



Sandy City, Utah

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

Meeting Agenda

City Council

Brooke Christensen, District 1
Maren Barker, District 2
Kristin Coleman-Nicholl, District 3
Chris McCandless, District 4
Steve Fairbanks, At-large
Linda Martinez Saville, At-large
Zach Robinson, At-large

Tuesday, April 9, 2019

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: <https://sandy.utah.gov/government/city-council/procedure-guidelines>. Public comment will be taken on all voting items. Each speaker is allowed three minutes per voting item. The Citizen Comment sections of the meeting are for issues not listed on the agenda. Each speaker is allowed three minutes to address the Council during Citizen Comments. If a citizen is unable to attend a meeting in person, he or she may provide written comments to the City Council Executive Director by 3:00 PM the day of the Council Meeting to have those comments distributed to the City Council and have them read into the record at the appropriate time.

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 Council Meeting

Roll Call

Prayer / Pledge of Allegiance

Non-voting Items

Citizen Comments

Information Items

1. [19-116](#) Sandy Emergency Management recommending the Council receive "FEMA G-402: ICS Executives and Elected Officials" training

Voting Items

Consent Calendar

2. [19-113](#) Approval of the March 26, 2019 Minutes.

Attachments: [March 26, 2019 Minutes.pdf](#)

3. [19-115](#) Approval of the April 2, 2019 Minutes.

Attachments: [April 2, 2019 Minutes.pdf](#)

Council Items

4. [19-110](#) City Council Office recommending the Council adopt resolution 19-11C appointing John S. Kirkham to the Metropolitan Water District of Salt Lake & Sandy for a four-year term.

Attachments: [Resolution19-11C](#)
 [John S. Kirkham Letter of Interest and Resume.pdf](#)

5. [19-105](#) Raddon Development presenting information on the Cairns South project and requesting conceptual approval of the City Council.

6. [19-111](#) Council Member Barker recommending the City Council conduct an employee survey.

After 6:00 Time Certain Items and Public Hearings

Public Hearing(s)

7. [CODE-12-18-5584 CC](#) Accessory Structures - Amend Title 15A, Chapter 11-02, Accessory Structures, Land Development Code, Revised Ordinances of Sandy City, 2008

Attachments: [Staff Report.pdf](#)
 [ord 19-10.docx](#)
 [Exhibit A.pdf](#)
 [3.21.19 Meeting Minutes.pdf](#)

Adjournment



Staff Report

File #: 19-116, **Version:** 1

Date: 4/9/2019

Agenda Item Title:

Sandy Emergency Management recommending the Council receive "FEMA G-402: ICS Executives and Elected Officials" training

Presenter: Jeff Mulcahy



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Phone: 801-568-7141

Staff Report

File #: 19-113, **Version:** 1

Date: 4/9/2019

Approval of the March 26, 2019 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

Brooke Christensen, District 1
Maren Barker, District 2
Kristin Coleman-Nicholl, District 3
Chris McCandless, District 4
Steve Fairbanks, At-large
Linda Martinez Saville, At-large
Zach Robinson, At-large

Tuesday, March 26, 2019

5:15 PM

Council Chambers

5:15 Council Meeting

Kris Coleman Nicholl welcomed those in attendance. A Roll Call vote was conducted with the City Council members constituting a quorum. The meeting convened at approximately 5:15 p.m.

Roll Call

Council Office Director Michael Applegarth
Council Office Analyst Dustin Fratto
Council Legal Attorney Tracy Cowdell

Administration:

Mayor Kurt Bradburn
CAO Matthew Huish
City Attorney Bob Thompson
Deputy to the Mayor Evelyn Everton
Deputy Chief Administrative Officer Kim Bell
Risk Manager/Fund Counsel Chase Parker
Community Events Director Mearle Marsh
Venue Manager Kristy Sawdy
Economic Development Director Nick Duerksen
Community Development Director James Sorensen
Planning Director Brian McCuiston
Long Range Planning Manager Jake Warner
Business Licience Admiistrator Leslie Cassaril
Administrative Services Director Brian Kelley
Parks & Recreation Director Scott Earl
Fire Chief Bruce Cline
Police Chief William O'Neal
Interim Public Utilities Director Larry Bowler
Assistant Public Works Director Paul Browning

Present: 7 - Council Member Brooke Christensen
Council Member Maren Barker
Council Member Kristin Coleman-Nicholl
Council Member Chris McCandless
Council Member Steve Fairbanks
Council Member Zach Robinson
Council Member Linda Martinez Saville

Per Utah Code Annotated 52-4-207 and City Council policy, Council Member Robinson may be participating in the March 26, 2019 City Council meeting via telephone and/or video conference.

Prayer / Pledge of Allegiance

City Attorney Bob Thompson offered the opening prayer.

Councilwoman Linda Martinez Saville led the audience in the pledge.

Non-voting Items

Agenda Planning Calendar Review & Council Office Director's Report

Mike Applegarth reviewed updates to the agenda planning calendar.

Council Member Business

Brooke Christensen reported on a name change for the Sandy Chamber of Commerce to Wasatch Front Chamber which would include a larger area. She presented an update on the water issue. The report was sent to the Council in One Drive. She also reported on the CAT Team who will be cleaning up two homeless camps in the City.

Council questions followed.

Maren Barker asked that a Council employee survey discussion be placed on an upcoming agenda.

Mayor's Report

Mayor Bradburn reported that he and Chase Parker delivered reimbursement checks to six homes affected by the water issues. He reported that the Personal Time Off (PTO) option will be moving forward after a Town Hall meeting last week and favorable responses from Employees. He spoke regarding appointments to the Planning Commission.

Mayor Bradburn along with James Sorensen presented a plaque to honor Joe Baker for his years of service and his retirement from the Planning Commission.

CAO Report

Matt Huish reported on the success and feedback of the Focus Groups from each Department. Positive responses are coming in from employees. The Administration is working on energy efficiency.

Scott Earl reported on the success of a service project with 20 prison cadets who helped plant trees, placement of bark on trails and various areas of the City. The Cadets will be working with the City on a quarterly basis.

Legislative Report

No Report.

Consent Calendar

Approval of the Consent Calendar

A motion was made by Brooke Christensen, seconded by Steve Fairbanks, to approve the Consent Calendar. The motion carried by the following vote:

Yes: 7 - Brooke Christensen
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson
Linda Martinez Saville

1. [19-098](#) Approval of the February 26, 2019 Minutes.

Attachments: [February 26, 2019 Minutes.pdf](#)

Item approved.

2. [19-099](#) Approval of the March 5, 2019 Minutes.

Attachments: [March 5, 2019 Minutes.pdf](#)

Item approved.

Citizen Comments

Katie Atkinson- spoke regarding a recent homicide in her neighborhood and the water incident a few weeks ago. She would like answers on what is going on in the City. There seems to be poor communication with the residents and the Police. Residents no longer feel safe. She would like to see measures taken on effective communications with the residents.

Kris Nicholl invited Police Chief O'Neal to meet with Ms. Atkinson in the hall to address her concerns.

Jodi Monico asked a question regarding the second RFP issued by the Council, and why the Mayor indicated he would not sign a potential contract. Ms. Monico supports the sale of alcohol at the amphitheater. It would provide for great revenue.

Kris Coleman Nicholl explained that the City Council has the ability to sign their own contracts.

Council Attorney Tracy Cowdell addressed the Council's ability to sign a contract.

Voting Items

Council Items

3. [19-095](#) City Council Budget Workshop

Attachments: [Council Budget Presentation Feb 12 2019](#)
[Draft priorities matrix](#)
[General Fund CFSP Worksession Presentation \(March 2019\)](#)

Kris Nicholl asked the Council Members how they would like to proceed with their budget priorities. The Council agreed to move forward with the Budget Process.

Public comment:

Bruce Blanchard read his comments into the record. He felt the City should propose at least a 25% increase in property taxes and expressed his reasons why it needed to be done now. If not acted on this year it will become a crisis.

Comments were closed.

4. [19-096](#) Council Member Nicholl recommending that the Council appoint Council Member Liaison(s) to the Water Event Coordination Team (ECT)

Kris Nicholl led the discussion on appointments to the water event coordination team. She recommended that Brooke Christensen be appointed as the liaison.

A motion was made by Kristin Coleman-Nicholl, seconded by Zach Robinson, to appoint Brooke Christensen as liaison to the Event Coordination Team.. The motion carried by a unanimous voice vote:

Yes: 7 - Brooke Christensen
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson
Linda Martinez Saville

5. [19-093](#) Administration requesting advice and consent from the Council for appointments to the Board of Adjustment

Attachments: [Mayoral Resolutions](#)

James Sorensen led the discussion on appointments to the Board of Adjustment.

Mark Hurst declined the invitation to serve on the Board of Adjustment as an alternate.

Public Comment:

Steve Van Maren commented on a concern that the committee terms were not staggered and all expiration dates were the same.

James Sorensen explained the term limits for the Board of Adjustment and Planning Commission, and his preference in keeping the expiration dates the same.

A motion was made by Brooke Christensen, seconded by Kristin Coleman-Nicholl, to provide advice and consent for each proposed Mayoral

appointment to the Board of Adjustment: Tyler Brown, Resolution 19-03M, reappointed as a regular member of the Board of Adjustment for a term ending on 3/31/2023; Brian Jones, Resolution 19-05M, appointed as a regular member of the Board of Adjustment for a term ending on 3/31/2023; Burke Staker, Resolution 19-06M, reappointed as a regular member to the Board of Adjustment for a term ending on 3/31/2023; Matt Hale, Resolution 19-07M, be reappointed as an alternate member of the Board of Adjustment for a term ending on 3/31/2023....the motion carried by a unanimous all in favor voice vote.

Yes: 7 - Brooke Christensen
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson
Linda Martinez Saville

6. [19-094](#) Administration requesting advice and consent from the Council for appointments to the Planning Commission

Attachments: [Mayoral Resolutions](#)

James Sorensen presented the recommendation for appointments to the Planning Commission.

A motion was made by Kristin Coleman-Nicholl, seconded by Chris McCandless, to provide advice and consent for appointments to the Planning Commission: Michael Christopherson, Resolution 19-01M, as a Regular Member on the Planning Commission to fill a term ending March 31, 2023; Cameron Duncan, Resolution 19-02M, to serve as an Alternate Member on the Planning Commission to fill a term ending March 31, 2023... The motion carried by a unanimous voice vote.

Yes: 7 - Brooke Christensen
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson
Linda Martinez Saville

7. [19-100](#) City Attorney, Community Events, Community Development and Council Office report back regarding alcohol sales at the Sandy Amphitheater.

Attachments: [Draft land use amendment.docx](#)
[Draft parks amendment.docx](#)

Bob Thompson introduced the proposed new language regarding alcohol sales at the Sandy Amphitheater.

Kris Nicholl noted that there would be an amendment to the Land Development Code which would require the Planning Commission to hear the change then bring back to the City Council for approval.

Council questions followed.

A motion was made by Kristin Coleman-Nicholl, seconded by Zach Robinson, to direct the Community Development Department to initiate land use code amendments allowing for the sale of alcohol at the Sandy Amphitheater and for Staff to also initiate the Land Use Development Code Amendment... The motion carried by the following vote:

Yes: 6 - Brooke Christensen
Maren Barker
Kristin Coleman-Nicholl
Steve Fairbanks
Zach Robinson
Linda Martinez Saville

No: 1 - Chris McCandless

6:00 Time Certain Items and Public Hearings

Public Hearing(s)

8. [ZONE-01-19-5591\(CC\)](#) Community Development Department presenting a rezone application (File #ZONE-01-19-5591, The Villas at Southtowne) on behalf of The Thackeray Company, requesting that 9.32 acres located at 10670 S. 700 E. be rezoned from the CN Zone to the PUD(12) Zone.

Attachments: [Aerial Map](#)[Concept Plan](#)[Neighborhood Meeting Summary](#)[PC Staff Report](#)[PC Minutes](#)[Ordinance #19-08](#)[Resident Letter-Stallings](#)[Council Office Memo on Development Agreements.docx.pdf](#)[Resident Email-Wright \(3.25.19\).pdf](#)[Resident Email-Carder \(3.25.19\).pdf](#)[Fwd Proposed Zoning Change .pdf](#)[Fwd Proposed zone change of former Reams location property Michael Jackson.pdf](#)[Fwd Proposed rezone - Reams property.pdf](#)[Fwd Reams rezoning.pdf](#)[Fwd Vote NO to rezone 10670 S. 700 E. to PUD12 .pdf](#)[Fwd Proposed development at Reams Property \(10670 S. 700 E.\).pdf](#)[Fwd Ream's property rezoning.pdf](#)[Fwd Property at 10670 S 700 E.pdf](#)[Fwd Proposed Development at 10670 S 700 E.pdf](#)[Fwd Reams Development Concerns.pdf](#)[Fwd Ream's property concerns.pdf](#)[Fwd Reams PUD 12.pdf](#)[Fwd Proposed Zone Change - District 1.pdf](#)[Fwd Email contact from Sandy City, UT.pdf](#)[Fwd 10670 S 700 E.pdf](#)

Jake Warner presented the report for the rezone application on The Villas at Southtown on behalf of the Thackeray Company to rezone from the CN to the PUD (12) zone.

Mr. John Thackery, applicant, 1165 E Willimington Ave, spoke regarding his company and the proposed rezone and development.

Council question followed.

Public Comment

Colleen Stutznegger, spoke in opposition to the proposed development based on an irrigation easement, lots sizes, two story buildings not friendly to the neighborhood, higher density next to animals, traffic, and rentals. She prefers a PUD 6 Zone.

Roger Neddo- spoke in opposition to the proposed development based on traffic patterns, additional traffic to the area, more traffic lights, density, safety being neglected.

Nathan Evans - spoke in opposition to the proposed development and had not heard

support from any of the residents in all meetings he attended. He does not want a PUD 12 Zone.

Blake Nielsen- spoke in opposition to the proposed development based on the PUD 12 being to dense. Something can be compromised and be a win-win for everyone. He would support a PUD 6 Zone. He expressed concern over the new development becoming rentals.

Don Cann- spoke in opposition to the proposed development based on high density, transient residents, would prefer commercial like another super market, traffic, additional burden on police and fire. Mayor Bradburn was voted in because he is opposed to high density. Leave it zoned commercial.

Rick Bentley, is a real estate broker and is against the project. He is concerned with the homes becoming rentals and bringing down the property values. He is opposed to the PUD 12 Zone. This is not the place for what the developer is trying to do.

April Barton - spoke in opposition of the proposed development. She asked the Council not to settle on what the developer and land owner are asking for.

Jeffery Parke- spoke in opposition to the proposed development. He does not want a high density project in their quiet neighborhood. It shows poor planning. He asked the Council to vote against the proposal.

Max Sullivan- spoke in opposition to the proposed development. It is not compatible with the surrounding residential neighborhood. He is against the proposed rezone.

Jessica Davies, spoke in opposition to the proposed rezone. She is concerned with the amount of people the development will bring to the area. The intersection is getting busier especially with the Red Sage Development, and not knowing the impact this new development will have on the neighborhood and schools.

Eric Ewing spoke in opposition to the proposed development this is not the density that the residents want, he has concerns with aesthetics, no park strips, limited vegetation, homes looking into their lives.

Shannon Broadhead, spoke in opposition to the proposed development. The general consensus from everyone is they all agree something will happen, just not this development, not a PUD 12. This development will have an impact on schools.

Citizen Comments closed.

Council discussion and questions followed.

A motion was made by Brooke Christensen, seconded by Maren Barker, to not approve the PUD 12 Zone that is before the Council this evening.

Discussion and questions on the motion followed.

Council Attorney Tracy Cowdell indicated that if the intent of the Council is to encourage the developer to come back with a different proposal for the property, the Council could motion to table the rezone. If they motion to deny the rezone, the developer could not come back with the same proposal for another year based on the City's rule.

Council discussion continued.

Chris McCandless called the question to end discussion on the first motion which was seconded by Steve Fairbanks. An all in favor roll call vote was taken to end discussion.

The motion made by Brooke Christensen seconded by Maren Barker to deny the rezone failed by the following vote:

- Yes:** 2 - Brooke Christensen
Maren Barker
- No:** 5 - Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson
Linda Martinez Saville

#2 Motion on Item # 8

Meeting went into Recess for 5 minutes.

Meeting Reconvened

Kris Nicholl made a motion seconded by Chris McCandless to direct Council Staff and the Council Attorney to work with the Community Development Department and Applicant to come up with a Development Agreement that can be negotiated based on the residents concerns.

Discussion on the motion followed.

The motion carried by the following vote.....

- Yes:** 5 - Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson
Linda Martinez Saville
- No:** 2 - Brooke Christensen
Maren Barker

Adjournment

The meeting adjourned at approximately 8:30 p.m. by City Attorney Bob Thompson. The next scheduled meeting of the City Council is Tuesday, April 2, 2019 at 5:15 p.m.

Kris Coleman Nicholl, Chair
Sandy City Council

Pam Lehman
Meeting Clerk



Sandy City, Utah

10000 Centennial Parkway
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Staff Report

File #: 19-115, **Version:** 1

Date: 4/9/2019

Approval of the April 2, 2019 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

Brooke Christensen, District 1
Maren Barker, District 2
Kristin Coleman-Nicholl, District 3
Chris McCandless, District 4
Steve Fairbanks, At-large
Linda Martinez Saville, At-large
Zach Robinson, At-large

Tuesday, April 2, 2019

5:15 PM

Council Chambers

5:15 Council Meeting

Roll Call

Council Office Director Michael Applegarth
Council Office Analyst Dustin Fratto

Administration:

CAO Matthew Huish
City Attorney Bob Thompson
Risk Manager/Fund Counsel Chase Parker
Deputy Chief Administrative Officer Kim Bell
Economic Development Director Nick Duerksen
Community Development Director James Sorensen
Long Range Planning Manager Jake Warner
Administrative Services Director Brian Kelley
Communications Director Eric Richards
Parks & Recreation Director Scott Earl
Fire Chief Bruce Cline
Police Chief William O'Neal
Deputy Police Chief Greg Severson
Engineering Manager Public Utilities Richard Benham
Deputy Public Works Director Paul Browning

Present: 6 - Council Member Brooke Christensen
Council Member Maren Barker
Council Member Kristin Coleman-Nicholl
Council Member Chris McCandless
Council Member Steve Fairbanks
Council Member Zach Robinson

Absent: 1 - Council Member Linda Martinez Saville

Per Utah Code Annotated 52-4-207 and City Council policy, Council Member Saville may be participating in the April 2, 2019 City Council meeting via telephone and/or video conference.

Prayer / Pledge of Allegiance

Chairwoman Kris Coleman Nicholl welcomed all those in attendance.

Richard offered the opening prayer.

Robert led the audience in the pledge.

Richard and Robert represented Scout Troop 4563.

Non-voting Items

Agenda Planning Calendar Review & Council Office Director's Report

Mike Applegarth reviewed the agenda planning calendar.

Council Member Business

Brooke Christensen presented an update on the water incident.

Mayor's Report

Mayor Bradburn and Evelyn Everton were out of town.

CAO Report

Matt Huish briefed the Council on the Cityserve app which is free to the residents and provides the ability for the City to push out notices and information to the residents. Residents are encouraged to register. He explained the flaws with a reverse 911 system.

Mr. Huish reported that electronic vehicle stations are being installed at Alta Canyon, Parks and Recreation, and in front of City Hall.

Mr. Huish noted that Fact Briefs are now posted on the City's website for residents to get the facts on topics and issues.

Mr. Huish noted that the Administration replied to comments made during last week's Citizen Comments. He asked Chief O'Neal to brief the Council.

Chief O'Neal presented an update regarding last week's citizen comments from Katie Atkinson and a recent homicide in their neighborhood. He explained that the issue was not with the Police Department, rather the school being placed in lock down and their irresponsibility in communicating with the parents. Discussion was held with District officials to help resolve this issue.

Council questions followed.

Richard Benham presented an update regarding the water event. He has been meeting on a regular basis and spending time answering questions, addressing concerns, and presenting facts.

Citizen Comments

No comments.

Voting Items

Consent Calendar

Approval of the Consent Calendar

A motion was made by Chris McCandless, seconded by Steve Fairbanks, to approve the Consent Calendar. The motion carried by the following vote:

Yes: 6 - Brooke Christensen
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson

Absent: 1 - Linda Martinez Saville

1. [19-108](#) Approval of the March 12, 2019 Minutes.

Attachments: [March 12, 2019 Minutes.pdf](#)

Item approved.

Council Items

2. [19-104](#) Council Member Robinson recommending the City Council receive a presentation on Utah C-PACE and direct the City Attorney to review and prepare the Participation Agreement for Council adoption.

Attachments: [C-PACE Slide Presentation](#)
[Existing Buildings Handout](#)
[New Construction Handout](#)
[Draft C-PACE Participation Agreement and Resolution.docx](#)

Zach Robinson led the discussion on Utah C-Pace proposal and participation agreement.

Shawna Cuan presented a power point presentation explaining the C-Pace program eligibility and cities roles.

Maren Barker made a motion seconded by Kris Nicholl to schedule time on a future agenda for further discussion, questions, and research by the City Attorney's Office regarding State Law as it applies to the C-Pace program...the motion carried by the following vote:

Yes: 6 - Brooke Christensen
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson

Absent: 1 - Linda Martinez Saville

3. [19-107](#) City Council Office recommending the Council discuss the process for selecting a vendor for the "Water event investigative services for the Sandy City Council"

Attachments: [USCA 63G-6a-707](#)
[Sandy Title 11 - Purchasing Procedures](#)
[Memo to City Purchasing Agent Draft](#)

Dustin Fratto led the discussion on the process for a vendor for water event RFP.

A motion was made by Kris Coleman Nicholl, seconded by Chris McCandless, to establish an evaluation committee consisting of three members who have the authority to select a vendor and negotiate a contract that will be executed by the Council Chair: Kris Nicholl, Brooke Christensen and Steve Fairbanks... The motion carried by the following vote:

Yes: 4 - Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson

No: 2 - Brooke Christensen
Maren Barker

Absent: 1 - Linda Martinez Saville

6:00 Time Certain Items and Public Hearings

Public Hearing(s)

4. [ZONE-10-18-5552\(CC\)](#) Community Development Department presenting a rezone application (File #ZONE-10-18-5552, RWK Rezone) on behalf of RWK Cottonwood Heights LLC (Bob Kelez), requesting that 2.0 acres located at 590 E. and 606 E. 10600 S. be rezoned from the R-1-20A Zone to the R-1-12 Zone.

Attachments: [PC Staff Report \(1/17/19\)](#)
[PC Minutes \(1/17/19\)](#)
[Neighborhood Meeting Summary](#)
[Surrounding Parcel Map](#)
[Concept Plan \(12/11/18\)](#)
[Ordinance #19-09](#)

Jake Warner introduced this item.

Council questions followed.

Bob Kelez applicant, explained his idea for development of the property.

Public Comment

Gary McKellar- spoke in opposition of the proposal based on quality over quantity, and

would like agriculture characteristics.

Chris Johnson- spoke in opposition of the proposal and would like to keep animal rights, R-1-15 A Zone.

Monica Zoltanski- spoke in support of protecting animal rights.

April Barton read a letter into the record on behalf of Colleen Stutznegger and herself. They both would like animal rights protected.

Nathan Evans- would like to keep agriculture on the property.

Reed Stallings spoke on behalf of Brenda Jones who was out of town. She spoke in opposition to the proposed development. Mr. Stallings would like the agriculture nature of the area preserved.

Jeff Welsh - spoke in support of the development. He would like more affordable housing and something done with this property.

Sandra Garcia would like to keep animal rights on the property.

Katie Johnson- thanked the developer. She does not want the land developed because it is blighted. She would like to keep animal rights.

Shelby Ridgeway also would like to keep animal rights.

Amy Thackeray- would like the uniqueness of the area maintained with animal rights.

Kerry Wright - protect animal rights.

Aaron Jeppson- half acre lots with animal rights makes more sense more compatible with surrounding area.

Comments closed.

Council discussion followed.

A motion was made by Brooke Christensen, seconded by Maren Barker, to adopt Ordinance 19-09, an ordinance amending and fixing the boundaries of a zone district of the Sandy City Zoning Ordinance rezoning approximately 2.0 acres located at 590 E. and 606 E. 10600 S. from the R-1-20A "Single Family Residential District" Zone to the R-1-15A "Single Family Residential Districts" Zone... The motion carried by the following vote:

Yes: 6 - Brooke Christensen
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson

Absent: 1 - Linda Martinez Saville

5. [19-109](#) Fiscal Year 2018-2019 Budget Amendment

Attachments: [19-06C General Fund \(Snow Removal\)](#)
[19-07C Fleet Operations \(Fuel and Parts\)](#)
[19-08C Capital Projects \(PW Building\)](#)
[19-09C Special Revenue \(Vactor Truck and Camera Van\)](#)
[19-10C Fee Schedule change](#)

Brian Kelley presented the fiscal year 2018-19 budget amendments proposals.

Public Hearing

Steve Van Maren asked Mr. Kelley questions regarding snow removal and where funds came from for reappropriation.

A motion was made by Chris McCandless seconded by Steve Fairbanks to adopt the following budget resolutions: Resolution # 19-06C - transferring funds within the General Fund for the Fiscal Year commencing July 1, 2018 and ending June 30, 2019 for snow removal; Resolution 19-07 C increasing total appropriations within the Fleet Operations Fund for the Fiscal Year commencing July 1, 2018 and ending June 30, 2019 for Fleet Operations; Resolution 19-08 C transferring funds within the Capital Projects Funds for the Fiscal Year commencing July 1, 2018 and ending June 30, 2019; Resolution 19-09 C increasing total appropriations and transferring funds within the Storm Water Fund for the Fiscal Year commencing July 1, 2018 and ending June 30, 2019; Resolution 19-10 C amending the Sandy City Fee Schedule for Fiscal Year 2018-19....the motion carried by the following vote:

Yes: 6 - Brooke Christensen
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson

Absent: 1 - Linda Martinez Saville

Adjournment

The meeting adjourned at approximately 7:40 p.m. by Zach Robinson seconded by Chris McCandless. The next scheduled meeting of the City Council is Tuesday, April 9, 2019 at 5:15 p.m.

Kris Coleman Nicholl, Chair
Sandy City Council

Pam Lehman
Meeting Clerk



Staff Report

File #: 19-110, **Version:** 1

Date: 4/9/2019

Agenda Item Title:

City Council Office recommending the Council adopt resolution 19-11C appointing John S. Kirkham to the Metropolitan Water District of Salt Lake & Sandy for a four-year term.

Presenter:

Mike Applegarth

Description/Background:

One of Sandy City's two appointees to the Metropolitan Water District of Salt Lake & Sandy, Art Hunter, is retiring from his service as member of the Board of Trustees. The Public Utilities Director notified the City Council of the pending vacancy on February 4, 2019. Utah Code 17B-1-304 governs the appointment process and the required notification procedures. Importantly, it indicates that the appointing authority cannot make the appointment sooner than two months following notice of vacancy. Therefore the April 9, 2019 City Council meeting is the earliest meeting a new appointment can be made. The City Council Office and City Recorder published the notice of vacancy as directed by state code. The application deadline closed on April 4, 2019.

To date the City Council Office has received a single application from Mr. John S. Kirkham. Mr. Kirkham has previously served on the Metropolitan Water District Board and has extensive experience with drinking water systems and natural resources law.

Fiscal Impact:

There is no fiscal impact associated with the item.

Further action to be taken:

A copy of the appointment resolution will be provided to the Metropolitan Water District.

Recommended Action and/or Suggested Motion:

Motion to adopt Resolution 19-11C appointing John S. Kirkham to the Metropolitan Water Board of Salt Lake & Sandy.

Resolution #19-11C

A RESOLUTION APPOINTING A REPRESENTATIVE FROM SANDY CITY TO THE BOARD OF TRUSTEES OF THE METROPOLITAN WATER DISTRICT OF SALT LAKE AND SANDY

BE IT RESOLVED by the City Council of Sandy City, Utah that John S. Kirkham be appointed to serve as a member of the Board of Trustees of the Metropolitan Water District of Salt Lake City and Sandy, as a representative of Sandy City for a term commencing on April 10, 2019, and expiring on January 1, 2023 except that such appointment may otherwise terminate as provided in the Metropolitan Water District Act.

PASSED AND APPROVED this 9TH day of April, 2019

Kris Coleman-Nicholl, Chair
Sandy City Council

ATTEST:

City Recorder

Recorded this ____ day of April, 2019

JOHN S. KIRKHAM
11839 OCTOBER COVE
SANDY, UTAH 84092
(801) 571-1726
March 15, 2019

Mike Applegarth, Director
Sandy City Council Office
10000 South Centennial Parkway
Sandy, Utah 84070

Dear Mr. Applegarth,

Please accept this letter as my expression of interest in being appointed as a member of the Board of Trustees of the Metropolitan Water District of Salt Lake and Sandy.

I am a resident of the Metropolitan Water District of Salt Lake and Sandy. I am also a resident of the retail water service area, registered voter and property tax payer of Sandy City.

I have attached a copy of my resume effective as of my date of retirement on December 31, 2013. At that point I had been in the private practice of law for 42 years. My experience with respect to drinking water utilities is shown on the second page of the resume.

Subsequent to my date of retirement, in the spring of 2014, I resigned from the Board of Trustees of the Metropolitan Water District of Salt Lake and Sandy, the Board of Directors of the Provo Water Users Association and several other positions to serve a church service mission for the Church of Jesus Christ of Latter-day Saints. I served for approximately 18 months as Associate Area Legal Counsel in the Africa West Area Office in Accra, Ghana.

I would appreciate the opportunity to serve again on the Board of Trustees of the Metropolitan Water District of Salt Lake and Sandy. I have recently been elected to serve on the Board of Directors of the Provo Water Users Association.

Please let me know if there is any additional information that would be helpful as the Sandy City Council considers this appointment.

Sincerely,

A handwritten signature in black ink, appearing to read "John S. Kirkham". The signature is fluid and cursive, with a long horizontal stroke at the end.

John S. Kirkham

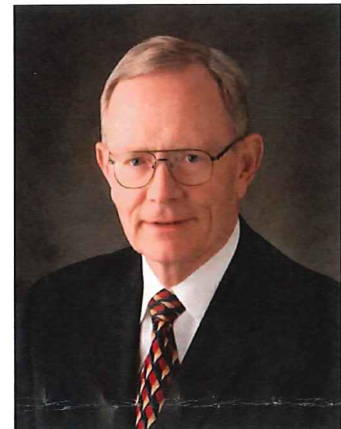
John S. Kirkham

Experience

John Kirkham is a partner of the firm practicing in natural resources law. He has extensive experience in the representation of clients involved in all aspects of the coal industry. He has experience in mining, public land, water, geothermal and environmental law. John has represented clients involved in the development and utilization of oil and gas, precious metals, uranium, potash, limestone, phosphate, synthetic fuels, silica, tungsten, copper and gilsonite. His experience also includes the representation of utilities and pipeline companies. John has supervised client representation in connection with litigation, bankruptcy, employment, financing and general corporate law.

Professional Honors and Activities

- Selected by *Best Lawyers*® as Salt Lake City Mining Law Lawyer of the Year, 2012
- Listed in *Best Lawyers in America*® (currently: Energy Law, Mining Law, Natural Resources Law, Oil & Gas Law), 2009-2014
- Selected by *Best Lawyers*® as Salt Lake City Energy Law Lawyer of the Year, 2011
- Selected as one of "America's Leading Lawyers for Business" (Utah) by *Chambers USA* (currently: Energy & Natural Resources), 2010-2013
- Listed in the 2011 *Utah Business* "Legal Elite"
- Named in "Who's Who in American Law"
- Listed in *Mountain States Super Lawyers*®
- Sandy City Noal Bateman Long Time City Service Award, 2011
- Sandy City Council Outstanding Service Award, 2009
- Recognized in 2007 as "The Lawyer of the Year" by the Energy, Natural Resources, and Environmental Law section of the Utah State Bar
- AV Preeminent Peer Review Rated with *Martindale-Hubbell*®
- Office Managing Partner, Stoel Rives LLP, Salt Lake City Office, 1993-2006
- Trustee, Rocky Mountain Mineral Law Foundation (Utah Mining Association representative), 1989-1992
- Member, Energy, Natural Resources and Environmental Law section, Ethics Advisory Opinion Committee, Utah State Bar, 1983-1996
- Member, Salt Lake County Bar



Partner

(801) 578-6956 direct
(801) 578-6999 fax
jskirkham@stoel.com

Education

- University of Utah College of Law, J.D., 1971
- University of Utah, B.A., 1968, *cum laude*, with honors

Admissions

- Utah
- U.S. Court of Appeals for the Tenth Circuit
- U.S. District Court of Utah
- U.S. Supreme Court

John S. Kirkham

- Member, American Bar Association (Section of Environment, Energy and Resources)

Publications

- "Legal Issues in Solution and In-Situ Mining," *52 Rocky Mountain Mineral Law Institute* 17-1, 2006
- "The Energy Policy Act of 2005" (coauthor), *Connect* magazine, July 2006
- "Force Majeure - Does it Really Work?" *30 Rocky Mountain Mineral Law Institute* 6-1, 1984

Civic Activities

- Chair (2010) and Member, Board of Trustees, Metropolitan Water District of Salt Lake and Sandy, 2003-present
- Board of Directors, Provo River Water Users Association, 2011-present
- Board of Directors, Utah Mining Association, 1987-present
- President, 2006-2010, Executive Board, 1987-present, Executive Committee, Vice President-Legal, 2003-2006, Great Salt Lake Council, Boy Scouts of America
- Bureau of Land Management, Utah Statewide Resource Advisory Council, 1995-1997
- Member, U.S. Minerals Management Service Coal Subcommittee of Royalty Policy Committee, 1997-2009



Staff Report

File #: 19-105, **Version:** 1

Date: 4/9/2019

Agenda Item Title:

Raddon Development presenting information on the Cairns South project and requesting conceptual approval of the City Council.

Presenter:

Nick Duerksen / Raddon Developement

Description/Background:

Presentation of the development project on the property at 10300 S. Centennial Parkway. Project requires conceptual approval of the City Council by motion before project can move forward with City land-use approvals.

Recommended Action and/or Suggested Motion:

Motion to approve. Motion that the City Council approves the conceptual design of the Cairns South - Raddon project at 10300 S. Centennial Parkway.



Staff Report

File #: 19-111, **Version:** 1

Date: 4/9/2019

Agenda Item Title:

Council Member Barker recommending the City Council conduct an employee survey.

Presenter:

Council Member Barker

Description/Background:

Administration recently completed an employee survey including topics such as City leadership, job satisfaction, and communication. As a body, the City Council was not included directly in the survey as most of the City's employees are administrative. Council Member Barker has raised the idea of the City Council conducting its own survey to help gauge employee views about the City Council.

Fiscal Impact:

There is no fiscal impact associated with this item. Council staff can report back on estimated survey costs depending on Council action.

Recommended Action and/or Suggested Motion:



Staff Report

File #:
CODE-12-18-5584_CC,
Version: 1

Date: 4/9/2019

Agenda Item Title:

Accessory Structures - Amend Title 15A, Chapter 11-02, Accessory Structures, Land Development Code, Revised Ordinances of Sandy City, 2008

Presenter:
Mike Wilcox

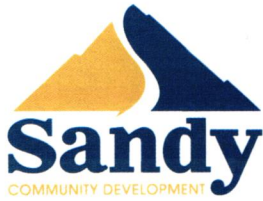
Description/Background:

The purpose of the Code Amendment is to revise requirements regarding detached garages, particularly in the side yard.

Recommended Action and/or Suggested Motion:

That the City Council adopt the proposed ordinance #19-10, which is an amendment to the Land Development Code and 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.
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.



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

March 14, 2019

To: City Council via Planning Commission
From: Community Development Department
Subject: Accessory Structures CODE-12-18-5584
Amending a portion of Title 15A, Chapter 11-02, Accessory
Structures, Land Development Code, Revised Ordinances
of Sandy City, 2008

HEARING NOTICE: *This item has been noticed on public websites, and in the newspaper at least 10 days prior to the Public Hearing.*

REQUEST

The Community Development Department has filed a request to amend Title 15A, Chapter 11-02, Accessory Structures, Land Development Code, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to revise requirements regarding detached garages, particularly in the side yard.

BACKGROUND

The city has made several changes over the years since the 2008 Code was originally adopted. These have been done to further refine and alter the regulations for accessory structures to better address balancing individual property rights with impacts to surrounding property owners. This proposal further refines these regulations.

ANALYSIS

The original intent of this section of the code was to require any detached garage or structure over 240 sq. ft to be placed in the rear yard, rather than the side yard (see 15A-11-02(A)(1)(g)). Detached structures in the side yard are also limited to 10' in height in the side yard area (see 15A-11-02(A)(3)). This was done with the intent to limit the impact of larger structures to the surrounding property owners.

We have had applications in the past where a lot had a large side yard yet not a deep rear yard. As such, they could not meet the letter of the code. We have presented them with options to attach to

the home or attach it with a breeze way or connected roof line. Sometimes this has resulted in less than desirable outcomes.

The proposed amendment would allow for a detached structure in the side yard if it otherwise meets the setbacks of the primary dwelling as though it were attached. It would also allow for building height above ten feet (10') to match what would be permitted if it were located in the rear yard. The same process for increased square footage and height would apply as described elsewhere in the code.

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".

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 under which accessory buildings will be evaluated for properties within the City.

GENERAL PLAN COMPLIANCE

The General Plan encourages appropriate development standards for all uses and zoning categories within Sandy City. This code amendment would further that goal and objective.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a positive recommendation to approve a code amendment to amend a portion of Title 15A, Chapter 11-02, Accessory Structures, Land Development Code, Revised Ordinances of Sandy City, 2008 (Exhibit "A") based on the following findings:

1. Compliance with the Purpose of the Land Development Code by facilitating the orderly growth and development of Sandy 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:

BM



Mike Wilcox
Zoning Administrator

Exhibit "A"

15A-11-02 Accessory Structures

A. Residential Standards

1. Setbacks and Location Restrictions.

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

3. Maximum Height.

a. Table of Maximum Accessory Structure Height.

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

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

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

Exhibit “B”

15A-11-02 Accessory Structures

A. Residential Standards

1. Setbacks and Location Restrictions.

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

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

ORDINANCE 19-10

AN ORDINANCE AMENDING TITLE 15A OF THE REVISED ORDINANCES OF SANDY CITY (THE LAND DEVELOPMENT CODE), 2008, CHAPTER 11-02, "ACCESSORY STRUCTURES" TO CHANGE THE REGULATIONS ON ACCESSORY STRUCTURES; ALSO PROVIDING A SAVING CLAUSE AND EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, a request has been made to amend Title 15A of the Revised Ordinances of Sandy City (the Land Development Code), 2008, Chapter 11-02, "Accessory Structures" by changing the regulations regarding detached garages; and

WHEREAS, the Planning Commission held a public hearing on January 17, 2019 which meeting was preceded by notice by publication in the Salt Lake Tribune on January 3, 2019, and by posting in Sandy City Hall, the Sandy City Parks & Recreation Building, Salt Lake County Library-Sandy, and the Utah Public Notice Website - <http://pmn.utah.gov> on December 26, 2018; and

WHEREAS, following the public hearing before the Planning Commission, the Commission recommended the amendment to the City Council; and

WHEREAS, a public meeting was held by the Sandy City Council on April 9, 2019 to consider adoption of the proposed amendment, which meeting was preceded by publication in the Salt Lake Tribune, on March 27, 2019, and by posting in Sandy City Hall, the Sandy City Parks & Recreation Building, Salt Lake County Library-Sandy, on the Sandy City Website - <http://www.sandy.utah.gov>, and the Utah Public Notice Website - <http://pmn.utah.gov>, on March 26, 2019; and

WHEREAS, the City Council has been given specific authority in Title 10, Chapter 9a, Utah Code Ann. to adopt a zoning plan, including an ordinance and map which divide the municipality into districts or zones, and within such districts to regulate the erection, construction, reconstruction, alteration, repair and uses of buildings and structures, and the uses of land; and

WHEREAS, the State legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the City to pass ordinances which are reasonably and appropriately related to the objectives of that power, i.e., providing for the public safety, health, morals, and welfare; and

WHEREAS, the foregoing legitimate governmental objectives are achieved by reasonable means, in that any adverse impact on private property value or use has been carefully balanced against the corresponding gain to the public; and the regulations have been calculated, on recommendation of City planning staff to permit property owners to beneficially use their properties for the practical purposes to which the property is reasonably adaptable; and procedures have been established by the Land Development Code and Utah Code Ann. whereby appeals can be heard and decided if it is alleged that there is legislative or administrative error, or where a special exception or variance to the ordinance is required.

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

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

Section 2. Severable. If any part of this ordinance or the application thereof to any person or

circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined in its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section 3. Effective. This ordinance shall become effective upon publication of a summary thereof.

ASSESSED AND APPROVED this _____ day of _____, 2019.

Kristin Coleman-Nicholl
Sandy City Council

ATTEST:

City Recorder

PRESENTED to the Mayor of Sandy City for his approval this _____ day of _____, 2019.

APPROVED this _____ day of _____, 2019.

Kurt Bradburn
Mayor

ATTEST:

City Recorder

PUBLISHED this _____ day of _____, 2019.

Exhibit “A”

15A-11-02 Accessory Structures

A. Residential Standards

1. Setbacks and Location Restrictions.

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

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



Sandy City, Utah

10000 Centennial Parkway
Sandy, UT 84070
Phone: 801-568-7256

Meeting Minutes

Planning Commission

Joe Baker
Dave Bromley
Monica Collard
Ron Mortimer
Cyndi Sharkey
Cory Shupe
Jamie Tsandes
Michael Christopherson (Alternate)
Jeff Lovell (Alternate)

Thursday, March 21, 2019

4. [CODE-12-18](#) Accessory Structures - Amend Title 15A, Chapter 11-02, Accessory Structures,
[-5584 PC](#) Land Development Code, Revised Ordinances of Sandy City, 2008

Mike Wilcox presented this item to the Planning Commission. He stated the City Council initiated this proposal to amend a portion of the requirements related to accessory structures. The request is to address lots with large side yards, but small rear yards. He also stated the code now states detached garages are required to be placed in the rear yard of a lot. The proposed amendment would allow for a detached structure on the side yard if it meets the setback of the primary dwelling as though it were attached. As for the height on the side yard, if it complies with the setbacks of the structure, then it would meet the height requirements as though it were in the rear yard.

The Planning Commission and staff discussed the verbiage in the staff report and the intent of the proposed amendment.

The Chair opened this item to public comment and there was none.

A motion was made by Michael Christopherson, seconded by Monica Collard, that the Planning Commission forward a positive recommendation to approve a code amendment to amend a portion of Title 15A, Chapter 11-02, Accessory Structures, Land Development Code, Revised Ordinances of Sandy City, 2008 (Exhibit "A") based on the two findings listed in the staff report. The motion carried by the following vote:

Yes: 7 - Joe Baker

Dave Bromley
Monica Collard
Cyndi Sharkey
Jamie Tsandes
Michael Christopherson
Jeff Lovell

Absent: - Cory Shupe

Ron Mortimer

DRAFT