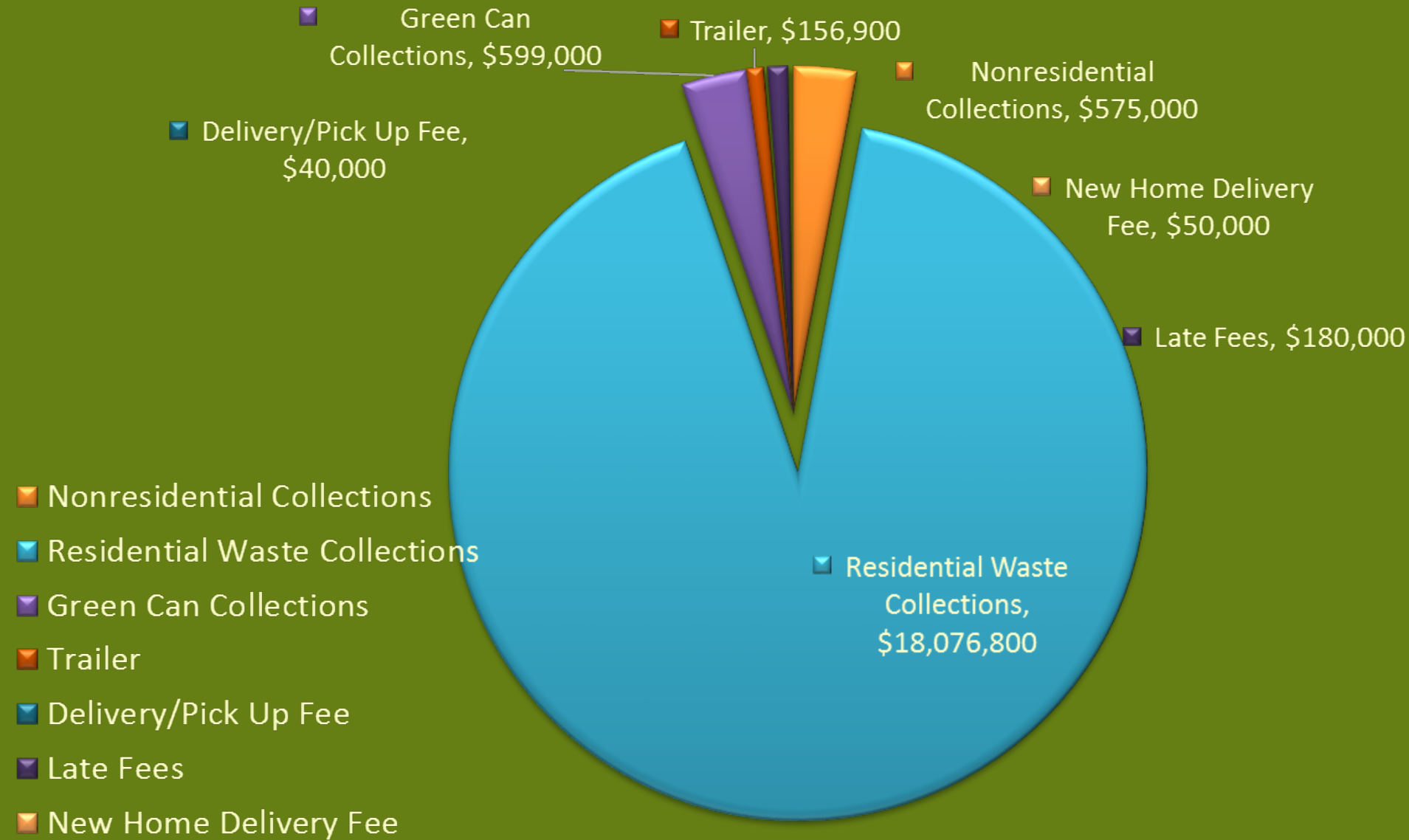


604 West 6960 South, Midvale, Utah 84047 • wasatchfrontwaste.org

Office: 385.468.6325 • info@wasatchfrontwaste.org

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November 14, 2017

REVENUES BY SERVICE



Overview of the needed fee increases for WFWRD Services

Currently WFWRD's revenue base is growing by about 1% per year with in new homes being built; while expenses increase about 3% per year. In addition, Capital Purchases are almost fully covered by cash reserves.

The District has several expenses that are not within staff's control, primarily fuel, landfill fees, the recycling market and related fees for processing, maintenance costs, etc.

In anticipation of inevitable increased costs and a desire to keep rates as low as possible, staff have made significant organizational changes over the past decade, and most recently the following:

- Re-structure collection routes to gain efficiencies in 2014, 2016 and 2017.
- In 2017 and going forward, decreased the Capital Replacement budget limiting replacement purchases to 6 per year and extending the life of WFWRD sideload collection trucks to 5-6 years.
- Decreased the OPEB obligation (Other Post-Employment Benefits) that were transferred to existing County employees at separation.
 - The eligibility for this benefit will not be granted to current eligible employees who retire after July 1, 2019.

The standard business practice has been to rely on cash reserves to support the capital expenses for the District. **In 2017 and going forward the fund balance is used to balance the Budget and cover operational expenses as well as capital replacement purchases.**

The District operates on user fees, the billing cycles have a lag time between rate implementation and billing time, and the actual time it takes to receive the cash.

Cash projections show that if we allow cash balances to get too low, the time it takes to replenish cash balances, puts the District in a difficult position and makes it difficult to "catch up" in terms of financial footing.

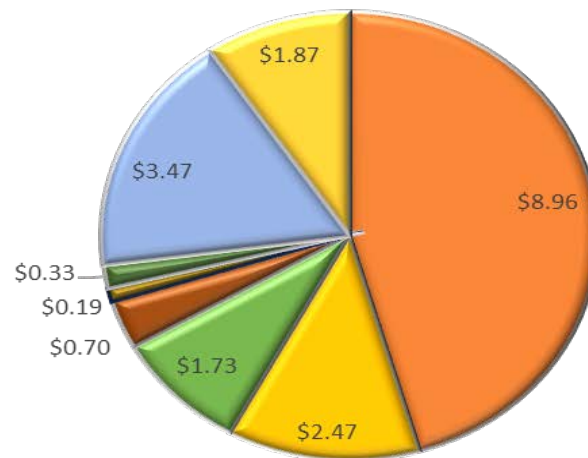
Options: Increase user rates and restructure. Reduce or eliminate services.

Proposed Residential Rates:

Service	Current Rate Per Month	Proposed Rate Per Month	Number of Customers	Projected Additional Revenue
Residential + \$2.25	\$14.75	\$17.00	82,600	\$2,230,200
2nd Can + \$2	\$15.00	\$17.00	6,600	\$237,600
Each 2nd Recycle Can + \$3	\$0.00	\$3.00	Pending Inventory	\$?

Increases in Proposed user rates include increases in contract HOAs. Big Cottonwood Canyon Residents would be exempt due to no curbside services provided.

Services Cost per Resident Per Month



Curbside Garbage	\$ 8.96
Recycling	\$ 2.47
Area Cleanup	\$ 1.73
Cart Program	\$ 0.70
Fleet Management	\$ 0.19
Operational/Internal Services	\$ 0.33
Administrative Services	\$ 3.47
Capital	\$ 1.87
	<hr/>
	\$ 19.72

- Curbside Garbage
- Recycling
- Area Cleanup
- Cart Program
- Fleet Management
- Operational/Internal Services
- Administrative Services
- Capital

Updated to include fee increases at the SL Valley Transfer Station, \$1.50 per ton (\$31.35 to 32.85), Green Waste processing fee increase \$1.00 per ton (\$16.00 to \$17.00), and realized additional maintenance costs related to aging trucks.

Wasatch Front Waste and Recycling District Cash Projections as of 10-26-17

DRAFT

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
\$2.25 in 2018 + Add'l Increases										
Monthly Base Rate	\$12.75	\$14.75			\$14.75	\$17.00	\$17.00	\$17.00	\$17.00	\$17.00
	2013	2014	2015	2016	2017 (Projected)	2018	2019	2020	2021	2022
Cash Delay the First Year						-610,000				
Ending/Beginning Cash Balance	\$15,754,753	\$15,739,605	\$14,794,523	\$10,394,895	\$9,529,638	\$8,501,117	\$7,960,817	\$7,568,790	\$6,697,328	\$5,367,040
Truck Sales	941,420	1,370,289	1,100,256	1,623,109	200,000	500,000	500,000	500,000	500,000	500,000
Total Cash Revenues	16,588,933	17,886,203	15,668,419	18,141,272	18,175,702	19,911,600	20,726,816	20,934,084	21,143,426	21,354,860
Budgeted Operational Expenditures	15,451,130	17,898,830	17,271,501	18,090,033	19,258,604	22,474,500	21,765,361	22,418,470	23,090,085	23,784,305
Less Non-Cash Depreciation Less Other Non-Cash Events (OPEB/Accruals)	(1,981,487)	(1,933,147)	(1,606,179)	(1,810,884)	(1,428,881)	(1,958,800)	(2,017,564)	(2,078,091)	(2,140,434)	(2,204,647)
						(1,417,600)	(77,554)	(80,833)	(83,137)	(87,967)
Adjusted Expenses	13,469,643	15,965,683	15,665,322	16,279,149	17,829,723	19,098,100	19,670,243	20,259,546	20,866,514	21,491,691
Capital	(3,134,438)	(2,865,602)	(4,402,725)	(4,031,124)	(1,574,500)	(1,853,800)	(1,948,600)	(2,046,000)	(2,107,200)	(2,046,000)
Restricted-Annual OPEB	124,014	96,084	87,859	77,889	77,829	82,738	85,166	87,864	89,538	93,761
Accumulated Opeb as Reserve	\$544,570	\$640,654	\$640,654	\$806,528	\$884,357	\$967,095	\$1,052,261	\$1,140,125	\$1,229,663	\$1,323,424
Customers					82,600	82,600	83,426	84,260	85,103	85,954
Ending Cash Balance	\$15,739,605	\$14,794,523	\$10,394,895	\$9,529,638	\$8,501,117	\$7,960,817	\$7,568,790	\$6,697,328	\$5,367,040	\$3,684,209
Ending Working Balance (after OPEB)	\$15,195,035	\$14,153,869	\$9,754,241	\$8,723,110	\$7,616,760	\$6,993,722	\$6,516,529	\$5,557,203	\$4,137,377	\$2,360,785
Without Increases in 2018										
Monthly Base Rate	\$12.75	\$14.75			\$14.75	\$14.75	\$14.75	\$14.75	\$14.75	\$14.75
Cash Balances					Monthly Rate Increase	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	2013	2014	2015	2016	2017 (Projected)	2018	2019	2020	2021	2022
Ending/Beginning Cash Balance	\$15,754,753	\$15,739,605	\$14,794,523	\$10,394,895	\$9,529,638	\$8,501,117	\$6,103,017	\$3,218,512	-\$170,353	(\$4,043,219)
Truck Sales	941,420	1,370,289	1,100,256	1,623,109	200,000	500,000	500,000	500,000	500,000	500,000
Total Cash Revenues	16,588,933	17,886,203	15,668,419	18,141,272	18,175,702	18,053,800	18,234,338	18,416,681	18,600,848	18,786,856
Budgeted Operational Expenditures	15,451,130	17,898,830	17,271,501	18,090,033	19,258,604	(22,474,500)	(21,765,361)	(22,418,470)	(23,090,085)	(23,784,305)
Less Depreciation	(1,981,487)	(1,933,147)	(1,606,179)	(1,810,884)	(1,428,881)	1,958,800	2,017,564	2,078,091	2,140,434	2,204,647
Less Non-Cash Events						1,417,600	77,554	80,833	83,137	87,967
Adjusted Expenses	13,469,643	15,965,683	15,665,322	16,279,149	17,829,723	(19,098,100)	(19,670,243)	(20,259,546)	(20,866,514)	(21,491,691)
Capital	(3,134,438)	(2,865,602)	(4,402,725)	(4,031,124)	(1,574,500)	(1,853,800)	(1,948,600)	(2,046,000)	(2,107,200)	(2,046,000)
Projected Final Cash Balance before OPEB	15,739,605	14,794,523	10,394,895	9,529,638	8,501,117	6,103,017	3,218,512	(170,353)	(4,043,219)	(8,294,054)
Restricted-Opeb	124,014	96,084	87,859	77,889	77,829	82,738	85,166	87,864	89,538	93,761
Accumulated Opeb as Reserve	124,014	220,098	307,957	\$806,528	884,357	967,095	1,052,261	1,140,125	1,229,663	1,323,424
Revenue generated through increases						-	-	-	-	-
Customers					82,600	82,600	83,426	84,260	85,103	85,954
Ending Cash Balance	\$15,737,221	\$14,794,523	\$10,394,895	\$9,529,638	\$8,501,117	\$6,103,017	\$3,218,512	(\$170,353)	(\$4,043,219)	(\$8,294,054)
Ending Working Balance (after OPEB)	\$15,615,591	\$14,574,425	\$10,086,938	\$8,723,110	\$7,616,760	\$5,135,922	\$2,166,251	(\$1,310,478)	(\$5,272,882)	(\$9,617,478)

The District's Administrative Control Board has set a policy to have a 20% year-end cash balance. The 20% is based upon budgeted revenues and it is to ensure that the District remains solvent and sustain a debt free status.



Thank you!

Sincerely,
Future Generations

**A RESOLUTION AUTHORIZING PROPOSED FEE INCREASES AND NEW FEES FOR
THE WASATCH FRONT WASTE AND RECYCLING DISTRICT, TO BE EFFECTIVE
JANUARY 1, 2018**

WHEREAS, the Sandy City Council (“*Council*”) met in regular meeting on November 21, 2017, to consider, among other things, authorizing a proposed fee increase for the Wasatch Front Waste and Recycling District (“*the District*”), to be effective January 1, 2018; and

WHEREAS, the District is empowered by Utah Code Ann. § 17D-1-101 et seq. and by Salt Lake County Resolution Number 4670, November 20, 2012, to provide garbage collection and recycling services within the boundaries of the District; and

WHEREAS, Sandy City and its residents are within the boundaries of the District, and the Sandy residents receive services from the District; and

WHEREAS, the County Resolution 4670 provides that an increase in the District’s service charges is not effective until a majority of the legislative bodies of those local governments located within the District have authorized an increase in charges; and

WHEREAS, Salt Lake County Resolution Number 5100 amended County Resolution 4670 provides “[a]n increase in a basic service charge will not be effective until it has been authorized by a majority of the governing bodies that have representation on the Board as reflected in letters, minutes, or other written confirmation;” and

WHEREAS, the Council has determined that this resolution constitutes “other written confirmation” as contemplated by County Resolution 5100; and

WHEREAS, the District has recommended increases to the current fees by the District as follows:
(i) The base fee to be increased from \$14.75 to \$17.00 per month, an increase of \$2.25 per month,
(ii) the fee for each additional garbage can to be increased from \$15.00 to \$17.00 per month, an increase of \$2.00 per month, (iii) a new fee for each additional recycling can to be charged in the amount of \$3.00 per month, (iv) all such fee increases and/or new fees are to be effective January 1, 2018; and

WHEREAS, the Council finds that the New Fees are reasonable and justified.

NOW THEREFORE, BE IT RESOLVED, that the Sandy City Council hereby authorizes the new fees to be enacted and to take effect upon the 1st day of January 2018, as follows:

- 1. The base fee to be increased from \$14.75 to \$17.00, an increase of \$2.25 per month**
- 2. The fee for each additional garbage can to be increased from \$15.00 to \$17.00, an increase of \$2.00 per month**
- 3. A new fee for each additional recycling can to be charged in the amount of \$3.00 per month**

PASSED AND ADOPTED THIS 21ST DAY OF NOVEMBER, 2017.

Chris McCandless, Chairman
Sandy City Council

ATTEST:

City Recorder



Staff Report

File #: 17-309, **Version:** 1

Date: 11/14/2017

Agenda Item Title:

Administration recommending the City Council take an opportunity to interview possible
Administrative Hearing Officer, Dan McDonald

Presenter: Shane Pace

ORDINANCE #17-14

AN ORDINANCE AMENDING TITLE 15A OF THE REVISED ORDINANCES OF SANDY CITY (THE LAND DEVELOPMENT CODE), 2008, BY AMENDING CHAPTER 3, "OFFICERS, BOARDS AND COMMISSIONS", AND CHAPTER 11, "SPECIAL USES" TO MODIFY THE PROCESS FOR A REASONABLE ACCOMMODATION BY ADDING PROVISIONS FOR SELECTING A HEARING OFFICER, INSTEAD OF THE PLANNING COMMISSION, TO REVIEW THIS TYPE OF APPROVAL; 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, by amending Chapter 3, "Officers, Boards and Commissions", and Chapter 11, "Special Uses" to modify the process for requesting a reasonable accommodation by adding provisions for selecting a hearing officer, instead of the Planning Commission, to review this type of approval; and

WHEREAS, the Planning Commission held a public hearing on April 20, 2017 which meeting was preceded by notice by publication in the Salt Lake Tribune on April 6, 2017, and by posting in Sandy City Hall, the Sandy City Parks & Recreation Building, on the Sandy City Website - <http://www.sandy.utah.gov>, and the Utah Public Notice Website - <http://pmn.utah.gov> on March 31, 2017; 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 May 2, 2017 to consider adoption of the proposed amendment, which meeting was preceded by publication in the Salt Lake Tribune, on April 6, 2017, and by posting in Sandy City Hall, the Sandy City Parks & Recreation Building, on the Sandy City Website - <http://www.sandy.utah.gov>, and the Utah Public Notice Website - <http://pmn.utah.gov>, on March 31, 2017; and

WHEREAS, the City Council has been given specific authority in Title 10, Chapter 9a, Utah Code Ann. (2012) 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. where by 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.

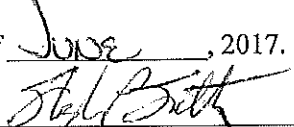
NOW, THEREFORE, BE IT ORDAINED by the City Council of Sandy City, State of Utah, as follows:

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

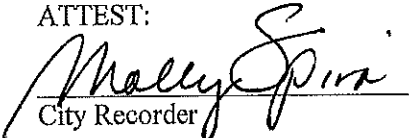
Section 2. Severable. If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance 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 13th day of June, 2017.

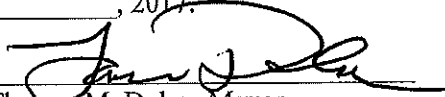

Stephen P. Smith, Chairman
Sandy City Council

ATTEST:

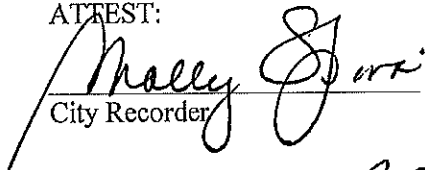

City Recorder

PRESENTED to the Mayor of Sandy City for his approval this 16th day of June, 2017.

APPROVED this 16th day of June, 2017.


Thomas M. Dolan, Mayor

ATTEST:


City Recorder

PUBLISHED this 21st day of June, 2017.



Exhibit "A"

15A-03-04 Appeal Authorities

A. Board of Adjustment

1. **Purpose.** In order to provide for just and fair treatment in the administration of local land use ordinances and to ensure that substantial justice is done, a Board of Adjustment has been created to exercise the powers and duties provided hereafter.
2. **Creation and Membership.** The Board of Adjustment shall consist of five regular members and two alternate members.
 - a. The Mayor shall appoint the members and alternate members with the advice and consent of the City Council for a term of five years.
 - a. The Mayor shall appoint regular members of the Board of Adjustment to terms so that the term of one member expires each year. The Mayor shall appoint alternate members in such a manner that at least a two and one-half year gap will exist between term expirations.
 - b. One member of the Planning Commission shall be appointed semi-annually by the Commission to serve as the Commission's liaison to the Board of Adjustment. Such Planning Commission member shall have the right to attend all meetings of the Board of Adjustment, take part in all discussions but shall not vote on the Board of Adjustment decisions. Notwithstanding, the Commission's liaison to the Board of Adjustment shall not take part in discussions or decisions on conditional use permit appeals. (Ord 16-15, Amended 3-28-2016)
 - c. One member of the City Council shall be appointed semi-annually by the Planning Commission to serve as the Council's liaison to the Board of Adjustment. Such Council member shall have the right to attend all meetings of the Board of Adjustment, take part in all discussions but shall not vote on the Board of Adjustment decisions.
 - d. All members and alternate members of the Board of Adjustment shall be residents of the City. Any member or alternate member of the Board of Adjustment relocating their primary residence outside the limits of the City shall resign their appointment within 30 days prior to their relocation, if possible.
 - e. Alternate members are to serve in the absence of members of the Board of Adjustment upon request of the chairman. Alternate members are to attend all meetings of the Board of Adjustment. The chairman shall establish a service rotation system which provides that alternate members serve on the Board approximately the same amount.
 - f. Members of the Board of Adjustment may be removed as established by the City's Administrative and Legislative Codes.
 - g. Vacancy on the Board of Adjustment:

- (1) The Mayor, with the advise and consent of the City Council, shall fill any vacancy.
- (2) The person appointed shall serve for the unexpired term of the member or alternate member whose seat was vacated.

3. **Procedures.**

- a. Organize and elect a chairman.
- b. Adopt rules that comply with all applicable State statutes and City ordinances.
- c. Meet at the call of the chair and at any other times that the Board of Adjustment determines.
- d. Have the chair, or in the absence of the chair, the acting chair may administer oaths and compel the attendance of witnesses.
- e. Conduct its meetings in compliance with the requirements of State statutes and City ordinances concerning the keeping of minutes, recording of votes, and absences.
- f. Hear a request for a variance or appeal. Three members constitute a quorum of the Board of Adjustment and a concurring vote is necessary to grant a variance or to overturn a decision on an appeal.
- g. Make decisions on scheduled agenda items. Decisions of the Board of Adjustment become effective at the meeting in which the decision is made unless a different time is designated in the Board's rules or at the time the decision is made.

4. **Powers and Duties.** The Board of Adjustment shall hear and decide:

- a. Requests for variances from the terms of the land use ordinance as specifically delegated to it by this Code or referred to it by the Director.
- b. Appeals from decisions applying the land use ordinance except those appeals specifically delegated in this Code to be heard by an alternate appeal authority.
- a. Other matters as established by the City Council.

- B. **Administrative Officer.** The Director is designated as an appeal authority for the purpose of reviewing and deciding:
1. Requests for minor variances.
 2. Other matters as established by the City Council. (Ord 16-15, Amended 3-28-2016)
- C. **Hearing Officer.** A Hearing Officer, as appointed by the Mayor, is designated as an appeal authority for the purpose of reviewing and deciding requests for reasonable accommodations.

15A-11-08 Residential Facility for Elderly Persons or for Persons with a Disability

- A. **Purpose.** The purpose of this Section is to:

1. Comply with Utah Code Annotated.
2. Avoid discrimination in housing against persons with disabilities pursuant to the Utah Fair Housing Act and the Federal Fair Housing Act, as interpreted by courts whose decisions are binding in Utah. This Section is not a separate zone for such facilities, but applies to all residential zones within Sandy City. If any facility, residence, congregate living, or other housing arrangement meets the definition of a residential facility for elderly persons or a residential facility for persons with a disability as set forth in this Title, the requirements of this Chapter shall govern the same, notwithstanding any conflicting provision of this Title or the Revised Ordinances of Sandy City. Except as provided herein, the requirements of this Chapter shall not be construed to prohibit or limit other applicable provisions of this Title, the Revised Ordinances of Sandy City, or other local, County, State, or Federal laws.

B. **Permitted Uses**

1. **Permitted Uses.** Notwithstanding any contrary provision of this Title, a residential facility for elderly persons and a residential facility for persons with a disability shall be permitted uses in any zone where a dwelling is allowed as a permitted or conditional use subject to the development standards in paragraph D of this Section.
2. **Termination.** A use permitted by this Section is non-transferable and shall terminate if:
 - a. The facility is devoted to a use other than a residential facility for elderly persons or a residential facility for persons with a disability.
 - b. Any license or certification issued by the Utah Department of Health or the Department of Human Services for such facility terminates or is revoked.
 - c. The facility fails to comply with requirements set forth in this Chapter.

C. **Review Process.** In addition to other information required by the Revised Ordinances of Sandy City, Utah, 1978, the following information must be submitted with the business license application for a residential facility. Additional information may be requested to aid in that review.

1. A statement of the specific type of facility (as defined by State regulations) the applicant seeks to operate and by which State agency it is regulated.
2. The number of residents and resident staff who will live at the residential facility.
3. The complete name of the business, the type of business entity and whether the business is a for-profit or non-profit organization.
4. The typical or average length of stay of the residents.

D. **Development Standards.** The development standards set forth in this Section shall apply to any residential facility for elderly persons or residential facility for persons with a disability.

1. **Building, Safety, and Health Regulations.** The facility shall comply with building, safety, and health regulations applicable to similar residential structures within the residential zone in which the facility is located.
 - a. Each facility shall be subject to the same development standards applicable to similar residential structures located in the same zoning district in which the facility is located.
 - b. The minimum number of parking spaces required for a facility shall be the same as for similar structures located in the same zoning district in which the facility is located.
2. **No Dangerous Persons Permitted.** No facility shall be made available to an individual whose tenancy would:
 - a. Constitute a direct threat to the health or safety of other individuals.
 - b. Result in substantial physical damage to the property of others.
3. **Day Treatment and Outpatient Treatment.** Any such facility may seek an approval from the Planning Commission which would allow Day Treatment and/or Outpatient Treatment if the following measures have been taken to ensure the facility will not alter the fundamental character of the neighborhood:
 - a. The facility has direct access to an arterial or major collector street, with no access permitted to any minor collector or local street.
 - b. The facility is located on the same block or within 800 feet of an Institutional Care Facility.

- c. The facility has enough off-street parking to accommodate each staff member, van/carpool parking, and each outpatient client.
 - d. All day treatment clients are transported to the Residential Facility for Disabled Persons from a separate facility using a van/carpool.
 - e. The maximum number of day and outpatient treatment clients will not exceed eight at any one time as permitted by the Building & Safety Code.
 - f. The facility is licensed for all three different activities by both the City and the State.
 - g. The facility meets all Building, Fire, and Life Safety Codes.
 - h. Any approval is subject to periodic review or review upon legitimate complaint. If upon review, the facility is found to be out of compliance with these criteria, the approval may be revoked. (Ord 10-04, Amended 2-19-2010)
4. **Prohibited.** A residential facility for persons with a disability that would likely create a fundamental change in the character of a residential neighborhood is not allowed.
- E. **License and Certification.** Prior to occupancy of any facility, the person or entity operating the facility shall:
- 1. **State License.** Provide to the City a copy of any license or certification required by the Utah State Department of Health or the Utah State Department of Human Services, including any policies and procedures that are required under state law.
 - 2. **Certification Requirements.** Certify in a sworn statement that no person will reside or remain in the facility whose tenancy would:
 - a. Constitute a direct threat to the health or safety of other individuals.
 - b. Result in substantial physical damage to the property of others.
 - 3. **City License.** Obtain a Sandy City Business License, if required.
 - 4. **Compliance/Renewal.** Any such facility must comply with all Federal, State, County, and City regulations. At the time of renewal, the applicant must provide copies of all necessary certifications/recertifications or licenses as required by State regulations.
- F. **Accommodation Request.**
- 1. **Reasonable Accommodation Required.** In accordance with the Americans with Disabilities Act, the Fair Housing Act, Fair Housing Amendments Act and applicable law, none of the requirements of this Chapter shall be interpreted to limit any accommodation which is reasonable and necessary to allow the establishment or occupancy of a residential facility for persons with a disability.

2. **Request for Accommodation.** Any person or entity may request an accommodation after being informed that an existing or proposed: (i) residential facility for persons with a disability; or (ii) business license application or building permit application for a residential facility for persons with a disability, does not comply with the requirements of the Development Code of Sandy City. The application and required fees shall be submitted to the Director, shall articulate in writing the nature of the requested accommodation and the basis for the request, and shall include all other information relevant to the request. The requested accommodation must relate to the use of the property so that it may be enjoyed as other similarly situated properties.

G. **Review and Hearing Process.** A hearing officer with demonstrated experience as a hearing officer and knowledge of the Americans with Disabilities Act or Fair Housing Act, shall be appointed by the Mayor with the advice and consent of the City Council, to review the request for accommodation. Additional information may be requested by the hearing officer to aid in that review.

1. **Hearing Officer Scheduling of Hearing.** The hearing officer shall review the request for accommodation within ten days after receipt of the written request by the Director. The hearing officer shall determine whether additional information is needed from the Director, the person or entity making the request, or both.
 - a. If additional information is needed, the hearing officer shall notify the Director and the person or entity making the request within twenty-one days after receipt of the written request by the Director. The Director and requesting person or entity shall have seven days to submit the requested information, or such reasonable additional time as approved by the hearing officer. The hearing officer shall determine within three days after receipt of additional information whether the submission is responsive to the hearing officer's request.
 - b. If no additional information is needed or if the hearing officer receives the requested additional information, the hearing officer shall schedule a hearing. The hearing officer shall provide written notice of the hearing date and time to the person or entity requesting the accommodation and the Director. Unless otherwise agreed to by the person or entity requesting the accommodation and the Director, the hearing officer shall hold the hearing within fourteen days after the hearing officer determines that all requested information has been received and no additional information is needed. Unless agreed upon by the person or entity requesting the accommodation and the Director, the hearing shall be held no more than forty-five days after receipt of the request by the Director. If the hearing officer has not received all requested information at that time, the hearing officer may continue the hearing or deny the request based on insufficient information.
2. **Findings.** The hearing officer shall make a determination and prepare written findings within seven days after the hearing.
 - a. At a minimum, the written findings shall address the following issues: (i) whether the requested accommodation(s) is reasonable; (ii) whether the requested accommodation is necessary for financial and therapeutic viability; (iii) whether the facility with the requested accommodation(s) is or is not likely to create a fundamental change in the character of the residential neighborhood; and (iv) other findings in support of the hearing officer's determination.

b. The hearing officer shall mail a copy of the written determination and findings to the Director and the person or entity requesting the accommodation along with a letter notifying the Director and the person or entity requesting the accommodation that the decision is final and may be appealed to a court of competent jurisdiction.

c. The hearing officer shall forward a copy of the decision to the Mayor, the City Recorder and the City Council.

3. **Appeal.** The determination of the hearing officer shall be final and may be appealed to a court of competent jurisdiction.

H. **Exemptions.** A Residential Facility for Persons with a Disability shall not include facilities which house persons who are violent, who are not voluntarily residing therein, or who are residing therein as a part of or in lieu of confinement, rehabilitation, or treatment in a correctional facility.

SANDY CITY CORPORATION
10000 CENTENNIAL PARKWAY
SANDY, UTAH 84070
DEPARTMENT OF FINANCE & INFORMATION TECHNOLOGY
DIVISION OF PURCHASING
JUNE 2017

REQUEST FOR PROPOSAL:

This is a formal solicitation for sealed proposals which will be reviewed privately to determine the functional requirements of the City are met. The City shall be the sole judge as to which proposal constitutes the "lowest and /or most responsible proposal." An award will be made after the appropriate approvals are received. Interviews may be conducted to assist with the final selection.

PROJECT TITLE: **HEARING OFFICER**

This is not an order

REQUIREMENTS:

Proposals must be received by the Purchasing Division, 10000 Centennial Parkway, Suite 330, Sandy, Utah 84070 no later than **2:00 p.m., Thursday, July 6, 2017.** Proposals should reflect the best and most competitive offers. However, Sandy City reserves the right to negotiate best offers prior to final award.

- Proposals received after the deadline will not be accepted.
- Proposals must be submitted in a sealed envelope that is clearly marked with "Sandy City Hearing Officer" on the front of the bid envelope with the offeror's name and address.
- See specifications attached.
- Submit (1) original and (3) copies of your proposal.

For further technical information, please contact Brian McCuiston at 801-568-7298.

THE RIGHT IS RESERVED TO REJECT ANY OR ALL PROPOSALS, TO WAIVE ANY INFORMALITY OR TECHNICALITY OR TO ACCEPT PROPOSALS DEEMED IN THE BEST INTEREST OF SANDY CITY CORPORATION. ALL PROPOSALS THAT MEET, EXCEED OR ARE COMPARABLE TO MINIMUM SPECIFICATIONS WILL BE ACCEPTED.

For Sandy City



Erica Langenfass
Purchasing Agent

SANDY CITY CORPORATION
HEARING OFFICER
JUNE 2017

I. INTENT OF SPECIFICATIONS:

It is the intent of these specifications to set forth the minimum acceptable requirements for the service described herein.

II. PROJECT DESCRIPTION:

As required to administer Section 15A-11-08 of the Development Code of Sandy City (attached), Sandy City is soliciting proposals from interested professional individuals or firms to provide Hearing Officer services for requests for reasonable accommodation for residential facilities for persons with a disability as defined by the Development Code of Sandy City.

It is anticipated that Sandy City will receive approximately 0 – 6 requests per year seeking a reasonable accommodation to allow the establishment or occupancy of a residential facility that does not fully comply with what is allowed by the Development Code of Sandy City. The most frequent types of hearings are anticipated to be requests for the number of occupants of a residential treatment, residential recovery or sober living facility to exceed the maximum number allowed by the Development Code of Sandy City.

The Hearing Officer will be a qualified individual who is not an officer, employee or agent of Sandy City and is responsible to understand the Development Code of Sandy City and the nature of the requested accommodation, evaluate written documents and written and oral evidence, conduct fair hearings, apply appropriate legal principles, and render fair and reasonable decisions responsive to the requests. The Hearing Officer should have prior experience with administrative hearing procedures, drafting written findings and decisions based on application of law, and familiarity with the Americans with Disabilities Act, Fair Housing Act and Fair Housing Amendments Act.

III. SUBMISSION OF PROPOSALS:

Proposals shall be submitted in a sealed envelope with the project title marked clearly on the face of the envelope/container. In order to be considered for award, the offeror must complete all requirements and submit the same on or before the specified date and time for the proposal submittal. Proposals received after the stated deadline will not be accepted.

IV. PROPOSAL SHEET:

All prices and notations shall be printed in ink or typewritten. No erasures will be permitted. Errors made that are crossed out and corrections printed in ink or typewritten adjacent to the original figure shall be initialed in ink by the signer of the proposal.

V. SIGNATURE ON PROPOSAL DOCUMENT:

The proposal must be signed by an authorized representative of the company named thereon. The signature on this proposal shall be interpreted to signify the vendor's intent to comply with all the terms, conditions and specifications set forth in this solicitation, unless specific exceptions are noted on the face of the proposal.

VI. PROPOSAL EVALUATION CRITERIA:

The City shall be the sole judge as to which proposal constitutes the "lowest and/or most responsible offer". Proposals will be evaluated based on the following criteria:

- Price
- Prior hearing officer experience and prior experience acting as a hearing officer for requests for reasonable accommodation for residential facilities for persons with a disability.
- Prior experience with the Americans with Disabilities Act, Fair Housing Act, Fair Housing Amendments Act and other laws as applicable to requests for reasonable accommodation for residential facilities for persons with a disability.
- References
- A statement that no conflict exists with providing hearing officer services for Sandy City
- Disclosure of any conflict or potential conflict
- Any other relevant information

VII. INSURANCE REQUIREMENTS:

Insurance will be required in accordance with Exhibit "A" attached to this request for proposal. Offerors should examine these insurance requirements and include Proof of Insurance certificates with the proposal. Failure to meet the insurance requirements may result in rejection of the proposal.

SPECIFICATIONS FOR HEARING OFFICER

Sandy City is seeking proposals from

A. Pricing Proposal

Compensation will be based on an hourly rate and paid directly from the City.

B. Contract Term

The City intends to award this contract for a one-year period, with the option to renew for (2) two additional one-year periods upon agreement of both parties.

C. Scope of Services

1. The Hearing Officer will conduct hearings pursuant to Section 15A-11-08 of the Development Code of Sandy City (attached).
2. Reasonable accommodation requests received by Sandy City in the past have included requests for more than four unrelated individuals to occupy a single family residence for the purpose of establishing or increasing occupancy of a residential facility for persons recovering from drug or alcohol addiction.
3. Section 15A-11-08 of the Development Code of Sandy City is only applicable to residential facilities for persons with a disability, as defined in the Development Code of Sandy City, and the Hearing Officer will conduct only hearings related to such facilities.
4. The Hearing Officer is responsible to familiarize him/herself with and understand the Development Code of Sandy City, Americans with Disabilities Act, Fair Housing Act, Fair Housing Amendments Act, related judicial decisions and all other applicable Federal, State and local law.
5. The Hearing Officer will be contacted by the Sandy City Director of Community Development or designee and provided available information when a request for reasonable accommodation is received pursuant to Section 15A-11-08 of the Development Code of Sandy City.
6. The Hearing Officer must be available to review information, request additional information, schedule the hearing, hold the hearing and issue a written decision within the required times as stated in Section 15A-11-08 of the Development Code of Sandy City. The length of time schedule for the actual hearing shall be as determined by the Hearing Officer.
7. The hearings should be conducted during normal business hours Monday through Friday from 8:00 am – 4:30 pm at Sandy City Hall but may be scheduled at other times

or locations if necessary to accommodate the person making the request and agreed upon by the Sandy City Director of Community Development.

8. The individual selected must be familiar and comfortable with conducting hearings that may include the applicant's or Sandy City's legal counsel, Sandy City staff and multiple applicant representatives.

9. The Hearing Officer shall provide fair hearings that provide the basic safeguard of due process.

10. The Hearing Officer is expected to maintain the confidentiality of all parties and witnesses and to protect all documents reviewed produced or otherwise available to the Hearing Officer in the secure manner.

11. Anticipated Hearing Officer tasks for each request may include, without limitation: (A) ask for all information from the person making the request and Sandy City that is needed to make a determination and ensure that the applicant and Sandy City have received all information received by the Hearing Officer; (B) read, understand and evaluate all information submitted by the person making the request and Sandy City; (C) read and understand applicable Sandy City laws and policies; (D) schedule a hearing; (E) conduct a hearing; (F) apply correct federal, state and local law to analyze all information received whether through documentation, orally at the hearing or otherwise, as deemed appropriate by the Hearing Officer; (G) make a determination and issue a written decision; (H) render a fair and reasonable decision responsive to the request for reasonable accommodation.

D. Selection Process

Upon receipt of proposals by the due date of 2:00 PM, Thursday, July 6, 2017, Sandy City will evaluate and rank the proposals. Interviews of potential vendors prior to selection may be held at the discretion of Sandy City. Once a final decision of the vendor is made, the candidate will be invited to finalize a contract with Sandy City.

E. Deadline – 2:00 PM, Thursday, July 6, 2017

Please address any questions and return your proposals to:

Erica Langenfass, Purchasing Agent
Sandy City Hall, Suite 330
10000 Centennial Parkway
Sandy, UT 84070
Email: elangenfass@sandy.utah.gov
Telephone: 801-352-4477

"EXHIBIT A"

INSURANCE AND INDEMNIFICATION REQUIREMENTS FOR PARTIES CONTRACTING WITH SANDY CITY FOR: HEARING OFFICER (2017)

Contracting party shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the contracting party, his agents, representatives, employees or subcontractors. The cost of such insurance shall be included in the Contracting party's proposal.

A. MINIMUM LIMITS OF INSURANCE

Contracting party shall maintain limits no less than:

1. **PROFESSIONAL LIABILITY** \$1,000,000 combined single limit per occurrence. For premises/operations, products, public display, bodily injury, personal injury and property damage. Limits apply to this service product individually.

B. DEDUCTIBLES AND SELF-INSURED RETENTIONS

Any deductibles or self-insured retention, exceeding 5% limit of policy, must be declared to and approved by Sandy City. At the option of Sandy City, either; the insurer may be required to reduce or eliminate such deductibles or self-insured retention as respects Sandy City, its officers, officials and employees; or the contracting party may be required to procure a bond guaranteeing payment of losses and related investigations, claim distribution and defense expenses.

C. NOTICE OF INCIDENT OR ACCIDENT

Contracting party shall agree to disclose to Sandy City, all incidents or occurrences of accident, injury, and/or property damage covered by the insurance policy or policies.

D. OTHER INSURANCE PROVISIONS

The policies are to contain, or be endorsed to contain, the following provisions:

1. General Liability and Automobile Liability Coverages

A. Sandy City, its officers, officials, employees and volunteers are to be covered as an additional insured as respects: liability arising out of activities performed by or on behalf of the contracting party; products and completed operations of the contracting party; premises owned, leased, hired or borrowed by the contracting party. The coverage shall contain no special limitations on the scope of protection afforded to Sandy City, its officers, officials, employees or volunteers.

B. The contracting party's insurance coverage shall be a primary insurance as respects to Sandy City, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by Sandy City, its officers, officials, employees or volunteers shall be in excess of the contracting party's insurance and shall not contribute with it.

C Any failure to comply with reporting provisions of the policies shall not affect coverage provided to Sandy City, its officers, officials, employees or volunteers.

D The contracting party's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respects to the limits of the

insurer's liability.

I. Workers' Compensation and Employers Liability Coverage

The insurer shall agree to waive all rights of subrogation against Sandy City, its officers, officials, employees and volunteers for losses arising from work performed by the contracting party for Sandy City.

III. All Coverage

Each insurance policy required by this clause shall be endorsed to state that coverage shall not be canceled by either party, except after thirty (30) days' prior written notice has been given to Sandy City, except for nonpayment of premium, in which case the insurer will provide 10 days notice.

E. ACCEPTABILITY OF INSURERS

Insurance and bonds are to be placed with insurers admitted in the State of Utah with a Bests' rating of no less than A-, IX, and in the limits as listed in this document, unless approved by the Director of Risk Management .

F. VERIFICATION OF COVERAGE

Contracting party shall furnish Sandy City with certificates of insurance and with original endorsements effecting coverage required by this clause. The certificates and endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificates and endorsements are to be furnished to and accepted by Sandy City before work commences. The City reserves the right to require complete, certified copies of all required insurance policies, with all endorsements, at any time.

G. SUBCONTRACTORS

Contracting party shall include all subcontractors as an insured under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

H. INDEMNIFICATION / LIABILITY

Contracting party shall indemnify and hold harmless the Customer, its officers, agents, employees and volunteers from all damages, costs or expenses in law or equity, including attorneys fee, that may at any time arise or be set up because of damages to property, bodily injury or personal injury received by reason of or in the course of providing services to the City but only to the extent caused by any willful, negligent or wrongful act or omission of the contracting party, any of their employees or any subcontractors.

15A-11-08 Residential Facility for Elderly Persons or for Persons with a Disability

A. Purpose. The purpose of this Section is to:

1. Comply with Utah Code Annotated.
2. Avoid discrimination in housing against persons with disabilities pursuant to the Utah Fair Housing Act and the Federal Fair Housing Act, as interpreted by courts whose decisions are binding in Utah. This Section is not a separate zone for such facilities, but applies to all residential zones within Sandy City. If any facility, residence, congregate living, or other housing arrangement meets the definition of a residential facility for elderly persons or a residential facility for persons with a disability as set forth in this Title, the requirements of this Chapter shall govern the same, notwithstanding any conflicting provision of this Title or the Revised Ordinances of Sandy City. Except as provided herein, the requirements of this Chapter shall not be construed to prohibit or limit other applicable provisions of this Title, the Revised Ordinances of Sandy City, or other local, County, State, or Federal laws.

B. Permitted Uses

1. **Permitted Uses.** Notwithstanding any contrary provision of this Title, a residential facility for elderly persons and a residential facility for persons with a disability shall be permitted uses in any zone where a dwelling is allowed as a permitted or conditional use subject to the development standards in paragraph D of this Section.
2. **Termination.** A use permitted by this Section is non-transferable and shall terminate if:
 - a. The facility is devoted to a use other than a residential facility for elderly persons or a residential facility for persons with a disability.
 - b. Any license or certification issued by the Utah Department of Health or the Department of Human Services for such facility terminates or is revoked.
 - c. The facility fails to comply with requirements set forth in this Chapter.

C. Review Process. In addition to other information required by the Revised Ordinances of Sandy City, Utah, 1978, the following information must be submitted with the business license application for a residential facility. Additional information may be requested to aid in that review.

1. A statement of the specific type of facility (as defined by State regulations) the applicant seeks to operate and by which State agency it is regulated.
2. The number of residents and resident staff who will live at the residential facility.

3. The complete name of the business, the type of business entity and whether the business is a for-profit or non-profit organization.
4. The typical or average length of stay of the residents.

D. Development Standards. The development standards set forth in this Section shall apply to any residential facility for elderly persons or residential facility for persons with a disability.

1. **Building, Safety, and Health Regulations.** The facility shall comply with building, safety, and health regulations applicable to similar residential structures within the residential zone in which the facility is located.
 - a. Each facility shall be subject to the same development standards applicable to similar residential structures located in the same zoning district in which the facility is located.
 - b. The minimum number of parking spaces required for a facility shall be the same as for similar structures located in the same zoning district in which the facility is located.
2. **No Dangerous Persons Permitted.** No facility shall be made available to an individual whose tenancy would:
 - a. Constitute a direct threat to the health or safety of other individuals.
 - b. Result in substantial physical damage to the property of others.
3. **Day Treatment and Outpatient Treatment.** Any such facility may seek an approval from the Planning Commission which would allow Day Treatment and/or Outpatient Treatment if the following measures have been taken to ensure the facility will not alter the fundamental character of the neighborhood:
 - a. The facility has direct access to an arterial or major collector street, with no access permitted to any minor collector or local street.
 - b. The facility is located on the same block or within 800 feet of an Institutional Care Facility.
 - c. The facility has enough off-street parking to accommodate each staff member, van/carpool parking, and each outpatient client.
 - d. All day treatment clients are transported to the Residential Facility for Disabled Persons from a separate facility using a van/carpool.
 - e. The maximum number of day and outpatient treatment clients will not exceed eight at any one time as permitted by the Building & Safety Code.
 - f. The facility is licensed for all three different activities by both the City and the State.

g. The facility meets all Building, Fire, and Life Safety Codes.

h. Any approval is subject to periodic review or review upon legitimate complaint. If upon review, the facility is found to be out of compliance with these criteria, the approval may be revoked. (Ord 10-04, Amended 2-19-2010)

4. **Prohibited.** A residential facility for persons with a disability that would likely create a fundamental change in the character of a residential neighborhood is not allowed.

E. **License and Certification.** Prior to occupancy of any facility, the person or entity operating the facility shall:

1. **State License.** Provide to the City a copy of any license or certification required by the Utah State Department of Health or the Utah State Department of Human Services, including any policies and procedures that are required under state law.

2. **Certification Requirements.** Certify in a sworn statement that no person will reside or remain in the facility whose tenancy would:

a. Constitute a direct threat to the health or safety of other individuals.

b. Result in substantial physical damage to the property of others.

3. **City License.** Obtain a Sandy City Business License, if required.

4. **Compliance/Renewal.** Any such facility must comply with all Federal, State, County, and City regulations. At the time of renewal, the applicant must provide copies of all necessary certifications/recertifications or licenses as required by State regulations.

F. **Accommodation Request.**

1. **Reasonable Accommodation Required.** In accordance with the Americans with Disabilities Act, the Fair Housing Act, Fair Housing Amendments Act and applicable law, none of the requirements of this Chapter shall be interpreted to limit any accommodation which is reasonable and necessary to allow the establishment or occupancy of a residential facility for persons with a disability.

2. **Request for Accommodation.** Any person or entity may request an accommodation after being informed that an existing or proposed: (i) residential facility for persons with a disability; or (ii) business license application or building permit application for a residential facility for persons with a disability, does not comply with the requirements of the Development Code of Sandy City. The application and required fees shall be submitted to the Director, shall articulate in writing the nature of the requested accommodation and the basis for the request, and shall include all other information relevant to the request. The requested accommodation must relate to the use of the property so that it may be enjoyed as other similarly situated properties.

G. **Review and Hearing Process.** A hearing officer with demonstrated experience as a hearing officer and knowledge of the Americans with Disabilities Act or Fair Housing Act, shall be

appointed by the Mayor with the advice and consent of the City Council, to review the request for accommodation. Additional information may be requested by the hearing officer to aid in that review.

1. **Hearing Officer Scheduling of Hearing.** The hearing officer shall review the request for accommodation within ten days after receipt of the written request by the Director. The hearing officer shall determine whether additional information is needed from the Director, the person or entity making the request, or both.

a. If additional information is needed, the hearing officer shall notify the Director and the person or entity making the request within twenty-one days after receipt of the written request by the Director. The Director and requesting person or entity shall have seven days to submit the requested information, or such reasonable additional time as approved by the hearing officer. The hearing officer shall determine within three days after receipt of additional information whether the submission is responsive to the hearing officer's request.

b. If no additional information is needed or if the hearing officer receives the requested additional information, the hearing officer shall schedule a hearing. The hearing officer shall provide written notice of the hearing date and time to the person or entity requesting the accommodation and the Director. Unless otherwise agreed to by the person or entity requesting the accommodation and the Director, the hearing officer shall hold the hearing within fourteen days after the hearing officer determines that all requested information has been received and no additional information is needed. Unless agreed upon by the person or entity requesting the accommodation and the Director, the hearing shall be held no more than forty-five days after receipt of the request by the Director. If the hearing officer has not received all requested information at that time, the hearing officer may continue the hearing or deny the request based on insufficient information.

2. **Findings.** The hearing officer shall make a determination and prepare written findings within seven days after the hearing.

a. At a minimum, the written findings shall address the following issues: (i) whether the requested accommodation(s) is reasonable; (ii) whether the requested accommodation is necessary for financial and therapeutic viability; (iii) whether the facility with the requested accommodation(s) is or is not likely to create a fundamental change in the character of the residential neighborhood; and (iv) other findings in support of the hearing officer's determination.

b. The hearing officer shall mail a copy of the written determination and findings to the Director and the person or entity requesting the accommodation along with a letter notifying the Director and the person or entity requesting the accommodation that the decision is final and may be appealed to a court of competent jurisdiction.

c. The hearing officer shall forward a copy of the decision to the Mayor, the City Recorder and the City Council.

3. **Appeal.** The determination of the hearing officer shall be final and may be appealed to a court of competent jurisdiction.

- H. **Exemptions.** A Residential Facility for Persons with a Disability shall not include facilities which house persons who are violent, who are not voluntarily residing therein, or who are residing therein as a part of or in lieu of confinement, rehabilitation, or treatment in a correctional facility.

Brian McCuistion - Sandy City Hearing Officer - Dan McDonald

From: Darien Alcorn
To: Brian McCuistion
Date: 7/20/2017 2:53 PM
Subject: Sandy City Hearing Officer - Dan McDonald
Attachments: 2017.07.20 Dan McDonald CV.pdf

>>> "dan@mcdonaldfielding.com" <dan@mcdonaldfielding.com> 7/20/2017 9:44 AM >>>

Darien:

Thank you for reaching out to me. I would be very interested in doing this and/or advising the City on reasonable accommodation issue. My law partner, Kyle Fielding, has represented and worked with Sand City for years and continues to do so, which makes me wonder whether I would have any type of conflict to serve as a hearing officer. I wouldn't think so as even a municipal employee could do so but it's something to consider.

My CV is attached. I typically charge \$300 per hour or negotiable flat fee, piece work. Let me know if you have any questions. Many thanks.

Dan

Dan McDonald

McDONALD|FIELDING, PLLC

The Mill at Dry Creek

175 W. Canyon Crest Road, Suite 205

Alpine, Utah 84004

Direct Dial: [801-610-0011](tel:801-610-0011)

Mobile: [801-372-0055](tel:801-372-0055)

www.mcdonaldfielding.com

----- Original Message -----

From: "Darien Alcorn" <DAicorn@SANDY.UTAH.GOV>

To: dan@mcdonaldfielding.com

Sent: 7/19/2017 5:16:29 PM

Subject: Sandy City Hearing Officer

Dear Mr. McDonald,

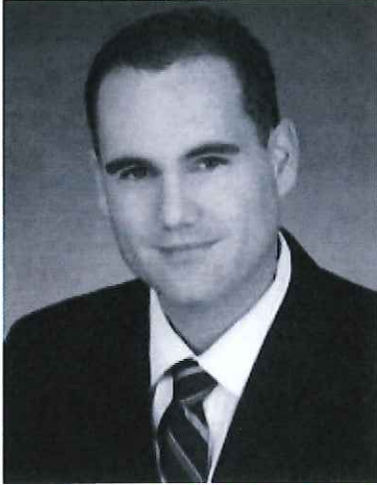
Sandy City recently adopted the attached provisions to its Land Development Code requiring a hearing officer to review information, hold a hearing and prepare written findings and determination for residential facilities for persons with a disability. We anticipate receiving from 0-5 requests for reasonable accommodation per year for residential treatment facilities that exceed the maximum number of unrelated individuals allowed to reside in a single family dwelling.

You were recommended by another municipal attorney as someone who may be interested in providing hearing officer services. If you would like to provide qualifications and rate, I will be happy to pass those along, or if you would like to discuss the possibility further, please feel free to contact me.

Thank you in advance for your consideration,

Darien Alcorn
Senior Civil Attorney
Sandy City
Tel: [801-568-7194](tel:801-568-7194)

The information contained in this electronic mail message may be confidential information and is intended only for the use of the individual or entity named above, and may be privileged. If the reader of this message is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone ([801-568-7176](tel:801-568-7176)) and delete the original message. This communication is not intended as an offer or acceptance. Except in certain instances where the sender represents Sandy City in a lawsuit, the sender lacks the authority to make an agreement on behalf of Sandy City, which can only be done by the mayor in a written agreement. If you have any questions about this, please promptly contact the sender. Thank you.



DAN MCDONALD

practice areas

Real Estate
Fair Housing / Group Homes
Civil Litigation
Business, Commercial, and Corporate Services

professional experience

Dan has broad real estate and business experience. For more than 17 years he has represented lenders and other financial institutions, businesses, local governments, associations, and individuals in hundreds of transactions, lawsuits, administrative proceedings and appeals. Prior to forming McDonald Fielding, he was the managing partner of Smith Hartvigsen, PLLC and a shareholder at Kirton McConkie, Utah's largest law firm. He has owned and operated his own title company and real estate development company.

His real estate experience includes acquisition and disposition of FDIC commercial loan portfolios, judicial and nonjudicial foreclosures, receiverships, commercial leasing (industrial/warehouse, office, and retail) and eviction, loan sales, loan restructuring and workouts, private money financing, mezzanine financing, title insurance coverage, escrow negligence, broker and agent defense, boundary disputes, Uniform Assignment of Rents Act, real estate acquisition and development, trespass and nuisance, land use and development, billboards, underground storage tanks, due diligence, acquisition and disposition of loan portfolios, owner's association disputes, Fair Housing Act and ADA compliance and liability, group homes and RTFs, easements, contract drafting and negotiations, RESPA compliance, DRE investigations and defense, and government relations. He is licensed in title and escrow by the Utah Department of Insurance.

Dan has handled Fair Housing Act, ADA, Rehabilitation Act, and 42 U.S.C. § 1983 cases throughout the western United States. He routinely gives training presentations to various groups of attorneys, cities, counties and governmental organizations throughout the western United States with regard to group homes and residential treatment facilities.

Dan has always had a busy general litigation practice, representing clients and trying cases in a broad variety of commercial disputes, including cases that involve business torts, breach of contract, breach of the implied covenant of good faith and fair dealing, director and officer liability, alter ego liability, referendums and initiatives, Fair Housing Act, ADA, 42 U.S.C. § 1983, disputed LLC or stock ownership,

shareholder's derivative actions, broker and agent defense, and insurance coverage disputes.

education

- Juris Doctor, J. Reuben Clark Law School, *cum laude*
- B.S., University of Utah, *cum laude*

honors, awards, & distinctions

- "Legal Elite," *Utah Business Magazine*, 2005 (Civil Trial Practice), 2008-2013 (Business Litigation and/or Real Estate), 2016 (Real Estate)
- President, Constitutional Law Section of the Utah State Bar Association, 2011-2012
- ABA National Trial Academy Certificate of Achievement, 2004
- Douglas H. Parker Award for Outstanding Performance in Jurisprudence
- Foundation Press Award for Excellence in Constitutional Law
- Code-Co Publishing Co. Award for Outstanding Accomplishments in Legal Research and Writing
- Scholarly Writing Award
- Lead Articles Editor, *BYU Law Review*

publications/speaking engagements

- *Failure to Disclose: Case Studies Uncover When Real Estate Agents Might be Liable*, *CRES Insurance Services Case Studies*(<https://www.cresinsurance.com/failure-to-disclose/>), 2016
- *Group Homes & the Fair Housing Act: You Don't Always Have to Say "Yes"*, 2013 Annual Seminar on Municipal Law, Colorado Municipal League, Steamboat Springs, Colorado, October 11, 2013
- *Group Homes & the Fair Housing Act: You Don't Always Have to Say "Yes"*, Wyoming Association of Local Government Attorneys (WALGA), Riverton, Wyoming, June 13, 2013
- *Fair Housing Act Landmines*, Utah Association of Counties Annual Convention, November, 2012
- *Model Ordinances – Group Homes*, Utah Prosecution Council Annual Civil Training Conference, October 2012
- *Group Homes: The Feds, the State, and your Zoning Ordinance*, Utah Prosecution Council Annual Civil Training Conference, October 2011.
- *Group Homes and the Fair Housing Act*, Utah Land Use Institute Fall Conference, 2011.
- *Fair Housing Act*, Utah Counties Indemnity Pool Risk Management Conference, 2011.
- *Documented Disclosure*, Utah Association of Realtors Annual Conference, 2010.
- *Regulating Sexually-Oriented Businesses: The Regulatory Uncertainties of a Regime of Prohibitions by Indirection and the Obscenity Doctrine's Communal Solution*, 1997 B.Y.U. L. Rev. 339.
- *A Primer on 42 U.S.C. § 1983*, 12 Utah Bar. J. 29 (May 1999).

personal

Dan is happily married to his lifelong love and high-school sweetheart. Together they have five amazing children. He loves the outdoors and is enthusiastic about fishing, backpacking, skiing, and golf. Despite the fact that he lives in Utah County, he is a devoted supporter of the University of Utah Utes.

Picture



Sandy City, Utah

10000 Centennial Parkway
Sandy, UT 84070
Phone: 801-568-7141

Staff Report

File #: 17-310, **Version:** 1

Date: 11/14/2017

Agenda Item Title:

Administration updating the Council on the recodification of City Code

Presenter: Shane Pace



[Web](#) | [Legal](#) | [Pay](#)

Roger D. Merriam

Senior Code Attorney (Admitted to Practice in Florida)

rdm@municode.com 1-800-262-2633, ext. 1257 www.municode.com

MAY 18, 2017

TO: MR. ROBERT WALL
CITY ATTORNEY
SANDY CITY CORPORATION, UTAH

**RE: SANDY CITY CORPORATION RECODIFICATION LEGAL REVIEW & PROPOSED CODE
REORGANIZATION**

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MUNICIPAL CODE CORPORATION
MAILING ADDRESS: P.O. Box 2235 Tallahassee, FL 32316
PHYSICAL ADDRESS: 1700 Capital Circle, SW Tallahassee, FL 32310
FAX: 850-575-8852
LOCAL TELEPHONE NUMBER: 850-576-3171, ext. 1257

PART I. INTRODUCTION

Part II of this memorandum is a legal analysis of the Revised Ordinances of Sandy City, Utah, 1978, as amended through April 30, 2017 (“Code”), in which the Code has been researched for the following purposes:

1. Identification and elimination of conflicts, inconsistencies and obsolete provisions in connection with the Utah Code Annotated (‘U.C.A. 1953’), current through chapters 3, 4, 9 to 15, 20, 21, 172, 233, 263, 277, 317, 355, 389, 398, 400, 404, 437, 453, 470, 472, and 476, of the 2017 General Session effective through March 14, 2017.
2. Identification and elimination of obsolete or conflicting provisions.
3. Identification and elimination (or curing) of potentially unconstitutional provisions.

The legal analysis is presented to the maximum extent possible as recommended changes. In some cases the city attorney may agree that a problem exists but disagree with the proposed solution. In other cases, the city attorney may not agree that a problem exists.

Effective date, severability and repealer provisions will be deleted without further mention. All state law and state rule references will be corrected without further mention.

Because U.C.A. 1953, § 78A-7-106 provides that a justice court has jurisdiction over Class B and Class C misdemeanors, violation of ordinances, and infractions committed within its territorial jurisdiction by a person 18 years or older, it has been recommended that offenses covered by statute be deleted.

It is uniformly held that incorporation by reference *in futuro* . . . is invalid. (C. Rhyne, *The Law of Local Governmental Operations*, p. 122.)

In *Blitch v. City of Ocala*, 142 Fla. 612, 195 So. 406 (1940) (cited in Mr. Rhyne’s treatise), the Florida Supreme Court ruled on a challenge to § 31 of an ordinance adopted by the city of Ocala on October 21, 1924. Such section required roofing “which would rank as Class ‘A’ or Class ‘B’ under the test specifications of the National Board of Fire Underwriters.” 142 Fla. at 617, 195 So. at 408. The court upheld the provisions ruling that the above-quoted language only referred to specifications then in effect and not to subsequent changes in the specifications. The court stated that “if it [the ordinance] should be held to mean, not only present but also future specifications, or any changes therein that might be adopted by the National Board of Fire Underwriters, section 31 of the ordinance would be invalid as being a delegation of authority to an outside board to alter a municipal ordinance.” 142 Fla. at 618, 195 So. at 408.

The prohibited *in futuro* adoption of standards discussed above is referred to in this memorandum as the “adoption by reference problem.”

This memorandum is intended for the use of the City Attorney. Nothing in this memorandum is to be construed as giving legal advice to the city.

PART II. LEGAL ANALYSIS

Title 1. Ordinances

Chapter 1. Ordinances and Sanctions, Fines and Penalties

Revise chapters 1 and 2 in accordance with attachment A. However:

1. **Delete** § 1-1-5 (*publication of ordinances*) as covered by U.C.A. 1953, § 10-3-711.
2. **Delete** § 1-1-6 (*effective date of ordinances*) as covered by U.C.A. 1953, § 10-3-712.
3. **Delete** § 1-1-7 (*enacting clause*) as covered by U.C.A. 1953, § 10-3-704.
4. **Delete Code** § 1-1-8 (*numbering of ordinances*) as adequately covered by U.C.A. 1953, § 10-3-704.

****City Response: Accept #1-4 (deleting 1-1-5, 1-1-6, 1-1-7, and 1-1-8)**

5. ~~Deleted~~ Code § 1-2-2(b). This provides for fines on corporations that exceed the amounts authorized by U.C.A. 1953, § 10-3-703. Such statute references U.C.A. 1953, § 76-3-301 (and subsection (a) reflects these amounts.). U.C.A. 1953, § 76-3-301 does not apply to corporations, etc. Subsection (b) reflects the fines imposable upon corporations pursuant to U.C.A. 1953, § 76-3-302. As U.C.A. 1953, § 76-3-301 does not reference U.C.A. 1953, § 76-3-302, such later statute is applicable to municipal ordinance violations.

****City Response: leave 1-2-2 as is. (do not accept change)**

Chapter 3. Code of Ethics

Except for Code § 1-3-10, ~~delete~~ as covered by (and in conflict with) U.C.A. 1953, § 10-3-1301 et seq.

****City Response: Keep chapter 3 – update definitions to match UCA.**

Title 2. Elections

Secs. 2-1-1. Elections. Except for U.C.A. 1953, § 17-33-11, delete. These sections are state election offenses or are mandatory.

****City Response: Accept**

Title 3. Animal Control

Chapter 1. Animal Control

3-1-2. Definitions. Conform the definition of assistance animal to U.C.A. 1953, § 62A-5b-102(3).

****City Response: Accept change**

3-1-7. Licensing. In subsection (f), given U.C.A. 1953, § 10-8-65(b),¹ Add an exemption for one service animal and one retired service animal.

****City Response: Accept change**

3-1-23. Impounding, Euthanization; Disposition of Animals.

1. In subsection (d), alter to be consistent with U.C.A. 1953, § 11-46-203 by changing two months to **six months**.

****City Response: accept change to 6 months**

2. In subsection (e)(3), please review the minimum deposit (\$25.00) and advise as to any needed changes.

****City Response: No change – keep at \$25**

3-1-26. Cruelty to Animals Prohibited, Dogfighting. Except for subsection (b)(6), delete as covered by U.C.A. 1953, §§ 76-9-301 et seq. Many provisions herein are designed a class A misdemeanor, which is not permissible under U.C.A. 1953, § 10-3-703.

****City Response: Refer to state code & Keep (b)(6) – Change to class B misdemeanor**

Chapter 2. Hobby License

Revise to recognize the exception for service animals and retired services animals in U.C.A. 1953, § 10-8-65(b).

****City Response: Accept**

See recommendation for Code § 15A-11-03, *infra*.

****City Response: not in conflict – 5 dogs with hobby license, 6 pets**

Chapter 3. Dangerous and Prohibited Dogs

3-3-4. Keeping of Dangerous Dogs. Please review subsection (j). The catchline indicates only one dangerous dog is allowed while the text indicates that only one dog is allowed. If the latter interpretation is correct, revise to recognize the exception for service animals and retired services animals in U.C.A. 1953, § 10-8-65(b). Please advise.

****City Response: Accept – recognize state statute exemption (2 total dogs)**

****consider moving “no-kill” to different location in code**

¹ U.C.A. 1953, § 10-8-65(b): “If a municipality adopts a limit as to the number of dogs a person may keep, the municipality shall allow a person to keep a service animal, a retired service animal, or both in addition to that limit.”

Title 5. Business Licensing

Chapter 1. Business License

5-1-3. Duties of Business License Section. While the catchline of this section references a business license section, the text (in this section and elsewhere) references a license section. Please advise as to the correct title.

****City Response: No change – keep as is**

5-1-9. Transferability. In subsection (a)(2), please review the official titles used and advise as to any corrections.

****City Response: No change – keep as is**

Chapter 2. Alcoholic Beverage Regulations

5-2-1. Definitions. (It is noted that many definitions add additional requirements to the similar definitions found in U.C.A. 1953, § 32B-1-102—*compare, e.g.,* definition of reception center *with* U.C.A. 1953, § 32B-1-102(88), as amended 2017 Acts, ch. 455. It is assumed that this is permissible.)

1. Conform the definition of beer to U.C.A. 1953, § 32B-1-102(10), as amended 2017 Acts, ch. 455.
2. Conform the definition of flavored malt beverage to U.C.A. 1953, § 32B-1-102(41), as amended 2017 Acts, ch. 455.
3. Conform the definition of flavored malt beverage to U.C.A. 1953, § 32B-1-102(61), as amended 2017 Acts, ch. 455.
4. Conform definition of restaurant to U.C.A. 1953, § 32B-1-102(97), as amended 2017 Acts, ch. 455.
5. Conform definition of state store to U.C.A. 1953, § 32B-1-102(112), as amended 2017 Acts, ch. 455.

****City Response: Accept**

5-2-8. License Application, Contents and Applicant Qualifications. Delete subsection (a)(3). Federal prohibits requiring the social security number. Section 7 of the Federal Privacy Act (5 USC 552a note) states, in its entirety:

****City Response: Accept**

Sec. 7 (a)(1) It shall be unlawful for any Federal, State or local government agency to deny to any individual any right, benefit, or privilege provided by law because of such individual's refusal to disclose his social security account number.

(2) the provisions of paragraph (1) of this subsection shall not apply with respect to--

(A) any disclosure which is required by Federal statute, or

(B) any disclosure of a social security number to any Federal, State, or local agency maintaining a system of records in existence and operating before January 1, 1975, if

such disclosure was required under statute or regulation adopted prior to such date to verify the identity of an individual.

(b) Any Federal, State or local government agency which requests an individual to disclose his social security account number shall inform that individual whether that disclosure is mandatory or voluntary, by what statutory or other authority such number is solicited, and what uses will be made of it.

5-2-21. Alcoholic beverage sales—Prohibited to minors. Delete as covered by U.C.A. 1953, § 32b-4-403, 32b-4-409.

****City Response: Accept**

Chapter 4. Entertainments Arcades and Devices

If obsolete (the average personal computer providing better games than can be found in an arcade), delete.

****City Response: keep as is**

Chapter 5. Swap Meets and Flea Markets

5-5-4. Fee. Alter so fee is established by the fee schedule. The citation to § 5-1-6 is inappropriate.

****City Response: reference fee schedule; delete 5-1-6**

Chapter 7. Public Dance Halls

If obsolete, delete.

****City Response: Keep – not obsolete**

5-7-11. Inspections of Dance Halls. Tie inspection fee to the fee schedule.

****City Response: accept - delete**

5-7-15. Walkathons Prohibited. Delete. This was repealed on February 28, 2013.

****City Response: accept - delete**

Chapter 8. Coupons, Coupon Books or Discount Cards

If obsolete, delete.

****City Response: accept – delete obsolete**

Chapter 14. Auctioneers and Auctions

If obsolete, delete.

****City Response: No change – do not delete, not obsolete**

5-14-4. Auctioneer's License Required. Please advise as to the correctness of the term “license department.”

****City Response: change to “license section”**

Chapter 16. Home Occupations

5-16-1. Definitions. In the definition of child day care, change age 19 to age 18. See U.C.A. 1953, § 26-39-102(8)(a)(ii).

****City Response: Accept**

Chapter 18. Escort Agencies, Outcall Service Agencies, And Semi-Nude Dancing Agencies

If superseded or covered by Code title 12, ch. 2, delete.

****City response: the last 2 lines of 5-8-12 should be placed under 5-8-13 “severability”**

****City Response: Chapter 18 – keep section as is – it is not superseded or covered by title 12**

Title 6. Administrative Code

Chapter 1. Purposes and Principles

6-1-3. Administrative Organization. Delete as not needed. The city may wish to insert a statement that the city is organized under the council-mayor form of government found in U.C.A. 1953, title 10, ch. 3B, pt. 2 (U.C.A. 1953, § 10-3b-201 et seq.).

****City Response: Insert recommended statement and delete the remainder**

Chapter 2. Office of Mayor

6-2-1. Qualifications and Term of Office. Delete as covered by U.C.A. 1953, § § 10-3-301. 10-3-205, 10-3-205.5.

****City Response: Delete and replace with a general statement that authority is as provided by state law**

6-2-2. Vacancy in Office of Mayor. Delete as not needed—the statute cited applies absent this section.

****City Response: Accept - Delete**

6-2-3. Powers and Duties. Delete as covered by (and not consistent with) U.C.A. 1953, § 10-3b-202.

****City Response: Accept - delete**

6-2-4. Power in Time of Local Emergency. Delete as covered by U.C.A. 1953, §§ 53-2a-208, 53-2a-205.

****City Response: Accept**

6-2-5. Council-Mayor Relationships. In subsection (a), delete in the second sentence the word “dismiss” as covered by Code § 6-2-3(d)(2), (d)(3).

****City Response: leave section (b), delete the remainder**

Chapter 5. Human Resources

6-5-12. Agreements and Cooperation with other Governmental Agencies. In subsection (a), if the agreements must be approved by the council, delete subsection (a) as not needed.

****City Response: Leave as is**

Chapter 6. Miscellaneous Provisions

****City Response: Retitle to “Ethics”**

6-6-1. Ethics. Delete as not needed.

****City Response: Keep as is**

6-6-2. Prohibitions on Employment of Relatives. Delete as not needed—the statute cited applies absent this section.

****City Response: keep as is**

Title 7. Public Peace and Safety

Chapter 1. Miscellaneous Offenses Against Public Peace and Property

7-1-1. Vagrancy. In subsection (a), so as to avoid constitutional problems (“The right to walk the streets, or to meet publicly with one’s friends for a noble purpose or for no purpose at all---and to do so whenever one pleases---is an integral component of life in a free and ordered society.” Papachristou v. City of Jacksonville, 405 U.S. 156, 164, 92 S. Ct. 839, 31 L. Ed. 2d 110 (1972)), delete the words “or about” and insert in lieu thereof the word “on”.

****City Response: Keep as is**

7-1-2. Disorderly Houses. So as to avoid vagueness, revise to apply only, to premises where illegal or unlawful activities are conducted, deleting the terms, bawdy, disorderly, lewdness, house of ill-fame and assignation house.

****City Response: Keep as is**

7-1-7. Obscene or Profane Language. If obsolete in light of Code title 7, ch. 2, delete. If retained, so as to avoid constitutional problems, insert a reasonable person standard.

****City Response: Keep as is**

7-1-8. Regulation of Smoking, Fires, and the Discharge of Fireworks and other Explosives. Delete as superseded (apparently) by Code title 8, ch. 5.

****City Response: Keep as is**

7-1-9. Barbed Wire Fences Prohibited. It is assumed that this section is needed (notwithstanding Code § 15A-28-07) because of pre-existing use issues.

****City Response: Keep a is**

7-1-11. Expectorating in Public Place and Prohibition Against Littering. Delete subsection (b) as superseded by title 7, ch. 11.

****City Response: Keep as is**

Chapter 2. Noise Control

7-2-3. Definitions and Standards. In definition of noise disturbance, so as to avoid constitutional problems, insert a reasonable person standard.

****City Response: Keep as is**

Chapter 2. Regulations Relating to Minors

7-3-1. Providing Cigars, Cigarettes, or Tobacco to Minors - Penalties. Delete as covered by U.C.A. 1953, § 76-10-104, multiple violations of which are a class A misdemeanor (and which is impermissibly stated in this section). If retained, conform to such statute by including electronic cigarettes.

****City Response: Accept**

7-3-2. Purchase or Possession of Tobacco. Alter to be consistent with U.C.A. 1953, § 76-10-105 by including electronic cigarettes.

****City Response: Accept**

7-3-3. Sale of Tobacco Products. Either conform to U.C.A. 1953, §§ 76-10-105.1 and 76-10-102 or delete. See U.C.A. 1953, § 76-10-105.1(8).

****City Response: Accept**

7-3-4. Sale of Beer, Alcoholic Beverage or Liquor. Delete as covered by Code § 5-2-21 (*recommended for deletion as covered by state law*).

****City Response: Accept**

7-3-5. Unlawful Purchase, Possession, Consumption by Minors - Measurable Amounts in Body. Delete as covered by Code § 5-2-21 (*recommended for deletion as covered by state law*).

****City Response: Accept**

7-3-7. Regulation of Movies for Minors. Delete subsections (b)(1) and (b)(3) as covered by U.C.A. 1953, § 76-10-1206.

****City Response: Accept**

7-3-8. Regulation of Magazines for Minors. Delete as covered by U.C.A. 1953, § 76-10-1206.

****City Response: Accept**

7-3-9. Contributing to the Delinquency of a Minor. Delete subsections (a)(1)(i) and (a)(1)(ii) as covered by U.C.A. 1953, § 76-20-2301. Delete subsections (a)(1)(iii) and (a)(2) as covered by U.C.A. 1953, § 76-5-109, violation of which can be a felony.

****City Response: Accept**

7-5-1. Assault. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-5-102.

****City Response: Accept**

7-5-2. Battery. Delete as covered by Code § 7-5-1, as modified.

****City Response: Accept**

7-5-4. Harassment. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-5-106.

****City Response: Accept**

7-5-5. Terroristic Threat. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-5-107.3.

****City Response: Accept**

7-5-6. Custodial Interference. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-5-303.

****City Response: Accept**

7-5-7. Unlawful Detention. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-5-304.

****City Response: Accept**

7-5-8. Unlawful Sexual Activity with a Minor - Elements - Penalties - Evidence of Age

Raised by Defendant. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-5-401.

****City Response: Accept**

7-5-9. Sodomy. Delete as covered by U.C.A. 1953, § 76-5-403.

****City Response: Accept**

7-5-11. Child Abuse. Delete as covered by U.C.A. 1953, § 76-5-109.

****City Response: Accept**

7-5-12. Commission of Domestic Violence in the Presence of a Child. Delete as covered by U.C.A. 1953, § 76-5-109.1.

****City Response: Accept**

Chapter 6. Offenses Against Property

7-6-1. Definitions. Delete as covered by U.C.A. 1953, § 76-6-101. If retained, conform to such statute by changing the dollar amount from \$300.00 to \$500.00.

****City Response: Accept**

7-6-2. Arson. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-6-102.

****City Response: Accept**

7-6-3. Reckless Burning. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-6-104.

****City Response: Accept**

7-6-4. Criminal Mischief and Damage to Mail Receptacle. Delete as covered by (and in conflict with) U.C.A. 1953, §§ 76-6-104, 76-1-1001 et seq.

****City Response: Accept**

7-6-5. Manufacture or Possession of Instrument for Burglary, Theft, Vandalism, or Destruction of Property. Delete as covered by U.C.A. 1953, § 76-6-206.

****City Response: Accept**

7-6-6. Criminal Trespass. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-6-206.

****City Response: Accept**

7-6-7. Tampering with Records. Delete as covered by U.C.A. 1953, § 76-6-504.

****City Response: Accept**

7-6-8. Issuing a Bad Check - Presumption. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-6-505.

****City Response: Accept**

7-6-9. Fraudulent Use of Credit Card - "Credit Card" Defined. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-6-506.2.

****City Response: Accept**

7-6-10. Deceptive Business Practices - Definitions - Defense. Delete as covered by (and in

conflict with) U.C.A. 1953, § 76-6-507.

****City Response: Accept**

7-6-11. Bribery of, or Receiving Bribe by, Person in the Business of Selection, Appraisal, or Criticism of Goods or Services. Delete as covered by U.C.A. 1953, § 76-6-508.

****City Response: Accept**

7-6-12. Defrauding Creditors. Delete as covered by U.C.A. 1953, § 76-6-511.

****City Response: Accept**

7-6-13. Using or Making Slugs. Delete as covered by U.C.A. 1953, § 76-6-515.

****City Response: Accept**

7-6-14. Criminal Simulation. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-6-518.

****City Response: Accept**

7-6-15. False or Fraudulent Insurance Claim. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-6-521.

****City Response: Accept**

7-6-16. Definitions. Delete as covered by U.C.A. 1953, § 76-6-401.

****City Response: Accept**

7-6-17. Presumptions and Defenses. Delete as covered by U.C.A. 1953, § 76-6-402.

****City Response: Accept**

7-6-18. Theft - Evidence to Support Accusation. Delete as covered by U.C.A. 1953, § 76-6-403.

****City Response: Accept**

7-6-19. Theft - Elements. Delete as covered by U.C.A. 1953, § 76-6-404.

****City Response: Accept**

7-6-20. Theft by Deception. Delete as covered by U.C.A. 1953, § 76-6-405.

****City Response: Accept**

7-6-21. Theft by Extortion. Delete as covered by U.C.A. 1953, § 76-6-406.

****City Response: Accept**

7-6-22. Theft of Lost, Mislaid or Mistakenly Delivered Property. Delete as covered by U.C.A. 1953, § 76-6-407.

****City Response: Accept**

7-6-23. Receiving Stolen Property. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-6-408.

****City Response: Accept**

7-6-24. Theft of Services. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-6-409.

****City Response: Accept**

7-6-25. Theft by Person Having Custody of Property Pursuant to Repair or Rental Agreement. Delete as covered by U.C.A. 1953, § 76-6-410.

****City Response: Accept**

7-6-26. Theft by Failure to Make Required Payment or Disposition of Property Subject to Legal Obligation - Presumptions - Definitions. Delete as obsolete. This no longer is a state offense.

****City Response: Accept**

7-6-29. Identity Fraud Crime. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-6-1105.

****City Response: Accept**

7-6-30. Theft - Classification of Offense. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-6-412.

****City Response: Accept**

Chapter 7. Offenses Against Public Order and Decency

7-7-1. Riot. Delete as covered by U.C.A. 1953, § 76-9-101.

****City Response: Accept**

7-7-2. Disorderly Conduct. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-9-101.

****City Response: Accept**

7-7-3. Disrupting a Meeting or Procession. Delete as covered by U.C.A. 1953, § 76-9-103.

****City Response: Accept**

7-7-4. Failure to Disperse. Delete as covered by U.C.A. 1953, § 76-9-104.

****City Response: Accept**

7-7-5. Giving a False Alarm. Delete as covered by U.C.A. 1953, § 76-9-105.

****City Response: Accept**

7-7-6. Telephone Harassment. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-9-201.

****City Response: Accept**

7-7-7. Emergency Reporting - Interference - False Report. Delete as covered by U.C.A. 1953, § 76-9-202.

****City Response: Accept**

7-7-8. Definitions. Delete as covered by U.C.A. 1953, § 76-9-401.

****City Response: Accept**

7-7-9. Privacy Violation. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-9-402.

****City Response: Accept**

7-7-10. Communication Abuse. Delete as covered by U.C.A. 1953, § 76-9-403.

****City Response: Accept**

7-7-11. Criminal Defamation. Delete as covered by U.C.A. 1953, § 76-9-404.

****City Response: Accept**

7-7-12. Abuse of Personal Identity. Delete as covered by U.C.A. 1953, § 76-9-407.

****City Response: Accept**

7-7-13. Conveying False or Libelous Material to Newspaper or Broadcasting Stations.

Delete as obsolete—based upon repealed statute.

****City Response: accept - delete**

7-7-14. Abuse of Flag. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-9-601.

****City Response: Accept**

7-7-15. Public Intoxication.

1. Delete subsection (a) and (c) as covered by (and in conflict with) U.C.A. 1953, § 76-9-701.

3. Delete subsection (b) as covered by Code § 7-12-3(g).

****City Response: Delete all except for section (b)**

7-7-16. Lewdness. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-9-702.

****City Response: Accept**

7-7-18. Abuse of a Corpse. Delete as covered by U.C.A. 1953, § 76-9-704.

****City Response: Accept**

7-7-19. Duty to Answer a Police Officer. Delete subsection (a) as covered by (and in conflict with) U.C.A. 1953, § 76-8-301.5, 77-7-15.

****City Response: Accept**

7-7-20. Emergency Reporting Abuse. Delete as covered by U.C.A. 1953, § 76-9-202.

****City Response: Accept**

7-7-21. Damage to or Interruption of a Communication Device. Delete as covered by U.C.A. 1953, § 76-6-108.

****City Response: Accept**

Chapter 8. Offenses Against Government

7-8-1. Definitions. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-8-101.

****City Response: Accept**

7-8-2. Campaign Contributions Not Prohibited. Delete as covered by U.C.A. 1953, § 76-8-102.

****City Response: Accept**

7-8-3. Receiving Bribe or Bribery by Public Servant. Delete as covered by U.C.A. 1953, § 76-8-105, a felony.

****City Response: Accept**

7-8-4. Receiving Bribe or Bribery for Endorsement of Person as Public Servant. Delete as covered by U.C.A. 1953, § 78-6-106.

****City Response: Accept**

7-8-6. Official Misconduct. Delete as covered by U.C.A. 1953, § 76-8-201.

****City Response: Accept**

7-8-7. Unlawful Acts Based on "Inside" Information. Delete as covered by U.C.A. 1953, § 76-8-202.

****City Response: Accept**

7-8-8. Unofficial Misconduct. Delete as covered by U.C.A. 1953, § 76-8-203.

****City Response: Accept**

7-8-9. Interference with a Public Servant or Officer. Delete as covered by U.C.A. 1953, § 76-8-301.

****City Response: Accept**

7-8-10. Picketing or Parading in or Near Court. Delete as covered by U.C.A. 1953, § 76-8-302.

****City Response: Accept**

7-8-12. Interference with Arresting Officer. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-8-305, as amended 2017 Acts ch. 312.

****City Response: Accept**

7-8-13. Obstruction of Justice - Elements - Penalties - Exceptions. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-8-306.

****City Response: Accept**

7-8-14. Failure to Aid a Peace Officer. Delete as covered by U.C.A. 1953, § 76-8-307.

****City Response: Accept**

7-8-17. Failure to Appear or Comply. Delete as covered by U.C.A. 1953, § 77-7-22. See also U.C.A. 1953, § 77-7-18.

****City Response: Accept**

7-8-18. Failure to Pay Over Fine, Forfeiture or Fee. Delete as covered by U.C.A. 1953, § 76-

8-405.

****City Response: Accept**

7-8-19. Injuring or Removing Monuments of Official Surveys. Delete as covered by U.C.A. 1953, § 76-8-415.

****City Response: Accept**

7-8-20. Tampering with Official Notice or Proclamation. Delete as covered by U.C.A. 1953, § 76-8-417.

****City Response: Accept**

7-8-21. Removing, Injuring or Possessing Road Signs. Delete as covered by U.C.A. 1953, § 76-8-420.

****City Response: Accept**

7-8-22. False or Inconsistent Statements. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-8-503.

****City Response: Accept**

7-8-23. Written False Statement. Delete as covered by U.C.A. 1953, § 76-8-504.

****City Response: Accept**

7-8-24. Perjury or False Swearing. Delete as covered by U.C.A. 1953, § 76-8-505.

****City Response: Accept**

7-8-25. False Reports of Offenses to Law Enforcement Officer. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-8-506.

****City Response: Accept**

7-8-26. False Information to a Peace Officer. Delete as covered by U.C.A. 1953, § 76-8-507.

****City Response: Accept**

7-8-27. Falsification or Alteration of Government Record. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-8-511.

****City Response: Accept**

7-8-28. Impersonation of an Officer. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-8-512.

****City Response: Accept**

7-8-29. False Judicial or Official Notice. Delete as covered by U.C.A. 1953, § 76-8-513.

****City Response: Accept**

7-8-30. Unlawful Acts in or About Schools, Colleges or Universities. In subsection (a)(3), so as to avoid constitutional problems (“The right to walk the streets, or to meet publicly with one’s friends for a noble purpose or for no purpose at all---and to do so whenever one pleases---is an integral component of life in a free and ordered society.” *Papachristou v. City of Jacksonville*, 405 U.S. 156, 164, 92 S. Ct. 839, 31 L. Ed. 2d 110 (1972)), delete the words “or about” and

insert in lieu thereof the word “on”.

****City Response: Accept**

Chapter 9. Offenses Against Public Health, Safety, Welfare and Morals

7-9-1. "Place of Business" and "Enclosed Public Place" Defined. Delete subsection (a) as covered by (and in conflict with) U.C.A. 1953, § 76-10-101.

****City Response: Accept**

7-9-2. Advertising Restrictions on Cigarettes and Tobacco. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-10-102.

****City Response: Accept**

7-9-3. Permitting Minors to Use Tobacco in Place of Business. Delete as covered by U.C.A. 1953, § 76-8-103.

****City Response: Accept**

7-9-5. Abuse of Psychotoxic Chemical Solvents. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-10-107.

****City Response: Accept**

7-9-6. Interference with Control of Water. Delete as covered by U.C.A. 1953, § 76-10-201.

****City Response: Accept**

7-9-7. Taking Water out of Turn or Injuring Facilities. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-10-202.

****City Response: Accept**

7-9-8. Fencing of Shaft and Wells and Swimming Pools. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-10-2601.

****City Response: Accept**

7-9-9. Definitions. Delete the definition of shotgun as not needed (not used in ordinance).

****City Response: Accept**

7-9-13. Unlawful use of a laser pointer - Definitions - Penalties. Delete as covered by U.C.A. 1953, § 76-10-2501.

****City Response: Accept**

7-9-17. Soliciting Contributions. Delete as covered by U.C.A. 1953, § 70-10-602, 70-10-603 (and in conflict therewith).

****City Response: Accept**

7-9-18. "Nuisance" Defined. Delete as covered by U.C.A. 1953, § 76-10-801.

****City Response: Accept**

7-9-19. Befouling Waters. Delete as covered by U.C.A. 1953, § 76-10-802.

****City Response: Accept**

7-9-21. Maintaining, Committing or Failing to Remove a Public Nuisance. Delete as covered by U.C.A. 1953, § 76-10-804.

****City Response: Accept**

7-9-22. Carcass or Offal - Prohibition Relating to Disposal. Delete as covered by U.C.A. 1953, § 76-10-805.

****City Response: Accept**

7-9-27. Definitions. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-10-1101.

****City Response: Accept**

7-9-28. Gambling. Delete as covered by U.C.A. 1953, § 76-10-1102.

****City Response: Accept**

7-9-29. Gambling Fraud. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-10-1102.

****City Response: Accept**

7-9-30. Possession of Gambling Device or Record. Delete as covered by U.C.A. 1953, § 76-10-1105—multiple violations are a felony.

****City Response: Accept**

7-9-31. Failure to Prosecute Offenses. Delete as covered by U.C.A. 1953, § 76-10-1106.

****City Response: Accept**

7-9-32. Confidence Game. Delete as covered by U.C.A. 1953, § 76-8-1109.

****City Response: Accept**

7-9-33. Definitions. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-10-1201.

****City Response: Accept**

7-9-34. Pornographic Material or Performance. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-10-1201.

****City Response: Accept**

7-9-35. Distributing Pornographic Material. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-10-1204.

****City Response: Accept**

7-9-36. Affirmative Defenses. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-10-1208.

****City Response: Accept**

7-9-37. Seizure and Disposition of Prohibited Materials. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-10-1212.

****City Response: Accept**

7-9-38. Fornication. Delete as covered by U.C.A. 1953, § 76-7-104.

****City Response: Accept**

7-9-39. Definitions. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-8-1301, as amended 2017 Acts ch. 433.

****City Response: Accept**

7-9-40. Prostitution. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-10-1302

****City Response: Accept**

7-9-41. Patronizing a Prostitute. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-10-1303.

****City Response: Accept**

7-9-42. Aiding Prostitution. Delete as covered by (and in conflict with) U.C.A. 1953, § 76-8-1304, as amended 2017 Acts ch. 433.

****City Response: Accept**

7-9-43. Definition. Delete as not needed.

****City Response: Accept**

7-9-44. Possession of Controlled Substance. Delete as covered by U.C.A. 1953, § 58-37-8.

****City Response: Accept**

7-9-45. Sale and Display of Narcotic and Other Paraphernalia. Delete as covered by (and in conflict with) U.C.A. 1953, § 58-37a-1 et seq.

****City Response: Accept**

7-9-47. Use and Possession of Drug Paraphernalia. Delete as covered by (and in conflict with) U.C.A. 1953, § 58-37a-1 et seq.

****City Response: Accept**

7-10-1—7-10-6. Violations. Delete as covered by title 1.

****City Response: Accept**

Chapter 12. City Parks

7-12-3. Prohibited Activities.

1. In subsection (c), add language recognizing the service animal exemption in U.C.A. 1953, § 62a-5b-104.

****City Response: Accept**

2. In subsection (g), delete the drinking of alcohol prohibition as superseded by Code § 5-2-31.

****City Response: Accept**

3. In subsection (v), delete the hunting prohibition as covered by Code § 7-9-14A.

4. ****City Response: Accept**

Title 8. Fire Prevention

Chapter 1. International Fire Code

8-1-1. Adoption of International Fire Code. So as to avoid adoption by reference problems, revise to adopt the 2015 *International Fire Code*, eliminating the *in futuro* language. This is also consistent with action taken in Code § 4-1-1 and the amendments in Code § 8-1-3. Note that Code § 8-8-3 references the 2012 *IFC* (revise to reference the *IFC* as adopted by the city).

****City Response: Keep – change 8-1-3 to match UCA; Remove “2015 edition” and replace with “currently adopted State edition”**

8-5-4. License Required. Per U.C.A. 1953, § 11-3-3.5, restrict the license to call C common state-approved explosives.

****City Response: “class C common state-approved explosives”**

Chapter 9. Cost Recovery for Hazardous Materials Emergencies

8-9-4. No Admission of Liability. Delete as rules of evidence are beyond the power of the city to provide.

****City Response: Keep as is**

Chapter 8. Appeals, Penalties and Conflicts

8-8-3. Conflicts. Delete the reference to the Life Safety Code. The city does not adopt same.

****City Response: update 2012 to “currently adopted State edition” – otherwise keep as is**

****City Response: “Currently adopted State Edition” to be used in the Fire and Building code as well.**

Life Safety – use “2015 Edition” because State has not adopted

Title 9 Property Maintenance

Chapter 6. Solid Waste Management Regulation

It is assumed that the rules adopted in Code § 9-6-1 do not supersede chapters 4 and 5 of this title. Please confirm.

****City Response: Keep as is; change to reference new number of Jurisdiction 3.1 Valley Health Department Regulations**

Title 10. Health Ordinances

Sections 10-2-1 and 10-3-1 adopt city/county ordinances by reference *in futuro*. Unless such ordinances apply as a matter of law to the city without adoption, this presents the adoption by reference problem and the *in futuro* language should be eliminated.

Chapter 4. Smoking Restrictions in City Government Buildings

Delete as covered by U.C.A. 1953, § 26-38-1 et seq.

****City Response: Delete entire Title**

Title 11. Purchasing Procedures

Chapter 1. Purchasing

11-1-5. Scope. Delete the last sentence of subsection (c). The statute cited has been repealed. It is assumed that there is no intent to adopt the Utah Procurement Code. Alternatively, the city might want to change the reference to be to U.C.A. 1953, § ~~10-7-86~~. **11-39-101**

****City Response: Delete sentence and move financial threshold into 11-1-11 with updated statute**

11-1-11. Construction Projects. As U.C.A. 1953, § 10-7-20 has been repealed, delete the first sentence.

****City Response: Delete first sentence and revise last sentence in 11-1-5 (c) to include updated statute citation and include \$25,000 threshold. Move that sentence as first sentence in 11-1-11**

****May want to include: “municipal construction projects may be accomplished by any method allowed by law, including those identified in 11-39-103”.**

Chapter 3. Constitutional Takings

11-3-7. Guidelines Advisory. As rules of evidence are beyond the power of the city to provide, delete the second sentence.

****City Response: keep as is**

Title 12. Adult Business Regulations

Chapter 1. Massage Establishments

As U.C.A. 1953, § 58-47b-305 preempted licensing of massage therapy to the state, delete the references to a masseur in the following Code sections:

§ 12-1-2
§ 12-1-3
§ 12-1-5
§ 12-1-6
§ 12-1-7
§ 12-1-10
§ 12-1-12

12-1-1. Definitions. Conform definition of “massage or massage therapy” to U.C.A. 1953, § 58-47b-102(6).

****City Response: Leave section as is – no change**

12-1-16. Appointment of Inspectors for the Purpose of Enforcement of this Chapter. Delete the reference to the obsolete department of building and safety.

****City Response: accept**

Chapter 3. Pornography and Obscenity

Delete (§§ 12-3-12 and 12-3-13—which should be tied to statute) as covered by U.C.A. 1953, § 76-10-1201 et seq. These issues are also addressed (*and recommended for deletion*) in Code § 7-9-34 et seq.

****City Response: Leave section 12-3-12 – increase dollar amounts; delete 12-3-13**

Title 13. Streets and Public Improvements

Chapter 2. Street Signs

13-3-2. Amount of Fees. Alter official titles to reference only the community development department and public works department.

****City Response: accept**

Chapter 5. Implementation of Transportation Element of Comprehensive Plan

13-5-1. Purpose. Correct reference to nonexistent U.C.A. 1953, § 10-9-24 to be to U.C.A. 1953, § 10-9a-407.

****City Response: Accept – 10-9a-407**

Title 14. Water System

Chapter 3. Water Conservations

14-3-1. Waste Prohibited. Delete the waste of water prohibition as too vague to enforce.

****City Response: keep as is**

Title 15A. Land Development Code

So that this title may be a “stand-alone” document, redundancies with title 1 have been ignored. It is assumed that the land development code may be renumbered.

Throughout this title change building department to community development department.

****City Response: accept**

Chapter 15A-01. Organization

15A-01-05. Effect on Previous Ordinances and Maps. Delete the first sentence as obsolete.

****City Response: accept**

15A-01-08. How to Use the Land Development Code. Delete as not needed and incorrect. It references non-existent sections. For example, it states that definitions are section 8; definitions are in fact chapter 37. It also states that there is an appendix; as other provisions herein reference the appendix, it is assumed it exists but is not to be codified. In addition, the proposed rearrangement of the Code (see pt. II of the memorandum) makes this section obsolete.

****City Response: accept**

Chapter 15A-02. General Provisions

15A-02-04. Fees. As all fees might not be established in the budget, delete the reference to same. It is assumed that no fee (not just those in the budget) are returnable.

****City Response: accept – delete second sentence**

Chapter 15A-03. Officers, Boards and Commissions

15A-03-03. Land Use Authorities In subsection A (*planning commission*), conform subsection 4 a. (2) to U.C.A. 1953, § 10-9-302(2), as amended 2017 Acts, ch. 84.

****City Response: accept**

Chapter 15A-04. Zone Districts

15A-04-03. Residential Districts.

1. Delete the A-1 district provision; such district apparently does not exist. Assuming this is so delete references in Code §§ 15A-08-02(C)10 and 15A-11-17(C)1c to agricultural districts.

****City Response: keep as is**

2. Add the R-2-8 and R-2-10 districts. See Code §§ 15A-07-02.

****City Response: accept**

3. Delete the listing of special districts and inconsistent with Code § 15A-07-01.

****City Response: add all SD Zones**

15A-04-07. Open Space/Institutional Districts. Delete the H district. No such district is referenced elsewhere in the zoning ordinance.

****City Response: Do not delete – need to add SD-H Special district**

15A-04-08. Overlay Districts. Add the following districts to this section:

1. Historic Sandy Development Overlay Zone. See ch. 15A-12.
2. Sensitive Area Overlay Zone. See ch. 15A-15.
3. Flood Plain Overlay Zone. See ch. 15A-16.
4. Drinking Water Source Protection Overlay Zone. See ch. 15A-17.
5. Historic Resources Overlay Zone. See ch. 15A-18.
6. Sports and Recreation Overlay Zone. See ch. 15A-38.

****City Response: accept**

Chapter 15A-11. Special Use Standards

15A-11-03. Animals (Farm and Household Pets). Subsection B conflicts with Code § 3-3-2 in this this section allows up to six dogs while § 3-3-2 only allows five dogs. Please reconcile.

****City Response: Keep as is (only allows 5 dogs, 6 pets)**

15A-11-08. Residential Facility for Elderly Persons or for Persons with a Disability.

1. In subsection D.5.(e), change building and safety code to building code.
2. In subsection D.5.(g), delete the reference to the Life Safety Code; the city does not adopt such code.
4. In subsection G.1 a., delete the reference to the Life Safety Code; the city does not adopt such code. Also change *Uniform Fire Code* to *International Fire Code*.

****City Response: accept all above (15A-11-08 1-3)**

Chapter 15A-15. Sensitive Area Overlay Zone

15A-15-04. Development Standards for Sensitive Areas. In subsection B.5.e, so as to be consistent with other adopted codes, change 2006 *International Wildland - Urban Interface Code* to 2015 *International Wildland - Urban Interface Code*.

****City Response: Accept**

Chapter 15A-30. Subdivision Review

15A-30-08. Required Subdivision Improvements and Procedures. In subsection C1, change *Uniform Fire Code* to *International Fire Code*.

****City Response: accept**

Chapter 15A-35. Appeals and Variances

15A-35-01. Appeals. In subsection (D) (*time for appeal*) add language recognizing the history preservation exception in U.C.A. 1953, § 10-9a-704, as amended 2017 Acts ch. 17.

****City Response: accept – add language**

15A-35-02. Variances. Delete as covered by U.C.A. 1953, § 10-9a-702.

****City Response: accept and reference to the state code section (Municode confirmed it will be referenced)**

15A-36-03. General Plan. Delete as covered by (and in conflict with) U.C.A. 1953, §§ 10-9a-203, **10-9a-204.**

****City Response: Accept as provided in UCA**

15A-36-04. Zone District Map and Land Development Code. Delete as covered by (and in conflict with) U.C.A. 1953, §§ 10-9a-205, as amended 2017 Acts ch. 84.

****City Response: accept**

15A-36-06. Subdivision plats and amendments. Delete as covered by (and in conflict with) U.C.A. 1953, §§ 10-9a-207.

****City Response: accept**

15A-36-08. Street Vacations, Alteration, Amendments or Closure (not within a subdivision plat). Delete as covered by (and in conflict with) U.C.A. 1953, §§ 10-9a-208.

****City Response: accept**

15A-36-10. Notice Challenge. Delete as covered by (and in conflict with) U.C.A. 1953, §§ 10-9a-209.

****City Response: accept**

Chapter 15A-37. Definitions

In the definition of Alcoholic Beverage Establishments, delete the paragraphs relating to licenses and permits and not definitional in nature.

****City Response: Keep as is**

In the definition of Development Review Meeting, delete the reference to Building & Safety Division as same is a part of the listed Community Development Department.

****City Response: accept**

Title 16. Revenue and Taxation

Chapter 2. Sales and Use Tax Act

16-2-2. Purpose. Delete as not needed.

****City Response: Accept**

16-2-3. Effective Date. Continuance of former ordinance. Delete as obsolete.

****City Response: Accept**

16-2-4. Sales Tax. Per U.C.A. 1953, § 59-12-204(1), revise subsections (a) and (b) to impose the tax “upon those transactions listed in U.C.A. 1953, § 59-12-103(1).” See also U.C.A. 1953, § 59-12-202.

****City Response: Accept**

16-2-5. Use. Delete as covered by the revisions to Code § 16-2-4.

****City Response: Accept**

16-2-6. Contract with State Tax Commission. Delete as not needed. See U.C.A. 1953, § 59-12-206.

****City Response: Accept**

Chapter 3. Telecommunications Service Providers Tax

16-3-1. Definitions. Delete as not needed in light of other changes to this chapter.

****City Response: Accept**

16-3-2. Levy of Tax. Per U.C.A. 1953, §§ 10-1-403(a) 10-1-404, revise to levy the tax “on the telecommunications provider's gross receipts from telecommunications service that are attributed to the city in accordance with U.C.A. 1953, § 10-1-407.”

****City Response: Accept**

16-3-3. Rate. Per U.C.A. 1953, § 10-1-404 and U.C.A. 1953, § 10-1-403(1)(c) revise so that rate is 3.5 percent and is “subject to the requirements of U.C.A. 1953, §§ 10-1-407 and 10-1-403.”

****City Response: Accept**

16-3-4. Rate Limitation and Exemption Therefrom. Delete as obsolete.

****City Response: Accept**

Delete the remainder of this chapter as obsolete.

****City Response: Accept – with statement referring to state code**

Chapter 7. Franchise to Utah Power and Light

If the 1931 franchise has expired, delete this chapter. Alternatively, delete this chapter as not of a general and permanent nature. It would seem that this chapter is obsolete in light of chapter 35 of this title.

Alternatively, the city may wish to list franchises.

****City Response: Accept – replace with language that franchises to be enter into by agreement and list franchise agreements. Have a generic ordinance that states the city may enter into a franchise**

agreement. (Each franchise will not have it's on ordinance).

Chapter 9. Cemetery Fee

Delete as superseded by title 21, ch. 2. In any event, Code § 16-9-4 appears not to be needed.

****City Response: Accept**

Chapter 14. Development Impact Fees

It does not appear that this chapter contains the provisions required by U.C.A. 1953, § 11-36a-402(1)(b), (2) and (3). (This suggests that this ordinance is obsolete.)

****City Response: keep 16-14-3 – a1-2, 4; b, c, and d. preserve section on “credits” and 16-14-2 – Services areas and delete the rest**

Chapter 16. Cable TV Franchise

Delete as not of a general and permanent nature or as obsolete. Per Code § 16-16-1, a 15-year franchise is granted. This chapter is also obsolete in light of chapters 27 and 28 of this title. Alternatively, the city may wish to list franchises.

****City Response: Accept**

Chapter 17. Disconnection Fee

If obsolete, delete. If retained, in Code § 16-17-1 correct statutory references to be to U.C.A. 1953, title 10, ch. 2, pt. 5 (U.C.A. 1953, § 10-2-501 et seq.).

****City Response: Do not delete, retain and update to reference UCA 10-2-501**

Chapter 26. Cable TV Franchise

Delete as not of a general and permanent nature or as obsolete. Per Code § 16-26-1, a 15-year franchise is granted. This chapter is also obsolete in light of chapters 27 and 28 of this title. Alternatively, the city may wish to list franchises.

****City Response: Accept - delete**

Chapter 29. Cable Communications Franchise Grant -- Insight

Delete as not of a general and permanent nature or as obsolete. Per Code § 16-29-2, a 15-year franchise is granted. Alternatively, the city may wish to list franchises.

****City Response: Accept - delete**

Chapter 30. Cable Communications Franchise Grant – TCI

Delete as obsolete. Per Code §§ 16-30-2 and 16-30-7, the ordinance expired in 2008. Alternatively, the city may wish to list franchises.

****City Response: Accept**

Chapter 32. Telecommunications Rights-of-Way Declaration of Findings and Intent; Scope of Ordinance

16-32-3. Excluded Activity. Revise subsection (1) to exemption franchised cable television operators. It

is unclear what franchises are in effect and specific franchise grants should not be codified. Alternatively, the city may wish to list franchises.

****City Response: Accept**

16-32-12. Compensation. Tie application fee to the fee schedule.

****City Response: Accept**

Chapter 33. Municipal Energy Sales and Use Tax

16-33-1. Definitions. Delete as not needed in light of other changes to this chapter.

****City Response: Accept**

16-33-3. Exemptions from the Municipal Energy Sales and Use Tax. Conform subsection (b)(3) to U.C.A. 1953, § 10-1-305(2)(b)(iii).

****City Response: Accept**

Chapter 34. Questar Gas Company Franchise

Delete as not of a general and permanent nature. Per Code § 16-34-5, the ordinance expires no later than January 30, 2020. Alternatively, the city may wish to list franchises.

Chapter 35. Rocky Mountain Power Electric Power Franchise

Delete as not of a general and permanent nature. Per Code § 16-35-5, the ordinance expires on January 30, 2026. Alternatively, the city may wish to list franchises.

****City Response: Need to adopt general ordinance for all franchises that allows us to include a separate agreement with the specific provisions related to each different provider. Chapters 34 & 35**

Title 18. Sewage Disposal

Chapter 1. Sewage Disposal

18-1-5. Criminal Penalties. Conform to U.C.A. 1953, § 19-5-115. N.B. This section is at substantial variance from the statute and how to conform is unclear.

****City Response: Accept and delete entire title**

Title 19. Taxicabs

This chapter is replete with references to a license department and a license division. Please advise of the correct title so that appropriate corrections can be made.

****City Response: Needs to be consistent with Title 5**

Chapter 2. Certificate of Public Convenience and Necessity

19-2-10. Fees for Issuance of Certificate. Tie fees to the fee schedule.

****City Response: Accept**

Chapter 3. Drivers License

19-3-5. Fee to Accompany Application. Tie fee to the fee schedule. If this is done, Code § 19-3-15 should be altered accordingly.

****City Response: Accept**

Chapter 4. Vehicles -- Equipment and Maintenance

19-4-4. Clean and Sanitary Condition of Vehicles. Tie fee in subsection (e) to the fee schedule.

****City Response: Accept**

Chapter 5. Taximeter Rules and Regulations

19-5-15. Fee for Inspection. Tie fee to the fee schedule.

****City Response: Accept**

Chapter 6. Rates

19-6-1. Rates of Hire Established. Please review and advise as to changes necessary to make current.

****City Response: Accept**

19-7-15. Open Stands. Telephone Installation. Delete as obsolete.

****City Response: Accept**

Chapter 9. Enforcement

19-9-3. Penalty. Please review and advise as to changes necessary to make current.

****City Response: Do not delete – revise penalty to Class “C” misdemeanor.**

Title 21. Cemetery City Code

Chapter 1. General Regulations

21-1-1. Administration and Enforcement. If adequately covered by Code § 6-4-5(g), delete.

****City Response: Do not delete – keep as is**

21-1-2. Employee Conflict Of Interest Restrictions. Delete as adequately covered by U.C.A. 1953, § 10-3-1301 et seq. Taken literally, this section prohibits ownership in a mutual fund that owns stocks, bonds or other debt of corporations in the funeral industry.

****City Response: Accept**

Chapter 2. Lots and Gravesites

21-2-7. Unused Lots Purchase by City Personnel Authorized When. Delete the second sentence as adequately covered by U.C.A. 1953, § 10-3-1301 et seq. Taken literally, this section prohibits ownership in a mutual fund that owns stocks, bonds or other debt of corporations in the funeral industry.

****City Response: Do not delete- Keep as is**

Title 22. Legislative Code

Chapter 1. City Council

22-1-1. Council Terms and Districts. Eliminate initial terms of office as obsolete.

****City Response: Accept**

22-1-2. Council Powers. Except for the last two sentences, delete as not needed and adequately covered by U.C.A. 1953, §§ 10-3b-202(1)(d)(ii)(C) and 10-3b-203.

****City Response: Accept – keep second sentence from “may perform all other duties and responsibilities....”**

22-1-3. Meetings of Council.

1. Delete the first sentence of subsection (b) as inconsistent with U.C.A. 1953, § 10-3-502(2)(a). (It is noted that the remainder of subsection (b) is more stringent than U.C.A. 1953, § 10-3-502(2).

****City Response: Keep as is**

2. Delete subsection (d) as covered by U.C.A. 1953, § 52-4-204.

****City Response: Accept**

22-1-4. Meeting Schedules, Agendas and Minutes. Delete subsection (c) as not needed.

****City Response: Accept**

22-1-5. Council Organization and Rules. Delete as covered by U.C.A. 1953, § 10-3b-203.

****City Response: Accept**

22-1-6. Council Vacancies. Delete the first two sentences as covered by U.C.A. 1953, § 10-3-507.

****City Response: Accept**

22-1-7. Staff and Support Personnel. Delete as not needed.

****City Response: Keep as is – do not delete**

Title 23. Judicial Code

23-1-2. Establishment of Judgeships. Delete as not needed.

****City Response: Accept**

23-1-3. Appointment and Term of Office. Delete subsections (a) and (b) as covered by U.C.A. 1953, §§ 78A-7-202, 78A-7-203, 78A-7-208 and 20A-12-201.

****City Response: Accept and delete (c) as process is described in CJA 3-104 Presiding Judges. The court gets to determine how the presiding judge is selected not the executive. The Utah Supreme court selects its chief, not the Governor.**

23-1-4. Qualifications for Office. Delete as not needed.

****City Response: Accept**

23-1-5. Compensation. Delete as covered by U.C.A. 1953, § 78A-7-206.

****City Response: Accept**

23-1-8. Court Support. Except for the first and last sentences, delete as not needed.

****City Response: Accept and replace with:**

23-1-8. Court Administration

The presiding Judge shall be responsible for the overall operation and administration of justice in the Justice Court; however, the Presiding Judge shall approve a Court Administrator through an open and competitive; however, the Presiding Judge shall approve a Court Administrator through an open and competitive process in compliance with applicable with State and City personnel rules, policies and procedures governing Justice court employees. The selection, supervision, and discipline of court personnel, as well as day-to-day administrative operations, shall be managed by the Justice Court Administrator in accordance with Utah Court Rules, City policies and under the direction of the Presiding Judge.

23-1-9. Court Jurisdiction. Delete as not needed.

****City Response: Accept**

23-1-10. Authority of Judges. Delete as not needed.

****City Response: Accept**

****City Response: Also delete the following sections:**

23-1-6. Trial Facilities – Hours of Operations. Delete as not needed. Covered by UCA 1953, § 78A-7-212, 78A-7-213 and CJA 9-105.

23-1-7. Administrative Responsibility. Delete as not needed. Cover by UCA 1953, § 78A-7-210

Traffic Code

Delete the Code sections listed in the left-hand column below as covered by the U.C.A. provisions listed opposite them in the right-hand column below. As asterisk (*) in the left-hand column below means that the Code provisions do not conform to the statute cited opposite them in the right-hand column below. (The city may wish to adopt traffic laws by reference.)

Traffic Code § (<i>definitions</i>) **City Response: Delete all definitions listed here		U.C.A. 1953, § 41-6a-102
2	Alley	(1)
3	Authorized emergency vehicle	(3)
4	Bicycle*	(5)
5	Bus	(6)
9	Crosswalk	(13)
11	Divided highway*	(16)
12.1	Electric Assisted Bicycle	(17)
13	Explosives (only)*	(19)
14	Farm tractor	(20)
16	Gross weight	(25)
17	Highway	(26)
18	Intersection	(28)
19	Island, traffic island, or physical barrier*	(29)
21	Limited-access street, highway, or roadway*	(31)
23	Mobile home	(33)
24	Moped*	(37)
24.1	Motor Assisted Scooter*	(38)
25	Motor vehicle*	(41)
26	Motorcycle*	(39)
27	Motor-driven cycle*	(40)
31	Operator	(44)
33	Park or parking	(45)
35	Peace Officer*	(46)
36	Pedestrian*	(47)
41	Private road or driveway	(51)
42	Railroad	(52)
43	Railroad sign or signal	(53)
44	Railroad train	(54)
45	Right-of-way	(55)
46	Roadway	(56)
47	Safety zone	(57)
48	School bus	(58)
49	Semitrailer	(59)
50	Shoulder area	(60)
51	Sidewalk	(61)
52	Stand or standing	(63)
53	Stop	(64)

55	Stop or stopping	(65)
58	Traffic	(67)
60	Traffic-control signal	(68)
64	Trailer	(71)
65	Truck	(72)
66	Truck tractor	(73)
68	Urban district	(75)
70	Vehicle	(77)
Traffic Code § ** City response: See list at the end		U.C.A. 1953, § 41-6a-
87	Obedience to police and fire department officials	209
89	Persons propelling push carts or riding animals to obey traffic regulations*	213
91	Public employees to obey traffic regulations. Workers and equipment on streets (subsection (1) only)	205
92	Emergency vehicles	212
93	Right of real property owner to regulate traffic	215
94(1)—(3)	Removal of brush, foliage or other obstruction impairing view	216
95	Obeying devices/Obedience to	304
96	Traffic-control signals. Meaning of colored lights and signals. Right and duties of operators and pedestrians.	305
97	Pedestrian signals*	306
98	Flashing red or yellow signals. Rights and duties of operators and pedestrians*	307
99	Prohibition of unauthorized traffic-control devices. Commercial advertising. Public nuisance*	309
100	Interference with traffic-control devices prohibited*	311
101	Failure to observe restricted highway control devices.	905
109	Give name, render assistance*	401 et seq.
110	Accident involving damage to vehicle or other property*	401 et seq.
112	Collision with unattended vehicle*	401 et seq.
113	Accident reports. Duty of operator, witnesses, and investigating officer to forward or render. Supplemental reports*	402--404
116	Garage keeper to report damaged vehicle*	405
117	Accident to livestock in highway. Duty of owner or keeper*	407
119	Driving under the influence of alcohol, drugs, or with specified or unsafe blood alcohol concentration - measurement of blood or breath alcohol - Criminal punishment - Arrest without warrant - Penalties - Suspension or revocation of license*	502 et seq.
119.1	Definitions - Driving with any measurable controlled substance in the body - Penalties - Arrest without warrant*	517
119.2	Ignition interlock devices - Use - Probationer to pay cost - Impecuniosity – Fee*	518
120	Standards for chemical breath analysis – Evidence*	515
121	Admissibility of chemical test results in actions for driving under the influence -- Weight of evidence	516

123 Implied consent to chemical tests for alcohol or drug - Number of tests - Refusal - Warning, report - Hearing, revocation of license - Appeal - Person incapable of refusal - Results of test available - Who may give test – Evidence*	520
124 Drinking in vehicle, open container*	526
125 Impoundment of vehicles.	527
134.5 Vehicle accident. Investigation and report of operator security. Agency action if no security. Surrender of plates. Penalties*	403
135 Prima facie limit [Posted Limits]—only subsection (1)	601
136 Speed regulations -- Safe and appropriate speeds at certain locations -- Prima facie speed limits*	601
137 Definition of reduced speed school zone - Maximum speed in school zone - Operation of warning lights - School crossing guard requirements - Responsibility provisions - Rulemaking authority - Penalty, Minimum fines, Community service - waiver, recordkeeping.	604
138 Driving too slow*	605
139 Speed or acceleration contests*	606
141 Parallel to curb*	1402
145 Motor vehicles left unattended. Brakes to be set and engines stopped*	1403
140 Violation, speed to be stated; Photo Radar (subsection (1) only)	607
148 Stopping or parking. Prohibition as to specified areas*	1401
149 Double parking, standing or stopping*	1401
187 Obstructions to Vision*	1635
188 Muffler*	1626
189 Unusual noises and excessive fumes and smoke*	1626
190 Lights, Brakes and Other Equipment*	1601 et seq., 1504 et seq.
201 Loads Projecting to Rear, Flag and Lights	1606
202 Loads on vehicles must be secured*	1712
208 Duty to operate on right side of roadway. Exceptions*	701
209 Passing vehicles proceeding in opposite directions	703
210 Overtaking and passing vehicles proceeding in same directions	704, 1502
211 Passing upon right. When permissible*	705
212 Passing on left. Prohibition*	706
213 Driving on left side of roadway*	707
214 One-way traffic. Traffic islands	709
215 Laned roadway, weaving (except par. (2))(710, 1502, 903(3)
216 Following another vehicle. Proximity and distance. Space between vehicles in motor caravan. Exception as to funeral procession*	711
217 Driving in dividing section*	712
217 Driving in dividing section	714
220 One-way streets and alleys	709
222 Turning. Manner of executing right or left turn. Signs or markers and obedience to signs or markers* (except (5) and (6))	801
223 Limitations on U-turns*	802
224 Turning movements and required signals, sudden stop or decrease*	804
225 Two way turn lane*	801

226	Turn signals given by hand and arm or approved light device*	804
228	Starting vehicles	803
229	Right-of-way between vehicles*	901
230	Vehicle turning left	903
231	Vehicle entering through street or stop intersection. Effect of collision	902
232	Approaching emergency vehicle - Necessary signals - Stationary emergency vehicle - Duties of respective operators*	904
234	Yield right-of-way signs* (except first sentence)	902
237	Operator to stop at stop sign*	902
239	Emerging from or entering alley or private driveway and driving on sidewalk (except pars. (3) and (4))	1702, 907, 1008
241	School bus - Signs and light signals - Flashing amber lights - Flashing red lights - passing school bus - Duty to stop - Travel in opposite direction*	1302
242	Reckless driving	528
248	Backing. When permissible*	106
250	Prohibition as to passenger riding in improper portion of motor vehicle. Exceptions* (except house trailers)	1501, 1703, 1706
252	Opening door*	1704
253	Interfering with control or vision*	1705
256	Television sets in vehicles*	1641
257	Following Emergency Vehicles (subsection (a) only)	1710
258	Fire hose, driving on*	1711
259	Headlights*	1603 et seq.
261	Destructive or injurious materials and dumping*	1712
268	Driving through safety zone.	1202
270	Use of horn	1625
274	Attaching to vehicle unlawful	1104, 1503
275	Driving or riding on sidewalks	1703
278	Islands, markers, etc.	801
281	Drivers and Passengers	1801 et seq.
288	Railroad grade crossing. Duty of pedestrian and vehicle to stop. Driving through, around or under gate or barrier prohibited*	1203, 1005
290	Railroad grade crossing. Duty of buses and certain trucks to stop, look and listen*	1205
291	Duties respecting crawler tractor, power shovel, derrick or other equipment or structure	1206
292	Driving on tracks	1201
293	Obstructing intersection for five minutes	1204
294	Pedestrians subject to traffic-control signals	1001
295	Pedestrians' right-of-way	1002
297	Crossing roadways*	1003
298	Pedestrians and incapacitated persons	1006, 1007
299	Use of roadway by pedestrians*	1009
304	Equipment*	1113, 1114
306	Regular seat required - Carrying more persons than design permits	1103

prohibited.	
306.1 Operation of bicycle or moped on and use of roadway -Duties, Prohibitions.	1105
306.2 Bicycles and human powered vehicle or device to yield right-of-way to pedestrians on sidewalks, paths, or trails - Uses prohibited - Negligent collision prohibited - Speed restrictions - Rights and duties same as pedestrians	1106
306.3 Bicycles - Parking on sidewalk - Prohibitions - Parking on roadway	1107
306.4 Bicycles - Turns - Designated bicycle lanes	1108
306.5 Bicycles - Turn Signals - Exceptions	1109
306.6 Bicycle inspections - At request of officer*	1110
306.7 Bicycle racing - Prohibitions - Exemptions - Exemptions from Traffic Laws	1111
306.8 One hand on handle bars	1112
306.9 Bicycles - Lamps and reflective material required.	1114
336 Motor Assisted Scooters - Conflicting Provisions - Restrictions - Penalties	1115
337 Motorcycle or Motor-Driven Cycle - Place for Operator to Ride - Passengers*	1501
338 Motorcycles, Motor-Driven Cycles, or All-Terrain Type I Vehicles Operations on Public Highways	1502
339 Motorcycle or Motor-Driven Cycle - Attaching to Another Vehicle Prohibited.	1503
340 Motorcycle or Motor-Driven Cycle - Footrests for Passenger - Height of Handlebars Limited	1504
341 Motorcycle or Motor-Driven Cycle - Protective Headgear – Closed Cab Excepted - Electric Assisted Bicycles*	1505

Sec. 73. Duty of police department. Delete subsections (1) and (2) (*Pepperwood subdivision*) as not of a general and permanent nature. There are undoubtedly other such subdivisions. In any event delete the listing of streets as not needed in light of the general language.

****City Response: change Title to “Authority of police department ; Keep 1 & 2 – jurisdiction based on separate agreement – hoping to link to that agreement. Delete specific references to street.**

Sec. 78. City Transportation Engineer. Please review the title city traffic engineer and advise as to changes necessary to make same current.

****City Response: keep as is – do not delete**

Sec. 86. Required Obedience to traffic code. Delete subsection (2) (last sentence) and subsections (2) (a)—(2)(d) as obsolete.

****City Response: Accept**

Sec. 105. Compliance with road excavation regulations. Delete subsection (1) as covered by Code title 13, ch. 1.

****City Response: Accept**

Sec. 108. Moving vehicles involved in accidents. Delete as obsolete. See also U.C.A. 1953, § 41-6a-401.9

****City Response: Accept**

Sec. 111. Concealing identity. Delete as covered by Code § 7-7-19. See also recommendation for same, *supra*.

****City Response: Accept**

Sec. 126. Intoxicated pedestrian. Delete as covered by Code § 7-7-15.

****City Response: Accept**

Sec. 127. Permitting use by habitual user. Delete as obsolete.

****City Response: Accept**

Sec. 128. Intoxicated person in or about a vehicle. Delete as obsolete.

****City Response: Accept**

Sec. 129. Incapable operators. Delete as obsolete.

****City Response: Keep as is**

Sec. 131. Incompetent operators. As to persons under 16 years of age, delete as covered by U.C.A. 1953, § 53-3-204. Delete the remainder as obsolete.

****City Response: Accept**

Sec. 132. Permitting incompetent operator to operate. Except for subsection (2), delete as covered by U.C.A. 1953, §§ 53-3-212 and 53-3-203.

****City Response: Accept and delete entire section**

Sec. 133. Operator's license. Delete as covered by U.C.A. 1953, § 53-3-201.

****City Response: Accept**

Sec. 134.1. No Fault Insurance. Delete as covered by U.C.A. 1953, § 31a-22-301 et seq. and 41-12a-401 et seq.

****City Response: Accept**

Sec. 134.2. Evidence of owner's or operator's security to be carried when operating motor vehicle - Defense - Penalties. Delete as covered by (and in conflict with) U.C.A. 1953, § 41-12a-303.2.

****City Response: Accept**

Sec. 176. Handicapped parking. Delete as covered by U.C.A. 1953, § 41-1a-414.

****City Response: Accept**

Sec. 177. Parking in a fire lane. Deleted as superseded by Code title 8, ch. 4.

****City Response: Accept**

Sec. 182. Taxicab stands to be designated. Delete as covered by Code § 19-7-13.

****City Response: Accept**

Sec. 185. Restricted use of bus and taxicab stands. In subsection (b), delete reference to taxicab as covered by Code § 19-7-16.

****City Response: Accept**

Sec. 191. Inspection of Vehicles. Delete as covered by U.C.A. 1953, § 53-8-205 et seq.

****City Response: Accept**

Secs. 192—198. Registration of Vehicles. Delete as covered by U.C.A. 1953, § 41-1a-401 et seq.

****City Response: Accept**

Secs. 204—206. Weight and width limits. Delete as covered by (and not consistent with) U.C.A. 1953, § 72-7-401 et seq.

****City Response: Accept**

Sec. 207. Licenses for trucks and other non-passenger vehicles. If obsolete, delete. If retained, tie the fee to the fee schedule.

****City Response: Accept**

Sec. 233. Losing right-of-way. Delete as obsolete.

****City Response: Accept**

Secs. 262, 263. Littering. Delete as covered by Code title 7, ch. 11.

****City Response: Accept**

Sec. 267. Parades and processions, permits required. So as to avoid constitutional problems (see *Shuttlesworth v. Birmingham*, 394 U.S. 147, 89 S. Ct. 935, 22 L. Ed. 2d 162 (1969)), revise to provide that the permit is granted unless public safety would be endangered thereby.

****City Response: Accept**

Sec. 273. Record of business. As to taxicabs, delete as superseded by Code § 19-8-1 et seq. If the remainder of this section is obsolete, delete it.

****City Response: Accept**

Sec. 276. Records to be kept by dealers in used cars. If obsolete, delete.

****City Response: Accept**

Sec. 280. Test-driving of Vehicles on Residential Streets. If obsolete, delete.

****City Response: Keep as is – dot not delete**

Sec. 284. Leaving Animals Unattended in Enclosed Vehicles. Delete as covered by Code § 3-1-26(b)(6).

****City Response: Accept**

Sec. 285. Noises Prohibited. Delete as covered by Code title 7, ch. 2.

****City Response: Keep as is – do not delete**

Sec. 308. Condition for immediate appearance before magistrate. Delete as covered by U.C.A. 1953, § 77-7-23.

****City Response: Accept**

Sec. 309. Procedure for requiring appearance when immediate appearance is not made. Delete as covered by U.C.A. 1953, § 77-7-24.

****City Response: Accept**

Sec. 310. Violation of notice to appear. Delete as covered by U.C.A. 1953, § 72-7-22.

****City Response: Accept**

Sec. 311. Improper disposition or cancellation of summons or traffic citation. Delete as covered by U.C.A. 1953, § 77-7-26.

****City Response: Accept**

Sec. 315. Regulation of traffic and parking on school grounds. Change handicapped to disabled

****City Response: Accept and change to read “handicapped or disabled”**

Secs. 319—322. Noise. Delete as covered by Code title 7, ch. 2.

****City Response: Accept**

Secs. 323—335. All-terrain vehicles. Delete as covered by (and in conflict with) U.C.A. 1953, § 41-22-1 et seq.

****City Response: Accept**

Sec. 342. Low Profile Motorized Vehicles Prohibited on Public Property. If obsolete, delete.

****City Response: Keep as is – do not delete (pocket bikes and go-carts are still an issue)**

****City Response: Delete all except the following sections**

090	Use Of Coasters, Skates, Etc. Restricted
106	Drive on New Pavement
129	Incapable Driver
130	Permit incapable operator to operate
142	Angle parking violations
148. R	Fail to park within lines
153	Prohibited parking – snow removal
154	Display Vehicle for sale
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PART III. PROPOSED CODE REORGANIZATION

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² The city may wish to include this chapter in part II.

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- 20. Fire Prevention and Protection
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- 24. Justice Court (Title 23)

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- 28. Offenses and Miscellaneous Provisions (title 7, except ch. 7-12.)

- 30. Parks and Recreation (§ 7-1-14 & ch. 7-12)

- 32. Planning³
 - Art. I. In General
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 - Art. IV. Dedication of Improvement of Public Roads and Streets in Connection with Development (ch. 13-4)
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 - Art. VII. Development Fee (ch. 16-10)
 - Art. VIII. Development Inspection Fee (ch. 16-11)
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 - Art. X. Development Impact Fee (ch. 16-14)

³ The city may wish to include this chapter in part II.

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 - Art. II. Landscaping, Structure and Lot Maintenance (ch. 9-2)
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- 36. Solid Waste
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- 38. Streets, Sidewalks and Other Public Places
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- 40. Taxation
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 - Art. IV. Transient Room Tax (ch. 16-31)
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- 42. Telecommunications
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- 44. Utilities
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- 107. Fences (ch. 15A-28)
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 - Art. IV. Overlay Districts
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 - Div. 8. Historic Resources Overlay Zone (ch. 15A-17)
 - Div. 9. Sports and Recreation Overlay Zone (15A3-8)
 - Art. V. Special Development Districts (ch. 15A-19)
 - Art. VI. Conditional Use Permits (ch. 15A-33)
 - Art. VII. Specific Use Standards (ch. 15A-11)

ATTACHMENT A. REVISED CHAPTER 1

ARTICLE I. IN GENERAL

Sec. 1-1. How Code designated and cited.

The ordinances embraced in this and the following chapters shall constitute and be designated the as the "Sandy City Code."

State Law reference— Ordinance codification, U.C.A. 1953, § 10-3-706 et seq.

Sec. 3-1. General definitions and rules of construction.

The following definitions and rules of construction shall apply to this Code and to all ordinances and resolutions unless the context requires otherwise:

Generally. When provisions conflict, the specific shall prevail over the general. All provisions shall be liberally construed so that the intent of the city council may be effectuated. Words and phrases shall be construed according to the common and approved usage of the language, but technical words, technical phrases and words and phrases that have acquired peculiar and appropriate meanings in law shall be construed according to such meanings.

Bribe. The term "bribe" signifies any money, goods, right in action, property, thing of value, or advantage, present or prospective, or any promise or undertaking to give any, asked, given, or accepted, with a corrupt intent to influence unlawfully the person to whom it is given in the person's action, vote, or opinion in any public or official capacity.

City. The term "city" means the Sandy City Corporation.

City council or council. The term "city council" or "council" means the city council of the Sandy City Corporation.

Code. The term "Code" means the Sandy City Code, as designated in section 1-1. The Code consists of parts I and II. While part I is a recodification of general ordinances and part II is a recodification of ordinances pertaining to land development:

- (1) The inclusion in part I of provisions that pertain to land development does not excuse noncompliance with this Code.
- (2) The inclusion of part II of provisions that do not relate to land development does not excuse noncompliance with such provisions.

Computation of time. In computing a period of days, the first day is excluded and the last day is included. If the last day of any period is a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. When a person must act within a specified time and service of a notice and service is made by mail, three days shall be added to the time within which the act must be done.

Conjunctions. In a provision involving two or more items, conditions, provisions or events, which items, conditions, provisions or events are connected by the conjunction "and," "or" or "either...or," the conjunction shall be interpreted as follows, except that in appropriate cases, the terms "and" and "or" are interchangeable:

- (1) The term "and" indicates that all the connected terms, conditions, provisions or events apply.

- (2) The term "or" indicates that the connected terms, conditions, provisions or events apply singly or in any combination.
- (3) The term "either...or" indicates that the connected terms, conditions, provisions or events apply singly but not in combination.

Corruptly. The term "corruptly" imports a wrongful design to acquire or cause some pecuniary or other advantage to the person guilty of an act, established either by proof or by presumption of law.

County. The term "county" means Salt Lake County, Utah.

Delegation of authority. A provision that authorizes or requires a city officer or city employee to perform an act or make a decision authorizes such officer or employee to act or make a decision through subordinates.

Gender. Words of one gender include all other genders.

Highway, roads. The words "highway" and "roads" include public bridges, and may be held equivalent to the words "county way," and "county road," "common road," "state road" and "street."

Knowingly. The term "knowingly" imports only a knowledge that the facts exist which brings the act or omission within the provisions of these ordinances. It does not require any knowledge of the unlawfulness of such act or omission.

Includes and including. The terms "includes" and "including" are terms of enlargement and not of limitation or exclusive enumeration, and the use of the terms does not create a presumption that components not expressed are excluded.

Joint authority. A grant of authority to three or more persons as a public body confers the authority to a majority of the number of members, as fixed by statute or ordinance.

May. The term "may" creates discretionary authority or grants permission or a power.

May not. The term "may not" imposes a prohibition.

Month. The term "month" means a calendar month.

Must. The term "must" imposes a duty.

Must not. The term "must not" imposes a prohibition.

Neglect, negligent, negligence, and negligently. The terms "neglect," "negligent," "negligence," and "negligently" import a want of such attention to the nature or probable consequences of the act or omission as a prudent man ordinarily bestows in acting in his own concern.

Number. The singular includes the plural and the plural includes the singular.

Oath. The term "oath" includes an affirmation.

Officers, departments, etc. References to officers, departments, boards, commissions or employees are to city officers, city departments, city boards, city commissions and city employees.

Owner. The term "owner," as applied to property, includes any part owner, joint owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety of the whole or part of such property.

Person. The term "person" means any corporation, organization, government, governmental subdivision or agency, business trust, estate, trust, partnership, association and any other legal entity.

Personal property. The term "personal property" means any property other than real property.

Premises. The term "premises," as applied to real property, includes land and structures.

Property. The term "property" means real and personal property.

Real property. The term "real property" includes lands, tenements and hereditaments.

Shall. The term "shall" imposes a duty.

Shall not. The term "shall not" imposes a prohibition.

Sidewalk. The term "sidewalk" means that portion of the street between the curb or lateral line of the roadway, and the adjacent property line, intended for the use of pedestrians.

Signature. The term "signature" includes any name, mark, or sign written with the intent to authenticate any instrument or writing.

State. The term "state" means the State of Utah.

State statutes. The abbreviation "U.C.A. 1953" means the Utah Code Annotated, 1953, as now or hereafter amended. References to state acts to so such acts as now or hereafter amended.

Street. The term "street" includes alleys, lanes, courts, boulevards, public ways, public squares, public places, and sidewalks.

Swear. The term "swear" includes the term "affirm."

Tenant, occupant. The term "tenant" or "occupant" applied to a building or land shall include any person who occupies the whole or any part of such building or land, either alone or with others.

Tense. The present tense includes the past and future tenses. The future tense includes the present tense.

Week. The term "week" means a period of seven consecutive days.

Willfully. The term "willfully" when applied to the intent, with which an act is done or omitted, implies simply a purpose or willingness to commit the act or make the omission referred to. It does not require any intent to violate the law, to insure another or to acquire any advantage.

Written. The term "written" includes any form of words, letters, symbols or figures.

Year. The term "year" means 12 consecutive months.

(Prior Code § 1-1-4)

Sec. 1-3. - Catchlines of sections; history notes; references.

(a) The catchlines of the several sections of this Code printed in boldface type are intended as mere catchwords to indicate the contents of the section and are not titles of such sections, or of any part of the section, nor unless expressly so provided shall they be so deemed when any such section, including the catchline, is amended or reenacted.

(b) The history or source notes appearing in parentheses after a section in this Code have no legal effect and only indicate legislative history. Cross references, editor's notes, and state law references that appear in this Code after sections or subsections or that otherwise appear in footnote form are provided for the convenience of the user of this Code and have no legal effect.

(c) Unless specified otherwise, all references to parts, chapters, articles, division, subdivisions or sections are to parts, chapters, articles, division, subdivisions or sections of this Code.

Sec. 1-4. Effect of repeal of ordinances.

(a) Unless specifically provided otherwise, the repeal of a repealing ordinance does not revive the ordinance originally repealed or impair the effect of any savings provision in it.

(b) The repeal or amendment of an ordinance does not affect any punishment or penalty incurred before the repeal took effect, nor does such repeal or amendment affect any suit, prosecution or proceeding pending at the time of the amendment or repeal.

(Prior Code § 1-1-2)

Sec. 1-5. Amendments to Code; effect of new ordinances; amendatory language.

(a) All ordinances adopted subsequent to this Code that amend, repeal or in any way affect this Code may be numbered in accordance with the numbering system of this Code and printed for inclusion in this Code. Portions of this Code repealed by subsequent ordinances may be excluded from this Code by omission from reprinted pages affected thereby.

(b) Amendments to provisions of this Code may be made with the following language: "Section (chapter, article, division or subdivision, as appropriate) _____ of the Sandy City Code is hereby amended to read as follows:"

(c) If a new section, subdivision, division, article or chapter is to be added to this Code, the following language may be used: "Section (chapter, article, division or subdivision, as appropriate) _____ of the Sandy City Code is hereby created to read as follows:"

(d) All provisions desired to be repealed should be repealed specifically by section, subdivision, division, article or chapter number, as appropriate, or by setting out the repealed provisions in full in the repealing ordinance.

State Law reference— Form of ordinances, U.C.A. 1953, §§ 10-3-703.7, 10-3-705.

Sec. 1-6. Supplementation of Code.

(a) Supplements to this Code shall be prepared and printed whenever authorized or directed by the city. A supplement to this Code shall include all substantive permanent and general parts of ordinances adopted during the period covered by the supplement and all changes made thereby in this Code. The pages of the supplement shall be so numbered that they will fit properly into this Code and will, where necessary, replace pages that have become obsolete or partially obsolete. The new pages shall be so prepared that when they have been inserted, this Code will be current through the date of the adoption of the latest ordinance included in the supplement.

(b) In preparing a supplement to this Code, all portions of this Code that have been repealed shall be excluded from this Code by the omission thereof from reprinted pages.

(c) When preparing a supplement to this Code, the person authorized to prepare the supplement may make formal, nonsubstantive changes in ordinances and parts of ordinances included in the supplement, insofar as necessary to do so in order to embody them into a unified Code. For example, the person may:

- (1) Arrange the material into appropriate organizational units.

- (2) Supply appropriate catchlines, headings and titles for chapters, articles, divisions, subdivisions and sections to be included in this Code and make changes in any such catchlines, headings and titles or in any such catchlines, headings and titles already in this Code.
- (3) Assign appropriate numbers to chapters, articles, divisions, subdivisions and sections to be added to this Code.
- (4) Where necessary to accommodate new material, change existing numbers assigned to chapters, articles, divisions, subdivisions or sections.
- (5) Change the words "this ordinance" or similar words to "this chapter," "this article," "this division," "this subdivision," "this section" or "sections _____ to _____" (inserting section numbers to indicate the sections of this Code that embody the substantive sections of the ordinance incorporated in this Code).
- (6) Make other nonsubstantive changes necessary to preserve the original meaning of the ordinances inserted in his Code.

Sec. 1-7. Severability.

If any provision of this Code or its application to any person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality does not affect other provisions or applications of this Code that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Code are severable.

(Prior Code § 1-1-9)

Sec. 1-8. Provisions deemed continuation of existing ordinances.

The provisions of this Code, insofar as they are substantially the same as legislation adopted by the city relating to the same subject matter, shall be construed as reinstatements and continuations thereof and not as new enactments.

Sec. 1-9. Code does not affect prior offenses or rights.

(a) Nothing in this Code or the ordinance adopting this Code affects any offense or act committed or done, any penalty or forfeiture incurred, or any contract or right established before the effective date of this Code

(b) The adoption of this Code does not authorize any use or the continuation of any use of a structure or premises in violation of any city ordinance on the effective date of this Code.

(Prior Code § 1-1-2)

Sec. 1-10. Certain ordinances not affected by Code.

(a) Nothing in this Code or the ordinance adopting this Code affects the validity of any ordinance or portion of an ordinance not codified in this Code:

- (1) Annexing property into the city or describing the corporate limits.

- (2) Deannexing property or excluding property from the city.
- (3) Promising or guaranteeing the payment of money or authorizing the issuance of bonds or other instruments of indebtedness.
- (4) Authorizing or approving any contract, deed, or agreement.
- (5) Making or approving any appropriation or budget.
- (6) Providing for salaries of city employees or other employee benefits, or job descriptions for employee positions.
- (7) Granting any right or franchise.
- (8) Adopting or amending a comprehensive plan.
- (9) Levying or imposing any special assessment.
- (10) Dedicating, establishing, naming, locating, relocating, opening, paving, widening, repairing or vacating any street.
- (11) Establishing the grade of any street or sidewalk.
- (12) Dedicating, accepting or vacating any plat or subdivision.
- (13) Levying or imposing or otherwise related to property taxes.
- (14) Rezoning property.
- (15) That is temporary, although general in effect.
- (16) That is special, although permanent in effect.
- (17) The purpose of which has been accomplished.

(b) The ordinances designated in subsection (a) of this section continue in full force and effect to the same extent as if published at length in this Code.

Secs. 1-11—1-20. Reserved.

ARTICLE II. VIOLATIONS AND PENALTIES

Sec. 1-21. Definition.

- (a) In this article, the term "violation of this Code" means any of the following:
 - (1) Doing an act that is prohibited or made or declared unlawful, an infraction, an offense, an infraction, a violation or a misdemeanor by ordinance or by rule or regulation authorized by ordinance.
 - (2) Failure to perform an act that is required to be performed by ordinance or by rule or regulation authorized by ordinance.
 - (3) Failure to perform an act if the failure is prohibited or is made or declared unlawful, an infraction, an offense, a violation or a misdemeanor by ordinance or by rule or regulation authorized by ordinance.

(b) In every violation of this Code, there must exist a union or joint operation of act and intent, or criminal negligence

(c) When the provisions of an ordinance prohibit the commission or omission of an act, not only the person actually doing the prohibited thing or omitting the directed act, but also the employer authorizing it and all other persons concerned or aiding or abetting therein shall be guilty of the offense described and liable to the penalty prescribed for the offense.

(d) In this article, the term "violation of this Code" does not include the failure of a city officer or city employee to perform an official duty unless it is specifically provided that the failure to perform the duty is to be punished as provided in this chapter.

(Prior Code §§ 1-2-4, 1-2-5)

Sec. 1-22. Authorized dispositions.

(a) A person who has been convicted of a violation of this Code may be sentenced to any one or more of the following sentences or combination of sentences:

- (1) To pay a fine; or
- (2) To probation; or
- (3) To imprisonment.

(b) This article shall not deprive a court of authority conferred by law to forfeit property, suspend or cancel a license or permit, cite for contempt, or impose any other civil penalty. A civil penalty may be included as a part of any sentence.

(c) Whenever no other penalty is prescribed, any person found guilty of violating any provision of this Code shall be deemed guilty of a class B misdemeanor.

(Prior Code §§ 1-1-3, 1-2-1)

Sec. 1-23. Fines specified.

A person who has been convicted of an offense may be sentenced to pay a fine not exceeding:

- (1) \$1000.00 when the conviction is of a class B misdemeanor;
- (2) \$750.00 when the conviction is of a class C misdemeanor or infraction.

State law reference—Penalty for ordinance violations, U.C.A. 1953, § 10-3-703.

Sec. 1-24. Imprisonment specified.

(a) A person who has been convicted of a class B misdemeanor may be sentenced to a term in the city or county jail not to exceed six months.

(b) A person who has been convicted of a class C misdemeanor may be sentenced to a term in the county or city jail not to exceed ninety days.

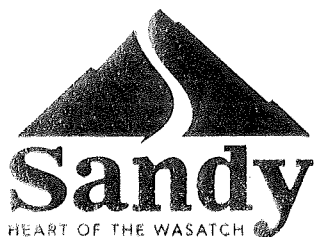
(c) A person who has been convicted of an infraction may not be sentenced to a term in the county or city jail.

Sec. 1-25. Separate offenses.

Except as otherwise provided by law or ordinance:

- (1) With respect to violations of this Code that are continuous with respect to time, each day that the violation continues is a separate offense.
- (2) With respect to other violations, each violation constitutes a separate offense.

(Prior Code § 1-2-6)



To: City Council Members

From: Shane Pace, Assistant CAO *SP*

Subject: Codification of City Code

Date: November 10, 2017

A Committee of employees from various departments has been meeting to review the recommended legal changes submitted by Municode of our ordinances. The purpose of these changes is to ensure our code is not in violation of federal law and does not conflict with State law. Municode also recommends eliminating some sections because they seem no longer necessary. The most common change is to eliminate sections that are the same as State Code to eliminate duplication. The attached document includes the proposed changes by Municode and the Committee's response to the proposed changes in red.

This document does not include the actual code. In order to review the proposed changes you will need to go to the City's website and open the current City Code found in the City Recorder page to review each of the recommendations. Municode is currently preparing the new codified code but we did not want to wait until it was completed before allowing the City Council to review it. If the City Council decides to make further changes, we can then submit those before Municode finalizes the codified code.

It is important to know we did not focus on updating the entire code. Many sections have been updated recently and others, such as the development code, are updated on a regular basis. We believed it was more important to codify the code for the public than spend much more time updating the entire code. Once codified, the City can go back and update sections as necessary.

Title

1. The Code; Ordinances; Ethics (title 1)
2. Elections (title 2)
3. Legislative Code (title 22)
4. Administrative Code (title 6)
5. Judicial Code (title 23)
6. Revenue and Finance (Title 16)
7. Purchasing (Title 11)
8. Water System (Title 14)
9. Stormwater (Title 17)
10. Streets and Public Improvements (Title 13)
11. Cemetery Code
12. Animal Services (Title 3)
13. Public Peace and Safety (Title 7)
14. Traffic Code
15. Business Licensing (Title 5)
16. Adult Businesses (Title 12)
17. Taxicabs (Title 19)
18. Building and Construction (Title 4)
19. Property Maintenance (Title 9)
20. Fire Prevention (Title 8)
21. Unified Development Ordinance (Title 15A).



Staff Report

File #: 17-302, **Version:** 1

Date: 11/14/2017

Agenda Item Title:

Redevelopment Agency of Sandy City 2017 Annual Report

Presenter:

Jason Burningham

Description/Background:

Lewis Young Robertson & Burningham, Inc. ("LYRB") has prepared an Annual Report on behalf of the Redevelopment Agency of Sandy City (the "Agency" or "RDA"). The report describes the Agency's eight project areas (*City Center, Civic Center South, Civic Center North, South Towne Ridge, Union Heights, 9400 South, 11400 South, and Sandy TOD*)

The purpose of the report, in part, is to fulfill the requirements of Utah Code section 17C-1-402(9)(b) and section 17C-1-603 - Agency Report. As reporting requirements were adopted in legislation and became effective in 2011, this report facilitates the Agency's compliance with the code, providing the data necessary to fulfill these reporting requirements. This section of Utah Code mandates that the Agency provide an annual report to the County Auditor, the State Tax Commission, the State Board of Education, as well as each of the taxing entities that levy a tax on property from which the Agency collects tax increment ("Tax Increment" as defined in the Limited Purpose Local Government Entities - Community Reinvestment Agency Act, 17C).

This report also fulfills the reporting requirements described in UC 17C-1-402(9)(b), allowing the report to be used in place of an annual taxing entity committee meeting. This annual report is for informational and compliance purposes and is intended to provide an overview of each Project Area that lies within the boundaries of Sandy's Agency, including descriptions of each of the eight project areas, significant activities, project timelines, actual and estimated tax increment collections, and any other information pertinent to the taxing entities.

Fiscal Impact:

Further action to be taken:

Recommended Action and/or Suggested Motion:

No action needed



Redevelopment Agency of Sandy City

CHRIS MCCANDLESS
Chair

LINDA MARTINEZ SAVILLE
Vice-Chair

Official Request for Tax Increment

To: Salt Lake County Auditor – Tax Division
From: Redevelopment Agency of Sandy City (the “Agency”)
Date: November 1, 2017
Re: Official Request for Property Tax Increment to be Paid Pursuant to Title17C, Utah Code

In accordance with Utah Code 17C-1-603(3) this report is for informational purposes only, and does not alter the amount of tax increment that this Agency is entitled to collect. **The Agency requests all tax increment legally available from each of the Agency’s project areas described below;** however these estimates should in no way be interpreted or applied as a limitation upon the amount the Agency is entitled to receive under applicable statute(s), project area budget(s), taxing entity committee resolutions, and/or interlocal cooperation agreements.

Estimate of Tax Increment

ESTIMATE OF TAX INCREMENT TO BE PAID TO THE AGENCY		
	Tax Year 2017 (Ending Dec. 31, 2017)	Tax Year 2018 (Beginning Jan. 1, 2018)
PROPERTY TAX INCREMENT		
Civic Center South	\$765,386	\$765,386
Civic Center North	\$1,421,939	\$2,139,763
South Towne Ridge	\$2,148,228	\$2,148,228
9400 South	\$91,821	\$91,821
Union Heights	\$54,002	\$54,002
11400 South	\$614,516	\$821,768
Sandy TOD	\$332,204	\$651,414
TOTAL REVENUE	\$5,428,096	\$6,672,382

Estimate of Additional Tax Increment (“Haircut”)

ESTIMATE OF TAX INCREMENT TO BE PAID TO THE AGENCY		
	Tax Year 2017 (Ending Dec. 31, 2017)	Tax Year 2018 (Beginning Jan. 1, 2018)
ADDITIONAL TAX INCREMENT (“HAIRCUT”)		
City Center	\$843,316	\$843,316
Civic Center South	\$510,257	\$510,257
Civic Center North	\$947,959	\$1,426,509
TOTAL REVENUE	\$2,301,532	\$2,780,082
SUM TOTAL OF INCREMENTAL REVENUE	\$7,729,629	\$9,452,464


Nick Duerksen,
Director, Redevelopment Agency of Sandy City

2017 ANNUAL REPORT

REDEVELOPMENT AGENCY OF SANDY CITY

IN COMPLIANCE WITH UTAH CODE SECTION 17C-1-603 AND 17C-1-402(9)(b)



NOVEMBER 1, 2017


LEWIS YOUNG
ROBERTSON & BURNINGHAM, INC.

GATEWAY PLAZA BUILDING - 41 N. RIO GRANDE, STE 101 - SALT LAKE CITY, UT 84101
(P) 801-596-0700 - (TF) 800-581-1111 - F 801-596-2800 - WWW.LEWISYOUNG.COM

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November 14, 2017

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Section 1: EXECUTIVE SUMMARY

INTRODUCTION

Lewis Young Robertson & Burningham, Inc. (“LYRB”) prepared this Annual Report on behalf of the Redevelopment Agency of Sandy City (the “Agency” or “RDA”). The report describes the Agency’s eight project areas (*City Center, Civic Center South, Civic Center North, South Towne Ridge, Union Heights, 9400 South, 11400 South, and Sandy TOD*). LYRB has created and/or updated annual and multi-year budgets, and created a proprietary Excel-based software package to manage the Agency’s Project Areas in the future.

The purpose of this report, in part, is to fulfill the requirements of Utah Code section 17C-1-402(9)(b) and section 17C-1-603 – Agency Report. As reporting requirements were adopted in legislation and became effective in 2011, this report facilitates the Agency’s compliance with the code, providing the data necessary to fulfill these reporting requirements. This section of Utah Code mandates that the Agency provide an annual report to the County Auditor, the State Tax Commission, the State Board of Education, as well as each of the taxing entities that levy a tax on property from which the Agency collects tax increment (“Tax Increment” as defined in the Limited Purpose Local Government Entities - Community Reinvestment Agency Act, 17C). The taxing entities involved in the various project areas of the Agency, to which this report is being provided, are summarized in the table below.

Table 1.1: RDA Taxing Entities

RDA TAXING ENTITIES	
Scott J. Bond	Sandy City
Brian Kelley	Sandy City
Sandy City Council	Sandy City
Salt Lake County Council	Salt Lake County
Stuart Clason	Salt Lake County
Scott Tingley	Salt Lake County
Leon Wilcox	Canyons School District
John Larsen	Jordan School District
JoAnne Dubois	Central Utah Water Conservancy District
Craig White	South Valley Sewer District
Brian Hougaard	South Salt Lake Valley Mosquito Abatement District
Glen Jenkins	Crescent Cemetery Maintenance District
Mike DeVries	Metropolitan Water District of Salt Lake & Sandy
Tracy Scott Cowdell	Sandy Suburban Improvement District
Natalie Grange	Utah State Board of Education
Lorraine Austin	Utah State Board of Education
Barry Conover	Utah State Tax Commission

This report also fulfills the reporting requirements described in UC 17C-1-402(9)(b), allowing the report to be used in place of an annual taxing entity committee meeting. This annual report is for informational and compliance purposes and is intended to provide an overview of each Project Area that lies within the boundaries of Sandy’s Agency, including descriptions of each of the eight project areas, significant activities, project timelines, actual and estimated tax increment collections, and any other information pertinent to the taxing entities. Map of the Project Areas are included as **Exhibit A**.

OVERVIEW OF THE AGENCY

The Agency was created by the Sandy City Council in accordance with the provision of the Utah Neighborhood Development Act, UCA 17A-2-1201, 17A-2-1202, and 17A-2-1203 and continues to

operate under Title 17C of Utah Code (UCA 17C) now titled as the “Limited Purpose Local Government Entities – Community Reinvestment Agency Act. The purpose of the Agency is to encourage the revitalization of certain areas of the City with quality developments that are conducive to meeting the long range goals of the City.

Originally, under the Act, each project area created by a Redevelopment Agency was classified simply as a Redevelopment Area (RDA). In 1998, the Act was expanded to allow the creation of various types of project areas to be used to achieve different outcomes, including Urban Renewal Area (URA) and Economic Development Area (EDA). In 2006, the Act was further modified to provide for an additional project area type, Community Development Area (CDA).







Changes to the Act, made in 2016, put an end to the three aforementioned classifications. Going forward all project areas envisioned and created by a Redevelopment Agency are categorized by a single designation and are known as Community Reinvestment Areas (CRA). Previously created projects will still be subject to the predecessor rules under which they were created and will still be designated as RDAs, URAs, CDAs, and EDAs but new projects will need to conform to the CRA modifications.

CRA's are created under a redevelopment agency. To create a CRA, an agency must first adopt a survey resolution that designates a survey area and authorizes the agency to prepare a project area plan and budget. The draft budget and plan are created and the agency must meet the noticing requirements concerning its intent to adopt the plan and budget. Once the agency adopts the draft plan and budget as the final plan and budget after a public hearing, it can then collaborate with the taxing entities. If the agency plans to use eminent domain in the CRA, a blight study must be performed in the designated area. The Agency then forges an agreement to receive tax increment participation and approval of the blight study from a taxing entity committee (TEC). With the potential use of eminent domain and a TEC, the CRA is required to allocate 20% of its tax increment revenue to affordable housing. If the agency does not intend to pursue eminent domain, interlocal agreements for tax increment participation can be entered into with individual taxing entities. No TEC is required. The affordable housing requirement for this approach is only 10% of the CRA's tax increment revenue.

As three of the eight active project areas in the Agency were created prior to this expansion of UCA 17C, each of these three Project Areas has been classified simply as a Redevelopment Area, or RDA. The fourth Project Area, South Towne Ridge, has been classified as an EDA. The remaining four project areas have been classified as CDAs. In 2016, changes were made to UCA 17C putting an end to these three classifications. Going forward all project areas will again be lumped into one category and will be designated as Community Reinvestment Areas (CRA).

AUTHORITIES AND POWERS OF THE AGENCY

The authority of the Agency is directed by UCA Title 17C.
17C-1-202

- I. An agency may:
 -  Sue and be sued;
 -  Enter into contracts generally;
 -  Buy, obtain an option upon, or otherwise acquire an interest in real or personal property;
 -  Sell, convey, grant, dispose of by gift, or otherwise dispose of any interest in real or personal property;
 -  Enter into a lease agreement on real or personal property, either as lessee or lessor;
 -  Provide for urban renewal, economic development, and community development as provided in this title;

- ☞ Receive tax increment as provided in this title;
- ☞ If disposing of or leasing land, retain controls or establish restrictions and covenants running with the land consistent with the project area plan;
- ☞ Accept financial or other assistance from any public or private source for the agency's activities, powers, and duties, and expend any funds so received for any of the purposes of this title;
- ☞ Borrow money or accept financial or other assistance from the federal government, a public entity, or any other source for any of the purposes of this title and comply with any conditions of the loan or assistance;
- ☞ Issue bonds to finance the undertaking of any urban renewal, economic development, or community development or for any of the agency's other purposes, including:
 - Reimbursing an advance made by the agency or by a public entity or the federal government to the agency;
 - Refunding bonds to pay or retire bonds previously issued by the agency; and
 - Refunding bonds to pay or retire bonds previously issued by the community that created the agency for expenses associated with an urban renewal, economic development, or community development project; and
- ☞ Transact other business and exercise all other powers provided for in this title.

GOVERNING BOARD OF TRUSTEES AND STAFF MEMBERS

Table I.2: Board of Trustees

GOVERNING BOARD OF TRUSTEES		
Chris McCandless	Chair	Sandy City Council Member
Linda Martinez Saville	Vice Chair	Sandy City Council Member
Kristin Coleman-Nicholl	Board Member	Sandy City Council Member
Maren Barker	Board Member	Sandy City Council Member
Scott Cowdell	Board Member	Sandy City Council Member
Stephen P. Smith	Board Member	Sandy City Council Member
Steve Fairbanks	Board Member	Sandy City Council Member

Table I.3: Staff Members

STAFF MEMBERS		
Thomas M. Dolan	Executive Director	Sandy City Mayor
Nick Duerksen	Economic Development/Redevelopment Director	
Kasey Dunlavy	Economic Development/Redevelopment Project Manager	
Vickey Barrett	Economic Development/Redevelopment Assistant	

SUMMARY OF REQUESTED FUNDS

In accordance with Utah Code 17C-1-603(3) this report is for informational purposes only, and does not alter the amount of tax increment that this Agency is entitled to collect. **The Agency requests all tax increment legally available from each of the Agency's project areas described below;** however these estimates should in no way be interpreted or applied as a limitation upon the amount the Agency is entitled to receive under applicable statute(s), project area budget(s), taxing entity committee resolutions, and/or interlocal cooperation agreements.

Table 1.4: Estimate of Tax Increment

ESTIMATE OF TAX INCREMENT TO BE PAID TO THE AGENCY		
	Tax Year 2017 (Ending Dec. 31, 2017)	Tax Year 2018 (Beginning Jan. 1, 2018)
PROPERTY TAX INCREMENT		
Civic Center South	\$765,386	\$765,386
Civic Center North	\$1,421,939	\$2,139,763
South Towne Ridge	\$2,148,228	\$2,148,228
9400 South	\$91,821	\$91,821
Union Heights	\$54,002	\$54,002
11400 South	\$614,516	\$821,768
Sandy TOD	\$332,204	\$651,414
TOTAL REVENUE	\$5,428,096	\$6,672,382

Table 1.5: Estimate of Additional Tax Increment ("Haircut")

ESTIMATE OF TAX INCREMENT TO BE PAID TO THE AGENCY		
	Tax Year 2017 (Ending Dec. 31, 2017)	Tax Year 2018 (Beginning Jan. 1, 2018)
ADDITIONAL TAX INCREMENT ("HAIRCUT")		
City Center	\$843,316	\$843,316
Civic Center South	\$510,257	\$510,257
Civic Center North	\$947,959	\$1,426,509
TOTAL REVENUE	\$2,301,532	\$2,780,082
SUM TOTAL OF INCREMENTAL REVENUE	\$7,729,629	\$9,452,464

GENERAL OVERVIEW OF ALL PROJECT AREAS

LYRB has updated the Project Area Budget for each area which includes a multi-year projection of revenues based upon current market conditions. The combined projection for all eight Project Areas forecasts that the areas will generate approximately \$140.1M for the remainder of the life of the projects. Approximately \$72.9M will come from tax increment revenues, \$29M from haircut revenues and \$38.2M will come from other tax revenues.

Table I.6: Combined Budget

Combined Project Area Budget		
REVENUES	FY 2017 Totals	REMAINING LIFE (INCLUDES 2017 TOTALS)
PROPERTY TAX INCREMENT		
Civic Center South	\$709,618	\$2,240,390
Civic Center North	\$1,425,607	\$11,763,792
South Towne Ridge	\$1,771,689	\$6,068,144
9400 South	\$94,141	\$1,332,906
Union Heights	\$55,277	\$595,297
11400 South	\$516,662	\$20,686,742
Sandy TOD	\$-	\$26,599,917
<i>Property Tax Increment Subtotal</i>	\$4,572,994	\$69,287,188
HAIRCUT		
City Center	\$867,966	\$2,554,598
Civic Center South	\$443,119	\$6,835,117
Civic Center North	\$570,818	\$23,268,780
<i>Haircut Subtotal</i>	\$1,881,903	\$32,658,494
OTHER TAX REVENUE		
9400 South	\$2,975,000	\$38,175,000
<i>Other Tax Revenue Subtotal</i>	\$2,975,000	\$38,175,000
TOTAL REVENUE	\$9,429,897	\$140,120,683
EXPENDITURES	FY 2017 TOTALS	REMAINING LIFE (INCLUDES 2017 TOTALS)
RDA Administration:		
Civic Center South	\$457,033	\$1,284,033
Civic Center North	\$522,902	\$2,818,552
South Towne Ridge	\$178,384	\$463,717
Sandy TOD	\$-	\$1,238,080
Development Incentive Payments		
Civic Center South	\$62,500	\$187,500
South Towne Ridge	\$484,910	\$1,454,910
Union Heights	\$55,277	\$595,297
11400 South	\$250,000	\$11,382,000
Debt Service Payments		
Civic Center South	\$1,392,810	\$3,960,130
Civic Center North	\$1,363,713	\$5,629,851
South Towne Ridge	\$85,550	\$85,550
9400 South	\$3,069,141	\$39,507,906



Affordable Housing		
South Towne Ridge	\$354,338	\$1,213,629
Sandy TOD	\$-	\$275,748
Infrastructure Reimbursement		
Civic Center South	\$24,640	\$74,040
Sandy TOD	\$-	\$17,562,634
Taxing Entity Increment Remittance		
Sandy TOD	\$-	\$7,523,455
Capital Facility Finance Plan Projects Fund		
City Center	\$867,966	\$2,554,598
Civic Center South	(\$784,245)	\$3,569,804
Civic Center North	\$109,810	\$26,584,170
South Towne Ridge	\$668,507	\$2,850,338
11400 South	\$266,662	\$9,304,742
Total Expenditures	\$9,429,897	\$140,120,683

SECTION 2: OVERVIEW CITY CENTER RDA

Table 2.1: Project Area Overview

OVERVIEW				
<u>Type</u> RDA	<u>Acreage</u> 92.91	<u>Purpose</u> Commercial Development (South Towne Center)	<u>Taxing District</u> 36F	<u>Tax Rate</u> 0.012989
<u>Creation Year</u> FY 1982	<u>Base Year</u> FY 1982	<u>Term</u> 32 Years	<u>Trigger Year</u> FY 1988	<u>Expiration Year</u> FY 2019
<u>Base Value</u> \$1,861,885	<u>TY 2016 Value</u> \$175,092,701	<u>Increase</u> 9,304%	<u>FY 2017 Increment</u> \$867,966	<u>Remaining Life</u> 2 Years



The City Center Project Area was created in October 1982 and is governed by the “City Center Community Redevelopment Plan – Final Plan” dated October 2, 1982. These documents and the associated ordinances and resolutions define the duration and use of property tax generated within the Project Area as well as conditions and obligations by the Agency.

The original purpose of the Project Area was to eliminate blight, create jobs and increase property and sales tax revenue to the taxing entities. The Project Area includes nearly all property located between State Street on the east, I-15 on the west, and 106th to the South. The Project Area also includes a small section to the east of State Street across from the Shops at South Town.

The Project Area is intended to draw property tax increment beginning with the taxes collected in 1987 and remitted to the Agency in 1988 and continue for 32 years through and including taxes collected in 2018 and paid to the Agency in 2019. The Agency has received tax increment revenue every year beginning in 1988. For FY 2017 and for the duration of the Project Area, 100% of the tax increment generated will be considered recaptured “haircut” funds. As stated in Utah State statute, the haircut portion can be used to fund recreational or cultural projects within or benefitting the project area.



SOURCES OF FUNDS

Table 2.2: Sources of Funds

FY 2017 SOURCES OF FUNDS	
Haircut Recapture	\$867,966
Total Sources of Funds	\$867,966

Note that haircut revenues will not include participation from the school district's portion of the tax rate. The tax increment and haircut levels are set according to the following schedule:

Table 2.3: Tax Increment Levels

TAX INCREMENT LEVELS			
Years	Tax Years	Tax Increment	Haircut (Not Including School District Portion)
Years 1 -5	1988-1992	100%	0%
Years 6-10	1993-1997	80%	20%
Years 11-15	1998-2002	75%	25%
Years 16-20	2003-2007	70%	30%
Years 21-25	2008-2012	60%	40%
Years 26-32	2013-2019	0%	100%

USES OF FUNDS

Table 2.4: Uses of Funds

FY 2017 USES OF FUNDS	
Capital Facility Finance Plan Projects Fund	\$867,966
Total Use of Funds	\$867,966

As discussed in 17C-1-403, an agency may receive “additional tax increment” on pre-1993 project areas for a period of 32 years, if they have qualified expenses. The Agency is currently using the “additional tax increment” to 1) pay the annual debt service payments related to the Park Bonds, Golf Course Bonds, Amphitheater Bonds, and Road Bonds in the City, and 2) to repay the agency for past qualified projects where the agency used non haircut tax increment or other agency funds to pay some or all of the costs related to the qualified projects. **Exhibit B** includes relevant information related to these qualified projects that complies with the Salt Lake County letter dated September 8, 2016.

For FY 2017, the City Center Haircut revenue is being repaid to the Agency for past qualified projects that the Agency used non-haircut funds to help finance. This revenue will go towards capital projects within the City Center Area that will help promote future economic development and vision of the Cairns District.

PROJECT AREA REPORTING AND ACCOUNTABILITY

COMPARISON OF FORECASTED AND ACTUAL TAX INCREMENT

Table 2.5: Realization of Tax Increment

REALIZATION OF TAX INCREMENT	ACTUAL	FORECASTED	% OF PROJECTION
TAX INCREMENT GENERATED IN PROJECT AREA			
Property Tax Increment – FY 2017	\$867,966	\$2,294,388	37.8%

FY 2017 was the first year that the County paid the haircut portion of increment directly to the School District, as opposed to the Agency remitting the School District their haircut portion.

GROWTH IN ASSESSED VALUE

Table 2.6: Growth in Assessed Value

GROWTH IN ASSESSED VALUE	CURRENT YEAR	PRIOR YEAR	GROWTH RATE	AAGR
ASSESSED VALUES IN PROJECT AREA				
Annual Growth in Project Area (2016 vs. 2015)	\$175,092,701	\$176,640,838	-0.88%	-0.88%
Lifetime Growth in Project Area (2016 vs. 1996)	\$175,092,701	\$66,976,182	161.43%	4.92%
Lifetime Growth in Project Area (2016 vs. Base)	\$175,092,701	\$1,861,885	9,304%	14.29%
ASSESSED VALUES IN SANDY CITY				
Annual Growth in Sandy City (2016 vs. 2015)	\$6,892,438,305	\$6,324,895,759	8.97%	8.97%
Lifetime Growth in Sandy City (2016 vs. 1996) ¹	\$6,892,438,305	\$3,029,522,568	127.51%	4.19%

BENEFITS DERIVED BY PARTICIPATING TAXING ENTITIES

Table 2.7: Benefits to Taxing Entities

BENEFITS TO TAXING ENTITIES

*Increased Property Tax Revenues

*Higher growth in tax base compared to non-RDA areas

The primary benefit experienced by the participating taxing entities is increased property tax revenue due to increased property values. The most significant benefit to the taxing entities will be realized when the life of the Project Area expires. At that point the Agency will no longer receive tax increment and the taxing entities will receive property tax income based on the full assessed value in the Project area.

Table 2.8: Growth in Tax Increment

GROWTH IN TAX INCREMENT	ORIGINAL BUDGET REVENUES	ACTUAL REVENUE	Base Year Value Revenues	ACTUAL % ABOVE BASE
TAX INCREMENT FROM PROJECT AREA				
Fiscal Year 2017	NA	\$867,966	\$22,886	3,793%
Lifetime Revenue (2000-2017)	NA	\$48,702,021	\$853,180	5,708%
PASS THROUGH INCREMENT (ABOVE BASE)				
Fiscal Year 2017	NA	\$1,173,646	\$22,886	5,128%
Lifetime Revenue (2000-2017)	NA	\$10,940,008	\$853,180	1,282%

NOTABLE DEVELOPMENT AND FUTURE PROJECTS

The City Center Project Area contains the Shops at South Town and other retail components. The mall is currently undergoing a \$20 million renovation and rebranding. New infrastructure and development in the City Center Project Area include Round 1 Entertainment, a bowling and amusement center that will be located in the Shops at South Town, and the 106th underpass that will connect I-15 to Monroe Street. Notable businesses and development in the project area include:

¹ The year 1996 is being used for this comparison because this is the earliest year for which assessed values are available for the City as a whole. The year 1996 is used in all remaining growth in assessed value calculations.

-  Shops at South Town
-  Pier 1 Imports
-  Olive Garden
-  PGA Super Store
-  Bed Bath & Beyond
-  Nordstrom Rack

Table 2.9: Developed and Undeveloped Acreage

CITY CENTER RDA	ACREAGE	PERCENTAGE
Developed	91.57	98.56%
Undeveloped	1.34	1.44%
Total	92.91	100%

FORECASTED PROJECT AREA BUDGET UPDATE

The multi-year budget attached to this document and summarized below displays revenue in the fiscal year received rather than the calendar year collected.

Table 2.10: Project Area Budget

PROJECT AREA BUDGET	FY 2018-2019
REVENUES	TOTALS
Haircut Recapture	\$1,686,632
Total Revenue	\$1,686,632
EXPENDITURES	TOTALS
Capital Facilities Finance Plan Projects	\$1,686,632
Total Expenditures	\$1,686,632

OTHER ISSUES

The Agency is in the process of adopting a Capital Facility Finance Plan that will use available funds within the City Center Project Area to help facilitate economic development within the Project Area, which lies within the Downtown Cairns District.

PROJECT AREA ANNUAL AND MULTI-YEAR BUDGETS

The following four sheets represent the FY 2017, FY 2018, FY 2019 and multi-year budget from 2013 to 2019.

CITY CENTER PROJECT AREA

2017

Fiscal Year Tax Year		2017
		2016
ASSESSED VALUATION		
Sandy Tax District 36F		175,092,701
Base Year Value		-
Incremental Value		175,092,701
TAX INCREMENT ANALYSIS		
Incremental Property Tax Rates		
Combined Rate		0.0122920
Tax Increment & Participation Rates		
Sandy Tax District 36F		2,152,239
Increment Rate		0%
Haircut Rate		100%
Tax Increment Generation (Net of Adjustments)		
Property Tax Increment		-
Haircut Revenue		2,041,611
Less School District Haircut		(1,173,646)
Total Tax Increment		867,966
REVENUES		
Property Tax Increment		-
Haircut Increment		867,966
Total Revenue		867,966
EXPENDITURES		
Haircut Fund		
Capital Facility Finance Plan Projects Fund		867,966
TOTAL EXPENDITURES		867,966

CITY CENTER PROJECT AREA

2018

Fiscal Year Tax Year		2018
		2017
ASSESSED VALUATION		
Sandy Tax District 36F		175,092,701
Base Year Value		-
Incremental Value		175,092,701
TAX INCREMENT ANALYSIS		
Incremental Property Tax Rates		
Combined Rate		0.0125650
Tax Increment & Participation Rates		
Sandy Tax District 36F		2,200,040
Increment Rate		0%
Haircut Rate		100%
Tax Increment Generation (Net of Adjustments)		
Property Tax Increment		-
Haircut Revenue		2,089,451
Less School District Haircut		(1,246,135)
Total Tax Increment		843,316
REVENUES		
Property Tax Increment		-
Haircut Increment		843,316
Total Revenue		843,316
EXPENDITURES		
Haircut Fund		
Capital Facility Finance Plan Projects Fund		843,316
TOTAL EXPENDITURES		843,316

CITY CENTER PROJECT AREA

2019

Fiscal Year Tax Year		2019	2018
ASSESSED VALUATION			
Sandy Tax District 36F		175,092,701	
Base Year Value		-	
Incremental Value		175,092,701	
TAX INCREMENT ANALYSIS			
Incremental Property Tax Rates			
Combined Rate		0.0125650	
Tax Increment & Participation Rates			
Sandy Tax District 36F		2,200,040	
Increment Rate		0%	
Haircut Rate		100%	
Tax Increment Generation (Net of Adjustments)			
Property Tax Increment		-	
Haircut Revenue		2,089,451	
Less School District Haircut		(1,246,135)	
Total Tax Increment		843,316	
REVENUES			
Property Tax Increment		-	
Haircut Increment		843,316	
Total Revenue		843,316	
EXPENDITURES			
Haircut Fund			
Capital Facility Finance Plan Projects Fund		843,316	
TOTAL EXPENDITURES		843,316	

SANDY CITY - CITY CENTER PROJECT AREA

Redevelopment Agency Ongoing Multi-Year Budget

Multi-year Project Area Budget



Base Year: 1982 Tax Year		<===== Historic Projected =====>							
	Base Year	Yr. 26	Yr. 27	Yr. 28	Yr. 29	Yr. 30	Yr. 31	Yr. 32	
	Fiscal Year Tax Year	1982	2013	2014	2015	2016	2017	2018	2019
		2012	2013	2014	2015	2016	2017	2018	
ASSESED VALUATION									
Sandy Tax District 36F	-	164,425,473	170,108,090	171,619,234	176,640,838	175,092,701	175,092,701	175,092,701	
Base Year Value	-	-	-	-	-	-	-	-	
Incremental Value	-	164,425,473	170,108,090	171,619,234	176,640,838	175,092,701	175,092,701	175,092,701	
TAX INCREMENT ANALYSIS									
Incremental Property Tax Rates									
Salt Lake County (Net of Assessing & Collecting)		0.002793	0.003180	0.003036	0.002819	0.002639	0.002492	0.002492	
Canyons School District		0.007111	0.007016	0.006872	0.006997	0.006463	0.006439	0.006439	
Sandy City		0.001520	0.001483	0.001413	0.001426	0.001321	0.001229	0.001229	
South Salt Lake Valley Mosquito Abatement District		0.000021	0.000021	0.000020	0.000019	0.000018	0.000017	0.000017	
South Valley Sewer District		0.000407	0.000396	0.000371	0.000354	0.000331	0.000316	0.000316	
Crescent Cemetery Maintenance District		0.000048	0.000045	0.000043	0.000043	0.000038	0.000035	0.000035	
Central Utah Water Conservancy District		0.000455	0.000446	0.000422	0.000405	0.000400	0.000400	0.000400	
Salt Lake City Metropolitan Water District of - Sandy City Only		0.000455	0.000441	0.000420	0.000406	0.000376	0.000347	0.000347	
Salt Lake County Library		0.000627	0.000755	0.000715	0.000683	0.000639	0.000612	0.000612	
Jordan/Canyon School District Debt Service		0.001307	0.001095	0.000951	0.000862	0.000764	0.000678	0.000678	
Less Tax Rate Increase			(0.000812)	(0.000025)	(0.000664)	(0.000697)			
Combined Rate		0.014418	0.014066	0.014238	0.013350	0.012292	0.012565	0.012565	
Tax Increment & Participation Rates									TOTALS
Sandy Tax District 36F		2,370,686	2,339,005	2,443,515	2,358,155	2,152,239	2,200,040	2,200,040	16,063,681
Increment Rate		0%	0%	0%	0%	0%	0%	0%	
Haircut Rate		100%	100%	100%	100%	100%	100%	100%	
Tax Increment Generation									TOTALS
Property Tax Increment		-	-	-	-	-	-	-	-
Recaptured Increment (Haircut Revenue)		2,370,686	2,339,005	2,443,515	2,358,155	2,152,239	2,200,040	2,200,040	16,063,681
Less Prior Year Tax Increase				(191,731)	(100,874)	(110,589)	(110,589)	(110,589)	(624,372)
Less Prior Year Adjustment				(4,455)	-	(39)	-	-	(4,494)
Total Tax Increment		2,370,686	2,339,005	2,247,329	2,257,281	2,041,611	2,089,451	2,089,451	15,434,815
PROJECT AREA BUDGET									TOTALS
REVENUES									
Property Tax Increment		-	-	-	-	-	-	-	-
Recapture of Increment		2,370,686	2,339,005	2,247,329	2,257,281	2,041,611	2,089,451	2,089,451	15,434,815
Less School District Haircut Portion						(1,173,646)	(1,246,135)	(1,246,135)	(3,665,916)
TOTAL REVENUE		2,370,686	2,339,005	2,247,329	2,257,281	867,966	843,316	843,316	11,768,900
EXPENDITURES									TOTALS
Increment Fund									
Developer Incentives									
Leasehold Improvements									-
South Towne Mall Contract									-
Thackery Developer Reimbursement - Sandy Commons		300,000							300,000
South Towne Mall Incentive - Macerich Contract		851,428							851,428
Sub-Total		1,151,428	-	-	-	-	-	-	1,151,428
Haircut Fund									
Jordan/Canyons School District Payment		1,350,915	1,275,149	1,232,620	1,388,220	-	-	-	5,246,904
Park Projects Bonds (1999) - Ends After 2019		808,786	772,507	769,112	432,016	-	-	-	2,782,421
Capital Facility Finance Plan Projects Fund		(940,443)	291,349	245,597	437,045	867,966	843,316	843,316	2,588,146
Sub-Total		1,219,258	2,339,005	2,247,329	2,257,281	867,966	843,316	843,316	10,617,472
TOTAL EXPENDITURES		2,370,686	2,339,005	2,247,329	2,257,281	867,966	843,316	843,316	11,768,900

SECTION 3: OVERVIEW CIVIC CENTER SOUTH RDA

Table 3.1: Project Area Overview

OVERVIEW				
<u>Type</u> RDA	<u>Acreage</u> 111.73	<u>Purpose</u> Commercial Development	<u>Taxing District</u> 36G	<u>Tax Rate</u> 0.012989
<u>Creation Year</u> FY 1989	<u>Base Year</u> FY 1989	<u>Term</u> 32 Years	<u>Trigger Year</u> FY 1995	<u>Expiration Year</u> FY 2026
<u>Base Value</u> \$1,539,250	<u>TY 2016 Value</u> \$128,492,064	<u>Increase</u> 8,248%	<u>FY 2017 Increment</u> \$1,152,738	<u>Remaining Life</u> 9 Years



The Civic Center South Project Area was created in October 1989 and is governed by (a) the “Civic Center South Neighborhood Development Plan – Final Plan” dated November 1, 1989, the Plan and the associated ordinances and resolutions—define the duration and use of property tax generated within the Project Area as well as conditions and obligations by the Agency and developers/land owners.

The original purpose of the Project Area was to eliminate blight, create jobs and increase property and sales tax revenue to the taxing entities. The Project Area is located between 10600 South and 11000 South and between Interstate 15 and State Street.

The Project Area is intended to draw property tax increment beginning with the taxes collected in 1994 and remitted to the Agency in 1995 and continue for 32 years through and including taxes collected in 2025 and paid to the Agency in 2026. The Agency has received tax increment revenue every year beginning in 1995.

SOURCES OF FUNDS

Table 3.2: Sources of Funds

2017 SOURCES OF FUNDS	
Property Tax Increment	\$709,618
Haircut Recapture	\$443,119
Total Sources of Funds	\$1,152,737

Note that haircut revenues will not include participation from the school district’s portion of the tax rate. The tax increment and haircut levels are set according to the following schedule:

Table 3.3: Tax Increment Levels

TAX INCREMENT LEVELS			
Years	Tax Years	Tax Increment	Haircut (Not Including School District Portion)
Years 1-5	1995-1999	100%	0%
Years 6-10	2000-2004	80%	20%
Years 11-15	2005-2009	75%	25%
Years 16-20	2010-2014	70%	30%
Years 21-25	2015-2019	60%	40%
Years 26-32	2020-2026	0%	100%

USES OF FUNDS

Table 3.4: Uses of Funds

2017 USES OF FUNDS	
RDA Administration	\$457,033
Debt Service Payments	\$1,392,810
Development Incentive Payments	\$62,500
Infrastructure Payment	\$24,640
Capital Facility Finance Plan Projects Fund	(\$784,246)
Total Use of Funds	\$1,152,737

DEBT SERVICE PAYMENTS

Table 3.5: Debt Service Payments

2017 DEBT SERVICE PAYMENTS	
Series 2007 Road Bond Payment	\$470,308
Series 2002 Golf Course Bond Payment	\$150,000
Series 1999 Park Bond Payment	\$772,502
Total Debt Service Payment	\$1,392,810

In 2002, Sandy City issued bonds to acquire land and construct the River Oaks Golf Course. The annual debt service for the bonds is roughly \$350,000. The Project Area paid \$150,000 in annual debt service for the 2002 Golf Course Bonds in FY 2017. The Project Area's haircut fund is scheduled to make the same debt service payments on the Golf Course Bonds through FY 2023.

In 2007, Sandy City issued road construction bonds to construct roads throughout the City, including within the Project Area. The City estimated the total portion of roads constructed within or impacting the Project Area as part of this bond issuance. The Project Area is responsible for the corresponding portion of debt service for the 2007 Road Bonds which portion in FY 2017 was \$470,308. FY 2017 was the final year the Civic Center South Project Area will make a debt service payment on the 2007 Road Bonds.



In 1999, Sandy City issued \$9.78 million in bonds to acquire 53 acres for the construction of city parks at various locations throughout the City. The Haircut Fund of the Civic Center South Project Area paid \$772,502 in annual debt service for the 1999 Parks Bonds. The Project Area's haircut fund is scheduled to make debt service payments on the 1999 Park Bonds through FY 2020.

DEVELOPMENT INCENTIVE PAYMENT

Table 3.6: Development Incentive Payment

2017 DEVELOPMENT INCENTIVE PAYMENT	
Dahle/Meyer (Mazda) Payment	\$62,500
Total Development Incentive Payment	\$62,500

The Agency entered into an agreement with a new car dealership in the Southtowne Auto Mall. The agreement is for \$250,000 of tax increment, paid over a 4 year period. In FY 2017, the Agency paid the car dealership \$62,500. The Agency will make the same annual development incentive payment through FY 2019.

PROJECT AREA REPORTING AND ACCOUNTABILITY

COMPARISON OF FORECASTED AND ACTUAL TAX INCREMENT

Table 3.7: Realization of Tax Increment

REALIZATION OF TAX INCREMENT	ACTUAL	FORECASTED	% OF PROJECTION
TAX INCREMENT GENERATED IN PROJECT AREA			
Property Tax Increment – FY 2017	\$1,152,737	\$1,495,156	77.1%

FY 2017 was the first year that the County paid the haircut portion of increment directly to the School District, as opposed to the Agency remitting the School District their haircut portion.

GROWTH IN ASSESSED VALUE

Table 3.8: Growth in Assessed Value

GROWTH IN ASSESSED VALUE	CURRENT YEAR	PRIOR YEAR	GROWTH RATE	AAGR
ASSESSED VALUES IN PROJECT AREA				
Annual Growth in Project Area (2016 vs. 2015)	\$128,492,064	\$127,222,437	1.00%	1.00%
Lifetime Growth in Project Area (2016 vs. 1996)	\$128,492,064	\$29,307,534	338.43%	7.67%
Lifetime Growth in Project Area (2016 vs. Base)	\$128,492,064	\$1,539,250	8,248%	17.81%
ASSESSED VALUES IN SANDY CITY				
Annual Growth in Sandy City (2016 vs. 2015)	\$6,892,438,305	\$6,324,895,759	8.97%	8.97%
Lifetime Growth in Sandy City (2016 vs. 1996)	\$6,892,438,305	\$3,029,522,568	127.51%	4.19%

BENEFITS DERIVED BY PARTICIPATING TAXING ENTITIES

Table 3.9: Benefits to Taxing Entities

BENEFITS TO TAXING ENTITIES

*Increased Property Tax Revenues

*Higher growth in tax base compared to non-RDA areas

The primary benefit experienced by the participating taxing entities is increased property tax revenue due to increased property values. The most significant benefit to the taxing entities will be realized when the life of the Project Area expires. At that point the Agency will no longer receive tax increment and the taxing entities will receive property tax income based on the full assessed value in the Project area.

Table 3.10: Growth in Tax Increment

GROWTH IN TAX INCREMENT	ORIGINAL BUDGET* REVENUES	ACTUAL REVENUE	Base Year Value Revenues	ACTUAL % ABOVE BASE
TAX INCREMENT FROM PROJECT AREA				
Fiscal Year 2017	NA	\$1,152,737	\$18,920	6,093%
Lifetime Revenue (1995-2017)	NA	\$28,324,630	\$501,903	5,643%
PASS THROUGH INCREMENT (ABOVE BASE)				
Tax Year 2016 (Including TIF and Haircut)	NA	\$344,513	\$18,920	1,821%
Lifetime Revenue (1995-2017)	NA	\$4,160,112	\$501,903	829%

NOTABLE DEVELOPMENT AND FUTURE PROJECTS

Notable Development within the Civic Center South Project Area includes:







-  Southtowne Automall
-  Hampton Inn
-  Major Renovation of Marriott Courtyard
-  Best Western
-  Southtowne Mazda
-  Ken Garff Hyundai Southtowne

Table 3.11: Developed and Undeveloped Acreage

CIVIC CENTER SOUTH RDA	ACREAGE	PERCENTAGE
Developed	111.73	100%
Undeveloped	-	0%
Total	111.73	100%

FORECASTED PROJECT AREA BUDGET UPDATE

The multi-year budget attached to this document and summarized below displays revenue in the fiscal year received rather than the calendar year collected.

Table 3.12: Project Area Budget

PROJECT AREA BUDGET	FY 2018-2026
REVENUES	TOTALS
Property Tax Increment	\$1,530,772
Haircut Recapture	\$6,391,997
Total Revenue	\$7,922,769
EXPENDITURES	TOTALS
RDA Administration	\$827,000
Debt Service Payments	\$2,567,320
Development Incentive Payments	\$125,000
Infrastructure	\$49,400
Capital Facility Finance Plan Projects Funds	\$4,354,049
Total Expenditures	\$7,922,769

OTHER ISSUES

The Agency is in the process of adopting a Capital Facility Finance Plan that will use available funds within the Civic Center South Project Area to help facilitate economic development within the Project Area.

PROJECT AREA ANNUAL AND MULTI-YEAR BUDGETS

The following four sheets represent the FY 2017, FY 2018, FY 2019, and multi-year budget from 2013 to 2026.



CIVIC CENTER SOUTH (AUTO MALL)

		2017
		2016
ASSESED VALUATION		
Sandy Tax District 36G		128,492,064
Base Year Value		-
Incremental Value		128,492,064
TAX INCREMENT ANALYSIS		
Incremental Property Tax Rates		
Total Combined Rate		0.012292
Tax Increment & Participation Rates		
Sandy Tax District 36G		1,579,424
Increment Rate		60%
Haircut Rate		40%
Tax Increment Generation (Net of Adjustments)		
Property Tax Increment		898,350
Haircut Revenue		598,900
Less School District Haircut		(344,513)
Total Tax Increment		1,152,737
REVENUES		
Property Tax Increment		709,618
Haircut Increment (Net of Adjustments)		443,119
Total Revenue		1,152,737
EXPENDITURES		
Increment Fund		
Administration Fee		457,033
Salt Lake Sewer Improvement District (South Valley Sewer) Payment		24,640
Dahle/Meyer (Mazda)		62,500
Road Bonds (2007) - Ends After 2017		470,308
Capital Facilities Finance Plan		(304,863)
Increment Fund Sub-Total		709,618
Haircut Fund		
Golf Course Bonds (2002) - Ends After 2023		150,000
Park Projects Bonds (1999) - Ends After 2019		772,502
Capital Facility Finance Plan Projects Fund		(479,383)
Haircut Fund Sub-Total		443,119
Total Expenditures		1,152,737

CIVIC CENTER SOUTH (AUTO MALL)

2018

Fiscal Year		2018
Tax Year		2017
ASSESED VALUATION		
Sandy Tax District 36G		128,492,064
Base Year Value		-
Incremental Value		128,492,064
TAX INCREMENT ANALYSIS		
Incremental Property Tax Rates		
Total Combined Rate		0.012565
Tax Increment & Participation Rates		
Sandy Tax District 36G		1,614,503
Increment Rate		60%
Haircut Rate		40%
Tax Increment Generation (Net of Adjustments)		
Property Tax Increment		968,702
Haircut Revenue		645,801
Less School District Haircut		(338,859)
Total Tax Increment		1,275,644
REVENUES		
Property Tax Increment		765,386
Haircut Increment (Net of Adjustments)		510,257
Total Revenue		1,275,644
EXPENDITURES		
Increment Fund		
Administration Fee		413,500
Salt Lake Sewer Improvement District (South Valley Sewer) Payment		24,700
Dahle/Meyer (Mazda)		62,500
Capital Facilities Finance Plan		264,686
Increment Fund Sub-Total		765,386
Haircut Fund		
Golf Course Bonds (2002) - Ends After 2023		150,000
Park Projects Bonds (1999) - Ends After 2019		765,306
Capital Facility Finance Plan Projects Fund		(405,049)
Haircut Fund Sub-Total		510,257
Total Expenditures		1,275,644

CIVIC CENTER SOUTH (AUTO MALL)

2019

		Fiscal Year	2019
		Tax Year	2018
ASSESSED VALUATION			
Sandy Tax District 36G			128,492,064
Base Year Value			-
Incremental Value			128,492,064
TAX INCREMENT ANALYSIS			
Incremental Property Tax Rates			
Total Combined Rate			0.012565
Tax Increment & Participation Rates			
Sandy Tax District 36G			1,614,503
Increment Rate			60%
Haircut Rate			40%
Tax Increment Generation (Net of Adjustments)			
Property Tax Increment			968,702
Haircut Revenue			645,801
Less School District Haircut			(338,859)
Total Tax Increment			1,275,644
REVENUES			
Property Tax Increment			765,386
Haircut Increment (Net of Adjustments)			510,257
Total Revenue			1,275,644
EXPENDITURES			
Increment Fund			
Administration Fee			413,500
Salt Lake Sewer Improvement District (South Valley Sewer) Payment			24,700
Dahle/Meyer (Mazda)			62,500
Capital Facilities Finance Plan			264,686
Increment Fund Sub-Total			765,386
Haircut Fund			
Golf Course Bonds (2002) - Ends After 2023			150,000
Park Projects Bonds (1999) - Ends After 2019			763,794
Capital Facility Finance Plan Projects Fund			(403,537)
Haircut Fund Sub-Total			510,257
Total Expenditures			1,275,644

Fiscal Year Tax Year	<===== Historic Projected =====>														
	Base Year	Year 19	Year 20	Year 21	Year 22	Year 23	Year 24	Year 25	Year 26	Year 27	Year 28	Year 29	Year 30	Year 31	Year 32
	1989	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
		2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
ASSESED VALUATION															
Sandy Tax District 36G	1,539,250	107,832,296	122,866,336	123,913,674	127,222,437	128,492,064	128,492,064	128,492,064	128,492,064	128,492,064	128,492,064	128,492,064	128,492,064	128,492,064	128,492,064
Base Year Value	(1,539,250)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Incremental Value	-	107,832,296	122,866,336	123,913,674	127,222,437	128,492,064	128,492,064	128,492,064	128,492,064	128,492,064	128,492,064	128,492,064	128,492,064	128,492,064	128,492,064
TAX INCREMENT ANALYSIS															
Incremental Property Tax Rates															
Salt Lake County		0.002793	0.003180	0.003036	0.002819	0.002639	0.002492	0.002492	0.002492	0.002492	0.002492	0.002492	0.002492	0.002492	0.002492
Jordan/Canyon School District		0.007111	0.007016	0.006872	0.006997	0.006463	0.006439	0.006439	0.006439	0.006439	0.006439	0.006439	0.006439	0.006439	0.006439
Sandy City		0.001520	0.001483	0.001413	0.001426	0.001321	0.001229	0.001229	0.001229	0.001229	0.001229	0.001229	0.001229	0.001229	0.001229
South Salt Lake Valley Mosquito Abatement District		0.000021	0.000021	0.000020	0.000019	0.000018	0.000017	0.000017	0.000017	0.000017	0.000017	0.000017	0.000017	0.000017	0.000017
South Valley Sewer District		0.000407	0.000396	0.000371	0.000354	0.000331	0.000316	0.000316	0.000316	0.000316	0.000316	0.000316	0.000316	0.000316	0.000316
Crescent Cemetery Maintenance District		0.000048	0.000045	0.000043	0.000043	0.000038	0.000035	0.000035	0.000035	0.000035	0.000035	0.000035	0.000035	0.000035	0.000035
Central Utah Water Conservancy District		0.000455	0.000446	0.000422	0.000405	0.000400	0.000400	0.000400	0.000400	0.000400	0.000400	0.000400	0.000400	0.000400	0.000400
Salt Lake County Library		0.000627	0.000755	0.000420	0.000683	0.000639	0.000347	0.000347	0.000347	0.000347	0.000347	0.000347	0.000347	0.000347	0.000347
Salt Lake City Metropolitan Water District - Sandy City Only		0.000455	0.000441	0.000715	0.000406	0.000376	0.000612	0.000612	0.000612	0.000612	0.000612	0.000612	0.000612	0.000612	0.000612
Jordan/Canyon School District Debt Service Area		0.001307	0.001095	0.000951	0.000862	0.000764	0.000678	0.000678	0.000678	0.000678	0.000678	0.000678	0.000678	0.000678	0.000678
Less Tax Increase				(0.000025)	(0.000664)	(0.000697)									
Total Combined Rate		0.014418	0.014878	0.014263	0.013350	0.012292	0.012565	0.012565	0.012565	0.012565	0.012565	0.012565	0.012565	0.012565	0.012565
Tax Increment & Participation Rates															TOTALS
Sandy Tax District 36G		1,554,726	1,803,287	1,767,381	1,698,420	1,579,424	1,614,503	1,614,503	1,614,503	1,614,503	1,614,503	1,614,503	1,614,503	1,614,503	1,614,503
Increment Rate		70%	70%	60%	60%	60%	60%	60%	0%	0%	0%	0%	0%	0%	0%
Haircut Rate		30%	30%	40%	40%	40%	40%	40%	100%	100%	100%	100%	100%	100%	100%
Tax Increment Generation															TOTALS
Property Tax Increment		1,088,308	1,262,301	1,060,428	1,019,052	947,655	968,702	968,702	-	-	-	-	-	-	-
Recaptured Increment (Haircut Revenue)		466,418	540,986	706,952	679,368	631,770	645,801	645,801	1,614,503	1,614,503	1,614,503	1,614,503	1,614,503	1,614,503	1,614,503
Less Prior Year Tax Increase		-	-	-	(72,860)	(79,857)									
Less Prior Year Adjustment		-	-	-	-	(2,317)									
Total Tax Increment		1,554,726	1,803,287	1,767,381	1,625,560	1,497,250	1,614,503	1,614,503	1,614,503	1,614,503	1,614,503	1,614,503	1,614,503	1,614,503	1,614,503
PROJECT AREA BUDGET															TOTALS
REVENUES															
Property Tax Increment		1,088,308	1,262,301	1,060,428	1,019,052	898,350	968,702	968,702	-	-	-	-	-	-	7,265,843
Recapture of Increment		466,418	540,986	706,952	679,368	598,900	645,801	645,801	1,614,503	1,614,503	1,614,503	1,614,503	1,614,503	1,614,503	15,585,746
Less School District Haircut Portion		-	-	-	-	(344,513)	(338,859)	(338,859)	(847,148)	(847,148)	(847,148)	(847,148)	(847,148)	(847,148)	(6,952,269)
Total Revenue		1,554,726	1,803,287	1,767,381	1,698,420	1,152,737	1,275,644	1,275,644	767,355	767,355	767,355	767,355	767,355	767,355	15,899,320
Increment		1,088,308	1,262,301	1,060,428	1,019,052	709,618	765,386	765,386	-	-	-	-	-	-	6,670,480
Haircut		466,418	540,986	706,952	679,368	443,119	510,257	510,257	767,355	767,355	767,355	767,355	767,355	767,355	9,228,840
EXPENDITURES															TOTALS
Increment Fund															
Administration															
Administration Fee		400,430	506,985	444,406	360,495	457,033	413,500	413,500							2,996,349
Infrastructure															
Salt Lake Sewer Improvement District (South Valley Sewer) Payment		30,040	31,739	25,429	24,637	24,640	24,700	24,700	-	-	-	-	-	-	185,885
Developer Incentive Payments															
Dahle/Meyer (Mazda)					62,500	62,500	62,500	62,500							250,000
Debt Service															
Road Bonds (2007) - Ends After 2017		473,516	469,849	465,723	468,587	470,308									2,347,983
Capital Facility Finance Plan Projects Fund		184,322	253,728	124,870	102,833	(304,863)	264,686	264,686							890,263
Increment Fund Sub-Total		1,088,308	1,262,301	1,060,428	1,019,052	709,618	765,386	765,386	-	-	-	-	-	-	6,670,480
Haircut Fund															
Jordan/Canyons School District Payment		266,283	276,886	359,196	364,643	-	-	-	-	-	-	-	-	-	1,267,008
Park Projects Bonds (1999) - Ends After 2019					245,223	772,502	765,306	763,794	138,220						2,685,045
Golf Course Bonds (2002) - Ends After 2023		150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	-	-	1,650,000
Capital Facility Finance Plan Projects Fund		50,135	114,100	197,756	(80,498)	(479,383)	(405,049)	(403,537)	479,135	617,355	617,355	617,355	767,355	767,355	3,626,787
Haircut Fund Sub-Total		466,418	540,986	706,952	679,368	443,119	510,257	510,257	767,355	767,355	767,355	767,355	767,355	767,355	9,228,840
Total Expenditures		1,554,726	1,803,287	1,767,381	1,698,420	1,152,736	1,275,644	1,275,644	767,355	767,355	767,355	767,355	767,355	767,355	15,899,320

SECTION 4: OVERVIEW CIVIC CENTER NORTH RDA

Table 4.1: Project Area Overview

OVERVIEW				
<u>Type</u> RDA	<u>Acreage</u> 98	<u>Purpose</u> Commercial Development	<u>Taxing District</u> 35K 36H	<u>Tax Rate</u> 35K - 0.013458 36H – 0.012989
<u>Creation Year</u> FY 1990	<u>Base Year</u> FY 1990	<u>Term</u> 32 Years	<u>Trigger Year</u> FY 1998	<u>Expiration Year</u> FY 2029
<u>Base Value</u> \$556,045	<u>TY 2016 Value</u> \$201,188,853	<u>Increase</u> 36,082%	<u>FY 2017 Increment</u> \$1,996,425	<u>Remaining Life</u> 12 Years



The Civic Center North Project Area was created in June 1990 and is governed by the “Civic Center North Neighborhood Development Plan” dated May 15, 1990 and the associated ordinances and resolutions approving and adopting the plan and use of tax increment. These documents define the duration and use of property tax generated within the Project Area.

The original purpose of the Project Area was to eliminate blight, create jobs and increase property and sales tax revenue to the taxing entities. The

Project Area is located between Interstate 15 and Centennial Parkway and just north of the REI building up to Sego Lily Drive.

The Project Area is intended to draw property tax increment beginning with the taxes collected in 1997 and remitted to the Agency in 1998 and continue for 32 years through and including taxes collected in 2028 and paid to the Agency in 2029.

SOURCES OF FUNDS

Table 4.2: Sources of Funds

FY 2017 SOURCES OF FUNDS	
Property Tax Increment	\$1,425,607
Haircut Recapture	\$570,818
Total Sources of Funds for 2017	\$1,996,425

Note that haircut revenues will not include participation from the school district's portion of the tax rate. The tax increment and haircut levels are set according to the following schedule:

Table 4.3: Tax Increment Levels

TAX INCREMENT LEVELS			
Years	Tax Years	Tax Increment	Haircut (Not Including School District Portion)
Years 1 -5	1998-2002	100%	0%
Years 6-10	2003-2007	80%	20%
Years 11-15	2008-2012	75%	25%
Years 16-20	2013-2017	70%	30%
Years 21-25	2018-2022	60%	40%
Years 26-32	2023-2029	0%	100%

USES OF FUNDS

Table 4.4: Uses of Funds

2017 USES OF FUNDS	
RDA Administration	\$522,902
Debt Service Payment	\$1,363,713
Capital Facility Finance Plan Projects Fund	\$109,810
Total Use of Funds	\$1,996,425

DEBT SERVICE PAYMENTS

In 2007, Sandy City issued road construction bonds to construct roads throughout the City, including within the Project Area. The City estimated the total portion of roads constructed within or impacting the Project Area as part of this bond issuance. The Project Area is responsible for the corresponding portion of debt service for the 2007 Road Bonds which portion in FY 2017 was \$469,892. FY 2017 was the final year the Project Area was scheduled to make debt service payments on the 2007 Road Bonds.

In 2013, Sandy City issued sales tax and tax increment bonds to acquire property known as the Horman Property which is located within the Project Area. The purpose of acquiring this property was for the redevelopment of an underutilized piece of land within the Project Area, and to construct the Monroe Street extension, which will open the surrounding areas to development. The total annual debt service payment for FY 2017 was \$893,821. The Project Area is scheduled to make debt service payments on the 2013 Sales Tax & TIF Bonds through FY 2021.

Table 4.5 Debt Service Payments

2017 DEBT SERVICE PAYMENTS	
Series 2007 Road Bond Payment	\$469,892
Series 2013 Sales Tax & TIF Bond Payment	\$893,821
Total Debt Service Payments	\$1,363,713

PROJECT AREA REPORTING AND ACCOUNTABILITY

COMPARISON OF FORECASTED AND ACTUAL TAX INCREMENT

Table 4.6: Realization of Tax Increment

REALIZATION OF TAX INCREMENT	ACTUAL	FORECASTED	% OF PROJECTION
TAX INCREMENT GENERATED IN PROJECT AREA			
Property Tax Increment – FY 2017	\$1,996,425	\$2,094,826	95.3%

FY 2017 was the first year that the County paid the haircut portion of increment directly to the School District, as opposed to the Agency remitting the School District their haircut portion.

GROWTH IN ASSESSED VALUE

Table 4.7: Growth in Assessed Value

GROWTH IN ASSESSED VALUE	CURRENT YEAR	PRIOR YEAR	GROWTH RATE	AAGR
ASSESSED VALUES IN PROJECT AREA				
Annual Growth in Project Area (2016 vs. 2015)	\$201,188,853	\$171,932,377	17.02%	17.02%
Lifetime Growth in Project Area (2016 vs. 1996)	\$201,188,853	\$10,899,492	1,745%	15.69%
Lifetime Growth in Project Area (2016 vs. Base)	\$201,188,853	\$556,045	36,082%	24.38%
ASSESSED VALUES IN SANDY CITY				
Annual Growth in Sandy City (2016 vs. 2015)	\$6,892,438,305	\$6,324,895,759	8.97%	8.97%
Lifetime Growth in Sandy City (2016 vs. 1996)	\$6,892,438,305	\$3,029,522,568	127.51%	4.19%

BENEFITS DERIVED BY PARTICIPATING TAXING ENTITIES

Table 4.8: Benefits to Taxing Entities

BENEFITS TO TAXING ENTITIES
*Increased Property Tax Revenues
*Higher growth in tax base compared to non-RDA areas

The primary benefit experienced by the participating taxing entities is increased property tax revenue due to increased property values. The most significant benefit to the taxing entities will be realized when the life of the Project Area expires. At that point the Agency will no longer receive tax increment and the taxing entities will receive property tax income based on the full assessed value in the Project area.

Table 4.9: Growth in Tax Increment

GROWTH IN TAX INCREMENT	ORIGINAL BUDGET REVENUES	ACTUAL REVENUE	Base Year Value Revenues	ACTUAL % ABOVE BASE
TAX INCREMENT FROM PROJECT AREA				
Fiscal Year 2017	NA	\$1,996,425	\$6,838	29,096%
Lifetime Revenue (1998-2017)	NA	\$27,916,809	\$155,932	17,803%
PASS THROUGH INCREMENT (ABOVE BASE)				
Fiscal Year 2017	NA	\$404,570	\$6,838	5,816%
Lifetime Revenue (1998-2017)	NA	\$3,536,034	\$155,932	2,168%

NOTABLE DEVELOPMENT AND FUTURE PROJECTS

Notable development in the Civic Center North Project Area includes: The new Hale Center Theatre, a professional community theater with two theatres totaling over 1,350 seats. The Park at City Center, a 330-unit luxury apartment complex with 553 structured parking stalls. In addition to the new development that happened in TY 2016, Mountain America Credit Union is currently building their corporate headquarters, a 327,000 square foot Class A office building. They will share a 1,766 stall parking structure with Hale Center Theatre. The Prestige, a 13 story high rise condo building with 93 units will also be built in the near future. The Prestige will also include a parking structure with 176 stalls. In addition to these developments, the Agency is currently in negotiations on multiple office buildings and other multi-use developments within the Civic Center North Project Area. Other notable development within the Civic Center North Project Area include:










-  Hilton Garden Inn
-  Residence Inn
-  Sandy City Hall
-  South Towne Corporate Center
-  The Park at City Center
-  Hale Center Theatre
-  The Prestige

Table 4.10: Developed and Undeveloped Acreage

CIVIC CENTER NORTH RDA	ACREAGE	PERCENTAGE
Developed	80.54	82.07%
Undeveloped	17.60	17.93%
Total	98.14	100%

FORECASTED PROJECT AREA BUDGET UPDATE

The multi-year budget attached to this document and summarized below displays revenue in the fiscal year received rather than the calendar year collected

Table 4.11: Project Area Budget

PROJECT AREA BUDGET	FY 2018-2029
REVENUES	TOTALS
Property Tax Increment	\$10,338,185
Haircut Recapture	\$22,697,962
Total Revenue	\$33,036,148

EXPENDITURES	TOTALS
RDA Administration	\$2,295,650
Debt Service Payments	\$4,266,138
Capital Facility Finance Plan Projects Fund	\$26,474,360
Total Expenditures	\$33,036,148

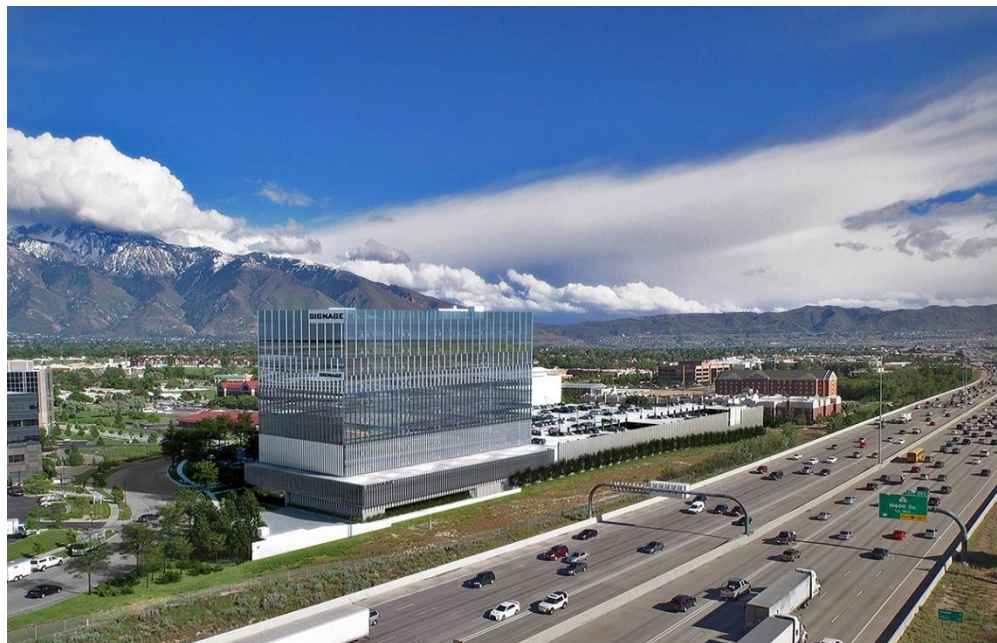
OTHER ISSUES

During the previous year, the Agency has been successful in negotiating an extension within the Civic Center North Project Area. The Agency is currently finalizing the extension with the final two taxing entities (The County and South Valley Sewer District). The extension will start after FY 2022, the 25th year of the Project Area. The extension will be for a 10 year period, beginning with taxes collected in 2022 and distributed to the Agency in 2023 and continue for 10 years through and including taxes collected in 2031 paid to the Agency in 2032. As part of the extension, the Agency will forgo the haircut portion after Year 25. All taxing entities that participate in the extension will share 60% of the tax increment generated in the Civic Center North Project Area. The Crescent Cemetery Maintenance District is not participating in the extension, and they will still be governed by the tax increment participation schedule outlined in Table 4.3. Starting with the 2018 Annual Report, the Agency will include the extension projections in their annual report forecasting.

Additionally, the Agency is in the process of adopting a Capital Facility Finance Plan that will use available funds within the Civic Center North Project Area to help facilitate economic development within the Project Area, which lies within the Downtown Cairns District.

PROJECT AREA ANNUAL AND MULTI-YEAR BUDGETS

The following four sheets represent the FY 2017, FY 2018, FY 2019 and multi-year budget from 2013 to 2029.



Civic Center North

	Fiscal Year	2017
	Tax Year	2016
ASSESED VALUATION 35K		
Sandy Tax District 35K Incremental Value		115,759,232
TAX INCREMENT ANALYSIS 35K		
Incremental Property Tax Rates		
Combined Rate		0.0127610
Tax Increment & Participation Rates		
Sandy Tax District 35K		1,477,204
Increment Rate		70%
Haircut Rate		30%
ASSESED VALUATION 36H		
Sandy Tax District 36H Incremental Value		85,429,621
TAX INCREMENT ANALYSIS 36H		
Combined Rate		0.0122920
Tax Increment & Participation Rates		
Sandy Tax District 36H		1,050,101
Increment Rate		70%
Haircut Rate		30%
Tax Increment Generation		
Property Tax Increment		1,769,113
Haircut Revenue		758,191
Less Prior Year Tax Increase		(95,912)
Less Prior Year Adjustments		(30,398)
Less School District Haircut		(404,571)
Total Tax Increment		1,996,425
REVENUES		
Property Tax Increment		1,425,607
Haircut Increment (Net of Adjustments)		570,818
Total Revenue		1,996,425
EXPENDITURES		
Administration Fee		522,902
Road Bonds (2007) - Ends After 2017		469,892
Monroe Street Property - Ends After 2021		893,821
Capital Facilities Finance Plan Projects		(461,008)
Increment Sub-Total		1,425,607
Haircut Fund		
Capital Facility Finance Projects		570,818
Haircut Sub-Total		570,818
Total Expenditures		1,996,425

Civic Center North

		2018
		2018
		2017
ASSESED VALUATION 35K		
Sandy Tax District 35K Incremental Value		140,531,878
TAX INCREMENT ANALYSIS 35K		
Incremental Property Tax Rates		
Combined Rate		0.0130070
Tax Increment & Participation Rates		
Sandy Tax District 35K		1,827,898
Increment Rate		60%
Haircut Rate		40%
ASSESED VALUATION 36H		
Sandy Tax District 36H Incremental Value		101,585,709
TAX INCREMENT ANALYSIS 36H		
Combined Rate		0.0125650
Tax Increment & Participation Rates		
Sandy Tax District 36H		1,276,424
Increment Rate		60%
Haircut Rate		40%
Tax Increment Generation		
Property Tax Increment		1,862,594
Haircut Revenue		1,241,729
Less Prior Year Tax Increase		(95,912)
Less Prior Year Adjustments		-
Less School District Haircut		(638,513)
Total Tax Increment		2,369,898
REVENUES		
Property Tax Increment		1,421,939
Haircut Increment (Net of Adjustments)		947,959
Total Revenue		2,369,898
EXPENDITURES		
Administration Fee		459,130
Road Bonds (2007) - Ends After 2017		-
Monroe Street Property - Ends After 2021		894,456
Capital Facilities Finance Plan Projects		68,353
Increment Sub-Total		1,421,939
Haircut Fund		
Capital Facility Finance Projects		947,959
Haircut Sub-Total		947,959
Total Expenditures		2,369,898

Civic Center North



2019

Fiscal Year Tax Year		2019	2018
ASSESSED VALUATION 35K			
Sandy Tax District 35K Incremental Value		179,177,250	
TAX INCREMENT ANALYSIS 35K			
Incremental Property Tax Rates Combined Rate		0.0130070	
Tax Increment & Participation Rates			
Sandy Tax District 35K Increment Rate		2,330,558	60%
Haircut Rate			40%
ASSESSED VALUATION 36H			
Sandy Tax District 36H Incremental Value		181,727,172	
TAX INCREMENT ANALYSIS 36H			
Combined Rate		0.0125650	
Tax Increment & Participation Rates			
Sandy Tax District 36H Increment Rate		2,283,402	60%
Haircut Rate			40%
Tax Increment Generation			
Property Tax Increment		2,768,376	
Haircut Revenue		1,845,584	
Less Prior Year Tax Increase		(95,912)	
Less Prior Year Adjustments		-	
Less School District Haircut		(951,777)	
Total Tax Increment		3,566,271	
REVENUES			
Property Tax Increment		2,139,763	
Haircut Increment (Net of Adjustments)		1,426,509	
Total Revenue		3,566,271	
EXPENDITURES			
Administration Fee		459,130	
Road Bonds (2007) - Ends After 2017		-	
Monroe Street Property - Ends After 2021		894,219	
Capital Facilities Finance Plan Projects		786,414	
Increment Sub-Total		2,139,763	
Haircut Fund			
Capital Facility Finance Projects		1,426,509	
Haircut Sub-Total		1,426,509	
Total Expenditures		3,566,271	



SANDY CITY - CIVIC CENTER NORTH

Redevelopment Agency Multi-Year Budget



Multi-year Project Area Ongoing Budget

Multi-year Project Area Ongoing Budget		<===== Historic Projected =====>																	
Fiscal Year	Base Year	Yr. 16	Yr. 17	Yr. 18	Yr. 19	Yr. 20	Yr. 21	Yr. 22	Yr. 23	Yr. 24	Yr. 25	Yr. 26	Yr. 27	Yr. 28	Yr. 29	Yr. 30	Yr. 31	Yr. 32	
Tax Year	1990	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	
		2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	
ASSESED VALUATION 35K																			
Sandy Tax District 35K	7,224	79,469,209	83,316,133	87,265,706	101,886,506	115,759,232	140,531,878	179,177,250	179,177,250	179,177,250	179,177,250	179,177,250	179,177,250	179,177,250	179,177,250	179,177,250	179,177,250	179,177,250	
Base Year Value	(7,224)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Incremental Value	-	79,469,209	83,316,133	87,265,706	101,886,506	115,759,232	140,531,878	179,177,250	179,177,250	179,177,250	179,177,250	179,177,250	179,177,250	179,177,250	179,177,250	179,177,250	179,177,250	179,177,250	
TAX INCREMENT ANALYSIS 35K																			
Incremental Property Tax Rates																			
Salt Lake County		0.002793	0.003180	0.003036	0.002819	0.002639	0.002492	0.002492	0.002492	0.002492	0.002492	0.002492	0.002492	0.002492	0.002492	0.002492	0.002492	0.002492	
Canyons School District		0.007111	0.007016	0.006872	0.006997	0.006463	0.006439	0.006439	0.006439	0.006439	0.006439	0.006439	0.006439	0.006439	0.006439	0.006439	0.006439	0.006439	
Sandy City		0.00152	0.001483	0.001413	0.001426	0.001321	0.001229	0.001229	0.001229	0.001229	0.001229	0.001229	0.001229	0.001229	0.001229	0.001229	0.001229	0.001229	
South Salt Lake Valley Mosquito Abatement District		0.000021	0.000021	0.000020	0.000019	0.000018	0.000017	0.000017	0.000017	0.000017	0.000017	0.000017	0.000017	0.000017	0.000017	0.000017	0.000017	0.000017	
Sandy Suburban Improvement District		0.001026	0.001035	0.000945	0.000885	0.000800	0.000758	0.000758	0.000758	0.000758	0.000758	0.000758	0.000758	0.000758	0.000758	0.000758	0.000758	0.000758	
Crescent Cemetery Maintenance District		0.000048	0.000045	0.000043	0.000043	0.000038	0.000035	0.000035	0.000035	0.000035	0.000035	0.000035	0.000035	0.000035	0.000035	0.000035	0.000035	0.000035	
Central Utah Water Conservancy District		0.000455	0.000446	0.000422	0.000405	0.000400	0.000400	0.000400	0.000400	0.000400	0.000400	0.000400	0.000400	0.000400	0.000400	0.000400	0.000400	0.000400	
Salt Lake City Metropolitan Water District -Sandy Only		0.000455	0.000441	0.000420	0.000406	0.000376	0.000347	0.000347	0.000347	0.000347	0.000347	0.000347	0.000347	0.000347	0.000347	0.000347	0.000347	0.000347	
Salt Lake County Library		0.000627	0.000755	0.000715	0.000683	0.000639	0.000612	0.000612	0.000612	0.000612	0.000612	0.000612	0.000612	0.000612	0.000612	0.000612	0.000612	0.000612	
Jordan/Canyon School District Debt Service Area		0.001307	0.001095	0.000951	0.000862	0.000764	0.000678	0.000678	0.000678	0.000678	0.000678	0.000678	0.000678	0.000678	0.000678	0.000678	0.000678	0.000678	
Less Tax Rate Increase			(0.000812)	(0.000025)	(0.000664)	(0.000697)													
Combined Rate		0.015037	0.014225	0.014812	0.013881	0.012761	0.013007	0.013007	0.013007	0.013007	0.013007	0.013007	0.013007	0.013007	0.013007	0.013007	0.013007	0.013007	
Tax Increment & Participation Rates																			
Sandy Tax District 35K		1,194,978	1,166,989	1,292,580	1,414,287	1,477,204	1,827,898	2,330,558	2,330,558	2,330,558	2,330,558	2,330,558	2,330,558	2,330,558	2,330,558	2,330,558	2,330,558	2,330,558	
Tax Increment Rate		70%	70%	70%	70%	70%	60%	60%	60%	60%	60%	60%	0%	0%	0%	0%	0%	0%	
Recapture Rate		30%	30%	30%	30%	30%	40%	40%	40%	40%	40%	40%	100%	100%	100%	100%	100%	100%	
Tax Increment Generation																			
Property Tax Increment		836,485	816,892	904,806	990,001	1,034,042	1,096,739	1,398,335	1,398,335	1,398,335	1,398,335	-	-	-	-	-	-	-	
Recaptured Increment		358,494	350,097	387,774	424,286	443,161	731,159	932,223	932,223	932,223	932,223	2,330,558	2,330,558	2,330,558	2,330,558	2,330,558	2,330,558	2,330,558	
Less Prior Year Tax Increase		-	-	(93,560)	(49,406)	(55,010)	(55,010)	(55,010)	(55,010)	(55,010)	(55,010)	(55,010)	(55,010)	(55,010)	(55,010)	(55,010)	(55,010)	(55,010)	
Less Prior Year Adjustment		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total Tax Increment		1,194,978	1,166,989	1,199,020	1,364,881	1,422,194	1,772,888	2,275,548	2,275,548	2,275,548	2,275,548	2,275,548	2,275,548	2,275,548	2,275,548	2,275,548	2,275,548	2,275,548	
ASSESED VALUATION 36H																			
Sandy Tax District 36H	548,821	55,988,914	62,477,567	59,960,240	70,045,871	85,429,621	101,585,709	181,727,172	201,715,687	201,715,687	201,715,687	201,715,687	201,715,687	201,715,687	201,715,687	201,715,687	201,715,687	201,715,687	
Base Year Value	(548,821)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Incremental Value	-	55,988,914	62,477,567	59,960,240	70,045,871	85,429,621	101,585,709	181,727,172	201,715,687	201,715,687	201,715,687	201,715,687	201,715,687	201,715,687	201,715,687	201,715,687	201,715,687	201,715,687	
TAX INCREMENT ANALYSIS 36H																			
Incremental Property Tax Rates																			
Combined Rate		0.014418	0.014066	0.014238	0.013350	0.012292	0.012565	0.012565	0.012565	0.012565	0.012565	0.012565	0.012565	0.012565	0.012565	0.012565	0.012565	0.012565	
Tax Increment & Participation Rates																			
Sandy Tax District 36H		807,248	866,003	853,714	935,112	1,050,101	1,276,424	2,283,402	2,534,558	2,534,558	2,534,558	2,534,558	2,534,558	2,534,558	2,534,558	2,534,558	2,534,558	2,534,558	
Tax Increment Rate		70%	70%	70%	70%	70%	60%	60%	60%	60%	60%	60%	0%	0%	0%	0%	0%	0%	
Recapture Rate		30%	30%	30%	30%	30%	40%	40%	40%	40%	40%	40%	100%	100%	100%	100%	100%	100%	
Tax Increment Generation																			
Property Tax Increment		565,074	606,202	597,600	654,579	735,071	765,855	1,370,041	1,520,735	1,520,735	1,520,735	-	-	-	-	-	-	-	
Recaptured Increment		242,174	259,801	256,114	280,534	315,030	510,570	913,361	1,013,823	1,013,823	1,013,823	2,534,558	2,534,558	2,534,558	2,534,558	2,534,558	2,534,558	2,534,558	
Less Prior Year Tax Increase		-	-	(68,984)	(37,049)	(40,902)	(40,902)	(40,902)	(40,902)	(40,902)	(40,902)	(40,902)	(40,902)	(40,902)	(40,902)	(40,902)	(40,902)	(40,902)	
Less Prior Year Adjustment		-	-	-	-	(30,398)	-	-	-	-	-	-	-	-	-	-	-	-	
Total Tax Increment		807,248	866,003	784,730	898,064	978,801	1,235,522	2,242,500	2,493,656	2,493,656	2,493,656	2,493,656	2,493,656	2,493,656	2,493,656	2,493,656	2,493,656	2,493,656	
PROJECT AREA BUDGET																			
REVENUES																		TOTALS	
Total Property Tax Increment		1,401,559	1,423,095	1,502,405	1,644,580	1,769,113	1,862,594	2,768,376	2,919,070	2,919,070	2,919,070	-	-	-	-	-	-	21,128,931	
Recapture of Increment		600,668	609,898	643,888	704,820	758,191	1,241,729	1,845,584	1,946,046	1,946,046	1,946,046	4,865,116	4,865,116	4,865,116	4,865,116	4,865,116	4,865,116	46,298,730	
Less Prior Year Tax Increase		-	-	(162,544)	(86,455)	(95,912)	(95,912)	(95,912)	(95,912)	(95,912)	(95,912)	(95,912)	(95,912)	(95,912)	(95,912)	(95,912)	(95,912)	(1,495,855)	
Less Prior Year Adjustment		-	-	-	-	(30,398)	-	-	-	-	-	-	-	-	-	-	-	(30,398)	
Less School District Haircut Portion		-	-	-	-	(404,571)	(638,513)	(951,777)	(1,004,491)	(1,004,491)	(1,004,491)	(2,511,227)	(2,511,227)	(2,511,227)	(2,511,227)	(2,511,227)	(2,511,227)	(22,586,923)	
Total Revenue		2,002,227	2,032,992	1,983,750	2,262,945	1,996,425	2,369,898	3,566,271	3,764,713	3,764,713	3,764,713	2,257,977	2,257,977	2,257,977	2,257,977	2,257,977	2,257,977	43,314,486	
Increment		1,401,559	1,423,095	1,388,625	1,584,061	1,425,607	1,421,939	2,139,763	2,258,828	2,258,828	2,258,828	-	-	-	-	-	-	17,561,132	
Haircut		600,668	609,898	595,125	678,883	570,818	947,959	1,426,509	1,505,885	1,505,885	1,505,885	2,257,977	2,257,977	2,257,977	2,257,977	2,257,977	2,257,977	25,753,354	
EXPENDITURES																			

SECTION 5: OVERVIEW SOUTH TOWNE RIDGE EDA

Table 5.1: Project Area Overview

OVERVIEW				
<u>Type</u> EDA	<u>Acreage</u> 88	<u>Purpose</u> Commercial and Residential Development	<u>Taxing District</u> 43H 43G	<u>Tax Rate</u> 43H - 0.013830 43G – 0.013792
<u>Creation Year</u> FY 1999	<u>Base Year</u> FY 1999	<u>Term</u> 15 Years	<u>Trigger Year</u> FY 2005	<u>Expiration Year</u> TY 2019
<u>Base Value</u> \$6,102,388	<u>TY 2016 Value</u> \$149,915,630	<u>Increase</u> 2,357%	<u>FY 2017 Increment</u> \$1,771,689	<u>Remaining Life</u> 2 Years



The South Towne Ridge Economic Development Project Area was created in December 1999 and is governed by the “Final Redevelopment Plan for the South Towne Ridge Economic Development Project Areas” and the associated ordinances and resolutions approving and adopting the plan and use of tax increment. These documents define the duration and use of property and sales tax generated within the Project Area as well as conditions and obligations by the Agency and the Developers.

The original purpose of the Project Area was to eliminate blight, create jobs and increase property tax revenue to the taxing entities. The Project Area contains roughly 88 acres that is split by I-15. The area to the west of I-15 is between I-15 and the railroad tracks and from the edge of the Comcast Building parcel on the south border to 9400 South on the north. The area on the east side of the freeway is between Monroe Street and State Street and just north of Alta View Way up through 9560 South.

SOURCES OF FUNDS

Table 5.2: Sources of Funds

2017 SOURCES OF FUNDS	
Property Tax Increment	\$1,771,689
Total Sources of Funds	\$1,771,689

As outlined in the creation documents, the Agency will receive tax increment in the South Towne Ridge Project Area according to the following schedule:

Table 5.3: Tax Increment Levels

TAX INCREMENT LEVEL	
Years	%
1 – 15	80% Tax Increment 20% Housing Increment

USES OF FUNDS

Table 5.4: Uses of Funds

2017 USES of Funds	
EDA Administration	\$178,384
Debt Service Payments	\$85,550
Development Incentive Payment	\$484,910
Capital Facility Finance Plan Projects Fund	\$668,508
Affordable Housing	\$354,337
Total Use of Funds	\$1,771,689

DEBT SERVICE PAYMENTS

In 2007, Sandy City issued road construction bonds to construct roads throughout the City, including within the Project Area. The City estimated the total portion of roads constructed within or impacting the Project Area as part of this bond issuance. The Project Area is responsible for the corresponding portion of debt service for the 2007 Road Bonds which portion in FY 2017 was \$85,550. The Project Area made its final payment on the 2007 Road Bonds in FY 2017.

Table 5.5: Debt Service Payments

2017 DEBT SERVICE PAYMENTS	
Series 2007 Road Bonds	\$85,550
Total Debt Service Payment	\$85,550

DEVELOPMENT INCENTIVE PAYMENT

The Agency entered into two separate agreements with Workers Compensation (WCF) the first agreement was to assist with the development of their headquarters. The second agreement was to assist with infrastructure improvements, including covering the canal that allowed for the development of the new office buildings along the State Street corridor. The WCF payments will continue until the Project Area expires in FY 2019.

Table 5.6: Development Incentive Payment

2017 DEVELOPMENT INCENTIVE PAYMENT	
WCF of Utah	\$214,428
WCF of Utah (Canal Covering)	\$270,482
Total Development Incentive Payment	\$484,910

HOUSING FUND

Table 5.7: Housing Fund

2017 Housing Fund	
EDA Housing Program	\$354,337
Total 2015 Tax Increment to Housing	\$354,337

The City has typically spent the housing portion of increment on their Housing stimulus Fund, the EDA Housing Program, which helps fund the City's Low-to-Moderate Income Housing Plan, and to purchase residential property in the City. The RDA used their FY 2017 housing portion of increment to clean and purchase property that has code, crime, and blight issues throughout the City, as per their Housing Resolution. In FY 2016 and 2017 the Agency partnered with Canyons School District and their Canyons Technical Education Center Program to build three new homes. Money that is not allocated each year is set aside in the EDA housing program, to go towards a qualified use at a later date.

PROJECT AREA REPORTING AND ACCOUNTABILITY

COMPARISON OF FORECASTED AND ACTUAL TAX INCREMENT

Table 5.8: Realization of Tax Increment

REALIZATION OF TAX INCREMENT	ACTUAL	FORECASTED	% OF PROJECTION
TAX INCREMENT GENERATED IN PROJECT AREA			
Property Tax Increment – FY 2017	\$1,771,689	\$1,292,493	137.07%

GROWTH IN ASSESSED VALUE

Table 5.9: Growth in Assessed Value

GROWTH IN ASSESSED VALUE	CURRENT YEAR	PRIOR YEAR	GROWTH RATE	AAGR
ASSESSED VALUES IN PROJECT AREA				
Annual Growth in Project Area (2016 vs. 2015)	\$149,915,630	\$111,306,014	34.69%	34.69%
Lifetime Growth in Project Area (2016 vs. Base)	\$149,915,630	\$6,102,388	2,357%	20.72%
ASSESSED VALUES IN SANDY CITY				
Annual Growth in Sandy City (2016 vs. 2015)	\$6,892,438,305	\$6,324,895,759	8.97%	8.97%
Lifetime Growth in Sandy City (2016 vs. 1999)	\$6,892,438,305	\$3,555,113,907	93.87%	3.97%

BENEFITS DERIVED BY PARTICIPATING TAXING ENTITIES

Table 5.10: Benefits to Taxing Entities

BENEFITS TO TAXING ENTITIES
*Increased Property Tax Revenues
*Higher growth in tax base compared to non-RDA areas

The primary benefit experienced by the participating taxing entities is increased property tax revenue due to increased property values. The most significant benefit to the taxing entities will be realized when the life of the Project Area expires. At that point the Agency will no longer receive tax increment and the taxing entities will receive property tax income based on the full assessed value in the Project area.

Table 5.11: Growth in Tax Increment

GROWTH IN TAX INCREMENT	ORIGINAL BUDGET* REVENUES	ACTUAL REVENUE	Base Year Value Revenues	ACTUAL % ABOVE BASE
TAX INCREMENT FROM PROJECT AREA				
Fiscal Year 2017	NA	\$1,771,689	\$79,947	2,216%
Lifetime Revenue (2005-2017)	NA	\$15,182,392	\$1,156,242	1,313%
PASS THROUGH INCREMENT (ABOVE BASE)				
Fiscal Year 2017	NA	\$-	\$79,947	0%
Lifetime Revenue (2005-2017)	NA	\$-	\$1,156,242	0%

NOTABLE DEVELOPMENT AND FUTURE PROJECTS

The South Towne Ridge Project Area is the new home of the inContact corporate campus. The software company built a campus of 250,000 square feet of office with a 1,150 stall parking structure. The first building was finished in FY 2016. WCF will construct an additional 100,000 square foot office building within the South Towne Ridge Project Area. Finally, Connexion Point has located their headquarters in a 120,000 square foot Class A Office. Other notable building include:










-  Workers Compensation Fund
-  Albion Village
-  Board of Realtors
-  Neuroworx
-  Hyatt House
-  inContact
-  Comcast HQ
-  Challenger School Corporate Office
-  Connexion Point HQ



Table 5.12: Developed and Undeveloped Acreage

SOUTH TOWNE RIDGE EDA	ACREAGE	PERCENTAGE
Developed	72.72	81.82%
Undeveloped	16.16	18.18%
Total	88.88	100%

FORECASTED PROJECT AREA BUDGET UPDATE

The multi-year budget attached to this document and summarized below displays revenue in the fiscal year received rather than the calendar year collected.

Table 5.13: Project Area Budget

PROJECT AREA BUDGET	FY 2018-2019
REVENUES	TOTALS
Property Tax Increment	\$4,296,455
Total Revenue	\$4,296,455
EXPENDITURES	TOTALS
EDA Administration	\$285,333
Development Incentive Payment	\$970,000
Capital Facility Finance Plan Projects Fund	\$2,181,831
Affordable Housing	\$859,291
Total Expenditures	\$4,296,455

OTHER ISSUES

The Agency is in the process of adopting a Capital Facility Finance Plan that will use available funds within the South Towne Ridge Project Area to help facilitate economic development within the Project Area, which lies within the Downtown Cairns District.

PROJECT AREA ANNUAL AND MULTI-YEAR BUDGETS

The following four sheets represent the FY 2017, FY 2018, FY 2019 and multi-year budget from 2013 to 2019.



SANDY SOUTH TOWNE RIDGE EDA

		2017
		2017
Fiscal Year Tax Year		2016
ASSESED VALUATION		
Sand Tax District 43H Incremental Value		5,560,921
TAX INCREMENT ANALYSIS 43H		
Combined Rate		0.012865
Tax Increment & Participation Rates		
Sandy Tax District 43H		71,541
Increment Rate		80%
Housing Rate		20%
Tax Increment Generation		
Property Tax Increment		57,233
Housing Increment		14,308
Less Prior Year Tax Increase		(2,462)
Less Prior Year Adjustments		-
Total Tax Increment		69,079
ASSESED VALUATION		
Sandy Tax District 43G Incremental Value		138,252,321
TAX INCREMENT ANALYSIS 43G		
Combined Rate		0.012827
Tax Increment & Participation Rates		
Sandy Tax District 43G		1,773,363
Increment Rate		80%
Housing Rate		20%
Tax Increment Generation		
Property Tax Increment		1,418,690
Housing Increment		354,673
Less Prior Year Tax Increase		(63,912)
Less Prior Year Adjustments		(6,841)
Total Tax Increment		1,702,610
REVENUES		
Property Tax Increment		1,417,352
Housing Increment		354,337
Total Revenue		1,771,689
EXPENDITURES		
Administration Fee		178,384
WCF of Utah		214,428
WCF Canal Covering		270,482
Road Bonds (2007) - Ends After 2017		85,550
Capital Facilities Finance Plan Projects		668,508
Increment Sub-Total		1,417,352
Housing		
EDA Housing Program		354,337
Total Expenditures		1,771,689

SANDY SOUTH TOWNE RIDGE EDA

	Fiscal Year Tax Year	2018 2017
ASSESED VALUATION		
Sand Tax District 43H Incremental Value		5,560,921
TAX INCREMENT ANALYSIS 43H		
Combined Rate		0.013153
Tax Increment & Participation Rates		
Sandy Tax District 43H		73,143
Increment Rate		80%
Housing Rate		20%
Tax Increment Generation		
Property Tax Increment		58,514
Haircut Increment		14,629
Less Prior Year Tax Increase		(2,462)
Less Prior Year Adjustments		-
Total Tax Increment		70,681
ASSESED VALUATION		
Sandy Tax District 43G Incremental Value		163,245,838
TAX INCREMENT ANALYSIS 43G		
Combined Rate		0.013118
Tax Increment & Participation Rates		
Sandy Tax District 43G		2,141,459
Increment Rate		80%
Housing Rate		20%
Tax Increment Generation		
Property Tax Increment		1,713,167
Haircut Increment		428,292
Less Prior Year Tax Increase		(63,912)
Less Prior Year Adjustments		-
Total Tax Increment		2,077,547
REVENUES		
Property Tax Increment		1,718,582
Housing Increment		429,646
Total Revenue		2,148,228
EXPENDITURES		
Administration Fee		158,761
WCF of Utah		214,500
WCF Canal Covering		270,500
Capital Facilities Finance Plan Projects		1,074,821
Increment Sub-Total		1,718,582
Housing		
EDA Housing Program		429,646
Total Expenditures		2,148,228

SANDY SOUTH TOWNE RIDGE EDA

		2019
		2018
ASSESED VALUATION		
Sand Tax District 43H Incremental Value		5,560,921
TAX INCREMENT ANALYSIS 43H		
Combined Rate		0.013153
Tax Increment & Participation Rates		
Sandy Tax District 43H		73,143
Increment Rate		80%
Housing Rate		20%
Tax Increment Generation		
Property Tax Increment		58,514
Haircut Increment		14,629
Less Prior Year Tax Increase		(2,462)
Less Prior Year Adjustments		-
Total Tax Increment		70,681
ASSESED VALUATION		
Sandy Tax District 43G Incremental Value		163,245,838
TAX INCREMENT ANALYSIS 43G		
Combined Rate		0.013118
Tax Increment & Participation Rates		
Sandy Tax District 43G		2,141,459
Increment Rate		80%
Housing Rate		20%
Tax Increment Generation		
Property Tax Increment		1,713,167
Haircut Increment		428,292
Less Prior Year Tax Increase		(63,912)
Less Prior Year Adjustments		-
Total Tax Increment		2,077,547
REVENUES		
Property Tax Increment		1,718,582
Housing Increment		429,646
Total Revenue		2,148,228
EXPENDITURES		
Administration Fee		126,572
WCF of Utah		214,500
WCF Canal Covering		270,500
Capital Facilities Finance Plan Projects		1,107,010
Increment Sub-Total		1,718,582
Housing		
EDA Housing Program		429,646
Total Expenditures		2,148,228



SANDY SOUTH TOWNE RIDGE EDA

Redevelopment Agency Multi-Year Ongoing Budget



Ongoing Budget

Fiscal Year Tax Year	<===== Historic Projected =====>							
	Base Year	Yr. 9	Yr. 10	Yr. 11	Yr. 12	Yr. 13	Yr. 14	Yr. 15
	1999 1998	2013 2012	2014 2013	2015 2014	2016 2015	2017 2016	2018 2017	2019 2018
ASSESED VALUATION 43H								
Sandy Tax District 43H	213,721	3,912,675	3,825,130	4,314,397	4,483,011	5,774,642	5,774,642	5,774,642
Base Year Value	(213,721)	(213,721)	(213,721)	(213,721)	(213,721)	(213,721)	(213,721)	(213,721)
Incremental Value	-	3,698,954	3,611,409	4,100,676	4,269,290	5,560,921	5,560,921	5,560,921
TAX INCREMENT ANALYSIS 43H								
Incremental Property Tax Rates - District 43H								
Combined Rate		0.015204	0.014866	0.014908	0.013973	0.012865	0.013153	0.013153
Tax Increment & Participation Rates								
Sandy Tax District 43H		56,239	52,481	61,131	59,655	71,541	73,143	73,143
Increment Rate		80%	80%	80%	80%	80%	80%	80%
Housing Portion		20%	20%	20%	20%	20%	20%	20%
Tax Increment Generation								
Property Tax Increment		44,991	41,985	48,905	47,724	57,233	58,514	58,514
Housing Portion		11,248	10,496	12,226	11,931	14,308	14,629	14,629
Less Prior Year Tax Increase		-	-	(4,138)	(2,142)	(2,462)	(2,462)	(2,462)
Less Prior Year Redeuction		-	-	-	-	-	-	-
Total Tax Increment		56,239	52,481	56,993	57,513	69,079	70,681	70,681
ASSESED VALUATION 43G								
Sandy Tax District 43G	6,018,339	99,315,888	100,900,740	98,096,364	106,823,003	144,140,988	169,134,505	169,134,505
Base Year Value	(6,018,339)	(5,888,667)	(5,888,667)	(5,888,667)	(5,888,667)	(5,888,667)	(5,888,667)	(5,888,667)
Incremental Value	-	93,427,221	95,012,073	92,207,697	100,934,336	138,252,321	163,245,838	163,245,838
TAX INCREMENT ANALYSIS 43G								
Incremental Property Tax Rates								
Combined Rate		0.015156	0.015633	0.014865	0.013930	0.012827	0.013118	0.013118
Tax Increment & Participation Rates								
Sandy Tax District 43G		1,415,983	1,454,824	1,370,667	1,406,015	1,773,363	2,141,459	2,141,459
Increment Rate		80%	80%	80%	80%	80%	80%	80%
Housing Portion		20%	20%	20%	20%	20%	20%	20%
Tax Increment Generation								
Property Tax Increment		1,132,786	1,163,859	1,096,534	1,124,812	1,418,690	1,713,167	1,713,167
Housing Portion		283,197	290,965	274,133	281,203	354,673	428,292	428,292
Less Prior Year Tax Increase		-	-	(107,607)	(56,342)	(63,912)	(63,912)	(63,912)
Less Prior Year Redeuction		-	-	(76)	-	(6,841)	-	-
Total Tax Increment		1,415,983	1,454,824	1,262,984	1,349,673	1,702,610	2,077,547	2,077,547
PROJECT AREA BUDGET								
REVENUES								
Property Tax Increment		1,177,777	1,205,844	1,055,982	1,125,749	1,417,352	1,718,582	1,718,582
Housing Portion of Increment		294,444	301,461	263,995	281,437	354,377	429,646	429,646
Total Revenue		1,472,222	1,507,305	1,319,977	1,407,186	1,771,729	2,148,228	2,148,228
EXPENDITURES								
Increment								
Administration Fee		88,423	114,881	111,688	103,861	178,384	158,761	126,572
WCF of Utah		175,254	203,822	182,075	226,333	214,428	214,500	214,500
WCF Canal Covering						270,482	270,500	270,500
Hyatt Canal		144,373	144,373	144,373				
Road Bonds (2007) - Ends After 2017		86,134	85,467	84,716	85,238	85,550		
Soccer Stadium Bonds (2007) - Ends After 2028**		148,901						
Soccer Stadium Bonds (2008) - Re-issue in 2019 through 2027**		277,851	181,000					
Capital Facilities Finance Plan Projects		256,842	476,301	533,130	710,317	668,508	1,074,821	1,107,010
Increment Sub-Total		1,177,777	1,205,844	1,055,982	1,125,749	1,417,352	1,718,582	1,718,582
Housing								
EDA Housing Program		263,438	140,884	263,995	281,437	354,377	429,646	429,646
Housing Stimulus Fund		25,000						
Housing Appraisals/Legal		4,921						
Property Purchase - 9400 S. 500 W.		1,085						
Property Purchase - 109 Benson Way			160,577					
Housing Sub-Total		294,444	301,461	263,995	281,437	354,377	429,646	429,646
Total Expenditures		1,472,222	1,507,305	1,319,977	1,407,186	1,771,729	2,148,228	2,148,228

SECTION 6: OVERVIEW UNION HEIGHTS CDA

Table 6.1: Project Area Overview

OVERVIEW				
<u>Type</u> CDA	<u>Acreage</u> 11	<u>Purpose</u> Commercial Development	<u>Taxing District</u> 35U	<u>Tax Rate</u> 0.001321
<u>Creation Year</u> FY 2010	<u>Base Year</u> FY 2010	<u>Term</u> 15 Years	<u>Trigger Year</u> FY 2013	<u>Expiration Year</u> FY 2027
<u>Base Value</u> \$2,677,500	<u>TY 2016 Value</u> \$54,371,422	<u>Increase</u> 1,931%	<u>FY 2017 Increment</u> \$55,277	<u>Remaining Life</u> 10 Years



The Union Heights Community Development Project Area was created in March 2010 and is governed by (a) the “Union Heights Community Development Project Area Plan” dated March 2010, (b) the Project Area Budget dated September 27, 2010 and the associated ordinances and resolutions approving and adopting the plan and budget, (c) an interlocal agreement between the Agency and the Sandy City, and (d) a tax increment funding agreement with Raddon Brother’s Construction, Inc., the developer of the Union Heights development.

The purpose of the Project Area was to assist with the development of a mixed use project located along Union Park Avenue north of 7800 South in order to create jobs and increase property and sales tax revenue to the taxing entities. The Project Area includes 11 acres near 7650 S Union Park Ave.

SOURCES OF FUNDS

Table 6.2: Sources of Funds

2017 SOURCES OF FUNDS	
Property Tax Increment	\$55,277
Total Sources of Funds for 2017	\$55,277

Table 6.3: Tax Increment Levels

TAX INCREMENT LEVEL	
Years	%
1 – 15	85% Sandy City

USES OF FUNDS

Table 6.4: Uses of Funds

2017 USES OF FUNDS	
Development Incentive Payment	\$55,277
Total Use of Funds	\$55,277

DEVELOPMENT INCENTIVE PAYMENT

The Agency entered into an agreement with the Raddon Brother's Construction Inc. to reimburse them for the cost of constructing a parking structure. The agreement will last until the Project Area expires in FY 2027.

Table 6.5: Developer Incentive Payment

DEVELOPER INCENTIVE PAYMENT	
Raddon Brother's	\$55,277
Total Development Incentive Payment	\$55,277

PROJECT AREA REPORTING AND ACCOUNTABILITY

COMPARISON OF FORECASTED AND ACTUAL TAX INCREMENT

Table 6.6: Realization of Tax Increment

REALIZATION OF TAX INCREMENT	ACTUAL	FORECASTED	% OF PROJECTION
TAX INCREMENT GENERATED IN PROJECT AREA			
Property Tax Increment – FY 2017	\$55,277	\$51,740	106.84%

GROWTH IN ASSESSED VALUE

Table 6.7: Growth in Assessed Value

GROWTH IN ASSESSED VALUE	CURRENT YEAR	PRIOR YEAR	GROWTH RATE	AAGR
ASSESSED VALUES IN PROJECT AREA				
Annual Growth in Project Area (2016 vs. 2015)	\$54,371,422	\$48,756,711	11.52%	11.52%
Lifetime Growth in Project Area (2016 vs. Base)	\$54,371,422	\$2,677,500	1,931%	65.17%
ASSESSED VALUES IN SANDY CITY				
Annual Growth in Sandy City (2016 vs. 2015)	\$6,892,438,305	\$6,324,895,759	8.97%	8.97%
Lifetime Growth in Sandy City (2016 vs. 2010)	\$6,892,438,305	\$5,952,513,905	15.65%	2.45%

BENEFITS DERIVED BY PARTICIPATING TAXING ENTITIES

Table 6.8: Benefits to Taxing Entities

BENEFITS TO TAXING ENTITIES

*Increased Property Tax Revenues

*Higher growth in tax base compared to non-RDA areas

The primary benefit experienced by the participating taxing entities is increased property tax revenue due to increased property values. The most significant benefit to the taxing entities will be realized when the life of the Project Area expires. At that point the Agency will no longer receive tax increment and the taxing entities will receive property tax income based on the full assessed value in the Project area.

Table 6.9: Growth in Tax Increment

GROWTH IN TAX INCREMENT	ORIGINAL BUDGET REVENUES	ACTUAL REVENUE	Base Year Value Revenues	% ABOVE BASE
TAX INCREMENT FROM PROJECT AREA				
Fiscal Year 2017	NA	\$55,277	\$3,537	1,563%
Lifetime Revenue (2013-2017)	NA	\$265,993	\$18,988	1,401%
PASS THROUGH INCREMENT (ABOVE BASE)				
Fiscal Year 2017	NA	\$10,243	\$3,537	290%
Lifetime Revenue (2010-2017)	NA	\$49,511	\$18,988	261%

NOTABLE DEVELOPMENT AND FUTURE PROJECTS

Notable Development within the Union Heights CDA includes:





-  Century 16 Theater
-  Coldwell Banker Residential
-  Tsunami
-  Wasatch Broiler

Table 6.10: Developed and Undeveloped Acreage

CITY CENTER RDA	ACREAGE	PERCENTAGE
Developed	11.07	100%
Undeveloped	-	-%
Total	11.07	100%

FORECASTED PROJECT AREA BUDGET UPDATE

The multi-year budget attached to this document and summarized below displays revenue in the fiscal year received rather than the calendar year collected.

Table 6.11: Project Area Budget

PROJECT AREA BUDGET	FY 2018-2027
REVENUES	TOTALS
Property Tax Increment	\$540,021
Total Revenue	\$540,021
EXPENDITURES	TOTALS
Development Incentive Payments	\$540,021
Total Expenditures	\$540,021

OTHER ISSUES

The Agency has not identified any major areas of concern with the Union Heights CDA and believes that, according to the records reviewed, all parties are meeting their respective obligations related to this Project Area.

PROJECT AREA ANNUAL AND MULTI-YEAR BUDGETS

The following four sheets represent the FY 2017, FY 2018, FY 2019, and multi-year budget from 2013 to 2027.



Union Heights CDA

2017

	Fiscal Year Tax Year	2017
		2016
ASSESED VALUATION		
Sandy Tax District 35U		54,371,422
Base Year Value		(2,677,500)
Incremental Value		51,693,922
TAX INCREMENT ANALYSIS		
Incremental Property Tax Rates		
Salt Lake County		0.002639
Canyon School District		0.006463
Sandy City		0.001321
South Salt Lake Valley Mosquito Abatement District		0.000018
Cottonwood Improvement District		0.000199
Central Utah Water Conservancy District		0.000400
Salt Lake City Metropolitan Water District - Sandy City Only		0.000376
Salt Lake County Library		0.000639
Jordan/Canyons School District Debt Service Area		0.000764
Combined Rate		0.012819
Tax Increment & Participation Rates		
Sandy City		68,288
Increment Rate		85%
Tax Increment Generation		
Tax Increment		58,045
Less Prior Year Tax Increase		(2,154)
Less Prior Year Adjustments		(614)
Total Revenue for the Budget		55,277
EXPENDITURES		
Developer Incentive/Reimbursement		55,277
Total Expenditures		55,277

Union Heights CDA

2018

Fiscal Year Tax Year		2018
		2017
ASSESSED VALUATION		
Sandy Tax District 35U		54,371,422
Base Year Value		(2,677,500)
Incremental Value		51,693,922
TAX INCREMENT ANALYSIS		
Incremental Property Tax Rates		
Salt Lake County		0.002492
Canyon School District		0.006439
Sandy City		0.001229
South Salt Lake Valley Mosquito Abatement District		0.000017
Cottonwood Improvement District		0.000189
Central Utah Water Conservancy District		0.000400
Salt Lake City Metropolitan Water District - Sandy City Only		0.000347
Salt Lake County Library		0.000612
Jordan/Canyons School District Debt Service Area		0.000678
Combined Rate		0.012403
Tax Increment & Participation Rates		
Sandy City		63,532
Increment Rate		85%
Tax Increment Generation		
Tax Increment		54,002
Less Prior Year Tax Increase		-
Less Prior Year Adjustments		-
Total Revenue for the Budget		54,002
EXPENDITURES		
Developer Incentive/Reimbursement		54,002
Total Expenditures		54,002

Union Heights CDA

2019

Fiscal Year Tax Year		2019
		2018
ASSESSED VALUATION		
Sandy Tax District 35U		54,371,422
Base Year Value		(2,677,500)
Incremental Value		51,693,922
TAX INCREMENT ANALYSIS		
Incremental Property Tax Rates		
Salt Lake County		0.002492
Canyon School District		0.006439
Sandy City		0.001229
South Salt Lake Valley Mosquito Abatement District		0.000017
Cottonwood Improvement District		0.000189
Central Utah Water Conservancy District		0.000400
Salt Lake City Metropolitan Water District - Sandy City Only		0.000347
Salt Lake County Library		0.000612
Jordan/Canyons School District Debt Service Area		0.000678
Combined Rate		0.012403
Tax Increment & Participation Rates		
Sandy City		63,532
Increment Rate		85%
Tax Increment Generation		
Tax Increment		54,002
Less Prior Year Tax Increase		-
Less Prior Year Adjustments		-
Total Revenue for the Budget		54,002
EXPENDITURES		
Developer Incentive/Reimbursement		54,002
Total Expenditures		54,002

<===== Historic Projected =====>																
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15	
Fiscal Year	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	
Tax Year	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	
ASSESED VALUATION 35U																
Sandy Tax District 35U	47,051,680	51,978,095	43,760,220	48,756,711	54,371,422	54,371,422	54,371,422	54,371,422	54,371,422	54,371,422	54,371,422	54,371,422	54,371,422	54,371,422	54,371,422	
Base Year Value (2005)	(2,677,500)	(2,677,500)	(2,677,500)	(2,677,500)	(2,677,500)	(2,677,500)	(2,677,500)	(2,677,500)	(2,677,500)	(2,677,500)	(2,677,500)	(2,677,500)	(2,677,500)	(2,677,500)	(2,677,500)	
Incremental Value	44,374,180	49,300,595	41,082,720	46,079,211	51,693,922	51,693,922	51,693,922	51,693,922	51,693,922	51,693,922	51,693,922	51,693,922	51,693,922	51,693,922	51,693,922	
TAX INCREMENT ANALYSIS 35U																
Incremental Property Tax Rates																
Combined Rate	0.014533	0.014673	0.014075	0.013777	0.012819	0.012403	0.012403	0.012403	0.012403	0.012403	0.012403	0.012403	0.012403	0.012403	0.012403	
Tax Increment																TOTALS
Salt Lake County	123,937	156,776	124,727	129,897	136,420	128,821	128,821	128,821	128,821	128,821	128,821	128,821	128,821	128,821	128,821	2,164,226
Canyons School District	315,545	345,893	282,320	322,416	334,098	332,857	332,857	332,857	332,857	332,857	332,857	332,857	332,857	332,857	332,857	5,547,446
Sandy City	67,449	73,113	58,050	63,175	68,288	63,532	63,532	63,532	63,532	63,532	63,532	63,532	63,532	63,532	63,532	1,077,597
South Salt Lake Valley Mosquito Abatement District	932	1,035	822	876	930	879	879	879	879	879	879	879	879	879	879	17,322
Cottonwood Improvement District	10,827	11,635	9,285	9,907	10,287	9,770	9,770	9,770	9,770	9,770	9,770	9,770	9,770	9,770	9,770	179,872
Central Utah Water Conservancy District	20,190	21,988	17,337	18,662	20,678	20,678	20,678	20,678	20,678	20,678	20,678	20,678	20,678	20,678	20,678	338,663
Salt Lake City Metropolitan Water District - Sandy City Only	20,190	21,742	17,255	18,708	19,437	17,938	17,938	17,938	17,938	17,938	17,938	17,938	17,938	17,938	17,938	310,197
Salt Lake County Library	27,823	37,222	29,374	31,472	33,032	31,637	31,637	31,637	31,637	31,637	31,637	31,637	31,637	31,637	31,637	521,051
Jordan/Canyons School District Debt Service Area																
Sandy Tax District 35U	586,893	669,403	539,170	595,113	623,170	606,111	606,111	606,111	606,111	606,111	606,111	606,111	606,111	606,111	606,111	10,156,374
Participation Rates																
Salt Lake County	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Canyons School District	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Sandy City	85%	85%	85%	85%	85%	85%	85%	85%	85%	85%	85%	85%	85%	85%	85%	
South Salt Lake Valley Mosquito Abatement District	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Cottonwood Improvement District	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Central Utah Water Conservancy District	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Salt Lake City Metropolitan Water District - Sandy City Only	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Salt Lake County Library	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Jordan/Canyons School District Debt Service Area																
Tax Increment Generation Available for Budget																TOTALS
Salt Lake County	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Canyons School District	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Sandy City	57,331	62,146	49,343	53,699	58,045	54,002	54,002	54,002	54,002	54,002	54,002	54,002	54,002	54,002	54,002	820,584
South Salt Lake Valley Mosquito Abatement District	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Cottonwood Improvement District	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Central Utah Water Conservancy District	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Salt Lake City Metropolitan Water District - Sandy City Only	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Salt Lake County Library	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Jordan/Canyons School District Debt Service Area																-
Total Tax Increment	57,331	62,146	49,343	53,699	58,045	54,002	54,002	54,002	54,002	54,002	54,002	54,002	54,002	54,002	54,002	820,584
Less Prior Year Tax Increase		-	-	-	(2,154)	-	-	-	-	-	-	-	-	-	-	(2,154)
Less Prior Year Adjustments		-	(35,510)	23,707	(614)	-	-	-	-	-	-	-	-	-	-	(12,417)
Total Revenue for the Budget	57,331	62,146	13,833	77,406	55,277	54,002	54,002	54,002	54,002	54,002	54,002	54,002	54,002	54,002	54,002	806,013
EXPENDITURES																TOTALS
Administration Fee	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Developer Incentive/Reimbursement	57,331	62,146	13,833	77,406	55,277	54,002	54,002	54,002	54,002	54,002	54,002	54,002	54,002	54,002	54,002	806,013
Total Expenditures	57,331	62,146	13,833	77,406	55,277	54,002	54,002	54,002	54,002	54,002	54,002	54,002	54,002	54,002	54,002	806,013

SECTION 7: OVERVIEW 9400 SOUTH CDA

Table 7.1: Project Area Overview

OVERVIEW				
<u>Type</u> CDA	<u>Acreage</u> 31	<u>Purpose</u> Rio Tinto Stadium	<u>Taxing District</u> 35S	<u>Tax Rate</u> 0.001721
<u>Creation Year</u> FY 2007	<u>Base Year</u> FY 2006	<u>Term</u> 20 Years	<u>Trigger Year</u> FY 2011	<u>Expiration Year</u> FY 2032
<u>Base Value</u> \$6,708,240	<u>TY 2016 Value</u> \$63,074,682	<u>Increase</u> 840%	<u>FY 2017 Increment</u> \$94,141	<u>Remaining Life</u> 15 Years



The 9400 South Community Development Project Area was created in June 2007 and is governed by (a) the “9400 South Community Development Project Area Plan” dated June 7, 2007, (b) the Project Area Budget dated June 12, 2007 and the associated ordinances and resolutions approving and adopting the plan and budget; (c) separate and individual interlocal agreements between the Agency and the following entities which commit certain funds to the Agency: (i) Sandy City, (ii) Central Utah Water Conservancy District, and (iii) Governor’s Office of

Economic Development; (d) a ground lease between the Agency and Utah Soccer Stadium Owner, LLC (USSO); and (e) ADL among the Agency, USSO, and Utah Soccer, LLC (USL). These documents define the duration and use of property tax generated within the Project Area as well as conditions and obligations by the Agency and developers/land owners.

The original purpose of the Project Area was to create jobs and increase property and sales tax revenue to the taxing entities through the construction of the Rio Tinto Stadium. The Project Area contains roughly 31 acres and is located west of State Street and north of 9400 South where the Rio Tinto Stadium now sits.

SOURCES OF FUNDS

Table 7.2: Sources of Funds

2017 SOURCES OF FUNDS	
Property Tax Increment	\$94,141
Transient Room Tax	\$2,900,000
Fee in Lieu	\$75,000
Total Sources of Funds for 2017	\$3,069,141

Table 7.3: Tax Increment Levels

TAX INCREMENT LEVEL			
Entity	Years	Tax Years	%
Sandy City	20 Years	2011-2030	100%
Central Utah Water	20 Years	2013-2032	100%

OTHER TAX REVENUES

The Agency entered into an agreement with the Governor's Office of Economic Development and Salt Lake County where, beginning in July 1, 2007 and ending on June 20, 2027, the Project Area will receive 15% of the Transient Room Tax (TRT) revenues generated within Salt Lake County, which is a 4.25% tax on hotels and other similar businesses. It is estimated that the Project Area will receive roughly \$2-\$3 million yearly from this agreement. For FY 2017, the Project Area received \$2,900,000 in TRT revenues.

The Agency is also scheduled to receive a fee in lieu of taxes payment of \$75,000 a year. This fee is a result of Rio Tinto Stadium's appeal of their property evaluation, which in turn lowered the tax increment. Because of this Rio Tinto is scheduled to make this payment to the Agency until they either build 1,000 parking stalls or their assessed value reaches \$110 million.

USES OF FUNDS

Table 7.4: Uses of Funds

2017 USES OF FUNDS	
Debt Service Payments	\$2,811,904
Debt Service Reserve Fund	\$257,237
Total Use of Funds	\$3,069,141

DEBT SERVICE PAYMENTS

In 2007, Sandy City issued \$35 million in bonds to construct the Rio Tinto Soccer Stadium. The annual debt service for these bonds is roughly \$2.5 million. The primary revenue source dedicated to meeting the annual debt service obligations is Transient Room Tax (TRT) revenues contributed to the 9400 South Project Area. The South Towne Ridge Project Area is the second coverage source for the bonds for when the TRT revenues are insufficient. In FY 2017, the 9400 South Project Area contributed \$2,461,216 to the annual debt service for the 2007 Soccer Stadium Bonds.

In 2008, Sandy City issued another \$11.04 million in bonds to complete the construction of the Rio Tinto Soccer Stadium. In FY 2017, the 9400 South Project Area contributed \$350,691 to the annual debt service for the 2008 Soccer Stadium Bonds.

Table 7.5: Debt Service Payments

2017 DEBT SERVICE PAYMENTS	
Series 2007A and 2007B Soccer Stadium Bonds	\$2,461,213
Series 2008 Soccer Stadium Bonds	\$350,691
Debt Service Reserve Fund	\$257,237
Total Debt Service Payment	\$3,069,141

PROJECT AREA REPORTING AND ACCOUNTABILITY

COMPARISON OF FORECASTED AND ACTUAL TAX INCREMENT

Table 7.6: Realization of Tax Increment

REALIZATION OF TAX INCREMENT	ACTUAL	FORECASTED	% OF PROJECTION
TAX INCREMENT GENERATED IN PROJECT AREA			
Property Tax Increment – FY 2017	\$94,141	\$89,683	104.50%

GROWTH IN ASSESSED VALUE

Table 7.7: Growth in Assessed Value

GROWTH IN ASSESSED VALUE	CURRENT YEAR	PRIOR YEAR	GROWTH RATE	AAGR
ASSESSED VALUES IN PROJECT AREA				
Annual Growth in Project Area (2016 vs. 2015)	\$63,074,682	\$58,818,956	7.24%	7.24%
Lifetime Growth in Project Area (2016 vs. Base)	\$63,074,682	\$6,708,240	840.26%	25.12%
ASSESSED VALUES IN SANDY CITY				
Annual Growth in Sandy City (2016 vs. 2015)	\$6,892,438,305	\$6,324,895,759	8.97%	8.97%
Lifetime Growth in Sandy City (2016 vs. 2006)	\$6,892,438,305	\$5,154,958,127	33.71%	2.95%

BENEFITS DERIVED BY PARTICIPATING TAXING ENTITIES

Table 7.8: Benefits to Taxing Entities

BENEFITS TO TAXING ENTITIES
*Increased Property Tax Revenues
*Higher growth in tax base compared to non-RDA areas

The primary benefit experienced by the participating taxing entities is increased property tax revenue due to increased property values. The most significant financial benefit to the taxing entities will be realized when the life of the Project Area expires. At that point the Agency will no longer receive tax increment and the taxing entities will receive property tax income based on the full assessed value in the Project Area.

Table 7.9: Growth in Tax Increment

GROWTH IN TAX INCREMENT	ORIGINAL BUDGET REVENUES	ACTUAL REVENUE	Base Year Value Revenues	% ABOVE Base
TAX INCREMENT FROM PROJECT AREA				
Fiscal Year 2017	\$200,791	\$94,141	\$11,451	822%
Lifetime Revenue (2011-2017)	\$1,456,242	\$822,277	\$86,952	946%
PASS THROUGH INCREMENT (ABOVE BASE)				
Fiscal Year 2017	\$-	\$-	\$11,451	0%
Lifetime Revenue (2011-2017)	\$-	\$-	\$86,952	0%

NOTABLE DEVELOPMENT AND FUTURE PROJECTS

The 9400 South CDA was created with the intent of incentivizing the development of Rio Tinto Stadium in Sandy City. The most notable building located in the Project Area is the stadium.

Table 7.10: Developed and Undeveloped Acreage

9400 SOUTH CDA	ACREAGE	PERCENTAGE
Developed	31.49	100%
Undeveloped	-	0%
Total	31.49	100%

FORECASTED PROJECT AREA BUDGET UPDATE

The multi-year budget attached to this document and summarized below displays revenues in the fiscal year received rather than the calendar year collected.

Table 7.11: Project Area Budget

PROJECT AREA BUDGET	FY 2018-2032
REVENUES	TOTALS
Property Tax Increment	\$1,332,906
Transient Room Tax	\$34,375,000
Fee in Lieu	\$825,000
Total Revenue	\$36,438,765
EXPENDITURES	TOTALS
Series 2007A and 2007B Soccer Stadium Bonds	\$32,005,218
Series 2008 Soccer Stadium Bonds	\$3,764,564
Debt Service Reserve Fund	\$668,983
Total Expenditures	\$36,438,765

OTHER ISSUES

LYRB has not identified any major areas of concern with the 9400 South Project Area and believes that, according to the records reviewed, all parties are meeting their respective obligations related to this Project Area.

PROJECT AREA ANNUAL AND MULTI-YEAR BUDGETS

The following four sheets represent the FY 2017, FY 2018, FY 2019 and multi-year budget from 2013 to 2032.



9400 South CDA

2017

Fiscal Year	2017
Tax Year	2016
ASSESSED VALUATION	
Sandy Tax District 35S	63,074,682
Base Year Value (2006)	(6,708,240)
Incremental Value	56,366,442
TAX INCREMENT ANALYSIS	
Incremental Property Tax Rates Combined	0.013406
Tax Increment Revenues	
Sandy City	74,460
Central Utah Water Conservancy District	22,547
Total Property Tax Increment:	97,007
Tax Increment Participation Rates	
Sandy City	100%
Central Utah Water Conservancy District	100%
Tax Increment Generation	
Sandy City	74,460
Central Utah Water Conservancy District	22,547
Less Prior Year Tax Increase	(2,866)
Less Prior Year Adjustment	-
Total Tax Increment	94,141
Other Revenue for Budget	
Transient Room Tax (TRT) @ 15% of 4.25%	2,900,000
Fee In Lieu Payment	75,000
Total Other Tax	2,975,000
Total Revenues for Budget	3,069,141
USE OF TAX INCREMENT FUNDS (EXPENDITURES)	
Soccer Stadium Bonds (2007) - Ends After 2028	2,461,213
Soccer Stadium Bonds (2008) - Re-issue in 2019 through 2027	350,691
Future Debt Service Payment	257,237
Total Expenditures	3,069,141

9400 South CDA

2018

Fiscal Year	2018
Tax Year	2017
ASSESSED VALUATION	
Sandy Tax District 35S	63,074,682
Base Year Value (2006)	(6,708,240)
Incremental Value	56,366,442
TAX INCREMENT ANALYSIS	
Incremental Property Tax Rates Combined	0.012972
Tax Increment Revenues	
Sandy City	69,274
Central Utah Water Conservancy District	22,547
Total Property Tax Increment:	91,821
Tax Increment Participation Rates	
Sandy City	100%
Central Utah Water Conservancy District	100%
Tax Increment Generation	
Sandy City	69,274
Central Utah Water Conservancy District	22,547
Less Prior Year Tax Increase	-
Less Prior Year Adjustment	-
Total Tax Increment	91,821
Other Revenue for Budget	
Transient Room Tax (TRT) @ 15% of 4.25%	3,000,000
Fee In Lieu Payment	75,000
Total Other Tax	3,075,000
Total Revenues for Budget	3,166,821
USE OF TAX INCREMENT FUNDS (EXPENDITURES)	
Soccer Stadium Bonds (2007) - Ends After 2028	2,544,360
Soccer Stadium Bonds (2008) - Re-issue in 2019 through 2027	348,204
Future Debt Service Payment	274,257
Total Expenditures	3,166,821

9400 South CDA

2019

Fiscal Year	2019
Tax Year	2018
ASSESSED VALUATION	
Sandy Tax District 35S	63,074,682
Base Year Value (2006)	(6,708,240)
Incremental Value	56,366,442
TAX INCREMENT ANALYSIS	
Incremental Property Tax Rates Combined	0.012972
Tax Increment Revenues	
Sandy City	69,274
Central Utah Water Conservancy District	22,547
Total Property Tax Increment:	91,821
Tax Increment Participation Rates	
Sandy City	100%
Central Utah Water Conservancy District	100%
Tax Increment Generation	
Sandy City	69,274
Central Utah Water Conservancy District	22,547
Less Prior Year Tax Increase	-
Less Prior Year Adjustment	-
Total Tax Increment	91,821
Other Revenue for Budget	
Transient Room Tax (TRT) @ 15% of 4.25%	3,025,000
Fee In Lieu Payment	75,000
Total Other Tax	3,100,000
Total Revenues for Budget	3,191,821
USE OF TAX INCREMENT FUNDS (EXPENDITURES)	
Soccer Stadium Bonds (2007) - Ends After 2028	2,633,086
Soccer Stadium Bonds (2008) - Re-issue in 2019 through 2027	341,636
Future Debt Service Payment	217,099
Total Expenditures	3,191,821

Multi-year Project Area Ongoing Budget		<===== Historic Projected =====>																						
		Base Year	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17	Year 18	Year 19	Year 20	Year 21	Year 22		
		Fiscal Year	2006	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	
Tax Year		2005	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031		
ASSESED VALUATION 355																								
Sandy Tax District 355	6,708,240	65,922,602	65,800,435	64,995,243	58,818,956	63,074,682	63,074,682	63,074,682	63,074,682	63,074,682	63,074,682	63,074,682	63,074,682	63,074,682	63,074,682	63,074,682	63,074,682	63,074,682	63,074,682	63,074,682	63,074,682	63,074,682		
Base Year Value (2006)	(6,708,240)	(6,708,240)	(6,708,240)	(6,708,240)	(6,708,240)	(6,708,240)	(6,708,240)	(6,708,240)	(6,708,240)	(6,708,240)	(6,708,240)	(6,708,240)	(6,708,240)	(6,708,240)	(6,708,240)	(6,708,240)	(6,708,240)	(6,708,240)	(6,708,240)	(6,708,240)	(6,708,240)	(6,708,240)		
Incremental Value	-	59,214,362	59,092,195	58,287,003	52,110,716	56,366,442	56,366,442	56,366,442	56,366,442	56,366,442	56,366,442	56,366,442	56,366,442	56,366,442	56,366,442	56,366,442	56,366,442	56,366,442	56,366,442	56,366,442	56,366,442	56,366,442		
TAX INCREMENT ANALYSIS 355																								
Incremental Property Tax Rates																								
Combined		0.0153150	0.015472	0.014794	0.014447	0.013406	0.012972	0.012972	0.012972	0.012972	0.012972	0.012972	0.012972	0.012972	0.012972	0.012972	0.012972	0.012972	0.012972	0.012972	0.012972	0.012972		
Tax Increment Participation Rates																								
Sandy City		100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	0%	0%		
Salt Lake County		0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Canyon School District		0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Jordan/Canyons School District Debt Service Area		0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Sandy Suburban Improvement District		0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Salt Lake County Library		0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Central Utah Water Conservancy District		100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%		
Salt Lake City Metropolitan Water District - Sandy Only		0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
South Salt Lake Valley Mosquito Abatement District		0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Tax Increment Generation																								TOTALS
Sandy City	-	90,006	87,634	82,360	71,444	74,460	69,274	69,274	69,274	69,274	69,274	69,274	69,274	69,274	69,274	69,274	69,274	69,274	69,274	69,274	-	-	1,306,470	
Salt Lake County	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Jordan/Canyons School District	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Jordan/Canyons School District Debt Service Area	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Sandy Suburban Improvement District	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Salt Lake County Library	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Central Utah Water Conservancy District	-	26,943	26,355	24,597	21,105	22,547	22,547	22,547	22,547	22,547	22,547	22,547	22,547	22,547	22,547	22,547	22,547	22,547	22,547	22,547	22,547	22,547	459,745	
Salt Lake City Metropolitan Water District - Sandy Only	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
South Salt Lake Valley Mosquito Abatement District	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Property Tax Increment	-	116,948	113,989	106,957	92,549	97,007	91,821	91,821	91,821	91,821	91,821	91,821	91,821	91,821	91,821	91,821	91,821	91,821	91,821	91,821	22,547	22,547	1,766,214	
Less Prior Year Tax Increase	-	-	-	-	-	(2,866)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(2,866)	
Less Prior Year Adjustments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total Tax Increment	-	116,948	113,989	106,957	92,549	94,141	91,821	91,821	91,821	91,821	91,821	91,821	91,821	91,821	91,821	91,821	91,821	91,821	91,821	91,821	22,547	22,547	1,763,348	
Other Revenue for Budget																								TOTALS
Transient Room Tax (TRT) @ 15% of 4.25%	-	2,289,603	2,479,153	2,721,941	2,943,564	2,900,000	3,000,000	3,025,000	3,050,000	3,075,000	3,100,000	3,125,000	3,150,000	3,175,000	3,200,000	3,225,000	3,250,000	-	-	-	-	-	47,709,261	
Fee in Lieu		75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	-	-	-	-	-	1,200,000	
Total Other Revenue for Budget	-	2,364,603	2,554,153	2,796,941	3,018,564	2,975,000	3,075,000	3,100,000	3,125,000	3,150,000	3,175,000	3,200,000	3,225,000	3,250,000	3,275,000	3,300,000	3,325,000	-	-	-	-	-	48,909,261	
Total Revenues for Budget	-	2,481,551	2,668,142	2,903,898	3,111,113	3,069,141	3,166,821	3,191,821	3,216,821	3,241,821	3,266,821	3,291,821	3,316,821	3,341,821	3,366,821	3,391,821	3,416,821	91,821	91,821	22,547	22,547		50,672,609	
USE OF TAX INCREMENT FUNDS (EXPENDITURES)																								TOTALS
Interest Expense		5,714	5,949	6,766	4,801	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	23,230	
Soccer Stadium Bonds (2007) - Ends After 2028		2,284,190	2,468,851	2,298,984	2,381,040	2,461,213	2,544,360	2,633,086	2,718,226	2,812,932	2,911,773	3,014,405	3,115,567	3,220,002	3,227,365	3,437,310	2,370,192	-	-	-	-	-	43,899,496	
Soccer Stadium Bonds (2008) - Re-issue in 2019 through 2028		129,877	170,188	341,722	341,475	350,691	348,204	341,636	341,636	341,636	341,636	341,636	341,636	341,636	341,636	341,636	341,636	-	-	-	-	-	5,098,517	
Debt Service Fund		61,771	23,154	256,426	383,797	257,237	274,257	217,099	156,959	87,253	13,412	(64,220)	(140,382)	(219,817)	(202,180)	(387,125)	704,993	91,821	91,821	22,547	22,547		1,651,367	
Total Expenditures	-	2,481,551	2,668,142	2,903,898	3,111,113	3,069,141	3,166,821	3,191,821	3,216,821	3,241,821	3,266,821	3,291,821	3,316,821	3,341,821	3,366,821	3,391,821	3,416,821	91,821	91,821	22,547	22,547		50,672,609	

SECTION 8: 11400 SOUTH CDA

Table 8.1: Project Area Overview

OVERVIEW				
Type CDA	Acreage 51	Purpose Commercial Development	Taxing District 36W	Tax Rate 0.012307
Creation Year FY 2010	Base Year FY 2010	Term 25 Years	Trigger Year FY 2015	Expiration Year FY 2039
Base Value \$13,336,600	TY 2016 Value \$72,484,118	Increase 443.5%	FY 2017 Increment \$516,662	Remaining Life 22 Years

The 114th South Community Development Project Area was created in September 2010, and is governed by (a) the “11400 South Community Development Project Area Plan” dated September 9, 2010, (b) the Project Area Budget dated February 3, 2011 and the associated ordinances and resolutions approving and adopting the plan and budget; (c) separate and individual interlocal agreements between the Agency and the following entities which commit certain funds to the Agency: (i) Sandy City, (ii) Canyon’s School District, (iii) Salt Lake County, (iv) Central Utah Water Conservancy District, (v) South Valley Sewer District, and (vi) South Salt Lake Valley Mosquito Abatement District; and (vii) a participation agreement between the Agency and Scheels All Sports, Inc. These documents define the duration and use of property tax generated within the Project Area as well as conditions and obligations by the Agency and developers/land owners.



The purpose of the Project Area was to assist with the development of Scheels sporting goods store as an anchor tenant to spur economic development in the City surrounding the 114th South I-15 Interchange in order to create jobs and increase property and sales tax revenue to the taxing entities. The Project Area includes property north of 114th South, south of 110th South, west of State Street, and east of I-15. The Project Area includes approximately 51 acres.

SOURCES OF FUNDS

Table 8.2: Sources of Funds

2017 SOURCES OF FUNDS	
Property Tax Increment	\$516,662
Total Sources of Funds for 2017	\$516,662

Table 8.3: Tax Increment Levels

TAX INCREMENT LEVEL		
Phase	Years	%
Phase I, II & III	1 – 25	100% Sandy City
Phase I Only	1 – 25	75% Other Taxing Entities

USES OF FUNDS

Table 8.4: Uses of Funds

2017 USES OF FUNDS	
Development Incentive Payment	\$250,000
Capital Facility Finance Plan Projects Fund	\$266,662
Total Use of Funds	\$516,662

DEVELOPMENT INCENTIVE PAYMENT

Scheels All Sports, Inc. and the Agency entered into an agreement in 2011 in which the Agency agreed to remit 100% of the property tax increment generated by their development that the Agency actually receives for a period of 25 years. FY 2015 was the initial year of the agreement. The Agency will continue the annual payment until FY 2039. In turn the developer agreed to construct a regional sporting goods store of not less than 200,000 square feet, with all of the required on and off site improvements. The agreement further states that in order to receive any incentive, the developer must employ an average of at least 140 full time jobs during each calendar year.

Table 8.5: Developer Incentive Payment

DEVELOPER INCENTIVE PAYMENT	
Development Incentive Payment	\$250,000
Total Development Incentive Payment	\$250,000

PROJECT AREA REPORTING AND ACCOUNTABILITY

COMPARISON OF FORECASTED AND ACTUAL TAX INCREMENT

Table 8.6: Realization of Tax Increment

REALIZATION OF TAX INCREMENT	ACTUAL	FORECASTED	% OF PROJECTION
TAX INCREMENT GENERATED IN PROJECT AREA			
Property Tax Increment – FY 2017	\$516,662	\$619,673	83.4%

GROWTH IN ASSESSED VALUE

Table 8.7: Growth in Assessed Value

GROWTH IN ASSESSED VALUE	CURRENT YEAR	PRIOR YEAR	GROWTH RATE	AAGR
ASSESSED VALUES IN PROJECT AREA				
Annual Growth in Project Area (2016 vs. 2015)	\$72,484,118	\$64,464,117	12.44%	12.44%

Lifetime Growth in Project Area (2016 vs. Base)	\$72,484,118	\$13,336,600	443.5%	27.36%
ASSESSED VALUES IN SANDY CITY				
Annual Growth in Sandy City (2016 vs. 2015)	\$6,892,438,305	\$6,324,895,759	8.97%	8.97%
Lifetime Growth in Sandy City (2016 vs. 2009)	\$6,892,438,305	\$5,952,513,905	15.65%	2.45%

BENEFITS DERIVED BY PARTICIPATING TAXING ENTITIES

Table 8.8: Benefits to Taxing Entities

BENEFITS TO TAXING ENTITIES

*Increased Property Tax Revenues

*Higher growth in tax base compared to non-RDA areas

The primary benefit experienced by the participating taxing entities is increased property tax revenue due to increased property values. The most significant benefit to the taxing entities will be realized when the life of the Project Area expires. At that point the Agency will no longer receive tax increment and the taxing entities will receive property tax income based on the full assessed value in the Project area.

Table 8.9: Growth in Tax Increment

GROWTH IN TAX INCREMENT	ORIGINAL BUDGET REVENUES	ACTUAL REVENUE	Base Year Value Revenues	% ABOVE BASE
TAX INCREMENT FROM PROJECT AREA				
Fiscal Year 2017	\$640,252	\$516,662	\$164,134	315%
Lifetime Revenue (2015-2017)	\$1,822,189	\$1,368,534	\$500,363	274%
PASS THROUGH INCREMENT (ABOVE BASE)				
Fiscal Year 2017	\$328,914	\$211,267	\$164,134	129%
Lifetime Revenue (2015-2017)	\$775,062	\$518,794	\$500,363	104%

NOTABLE DEVELOPMENT AND FUTURE PROJECTS

Notable Development within the Union Heights CDA includes:

-  Scheels Sporting Goods
-  Buffalo Wild Wings
-  Blue Lemon
-  Pizzeria Limone
-  Jersey Mike's
-  Habit Burger
-  Village Baker



Table 8.10: Developed and Undeveloped Acreage

CITY CENTER RDA	ACREAGE	PERCENTAGE
Developed	43.96	84.96%
Undeveloped	7.78	15.04%
Total	51.74	100%

FORECASTED PROJECT AREA BUDGET UPDATE

The multi-year budget attached to this document and summarized below displays revenue in the fiscal year received rather than the calendar year collected.

Table 8.11: Project Area Budget

PROJECT AREA BUDGET	FY 2018-2039
REVENUES	TOTALS
Property Tax Increment	\$20,170,080
Total Revenue	\$20,170,080
EXPENDITURES	TOTALS
Development Incentive Payments	\$11,132,000
Capital Facility Finance Plan Projects Fund	\$9,038,080
Total Expenditures	\$20,170,080

OTHER ISSUES

The Agency has not identified any major areas of concern with the 11400 South CDA and believes that, according to the records reviewed, all parties are meeting their respective obligations related to this Project Area.

PROJECT AREA ANNUAL AND MULTI-YEAR BUDGETS

The following four sheets represent the FY 2017, FY 2018, FY 2019, and multi-year budget from 2015 to 2039.



114TH SOUTH CDA

2017

Fiscal Year Tax Year		2017 2016
ASSESSED VALUATION		
Phases I		72,484,118
Phases II & III		-
Base Year Value		(13,336,600)
Total Incremental Value		59,147,518
TAX INCREMENT ANALYSIS		
Combined Rate		0.0123070
Tax Increment & Participation Rates (Phase I)		
Salt Lake County		75%
Salt Lake County Library		75%
Canyon School District		75%
Sandy City		100%
South Salt Lake Valley Mosquito Abatement District		75%
South Valley Sewer Improvement District		75%
Crescent Cemetery Maintenance District		0%
Central Utah Water Conservancy District		75%
Tax Increment Generation (Phase I)		
Tax Increment		565,481
Less Current Year Tax Rate		(31,371)
Less Prior Year Tax Rate		(17,445)
Prior Year Increase		(3)
Total Tax Increment for Budget		516,662
Tax Increment & Participation Rates (Phase II & III)		
Phase II & III		-
Sandy City		100%
Tax Increment Generation (Phase II & III)		
Property Tax Increment		-
REVENUES		
Phase I		516,662
Phase II & III		-
Total Revenue		516,662
EXPENDITURES		
Scheels Sporting Goods		250,000
Capital Facility Finance Plan Projects		266,662
Total Expenditures		516,662

114TH SOUTH CDA

		2018
		2017
ASSESED VALUATION		
Phases I		72,484,118
Phases II & III		7,257,967
Base Year Value		(13,336,600)
Total Incremental Value		66,405,485
TAX INCREMENT ANALYSIS		
Combined Rate		0.0119290
Tax Increment & Participation Rates (Phase I)		
Salt Lake County		75%
Salt Lake County Library		75%
Canyon School District		75%
Sandy City		100%
South Salt Lake Valley Mosquito Abatement District		75%
South Valley Sewer Improvement District		75%
Crescent Cemetery Maintenance District		0%
Central Utah Water Conservancy District		75%
Tax Increment Generation (Phase I)		
Tax Increment		614,516
Less Current Year Tax Rate		-
Less Prior Year Tax Rate		-
Prior Year Increase		-
Total Tax Increment for Budget		614,516
Tax Increment & Participation Rates (Phase II & III)		
Phase II & III		-
Sandy City		100%
Tax Increment Generation (Phase II & III)		
Property Tax Increment		-
REVENUES		
Phase I		614,516
Phase II & III		-
Total Revenue		614,516
EXPENDITURES		
Scheels Sporting Goods		275,000
Capital Facility Finance Plan Projects		339,516
Total Expenditures		614,516

114TH SOUTH CDA

2019

	Fiscal Year Tax Year	2019 2018
ASSESSED VALUATION		
Phases I		83,817,985
Phases II & III		18,319,960
Base Year Value		(13,336,600)
Total Incremental Value		88,801,345
TAX INCREMENT ANALYSIS		
Combined Rate		0.0119290
Tax Increment & Participation Rates (Phase I)		
Salt Lake County		75%
Salt Lake County Library		75%
Canyon School District		75%
Sandy City		100%
South Salt Lake Valley Mosquito Abatement District		75%
South Valley Sewer Improvement District		75%
Crescent Cemetery Maintenance District		0%
Central Utah Water Conservancy District		75%
Tax Increment Generation (Phase I)		
Tax Increment		821,768
Less Current Year Tax Rate		-
Less Prior Year Tax Rate		-
Prior Year Increase		-
Total Tax Increment for Budget		821,768
Tax Increment & Participation Rates (Phase II & III)		
Phase II & III		-
Sandy City		100%
Tax Increment Generation (Phase II & III)		
Property Tax Increment		-
REVENUES		
Phase I		821,768
Phase II & III		-
Total Revenue		821,768
EXPENDITURES		
Scheels Sporting Goods		517,000
Capital Facility Finance Plan Projects		304,768
Total Expenditures		821,771

Multi-year Project Area Ongoing Budget		< =====Historic Projected===== >																									
Fiscal Year	Tax Year	Base Year	Yr. 1	Yr. 2	Yr. 3	Yr. 4	Yr. 5	Yr. 6	Yr. 7	Yr. 8	Yr. 9	Yr. 10	Yr. 11	Yr. 12	Yr. 13	Yr. 14	Yr. 15	Yr. 16	Yr. 17	Yr. 18	Yr. 19	Yr. 20	Yr. 21	Yr. 22	Yr. 23	Yr. 24	Yr. 25
		2010	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039
		2009	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038
ASSESSED VALUATION																											
Phases I		-	53,336,475	64,464,117		72,484,118	72,484,118	83,817,985	83,817,985	83,817,985	83,817,985	83,817,985	83,817,985	83,817,985	83,817,985	83,817,985	83,817,985	83,817,985	83,817,985	83,817,985	83,817,985	83,817,985	83,817,985	83,817,985	83,817,985	83,817,985	
Phases II & III		-	-	-	-	7,257,967	18,319,960	30,738,608	30,738,608	30,738,608	30,738,608	30,738,608	30,738,608	30,738,608	30,738,608	30,738,608	30,738,608	30,738,608	30,738,608	30,738,608	30,738,608	30,738,608	30,738,608	30,738,608	30,738,608	30,738,608	
Total Assessed Value		-	53,336,475	64,464,117		72,484,118	79,742,085	102,137,945	114,556,593	114,556,593	114,556,593	114,556,593	114,556,593	114,556,593	114,556,593	114,556,593	114,556,593	114,556,593	114,556,593	114,556,593	114,556,593	114,556,593	114,556,593	114,556,593	114,556,593	114,556,593	
Base Year Value		(13,336,600)	(13,336,600)	(13,336,600)	(13,336,600)	(13,336,600)	(13,336,600)	(13,336,600)	(13,336,600)	(13,336,600)	(13,336,600)	(13,336,600)	(13,336,600)	(13,336,600)	(13,336,600)	(13,336,600)	(13,336,600)	(13,336,600)	(13,336,600)	(13,336,600)	(13,336,600)	(13,336,600)	(13,336,600)	(13,336,600)	(13,336,600)	(13,336,600)	
Total Incremental Value (Phases I, II, III)		-	39,999,875	51,127,517		59,147,518	66,405,485	88,801,345	101,219,993	101,219,993	101,219,993	101,219,993	101,219,993	101,219,993	101,219,993	101,219,993	101,219,993	101,219,993	101,219,993	101,219,993	101,219,993	101,219,993	101,219,993	101,219,993	101,219,993	101,219,993	
TAX INCREMENT ANALYSIS																											
Incremental Property Tax Rates - Tax District 36W																											
Combined Rate			0.011934	0.013277	0.012307	0.011929	0.011929	0.011929	0.011929	0.011929	0.011929	0.011929	0.011929	0.011929	0.011929	0.011929	0.011929	0.011929	0.011929	0.011929	0.011929	0.011929	0.011929	0.011929	0.011929	0.011929	
Tax Increment & Participation Rates - Phase I																											
Property Tax Participation Rate for Budget - (Phase I)																											
Salt Lake County		75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%
Salt Lake County Library		75%	0%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%
Canyon School District		75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%
Jordan/Canyons School District Debt Service		75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%
Sandy City		100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	
South Salt Lake Valley Mosquito Abatement District		75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	
South Valley Sewer Improvement District		75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	
Crescent Cemetery Maintenance District		0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Central Utah Water Conservancy District		75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	
Metro Water District SLC & Sandy		0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Property Tax Increment																											
Salt Lake County		-	70,494	97,053	105,179	111,462	149,053	169,898	169,898	169,898	169,898	169,898	169,898	169,898	169,898	169,898	169,898	169,898	169,898	169,898	169,898	169,898	169,898	169,898	169,898	169,898	
Salt Lake County Library		-	-	26,190	28,346	30,480	40,760	46,460	46,460	46,460	46,460	46,460	46,460	46,460	46,460	46,460	46,460	46,460	46,460	46,460	46,460	46,460	46,460	46,460	46,460	46,460	
Canyon School District		-	198,053	268,304	286,703	320,689	428,844	488,817	488,817	488,817	488,817	488,817	488,817	488,817	488,817	488,817	488,817	488,817	488,817	488,817	488,817	488,817	488,817	488,817	488,817	488,817	
Jordan/Canyons School District Debt Service		-	-	33,054	33,892	33,767	45,155	51,470	51,470	51,470	51,470	51,470	51,470	51,470	51,470	51,470	51,470	51,470	51,470	51,470	51,470	51,470	51,470	51,470	51,470	51,470	
Sandy City		-	57,040	72,908	78,134	81,612	109,137	124,399	124,399	124,399	124,399	124,399	124,399	124,399	124,399	124,399	124,399	124,399	124,399	124,399	124,399	124,399	124,399	124,399	124,399	124,399	
South Salt Lake Valley Mosquito Abatement District		-	570	729	798	847	1,132	1,291	1,291	1,291	1,291	1,291	1,291	1,291	1,291	1,291	1,291	1,291	1,291	1,291	1,291	1,291	1,291	1,291	1,291	1,291	
South Valley Sewer Improvement District		-	10,620	13,574	14,683	15,738	21,046	23,989	23,989	23,989	23,989	23,989	23,989	23,989	23,989	23,989	23,989	23,989	23,989	23,989	23,989	23,989	23,989	23,989	23,989	23,989	
Crescent Cemetery Maintenance District		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Central Utah Water Conservancy District		-	12,150	15,530	17,744	19,922	26,640	30,366	30,366	30,366	30,366	30,366	30,366	30,366	30,366	30,366	30,366	30,366	30,366	30,366	30,366	30,366	30,366	30,366	30,366	30,366	
Metro Water District SLC & Sandy		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Prior Year Adjustments		-	-	16,852	(3)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Less Current Year Tax Increase		-	-	(33,948)	(31,371)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Less Prior Year Tax Increase		-	-	(20,113)	(17,445)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total Tax Increment for Budget		-	348,928	490,133	516,662	614,516	821,768	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	
Other Revenue for Budget																											
Sales Tax Transfer (if needed) from Sandy City or \$ from Lilienquist																											
Total Other Revenue for Budget																											
TOTAL REVENUE		-	348,928	490,133	516,662	614,516	821,768	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	
USE OF TAX INCREMENT FUNDS (EXPENDITURES)																											
Scheel's Participation Agreement - TIF (100% of Increment Actually Received on Scheel's Property)		-	239,622	231,320	250,000	275,000	517,000	517,000	517,000	517,000	517,000	517,000	517,000	517,000	517,000	517,000	517,000	517,000	517,000	517,000	517,000	517,000	517,000	517,000	517,000	517,000	
Capital Facility Finance Plan Projects Fund		-	109,306	258,813	266,662	339,516	304,768	419,690	419,690	419,690	419,690	419,690	419,690	419,690	419,690	419,690	419,690	419,690	419,690	419,690	419,690	419,690	419,690	419,690	419,690	419,690	
Total Expenditures		348,928	490,133	516,662	614,516	821,771	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	936,690	

SECTION 9: OVERVIEW SANDY TOD CDA

Table 9.1: Project Area Overview

OVERVIEW				
<u>Type</u> CDA	<u>Acreage</u> 79	<u>Purpose</u> Community Development	<u>Taxing District</u> ABI ABJ	<u>Tax Rate</u> TBD
<u>Creation Year</u> FY 2014-2016	<u>Base Year</u> FY 2014	<u>Term</u> 20 Years	<u>Trigger Year</u> FY 2018	<u>Expiration Year</u> FY 2037
<u>Base Value</u> \$18,297,300	<u>TY 2016 Value</u> N/A	<u>Increase</u> N/A	<u>FY 2017 Increment</u> N/A	<u>Remaining Life</u> 20 Years



The Sandy TOD Community Development Project Area Plan was created in 2014. The Project Area is governed by (a) the “Sandy TOD Community Development Project Area Plan” dated March 2014, (b) the Project Area Budget dated December 2014 and the associated ordinances and resolutions approving and adopting the plan and budget; (c) separate and individual interlocal agreements between the Agency and the following entities which commit certain funds to the Agency: (i) Sandy City, (ii) Canyon’s School District, (iii) Salt Lake County, (iv) Central Utah Water Conservancy District, and (v) South Salt Lake Valley Mosquito

Abatement District. These documents define the duration and use of property tax generated within the Project Area as well as conditions and obligations by the Agency and developers/land owners.

The Project Area is located within the Cairns District of Sandy City. The Cairns District and the Project Area will create a transit oriented live, work & play experience in the community. The Project Area includes property north of 10200 South, between Beetdigger Boulevard, 10200 South, State Street, and the UTA Trax Line. The Project Area includes approximately 79.35 acres.



SOURCES OF FUNDS

Table 9.2: Tax Increment Levels

TAX INCREMENT LEVELS			
Taxing Entity	Percentage	Distributed Back to Taxing Entity	Years
Salt Lake County	100%	35%	20 Years
Salt Lake County Library	100%	35%	20 Years
Canyons School District	100%	Years 1-10 30% Years 11-15 35% Years 16-20 40%	20 Years
Sandy City	85%		20 Years
South Salt Lake Valley Mosquito Abatement District	70%		20 Years
Central Utah Water Conservancy District	70%		20 Years

EXHIBIT A: MAP OF PROJECT AREAS

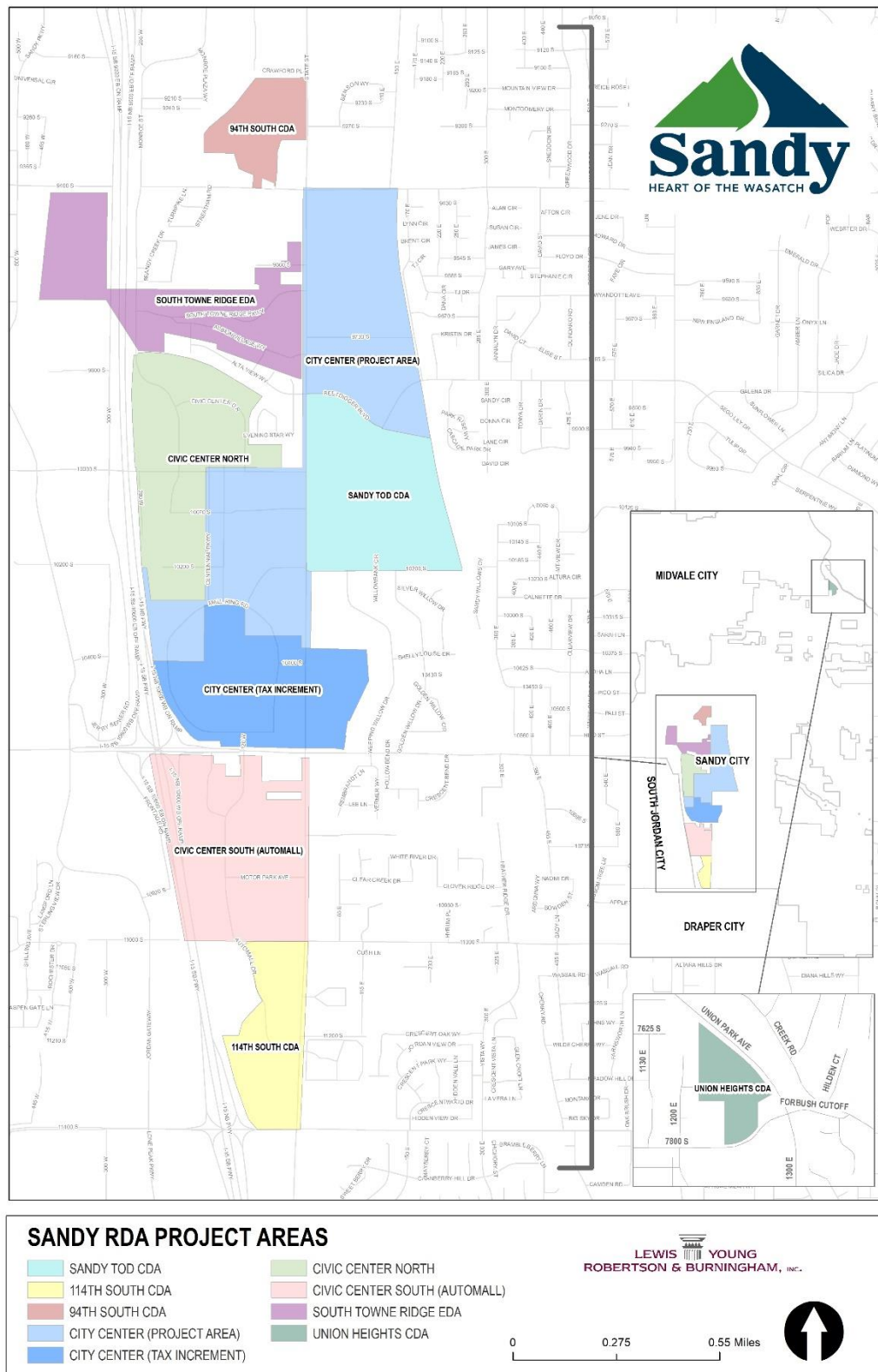




EXHIBIT B: QUALIFIED EXPENSES

SANDY CITY REDEVELOPMENT AGENCY

Analysis of "Additional Tax Increment" (Haircut) Compared to Qualified Obligations (11/1/2017)

Fiscal Year	Qualified Obligations					"Additional Tax Increment" (Haircut) Revenues*				Variance	
	Park Bonds & Acquisitions	Golf Course Bonds	Amphitheater Bonds	Road Bonds	Total	RDA City Center	Civic Center South	Civic Center North	Total	Total Revenues less Total Obligations	
1999	-		250,137		250,137	330,000			330,000	79,863	
2000	281,393		353,775		635,168	187,315	108,775		296,090	(339,078)	
2001	785,573		503,565	444,061	1,733,199	173,120	104,681		277,801	(1,455,398)	
2002	824,393		512,865	387,809	1,725,066	190,266	117,834		308,100	(1,416,966)	
2003	1,150,918	97,535	521,513	508,332	2,278,297	215,844	118,097	99,066	433,007	(1,845,290)	
2004	826,128	352,808	529,492	527,865	2,236,293	226,477	117,483	91,609	435,569	(1,800,724)	
2005	823,127	355,314	560,929	529,193	2,268,563	223,382	143,462	94,000	460,844	(1,807,719)	
2006	1,657,552	351,421	558,055	519,571	3,086,599	227,116	144,586	107,937	479,639	(2,606,960)	
2007	815,835	351,614	565,484	512,543	2,245,476	240,221	160,735	117,042	517,998	(1,727,478)	
2008	811,929	350,786	577,987	676,032	2,416,734	304,386	155,583	148,116	608,085	(1,808,649)	
2009	813,907	353,846	594,912	683,542	2,446,207	342,164	156,895	187,402	686,461	(1,759,746)	
2010	815,459	334,961	616,305	243,753	2,010,478	409,714	230,168	234,493	874,375	(1,136,103)	
2011	813,780	327,932	634,739		1,776,451	299,449	127,137	162,519	589,105	(1,187,346)	
2012	792,881	326,534	629,021		1,748,436	397,358	187,161	200,781	785,300	(963,136)	
2013	731,339	319,355	588,711		1,639,405	1,015,192	200,108	265,583	1,480,883	(158,522)	
2014	772,594	351,808	640,496		1,764,898	1,063,856	234,170	293,101	1,591,127	(173,771)	
2015	769,146	336,589	652,106		1,757,841	1,014,709	292,549	275,435	1,582,693	(175,149)	
2016	770,697	339,665	670,649		1,781,011	991,407	285,581	306,551	1,583,539	(197,471)	
2017	772,502	341,292	680,845		1,794,639	867,966	254,387	315,729	1,438,082	(356,557)	
2018	765,305	353,400	695,551		1,814,256	991,407	285,581	408,735	1,685,723	(128,533)	
2019	763,794	335,900	711,407		1,811,101		285,581	408,735	1,685,723	(125,378)	
2020	827,823	347,900	776,680		1,952,403		713,952	408,735	1,122,687	(829,716)	
2021		349,100			349,100		713,952	408,735	1,122,687	773,587	
2022		351,200			351,200		713,952	408,735	1,122,687	771,487	
2023		352,700			352,700		713,952	1,021,837	1,735,789	1,383,089	
2024		-			-		713,952	1,021,837	1,735,789	1,735,789	
2025		-			-		713,952	1,021,837	1,735,789	1,735,789	
2026		-			-		713,952	1,021,837	1,735,789	1,735,789	
2027		-			-			1,021,837	1,021,837	1,021,837	
2028		-			-			1,021,837	1,021,837	1,021,837	
2029		-			-			1,021,837	1,021,837	1,021,837	
	17,386,073	6,981,660	12,825,224	5,032,701	42,225,657	10,702,756	8,708,218	12,095,900	31,506,874	(10,718,783)	



Staff Report

File #: 17-305, **Version:** 1

Date: 11/14/2017

Agenda Item Title:

Sandy City Fire Department Badge Pinning and Swearing in Ceremony

Presenter: Bruce Cline

Description/Background:

Sandy City Fire Department's badge pinning and swearing in ceremony for the promotions of Fire Captain/Paramedic Julie Black and Fire Engineer/Paramedic Dallas Lyman. As well as the new hires: Firefighter/EMT Mathew Aston, Firefighter/EMT Corey Carter, Firefighter/EMT Mark DeKorver, Firefighter/EMT Jaren Franchina, Firefighter/EMT Chandler Hickey, Firefighter/EMT Joseph Olsen, Firefighter/EMT Aaron White, and Firefighter/EMT Levi Weston.



Staff Report

File #: 17-300, **Version:** 1

Date: 11/14/2017

Approval of the October 17, 2017 Minutes.

Motion to approve the minutes as presented.



Sandy City, Utah

10000 Centennial Parkway
Sandy, UT 84070
Phone: 801-568-7141

Meeting Minutes

City Council

Scott Cowdell, District 1
Maren Barker, District 2
Kristin Coleman-Nicholl, District 3
Chris McCandless, District 4
Steve Fairbanks, At-large
Linda Martinez Saville, At-large
Stephen P. Smith, At-large

Tuesday, October 17, 2017

5:15 PM

Council Chambers

5:15 Work Session

Agenda Planning Calendar Review

There were no questions on the Agenda Planning Calendar.

Council Member Business

Scott Cowdell attended the 90th South expansion meeting. He is concerned for people's safety, and believes once the seven lane highway is built, it will be dangerous and difficult to access out of 220 East and 240 East.

Council Office Director's Report

No Report.

Mayor's Report

No Report.

CAO Report

James Sorensen briefed the Council on City initiated code amendments (Home Occupations/Food Trucks) related to changes made during last year's Legislative Session. (Senate Bill 81/ Senate Bill 250)

Information Items

1. [17-283](#) City Council recommending an update from Sandy Senior Center Manager Charles Otis.

Sandy Senior Center Manager Charles Otis presented a briefing to the Council on the third quarter statistics for the center, a newsletter, and activities offered at the facility.
2. [17-282](#) Possible Closed Session to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares.

Meeting went into Recess

Meeting Reconvened

A motion was made by Stephen Smith, seconded by Chris McCandless, to go and preview the new truck from Public Works (Item #3 on the Agenda) then adjourn Work Session and convene into Closed Session at 5:50 p.m. to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares... The motion carried by the following vote:

Yes: 6 - Scott Cowdell
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Stephen P. Smith

Absent: 1 - Linda Martinez Saville

3. [17-287](#) Public Works Department providing the City Council with a preview of newly purchased vehicles

The City Council took a break to go outside and look at the new Snow Plow truck that was purchased by the Public Works Department.

4. [17-288](#) Councilman Stephen Smith proposing to amend the Sandy Arts Guild Fee Schedule.

Attachments: [Sandy Arts Guild Fee Schedule.pdf](#)
[Sandy Arts Guild Budget .pdf](#)

Stephen Smith briefed the Council on three proposals to amend the Sandy Arts Guild Fee Schedule and Revenue Policy.

Council questions followed.

Chairman McCandless stated that he would schedule Mr. Smith's items as part of the budget carryovers in November. The Council agreed to have the Administration come back with a formal proposal. The Council requested further discussion on the revenue policy.

A motion was made by Steve Fairbanks, seconded by Maren Barker, to adjourn work session and convene into City Council Meeting. .. The motion carried by a unanimous voice vote.

6. [17-291](#) City Council Office updating the council on City Council Administration Combined 6-month Objectives

Attachments: [Memorandum Council 6 Month Objectives Update](#)
[Objectives Worksheet](#)

Dustin Fratto, per Chairman McCandless's request, updated the Council on the City Council Administration Combined 6-month Objectives.

7. [17-292](#) Councilman McCandless updating the City Council on the status of the

Dimple Dell ZAP Tax Funds Committee

Chris McCandless updated the council on the status of the Dimple Dell ZAP Tax Funds Committee.

7:00 Council Meeting**Roll Call**

- Present:** 6 - Council Member Scott Cowdell
Council Member Maren Barker
Council Member Kristin Coleman-Nicholl
Council Member Chris McCandless
Council Member Steve Fairbanks
Council Member Stephen P. Smith
- Absent:** 1 - Council Member Linda Martinez Saville

Council Office Director Michael Applegarth -Absent
Council Office Analyst Dustin Fratto

Councilwoman Linda Martinez Saville-Absent

Administration:

Mayor Tom Dolan
CAO Scott Bond
Deputy to the Mayor Nicole Martin
Assistant CAO Shane Pace
Assistant CAO Korban Lee
Economic Development Director Nick Duerksen
Assistant Economic Development Director Kasey Dunlavy
City Attorney Rob Wall
Community Development Director James Sorensen
Fire Chief Bruce Cline
Parks & Recreation Director Scott Earl
Assistant Parks & Recreation Director Todd Asay
Parks Superintendent Chris Dodd
Parks Supervisor Charlie Millard
Police Chief Kevin Thacker
Public Utilities Director Tom Ward
Public Works Director Mike Gladbach
Public Utilities Support Services Manager Kim Bell

Opening Remarks / Prayer / Pledge of Allegiance

At approximately 7:05 p.m., Chairman Chris McCandless welcomed all those in attendance.

Dustin Fratto offered the opening prayer.

Councilwoman Maren Barker led the audience in the pledge.

5. [17-294](#) Administration presentation of the Sandy Magazine.

Deputy Mayor Nicole Martin addressed questions regarding Food Truck legislation.

Nicole Martin displayed a copy of the Sandy Magazine and explained the progression of the magazine and how it would be used as a tool to communicate with residents.

Special Recognition

8. [17-290](#) Beautification Committee is presenting landscape beautification awards.

Kim Bell along with Beautification Committee Chairman Steve Geddes presented signs and certificates to winners of the Beautification Contest for 2017.

Citizen Comments

Kathy Stark, 9095 South Enchanted Oak Lane, thanked Councilman Smith for his work on the proposals for the Sandy Arts Guild.

Kathy Stark noted that Steve VanMaren had to leave and would not be able to speak this evening.

David Norcutt, 133 East 10600 South, addressed the Council regarding asphalt slag in the Dog Park. He asked to come back to the Council for further discussion.

Chairman McCandless asked Mr. Norcutt to meet with the Parks & Recreation Director Scott Earl.

Richard DeLoney, Sandy resident for 20 years, addressed the Council regarding a continuing feud with a neighbor. He requested a forum to discuss alternative ways to amend certain ordinances so that everyone is properly protected.

Chris McCandless stated that he would speak with Staff during Agenda Planning and have them reach out to him.

As there were no further comments, Citizen Comments were closed.

Consent Calendar

Approval of the Consent Calendar

A motion was made by Stephen Smith, seconded by Scott Cowdell, to approve the Consent Calendar. The motion carried by the following vote:

Yes: 6 - Scott Cowdell
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Stephen P. Smith

Absent: 1 - Linda Martinez Saville

9. [17-284](#) Administration recommending the City Council recognize the Sandy Museum for 30 years of operation during the Museums upcoming anniversary celebration.

Attachments: [Sandy Museum Resolution 101017](#)

Item read into the record.

10. [17-285](#) City Council recommending to amend their annual meeting schedule by adopting Resolution 17-56C canceling the October 31, 2017 and the November 7, 2017 City Council Meetings.

Attachments: [Resolution 17-56C canceling 10 31-17 and 11 7-17 council meetings.pdf](#)
[Executed Copy Resolution 17-56C.pdf](#)

Item adopted.

11. [17-289](#) Approval of the October 3, 2017 Minutes.

Attachments: [October 3, 2017 Minutes.pdf](#)

Item approved.

Council Items

12. [17-286](#) City Council requesting from the Sandy City Parks Department a report on the Sandy Pride Projects

Attachments: [Sandy Pride 2017 Power Point.pptx](#)

Chris Dodd along with Charlie Millard expressed appreciation to the City Council and Administration for their support during Sandy Pride. They presented a power point presentation on the various projects that were completed.

13. [17-264](#) 2017 JAG Public Hearing

Attachments: [JAG Grant .docx](#)

Chief Kevin Thacker reported that the federal JAG Grant will be used to purchase hand held radios.

Chairman McCandless opened the Public Hearing. As there were no comments, the hearing was closed.

14. [17-293](#) Administration recommending the City Council adopt Resolution 17-55 C Interlocal Agreement between Salt Lake County and Sandy City relating to reimbursement for the cost of NARCAN kits and training for City Personnel.

Attachments: [Resolution 17-55C.pdf](#)
[Sandy Narcan Interlocal 2017-10-12 2.pdf](#)
[Narcan Purchase Order.pdf](#)
[Executed Copy Resolution 17-55C.pdf](#)

Nicole Martin and Chief Thacker explained the NARCAN Interlocal Agreement. Police vehicles will be equipped with NARCAN kits at no cost to the City.

A motion was made by Kristin Coleman-Nicholl, seconded by Scott Cowdell, authorizing the execution of an Interlocal Cooperation Agreement between Salt Lake County ("County") and Sandy City ("City") relating to reimbursement for the cost of NARCAN Kits and Training for City Personnel.. The motion carried by the following vote:

Yes: 5 - Scott Cowdell
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks

No: 1 - Stephen P. Smith

Absent: 1 - Linda Martinez Saville

15. [17-295](#) Parks and Recreation Department requesting a joint resolution canceling the election for the Alta Canyon Special Service Tax District Board Members

Attachments: [Alta Canyon Rec Dist Election Cancellation Resolution 17-58C](#)
[Joint Resolution 17-1.pdf](#)
[Executed copy of Resolution 17-58C .pdf](#)

Scott Earl addressed the joint resolution to cancel the election for the Alta Canyon Special Service Tax District Board members. There are four Board positions available and only four qualified candidates who have registered to run.

A motion was made by Steve Fairbanks, seconded by Kristin Coleman-Nicholl, to adopt Resolution #17-58C, a joint resolution canceling The Election of Board Members for Alta Canyon Special Service District. .. The motion carried by the following vote:

Yes: 6 - Scott Cowdell
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Stephen P. Smith

Absent: 1 - Linda Martinez Saville

16. [17-277](#) Recess of the City Council and convene a meeting of the Sandy City Redevelopment Agency

Attachments: [RDA Packet](#)

A motion was made by Steve Fairbanks, seconded by Kristin Coleman-Nicholl, to adjourn City Council Meeting and convene into Redevelopment Agency Meeting.. The motion carried by the following vote:

Yes: 6 - Scott Cowdell
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Stephen P. Smith

Absent: 1 - Linda Martinez Saville

Steve Fairbanks made a motion seconded by Stephen Smith to adjourn Redevelopment Agency Meeting and reconvene into City Council Meeting. The motion carried by a unanimous all in favor voice vote.

Adjournment

The meeting adjourned at approximately 8:30 p.m. by Scott Cowdell, seconded by Stephen Smith. The next scheduled meeting of the City Council is Tuesday, November 14, 2017, at 7:00 p.m.

Chris McCandless, Chair
Sandy City Council

Pam Lehman
Meeting Clerk



Staff Report

File #: 17-307, **Version:** 1

Date: 11/14/2017

Agenda Item Title:

City Council requesting to amend their annual meeting schedule by adopting Resolution 17-60C, canceling the November 28, 2017, December 5, 2017, and December 26, 2017 meetings.

To adopt

RESOLUTION #17- 60C

A RESOLUTION CANCELING THE NOVEMBER 28, 2017, December 5, 2017, and the December 26, 2017, CITY COUNCIL MEETINGS.

WHEREAS, the City Council having established a 2017 annual meeting schedule for the City Council according to the provisions of Section 52-4-101, Utah Code Annotated, the Utah Open and Public Meetings Act; and

WHEREAS, the City Council desires to adjust its annual meeting schedule for 2017;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Sandy City, Utah, that it does hereby amend its regular meeting schedule by canceling the November 28th, December 5th, and the December 26th, 2017 City Council Meetings.

PASSED AND APPROVED this 14th day of November, 2017.

Chris McCandless, Chairman
Sandy City Council

ATTEST:

City Recorder

RECORDED this _____ day of _____, 2017.



Staff Report

File #: 17-304, **Version:** 1

Date: 11/14/2017

Agenda Item Title:

Administration recommending the Council consent to appointment of Dan McDonald as the hearing officer for reasonable accommodation requests for group homes for disabled persons.

Presenter:

Shane Pace

Description/Background:

On June 21, 2017 the City Council approved Ordinance #17-14 to appoint a hearing officer to review reasonable accommodation requests instead of the Planning Commission. The code amendment included the advise and consent of the City Council for the appointment. The Purchasing Agent issued a Request for Proposal for hearing officer services and did not receive any responses. The Senior Civil Attorney emailed a few Attorneys that have experience with being a hearing officer, or those familiar with the Federal Fair Housing Act and AMericans with Disabilities Act, asking if they would be interested. Two attorneys, Glenn Bronson and Dan McDonald responded.

Members of Administration interviewed both lawyers. Based on the information gathered from those interviews and from other sources, Dan McDonald is recommended for this position.

Fiscal Impact:

\$300.00 per hour

Recommended Action and/or Suggested Motion:

Motion to approve Dan McDonald as hearing officer.

RESOLUTION #17-57C

A RESOLUTION CONSENTING TO THE APPOINTMENT OF DAN MCDONALD AS A HEARING OFFICER, AN APPEAL AUTHORITY FOR THE PURPOSE OF REVIEWING AND DECIDING REQUESTS FOR REASONABLE ACCOMMODATIONS, AS DETERMINED BY THE MAYOR.

WHEREAS, the Sandy City Council adopted Ordinance #17-14, effective June 21, 2017, which amended the review and approval process for Residential Facilities for Disabled Persons. The ordinance requires the Mayor to appoint a hearing officer with the advice and consent of the City Council (15A-11-08(G)).

WHEREAS, based on the information gathered from the interview, the experience being familiar with the Federal Fair Housing Act and American with Disabilities Act, and other sources, Dan McDonald is recommended for the hearing officer position.

BE IT RESOLVED by the City Council of Sandy City, Utah, hereby consents to the appointment of Dan McDonald as a hearing officer, as determined by the Mayor.

PASSED AND APPROVED by the Sandy City Council this ____ day of _____, 2017.

Chris McCandless, Chairman
Sandy City Council

ATTEST:

City Recorder

Recorded this ____ day of _____, 2017.



Staff Report

File #: CODE-09-17-5305,
Version: 1

Date: 11/14/2017

Agenda Item Title:

The Sandy City Community Development Department has filed a request to amend Title 15A, Chapter 11, Home Occupations, Land Development Code, Revised Ordinances of Sandy City, 2008.

Presenter:

Mike Wilcox

Description/Background:

The purpose of the Code Amendment is to make changes in our code that will align it with recent State Code changes relating to home based businesses. The proposed changes will allow for a small number of home based businesses to be exempt from the requirement to have a business license.

Staff recommended to Planning Commission that the proposed code amendment be approved. On October 19, 2017, the Planning Commission unanimously recommended to the City Council to to adopt the proposed ordinance amendment. See attached staff report and meeting minutes for more details.

Fiscal Impact:

Negligible: Minor impact on Business License Fee revenue.

Further action to be taken:

n/a

Recommended Action and/or Suggested Motion:

That the City Council adopt the proposed ordinance amendment as shown in Exhibit "A" 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 under which home occupations will be evaluated 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.



MEMORANDUM

October 11, 2017

To: City Council via Planning Commission
From: Community Development Department
Subject: Home Occupations – Business License Exemption – CODE-09-17-5305
Amend Title 15A, Chapter 11, Home Occupations, Land
Development Code, Revised Ordinances of Sandy City, 2008

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

BACKGROUND

The Sandy City Community Development Department has filed a request to amend Title 15A, Chapter 11, Home Occupations, Land Development Code, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to make changes in our code that will align it with recent State Code changes relating to home based businesses. The proposed changes will allow for a small number of home based businesses to be exempt from the requirement to have a business license.

ANALYSIS

Earlier this year, the State Legislature made changes to State Code that have caused us to revisit our code and make some changes. Upon reviewing our Home Occupation section, we have proposed several changes to this section of code to align it with the State Code.

Senate Bill 81 made changes to a few things relating to home based businesses. The law requires cities to allow for an exemption from business licensure for certain types of home based businesses where the combined offsite impacts of the business do not materially exceed the impact of the primary residential use alone.

To address this change, staff is proposing to add a new sub-section called "Exempt for Business Licensure" under the "Home Occupation Standards" section of the Home Occupations code. This creates a new exemption for certain Category I businesses from needing a business license. The section illustrates that if a business does not create impacts beyond that of a single-family home, then they can be exempt from needing to have a business license. It is important to note that these businesses will still have to adhere to all zoning requirements of this section.

There are a few other text changes that are proposed within the section that provide clarity regarding this change in licensure requirements.

The clean version of all final proposed text is shown in Exhibit “A” attached hereto. A full detail of all redlined changes is shown in the attached Exhibit “B”. The original text of this section is shown in Exhibit “C”.

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 under which home occupations will be evaluated 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 under which home occupations will be evaluated 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:

Reviewed by:

Mike Wilcox
Zoning Administrator

File Name: S:\USERS\PLN\STAFFRPT\2017\CODE-09-17-5305_HOME OCCUPATION LICENSE EXEMPTION\STAFF REPORT.DOCX

Exhibit “A”

15A-11-05 Home Occupations

A. **Purpose.** The purposes of this section are to:

1. Provide an opportunity for home occupations as an accessory use when they are compatible with the neighborhoods in which they are located. A home occupation shall not be construed to mean an employee working in his home in the service of an employer whose principal place of business is licensed at another location.
2. Provide an opportunity for a home occupation to engage in the business of child care and other group child activities and encourage this type of home occupation to draw clients/customers from their immediate neighborhood.
3. Guide business activities which are not compatible with neighborhoods to appropriate commercial zones.
4. Safeguard peace, quiet, and domestic tranquility within all residential neighborhoods. Protect residents from the adverse effects of business uses being conducted in residential areas from noise, nuisance, traffic, fire hazards, and other possible business uses that create significant impacts on a neighborhood.
5. Provide a means to enforce and regulate the businesses that are licensable through the authority of the business license regulations of the Revised Ordinances of Sandy City (ROSC), and if necessary, terminate home occupations if violations of the ordinances regulating home occupations occur.

B. **Home Occupation License.** All home occupations shall be licensed unless specifically provided an exemption in this Section or in the business license regulations of the ROSC. Regardless of whether a license is required, all Home Occupations must adhere to the standards and qualifications listed in this section. The authority to issue a license to conduct a home occupation shall be under the jurisdiction of the Business License Office of the Community Development Department.

C. **Categories and Requirements of Home Occupation Licenses.** Home occupation businesses are classified as Category I, Permitted Home Occupation, or Category II, Conditional Use Home Occupation. A Category II Conditional Use Home Occupation requires review and approval of the Planning Commission.

D. **Home Occupation Standards.** All home occupations, licensed or not, shall comply with the following standards at all times:

1. **Bona Fide Resident.** The home occupation business shall be owned by and carried on only by a bona fide resident of the home.
2. **Satellite Office Not Allowed.** A home occupation shall not be construed to mean an employee working in his home in the service of an employer whose principal place of business is licensed at another location. Business activities shall not be conducted at the home of an employee of a company by non-resident company employees.

3. **Accessory Use on the Property.** For residential purposes, the home occupation shall be clearly secondary and incidental to the primary use of the dwelling unit.
4. **On-Site Employees.** One full-time or full-time equivalent non-resident may be employed, volunteer, or work on the premises where the home occupation business is located. No more than two persons shall comprise the equivalent full-time employee, and only one non-resident employee may work at the home at one time.
5. **Off-Site Employees.** Any home occupation may utilize employees to work off site. The off-site employee, volunteer, hiree, or any other person engaged with the home occupation shall not come to the home for purposes related to the Home Occupation Business License except for incidental vehicle stops.
6. **Off-Street Parking.** All business related vehicles which park at the location of the home occupation, including those of the applicant, employee, customers, clients, or business-related visitor vehicles, must use off-street parking. This provision excludes stops made by delivery vehicles. (Ord 10-45, Amended 12-14-2010)
7. **Vehicle Advertisement.** Vehicles, trailers, or equipment may not be used for the primary purpose of advertising the home occupation at the site of the home occupation. (Ord 10-45, Amended 12-14-2010)
8. **Designating Areas of Property to be Used.** The home occupation applicant must designate the portion of the home, accessory structure, yard, attached or detached garage as the principal location for business activities. No businesses are allowed to operate outside of an enclosed structure, unless otherwise approved by the Planning Commission for outside activities. (Ord 10-45, Amended 12-14-2010)
9. **External Appearance.** The home occupation must maintain or improve the external residential appearance of the principal structure, attached or detached garage, or accessory structure. Any structural alterations to accommodate the home occupation shall maintain the architectural aesthetics and compatibility of the neighborhood.
10. **Outdoor/Yard Space.** The home occupation shall not involve the use of any yard space for storage or display of supplies, inventory, or equipment when such use is in conjunction with the sales, service, or production of goods, unless specifically stored within trailers or accessory structures as allowed herein. Any screened area or structure used for the home occupation must be located in either the side or rear yard areas. (Ord 10-45, Amended 12-14-2010)
11. **Business Trailer.** One Trailer may be used in association with the home occupation. Trailers allowed in conjunction with a home occupation are as follows:
 - a. An open or enclosed trailer with a body length of 20 feet or less, excluding the tongue.
 - b. Materials/equipment shall not be stored outside of the trailer.
 - c. The trailer shall be placed in the side or rear yard behind a fence or garaged on private property and not within the front yard of the dwelling. If the home is located on a corner lot, the trailer shall not be stored on the street side of the house unless it is out of the required front yard setback. If the topography of the lot prohibits the parking of the trailer on the side or rear yard, the trailer must be stored off-site.

- d. The trailer must be well maintained and must not present negative impacts for adjacent neighbors including, but not limited to odors, dust, or parking location.
 - e. All areas utilized for the parking of trailers shall be paved with a hard surface, e.g., concrete, asphalt, brick, or other water impenetrable surface. This includes the side and rear yard of the home. It is prohibited to park upon areas that have been landscaped or are reserved for future landscaping.
 - f. A site plan shall be included with all business license applications indicating where the trailer will be stored outside of the front yard. (Ord 10-45, Amended 12-14-2010)
12. **Commercial Vehicle.** Only one such vehicle may be parked on a residential lot. A commercial vehicle parked or stored on a residential lot must be owned or apportioned by an occupant who resides at the residence. This vehicle must comply with all residential parking requirements contained within this code. (Ord 10-45, Amended 12-14-2010)
13. **Conformity with Safety Codes.** There shall be complete conformity with fire, building, plumbing, electrical, and all other City, County, State, and Federal codes. (Ord 10-45, Amended 12-14-2010)
14. **Health and Safety.** No process can be used which is hazardous to public health, safety, morals, or welfare. (Ord 10-45, Amended 12-14-2010)
15. **No Excessive Utility Uses.** The home occupation shall not cause a demand for municipal, community, or utility services that are substantially in excess of those usually and customarily provided for residential uses. (Ord 10-45, Amended 12-14-2010)
16. **Neighborhood Disruptions Not Permitted.** The home occupation shall not interfere or disrupt the peace, quiet, and domestic tranquility of the neighborhood. The home occupation shall not create or be associated with or produce odor, smoke, dust, heat, fumes, light, glare, noises or vibrations, excessive traffic, or other nuisances including interferences with radio and television reception or any other adverse effects within the neighborhood. (Ord 10-45, Amended 12-14-2010)
17. **Renter/Owner Responsibility.** If the applicant for a home occupation license rents or leases the property wherein the home occupation is intended to be conducted, the applicant must provide a letter of acknowledgment and consent from the property owner at the time the application is submitted to the Business License Office. (Ord 10-45, Amended 12-14-2010)
18. **Interior Alterations/Remodeling.** Interior alterations of the principal dwelling for the purpose of accommodating the home occupation are prohibited if such alteration eliminates the kitchen, and/or all of the dining areas, bathrooms, living areas, or all of the bedrooms. (Ord 10-45, Amended 12-14-2010)
19. **Exempt from Business Licensure.** A business license will not be required unless the combined offsite impact of the home occupation and the primary residential use materially exceeds the impact of the primary residential use alone. If a home occupation has any of the following impacts, a business license is required:
- a. Business related customers, client visits, or meetings on the property.
 - b. Signage or advertising of the business that is visible from the exterior of the home.
 - c. The business owner or operator desires a physical copy of a business license.
 - d. Any non-resident working on the property.
 - e. Business related deliveries are made to or from the property.

- f. Accessory or commercial vehicles are stored or parked on the property for the home occupation.
- g. The home or property requires inspections from any regulatory authority or agency including, but not limited to, the City, Salt Lake Valley Health Department, and/or the Department of Agriculture.
- h. The business generates any additional vehicular traffic or parking on the property.
- i. If the State requires a sales tax number for any reason.
- j. If the home occupation is categorized as a Category II, Conditional Use Home Occupations, as described herein.
- k. If the home requires any modification requiring a building permit to accommodate the business operations.
- l. When the business use within the home exceeds twenty-five percent (25%) of the primary dwelling.

E. **Category I Qualifications.** In addition to the standards previously set forth above, all Category I home occupation businesses must also comply with the provision of the qualifications outlined below. If a business finds that they are unable to fully comply with all of the qualifications set forth, the applicant may pursue possible approval as a Category II home occupation through the conditional use permit process before submitting the application for a home occupation business license.

1. **Hours.** No visitors in conjunction with the home occupation (clients, patrons, employees, volunteers, students, pupils, etc.) shall be permitted between the hours of 10:00 p.m. and 6:00 a.m.
2. **Traffic.** Vehicular traffic from business related visitors and customers shall not exceed that which normally and reasonably occurs for a home in the neighborhood and shall be conducted so that the neighbors will not be significantly impacted by its existence. The home occupation shall be limited to two business related visitors or customers per hour, to a maximum of eight business related visitors or customers per day. Business related deliveries or pickups shall not exceed two per day.
3. **Delivery Vehicles.** The receipt or delivery of merchandise, goods, or supplies for use in a home occupation shall be limited to vehicles with a gross vehicle weight rating (GVWR) of 23,000 pounds or less.
4. **Conducted in a Home.** When business activities are being conducted on the property that is to be licensed, the home occupation shall be primarily conducted within the principal home.
5. **Maximum Floor Space.** No more than 25 percent of the total main floor area or upper living levels of the dwelling unit, nor in the alternative more than 50 percent of the total floor area of any basement of the home unit shall be utilized for the home occupation.
6. **Signs.** The home occupation may utilize one unanimated, non-illuminated flat sign for each street upon which the home abuts. The sign must be placed either in a window or on the exterior wall of the home wherein the home occupation is being conducted and may not have an area greater than one square foot.
7. **Display of Products.** The home occupation may include the sale of tangible goods. Direct sales from display apparatus is permitted only if the goods or products are not visible from the exterior of any approved structure being used for the home occupation.

8. **Food or Beverage Preparation for Consumption Outside of the Home.** Any home occupation involving or proposing to involve food or drink preparation, storage, or catering will be permitted when it is authorized by the appropriate State or County department or agency.
9. **Category I Home Occupation Licensing Involving Child Day Care and Other Child Group Activities**
 - a. The Category I home occupation shall not exceed eight children associated with child day care or other child group activities, e.g., dance schools, preschool, music classes, etc., at any one time. A maximum of eight students/children are permitted per day. This number shall include the licensee's own children if they are under six years of age and are under the care of the licensee at the time the home occupation is conducted.
 - b. All child day care and other group child activity facilities shall provide safe, outdoor play time and spaces as required by Federal, State, County, or local laws governing such business activities.
10. **Category I Home Occupation License Involving Elderly Day Care**
 - a. This type of home occupation shall not exceed supervising more than two elderly persons 60 years of age or older. Any home occupation of this nature which exceeds two individuals or more than 12 hours of operation will be considered a Category II Home Occupation and shall be reviewed and approved by the Planning Commission.
 - b. This type of home occupation must comply with all local and state laws governing such business activity.
11. **Category I Home Occupation Licensing Involving Renting Recreational Vehicles from Personal Property in Single Family Residential Zones.**
 - a. A property owner/resident living in the home may rent one (1) recreational vehicle that is owned by the owner/resident. Where more than one recreational vehicle can fit on a recreational trailer, the owner may rent a maximum of two (2) recreational vehicles.
 - b. Any recreational vehicle must be parked according to the Residential Parking Requirements and Restrictions within the Code, except that any recreational vehicle that is being rented from the home must be parked on a hard surface (concrete, asphalt, brick, or other impenetrable surface). In addition, the maximum area of hard surface for the purpose of parking a recreational vehicle shall be complied with.
 - c. Advertising on the recreational vehicle is prohibited.
 - d. Servicing the recreational vehicle shall be limited to those activities which will comply with the Noise Ordinance and the Property Maintenance Ordinance contained within the Sandy City Code.
 - e. Any customer renting the recreational vehicle shall not leave their own car on the street, but may place their vehicle on the homeowners property in compliance with all Residential Parking Requirements during the time the recreational vehicle is being rented. (Ord 09-18, Amended 7-31-2009)

- F. **Category II, Conditional Use Permit Required.** If a home occupation is able to comply with all of the standards but is unable to comply with all of the Category I qualifications established above, the proposed business activities must be reviewed by the Planning Commission and granted a conditional use permit before pursuing a Home Occupation Business License through the Business License Office.
1. **General.** In addition to any conditions established by the Planning Commission at the time of its review, all Category II home occupations must comply with the following:
 - a. All Category II home occupation uses shall only be conducted from property with a single family dwelling.
 - b. The conditional use permit and the Home Occupation Business License shall be maintained in good standing for the entire period that business is being conducted.
 2. **Compliance.** Uses are appropriate as licensable home occupations only if they are determined to be compatible with residential neighborhoods after full conditional use review by the Planning Commission, compliance with Title 5 Business Licensing, all of the standards and qualifications that have not been granted an exception through the conditional use process, and additional regulations set forth hereafter.
 3. **Child Day Care.** The following items indicate maximum limits that may be granted by the Planning Commission when a child day care is expected to exceed eight children at one time.
 - a. A maximum of 16 children is permitted at any one time. (Ord 12-33, Amended 9-17-2012)
 - b. A maximum of 18 children is permitted per day.
 - c. These numbers shall include the licensee's and any employees' children if they are under six years of age and are under the care of the licensee at the time the home occupation is conducted.
 - d. A maximum of 24 vehicular stops per day for child drop off or pick up is permitted.
 4. **Group Child Activities.** The following provisions indicate a maximum limit that may be granted by the Planning Commission for other group child activities which are expected to generate or exceed eight children/students, e.g., dance schools, preschools, music classes, other care or instruction for children, at any one time other than child day care.
 - a. The following guidelines shall be used to determine the maximum number of students/children permitted:
 - (1) A traffic plan that has been reviewed and approved by the City Transportation Engineer which includes acceptable traffic flow, drop off, and turn around areas.
 - (2) The existing residential street is of sufficient width to accommodate additional vehicular traffic.
 - b. A maximum of 12 students/children per session and a maximum of 24 students/children per day shall be permitted.
 - c. A maximum of four sessions per day may be permitted.

- d. All sessions combined shall not generate more than 24 vehicular stops per day.
 - e. The total number of students/children shall include the licensee's and any employees' children if they are under six years of age and are under the care of the licensee at the time the home occupation is conducted.
 - f. No group child activities falling under a Category II home occupation may be established within 300 feet as measured from property line to property line of another group child activity, Category II home occupation use.
5. **Work Shops.** Repair shops including welding, carpentry, sheet metal work, furniture manufacturing, upholstery, and other similar manufacturing activities
6. **Business Not Conducted Within a Home.** Any home occupation which proposes or conducts activities within an outbuilding, accessory building, attached or detached garage. The following guidelines shall be used to determine the maximum impacts permitted:
- a. The applicant for a Home Occupation Business License shall designate the areas of the home, attached/detached garage or accessory structure that will be used for the home occupation. If approved, the home occupation may be conducted only in the designated area.
 - b. No more that a maximum of 200 square feet, or in the alternative, no more than 50 percent of the total floor space (whichever is the greater) of any accessory structure or attached or detached garage may be used for a home occupation unless there are specific exceptions granted by the Planning Commission.
 - c. Any home occupation uses in an attached or detached garage may not eliminate minimum parking requirements for the particular zone wherein the home occupation is located.
 - d. Any accessory structure used for a home occupation must maintain the architectural aesthetics or compatibility of the home and the immediate neighborhood.
 - e. The home occupation may utilize one unanimated, non-illuminated flat sign to be attached to the accessory structure where the home occupation is being conducted in lieu of a sign attached to the home or in a window. The sign may not have an area greater than one square foot.
7. **Home Occupations and Outdoor Activities.** Any home occupations proposing to conduct business utilizing any yard space or in a swimming pool.
8. **Dangerous Home Occupations.** Any home occupation using explosives, incendiary products and devices, flammable, or hazardous chemicals.
9. **Home Occupations Generating Excessive Traffic.** Any home occupation which will generate in excess of two customers or visitors per hour or eight per day. A maximum of 12 business-associated visitors per day may be allowed under a conditional use permit, except as provided for child day care and other group child activities.
10. **Large, Business Related Vehicles.** Any home occupation which utilizes vehicles more than 24 feet in length (with the exception of renting recreational vehicles). (Ord 09-18, Amended 7-31-2009)

11. **More Than Two Home Occupation Licenses.** Any home where the applicant(s) is seeking more than two home occupation licenses.

G. Prohibited Home Occupations. The following uses, by nature of the occupation, substantially impair the use and value of residentially zoned areas for residential purposes and are, therefore, prohibited:

1. Mortuary, crematorium, columbarium, mausoleum.
2. Animal hospitals or veterinary services.
3. Clinic, dental office, medical office, chiropractic office, or hospital.
4. Junk yard, auto wrecking yard, or salvage yard.
5. Stables, kennels, pet store, or any other commercial animal breeding business or similar activities are prohibited. Activities may be allowed within the scope of a hobby license as issued by the Animal Services Division of Sandy City.
6. Storage, service, repair, sales of ambulance, tow truck, recreational vehicle, water craft, automobiles, ATV, or other motorized vehicles. (Ord 09-18, Amended 7-31-2009)
7. Fitness or health spa facility.
8. Boutiques, sample sale, or craft shows.
9. Auto body repair, motor vehicle repair.
10. Use of specified chemicals, pesticides and flammable/combustible materials, and including any other process or business where current adopted Building and Fire Codes would require an Operational Permit.
11. Number of vehicular stops or visits that would exceed 24 per day.
12. Massage therapy or other alternative healing and energy healing businesses, with the exception that a Home Occupation license may be issued if the applicant is the only person employed in said operation and he/she has obtained any required license(s) from the State of Utah. Limit one massage therapy or alternative healing and energy healing business per residence. All other standards and Category I qualifications must be complied with. No massage therapy or other alternative healing and energy healing businesses may be permitted if a Category II qualification is required. (Ord 15-25, Amended 7-21-2015, Ord 16-13, Amended 3-23-2016)
13. A Bed & Breakfast facility.

Exhibit “B”

15A-11-05 Home Occupations

A. **Purpose.** The purposes of this section are to:

1. Provide an opportunity for home occupations as an accessory use when they are compatible with the neighborhoods in which they are located. A home occupation shall not be construed to mean an employee working in his home in the service of an employer whose principal place of business is licensed at another location.
2. Provide an opportunity for a home occupation to engage in the business of child care and other group child activities and encourage this type of home occupation to draw clients/customers from their immediate neighborhood.
3. Guide business activities which are not compatible with neighborhoods to appropriate commercial zones.
4. Safeguard peace, quiet, and domestic tranquility within all residential neighborhoods. Protect residents from the adverse effects of business uses being conducted in residential areas from noise, nuisance, traffic, fire hazards, and other possible business uses that create significant impacts on a neighborhood.
5. Provide a means to enforce and regulate the businesses that are licensable through the authority of the business license regulations of the Revised Ordinances of Sandy City (ROSC), and if necessary, terminate home occupations if violations of the ordinances regulating home occupations occur.

B. **Home Occupation License.** All home occupations shall be licensed unless specifically provided an exemption in this Section or in the business license regulations of the ROSC. Regardless of whether a license is required, all Home Occupations must adhere to the standards and qualifications listed in this section. The authority to issue a license to conduct a home occupation shall be under the jurisdiction of the Business License Office of the Community Development Department.

C. **Categories and Requirements of Home Occupation Licenses.** Home occupation businesses are licensableclassified as Category I, Permitted Home Occupation, or Category II, Conditional Use Home Occupation. A Category II Conditional Use Home Occupation requires review and approval of the Planning Commission.

D. **Home Occupation Standards.** All home occupations, licensed or not, shall comply with the following standards at all times:

1. **Bona Fide Resident.** The home occupation business shall be owned by and carried on only by a bona fide resident of the home.
2. **Satellite Office Not Allowed.** A home occupation shall not be construed to mean an employee working in his home in the service of an employer whose principal place of business is licensed at another location. Business activities shall not be conducted at the home of an employee of a company by non-resident company employees.

3. **Accessory Use on the Property.** For residential purposes, the home occupation shall be clearly secondary and incidental to the primary use of the dwelling unit.
4. **On-Site Employees.** One full-time or full-time equivalent non-resident may be employed, volunteer, or work on the premises where the home occupation business is located. No more than two persons shall comprise the equivalent full-time employee, and only one non-resident employee may work at the home at one time.
5. **Off-Site Employees.** Any home occupation may utilize employees to work off site. The off-site employee, volunteer, hiree, or any other person engaged with the home occupation shall not come to the home for purposes related to the Home Occupation Business License except for incidental vehicle stops.
6. **Off-Street Parking.** All business related vehicles which park at the location of the home occupation, including those of the applicant, employee, customers, clients, or business-related visitor vehicles, must use off-street parking. This provision excludes stops made by delivery vehicles. (Ord 10-45, Amended 12-14-2010)
7. **Vehicle Advertisement.** Vehicles, trailers, or equipment may not be used for the primary purpose of advertising the home occupation at the site of the home occupation. (Ord 10-45, Amended 12-14-2010)
8. **Designating Areas of Property to be Used.** The home occupation applicant must designate the portion of the home, accessory structure, yard, attached or detached garage as the principal location for business activities. No businesses are allowed to operate outside of an enclosed structure, unless otherwise approved by the Planning Commission for outside activities. (Ord 10-45, Amended 12-14-2010)
9. **External Appearance.** The home occupation must maintain or improve the external residential appearance of the principal structure, attached or detached garage, or accessory structure. Any structural alterations to accommodate the home occupation shall maintain the architectural aesthetics and compatibility of the neighborhood.
10. **Outdoor/Yard Space.** The home occupation shall not involve the use of any yard space for storage or display of supplies, inventory, or equipment when such use is in conjunction with the sales, service, or production of goods, unless specifically stored within trailers or accessory structures as allowed herein. Any screened area or structure used for the home occupation must be located in either the side or rear yard areas. (Ord 10-45, Amended 12-14-2010)
11. **Business Trailer.** One Trailer may be used in association with the home occupation. Trailers allowed in conjunction with a home occupation are as follows:
 - a. An open or enclosed trailer with a body length of 20 feet or less, excluding the tongue.
 - b. Materials/equipment shall not be stored outside of the trailer.
 - c. The trailer shall be placed in the side or rear yard behind a fence or garaged on private property and not within the front yard of the dwelling. If the home is located on a corner lot, the trailer shall not be stored on the street side of the house unless it is out of the required front yard setback. If the topography of the lot prohibits the parking of the trailer on the side or rear yard, the trailer must be stored off-site.

- d. The trailer must be well maintained and must not present negative impacts for adjacent neighbors including, but not limited to odors, dust, or parking location.
 - e. All areas utilized for the parking of trailers shall be paved with a hard surface, e.g., concrete, asphalt, brick, or other water impenetrable surface. This includes the side and rear yard of the home. It is prohibited to park upon areas that have been landscaped or are reserved for future landscaping.
 - f. A site plan shall be included with all business license applications indicating where the trailer will be stored outside of the front yard. (Ord 10-45, Amended 12-14-2010)
12. **Commercial Vehicle.** Only one such vehicle may be parked on a residential lot. A commercial vehicle parked or stored on a residential lot must be owned or apportioned by an occupant who resides at the residence. This vehicle must comply with all residential parking requirements contained within this code. (Ord 10-45, Amended 12-14-2010)
13. **Conformity with Safety Codes.** There shall be complete conformity with fire, building, plumbing, electrical, and all other City, County, State, and Federal codes. (Ord 10-45, Amended 12-14-2010)
14. **Health and Safety.** No process can be used which is hazardous to public health, safety, morals, or welfare. (Ord 10-45, Amended 12-14-2010)
15. **No Excessive Utility Uses.** The home occupation shall not cause a demand for municipal, community, or utility services that are substantially in excess of those usually and customarily provided for residential uses. (Ord 10-45, Amended 12-14-2010)
16. **Neighborhood Disruptions Not Permitted.** The home occupation shall not interfere or disrupt the peace, quiet, and domestic tranquility of the neighborhood. The home occupation shall not create or be associated with or produce odor, smoke, dust, heat, fumes, light, glare, noises or vibrations, excessive traffic, or other nuisances including interferences with radio and television reception or any other adverse effects within the neighborhood. (Ord 10-45, Amended 12-14-2010)
17. **Renter/Owner Responsibility.** If the applicant for a home occupation license rents or leases the property wherein the home occupation is intended to be conducted, the applicant must provide a letter of acknowledgment and consent from the property owner at the time the application is submitted to the Business License Office. (Ord 10-45, Amended 12-14-2010)
18. **Interior Alterations/Remodeling.** Interior alterations of the principal dwelling for the purpose of accommodating the home occupation are prohibited if such alteration eliminates the kitchen, and/or all of the dining areas, bathrooms, living areas, or all of the bedrooms. (Ord 10-45, Amended 12-14-2010)
19. **Exempt from Business Licensure.** A business license will not be required unless the combined offsite impact of the home occupation and the primary residential use materially exceeds the impact of the primary residential use alone. If a home occupation has any of the following impacts, a business license is required:
- a. Business related customers, client visits, or meetings on the property.
 - b. Signage or advertising of the business that is visible from the exterior of the home.
 - c. The business owner or operator desires a physical copy of a business license.
 - d. Any non-resident working on the property.
 - e. Business related deliveries are made to or from the property.

- f. Accessory or commercial vehicles are stored or parked on the property for the home occupation.
- g. The home or property requires inspections from any regulatory authority or agency including, but not limited to, the City, Salt Lake Valley Health Department, and/or the Department of Agriculture.
- h. The business generates any additional vehicular traffic or parking on the property.
- i. If the State requires a sales tax number for any reason.
- j. If the home occupation is categorized as a Category II, Conditional Use Home Occupations, as described herein.
- k. If the home requires any modification requiring a building permit to accommodate the business operations.
- l. When the business use within the home exceeds twenty-five percent (25%) of the primary dwelling.

E. **Category I Qualifications.** In addition to the standards previously set forth above, all Category I home occupation businesses must also comply with the provision of the qualifications outlined below. If a business finds that they are unable to fully comply with all of the qualifications set forth, the applicant may pursue possible approval as a Category II home occupation through the conditional use permit process before submitting the application for a home occupation business license.

1. **Hours.** No visitors in conjunction with the home occupation (clients, patrons, employees, volunteers, students, pupils, etc.) shall be permitted between the hours of 10:00 p.m. and 6:00 a.m.
2. **Traffic.** Vehicular traffic from business related visitors and customers shall not exceed that which normally and reasonably occurs for a home in the neighborhood and shall be conducted so that the neighbors will not be significantly impacted by its existence. The home occupation shall be limited to two business related visitors or customers per hour, to a maximum of eight business related visitors or customers per day. Business related deliveries or pickups shall not exceed two per day.
3. **Delivery Vehicles.** The receipt or delivery of merchandise, goods, or supplies for use in a home occupation shall be limited to vehicles with a gross vehicle weight rating (GVWR) of 23,000 pounds or less.
4. **Conducted in a Home.** When business activities are being conducted on the property that is to be licensed, the home occupation shall be primarily conducted within the principal home.
5. **Maximum Floor Space.** No more than 25 percent of the total main floor area or upper living levels of the dwelling unit, nor in the alternative more than 50 percent of the total floor area of any basement of the home unit shall be utilized for the home occupation.
6. **Signs.** The home occupation may utilize one unanimated, non-illuminated flat sign for each street upon which the home abuts. The sign must be placed either in a window or on the exterior wall of the home wherein the home occupation is being conducted and may not have an area greater than one square foot.
7. **Display of Products.** The home occupation may include the sale of tangible goods. Direct sales from display apparatus is permitted only if the goods or products are not visible from the exterior of any approved structure being used for the home occupation.

8. **Food or Beverage Preparation for Consumption Outside of the Home.** Any home occupation involving or proposing to involve food or drink preparation, storage, or catering will be permitted when it is authorized by the appropriate State or County department or agency.
9. **Category I Home Occupation Licensing Involving Child Day Care and Other Child Group Activities**
 - a. The Category I home occupation shall not exceed eight children associated with child day care or other child group activities, e.g., dance schools, preschool, music classes, etc., at any one time. A maximum of eight students/children are permitted per day. This number shall include the licensee's own children if they are under six years of age and are under the care of the licensee at the time the home occupation is conducted.
 - b. All child day care and other group child activity facilities shall provide safe, outdoor play time and spaces as required by Federal, State, County, or local laws governing such business activities.
10. **Category I Home Occupation License Involving Elderly Day Care**
 - a. This type of home occupation shall not exceed supervising more than two elderly persons 60 years of age or older. Any home occupation of this nature which exceeds two individuals or more than 12 hours of operation will be considered a Category II Home Occupation and shall be reviewed and approved by the Planning Commission.
 - b. This type of home occupation must comply with all local and state laws governing such business activity.
11. **Category I Home Occupation Licensing Involving Renting Recreational Vehicles from Personal Property in Single Family Residential Zones.**
 - a. A property owner/resident living in the home may rent one (1) recreational vehicle that is owned by the owner/resident. Where more than one recreational vehicle can fit on a recreational trailer, the owner may rent a maximum of two (2) recreational vehicles.
 - b. Any recreational vehicle must be parked according to the Residential Parking Requirements and Restrictions within the Code, except that any recreational vehicle that is being rented from the home must be parked on a hard surface (concrete, asphalt, brick, or other impenetrable surface). In addition, the maximum area of hard surface for the purpose of parking a recreational vehicle shall be complied with.
 - c. Advertising on the recreational vehicle is prohibited.
 - d. Servicing the recreational vehicle shall be limited to those activities which will comply with the Noise Ordinance and the Property Maintenance Ordinance contained within the Sandy City Code.
 - e. Any customer renting the recreational vehicle shall not leave their own car on the street, but may place their vehicle on the homeowners property in compliance with all Residential Parking Requirements during the time the recreational vehicle is being rented. (Ord 09-18, Amended 7-31-2009)

- F. **Category II, Conditional Use Permit Required.** If a home occupation is able to comply with all of the standards but is unable to comply with all of the Category I qualifications established above, the proposed business activities must be reviewed by the Planning Commission and granted a conditional use permit before pursuing a Home Occupation Business License through the Business License Office.
1. **General.** In addition to any conditions established by the Planning Commission at the time of its review, all Category II home occupations must comply with the following:
 - a. All Category II home occupation uses shall only be conducted from property with a single family dwelling.
 - b. The conditional use permit and the Home Occupation Business License shall be maintained in good standing for the entire period that business is being conducted.
 2. **Compliance.** Uses are appropriate as licensable home occupations only if they are determined to be compatible with residential neighborhoods after full conditional use review by the Planning Commission, compliance with Title 5 Business Licensing, all of the standards and qualifications that have not been granted an exception through the conditional use process, and additional regulations set forth hereafter.
 3. **Child Day Care.** The following items indicate maximum limits that may be granted by the Planning Commission when a child day care is expected to exceed eight children at one time.
 - a. A maximum of 16 children is permitted at any one time. (Ord 12-33, Amended 9-17-2012)
 - b. A maximum of 18 children is permitted per day.
 - c. These numbers shall include the licensee's and any employees' children if they are under six years of age and are under the care of the licensee at the time the home occupation is conducted.
 - d. A maximum of 24 vehicular stops per day for child drop off or pick up is permitted.
 4. **Group Child Activities.** The following provisions indicate a maximum limit that may be granted by the Planning Commission for other group child activities which are expected to generate or exceed eight children/students, e.g., dance schools, preschools, music classes, other care or instruction for children, at any one time other than child day care.
 - a. The following guidelines shall be used to determine the maximum number of students/children permitted:
 - (1) A traffic plan that has been reviewed and approved by the City Transportation Engineer which includes acceptable traffic flow, drop off, and turn around areas.
 - (2) The existing residential street is of sufficient width to accommodate additional vehicular traffic.
 - b. A maximum of 12 students/children per session and a maximum of 24 students/children per day shall be permitted.
 - c. A maximum of four sessions per day may be permitted.

- d. All sessions combined shall not generate more than 24 vehicular stops per day.
 - e. The total number of students/children shall include the licensee's and any employees' children if they are under six years of age and are under the care of the licensee at the time the home occupation is conducted.
 - f. No group child activities falling under a Category II home occupation may be established within 300 feet as measured from property line to property line of another group child activity, Category II home occupation use.
5. **Work Shops.** Repair shops including welding, carpentry, sheet metal work, furniture manufacturing, upholstery, and other similar manufacturing activities
6. **Business Not Conducted Within a Home.** Any home occupation which proposes or conducts activities within an outbuilding, accessory building, attached or detached garage. The following guidelines shall be used to determine the maximum impacts permitted:
- a. The applicant for a Home Occupation Business License shall designate the areas of the home, attached/detached garage or accessory structure that will be used for the home occupation. If approved, the home occupation may be conducted only in the designated area.
 - b. No more that a maximum of 200 square feet, or in the alternative, no more than 50 percent of the total floor space (whichever is the greater) of any accessory structure or attached or detached garage may be used for a home occupation unless there are specific exceptions granted by the Planning Commission.
 - c. Any home occupation uses in an attached or detached garage may not eliminate minimum parking requirements for the particular zone wherein the home occupation is located.
 - d. Any accessory structure used for a home occupation must maintain the architectural aesthetics or compatibility of the home and the immediate neighborhood.
 - e. The home occupation may utilize one unanimated, non-illuminated flat sign to be attached to the accessory structure where the home occupation is being conducted in lieu of a sign attached to the home or in a window. The sign may not have an area greater than one square foot.
7. **Home Occupations and Outdoor Activities.** Any home occupations proposing to conduct business utilizing any yard space or in a swimming pool.
8. **Dangerous Home Occupations.** Any home occupation using explosives, incendiary products and devices, flammable, or hazardous chemicals.
9. **Home Occupations Generating Excessive Traffic.** Any home occupation which will generate in excess of two customers or visitors per hour or eight per day. A maximum of 12 business-associated visitors per day may be allowed under a conditional use permit, except as provided for child day care and other group child activities.
10. **Large, Business Related Vehicles.** Any home occupation which utilizes vehicles more than 24 feet in length (with the exception of renting recreational vehicles). (Ord 09-18, Amended 7-31-2009)

11. **More Than Two Home Occupation Licenses.** Any home where the applicant(s) is seeking more than two home occupation licenses.

G. **Prohibited Home Occupations.** The following uses, by nature of the occupation, substantially impair the use and value of residentially zoned areas for residential purposes and are, therefore, prohibited:

1. Mortuary, crematorium, columbarium, mausoleum.
2. Animal hospitals or veterinary services.
3. Clinic, dental office, medical office, chiropractic office, or hospital.
4. Junk yard, auto wrecking yard, or salvage yard.
5. Stables, kennels, pet store, or any other commercial animal breeding business or similar activities are prohibited. Activities may be allowed within the scope of a hobby license as issued by the Animal Services Division of Sandy City.
6. Storage, service, repair, sales of ambulance, tow truck, recreational vehicle, water craft, automobiles, ATV, or other motorized vehicles. (Ord 09-18, Amended 7-31-2009)
7. Fitness or health spa facility.
8. Boutiques, sample sale, or craft shows.
9. Auto body repair, motor vehicle repair.
10. Use of specified chemicals, pesticides and flammable/combustible materials, and including any other process or business where current adopted Building and Fire Codes would require an Operational Permit.
11. Number of vehicular stops or visits that would exceed 24 per day.
12. Massage therapy or other alternative healing and energy healing businesses, with the exception that a Home Occupation license may be issued if the applicant is the only person employed in said operation and he/she has obtained any required license(s) from the State of Utah. Limit one massage therapy or alternative healing and energy healing business per residence. All other standards and Category I qualifications must be complied with. No massage therapy or other alternative healing and energy healing businesses may be permitted if a Category II qualification is required. (Ord 15-25, Amended 7-21-2015, Ord 16-13, Amended 3-23-2016)

13. A Bed & Breakfast facility.

Exhibit “C”

15A-11-05 Home Occupations

A. **Purpose.** The purposes of this section are to:

1. Provide an opportunity for home occupations as an accessory use when they are compatible with the neighborhoods in which they are located. A home occupation shall not be construed to mean an employee working in his home in the service of an employer whose principal place of business is licensed at another location.
2. Provide an opportunity for a home occupation to engage in the business of child care and other group child activities and encourage this type of home occupation to draw clients/customers from their immediate neighborhood.
3. Guide business activities which are not compatible with neighborhoods to appropriate commercial zones.
4. Safeguard peace, quiet, and domestic tranquility within all residential neighborhoods. Protect residents from the adverse effects of business uses being conducted in residential areas from noise, nuisance, traffic, fire hazards, and other possible business uses that create significant impacts on a neighborhood.
5. Provide a means to enforce and regulate the businesses that are licensable through the authority of the business license regulations of the Revised Ordinances of Sandy City (ROSC), and if necessary, terminate home occupations if violations of the ordinances regulating home occupations occur.

B. **Home Occupation License.** All home occupations shall be licensed unless specifically provided an exemption in this Section or in the business license regulations of the ROSC. The authority to issue a license to conduct a home occupation shall be under the jurisdiction of the Business License Office of the Community Development Department.

C. **Categories and Requirements of Home Occupation Licenses.** Home occupation businesses are licensable as Category I, Permitted Home Occupation, or Category II, Conditional Use Home Occupation. A Category II Conditional Use Home Occupation requires review and approval of the Planning Commission.

D. **Home Occupation Standards.** All home occupations shall comply with the following standards at all times:

1. **Bona Fide Resident.** The home occupation business shall be owned by and carried on only by a bona fide resident of the home.
2. **Satellite Office Not Allowed.** A home occupation shall not be construed to mean an employee working in his home in the service of an employer whose principal place of business is licensed at another location. Business activities shall not be conducted at the home of an employee of a company by non-resident company employees.

3. **Accessory Use on the Property.** For residential purposes, the home occupation shall be clearly secondary and incidental to the primary use of the dwelling unit.
4. **On-Site Employees.** One full-time or full-time equivalent non-resident may be employed, volunteer, or work on the premises where the home occupation business is located. No more than two persons shall comprise the equivalent full-time employee, and only one non-resident employee may work at the home at one time.
5. **Off-Site Employees.** Any home occupation may utilize employees to work off site. The off-site employee, volunteer, hiree, or any other person engaged with the home occupation shall not come to the home for purposes related to the Home Occupation Business License except for incidental vehicle stops.
6. **Off-Street Parking.** All business related vehicles which park at the location of the home occupation, including those of the applicant, employee, customers, clients, or business-related visitor vehicles, must use off-street parking. This provision excludes stops made by delivery vehicles. (Ord 10-45, Amended 12-14-2010)
7. **Vehicle Advertisement.** Vehicles, trailers, or equipment may not be used for the primary purpose of advertising the home occupation at the site of the home occupation. (Ord 10-45, Amended 12-14-2010)
8. **Designating Areas of Property to be Used.** The home occupation applicant must designate the portion of the home, accessory structure, yard, attached or detached garage as the principal location for business activities. No businesses are allowed to operate outside of an enclosed structure, unless otherwise approved by the Planning Commission for outside activities. (Ord 10-45, Amended 12-14-2010)
9. **External Appearance.** The home occupation must maintain or improve the external residential appearance of the principal structure, attached or detached garage, or accessory structure. Any structural alterations to accommodate the home occupation shall maintain the architectural aesthetics and compatibility of the neighborhood.
10. **Outdoor/Yard Space.** The home occupation shall not involve the use of any yard space for storage or display of supplies, inventory, or equipment when such use is in conjunction with the sales, service, or production of goods, unless specifically stored within trailers or accessory structures as allowed herein. Any screened area or structure used for the home occupation must be located in either the side or rear yard areas. (Ord 10-45, Amended 12-14-2010)
11. **Business Trailer.** One Trailer may be used in association with the home occupation. Trailers allowed in conjunction with a home occupation are as follows:
 - a. An open or enclosed trailer with a body length of 20 feet or less, excluding the tongue.
 - b. Materials/equipment shall not be stored outside of the trailer.
 - c. The trailer shall be placed in the side or rear yard behind a fence or garaged on private property and not within the front yard of the dwelling. If the home is located on a corner lot, the trailer shall not be stored on the street side of the house unless it is out of the required front yard setback. If the topography of the lot prohibits the parking of the trailer on the side or rear yard, the trailer must be stored off-site.
 - d. The trailer must be well maintained and must not present negative impacts for adjacent neighbors including, but not limited to odors, dust, or parking location.

- e. All areas utilized for the parking of trailers shall be paved with a hard surface, e.g., concrete, asphalt, brick, or other water impenetrable surface. This includes the side and rear yard of the home. It is prohibited to park upon areas that have been landscaped or are reserved for future landscaping.
 - f. A site plan shall be included with all business license applications indicating where the trailer will be stored outside of the front yard. (Ord 10-45, Amended 12-14-2010)
12. **Commercial Vehicle.** Only one such vehicle may be parked on a residential lot. A commercial vehicle parked or stored on a residential lot must be owned or apportioned by an occupant who resides at the residence. This vehicle must comply with all residential parking requirements contained within this code. (Ord 10-45, Amended 12-14-2010)
 13. **Conformity with Safety Codes.** There shall be complete conformity with fire, building, plumbing, electrical, and all other City, County, State, and Federal codes. (Ord 10-45, Amended 12-14-2010)
 14. **Health and Safety.** No process can be used which is hazardous to public health, safety, morals, or welfare. (Ord 10-45, Amended 12-14-2010)
 15. **No Excessive Utility Uses.** The home occupation shall not cause a demand for municipal, community, or utility services that are substantially in excess of those usually and customarily provided for residential uses. (Ord 10-45, Amended 12-14-2010)
 16. **Neighborhood Disruptions Not Permitted.** The home occupation shall not interfere or disrupt the peace, quiet, and domestic tranquility of the neighborhood. The home occupation shall not create or be associated with or produce odor, smoke, dust, heat, fumes, light, glare, noises or vibrations, excessive traffic, or other nuisances including interferences with radio and television reception or any other adverse effects within the neighborhood. (Ord 10-45, Amended 12-14-2010)
 17. **Renter/Owner Responsibility.** If the applicant for a home occupation license rents or leases the property wherein the home occupation is intended to be conducted, the applicant must provide a letter of acknowledgment and consent from the property owner at the time the application is submitted to the Business License Office. (Ord 10-45, Amended 12-14-2010)
 18. **Interior Alterations/Remodeling.** Interior alterations of the principal dwelling for the purpose of accommodating the home occupation are prohibited if such alteration eliminates the kitchen, and/or all of the dining areas, bathrooms, living areas, or all of the bedrooms. (Ord 10-45, Amended 12-14-2010)
- E. **Category I Qualifications.** In addition to the standards previously set forth above, all Category I home occupation businesses must also comply with the provision of the qualifications outlined below. If a business finds that they are unable to fully comply with all of the qualifications set forth, the applicant may pursue possible approval as a Category II home occupation through the conditional use permit process before submitting the application for a home occupation business license.
1. **Hours.** No visitors in conjunction with the home occupation (clients, patrons, employees, volunteers, students, pupils, etc.) shall be permitted between the hours of 10:00 p.m. and 6:00 a.m.
 2. **Traffic.** Vehicular traffic from business related visitors and customers shall not exceed that which normally and reasonably occurs for a home in the neighborhood and shall be conducted so that the neighbors will not be significantly impacted by its existence. The home occupation shall be

limited to two business related visitors or customers per hour, to a maximum of eight business related visitors or customers per day. Business related deliveries or pickups shall not exceed two per day.

3. **Delivery Vehicles.** The receipt or delivery of merchandise, goods, or supplies for use in a home occupation shall be limited to vehicles with a gross vehicle weight rating (GVWR) of 23,000 pounds or less.
4. **Conducted in a Home.** When business activities are being conducted on the property that is to be licensed, the home occupation shall be primarily conducted within the principal home.
5. **Maximum Floor Space.** No more than 25 percent of the total main floor area or upper living levels of the dwelling unit, nor in the alternative more than 50 percent of the total floor area of any basement of the home unit shall be utilized for the home occupation.
6. **Signs.** The home occupation may utilize one unanimated, non-illuminated flat sign for each street upon which the home abuts. The sign must be placed either in a window or on the exterior wall of the home wherein the home occupation is being conducted and may not have an area greater than one square foot.
7. **Display of Products.** The home occupation may include the sale of tangible goods. Direct sales from display apparatus is permitted only if the goods or products are not visible from the exterior of any approved structure being used for the home occupation.
8. **Food or Beverage Preparation for Consumption Outside of the Home.** Any home occupation involving or proposing to involve food or drink preparation, storage, or catering will be permitted when it is authorized by the appropriate State or County department or agency.
9. **Category I Home Occupation Licensing Involving Child Day Care and Other Child Group Activities**
 - a. The Category I home occupation shall not exceed eight children associated with child day care or other child group activities, e.g., dance schools, preschool, music classes, etc., at any one time. A maximum of eight students/children are permitted per day. This number shall include the licensee's own children if they are under six years of age and are under the care of the licensee at the time the home occupation is conducted.
 - b. All child day care and other group child activity facilities shall provide safe, outdoor play time and spaces as required by Federal, State, County, or local laws governing such business activities.
10. **Category I Home Occupation License Involving Elderly Day Care**
 - a. This type of home occupation shall not exceed supervising more than two elderly persons 60 years of age or older. Any home occupation of this nature which exceeds two individuals or more than 12 hours of operation will be considered a Category II Home Occupation and shall be reviewed and approved by the Planning Commission.
 - b. This type of home occupation must comply with all local and state laws governing such business activity.

11. Category I Home Occupation Licensing Involving Renting Recreational Vehicles from Personal Property in Single Family Residential Zones.

- a. A property owner/resident living in the home may rent one (1) recreational vehicle that is owned by the owner/resident. Where more than one recreational vehicle can fit on a recreational trailer, the owner may rent a maximum of two (2) recreational vehicles.
- b. Any recreational vehicle must be parked according to the Residential Parking Requirements and Restrictions within the Code, except that any recreational vehicle that is being rented from the home must be parked on a hard surface (concrete, asphalt, brick, or other impenetrable surface). In addition, the maximum area of hard surface for the purpose of parking a recreational vehicle shall be complied with.
- c. Advertising on the recreational vehicle is prohibited.
- d. Servicing the recreational vehicle shall be limited to those activities which will comply with the Noise Ordinance and the Property Maintenance Ordinance contained within the Sandy City Code.
- e. Any customer renting the recreational vehicle shall not leave their own car on the street, but may place their vehicle on the homeowners property in compliance with all Residential Parking Requirements during the time the recreational vehicle is being rented. (Ord 09-18, Amended 7-31-2009)

F. Category II, Conditional Use Permit Required. If a home occupation is able to comply with all of the standards but is unable to comply with all of the Category I qualifications established above, the proposed business activities must be reviewed by the Planning Commission and granted a conditional use permit before pursuing a Home Occupation Business License through the Business License Office.

- 1. **General.** In addition to any conditions established by the Planning Commission at the time of its review, all Category II home occupations must comply with the following:
 - a. All Category II home occupation uses shall only be conducted from property with a single family dwelling.
 - b. The conditional use permit and the Home Occupation Business License shall be maintained in good standing for the entire period that business is being conducted.
- 2. **Compliance.** Uses are appropriate as licensable home occupations only if they are determined to be compatible with residential neighborhoods after full conditional use review by the Planning Commission, compliance with Title 5 Business Licensing, all of the standards and qualifications that have not been granted an exception through the conditional use process, and additional regulations set forth hereafter.
- 3. **Child Day Care.** The following items indicate maximum limits that may be granted by the Planning Commission when a child day care is expected to exceed eight children at one time.
 - a. A maximum of 16 children is permitted at any one time. (Ord 12-33, Amended 9-17-2012)
 - b. A maximum of 18 children is permitted per day.

- c. These numbers shall include the licensee's and any employees' children if they are under six years of age and are under the care of the licensee at the time the home occupation is conducted.
 - d. A maximum of 24 vehicular stops per day for child drop off or pick up is permitted.
- 4. **Group Child Activities.** The following provisions indicate a maximum limit that may be granted by the Planning Commission for other group child activities which are expected to generate or exceed eight children/students, e.g., dance schools, preschools, music classes, other care or instruction for children, at any one time other than child day care.
 - a. The following guidelines shall be used to determine the maximum number of students/children permitted:
 - (1) A traffic plan that has been reviewed and approved by the City Transportation Engineer which includes acceptable traffic flow, drop off, and turn around areas.
 - (2) The existing residential street is of sufficient width to accommodate additional vehicular traffic.
 - b. A maximum of 12 students/children per session and a maximum of 24 students/children per day shall be permitted.
 - c. A maximum of four sessions per day may be permitted.
 - d. All sessions combined shall not generate more than 24 vehicular stops per day.
 - e. The total number of students/children shall include the licensee's and any employees' children if they are under six years of age and are under the care of the licensee at the time the home occupation is conducted.
 - f. No group child activities falling under a Category II home occupation may be established within 300 feet as measured from property line to property line of another group child activity, Category II home occupation use.
- 5. **Work Shops.** Repair shops including welding, carpentry, sheet metal work, furniture manufacturing, upholstery, and other similar manufacturing activities
- 6. **Business Not Conducted Within a Home.** Any home occupation which proposes or conducts activities within an outbuilding, accessory building, attached or detached garage. The following guidelines shall be used to determine the maximum impacts permitted:
 - a. The applicant for a Home Occupation Business License shall designate the areas of the home, attached/detached garage or accessory structure that will be used for the home occupation. If approved, the home occupation may be conducted only in the designated area.
 - b. No more that a maximum of 200 square feet, or in the alternative, no more than 50 percent of the total floor space (whichever is the greater) of any accessory structure or attached or detached garage may be used for a home occupation unless there are specific exceptions granted by the Planning Commission.

- c. Any home occupation uses in an attached or detached garage may not eliminate minimum parking requirements for the particular zone wherein the home occupation is located.
 - d. Any accessory structure used for a home occupation must maintain the architectural aesthetics or compatibility of the home and the immediate neighborhood.
 - e. The home occupation may utilize one unanimated, non-illuminated flat sign to be attached to the accessory structure where the home occupation is being conducted in lieu of a sign attached to the home or in a window. The sign may not have an area greater than one square foot.
7. **Home Occupations and Outdoor Activities.** Any home occupations proposing to conduct business utilizing any yard space or in a swimming pool.
 8. **Dangerous Home Occupations.** Any home occupation using explosives, incendiary products and devices, flammable, or hazardous chemicals.
 9. **Home Occupations Generating Excessive Traffic.** Any home occupation which will generate in excess of two customers or visitors per hour or eight per day. A maximum of 12 business-associated visitors per day may be allowed under a conditional use permit, except as provided for child day care and other group child activities.
 10. **Large, Business Related Vehicles.** Any home occupation which utilizes vehicles more than 24 feet in length (with the exception of renting recreational vehicles). (Ord 09-18, Amended 7-31-2009)
 11. **More Than Two Home Occupation Licenses.** Any home where the applicant(s) is seeking more than two home occupation licenses.
- G. **Prohibited Home Occupations.** The following uses, by nature of the occupation, substantially impair the use and value of residentially zoned areas for residential purposes and are, therefore, prohibited:
1. Mortuary, crematorium, columbarium, mausoleum.
 2. Animal hospitals or veterinary services.
 3. Clinic, dental office, medical office, chiropractic office, or hospital.
 4. Junk yard, auto wrecking yard, or salvage yard.
 5. Stables, kennels, pet store, or any other commercial animal breeding business or similar activities are prohibited. Activities may be allowed within the scope of a hobby license as issued by the Animal Services Division of Sandy City.
 6. Storage, service, repair, sales of ambulance, tow truck, recreational vehicle, water craft, automobiles, ATV, or other motorized vehicles. (Ord 09-18, Amended 7-31-2009)
 7. Fitness or health spa facility.
 8. Boutiques, sample sale, or craft shows.

9. Auto body repair, motor vehicle repair.
10. Use of specified chemicals, pesticides and flammable/combustible materials, and including any other process or business where current adopted Building and Fire Codes would require an Operational Permit.
11. Number of vehicular stops or visits that would exceed 24 per day.
12. Massage therapy or other alternative healing and energy healing businesses, with the exception that a Home Occupation license may be issued if the applicant is the only person employed in said operation and he/she has obtained any required license(s) from the State of Utah. Limit one massage therapy or alternative healing and energy healing business per residence. All other standards and Category I qualifications must be complied with. No massage therapy or other alternative healing and energy healing businesses may be permitted if a Category II qualification is required. (Ord 15-25, Amended 7-21-2015, Ord 16-13, Amended 3-23-2016)

Exhibit “A”

15A-11-05 Home Occupations

A. **Purpose.** The purposes of this section are to:

1. Provide an opportunity for home occupations as an accessory use when they are compatible with the neighborhoods in which they are located. A home occupation shall not be construed to mean an employee working in his home in the service of an employer whose principal place of business is licensed at another location.
2. Provide an opportunity for a home occupation to engage in the business of child care and other group child activities and encourage this type of home occupation to draw clients/customers from their immediate neighborhood.
3. Guide business activities which are not compatible with neighborhoods to appropriate commercial zones.
4. Safeguard peace, quiet, and domestic tranquility within all residential neighborhoods. Protect residents from the adverse effects of business uses being conducted in residential areas from noise, nuisance, traffic, fire hazards, and other possible business uses that create significant impacts on a neighborhood.
5. Provide a means to enforce and regulate the businesses that are licensable through the authority of the business license regulations of the Revised Ordinances of Sandy City (ROSC), and if necessary, terminate home occupations if violations of the ordinances regulating home occupations occur.

B. **Home Occupation License.** All home occupations shall be licensed unless specifically provided an exemption in this Section or in the business license regulations of the ROSC. Regardless of whether a license is required, all Home Occupations must adhere to the standards and qualifications listed in this section. The authority to issue a license to conduct a home occupation shall be under the jurisdiction of the Business License Office of the Community Development Department.

C. **Categories and Requirements of Home Occupation Licenses.** Home occupation businesses are classified as Category I, Permitted Home Occupation, or Category II, Conditional Use Home Occupation. A Category II Conditional Use Home Occupation requires review and approval of the Planning Commission.

D. **Home Occupation Standards.** All home occupations, licensed or not, shall comply with the following standards at all times:

1. **Bona Fide Resident.** The home occupation business shall be owned by and carried on only by a bona fide resident of the home.
2. **Satellite Office Not Allowed.** A home occupation shall not be construed to mean an employee working in his home in the service of an employer whose principal place of business is licensed at another location. Business activities shall not be conducted at the home of an employee of a company by non-resident company employees.

3. **Accessory Use on the Property.** For residential purposes, the home occupation shall be clearly secondary and incidental to the primary use of the dwelling unit.
4. **On-Site Employees.** One full-time or full-time equivalent non-resident may be employed, volunteer, or work on the premises where the home occupation business is located. No more than two persons shall comprise the equivalent full-time employee, and only one non-resident employee may work at the home at one time.
5. **Off-Site Employees.** Any home occupation may utilize employees to work off site. The off-site employee, volunteer, hiree, or any other person engaged with the home occupation shall not come to the home for purposes related to the Home Occupation Business License except for incidental vehicle stops.
6. **Off-Street Parking.** All business related vehicles which park at the location of the home occupation, including those of the applicant, employee, customers, clients, or business-related visitor vehicles, must use off-street parking. This provision excludes stops made by delivery vehicles. (Ord 10-45, Amended 12-14-2010)
7. **Vehicle Advertisement.** Vehicles, trailers, or equipment may not be used for the primary purpose of advertising the home occupation at the site of the home occupation. (Ord 10-45, Amended 12-14-2010)
8. **Designating Areas of Property to be Used.** The home occupation applicant must designate the portion of the home, accessory structure, yard, attached or detached garage as the principal location for business activities. No businesses are allowed to operate outside of an enclosed structure, unless otherwise approved by the Planning Commission for outside activities. (Ord 10-45, Amended 12-14-2010)
9. **External Appearance.** The home occupation must maintain or improve the external residential appearance of the principal structure, attached or detached garage, or accessory structure. Any structural alterations to accommodate the home occupation shall maintain the architectural aesthetics and compatibility of the neighborhood.
10. **Outdoor/Yard Space.** The home occupation shall not involve the use of any yard space for storage or display of supplies, inventory, or equipment when such use is in conjunction with the sales, service, or production of goods, unless specifically stored within trailers or accessory structures as allowed herein. Any screened area or structure used for the home occupation must be located in either the side or rear yard areas. (Ord 10-45, Amended 12-14-2010)
11. **Business Trailer.** One Trailer may be used in association with the home occupation. Trailers allowed in conjunction with a home occupation are as follows:
 - a. An open or enclosed trailer with a body length of 20 feet or less, excluding the tongue.
 - b. Materials/equipment shall not be stored outside of the trailer.
 - c. The trailer shall be placed in the side or rear yard behind a fence or garaged on private property and not within the front yard of the dwelling. If the home is located on a corner lot, the trailer shall not be stored on the street side of the house unless it is out of the required front yard setback. If the topography of the lot prohibits the parking of the trailer on the side or rear yard, the trailer must be stored off-site.

- d. The trailer must be well maintained and must not present negative impacts for adjacent neighbors including, but not limited to odors, dust, or parking location.
 - e. All areas utilized for the parking of trailers shall be paved with a hard surface, e.g., concrete, asphalt, brick, or other water impenetrable surface. This includes the side and rear yard of the home. It is prohibited to park upon areas that have been landscaped or are reserved for future landscaping.
 - f. A site plan shall be included with all business license applications indicating where the trailer will be stored outside of the front yard. (Ord 10-45, Amended 12-14-2010)
12. **Commercial Vehicle.** Only one such vehicle may be parked on a residential lot. A commercial vehicle parked or stored on a residential lot must be owned or apportioned by an occupant who resides at the residence. This vehicle must comply with all residential parking requirements contained within this code. (Ord 10-45, Amended 12-14-2010)
 13. **Conformity with Safety Codes.** There shall be complete conformity with fire, building, plumbing, electrical, and all other City, County, State, and Federal codes. (Ord 10-45, Amended 12-14-2010)
 14. **Health and Safety.** No process can be used which is hazardous to public health, safety, morals, or welfare. (Ord 10-45, Amended 12-14-2010)
 15. **No Excessive Utility Uses.** The home occupation shall not cause a demand for municipal, community, or utility services that are substantially in excess of those usually and customarily provided for residential uses. (Ord 10-45, Amended 12-14-2010)
 16. **Neighborhood Disruptions Not Permitted.** The home occupation shall not interfere or disrupt the peace, quiet, and domestic tranquility of the neighborhood. The home occupation shall not create or be associated with or produce odor, smoke, dust, heat, fumes, light, glare, noises or vibrations, excessive traffic, or other nuisances including interferences with radio and television reception or any other adverse effects within the neighborhood. (Ord 10-45, Amended 12-14-2010)
 17. **Renter/Owner Responsibility.** If the applicant for a home occupation license rents or leases the property wherein the home occupation is intended to be conducted, the applicant must provide a letter of acknowledgment and consent from the property owner at the time the application is submitted to the Business License Office. (Ord 10-45, Amended 12-14-2010)
 18. **Interior Alterations/Remodeling.** Interior alterations of the principal dwelling for the purpose of accommodating the home occupation are prohibited if such alteration eliminates the kitchen, and/or all of the dining areas, bathrooms, living areas, or all of the bedrooms. (Ord 10-45, Amended 12-14-2010)
 19. **Exempt from Business Licensure.** A business license will not be required unless the combined offsite impact of the home occupation and the primary residential use materially exceeds the impact of the primary residential use alone. If a home occupation has any of the following impacts, a business license is required:
 - a. Business related customers, client visits, or meetings on the property.
 - b. Signage or advertising of the business that is visible from the exterior of the home.
 - c. The business owner or operator desires a physical copy of a business license.
 - d. Any non-resident working on the property.
 - e. Business related deliveries are made to or from the property.

- f. Accessory or commercial vehicles are stored or parked on the property for the home occupation.
- g. The home or property requires inspections from any regulatory authority or agency including, but not limited to, the City, Salt Lake Valley Health Department, and/or the Department of Agriculture.
- h. The business generates any additional vehicular traffic or parking on the property.
- i. If the State requires a sales tax number for any reason.
- j. If the home occupation is categorized as a Category II, Conditional Use Home Occupations, as described herein.
- k. If the home requires any modification requiring a building permit to accommodate the business operations.
- l. When the business use within the home exceeds twenty-five percent (25%) of the primary dwelling.

E. **Category I Qualifications.** In addition to the standards previously set forth above, all Category I home occupation businesses must also comply with the provision of the qualifications outlined below. If a business finds that they are unable to fully comply with all of the qualifications set forth, the applicant may pursue possible approval as a Category II home occupation through the conditional use permit process before submitting the application for a home occupation business license.

- 1. **Hours.** No visitors in conjunction with the home occupation (clients, patrons, employees, volunteers, students, pupils, etc.) shall be permitted between the hours of 10:00 p.m. and 6:00 a.m.
- 2. **Traffic.** Vehicular traffic from business related visitors and customers shall not exceed that which normally and reasonably occurs for a home in the neighborhood and shall be conducted so that the neighbors will not be significantly impacted by its existence. The home occupation shall be limited to two business related visitors or customers per hour, to a maximum of eight business related visitors or customers per day. Business related deliveries or pickups shall not exceed two per day.
- 3. **Delivery Vehicles.** The receipt or delivery of merchandise, goods, or supplies for use in a home occupation shall be limited to vehicles with a gross vehicle weight rating (GVWR) of 23,000 pounds or less.
- 4. **Conducted in a Home.** When business activities are being conducted on the property that is to be licensed, the home occupation shall be primarily conducted within the principal home.
- 5. **Maximum Floor Space.** No more than 25 percent of the total main floor area or upper living levels of the dwelling unit, nor in the alternative more than 50 percent of the total floor area of any basement of the home unit shall be utilized for the home occupation.
- 6. **Signs.** The home occupation may utilize one unanimated, non-illuminated flat sign for each street upon which the home abuts. The sign must be placed either in a window or on the exterior wall of the home wherein the home occupation is being conducted and may not have an area greater than one square foot.
- 7. **Display of Products.** The home occupation may include the sale of tangible goods. Direct sales from display apparatus is permitted only if the goods or products are not visible from the exterior of any approved structure being used for the home occupation.

8. **Food or Beverage Preparation for Consumption Outside of the Home.** Any home occupation involving or proposing to involve food or drink preparation, storage, or catering will be permitted when it is authorized by the appropriate State or County department or agency.
9. **Category I Home Occupation Licensing Involving Child Day Care and Other Child Group Activities**
 - a. The Category I home occupation shall not exceed eight children associated with child day care or other child group activities, e.g., dance schools, preschool, music classes, etc., at any one time. A maximum of eight students/children are permitted per day. This number shall include the licensee's own children if they are under six years of age and are under the care of the licensee at the time the home occupation is conducted.
 - b. All child day care and other group child activity facilities shall provide safe, outdoor play time and spaces as required by Federal, State, County, or local laws governing such business activities.
10. **Category I Home Occupation License Involving Elderly Day Care**
 - a. This type of home occupation shall not exceed supervising more than two elderly persons 60 years of age or older. Any home occupation of this nature which exceeds two individuals or more than 12 hours of operation will be considered a Category II Home Occupation and shall be reviewed and approved by the Planning Commission.
 - b. This type of home occupation must comply with all local and state laws governing such business activity.
11. **Category I Home Occupation Licensing Involving Renting Recreational Vehicles from Personal Property in Single Family Residential Zones.**
 - a. A property owner/resident living in the home may rent one (1) recreational vehicle that is owned by the owner/resident. Where more than one recreational vehicle can fit on a recreational trailer, the owner may rent a maximum of two (2) recreational vehicles.
 - b. Any recreational vehicle must be parked according to the Residential Parking Requirements and Restrictions within the Code, except that any recreational vehicle that is being rented from the home must be parked on a hard surface (concrete, asphalt, brick, or other impenetrable surface). In addition, the maximum area of hard surface for the purpose of parking a recreational vehicle shall be complied with.
 - c. Advertising on the recreational vehicle is prohibited.
 - d. Servicing the recreational vehicle shall be limited to those activities which will comply with the Noise Ordinance and the Property Maintenance Ordinance contained within the Sandy City Code.
 - e. Any customer renting the recreational vehicle shall not leave their own car on the street, but may place their vehicle on the homeowners property in compliance with all Residential Parking Requirements during the time the recreational vehicle is being rented. (Ord 09-18, Amended 7-31-2009)

- F. **Category II, Conditional Use Permit Required.** If a home occupation is able to comply with all of the standards but is unable to comply with all of the Category I qualifications established above, the proposed business activities must be reviewed by the Planning Commission and granted a conditional use permit before pursuing a Home Occupation Business License through the Business License Office.
1. **General.** In addition to any conditions established by the Planning Commission at the time of its review, all Category II home occupations must comply with the following:
 - a. All Category II home occupation uses shall only be conducted from property with a single family dwelling.
 - b. The conditional use permit and the Home Occupation Business License shall be maintained in good standing for the entire period that business is being conducted.
 2. **Compliance.** Uses are appropriate as licensable home occupations only if they are determined to be compatible with residential neighborhoods after full conditional use review by the Planning Commission, compliance with Title 5 Business Licensing, all of the standards and qualifications that have not been granted an exception through the conditional use process, and additional regulations set forth hereafter.
 3. **Child Day Care.** The following items indicate maximum limits that may be granted by the Planning Commission when a child day care is expected to exceed eight children at one time.
 - a. A maximum of 16 children is permitted at any one time. (Ord 12-33, Amended 9-17-2012)
 - b. A maximum of 18 children is permitted per day.
 - c. These numbers shall include the licensee's and any employees' children if they are under six years of age and are under the care of the licensee at the time the home occupation is conducted.
 - d. A maximum of 24 vehicular stops per day for child drop off or pick up is permitted.
 4. **Group Child Activities.** The following provisions indicate a maximum limit that may be granted by the Planning Commission for other group child activities which are expected to generate or exceed eight children/students, e.g., dance schools, preschools, music classes, other care or instruction for children, at any one time other than child day care.
 - a. The following guidelines shall be used to determine the maximum number of students/children permitted:
 - (1) A traffic plan that has been reviewed and approved by the City Transportation Engineer which includes acceptable traffic flow, drop off, and turn around areas.
 - (2) The existing residential street is of sufficient width to accommodate additional vehicular traffic.
 - b. A maximum of 12 students/children per session and a maximum of 24 students/children per day shall be permitted.
 - c. A maximum of four sessions per day may be permitted.

- d. All sessions combined shall not generate more than 24 vehicular stops per day.
 - e. The total number of students/children shall include the licensee's and any employees' children if they are under six years of age and are under the care of the licensee at the time the home occupation is conducted.
 - f. No group child activities falling under a Category II home occupation may be established within 300 feet as measured from property line to property line of another group child activity, Category II home occupation use.
5. **Work Shops.** Repair shops including welding, carpentry, sheet metal work, furniture manufacturing, upholstery, and other similar manufacturing activities
6. **Business Not Conducted Within a Home.** Any home occupation which proposes or conducts activities within an outbuilding, accessory building, attached or detached garage. The following guidelines shall be used to determine the maximum impacts permitted:
- a. The applicant for a Home Occupation Business License shall designate the areas of the home, attached/detached garage or accessory structure that will be used for the home occupation. If approved, the home occupation may be conducted only in the designated area.
 - b. No more that a maximum of 200 square feet, or in the alternative, no more than 50 percent of the total floor space (whichever is the greater) of any accessory structure or attached or detached garage may be used for a home occupation unless there are specific exceptions granted by the Planning Commission.
 - c. Any home occupation uses in an attached or detached garage may not eliminate minimum parking requirements for the particular zone wherein the home occupation is located.
 - d. Any accessory structure used for a home occupation must maintain the architectural aesthetics or compatibility of the home and the immediate neighborhood.
 - e. The home occupation may utilize one unanimated, non-illuminated flat sign to be attached to the accessory structure where the home occupation is being conducted in lieu of a sign attached to the home or in a window. The sign may not have an area greater than one square foot.
7. **Home Occupations and Outdoor Activities.** Any home occupations proposing to conduct business utilizing any yard space or in a swimming pool.
8. **Dangerous Home Occupations.** Any home occupation using explosives, incendiary products and devices, flammable, or hazardous chemicals.
9. **Home Occupations Generating Excessive Traffic.** Any home occupation which will generate in excess of two customers or visitors per hour or eight per day. A maximum of 12 business-associated visitors per day may be allowed under a conditional use permit, except as provided for child day care and other group child activities.
10. **Large, Business Related Vehicles.** Any home occupation which utilizes vehicles more than 24 feet in length (with the exception of renting recreational vehicles). (Ord 09-18, Amended 7-31-2009)

11. **More Than Two Home Occupation Licenses.** Any home where the applicant(s) is seeking more than two home occupation licenses.

G. Prohibited Home Occupations. The following uses, by nature of the occupation, substantially impair the use and value of residentially zoned areas for residential purposes and are, therefore, prohibited:

1. Mortuary, crematorium, columbarium, mausoleum.
2. Animal hospitals or veterinary services.
3. Clinic, dental office, medical office, chiropractic office, or hospital.
4. Junk yard, auto wrecking yard, or salvage yard.
5. Stables, kennels, pet store, or any other commercial animal breeding business or similar activities are prohibited. Activities may be allowed within the scope of a hobby license as issued by the Animal Services Division of Sandy City.
6. Storage, service, repair, sales of ambulance, tow truck, recreational vehicle, water craft, automobiles, ATV, or other motorized vehicles. (Ord 09-18, Amended 7-31-2009)
7. Fitness or health spa facility.
8. Boutiques, sample sale, or craft shows.
9. Auto body repair, motor vehicle repair.
10. Use of specified chemicals, pesticides and flammable/combustible materials, and including any other process or business where current adopted Building and Fire Codes would require an Operational Permit.
11. Number of vehicular stops or visits that would exceed 24 per day.
12. Massage therapy or other alternative healing and energy healing businesses, with the exception that a Home Occupation license may be issued if the applicant is the only person employed in said operation and he/she has obtained any required license(s) from the State of Utah. Limit one massage therapy or alternative healing and energy healing business per residence. All other standards and Category I qualifications must be complied with. No massage therapy or other alternative healing and energy healing businesses may be permitted if a Category II qualification is required. (Ord 15-25, Amended 7-21-2015, Ord 16-13, Amended 3-23-2016)
13. A Bed & Breakfast facility.

Exhibit “B”

15A-11-05 Home Occupations

A. **Purpose.** The purposes of this section are to:

1. Provide an opportunity for home occupations as an accessory use when they are compatible with the neighborhoods in which they are located. A home occupation shall not be construed to mean an employee working in his home in the service of an employer whose principal place of business is licensed at another location.
2. Provide an opportunity for a home occupation to engage in the business of child care and other group child activities and encourage this type of home occupation to draw clients/customers from their immediate neighborhood.
3. Guide business activities which are not compatible with neighborhoods to appropriate commercial zones.
4. Safeguard peace, quiet, and domestic tranquility within all residential neighborhoods. Protect residents from the adverse effects of business uses being conducted in residential areas from noise, nuisance, traffic, fire hazards, and other possible business uses that create significant impacts on a neighborhood.
5. Provide a means to enforce and regulate the businesses that are licensable through the authority of the business license regulations of the Revised Ordinances of Sandy City (ROSC), and if necessary, terminate home occupations if violations of the ordinances regulating home occupations occur.

B. **Home Occupation License.** All home occupations shall be licensed unless specifically provided an exemption in this Section or in the business license regulations of the ROSC. Regardless of whether a license is required, all Home Occupations must adhere to the standards and qualifications listed in this section. The authority to issue a license to conduct a home occupation shall be under the jurisdiction of the Business License Office of the Community Development Department.

C. **Categories and Requirements of Home Occupation Licenses.** Home occupation businesses are licensableclassified as Category I, Permitted Home Occupation, or Category II, Conditional Use Home Occupation. A Category II Conditional Use Home Occupation requires review and approval of the Planning Commission.

D. **Home Occupation Standards.** All home occupations, licensed or not, shall comply with the following standards at all times:

1. **Bona Fide Resident.** The home occupation business shall be owned by and carried on only by a bona fide resident of the home.
2. **Satellite Office Not Allowed.** A home occupation shall not be construed to mean an employee working in his home in the service of an employer whose principal place of business is licensed at another location. Business activities shall not be conducted at the home of an employee of a company by non-resident company employees.

3. **Accessory Use on the Property.** For residential purposes, the home occupation shall be clearly secondary and incidental to the primary use of the dwelling unit.
4. **On-Site Employees.** One full-time or full-time equivalent non-resident may be employed, volunteer, or work on the premises where the home occupation business is located. No more than two persons shall comprise the equivalent full-time employee, and only one non-resident employee may work at the home at one time.
5. **Off-Site Employees.** Any home occupation may utilize employees to work off site. The off-site employee, volunteer, hiree, or any other person engaged with the home occupation shall not come to the home for purposes related to the Home Occupation Business License except for incidental vehicle stops.
6. **Off-Street Parking.** All business related vehicles which park at the location of the home occupation, including those of the applicant, employee, customers, clients, or business-related visitor vehicles, must use off-street parking. This provision excludes stops made by delivery vehicles. (Ord 10-45, Amended 12-14-2010)
7. **Vehicle Advertisement.** Vehicles, trailers, or equipment may not be used for the primary purpose of advertising the home occupation at the site of the home occupation. (Ord 10-45, Amended 12-14-2010)
8. **Designating Areas of Property to be Used.** The home occupation applicant must designate the portion of the home, accessory structure, yard, attached or detached garage as the principal location for business activities. No businesses are allowed to operate outside of an enclosed structure, unless otherwise approved by the Planning Commission for outside activities. (Ord 10-45, Amended 12-14-2010)
9. **External Appearance.** The home occupation must maintain or improve the external residential appearance of the principal structure, attached or detached garage, or accessory structure. Any structural alterations to accommodate the home occupation shall maintain the architectural aesthetics and compatibility of the neighborhood.
10. **Outdoor/Yard Space.** The home occupation shall not involve the use of any yard space for storage or display of supplies, inventory, or equipment when such use is in conjunction with the sales, service, or production of goods, unless specifically stored within trailers or accessory structures as allowed herein. Any screened area or structure used for the home occupation must be located in either the side or rear yard areas. (Ord 10-45, Amended 12-14-2010)
11. **Business Trailer.** One Trailer may be used in association with the home occupation. Trailers allowed in conjunction with a home occupation are as follows:
 - a. An open or enclosed trailer with a body length of 20 feet or less, excluding the tongue.
 - b. Materials/equipment shall not be stored outside of the trailer.
 - c. The trailer shall be placed in the side or rear yard behind a fence or garaged on private property and not within the front yard of the dwelling. If the home is located on a corner lot, the trailer shall not be stored on the street side of the house unless it is out of the required front yard setback. If the topography of the lot prohibits the parking of the trailer on the side or rear yard, the trailer must be stored off-site.

- d. The trailer must be well maintained and must not present negative impacts for adjacent neighbors including, but not limited to odors, dust, or parking location.
 - e. All areas utilized for the parking of trailers shall be paved with a hard surface, e.g., concrete, asphalt, brick, or other water impenetrable surface. This includes the side and rear yard of the home. It is prohibited to park upon areas that have been landscaped or are reserved for future landscaping.
 - f. A site plan shall be included with all business license applications indicating where the trailer will be stored outside of the front yard. (Ord 10-45, Amended 12-14-2010)
12. **Commercial Vehicle.** Only one such vehicle may be parked on a residential lot. A commercial vehicle parked or stored on a residential lot must be owned or apportioned by an occupant who resides at the residence. This vehicle must comply with all residential parking requirements contained within this code. (Ord 10-45, Amended 12-14-2010)
13. **Conformity with Safety Codes.** There shall be complete conformity with fire, building, plumbing, electrical, and all other City, County, State, and Federal codes. (Ord 10-45, Amended 12-14-2010)
14. **Health and Safety.** No process can be used which is hazardous to public health, safety, morals, or welfare. (Ord 10-45, Amended 12-14-2010)
15. **No Excessive Utility Uses.** The home occupation shall not cause a demand for municipal, community, or utility services that are substantially in excess of those usually and customarily provided for residential uses. (Ord 10-45, Amended 12-14-2010)
16. **Neighborhood Disruptions Not Permitted.** The home occupation shall not interfere or disrupt the peace, quiet, and domestic tranquility of the neighborhood. The home occupation shall not create or be associated with or produce odor, smoke, dust, heat, fumes, light, glare, noises or vibrations, excessive traffic, or other nuisances including interferences with radio and television reception or any other adverse effects within the neighborhood. (Ord 10-45, Amended 12-14-2010)
17. **Renter/Owner Responsibility.** If the applicant for a home occupation license rents or leases the property wherein the home occupation is intended to be conducted, the applicant must provide a letter of acknowledgment and consent from the property owner at the time the application is submitted to the Business License Office. (Ord 10-45, Amended 12-14-2010)
18. **Interior Alterations/Remodeling.** Interior alterations of the principal dwelling for the purpose of accommodating the home occupation are prohibited if such alteration eliminates the kitchen, and/or all of the dining areas, bathrooms, living areas, or all of the bedrooms. (Ord 10-45, Amended 12-14-2010)
19. **Exempt from Business Licensure.** A business license will not be required unless the combined offsite impact of the home occupation and the primary residential use materially exceeds the impact of the primary residential use alone. If a home occupation has any of the following impacts, a business license is required:
- a. Business related customers, client visits, or meetings on the property.
 - b. Signage or advertising of the business that is visible from the exterior of the home.
 - c. The business owner or operator desires a physical copy of a business license.
 - d. Any non-resident working on the property.
 - e. Business related deliveries are made to or from the property.

- f. Accessory or commercial vehicles are stored or parked on the property for the home occupation.
- g. The home or property requires inspections from any regulatory authority or agency including, but not limited to, the City, Salt Lake Valley Health Department, and/or the Department of Agriculture.
- h. The business generates any additional vehicular traffic or parking on the property.
- i. If the State requires a sales tax number for any reason.
- j. If the home occupation is categorized as a Category II, Conditional Use Home Occupations, as described herein.
- k. If the home requires any modification requiring a building permit to accommodate the business operations.
- l. When the business use within the home exceeds twenty-five percent (25%) of the primary dwelling.

E. **Category I Qualifications.** In addition to the standards previously set forth above, all Category I home occupation businesses must also comply with the provision of the qualifications outlined below. If a business finds that they are unable to fully comply with all of the qualifications set forth, the applicant may pursue possible approval as a Category II home occupation through the conditional use permit process before submitting the application for a home occupation business license.

1. **Hours.** No visitors in conjunction with the home occupation (clients, patrons, employees, volunteers, students, pupils, etc.) shall be permitted between the hours of 10:00 p.m. and 6:00 a.m.
2. **Traffic.** Vehicular traffic from business related visitors and customers shall not exceed that which normally and reasonably occurs for a home in the neighborhood and shall be conducted so that the neighbors will not be significantly impacted by its existence. The home occupation shall be limited to two business related visitors or customers per hour, to a maximum of eight business related visitors or customers per day. Business related deliveries or pickups shall not exceed two per day.
3. **Delivery Vehicles.** The receipt or delivery of merchandise, goods, or supplies for use in a home occupation shall be limited to vehicles with a gross vehicle weight rating (GVWR) of 23,000 pounds or less.
4. **Conducted in a Home.** When business activities are being conducted on the property that is to be licensed, the home occupation shall be primarily conducted within the principal home.
5. **Maximum Floor Space.** No more than 25 percent of the total main floor area or upper living levels of the dwelling unit, nor in the alternative more than 50 percent of the total floor area of any basement of the home unit shall be utilized for the home occupation.
6. **Signs.** The home occupation may utilize one unanimated, non-illuminated flat sign for each street upon which the home abuts. The sign must be placed either in a window or on the exterior wall of the home wherein the home occupation is being conducted and may not have an area greater than one square foot.
7. **Display of Products.** The home occupation may include the sale of tangible goods. Direct sales from display apparatus is permitted only if the goods or products are not visible from the exterior of any approved structure being used for the home occupation.

8. **Food or Beverage Preparation for Consumption Outside of the Home.** Any home occupation involving or proposing to involve food or drink preparation, storage, or catering will be permitted when it is authorized by the appropriate State or County department or agency.
9. **Category I Home Occupation Licensing Involving Child Day Care and Other Child Group Activities**
 - a. The Category I home occupation shall not exceed eight children associated with child day care or other child group activities, e.g., dance schools, preschool, music classes, etc., at any one time. A maximum of eight students/children are permitted per day. This number shall include the licensee's own children if they are under six years of age and are under the care of the licensee at the time the home occupation is conducted.
 - b. All child day care and other group child activity facilities shall provide safe, outdoor play time and spaces as required by Federal, State, County, or local laws governing such business activities.
10. **Category I Home Occupation License Involving Elderly Day Care**
 - a. This type of home occupation shall not exceed supervising more than two elderly persons 60 years of age or older. Any home occupation of this nature which exceeds two individuals or more than 12 hours of operation will be considered a Category II Home Occupation and shall be reviewed and approved by the Planning Commission.
 - b. This type of home occupation must comply with all local and state laws governing such business activity.
11. **Category I Home Occupation Licensing Involving Renting Recreational Vehicles from Personal Property in Single Family Residential Zones.**
 - a. A property owner/resident living in the home may rent one (1) recreational vehicle that is owned by the owner/resident. Where more than one recreational vehicle can fit on a recreational trailer, the owner may rent a maximum of two (2) recreational vehicles.
 - b. Any recreational vehicle must be parked according to the Residential Parking Requirements and Restrictions within the Code, except that any recreational vehicle that is being rented from the home must be parked on a hard surface (concrete, asphalt, brick, or other impenetrable surface). In addition, the maximum area of hard surface for the purpose of parking a recreational vehicle shall be complied with.
 - c. Advertising on the recreational vehicle is prohibited.
 - d. Servicing the recreational vehicle shall be limited to those activities which will comply with the Noise Ordinance and the Property Maintenance Ordinance contained within the Sandy City Code.
 - e. Any customer renting the recreational vehicle shall not leave their own car on the street, but may place their vehicle on the homeowners property in compliance with all Residential Parking Requirements during the time the recreational vehicle is being rented. (Ord 09-18, Amended 7-31-2009)

- F. **Category II, Conditional Use Permit Required.** If a home occupation is able to comply with all of the standards but is unable to comply with all of the Category I qualifications established above, the proposed business activities must be reviewed by the Planning Commission and granted a conditional use permit before pursuing a Home Occupation Business License through the Business License Office.
1. **General.** In addition to any conditions established by the Planning Commission at the time of its review, all Category II home occupations must comply with the following:
 - a. All Category II home occupation uses shall only be conducted from property with a single family dwelling.
 - b. The conditional use permit and the Home Occupation Business License shall be maintained in good standing for the entire period that business is being conducted.
 2. **Compliance.** Uses are appropriate as licensable home occupations only if they are determined to be compatible with residential neighborhoods after full conditional use review by the Planning Commission, compliance with Title 5 Business Licensing, all of the standards and qualifications that have not been granted an exception through the conditional use process, and additional regulations set forth hereafter.
 3. **Child Day Care.** The following items indicate maximum limits that may be granted by the Planning Commission when a child day care is expected to exceed eight children at one time.
 - a. A maximum of 16 children is permitted at any one time. (Ord 12-33, Amended 9-17-2012)
 - b. A maximum of 18 children is permitted per day.
 - c. These numbers shall include the licensee's and any employees' children if they are under six years of age and are under the care of the licensee at the time the home occupation is conducted.
 - d. A maximum of 24 vehicular stops per day for child drop off or pick up is permitted.
 4. **Group Child Activities.** The following provisions indicate a maximum limit that may be granted by the Planning Commission for other group child activities which are expected to generate or exceed eight children/students, e.g., dance schools, preschools, music classes, other care or instruction for children, at any one time other than child day care.
 - a. The following guidelines shall be used to determine the maximum number of students/children permitted:
 - (1) A traffic plan that has been reviewed and approved by the City Transportation Engineer which includes acceptable traffic flow, drop off, and turn around areas.
 - (2) The existing residential street is of sufficient width to accommodate additional vehicular traffic.
 - b. A maximum of 12 students/children per session and a maximum of 24 students/children per day shall be permitted.
 - c. A maximum of four sessions per day may be permitted.

- d. All sessions combined shall not generate more than 24 vehicular stops per day.
 - e. The total number of students/children shall include the licensee's and any employees' children if they are under six years of age and are under the care of the licensee at the time the home occupation is conducted.
 - f. No group child activities falling under a Category II home occupation may be established within 300 feet as measured from property line to property line of another group child activity, Category II home occupation use.
5. **Work Shops.** Repair shops including welding, carpentry, sheet metal work, furniture manufacturing, upholstery, and other similar manufacturing activities
6. **Business Not Conducted Within a Home.** Any home occupation which proposes or conducts activities within an outbuilding, accessory building, attached or detached garage. The following guidelines shall be used to determine the maximum impacts permitted:
- a. The applicant for a Home Occupation Business License shall designate the areas of the home, attached/detached garage or accessory structure that will be used for the home occupation. If approved, the home occupation may be conducted only in the designated area.
 - b. No more that a maximum of 200 square feet, or in the alternative, no more than 50 percent of the total floor space (whichever is the greater) of any accessory structure or attached or detached garage may be used for a home occupation unless there are specific exceptions granted by the Planning Commission.
 - c. Any home occupation uses in an attached or detached garage may not eliminate minimum parking requirements for the particular zone wherein the home occupation is located.
 - d. Any accessory structure used for a home occupation must maintain the architectural aesthetics or compatibility of the home and the immediate neighborhood.
 - e. The home occupation may utilize one unanimated, non-illuminated flat sign to be attached to the accessory structure where the home occupation is being conducted in lieu of a sign attached to the home or in a window. The sign may not have an area greater than one square foot.
7. **Home Occupations and Outdoor Activities.** Any home occupations proposing to conduct business utilizing any yard space or in a swimming pool.
8. **Dangerous Home Occupations.** Any home occupation using explosives, incendiary products and devices, flammable, or hazardous chemicals.
9. **Home Occupations Generating Excessive Traffic.** Any home occupation which will generate in excess of two customers or visitors per hour or eight per day. A maximum of 12 business-associated visitors per day may be allowed under a conditional use permit, except as provided for child day care and other group child activities.
10. **Large, Business Related Vehicles.** Any home occupation which utilizes vehicles more than 24 feet in length (with the exception of renting recreational vehicles). (Ord 09-18, Amended 7-31-2009)

11. **More Than Two Home Occupation Licenses.** Any home where the applicant(s) is seeking more than two home occupation licenses.

G. **Prohibited Home Occupations.** The following uses, by nature of the occupation, substantially impair the use and value of residentially zoned areas for residential purposes and are, therefore, prohibited:

1. Mortuary, crematorium, columbarium, mausoleum.
2. Animal hospitals or veterinary services.
3. Clinic, dental office, medical office, chiropractic office, or hospital.
4. Junk yard, auto wrecking yard, or salvage yard.
5. Stables, kennels, pet store, or any other commercial animal breeding business or similar activities are prohibited. Activities may be allowed within the scope of a hobby license as issued by the Animal Services Division of Sandy City.
6. Storage, service, repair, sales of ambulance, tow truck, recreational vehicle, water craft, automobiles, ATV, or other motorized vehicles. (Ord 09-18, Amended 7-31-2009)
7. Fitness or health spa facility.
8. Boutiques, sample sale, or craft shows.
9. Auto body repair, motor vehicle repair.
10. Use of specified chemicals, pesticides and flammable/combustible materials, and including any other process or business where current adopted Building and Fire Codes would require an Operational Permit.
11. Number of vehicular stops or visits that would exceed 24 per day.
12. Massage therapy or other alternative healing and energy healing businesses, with the exception that a Home Occupation license may be issued if the applicant is the only person employed in said operation and he/she has obtained any required license(s) from the State of Utah. Limit one massage therapy or alternative healing and energy healing business per residence. All other standards and Category I qualifications must be complied with. No massage therapy or other alternative healing and energy healing businesses may be permitted if a Category II qualification is required. (Ord 15-25, Amended 7-21-2015, Ord 16-13, Amended 3-23-2016)

13. A Bed & Breakfast facility.

Exhibit “C”

15A-11-05 Home Occupations

A. **Purpose.** The purposes of this section are to:

1. Provide an opportunity for home occupations as an accessory use when they are compatible with the neighborhoods in which they are located. A home occupation shall not be construed to mean an employee working in his home in the service of an employer whose principal place of business is licensed at another location.
2. Provide an opportunity for a home occupation to engage in the business of child care and other group child activities and encourage this type of home occupation to draw clients/customers from their immediate neighborhood.
3. Guide business activities which are not compatible with neighborhoods to appropriate commercial zones.
4. Safeguard peace, quiet, and domestic tranquility within all residential neighborhoods. Protect residents from the adverse effects of business uses being conducted in residential areas from noise, nuisance, traffic, fire hazards, and other possible business uses that create significant impacts on a neighborhood.
5. Provide a means to enforce and regulate the businesses that are licensable through the authority of the business license regulations of the Revised Ordinances of Sandy City (ROSC), and if necessary, terminate home occupations if violations of the ordinances regulating home occupations occur.

B. **Home Occupation License.** All home occupations shall be licensed unless specifically provided an exemption in this Section or in the business license regulations of the ROSC. The authority to issue a license to conduct a home occupation shall be under the jurisdiction of the Business License Office of the Community Development Department.

C. **Categories and Requirements of Home Occupation Licenses.** Home occupation businesses are licensable as Category I, Permitted Home Occupation, or Category II, Conditional Use Home Occupation. A Category II Conditional Use Home Occupation requires review and approval of the Planning Commission.

D. **Home Occupation Standards.** All home occupations shall comply with the following standards at all times:

1. **Bona Fide Resident.** The home occupation business shall be owned by and carried on only by a bona fide resident of the home.
2. **Satellite Office Not Allowed.** A home occupation shall not be construed to mean an employee working in his home in the service of an employer whose principal place of business is licensed at another location. Business activities shall not be conducted at the home of an employee of a company by non-resident company employees.

3. **Accessory Use on the Property.** For residential purposes, the home occupation shall be clearly secondary and incidental to the primary use of the dwelling unit.
4. **On-Site Employees.** One full-time or full-time equivalent non-resident may be employed, volunteer, or work on the premises where the home occupation business is located. No more than two persons shall comprise the equivalent full-time employee, and only one non-resident employee may work at the home at one time.
5. **Off-Site Employees.** Any home occupation may utilize employees to work off site. The off-site employee, volunteer, hiree, or any other person engaged with the home occupation shall not come to the home for purposes related to the Home Occupation Business License except for incidental vehicle stops.
6. **Off-Street Parking.** All business related vehicles which park at the location of the home occupation, including those of the applicant, employee, customers, clients, or business-related visitor vehicles, must use off-street parking. This provision excludes stops made by delivery vehicles. (Ord 10-45, Amended 12-14-2010)
7. **Vehicle Advertisement.** Vehicles, trailers, or equipment may not be used for the primary purpose of advertising the home occupation at the site of the home occupation. (Ord 10-45, Amended 12-14-2010)
8. **Designating Areas of Property to be Used.** The home occupation applicant must designate the portion of the home, accessory structure, yard, attached or detached garage as the principal location for business activities. No businesses are allowed to operate outside of an enclosed structure, unless otherwise approved by the Planning Commission for outside activities. (Ord 10-45, Amended 12-14-2010)
9. **External Appearance.** The home occupation must maintain or improve the external residential appearance of the principal structure, attached or detached garage, or accessory structure. Any structural alterations to accommodate the home occupation shall maintain the architectural aesthetics and compatibility of the neighborhood.
10. **Outdoor/Yard Space.** The home occupation shall not involve the use of any yard space for storage or display of supplies, inventory, or equipment when such use is in conjunction with the sales, service, or production of goods, unless specifically stored within trailers or accessory structures as allowed herein. Any screened area or structure used for the home occupation must be located in either the side or rear yard areas. (Ord 10-45, Amended 12-14-2010)
11. **Business Trailer.** One Trailer may be used in association with the home occupation. Trailers allowed in conjunction with a home occupation are as follows:
 - a. An open or enclosed trailer with a body length of 20 feet or less, excluding the tongue.
 - b. Materials/equipment shall not be stored outside of the trailer.
 - c. The trailer shall be placed in the side or rear yard behind a fence or garaged on private property and not within the front yard of the dwelling. If the home is located on a corner lot, the trailer shall not be stored on the street side of the house unless it is out of the required front yard setback. If the topography of the lot prohibits the parking of the trailer on the side or rear yard, the trailer must be stored off-site.
 - d. The trailer must be well maintained and must not present negative impacts for adjacent neighbors including, but not limited to odors, dust, or parking location.

- e. All areas utilized for the parking of trailers shall be paved with a hard surface, e.g., concrete, asphalt, brick, or other water impenetrable surface. This includes the side and rear yard of the home. It is prohibited to park upon areas that have been landscaped or are reserved for future landscaping.
 - f. A site plan shall be included with all business license applications indicating where the trailer will be stored outside of the front yard. (Ord 10-45, Amended 12-14-2010)
12. **Commercial Vehicle.** Only one such vehicle may be parked on a residential lot. A commercial vehicle parked or stored on a residential lot must be owned or apportioned by an occupant who resides at the residence. This vehicle must comply with all residential parking requirements contained within this code. (Ord 10-45, Amended 12-14-2010)
 13. **Conformity with Safety Codes.** There shall be complete conformity with fire, building, plumbing, electrical, and all other City, County, State, and Federal codes. (Ord 10-45, Amended 12-14-2010)
 14. **Health and Safety.** No process can be used which is hazardous to public health, safety, morals, or welfare. (Ord 10-45, Amended 12-14-2010)
 15. **No Excessive Utility Uses.** The home occupation shall not cause a demand for municipal, community, or utility services that are substantially in excess of those usually and customarily provided for residential uses. (Ord 10-45, Amended 12-14-2010)
 16. **Neighborhood Disruptions Not Permitted.** The home occupation shall not interfere or disrupt the peace, quiet, and domestic tranquility of the neighborhood. The home occupation shall not create or be associated with or produce odor, smoke, dust, heat, fumes, light, glare, noises or vibrations, excessive traffic, or other nuisances including interferences with radio and television reception or any other adverse effects within the neighborhood. (Ord 10-45, Amended 12-14-2010)
 17. **Renter/Owner Responsibility.** If the applicant for a home occupation license rents or leases the property wherein the home occupation is intended to be conducted, the applicant must provide a letter of acknowledgment and consent from the property owner at the time the application is submitted to the Business License Office. (Ord 10-45, Amended 12-14-2010)
 18. **Interior Alterations/Remodeling.** Interior alterations of the principal dwelling for the purpose of accommodating the home occupation are prohibited if such alteration eliminates the kitchen, and/or all of the dining areas, bathrooms, living areas, or all of the bedrooms. (Ord 10-45, Amended 12-14-2010)
- E. **Category I Qualifications.** In addition to the standards previously set forth above, all Category I home occupation businesses must also comply with the provision of the qualifications outlined below. If a business finds that they are unable to fully comply with all of the qualifications set forth, the applicant may pursue possible approval as a Category II home occupation through the conditional use permit process before submitting the application for a home occupation business license.
1. **Hours.** No visitors in conjunction with the home occupation (clients, patrons, employees, volunteers, students, pupils, etc.) shall be permitted between the hours of 10:00 p.m. and 6:00 a.m.
 2. **Traffic.** Vehicular traffic from business related visitors and customers shall not exceed that which normally and reasonably occurs for a home in the neighborhood and shall be conducted so that the neighbors will not be significantly impacted by its existence. The home occupation shall be

limited to two business related visitors or customers per hour, to a maximum of eight business related visitors or customers per day. Business related deliveries or pickups shall not exceed two per day.

3. **Delivery Vehicles.** The receipt or delivery of merchandise, goods, or supplies for use in a home occupation shall be limited to vehicles with a gross vehicle weight rating (GVWR) of 23,000 pounds or less.
4. **Conducted in a Home.** When business activities are being conducted on the property that is to be licensed, the home occupation shall be primarily conducted within the principal home.
5. **Maximum Floor Space.** No more than 25 percent of the total main floor area or upper living levels of the dwelling unit, nor in the alternative more than 50 percent of the total floor area of any basement of the home unit shall be utilized for the home occupation.
6. **Signs.** The home occupation may utilize one unanimated, non-illuminated flat sign for each street upon which the home abuts. The sign must be placed either in a window or on the exterior wall of the home wherein the home occupation is being conducted and may not have an area greater than one square foot.
7. **Display of Products.** The home occupation may include the sale of tangible goods. Direct sales from display apparatus is permitted only if the goods or products are not visible from the exterior of any approved structure being used for the home occupation.
8. **Food or Beverage Preparation for Consumption Outside of the Home.** Any home occupation involving or proposing to involve food or drink preparation, storage, or catering will be permitted when it is authorized by the appropriate State or County department or agency.
9. **Category I Home Occupation Licensing Involving Child Day Care and Other Child Group Activities**
 - a. The Category I home occupation shall not exceed eight children associated with child day care or other child group activities, e.g., dance schools, preschool, music classes, etc., at any one time. A maximum of eight students/children are permitted per day. This number shall include the licensee's own children if they are under six years of age and are under the care of the licensee at the time the home occupation is conducted.
 - b. All child day care and other group child activity facilities shall provide safe, outdoor play time and spaces as required by Federal, State, County, or local laws governing such business activities.
10. **Category I Home Occupation License Involving Elderly Day Care**
 - a. This type of home occupation shall not exceed supervising more than two elderly persons 60 years of age or older. Any home occupation of this nature which exceeds two individuals or more than 12 hours of operation will be considered a Category II Home Occupation and shall be reviewed and approved by the Planning Commission.
 - b. This type of home occupation must comply with all local and state laws governing such business activity.

11. Category I Home Occupation Licensing Involving Renting Recreational Vehicles from Personal Property in Single Family Residential Zones.

- a. A property owner/resident living in the home may rent one (1) recreational vehicle that is owned by the owner/resident. Where more than one recreational vehicle can fit on a recreational trailer, the owner may rent a maximum of two (2) recreational vehicles.
- b. Any recreational vehicle must be parked according to the Residential Parking Requirements and Restrictions within the Code, except that any recreational vehicle that is being rented from the home must be parked on a hard surface (concrete, asphalt, brick, or other impenetrable surface). In addition, the maximum area of hard surface for the purpose of parking a recreational vehicle shall be complied with.
- c. Advertising on the recreational vehicle is prohibited.
- d. Servicing the recreational vehicle shall be limited to those activities which will comply with the Noise Ordinance and the Property Maintenance Ordinance contained within the Sandy City Code.
- e. Any customer renting the recreational vehicle shall not leave their own car on the street, but may place their vehicle on the homeowners property in compliance with all Residential Parking Requirements during the time the recreational vehicle is being rented. (Ord 09-18, Amended 7-31-2009)

F. Category II, Conditional Use Permit Required. If a home occupation is able to comply with all of the standards but is unable to comply with all of the Category I qualifications established above, the proposed business activities must be reviewed by the Planning Commission and granted a conditional use permit before pursuing a Home Occupation Business License through the Business License Office.

- 1. **General.** In addition to any conditions established by the Planning Commission at the time of its review, all Category II home occupations must comply with the following:
 - a. All Category II home occupation uses shall only be conducted from property with a single family dwelling.
 - b. The conditional use permit and the Home Occupation Business License shall be maintained in good standing for the entire period that business is being conducted.
- 2. **Compliance.** Uses are appropriate as licensable home occupations only if they are determined to be compatible with residential neighborhoods after full conditional use review by the Planning Commission, compliance with Title 5 Business Licensing, all of the standards and qualifications that have not been granted an exception through the conditional use process, and additional regulations set forth hereafter.
- 3. **Child Day Care.** The following items indicate maximum limits that may be granted by the Planning Commission when a child day care is expected to exceed eight children at one time.
 - a. A maximum of 16 children is permitted at any one time. (Ord 12-33, Amended 9-17-2012)
 - b. A maximum of 18 children is permitted per day.

- c. These numbers shall include the licensee's and any employees' children if they are under six years of age and are under the care of the licensee at the time the home occupation is conducted.
 - d. A maximum of 24 vehicular stops per day for child drop off or pick up is permitted.
- 4. **Group Child Activities.** The following provisions indicate a maximum limit that may be granted by the Planning Commission for other group child activities which are expected to generate or exceed eight children/students, e.g., dance schools, preschools, music classes, other care or instruction for children, at any one time other than child day care.
 - a. The following guidelines shall be used to determine the maximum number of students/children permitted:
 - (1) A traffic plan that has been reviewed and approved by the City Transportation Engineer which includes acceptable traffic flow, drop off, and turn around areas.
 - (2) The existing residential street is of sufficient width to accommodate additional vehicular traffic.
 - b. A maximum of 12 students/children per session and a maximum of 24 students/children per day shall be permitted.
 - c. A maximum of four sessions per day may be permitted.
 - d. All sessions combined shall not generate more than 24 vehicular stops per day.
 - e. The total number of students/children shall include the licensee's and any employees' children if they are under six years of age and are under the care of the licensee at the time the home occupation is conducted.
 - f. No group child activities falling under a Category II home occupation may be established within 300 feet as measured from property line to property line of another group child activity, Category II home occupation use.
- 5. **Work Shops.** Repair shops including welding, carpentry, sheet metal work, furniture manufacturing, upholstery, and other similar manufacturing activities
- 6. **Business Not Conducted Within a Home.** Any home occupation which proposes or conducts activities within an outbuilding, accessory building, attached or detached garage. The following guidelines shall be used to determine the maximum impacts permitted:
 - a. The applicant for a Home Occupation Business License shall designate the areas of the home, attached/detached garage or accessory structure that will be used for the home occupation. If approved, the home occupation may be conducted only in the designated area.
 - b. No more that a maximum of 200 square feet, or in the alternative, no more than 50 percent of the total floor space (whichever is the greater) of any accessory structure or attached or detached garage may be used for a home occupation unless there are specific exceptions granted by the Planning Commission.

- c. Any home occupation uses in an attached or detached garage may not eliminate minimum parking requirements for the particular zone wherein the home occupation is located.
 - d. Any accessory structure used for a home occupation must maintain the architectural aesthetics or compatibility of the home and the immediate neighborhood.
 - e. The home occupation may utilize one unanimated, non-illuminated flat sign to be attached to the accessory structure where the home occupation is being conducted in lieu of a sign attached to the home or in a window. The sign may not have an area greater than one square foot.
- 7. **Home Occupations and Outdoor Activities.** Any home occupations proposing to conduct business utilizing any yard space or in a swimming pool.
 - 8. **Dangerous Home Occupations.** Any home occupation using explosives, incendiary products and devices, flammable, or hazardous chemicals.
 - 9. **Home Occupations Generating Excessive Traffic.** Any home occupation which will generate in excess of two customers or visitors per hour or eight per day. A maximum of 12 business-associated visitors per day may be allowed under a conditional use permit, except as provided for child day care and other group child activities.
 - 10. **Large, Business Related Vehicles.** Any home occupation which utilizes vehicles more than 24 feet in length (with the exception of renting recreational vehicles). (Ord 09-18, Amended 7-31-2009)
 - 11. **More Than Two Home Occupation Licenses.** Any home where the applicant(s) is seeking more than two home occupation licenses.
- G. **Prohibited Home Occupations.** The following uses, by nature of the occupation, substantially impair the use and value of residentially zoned areas for residential purposes and are, therefore, prohibited:
- 1. Mortuary, crematorium, columbarium, mausoleum.
 - 2. Animal hospitals or veterinary services.
 - 3. Clinic, dental office, medical office, chiropractic office, or hospital.
 - 4. Junk yard, auto wrecking yard, or salvage yard.
 - 5. Stables, kennels, pet store, or any other commercial animal breeding business or similar activities are prohibited. Activities may be allowed within the scope of a hobby license as issued by the Animal Services Division of Sandy City.
 - 6. Storage, service, repair, sales of ambulance, tow truck, recreational vehicle, water craft, automobiles, ATV, or other motorized vehicles. (Ord 09-18, Amended 7-31-2009)
 - 7. Fitness or health spa facility.
 - 8. Boutiques, sample sale, or craft shows.

9. Auto body repair, motor vehicle repair.
10. Use of specified chemicals, pesticides and flammable/combustible materials, and including any other process or business where current adopted Building and Fire Codes would require an Operational Permit.
11. Number of vehicular stops or visits that would exceed 24 per day.
12. Massage therapy or other alternative healing and energy healing businesses, with the exception that a Home Occupation license may be issued if the applicant is the only person employed in said operation and he/she has obtained any required license(s) from the State of Utah. Limit one massage therapy or alternative healing and energy healing business per residence. All other standards and Category I qualifications must be complied with. No massage therapy or other alternative healing and energy healing businesses may be permitted if a Category II qualification is required. (Ord 15-25, Amended 7-21-2015, Ord 16-13, Amended 3-23-2016)

application materials based on the findings and subject to the four conditions listed in the staff report.

Monica Collard seconded the motion. The vote was as follows: Jared Clayton, yes; Monica Collard, yes; Nancy Day, yes; Cyndi Sharkey, yes; Joe Baker, yes; Lisa Hartman, yes. The vote was unanimous in favor.

2. Home Occupations – Business License Exemption Amend Title 15A, Chapter 11, Special Uses, Land Development Code, Revised Ordinances of Sandy City, 2008
CODE-09-17-5305

The Sandy City Community Development Department has filed a request to amend Title 15A, Chapter 11, Home Occupations, Land Development Code, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to make changes in our code that will align it with recent State Code changes relating to home based businesses. The proposed changes will allow for a small number of home based businesses to be exempt from the requirement to have a business license.

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 under which home occupations would be evaluated 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.

Brian McCuistion presented this item to the Planning Commission. He stated that this Code Amendment is a result of State changes at the Legislative session last year. A new section was added in the standards for all home occupations. The new section is called “Exempt from Business Licensure”. This section illustrates that if a business does not have any impacts beyond a single-family dwelling, the business would be exempt from needing to have a business license. This is an effort to update Sandy City’s Code with the State Code.

Commissioner Joe Baker stated he could not come up with any kind of a Home Occupation that would not transgress any of the conditions listed under the exemptions.

Brian McCuistion stated there are a number of businesses where they are not required to have a business license like bookkeeping or an attorney.

Commissioner Cyndi Sharkey asked if ride-sharing services needed to have a business license in Sandy City. She also stated after reading “F” and “H” under the exemptions, it would mandate that ride-sharing services would need a business license.

Brian McCuiston stated he has reviewed many business licenses applications in the past but has never seen an application for an Uber or Lyft driver.

Commissioner Cyndi Sharkey asked if these drivers are getting away with not having a business license since they are driving a commercial vehicle.

Brian McCuiston stated we define commercial vehicles as vehicles such as trucks, trailers, backhoes, etc. The typical sedan would not fall under that definition.

Commissioner Lisa Hartman stated she think they technically call it a ride-share for a reason.

Commissioner Joe Baker stated if drivers declare their vehicle as a business expense on their taxes, then it’s a commercial vehicle.

Commissioner Monica Collard stated that depends. You can claim just mileage or you can claim the entire vehicle. There are two separate tax laws.

Commissioner Cyndi Sharkey asked where ride-share drivers run their business.

Commissioner Jared Clayton stated they run their business from their phone.

Brian McCuiston stated ride-share drivers would need to have a business license for their home. They would need to have a location for the business.

Commissioner Cyndi Sharkey asked if the City is missing revenue by not requiring ride-share drivers to have a business license.

Brian McCuiston stated he feels there will be a financial loss. He’s not sure to what degree.

Commissioner Joe Baker asked who would be responsible for making the decision if a business materially exceeds the impact of the primary resident.

Brian McCuiston replied all of the Home Occupations have to meet standards. This language came from State Code. He feels there will be a very limited amount of people that will not be required to obtain a business license.

James Sorenson stated some people would choose to have a business license for a variety of reasons even though they are not required.

Commissioner Nancy Day asked if Sandy City would be liable for a business if that business does not have a business license.

James Sorenson replied we would be following what the State Law has put in place. We would be making our code comply with what we have been told to comply with.

Commissioner Lisa Hartman opened this item to public comment.

Steve Van Maren, 11039 Lexington Circle, Sandy, commented that Cindy Sharkey's microphone wasn't working.

Commissioner Lisa Hartman closed this item to public comment.

Commissioner Monica Collard moved that Planning Commission forward a positive recommendation to the City Council to adopt the proposed ordinance amendment as shown in Exhibit "A", for the two reasons outlined in the staff report.

Nancy Day seconded the motion. The vote was as follows: Monica Collard, yes; Nancy Day, yes; Jared Clayton, yes; Cyndi Sharkey, yes; Joe Baker, yes; Lisa Hartman, yes. The vote was unanimous in favor.

3. Mobile Food & Street Vendor Businesses Amend Title 15A, Chapter 11, Special Uses, Land Development Code, Revised Ordinances of Sandy City, 2008
CODE-09-17-5306

The Sandy City Community Development Department has filed a request to amend Title 15A, Chapter 11, Mobile Food Businesses, Land Development Code, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to make changes in our code that will align it with recent State Code changes relating to food trucks and mobile food businesses. Staff has also proposed several formatting changes to make it easier for mobile food businesses and street vendors to follow and understand our requirements, while also making it easier to enforce. The proposed changes will also make it easier to operate a mobile food business or street vendor.

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 under which mobile food and street vendor businesses would be evaluated 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.



Staff Report

File #: CODE-09-07-5306,
Version: 1

Date: 11/14/2017

Agenda Item Title:

The Sandy City Community Development Department has filed a request to amend Title 15A, Chapter 11, Mobile Food Businesses, Land Development Code, Revised Ordinances of Sandy City, 2008.

Presenter:

Description/Background:

The purpose of the Code Amendment is to make changes in our code that will align it with recent State Code changes relating to food trucks and mobile food businesses. Staff has also proposed several formatting changes to make it easier for mobile food businesses and street vendors to follow and understand our requirements, while also making it easier to enforce. The proposed changes will also make it easier to operate a mobile food business or street vendor.

Staff recommended to Planning Commission that the proposed code amendment be approved. On October 19, 2017, the Planning Commission unanimously recommended to the City Council to adopt the proposed ordinance amendment. See attached staff report and meeting minutes for more details.

Fiscal Impact:

Negligible: Minor impact on Business License Fee revenue.

Further action to be taken:

n/a

Recommended Action and/or Suggested Motion:

That the City Council adopt the proposed ordinance amendment as shown in Exhibit "A" for the following reasons:

1. Compliance with the Purpose of the Land Development Code by facilitating the orderly growth and development of Sandy City by establishing a system of fair, comprehensive, consistent and equitable regulations, and standards under which mobile food and street vendor businesses will be evaluated 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.



MEMORANDUM

October 11, 2017

To: City Council via Planning Commission
From: Community Development Department
Subject: Mobile Food & Street Vendor Businesses – CODE-09-17-5306
Amend Title 15A, Chapter 11, Mobile Food Businesses, Land
Development Code, Revised Ordinances of Sandy City, 2008

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

BACKGROUND

The Sandy City Community Development Department has filed a request to amend Title 15A, Chapter 11, Mobile Food Businesses, Land Development Code, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to make changes in our code that will align it with recent State Code changes relating to food trucks and mobile food businesses. Staff has also proposed several formatting changes to make it easier for mobile food businesses and street vendors to follow and understand our requirements, while also making it easier to enforce. The proposed changes will also make it easier to operate a mobile food business or street vendor.

ANALYSIS

The popularity of mobile food businesses has increased across the country in recent years. The City revamped our regulations of these businesses in 2015 with a lot of research and discussion with industry representatives. Earlier this year, the State Legislature made changes to State Code that have caused us to revisit our code and make some changes. Upon reviewing our code and making the minimum changes to align with the State Code, staff is recommending some other changes that will make it easier for staff to regulate and enforce, while also making it easier for mobile food businesses to operate in Sandy.

Senate Bill 250 made changes to several things relating to food trucks. Cities can no longer require multiple business licenses at different locations for the same business, requires cities to reciprocate health and safety certificates and inspections, and eliminates our ability to require certain distance requirements.

The following is a short summary of the proposed changes to the text of this section:

1. Added a "Purpose" section.
2. Reorganized the text in a pattern similar to our regulations for Home Occupations. We have organized the existing requirements and added some new ones under four (4) main headings. The

General Requirements section lays out requirements that apply to all mobile food businesses, street vendors, and mobile food courts. Then there are three sections that have additional design and operation requirements for those different types of vendors.

3. Removed requirements that are prohibited by State Code (e.g. distant requirements to other businesses and restaurants, multiple business licenses for the same business at multiple locations).
4. Removed duplicative text relating to overlap with the Business License code in Title 5.
5. Expanded the application of Mobile Food Courts to other areas of the city.

The clean version of all proposed text amendments is shown in Exhibit “A” attached hereto. A full detail of all redlined changes to the original text are shown in the attached Exhibit “B”. The original text of this section is shown in Exhibit “C”.

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 under which mobile food and street vendor businesses will be evaluated 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 facilitating the orderly growth and development of Sandy City by establishing a system of fair, comprehensive, consistent and equitable regulations, and standards under which mobile food and street vendor businesses will be evaluated 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:

Reviewed by:

Mike Wilcox
Zoning Administrator

File Name: S:\USERS\PLN\STAFFRPT\2017\CODE-09-17-5306_MOBILE FOOD BUSINESS REVISIONS\STAFF REPORT.DOCX

Exhibit “A”

15A-11-19 Mobile Food & Street Vendor Businesses

- A. **Purpose.** This section is established to provide regulation and design standards for mobile food businesses, mobile food courts, and street vendors in commercial or industrial land use areas, except as otherwise allowed herein. These regulations are designed to expand the opportunity of various types of temporary mobile vendors in the city, while guiding them to appropriate locations, and ensuring they are conducted safely and in harmony with the surrounding land uses.
- B. **General Requirements.** The following requirements must be met for all mobile food businesses, street vendors, and mobile food courts. Provisions found in this section shall not apply to other uses identified as “temporary use” that are specifically regulated by this Title.
1. **License Required.** No person shall operate a mobile food or street vendor, business without first having obtained a business license from Sandy City in accordance with Title 5 Sandy City Revised Ordinances. Licenses will expire on the earliest date of expiration of the required health or safety inspections, or one (1) year from the date of issuance.
 2. **Prohibited Sales.** No alcohol shall be provided/sold from a mobile food business.
 3. **Use of Public or Private Property (Excluding Public Right of Way).** Mobile food businesses and street vendors shall be allowed to operate on property within all commercial or industrial land use areas, in accordance with the provisions of this section. Each business shall abide by the following:
 - a. **Property Owner Approval.** Prior written consent from the property owner is required for every location a business desires to operate. Said letter must include information about where the vendor is permitted on the site that complies with the location requirements herein. Upon inspection, the business must provide proof of permission to operate in any given location.
 - b. **Parking and Circulation.** Acceptable space shall be available for any off-street parking and traffic circulation generated by the uses. The location and use of a site may not interfere with the existing parking demand and circulation of the surrounding development.
 - c. **Vacant Lots.** Prior to operating a mobile food business on a vacant lot (where there is no current licensed business with a permanent structure on-site) the improvements outlined within this Title for Temporary Uses are required for each site prior to operating business.
 4. **Use of Public Right-of-Way.** Mobile food businesses and street vendors may be allowed to operate in the public right-of-way only in appropriate locations as determined by the City in accordance with the provisions in this section (such as Centennial Parkway). Each business seeking to operate within the public right-of-way shall abide by the following conditions and requirements.
 - a. **City Approval.** Written permission from the City to operate a business in the right-of-way is required. Said permission may be granted if an applicant can demonstrate compliance with the regulations in this section.

- b. **Parking and Traffic Regulations.** Mobile food businesses shall obey all on-street parking and traffic regulations as stated in State statute and/or City ordinances.
- c. **Prohibited Parking Areas.** Parking on a sidewalk, park strip, or otherwise landscaped area is not allowed. Street Vendors are exempt from this prohibition if they are set up on a paved surface, do no harm to landscaped areas, and comply with all other provisions of this section.
- d. **Parallel Parking Spaces.** Mobile food businesses utilizing parking space within the public right-of-way shall park only in parallel parking spaces. Mobile food businesses must be parked so that neither the vehicle nor the customers interfere with public access to adjacent parking stalls or to driveways or entrances of existing buildings or uses.
- e. **Orientation of Vending Window.** The operator shall locate the vending window facing the sidewalk or on private property unless the roadway has been closed to vehicular traffic for a public event.
- f. **Parking for Primary Use.** No mobile food business shall create a parking issue for the surrounding primary uses.
- g. **No Sales in Roadway.** No sales shall be made to any person standing in a roadway unless the roadway has been closed to vehicular traffic for a public event.
- h. **Locations.** Mobile food businesses shall not operate on public streets where the speed limit exceeds thirty-five (35) miles per hour, unless the roadway has been closed to vehicular traffic for a public event, nor locations that are otherwise deemed hazardous by the Sandy City Transportation Engineer.
- i. **Certificate of Insurance.** When locating on public property, each applicant for a license or renewal under this Chapter shall submit, with the application, a certificate of insurance executed by an insurance company or association authorized to transact business in this state, showing that there is in full force and effect, for the full term of the license, general liability insurance in the amount not less than two hundred thousand dollars (\$200,000) for personal injury to each person, five hundred thousand dollars (\$500,000) for each occurrence, and five hundred thousand (\$500,000) for each occurrence involving property damage; or a single limit policy of not less than five hundred thousand dollars (\$500,000) covering all claims per occurrence. Such policy or policies shall also include coverage of all motor vehicles used in connection with applicant's business and the coverage shall be primary. A. current certificate of insurance shall be kept on file with the Business License Administrator at all times that applicant is licensed by the City verifying such continuing coverage and naming Sandy City, its officers, officials, and employees as additional insureds. The certificate shall contain a statement that the City will be given written notification at least thirty (30) days prior to cancellation or material change in the coverage. Cancellation shall constitute grounds for suspensions or revocation of the license issued hereunder unless another insurance policy complying herewith is provided and is in effect at the time of cancellation/termination. In the case of a mobile food court, a certificate of insurance would be required for each vehicle.
- j. **Indemnity Clause.** A signed statement that the licensee shall hold the City and its officers and employees harmless from any and all liability and shall indemnify the City and its officers and employees from any claims for damage to property or injury to persons arising

from any activity carried on under the terms of the license.

5. **Open Space Zones.** It shall be unlawful for any mobile food business to operate adjacent to or in a public park, or in an OS Zone, without the prior written consent of the Community Development Director. Authorization does not supersede or replace the requirement that the business obtain a Sandy City business license.
6. **Pedestrian Flow.** The business shall ensure that its use of the right-of-way, including the sidewalk, in no way interferes with or limits sidewalk users' free and unobstructed passage. Vendor must maintain clear, continuous sidewalk width of no less than four (4) feet.
7. **Location Restrictions.** Must not be located within:
 - a. Ten (10) feet of any fire hydrant;
 - b. Ten (10) feet of any bus or transit stop;
 - c. Ten (10) feet or one stall away from any handicap parking space or access ramp;
 - d. Ten (10) feet from any curb cut;
 - e. Ten (10) feet from any other mobile food business or street vendor;
 - f. Ten (10) feet from any manhole or storm drain inlet;
 - g. Sixty (60) feet from any intersection or driveway; and
 - h. One thousand (1000) feet from any private/public school k-12 between the hours of 7:00 am to 4:00 pm, Monday through Friday, unless permission is given from an authorized representative from the school to locate on school property. School authorization does not supersede or replace the requirement that the business obtain a Sandy City business license.
8. **Restrooms.** Access to restroom facilities shall be made available.
9. **Display of License, Inspections, and Registration.** The business license, fire inspection certificate, and health department inspection must be displayed in a visible location on the vehicle, trailer, or cart. The vehicle, trailer, or cart must also have the license plate, proof of insurance coverage, safety inspection, and vehicular registration.
10. **Multiple Locations.** The business may operate from several locations (both public and private) within the city under the same business license.
11. **Business Activity to be Temporary.** All business activity related to mobile food businesses shall be of a temporary nature, the duration of which shall not extend for more than twelve (12) hours within any twenty-four (24) hour period at any one location, unless the Director approves a longer time on either public or private property. All vehicles, trailers, or carts must be removed from the public right-of-way or private property at the close of each business day. The hours of operation shall be restricted to 7 am to 10 pm, unless approved by the Director if one or more of the following conditions are met:
 - a. The extended hours are part of an approved special event.
 - b. The location is a site that contains a business that has been approved for extended hours.
12. **Noise Ordinance.** Live music will not be performed nor loudspeakers played from a mobile food business or in a mobile food court area unless the decibel level is in conformance with the Salt Lake Valley Health Department noise ordinance.

13. **Drive-Thru Prohibited.** The business shall not have or operate as a drive-thru.
 14. **Appearance.** The mobile food vehicle, trailer, or cart shall be kept in a good operating condition and no peeling paint or rust shall be visible.
 15. **Auxiliary Power.** Any auxiliary power required for the operation of the mobile food business shall be self-contained. The use of power or water located in private property is not allowed, unless the property owner grants permission.
 16. **Illegal to Discharge in Storm Drain.** It is illegal to discharge or dispose of any substance, material, food, or waste into the storm drain system.
 17. **Garbage.** All garbage or other refuse generated from a mobile food business shall be disposed of properly. All grounds utilized by a mobile food business shall at all times be maintained in a clean and attractive condition. Trash containers shall be provided for use of the business patrons. If a mobile food business has operated on or adjacent to a public right-of-way, that vendor shall be responsible for cleaning up litter dropped or discarded onto the public right-of-way prior to leaving the location.
 18. **Signage.** Signage shall be allowed as part of the design of the vehicle, trailer, or cart itself or upon the canopy or umbrella. One menu board A-frame sign may be used with a maximum size of 3' x 4'. Signs shall not block or impede pedestrian traffic.
 19. **Professional and Personal Services Prohibited.** Professional or personal services shall not be provided from a mobile food business or street vendor.
 20. **Compliance Responsibility.** All vendors are subject to Sandy City Sales Tax for goods sold within the boundaries of Sandy City. Vendors shall be required to keep accurate records of daily sales that occur within the Sandy City limits. Sandy City reserves the right to audit sales records. Failure to keep accurate records may result in revocation of the Sandy City business license.
- C. Additional Design and Operation Standards for Mobile Food Businesses.** Mobile food businesses shall comply with the following design and operation requirements:
1. **Canopy Regulations.** Any canopy extensions must be integrated into the design of the mobile food business vehicle and must not project onto or over the public sidewalk or any other part of the public right-of-way in a way that impedes pedestrian passage or is lower than seven (7) feet measured from the lowest portion of the canopy to the sidewalk or ground surface. Walled enclosures, whether hard or soft, are not authorized. Chairs and tables are not allowed in the public right-of-way.
 2. **Comply with Motor Vehicle Regulations.** Licensees/owners will ensure their business vehicles are at all times in compliance with all applicable laws or ordinances regulating motor vehicles.
- D. Additional Design Standards for Street Vendors.** Street vendor carts shall comply with the following design standards:
1. **Canopy Clearance.** Umbrellas or canopies shall be a minimum of seven (7) feet and a maximum of ten (10) feet above the sidewalk if they extend beyond the edge of the cart.

2. **Canopy Size.** Umbrellas or canopies shall not exceed one hundred (100) square feet in area.
3. **Cart Size.** The cart shall not exceed three and one-half (3.5) feet in width and eight (8) feet in length, including the hitch. The height of the mobile device or push cart, excluding canopies, umbrellas, or transparent enclosures, shall not exceed five (5) feet.
4. **Non-motorized Carts.** The cart shall be on wheels and of sufficiently lightweight construction that it can be moved from place to place by one adult person without auxiliary power. The device or cart shall not be motorized so as to move on its own power.

E. Additional Design and Operation Standards for Mobile Food Courts. A mobile food court, which consists of three (3) or more mobile food businesses or street vendors that congregate at a site or street at the same time on a temporary or permanent basis. Temporary mobile food courts are located on sites that are typically set up in an existing parking lot as an accessory use or street and operate on a weekly, seasonal, or other temporary basis. A permanent mobile food court is a site constructed as a primary use on private property specifically designed for hosting various vendors and intended to operate year-round on a consistent basis. Permanent mobile food courts will be allowed in certain zone districts as determined in the Land Use Tables of the Sandy City Land Use Development Code. A mobile food court shall only be approved if it complies with the following design and operation requirements:

1. **Administrative Permit.** Temporary mobile food courts are allowed by administrative special use permit, in accordance with the provisions of this section and other applicable provisions in the Sandy City Land Use Development Code. Permanent mobile food courts will be required to adhere to the provisions of this section and all applicable commercial site plan review requirements in the Sandy City Land Use Development Code.
2. **Parcel Size.** A mobile food court is required to be on a parcel that is at least 2,000 square feet in size.
3. **Number of Food Vendors.** No more than ten (10) individual mobile food businesses or other authorized vendors are allowed in a mobile food court.
4. **Business License.** A promoter, mobile food court operator, or property owner must obtain a mobile food court license. Any participating vendor operating at a mobile food court location must have a participation license or their own business license. If individual vendors seek to operate in other locations in the city, they must obtain their own business license.
5. **Landscape Requirements.** All landscaping requirements shall be met prior to issuing a permit.
6. **Comply with Site Approvals.** The proposed mobile food court complies with all conditions pertaining to any existing variances, conditional uses or other approvals granted for the property.
7. **Health Department Approval.** All activities associated with a mobile food court must comply with all Salt Lake Valley Health Department Requirements.
8. **Site Plan.** A site plan demonstrating the following is required:
 - a. The location and orientation of each vendor pad.

- b. The location of any paving, trash enclosures, landscaping, planters, fencing, canopies, umbrellas or other table covers, barriers or any other site requirement by the International Building Code, or Health Department.
 - c. The location of all existing and proposed activities on site.
 - d. The circulation of all pedestrian and vehicle traffic on the site.
 - e. The location of restroom facilities to be used for the mobile food court.
 - f. The location of any permanent structures or facilities (such as restrooms, ancillary food preparation facility, etc.)
9. **Parking.** Parking for a mobile food court is required at a ratio of two (2) stalls per mobile food business. This requirement may be modified or waived by the Director if there is sufficient and available on-street parking or the applicant can demonstrate that their use will not generate as much parking demand. Hard surface paving at the vehicular entrance to the mobile food court and for each individual mobile food business pad is required. Alternatives to asphalt and concrete may be approved as part of the special use review if the applicant is able to demonstrate that the alternative will not result in the accumulation of mud or debris on the City right-of-way.
- F. Special Events.** The restrictions of this Chapter notwithstanding, nothing herein shall prohibit the City from authorizing mobile food businesses other than those licensed under this section, to conduct concurrent vending operations within the public right-of-way, or such other areas as the City may deem appropriate, during special events. The special event vendors shall still be governed by this section, except as specifically provided otherwise by the special event permit or such other ordinance, policy, or executive order as may be applicable. However, as long as the public right-of-way remains open to the general public, such authorization or special event vendors shall not require removal of a permittee under this section from operating within an otherwise lawfully occupied location of a mutually acceptable adjacent alternative location during such special event, unless otherwise provided under City ordinances. If the City is closing a public right-of-way to general access, either partially or fully, in order to accommodate a special event, a mobile food business may not access that right-of-way unless specifically authorized by the City.
- G. Grounds for Denial, Suspension or Revocation.** Failure to comply with the requirements of this section shall be grounds for denial, suspension or revocation of a business license as described in Title 5 Sandy City Revised Ordinances. Failure to comply may result in the suspension or revocation of a business license, and is a class B misdemeanor.

Exhibit “B”

15A-11-19 Mobile Food & Street Vendor Businesses

A. Purpose. This section is established to provide regulation and design standards for mobile food businesses, mobile food courts, and street vendors in commercial or industrial land use areas, except as otherwise allowed herein. These regulations are designed to expand the opportunity of various types of temporary mobile vendors in the city, while guiding them to appropriate locations, and ensuring they are conducted safely and in harmony with the surrounding land uses.

A.B. General Requirements. The following requirements must be met for all mobile food businesses, street vendors, and mobile food courts. Provisions found in this section shall not apply to other uses identified as “temporary use” that are specifically regulated by this Title.

1. **License Required.** No person shall operate a mobile food or street vendor, business, without first having obtained a business ~~license~~license from Sandy City in accordance with Title 5 Sandy City Revised Ordinances. Licenses will expire on the earliest date of expiration of the required health or safety inspections, or one (1) year from the date of issuance.
2. **Prohibited Sales.** No alcohol shall be provided/sold from a mobile food business.
3. **Use of Public ~~and~~ Private Property: (Excluding Public Right of Way).** Mobile food businesses ~~are and~~ street vendors shall be allowed to operate ~~in the public right of way only along Centennial Parkway on property within all commercial or industrial land use areas,~~ in accordance with the provisions ~~in of~~ this section. ~~Mobile food businesses shall be allowed to vend on private property, also in accordance with the provisions of this section, within all commercial/industrial zones in Sandy, with prior~~ Each business shall abide by the following:
 - 3.a. Property Owner Approval. Prior written consent from the ~~private~~ property owner is required for every location a business desires to operate. Said letter must include information about where the vendor is permitted on the site that complies with the location requirements herein. Upon inspection, the business must provide proof of permission to operate in any given location.
- ~~4. Open Space Zones.~~ It shall be unlawful for any mobile food business to operate adjacent to a public park in or next to an OS Zone without the prior consent of the Director of Parks and Recreation or his/her designee. This requirement does not supersede or replace the requirement that the applicant obtain a Sandy City business license.
- ~~5. Pedestrian Flow.~~ Location must not hinder the free flow of pedestrian and other traffic in the area. Permittee must maintain clear, continuous sidewalk width of no less than four (4) feet.
- ~~6.1 Location Restrictions.~~ Must not be located within:
 - ~~a. Ten (10) feet of any fire hydrant;~~
 - ~~b.a. Ten (10) feet of any bus or transit stop;~~
 - ~~c.a. Ten (10) feet or one stall away from any handicap parking space or access ramp;~~
 - ~~d. Ten (10) feet of any business entrance or display window;~~
 - ~~e.a. Ten (10) feet from any curb cut;~~
 - ~~f. Ten (10) feet from any other vending cart or like business.~~

- ~~g.a. Ten (10) feet from any manhole or storm drain inlet;~~
- ~~h. Sixty (60) feet from any intersection or driveway;~~
- ~~i. One hundred (100) feet from any restaurant entrance; and~~
- ~~j. One thousand (1000) feet from any private/public school k-12 between the hours of 7:00 am to 4:00 pm, Monday through Friday, unless permission is given from an authorized representative from the school to locate on school property. This requirement does not supersede or replace the requirement that the applicant obtain a Sandy City business license.~~

b. Parking and Circulation. Acceptable space shall be available for any off-street parking and traffic circulation generated by the uses. The location and use of a site may not interfere with the existing parking demand and circulation of the surrounding development.

~~7.1. **Restrooms.** Access to restroom facilities shall be made available.~~

~~8. **Display of License and Inspection.** Display business license and fire inspection in a visible location on the mobile food business or pushcart.~~

~~9.c. **Vacant Lots.** Prior to operating a mobile food business on a vacant lot (where there is no current licensed business with a permanent structure on-site) the improvements outlined within this Title for Temporary Uses (See 15A-11-14(C)) are required for each site prior to operating business.~~

~~10.1. **Noise Ordinance.** Live music will not be performed nor loudspeakers played from a mobile food business or in a mobile food court area unless the decibel level is in conformance with the Salt Lake Valley Health Department noise ordinance.~~

B. Application

~~1. **File for Business License.** An application for a business license~~**Use of Public Right-of-Way.** Mobile food businesses and street vendors may be allowed to conduct a mobile food business shall be filed operate in the public right-of-way only in appropriate locations as determined by the City in writingaccordance with the Sandy City business license office as set forthprovisions in Title 5, ten (10) working days prior to commencement of operation.

~~2. **Additional License Information.** In addition to the information required by this section (such Title, the license application shall include:~~

~~a. The name and location of the applicant's principal place of business, or residence if no permanent place of business exists.~~

~~b. The number of mobile food vehicles to be used in the business, a description of each vehicle, its license plate number, vehicle identification number (VIN) and proof of insurance coverage, and safety inspection.~~

~~c. The address of the commissary.~~

~~d. If any of the forgoing information changes, the applicant or licensee, as the case may be, shall deliver current information to Sandy City business license office within ten (10) business days following the change.~~

- ~~e. Letter of permission from the property owner to include information on the permitted location for the food truck.~~
- ~~3. **Other Approvals.** A valid copy of all licenses or permits required by the State of Utah or the Salt Lake Valley Health Department, including, but not limited to, proof of business name and business owner(s) name as registered with the Department of Commerce and proof of a valid sales tax certificate from the State of Utah that includes Sandy City as the incorporated city where business is to be conducted.~~
- ~~4.a. **Certificate of Insurance.** When locating on public property, each applicant for a license or renewal under this Chapter shall submit, with the application, a certificate of insurance executed by an insurance company or association authorized to transact business in this state, showing that there is in full force and effect, for the full term of the license, general liability insurance in the amount not less than two hundred thousand dollars (\$200,000) for personal injury to each person, five hundred thousand dollars (\$500,000) for each occurrence, and five hundred thousand (\$500,000) for each occurrence involving property damage; or a single limit policy of not less than five hundred thousand dollars (\$500,000) covering all claims per occurrence. Such policy or policies shall also include coverage of all motor vehicles used in connection with applicant's business and the coverage shall be primary. A current certificate of insurance shall be kept on file with the Business License Administrator at all times that applicant is licensed by the City verifying such continuing coverage and naming Sandy City, its officers, officials, and employees as additional insureds. The certificate shall contain a statement that the City will be given written notification at least thirty (30) days prior to cancellation or material change in the coverage. Cancellation shall constitute grounds for suspensions or revocation of the license issued hereunder unless another insurance policy complying herewith is provided and is in effect at the time of cancellation/termination. In the case of a mobile food court, a certificate of insurance would be required for each vehicle.~~
- ~~5.a. **Indemnity Clause.** A signed statement that the licensee shall hold the City and its officers and employees harmless from any and all liability and shall indemnify the City and its officers and employees from any claims for damage to property or injury to persons arising from any activity carried on under the terms of the license.~~
- ~~6. **Fire Inspection.** Centennial Parkway). Each applicant for a license or renewal under this Chapter shall submit with the application, a valid fire inspection.~~

~~C. Separate Locations~~

~~Once original business license application is approved, the business owner, or promotor, shall update application information for additional locations on forms supplied by the licensing office.~~

~~D. License Fees~~

- ~~1. Fees shall be required as shown on the Fee Schedule adopted by the Sandy City Council business seeking to operate.~~

~~E. Business Activity to be Temporary~~

~~All business activity related to mobile food businesses shall be of a temporary nature, the duration of which shall not extend for more than twelve (12) hours within a twenty four (24) hour period at any~~

~~one location, unless the Director approves a longer time, nor for more than 150 days in the calendar year (January through December) on either public or private property. All vehicles must be removed from the public right-of-way at the close of each business day. The hours of operation shall be restricted to 7 am to 10 pm.~~

~~F. Use of Public Right-of-Way~~

~~4. Each mobile food business offering food within the public right-of-way shall abide by the following conditions and requirements. Failure to comply may result in the suspension or revocation of a business license, and is a class B misdemeanor:~~

~~a. **City Approval.** Written permission from the City to operate a business in the right-of-way is required. Said permission may be granted if an applicant can demonstrate compliance with the regulations in this section.~~

~~1.b. **Parking and Traffic Regulations.** Mobile food businesses shall obey all on-street parking and traffic regulations as stated in State statute ~~of~~and/or City ordinances.~~

~~2.c. **Prohibited Parking Areas.** Parking on a sidewalk ~~(except for a street vendor)~~, park strip, or otherwise landscaped area is not allowed. Street Vendors are exempt from this prohibition if they are set up on a paved surface, do no harm to landscaped areas, and comply with all other provisions of this section.~~

~~3.d. **Parallel Parking Spaces.** Mobile food businesses utilizing parking space within the public right-of-way shall park only in parallel parking spaces. Mobile food businesses must be parked so that neither the vehicle nor the customers interfere with public access to adjacent parking stalls or to driveways or entrances of existing buildings or uses.~~

~~4.e. **LocationOrientation of Vending Window.** The operator shall locate the vending window facing the sidewalk or on private property unless the roadway has been closed to vehicular traffic for a public event.~~

~~5.f. **Parking for Primary Use.** No mobile food business shall create a parking issue for the surrounding primary ~~uses~~.~~

~~6. **Cannot Interfere with Pedestrian Passage.** The mobile food business shall ensure that its use of the right-of-way, including the sidewalk, in no way interferes with or limits sidewalk users' free and unobstructed passage.~~

~~7.g. **No Sales in Roadway.** No sales shall be made to any person standing in a roadway unless the roadway has been closed to vehicular traffic for a public event.~~

~~8.h. **Right-of-Way Locations.** Mobile food businesses shall not operate on public streets where the speed limit exceeds thirty-five (35) miles per hour, unless the roadway has been closed to vehicular traffic for a public event, nor locations that are otherwise deemed hazardous by the Sandy City Transportation Engineer.~~

~~i. **Certificate of Insurance.** When locating on public property, each applicant for a license or renewal under this Chapter shall submit, with the application, a certificate of insurance~~

executed by an insurance company or association authorized to transact business in this state, showing that there is in full force and effect, for the full term of the license, general liability insurance in the amount not less than two hundred thousand dollars (\$200,000) for personal injury to each person, five hundred thousand dollars (\$500,000) for each occurrence, and five hundred thousand (\$500,000) for each occurrence involving property damage; or a single limit policy of not less than five hundred thousand dollars (\$500,000) covering all claims per occurrence. Such policy or policies shall also include coverage of all motor vehicles used in connection with applicant's business and the coverage shall be primary. A. current certificate of insurance shall be kept on file with the Business License Administrator at all times that applicant is licensed by the City verifying such continuing coverage and naming Sandy City, its officers, officials, and employees as additional insureds. The certificate shall contain a statement that the City will be given written notification at least thirty (30) days prior to cancellation or material change in the coverage. Cancellation shall constitute grounds for suspensions or revocation of the license issued hereunder unless another insurance policy complying herewith is provided and is in effect at the time of cancellation/termination. In the case of a mobile food court, a certificate of insurance would be required for each vehicle.

j. **Indemnity Clause.** A signed statement that the licensee shall hold the City and its officers and employees harmless from any and all liability and shall indemnify the City and its officers and employees from any claims for damage to property or injury to persons arising from any activity carried on under the terms of the license.

5. **Open Space Zones.** It shall be unlawful for any mobile food business to operate adjacent to or in a public park, or in an OS Zone, without the prior written consent of the Community Development Director. Authorization does not supersede or replace the requirement that the business obtain a Sandy City business license.

6. **Pedestrian Flow.** The business shall ensure that its use of the right-of-way, including the sidewalk, in no way interferes with or limits sidewalk users' free and unobstructed passage. Vendor must maintain clear, continuous sidewalk width of no less than four (4) feet.

7. **Location Restrictions.** Must not be located within:

- a. Ten (10) feet of any fire hydrant;
- b. Ten (10) feet of any bus or transit stop;
- c. Ten (10) feet or one stall away from any handicap parking space or access ramp;
- d. Ten (10) feet from any curb cut;
- e. Ten (10) feet from any other mobile food business or street vendor;
- f. Ten (10) feet from any manhole or storm drain inlet;
- g. Sixty (60) feet from any intersection or driveway; and
- h. One thousand (1000) feet from any private/public school k-12 between the hours of 7:00 am to 4:00 pm, Monday through Friday, unless permission is given from an authorized representative from the school to locate on school property. School authorization does not supersede or replace the requirement that the business obtain a Sandy City business license.

8. **Restrooms.** Access to restroom facilities shall be made available.

9. **Display of License, Inspections, and Registration.** The business license, fire inspection certificate, and health department inspection must be displayed in a visible location on the vehicle, trailer, or cart. The vehicle, trailer, or cart must also have the license plate, proof of insurance

coverage, safety inspection, and vehicular registration.

10. **Multiple Locations.** The business may operate from several locations (both public and private) within the city under the same business license.

11. **Business Activity to be Temporary.** All business activity related to mobile food businesses shall be of a temporary nature, the duration of which shall not extend for more than twelve (12) hours within any twenty-four (24) hour period at any one location, unless the Director approves a longer time on either public or private property. All vehicles, trailers, or carts must be removed from the public right-of-way or private property at the close of each business day. The hours of operation shall be restricted to 7 am to 10 pm, unless approved by the Director if one or more of the following conditions are met:

a. The extended hours are part of an approved special event.

b. The location is a site that contains a business that has been approved for extended hours.

12. **Noise Ordinance.** Live music will not be performed nor loudspeakers played from a mobile food business or in a mobile food court area unless the decibel level is in conformance with the Salt Lake Valley Health Department noise ordinance.

G. Design and Operation Guidelines

~~Mobile food businesses shall comply with the following design and operation requirements:~~

~~1. **Compliance with the Health Department.** Mobile food businesses shall be designed and operated in a manner so as to meet all applicable Salt Lake Valley Health Department requirements relating to the handling/storage and distribution of food.~~

~~2-13. **Drive-Through Thru Prohibited.** The mobile food business shall not have or operate as a drive-through.~~

~~3-14. **Food Truck Appearance.** Mobile The mobile food businesses vehicle, trailer, or cart shall be kept in a good operating condition and no peeling paint or rust shall be visible on business vehicles.~~

15. **Auxiliary Power.** Any auxiliary power required for the operation of the mobile food business shall be self-contained. The use of power or water located in private property is not allowed, unless the property owner grants permission.

16. **Illegal to Discharge in Storm Drain.** It is illegal to discharge or dispose of any substance, material, food, or waste into the storm drain system.

~~4. **Location from a Restaurant.** No mobile food business shall operate within a one hundred foot (100') radius of any public entrance to a restaurant or City authorized special event selling food, unless the mobile food vendor obtains the written consent of the proprietor of such restaurant or shop. Such consent shall not exempt the applicant from compliance with the other location and distance restrictions of this Chapter.~~

~~5-17. **Garbage Properly Disposed Of.** All garbage or other refuse generated from a mobile~~

food business shall be disposed of properly. All grounds utilized by a mobile food business shall at all times be maintained in a clean and attractive condition. Trash containers shall be provided for use of the business patrons. If a mobile food business has operated on or adjacent to a public right-of-way, that vendor shall be responsible for cleaning up litter dropped or discarded onto the public right-of-way prior to leaving the location.

18. **Signage.** Signage shall be allowed as part of the design of the vehicle, trailer, or cart itself or upon the canopy or umbrella. One menu board A-frame sign may be used with a maximum size of 3' x 4'. Signs shall not block or impede pedestrian traffic.

19. **Professional and Personal Services Prohibited.** Professional or personal services shall not be provided from a mobile food business or street vendor.

20. **Compliance Responsibility.** All vendors are subject to Sandy City Sales Tax for goods sold within the boundaries of Sandy City. Vendors shall be required to keep accurate records of daily sales that occur within the Sandy City limits. Sandy City reserves the right to audit sales records. Failure to keep accurate records may result in revocation of the Sandy City business license.

C. Additional Design and Operation Standards for Mobile Food Businesses. Mobile food businesses shall comply with the following design and operation requirements:

6.1. **Canopy Regulations.** Any canopy extensions must be integrated into the design of the mobile food business vehicle and must not project onto or over the public sidewalk or any other part of the public right-of-way in a way that impedes pedestrian passage or is lower than seven (7) feet measured from the lowest portion of the canopy to the sidewalk or ground surface. Walled enclosures, whether hard or soft, are not authorized. Chairs and tables are not allowed in the public right-of-way.

~~7. **Auxiliary Power.** Any auxiliary power required for the operation of the mobile food business shall be self-contained. The use of power or water located in private property is not allowed, unless the property owner grants permission.~~

~~8.1. **Illegal to Discharge in Storm Drain.** It is illegal to discharge or dispose of any substance, material, food, or waste into the storm drain system.~~

9.2. **Comply with Motor Vehicle Regulations.** Licensees/owners will ensure their business vehicles are at all times in compliance with all applicable laws or ordinances regulating motor vehicles.

~~**H. Street Vendor Cart**~~ **Additional Design Standards**

D. for Street Vendors. Street vendor carts shall comply with the following design standards:

1. **Canopy Clearance.** Umbrellas or canopies shall be a minimum of seven (7) feet and a maximum of ten (10) feet above the sidewalk if they extend beyond the edge of the cart.
2. **Canopy Size.** Umbrellas or canopies shall not exceed one hundred (100) square feet in area.
3. **Cart Size.** ~~The mobile device or push~~ cart shall not exceed three and one-half (3.5) feet in width and eight (8) feet in length, including the hitch. The height of the mobile device or push cart, excluding canopies, umbrellas, or transparent enclosures, shall not exceed five (5) feet.

4. **Non-motorized Carts.** ~~The mobile device or push~~ cart shall be on wheels and of sufficiently lightweight construction that it can be moved from place to place by one adult person without auxiliary power. ~~The device or cart shall not be motorized so as to move on its own power.~~

~~5.1. **Signage.** Signage shall be allowed as part of the design of the cart itself or upon the canopy or umbrella. One menu board A-frame sign may be used with a maximum size of 3' x 4'. Signs shall not block or impede pedestrian traffic.~~

~~I. Professional and Personal Services Prohibited~~

~~1. Professional or personal services shall not be provided from a mobile food business.~~

~~J. Compliance Responsibility~~

~~1. All vendors are subject to Sandy City Sales Tax for goods sold within the boundaries of Sandy City. Vendors shall be required to keep accurate records of daily sales that occur within the Sandy City limits. Sandy City reserves the right to audit sales records. Failure to keep accurate records may result in revocation of the Sandy City business license.~~

~~K. Special Events~~

~~A. The restrictions of this Chapter notwithstanding, nothing herein shall prohibit the City from authorizing mobile food businesses other than those licensed under this section, to conduct concurrent vending operations within the public right of way, or such other areas as the City may deem appropriate, during special events. The special event vendors shall still be governed by this section, except as specifically provided otherwise by the special event permit or such other ordinance, policy, or executive order as may be applicable. However, as long as the public right of way remains open to the general public, such authorization or special event vendors shall not require removal of a permittee under this section from operating within an otherwise lawfully occupied location of a mutually acceptable adjacent alternative location during such special event, unless otherwise provided under City ordinances. If the City is closing a public right of way to general access, either partially or fully, in order to accommodate a special event, a mobile food business may not access that right of way unless specifically authorized by the City.~~

~~L. Grounds for Denial, Suspension or Revocation~~

~~Failure to comply with the requirements of this section shall be grounds for denial, suspension or revocation of a business license as described in Title 5 Sandy City Revised Ordinances.~~

~~M. Mobile Food Courts~~

~~1. **Approval First.** Operating a mobile food court is unlawful without first obtaining approval subject to the qualifying provisions written below as well as those found within this Chapter for mobile food businesses.~~

E. Additional Design and Operation Standards for Mobile Food Courts. A mobile food court, which consists of three (3) or more mobile food businesses or street vendors that congregate at a site or street at the same time on a temporary or permanent basis. Temporary mobile food courts are located on sites that are typically set up in an existing parking lot as an accessory use or street and operate on a

weekly, seasonal, or other temporary basis. A permanent mobile food court is a site constructed as a primary use on private property specifically designed for hosting various vendors and intended to operate year-round on a consistent basis. Permanent mobile food courts will be allowed in certain zone districts as determined in the Land Use Tables of the Sandy City Land Use Development Code. A mobile food court shall only be approved if it complies with the following design and operation requirements:

2.—Administrative Permit. ~~Mobile Temporary mobile~~ food courts are allowed by administrative special use ~~permits only along Centennial Parkway permit~~, in accordance with the provisions of this ~~Chapter. Mobile food courts on private property shall comply with all provisions outlined herein.~~

3.1. Restricted Approvals. ~~Provisions found section and other applicable provisions in this section shall apply to the Sandy City Land Use Development Code. Permanent mobile food businesses and street vendor carts~~ courts will be required to adhere to the provisions of this section and all applicable commercial site plan review requirements in the Sandy City Land Use Development Code.

~~N. Qualifying Provisions~~

1.2. Parcel Size. A mobile food court is required to be on a parcel that is at least 2,000 square feet in size.

2.3. Number of Food Vendors. No ~~less than two and no more than~~ ten (10) individual mobile food businesses or other authorized vendors are allowed in a mobile food court.

3.4. Business License Fee. ~~No.~~ A promoter, mobile food court operator, or property owner must obtain a mobile food court license. Any participating ~~mobile food vendor operating at a mobile food court location must have a participation license or their own business or license. If individual vendors seek to operate in other authorized vendor shall continue in operation at the mobile food court unless the holder thereof has paid a locations in the city, they must obtain their own~~ business license ~~fee as set forth in the Fee Schedule.~~

4.5. Landscape Requirements. All landscaping requirements shall be met prior to issuing a permit.

5. Pedestrian Flow. ~~The proposed mobile food court will not impede pedestrian or vehicular traffic on the public right of way.~~

6. Comply with Site Approvals. The proposed mobile food court complies with all conditions pertaining to any existing variances, conditional uses or other approvals granted for the property.

7. Health Department Approval. All activities associated with a mobile food court must comply with all Salt Lake Valley Health Department Requirements.

8. Site Plan. ~~A detailed~~ site plan demonstrating the following is required:

- a. The location and orientation of each vendor pad.
- b. The location of any paving, trash enclosures, landscaping, planters, fencing, canopies, umbrellas or other table covers, barriers or any other site requirement by the International

Building Code, or Health Department.

- c. The location of all existing and proposed activities on site.
- d. The circulation of all pedestrian and vehicle traffic on the site.

e. The location of restroom facilities to be used for the mobile food court.

f. The location of any permanent structures or facilities (such as restrooms, ancillary food preparation facility, etc.)

9. **Parking.** Parking for a mobile food court is required at a ratio of two (2) stalls per mobile food business. This requirement may be modified or waived by the Director ~~as part of the approval if there is sufficient and available on-street parking or the applicant can demonstrate that their use will not generate as much parking demand.~~ Hard surface paving at the vehicular entrance to the mobile food court and for each individual mobile food business ~~pad~~ is required. Alternatives to asphalt and ~~ement~~concrete may be approved as part of the special use review if the applicant is able to demonstrate that the alternative will not result in the accumulation of mud or debris on the City right-of-way.

F. Special Events. The restrictions of this Chapter notwithstanding, nothing herein shall prohibit the City from authorizing mobile food businesses other than those licensed under this section, to conduct concurrent vending operations within the public right-of-way, or such other areas as the City may deem appropriate, during special events. The special event vendors shall still be governed by this section, except as specifically provided otherwise by the special event permit or such other ordinance, policy, or executive order as may be applicable. However, as long as the public right-of-way remains open to the general public, such authorization or special event vendors shall not require removal of a permittee under this section from operating within an otherwise lawfully occupied location of a mutually acceptable adjacent alternative location during such special event, unless otherwise provided under City ordinances. If the City is closing a public right-of-way to general access, either partially or fully, in order to accommodate a special event, a mobile food business may not access that right-of-way unless specifically authorized by the City.

G. Grounds for Denial, Suspension or Revocation. Failure to comply with the requirements of this section shall be grounds for denial, suspension or revocation of a business license as described in Title 5 Sandy City Revised Ordinances.~~Submittal by Promotor. Mobile food court applications may be submitted by a promotor for the participating vehicles.~~ Failure to comply may result in the suspension or revocation of a business license, and is a class B misdemeanor.

40.

Exhibit “C”

15A-11-19 Mobile Food Businesses

- A. **General Requirements.** Provisions found in this section shall not apply to other uses identified as “temporary use” that are specifically regulated by this Title.
1. **License Required.** No person shall operate a mobile food business, without first having obtained a business licenses from Sandy City in accordance with Title 5.
 2. **Prohibited Sales.** No alcohol shall be provided/sold from a mobile food business.
 3. **Public and Private Property.** Mobile food businesses are allowed to operate in the public right-of-way only along Centennial Parkway in accordance with the provisions in this section. Mobile food businesses shall be allowed to vend on private property, also in accordance with the provisions of this section, within all commercial/industrial zones in Sandy, with prior consent from the private property owner
 4. **Open Space Zones.** It shall be unlawful for any mobile food business to operate adjacent to a public park in or next to an OS Zone without the prior consent of the Director of Parks and Recreation or his/her designee. This requirement does not supersede or replace the requirement that the applicant obtain a Sandy City business license.
 5. **Pedestrian Flow.** Location must not hinder the free flow of pedestrian and other traffic in the area. Permittee must maintain clear, continuous sidewalk width of no less than four (4) feet.
 6. **Location Restrictions.** Must not be located within:
 - a. Ten (10) feet of any fire hydrant;
 - b. Ten (10) feet of any bus or transit stop;
 - c. Ten (10) feet or one stall away from any handicap parking space or access ramp;
 - d. Ten (10) feet of any business entrance or display window;
 - e. Ten (10) feet from any curb cut;
 - f. Ten (10) feet from any other vending cart or like business.
 - g. Ten (10) feet from any manhole or storm drain inlet;
 - h. Sixty (60) feet from any intersection or driveway;
 - i. One hundred (100) feet from any restaurant entrance; and
 - j. One thousand (1000) feet from any private/public school k-12 between the hours of 7:00 am to 4:00 pm, Monday through Friday, unless permission is given from an authorized representative from the school to locate on school property. This requirement does not supersede or replace the requirement that the applicant obtain a Sandy City business license.
 7. **Restrooms.** Access to restroom facilities shall be made available.
 8. **Display of License and Inspection.** Display business license and fire inspection in a visible location on the mobile food business or pushcart.
 9. **Vacant Lots.** Prior to operating a mobile food business on a vacant lot (where there is no current licensed business with a permanent structure on-site) the improvements outlined within this Title for Temporary Uses (See 15A-11-14(C)) are required for each site prior to operating business.

10. **Noise Ordinance.** Live music will not be performed nor loudspeakers played from a mobile food business or in a mobile food court area unless the decibel level is in conformance with the Salt Lake Valley Health Department noise ordinance.

B. Application

1. **File for Business License.** An application for a business license to conduct a mobile food business shall be filed in writing with the Sandy City business license office as set forth in Title 5, ten (10) working days prior to commencement of operation.
2. **Additional License Information.** In addition to the information required by such Title, the license application shall include:
 - a. The name and location of the applicant's principal place of business, or residence if no permanent place of business exists.
 - b. The number of mobile food vehicles to be used in the business, a description of each vehicle, its license plate number, vehicle identification number (VIN) and proof of insurance coverage, and safety inspection.
 - c. The address of the commissary.
 - d. If any of the forgoing information changes, the applicant or licensee, as the case may be, shall deliver current information to Sandy City business license office within ten (10) business days following the change.
 - e. Letter of permission from the property owner to include information on the permitted location for the food truck.
3. **Other Approvals.** A valid copy of all licenses or permits required by the State of Utah or the Salt Lake Valley Health Department, including, but not limited to, proof of business name and business owner(s) name as registered with the Department of Commerce and proof of a valid sales tax certificate from the State of Utah that includes Sandy City as the incorporated city where business is to be conducted.
4. **Certificate of Insurance.** When locating on public property, each applicant for a license or renewal under this Chapter shall submit, with the application, a certificate of insurance executed by an insurance company or association authorized to transact business in this state, showing that there is in full force and effect, for the full term of the license, general liability insurance in the amount not less than two hundred thousand dollars (\$200,000) for personal injury to each person, five hundred thousand dollars (\$500,000) for each occurrence, and five hundred thousand (\$500,000) for each occurrence involving property damage; or a single limit policy of not less than five hundred thousand dollars (\$500,000) covering all claims per occurrence. Such policy or policies shall also include coverage of all motor vehicles used in connection with applicant's business and the coverage shall be primary. A. current certificate of insurance shall be kept on file with the Business License Administrator at all times that applicant is licensed by the City verifying such continuing coverage and naming Sandy City, its officers, officials, and employees as additional insureds. The certificate shall contain a statement that the City will be given written notification at least thirty (30) days

prior to cancellation or material change in the coverage. Cancellation shall constitute grounds for suspensions or revocation of the license issued hereunder unless another insurance policy complying herewith is provided and is in effect at the time of cancellation/termination. In the case of a mobile food court, a certificate of insurance would be required for each vehicle.

5. **Indemnity Clause.** A signed statement that the licensee shall hold the City and its officers and employees harmless from any and all liability and shall indemnify the City and its officers and employees from any claims for damage to property or injury to persons arising from any activity carried on under the terms of the license.
6. **Fire Inspection.** Each applicant for a license or renewal under this Chapter shall submit with the application, a valid fire inspection.

C. Separate Locations

Once original business license application is approved, the business owner, or promotor, shall update application information for additional locations on forms supplied by the licensing office.

D. License Fees

Fees shall be required as shown on the Fee Schedule adopted by the Sandy City Council.

E. Business Activity to be Temporary

All business activity related to mobile food businesses shall be of a temporary nature, the duration of which shall not extend for more than twelve (12) hours within a twenty-four (24) hour period at any one location, unless the Director approves a longer time, nor for more than 150 days in the calendar year (January through December) on either public or private property. All vehicles must be removed from the public right-of-way at the close of each business day. The hours of operation shall be restricted to 7 am to 10 pm.

F. Use of Public Right-of-Way

Each mobile food business offering food within the public right-of-way shall abide by the following conditions and requirements. Failure to comply may result in the suspension or revocation of a business license, and is a class B misdemeanor:

1. **Parking and Traffic Regulations.** Mobile food businesses shall obey all parking and traffic regulations as stated in State statute of City ordinances.
2. **Prohibited Parking Areas.** Parking on a sidewalk (except for a street vendor) park strip, or otherwise landscaped area is not allowed.
3. **Parallel Parking Spaces.** Mobile food businesses utilizing parking space within the public right-of-way shall park only in parallel parking spaces. Mobile food businesses must be parked so that neither the vehicle nor the customers interfere with public access to adjacent parking stalls or to driveways or entrances of existing buildings or uses.
4. **Location of Vending Window.** The operator shall locate the vending window facing

the sidewalk or on private property unless the roadway has been closed to vehicular traffic for a public event.

5. **Parking for Primary Use.** No mobile food business shall create a parking issue for the primary use.
6. **Cannot Interfere with Pedestrian Passage.** The mobile food business shall ensure that its use of the right-of-way, including the sidewalk, in no way interferes with or limits sidewalk users' free and unobstructed passage.
7. **No Sales in Roadway.** No sales shall be made to any person standing in a roadway unless the roadway has been closed to vehicular traffic for a public event.
8. **Right-of-Way Locations.** Mobile food businesses shall not operate on public streets where the speed limit exceeds thirty-five (35) miles per hour, unless the roadway has been closed to vehicular traffic for a public event, nor locations that are otherwise deemed hazardous by the Sandy City Transportation Engineer.

G. Design and Operation Guidelines

Mobile food businesses shall comply with the following design and operation requirements:

1. **Compliance with the Health Department.** Mobile food businesses shall be designed and operated in a manner so as to meet all applicable Salt Lake Valley Health Department requirements relating to the handling/storage and distribution of food.
2. **Drive-Through.** The mobile food business shall not have or operate as a drive-through.
3. **Food Truck Appearance.** Mobile food businesses shall be kept in a good operating condition and no peeling paint or rust shall be visible on business vehicles.
4. **Location from a Restaurant.** No mobile food business shall operate within a one-hundred foot (100') radius of any public entrance to a restaurant or City authorized special event selling food, unless the mobile food vendor obtains the written consent of the proprietor of such restaurant or shop. Such consent shall not exempt the applicant from compliance with the other location and distance restrictions of this Chapter.
5. **Garbage Properly Disposed Of.** All garbage or other refuse generated from a mobile food business shall be disposed of properly. All grounds utilized by a mobile food business shall at all times be maintained in a clean and attractive condition. Trash containers shall be provided for use of the business patrons. If a mobile food business has operated on or adjacent to a public right-of-way, that vendor shall be responsible for cleaning up litter dropped or discarded onto the public right-of-way prior to leaving the location.
6. **Canopy Regulations.** Any canopy extensions must be integrated into the design of the mobile food business vehicle and must not project onto or over the public sidewalk or any other part of the public right-of-way in a way that impedes pedestrian passage or is lower than seven (7) feet measured from the lowest portion of the canopy to the sidewalk or ground surface. Walled enclosures, whether hard or soft, are not authorized. Chairs and tables are not allowed in the

public right-of-way.

7. **Auxiliary Power.** Any auxiliary power required for the operation of the mobile food business shall be self-contained. The use of power or water located in private property is not allowed, unless the property owner grants permission.
8. **Illegal to Discharge in Storm Drain.** It is illegal to discharge or dispose of any substance, material, food, or waste into the storm drain system.
9. **Comply with Motor Vehicle Regulations.** Licensees/owners will ensure their business vehicles are at all times in compliance with all applicable laws or ordinances regulating motor vehicles.

H. Street Vendor Cart Design Standards

Street vendor carts shall comply with the following design standards:

1. **Canopy Clearance.** Umbrellas or canopies shall be a minimum of seven (7) feet and a maximum of ten (10) feet above the sidewalk if they extend beyond the edge of the cart.
2. **Canopy Size.** Umbrellas or canopies shall not exceed one hundred (100) square feet in area.
3. **Cart Size.** The mobile device or push cart shall not exceed three and one-half (3.5) feet in width and eight (8) feet in length, including the hitch. The height of the mobile device or push cart, excluding canopies, umbrellas, or transparent enclosures, shall not exceed five (5) feet.
4. **Non-motorized Carts.** The mobile device or push cart shall be on wheels and of sufficiently lightweight construction that it can be moved from place to place by one adult person without auxiliary power. The device or cart shall not be motorized so as to move on its own power.
5. **Signage.** Signage shall be allowed as part of the design of the cart itself or upon the canopy or umbrella. One menu board A-frame sign may be used with a maximum size of 3' x 4'. Signs shall not block or impede pedestrian traffic.

I. Professional and Personal Services Prohibited

Professional or personal services shall not be provided from a mobile food business.

J. Compliance Responsibility

All vendors are subject to Sandy City Sales Tax for goods sold within the boundaries of Sandy City. Vendors shall be required to keep accurate records of daily sales that occur within the Sandy City limits. Sandy City reserves the right to audit sales records. Failure to keep accurate records may result in revocation of the Sandy City business license.

K. Special Events

The restrictions of this Chapter notwithstanding, nothing herein shall prohibit the City from authorizing mobile food businesses other than those licensed under this section, to conduct concurrent vending operations within the public right-of-way, or such other areas as the City may deem appropriate, during special events. The special event vendors shall still be governed by this

section, except as specifically provided otherwise by the special event permit or such other ordinance, policy, or executive order as may be applicable. However, as long as the public right-of-way remains open to the general public, such authorization or special event vendors shall not require removal of a permittee under this section from operating within an otherwise lawfully occupied location of a mutually acceptable adjacent alternative location during such special event, unless otherwise provided under City ordinances. If the City is closing a public right-of-way to general access, either partially or fully, in order to accommodate a special event, a mobile food business may not access that right-of-way unless specifically authorized by the City.

L. Grounds for Denial, Suspension or Revocation

Failure to comply with the requirements of this section shall be grounds for denial, suspension or revocation of a business license as described in Title 5 Sandy City Revised Ordinances.

M. Mobile Food Courts

1. **Approval First.** Operating a mobile food court is unlawful without first obtaining approval subject to the qualifying provisions written below as well as those found within this Chapter for mobile food businesses.
2. **Administrative Permit.** Mobile food courts are allowed by administrative special use permits only along Centennial Parkway, in accordance with the provisions of this Chapter. Mobile food courts on private property shall comply with all provisions outlined herein.
3. **Restricted Approvals.** Provisions found in this section shall apply to mobile food businesses and street vendor carts.

N. Qualifying Provisions

1. **Parcel Size.** A mobile food court is required to be on a parcel that is at least 2,000 square feet in size.
2. **Number of Food Vendors.** No less than two and no more than 10 individual mobile food businesses or other authorized vendors are allowed in a mobile food court.
3. **Business License Fee.** No participating mobile food business or other authorized vendor shall continue in operation at the mobile food court unless the holder thereof has paid a business license fee as set forth in the Fee Schedule.
4. **Landscape Requirements.** All landscaping requirements shall be met prior to issuing a permit.
5. **Pedestrian Flow.** The proposed mobile food court will not impede pedestrian or vehicular traffic on the public right-of-way.
6. **Comply with Site Approvals.** The proposed mobile food court complies with all conditions pertaining to any existing variances, conditional uses or other approvals granted for the property.

7. **Health Department Approval.** All activities associated with a mobile food court must comply with all Salt Lake Valley Health Department Requirements.
8. **Site Plan.** A detailed site plan demonstrating the following is required:
 - a. The location and orientation of each vendor pad.
 - b. The location of any paving, trash enclosures, landscaping, planters, fencing, canopies, umbrellas or other table covers, barriers or any other site requirement by the International Building Code, or Health Department.
 - c. The location of all existing and proposed activities on site.
 - d. The circulation of all pedestrian and vehicle traffic on the site.
9. **Parking.** Parking for a mobile food court is required at a ratio of two (2) stalls per mobile food business. This requirement maybe waived by the Director as part of the approval. Hard surface paving at the vehicular entrance to the mobile food court and for each individual mobile food business is required. Alternatives to asphalt and cement may be approved as part of the special use review if the applicant is able to demonstrate that the alternative will not result in the accumulation of mud or debris on the City right-of-way.
10. **Submittal by Promotor.** Mobile food court applications may be submitted by a promotor for the participating vehicles.

Exhibit “A”

15A-11-19 Mobile Food & Street Vendor Businesses

- A. **Purpose.** This section is established to provide regulation and design standards for mobile food businesses, mobile food courts, and street vendors in commercial or industrial land use areas, except as otherwise allowed herein. These regulations are designed to expand the opportunity of various types of temporary mobile vendors in the city, while guiding them to appropriate locations, and ensuring they are conducted safely and in harmony with the surrounding land uses.
- B. **General Requirements.** The following requirements must be met for all mobile food businesses, street vendors, and mobile food courts. Provisions found in this section shall not apply to other uses identified as “temporary use” that are specifically regulated by this Title.
1. **License Required.** No person shall operate a mobile food or street vendor, business without first having obtained a business license from Sandy City in accordance with Title 5 Sandy City Revised Ordinances. Licenses will expire on the earliest date of expiration of the required health or safety inspections, or one (1) year from the date of issuance.
 2. **Prohibited Sales.** No alcohol shall be provided/sold from a mobile food business.
 3. **Use of Public or Private Property (Excluding Public Right of Way).** Mobile food businesses and street vendors shall be allowed to operate on property within all commercial or industrial land use areas, in accordance with the provisions of this section. Each business shall abide by the following:
 - a. **Property Owner Approval.** Prior written consent from the property owner is required for every location a business desires to operate. Said letter must include information about where the vendor is permitted on the site that complies with the location requirements herein. Upon inspection, the business must provide proof of permission to operate in any given location.
 - b. **Parking and Circulation.** Acceptable space shall be available for any off-street parking and traffic circulation generated by the uses. The location and use of a site may not interfere with the existing parking demand and circulation of the surrounding development.
 - c. **Vacant Lots.** Prior to operating a mobile food business on a vacant lot (where there is no current licensed business with a permanent structure on-site) the improvements outlined within this Title for Temporary Uses are required for each site prior to operating business.
 4. **Use of Public Right-of-Way.** Mobile food businesses and street vendors may be allowed to operate in the public right-of-way only in appropriate locations as determined by the City in accordance with the provisions in this section (such as Centennial Parkway). Each business seeking to operate within the public right-of-way shall abide by the following conditions and requirements.
 - a. **City Approval.** Written permission from the City to operate a business in the right-of-way is required. Said permission may be granted if an applicant can demonstrate compliance with the regulations in this section.

- b. **Parking and Traffic Regulations.** Mobile food businesses shall obey all on-street parking and traffic regulations as stated in State statute and/or City ordinances.
- c. **Prohibited Parking Areas.** Parking on a sidewalk, park strip, or otherwise landscaped area is not allowed. Street Vendors are exempt from this prohibition if they are set up on a paved surface, do no harm to landscaped areas, and comply with all other provisions of this section.
- d. **Parallel Parking Spaces.** Mobile food businesses utilizing parking space within the public right-of-way shall park only in parallel parking spaces. Mobile food businesses must be parked so that neither the vehicle nor the customers interfere with public access to adjacent parking stalls or to driveways or entrances of existing buildings or uses.
- e. **Orientation of Vending Window.** The operator shall locate the vending window facing the sidewalk or on private property unless the roadway has been closed to vehicular traffic for a public event.
- f. **Parking for Primary Use.** No mobile food business shall create a parking issue for the surrounding primary uses.
- g. **No Sales in Roadway.** No sales shall be made to any person standing in a roadway unless the roadway has been closed to vehicular traffic for a public event.
- h. **Locations.** Mobile food businesses shall not operate on public streets where the speed limit exceeds thirty-five (35) miles per hour, unless the roadway has been closed to vehicular traffic for a public event, nor locations that are otherwise deemed hazardous by the Sandy City Transportation Engineer.
- i. **Certificate of Insurance.** When locating on public property, each applicant for a license or renewal under this Chapter shall submit, with the application, a certificate of insurance executed by an insurance company or association authorized to transact business in this state, showing that there is in full force and effect, for the full term of the license, general liability insurance in the amount not less than two hundred thousand dollars (\$200,000) for personal injury to each person, five hundred thousand dollars (\$500,000) for each occurrence, and five hundred thousand (\$500,000) for each occurrence involving property damage; or a single limit policy of not less than five hundred thousand dollars (\$500,000) covering all claims per occurrence. Such policy or policies shall also include coverage of all motor vehicles used in connection with applicant's business and the coverage shall be primary. A. current certificate of insurance shall be kept on file with the Business License Administrator at all times that applicant is licensed by the City verifying such continuing coverage and naming Sandy City, its officers, officials, and employees as additional insureds. The certificate shall contain a statement that the City will be given written notification at least thirty (30) days prior to cancellation or material change in the coverage. Cancellation shall constitute grounds for suspensions or revocation of the license issued hereunder unless another insurance policy complying herewith is provided and is in effect at the time of cancellation/termination. In the case of a mobile food court, a certificate of insurance would be required for each vehicle.
- j. **Indemnity Clause.** A signed statement that the licensee shall hold the City and its officers and employees harmless from any and all liability and shall indemnify the City and its officers and employees from any claims for damage to property or injury to persons arising

from any activity carried on under the terms of the license.

5. **Open Space Zones.** It shall be unlawful for any mobile food business to operate adjacent to or in a public park, or in an OS Zone, without the prior written consent of the Community Development Director. Authorization does not supersede or replace the requirement that the business obtain a Sandy City business license.
6. **Pedestrian Flow.** The business shall ensure that its use of the right-of-way, including the sidewalk, in no way interferes with or limits sidewalk users' free and unobstructed passage. Vendor must maintain clear, continuous sidewalk width of no less than four (4) feet.
7. **Location Restrictions.** Must not be located within:
 - a. Ten (10) feet of any fire hydrant;
 - b. Ten (10) feet of any bus or transit stop;
 - c. Ten (10) feet or one stall away from any handicap parking space or access ramp;
 - d. Ten (10) feet from any curb cut;
 - e. Ten (10) feet from any other mobile food business or street vendor;
 - f. Ten (10) feet from any manhole or storm drain inlet;
 - g. Sixty (60) feet from any intersection or driveway; and
 - h. One thousand (1000) feet from any private/public school k-12 between the hours of 7:00 am to 4:00 pm, Monday through Friday, unless permission is given from an authorized representative from the school to locate on school property. School authorization does not supersede or replace the requirement that the business obtain a Sandy City business license.
8. **Restrooms.** Access to restroom facilities shall be made available.
9. **Display of License, Inspections, and Registration.** The business license, fire inspection certificate, and health department inspection must be displayed in a visible location on the vehicle, trailer, or cart. The vehicle, trailer, or cart must also have the license plate, proof of insurance coverage, safety inspection, and vehicular registration.
10. **Multiple Locations.** The business may operate from several locations (both public and private) within the city under the same business license.
11. **Business Activity to be Temporary.** All business activity related to mobile food businesses shall be of a temporary nature, the duration of which shall not extend for more than twelve (12) hours within any twenty-four (24) hour period at any one location, unless the Director approves a longer time on either public or private property. All vehicles, trailers, or carts must be removed from the public right-of-way or private property at the close of each business day. The hours of operation shall be restricted to 7 am to 10 pm, unless approved by the Director if one or more of the following conditions are met:
 - a. The extended hours are part of an approved special event.
 - b. The location is a site that contains a business that has been approved for extended hours.
12. **Noise Ordinance.** Live music will not be performed nor loudspeakers played from a mobile food business or in a mobile food court area unless the decibel level is in conformance with the Salt Lake Valley Health Department noise ordinance.

13. **Drive-Thru Prohibited.** The business shall not have or operate as a drive-thru.
 14. **Appearance.** The mobile food vehicle, trailer, or cart shall be kept in a good operating condition and no peeling paint or rust shall be visible.
 15. **Auxiliary Power.** Any auxiliary power required for the operation of the mobile food business shall be self-contained. The use of power or water located in private property is not allowed, unless the property owner grants permission.
 16. **Illegal to Discharge in Storm Drain.** It is illegal to discharge or dispose of any substance, material, food, or waste into the storm drain system.
 17. **Garbage.** All garbage or other refuse generated from a mobile food business shall be disposed of properly. All grounds utilized by a mobile food business shall at all times be maintained in a clean and attractive condition. Trash containers shall be provided for use of the business patrons. If a mobile food business has operated on or adjacent to a public right-of-way, that vendor shall be responsible for cleaning up litter dropped or discarded onto the public right-of-way prior to leaving the location.
 18. **Signage.** Signage shall be allowed as part of the design of the vehicle, trailer, or cart itself or upon the canopy or umbrella. One menu board A-frame sign may be used with a maximum size of 3' x 4'. Signs shall not block or impede pedestrian traffic.
 19. **Professional and Personal Services Prohibited.** Professional or personal services shall not be provided from a mobile food business or street vendor.
 20. **Compliance Responsibility.** All vendors are subject to Sandy City Sales Tax for goods sold within the boundaries of Sandy City. Vendors shall be required to keep accurate records of daily sales that occur within the Sandy City limits. Sandy City reserves the right to audit sales records. Failure to keep accurate records may result in revocation of the Sandy City business license.
- C. Additional Design and Operation Standards for Mobile Food Businesses.** Mobile food businesses shall comply with the following design and operation requirements:
1. **Canopy Regulations.** Any canopy extensions must be integrated into the design of the mobile food business vehicle and must not project onto or over the public sidewalk or any other part of the public right-of-way in a way that impedes pedestrian passage or is lower than seven (7) feet measured from the lowest portion of the canopy to the sidewalk or ground surface. Walled enclosures, whether hard or soft, are not authorized. Chairs and tables are not allowed in the public right-of-way.
 2. **Comply with Motor Vehicle Regulations.** Licensees/owners will ensure their business vehicles are at all times in compliance with all applicable laws or ordinances regulating motor vehicles.
- D. Additional Design Standards for Street Vendors.** Street vendor carts shall comply with the following design standards:
1. **Canopy Clearance.** Umbrellas or canopies shall be a minimum of seven (7) feet and a maximum of ten (10) feet above the sidewalk if they extend beyond the edge of the cart.

2. **Canopy Size.** Umbrellas or canopies shall not exceed one hundred (100) square feet in area.
3. **Cart Size.** The cart shall not exceed three and one-half (3.5) feet in width and eight (8) feet in length, including the hitch. The height of the mobile device or push cart, excluding canopies, umbrellas, or transparent enclosures, shall not exceed five (5) feet.
4. **Non-motorized Carts.** The cart shall be on wheels and of sufficiently lightweight construction that it can be moved from place to place by one adult person without auxiliary power. The device or cart shall not be motorized so as to move on its own power.

E. Additional Design and Operation Standards for Mobile Food Courts. A mobile food court, which consists of three (3) or more mobile food businesses or street vendors that congregate at a site or street at the same time on a temporary or permanent basis. Temporary mobile food courts are located on sites that are typically set up in an existing parking lot as an accessory use or street and operate on a weekly, seasonal, or other temporary basis. A permanent mobile food court is a site constructed as a primary use on private property specifically designed for hosting various vendors and intended to operate year-round on a consistent basis. Permanent mobile food courts will be allowed in certain zone districts as determined in the Land Use Tables of the Sandy City Land Use Development Code. A mobile food court shall only be approved if it complies with the following design and operation requirements:

1. **Administrative Permit.** Temporary mobile food courts are allowed by administrative special use permit, in accordance with the provisions of this section and other applicable provisions in the Sandy City Land Use Development Code. Permanent mobile food courts will be required to adhere to the provisions of this section and all applicable commercial site plan review requirements in the Sandy City Land Use Development Code.
2. **Parcel Size.** A mobile food court is required to be on a parcel that is at least 2,000 square feet in size.
3. **Number of Food Vendors.** No more than ten (10) individual mobile food businesses or other authorized vendors are allowed in a mobile food court.
4. **Business License.** A promoter, mobile food court operator, or property owner must obtain a mobile food court license. Any participating vendor operating at a mobile food court location must have a participation license or their own business license. If individual vendors seek to operate in other locations in the city, they must obtain their own business license.
5. **Landscape Requirements.** All landscaping requirements shall be met prior to issuing a permit.
6. **Comply with Site Approvals.** The proposed mobile food court complies with all conditions pertaining to any existing variances, conditional uses or other approvals granted for the property.
7. **Health Department Approval.** All activities associated with a mobile food court must comply with all Salt Lake Valley Health Department Requirements.
8. **Site Plan.** A site plan demonstrating the following is required:
 - a. The location and orientation of each vendor pad.

- b. The location of any paving, trash enclosures, landscaping, planters, fencing, canopies, umbrellas or other table covers, barriers or any other site requirement by the International Building Code, or Health Department.
 - c. The location of all existing and proposed activities on site.
 - d. The circulation of all pedestrian and vehicle traffic on the site.
 - e. The location of restroom facilities to be used for the mobile food court.
 - f. The location of any permanent structures or facilities (such as restrooms, ancillary food preparation facility, etc.)
9. **Parking.** Parking for a mobile food court is required at a ratio of two (2) stalls per mobile food business. This requirement may be modified or waived by the Director if there is sufficient and available on-street parking or the applicant can demonstrate that their use will not generate as much parking demand. Hard surface paving at the vehicular entrance to the mobile food court and for each individual mobile food business pad is required. Alternatives to asphalt and concrete may be approved as part of the special use review if the applicant is able to demonstrate that the alternative will not result in the accumulation of mud or debris on the City right-of-way.
- F. Special Events.** The restrictions of this Chapter notwithstanding, nothing herein shall prohibit the City from authorizing mobile food businesses other than those licensed under this section, to conduct concurrent vending operations within the public right-of-way, or such other areas as the City may deem appropriate, during special events. The special event vendors shall still be governed by this section, except as specifically provided otherwise by the special event permit or such other ordinance, policy, or executive order as may be applicable. However, as long as the public right-of-way remains open to the general public, such authorization or special event vendors shall not require removal of a permittee under this section from operating within an otherwise lawfully occupied location of a mutually acceptable adjacent alternative location during such special event, unless otherwise provided under City ordinances. If the City is closing a public right-of-way to general access, either partially or fully, in order to accommodate a special event, a mobile food business may not access that right-of-way unless specifically authorized by the City.
- G. Grounds for Denial, Suspension or Revocation.** Failure to comply with the requirements of this section shall be grounds for denial, suspension or revocation of a business license as described in Title 5 Sandy City Revised Ordinances. Failure to comply may result in the suspension or revocation of a business license, and is a class B misdemeanor.

Exhibit “B”

15A-11-19 Mobile Food & Street Vendor Businesses

A. Purpose. This section is established to provide regulation and design standards for mobile food businesses, mobile food courts, and street vendors in commercial or industrial land use areas, except as otherwise allowed herein. These regulations are designed to expand the opportunity of various types of temporary mobile vendors in the city, while guiding them to appropriate locations, and ensuring they are conducted safely and in harmony with the surrounding land uses.

A.B. General Requirements. The following requirements must be met for all mobile food businesses, street vendors, and mobile food courts. Provisions found in this section shall not apply to other uses identified as “temporary use” that are specifically regulated by this Title.

1. **License Required.** No person shall operate a mobile food or street vendor, business, without first having obtained a business ~~license~~license from Sandy City in accordance with Title 5 Sandy City Revised Ordinances. Licenses will expire on the earliest date of expiration of the required health or safety inspections, or one (1) year from the date of issuance.
2. **Prohibited Sales.** No alcohol shall be provided/sold from a mobile food business.
3. **Use of Public ~~and~~ Private Property: (Excluding Public Right of Way).** Mobile food businesses ~~are and~~ street vendors shall be allowed to operate ~~in the public right of way only along Centennial Parkway on property within all commercial or industrial land use areas,~~ in accordance with the provisions ~~in of~~ this section. ~~Mobile food businesses shall be allowed to vend on private property, also in accordance with the provisions of this section, within all commercial/industrial zones in Sandy, with prior~~ Each business shall abide by the following:
 - 3.a. Property Owner Approval. Prior written consent from the ~~private~~ property owner is required for every location a business desires to operate. Said letter must include information about where the vendor is permitted on the site that complies with the location requirements herein. Upon inspection, the business must provide proof of permission to operate in any given location.
4. ~~Open Space Zones.~~ It shall be unlawful for any mobile food business to operate adjacent to a public park in or next to an OS Zone without the prior consent of the Director of Parks and Recreation or his/her designee. This requirement does not supersede or replace the requirement that the applicant obtain a Sandy City business license.
5. ~~Pedestrian Flow.~~ Location must not hinder the free flow of pedestrian and other traffic in the area. Permittee must maintain clear, continuous sidewalk width of no less than four (4) feet.
6. ~~1. Location Restrictions.~~ Must not be located within:
 - a. ~~Ten (10) feet of any fire hydrant;~~
 - b. ~~a. Ten (10) feet of any bus or transit stop;~~
 - c. ~~a. Ten (10) feet or one stall away from any handicap parking space or access ramp;~~
 - d. ~~Ten (10) feet of any business entrance or display window;~~
 - e. ~~a. Ten (10) feet from any curb cut;~~
 - f. ~~Ten (10) feet from any other vending cart or like business.~~

- ~~g.a. Ten (10) feet from any manhole or storm drain inlet;~~
- ~~h. Sixty (60) feet from any intersection or driveway;~~
- ~~i. One hundred (100) feet from any restaurant entrance; and~~
- ~~j. One thousand (1000) feet from any private/public school k-12 between the hours of 7:00 am to 4:00 pm, Monday through Friday, unless permission is given from an authorized representative from the school to locate on school property. This requirement does not supersede or replace the requirement that the applicant obtain a Sandy City business license.~~

b. Parking and Circulation. Acceptable space shall be available for any off-street parking and traffic circulation generated by the uses. The location and use of a site may not interfere with the existing parking demand and circulation of the surrounding development.

~~7.1. **Restrooms.** Access to restroom facilities shall be made available.~~

~~8. **Display of License and Inspection.** Display business license and fire inspection in a visible location on the mobile food business or pushcart.~~

~~9.c. **Vacant Lots.** Prior to operating a mobile food business on a vacant lot (where there is no current licensed business with a permanent structure on-site) the improvements outlined within this Title for Temporary Uses (See 15A-11-14(C)) are required for each site prior to operating business.~~

~~10.1. **Noise Ordinance.** Live music will not be performed nor loudspeakers played from a mobile food business or in a mobile food court area unless the decibel level is in conformance with the Salt Lake Valley Health Department noise ordinance.~~

B. Application

~~1. **File for Business License.** An application for a business license~~**Use of Public Right-of-Way.** Mobile food businesses and street vendors may be allowed to conduct a mobile food business shall be filed operate in the public right-of-way only in appropriate locations as determined by the City in writingaccordance with the Sandy City business license office as set forthprovisions in Title 5, ten (10) working days prior to commencement of operation.

~~2. **Additional License Information.** In addition to the information required by this section (such Title, the license application shall include:~~

~~a. The name and location of the applicant's principal place of business, or residence if no permanent place of business exists.~~

~~b. The number of mobile food vehicles to be used in the business, a description of each vehicle, its license plate number, vehicle identification number (VIN) and proof of insurance coverage, and safety inspection.~~

~~c. The address of the commissary.~~

~~d. If any of the forgoing information changes, the applicant or licensee, as the case may be, shall deliver current information to Sandy City business license office within ten (10) business days following the change.~~

- ~~e. Letter of permission from the property owner to include information on the permitted location for the food truck.~~
- ~~3. **Other Approvals.** A valid copy of all licenses or permits required by the State of Utah or the Salt Lake Valley Health Department, including, but not limited to, proof of business name and business owner(s) name as registered with the Department of Commerce and proof of a valid sales tax certificate from the State of Utah that includes Sandy City as the incorporated city where business is to be conducted.~~
- ~~4.a. **Certificate of Insurance.** When locating on public property, each applicant for a license or renewal under this Chapter shall submit, with the application, a certificate of insurance executed by an insurance company or association authorized to transact business in this state, showing that there is in full force and effect, for the full term of the license, general liability insurance in the amount not less than two hundred thousand dollars (\$200,000) for personal injury to each person, five hundred thousand dollars (\$500,000) for each occurrence, and five hundred thousand (\$500,000) for each occurrence involving property damage; or a single limit policy of not less than five hundred thousand dollars (\$500,000) covering all claims per occurrence. Such policy or policies shall also include coverage of all motor vehicles used in connection with applicant's business and the coverage shall be primary. A current certificate of insurance shall be kept on file with the Business License Administrator at all times that applicant is licensed by the City verifying such continuing coverage and naming Sandy City, its officers, officials, and employees as additional insureds. The certificate shall contain a statement that the City will be given written notification at least thirty (30) days prior to cancellation or material change in the coverage. Cancellation shall constitute grounds for suspensions or revocation of the license issued hereunder unless another insurance policy complying herewith is provided and is in effect at the time of cancellation/termination. In the case of a mobile food court, a certificate of insurance would be required for each vehicle.~~
- ~~5.a. **Indemnity Clause.** A signed statement that the licensee shall hold the City and its officers and employees harmless from any and all liability and shall indemnify the City and its officers and employees from any claims for damage to property or injury to persons arising from any activity carried on under the terms of the license.~~
- ~~6. **Fire Inspection.** Centennial Parkway). Each applicant for a license or renewal under this Chapter shall submit with the application, a valid fire inspection.~~

~~C. Separate Locations~~

~~Once original business license application is approved, the business owner, or promotor, shall update application information for additional locations on forms supplied by the licensing office.~~

~~D. License Fees~~

- ~~1. Fees shall be required as shown on the Fee Schedule adopted by the Sandy City Council business seeking to operate.~~

~~E. Business Activity to be Temporary~~

~~All business activity related to mobile food businesses shall be of a temporary nature, the duration of which shall not extend for more than twelve (12) hours within a twenty four (24) hour period at any~~

~~one location, unless the Director approves a longer time, nor for more than 150 days in the calendar year (January through December) on either public or private property. All vehicles must be removed from the public right-of-way at the close of each business day. The hours of operation shall be restricted to 7 am to 10 pm.~~

~~F. Use of Public Right-of-Way~~

~~4. Each mobile food business offering food within the public right-of-way shall abide by the following conditions and requirements. Failure to comply may result in the suspension or revocation of a business license, and is a class B misdemeanor:~~

~~a. **City Approval.** Written permission from the City to operate a business in the right-of-way is required. Said permission may be granted if an applicant can demonstrate compliance with the regulations in this section.~~

~~1.b. **Parking and Traffic Regulations.** Mobile food businesses shall obey all on-street parking and traffic regulations as stated in State statute ~~of~~ and/or City ordinances.~~

~~2.c. **Prohibited Parking Areas.** Parking on a sidewalk ~~(except for a street vendor)~~, park strip, or otherwise landscaped area is not allowed. Street Vendors are exempt from this prohibition if they are set up on a paved surface, do no harm to landscaped areas, and comply with all other provisions of this section.~~

~~3.d. **Parallel Parking Spaces.** Mobile food businesses utilizing parking space within the public right-of-way shall park only in parallel parking spaces. Mobile food businesses must be parked so that neither the vehicle nor the customers interfere with public access to adjacent parking stalls or to driveways or entrances of existing buildings or uses.~~

~~4.e. **LocationOrientation of Vending Window.** The operator shall locate the vending window facing the sidewalk or on private property unless the roadway has been closed to vehicular traffic for a public event.~~

~~5.f. **Parking for Primary Use.** No mobile food business shall create a parking issue for the surrounding primary ~~uses~~.~~

~~6. **Cannot Interfere with Pedestrian Passage.** The mobile food business shall ensure that its use of the right-of-way, including the sidewalk, in no way interferes with or limits sidewalk users' free and unobstructed passage.~~

~~7.g. **No Sales in Roadway.** No sales shall be made to any person standing in a roadway unless the roadway has been closed to vehicular traffic for a public event.~~

~~8.h. **Right-of-Way Locations.** Mobile food businesses shall not operate on public streets where the speed limit exceeds thirty-five (35) miles per hour, unless the roadway has been closed to vehicular traffic for a public event, nor locations that are otherwise deemed hazardous by the Sandy City Transportation Engineer.~~

~~i. **Certificate of Insurance.** When locating on public property, each applicant for a license or renewal under this Chapter shall submit, with the application, a certificate of insurance~~

executed by an insurance company or association authorized to transact business in this state, showing that there is in full force and effect, for the full term of the license, general liability insurance in the amount not less than two hundred thousand dollars (\$200,000) for personal injury to each person, five hundred thousand dollars (\$500,000) for each occurrence, and five hundred thousand (\$500,000) for each occurrence involving property damage; or a single limit policy of not less than five hundred thousand dollars (\$500,000) covering all claims per occurrence. Such policy or policies shall also include coverage of all motor vehicles used in connection with applicant's business and the coverage shall be primary. A. current certificate of insurance shall be kept on file with the Business License Administrator at all times that applicant is licensed by the City verifying such continuing coverage and naming Sandy City, its officers, officials, and employees as additional insureds. The certificate shall contain a statement that the City will be given written notification at least thirty (30) days prior to cancellation or material change in the coverage. Cancellation shall constitute grounds for suspensions or revocation of the license issued hereunder unless another insurance policy complying herewith is provided and is in effect at the time of cancellation/termination. In the case of a mobile food court, a certificate of insurance would be required for each vehicle.

j. **Indemnity Clause.** A signed statement that the licensee shall hold the City and its officers and employees harmless from any and all liability and shall indemnify the City and its officers and employees from any claims for damage to property or injury to persons arising from any activity carried on under the terms of the license.

5. **Open Space Zones.** It shall be unlawful for any mobile food business to operate adjacent to or in a public park, or in an OS Zone, without the prior written consent of the Community Development Director. Authorization does not supersede or replace the requirement that the business obtain a Sandy City business license.

6. **Pedestrian Flow.** The business shall ensure that its use of the right-of-way, including the sidewalk, in no way interferes with or limits sidewalk users' free and unobstructed passage. Vendor must maintain clear, continuous sidewalk width of no less than four (4) feet.

7. **Location Restrictions.** Must not be located within:

- a. Ten (10) feet of any fire hydrant;
- b. Ten (10) feet of any bus or transit stop;
- c. Ten (10) feet or one stall away from any handicap parking space or access ramp;
- d. Ten (10) feet from any curb cut;
- e. Ten (10) feet from any other mobile food business or street vendor;
- f. Ten (10) feet from any manhole or storm drain inlet;
- g. Sixty (60) feet from any intersection or driveway; and
- h. One thousand (1000) feet from any private/public school k-12 between the hours of 7:00 am to 4:00 pm, Monday through Friday, unless permission is given from an authorized representative from the school to locate on school property. School authorization does not supersede or replace the requirement that the business obtain a Sandy City business license.

8. **Restrooms.** Access to restroom facilities shall be made available.

9. **Display of License, Inspections, and Registration.** The business license, fire inspection certificate, and health department inspection must be displayed in a visible location on the vehicle, trailer, or cart. The vehicle, trailer, or cart must also have the license plate, proof of insurance

coverage, safety inspection, and vehicular registration.

10. **Multiple Locations.** The business may operate from several locations (both public and private) within the city under the same business license.

11. **Business Activity to be Temporary.** All business activity related to mobile food businesses shall be of a temporary nature, the duration of which shall not extend for more than twelve (12) hours within any twenty-four (24) hour period at any one location, unless the Director approves a longer time on either public or private property. All vehicles, trailers, or carts must be removed from the public right-of-way or private property at the close of each business day. The hours of operation shall be restricted to 7 am to 10 pm, unless approved by the Director if one or more of the following conditions are met:

a. The extended hours are part of an approved special event.

b. The location is a site that contains a business that has been approved for extended hours.

12. **Noise Ordinance.** Live music will not be performed nor loudspeakers played from a mobile food business or in a mobile food court area unless the decibel level is in conformance with the Salt Lake Valley Health Department noise ordinance.

G. Design and Operation Guidelines

~~Mobile food businesses shall comply with the following design and operation requirements:~~

~~1. **Compliance with the Health Department.** Mobile food businesses shall be designed and operated in a manner so as to meet all applicable Salt Lake Valley Health Department requirements relating to the handling/storage and distribution of food.~~

2-13. **Drive-Through Thru Prohibited.** The mobile food business shall not have or operate as a drive-through.

3-14. **Food Truck Appearance.** Mobile The mobile food businesses vehicle, trailer, or cart shall be kept in a good operating condition and no peeling paint or rust shall be visible on business vehicles.

15. **Auxiliary Power.** Any auxiliary power required for the operation of the mobile food business shall be self-contained. The use of power or water located in private property is not allowed, unless the property owner grants permission.

16. **Illegal to Discharge in Storm Drain.** It is illegal to discharge or dispose of any substance, material, food, or waste into the storm drain system.

~~4. **Location from a Restaurant.** No mobile food business shall operate within a one hundred foot (100') radius of any public entrance to a restaurant or City authorized special event selling food, unless the mobile food vendor obtains the written consent of the proprietor of such restaurant or shop. Such consent shall not exempt the applicant from compliance with the other location and distance restrictions of this Chapter.~~

5-17. **Garbage Properly Disposed Of.** All garbage or other refuse generated from a mobile

food business shall be disposed of properly. All grounds utilized by a mobile food business shall at all times be maintained in a clean and attractive condition. Trash containers shall be provided for use of the business patrons. If a mobile food business has operated on or adjacent to a public right-of-way, that vendor shall be responsible for cleaning up litter dropped or discarded onto the public right-of-way prior to leaving the location.

18. **Signage.** Signage shall be allowed as part of the design of the vehicle, trailer, or cart itself or upon the canopy or umbrella. One menu board A-frame sign may be used with a maximum size of 3' x 4'. Signs shall not block or impede pedestrian traffic.

19. **Professional and Personal Services Prohibited.** Professional or personal services shall not be provided from a mobile food business or street vendor.

20. **Compliance Responsibility.** All vendors are subject to Sandy City Sales Tax for goods sold within the boundaries of Sandy City. Vendors shall be required to keep accurate records of daily sales that occur within the Sandy City limits. Sandy City reserves the right to audit sales records. Failure to keep accurate records may result in revocation of the Sandy City business license.

C. Additional Design and Operation Standards for Mobile Food Businesses. Mobile food businesses shall comply with the following design and operation requirements:

6.1. **Canopy Regulations.** Any canopy extensions must be integrated into the design of the mobile food business vehicle and must not project onto or over the public sidewalk or any other part of the public right-of-way in a way that impedes pedestrian passage or is lower than seven (7) feet measured from the lowest portion of the canopy to the sidewalk or ground surface. Walled enclosures, whether hard or soft, are not authorized. Chairs and tables are not allowed in the public right-of-way.

~~7. **Auxiliary Power.** Any auxiliary power required for the operation of the mobile food business shall be self-contained. The use of power or water located in private property is not allowed, unless the property owner grants permission.~~

~~8.1. **Illegal to Discharge in Storm Drain.** It is illegal to discharge or dispose of any substance, material, food, or waste into the storm drain system.~~

9.2. **Comply with Motor Vehicle Regulations.** Licensees/owners will ensure their business vehicles are at all times in compliance with all applicable laws or ordinances regulating motor vehicles.

~~**H. Street Vendor Cart**~~ **Additional Design Standards**

D. for Street Vendors. Street vendor carts shall comply with the following design standards:

1. **Canopy Clearance.** Umbrellas or canopies shall be a minimum of seven (7) feet and a maximum of ten (10) feet above the sidewalk if they extend beyond the edge of the cart.
2. **Canopy Size.** Umbrellas or canopies shall not exceed one hundred (100) square feet in area.
3. **Cart Size.** ~~The mobile device or push~~ cart shall not exceed three and one-half (3.5) feet in width and eight (8) feet in length, including the hitch. The height of the mobile device or push cart, excluding canopies, umbrellas, or transparent enclosures, shall not exceed five (5) feet.

4. **Non-motorized Carts.** ~~The mobile device or push~~ cart shall be on wheels and of sufficiently lightweight construction that it can be moved from place to place by one adult person without auxiliary power. ~~The device or cart shall not be motorized so as to move on its own power.~~

~~5.1. **Signage.** Signage shall be allowed as part of the design of the cart itself or upon the canopy or umbrella. One menu board A-frame sign may be used with a maximum size of 3' x 4'. Signs shall not block or impede pedestrian traffic.~~

~~I. Professional and Personal Services Prohibited~~

~~1. Professional or personal services shall not be provided from a mobile food business.~~

~~J. Compliance Responsibility~~

~~1. All vendors are subject to Sandy City Sales Tax for goods sold within the boundaries of Sandy City. Vendors shall be required to keep accurate records of daily sales that occur within the Sandy City limits. Sandy City reserves the right to audit sales records. Failure to keep accurate records may result in revocation of the Sandy City business license.~~

~~K. Special Events~~

~~A. The restrictions of this Chapter notwithstanding, nothing herein shall prohibit the City from authorizing mobile food businesses other than those licensed under this section, to conduct concurrent vending operations within the public right of way, or such other areas as the City may deem appropriate, during special events. The special event vendors shall still be governed by this section, except as specifically provided otherwise by the special event permit or such other ordinance, policy, or executive order as may be applicable. However, as long as the public right of way remains open to the general public, such authorization or special event vendors shall not require removal of a permittee under this section from operating within an otherwise lawfully occupied location of a mutually acceptable adjacent alternative location during such special event, unless otherwise provided under City ordinances. If the City is closing a public right of way to general access, either partially or fully, in order to accommodate a special event, a mobile food business may not access that right of way unless specifically authorized by the City.~~

~~L. Grounds for Denial, Suspension or Revocation~~

~~Failure to comply with the requirements of this section shall be grounds for denial, suspension or revocation of a business license as described in Title 5 Sandy City Revised Ordinances.~~

~~M. Mobile Food Courts~~

~~1. **Approval First.** Operating a mobile food court is unlawful without first obtaining approval subject to the qualifying provisions written below as well as those found within this Chapter for mobile food businesses.~~

E. Additional Design and Operation Standards for Mobile Food Courts. A mobile food court, which consists of three (3) or more mobile food businesses or street vendors that congregate at a site or street at the same time on a temporary or permanent basis. Temporary mobile food courts are located on sites that are typically set up in an existing parking lot as an accessory use or street and operate on a

weekly, seasonal, or other temporary basis. A permanent mobile food court is a site constructed as a primary use on private property specifically designed for hosting various vendors and intended to operate year-round on a consistent basis. Permanent mobile food courts will be allowed in certain zone districts as determined in the Land Use Tables of the Sandy City Land Use Development Code. A mobile food court shall only be approved if it complies with the following design and operation requirements:

2.—Administrative Permit. ~~Mobile Temporary mobile~~ food courts are allowed by administrative special use ~~permits only along Centennial Parkway permit~~, in accordance with the provisions of this ~~Chapter. Mobile food courts on private property shall comply with all provisions outlined herein.~~

3.1. Restricted Approvals. ~~Provisions found section and other applicable provisions in this section shall apply to the Sandy City Land Use Development Code. Permanent mobile food businesses and street vendor carts~~ courts will be required to adhere to the provisions of this section and all applicable commercial site plan review requirements in the Sandy City Land Use Development Code.

~~N. Qualifying Provisions~~

1.2. Parcel Size. A mobile food court is required to be on a parcel that is at least 2,000 square feet in size.

2.3. Number of Food Vendors. No ~~less than two and no more than~~ ten (10) individual mobile food businesses or other authorized vendors are allowed in a mobile food court.

3.4. Business License Fee. ~~No.~~ A promoter, mobile food court operator, or property owner must obtain a mobile food court license. Any participating ~~mobile food vendor operating at a mobile food court location must have a participation license or their own business or license. If individual vendors seek to operate in other authorized vendor shall continue in operation at the mobile food court unless the holder thereof has paid a locations in the city, they must obtain their own~~ business license ~~fee as set forth in the Fee Schedule.~~

4.5. Landscape Requirements. All landscaping requirements shall be met prior to issuing a permit.

5. Pedestrian Flow. ~~The proposed mobile food court will not impede pedestrian or vehicular traffic on the public right-of-way.~~

6. Comply with Site Approvals. The proposed mobile food court complies with all conditions pertaining to any existing variances, conditional uses or other approvals granted for the property.

7. Health Department Approval. All activities associated with a mobile food court must comply with all Salt Lake Valley Health Department Requirements.

8. Site Plan. ~~A detailed~~ site plan demonstrating the following is required:

- a. The location and orientation of each vendor pad.
- b. The location of any paving, trash enclosures, landscaping, planters, fencing, canopies, umbrellas or other table covers, barriers or any other site requirement by the International

Building Code, or Health Department.

- c. The location of all existing and proposed activities on site.
- d. The circulation of all pedestrian and vehicle traffic on the site.

e. The location of restroom facilities to be used for the mobile food court.

f. The location of any permanent structures or facilities (such as restrooms, ancillary food preparation facility, etc.)

9. **Parking.** Parking for a mobile food court is required at a ratio of two (2) stalls per mobile food business. This requirement may be modified or waived by the Director ~~as part of the approval if there is sufficient and available on-street parking or the applicant can demonstrate that their use will not generate as much parking demand.~~ Hard surface paving at the vehicular entrance to the mobile food court and for each individual mobile food business ~~pad~~ is required. Alternatives to asphalt and ~~ement~~concrete may be approved as part of the special use review if the applicant is able to demonstrate that the alternative will not result in the accumulation of mud or debris on the City right-of-way.

F. Special Events. The restrictions of this Chapter notwithstanding, nothing herein shall prohibit the City from authorizing mobile food businesses other than those licensed under this section, to conduct concurrent vending operations within the public right-of-way, or such other areas as the City may deem appropriate, during special events. The special event vendors shall still be governed by this section, except as specifically provided otherwise by the special event permit or such other ordinance, policy, or executive order as may be applicable. However, as long as the public right-of-way remains open to the general public, such authorization or special event vendors shall not require removal of a permittee under this section from operating within an otherwise lawfully occupied location of a mutually acceptable adjacent alternative location during such special event, unless otherwise provided under City ordinances. If the City is closing a public right-of-way to general access, either partially or fully, in order to accommodate a special event, a mobile food business may not access that right-of-way unless specifically authorized by the City.

G. Grounds for Denial, Suspension or Revocation. Failure to comply with the requirements of this section shall be grounds for denial, suspension or revocation of a business license as described in Title 5 Sandy City Revised Ordinances. ~~Submittal by Promotor. Mobile food court applications may be submitted by a promotor for the participating vehicles.~~ Failure to comply may result in the suspension or revocation of a business license, and is a class B misdemeanor.

10.

Exhibit “C”

15A-11-19 Mobile Food Businesses

- A. **General Requirements.** Provisions found in this section shall not apply to other uses identified as “temporary use” that are specifically regulated by this Title.
1. **License Required.** No person shall operate a mobile food business, without first having obtained a business licenses from Sandy City in accordance with Title 5.
 2. **Prohibited Sales.** No alcohol shall be provided/sold from a mobile food business.
 3. **Public and Private Property.** Mobile food businesses are allowed to operate in the public right-of-way only along Centennial Parkway in accordance with the provisions in this section. Mobile food businesses shall be allowed to vend on private property, also in accordance with the provisions of this section, within all commercial/industrial zones in Sandy, with prior consent from the private property owner
 4. **Open Space Zones.** It shall be unlawful for any mobile food business to operate adjacent to a public park in or next to an OS Zone without the prior consent of the Director of Parks and Recreation or his/her designee. This requirement does not supersede or replace the requirement that the applicant obtain a Sandy City business license.
 5. **Pedestrian Flow.** Location must not hinder the free flow of pedestrian and other traffic in the area. Permittee must maintain clear, continuous sidewalk width of no less than four (4) feet.
 6. **Location Restrictions.** Must not be located within:
 - a. Ten (10) feet of any fire hydrant;
 - b. Ten (10) feet of any bus or transit stop;
 - c. Ten (10) feet or one stall away from any handicap parking space or access ramp;
 - d. Ten (10) feet of any business entrance or display window;
 - e. Ten (10) feet from any curb cut;
 - f. Ten (10) feet from any other vending cart or like business.
 - g. Ten (10) feet from any manhole or storm drain inlet;
 - h. Sixty (60) feet from any intersection or driveway;
 - i. One hundred (100) feet from any restaurant entrance; and
 - j. One thousand (1000) feet from any private/public school k-12 between the hours of 7:00 am to 4:00 pm, Monday through Friday, unless permission is given from an authorized representative from the school to locate on school property. This requirement does not supersede or replace the requirement that the applicant obtain a Sandy City business license.
 7. **Restrooms.** Access to restroom facilities shall be made available.
 8. **Display of License and Inspection.** Display business license and fire inspection in a visible location on the mobile food business or pushcart.
 9. **Vacant Lots.** Prior to operating a mobile food business on a vacant lot (where there is no current licensed business with a permanent structure on-site) the improvements outlined within this Title for Temporary Uses (See 15A-11-14(C)) are required for each site prior to operating business.

10. **Noise Ordinance.** Live music will not be performed nor loudspeakers played from a mobile food business or in a mobile food court area unless the decibel level is in conformance with the Salt Lake Valley Health Department noise ordinance.

B. Application

1. **File for Business License.** An application for a business license to conduct a mobile food business shall be filed in writing with the Sandy City business license office as set forth in Title 5, ten (10) working days prior to commencement of operation.
2. **Additional License Information.** In addition to the information required by such Title, the license application shall include:
 - a. The name and location of the applicant's principal place of business, or residence if no permanent place of business exists.
 - b. The number of mobile food vehicles to be used in the business, a description of each vehicle, its license plate number, vehicle identification number (VIN) and proof of insurance coverage, and safety inspection.
 - c. The address of the commissary.
 - d. If any of the forgoing information changes, the applicant or licensee, as the case may be, shall deliver current information to Sandy City business license office within ten (10) business days following the change.
 - e. Letter of permission from the property owner to include information on the permitted location for the food truck.
3. **Other Approvals.** A valid copy of all licenses or permits required by the State of Utah or the Salt Lake Valley Health Department, including, but not limited to, proof of business name and business owner(s) name as registered with the Department of Commerce and proof of a valid sales tax certificate from the State of Utah that includes Sandy City as the incorporated city where business is to be conducted.
4. **Certificate of Insurance.** When locating on public property, each applicant for a license or renewal under this Chapter shall submit, with the application, a certificate of insurance executed by an insurance company or association authorized to transact business in this state, showing that there is in full force and effect, for the full term of the license, general liability insurance in the amount not less than two hundred thousand dollars (\$200,000) for personal injury to each person, five hundred thousand dollars (\$500,000) for each occurrence, and five hundred thousand (\$500,000) for each occurrence involving property damage; or a single limit policy of not less than five hundred thousand dollars (\$500,000) covering all claims per occurrence. Such policy or policies shall also include coverage of all motor vehicles used in connection with applicant's business and the coverage shall be primary. A. current certificate of insurance shall be kept on file with the Business License Administrator at all times that applicant is licensed by the City verifying such continuing coverage and naming Sandy City, its officers, officials, and employees as additional insureds. The certificate shall contain a statement that the City will be given written notification at least thirty (30) days

prior to cancellation or material change in the coverage. Cancellation shall constitute grounds for suspensions or revocation of the license issued hereunder unless another insurance policy complying herewith is provided and is in effect at the time of cancellation/termination. In the case of a mobile food court, a certificate of insurance would be required for each vehicle.

5. **Indemnity Clause.** A signed statement that the licensee shall hold the City and its officers and employees harmless from any and all liability and shall indemnify the City and its officers and employees from any claims for damage to property or injury to persons arising from any activity carried on under the terms of the license.
6. **Fire Inspection.** Each applicant for a license or renewal under this Chapter shall submit with the application, a valid fire inspection.

C. Separate Locations

Once original business license application is approved, the business owner, or promotor, shall update application information for additional locations on forms supplied by the licensing office.

D. License Fees

Fees shall be required as shown on the Fee Schedule adopted by the Sandy City Council.

E. Business Activity to be Temporary

All business activity related to mobile food businesses shall be of a temporary nature, the duration of which shall not extend for more than twelve (12) hours within a twenty-four (24) hour period at any one location, unless the Director approves a longer time, nor for more than 150 days in the calendar year (January through December) on either public or private property. All vehicles must be removed from the public right-of-way at the close of each business day. The hours of operation shall be restricted to 7 am to 10 pm.

F. Use of Public Right-of-Way

Each mobile food business offering food within the public right-of-way shall abide by the following conditions and requirements. Failure to comply may result in the suspension or revocation of a business license, and is a class B misdemeanor:

1. **Parking and Traffic Regulations.** Mobile food businesses shall obey all parking and traffic regulations as stated in State statute of City ordinances.
2. **Prohibited Parking Areas.** Parking on a sidewalk (except for a street vendor) park strip, or otherwise landscaped area is not allowed.
3. **Parallel Parking Spaces.** Mobile food businesses utilizing parking space within the public right-of-way shall park only in parallel parking spaces. Mobile food businesses must be parked so that neither the vehicle nor the customers interfere with public access to adjacent parking stalls or to driveways or entrances of existing buildings or uses.
4. **Location of Vending Window.** The operator shall locate the vending window facing

the sidewalk or on private property unless the roadway has been closed to vehicular traffic for a public event.

5. **Parking for Primary Use.** No mobile food business shall create a parking issue for the primary use.
6. **Cannot Interfere with Pedestrian Passage.** The mobile food business shall ensure that its use of the right-of-way, including the sidewalk, in no way interferes with or limits sidewalk users' free and unobstructed passage.
7. **No Sales in Roadway.** No sales shall be made to any person standing in a roadway unless the roadway has been closed to vehicular traffic for a public event.
8. **Right-of-Way Locations.** Mobile food businesses shall not operate on public streets where the speed limit exceeds thirty-five (35) miles per hour, unless the roadway has been closed to vehicular traffic for a public event, nor locations that are otherwise deemed hazardous by the Sandy City Transportation Engineer.

G. Design and Operation Guidelines

Mobile food businesses shall comply with the following design and operation requirements:

1. **Compliance with the Health Department.** Mobile food businesses shall be designed and operated in a manner so as to meet all applicable Salt Lake Valley Health Department requirements relating to the handling/storage and distribution of food.
2. **Drive-Through.** The mobile food business shall not have or operate as a drive-through.
3. **Food Truck Appearance.** Mobile food businesses shall be kept in a good operating condition and no peeling paint or rust shall be visible on business vehicles.
4. **Location from a Restaurant.** No mobile food business shall operate within a one-hundred foot (100') radius of any public entrance to a restaurant or City authorized special event selling food, unless the mobile food vendor obtains the written consent of the proprietor of such restaurant or shop. Such consent shall not exempt the applicant from compliance with the other location and distance restrictions of this Chapter.
5. **Garbage Properly Disposed Of.** All garbage or other refuse generated from a mobile food business shall be disposed of properly. All grounds utilized by a mobile food business shall at all times be maintained in a clean and attractive condition. Trash containers shall be provided for use of the business patrons. If a mobile food business has operated on or adjacent to a public right-of-way, that vendor shall be responsible for cleaning up litter dropped or discarded onto the public right-of-way prior to leaving the location.
6. **Canopy Regulations.** Any canopy extensions must be integrated into the design of the mobile food business vehicle and must not project onto or over the public sidewalk or any other part of the public right-of-way in a way that impedes pedestrian passage or is lower than seven (7) feet measured from the lowest portion of the canopy to the sidewalk or ground surface. Walled enclosures, whether hard or soft, are not authorized. Chairs and tables are not allowed in the

public right-of-way.

7. **Auxiliary Power.** Any auxiliary power required for the operation of the mobile food business shall be self-contained. The use of power or water located in private property is not allowed, unless the property owner grants permission.
8. **Illegal to Discharge in Storm Drain.** It is illegal to discharge or dispose of any substance, material, food, or waste into the storm drain system.
9. **Comply with Motor Vehicle Regulations.** Licensees/owners will ensure their business vehicles are at all times in compliance with all applicable laws or ordinances regulating motor vehicles.

H. Street Vendor Cart Design Standards

Street vendor carts shall comply with the following design standards:

1. **Canopy Clearance.** Umbrellas or canopies shall be a minimum of seven (7) feet and a maximum of ten (10) feet above the sidewalk if they extend beyond the edge of the cart.
2. **Canopy Size.** Umbrellas or canopies shall not exceed one hundred (100) square feet in area.
3. **Cart Size.** The mobile device or push cart shall not exceed three and one-half (3.5) feet in width and eight (8) feet in length, including the hitch. The height of the mobile device or push cart, excluding canopies, umbrellas, or transparent enclosures, shall not exceed five (5) feet.
4. **Non-motorized Carts.** The mobile device or push cart shall be on wheels and of sufficiently lightweight construction that it can be moved from place to place by one adult person without auxiliary power. The device or cart shall not be motorized so as to move on its own power.
5. **Signage.** Signage shall be allowed as part of the design of the cart itself or upon the canopy or umbrella. One menu board A-frame sign may be used with a maximum size of 3' x 4'. Signs shall not block or impede pedestrian traffic.

I. Professional and Personal Services Prohibited

Professional or personal services shall not be provided from a mobile food business.

J. Compliance Responsibility

All vendors are subject to Sandy City Sales Tax for goods sold within the boundaries of Sandy City. Vendors shall be required to keep accurate records of daily sales that occur within the Sandy City limits. Sandy City reserves the right to audit sales records. Failure to keep accurate records may result in revocation of the Sandy City business license.

K. Special Events

The restrictions of this Chapter notwithstanding, nothing herein shall prohibit the City from authorizing mobile food businesses other than those licensed under this section, to conduct concurrent vending operations within the public right-of-way, or such other areas as the City may deem appropriate, during special events. The special event vendors shall still be governed by this

section, except as specifically provided otherwise by the special event permit or such other ordinance, policy, or executive order as may be applicable. However, as long as the public right-of-way remains open to the general public, such authorization or special event vendors shall not require removal of a permittee under this section from operating within an otherwise lawfully occupied location of a mutually acceptable adjacent alternative location during such special event, unless otherwise provided under City ordinances. If the City is closing a public right-of-way to general access, either partially or fully, in order to accommodate a special event, a mobile food business may not access that right-of-way unless specifically authorized by the City.

L. Grounds for Denial, Suspension or Revocation

Failure to comply with the requirements of this section shall be grounds for denial, suspension or revocation of a business license as described in Title 5 Sandy City Revised Ordinances.

M. Mobile Food Courts

1. **Approval First.** Operating a mobile food court is unlawful without first obtaining approval subject to the qualifying provisions written below as well as those found within this Chapter for mobile food businesses.
2. **Administrative Permit.** Mobile food courts are allowed by administrative special use permits only along Centennial Parkway, in accordance with the provisions of this Chapter. Mobile food courts on private property shall comply with all provisions outlined herein.
3. **Restricted Approvals.** Provisions found in this section shall apply to mobile food businesses and street vendor carts.

N. Qualifying Provisions

1. **Parcel Size.** A mobile food court is required to be on a parcel that is at least 2,000 square feet in size.
2. **Number of Food Vendors.** No less than two and no more than 10 individual mobile food businesses or other authorized vendors are allowed in a mobile food court.
3. **Business License Fee.** No participating mobile food business or other authorized vendor shall continue in operation at the mobile food court unless the holder thereof has paid a business license fee as set forth in the Fee Schedule.
4. **Landscape Requirements.** All landscaping requirements shall be met prior to issuing a permit.
5. **Pedestrian Flow.** The proposed mobile food court will not impede pedestrian or vehicular traffic on the public right-of-way.
6. **Comply with Site Approvals.** The proposed mobile food court complies with all conditions pertaining to any existing variances, conditional uses or other approvals granted for the property.

7. **Health Department Approval.** All activities associated with a mobile food court must comply with all Salt Lake Valley Health Department Requirements.
8. **Site Plan.** A detailed site plan demonstrating the following is required:
 - a. The location and orientation of each vendor pad.
 - b. The location of any paving, trash enclosures, landscaping, planters, fencing, canopies, umbrellas or other table covers, barriers or any other site requirement by the International Building Code, or Health Department.
 - c. The location of all existing and proposed activities on site.
 - d. The circulation of all pedestrian and vehicle traffic on the site.
9. **Parking.** Parking for a mobile food court is required at a ratio of two (2) stalls per mobile food business. This requirement maybe waived by the Director as part of the approval. Hard surface paving at the vehicular entrance to the mobile food court and for each individual mobile food business is required. Alternatives to asphalt and cement may be approved as part of the special use review if the applicant is able to demonstrate that the alternative will not result in the accumulation of mud or debris on the City right-of-way.
10. **Submittal by Promotor.** Mobile food court applications may be submitted by a promotor for the participating vehicles.

James Sorenson replied we would be following what the State Law has put in place. We would be making our code comply with what we have been told to comply with.

Commissioner Lisa Hartman opened this item to public comment.

Steve Van Maren, 11039 Lexington Circle, Sandy, commented that Cindy Sharkey's microphone wasn't working.

Commissioner Lisa Hartman closed this item to public comment.

Commissioner Monica Collard moved that Planning Commission forward a positive recommendation to the City Council to adopt the proposed ordinance amendment as shown in Exhibit "A", for the two reasons outlined in the staff report.

Nancy Day seconded the motion. The vote was as follows: Monica Collard, yes; Nancy Day, yes; Jared Clayton, yes; Cyndi Sharkey, yes; Joe Baker, yes; Lisa Hartman, yes. The vote was unanimous in favor.

3. Mobile Food & Street Vendor Businesses Amend Title 15A, Chapter 11, Special Uses, Land Development Code, Revised Ordinances of Sandy City, 2008
CODE-09-17-5306

The Sandy City Community Development Department has filed a request to amend Title 15A, Chapter 11, Mobile Food Businesses, Land Development Code, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to make changes in our code that will align it with recent State Code changes relating to food trucks and mobile food businesses. Staff has also proposed several formatting changes to make it easier for mobile food businesses and street vendors to follow and understand our requirements, while also making it easier to enforce. The proposed changes will also make it easier to operate a mobile food business or street vendor.

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 under which mobile food and street vendor businesses would be evaluated 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.

Brian McCuistion presented this item to the Planning Commission. He stated that Senate Bill 250 made changes to several things relating to food trucks. Cities can no longer require multiple business licenses at different locations for the same business. This Bill also requires cities to reciprocate health and safety certificates and inspections, and eliminates our ability to require certain distance from restaurants. Sandy City would be making all the change that the state has put forth as well as reorganizing the way this particular chapter is outlined.

Commissioner Nancy Day asked if food trucks could be in the same parking lot as a restaurant.

Brian McCuistion replied we have locations as to where these food trucks could be as far as handicap stalls, fire hydrants, and other food trucks, but we cannot restrict how close they can be to a restaurant. The property owner would have to give permission for the food truck to be located on their property.

James Sorenson stated food trucks could be in the public areas but not in private areas without permission.

Brian McCuistion stated the provisions on where food trucks could go within the public right-of-way are very restrictive.

Commissioner Cyndi Sharkey asked how would a food truck or cart provides access to a restroom.

Brian McCuistion replied that would typically happen when given permission from a property owner. The restaurant would allow access to a restroom. For larger events, port-a-potty's would have to be delivered or they could work with the adjacent property owner to use their restroom.

James Sorenson stated if there were a food truck court of something larger, they would have to bring in their own restrooms or work with the adjacent property owner.

Commissioner Cyndi Sharkey stated in the Land Use Development Code Purpose Compliance, under "General" it states to stabilize property values. She asked if the reason for implementing the Food Truck Ordinance is to stabilize property values. She also stated stabilize property values would be the least likely reason to do this.

Commissioner Jared Clayton stated it does not state "real" property value.

Commissioner Cyndi Sharkey stated she does not understand why stabilize property values would be the reference of why the city is applying this new ordinance.

Brian McCuistion stated this was an oversight. This is the language that has been used in Code Amendments in past.

Commissioner Cyndi Sharkey replied this language was also sighted in the Home Occupation

Ordinance, but it makes sense to have it there. It should be removed from the Food Truck Ordinance.

Commissioner Jared Clayton stated the language could be changed when a motion is made.

Commissioner Lisa Hartman opened this item to public comment.

Steve Van Maren, 11039 Lexington Circle, Sandy, indicated Nicole Martin stated sales tax was memitted, not based on sales but by business locations.

Commissioner Cyndi Sharkey stated what she was told is that if the food truck chooses to have a business license in Sandy; sales tax would be remitted to Sandy. If the food truck is operating in Sandy but has a business license in another city, sales tax revenue would go to the other city.

Steve Van Maren stated the Ordinance should not say “Sales that occur within Sandy City limits”. It should say, “Any business registered in Sandy”.

Commissioner Lisa Hartman closed this item to public comment.

Commissioner Joe Baker commented on the language, which discusses temporary and permanent mobile food courts.

Commissioner Lisa Hartman commented that there are permanent food truck courts, but the trucks are not permanent.

Commissioner Nancy Day stated the space is permanent and the food trucks are temporary.

Brian McCuistion stated the intent is to have a permanent food court and temporary food trucks.

Commissioner Lisa Hartman commented that food trucks are independent businesses. They travel all over the Valley.

Commissioner Joe Baker stated so, Sandy City would police the food trucks and make them leave every night.

Commissioner Lisa Hartman stated yes, they would have to leave every night.

Commissioner Joe Baker commented on the word “adjacent” in Auxiliary Power under the Purpose. He said the word “adjacent” should be removed. Adjacent would be the property next to you, not the property you are currently on.

Commissioner Cyndi Sharkey moved that the Planning Commission forward a positive recommendation to the City Council to adopt the proposed ordinance amendment as shown in Exhibit “A”, for the two reasons listed in the staff report with an amendment to the first reason to read: Compliance with the Purpose of the Land Development Code by facilitating the orderly

growth and development of Sandy City. Also, remove the word “adjacent” in Auxiliary Power Regulations.

Jared Clayton seconded the motion. The vote was as follows: Cyndi Sharkey, yes; Jared Clayton, yes; Monica Collard, yes; Nancy Day, yes; Joe Baker, yes; Lisa Hartman, yes. The vote was unanimous in favor.

Commissioner Nancy Day asked if there was anything in the first recommendation that needs to stay.

Brian McCuistion replied he is fine with the amended recommendation.

4. Minutes

Commissioner Monica Collard moved to approve the October 5, 2017 meeting minutes. Jared Clayton seconded the motion. The vote was unanimous in favor.

5. Sandy City Development Report

6. Planning Commission Attendance List

7. Director’s Report

James Sorenson gave the Directors report.

The meeting adjourned at 6:42 p.m.

The content of these minutes are not intended nor are they submitted as a verbatim transcript of the meeting. These minutes are a brief overview of what occurred at the meeting.

Respectfully submitted: _____
Raima Tobler- Fleming, Minutes Secretary



Staff Report

File #: CODE-9-16-5131,
Version: 2

Date: 11/14/2017

Agenda Item Title

Code Amendment - Development Agreements, Amend Title 15A, Chapter 02, General Provisions, Land Use Development Code, Revised Ordinances of Sandy City, 2008

Presenter

Brian McCuiston and Rob Wall

Description/Background:

As requested by the Sandy City Council, the Sandy City Community Development Department has filed a request to amend Title 15A, Chapter 02, General Provisions, Land Use Development

Code, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to consider adding provisions that would allow the City to enter into development agreements.

Development agreements have been used in other cities for a number of years. Up until now, development agreements have not been a tool the City has used. In the past and under special circumstances, Sandy City has used Special Development (SD) Zones, where specific details and unique standards have been approved as a new zoning district.

The City Council and the Sandy City Attorney's Office have held a number of discussion meetings regarding the concept of using development agreements for new projects. The last

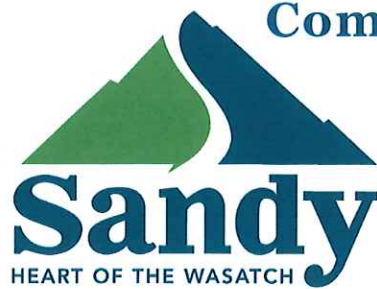
meeting was September 6, 2016. At this meeting the City Attorney passed out a handout titled "Pros and Cons of Development Agreements" (enclosed). Concluding this discussion, the City

Council directed staff to initiate the process of a code amendment to allow Sandy City to enter into development agreements.

This was reviewed by the City Council on October 11, 2016. After some training and discussion on development agreements, the City Council decided to table the item.

Recommended Action and/or Suggested Motion:

The Community Development Department requests that the City Council adopt the proposed ordinance amendment. Attached are two different versions of Exhibit "A". One is the way the Planning Commission recommended. The second one is alternate recommended language as proposed by the Attorney's Office.



Tom Dolan
Mayor

Byron Jorgenson
Chief Administrative Officer

Michael G. Coulam
Director

MEMORANDUM

September 26, 2016

To: City Council via Planning Commission
From: Community Development Department
Subject: Development Agreements and Water Drainage— CODE-9-16-5131
Amend Title 15A, Chapter 02, General Provisions,
Land Use Development Code, Revised Ordinances of
Sandy City, 2008

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

BACKGROUND

As requested by the Sandy City Council, the Sandy City Community Development Department has filed a request to amend Title 15A, Chapter 02, General Provisions, Land Use Development Code, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to consider adding provisions that would allow the City to enter into development agreements. Another change to this Chapter would be to clarify that water drainage is not allowed to flow upon adjacent properties without an appropriate easement.

ANALYSIS

Development agreements have been used in other cities for a number of years. Up until now, development agreements have not been a tool the City has used. In the past and under special circumstances, Sandy City has used Special Development (SD) Zones, where specific details and unique standards have been approved as a new zoning district.

The City Council and the Sandy City Attorney's Office have held a number of discussion meetings regarding the concept of using development agreements for new projects. The last meeting was September 6, 2016. At this meeting the City Attorney passed out a handout titled "Pros and Cons of Development Agreements" (enclosed). Concluding this discussion, the City Council directed staff to initiate the process of a code amendment to allow Sandy City to enter into development agreements.

A second part of this code amendment is to add some language in the General Provisions regarding water drainage. It has always been the practice to ensure water does not drain from one property to another without a proper easement. Water drainage is regulated in our

commercial development standards but is also applicable in residential development. Staff is recommending that we add this in the General Provisions so that it is applied city wide.

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 create consistency and equitable standards and procedures for all new commercial and residential developments within Sandy City. This will also promote fair procedures that are efficient and effective in terms of time and expense as well as being effective and responsive in terms of the allocation of authority and delegation of powers and duties among ministerial, appointed, and elected officials.

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 creating consistency and equitable standards and for all new commercial and residential developments within Sandy City. This will also promote fair procedures that are efficient and effective in terms of time and expense as well as being effective and responsive in terms of the allocation of authority and delegation of powers and duties among ministerial, appointed, and elected officials.
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-02-23 Development Agreements

- A. The City may enter into a real estate development agreement with an applicant to set forth requirements for the development that are in the best interest of the City.
- B. The development agreement shall be executed prior to any zone change, or other development approvals.
- C. The City zoning map shall be revised to reflect the development agreement as a condition of the zone in which the applicant’s property is included.
- D. All development agreements, upon proper execution, shall be recorded with the Salt Lake County Recorder’s Office, shall run with the land, and shall be binding on all successors in the interest of the affected property.
- E. Remedies sought under the development agreement against the City shall not include monetary damages but may only include specific performance and injunctive relief.
- F. Such other terms as may be proposed and agreed to between the city, property owner(s) and developer may be included within the development agreement.

15A-02-24 Water Drainage

Drainage shall not be allowed to flow onto adjoining lots unless an easement for such purpose has been granted by the owner of the lot on which the water flows.

Pros and Cons of Development Agreements

Sandy City Council Discussion - 9.6.16

"DA's are neither a 'panacea' nor should they be feared"

1. *Adds another tool to the tool kit.*
 - a. Advantage – This tool may work in situations that others do not.
 - b. Disadvantage – It may be used instead of others that are more/equally effective;
Comment: Development staff must "speak up" to offer alternatives if they exist; SD zone suggested by CD Director in Council Meeting as example; City Council should seriously consider not using DA if staff identifies another method; City Council should give staff time to consider alternatives – don't draft DA in Council meeting.
2. *Negotiated/flexible/creative.*
 - a. Advantage – The parties are forced to discuss and understand the project and respective positions.
 - b. Disadvantage – Potential politicizing of the project. More time, funds and effort up front
Comment: Time up front can prevent confusion/conflict over time.
3. *Definitive, certainty, predictability.* (Note: To be legally sufficient, the development agreement must be consistent with the Code existing at the time of executing the agreement)
 - a. Advantage – This should reduce the potential for misunderstandings
 - b. Disadvantage – Potential conflict with the Code, which may already be definitive as to some, many or all of the topics that the parties would like to cover
Comment: Traditional zone may also leave unanswered questions – one size never fits every unique development; Terms of well drafted agreement will can address, mitigate, or avoid conflicts.
4. *Broader vesting possibilities.*
 - a. Advantage – Vesting can be consideration for things City wants and things applicant want.
 - b. Disadvantage – Whether vesting is or is not beneficial to the City is not always apparent up front
Comment: Current Utah Vesting doctrine creates same disadvantage with traditional Euclidean zoning; City is bound by vested right at time of completed application.
5. *Expires.*
 - a. Advantage – The vesting ends with the expiration unless otherwise provided by the agreement.
 - b. Disadvantage – After expiration, the parties will know what the project is not, but will they know what the project is/can be? May be difficult to track.
Comment: Designate "DA" on zoning map; reversion or other clause may clarify what project can be if agreement expires
6. *Recorded and binding upon future owners.*
 - a. Advantage – The City is assured that transfer will not affect the City's bargained-for consideration.
 - b. Disadvantage – The City may not want to be contractually bound to a successor;
Comment: same concern exists with Euclidean zoning – future owners are entitled to vested zone.
7. *Can address phasing, timing of public facilities with build-out of the development.*
 - a. Advantage – The development can balance revenue with costs. Dates certain can be discussed to support predictability.
 - b. Disadvantage – The build-out is sometimes market driven with unpredictable timing.
Comment: Same concern exists with traditional Euclidean zoning approach

8. *Council retains more discretion.*

- a. Advantage – Legislative decisions receive more deference. Negotiated agreements also receive more deference to the negotiated terms
- b. Disadvantage – Potential for referendum

*Comment: assuming terms are clear and unambiguous, this is an advantage. If unclear or ambiguous, heightened probability of litigation; split among land use practitioners as to whether DA is legislative or administrative - probably legislative
zone change subject to referendum also, irrespective of DA.*

9. *It's a contract.*

- a. Advantage – Both the City and Developer are bound to the terms and conditions expressly set forth in the Development Agreement. City may pursue compliance (and enforce non-compliance) through a breach of contract action. Can include terms and conditions (i.e. "no damages") that could not be unilaterally adopted by the City.
- b. Disadvantage – Contracts have a longer statute of limitations. No matter how well drafted, there is potential for a third party (i.e. judge) to read it differently; "Deference" standard to legislative acts: how will that apply to DA interpretation/enforcement?

Comment: current thinking is that if DA considered a legislative act, subject to referendum, then deference should be given to City: challenge should be 30-days, arbitrary, capricious, illegal should be standard used by court to judge enforceability of provisions; judges also routinely misunderstand Euclidean zoning and misinterpret zoning ordinances;

10. *Terms and conditions can add to or clarify Code requirements.*

- a. Advantage – Additional clarity and flexibility may be desirable. IF clearly drafted, shields developer from shifting municipal landscape and City from lost memory and "developer recollection" of transaction.
- b. Disadvantage – May be difficult to track. If laws change, development agreement may not be affected (very narrow exception);

Comment: Current Utah Vesting doctrine creates same disadvantage for City relative to zoning ordinance generally once developer "vests" in given zone; DA may actually give City more flexibility in delineating what rights will or will not change if Code changes

11. *Cannot be changed without mutual consent.*

- a. Advantage – Certainty, predictability, and beneficial when no change is desired.
- b. Disadvantage – If City does want the change;

Comment: can't change a vested right of any zone without mutual consent

12. *Treats a large project as a whole.*

- a. Advantage – Integrated projects and phasing.
- b. Disadvantage – Potential change of vision as time passes

Comment: occurs with general plan also

This document is for discussion only. It is not intended as a comprehensive summary of the advantages/disadvantages of development agreements; neither does it represent the policy or position of the Sandy City Administration or the Sandy City Council, nor does it constitute legal advice from the Sandy City Attorney

Conditions:

If the Planning Commission does approve the sign theme, staff recommends the following conditions:

1. That installed signage match the location and design of the submitted renderings.
2. A Sign permit is obtained from the Community Development Department for the proposed sign theme, with any future themes to be reviewed by the Planning Commission.

Scott Sabey moved that the Planning Commission approve the consent calendar.

Nancy Day seconded the motion. The vote was as follows: Scott Sabey, yes; Nancy Day, yes; Monica Collard, yes; Ron Mortimer, yes; Lisa Hartman, yes; Joe Baker, yes; Jared Clayton, yes. The vote was unanimous in favor.

**2. Development Agreements and Water Drainage – Title 15A-
Chapter 2, General Provisions, Land Development Code,
Revised Ordinances of Sandy City, 2008** **CODE-9-16-5131**

As requested by the Sandy City Council, the Sandy City Community Development Department requested to amend Title 15A, Chapter 02, General Provisions, Land Use Development Code, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to consider adding provisions that would allow the City to enter into development agreements. Another change to this Chapter would be to clarify that water drainage is not allowed to flow upon adjacent properties without an appropriate easement.

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 creating consistency and equitable standards and for all new commercial and residential developments within Sandy City. This will also promote fair procedures that are efficient and effective in terms of time and expense as well as being effective and responsive in terms of the allocation of authority and delegation of powers and duties among ministerial, appointed, and elected officials.
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.

Chairman Jared Clayton opened this item to public comment and there was none.

Scott Sabey moved that the Planning Commission forward a positive recommendation to the City Council, based on the two reasons in the Staff Report, that Exhibit A be amended as follows:

15A-02-23 Water Drainage

Drainage shall not be allowed to flow onto adjoining lots unless an easement for such purpose has been granted by the owner of the lot on which the water flows.

15A-02-24 Development Agreements

- A. The City may enter into a real estate development agreement with an applicant to set forth requirements for the development that are in the best interest of the City.**
- B. The development agreement shall be executed prior to any zone change, or other development approvals.**
- C. The City zoning map shall be revised to reflect the development agreement as a condition of the zone in which the applicant's property is located.**
- D. All development agreements, upon proper execution, shall be recorded with the Salt Lake County Recorder's Office, shall run with the land, and shall be binding on all successors in the interest of the affected property.**
- E. Remedies sought under the development agreement against the City shall not include monetary damages, but may only include specific performance and injunctive relief.**
- F. Such other terms as may be proposed and agreed to between the city, property owner(s) and developer may be included within the development agreement.**

Ron Mortimer seconded the motion. The vote was as follows: Scott Sabey, yes; Ron Mortimer, yes; Monica Collard, no; Nancy Day, yes; Lisa Hartman, yes; Joe Baker, yes; Jared Clayton, yes. The vote was 6 to 1 in favor of the motion.

**3. Public Utilities Director Authority - Title 15A-Chapter 23,
Commercial, Office, Industrial, & Transit Corridor
Development Standards, Land Development Code, Revised
Ordinances of Sandy City, 2008** **CODE-9-16-5132**

The Sandy City Community Development Department requested 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

ORDINANCE # 17-27

AN ORDINANCE AMENDING TITLE 15A OF THE REVISED
ORDINANCES OF SANDY CITY (THE LAND DEVELOPMENT CODE),
2008, BY AMENDING CHAPTER 2, "GENERAL PROVISIONS" TO ADD
AUTHORIZATION TO ENTER INTO DEVELOPMENT AGREEMENTS

WHEREAS, pursuant to Section 10-9a-102 of the Utah Code, the City is authorized to enter into development agreements for the use and development of land; and

WHEREAS, development agreements can protect the health, welfare, and safety of the residents of Sandy City by the following: (1) addressing proposed development projects ("Development") and the impacts of such Development that may not have been contemplated by Sandy City ordinances, regulations and standards; (2) addressing density issues of a Development when required to balance competing interests; (3) refining land uses, regulations, standards, and other requirements applicable to a proposed Development; (4) resolving issues regarding unique features or challenges confronting a Development; (5) clarifying the application of City ordinances, regulations, and standards as relate to a Development; and/or (6) setting forth the specific requirements, standards, elements and other aspects of a Development for the benefit of Sandy City and its residents.

WHEREAS, the Sandy City Council finds that the safety, health, morals, and welfare of the residents of the City will be advanced by the amendments proposed in this Ordinance.

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

Section 1. Adopted. Section 15a-02-23, "Development Agreements" of Chapter 2, "General Provisions" of Title 15A of the Revised Ordinances of Sandy City is hereby adopted as set forth in Exhibit A attached to this Ordinance.

Section 2. Severability. The provisions of this ordinance shall be severable; and if any provision thereof, or the application of such provision under any circumstances is held invalid, it shall not affect any other provision of this ordinance, or the application in a different circumstance.

Section 3. Effective. This ordinance shall become effective upon publication of a summary thereof.

(this space left blank intentionally)

PASSED AND APPROVED this _____ day of _____, 2017.

Chris McCandless, Council Chairman

ATTEST:

City Recorder

PRESENTED to the Mayor of Sandy City for his approval the _____ day of _____, 2017.

APPROVED this _____ day of _____, 2017.

Thomas M. Dolan, Mayor

ATTEST:

City Recorder

PUBLISHED this _____ day of _____, 2017.

Exhibit "A"
(Recommendation from PC to Council)

15A-02-23 Development Agreements

- A. The City may enter into a real estate development agreement with an applicant to set forth requirements for the development that are in the best interest of the City.
- B. The development agreement shall be executed prior to any zone change, or other development approvals.
- C. The City zoning map shall be revised to reflect the development agreement as a condition of the zone in which the applicant's property is ~~included~~ located.
- D. All development agreements, upon proper execution, shall be recorded with the Salt Lake County Recorder's Office, shall run with the land, and shall be binding on all successors in the ~~ownership~~ interest of the affected property.
- E. Remedies sought under the development agreement against the City shall not include monetary damages, but may only include ~~only~~-specific performance and injunctive relief.
- F. Such other terms as may be proposed and agreed to between the city, property owner(s) and developer may be included within the development agreement.

Exhibit "A"
(Alternate Recommended Language)

15A-02-23 Development Agreements

- A. The City may enter into areal estate development agreements ~~with an applicant to set forth requirements for the development~~ that are **found to be** in the best interest of the City.
- B. ~~If a~~ The development agreement **is proposed concurrent with a zone change, the development agreement** shall be executed prior to ~~any the zone change, or other development approvals.~~
- C. **Concurrent with the final approval of a development agreement,** ~~t~~The City zoning map shall be revised to reflect the **existence of a** development agreement ~~as a condition of~~ **which affects** the zone in which the applicant's property is located.
- D. ~~All development agreements,~~ **u**Upon proper **final** execution **a development agreement** shall be recorded with the Salt Lake County Recorder's Office, shall run with the land, and shall be binding on all successors in ~~the~~ interest of the affected property.
- E. Remedies sought under the development agreement against the City shall **be limited to those remedies expressly provided in the development agreement,** ~~shall~~ not include monetary damages, ~~but~~ **and** may only include specific performance and injunctive relief.
- F. ~~Such other terms as may be proposed and agreed to between the city, the property owner(s), and the developer may be included within the development agreement.~~



Staff Report

File #: 17-278, **Version:** 1

Date: 11/14/2017

Agenda Item Title:

Finance Department recommending the City Council adopt Resolution #17-51C increasing total appropriations within the Equipment Management Fund.

Presenter:

Brian Kelley

Recommended Action and/or Suggested Motion:

Motion to adopt Resolution #17-51C

RESOLUTION #17-51 C

A RESOLUTION INCREASING TOTAL APPROPRIATIONS WITHIN THE EQUIPMENT MANAGEMENT FUND

BE IT RESOLVED by the City Council of Sandy City, State of Utah, that the amounts described in Exhibits A - E, be increased as outlined. These adjustments are made pursuant to the provisions of Section 10-6-136, U.C.A., as amended, and are done with the provision that no appropriation for debt retirement and interest, reduction of deficit or other appropriation required by law or ordinances is reduced by this resolution.

PASSED AND APPROVED THIS _____ day of _____, 2017.

Chris McCandless, Chair
Sandy City Council

ATTEST:

Molly Spira
City Recorder

RECORDED this _____ day of _____, 2017.

SEE ATTACHED EXHIBIT A-E

Carryover Requests					
	Equipment Mgt	Payroll Mgt	Fleet Purchases	Capital Projects	Total
Mayor/CAO					
Payroll Management		23,062			23,062
Total Mayor/CAO	\$ -	\$ 23,062	\$ -	\$ -	\$ 23,062
Human Resources					
Computer Equipment	\$ 8,359				\$ 8,359
Automatic blood pressure cuff	666				666
Office Chairs (3)	1,500				1,500
Systems furniture for HR	11,635				11,635
Fitbits - Equipment for Wellness Program (20)	2,000				2,000
Total Human Resources	\$ 24,160	\$ -	\$ -	\$ -	\$ 24,160
City Recorder					
Office Chairs (6)	\$ 3,000				\$ 3,000
Audio / Video Upgrades - projector	5,000				5,000
Computer Equipment	2,980				2,980
Payroll Management		935			935
Total City Recorder	\$ 10,980	\$ 935	\$ -	\$ -	\$ 11,915
Building Services					
Facilities Tools/Equipment	\$ 4,040				4,040
Ice Maker (Senior Center)	3,900				3,900
Freezer (Senior Center)	3,400				3,400
4 Tray Warming Table (Senior Center)	2,000				2,000
Generator	1,000				1,000
Vacuums (5)	3,250				3,250
Thin Clients (2)	2,600				2,600
Computer Equipment	2,335				2,335
Time Keeping System	2,673				2,673
Additional Truck			21,000		21,000
Total Building Services	\$ 25,198	\$ -	\$ 21,000	\$ -	\$ 46,198

Carryover Requests					
	Equipment Mgt	Payroll Mgt	Fleet Purchases	Capital Projects	Total
Communications					
Office Chairs (6)	\$ 3,000				\$ 3,000
Audio / Video Equipment (drone)	7,500				7,500
Computer Equipment	4,679			-	4,679
Payroll Management		4,718			4,718
Total Communications	\$ 15,179	\$ 4,718	\$ -	\$ -	\$ 19,897
Court Services					
Courtroom Technology Upgrade and Remodel				\$ 99,253	\$ 99,253
Total Court Services	\$ -	\$ -	\$ -	\$ 99,253	\$ 99,253
Non Departmental					
Municipal Building - Exercise Room Upgrades				\$ 15,000	\$ 15,000
Total Non Departmental	\$ -	\$ -	\$ -	\$ 15,000	\$ 15,000
Emergency Management					
Emergency Operations Center Equipment	\$ 4,065				\$ 4,065
Laptop	1,610				1,610
Payroll Management		\$ 379			379
Total Emergency Management	\$ 5,675	\$ 379	\$ -	\$ -	\$ 6,054
City Council					
Capital Project Contingency				\$ 52,774	\$ 52,774
Office Furniture / Equipment	3,000				3,000
Payroll Management		383			383
Total City Council	\$ 3,000	\$ 383	\$ -	\$ 52,774	\$ 56,157
Finance					
Office Furniture	\$ 2,450				\$ 2,450
Envelope Fold, Insert and Seal Machine	12,000				12,000
Laptop	1,430				1,430
Printer	3,000				3,000
Payroll Management		6,529			6,529
Total Finance	\$ 18,880	\$ 6,529	\$ -	\$ -	\$ 25,409

Carryover Requests					
	Equipment Mgt	Payroll Mgt	Fleet Purchases	Capital Projects	Total
Police & Animal Services					
Car Cameras (3)	\$ 16,815				\$ 16,815
Storage Cabinet	729				729
Computer Equipment	400				400
Security Access Card Reader System	7,146				7,146
Laptops (31)	39,900				39,900
Tasers (10)	10,070				10,070
Lidars (10)	12,950				12,950
Standing Desks (22)	14,700				14,700
Copier/Fax	3,000				3,000
Desktop Computers (10)	11,000				11,000
Mesh Node Video Equipment	2,000				2,000
Radios (8)	23,662				23,662
Printers (2 color, 10 in-car)	12,500				12,500
Personal Protective Unit Kits (shields, helmets, etc)	10,745				10,745
SWAT Equipment	24,896				24,896
Mobile Command Center Re-wrap	7,100				7,100
Evidence Cameras (2)	7,220				7,220
Video Upgrade (training room)	3,000				3,000
Animal Services Equipment (cat cages)	12,123				12,123
Police Equipment	3,603				3,603
Rhino ATV replacement (2)			28,000		28,000
Animal Services Building				54,310	54,310
Payroll Management		33,986			33,986
Total Police & Animal Services	\$ 223,559	\$ 33,986	\$ 28,000	\$ 54,310	\$ 339,855
Fire					
EKG Monitors	\$ 167,000				\$ 167,000
Personal Protective Equipment/Turnouts	48,927				48,927
Training Software	7,286				7,286
Station Furniture	11,250				11,250
Radios (10)	41,918				41,918
Computer Equipment	5,304				5,304
Hazmat Equipment	12,482				12,482
Exercise Equipment	4,725				4,725
Training Equipment	920				920
Wildland Equipment	7,325				7,325
Medical Equipment	9,700				9,700
Payroll Management		35,204			35,204
Total Fire	\$ 316,837	\$ 35,204	\$ -	\$ -	\$ 352,041

Carryover Requests					
	Equipment Mgt	Payroll Mgt	Fleet Purchases	Capital Projects	Total
Attorney					
Computer Equipment	\$ 5,545	\$ -			\$ 5,545
Office Furniture / Equipment	1,700				1,700
Printer	500				500
Payroll Management		3,081			3,081
Total Attorney	\$ 7,745	\$ 3,081	\$ -	\$ -	\$ 10,826
Public Works					
Computer Equipment	\$ 1,800				\$ 1,800
Concrete Saw	2,000				2,000
Cityworks Database Conversions	30,000				30,000
Public Works Facility				48,421	48,421
9400 South Safe Sidewalk (ph 4 - match)				30,000	30,000
Salt Storage				106,249	106,249
Payroll Management		6,081			6,081
Total Public Works	\$ 33,800	\$ 6,081	\$ -	\$ 184,670	\$ 224,551
Parks & Recreation					
Time Keeping System	\$ 2,000				\$ 2,000
Parks Equipment	19,200				19,200
Security Camera System	12,000				12,000
Office Improvements (Old B&G Club area)	16,500				16,500
Computerized Irrigation Equipment	12,500				12,500
Water Pumps Equipment	20,000				20,000
Parks & Trails Renovation Projects				32,119	32,119
Mule, Trailer, 48" mower bagger for Cairns Area			25,000		25,000
Payroll Management		13,220			13,220
Total Parks & Recreation	\$ 82,200	\$ 13,220	\$ 25,000	\$ 32,119	\$ 152,539
Community Development					
Computer Equipment	\$ 17,942				17,942
Safety Equipment	2,600				2,600
Printer/Copier/Scanner	7,000				7,000
Office Furniture/Equipment	12,400				12,400
International Code Council State Adopted Code Books	3,500				3,500
Payroll Management	-	13,871			13,871
Total Community Development	\$ 43,442	\$ 13,871	\$ -	\$ -	\$ 57,313
Grand Total	\$ 810,655	\$ 141,449	\$ 74,000	\$ 438,126	\$ 1,464,230

Description	Total Fiscal Year 2017	Annual Budget	YTD Positive/ (Negative) Variance	% of Budget
Summary Report For: 1 - General Fund				
Financing Sources				
311 Taxes & Special Assessments	39,473,893	38,369,500	1,104,393	102.88%
312 Licenses & Permits	3,283,296	2,731,170	552,126	120.22%
313 Inter-Governmental Revenue	3,611,758	3,642,120	(30,362)	99.17%
314 Charges for Services	5,856,166	5,805,138	51,028	100.88%
315 Fines & Forfeitures	1,702,994	1,561,000	141,994	109.10%
316 Miscellaneous Revenues	702,944	741,912	(38,968)	94.75%
341 Transfers In from Other Funds	581,789	581,789	-	100.00%
342 Transfer From Reserves	6,150,609	6,150,609	-	100.00%
Total Financing Sources	61,363,449	59,583,238	1,780,212	102.99%
Financing Uses				
411 Personnel Services	36,167,115	36,755,397	588,282	98.40%
412 Materials & Supplies	4,123,409	4,627,369	503,960	89.11%
413 External Services	2,112,061	2,270,122	158,061	93.04%
414 Internal Service	3,054,019	3,057,138	3,119	99.90%
417 Equipment & Improvements	87,419	154,390	66,971	56.62%
419 Contingency	-	120,000	120,000	0.00%
434 Capitalized Internal Services	1,675,365	1,551,500	(123,865)	107.98%
437 Capital Outlays	185	8,000	7,815	2.31%
441 Transfers Out to Other Funds	4,820,690	4,904,053	83,363	98.30%
Total Financing Uses	52,040,264	53,447,969	1,407,705	97.37%
	9,323,186	6,135,269	3,187,917	151.96%
FY 2017 General Fund Department Savings			\$ 1,407,705	
Unspent Equipment Management			352,304	
Total FY 2016 Savings			\$ 1,760,009	
Equipment Management Fund			\$ 810,655	
Payroll Management Fund			141,449	
Fleet Fund			74,000	
Capital Projects Fund			438,126	
Un-Allocated Carryover			295,779	
Total Use of Savings			\$ 1,760,009	

Note: Of the \$1,780,212 in excess revenues, about \$1,106,000 was allocated in the FY 2018 Budget. Approximately \$95,000 was set aside to maintain an 11.5% fund balance, \$111,000 for the transfer to fund 46 (road funds), and \$900,000 for capital projects such as \$500,000 for State Street Improvements and \$400,000 for 8680 S Phase III.

Description		Total Fiscal Year 2017	Annual Budget	YTD Positive/ (Negative) Variance	% of Budget
Mayor/CAO					
Financing Uses					
411111	Regular Pay	815,903	797,452	(18,451)	102.31
411121	Temporary/Seasonal Pay	6,489	25,191	18,702	25.76
411211	Variable Benefits	171,160	174,142	2,982	98.29
411213	Fixed Benefits	88,596	80,792	(7,804)	109.66
411214	Retiree Health Benefit	16,872	15,552	(1,320)	108.49
41131	Vehicle Allowance	23,994	26,622	2,628	90.13
41132	Mileage Reimbursement	546	600	54	91.02
41135	Phone Allowance	2,884	3,300	416	87.38
Personnel Services		1,126,443	1,123,651	(2,792)	100.25
4121	Books, Sub., & Memberships	5,720	5,890	170	97.11
41231	Travel	9,046	18,261	9,215	49.54
41232	Meetings	12,252	15,194	2,942	80.64
41235	Training	246	3,000	2,754	8.19
412400	Office Supplies	5,209	4,400	(809)	118.39
412440	Computer Supplies	466	448	(18)	103.93
412490	Miscellaneous Supplies	2,672	3,300	628	80.98
412511	Equipment O & M	318	150	(168)	211.99
412611	Telephone	5,532	6,695	1,163	82.63
Materials & Supplies		41,461	57,338	15,877	72.31
413723	UCAN Charges	833	810	(23)	102.84
External Services		833	810	(23)	102.84
414111	IT Charges	35,955	35,955	-	100.00
41471	Fleet O&M	1,767	1,767	-	100.00
Internal Service		37,722	37,722	-	100.00
Total Financing Uses		1,206,459	1,219,521	13,062	98.93
FY 2017 Savings				\$ 13,062	
Savings from Communications				10,000	
Unspent Equipment Management				-	
Total FY 2017 Savings				<u>\$ 23,062</u>	

Mayor/CAO	Recommended Use of Savings
Equipment Management Fund	-
	\$ -
Payroll Management Fund	\$ 23,062
	\$ 23,062
Fleet Fund	\$ -
	\$ -

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Exhibit B

Mayor/CAO	Recommended Use of Savings
Capital Projects Fund	\$ -
	-
	\$ -
Un-Allocated Carryover	\$ -
Total Use	23,062

Description	Total Fiscal Year 2017	Annual Budget	YTD Positive/ (Negative) Variance	% of Budget
<u>1210 Human Resources</u>				
Financing Uses				
411111 Regular Pay	285,644	285,841	197	99.93
411121 Temporary/Seasonal Pay	2,577	-	(2,577)	-
411131 Overtime/Gap	22	-	(22)	-
411211 Variable Benefits	62,084	61,599	(485)	100.79
411213 Fixed Benefits	52,606	55,805	3,199	94.27
411214 Retiree Health Benefit	314	628	314	49.99
41132 Mileage Reimbursement	178	700	522	25.37
41135 Phone Allowance	482	480	(2)	100.43
Personnel Services	403,905	405,053	1,148	99.72
4121 Books, Sub., & Memberships	1,368	2,000	632	68.40
41221 Public Notices	321	1,000	679	32.15
41231 Travel	1,642	3,400	1,758	48.30
41232 Meetings	1,254	1,000	(254)	125.39
41235 Training	1,396	2,500	1,104	55.84
41237 Training Supplies	150	500	350	30.05
412400 Office Supplies	1,647	3,000	1,353	54.90
412435 Printing	3,250	2,700	(550)	120.36
412440 Computer Supplies	516	533	17	96.82
412470 Special Programs	33,540	48,770	15,230	68.77
412472 Health and Wellness Program	24,904	20,000	(4,904)	124.52
412490 Miscellaneous Supplies	1,027	500	(527)	205.40
412511 Equipment O & M	2,066	1,000	(1,066)	206.55
412611 Telephone	5,268	6,556	1,288	80.35
Materials & Supplies	78,349	93,459	15,110	83.83
41379 Professional Services	30,545	38,448	7,903	79.45
External Services	30,545	38,448	7,903	79.45
414111 IT Charges	20,291	20,291	-	100.00
Internal Service	20,291	20,291	-	100.00
Total Financing Uses	533,091	557,251	24,160	95.66
FY 2017 Savings			\$ 24,160	
Unspent Equipment Management			-	
Total FY 2017 Savings			<u>\$ 24,160</u>	

Resolution # 17-51 C

Exhibit B

Human Resources	Recommended Use of Savings
Equipment Management Fund	
AED Machines (2)	8,359
Automatic blood pressure cuff	666
Office Chairs (3)	1,500
Systems furniture for HR	11,635
Fitbits - Equip. for Wellness Program (20)	2,000
	<u>\$ 24,160</u>
Payroll Management Fund	<u>\$ -</u>
	\$ -
Fleet Fund	<u>\$ -</u>
	\$ -
Capital Projects Fund	<u>\$ -</u>
	\$ -
Un-Allocated Carryover	\$ -
Total Use	24,160

Description	Total Fiscal Year 2017	Annual Budget	YTD Positive/ (Negative) Variance	% of Budget
1213 City Recorder				
Financing Uses				
411111 Regular Pay	104,576	100,394	(4,182)	104.17
411121 Temporary/Seasonal Pay	12,280	13,907	1,627	88.30
411211 Variable Benefits	23,505	23,002	(503)	102.19
411213 Fixed Benefits	30,560	30,578	18	99.94
411214 Retiree Health Benefit	619	1,291	672	47.94
41132 Mileage Reimbursement	181	300	119	60.34
Personnel Services	<u>171,721</u>	<u>169,472</u>	<u>(2,249)</u>	<u>101.33</u>
4121 Books, Sub., & Memberships	702	1,000	298	70.19
41221 Public Notices	9,832	11,701	1,869	84.03
41231 Travel	613	1,400	787	43.80
41232 Meetings	50	51	1	98.49
41235 Training	633	100	(533)	633.06
412400 Office Supplies	8,298	2,100	(6,198)	395.13
412415 Copying	458	5,660	5,202	8.09
412420 Postage	38,887	49,926	11,039	77.89
412430 Microfilming & Archives	773	900	128	85.83
412440 Computer Supplies	-	248	248	-
412511 Equipment O & M	223	500	277	44.69
412611 Telephone	2,371	2,371	-	100.00
Materials & Supplies	<u>62,840</u>	<u>75,957</u>	<u>13,117</u>	<u>82.73</u>
414111 IT Charges	9,446	9,446	-	100.00
Internal Service	<u>9,446</u>	<u>9,446</u>	<u>-</u>	<u>100.00</u>
Total Financing Uses	<u>244,006</u>	<u>254,875</u>	<u>10,869</u>	<u>95.74</u>
FY 2017 Savings			\$ 10,869	
Unspent Equipment Management			1,046	
Total FY 2017 Savings			<u>\$ 11,915</u>	

City Recorder	Recommended Use of Savings
Equipment Management Fund	
Office Chairs (6)	3,000
Audio / Video Upgrades - projector	5,000
Computer Equipment	2,980
	<u>\$ 10,980</u>
Payroll Management Fund	<u>\$ 935</u>
	\$ 935
Fleet Fund	\$ -
Capital Projects Fund	\$ -
Un-Allocated Carryover	\$ -
Total Use	11,915

Description		Total Fiscal Year 2017	Annual Budget	YTD Positive/ (Negative) Variance	% of Budget
1216 Facilities Services					
Financing Uses					
411111	Regular Pay	347,553	349,351	1,798	99.49
411121	Temporary/Seasonal Pay	123,701	116,920	(6,781)	105.80
411131	Overtime/Gap	423	-	(423)	-
411135	On Call Pay	21	-	(21)	-
411211	Variable Benefits	88,258	87,048	(1,210)	101.39
411213	Fixed Benefits	105,444	104,858	(586)	100.56
411214	Retiree Health Benefit	-	247	247	-
41131	Vehicle Allowance	3,471	3,470	(1)	100.04
41132	Mileage Reimbursement	-	125	125	-
41135	Phone Allowance	1,446	1,480	34	97.68
Personnel Services		670,317	663,499	(6,818)	101.03
41231	Travel	916	865	(51)	105.92
41235	Training	50	2,500	2,450	2.00
412470	Special Programs	1,977	-	(1,977)	-
412511	Equipment O & M	479	3,600	3,121	13.31
412521	Building O & M	56,247	70,000	13,753	80.35
412523	Power & Lights	240,660	235,600	(5,060)	102.15
412524	Heat	74,048	73,690	(358)	100.49
412525	Sewer	1,912	1,920	8	99.57
412526	Water	7,111	9,730	2,619	73.08
412527	Storm Water	6,624	8,100	1,476	81.78
412529	Street Lights	546	552	6	99.00
412611	Telephone	1,317	3,239	1,922	40.66
Materials & Supplies		391,887	409,796	17,909	95.63
413723	UCAN Charges	1,395	2,160	765	64.58
41379	Professional Services	45,396	78,000	32,604	58.20
External Services		46,791	80,160	33,369	58.37
414111	IT Charges	13,685	13,685	-	100.00
41471	Fleet O&M	5,075	5,075	-	100.00
Internal Service		18,760	18,760	-	100.00
4173	Building Improvements	8,929	9,000	71	99.21
4174	Equipment	3,834	5,500	1,666	69.70
Equipment & Improvements		12,763	14,500	1,737	88.02
Total Financing Uses		1,140,517	1,186,715	46,198	96.11
FY 2017 Savings				\$ 46,198	
Unspent Equipment Management				-	
Total FY 2017 Savings				<u>\$ 46,198</u>	

Resolution # 17-51 C

Exhibit B

Facilities Services	Recommended Use of Savings
Equipment Management Fund	
Facilities Tools/Equipment	\$ 4,040
Ice Maker (Senior Center)	3,900
Freezer (Senior Center)	3,400
4 Tray Warming Table (Senior Center)	2,000
Generator	1,000
Vacuums (5)	3,250
Thin Clients (2)	2,600
Computer Equipment	2,335
Time Clocks for Buildings	2,673
	<u>\$ 25,198</u>
Payroll Management Fund	<u>\$ -</u>
	\$ -
Fleet Fund	
Additional Truck	\$ 21,000
	<u>\$ 21,000</u>
Capital Projects Fund	\$ -
	<u>-</u>
	\$ -
Un-Allocated Carryover	\$ -
Total Use	46,198

Description	Total Fiscal Year 2017	Annual Budget	YTD Positive/ (Negative) Variance	% of Budget
123 Communications				
Financing Uses				
411111 Regular Pay	244,233	230,812	(13,421)	105.81
411211 Variable Benefits	52,196	49,692	(2,504)	105.04
411213 Fixed Benefits	39,612	37,887	(1,725)	104.55
41131 Vehicle Allowance	5,810	5,233	(577)	111.03
41132 Mileage Reimbursement	211	100	(111)	210.58
41135 Phone Allowance	1,114	1,080	(34)	103.17
Personnel Services	343,176	324,804	(18,372)	105.66
4121 Books, Sub., & Memberships	845	1,500	655	56.33
41231 Travel	4,928	2,500	(2,428)	197.14
41232 Meetings	582	300	(282)	193.95
41235 Training	415	500	85	83.00
412470 Special Programs	104,421	141,500	37,079	73.80
Materials & Supplies	111,191	146,300	35,109	76.00
41379 Professional Services	-	10,000	10,000	-
External Services	-	10,000	10,000	-
4174 Equipment	2,845	-	(2,845)	-
Equipment & Improvements	2,845	-	(2,845)	-
Total Financing Uses	457,212	481,104	23,892	95.03
FY 2017 Savings			\$ 23,892	
Unspent Equipment Management			6,005	
Mayor/CAO Payroll Mgmt			(10,000)	
Total FY 2017 Savings			<u>\$ 19,897</u>	

Communications	Recommended Use of Savings
Equipment Management Fund	
Office Chairs (6)	\$ 3,000
Audio / Video Equipment (drone)	7,500
Computer Equipment (for Web Master)	4,679
	<u>\$ 15,179.00</u>
Payroll Management Fund	\$ 4,718
	<u>\$ 4,718</u>
Fleet Fund	\$ -
	<u>-</u>
	\$ -
Capital Projects Fund	\$ -
Un-Allocated Carryover	\$ -
Total Use	19,897

Description		Total Fiscal Year 2017	Annual Budget	YTD Positive/ (Negative) Variance	% of Budget
13 City Council					
Financing Uses					
411111	Regular Pay	386,208	385,634	(574)	100.15
411121	Temporary/Seasonal Pay	-	25,500	25,500	-
411131	Overtime/Gap	4,659	-	(4,659)	
411211	Variable Benefits	69,400	72,888	3,488	95.21
411213	Fixed Benefits	81,045	83,560	2,515	96.99
411214	Retiree Health Benefit	20,731	23,521	2,790	88.14
41131	Vehicle Allowance	5,939	5,916	(23)	100.39
41132	Mileage Reimbursement	32	200	168	16.20
41135	Phone Allowance	482	480	(2)	100.43
Personnel Services		568,497	597,699	29,202	95.11
4121	Books, Sub., & Memberships	80	400	320	20.00
41231	Travel	1,253	5,366	4,113	23.35
41232	Meetings	19,508	14,300	(5,208)	136.42
41235	Training	70	5,260	5,190	1.33
412400	Office Supplies	1,962	4,000	2,038	49.06
412440	Computer Supplies	-	675	675	-
412490	Miscellaneous Supplies	9,436	750	(8,686)	1,258.20
412611	Telephone	2,634	3,404	770	77.38
Materials & Supplies		34,943	34,155	(788)	102.31
41341	Audit Services	16,519	16,750	231	98.62
41379	Professional Services	-	15,800	15,800	-
External Services		16,519	32,550	16,031	50.75
414111	IT Charges	10,174	10,174	-	100.00
Internal Service		10,174	10,174	-	100.00
4174	Equipment	5,089	16,800	11,711	30.29
Equipment & Improvements		5,089	16,800	11,711	30.29
Total Financing Uses		635,221	691,378	56,157	91.88
FY 2017 Savings				\$ 56,157	
Unspent Equipment Management				-	
Total FY 2017 Savings				<u>\$ 56,157</u>	

City Council	Recommended Use of Savings
Equipment Management Fund	
Office Furniture / Equipment	\$ 3,000
	-
	<u>\$ 3,000</u>
Payroll Management Fund	\$ 383
Fleet Fund	\$ -

City Council	Recommended Use of Savings
Capital Projects Fund	\$ -
Capital Project Contingency	52,774
	<u>\$ 52,774</u>
Un-Allocated Carryover	\$ -
Total Use	56,157

Description	Total Fiscal Year 2017	Annual Budget	YTD Positive/ (Negative) Variance	% of Budget
<u>14 City Attorney</u>				
Financing Uses				
411111 Regular Pay	867,763	850,455	(17,308)	102.04
411121 Temporary/Seasonal Pay	-	12,078	12,078	-
411131 Overtime/Gap	263	-	(263)	
411211 Variable Benefits	195,188	182,758	(12,430)	106.80
411213 Fixed Benefits	123,034	122,026	(1,008)	100.83
411214 Retiree Health Benefit	3,287	5,712	2,425	57.54
411131 Vehicle Allowance	5,939	11,148	5,209	53.27
411132 Mileage Reimbursement	1,284	800	(484)	160.55
411135 Phone Allowance	482	480	(2)	100.38
Personnel Services	<u>1,197,240</u>	<u>1,185,457</u>	<u>(11,783)</u>	<u>100.99</u>
4121 Books, Sub., & Memberships	10,449	13,000	2,551	80.37
41231 Travel	1,218	8,000	6,782	15.22
41232 Meetings	1,117	900	(217)	124.10
41235 Training	2,702	2,850	148	94.80
412400 Office Supplies	4,901	4,000	(901)	122.52
412440 Computer Supplies	-	600	600	-
412511 Equipment O & M	-	700	700	-
412611 Telephone	6,586	8,462	1,876	77.83
Materials & Supplies	<u>26,972</u>	<u>38,512</u>	<u>11,540</u>	<u>70.03</u>
41331 Litigation/Legal Services	20	350	330	5.71
41332 Prosecution Services	-	150	150	-
41379 Professional Services	2,697	1,000	(1,697)	269.65
External Services	<u>2,717</u>	<u>1,500</u>	<u>(1,217)</u>	<u>181.10</u>
414111 IT Charges	35,957	35,957	-	100.00
Internal Service	<u>35,957</u>	<u>35,957</u>	<u>-</u>	<u>100.00</u>
4174 Equipment	409	2,500	2,091	16.35
Equipment & Improvements	<u>409</u>	<u>2,500</u>	<u>2,091</u>	<u>16.35</u>
Total Financing Uses	<u>1,263,294</u>	<u>1,263,926</u>	<u>632</u>	<u>99.95</u>
FY 2017 Savings			\$ 632	
Unspent Equipment Management			10,194	
Total FY 2017 Savings			<u>\$ 10,826</u>	

Resolution # 17-51 C

Exhibit B

Attorney	Recommended Use of Savings
Equipment Management Fund	
Computer Equipment	\$ 5,545
Office Furniture / Equipment	1,700
Printer	500
	<u>\$ 7,745</u>
Payroll Management Fund	<u>\$ 3,081</u>
	\$ 3,081
Fleet Fund	\$ -
	<u>-</u>
	\$ -
Capital Projects Fund	\$ -
	<u>-</u>
	\$ -
Un-Allocated Carryover	\$ -
Total Use	10,826

Description	Total Fiscal Year 2017	Annual Budget	YTD Positive/ (Negative) Variance	% of Budget
<u>15 Court Services</u>				
Financing Uses				
411111 Regular Pay	734,822	736,953	2,131	99.71
411121 Temporary/Seasonal Pay	5,167	15,361	10,194	33.64
411131 Overtime/Gap	2,191	2,300	109	95.27
411132 Out of Class	-	11,586	11,586	-
411211 Variable Benefits	159,023	164,254	5,231	96.82
411213 Fixed Benefits	174,134	196,075	21,941	88.81
411214 Retiree Health Benefit	-	926	926	-
41132 Mileage Reimbursement	1,152	200	(952)	576.20
Personnel Services	<u>1,076,489</u>	<u>1,127,655</u>	<u>51,166</u>	<u>95.46</u>
4121 Books, Sub., & Memberships	2,719	1,800	(919)	151.05
41231 Travel	7,122	10,000	2,878	71.22
41232 Meetings	-	750	750	-
41235 Training	1,000	500	(500)	199.94
412400 Office Supplies	12,777	18,000	5,223	70.98
412420 Postage	18,517	19,800	1,283	93.52
412435 Printing	1,472	8,500	7,028	17.32
412440 Computer Supplies	664	4,000	3,336	16.59
412511 Equipment O & M	5,217	8,000	2,783	65.22
412611 Telephone	17,913	22,542	4,629	79.46
Materials & Supplies	<u>67,402</u>	<u>93,892</u>	<u>26,490</u>	<u>71.79</u>

		Total Fiscal Year 2017	Annual Budget	YTD Positive/ (Negative) Variance	% of Budget
Description					
41342	Credit Card Processing	25,171	29,800	4,629	84.46
413723	UCAN Charges	279	270	(9)	103.33
41379	Professional Services	21,280	17,000	(4,280)	125.18
41381	Witness Fees	4,107	6,600	2,493	62.23
41382	Jury Fees	296	1,776	1,480	16.67
41389	Miscellaneous Services	6,716	24,000	17,284	27.98
External Services		<u>57,849</u>	<u>79,446</u>	<u>21,597</u>	<u>72.82</u>
414111	IT Charges	68,585	68,585	-	100.00
Internal Service		<u>68,585</u>	<u>68,585</u>	<u>-</u>	<u>100.00</u>
Total Financing Uses		<u>1,270,325</u>	<u>1,369,578</u>	<u>99,253</u>	<u>92.75</u>
FY 2017 Savings				\$ 99,253	
Unspent Equipment Management				-	
Total FY 2017 Savings				<u><u>\$ 99,253</u></u>	

Court Services	Recommended Use of Savings
Equipment Management Fund	-
	<u>-</u>
	\$ -
Payroll Management Fund	\$ -
	<u>\$ -</u>
Fleet Fund	\$ -
	<u>-</u>
	\$ -
Capital Projects Fund	\$ -
Courtroom Technology Upgrade/Remodel	99,253
	<u>\$ 99,253</u>
Un-Allocated Carryover	\$ -
Total Use	99,253

Description		Total Fiscal Year 2017	Annual Budget	YTD Positive/ (Negative) Variance	% of Budget
17 Finance					
Financing Uses					
411111	Regular Pay	1,119,143	1,110,730	(8,413)	100.76
411121	Temporary/Seasonal Pay	30,920	35,628	4,708	86.79
411131	Overtime/Gap	2,136	-	(2,136)	
411211	Variable Benefits	242,548	242,930	382	99.84
411213	Fixed Benefits	217,622	233,780	16,158	93.09
411214	Retiree Health Benefit	12,711	15,061	2,350	84.40
41131	Vehicle Allowance	5,939	5,916	(23)	100.39
41132	Mileage Reimbursement	768	1,750	982	43.90
41135	Phone Allowance	482	480	(2)	100.38
Personnel Services		1,632,268	1,646,275	14,007	99.15
4121	Books, Sub., & Memberships	3,462	3,850	388	89.92
41221	Public Notices	126	-	(126)	
41231	Travel	4,675	6,700	2,025	69.77
41232	Meetings	2,800	1,000	(1,800)	280.01
41234	Education	-	2,500	2,500	-
41235	Training	2,015	7,950	5,935	25.35
412400	Office Supplies	9,868	17,400	7,532	56.71
412440	Computer Supplies	4,420	1,529	(2,891)	289.08
412445	Billing Supplies	6,513	15,000	8,487	43.42
412470	Special Programs	2,092	-	(2,092)	
412490	Miscellaneous Supplies	45	300	255	15.00
412511	Equipment O & M	3,025	3,300	275	91.68
412611	Telephone	13,171	16,734	3,563	78.71
Materials & Supplies		52,212	76,263	24,051	68.46
41379	Professional Services	23,558	4,000	(19,558)	588.96
External Services		23,558	4,000	(19,558)	588.96
414111	IT Charges	136,532	136,532	-	100.00
Internal Service		136,532	136,532	-	100.00
4174	Equipment	2,330	7,068	4,738	32.96
Equipment & Improvements		2,330	7,068	4,738	32.96
Total Financing Uses		1,846,900	1,870,138	23,238	98.76
FY 2017 Savings				\$ 23,238	
Unspent Equipment Management				2,171	
Total FY 2017 Savings				<u>\$ 25,409</u>	

Resolution # 17-51 C

Exhibit B

Finance	Recommended Use of Savings
Equipment Management Fund	
Envelope Fold, Insert and Seal Machine	12,000
Office Furniture	2,450
Laptop	1,430
Printer	3,000
	<u>\$ 18,880</u>
Payroll Management Fund	<u>\$ 6,529</u>
Fleet Fund	\$ -
	<u>-</u>
	\$ -
Capital Projects Fund	\$ -
	<u>-</u>
	\$ -
Un-Allocated Carryover	\$ -
Total Use	25,409

Description		Total Fiscal Year 2017	Annual Budget	YTD Positive/ (Negative) Variance	% of Budget
19 Non-Departmental					
Financing Uses					
411111	Regular Pay	146,594	143,774	(2,820)	101.96
411211	Variable Benefits	31,912	31,004	(908)	102.93
411213	Fixed Benefits	18,868	20,487	1,619	92.10
411214	Retiree Health Benefit	-	2,472	2,472	-
41131	Vehicle Allowance	2,969	2,958	(11)	100.39
41132	Mileage Reimbursement	146	-	(146)	-
41135	Phone Allowance	241	240	(1)	100.38
Personnel Services		200,730	200,935	205	99.90
4121	Books, Sub., & Memberships	87,642	84,000	(3,642)	104.34
41231	Travel	5,435	7,000	1,565	77.64
41232	Meetings	5,049	1,700	(3,349)	296.98
41235	Training	102	-	(102)	-
412470	Special Programs	584,894	691,019	106,125	84.64
412490	Miscellaneous Supplies	5,301	5,499	198	96.41
412511	Equipment O & M	318	-	(318)	-
412611	Telephone	1,581	1,581	-	100.00
Materials & Supplies		690,321	790,799	100,478	87.29
41333	Court Appointed Counsel	95,439	100,000	4,561	95.44
41341	Audit Services	4,500	-	(4,500)	-
413723	UCAN Charges	-	540	540	-
41378	Intergovernmental Relations	268,810	262,000	(6,810)	102.60
41379	Professional Services	23,300	20,000	(3,300)	116.50
External Services		392,049	382,540	(9,509)	102.49
414111	IT Charges	55,507	55,507	-	100.00
41460	Risk Management Charges	239,352	239,352	-	100.00
41463	Fleet Repair Fund	13,448	26,000	12,552	51.72
Internal Service		308,307	320,859	12,552	96.09
4174	Equipment	1,310	5,000	3,690	26.20
Equipment & Improvements		1,310	5,000	3,690	26.20
4199	Contingency	-	120,000	120,000	-
Contingency		-	120,000	120,000	-
Total Financing Uses		1,592,717	1,820,133	227,416	87.51
FY 2017 Savings				\$ 227,416	
Unspent Equipment Management				-	
Total FY 2017 Savings				<u>\$ 227,416</u>	

Resolution # 17-51 C

Exhibit B

Non-Departmental	Recommended Use of Savings
Equipment Management Fund	-
	-
	<hr/>
	\$ -
Payroll Management Fund	\$ -
	<hr/>
	\$ -
Fleet Fund	\$ -
	<hr/>
	\$ -
Capital Projects Fund	\$ -
Weight Room Improvements	15,000
	<hr/>
	\$ 15,000
Un-Allocated Carryover	\$ 212,416
Total Use	227,416

Description		Total Fiscal Year 2017	Annual Budget	YTD Positive/ (Negative) Variance	% of Budget
<u>21 Police/Animal Services</u>					
Financing Uses					
411111	Regular Pay	7,734,825	7,908,010	173,185	97.81
411113	Vacation Accrual	22,000	22,000	-	100.00
411121	Temporary/Seasonal Pay	267,892	333,516	65,624	80.32
411131	Overtime/Gap	144,131	93,696	(50,435)	153.83
411132	Out of Class	6,314	5,867	(447)	107.62
411133	Court Appearances	15,068	16,094	1,026	93.63
411135	On Call Pay	30,735	23,916	(6,819)	128.51
411211	Variable Benefits	2,512,936	2,541,169	28,233	98.89
411213	Fixed Benefits	1,734,889	1,800,889	66,000	96.34
411214	Retiree Health Benefit	12,117	19,238	7,121	62.98
41132	Mileage Reimbursement	76	2,500	2,424	3.03
41134	Uniform Allowance	120	-	(120)	
41135	Phone Allowance	6,948	6,240	(708)	111.34
Personnel Services		12,488,050	12,773,135	285,085	97.77
4121	Books, Sub., & Memberships	7,995	5,355	(2,640)	149.30
41231	Travel	13,896	7,452	(6,444)	186.47
41232	Meetings	7,869	6,600	(1,269)	119.23
41234	Education	8,629	7,500	(1,129)	115.05
41235	Training	19,499	35,279	15,780	55.27
41237	Training Supplies	1,618	1,618	0	99.98
412400	Office Supplies	20,917	25,618	4,701	81.65
412415	Copying	3,118	5,100	1,982	61.13
412420	Postage	416	-	(416)	
412440	Computer Supplies	16,619	8,341	(8,278)	199.25
412450	Uniforms	58,362	61,416	3,054	95.03
412473	NOVA Supplies	8,739	8,500	(239)	102.81
412474	Explorer Post Supplies	9,975	10,000	25	99.75
412490	Miscellaneous Supplies	31,615	20,028	(11,587)	157.85
412511	Equipment O & M	4,631	11,392	6,761	40.65
412526	Water	3,260	1,654	(1,606)	197.09
412527	Storm Water	360	542	182	66.42
412529	Street Lights	91	96	5	94.88
412611	Telephone	123,464	134,077	10,613	92.08
41270	Public Safety Supplies	74,250	64,489	(9,761)	115.14
41271	Evidence Preservation	3,177	4,575	1,398	69.44
Materials & Supplies		418,499	419,632	1,133	99.73
41342	Credit Card Processing	864	-	(864)	
41371	Maintenance Contracts	20,020	25,657	5,637	78.03
413722	Dispatch Services	379,798	461,952	82,154	82.22
413723	UCAN Charges	81,305	66,927	(14,378)	121.48
41379	Professional Services	32,265	24,736	(7,529)	130.44
41389	Miscellaneous Services	10,406	14,201	3,795	73.28
External Services		524,658	593,473	68,815	88.40
414111	IT Charges	182,881	182,881	-	100.00
41463	Fleet Repair Fund	7,630	-	(7,630)	
41471	Fleet O&M	543,122	543,122	-	100.00
Internal Service		733,633	726,003	(7,630)	101.05

		Total Fiscal Year 2017	Annual Budget	YTD Positive/ (Negative) Variance	% of Budget
Description					
4174	Equipment	-	3,020	3,020	-
Equipment & Improvements		-	3,020	3,020	-
43472	Fleet Purchases	649,588	556,500	(93,088)	116.73
Capitalized Internal Services		649,588	556,500	(93,088)	116.73
Total Financing Uses		14,814,428	15,071,763	257,335	98.29

FY 2017 Savings	\$ 257,335
Unspent Equipment Management	82,520
Total FY 2017 Savings	<u>\$ 339,855</u>

Police/Animal Services	Recommended Use of Savings
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Equipment Management Fund	
Car Cameras (3)	\$ 16,815
Storage Cabinet	729
Computer Equipment (2 monitors)	400
Card Reader System	7,146
Laptops (31)	39,900
Tasers (10)	10,070
Lidars (10)	12,950
Standing Desks (22)	14,700
Copier/Fax	3,000
Desktop Computers (10)	11,000
Mesh Node Equipment	2,000
Radios (8)	23,662
Printers (2 color, 10 in-car)	12,500
PPU Kits (shields, helmets, etc)	10,745
SWAT Equipment	24,896
Command Center Re-wrap	7,100
Cameras (2)	7,220
Video Upgrade	3,000
Animal Services Equipment (cat cages)	12,123
Police Equipment	3,603
	<u>\$ 223,559</u>

Payroll Management Fund	\$ 33,986
	<u>\$ 33,986</u>

Fleet Fund	\$ -
Rhino replacement (2)	28,000
	<u>\$ 28,000</u>

Capital Projects Fund	\$ -
Animal Services Building	54,310
	<u>\$ 54,310</u>

Un-Allocated Carryover	\$ -
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Total Use 339,855

Description		Total Fiscal Year 2017	Annual Budget	YTD Positive/ (Negative) Variance	% of Budget
220 Fire					
Financing Uses					
411111	Regular Pay	4,971,710	5,034,850	63,140	98.75
411113	Vacation Accrual	18,000	18,000	-	100.00
411131	Overtime/Gap	135,903	122,873	(13,030)	110.60
411132	Out of Class	250	-	(250)	
411133	Court Appearances	50	-	(50)	
411211	Variable Benefits	1,262,915	1,290,961	28,046	97.83
411213	Fixed Benefits	1,182,980	1,226,661	43,681	96.44
411214	Retiree Health Benefit	70,255	47,912	(22,343)	146.63
41131	Vehicle Allowance	11,192	11,832	640	94.59
41135	Phone Allowance	2,411	1,440	(971)	167.46
Personnel Services		7,655,667	7,754,529	98,862	98.73
4121	Books, Sub., & Memberships	5,710	2,000	(3,710)	285.49
41231	Travel	2,800	7,000	4,200	40.00
41232	Meetings	5,870	3,500	(2,370)	167.73
41234	Education	2,100	4,500	2,400	46.67
41235	Training	20,357	19,000	(1,357)	107.14
41237	Training Supplies	3,352	10,000	6,648	33.52
412400	Office Supplies	1,535	4,500	2,965	34.10
412415	Copying	2,026	2,000	(26)	101.28
412440	Computer Supplies	1,883	1,800	(83)	104.59
412450	Uniforms	42,282	52,831	10,549	80.03
412490	Miscellaneous Supplies	2,674	3,500	826	76.41
412511	Equipment O & M	23,097	42,000	18,903	54.99
412521	Building O & M	38,930	28,300	(10,630)	137.56
412523	Power & Lights	34,320	32,000	(2,320)	107.25
412524	Heat	23,212	24,000	788	96.72
412525	Sewer	1,179	-	(1,179)	
412526	Water	5,740	7,500	1,760	76.54
412527	Storm Water	3,240	3,000	(240)	108.00
412529	Street Lights	668	672	4	99.39
412611	Telephone	42,241	55,166	12,925	76.57
41270	Public Safety Supplies	13,673	17,414	3,741	78.52
41273	Subsistence	4,090	6,000	1,910	68.17
41274	Fire Prevention	8,720	6,000	(2,720)	145.33
41275	Origin & Cause	250	1,800	1,550	13.89
41276	Emergency Management	390	2,500	2,110	15.60
41277	Ambulance Supplies	71,810	87,000	15,190	82.54
412771	Hazardous Recovery Supplies	6,247	4,500	(1,747)	138.83
Materials & Supplies		368,397	428,483	60,086	85.98
41342	Credit Card Processing	4,665	-	(4,665)	
413722	Dispatch Services	151,284	152,724	1,440	99.06
413723	UCAN Charges	16,996	13,437	(3,559)	126.48
413724	EMS Reports Processing	24,175	27,000	2,825	89.54
41379	Professional Services	45,579	50,000	4,421	91.16
41389	Miscellaneous Services	7,506	7,000	(506)	107.24
41392	State Medicaid Assessment	56,538	45,000	(11,538)	125.64
External Services		306,743	295,161	(11,582)	103.92

		Total Fiscal Year 2017	Annual Budget	YTD Positive/ (Negative) Variance	% of Budget
Description					
414111	IT Charges	133,022	133,022	-	100.00
41471	Fleet O&M	249,496	249,496	-	100.00
Internal Service		382,518	382,518	-	100.00
4173	Building Improvements	14,197	30,000	15,804	47.32
4174	Equipment	11,026	11,270	244	97.84
Equipment & Improvements		25,223	41,270	16,047	61.12
43472	Fleet Purchases	168,361	166,800	(1,561)	100.94
Capitalized Internal Services		168,361	166,800	(1,561)	100.94
Total Financing Uses		8,906,908	9,068,761	161,853	98.22
FY 2017 Savings				\$ 161,853	
Unspent Equipment Management				190,188	
Total FY 2017 Savings				<u>\$ 352,041</u>	

Fire	Recommended Use of Savings
Equipment Management Fund	
EKG Monitors	\$ 167,000
Personal Protective Equipment/Turnouts	48,927
Training Software	7,286
Station Furniture	11,250
Radios (10)	41,918
Computer Equipment	5,304
Hazmat Equipment	12,482
Exercise Equipment	4,725
Training Equipment	920
Wildland Equipment	7,325
Medical Equipment	9,700
	<u>\$ 316,837</u>
Payroll Management Fund	<u>\$ 35,204</u>
	\$ 35,204
Fleet Fund	\$ -
Future Fleet Purchases	-
	<u>\$ -</u>
Capital Projects Fund	\$ -
	<u>-</u>
	\$ -
Un-Allocated Carryover	\$ -
Total Use	352,041

Description	Total Fiscal Year 2017	Annual Budget	YTD Positive/ (Negative) Variance	% of Budget
<u>221 Emergency Management</u>				
Financing Uses				
411111 Regular Pay	74,789	74,554	(235)	100.32
411211 Variable Benefits	16,131	16,201	70	99.57
411213 Fixed Benefits	3,486	3,489	3	99.90
41132 Mileage Reimbursement	565	500	(65)	113.07
41135 Phone Allowance	361	360	(1)	100.41
Personnel Services	95,332	95,104	(228)	100.24
4121 Books, Sub., & Memberships	215	750	535	28.67
41231 Travel	818	1,700	882	48.10
41232 Meetings	413	1,000	587	41.30
41235 Training	300	3,858	3,558	7.78
41237 Training Supplies	120	750	630	16.00
412400 Office Supplies	863	900	37	95.88
412490 Miscellaneous Supplies	37	300	263	12.29
412611 Telephone	9,483	9,623	140	98.55
41276 Emergency Management	8,156	6,974	(1,182)	116.96
Materials & Supplies	20,405	25,855	5,450	78.92
413723 UCAN Charges	-	270	270	-
External Services	-	270	270	-
414111 IT Charges	2,742	2,742	-	100.00
Internal Service	2,742	2,742	-	100.00
Total Financing Uses	118,479	123,971	5,492	95.57
FY 2017 Savings			\$ 5,492	
Unspent Equipment Management			562	
Total FY 2017 Savings			<u>\$ 6,054</u>	

Emergency Management	Recommended Use of Savings
Equipment Management Fund	
Emergency Operations Center Equipment	4,065
Laptop	1,610
	<u>\$ 5,675</u>
Payroll Management Fund	\$ 379
Fleet Fund	\$ -
Capital Projects Fund	\$ -
	<u>\$ -</u>
Un-Allocated Carryover	\$ -
Total Use	6,054

Description		Total Fiscal Year 2017	Annual Budget	YTD Positive/ (Negative) Variance	% of Budget
Public Works					
Financing Uses					
411111	Regular Pay	2,217,217	2,264,863	47,646	97.90
411121	Temporary/Seasonal Pay	11,905	11,719	(186)	101.59
411131	Overtime/Gap	98,152	43,487	(54,665)	225.70
411132	Out of Class	-	92	92	-
411135	On Call Pay	8,297	11,050	2,754	75.08
411211	Variable Benefits	495,486	500,216	4,730	99.05
411213	Fixed Benefits	466,271	470,296	4,025	99.14
411214	Retiree Health Benefit	20,472	9,659	(10,813)	211.95
41131	Vehicle Allowance	25,600	26,848	1,248	95.35
41132	Mileage Reimbursement	142	300	158	47.42
41134	Uniform Allowance	4,950	4,020	(930)	123.13
41135	Phone Allowance	3,881	1,380	(2,501)	281.25
Personnel Services		3,352,373	3,343,930	(8,443)	100.25
4121	Books, Sub., & Memberships	5,407	1,990	(3,417)	271.69
41231	Travel	1,820	11,871	10,051	15.33
41232	Meetings	268	1,550	1,282	17.31
41235	Training	7,462	14,180	6,718	52.62
41237	Training Supplies	486	900	414	53.95
412400	Office Supplies	7,803	7,630	(173)	102.27
412415	Copying	4,223	2,000	(2,223)	211.13
412440	Computer Supplies	694	2,847	2,153	24.38
412450	Uniforms	11,789	8,328	(3,461)	141.56
412490	Miscellaneous Supplies	18,815	7,365	(11,450)	255.47
412511	Equipment O & M	3,338	6,021	2,683	55.44
412521	Building O & M	12,509	10,000	(2,509)	125.09
412525	Sewer	2,406	-	(2,406)	-
412526	Water	4,140	6,840	2,700	60.53
412527	Storm Water	14,292	14,640	348	97.62
412529	Street Lights	243	240	(3)	101.20
412611	Telephone	23,764	33,181	9,417	71.62
412801	Special Highway Supplies	12,169	11,000	(1,169)	110.63
412802	Slurry Seal Coat	5,696	65,500	59,804	8.70
412805	Snow Removal	131,232	137,000	5,768	95.79
412806	Crack Sealing Material	2,066	7,500	5,435	27.54
412807	Patching Materials	9,712	62,745	53,033	15.48
412810	Street Signs	21,581	26,600	5,019	81.13
412811	Road Striping	53,565	70,000	16,435	76.52
412812	Signal Maintenance	64,343	98,500	34,157	65.32
412813	School Crossing Lights	11,903	4,846	(7,057)	245.62
Materials & Supplies		431,726	613,274	181,548	70.40
413723	UCAN Charges	21,553	23,715	2,162	90.88
41378	Intergovernmental Relations	28,000	28,000	0	100.00
41379	Professional Services	526,179	575,000	48,821	91.51
41389	Miscellaneous Services	11,803	16,316	4,513	72.34
External Services		587,534	643,031	55,497	91.37

		Total Fiscal Year 2017	Annual Budget	YTD Positive/ (Negative) Variance	% of Budget
Description					
414111	IT Charges	102,818	102,818	-	100.00
41463	Fleet Repair Fund	1,763	-	(1,763)	
41471	Fleet O&M	666,139	666,139	-	100.00
Internal Service		<u>770,720</u>	<u>768,957</u>	<u>(1,763)</u>	<u>100.23</u>
4174	Equipment	1,149	-	(1,149)	
Equipment & Improvements		<u>1,149</u>	<u>-</u>	<u>(1,149)</u>	
43472	Fleet Purchases	375,120	357,450	(17,670)	104.94
Capitalized Internal Services		<u>375,120</u>	<u>357,450</u>	<u>(17,670)</u>	<u>104.94</u>
4370	Capital Outlays	185	-	(185)	
4374	Capital Equipment	-	8,000	8,000	-
Capital Outlays		<u>185</u>	<u>8,000</u>	<u>7,815</u>	<u>2.31</u>
Total Financing Uses		<u>5,518,808</u>	<u>5,734,642</u>	<u>215,834</u>	<u>96.24</u>

FY 2017 Savings

\$ 215,834

Unspent Equipment Management

8,717

Total FY 2017 Savings

\$ 224,551

Public Works	Recommended Use of Savings
Equipment Management Fund	
Computer Equipment (6 monitors)	\$ 1,800
Concrete Saw	2,000
Cityworks Database Conversions	30,000
	<u>\$ 33,800</u>
Payroll Management Fund	<u>\$ 6,081</u>
	\$ 6,081
Fleet Fund	\$ -
	<u>-</u>
	\$ -
Capital Projects Fund	
Public Works Facility	\$ 48,421
9400 South Safe Sidewalk (ph 4 - match)	30,000
Salt Storage	106,249
	<u>\$ 184,670</u>
Un-Allocated Carryover	\$ -
Total Use	224,551

Description		Total Fiscal Year 2017	Annual Budget	YTD Positive/ (Negative) Variance	% of Budget
4 Parks					
Financing Uses					
411111	Regular Pay	1,535,800	1,528,910	(6,890)	100.45
411121	Temporary/Seasonal Pay	477,591	586,184	108,593	81.47
411131	Overtime/Gap	65,479	40,998	(24,481)	159.71
411135	On Call Pay	12,477	10,950	(1,527)	113.95
411211	Variable Benefits	389,951	397,996	8,045	97.98
411213	Fixed Benefits	349,093	395,032	45,939	88.37
411214	Retiree Health Benefit	7,849	10,007	2,158	78.44
41131	Vehicle Allowance	16,379	16,316	(63)	100.38
41134	Uniform Allowance	10,594	9,768	(826)	108.46
41135	Phone Allowance	5,382	1,920	(3,462)	280.31
Personnel Services		2,870,596	2,998,081	127,485	95.75
4121	Books, Sub., & Memberships	2,836	3,060	224	92.68
41231	Travel	923	1,715	792	53.83
41232	Meetings	1,567	1,100	(467)	142.46
41235	Training	2,435	5,342	2,907	45.58
41237	Training Supplies	75	1,639	1,564	4.58
412400	Office Supplies	3,264	3,050	(214)	107.03
412415	Copying	195	1,500	1,306	12.97
412435	Printing	2,236	2,500	264	89.45
412440	Computer Supplies	559	291	(268)	192.00
412450	Uniforms	4,927	6,692	1,765	73.62
412455	Safety Supplies	12,774	14,990	2,216	85.22
412490	Miscellaneous Supplies	3,340	1,949	(1,391)	171.37
412511	Equipment O & M	6,163	11,074	4,911	55.65
412512	Equipment Rental	896	1,236	340	72.52
412521	Building O & M	94,291	101,758	7,467	92.66
412523	Power & Lights	89,454	99,697	10,243	89.73
412524	Heat	6,423	9,333	2,910	68.82
412525	Sewer	11,454	8,504	(2,950)	134.69
412526	Water	767,978	670,000	(97,978)	114.62
412527	Storm Water	17,878	23,026	5,148	77.64
412529	Street Lights	3,773	3,480	(293)	108.43
412531	Grounds O & M	85,665	110,814	25,149	77.31
412532	Irrigation O & M	71,600	81,213	9,613	88.16
412592	Tot-Lot Decks & Safety Improvements	15,421	15,000	(421)	102.80
412611	Telephone	32,229	39,238	7,009	82.14
412802	Slurry Seal Coat	1,200	20,000	18,800	6.00
Materials & Supplies		1,239,557	1,238,201	(1,356)	99.76
413723	UCAN Charges	17,856	17,091	(765)	104.48
413725	Operating Leases	4,436	4,135	(301)	107.27
41379	Professional Services	-	965	965	-
41384	Contract Services	75,186	54,432	(20,754)	138.13
External Services		97,477	76,623	(20,854)	127.22
414111	IT Charges	64,649	64,649	-	100.00
41463	Fleet Repair Fund	40	-	(40)	
41471	Fleet O&M	281,479	281,479	-	100.00
Internal Service		346,168	346,128	(40)	100.01

Description		Total Fiscal Year 2017	Annual Budget	YTD Positive/ (Negative) Variance	% of Budget
4173	Building Improvements	5,400	21,000	15,600	25.71
4174	Equipment	27,899	38,732	10,833	72.03
Equipment & Improvements		33,299	59,732	26,433	55.75
43472	Fleet Purchases	405,335	385,250	(20,085)	105.21
Capitalized Internal Services		405,335	385,250	(20,085)	105.21
Total Financing Uses		4,992,431	5,104,015	111,584	97.73

FY 2017 Savings

\$ 111,584

Unspent Equipment Management

40,955

Total FY 2017 Savings

\$ 152,539

Parks	Recommended Use of Savings
Equipment Management Fund	
Time Keeping System	\$ 2,000
Parks Equipment	19,200
Security Camera System	12,000
Office Improvements (Old B&G Club area)	16,500
Computerized Irrigation Equipment	12,500
Water Pumps Equipment	20,000
	<u>\$ 82,200</u>
Payroll Management Fund	<u>\$ 13,220</u>
	\$ 13,220
Fleet Fund	\$ -
Mule, Trailer, 48" mower for Cairns area	25,000
	<u>\$ 25,000</u>
Capital Projects Fund	\$ -
Parks & Trails Renovation Projects	32,119
	<u>\$ 32,119</u>
Un-Allocated Carryover	\$ -
Total Use	152,539

Description		Total Fiscal Year 2017	Annual Budget	YTD Positive/ (Negative) Variance	% of Budget
<u>5 Community Development</u>					
Financing Uses					
411111	Regular Pay	1,633,572	1,643,310	9,738	99.41
411121	Temporary/Seasonal Pay	-	2,595	2,595	-
411131	Overtime/Gap	195	-	(195)	
411211	Variable Benefits	331,830	329,864	(1,966)	100.60
411213	Fixed Benefits	318,883	338,908	20,025	94.09
411214	Retiree Health Benefit	4,192	7,340	3,148	57.12
41131	Vehicle Allowance	22,914	22,821	(93)	100.41
41132	Mileage Reimbursement	20	800	780	2.53
41134	Uniform Allowance	2,213	-	(2,213)	
41135	Phone Allowance	492	480	(12)	102.58
Personnel Services		2,314,312	2,346,118	31,806	98.64
4121	Books, Sub., & Memberships	7,264	4,000	(3,264)	181.60
41231	Travel	12,930	12,856	(74)	100.57
41232	Meetings	7,515	7,300	(215)	102.95
41235	Training	2,296	4,205	1,910	54.59
41236	Committees and Councils	-	1,000	1,000	-
412400	Office Supplies	12,454	16,969	4,515	73.39
412425	Publications	223	1,044	822	21.31
412440	Computer Supplies	6,644	1,893	(4,751)	351.00
412450	Uniforms	-	2,000	2,000	-
412470	Special Programs	4,498	626	(3,872)	718.48
412511	Equipment O & M	7,902	4,000	(3,902)	197.55
412611	Telephone	25,523	29,560	4,037	86.34
Materials & Supplies		87,248	85,453	(1,795)	102.10
41342	Credit Card Processing	10,513	11,500	987	91.41
413723	UCAN Charges	2,790	3,240	450	86.11
41389	Miscellaneous Services	11,486	17,370	5,884	66.12
External Services		24,788	32,110	7,322	77.20
414111	IT Charges	133,592	133,592	-	100.00
41471	Fleet O&M	38,872	38,872	-	100.00
Internal Service		172,464	172,464	-	100.00
4174	Equipment	612	2,000	1,388	30.60
4175	Software Licenses	2,392	2,500	108	95.69
Equipment & Improvements		3,004	4,500	1,496	66.76
43472	Fleet Purchases	76,961	85,500	8,539	90.01
Capitalized Internal Services		76,961	85,500	8,539	90.01
Total Financing Uses		2,678,778	2,726,145	47,367	98.26
FY 2017 Savings				\$ 47,367	
Unspent Equipment Management				9,946	
Total FY 2017 Savings				<u>\$ 57,313</u>	

Resolution # 17-51 C

Exhibit B

Community Development	Recommended Use of Savings
Equipment Management Fund	
Computer Equipment	17,942
Safety Equipment	2,600
Printer/Copier/Scanner	7,000
Office Furniture/Equipment	12,400
International / State Adopted Code Books	3,500
	<u>\$ 43,442</u>
Payroll Management Fund	<u>\$ 13,871</u>
	<u>\$ 13,871</u>
Fleet Fund	\$ -
	<u>-</u>
	<u>\$ -</u>
Capital Projects Fund	\$ -
	<u>-</u>
	<u>\$ -</u>
Un-Allocated Carryover	\$ -
Total Use	57,313

Equipment and Capital Project - Percent Funded

	Beginning Balance	Carryover Sources	Ending Balance	Estimated Need	% Funded	FY Needed
Human Resources						
Computer Equipment	\$ -	\$ 8,359	\$ 8,359	\$ 8,359	100%	2018
Automatic blood pressure cuff	-	666	666	666	100%	2018
Office Chairs (3)	-	1,500	1,500	1,500	100%	2018
Systems furniture for HR	-	11,635	11,635	11,635	100%	2018
Fitbits - Equipment for Wellness Program (20)	-	2,000	2,000	2,000	100%	2018
City Recorder						
Office Chairs (6)	\$ -	\$ 3,000	\$ 3,000	\$ 3,000	100%	2018
Audio / Video Upgrades - projector	-	5,000	5,000	5,000	100%	2018
Computer Equipment	-	2,980	2,980	2,980	100%	2018
Building Services						
Facilities Tools/Equipment	\$ -	\$ 4,040	\$ 4,040	\$ 4,040	100%	2018
Ice Maker (Senior Center)	-	3,900	3,900	3,900	100%	2018
Freezer (Senior Center)	-	3,400	3,400	3,400	100%	2018
4 Tray Warming Table (Senior Center)	-	2,000	2,000	2,000	100%	2018
Generator	-	1,000	1,000	1,000	100%	2018
Vacuums (5)	-	3,250	3,250	3,250	100%	2018
Thin Clients (2)	-	2,600	2,600	2,600	100%	2018
Computer Equipment	-	2,335	2,335	2,335	100%	2018
Time Clocks for Buildings	-	2,673	2,673	2,673	100%	2018
Additional Truck	15,000	21,000	36,000	36,000	100%	2018
Communications						
Office Chairs (6)	\$ -	\$ 3,000	\$ 3,000	\$ 3,000	100%	2018
Audio / Video Equipment (drone)	-	7,500	7,500	7,500	100%	2018
Computer Equipment	-	4,679	4,679	4,679	100%	2018
Court Services						
Courtroom Technology/Security Upgrade and Remodel	\$ 455,777	\$ 99,253	\$ 555,030	\$ 555,030	100%	2018
Non Departmental						
Municipal Building - Exercise Room Upgrades	\$ -	\$ 15,000	\$ 15,000	\$ 15,000	100%	2018
Emergency Management						
Emergency Operations Center Equipment	\$ -	\$ 4,065	\$ 4,065	\$ 4,065	100%	2018
Laptop	-	1,610	1,610	1,610	100%	2018
City Council						
Capital Project Contingency	\$ 47,065	\$ 52,774	\$ 99,839	\$ 99,839	100%	2018
Office Furniture / Equipment	-	3,000	3,000	3,000	100%	2018
Finance						
Office Furniture	\$ -	\$ 2,450	\$ 2,450	\$ 2,450	100%	2018
Envelope Fold, Insert and Seal Machine	-	12,000	12,000	12,000	100%	2018
Laptop	-	1,430	1,430	1,430	100%	2018
Printer	-	3,000	3,000	3,000	100%	2018

	Beginning Balance	Carryover Sources	Ending Balance	Estimated Need	% Funded	FY Needed
Police & Animal Services						
Car Cameras (3)	\$ -	\$ 16,815	\$ 16,815	\$ 16,815	100%	2018
Storage Cabinet	-	729	729	729	100%	2018
Computer Equipment (2 monitors)	-	400	400	400	100%	2018
Security Access Card Reader System	-	7,146	7,146	7,146	100%	2018
Laptops (31)	-	39,900	39,900	39,900	100%	2018
Tasers (10)	-	10,070	10,070	10,070	100%	2018
Lidars (10)	-	12,950	12,950	12,950	100%	2018
Standing Desks (22)	-	14,700	14,700	14,700	100%	2018
Copier/Fax	-	3,000	3,000	3,000	100%	2018
Desktop Computers (10)	-	11,000	11,000	11,000	100%	2018
Mesh Node Video Equipment	-	2,000	2,000	2,000	100%	2018
Radios (8)	50,000	23,662	73,662	247,340	30%	2018
Printers (2 color, 10 in-car)	-	12,500	12,500	12,500	100%	2018
Personal Protective Unit Kits (shields, helmets, etc)	-	10,745	10,745	10,745	100%	2018
SWAT Equipment	-	24,896	24,896	24,896	100%	2018
Mobile Command Center Re-wrap	-	7,100	7,100	7,100	100%	2018
Cameras (2)	-	7,220	7,220	7,220	100%	2018
Video Upgrade (training room)	-	3,000	3,000	3,000	100%	2018
Animal Services Equipment (cat cages)	-	12,123	12,123	12,123	100%	2018
Police Equipment	-	3,603	3,603	3,603	100%	2018
Rhino replacement (2)	-	28,000	28,000	28,000	100%	2018
Animal Services Building	11,389	54,310	65,699	65,699	100%	2018
Fire						
EKG Monitors	\$ 150,000	\$ 167,000	\$ 317,000	\$ 523,923	61%	2018
Personal Protective Equipment/Turnouts	-	48,927	48,927	48,927	100%	2018
Training Software	-	7,286	7,286	7,286	100%	2018
Station Furniture	-	11,250	11,250	11,250	100%	2018
Radios (10)	-	41,918	41,918	217,368	19%	2019
Computer Equipment	-	5,304	5,304	5,304	100%	2018
Hazmat Equipment	-	12,482	12,482	12,482	100%	2018
Exercise Equipment	-	4,725	4,725	4,725	100%	2018
Training Equipment	-	920	920	920	100%	2018
Wildland Equipment	-	7,325	7,325	7,325	100%	2018
Medical Equipment	-	9,700	9,700	9,700	100%	2018
Attorney						
Computer Equipment	\$ -	\$ 5,545	\$ 5,545	\$ 5,545	100%	2018
Office Furniture / Equipment	-	1,700	1,700	1,700	100%	2018
Printer	-	500	500	500	100%	2018
Public Works						
Computer Equipment (6 monitors)	\$ -	\$ 1,800	\$ 1,800	\$ 1,800	100%	2018
Concrete Saw	-	2,000	2,000	2,000	100%	2018
Cityworks Database Conversions	-	30,000	30,000	30,000	100%	2018
Public Works Facility	238,254	48,421	286,675	N/A	N/A	2019
9400 South Safe Sidewalk (ph 4 - match)	-	30,000	30,000	30,000	100%	2018
Salt Storage	-	106,249	106,249	106,249	100%	2018
Parks & Recreation						
Time Keeping System	\$ -	\$ 2,000	\$ 2,000	\$ 2,000	100%	2018
Parks Equipment	-	19,200	19,200	19,200	100%	2018
Security Camera System	-	12,000	12,000	12,000	100%	2018
Office Improvements (Old B&G Club area)	-	16,500	16,500	16,500	100%	2018
Computerized Irrigation Equipment	-	12,500	12,500	12,500	100%	2018
Water Pumps Equipment	-	20,000	20,000	20,000	100%	2018
Parks & Trails Renovation Projects	-	32,119	32,119	32,119	100%	2018
Mule, Trailer, 48" mower bagger for Cairns Area	-	25,000	25,000	25,000	100%	2018

	Beginning Balance	Carryover Sources	Ending Balance	Estimated Need	% Funded	FY Needed
Community Development						
Computer Equipment	\$ -	\$ 17,942	\$ 17,942	\$ 17,942	100%	2018
Safety Equipment	-	2,600	2,600	2,600	100%	2018
Printer/Copier/Scanner	-	7,000	7,000	7,000	100%	2018
Office Furniture/Equipment	-	12,400	12,400	12,400	100%	2018
International Code Council State Adopted Code Books	-	3,500	3,500	3,500	100%	2018

**SANDY CITY
PAYROLL MANAGEMENT FUND
CHANGES IN FY 2017 BALANCES BY DEPARTMENT**

Department	Balance 7/1/16	Change in Vacation Accrual	Change in Comp Time Accrual	Vacation & Separation Payout	Vacation Accrual Savings & Adjustments	Interest Income	Employee Transfers	Actual FY 2017 Ending Total	Fully Funded	Percent Funded	Ending After Proposed Contribution	Percent Funded
Mayor/CAO	161,145	(17,049)	(241)	(67,643)	(2,092)	2,006	43,404	119,529	146,778	81%	142,591	97%
Communications	15,668	2,607	(26)			195	(12,818)	5,626	10,344	54%	10,344	100%
Human Resources	33,762	62	269	(623)	(540)	420	(4,713)	28,638	28,638	100%	28,638	100%
City Recorders	8,024	1,313	-			100		9,437	10,372	91%	10,372	100%
Facility Services	54,160	1,020	(2,718)		(1,696)	674		51,440	51,440	100%	51,440	100%
City Council	10,968	993	-	(304)		137		11,794	12,177	97%	12,177	100%
City Attorney	65,944	7,512	-	(2,379)		821		71,898	74,979	96%	74,979	100%
Court Services	67,070	(1,581)	-	(361)	(1,834)	835	625	64,754	64,754	100%	64,754	100%
Finance	131,371	965	-	(17)		1,635	(985)	132,969	139,499	95%	139,499	100%
Non-Departmental	1,166	459	-		(1,073)	15		567	567	100%	567	100%
Police & Animal Services	1,009,781	9,803	(17,270)	(39,758)	11,980	12,718	(625)	986,629	1,055,422	93%	1,020,615	97%
Fire	826,125	(766)	(8,923)	(17,957)	18,766	10,516		827,762	1,039,912	80%	862,966	83%
Emergency Management	3,190	507	-			40		3,737	4,115	91%	4,115	100%
Public Works	294,637	(9,197)	(7,479)	(31,124)		3,667		250,503	256,584	98%	256,584	100%
Parks & Recreation	201,321	(1,824)	(397)	(22,296)		2,506		179,309	192,530	93%	192,530	100%
Community Development	165,038	(4,813)	(5,792)	(20,604)		2,054		135,883	149,754	91%	149,754	100%
General Fund Total	3,049,370	(9,989)	(42,577)	(203,067)	23,511	38,338	24,889	2,880,475	3,237,864		3,021,924	
Risk Management	18,200	(252)	-		(339)	227		17,836	17,836	110%		
Community Events	58,242	4,234	2,023		1,052	725		66,276	66,276	110%		
Information Services	76,670	(489)	-		(1,223)	954		75,914	75,914	110%		
Redevelopment Agency	36,369	(6,031)	265		(2,657)	453		28,398	28,398	110%		
Waste Fund	12,834	2,132	811		589	160		16,526	16,526	110%		
Fleet	47,598	(3,856)	(1,739)		(2,002)	592		40,592	40,592	110%		
Recreation	39,115	(1,492)	(1,282)		35	487		36,863	36,863	110%		
Golf Course	54,949	5,077	(5,628)		1,163	684		56,246	56,246	110%		
Alta Canyon	30,397	2,805	1,495		(374)	378	985	35,686	35,686	110%		
Water Fund	286,303	19,430	1,601		7,204	3,564	(35,338)	282,765	282,765	110%		
Storm Water Fund	55,923	673	230		(4,052)	696	9,465	62,935	62,935	110%		
Electric Utility Fund	25,632	601	-		(135)	319		26,418	26,418	110%		
Other Funds Total	742,233	22,834	(2,225)	-	(738)	9,239	(24,889)	746,454	746,454			
Totals For All Funds	3,791,603	12,845	(44,802)	(203,067)	22,773	47,577	-	3,626,929	3,984,318			

Un-Allocated Carryover

Department	2017
Mayor/CAO	\$ -
Human Resources	\$ -
City Recorder	\$ -
Elections	\$ -
Building Maintenance	\$ -
Sandy City Centre	\$ -
Communications	\$ -
City Council	\$ -
City Attorney	\$ -
Court Services	\$ -
Finance	\$ -
Non Departmental	\$ 212,416
Police & Animal Services	\$ -
Fire	\$ -
Emergency Management	\$ -
Public Works	\$ -
Parks & Recreation	\$ -
Community Development	\$ -
Transfers Out to Other Funds	\$ 83,363
Total	\$ 295,779



Staff Report

File #: 17-279, **Version:** 1

Date: 11/14/2017

Agenda Item Title:

Finance Department recommending the City Council adopt Resolution #17-52C increasing total appropriations and reappropriating unexpended funds within the Capital Project Funds

Presenter:

Brian Kelley

Recommended Action and/or Suggested Motion:

Motion to adopt Resolution #17-52C

RESOLUTION #17-52 C

A RESOLUTION INCREASING TOTAL APPROPRIATIONS AND REAPPROPRIATING UNEXPENDED FUNDS WITHIN THE CAPITAL PROJECTS FUNDS

BE IT RESOLVED by the City Council of Sandy City, State of Utah, that the amounts as shown in Exhibit A, be adjusted as outlined. These adjustments are made pursuant to the provisions of Sections 10-6-128 and 10-6-130, U.C.A., as amended, and are done with the provision that no appropriation for debt retirement and interest, reduction of deficit or other appropriation required by law or ordinances is reduced by this resolution.

PASSED AND APPROVED THIS _____ day of _____, 2017.

Chris McCandless, Chair
Sandy City Council

ATTEST:

Molly Spira
City Recorder

RECORDED this _____ day of _____, 2017.

SEE ATTACHED EXHIBIT A

Fund 4 - Capital Projects											
Project	General Revenue 4100	Subdivision Bonds 4110	Sale of Property 4140	Ampitheater 4150	Hale Centre Theatre 4170	Park Fees 4210	Trail Fees 4220	Fire Fees 4270	Grants 4500	State Road Funds 4600	Total
1103 Land Purchase	\$ -	\$ -	\$ 2,161,906	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,161,906
1115 Sandy Canal Land Purchase	-	-	-	-	-	-	36,602	-	-	-	36,602
1201 Municipal Building	876,233	-	-	-	-	-	-	-	-	-	876,233
120105 Police Remodels	65,699	-	-	-	-	-	-	-	-	-	65,699
120106 City Hall - LED Decorative Lights	8,675	-	-	-	-	-	-	-	-	-	8,675
1209 Public Works Facility	286,675	-	-	-	-	-	-	-	-	-	286,675
1235 City Hall North Landscaping	14,000	-	-	-	-	-	-	-	-	-	14,000
1244 Justice Center - Tech. Upgrade (Audio/Video)	555,030	-	-	-	-	-	-	-	-	-	555,030
12443 Justice Center - Joint Information Center	14,071	-	-	-	-	-	-	-	-	-	14,071
1245 Alta Canyon Expansion	-	-	-	-	-	2,311,773	-	-	-	-	2,311,773
1255 Hale Centre Theatre	-	-	-	-	20,610,855	-	-	-	-	-	20,610,855
1258 Fire Facilities	7,866	-	-	-	-	-	-	-	-	-	7,866
13029 Streetscapes / Wall Replacements	399,255	-	-	-	-	-	-	-	-	-	399,255
13115 Traffic Signal Upgrades	41,099	-	-	-	-	-	-	-	-	-	41,099
13167 700 W Rear Access Road	150,000	-	-	-	-	-	-	-	-	-	150,000
13189 Monroe St South Extension	-	-	-	-	-	-	-	-	2,209,659	-	2,209,659
13193 Historic Sandy Drainage Improvements	50,000	-	-	-	-	-	-	-	-	-	50,000
13194 9400 South Safe Sidewalk	53,818	-	-	-	-	-	-	-	158,000	-	211,818
13196 Salt Storage	477,387	-	-	-	-	-	-	-	-	104,000	581,387
13201 Electronic Traffic Control Devices	100,019	-	-	-	-	-	-	-	-	-	100,019
13204 Cy's Road/Green Way Improvements	-	-	-	-	-	-	-	-	25,007	-	25,007
13206 State Street Improvements	500,000	-	-	-	-	-	-	-	-	-	500,000
1380901 Stephenson Industrial Phase 3	-	3,808	-	-	-	-	-	-	-	-	3,808
13810 Sub. Bond - Kevin Corner Sub. - 8616 S 120 E	-	9,895	-	-	-	-	-	-	-	-	9,895
13811 Sub. Bond - Larkin Sunset Garden Funeral Home	-	53,007	-	-	-	-	-	-	-	-	53,007
13813 Sub. Bond - Historic Heights 598 E 8800 S	-	2,675	-	-	-	-	-	-	-	-	2,675
13816 Sub. Bond - Lucy Beckstead - 8563 S 1000 E	-	2,150	-	-	-	-	-	-	-	-	2,150
13820 Sandy Midas Muffler	-	3,709	-	-	-	-	-	-	-	-	3,709
13821 Street Reconstruction	34,996	-	-	-	-	-	-	-	8,475	3,421,113	3,464,584
13822 Hazardous Concrete Repair	282,227	-	-	-	-	-	-	-	205,439	544,710	1,032,376
13828 Hazardous Tree Replacement	4,415	-	-	-	-	-	-	-	-	-	4,415
13841 8680 South	627,139	-	-	-	-	-	-	-	-	-	627,139
13850 3100 East Improvement Project	-	-	-	-	-	-	-	-	40,060	-	40,060
13851 Whisper Cove PUD	-	85	-	-	-	-	-	-	-	-	85
13852 Historic Sandy Improvements	-	-	-	-	-	-	-	-	595,000	-	595,000
14004 Irrigation Water Connections	-	-	9,500	-	-	-	-	-	-	-	9,500
14018 Trail & Trail Head	-	-	-	-	-	-	25,000	-	-	-	25,000
14034 Lone Peak Park	-	-	18,559	-	-	194,617	-	-	-	-	213,176
140346 Lone Peak Basket Ball Court	10,750	-	-	-	-	-	-	-	-	-	10,750

Fund 4 - Capital Projects											
Project	General Revenue 4100	Subdivision Bonds 4110	Sale of Property 4140	Ampitheater 4150	Hale Centre Theatre 4170	Park Fees 4210	Trail Fees 4220	Fire Fees 4270	Grants 4500	State Road Funds 4600	Total
14035 Quarry Bend Park	-	-	-	-	-	239,290	-	-	-	-	239,290
14056 Dog Park - Parking Lot at Existing Park	-	-	-	-	-	187,041	-	-	-	-	187,041
14059 River Oaks Clubhouse	62,032	-	-	-	-	-	-	-	-	-	62,032
14067 Bonneville Shoreline Trail	67,722	-	-	-	-	179,300	35,505	-	275,000	-	557,527
14073 Cairns Plaza	2,343,328	-	-	-	-	-	-	-	-	-	2,343,328
14074 Outdoor Classrooms	9,900	-	-	-	-	-	-	-	-	-	9,900
14094 Land & Water Conservation Conversion	32,584	-	-	-	-	-	-	-	-	-	32,584
14095 Dry Creek Trail	141,001	-	-	-	-	1,671,454	650,062	-	-	-	2,462,517
14096 Sandy Canal Trail	-	-	-	-	-	606,520	9,626	-	50,000	-	666,146
14097 Bike Park	25,000	-	-	-	-	-	-	-	-	-	25,000
14098 Alta Canyon Park	-	-	-	-	-	471,185	-	-	-	-	471,185
14099 Landscape Rocks	6,806	-	-	-	-	-	-	-	-	-	6,806
1480204 Alta Canyon Tennis Courts Repairs	36,785	-	-	-	-	-	-	-	-	-	36,785
148038 Flat Iron Tennis Court	6,500	-	-	-	-	-	-	-	-	-	6,500
14808 Asphalt Repairs	45,624	-	-	-	-	-	-	-	-	-	45,624
14817 Computerized Irrigation Replacement	23,334	-	-	-	-	-	-	-	-	-	23,334
148243 Cemetery Expansion	43,817	-	14,980	-	-	-	-	-	-	-	58,797
14859 Park Renovation Projects	134,865	-	-	-	-	-	-	-	-	-	134,865
1487 Amphitheater Improvements	-	-	-	247,075	-	-	-	-	-	-	247,075
19001 Subdivision Bonds - Misc.	-	100,000	-	-	-	-	-	-	-	-	100,000
19005 Special Projects	46,918	-	-	-	-	-	-	-	-	-	46,918
19012 Gateways/Beautification Projects	50,937	-	-	-	-	-	-	-	-	-	50,937
19026 Update Transportation Masterplan	32,801	-	-	-	-	-	-	-	-	-	32,801
19030 Wetlands Mitigation	782,214	-	-	-	-	-	-	-	-	-	782,214
19036 Neighborhood Preservation Initiative	59,493	-	-	-	-	-	-	-	-	-	59,493
19042 Sub. Bond - Res. Home - 10981 S 1700 E	-	3,142	-	-	-	-	-	-	-	-	3,142
1904415 Homeland Security Grant 2014	-	-	-	-	-	-	-	-	2,385	-	2,385
1904416 Homeland Sec. Grant 2016	-	-	-	-	-	-	-	-	5,360	-	5,360
19049 9000 South I-15 Intersection	20,000	-	-	-	-	-	-	-	-	-	20,000
19052 Historic Preservation	20,000	-	-	-	-	-	-	-	10,000	-	30,000
19086 Civic Center Development Plan	403,059	-	-	-	-	-	-	-	-	-	403,059
19087 Envision Utah Plan	10,000	-	-	-	-	-	-	-	-	-	10,000
19999 Contingency	99,839	-	-	-	-	-	-	1,071,069	-	-	1,170,908
Total Capital Projects	\$ 9,063,913	\$ 178,471	\$ 2,204,945	\$ 247,075	\$20,610,855	\$5,861,180	\$756,795	\$1,071,069	\$ 3,584,385	\$ 4,069,823	\$47,648,511

Fund 4100 - Capital Projects - General Revenues							
Project	2017 Carryover	Additions	Adjustments	2017 Adjusted Carryover	2018 Budget	2018 Adjusted Budget	
1201 Municipal Building	\$ 436,233	\$ 15,000	\$ -	\$ 451,233	\$ 425,000	\$ 876,233	
120105 Police Remodels (Animal Services)	11,389	54,310	-	65,699	-	65,699	
120106 City Hall - LED Decorative Lights	8,675	-	-	8,675	-	8,675	
1208 Police I.T. Office Remodel	(258)	-	258	-	-	-	
1244 Justice Center - Tech. Upgrade (Audio/Video)	455,777	99,253	-	555,030	-	555,030	
1258 Fire Facilities	7,866	-	-	7,866	-	7,866	
12072 Parks Shop Compound Updates	812	-	(812)	-	-	-	
1209 Public Works Facility	238,254	48,421	-	286,675	-	286,675	
1235 City Hall North Landscaping	3,790	-	10,210	14,000	-	14,000	
12443 Justice Center - Joint Information Center	14,329	-	(258)	14,071	-	14,071	
Total Buildings	\$ 1,176,867	\$ 216,984	\$ 9,398	\$ 1,403,249	\$ 425,000	\$ 1,828,249	
13029 Streetscapes/Wall Replacements	\$ 339,255	\$ -	\$ -	\$ 339,255	\$ 60,000	\$ 399,255	
13115 Traffic Signal Upgrades	41,099	-	-	41,099	-	41,099	
13150 Pedestrian Improvements on 1000 East	36,354	-	(36,354)	-	-	-	
13167 700 W Rear Access Road	150,000	-	-	150,000	-	150,000	
13185 Pepperwood Drive Improvements	(489)	-	489	-	-	-	
13193 Historic Sandy Drainage Improvement	50,000	-	-	50,000	-	50,000	
13194 9400 South Safe Sidewalk	818	30,000	-	30,818	23,000	53,818	
13196 Salt Storage	371,138	106,249	-	477,387	-	477,387	
13199 700 West Improvements	46,692	-	(46,692)	-	-	-	
13201 Electronic Traffic Control Devices	19	-	-	19	100,000	100,019	
13205 11000 South Signal	42,471	-	(42,471)	-	-	-	
13206 State Street Improvements	-	-	-	-	500,000	500,000	
13821 Street Reconstruction	(869)	-	35,865	34,996	-	34,996	
13822 Hazardous Concrete Repair	131,763	-	89,163	220,926	61,301	282,227	
13828 Hazardous Tree Replacement	4,415	-	-	4,415	-	4,415	
13841 8680 South	222,139	-	-	222,139	405,000	627,139	
Total Roads	\$ 1,434,805	\$ 136,249	\$ -	\$ 1,571,054	\$ 1,149,301	\$ 2,720,355	
14018 Trail & Trail Head	\$ (6,525)	\$ -	\$ 6,525	\$ -	\$ -	\$ -	
140346 Lone Peak Basketball Court	25,750	-	(15,000)	10,750	-	10,750	
14059 River Oaks Clubhouse	62,032	-	-	62,032	-	62,032	
14067 Bonneville Shoreline Trail	67,722	-	-	67,722	-	67,722	
14073 Cairns Plaza	2,343,328	-	-	2,343,328	-	2,343,328	
14074 Outdoor Classrooms	9,900	-	-	9,900	-	9,900	
14094 Land & Water Conservation Conversion	32,584	-	-	32,584	-	32,584	
14095 Dry Creek Trail	141,001	-	-	141,001	-	141,001	
14097 Bike Park	25,000	-	-	25,000	-	25,000	
14099 Landscape Rocks	6,543	-	263	6,806	-	6,806	
14801 Crescent Park	(11,235)	-	11,235	-	-	-	

Fund 4100 - Capital Projects - General Revenues						
Project	2017 Carryover	Additions	Adjustments	2017 Adjusted Carryover	2018 Budget	2018 Adjusted Budget
1480204 Alta Canyon Tennis Courts Repairs	36,785	-	-	36,785	-	36,785
148037 Flat Iron Jogging Path Repair	28,795	-	(28,795)	-	-	-
148038 Flat Iron Tennis Court	6,500	-	-	6,500	-	6,500
14808 Asphalt Repairs	8,000	-	37,624	45,624	-	45,624
14812 Hidden Valley Park	1,793	-	(1,793)	-	-	-
14817 Computerized Irrigation Replacement	10,834	12,500	-	23,334	-	23,334
148243 Cemetery Expansion	43,005	-	812	43,817	-	43,817
14852 Main Street Park Replacements	12,762	-	(12,762)	-	-	-
14859 Park Renovation Projects	102,746	32,119	-	134,865	-	134,865
14861 Riverbank Stabilization	7,507	-	(7,507)	-	-	-
Total Parks	\$ 2,954,827	\$ 44,619	\$ (9,398)	\$ 2,990,048	\$ -	\$ 2,990,048
19005 Special Projects	\$ 46,918	\$ -	\$ -	\$ 46,918	\$ -	\$ 46,918
19012 Gateways/Beautification Projects	49,345	-	1,592	50,937	-	50,937
19013 Burial of Power Lines	77,172	-	(77,172)	-	-	-
19026 Update Transportation Masterplan	32,801	-	-	32,801	-	32,801
19030 Wetlands Mitigation	782,214	-	-	782,214	-	782,214.00
19036 Neighborhood Preservation Initiative	59,493	-	-	59,493	-	59,493
19049 9000 South I-15 Intersection	20,000	-	-	20,000	-	20,000
19052 Historic Preservation	10,000	-	-	10,000	10,000	20,000
19086 Cairns Development Plan	325,887	-	77,172	403,059	-	403,059
19087 Envision Utah Plan	10,000	-	-	10,000	-	10,000
19089 Cairns Placemaking Project	1,592	-	(1,592)	-	-	-
19999 Contingency	47,065	52,774	-	99,839	-	99,839
Total Miscellaneous	\$ 1,462,487	\$ 52,774	\$ -	\$ 1,515,261	\$ 10,000	\$ 1,525,261
Grand Total - General Revenues	\$ 7,028,986	\$ 450,626	\$ -	\$ 7,479,612	\$ 1,584,301	\$ 9,063,913

Fund 4110 - Capital Projects - Subdivision Bonds							
	Project	2017 Carryover	Additions	Adjustments	2017 Adjusted Carryover	2018 Budget	2018 Adjusted Budget
19001	Subdivision Bonds - Misc.	\$ -	\$ -	\$ -	\$ -	\$ 100,000	\$ 100,000
19042	Residential Home - 10981 S 1700 E	3,142	-	-	3,142	-	3,142
1380901	Stephenson Industrial Phase 3	3,808	-	-	3,808	-	3,808
13810	Kevin Corner - 8616 S 120 E	9,895	-	-	9,895	-	9,895
13811	Larkin Sunset Garden Funeral Home	53,007	-	-	53,007	-	53,007
13813	Historic Heights - 598 E 8800 S	2,675	-	-	2,675	-	2,675
13816	Lucy Beckstead - 8563 S 1000 E	2,150	-	-	2,150	-	2,150
13820	Sandy Midas Muffler	3,709	-	-	3,709	-	3,709
13851	Whisper Cove PUD	85	-	-	85	-	85
	Total Subdivision Bonds	\$ 78,471	\$ -	\$ -	\$ 78,471	\$ 100,000	\$ 178,471

Fund 4140 - Sale of Property							
Project	2017 Carryover	Additions	Adjustments	2017 Adjusted Carryover	2018 Budget	2018 Adjusted Budget	
1103 Land Purchase	\$ 1,480,471	\$ 681,435	-	\$ 2,161,906	\$ -	\$ 2,161,906	
14004 Irrigation Water Connections	9,500	-	-	9,500	-	9,500	
14034 Lone Peak Park	18,559	-	-	18,559	-	18,559	
148243 Cemetery Expansion	14,980	-	-	14,980	-	14,980	
Total Sale of Property	\$ 1,523,510	\$ 681,435	\$ -	\$ 2,204,945	\$ -	\$ 2,204,945	

Fund 4150 - Amphitheater							
Project		2017 Carryover	Additions / Deletions	Adjustments	2017 Adjusted Carryover	2018 Budget	2018 Adjusted Budget
1487	Building Improvements	\$ 244,546	\$ (79,061)	\$ -	\$ 165,485	\$ 81,590	\$ 247,075
	Total Amphitheater	\$ 244,546	\$ (79,061)	\$ -	\$ 165,485	\$ 81,590	\$ 247,075

Fund 4170 - Hale Centre Theatre							
Project		2017 Carryover	Additions	Adjustments	2017 Adjusted Carryover	2018 Budget	2018 Adjusted Budget
1255 Hale Centre Theatre		\$ 4,423,912	\$11,486,943		\$15,910,855	\$ 4,700,000	\$ 20,610,855
Total Hale Centre Theatre		\$ 4,423,912	\$11,486,943	\$ -	\$15,910,855	\$ 4,700,000	\$20,610,855

Fund 4210 - Capital Projects - Park Fees						
Project	2017 Carryover	Additions	Adjustments	2017 Adjusted Carryover	2018 Budget	2018 Adjusted Budget
Contingency	\$ 225,519	\$ -	\$ (225,519)	\$ -	\$ -	\$ -
1245 Alta Canyon Expansion	2,311,773	-	-	2,311,773	-	2,311,773
140344 Lone Peak Park - 2.33 Acre Expansion	194,617	-	-	194,617	-	194,617
140355 Quarry Bend Park - Sidewalk and Wall	149,290	-	-	149,290	90,000	239,290
14056 Dog Park - Parking Lot at Existing Park	62,041	-	-	62,041	125,000	187,041
14065 Jordan River Trail (Landscaping)	(3,126)	-	3,126	-	-	-
14067 Bonneville Shoreline Trail	-	-	-	-	179,300	179,300
14095 Dry Creek Trail	147,841	678,520	222,393	1,048,754	622,700	1,671,454
14096 Sandy Canal Trail	506,520	100,000	-	606,520	-	606,520
14098 Alta Canyon Park	166,185	-	-	166,185	305,000	471,185
Total Park Fees	\$ 3,760,660	\$ 778,520	\$ -	\$ 4,539,180	\$ 1,322,000	\$ 5,861,180

Fund 4220 - Capital Projects - Trail Fees							
	Project	2017 Carryover	Additions	Adjustments	2017 Adjusted Carryover	2018 Budget	2018 Adjusted Budget
1115	Sandy Canal Land Purchase	\$ 36,602	\$ -	\$ -	\$ 36,602	\$ -	\$ 36,602
14018	Trail & Trail Head	(25)	-	25	-	25,000	25,000
14044	Bike Route Striping	5,000	-	(5,000)	-	-	-
14067	Bonneville Shoreline Trail	14,805	-	-	14,805	20,700	35,505
14095	Dry Creek Trail	786	649,276	-	650,062	-	650,062
14096	Sandy Canal Trail	4,651	-	4,975	9,626	-	9,626
	Total Trail Fees	\$ 61,819	\$ 649,276	\$ -	\$ 711,095	\$ 45,700	\$ 756,795

Fund 4270 - Fire Impact Fees						
Project	2017 Carryover	Additions	Adjustments	2017 Adjusted Carryover	2018 Budget	2018 Adjusted Budget
19999 Contingency	\$ 651,552	\$ 317,017	\$ -	\$ 968,569	\$ 102,500	\$ 1,071,069
Total Fire Impact Fees	\$ 651,552	\$ 317,017	\$ -	\$ 968,569	\$ 102,500	\$ 1,071,069

Fund 4500 - Capital Projects - Grants						
Project	2017 Carryover	Additions / Deletions	Adjustments	2017 Adjusted Carryover	2018 Budget	2018 Adjusted Budget
Sources:						
31322 State Grant - Parks (Sandy Canal)	\$ 12,500	\$ -	\$ -	\$ 12,500		\$ 12,500
31326 State - Historic Preservation	-	-	-	-	10,000	10,000
3132 Grant - 9400 S. Safe Sidewalk	-	90,000	-	90,000	10,000	100,000
3133 Grant - Bonneville Shoreline Trail	-	275,000	-	275,000	-	275,000
3133 County Grant	-	-	-	-	595,000	595,000
313118 Homeland Security Grant	5,360	-	-	5,360	-	5,360
Total Sources - Grants	\$ 17,860	\$ 365,000	\$ -	\$ 382,860	\$ 615,000	\$ 997,860
Uses:						
13189 Monroe St South Extension	\$ 2,209,659	\$ -	\$ -	\$ 2,209,659	\$ -	\$ 2,209,659
13194 9400 South Safe Sidewalk	-	90,000	-	90,000	68,000	158,000
13204 Cy's Road/Green Way Intersection	25,007	-	-	25,007	-	25,007
13821 Street Reconstruction	8,475	-	-	8,475	-	8,475
13822 Hazardous Concrete	205,439	-	-	205,439	-	205,439
13850 3100 East Improvement Project	40,060	-	-	40,060	-	40,060
13852 Historic Sandy Improvements	-	-	-	-	595,000	595,000
14067 Bonneville Shoreline Trail	-	275,000	-	275,000	-	275,000
14096 Sandy Canal Trail	50,000	-	-	50,000	-	50,000
1904415 Homeland Security Grant 2014	2,385	-	-	2,385	-	2,385
1904416 Homeland Sec. Grant 2016	5,360	-	-	5,360	-	5,360
19052 Historic Preservation	-	-	-	-	10,000	10,000
Total Uses - Grants	\$ 2,546,385	\$ 365,000	\$ -	\$ 2,911,385	\$ 673,000	\$ 3,584,385

Fund 4600 - Capital Projects - State Road Funds							
Project		2017 Carryover	Additions	Adjustments	2017 Adjusted Carryover	2018 Budget	2018 Adjusted Budget
13187	11000 South Improvements	\$ 185,391	\$ -	\$ (185,391)	\$ -	\$ -	\$ -
13196	Salt Storage	-	-	104,000	104,000	-	104,000
13199	700 West Improvements	86,840	-	(86,840)	-	-	-
13821	Street Reconstruction	1,046,113	-	-	1,046,113	2,375,000	3,421,113
13822	Hazardous Concrete Repair	(3,203)	65,932	168,231	230,960	313,750	544,710
Total State Road Funds		\$ 1,315,141	\$ 65,932	\$ -	\$ 1,381,073	\$ 2,688,750	\$ 4,069,823



Staff Report

File #: 17-280, **Version:** 1

Date: 11/14/2017

Agenda Item Title:

Finance Department recommending the City Council adopt Resolution #17-53C increasing total appropriations and reappropriating unexpended funds within the Special Revenue Funds

Presenter:

Brian Kelley

Recommended Action and/or Suggested Motion:

Motion to adopt Resolution #17-53C

RESOLUTION #17-53 C

A RESOLUTION INCREASING TOTAL APPROPRIATIONS AND REAPPROPRIATING UNEXPENDED FUNDS WITHIN THE SPECIAL REVENUE FUNDS

BE IT RESOLVED by the City Council of Sandy City, State of Utah, that the amounts shown in Exhibits A - F, be adjusted as outlined. These adjustments are made pursuant to the provisions of Sections 10-6-128 and 130, U.C.A., as amended, and are done with the provision that no appropriation for debt retirement and interest, reduction of deficit or other appropriation required by law or ordinances is reduced by this resolution.

PASSED AND APPROVED THIS _____ day of _____, 2017.

Chris McCandless, Chair
Sandy City Council

ATTEST:

Molly Spira
City Recorder

RECORDED this _____ day of _____, 2017.

SEE ATTACHED EXHIBITS A - F

Fund 2300 - CDBG						
Project	2017 Carryover	Additions	Adjustments	2017 Adjusted Carryover	2018 Budget	2018 Adjusted Budget
23-54-412490 Administrative Costs / Misc. Supplies	\$ 11,704	\$ -	\$ -	\$ 11,704	\$ 46,839	\$ 58,543
23-54-412470-23005 The Road Home - Homeless Shelter	-			-	12,000	12,000
23-54-412470-23010 South County Food Pantry	-		-	-	6,000	6,000
23-54-412470-23013 South Valley Sanctuary	1			1	10,000	10,001
23-54-412470-23037 YWCA Women's Shelter	-			-	5,000	5,000
23-54-412470-23038 Family Support Center - Crisis Nursery	-			-	5,000	5,000
23-54-412470-23044 Transitional Housing Support - Road Home	-			-	8,500	8,500
23-54-412470-23046 Community Health Center	-			-	10,000	10,000
23-54-412470-23060 CCS - Homeless Services	7,000			7,000	-	7,000
Capital						
23-54-4370-23002 Emergency Home Repair - Assist	976			976	66,549	67,525
23-54-4370-23005 The Road Home (maintenance)	-			-	5,000	5,000
23-54-4370-23056 Odyssey House	-			-	6,500	6,500
23-54-4370-23061 Housing Weatherization	10,000	-	-	10,000	-	10,000
23-54-4370-23062 8680 S Phase 3 Road Project	203,875	-	-	203,875	200,000	403,875
23-54-4370-23063 The INN Between - Hospice for the homeless	-	-	-	-	7,000	7,000
23-54-4370-23064 Neighborworks	-	-	-	-	10,000	10,000
Total CDBG	\$ 233,556	\$ -	\$ -	\$ 233,556	\$ 398,388	\$ 631,944

Fund 2400 - Recreation							
Project	2017			2017		2018	
	Carryover	Additions	Adjustments	Adjusted Carryover	Budget	Adjusted Budget	
24-44-4174 Equipment	\$ (2,105)	\$ -	\$ 2,105	\$ -	\$ 7,500	\$ 7,500	
24-44-4374 Capital Equipment	2,085	-	(2,085)	-	-	-	
24-44-4370-14802 Alta Canyon Park Backstop	30,000	-	(30,000)	-	-	-	
Total Recreation	\$ 29,980	\$ -	\$ (29,980)	\$ -	\$ 7,500	\$ 7,500	

Fund 2500 - Community Events							
		2017			2017	2018	2018
Project		2017	Additions	Adjustments	Adjusted	2018	Adjusted
		Carryover			Carryover	Budget	Budget
25-47-4174	Equipment	\$ 13,305	\$ -	\$ -	\$ 13,305	\$33,304	\$ 46,609
	Total Community Events	\$ 13,305	\$ -	\$ -	\$ 13,305	\$33,304	\$ 46,609

Fund 2600 - Sandy Amphitheater / Arts Guild						
Project	2017 Carryover	Additions	Adjustments	2017 Adjusted Carryover	2018 Budget	2018 Adjusted Budget
26-481-4174 Equipment	\$ 4,134	\$ -	\$ -	\$ 4,134	\$ 12,000	\$ 16,134
Total Amphitheater / Arts Guild	\$ 4,134	\$ -	\$ -	\$ 4,134	\$ 12,000	\$ 16,134

Fund 2700 - Street Lighting						
Project	2017 Carryover	Additions	Adjustments	2017 Adjusted Carryover	2018 Budget	2018 Adjusted Budget
Software	\$ -	\$ 515	\$ -	\$ 515	\$ 8,300	\$ 8,815
53003 Street Lighting Improvements	267,970	45,298	-	313,268	378,329	691,597
Equipment	-	3,500	-	3,500	-	3,500
Total Electric Utility	\$ 267,970	\$ 49,313	\$ -	\$ 317,283	\$ 386,629	\$ 703,912

Fund 2810 - Storm Water Utility Expansion							
Project	2017 Carryover	Additions	Adjustments	2017 Adjusted Carryover	2018 Budget	2018 Adjusted Budget	
Software	\$ -	\$ 824	\$ 13,000	13,824	\$ 6,300	\$ 20,124	
Equipment	(812)	-	-	(812)	4,100	3,288	
Building Improvements	27,651	-	-	27,651	-	27,651	
Capital Equipment	10,256	-	(10,256)	-	2,600	2,600	
28025 Master Plan	107,227	-	-	107,227	-	107,227	
28052 Bicycle Safe/HighBack Inlets	6,140	-	-	6,140	-	6,140	
28070 SCADA Sites	-	-	-	-	30,000	30,000	
28078 Monroe St.	(40)	-	40	-	-	-	
28080 Lostwood Drive	(7,302)	-	7,302	-	-	-	
28081 Wildflower Pond Bypass	100,000	-	-	100,000	420,000	520,000	
28082 Bryce Drive Improvements	200,000	-	(13,000)	187,000	200,000	387,000	
28084 Sandy Canal	-	-	-	-	250,000	250,000	
28117 Dry Creek Flood and Water Quality	-	-	-	-	120,000	120,000	
28802 Neighborhood Projects	255,420	-	2,914	258,334	286,049	544,383	
28808 CMP Replacements	-	-	-	-	300,000	300,000	
Total Storm Water Expansion	\$ 698,540	\$ 824	\$ -	\$ 699,364	\$ 1,619,049	\$ 2,318,413	



Staff Report

File #: 17-281, **Version:** 1

Date: 11/14/2017

Agenda Item Title:

Finance Department recommending the City Council adopt Resolution #17-54C increasing total appropriations and reappropriating unexpended funds within the Proprietary Funds

Presenter:

Brian Kelley

Recommended Action and/or Suggested Motion:

Motion to adopt Resolution #17-54C

RESOLUTION #17-54 C

A RESOLUTION INCREASING TOTAL APPROPRIATIONS AND REAPPROPRIATING UNEXPENDED FUNDS WITHIN THE PROPRIETARY FUNDS

BE IT RESOLVED by the City Council of Sandy City, State of Utah, that the amounts shown in Exhibits A - D, be adjusted as outlined. These adjustments are made pursuant to the provisions of Sections 10-6-136 and 10-6-130, U.C.A., as amended, and are done with the provision that no appropriation for debt retirement and interest, reduction of deficit or other appropriation required by law or ordinances is reduced by this resolution.

PASSED AND APPROVED THIS _____ day of _____, 2017.

Chris McCandless, Chair
Sandy City Council

ATTEST:

Molly Spira
City Recorder

RECORDED this _____ day of _____, 2017.

SEE ATTACHED EXHIBITS A - D

Fund 5100 & 5110 - Water Operations, Expansion & Replacement

		2017			2017		2018
		Carryover	Additions	Adjustments	Adjusted Carryover	Budget	Adjusted Budget
Project							
Uses:							
Software	\$	-		\$ 3,401	\$ 3,401	\$ 106,771	\$ 110,172
Equipment		1,135	-	(1,135)	-	24,900	24,900
Professional Services		85,601	-	(25,601)	60,000	110,000	170,000
Fleet Purchases		1,556	-	(1,556)	-	132,500	132,500
Building Improvements		(2,218)	-	2,218	-	70,000	70,000
Capital Equipment		14,786	-	(3,786)	11,000	5,400	16,400
Total Equipment, Services & Projects	\$	100,860	\$ -	\$ (26,459)	\$ 74,401	\$ 449,571	\$ 523,972
1103 Land Purchase	\$	2,881,000	\$ -	\$ (881,000)	\$ 2,000,000	\$ -	\$ 2,000,000
51001 Water Meters (New Construction)		393	-	(393)	-	20,000	20,000
51003 Pipe Overage		5,000	-	(5,000)	-	-	-
51042 Purchase of Water Stock		206,058	-	-	206,058	-	206,058
51063 Metro Capital Assessment		-	-	-	-	4,210,322	4,210,322
51068 Security Improvements		27,957	-	-	27,957	-	27,957
51070 Zone 5 Pipeline		400,000	-	-	400,000	400,000	800,000
51095 Bell Canyon Access Road		35,000	-	-	35,000	-	35,000
51101 Crowton Springs Study		76,252	-	-	76,252	-	76,252
51111 Sandy Canal Improvements		300,338	-	-	300,338	-	300,338
51115 Granite Cell Tower Site		1,610	-	(1,610)	-	-	-
51117 Dry Creek Flood and Water Quality		-	-	-	-	120,000	120,000
Total Expansion	\$	3,933,608	\$ -	\$ (888,003)	\$ 3,045,605	\$ 4,750,322	\$ 7,795,927
51801 Hydrant Replacement	\$	14,008	\$ -	\$ -	\$ 14,008	\$ 5,150	\$ 19,158
51802 Replace/Lower Service Line		75,004	-	-	75,004	30,900	105,904
51810 Replace Meters		49	-	(49)	-	30,900	30,900
518107 Phase 7 Meter Changeout		1	-	(1)	-	-	-
51811 Replace Mainlines		171,091	-	916,136	1,087,227	757,417	1,844,644
5181111 700 E Waterline Project		11,264	-	(11,264)	-	-	-
5181112 1300 E Waterline Project		65,360	-	(65,360)	-	-	-
51813 Replace/Raise Valves		40,930	-	-	40,930	30,500	71,430
51821 Replace Well Equipment		45,644	-	-	45,644	150,000	195,644
51822 Replace/Repair Water Tanks		183,784	-	-	183,784	25,000	208,784
51824 Repair/Replace Booster Stations		18,066	-	-	18,066	50,000	68,066
51827 Central Wasatch Commission		100,000	-	-	100,000	100,000	200,000
51828 Repair Granite Mesa Tank and Well		130,000	-	-	130,000	-	130,000
51829 Replace Flat Iron Tanks and Well		6,870,000	-	-	6,870,000	-	6,870,000
NEW Water Master Plan Update				75,000			75,000
Total Replacement	\$	7,725,201	\$ -	\$ 914,462	\$ 8,564,663	\$ 1,179,867	\$ 9,819,530
Total Capital Outlays	\$	11,658,809	\$ -	\$ 26,459	\$ 11,610,268	\$ 5,930,189	\$ 17,615,457
Grand Total	\$	11,759,669	\$ -	\$ -	\$ 11,684,669	\$ 6,379,760	\$ 18,139,429

Fund 5200 - Weekly Waste Pickup

				2017	2018	2018
				Adjusted	Budget	Adjusted
Project		2017	Additions	Carryover		Budget
		Carryover				
52001	Transfer Station Plans and Development	\$ 409,523	\$ -	\$ 409,523	\$ -	\$ 409,523
	PCI Compliant Dumpster Res. Program	-	30,000	30,000	-	30,000
	Fleet Purchases	-	-	-	205,000	205,000
	Total Weekly Waste Pickup	\$ 409,523	\$ 30,000	\$ 439,523	\$ 205,000	\$ 644,523

Resolution # 17-54 C
Exhibit C

Fund 61 - Fleet						
Project	2017 Carryover	Additions	Adjustments	2017 Adjusted Carryover	2018 Budget	2018 Adjusted Budget
Uses:						
Equipment	\$ 5,013	\$ 5,013	\$ -	\$ 10,026	\$ -	\$ 10,026
Capital Equipment	-	70,000	-	70,000	-	70,000
		-	-	-	-	-
71620 CERT Trailer	5,174	-	-	5,174	-	5,174
70345 Police Rhino	-	14,000	-	14,000	-	14,000
70346 Police Rhino	-	14,000	-	14,000	-	14,000
71234 Parks Trailer	-	5,000	-	5,000	-	5,000
71119 Parks 48" Mower	-	9,000	-	9,000	-	9,000
71363 Parks - Mule	-	11,000	-	11,000	-	11,000
71621 Bldg Facilities Truck	15,000	21,000	-	36,000	-	36,000
70041 Fire Apparatus	263,410	100,000	-	363,410	358,200	721,610
72518 10 Wheel Dump	171,543	-	-	171,543	-	171,543
72519 10 Wheel Dump	171,543	-	-	171,543	-	171,543
72528 10 Wheel Dump	171,543	-	-	171,543	-	171,543
72529 10 Wheel Dump	171,543	-	-	171,543	-	171,543
72538 10 Wheel Dump	171,543	-	-	171,543	-	171,543
72548 10 Wheel Dump	171,543	-	-	171,543	-	171,543
72558 10 Wheel Dump	171,543	-	-	171,543	-	171,543
72568 10 Wheel Dump	171,543	-	-	171,543	-	171,543
72578 10 Wheel Dump	171,543	-	-	171,543	-	171,543
72588 10 Wheel Dump	171,543	-	-	171,543	-	171,543
72598 10 Wheel Dump	171,543	-	-	171,543	-	171,543
74307 Vactor Truck	100,000	-	-	100,000	-	100,000
Total Uses	\$ 2,275,568	\$ 249,013	\$ -	\$ 2,524,581	\$ 358,200	\$ 2,882,781

Fund 6410 - Information Technology							
Project	2017 Carryover	Additions	Adjustments	2017 Adjusted Carryover	2018 Budget	2018 Adjusted Budget	
641-1724-4374-64001 64001 General Equipment	\$ 29,841	\$ -	\$ (23,701)	\$ 6,140	\$ 75,000	\$ 81,140	
641-1724-4374-64002 64002 Enterprise Resource Planning Soft	514,133	-	-	514,133	-	514,133	
641-1724-4374-64003 64003 City-Wide GIS	(5,810)	-	5,810	-	-	-	
641-1724-4374-64004 64004 Document Imaging System	80,500	-	-	80,500	7,500	88,000	
641-1724-4374-64013 64013 Development Tracking Software	306	-	(306)	-	-	-	
641-1724-4374-64014 64014 Prosecution/Court Integration	6,343	-	306	6,649	-	6,649	
641-1724-4374-64017 64017 City Hall Virtual Servers	-	-	-	-	51,000	51,000	
641-1724-4374-64018 64018 Uninterrupted Power Supply	-	-	-	-	4,000	4,000	
641-1724-4374-64024 64024 City Website	35,725	-	-	35,725	-	35,725	
641-1724-4374-64033 64033 Storage Area Network (SAN)	30,000	-	-	30,000	-	30,000	
641-1724-4374-64034 64034 Fiber Optic	(17,891)	-	17,891	-	-	-	
641-1724-4374-64035 64035 Thin Client	41,250	-	-	41,250	-	41,250	
Total IT Equipment	\$ 714,397	\$ -	\$ -	\$ 714,397	\$ 137,500	\$ 851,897	



Staff Report

File #: 17-298, **Version:** 1

Date: 11/14/2017

Agenda Item Title:

Finance Department recommending the City Council adopt Resolution #17-59C amending the Sandy City Fee Schedule for Fiscal Year 2017-18

Presenter:

Brian Kelley

Recommended Action and/or Suggested Motion:

Motion to adopt Resolution #17-59C

RESOLUTION # 17-59 C

A RESOLUTION AMENDING THE SANDY CITY FEE SCHEDULE FOR FISCAL YEAR 2017-18

BE IT KNOWN AND REMEMBERED that the City Council of Sandy City, State of Utah, finds and determines as follows.

1. In conformance with the budgetary procedures followed by Sandy City, the City Council has levied certain fees and charges within its boundaries for fiscal year 2017-18; and
2. The Heartsaver CPR/First Aid/AED course fee is being amended as follows:

Increased from \$30 to \$45

and
3. The City Council has given due consideration and deliberation to the proposed fee and has determined that the fee is fair and adequate for the service provided.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Sandy City, State of Utah, that the fee schedule adopted in the Approved Budget be amended as set forth in this resolution.

PASSED AND APPROVED this _____ day of _____, 2017.

Chris McCandless, Chair
Sandy City Council

ATTEST:

Molly Spira
City Recorder

RECORDED this _____ day of _____, 2017.



Staff Report

File #: 17-306, **Version:** 1

Date: 11/14/2017

Agenda Item Title:

Recess of the City Council and convene a meeting of the Sandy City Redevelopment Agency

Presenter:

Nick Duerksen

Description/Background:

1. Resolution RD 17-09. A Resolution of the Redevelopment Agency of Sandy City approving the donation of an insignificant parcel of land located along Centennial Parkway to SPC Sandy, LLC.
2. Resolution RD 17-10. A Resolution of the Redevelopment Agency of Sandy City approving the donation of an insignificant parcel of land located along Centennial Parkway to Sandy City.
3. Resolution RD 17-11. A Resolution of the Redevelopment Agency of Sandy City approving the donation of an insignificant parcel of land located along Centennial Parkway to Boyer South Towne II, L.C.

Approval of Minutes:

August 29th, 2017

October 3, 2017

October 17, 2017

Agenda and supporting documents attached.

Recommended Action and/or Suggested Motion:

Motion to approve Resolution(s) RD 17-09, RD 17-10 and RD 17-11

Redevelopment Agency of Sandy City



Chris McCandless	Chair
Linda Martinez-Saville	Vice-Chair
Scott Cowdell	Board Member
Stephen P. Smith	Board Member
Steve Fairbanks	Board Member
Maren Barker	Board Member
Kristin Coleman-Nicholl	Board Member

Tuesday, November 14, 2017

Sandy City Hall
10000 Centennial Parkway, Sandy, Utah

Agenda

Meeting time: Approximately 7:00 p.m.

1. Motion to convene Redevelopment Agency meeting
2. Resolution RD 17-09. A Resolution of the Redevelopment Agency of Sandy City approving the donation of an insignificant parcel of land located along Centennial Parkway to SPC Sandy, LLC.
3. Resolution RD 17-10. A Resolution of the Redevelopment Agency of Sandy City approving the donation of an insignificant parcel of land located along Centennial Parkway to Sandy City.
4. Resolution RD 17-11. A Resolution of the Redevelopment Agency of Sandy City approving the donation of an insignificant parcel of land located along Centennial Parkway to Boyer South Towne II, L.C.
5. Approval of Minutes:
August 29, 2017
October 3, 2017
October 17, 2017
6. Motion to adjourn Redevelopment Agency meeting.

In compliance with the Americans with Disabilities Act, reasonable accommodations for individuals with disabilities will be provided upon request. For assistance please call [\(801\) 568-7141](tel:8015687141).

Resolution No. RD 17-09

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF SANDY CITY APPROVING THE DONATION OF AN INSIGNIFICANT PARCEL OF LAND LOCATED ALONG CENTENNIAL PARKWAY TO SPC SANDY, LLC.

WHEREAS the Redevelopment Agency of Sandy City (the “Agency”) has been created by the Sandy City Council to transact the business and exercise all the powers provided for by Title 17C of the Utah Code Annotated, “Limited Purpose Local Government Entities—Community Reinvestment Agency Act” (the “RDA Act”);

WHEREAS under Section 17C-1-202(1) of the RDA Act, “An agency may: ... gift, or otherwise dispose of any interest in real or personal property;”

WHEREAS the Agency acquired certain real property with the intent to provide the property to Sandy City to expand Centennial Parkway, to, among other things, facilitate and promote economic and community development activities within the Project Area;

WHEREAS the expansion of Centennial Parkway has been completed, and the Agency is left with a narrow—approximately 9 feet wide—strip of land, adjacent to Centennial Parkway, that ultimately was not needed for the transportation or streetscape designs (the “Remainder Parcel”);

WHEREAS a depiction of the Remainder Parcel is shown in the map attached hereto as **Exhibit A**;

WHEREAS the Remainder Parcel has little to no value because of among other things, its location and size, and the existence of deed restrictions;

WHEREAS the Agency does not want to retain ownership of the Remainder Parcel because, among other things, the Agency does not want to retain management and maintenance responsibilities or associated liability risks, and so the Agency wants to donate the Remainder Parcel to SPC Sandy, LLC, which is the owner of the larger adjoining parcel, with the intent that the owner will be able to make productive and beneficial use of the donated land as a part of the larger parcel;

WHEREAS SPC Sandy, LLC has presented to the Board the improvement plans for the Remainder Parcel, and the Board approves of those plans; and

WHEREAS the Agency Board, on October 3, 2017, by resolution, approved the donation of the Remainder Parcel to SPC Sandy, LLC, but the approval was based on, among other things, the assumption that the Agency had acquired the Remainder Parcel for free, but it has now been discovered that the Agency did not acquire the Remainder Parcel for free, so this resolution has been brought back before the Board for ratification of the donation in light of this new information.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE REDEVELOPMENT AGENCY OF SANDY CITY:

1. The Board hereby finds and determines that the Remainder Parcel has little value, if any at all, to the Agency, and is incapable of being marketed productively because of, among other things, the location, size, and shape of, and deed restrictions upon, the Remainder Parcel.

2. The Board hereby finds and determines that the Remainder Parcel ought to be donated to the adjoining property owner, for use with the larger parcel, so that the Remainder Parcel may be put to productive use and so that the Agency may avoid ownership, management and maintenance responsibilities and liabilities associated with the Remainder Parcel. Additionally, the Sandy City Cairns Streetscape Design plans call for private improvements within the public realm of frontage along Centennial Parkway, and the Board finds and determines that making the Remainder Parcel available to the adjoining property owner, to be improved substantially as provided in the plans submitted to the Board on this date, will aid in incentivizing these public realm improvements.

3. The deed in substantially the form attached hereto and incorporated herein as **Exhibit B**, is hereby approved, and the Executive Director of the Agency is authorized and directed to execute the same for and on behalf of the Agency. The Executive Director is authorized on behalf of the Agency Board to approve any modifications, amendments, or revisions to the deed as may be in the Agency's best interest and in harmony with the intent and purposes set forth in this resolution.

4. This resolution takes effect upon adoption.

APPROVED AND ADOPTED on November 14, 2017.

Chris McCandless, *Chair*

Attest:

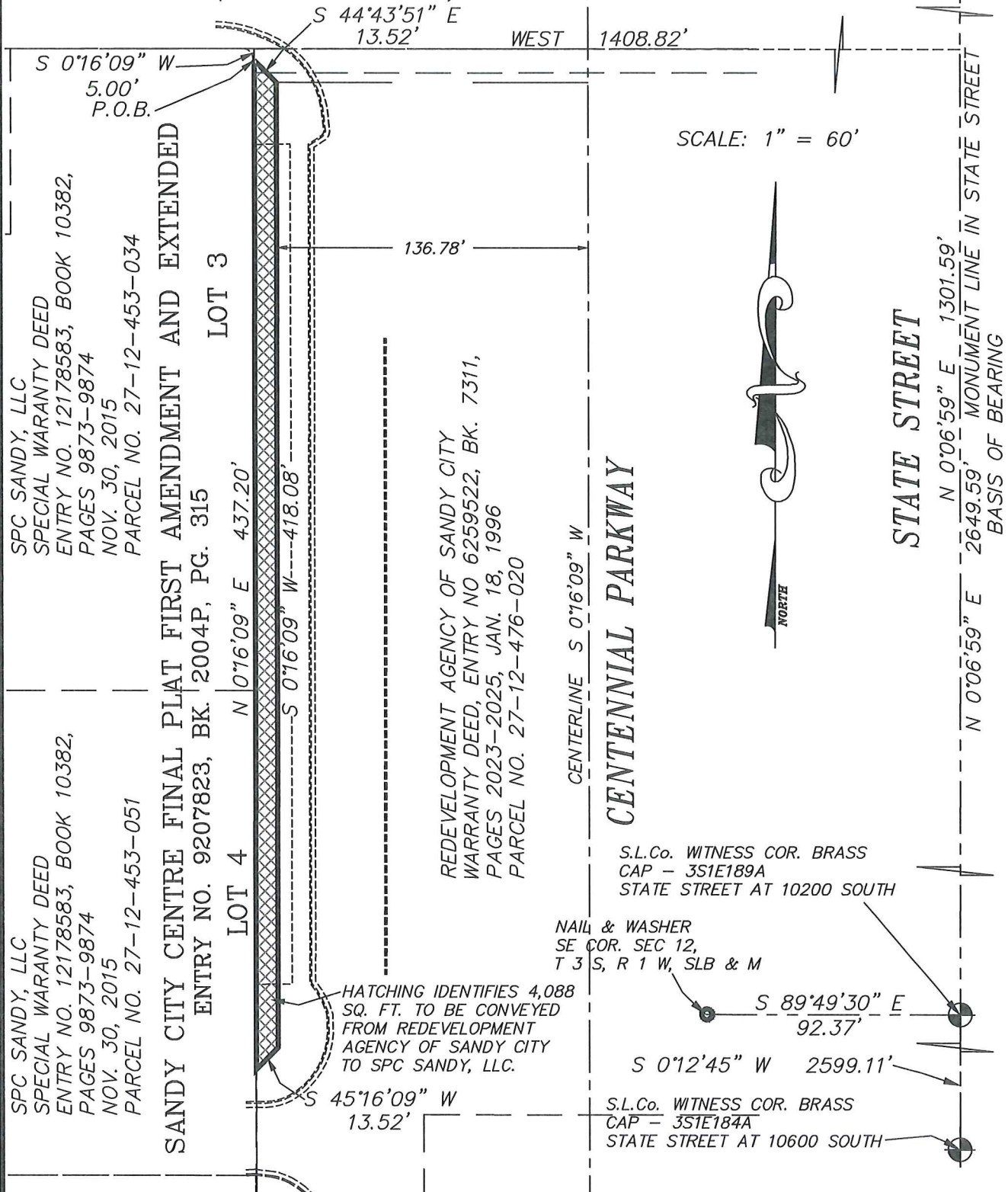
Vickey Barrett, *Secretary*

Exhibit A

Map

SEGO LILY DRIVE (10000 SOUTH ST.)

S.L.Co. WITNESS COR.
BRASS CAP - 3S1E074A



NARROWING OF A PORTION OF CENTENNIAL PARKWAY LOCATED IN THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN SANDY CITY, SALT LAKE CO., UTAH

Exhibit B

Form of Deed

WHEN RECORDED, MAIL TO:

SPC SANDY, LLC
235 West Sego Lily, Suite 250
Sandy, Utah 84070

Quitclaim Deed

Salt Lake County

S.L.Co. Assessor Parcel No.: 27-12-476-020, 27-12-476-024

REDEVELOPMENT AGENCY OF SANDY CITY, a body corporate and politic of the State of Utah, **GRANTOR**, of 10000 Centennial Parkway, Sandy, Salt Lake County, State of Utah, 84070, hereby quitclaims to **SPC Sandy, LLC**, a Utah limited liability company, **GRANTEE**, of 235 West Sego Lily, Suite 250, Sandy, Utah 84070, for the sum of Ten Dollars, and other good and valuable consideration, the following described parcel of real property located in Salt Lake County, State of Utah, more particularly described as follows:

A parcel of land located in the Southeast Quarter of Section 12, Township 3 South, Range 1 West, Salt Lake Base and Meridian, in the City of Sandy, Salt Lake County, Utah, described by metes and bounds as follows:

Beginning at a point on the westerly right-of-way line of Centennial Parkway which lies North 0°06'59" East 1301.59 feet along the centerline and monument line in State Street, West 1408.82 feet to the westerly right-of-way line of Centennial Parkway and along said westerly right-of-way line, South 0°16'09" West 5.00 feet from a Salt Lake County monument located on the centerline of State Street at 10200 South, said monument lies North 89°49'30" East 92.37 feet, more or less, from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian;
thence South 44°43'51" East 13.52 feet;
thence South 0°16'09" West 418.08 feet;
thence South 45°16'09" West 13.52 to said westerly right-of-way line of Centennial Parkway;
thence along said westerly right-of-way line of Centennial Parkway, North 0°16'09" East 437.20 feet to the Point of Beginning.

The above-described parcel contains approximately 4,088 square feet in area or 0.094 acre.

Subject to, without limitation, all taxes, assessments, and other matters of record, and any matters that would be disclosed by an accurate, current survey and inspection of the Property.

IN WITNESS WHEREOF, Grantor has executed this instrument this _____ day of _____, A.D. 201__.

REDEVELOPMENT AGENCY OF SANDY CITY

Tom Dolan, Executive Director

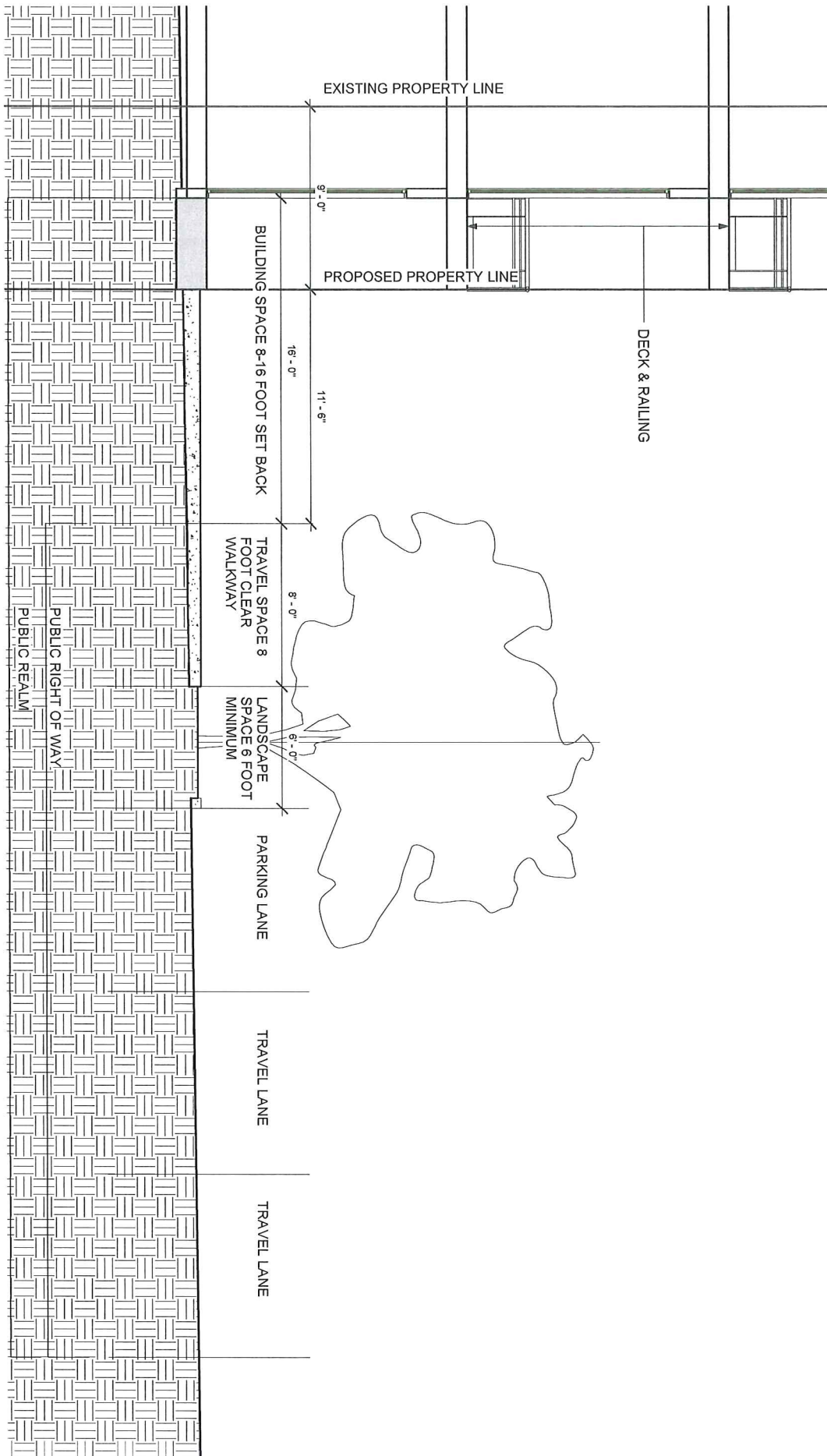
ATTEST:

Vickey Barrett, Secretary

STATE OF UTAH }
 :ss
COUNTY OF SALT LAKE}

In the County of Salt Lake, State of Utah, on this _____ day of _____, 201____, before me, the undersigned notary, personally appeared Tom Dolan, the Executive Director of the Redevelopment Agency of Sandy City, who is personally known to me or who proved to me his identity through documentary evidence, and who affirmed to me that he executed the foregoing on behalf of the Redevelopment Agency of Sandy City.

Notary signature and seal



Resolution No. RD 17-10

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF SANDY CITY APPROVING THE DONATION OF AN INSIGNIFICANT PARCEL OF LAND LOCATED ALONG CENTENNIAL PARKWAY TO SANDY CITY.

WHEREAS the Redevelopment Agency of Sandy City (the “Agency”) has been created by the Sandy City Council to transact the business and exercise all the powers provided for by Title 17C of the Utah Code Annotated, “Limited Purpose Local Government Entities—Community Reinvestment Agency Act” (the “RDA Act”);

WHEREAS under Section 17C-1-202(1) of the RDA Act, “An agency may: ... gift, or otherwise dispose of any interest in real or personal property;”

WHEREAS the Agency acquired certain real property with the intent to provide the property to Sandy City to expand Centennial Parkway, to, among other things, facilitate and promote economic and community development activities within the Project Area;

WHEREAS the expansion of Centennial Parkway has been completed, and the Agency is left with a narrow—approximately 9 feet wide—strip of land, adjacent to Centennial Parkway, that ultimately was not needed for the transportation or streetscape designs (the “Remainder Parcel”);

WHEREAS a depiction of the Remainder Parcel is shown in the map attached hereto as **Exhibit A**;

WHEREAS the Remainder Parcel has little to no value because of among other things, its location and size, and the existence of deed restrictions;

WHEREAS the Agency does not want to retain ownership of the Remainder Parcel because, among other things, the Agency does not want to retain management and maintenance responsibilities or associated liability risks, and so the Agency wants to donate the Remainder Parcel to Sandy City, which is the owner of the larger adjoining parcel, with the intent that the owner will be able to make productive and beneficial use of the donated land as a part of the larger parcel; and

WHEREAS the Agency Board, on October 3, 2017, by resolution, approved the donation of the Remainder Parcel to Sandy City, but the approval was based on, among other things, the assumption that the Agency had acquired the Remainder Parcel for free, but it has now been discovered that the Agency did not acquire the Remainder Parcel for free, so this resolution has been brought back before the Board for ratification of the donation in light of this new information.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE REDEVELOPMENT AGENCY OF SANDY CITY:

1. The Board hereby finds and determines that the Remainder Parcel has little value, if any at all, to the Agency, and is incapable of being marketed productively because of, among other things, the location, size, and shape of, and deed restrictions upon, the Remainder Parcel.

2. The Board hereby finds and determines that the Remainder Parcel ought to be donated to the adjoining property owner, for use with the larger parcel, so that the Remainder Parcel may be put to productive use and so that the Agency may avoid ownership, management and maintenance responsibilities and liabilities associated with the Remainder Parcel. Additionally, the Sandy City Cairns Streetscape Design plans call for private improvements within the public realm of frontage along Centennial Parkway, and the Board finds and determines that making the Remainder Parcel available to the adjoining property owner will aid in incentivizing these public realm improvements.

3. The deed in substantially the form attached hereto and incorporated herein as **Exhibit B**, is hereby approved, and the Executive Director of the Agency is authorized and directed to execute the same for and on behalf of the Agency. The Executive Director is authorized on behalf of the Agency Board to approve any modifications, amendments, or revisions to the deed as may be in the Agency's best interest and in harmony with the intent and purposes set forth in this resolution.

4. This resolution takes effect upon adoption.

APPROVED AND ADOPTED on November 14, 2017.

Chris McCandless, *Chair*

Attest:

Vickey Barrett, *Secretary*

SANDY CITY CORPORATION
SPECIAL WARRANTY DEED
ENTRY NO. 11754494,
BOOK 10190,
PAGES 4520-4522
NOV. 5, 2013
PARCEL NO. 27-13-202-001

SANDY CITY CORPORATION
SPECIAL WARRANTY DEED
ENTRY NO. 11754494, BOOK 10190,
PAGES 4520-4522
NOV. 5, 2013
PARCEL NO. 27-13-202-002

$L = 22.690'$
 $R = 25.00'$
 $DELTA = 52^{\circ}00'05''$
 $CHD. = 21.919'$
 $S\ 25^{\circ}58'29''\ E$

REDEVELOPMENT AGENCY OF SANDY CITY
WARRANTY DEED, ENTRY NO 6277216,
BOOK 7327, PAGES 1430-1439,
FEB. 9, 1996
PARCEL NO. 27-12-476-024

HATCHING IDENTIFIES
3,907 SQ. FT. TO BE
CONVEYED FROM
REDEVELOPMENT
AGENCY OF SANDY
CITY TO SANDY CITY
CORPORATION

P.O.B.

CENTERLINE $S\ 0^{\circ}01'34''\ W$

CENTENNIAL PARKWAY

SCALE: 1" = 60'



STATE STREET

$S\ 0^{\circ}01'50''\ E\ 2599.11'$ MONUMENT TO MONUMENT
BASIS OF BEARING
 $S\ 0^{\circ}01'50''\ E\ 455.40'$

S.L.Co. WITNESS COR. BRASS CAP - 3S1E074A
STATE STREET AT 9800 SOUTH

$N\ 0^{\circ}07'36''\ W\ 2649.59'$

SE COR. SEC 12,
T 3 S, R 1 W,
SLB & M

$N\ 89^{\circ}53'20''\ E\ 92.33'$
S.L.Co. WITNESS COR.
BRASS CAP -
3S1E189A
STATE STREET AT
10200 SOUTH

$N\ 89^{\circ}49'53''\ W\ 9.69'$

$N\ 89^{\circ}49'53''\ W\ 1403.17'$

NARROWING OF A PORTION OF CENTENNIAL PARKWAY
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 12,
TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE
& MERIDIAN, SANDY CITY, SALT LAKE CO., UTAH

S.L.Co. WITNESS COR.
BRASS CAP - 3S1E184A
STATE STREET AT 10600
SOUTH

Exhibit B

Form of Deed

WHEN RECORDED, MAIL TO:

Molly Spira
Sandy City Recorder
10000 Centennial Parkway
Sandy, Utah 84070

Warranty Deed

Salt Lake County

S.L.Co. Assessor Parcel No.: 27-12-476-024

REDEVELOPMENT AGENCY OF SANDY CITY, a Utah political subdivision, **GRANTOR**, of 10000 Centennial Parkway, Sandy, Salt Lake County, State of Utah, 84070, hereby CONVEYS and WARRANTS to **SANDY CITY CORPORATION**, a municipal corporation of the State of Utah, of 10000 Centennial Parkway, Sandy, Utah 84070, **GRANTEE**, for the sum of Ten Dollars, and other good and valuable consideration, the following described parcel of real property located in Salt Lake County, State of Utah, more particularly described as follows:

A parcel of land located in the Northeast Quarter of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, in the City of Sandy, Salt Lake County, Utah, described by metes and bounds as follows:

Beginning at a point which lies South 0°01'50" East 455.40 feet along the centerline and monument line in State Street and North 89°49'53" West 1403.17 feet from a Salt Lake County monument located on the centerline of State Street at 10200 South, said monument lies North 89°53'20" East 92.33 feet, more or less, from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian; thence North 89°49'53" West 9.69 feet, more or less, to the westerly right-of-way line of Centennial Parkway;

thence along said westerly right-of-way line, North 0°02'16" East 410.81 feet;

thence Southeasterly 22.690 feet along the arc of a 25.00 foot-radius non-tangent curve to the right whose center bears South 38°01'29" West 25.00 feet, has a central angle of 52°00'05" and a chord bearing and length of South 25°58'29" East 21.919 feet to a point of tangency;

thence South 0°01'34" West 391.13 feet to the Point of Beginning.

The above-described parcel contains approximately 3,907 square feet in area or 0.090 acre.

IN WITNESS WHEREOF, Grantor has executed this instrument this _____ day of _____, A.D. 201__.

REDEVELOPMENT AGENCY OF SANDY CITY

Tom Dolan, Executive Director

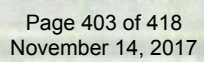
ATTEST:

Vickey Barrett, Secretary

STATE OF UTAH }
 :ss
COUNTY OF SALT LAKE}

In the County of Salt Lake, State of Utah, on this _____ day of _____, 201____, before me, the undersigned notary, personally appeared Tom Dolan, the Executive Director of the Redevelopment Agency of Sandy City, who is personally known to me or who proved to me his identity through documentary evidence, and who affirmed to me that he executed the foregoing on behalf of the Redevelopment Agency of Sandy City.

Notary signature and seal



Resolution No. RD 17-11

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF SANDY CITY APPROVING THE DONATION OF AN INSIGNIFICANT PARCEL OF LAND LOCATED ALONG CENTENNIAL PARKWAY TO BOYER SOUTH TOWNE II, L.C.

WHEREAS the Redevelopment Agency of Sandy City (the “Agency”) has been created by the Sandy City Council to transact the business and exercise all the powers provided for by Title 17C of the Utah Code Annotated, “Limited Purpose Local Government Entities—Community Reinvestment Agency Act” (the “RDA Act”);

WHEREAS under Section 17C-1-202(1) of the RDA Act, “An agency may: ... gift, or otherwise dispose of any interest in real or personal property;”

WHEREAS the Agency acquired certain real property with the intent to provide the property to Sandy City to expand Centennial Parkway, to, among other things, facilitate and promote economic and community development activities within the Project Area;

WHEREAS the expansion of Centennial Parkway has been completed, and the Agency is left with a narrow—approximately 9 feet wide—strip of land, adjacent to Centennial Parkway, that ultimately was not needed for the transportation or streetscape designs (the “Remainder Parcel”);

WHEREAS a depiction of the Remainder Parcel is shown in the map attached hereto as **Exhibit A**;

WHEREAS the Remainder Parcel has little to no value because of among other things, its location and size, and the existence of deed restrictions;

WHEREAS the Agency does not want to retain ownership of the Remainder Parcel because, among other things, the Agency does not want to retain management and maintenance responsibilities or associated liability risks, and so the Agency wants to donate the Remainder Parcel to Boyer South Towne II, L.C., which is the owner of the larger adjoining parcel, with the intent that the owner will be able to make productive and beneficial use of the donated land as a part of the larger parcel; and

WHEREAS the Agency Board, on October 3, 2017, by resolution, approved the donation of the Remainder Parcel to Boyer South Towne II, L.C., but the approval was based on, among other things, the assumption that the Agency had acquired the Remainder Parcel for free, but it has now been discovered that the Agency did not acquire the Remainder Parcel for free, so this resolution has been brought back before the Board for ratification of the donation in light of this new information.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE REDEVELOPMENT AGENCY OF SANDY CITY:

1. The Board hereby finds and determines that the Remainder Parcel has little value, if any at all, to the Agency, and is incapable of being marketed productively because of, among other things, the location, size, and shape of, and deed restrictions upon, the Remainder Parcel.

2. The Board hereby finds and determines that the Remainder Parcel ought to be donated to the adjoining property owner, for use with the larger parcel, so that the Remainder Parcel may be put to productive use and so that the Agency may avoid ownership, management and maintenance responsibilities and liabilities associated with the Remainder Parcel. Additionally, the Sandy City Cairns Streetscape Design plans call for private improvements within the public realm of frontage along Centennial Parkway, and the Board finds and determines that making the Remainder Parcel available to the adjoining property owner will aid in incentivizing these public realm improvements.

3. The deed in substantially the form attached hereto and incorporated herein as **Exhibit B**, is hereby approved, and the Executive Director of the Agency is authorized and directed to execute the same for and on behalf of the Agency. The Executive Director is authorized on behalf of the Agency Board to approve any modifications, amendments, or revisions to the deed as may be in the Agency's best interest and in harmony with the intent and purposes set forth in this resolution.

4. This resolution takes effect upon adoption.

APPROVED AND ADOPTED on November 14, 2017.

Chris McCandless, *Chair*

Attest:

Vickey Barrett, *Secretary*

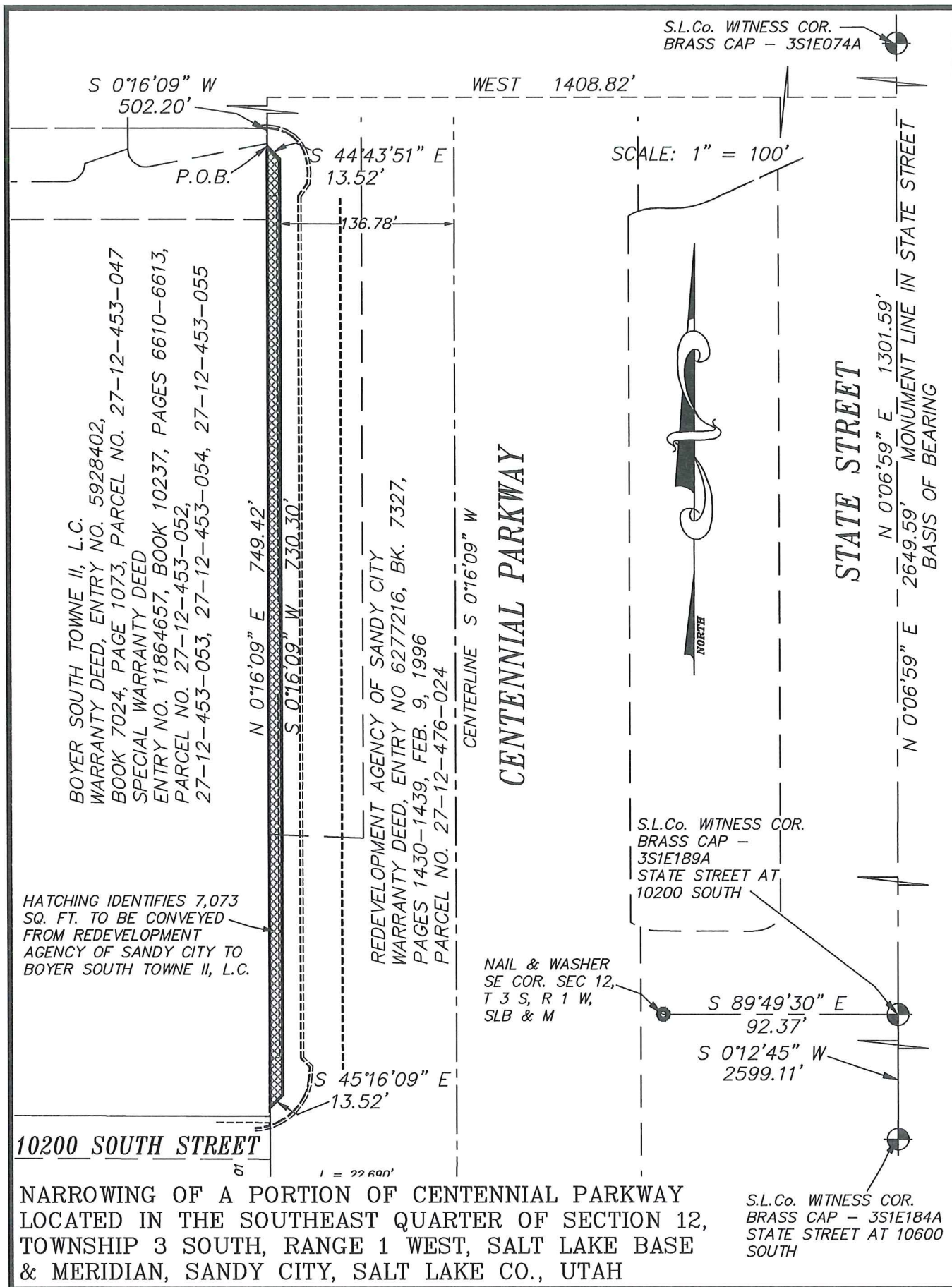


Exhibit B

Form of Deed

WHEN RECORDED, MAIL TO:

BOYER SOUTH TOWNE II, L.C.
90 South 400 West, Suite 200
Salt Lake City, Utah 84101

Quitclaim Deed

Salt Lake County

S.L.Co. Assessor Parcel No.: 27-12-476-020, 27-12-476-024

REDEVELOPMENT AGENCY OF SANDY CITY, a Utah political subdivision, **GRANTOR**, of 10000 Centennial Parkway, Sandy, Salt Lake County, State of Utah, 84070, hereby quitclaims to **BOYER SOUTH TOWNE II, L.C.**, a Utah limited liability company, of 90 South 400 West, Suite 200, Salt Lake City, Utah 84101, **GRANTEE**, for the sum of Ten Dollars, and other good and valuable consideration, the following described parcel of real property located in Salt Lake County, State of Utah, more particularly described as follows:

A parcel of land located in the Southeast Quarter of Section 12, Township 3 South, Range 1 West, Salt Lake Base and Meridian, in the City of Sandy, Salt Lake County, Utah, described by metes and bounds as follows:

Beginning at a point on the westerly right-of-way line of Centennial Parkway North 0°06'59" East 1301.59 feet along the centerline and monument line in State Street, West 1408.82 feet to the westerly right-of-way line of Centennial Parkway and along said westerly right-of-way line, South 0°16'09" West 502.20 feet from a Salt Lake County monument located on the centerline of State Street at 10200 South, said monument lies South 89°49'30" East 92.37 feet, more or less, from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian;
thence South 44°43'51" East 13.52 feet;
thence South 0°16'09" West 730.30 feet;
thence South 45°16'09" West 13.52 to said westerly right-of-way line of Centennial Parkway;
thence along said westerly right-of-way line of Centennial Parkway, North 0°16'09" East 749.42 feet to the Point of Beginning.

The above-described parcel contains approximately 7,073 square feet in area or 0.162 acre.

Subject to, without limitation, all taxes, assessments, and other matters of record, and any matters that would be disclosed by an accurate, current survey and inspection of the Property.

IN WITNESS WHEREOF, Grantor has executed this instrument this _____ day of _____, A.D. 201__.

REDEVELOPMENT AGENCY OF SANDY CITY

Tom Dolan, Executive Director

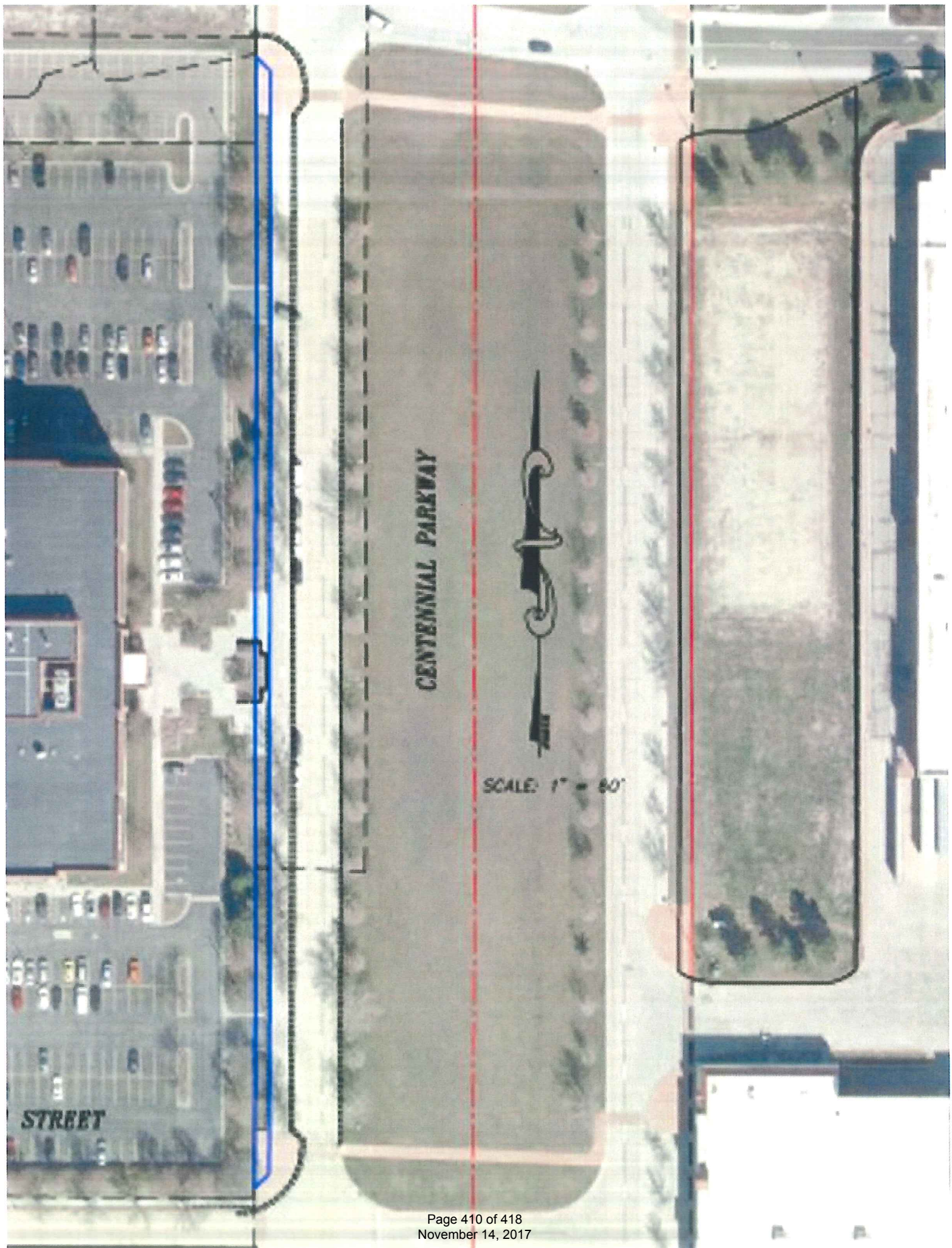
ATTEST:

Vickey Barrett, Secretary

STATE OF UTAH }
 :SS
COUNTY OF SALT LAKE}

In the County of Salt Lake, State of Utah, on this _____ day of _____, 201____, before me, the undersigned notary, personally appeared Tom Dolan, the Executive Director of the Redevelopment Agency of Sandy City, who is personally known to me or who proved to me his identity through documentary evidence, and who affirmed to me that he executed the foregoing on behalf of the Redevelopment Agency of Sandy City.

Notary signature and seal



Meeting of the Redevelopment Agency of Sandy City

August 29, 2017

City Council Chambers, Sandy City Hall
10000 South Centennial Parkway, Sandy, Utah

MINUTES

Present: Present: Chairman Chris McCandless, Scott Cowdell, Kristin Coleman-Nicholl, Steve Fairbanks, Linda Martinez Saville.

Absent: Maren Barker, Stephen P. Smith

Mayor: Tom Dolan

Others in Attendance: CAO Scott Bond, Deputy Mayor Nicole Martin, Assistant CAO Korban Lee, Assistant CAO Shane Pace, Economic Development Director Nick Duerksen, Economic Development Project Manager Kasey Dunlavy; Public Works Director Mike Gladbach, Police Chief Kevin Thacker, Fire Chief Bruce Cline, City Attorney Rob Wall, Community Development Director James Sorensen, Public Utilities Director Tom Ward, Parks & Recreation Director Scott Earl, Administrative Services Director Brian Kelley, Council Office Director Mike Applegarth.

1. Motion was made by Mrs. Nicholl to recess the meeting of the City Council and convene the Sandy City Redevelopment Meeting. Mr. Fairbanks seconded the motion with all voting "yes".

The Redevelopment Agency Meeting commenced at 7:43 p.m.

2. Adoption of RD 17-05. A Resolution approving an Interlocal Cooperation Agreement with Sandy City, which agreement provides, generally, for the conveyance of about 2.49 acres of surplus property, located between Monroe Street and I-15, just south of Sego Lily Dr., from the City to the Agency, with the intent for the Agency to sell that property, along with neighboring Agency-owned property, as a single unit to a private developer.

Nick Duerksen stated this is the RDA's side of the Inter-local with the City that was approved earlier in the evening by the City Council.

Mrs. Nicholl asked what the timeframe is that the developer has to build. Nick stated the developer has to pull a permit by February of 2019 but no timeframe on the build. Nick stated it's his experience that once the developer has landed a tenant they cannot build fast enough.

Motion was made by Mrs. Nicholl to adopt Resolution RD 17-05. A Resolution approving an Interlocal Cooperation Agreement with Sandy City, which agreement provides, generally, for the conveyance of about 2.49 acres of surplus property, located between Monroe Street and I-15, just south of Sego Lily Dr., from the City to the Agency, with the intent for the Agency to sell that property, along with neighboring Agency-owned property, as a single unit to a private developer Mr. Fairbanks seconded the motion.

Vote: Yes: 5 - Scott Cowdell, Kristin Coleman-Nicholl, Chris McCandless, Steve Fairbanks, Linda Martinez Saville.

Absent: Maren Barker, Stephen P. Smith

3. Adoption of RD 17-06. Consideration of a Resolution approving a Purchase and Sale Agreement providing, generally, for the sale of vacant land located between Monroe Street and I-15, just south of Sego Lily Dr., to the KC Gardner Company, L.C

Nick Duerksen stated this agreement is for the sale of all 4 acres of property shown and discussed the details of the agreement such as the purchase price, minimum requirements of the developer to build 250,000 square feet of Class A office space, and conditions that are required prior to closing. These conditions include the design of the project needing to be approved by the Mayor and RDA Board, regulatory and Planning Commission approvals, and a building permit issued no later than February 1st, 2019 OR within 30 days of receiving all necessary approvals, whichever comes first.

Nick also stated the RDA would work with the developer on participation of about a 1,500 stall parking structure contingent on the structure being available to the general public on evenings/weekends and for special event use. There is a provision in the Purchase Sale Agreement that allows the RDA to repurchase the property for non-performance.

4. Motion was made by Mr. Fairbanks to adopt Resolution RD 17-06. A Resolution approving a Purchase and Sale Agreement providing, generally, for the sale of vacant land located between Monroe Street and I-15, just south of Sego Lily Dr., to the KC Gardner Company, L.C. Mrs. Nicholl seconded the motion.

Vote: Yes: Steve Fairbanks, Kristin Coleman-Nicholl, Chris McCandless, Linda Martinez Saville, Scott Cowdell.

Absent: Maren Barker, Stephen P. Smith

5. Motion to adjourn Redevelopment Agency Meeting: Mr. Fairbanks made a motion to recess the meeting of the RDA. Mrs. Nicholl seconded the motion, with all voting "yes".

The meeting recessed at 7:52 p.m.

ATTEST:

Chris McCandless – Chairman

Vickey Barrett - Secretary

Meeting of the Redevelopment Agency of Sandy City

October 3, 2017

City Council Chambers, Sandy City Hall
10000 South Centennial Parkway, Sandy, Utah

MINUTES

Present: Present: Chairman Chris McCandless, Scott Cowdell, Kristin Coleman-Nicholl, Steven P. Smith, Steve Fairbanks, Linda Martinez Saville.

Absent: Maren Barker

Mayor: Tom Dolan

Others in Attendance: CAO Scott Bond, Deputy Mayor Nicole Martin, Assistant CAO Korban Lee, Assistant CAO Shane Pace, Economic Development Director Nick Duerksen, Economic Development Project Manager Kasey Dunlavy; Public Works Director Mike Gladbach, Police Chief Kevin Thacker, Fire Chief Bruce Cline, City Attorney Rob Wall, Community Development Director James Sorensen, Public Utilities Director Tom Ward, Parks & Recreation Director Scott Earl, Administrative Services Director Brian Kelley, Council Office Director Mike Applegarth.

1. Motion was made to recess the meeting of the City Council and convene the Sandy City Redevelopment Meeting with all voting "yes".
2. The Redevelopment Agency Meeting commenced at 9:37 p.m.
3. Adoption of RD 17-07. A Resolution approving the donation of insignificant parcels of land located along Centennial Parkway to, respectively, (1) Sandy City, (2) SPC Sandy, LLC, and (3) Boyer South Towne II, L.C..

Nick Duerksen reminded Council about parcels along Centennial Parkway that were conveyed to the RDA for installment of roads and parkway in 1996. The Cairns District committee has been working on the streetscape in the Cairns area and determined that excess property owned by the RDA, approximately 9 feet, would not be necessary for transportation and pedestrian uses and that it would be best to re-convey the property back to the original owners.

Nick indicated this is all vacant property with no improvements. Mr. Cowdell asked if the original owner gave this property to the RDA. Nick indicated that it was, there was no money involved. Mr. McCandless asked if there are any restrictions for the development on this property. Nick said there is not as per the Cairns guidelines. Mrs. Nicholl and Mr. Smith expressed concern regarding the impact this would have on the look and feel of the promenade and area close to the sidewalk and would like further discussion regarding the Cairns Development guidelines and plan.

Motion was made by Mr. Smith to table the RD17-07. A Resolution approving the donation of insignificant parcels of land located along Centennial Parkway to, respectively, (1) Sandy City, (2) SPC Sandy, LLC, and (3) Boyer South Towne II, L.C. Mrs. Nicholl seconded the motion.

Vote: Yes: 2 - Stephen P. Smith, Kristin Coleman-Nicholl

No: 4 – Steve Fairbanks, Chris McCandless, Linda Martinze Saville, Scott Cowdell

Absent: Maren Barker

Vote to table failed

Mr. McCandless made a motion to approve RD 17-07. A Resolution approving the donation of insignificant parcels of land located along Centennial Parkway to, respectively, (1) Sandy City, (2) SPC Sandy, LLC, and (3) Boyer South Towne II, L.C. with a strong recommendation to staff and administration to take City Councils concerns into consideration in approving site plans. Mrs. Saville seconded the motion.

Mr. Smith made a motion to amend the motion to include language in the staff report indicating that the City did not pay for the land originally. So it is clear we are not giving up value, just what they conveyed. Seconded by Mrs. Saville.

Vote: Yes: 4 - Steve Fairbanks, Chris McCandless, Linda Martinez Saville, Scott Cowdell

No: 2 – Stephen P Smith, Kristin Coleman-Nicholl

Absent: Maren Barker

4. Motion to adjourn Redevelopment Agency Meeting: Mr. Fairbanks made a motion to recess the meeting of the RDA. Mrs. Saville seconded the motion, with all voting “yes”.

The meeting recessed at 9:52 p.m.

ATTEST:

Chris McCandless – Chairman

Vickey Barrett – Secretary

Meeting of the Redevelopment Agency of Sandy City

October 17, 2017
City Council Chambers, Sandy City Hall
10000 South Centennial Parkway, Sandy, Utah
MINUTES

Present: Present: Chairman Chris McCandless, Scott Cowdell, Kristin Coleman-Nicholl, Steven P. Smith, Steve Fairbanks, Maren Barker.

Absent: Linda Martinez-Saville

Mayor: Tom Dolan

Others in Attendance: CAO Scott Bond, Deputy Mayor Nicole Martin, Assistant CAO Korban Lee, Assistant CAO Shane Pace, Economic Development Director Nick Duerksen, Economic Development Project Manager Kasey Dunlavy; Public Works Director Mike Gladbach, Police Chief Kevin Thacker, Fire Chief Bruce Cline, City Attorney Rob Wall, Community Development Director James Sorensen, Public Utilities Director Tom Ward, Parks & Recreation Director Scott Earl, Administrative Services Director Brian Kelley, Council Office Director Mike Applegarth.

1. Motion was made by Mr. Fairbanks to recess the meeting of the City Council and convene the Sandy City Redevelopment Meeting. Seconded by Mrs. Nicholl with all voting "yes".
2. The Redevelopment Agency Meeting commenced at 9:07 p.m.
3. Resolution RD 17-08. Consideration of a Resolution of the Redevelopment Agency of Sandy City approving a Purchase and Sale Agreement with Sandy Inn, L.C., and Sandy City Utah, providing for, among other things, the sale of land used for parking at the 200 W Sego Lily Residence Inn, from the Agency to Sandy Inn, L.C. and related matters.

Nick reminded Council when the RDA purchased the property where Hale Theatre and the Mountain America Corporate Office Building are located, Woodbury inadvertently included approximately 30 parking stalls by the Residence Inn in the sale of the property. This resolution approves to sell back to Woodbury the parking stalls, correct easements, and provides for the city to acquire needed property along Monroe Street.

Motion made by Mr. Cowdell to adopt Resolution RD 17-08. Consideration of a Resolution of the Redevelopment Agency of Sandy City approving a Purchase and Sale Agreement with Sandy Inn, L.C., and Sandy City Utah, providing for, among other things, the sale of land used for parking at the 200 W Sego Lily

Residence Inn, from the Agency to Sandy Inn, L.C. and related matters. Seconded by Mrs. Nicholl.

Vote: Yes: 6 - Mr. Cowdell, Mrs. Nicholl, Mr. Fairbanks, Mr. Smith, Mr. McCandless, Ms. Barker – Yes

Absent: Linda Martinez-Saville

4. Reaffirming Resolution RD 17-07. A Resolution approving the donation of insignificant parcels of land located along Centennial Parkway to, respectively, (1) Sandy City, (2) SPC Sandy, LLC, and (3) Boyer South Towne II, L.C..

Nick reminded the Board that this item was brought before them previously and approved the conveyance of property along Centennial pkwy to adjoining property owners. It was previously indicated and in documentation the property was a gift but after further research staff determined there were funds involved to purchase the 9 ft of property. Nick asked if the Board is still in agreement with conveying the property back to the property owners.

Motion was made by Mr. Fairbanks to reaffirm RD 17-07. A Resolution approving the donation of insignificant parcels of land located along Centennial Parkway to, respectively, (1) Sandy City, (2) SPC Sandy, LLC, and (3) Boyer South Towne II, L.C. Mr. Cowdell seconded the motion.

Vote: Yes: 3 – Steve Fairbanks, Scott Cowell, Chris McCandless

No: 3 – Kristin Coleman-Nicholl, Steve Smith, Maren Barker

Absent: Linda Martinez-Saville

Motion failed.

Nick offered a recommendation for a motion when the roads are dedicated that these parcels be included in the right-of-way dedication and gifted to the city from the RDA.

Mr. Smith clarified his vote stating the planning for the Cairns area is not complete so it is unclear how the 9 feet will be utilized and would like to wait until that has been determined. Nick asked if SPC Sandy, LLC would bring forward what they propose do with the 9 feet would that allow the Board to move forward and convey that parcel alone? Mr. Smith indicated it would be.

Mr. McCandless asked that a presentation to the board be made requesting a presentation by SPC and how they will use the parcel. Nick stated they will bring this back to a future meeting.

5. Approval of Minutes:
September 20th, 2016

October 11th, 2016
November 15th, 2016
March 14th, 2017
June 13th, 2017

Motion made by Kris Coleman-Nicholl to approve the minutes for September 20th, 2016, October 11th, 2016, November 15th, 2016, March 14th, 2017, June 13th, 2017. Mr. Smith seconded the motion with all voting “yes”.

6. Motion to adjourn Redevelopment Agency Meeting: Mr. Smith made a motion to recess the meeting of the RDA. Mrs. Fairbanks seconded the motion, with all voting “yes”.

The meeting recessed at 9:20 p.m.

ATTEST:

Chris McCandless – Chairman

Vickey Barrett - Secretary