



Sandy City, Utah

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

Meeting Agenda

Planning Commission

Dave Bromley
Michael Christopherson
Monica Collard
Ron Mortimer
Cyndi Sharkey
Jamie Tsandes
Cameron Duncan (Alternate)
Jeff Lovell (Alternate)

Thursday, October 3, 2019

6:15 PM

Council Chambers

Meeting procedures are found at the end of this agenda.

Voting Roll Call

5:15 PM EXECUTIVE SESSION

1. [19-346](#) Discuss Planning Commission By-laws

6:15 PM REGULAR SESSION

Roll Call

Welcome

Pledge of Allegiance

Introductions

Public Hearings

2. [CUP-08-19-5](#) Brown Accessory Apartment
[717](#) 490 E. 10735 S.
[Community #11 - Crescent]

Attachments:

[Staff Report.pdf](#)
[master_vicinity_map_2019.pdf](#)

3. [CODE-06-19-5669 PC\(2nd \)](#) Commercial Land Use Matrix - Kuwahara Wholesale Amend Title 15A, Chapter 8, Land Uses in the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts , Section 2, Permitted Land Use Matrix by the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts, Revised Ordinances of Sandy City, 2008

Attachments: [Staff Report.pdf](#)
 [PC Minutes 090519.pdf](#)

4. [CODE-08-19-5713 PC\(2nd \)](#) Implementing Appendix D of the International Fire Code and Other Miscellaneous Text Amendments Amend Title 15A, Chapter 21, Subdivision Design Standards; Chapter 15, Sensitive Area Overlay Zone; Chapter 20, Residential Development Standards; Chapter 24, Parking, Access and Circulation Requirements; and Chapter 37, Definitions, Revised Ordinances of Sandy City, 2008

Attachments: [Staff Report.pdf](#)
 [PC Minutes 090519.pdf](#)

Administrative Business

1. [19-344](#) Planning Commission meeting minutes for September 19, 2019

Attachments: [9.19.19 PC Meeting Minutes \(draft\)](#)

2. Sandy City Development Report
3. Director's Report

Adjournment

Meeting Procedure

1. Staff Introduction
2. Developer/Project Applicant presentation
3. Staff Presentation
4. Open Public Comment (if item has been noticed to the public)
5. Close Public Comment
6. Planning Commission Deliberation
7. Planning Commission Motion

In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be limited to 2 minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed 5 minutes to speak. Comments which cannot be made within these time limits should be submitted in writing to the Community Development Department prior to noon the day before the scheduled meeting.

Planning Commission applications may be tabled if: 1) Additional information is needed in order to take action on the item; OR 2) The Planning Commission feels there are unresolved issues that may need further attention before the Commission is ready to make a motion. No agenda item will begin after 11 pm without a unanimous vote of the Commission. The Commission may carry over agenda items, scheduled late in the evening and not heard, to the next regular scheduled meeting.

In compliance with the Americans With Disabilities Act, reasonable accommodations for individuals with disabilities will be provided upon request. For assistance, or if you have any questions regarding the Planning Commission Agenda or any of the items, please call the Sandy City Planning Department at (801) 568-7256



Sandy City, Utah

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

Staff Report

File #: 19-346, **Version:** 1

Date: 10/3/2019

Discuss Planning Commission By-laws



Staff Report

File #: CUP-08-19-5717,
Version: 1

Date: 10/3/2019

Agenda Item Title:

Brown Accessory Apartment
490 E. 10735 S.
[Community #11 - Crescent]

Presenter: Wade Sanner

Description/Background:

Fiscal Impact:

Further action to be taken:

Recommended Action and/or Suggested Motion:

Staff recommends that the Planning Commission approve a Conditional Use Permit for Sheldon and Michelle Brown to allow for a 667 square foot accessory apartment on the property located at 490 East 10735 South. This is based on the following findings and conditions:

Findings

1. The proposed use meets the intent of the accessory apartment section of the Sandy City Land Development Code.
2. The applicant understands and is willing to comply with the Sandy City Land Development Code and conditions of approval.
3. The appearance will remain that of a single-family dwelling.

Conditions

1. That the applicant complies with all Building & Safety, and Fire & Life Codes.
2. That the applicant be responsible for meeting all provisions of the Sandy City Land Development Code, and all conditions of approval imposed by the Planning Commission.
3. That the applicant submit for a building permit to renovate and install the accessory apartment.
4. That this Conditional Use Permit be reviewed upon legitimate complaint.



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

October 3, 2019

To: Planning Commission
From: Community Development Department
Subject: Brown Accessory Apartment
490 E. 10735 S.
[Community #11 – Crescent]

CUP-08-19-5717
Zoned R-1-40A

HEARING NOTICE: *This item has been noticed to property owners within 500 feet of the subject property.*

PROPERTY CASE HISTORY	
Case Number	Case Summary
None	Crescent Estates #3, Lot 6 Amended

DESCRIPTION OF REQUEST

The applicant, Sheldon and Michelle Brown, are requesting a Conditional Use Permit to allow for an accessory apartment on the property located at 490 East 10735 South (*See Exhibit #1 – Application Materials*). The property is a legal non-conforming lot with 21,780 square feet, located in the R-1-40A zone. The City approved a subdivision of the property in 1977. Properties to the south are large lot single-family homes zoned R-1-20A, and the remaining surrounding properties are large lot single-family homes zoned R-1-20A.

The property is located mid-block between 455 East and 580 East. The lot does not have a home, but does have a 1,500 square foot accessory structure. This structure will be removed from the property in order to construct the new home. The applicant is proposing to construct a 3,938 square foot home with a 2,201 square foot basement. The applicant is proposing to install a 667 square foot accessory apartment in the basement, with the remaining 1,534 square feet of the basement to be used by the property owner (*See Exhibit #2 – Basement Configuration*). The proposed accessory apartment comprises 11% of the overall square footage of the home.

The applicant is proposing to install a driveway on the east side of the property, with an off-street parking stall on the east side of the future driveway. The future accessory apartment entrance

will be on the south (rear) side of the home. The applicant's immediate plans will be to use the apartment for family with the future intent to rent out the apartment.

ANALYSIS

Per Section 15A-11-01 of the Sandy City Land Development Code, the purpose of the accessory apartment standards are to:

- A. Provide regulations and design standards for accessory apartments related to single-family dwellings in residential zone districts. The accessory apartment enables housing units to be available to moderate income households, provide economic relief to homeowners who might otherwise be forced to leave a neighborhood, and make living units available for households at a variety of stages of the life cycle.
- B. **General Requirements.** The following requirements must be met in order to have either an accessory apartment, extended living area, or a guesthouse.
 1. **Residence Required.** The owner(s) of the residence shall live in the dwelling in which the accessory apartment/extended living area was created, and a letter of application sworn before a notary public shall be provided by the owner(s) stating that such owners will occupy the said dwelling, except for bona fide temporary absences.
 2. **Number Permitted Within Each Single Family Dwelling.** Only one accessory apartment/extended living area shall be created within a single-family dwelling, and said area shall clearly be a subordinate part of the dwelling. The accessory apartment/extended living area shall not occupy any accessory buildings. No lot or parcel shall contain more than one guesthouse.
 3. **Home to Retain Single Family Dwelling Appearance.** The accessory apartment/extended living area shall be designed so that, to the degree reasonably feasible, the appearance of the building remains that of a single-family residence, including retention and enhancement of landscaping.
 4. **Utility Meters and Addressing.** It shall be prohibited to install separate utility meters and separate addresses.
 5. **Building Code Compliance Required.** The design and size of the accessory area shall conform to all applicable standards in the City's adopted Fire, Building, and Health Codes. The applicant shall obtain all necessary building permits prior to construction of the accessory apartment, extended living area, or guesthouse.
 6. **Parking.** At least one off-street parking space shall be available for use by the occupant(s) of the accessory apartment, extended living area, or guesthouse. This space shall be in addition to those required for residents of the main portion of the dwelling and shall comply with the City's adopted residential parking standards.

Any additional vehicles of the occupants must be accommodated on-site. On-street parking shall be reserved for visitors only.

7. Mobile Homes. It shall be prohibited to construct an accessory apartment/extended living area within a mobile home.

8. Transferability. Upon sale of the home or change of primary occupant, the approval for an accessory apartment/extended living area shall expire, that is, the approval is not transferable.

C. Additional Requirements for Approval of an Accessory Apartment. Accessory apartments are allowed only with approval of a Conditional Use. Such use shall not exempt the applicant from meeting other applicable ordinances, covenants, codes, or laws recognized by Sandy City. The following standards must be met in order to grant a Conditional Use:

1. Entrances. All entrances for an accessory apartment shall be located on the side or in the rear of the dwelling.

2. Maximum Size Permitted. In no case shall an accessory apartment comprise more than 30 percent of the building's total floor area nor be greater than 800 square feet nor have more than 2 bedrooms, unless, in the opinion of the Planning Commission a greater or lesser amount of floor area is warranted by the circumstances of the particular building. An accessory apartment is a complete, separate housing unit that shall be within the original dwelling unit.

3. Occupancy Restrictions. The occupants of the accessory apartment shall be related to each other by blood, marriage, or adoption; or up to two unrelated individuals who are living as a single housekeeping unit. The occupants of the accessory apartment shall not sub-lease any portion of the accessory apartment to other individuals.

4. Recordation. Approval for an accessory apartment shall be recorded with the Salt Lake County Recorder's Office, including any special conditions of approval to guarantee compliance with the approval. A copy shall be kept on file with the Building Department.

5. Duration of Approval.

a. Approval Non-Transferable. Upon sale of the home or change of primary occupant, the Conditional Use shall expire and is not transferable.

b. Length of Approval - Renewal Options. The effective period of the Conditional Use for accessory apartments shall be two years from the date of the original approval. At the end of every two years, renewal may be granted upon receipt by the Director of certification by the property owner that the property remains the principal residence of the owner, and that all other

original conditions continue to be met. Notification shall be sent to the owner for response. Failure to obtain such certification may be the basis for revocation of the Conditional Use. The Planning Commission, in its sole discretion, may require a new application and a demonstration of compliance with all conditions necessary for a Conditional Use.

6. Other Requirements. Any other appropriate or more stringent conditions deemed necessary for accessory apartments in protecting public health, safety, welfare, and the single-family character of the neighborhood shall be established by the Planning Commission.

Per **Section 15A-11-01(C)(2)** of the Sandy City Land Development Code, an accessory apartment should not be greater than 800 square feet. The applicant is proposing a 667 square foot accessory apartment which is beneath the 30% floor area threshold also required by this section. The proposed accessory apartment meets the provisions of this Section of the Code.

NOTICE

A neighborhood meeting was held on Tuesday, September 12, 2019. Nine neighbors attended the meeting (*See Exhibit #3 – Neighborhood Meeting Summary*). Notices were mailed to property owners within a 500-foot radius of the subject parcel in advance of the Planning Commission meeting.

STAFF CONCERNS

Staff has no concerns.

COMPLIANCE WITH SECTION 15A-33-04

Staff response in *italics*.

Conditions. In order to achieve compliance with the standards set forth herein, the City may impose conditions, which address standards 15A-33-03 “A” to “O”, as contained in the Sandy City Development Code. This proposed conditional use meets or satisfies all of Conditions “A” through “O”, except the following conditions, which merit discussion or additional consideration by the Planning Commission:

A. Size, configuration and location of the site and proposed site plan layout.
The applicant is requesting a 667 square foot accessory apartment that is 133 square feet smaller than the 800 square foot requirement. The proposed entrance will be on the south (rear) side of the new home.

D. Design, location and amount of off-street parking, loading areas and solid waste disposal and collection areas.
The applicant is proposing to install a driveway on the east side of the property. The applicant is proposing to install an additional off-street parking stall adjacent to the new driveway.

O. Such other conditions determined reasonable and necessary by the City to allow the operation of the proposed conditional use, at the proposed location in compliance with the requirements of this Code.

That the applicant complies with all Building & Safety, and Fire & Life Codes.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve a Conditional Use Permit for Sheldon and Michelle Brown to allow for a 667 square foot accessory apartment on the property located at 490 East 10735 South. This is based on the following findings and conditions:

Findings

1. The proposed use meets the intent of the accessory apartment section of the Sandy City Land Development Code.
2. The applicant understands and is willing to comply with the Sandy City Land Development Code and conditions of approval.
3. The appearance will remain that of a single-family dwelling.

Conditions

1. That the applicant complies with all Building & Safety, and Fire & Life Codes.
2. That the applicant be responsible for meeting all provisions of the Sandy City Land Development Code, and all conditions of approval imposed by the Planning Commission.
3. That the applicant submit for a building permit to renovate and install the accessory apartment.
4. That this Conditional Use Permit be reviewed upon legitimate complaint.

Planner:



Reviewed by:



Wade Sanner AICP, Planner

File Name: SAUSERS\PLN\STAFFRPT\2019\CUP-08-19-5717 Brown Accessory Apartment

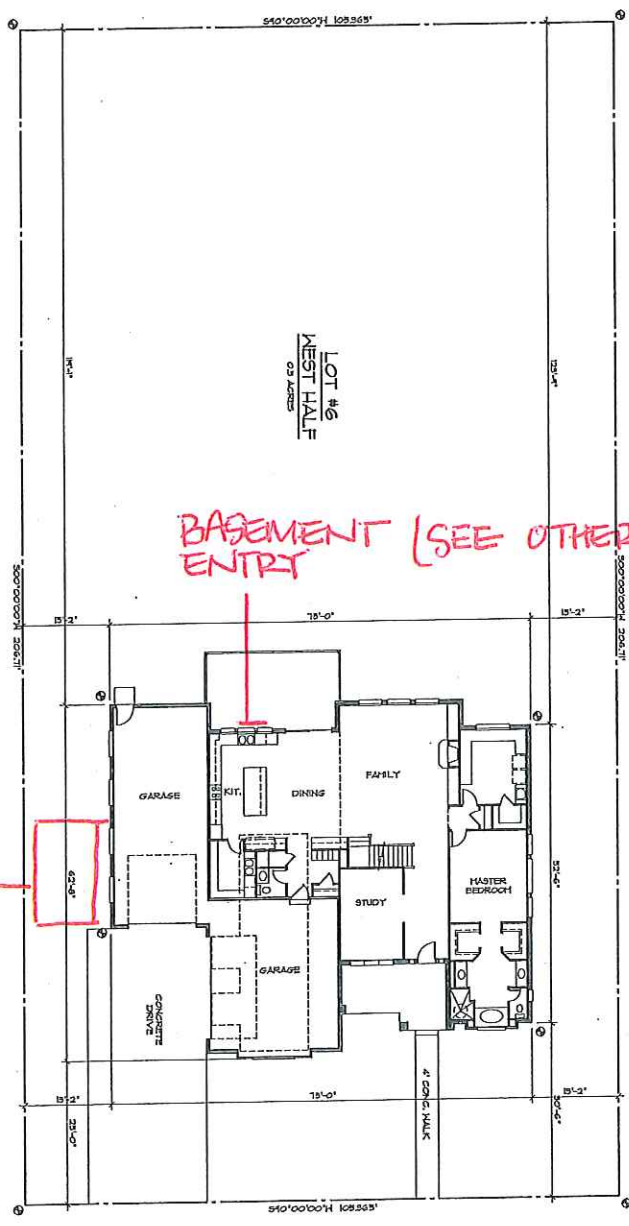
Exhibit #1 – Application Materials

To Whom It May Concern,

We are applying for a conditional use permit for the purpose of having an accessory apartment. We believe that we are within the guidelines that the city has set. The apartment is under 800 square feet, It has a separate entrance, and has off street parking. It is not our intent to rent it out at the present time as we are planning on having it available for family members. However, we would like to have that option in the future. Thank you for your consideration.

Sheldon and Michelle Brown

5,800



BASEMENT (SEE OTHER PAGE)
ENTRY

OFF STREET
PARKING

SITE PLAN
SCALE: 1"=10'



440 E. 10735 S.
SANDY, UTAH

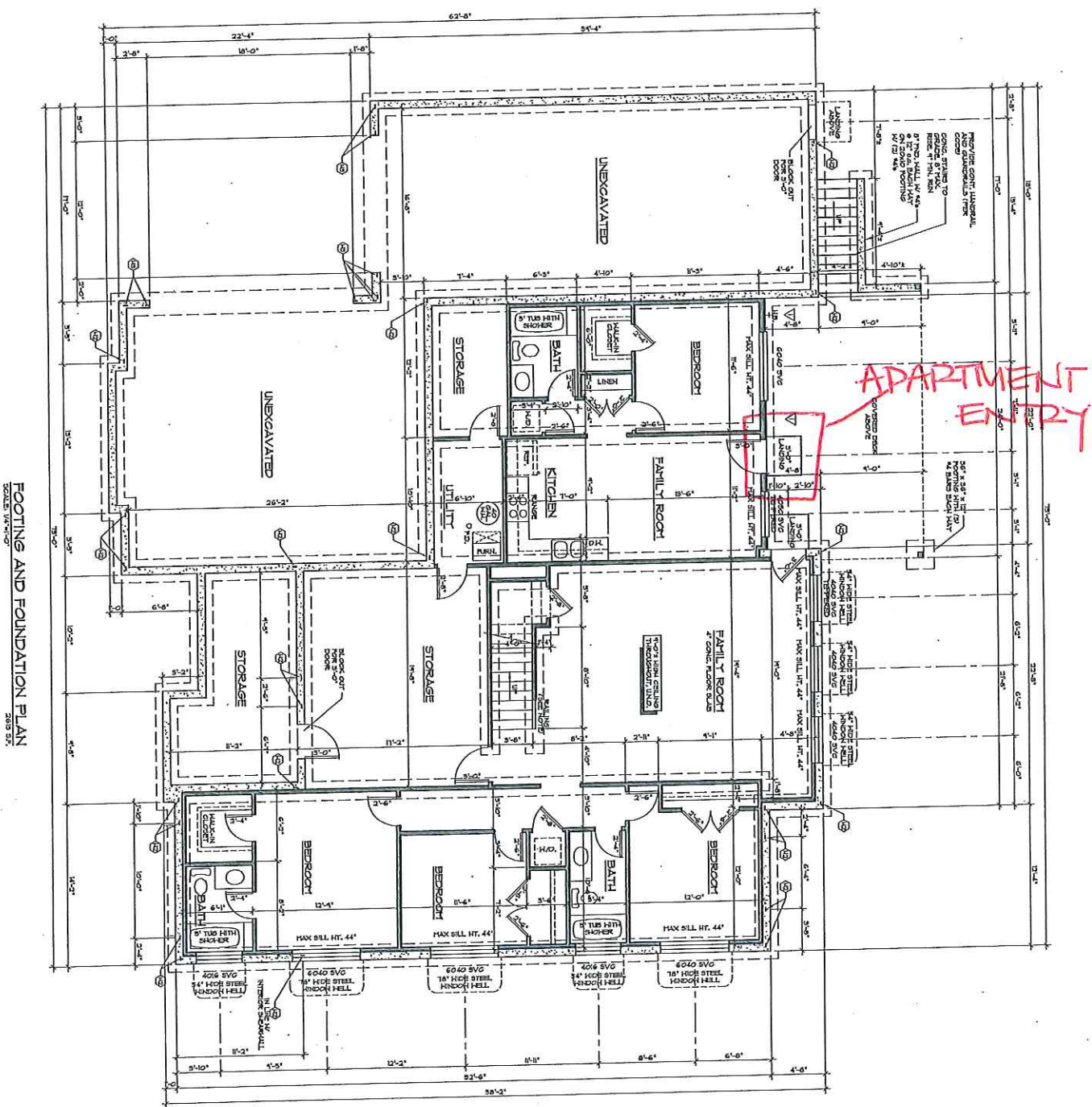
10735 SOUTH STREET

THIS SITE PLAN IS BASED ON INFORMATION PROVIDED TO THE DESIGNER BY THE CLIENT. THE DESIGNER HAS CONDUCTED A VISUAL GENERAL VERIFICATION OF THE INFORMATION PROVIDED AND HAS FOUND IT TO BE REASONABLY ACCURATE. THE DESIGNER HAS NOT CONDUCTED A SURVEY OF THE SITE AND HAS NOT BEEN ADVISED OF ANY CHANGES TO THE INFORMATION PROVIDED. THE DESIGNER HAS NOT CONDUCTED A SURVEY OF THE SITE AND HAS NOT BEEN ADVISED OF ANY CHANGES TO THE INFORMATION PROVIDED. THE DESIGNER HAS NOT CONDUCTED A SURVEY OF THE SITE AND HAS NOT BEEN ADVISED OF ANY CHANGES TO THE INFORMATION PROVIDED.

Exhibit #2 – Basement Configuration

[illegible]

1. ALL EXISTING FOOTINGS SHALL BE CONTINUOUS AND FINISHED FORMALINIC.
2. FOOTING REINFORCEMENT THICKNESS SHALL BE NOT LESS THAN 12" IF REINFORCED WITH 4# BARS.
3. ALL FOOTINGS TO BE ON UNIMPROVED NATIVE SOIL, OR IMPROVED PREPARED STRUCTURAL FILL WHICH MUST BE SPECIFIED BY GEOLOGICAL ENGINEER.
4. FOOTINGS TO BE A MINIMUM OF 18" FROM DEPTH BELOW NATURAL GRADE.

[illegible]

FOOTING AND FOUNDATION PLAN
SCALE: 1/4"=1'-0" 2613 S.F.

Exhibit #3 – Neighborhood Meeting Summary



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

Neighborhood Meeting Summary – Community 11, Crescent

Date: 09/12/2019

Location: Planning Conference Room

Community #/Name: Crescent – Community #11

Community Coordinator: Brian Noel

Project Name: Accessory Structure

Number of Attendees: 9

Applicants: Sheldon and Michelle Brown

Number of Invitees: 58

Length of Meeting: 1 hour

Notice Radius: 500 ft.

Project Description: The applicant is proposing to install a 667 sq. ft. basement apartment in a future home on a vacant lot of record.

Community Comments:

1. Question regarding rules of having a basement apartment and what to do if a basement apartment is built illegally. Staff explained the Sandy City Land Use Code and code compliance actions.
2. Can the apartment have a short-term rental? Staff explained short-term rental section of code.
3. What is the minimum square footage of a basement apartment? Staff: No minimum, code states 800 sq. ft. and 30% of home.
4. Does the basement have to be fire rated? Yes
5. Where will the applicant park their tenant? Applicant: the new driveway will be on the east side of the property, and the off-street parking will be adjacent to the new driveway.
6. Issue with parking: The road is too narrow and during the winter it is hard for snow plows to get down street. Want to ensure no on-street parking.
7. What is the purpose of the basement apartment? Applicant: Initially will be used for adult children, but then will rent out in the future.
8. Issue: Do not want short-term rentals in neighborhood.
9. Is there an interior door? Applicant: No.
10. Only one exit from the home? Applicant: Yes, exterior entrance/exit, and window wells have to be installed.
11. How many people will be allowed to live there? Staff: Explained code and definition of family.



CUP-08-19-5717
Brown Accessory Apartment
490 E. 10735 S.

PRODUCED BY WADE SANNER
THE COMMUNITY DEVELOPMENT DEPARTMENT



Staff Report

File #:

CODE-06-19-5669_PC(2nd),

Version: 1

Date: 10/3/2019

Agenda Item Title:

Commercial Land Use Matrix - Kuwahara Wholesale

Amend Title 15A, Chapter 8, Land Uses in the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts, Section 2, Permitted Land Use Matrix by the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts, Revised Ordinances of Sandy City, 2008

Presenter:

Mike Wilcox

Description/Background:

Alex Kuwahara and Bruce Parker, representing Kuwahara Wholesale, are proposing to amend Title 15A, Chapter 8, Land Uses in the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts, Section 2, Permitted Land Use Matrix by the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to consider allowing Single-Family Dwellings as a Permitted Use in the CN(HSN) Zone (Neighborhood Commercial, Historic Sandy Neighborhood District). Their requested code amendment is detailed in their attached letter and the reasons they believe the amendment should be approved.

This item is back before the Planning Commission due to a public noticing error. This item was originally presented to the Planning Commission during the September 5, 2019 meeting. The minutes from that meeting are attached with the staff report. A full recording of this meeting can be found at <https://sandyutah.legistar.com/Calendar.aspx>.

Staff would also like to highlight the history of other requests related to the Kuwahara Wholesale property that is affected by the proposed amendment. These other requests include a code amendment (adding "Plant Nursery" as permitted/conditional use in the CN(HSN) Zone) and a rezone (extending the CN(HSN) Zone to the east). See the "related files" for additional information on these past requests.

Recommended Action and/or Suggested Motion:

Staff recommends that the Planning Commission forward a negative recommendation to the City Council to amend a portion of Title 15A, Chapter 8, Land Uses in the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts, Section 2, Permitted Land Use Matrix by the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts, Revised Ordinances of Sandy City, 2008, as shown in the applicant's letter based on the following findings:

File #:
CODE-06-19-5669_PC(2nd),
Version: 1

Date: 10/3/2019

1. It is not in compliance with the Purpose of the Land Development Code by creating consistency and equitable standards in Sandy City.
2. It is not in 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

August 29, 2019

To: City Council via Planning Commission
From: Community Development Department
Subject: Commercial Land Use Matrix – Kuwahara Wholesale
Amend Title 15A, Chapter 8, Land Uses in the Commercial,
Office, Industrial, Mixed Use, Transit Corridor, and
Research and Development Districts, Section 2, Permitted
Land Use Matrix by the Commercial, Office, Industrial,
Mixed Use, Transit Corridor, and Research and
Development Districts, Revised Ordinances of Sandy City,
2008

CODE-06-19-5669

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

REQUEST

Alex Kuwahara and Bruce Parker, representing Kuwahara Wholesale, are proposing to amend Title 15A, Chapter 8, Land Uses in the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts, Section 2, Permitted Land Use Matrix by the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to consider allowing Single-Family Dwellings as a Permitted Use in the CN(HSN) Zone (Neighborhood Commercial, Historic Sandy Neighborhood District). Their requested code amendment is detailed in their attached letter and the reasons they believe the amendment should be approved.

BACKGROUND

The City has established a land use matrix for commercial zones, wherein all land use categories are cross referenced to all established commercial zones in the City.

As it states in the beginning section of code:

A. Purpose. The commercial districts land use standards are intended to:

1. Allow a mixture of complementary land uses that may include retail, offices, commercial services, civic uses, and housing to create economic and social vitality, and to encourage the linking of trips; and
2. Develop commercial areas that encourage walking as an alternative to driving and provide employment and housing options

In this matrix, the City has sorted out uses that are deemed not compatible in commercial zone districts. Dwelling, Single Family is not permitted in any zone, except for the Mixed Use (MU) Zone.

The CN(HSN) Zone is described as follows (see section 15A-04-11(G))

Neighborhood Commercial - Historic Sandy Neighborhood District (CN(HSN)). This district is established to provide a viable commercial zoning district for those commercial areas, which border the Historic Sandy Neighborhood. The zone is created to provide the convenience shopping and service needs of the surrounding neighborhood area, while at the same time providing guidelines for development to recognize and maintain the neighborhood's unique characteristics.

ANALYSIS

The Planning Commission must review the following criteria when considering a requested Code Amendment:

Is the change reasonably necessary?

Is it in the public interest?

Is it in harmony with the objectives and purposes of the future development of Sandy City?

Is the change consistent with the General Plan?

Staff is concerned about the request, as it is not in harmony with the established practice of separating residential and commercial uses. Traditional zoning practice separates incompatible uses through different zoning districts. Residential uses are not compatible with commercial uses except in the context of a mixed-use development wherein they are made to be compatible through design requirements.

The intent to zone these properties commercial was to guide the area toward commercial investment and development of commercial uses. The existing single-family structures are able to remain and the single-family use is able to continue legally. If that use ceases for more than a year, then the legal non-conforming use status expires. The structure could only be legally used for commercial uses once it is converted for that purpose and is brought into conformity with the commercial site plan and building code standards.

It appears the intent of this request is to make the existing residential homes in the CN(HSN) Zone a legal conforming use. The impact of this decision could result in not encouraging redevelopment and conversion of single-family homes to commercial uses. It does not further the purpose of the CN(HSN) Zone.

NON-CONFORMING USES

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

GENERAL PLAN COMPLIANCE

The General Plan encourages appropriate development standards for all uses and zoning categories within Sandy City. This code amendment would not further that goal and objective. The proposed Code Amendment will not create consistency and equitable standards for temporary uses in the city.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a negative recommendation to the City Council to amend a portion of Title 15A, Chapter 8, Land Uses in the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts, Section 2, Permitted Land Use Matrix by the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts, Revised Ordinances of Sandy City, 2008, as shown in the applicant's letter based on the following findings:

1. It is not in compliance with the Purpose of the Land Development Code by creating consistency and equitable standards in Sandy City.

2. It is not in 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\2019\CODE-06-19-5669_KUWAHARA LAND USE MATRIX AMD\STAFF REPORT.DOCX

SANDY CITY LAND DEVELOPMENT CODE – SECTION 15A-08-02
TABLE OF USES AMENDMENT

Section 15A-08-02 – Table of Uses (Sandy City Land Development Code) prohibits (as either a Permitted or Conditional Use,) “Dwelling, Single Family” in the Commercial-Neighborhood (Historic Sandy Neighborhood) Zoning District (CN[HSN]). Any existing Single Family Dwellings located in the CN(HSN) Zoning District are therefore Non-Conforming Uses. A Non-Conforming Use has severe use restrictions and implications including financial lending restrictions by various financial institutions. Identifying all Existing Single Family Dwellings achieves no valid public purposes but does significantly impact private property rights. A Single Family Dwelling, existing on the date of adoption or amendment of the Land Development Code prohibiting Single Family Dwellings in the CN(HSN) Zoning District should be allowed to remain as a Permitted Use. If a change in use is determined appropriate the free market will speak.

This Application proposes that the Sandy City Land Development Code, Section 15A-08-02 – Table of Uses, be amended as follows:

A new table row be created that establishes “Dwelling, Single-Family (Existing)” as a Permitted (P) Use in the Commercial Neighborhood (Historic Sandy Neighborhood) Zone.

**Planning and
Development
Services**

3007 East Cruise Way
Salt Lake City, Utah
84109

801/277/4435
Fax 801/277/4760
pds@utahplanning.com

July 22, 2019

Sandy City Planning Commission Members
c/o Mr. Mike Wilcox, Zoning Administrator
10000 S. Centennial Pkwy. Sandy, UT 84070

Dear Sandy City Planning Commissioners

The Sandy City, Community Development Department staff, has asked that the Applicant provide information related to review items 3(a) to 3(d). In the interests of giving the Sandy City Planning Commission members with the information requested, and to assist the Commission in making a positive recommendation and determinations of the four (4) review items, please accept the following:

**SANDY CITY LAND DEVELOPMENT CODE – SECTION 15A-08-02
TABLE OF USES AMENDMENT**

The Sandy City Land Use Application “Code Amendment Requirements” provides:

“3. The Planning Commission may consider the following items when reviewing the proposed Code Amendment:

- a. Is the change reasonably necessary?
- b. Is it in the public interest?
- c. Is it in harmony with the objectives and purposes of the future development of Sandy City?
- d. Is the change consistent with the General Plan?”

Item (3)(a) – Is this change reasonably necessary?

The proposed Code Amendment is necessary. Section 15A-08-02 – Table of Uses (Sandy City Land Development Code) prohibits any Single-Family Dwelling in the Commercial-Neighborhood (Historic Sandy Neighborhood) Zoning District (CN[HSN]), including an existing Single-Family Dwelling. Therefore, a Single-Family Dwellings located in the Historic Sandy Neighborhood and zoned CN(HSN) is, by the action of the Zoning District requirements, a Non-Conforming Use. A Non-Conforming Use has very severe use restrictions and implications, including financial lending restrictions by financial institutions. Identifying all Existing Single-Family Dwellings as a Permitted Use rectifies this unnecessary regulation for all Single-Family Residential Dwellings located in the CN(HSN) Zoning District, established before the enactment of the zone.

Item (3)(b) – Is it in the public interest?

Creating a use as nonconforming should be a very deliberate decision, intended to achieve a valid public purpose. It is challenging, if not impossible, to envision any public interest being achieved by imposing nonconforming use status on any Single-Family Dwelling that existed before CN(HSN) Zoning District adoption. The Sandy City General Plan presents no rationale for such a regressive regulation. However, several City General Planning policies support the approval of the Land Use Code amendment, including “Housing; Goal 3. Community – *Encourage the preservation, upkeep, and maintenance of existing housing,*” and Item #1 “*Encourage neighborhood commercial development that will enliven street fronts and service the needs of the residential neighborhoods in the area (State Street and 700 East)*” (Historic Sandy Neighborhood Plan).

Item (3)(c) – Is it in harmony with the objectives and purposes of the future development of Sandy City?

The Sandy City – Historic Sandy Neighborhood Plan, adopted October 2006 (Retrieved July 2019 from <https://sandy.utah.gov/departments/community-development/planning/long-range-planning/area-master-plans#historic>) refers to the area bounded by 8400 South, 700 East, 9000 South, and State Street as the “original square mile of Sandy City.” The Historic Sandy Neighborhood “is the oldest neighborhood” of Sandy City. As the City’s oldest neighborhood, a variety of existing uses predate the Sandy City Land Development Code, including Single-Family Residential Homes on State Street.

The Sandy City General Plan adopted, but undated (<https://sandy.utah.gov/departments/community-development/planning/long-range-planning/sandy-city-general-plan>) provides nine (9) Chapters. Chapter 2 – Goals and Policies provides many policies supporting this Code Amendment Application. For conciseness, however, only a few will be presented but certainly enough to demonstrate the General Plan’s clear support.

Policy 2.3 Endeavor to include unique facilities in each community that will attract residents not only from that community but other areas of the city as well.

Commercial/Industrial Zoning and Development

1.6 Provide alternatives for rectifying inconsistent zoning.

a. Consider changing zone designation to an existing noncommercial zone designation that would still allow a satisfactory economic return to the property owner.

5.1 Provide for large minimum lot sizes for all future commercial uses that will discourage cluttered, strip development.

Housing

3. Community – Community Encourage the preservation, upkeep, and maintenance of existing housing.

Several Moderate-Income Housing policies also support the retention of existing housing stock.

Item 3(d). Is the change consistent with the General Plan?

The Historic Sandy Neighborhood Plan provides eight (8) actions for the achievement of several Plan goals (below).



Historic Sandy Neighborhood Plan

Neighborhood Commercial Action Plan

	Action	Goal	Participation By	Time Frame
1	Encourage neighborhood commercial development that will enliven street fronts and service the needs of the residential neighborhoods in the area (State Street and 700 East).	Economic growth and development Integrate existing neighborhoods	Businesses Developers Local Government	Immediate
2	Revitalize the commercial areas along State Street and some sections of 700 East through the Historic Sandy Neighborhood in such a way as to provide a catalyst for improving the surrounding area.	Economic growth and development	Businesses Developers Local Government	Long-Term
3	Encourage new commercial developments to comply with the Historic Sandy Design Guidelines (State Street and 700 East).	Preserve and enhance existing neighborhood	Developers Local Government	Immediate
4	Create new ordinances or amend existing ordinances, if necessary, for the commercial areas along State Street.	Revitalization and economic growth and development	Businesses Developers Property Owners Local Government	Immediate
5	Encourage the design of new commercial developments to be compatible with and provide greater connectivity between existing land uses (State Street and 700 East).	Greater connectivity between activity centers, businesses, etc.	Businesses Developers Local Government	Ongoing
6	Enhance the pedestrian scale through well designed amenities (State Street and 700 East).	Economic growth and expanded mobility options	Businesses Developers Local Government	Ongoing
7	Encourage improvements to pedestrian infrastructure and traffic calming measures along State Street through the Historic Sandy Neighborhood.	Economic growth and development Create a safe situation for pedestrians along State Street	Businesses Local Government	Ongoing
8	Work with the Economic Development Department to create incentive programs that will help stimulate new neighborhood commercial development and take full advantage of the high traffic volume on State	Broad, stable economic base	Businesses Developers Local Government	Ongoing

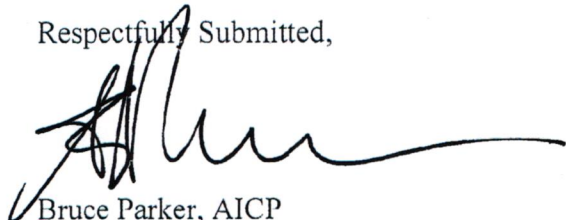
The most applicable Actions directly related to the requested Code Amendment are:

- #1. Encourage neighborhood commercial development that will enliven street fronts and service the needs of the residential neighborhoods in the area (State Street and 700 East)
- #2. Revitalize the commercial areas along State Street and some sections of 700 East through the Historic Sandy Neighborhood in such a way as to provide a catalyst for improving the surrounding area.
- #4. Create new ordinances or amend existing ordinances, if necessary, for the commercial areas along State Street.

Recognizing the City's policy foundations more than adequate support exists for the approval of the proposed Code Amendment. The requested Code Amendment is an amendment of existing ordinances for the commercial areas along State Street. When balanced with the City's housing policies, this Code Amendment should receive a positive recommendation from the Planning Commission to the Sandy City Council.

A new row be provided in the Table of Uses to establish "Dwelling, Single-Family (Existing)" as a Permitted (P) Use in the Commercial Neighborhood (Historic Sandy Neighborhood) Zone.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Bruce Parker', with a long horizontal flourish extending to the right.

Bruce Parker, AICP
Principal, Planning and Development Services
Authorized Agent for Applicant

5. [CODE-06-19](#) Commercial Land Use Matrix - Kuwahara Wholesale
[-5669 PC](#) Amend Title 15A, Chapter 8, Land Uses in the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts , Section 2, Permitted Land Use Matrix by the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts, Revised Ordinances of Sandy City, 2008

Attachments: [Staff Report.pdf](#)

Mike Wilcox presented item to Planning Commission.

Applicant Bruce Parker explained that they disagree with staff recommendation.

Bruce Parker explained why their code change is an appropriate change for the city.

Monica Collard asked if their structures are durable for weather since they do not want to take them down.

Bruce Parker explained that the structures can withstand the snow and rain.

Monica Collard asked why they don't just make it permanent.

Bruce explained that they would require much more structural support and financing.

Dave Bromley asked how long they can keep the plastic cover structure before replacing it.

Alex Kuwahara owner of Kuwahara Wholesale explained that it must be changed every 3 years.

Michael Christopherson asked how tall the greenhouse structures are.

Alex Kuwahara said it is between 6-10 feet depending on the structure.

Monica Collard asked if people will be allowed to go into the structures.

Alex Kuwahara explained that people are allowed in during growing season but not during the off season.

Dave Bromley asked how the structures are anchored.

Alex Kuwahara explained that they are in the ground and cemented.

Michael Christopherson explained that he feels like this proposed code amendment is for a different type of business then what they do and that this isn't the right solution.

Bruce Parker and Alex Kuwahara explained that other cities are making room for companies like them into their codes.

Michael Christopherson explained that he feels like it should be made into a permanent structure and business, not temporary.

Monica Collard asked if they live on site.

Michael Christopherson explained that, that is the second item.

Cory Shupe asked what caused them to want to change the code.

Bruce Parker explained the pressure from the temporary codes to take down structures two days after temp license expires caused them to want to change the code.

Michael Christopherson asked them to speak to the second issue.

Bruce Parker presented second item to Planning Commission.

Dave Bromley asked what their concern is.

Bruce Parker explained that they can't get financing because the commercial zone makes single family dwelling legal non-conforming.

Michael Christopherson asked if there are any other impacts.

Bruce Parker explained that after 12 months of vacancy they can't be occupied as residential.

Cameron Duncan said he still feels like this is a commercial project, not a residential.

Michael Christopherson invited staff back up.

Mike Wilcox explained that Kuwahara is not a temporary business by definition.

Michael Christopherson asked how the city feels about the business in general.

Michael Christopherson asked for clarification if they are a temporary business.

Bruce Parker said they are a temporary business.

Brian McCuiston explained they have not been given a temporary use permit for at least two years.

James Sorenson further explained that they have not gained permits because they are not in compliance to obtain temporary permits.

Mike Wilcox explained all the different things that are out of compliance.

Michael Christopherson asked what the outcome of this motion would be and a better understanding of what was being said.

Monica Collard explained she understands that if they didn't live in the home, which is now zoned as a commercial zone, they could continue operating as a business if they didn't live in the home and the structures came down every six months.

Dave Bromley disagreed. He believes this site would need to go through commercial site plan approvals in order to get approved.

Monica Collard explained that this is a temporary use and not a permanent use.

Darien Alcorn explained that a temporary use permit also requires a site plan.

Mike Wilcox clarified that the development of the property as a commercial property requires a site plan review or a vacant property wanting to have temporary use must meet certain landscape and site plan standards that were established several years ago.

Michael Christopherson asked if that was a yearly or renewal process.

Mike Wilcox explained that a temporary use must either be located on the property that has a permanent business or a vacant lot that has met all developmental standards.

Darien Alcorn explained that this property won't be vacant because there are homes and this site has not been approved as commercial property.

Mike Wilcox explained that Planning Commission needs to evaluate the code amendment requests on their own merit and the standards of the code as given. The Planning Commission should focus their review on whether or not these proposed amendments are conducive to supporting the master plan and general plan for the city and furthering the goals and policies for the city.

Michael Christopherson opened items number four and five to public comment.

Sara Morris, another owner of Kuwahara Wholesale, explained where they started and how they have gotten to where they are.

Randy Keretege, neighbor to Kuwahara, said the greenhouses are not a problem, they are clean, and they have no problems with this business.

Steve Van Maren would like to see a conditional use permit for Kuwahara be granted.

Jessica Roadeigh, owner, explained the history of business with her grandmother and the roots Kuwahara has in the community.

Michael Christopherson closed items four and five to public comment.

Corey Shupe explained that we don't want them to go out of business or lose their home.

Dave Bromley thought that this probably isn't the best approach for this business and matter.

Corey Shupe asked if they should pause and let staff work to make a better solution with Kuwahara.

Michael Christopherson explained that there must be a better solution to come into compliance and keep this business.

Cory Shupe asked if they forward a negative recommendation, will that put Kuwahara out of business.

Monica Collard explained that, these matters are ultimately up to City Council.

Michael Christopherson explained that it sounds like they have multiple compliance issues and how the City decides to enforce that is beyond the scope of what the Planning Commission is responsible for.

Darien Alcorn clarified that Kuwahara does not qualify for a business license and hasn't had a business license for two years.

Michael Christopherson asked why.

Darien Alcorn explained that they both require a site plan.

Monica Collard asked if we should table the item.

Michael Christopherson thinks that tabling won't change anything, and this is out of the scope for the Planning Commission.

A motion was made by Dave Bromley, seconded by Cameron Duncan that the Planning Commission forward a negative recommendation to the City Council to amend a portion of Title 15A, Chapter 8, Land Uses in the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts, Section 2, Permitted Land Use Matrix by the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts, Revised Ordinances of Sandy City 2008, as shown in the applicant's letter based on the following two findings detailed in the staff report

Yes: 5 - Dave Bromley
Monica Collard
Michael Christopherson
Cory Shupe
Cameron Duncan

Absent: 4 - Cyndi Sharkey
Jamie Tsandes
Jeff Lovell
Ron Mortimer



Staff Report

File #:

CODE-08-19-5713_PC(2nd),

Version: 1

Date: 10/3/2019

Agenda Item Title:

Implementing Appendix D of the International Fire Code and Other Miscellaneous Text Amendments Amend Title 15A, Chapter 21, Subdivision Design Standards; Chapter 15, Sensitive Area Overlay Zone; Chapter 20, Residential Development Standards; Chapter 24, Parking, Access and Circulation Requirements; and Chapter 37, Definitions, Revised Ordinances of Sandy City, 2008

Presenter:

Mike Wilcox

Description/Background:

On behalf of the City, the Community Development Department is proposing to amend Title 15A, Chapter 21, Subdivision Design Standards; Chapter 15, Sensitive Area Overlay Zone; Chapter 20, Residential Development Standards; Chapter 24, Commercial and Industrial Development Standards; and Chapter 37, Definitions, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to align our regulations with those of the recently adopted Fire Code Appendices. This proposed amendment also includes some minor text amendments to these sections of code that are unrelated to the Fire Code. These other proposed text amendments are related to other items in the Chapters being amended to align with the Fire Code. Staff is requesting these amendments be adopted at the same time.

This item is back before the Planning Commission due to a public noticing error. This item was originally presented to the Planning Commission during the September 5, 2019 meeting. The minutes from that meeting are attached with the staff report. A full recording of this meeting can be found at <https://sandyutah.legistar.com/Calendar.aspx>.

Recommended Action and/or Suggested Motion:

Staff recommends that the Planning Commission forward a positive recommendation to amend Title 15A, Chapter 21, Subdivision Design Standards; Chapter 15, Sensitive Area Overlay Zone; Chapter 20, Residential Development Standards; Chapter 24, Parking, Access and Circulation Requirements; and Chapter 37, Definitions, Revised Ordinances of Sandy City, 2008 as shown in (Exhibit "A") based on the following findings:

1. Compliance with the Purpose of the Land Development Code by creating consistency and equitable standards in 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.

File #:
CODE-08-19-5713_PC(2nd),
Version: 1

Date: 10/3/2019



JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

August 29, 2019

To: City Council via Planning Commission
From: Community Development Department
Subject: Implementing Appendix D of the International Fire Code and Other Miscellaneous Text Amendments
Amend Title 15A, Chapter 21, Subdivision Design Standards; Chapter 15, Sensitive Area Overlay Zone; Chapter 20, Residential Development Standards; Chapter 24, Parking, Access and Circulation Requirements; and Chapter 37, Definitions, Revised Ordinances of Sandy City, 2008

CODE-08-19-5713

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

REQUEST

On behalf of the City, the Community Development Department is proposing to amend Title 15A, Chapter 21, Subdivision Design Standards; Chapter 15, Sensitive Area Overlay Zone; Chapter 20, Residential Development Standards; Chapter 24, Commercial and Industrial Development Standards; and Chapter 37, Definitions, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to align our regulations with those of the recently adopted Fire Code Appendices. This proposed amendment also includes some minor text amendments to these sections of code that are unrelated to the Fire Code. These other proposed text amendments are related to other items in the Chapters being amended to align with the Fire Code. Staff is requesting these amendments be adopted at the same time.

BACKGROUND

The Fire Department has presented an update to the International Fire Code to both the Planning Commission and City Council. The Appendix D has not been adopted by the City in the past, but that is anticipated to be formally adopted by the City in September. Appendix D, which discusses Fire Department Access regulations, in particular has an impact to the Land Development Code to ensure that both codes are aligned.

ANALYSIS

The following are the main elements proposed to be amended with the adoption of Appendix D of the International Fire Code:

- **Driveways** – A long driveway could be deemed a fire access road to ensure proper Fire Department access is provided by this proposal.
- **Fire Hydrants and Access Roads** - The amendment clarifies certain width requirements around a hydrant.
- **Two Points of Access** – Additional detail and clarification would be added to the requirement for two points of access. Appendix D gives a distance requirement minimum between the access points to a development.
- **Cul-de-sacs** – The proposal would increase the width of a cul-de-sac to match Appendix D. It would also increase the maximum lengths from 400' to 500'. In the Sensitive Area Overlay, they would increase from 600' to 750'.
- **Fire Access Roads** - Establishes that all roads are fire accesses and gives the Fire Marshal the ability to require widths consistent with the Fire Code. It also allows the Fire Marshal to require additional widths to drive aisles, driveways, alleys, etc in order to ensure fire access standards are met. It would also clarify that these roads are to be unobstructed roadways and require "No Parking" signs to help with enforcement.
- **Standard for Private Streets, Lanes, and Alleys** – These regulations have been updated to align with fire access widths.
- **Parking Stall and Aisle Dimensions** – This amendment would require additional parking aisle widths to accommodate fire access.

The following are highlights of the miscellaneous code amendments that are proposed at this time:

- **General Standards** – The proposal would reformat pre-existing regulations into a general requirements section. This would also clarify that these regulations apply to all subdivisions and lots of record.
- **Alteration of Waterways** – The proposed changes would clarify that any alteration of a stream or water way would also need to comply with applicable standards of the Sensitive Area Overlay Zone.
- **Curbs, Gutters, Parkstrips, and Sidewalks** – The proposed amendments would reorganize where these regulations are located (under the street section). It would make these elements required on all public and private streets. This would also clarify the manner in which the Planning Commission can review request to modify or eliminate these required improvements.
- **Driveways** – The proposed changes would eliminate duplicated regulations between chapters. It also would clarify some design criteria on distances from intersections. It would clarify when a driveway is required and the design criteria to build them.
- **Eliminates incentives for Private Streets** – The City requires public streets and public frontage on development. However, the current code has provisions that would make using private streets more advantageous to the developer. The proposed revisions would eliminate the ability for a developer to count the street as part of the required lot size. It would also treat private and public streets equally in terms of required widths and side treatments.
- **Standards and Definitions for Alleys and Mews** – The proposal would create new regulations for alleys and pedestrian mews. These elements are being used in mixed-use and PUD developments, but our codes lacked standards. This would create a consistent set of rules to govern these.

- **Trails and Walkways** – The proposal would add the Trails Master plan as support for the requirement to install trails and walkways.
- **Standard Specifications Reference** – The amendment simplifies the reference to the City’s Standard Specifications and Details for Municipal Construction (sometimes referred to SCSSDMC) to simple read: “Standard Specifications”.
- **Flag Lots** – The amendment clarifies that the stem or pole of the flag shall follow the private lane standards and that no flag lots shall be allowed at the end of a cul-de-sac or other private road terminus.
- **Parking Stall and Aisle Dimensions** – The amendments include provisions to implement low impact development (LID) standards for storm water mitigation by allowing some minor modification to required parking size and required landscape areas.
- **Garage Parking** – The amendment would clarify that these structures shall be used for the parking of vehicles only and not to be used for storage. It also clarifies that the minimum garage dimensions shall not allow for encroachment of stairs or other protrusions that would effectively reduce the size of the garage area.
- **Clarified Residential Parking Standards** – The parking requirement tables have been slightly amended to provide clarity to the standards for Single Family and Multi-family developments. It also would create a base guest standard for small multi-family developments to ensure we have adequate guest parking for all sizes of developments. These standards would be consistent across all zones, including PUD.
- **Reduced Parking Requests** – The proposed amendment would allow one additional justification for a reduction to the required parking tables, which is for developments providing low to moderate income housing.
- **Coordinated Driveway Regulations** – Eliminated duplicate regulations in different chapters and moved language to the appropriate chapters.
- **Positions of Authority** – The Land Development Code refers to the Director, which at the beginning of the code clarifies that this is to mean the Community Development Director. The State Code also references the City Engineer and Fire Marshal as authorities for the City regarding local engineering standards and fire codes respectively. Other city positions serve under the direction of those authorities and do not need to be named individually. The proposed amendments make these references consistent. The proposed amendments ensure the correct position of authority is making recommendations or decisions in the appropriate sections of code.

The clean version of all final proposed text of each affected chapter 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 use 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 certain new development proposals can be regulated. These regulations would help promote the health, safety and welfare of our residents.

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 amend Title 15A, Chapter 21, Subdivision Design Standards; Chapter 15, Sensitive Area Overlay Zone; Chapter 20, Residential Development Standards; Chapter 24, Parking, Access and Circulation Requirements; and Chapter 37, Definitions, Revised Ordinances of Sandy City, 2008 as shown in (Exhibit "A") based on the following findings:

- 1. Compliance with the Purpose of the Land Development Code by creating consistency and equitable standards in 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:



Mike Wilcox
Zoning Administrator

File Name: S:\USERS\PLN\STAFFRPT\2019\CODE-08-19-5713_IMPLEMENTING APPENDIX D\STAFF REPORT.DOCX

Exhibit "A"

The following are the proposed changes to the Land Development Code (clean). The proposed changes are shown as though the City Code has been readopted and the Municode system is in place, rather than updating and amending the current code. With the update to Municode, the Land Development Code is now under Section 21 of the City Code. There are also difference in style and formatting so numbering and labeling of subsections are different. Below is a cross reference guide between the current and the proposed section references:

Chapter Name	Current Section Reference	Municode Section Reference
Land Development Code	Title 15A	Title 21
Sensitive Area Overlay Zone	Chapter 15A-15	Chapter 21-15
Residential Development Standards	Chapter 15A-20	Chapter 21-20
Subdivision Design Standards	Chapter 15A-21	Chapter 21-21
Parking, Access and Circulation Requirements	Chapter 15A-24	Chapter 21-24
Definitions	Chapter 15A-37	Chapter 21-37

CHAPTER 21-15. - SENSITIVE AREA OVERLAY ZONE

Sec. 21-15-4. - Development Standards for Sensitive Areas.

- (7) *Streets and Ways.* Streets, roadways, and private streets, lanes and driveways shall follow as nearly as possible the natural terrain minimizing cuts and fills. In addition to the standards identified in Chapter 21-21, the following additional standards shall apply:
- a. Access easements shall be provided to all adjoining developed and non-developed areas for emergency and firefighting equipment when determined necessary by the Fire Marshal. Driveways located upon each lot extending beyond 150 feet from a public or private street may be deemed a Fire Department access road, as determined by the Fire Marshal, and must follow the design requirements of a private lane.
 - b. A cul-de-sac is permitted up 750 feet in length. It may exceed 750 feet in length through a special exception reviewed by the Planning Commission. This request to extend the length of the cul-de-sac requires a recommendation from the Director and City Engineer. The following shall be evaluated in reviewing the special exception:
 1. Based upon the subject property's geographical constraints, it can be demonstrated that extending the road would better accomplish the stated purposes of this chapter.
 2. It can be demonstrated that public safety will be improved above existing conditions.
 - c. Variations of the street design standards developed to solve special visual aesthetics and functional problems may be presented to the Planning Commission upon recommendation from the City Engineer for consideration and approval. Examples of such variations may be the use of split roadways to avoid deep cuts, one-way streets, modifications of surface drainage treatments, sidewalk design, or the extension of a cul-de-sac.
 - d. Development sites which are located near canyon trails shall provide access to those trails. Parking areas at trailheads may be required by the Planning Commission.
 - e. The maximum amount of impervious surface for streets and roadways shall not exceed 20 percent of the entire development site.
 - f. The maximum grade of all streets or rights-of-way for vehicle traffic shall be 10 percent, unless permitted by the City Engineer and Fire Marshal.

Sec. 21-20-7. - Planned Unit Development District (PUD).

- (3) *Development Requirements.* To be approved, a planned unit development project must show a high commitment to excellence, ensuring better quality of life for future tenants and be compatible with adjacent residential areas. The following are required for all planned unit development projects:
- a. *Ownership.* The development shall be in single or corporate ownership at the time of application or the subject of an application filed jointly by all owners of the property.
 - b. *Open Space.* Unless otherwise approved by the Planning Commission, common and private open space shall be provided and shall not cover less than 40 percent of the gross site area. The required open space shall be land areas that are not occupied by buildings, structures, parking areas, streets, or alleys and shall be accessible by the residents. Said open space shall be devoted to landscaping, preservation of natural features, patios, and recreational areas. Private open space (that provided for each dwelling unit for personal use) shall be located immediately adjacent to, attached to, or within the dwelling unit it is designed to serve and shall be for the exclusive use of the residents of the dwelling unit. Common open space may be distributed throughout the planned unit development and need not be in a single large area. Landscaped roof areas or decks attached to individual units may not be calculated as part of required common open space. Open space within a Sensitive Area Overlay Zone shall require conditional use approval. These areas may include, but are not limited to, 30 percent or greater slope areas, fault zones, floodplains, high water table, and wetlands. These areas may only be included as open space when they have been designed as an integral part of the project.
 - c. *Interior Streets.* The design of public and private streets within a planned unit development shall follow City standards for width of right-of-way and construction. Existing City standards of design and construction may be modified as allowed in this code. The interior street system in an entire planned unit development project shall be dedicated to the City as a utility easement. All private streets shall be conveyed to a private association. The original developer/builder will also be required to establish a City-approved road maintenance fund for all private streets. This provision will be required in the CC&Rs for all projects with a private street system.
 - d. *Parking.* The minimum parking requirements outlined in this code shall be adhered to except as allowed herein.
 1. All parking areas, covered or open, shall have a landscaped buffer adjacent to any public right-of-way.
 2. There shall be no less than 1.5 covered parking spaces (1.0 carports, 0.5 garages) per unit. The Planning Commission may consider the following criteria in determining whether or not the number of garages/carports should be increased or reduced:
 - (i) The topography of the proposed site.
 - (ii) To enhance and protect local property values of adjacent developments and neighborhoods.
 - (iii) To improve the overall appearance of the development for the density of units (e.g., attached garages and underground garages).
 - (iv) Review the location of all garages and may require that they be attached or underground for the multifamily units. All covered parking shall be placed in locations adjacent and convenient to the buildings that they are intended to serve.
 - (v) To assist the project in reaching affordable rent levels for low and moderate income individuals as determined by the U.S. Department of Housing and Urban Development.

- (vi) Garages shall be used for vehicle parking only.
 - (vii) Tandem spaces shall be counted only as one space.
 - e. *Building Materials.* Building materials, roofing materials, and building design shall be reviewed and approved by the Planning Commission. High-quality exterior materials shall be used, including brick, stone, synthetic stucco, prefinished panel, composite materials, or other materials of similar quality, durability, and low maintenance.
 - f. *Landscaping on Public Right-of-Way.* Where a planned unit development is adjacent to a public right-of-way, a permanent open space at least ten feet in width shall be required along the property lines. This area shall be kept free of buildings and structures (except fences as approved by the Planning Commission) and permanently maintained in street trees and other landscaping, screened or protected by natural features, or as approved by the Planning Commission.
 - g. *Exterior Fencing.* Exterior fencing shall be provided as approved by the Planning Commission. Acceptable fencing materials include architecturally-designed brick or block fences, wrought iron fences, post and rail fences, vinyl fences, pre-cast concrete, or structural wood fences with square metal posts with tongue-in-groove redwood siding and redwood for all other wood members. Additional landscape buffers may also be required with the width and landscaping specifications as determined by the Planning Commission.
 - h. *Street Lights.* Appropriate street lighting is required. If the streets are to be dedicated to the public, the lights shall comply with the City's Street Light Plan. If the streets are private, the lights may be altered, but must be approved by the Planning Commission. The applicant shall submit a plan which indicates the type and location of street lights in relation to the proposed site landscaping.
- (4) *Development Standards.*
- a. *Required Elements.* Residential developments shall be guided by a total design plan in which the following development standards may be varied to allow flexibility and creativity in site design, building design, and location. The Planning Commission may require such arrangements of structures, open spaces, landscaping, buffering, and access within the site development plan as they determine appropriate. The Commission may require specific setbacks, a lower residential density, and a height limitation. This criteria shall be used by the Planning Commission principally to ensure the design objectives in this section of this chapter are met.
 - 1. *Feasible Development.* A planned unit development shall be of sufficient size, composition, and arrangement to enable its feasibility as a complete development.
 - 2. *Density.* The density allowed for a planned unit development shall be no greater than the zone in which it is located.
 - 3. *Site Calculations.* Specific calculations addressing the percentage of open space (common and private), impervious versus pervious coverage, and site improvements must be submitted with all project applications.
 - 4. *Lot Requirements.* No specific yard, setback, or lot size requirement shall be imposed in the planned unit development. However, the purpose and objectives of this section must be complied with in the final development plan. The Planning Commission may require certain setbacks within all or a portion of the planned unit development.
 - 5. *Traffic Circulation.* Points of primary vehicular access to the planned unit development shall be designed to provide smooth traffic flow with controlled turning movements and minimum hazards to vehicular, pedestrian, and bicycle traffic. Minor streets within the planned unit development shall not be connected to streets outside the development in such a manner as to encourage their use by through traffic. Adequate emergency vehicle access shall be provided.

6. *Driveways and Alleys.* A private driveway or alley must comply with all established standards in this code.
7. *Privacy.* Each planned unit development shall provide reasonable visual and acoustical privacy for dwelling units. Fences, insulation, walls, barriers, landscaping, and sound-reducing construction techniques shall be used as appropriate for the aesthetic enhancement of the property, the privacy of its occupants, the screening of objectionable views or uses, and the reduction of noise.
8. *Noise Attenuation.* When, in the opinion of the Director, a proposed planned unit development may be situated in a noisy environment which will adversely affect the peace, tranquility, and privacy of its inhabitants or surrounding inhabitants, an acoustical analysis may be required. Said analysis shall be conducted by a qualified acoustical engineer and include a description of the noise environment and the construction or other methods necessary to attenuate the noise to the required level according to the noise standards of Chapter 13-2.
9. *Security.* The development shall be designed to support security services, taking into account public safety recommendations from the Police Department.
10. *Pedestrian and Bicycle Paths.* Where appropriate, the internal circulation system shall provide pedestrian and bicycle paths which may be physically separated from vehicular traffic to serve residential, nonresidential, and recreational facilities in or adjacent to the development. The Planning Commission may require connections to regional trail systems, activity centers, pedestrian and/or bicycle overpasses, underpasses, or traffic signalization in the vicinity of schools, playgrounds, parks, shopping areas, or other uses that will receive considerable pedestrian and/or recreational trails use from the development.

CHAPTER 21-21. - SUBDIVISION DESIGN STANDARDS³

Footnotes:

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State Law reference— Subdivision regulations, U.C.A. 1953, § 10-9a-601 et seq.

Sec. 21-21-1. - Purpose.

The purposes of this chapter are:

- (1) To promote the health, safety and general welfare of the residents of Sandy City.
- (2) To provide for the orderly development of the City, with adequate provisions for traffic, light, air, recreation, transportation, water, drainage, sewage, and other public requirements.

(LDC 2008, § 15A-21-01)

Sec. 21-21-2. – General Development Standards.

The standards and improvements required of this chapter shall apply to all development within Sandy City (unless modified or eliminated as allowed herein), whether a subdivision is required or not (e.g. lot of record). All standards found herein shall also be in conformance to the Sandy City Standard Specifications and Details for Municipal Construction (herein known as "Standard Specifications", as adopted by Sandy City. City inspections are required for the installation of all required improvements. If the developer/builder/owner fails to have the City inspection prior to installation, the City Engineer may require remedial action, including, but not limited to, the removal and replacement of the improvements in question.

(LDC 2008, § 15A-21-02)

Sec. 21-21-3. - Residential Driveways.

- (a) Driveways shall be provided for all residential building lots to access the primary garage. A driveway is not required to access a detached structure. If the access to the structure is used to store vehicles, then the surface must be paved. The drive approach for the driveway shall be a minimum width of 12 feet and shall not exceed the maximum width of 36 feet. A secondary drive approach may be permitted upon review and approval by the City Engineer as permitted in this code.(b) No downsloping driveways shall be permitted unless otherwise approved by the City Engineer due to unusual topographic constraints. The driveway must maintain a positive slope away from the home as required by the International Building Code.
- (c) The minimum grade at which a driveway shall be allowed to be built is two percent slope, and the maximum grade at which a driveway shall be allowed to be built is 12 percent slope, except as hereafter provided. The City Engineer, under exceptional circumstances, may approve driveway slopes having a grade exceeding 12 percent and may impose conditions of approval to mitigate any hazards created by the steepness of the driveway.

- (d) Residential driveways shall be constructed in compliance with the Standard Specifications.
- (e) A driveway that exceeds 150 feet in length may be deemed a Fire Department access road, as determined by the Fire Marshal, and must follow the design requirements of a private lane.

(LDC 2008, § 15A-21-03)

Sec. 21-21-4. - Culinary Water Systems.

- (a) The developer shall extend culinary water systems to each lot within a subdivision and shall be in conformance with the Standard Specifications. The developer shall install water lines and laterals throughout the subdivision, extending to the farthest boundaries thereof, or beyond as may be determined by the City as necessary to provide service.
- (b) All water utility trenches within Sandy City rights-of-way shall be compacted in conformance with the Standard Specifications. All trenches located outside of Sandy City rights-of-way and located beneath the driveway or within five feet of any public improvement shall be backfilled in 12-inch maximum lifts and mechanically compacted. Backfill and compaction operations shall be certified in writing to the City Engineer by the developer/builder through his licensed professional prior to the City issuing a Certificate of Occupancy. The location of the ends of all water laterals shall be located and marked at the property line by the developer.

(LDC 2008, § 15A-21-04)

Sec. 21-21-5. - Fire Hydrants.

Fire hydrants shall be installed by the developer in accordance with the Standard Specifications, the International Fire Code, and other local ordinances at locations designated by the Fire Department as approved on the City-approved construction drawings. The roadway where a hydrant is located is a fire access road; the minimum roadway width shall be 26 feet within 20 feet of the hydrant.

(LDC 2008, § 15A-21-05)

Sec. 21-21-6. - Sanitary Sewer and Other Utility Systems.

- (a) *Construction.*
 - (1) The developer shall extend sanitary sewer systems to each lot in a subdivision in conformance with the requirements of the responsible sewer district and the Standard Specifications. The developer shall install main sewer lines and laterals throughout the entire subdivision, extending to the farthest boundaries thereof or beyond as determined by the City, or appropriate sewer district to be necessary to provide service.
 - (2) All sanitary sewer trenches within Sandy City rights-of-way shall be compacted in conformance with the Standard Specifications. All trenches located outside of Sandy City rights-of-way located beneath the driveway or within five feet of any public improvement shall be backfilled in 12-inch maximum lifts and mechanically compacted. Backfill and compaction operations shall be certified in writing to the City Engineer by the developer/builder through his licensed professional prior to the City issuing a Certificate of Occupancy. The developer shall locate and mark at the property line the location of the ends of sanitary sewer laterals. All new dwellings shall connect to proper sanitary facilities. This shall be reviewed as part of the building permit process.
 - (3) All trenches for utility installation within Sandy City rights-of-way shall be compacted in conformance with the Standard Specifications. All trenches located outside of Sandy City rights-of-way located beneath the driveway or within five feet of any public improvement shall be backfilled in 12-inch maximum lifts and mechanically compacted. Backfill and compaction

operations shall be certified in writing to the City Engineer by the developer/builder through his licensed professional prior to the City issuing a Certificate of Occupancy.

(b) *Connection.*

- (1) *Mandatory.* The owner or occupant of real property on which a building has been or is being constructed shall connect such building to the sewer system within 60 days after receiving written notice from the District or City that facilities of the sewer system are available for connection to the building, if any part of such facilities of the sewer system are available for connection to the building, or if any part of such facilities is situated within 300 feet of any point of any property line of such property.
- (2) *Subsequent Use of Private Systems.* If connection to the sewer system is required pursuant to the previous subsection, the owner or occupant thereby required to connect shall immediately plug any septic tank or privy vault, remove any outhouse, fill with earth any cesspool located on his property, and make no further use of those or any other privately owned facilities for final sewage disposal. Any cesspool, outhouse, or unplugged septic tank or privy vault on property required to be connected to the sewer system is hereby declared to be a public nuisance.
- (3) *Construction of Private System.* No person shall construct or cause to be constructed a septic tank or other privately owned means of final sewage disposal on property required to be connected to the sewer system by Subsection (b)(1) of this section.
- (4) *Building Approval.* No newly constructed building required to be connected by Subsection (b)(1) of this section shall be issued a building permit approved for human occupancy if such building is not connected to the sewer system.
- (5) *Conditions.* Nothing in this part as adopted shall be construed as creating any obligation on the part of the District or the City to connect any property to the Sewer System or retain any connection to the sewer system. The District may impose reasonable conditions and requirements for sewer connection without affecting the obligation of a private person to either connect to the sewer system, discontinue use of a private system, or otherwise comply with this section.

(Revised Ords. 1978, § 18-1-6; LDC 2008, § 15A-21-06)

Sec. 21-21-7. - Drainage Systems.

Surface water runoff drainage systems shall be designed to handle all runoff generated within the subdivision by a ten-year three-hour storm and routing of water generated by a 100-year, 72-hour storm. Such systems shall be designed and installed by the developer according to the Standard Specifications.

(LDC 2008, § 15A-21-07)

Sec. 21-21-9. - Alteration or Relocation of Natural Waterways.

- (a) A request for alteration or relocation of a natural waterway shall first be submitted to the City Engineer and Public Utilities Director to ensure the following:
 - (1) The flow capacity and velocity of the waterway will not change with the proposed alteration or relocation.
 - (2) The soils conditions in the proposed location will not increase flooding potential.
 - (3) The proposed waterway can be maintained.
 - (4) Comply with applicable provisions of the Sensitive Area Overlay Zone.

- (b) After approval by the City Engineer and Public Utilities Director, alteration or relocation of any natural waterway shall be submitted and approved by the State Engineer's Office, Army Corps of Engineers (if jurisdictional wetlands are affected), and the Salt Lake County Flood Control Department, or its successor.

(LDC 2008, § 15A-21-09)

Sec. 21-21-10. - Street Standards for All Types.

- (a) All roads and roadway features are required to meet minimum geometric design standards established by the American Association of State Highway and Transportation Officials (AASHTO). All street and right-of-way improvements shall be designed and constructed in accordance with the Standard Specifications. All signs, pavement markings, and traffic control signals must meet standards established by the Manual on Uniform Control Devices (MUTCD), and related roadway standards established by state, federal, or local law. Exceptions to applicable State and Federal standards may be granted by the City Engineer on a case-by-case basis and shall demonstrate innovative superiority or other advantages over existing standards.
- (b) The arrangement, character, extent, width, grade, and location of all streets shall conform to the Transportation Master Plan and shall be considered in their relation to existing and planned streets, topographical conditions, public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.
- (c) Where the Transportation Master Plan does not show proposed streets, the arrangement of streets in a subdivision shall either:
 - (1) Provide for the continuation or appropriate projection of existing principal streets in surrounding areas (providing for neighborhood connectivity with the purpose of spreading traffic); or
 - (2) Conform to a plan for the neighborhood approved or adopted by the Planning Commission, after considering a recommendation by the City Engineer, to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.
- (d) At least two points of ingress/egress shall be provided for each subdivision, PUD, or multifamily project. They shall be located at a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property area to be served, measured in a straight line between accesses.
 - (1) *Special Exception.* The Planning Commission may grant a special exception to allow a subdivision to have only one point of ingress/egress, after considering a recommendation from the Director and City Engineer, under the following circumstances:
 - a. 30 or fewer lots/units are accessed from the single ingress/egress;
 - b. The Director and City Engineer have reviewed the potential for impairment of such single access resulting from vehicle congestion, condition of the terrain, climatic conditions or other factors that could limit access and have made either a positive or negative recommendation to the Planning Commission with regards to a single point of ingress/egress; and
 - c. The proposed development project has one or more of the following, as determined and recommended for approval or denial by the Director and City Engineer to the Planning Commission:
 - 1. One or more cul-de-sacs, hammerheads, or other approved turn-arounds that comply with all development standards herein.
 - 2. An emergency access (a point of ingress/egress that provides access for emergency vehicles to respond to a building, or facility, in the event the main access is compromised. The design of this access must meet the International Fire Code).

3. The future extension of a stub street that will provide additional access, including a temporary turn-around.
 4. All buildings are equipped throughout with automatic sprinkler systems approved by the Fire Marshal and Chief Building Official.
- (e) Stub streets that are longer than 150 feet shall have a temporary turn-around as approved by the City Engineer and Fire Marshal. A temporary turn-around on a public street may include all approved types adopted in the Standard Specifications. The turn-around may be eliminated or repurposed once the stub street is connected as a through street.
- (f) Street right-of-way widths shall be as shown on the Transportation Master Plan and, where not shown therein, shall not be less than the following (unless modified by a waiver or special exception as allowed herein):

<i>Street Type</i>	<i>Right-of-Way Width</i>
Major arterial	108+ feet
Minor arterial	86 feet
Major collector	82 feet
Minor collector	68 feet
Local	52 feet
Private street	32 feet (27 feet pavement width minimum)
Private lane	20 feet pavement width minimum
Alley	26 feet (20 feet pavement minimum (one-way))
	30 feet (24 feet pavement minimum (two-way))
Pedestrian Mew	26 feet (8 feet pavement width)

- (g) Half streets are prohibited.
- (1) *Special Exception.* The Planning Commission may grant a special exception to allow less than a full-width dedication and improvements only in the following circumstances:
- a. Where it can be shown by the developer that it is essential to the development of the subdivision;

- b. All other aspects of the subdivision are in conformance with the other requirements of these regulations;
 - c. The City Engineer recommends to the Planning Commission that it will be practicable to require the dedication and improvements to the other half when the adjoining property is developed upon reviewing a neighborhood master plan;
 - d. A minimum pavement width of 20 feet will be required as recommended by the City Engineer; and
 - e. Conformance with Fire Access Roads requirements.
- (h) A cul-de-sac is discouraged, but may be permitted on local streets and shall be terminated by a turn-around of not less than 97 feet in diameter, as measured from top back of curb to top back of curb. This is the only type of permitted termini for a public street. A cul-de-sac shall not exceed 500 feet in length in a residential zone. A cul-de-sac length is measured from its intersection with another street to the end of top back of curb of the cul-de-sac turn-around.
 - (i) Streets shall be laid out so as to intersect as nearly as possible at right angles. The City Engineer may approve minor deviations of up to 10 degrees.
 - (j) No street names shall be used which will duplicate the names of existing streets. Street names are subject to the approval of the Salt Lake County.
 - (k) Local streets shall be laid out to provide neighborhood connectivity so that traffic is distributed out evenly.
 - (l) Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the Planning Commission may require a local access street approximately parallel to and on each side of such right-of-way.
 - (m) Where a subdivision abuts or contains existing back-facing lots or a proposed arterial or collector street, the Planning Commission may require local access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with rear service alleys, or other such treatment as may be necessary for adequate protection of residential properties and to provide separation of thru and local traffic.
 - (n) Curbs, gutters, parkstrips, and sidewalks shall be required on all existing and proposed public and private street frontage of any lot within a subdivision or legal buildable parcel in conformance with the Standard Specifications. The Planning Commission may grant a special exception to waive any of these improvements, after considering a recommendation from the Director and City Engineer. They shall consider and evaluate the following criteria:
 - (1) The number of homes within the subdivision;
 - (2) The length of a cul-de-sac;
 - (3) The precedence of adjoining improvements;
 - (4) The configuration of lots;
 - (5) Where the only other alternative is a private road design;
 - (6) Flood control and storm drainage;
 - (7) Pedestrian safety and walkable element demands;
 - (8) The proposal equitably balances the needs of the public and presents the most efficient use of land;
 - (9) The potential negative impacts created by the waiver(s); and
 - (10) The cumulative effect of all the waivers and any other exceptions requested for the development.

- (o) The Fire Marshal, Police Chief, and City Engineer are authorized to recommend an approval or denial to the Planning Commission for the installation of security gates across Fire Department access roads if all of the following criteria can be met:
- (1) Compliance with the International Fire Code.
 - (2) Gates are placed on private or common area property and must be located at least 20 feet from the public right-of-way.
 - (3) Gates are not within an area designated as a sight triangle by the City Engineer.
 - (4) A turn-around shall be provided at the entrance of the gate for passenger cars. This will require a minimum of a 30-foot road width and a 12-foot opening in any potential median prior to the gate.
 - (5) The minimum gate width shall be 20 feet. When a divided roadway is proposed, the gate width shall not be less than 12 feet.
 - (6) Gates shall be of the swinging or sliding type.
 - (7) Construction of gates shall be of materials that allow manual operation by one person.
 - (8) Gate components shall be maintained and operational at all times and replaced or repaired when defective. Should the gate not be operational, the gate shall be left in an open position or removed until it can be certified by the Fire Marshal through an independent vendor that it functions properly.
 - (9) Electric gates shall be equipped with a means of opening the gate by Fire Department personnel for emergency access. Emergency opening devices shall be approved by the Fire Marshal.
 - (10) Manual opening gates shall not be locked with a padlock or a chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box is installed containing the keys to the lock.
 - (11) Locking device specifications shall be submitted to the Fire Marshal for approval.
 - (12) For all electronic gates, the HOA or private lane/gate owners shall apply for an annual gate permit and supply verification of yearly maintenance records with two phone numbers for responsible parties to the Fire Marshal.
- (p) Bollards are prohibited within any public or private right-of-way, unless permission is granted by the Director and City Engineer based upon the need for restricted vehicle access and protection of fire hydrants.
- (q) All streets are to be designed to serve as a Fire Department access road. Said roads shall not exceed 10% slope except as approved by the Fire Marshal and City Engineer. They cannot be varied less than 20 feet to 26 feet. To ensure access is maintained, roadways with less than 26 feet of width shall have "No Parking, Fire Lane" signs at locations deemed appropriate by the Fire Marshal. Roadways with widths between 26 feet and 32 feet shall be required to have the same signs on one side of street.

(LDC 2008, § 15A-21-10; Ord. No. 14-29, 9-28-2014)

Sec. 21-21-11. - Additional Standards for Private Streets/Lanes/Alleys/Pedestrian Mew.

- (a) Public street systems shall be required for access to all residential dwellings, unless it is demonstrated by the developer that a public street cannot be constructed due to the following issues: property width, connectivity (or the inability to connect to the existing street patterns), topographical concerns, overall subdivision design, utility connections, and the ability to provide service, which includes, but is not limited to, snow plowing, street sweeping, trash collection and overall street maintenance.
- (b) If a private street/lane/alley/pedestrian mew is allowed by the Planning Commission through a Special Exception, the private street/lane may not be counted toward the lots square footage to meet the minimum lot size of the zone. A Capital Reserve Study (as per the Condominium Ownership Act

(U.C.A. 1953, § 57-8-1 et seq.) and the Community Association Act (U.C.A. 1953, § 57-8a-101 et seq.) will be required and a Reserve Fund shall be established for the Homeowners' Association, based on the study, so that the street is continually maintained as designed. Street maintenance, sweeping and snow/trash removal is the responsibility of the Homeowners' Association.

- (c) A private street shall be designed and function similar to a public road. They shall provide frontage and access (guaranteed through a shared access easement) to each lot it serves. Either it must be designed to be owned commonly on its own parcel or the lots that front onto the street must own to the center of the road. Existing roads that provide access to legally subdivided lots, or lots of record, may be allowed to remain at current widths unless it does not meet current Fire Code standards. If it does not meet current fire standards, upon any new development application, the subject property will be required to comply with current development standards. The following regulations apply to all proposed new developments:
 - (1) Approved private streets for access to residential dwelling structures shall have a 27-foot minimum width paved surface (32-foot right-of-way). The Planning Commission may grant a special exception to allow less than a 27-foot pavement width, after considering a recommendation from the Director and City Engineer. They shall consider and evaluate the following criteria for a narrower pavement width:
 - a. Existing site conditions, topography, improvements, etc.;
 - b. Compliance with International Fire Code requirements and water availability;
 - c. Number of lots based on zoning;
 - d. Lot dimensions including frontage;
 - e. Flood control and storm drain;
 - f. Public utilities;
 - g. The proposal equitably balances the needs of the public and presents the most efficient use of land;
 - (h) The potential negative impacts created by the exception(s); and
 - (i) The cumulative effect of all the waivers and other exceptions requested for the development.
 - (2) Private streets shall have appropriate turn-arounds at the termini of the road as required by the Standard Specifications.
 - (3) A full-size fire apparatus must be able to negotiate the roadway without any backing maneuvers to the termini of the roadway. The applicant must demonstrate compliance through turn movement modeling software (using a vehicle type similar to that of a fire apparatus) that is approved by the City Engineer.
 - (4) Private streets that have less than 27 feet of pavement width shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances for fire access roads shall be maintained at all times. To ensure access is maintained, roadways with less than 26 feet of width shall have "No Parking, Fire Lane" signs at locations deemed appropriate by the Director and Fire Marshal.
 - (6) All private streets, including termini, shall be constructed in accordance with the latest edition of the Standard Specifications, the International Fire Code, this title, and all other applicable City ordinances.
- (e) A private lane shall be utilized to provide access for up to two residential lots that do not have frontage to a public or private roadway. They shall be unnamed nor given a street coordinate. They shall be

less than 150 feet in length, as measured from the top back of curb of the intersecting street to the edge of the pavement or required terminus of the lane.

- (1) They shall have a 20-foot minimum width paved surface. A full size fire apparatus must be able to negotiate the roadway without any backing maneuvers to the termini of the roadway. The applicant must demonstrate compliance through turn movement modeling software that is approved by the City Engineer. (using a vehicle type similar to that of a fire apparatus).
 - (2) The Director, City Engineer, and Fire Marshal shall have the authority to require an increase in the minimum widths if:
 - a. They determine that a 20-foot width is inadequate for fire or fire rescue operations.
 - b. After consideration of the potential for vehicle congestion, condition of terrain, climactic conditions or other factors would limit access.
 - (3) Private lanes shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances shall be maintained at all times. Street maintenance, sweeping, and snow/trash removal is the responsibility of the lot owners which access the private lane.
 - (4) All private lanes shall be constructed to meet Public Utility Department requirements related to water and storm drainage.
 - (5) The Planning Commission may grant a special exception to exceed the length beyond 150 feet, after recommendation from the Director and City Engineer. These individuals will consider the following conditions when making a recommendation to the Planning Commission for approval of a longer private lane:
 - a. Proximity of buildable space;
 - b. Appropriately designed turn-around;
 - c. Slopes;
 - d. Fire hydrants; and
 - e. Service delivery
 - (6) All private lanes, including termini, shall be constructed in accordance with the latest edition of the Standard Specifications, this title, the International Fire Code, and all other applicable City ordinances.
- (f) An alley may be utilized to provide rear access to a mixed-use or PUD development only, so long as the development has primary access to a public or private street or a pedestrian mew. The alley is meant to serve primarily as a utility and vehicle service corridor.
- (1) An alley shall have a 20-foot minimum width paved surface for a one-way road, and shall have a 24-foot minimum paved surface for a two-way road. A full size fire apparatus must be able to negotiate the roadway without any backing maneuvers to the termini of the roadway. The applicant must demonstrate compliance through turn movement modeling software that is approved by the City Engineer. (using a vehicle type similar to that of a fire apparatus).
 - (2) The City Engineer and Fire Marshal shall have the authority to require an increase in the minimum widths if:
 - a. They determine that the width is inadequate for fire or fire rescue operations.
 - b. After consideration of the potential for vehicle congestion, condition of terrain, climactic conditions or other factors would that limit access.
 - (3) An alley shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances shall be maintained at all times. Maintenance, sweeping, and snow/trash removal is the responsibility of the lot owners which access the alley.

- (4) All alleys shall be constructed to meet Public Utility Department requirements related to water and storm drainage.
- (5) A structure shall be placed no closer than three feet to the alley.
- (6) Access driveways to the alley shall be no more than three feet in depth to a garage. Alternatively, the driveway shall be a minimum 20-foot depth to allow for off street vehicle parking.
- (g) A pedestrian mew may be utilized to provide primary building access and serve as building frontage to a mixed-use or PUD development only if the mew connects to a public or private street network. These shall be named and given coordinates like a street as they serve as the primary frontage to a building. These are to be used in conjunction with an alley or parking lot drive aisle to provide vehicular access to the development.

(LDC 2008, § 15A-21-11; Ord. No. 14-29, 9-28-2014)

Sec. 21-21-12. - Buffering Along Streets.

Residential developments shall not permit motor vehicle access directly onto an arterial street or roadway from individual residential lots. No new residential developments shall be permitted within the City, which abut an arterial without requiring improvements along the entire length of the development as it abuts the arterial street. The following standards shall apply:

- (1) The Planning Commission may require a barrier wall six feet in height (measured from the highest elevation on either side of the wall). Where soil retention is required, walls may be up to eight feet in height (retaining wall and barrier wall combined). Wall design and coloration shall be determined by the Planning Commission. The use of alternative wall materials, appearance, and color is encouraged. Concrete strips placed at the base of the fence shall be required to eliminate gaps between walls and sidewalks.
- (2) Curb, gutter, and sidewalk shall be designed to specifications approved by the City Engineer.
- (3) A landscaped buffer between the sidewalk and street curb shall be installed according to Standard Specifications. In order to facilitate the planting of street trees, an eight-foot parkstrip and five-foot sidewalk is the standard requirement. Reduced parkstrip and sidewalk width may be approved based upon the size, scale, and nature of the project, and the type of existing improvements on adjacent properties. However, a ten-foot cross-section (five-foot parkstrip, five-foot sidewalk) is a minimum and may necessitate tree planting behind the sidewalk.
- (4) Sprinkling system and water connections sufficient to maintain landscaping in all buffer areas shall be approved by the Public Utilities Department and Parks and Recreation Department.
- (5) An additional landscaped buffer, including sprinkling and water connections, may be required by the Planning Commission between the sidewalk and barrier wall, where it is impractical for the barrier wall to abut the sidewalk. The specific width of the buffer and landscaping specifications shall be determined by the Planning Commission upon recommendation by the Parks and Recreation Director at the time of subdivision review.

(LDC 2008, § 15A-21-12)

Sec. 21-21-14. - Block Length.

- (a) The lengths, width, and shapes of blocks shall be determined by the following:
 - (1) Provision of adequate building sites suitable to the special needs of the type of use contemplated.
 - (2) Zoning requirements as to lot size and dimensions.

- (3) Needs for convenient access, circulation, control, and safety of street traffic.
- (4) Limitations and opportunities of topography.
- (b) Block lengths shall not exceed 1,200 feet.
- (c) Pedestrian crosswalks shall be required where deemed essential to provide circulation or access to churches, schools, playgrounds, shopping centers, transportation, and other community facilities in accordance with the Standard Specifications.

(LDC 2008, § 15A-21-14)

Sec. 21-21-16. - Walkways and Trails.

- (a) Walkways and trails with a width of six to ten feet may be required within a subdivision. This will be determined on a case-by-case basis after review by the Director based on the City's approved Trails Master Plan.
- (b) The developer may be required to dedicate a sufficient amount of property to be used exclusively as a pedestrian access walkway. Such parcels to be dedicated shall be located in a position within the development as may be determined by the Planning Commission. The parcel shall also be of a size large enough to allow for such a walkway, such size to be determined by the Planning Commission.
- (c) The developer may be required to install upon the walkway such improvements as determined by the Planning Commission and the City Engineer. All such improvements shall be erected and constructed in accordance with standards as may be established by the Planning Commission and City Engineer.

(LDC 2008, § 15A-21-16)

Sec. 21-21-20. - Street Lighting.

- (a) The developer shall follow the requirements as outlined in this Code.
- (b) The street lights shall be placed as approved by the Public Utilities Director. Such items to be approved include appropriate distance, alternating sides of street, location upon the property, street light type, height, and illumination intensity as determined by the Standard Specifications.

(LDC 2008, § 15A-21-20)

Sec. 21-21-21. - Lots.

- (a) Every parcel of land created by a subdivision shall comply with the minimum lot size requirements of this title and shall be platted as part of a subdivision. No parcel of land shall be created or left unplatted which is either undevelopable or serves merely as a nuisance or lot remnant.
- (b) Except as may be otherwise provided in this title, all lots shall have the required frontage upon a dedicated and improved street. Exceptions may include the following:
 - (1) Residential building lots that do not have frontage upon a public street shall obtain a special exception from the Planning Commission as part of the preliminary review process.
 - (2) Commercial building lots within a recorded subdivision are exempt from this requirement. They may be developed without direct frontage upon a public street.
- (c) Where a canal abuts a subdivision, the area or portion of the canal which is located in the lots shall not be included in the computation of total lot size nor side or rear yard setbacks for purposes of determining compliance with this title.

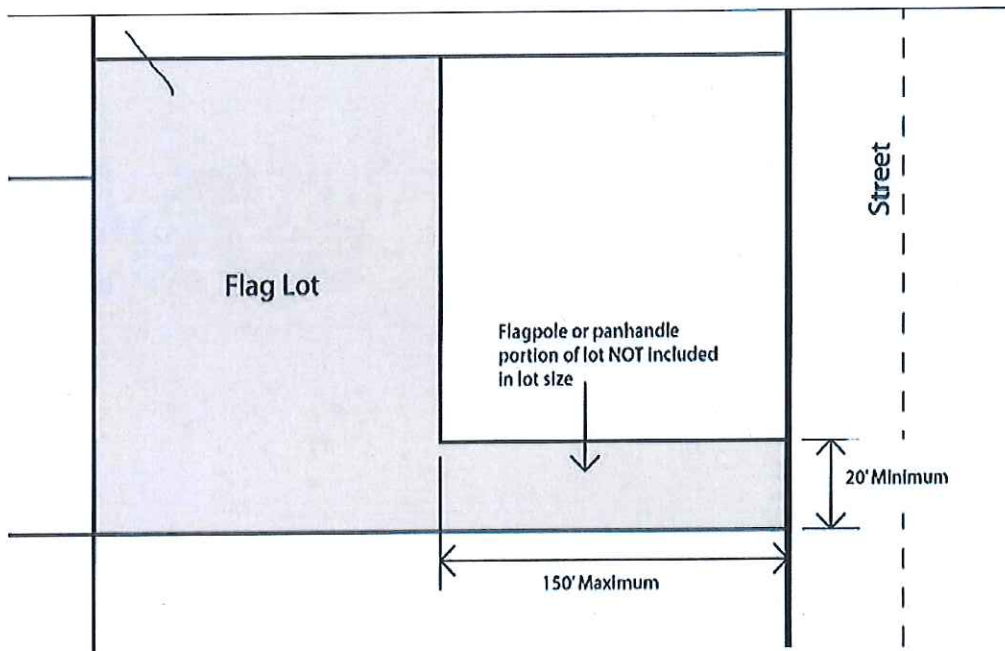
- (d) All lot corners, points of curvature, tangency, and bearing changes shall be marked with permanent metal stakes approved by the City. The front corners of the lot shall be marked as per the Standard Specifications.
- (e) Double frontage and reverse frontage lots shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation.
- (f) Where possible, side lot lines shall be substantially at right angles to street lines.

(LDC 2008, § 15A-21-21)

Sec. 21-21-22. - Flag Lots.

In order to encourage the more efficient use of land, flag or L-shaped lots may be approved by the Planning Commission as a special exception (a permitted use within the Sensitive Area Overlay District) subject to the following criteria:

- (1) A flag or L-shaped lot shall be comprised of a staff portion contiguous with the flag portion thereof.
- (2) The staff portion of said lot shall be regulated as a private lane and shall front on and be contiguous to a dedicated public street or private street..
- (3) No building or construction, except for driveways, shall be allowed on the staff portion of said lot, unless the minimum width thereof is the same or greater than the minimum width for a lot as allowed in the underlying zone (excluding entrance features and street lights).
- (4) The front side of the flag portion of said lots shall be deemed to be that side nearest to the dedicated public street or private street upon which the staff portion fronts, unless otherwise determined by staff on a case-by-case basis.
- (5) The staff portion of said lots shall be deemed to end, and the flag portion of said lots shall be deemed to commence at the extension of the front lot line.
- (6) The square footage located in the flag portion of said lot, which shall be exclusive of the square footage located in the staff portion of said lot, shall be the same or greater than the minimum square footage as required in the underlying zone.
- (7) The front, side and rear yard requirements of the flag portion of said lots shall be the same as is required in the underlying zone.
- (8) No more than two flag lots can be served by the staff portion.
- (9) The maximum number of flag lots in the subdivision shall be not more than 20 percent of the total number of lots within the subdivision, unless otherwise approved by the Planning Commission. The Planning Commission may allow more than 20 percent if the subdivision is an infill development and the lot configuration is the most efficient use of land.
- (10) The approved building envelope shall be illustrated upon the final plat.
- (11) No flag lots shall be permitted at the end of an approved cul-de-sac or other private road terminus.
- (12) Below is an example of a flag lot and is included herein to illustrate the concept of flag or L-shaped lots.



(LDC 2008, § 15A-21-22; Ord. No. 14-29, 9-28-2014)

Sec. 21-21-25. – Waivers and Special Exceptions.

Any waiver or special exception authorized by the Planning Commission as allowed in this title shall be shown on the final plat and the reasons for them shall be entered in writing in the minutes of the Planning Commission meeting.

(LDC 2008, § 15A-21-25)

CHAPTER 21-24. - PARKING, ACCESS AND CIRCULATION REQUIREMENTS

Sec. 21-24-1. - Purpose.

- (a) These regulations are established to reduce street congestion and traffic hazards in Sandy City by incorporating adequate, attractively designed facilities for off-street parking as an integral part of every use of land in the City. These regulations are intended to complement any performance standards relating to development of parking lots as may be contained in other chapters of this title.
- (b) This chapter also provides for vehicle ingress and egress, internal circulation, reciprocal access, and transportation demand management options within developments. Vehicular access and circulation must be properly designed so that the City street system will be able to accommodate traffic at an acceptable level of service. Thus, this chapter is intended to balance the right of reasonable access to private property with safe and efficient travel.
- (c) Streets have been categorized in the Transportation Plan by function and classified for access purposes based upon their level of importance and function. Regulations have been applied to these roadways for the purpose of mitigating traffic demand and reducing traffic accidents, personal injury, and property damage attributable to access systems, and to thereby improve the safety and operation of the street network. These regulations further the orderly use of land, protect community character, provide universal pedestrian and bicycle access, and conserve natural resources by promoting well-designed road and access systems.

(LDC 2008, § 15A-24-01)

Sec. 21-24-2. - General Provisions.

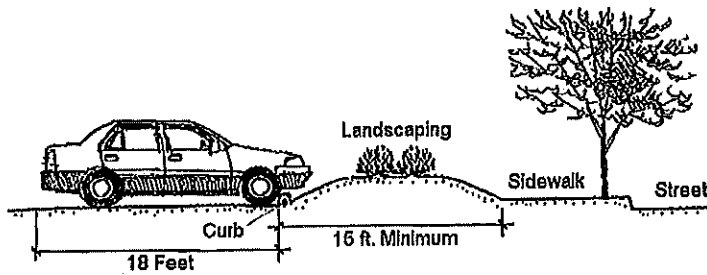
(a) *General.*

- (1) Minimum off-street parking space with adequate provision for ingress and egress by standard-sized vehicles shall be provided at the time of erection of any main building or at the time any main building is enlarged or increased in capacity. Exception: Those homes existing or constructed prior to February 1, 2008, shall be exempt from the requirement to enlarge their attached garage to meet the present standard.
- (2) Parking areas shall be considered as structures since they represent a three-dimensional appearance when occupied. Parking shall be designed as outdoor rooms promoting maintenance and ownership.

(b) *Parking Space Size.*

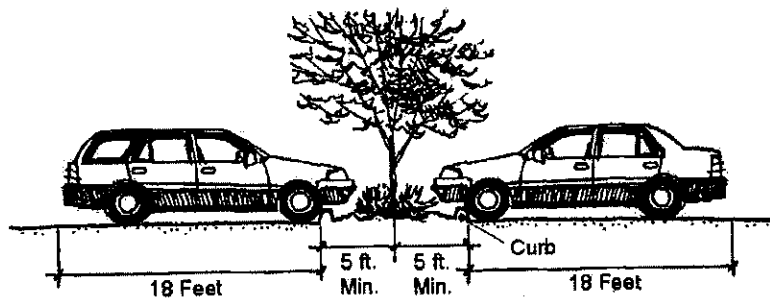
- (1) All parallel parking spaces shall be a minimum of nine feet wide by 22 feet long, as designated on the diagram in this chapter.
- (2) All parking spaces (not including parallel spaces) shall be a minimum of nine feet wide by 20 feet long, as designated on the diagram in this chapter.
- (3) Parking spaces (not including parallel spaces) may be reduced to 18 feet in depth based upon the following exceptions:
 - a. Where cars overhang landscape areas that are at least 15 feet wide along street frontages;

Reduction for Landscape Buffer



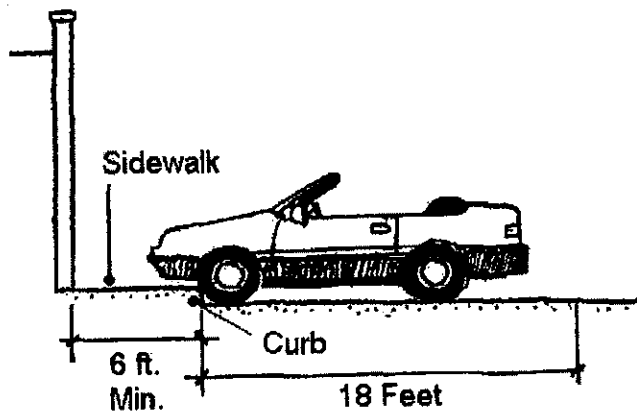
- b. Where cars overhang landscape areas that are at least five feet wide along a side or rear property line or adjacent to an interior parking lot landscape area that is at least ten feet wide (for double loaded parking). In order to encourage low impact development standards, double loaded parking may be built with 18 foot stalls and a four foot landscaped area in between.;

Reduction for Planter Overhangs



- c. Where cars overhang a sidewalk on private property where the sidewalk is at least six feet in width; or

Reduction for Sidewalk Overhang



d. 90-degree parking within a parking structure.

(4) The minimum garage size for residential development shall be as follows:

Type of Garage	Minimum Width	Minimum Depth	Minimum Square Footage
Single	12 ft.	20 ft.	240 sq. ft.
Double	20 ft.	20 ft.	400 sq. ft.
Triple	30 ft.	20 ft.	600 sq. ft.

Note: These dimensions are to be administered from the interior of the garage. No encroachments (i.e. stairs, doors, etc.) are allowed within these minimum areas.

(c) *Floor Area Defined.* For the purposes of parking requirements, floor area shall be defined as the gross square footage of the building.

(LDC 2008, § 15A-24-02; Ord. No. 14-06, 4-23-2014)

Sec. 21-24-3. - Special Access and Parking Provisions.

(a) *Alternative to On-Site Parking.*

(1) *Off-Site Parking.* Off-site parking may be allowed for the required parking of any new use, structure, or building in any commercial or RM District that cannot be provided on the premises due to the property's size or location according to the following criteria:

- a. The off-site parking must be located on other appropriately zoned property.
- b. The off-site parking cannot be more than 300 feet of walking distance from the nearest point of the parcel.
- c. The adjacent site has excess parking that is not required for their use, or the hours parking is needed will not conflict with the hours of use on the adjacent property.
- d. The applicant shall provide a document to the Community Development Department, signed by the owners of the alternate site and recorded at the Salt Lake County Recorder's Office, that stipulates the permanent reservation of use of the site for said parking.

(2) *Temporary Off-Site Event Parking.*

- a. Temporary off-site parking for events may be allowed after review and approval of a Parking and Access Management Plan by the Planning Commission at a public meeting. Temporary parking is parking established for a fixed period of time with the intent to discontinue such parking upon the expiration of the time period. An occasional event with an expected attendance of less than 500 persons or if the event does not occur more than once a year shall not be subject to the requirements of this section.
- b. The applicant will be responsible to make provisions for on- and off-site parking, safe pedestrian routes to and from the off-site parking, transportation to and from off-site parking

locations beyond a 5,000-foot (approximately 15 minutes) walking route, entry and exiting methods, temporary or permanent traffic control methods, and restricting parking in identified areas.

- c. The Parking and Access Management Plan must be approved prior to the issuance of a temporary use permit, business license or Certificate of Occupancy required for the event, project, or use. Upon approval, the Parking and Access Management Plan shall be available for public inspection. All approved updates of a Parking and Access Management Plan shall be available for public inspection.
- d. The applicant may be responsible to post a guarantee for improvements and implementation of various components of the Parking and Access Management Plan.
- e. The Parking and Access Management Plan shall be submitted with the application for the project or use and shall:
 - 1. Determine the total number of parking spaces required based upon the land use category less any anticipated mass transit use projection, which may be limited to 15 percent of the total number of required parking spaces unless greater mass transit use is demonstrated.
 - 2. Establish the minimum number of on-site spaces that are required. Specify the number of those on-site spaces that will be reserved for or utilized by employees, VIPs, buses, media, etc.
 - 3. Establish the minimum number of off-site spaces, if any, that are required within a 1,650-foot (approximately five minutes) walking route of the site.
 - 4. Establish the minimum number of off-site parking spaces, if any, that are required within a 5,000-foot (approximately 15 minutes) walking route of the site.
 - 5. Establish the minimum number of off-site parking spaces, if any, that are required beyond the 5,000-foot (approximately 15 minutes) walking route of the site.
 - 6. Identify all off-site parking sites potentially available to be used for Subsections (a)(2)e.3 through 5 of this section. Identify methods that the applicant will provide for safe pedestrian routes to and from the parking sites satisfying Subsections (a)(2)e.3 and 4 of this section (e.g., wider sidewalks, trails, bridges, permanent or temporary traffic control devices, individuals directing traffic, etc.), and methods to provide transportation to and from those sites satisfying Subsection (a)(2)e.5 of this section (e.g., Trax, UTA buses, shuttle buses, etc.), and provide a timeline for the implementation of the identified methods. Each potential off-site parking location shall conform to the parking area development and maintenance requirements in this section.
 - 7. Identify neighborhoods and other areas that will specifically not be allowed to be part of the calculation of available parking spaces or will be subject to parking restrictions during the event. Identify measures that the applicant will implement to prevent parking within restricted areas (e.g., signage, security personnel, proposed new parking regulations, etc.), and provide a timeline for the implementation of the identified methods.
 - 8. Identify pedestrian exit times and volumes to on-site and off-site parking areas. Identify methods that the applicant will implement to manage the projected volume expeditiously and safely (e.g., wider sidewalks, temporary or permanent traffic control methods, etc.), and provide a timeline for the implementation of the identified methods.
 - 9. Include a Traffic Study presenting traffic counts, times and circulation patterns for a geographic area encompassing all potential off-site parking sites if required by the City Engineer. If required, the Traffic Study shall also present the projected impact of the event on existing traffic counts, times and circulation patterns.

10. Identify the methods the applicant will implement, on vacant or unimproved lots, to control the dust and debris.
 11. Identify any permits or approvals necessary from other transportation agencies with jurisdiction over roads or streets affected by the temporary or permanent traffic control measures identified in Subsections (a)(2)e.7 through 9 of this section.
 12. Specify a date by which the applicant must provide the Planning Commission with evidence of availability of off-site parking spaces, safe pedestrian routes, transportation services, measures to prevent parking in restricted areas, and measures to manage entry and exit times and volumes of pedestrians and vehicles.
 13. Indicate the time period for which the Parking and Access Management Plan will be in effect.
 14. Be updated on a yearly basis or as otherwise required by the Planning Commission after the project or event has commenced operation. The Planning Commission shall hold at least one public meeting prior to the approval of any updated Parking and Access Management Plan.
- (b) *Parking Increase.* Developments are required to provide a certain number of parking stalls, as determined by this title, based on the land uses associated with the site. In some cases, it may be appropriate to allow for more than the required parking. At the time of site plan review, a Parking Plan shall be submitted showing all parking spaces, the overall circulation system, and justification for requesting increases in parking space requirements as specified below:
- (1) *Increase up to Ten Percent.* The Director may approve an increase of up to ten percent of the amount of required parking upon review of one or more of the following that justifies the request:
 - a. *Parking Demand Analysis.* A study provided by a licensed transportation engineer that demonstrates actual usage of employees and customers of the proposed land use or similarly situated land uses in other locations.
 - b. *Market Demand Analysis.* A study provided by a licensed real estate professional or real estate financial professional that provides estimates of current market demand for a particular land use.
 - (2) *Increase above Ten Percent.* The Planning Commission may approve an increase of up to 25 percent of the amount of required parking upon review of the criteria listed in Subsection (b)(1) of this section. The Planning Commission may approve a request to increase the amount of parking provided beyond the 25 percent increase of required parking if the additional parking is sited within a parking structure that meets the following criteria:
 - a. The parking structure contains at least 90 percent or more of the total proposed parking stalls of the development; and
 - b. The footprint of the parking structure consumes no more than 50 percent of the above grade total site area, is contained within the proposed building footprint, or is completely underground; and
 - c. The parking structure contains at least three levels; and
 - d. The parking structure does not exceed the height of the surrounding buildings within the site.
- (c) *Parking Reduction.* Developments are required to provide a certain number of parking stalls, as determined by this title, based on the land uses associated with the site. In some cases, it may be appropriate to allow for less than the required amount of parking. At the time of site plan review, a Parking Plan shall be submitted showing all proposed parking spaces, the overall circulation system, and justification for requesting reductions in parking space requirements as specified below:
- (1) *Reduction up to Ten Percent.* The Director may approve a reduction of up to ten percent of the amount of required parking upon satisfactory review of one or more of the following that applies to the request:

- a. *Parking Demand Analysis.* A study provided by a licensed transportation engineer that demonstrates projected usage of residents, employees, and customers of the proposed land uses or similarly situated land uses in other locations.
 - b. *Market Demand Analysis.* A study provided by a qualified real estate market analyst that estimate current market demand for a particular land use. For the purpose of this section, a real estate analyst shall be defined as a real estate professional with expertise in financial analysis in support to the financing, acquisition, marketing and leasing of real property based on the study of economic conditions and market trends.
 - c. *Walkability and Multi-Modal Design.* Provide a site plan design that demonstrates walkable elements and promotes multiple modes of transportation. A study by a licensed transportation engineer shall provide a quantitative analysis of the anticipated parking demand and automobile trips based on the proposed design.
 - d. *Proximity to Transit.* A site that is within a half-mile ADA route distance of existing or immediately planned local fixed mass transit station that would help reduce the number of needed parking stalls and automobile trips.
 - e. *Low to Moderate Income Housing.* A housing development that is proposing to set aside at least 20% of their units for residents that qualify for at least 80% low to moderate income.
- (2) *Reduction above Ten Percent.* The Planning Commission may approve a reduction above ten percent of the amount of required parking. Upon satisfactory review of two or more of the criteria listed in subsection (b)(1) of this section, they may approve up to a 15 percent reduction. Upon satisfactory review of three or more of those criteria, they may approve up to a 20 percent reduction. Upon satisfactory review of four or more of those criteria, they may approve up to a 25 percent reduction.
- a. No parking reduction shall be applied to any detached single-family housing development within the city limits.
- (3) *Residential Parking Reduction.* If a reduction to any parking requirement is granted for a residential development, it shall be required of the developer/owner to provide a minimum of one stall to each residential unit and include it in the base sale or lease price of the unit.
- (4) *Amendments.* Any amendments to the approved site plan or change in land use will cause any previously approved parking reductions for the site to be reviewed again by the appropriate authority and ensure that the required justification requirements have been met.
- (c) *Shared Parking.*
- (1) *Shared Parking Proposal.* Notwithstanding any other parking requirements provided in this chapter, when land uses occupy the same lot or adjacent lots, the total number of off-street parking spaces required for each use may be combined and shared. A proposal for sharing off-street parking shall be presented to the Director. If the proposal involves the accommodation of more than ten parking spaces (total accumulated spaces required for all involved uses), the Director may present the proposal to the Planning Commission for site plan review.
 - (2) *Requirements.* In order to qualify for approval for shared parking, applicants shall present the following:
 - a. The location and identity of each use that will share the facility.
 - b. The total parking requirement for each use.
 - c. The projected hours of operation of each use and the hours during which the peak parking demand will be experienced.
 - d. The number of existing and/or proposed parking spaces.
 - e. A site plan that provides for a distance of no greater than 500 feet from the nearest entrance of each use to the nearest edge of the parking facility.

- f. A site plan that demonstrates that the proposed shared parking facility will comply with all standards required by this title for parking lot development.
- (d) *Drive-Thru Business Stacking Space.* (See Chapter 21-23, Commercial, Office, Industrial, and Transit Corridor Development Standards.)
- (e) *Excessive Parking.* Developments shall not have parking in excess of that required by this title without prior approval of the Director or Planning Commission, upon written justification of the specific need for more parking spaces than the provisions of this title allows. In addition, developers are encouraged to work out shared parking agreements with adjacent users wherever possible according to the provisions for shared parking contained within this title.
- (f) *Prohibited Parking.* No parking shall occur in any alley, driveway, service driveway, traffic aisle (either public or ways open to the public), delivery area (other than for a minimal period of time needed for the delivery of goods and materials to a specific tenant) or other location designed for through traffic unless:
- (1) Said area has been specifically designated for parking on the original approved site plan; or
 - (2) The original site plan has been specifically modified by written approval of the City Engineer, for parking space use; and
 - (3) Be designed in accordance with the parking designs specified in this chapter.

(LDC 2008, § 15A-24-03; Ord. No. [18-18](#), § 1, 6-28-2018; Ord. No. [18-26](#), § 1(15A-24-03), 9-20-2018)

Sec. 21-24-8. - Parking Space Requirements.

- (a) *Specific Requirement for Each Land Use.* Off-street parking shall be provided for land uses as described below. Parking for uses not specifically listed below shall be provided in the same ratio as the use most nearly approximating the characteristics of the unlisted use, as determined by the Planning Commission. Land uses are grouped into categories that have comparable parking requirements.
- (b) *Table of Parking Requirements by Land Use Category.* The following minimum parking is required:

Parking Requirements by Land Use Category

Land Use Categories	Space Requirements
<u>Residential, single-family detached and attached</u>	
Dwelling, single-family	2 spaces per dwelling unit (within an enclosed garage)
Dwelling, duplex	2 spaces per dwelling unit
Dwelling, multiple-unit (tri-plex, four-plex, and five-plex)	2 spaces per dwelling unit
-guest parking	2-car off-street parking in the dwelling's driveway is required. Alternatively 0.25 spaces per unit after a base of 1 per unit for the first 5 units if provided in an off-street parking lot.

<u>Dwelling, multiple-unit (apartments or stacked condominiums)</u>	
-one-bedroom unit	1.5 spaces per unit
-two-bedroom unit	2.0 spaces per unit
-three or more bedroom unit	2.5 spaces per unit
-guest parking	0.25 spaces per unit after a base of 1 per unit for the first 5 units in an off-street parking lot
NOTE: There shall be no less than 1.5 covered parking spaces (1.0 carports, 0.5 garages) per unit for single-family attached and multiple unit dwellings. Garages shall only be used for the parking of vehicles and cannot be used as storage facilities.	
Assisted living center, nursing home, convalescent home and other similar uses as determined by the planning Commission upon review.	0.5 spaces per bed, plus 10% for support staff/physicians, plus a bus only parking stall to meet the dimensions of a handicap parking stall
Senior or elderly housing	1 space per unit (The completed parking ratio may be reduced to one space per unit for any congregate care facility, provided that adequate space is created and landscaped that can be converted to additional parking stalls to comply with the minimum standards as set forth for Planned Unit Developments. The area that is held in reserve for additional parking shall not be located within a required landscape setback area, and shall not be used in the calculations for any required landscaping or open space coverage percentage.)
<u>Retail Commercial</u>	
Automotive repair (service bays are not included in the required number of required parking spaces)	5 spaces per 1,000 sq. ft.
Commercial retail sales and services**	

Heavy commercial	
Commercial center, community	
Commercial center, convenience	
Commercial center, neighborhood	
Commercial center, regional	
Liquor sales	
<p>Exceptions:</p> <p>**Reduction may be allowed by the Planning Commission for retail businesses with exceptionally large show room floor space per volume of sales (e.g., furniture store at a ratio of 3 spaces per 1,000 sq. ft.)</p>	
<u>Commercial Services, Offices</u>	
Bar, tavern, club	3.5 spaces per 1,000 sq. ft.
Business or financial services	4.0 spaces per 1,000 sq. ft.
Dance hall, discotheque	3.5 spaces per 1,000 sq. ft.
Day care, group	One space for each instructor (plus drop-off space)
Veterinary office	4 spaces for each practitioner
Medical and health care	<p>5 spaces per 1,000 square feet OR 4 spaces for each practitioner plus 1 space per employee (including practitioner) at highest shift, whichever is greater. For the purpose of the parking ratio.</p> <p>Employees include nursing staff, receptionist, rehabilitation specialists, and dental assistants. Site plan shall be reviewed to verify compliance with this standard upon application of business license. Business License shall be denied if adequate parking is unavailable.</p>

Motel, hotel	1 space per rental unit, 1 space for each 200 sq. ft. of assembly, conference space, banquet, sit-down restaurant facility and office space
<u>Recreation, Indoor</u>	
Bowling center	5 spaces per lane
Movie theater	1 space per 4 seats
Skating rink	3 spaces per 1,000 sq. ft. of skating area
<u>Restaurants</u>	
Restaurant—sit down	1 space per 3 seats (including outdoor seating) plus 0.5 space per number of employees on the largest shift (minimum of 5 employee spaces)
Restaurant—drive-in/drive thru (all fast food outlets with large proportion of take-out and/or drive-in service.)	1 space per 100 sq. ft. of floor area. Required parking spaces do not include spaces required in drive thru lanes).
<u>Public Uses</u>	
Hospital	2 spaces per bed
Rehabilitation center	0.5 space per bed
School, private or quasi-public	As determined by Planning Commission review
School, public	As determined by Planning Commission review
Elementary and middle school	1 space per teacher and staff plus 1 space per 2 classrooms.
Senior high school	1 space per teacher and staff plus 1 space per 5 non-bussed students.
Religious or cultural activity	1 space per 4 seats

Theater or concert hall	1 space per 4 seats
<u>Industry</u>	
Industry, light and medium	1 space per 1,000 sq. ft. of gross floor area
Warehouse, wholesale, storage	1 space per 1,000 sq. ft. of storage space
<u>Special Review</u>	
Athletic, tennis or health centers	Specific off-street parking shall be determined by the Planning Commission.
Auto, truck, R.V. and equipment sales and storage	
Cemetery, columbarium, mausoleum	
Golf course	
Park (active and passive)	
Recreation center	
Recreation, outdoor	

(LDC 2008, § 15A-24-08; Ord. No. 10-26, 7-30-2010)

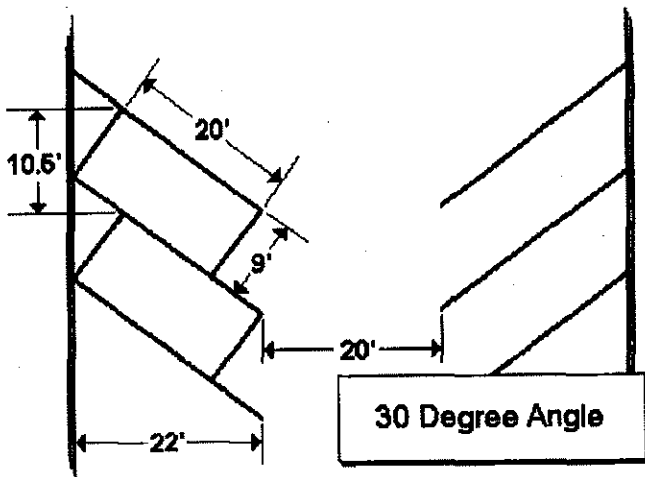
Sec. 21-24-9. - Parking Structure Design Standards.

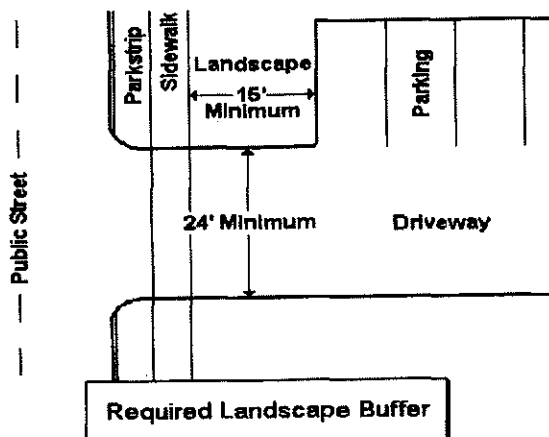
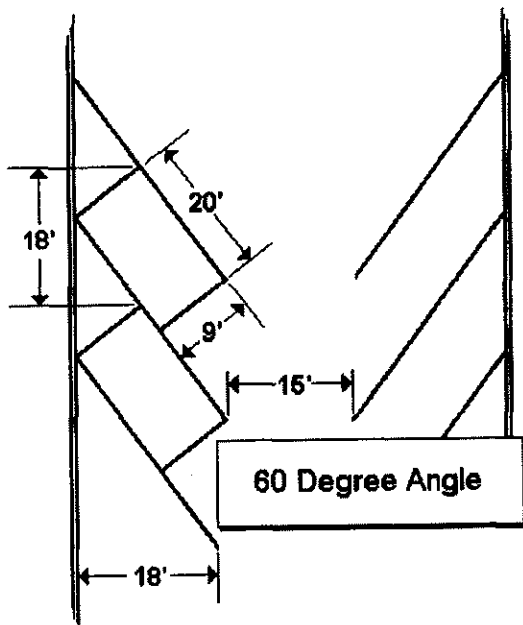
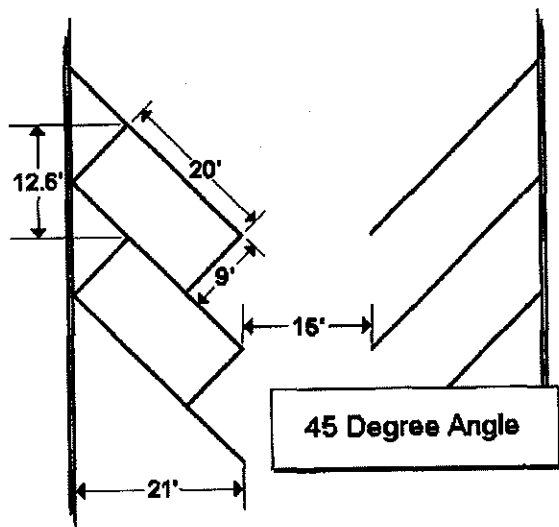
- (a) *Setbacks.* The parking structure shall comply with the minimum requirements, including all height adjustments for stepped buildings.
- (b) *Maximum Height.* The parking structure shall comply with all height requirements, including the stepping back of the additional stories above grade.
- (c) *Parking Stall Size Requirements.*
 - (1) Ninety-degree stalls within parking structures shall be a minimum of nine feet wide by 18 feet long. Drive aisle dimensions and all other angled parking shall be designed according to the specifications listed within the chapter.
 - (2) Signage shall be installed on parking structures to discourage the parking of oversized vehicles.

- (d) *Parking Structure Appearance Requirements.* Parking structures shall be designed to complement adjacent non-parking structures and blend in with the local manmade or natural environment. If adjacent to an existing or future office building and the facility is adjacent to a right-of-way, the parking structure shall be designed to appear as an office building with simulated window openings and doors, unless otherwise approved by the Planning Commission. Exterior elements shall use at least one of the following materials: embossed concrete, polished masonry, colored glass, and/or brick. Stucco shall not cover more than 20 percent of the hard vertical surface area. Stucco may only be used if approved by the Planning Commission after determination that the material blends with the adjacent manmade or natural environment and is used in an architecturally pleasing manner (such as quoins, pediments, etc.).
- (e) *Landscaping.* The parking structure shall be landscaped at the base of the facility with trees and shrubs, along with other materials that will de-emphasize the use of the facility as a parking structure. It is strongly encouraged, but not required, to landscape the top level with trees, grass, and other pedestrian-friendly elements.

(LDC 2008, § 15A-24-09; Ord. No. 14-06, 4-23-2014)

Sec. 21-24-10. - Parking Stall Dimensions. Drive aisle widths shown below are minimums. If the drive aisle is determined to be a fire access road, this code and the International Fire Code may require additional width.





(LDC 2008, § 15A-24-10)

Sec. 21-24-11. - City Approval of Access Required.

Access to a public street requires approval by the Public Works Director based on the standards contained in this title and the Sandy City Standard Specifications and Details for Municipal Construction.

(LDC 2008, § 15A-24-11)

Sec. 21-24-12. - Traffic Impact Analysis.

The City may require a traffic impact analysis prepared by a registered engineer to determine access, circulation, transportation demand management, and other reasonable transportation system mitigation requirements.

(LDC 2008, § 15A-24-12)

Sec. 21-24-13. - Access; Ingress and Egress.

- (a) *Ingress and Egress.* All parking areas shall be designed to provide ingress and egress from a public street by forward motion of the vehicle. Single-family developments are exempt from this requirement.
- (b) *Paved Access.* All off-street parking areas shall have access to a public street by means of a paved driveway that extends no less than 15 feet from the public right-of-way to the nearest parking area and/or driveway access to parking spaces. No parking space shall be located within the first 15 feet of a driveway. Single-family developments are exempt from this requirement.
- (c) *Entry/Guardhouse Gateways.* Where an entry gate or guardhouse controls vehicle access or egress, a stacking lane shall be provided as required by the City Engineer. The stacking lane shall not interfere with maneuvering, traffic flow of aisles, streets, bike paths, parking spaces, and sidewalks.
- (d) *Unobstructed Access.* Unobstructed and direct driveways shall be provided from commercial off-street parking or loading facilities to a street or alley. Loading driveways may coincide with driveways to parking facilities.

(LDC 2008, § 15A-24-13)

Sec. 21-24-14. - Access and Maneuvering for Fire and Refuse Trucks.

Parking lots shall include the necessary dimensions for the on-site maneuvering of refuse vehicles and fire trucks, as determined by the City Engineer and Fire Marshal. A 20 to 26-foot-wide, unobstructed driveway, lane, or other access way and turn-around may be required for this purpose, as required in the International Fire Code. No off-site maneuvering is permitted.

(LDC 2008, § 15A-24-14)

Sec. 21-24-15. - Driveway Access; General Standards.

- (a) *Determination of Necessity.* In establishing permissible curb openings and sidewalk or driveway crossings for access to private property, such curb openings or driveways shall not be authorized where they are unnecessary or where they would interfere with the movement of vehicular traffic, with public improvements, or with the rights of the public in the adjacent street or alley. In no case shall any curb opening be of greater width than necessary for reasonable access to the property to be served.

- (b) *Width of Curb Openings.* In determining the width of curb openings and spacing of driveways, the end transitions in each case will not be considered a part of the width of the curb opening. The curb opening or width of each driveway shall be defined as the throat width of the driveway at the inside point of the curb transition radius at the top face of the curb.
- (c) *Number of Curb Openings.* Only one driveway opening per street frontage/per parcel shall be allowed unless a capacity or safety need for more than one driveway opening can be demonstrated to the City Engineer. This may be determined on a case-by-case basis.
- (d) *Reciprocal/Shared Access.* Where nonresidential uses share a property line, off-street parking lots serving the properties shall be made accessible to each other unless grade differences or building locations make reciprocal access between developments impractical.
- (e) *Single-Family Residential.*
 - (1) Minimum separation from driveways, measured from edge of driveway to edge of driveway at back of sidewalk, is 30 feet for multiple drive approaches along the same parcel.
 - (2) No circular driveway that cuts across corner lots to access two separate streets is allowed.
 - (3) No driveway will be permitted within 30 feet of an ADA ramp as measured from the edge of driveway to the edge of the ADA ramp at the back of sidewalk.

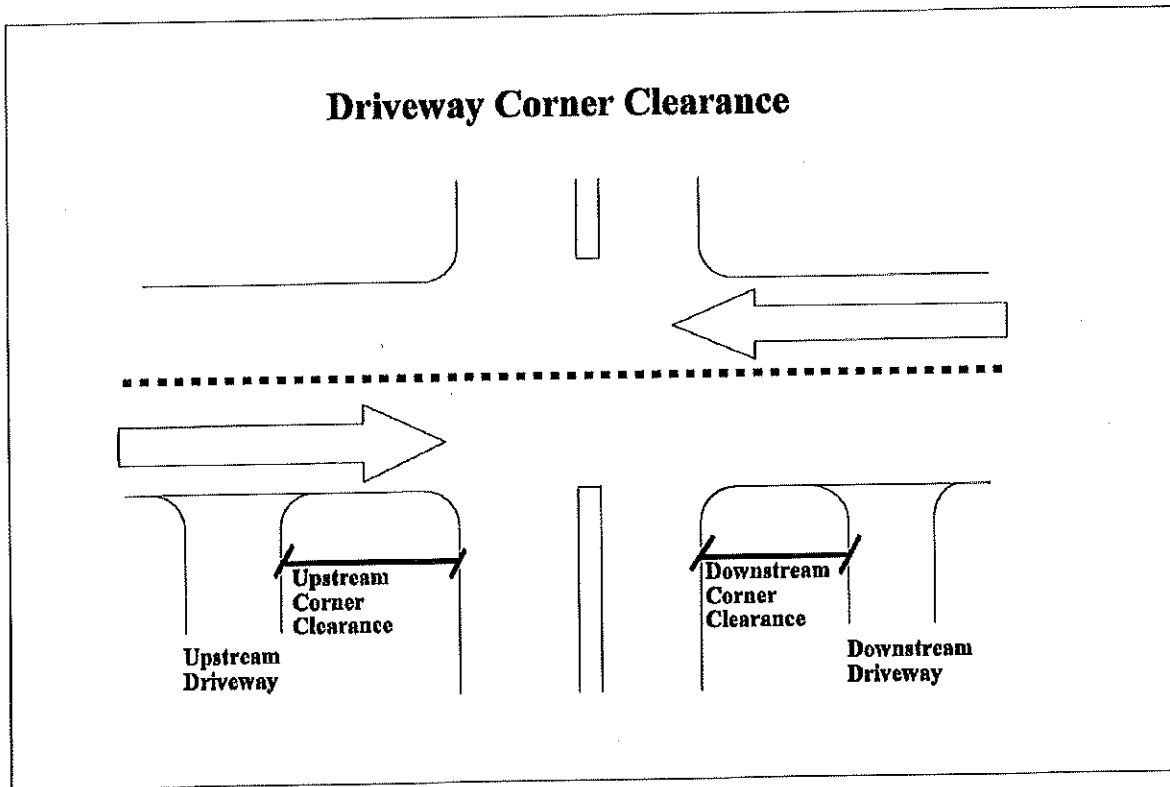
(LDC 2008, § 15A-24-15)

Sec. 21-24-16. - Driveway Separations.

- (a) *Frontage on Arterial (106 feet plus) or Major Collector Streets (80 Feet Plus).* Uses, other than single-family dwellings, on parcels with less than 150 feet of frontage shall be required to share a common driveway in order to assure that a minimum of 170 feet of continuous curb and gutter exists from the throat of one driveway to the throat of the next adjacent driveway. Driveways offset less than 170 feet from existing driveways, approved driveways, or existing public streets on the opposite side of the street shall not be allowed unless the City Engineer determines that an unacceptable capacity or safety impact will not result.
- (b) *Frontage on Minor Collector (60 feet or 66 feet) or Local Streets (50 Feet Plus).* Uses with less than 70 feet of frontage shall be required to share a common driveway in order to assure that a minimum of 90 feet of continuous curb and gutter exists from the throat of one driveway to the throat of the next adjacent driveway. Driveways offset less than 170 feet from existing or approved driveways on the opposite side of the street shall not be allowed unless the City Engineer determines that an unacceptable capacity or safety impact will not result. Single-family developments are exempt from this requirement.
- (c) *Driveways Adjacent to Intersections.* The minimum distance from the intersection to the nearest driveway shall be according to the following intersection illustration and distance table. (Distances are measured from the back of curb to the throat of the nearest edge of the driveway.)

Driveway Clearance Distances

	Median Barrier Present	Arterial	Major Collector	Minor Collector
Driveway clearance	No	200 feet	175 feet	50 feet
Driveway clearance	Yes	185 feet	115 feet	50 feet



- (d) *Deviations to Driveway Separation.* The City Engineer shall review and may approve or deny deviations to the above standards based upon a site visit and review of items, including, but not limited to:
- (1) Safety.
 - (2) Alternative access points and potential for reciprocal/shared access.
 - (3) Sight lines.
 - (4) Impact on traffic flow.

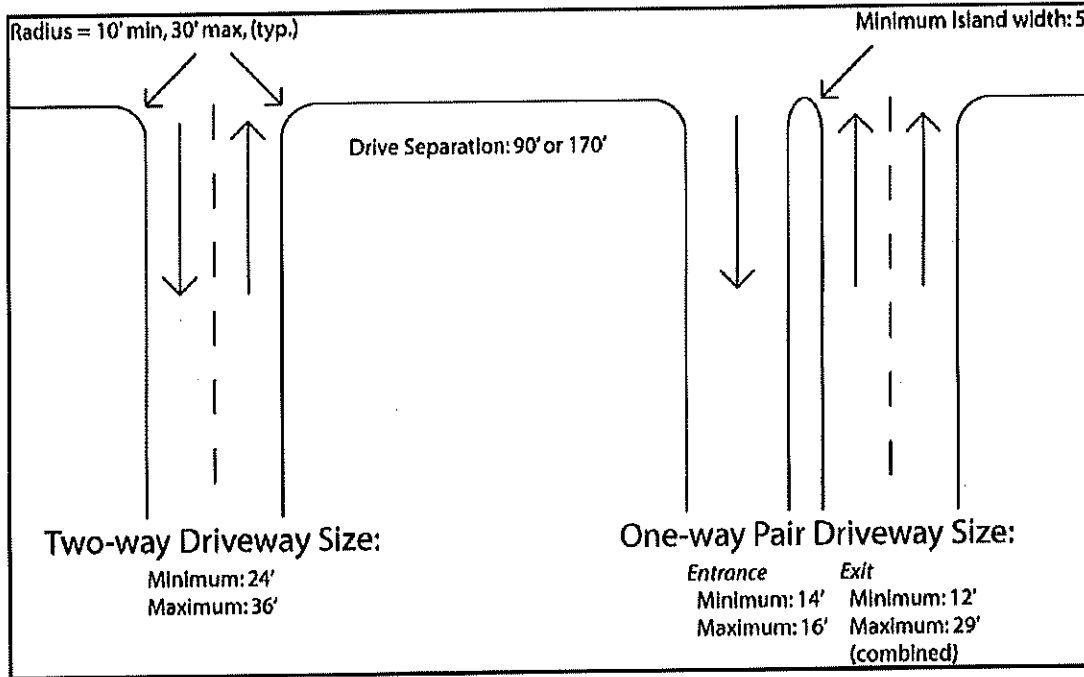
(LDC 2008, § 15A-24-16)

Sec. 21-24-17. - Driveways; Widths and Curb Designs; Non-Single-Family Residential Developments.

- (a) *One-Way.*
- (1) One-way driveways shall be not less than 12 feet, nor more than 24 feet in width. A wider one-way driveway may be required by the Sandy City Fire Marshal.
 - (2) Exception: No two complementary one-way driveways may total more than 45 feet in width.
- (b) *Two-Way.*
- (1) Two-way driveway approaches shall be not less than 24 feet, nor more than 36 feet in width. In determining the width of curb openings and spacing of driveways, the end transitions in each case

will not be considered a part of the width of the curb opening. A wider driveway may be required by the Sandy City Fire Marshal.

- (2) Wherever a common driveway is constructed serving two or more properties, the common curb opening shall have a maximum width of 36 feet.



- (3) The City Engineer shall review and may approve or deny deviations to the above driveway width standards based upon review of the site and land use, along with impact on streets and neighbors.
- (c) *Drive Approaches.* All driveway approaches shall be constructed with curb radii and provide for handicap access.
 - (1) *Minimum Curb Radius.* All drive approaches shall have a minimum end transition (curb radius) of ten feet and a maximum of 30 feet. If the driveway is to be used for delivery truck traffic, the minimum curb radius shall be 25 feet.
 - (2) *Driveways.* Driveways shall be located a minimum of five feet from the property line, measured from the throat of the driveway. This does not apply to property lines where a shared driveway is proposed.
 - (3) *One-Way Paired Driveways.* Where a driveway is of the split, one-way paired directional type, there shall be a raised landscaped island of at least five feet in width between the two driveways. The size of the entrance shall have a minimum of 14 feet and a maximum of 16 feet. The exit lanes shall be a minimum of 12 feet and a maximum of 29 feet (combined).
 - (4) *Maximum Curb Opening Coverage.* The total width of all curb openings shall not exceed 40 percent of a project's frontage. For corner lots, the total width of all curb openings shall not exceed 30 percent of the combined frontages.
 - (5) *Vehicle Encroachment.* No curb opening will be approved that allows vehicle encroachment on any portion of a street right-of-way for loading, unloading, or standing.
 - (6) *Drainage.* Curb openings and driveways shall be paved and shall provide for adequate drainage.
 - (7) *Drive Angle to Right-of-Way.* All driveways shall intersect the street at a 90-degree angle to a distance at least 15 feet from the property line.

(LDC 2008, § 15A-24-17)

CHAPTER 21-37. - DEFINITIONS

Sec. 21-37-2. - "A" Definitions.

- (13) *Alley* means a public or private roadway that provides a rear or side access vehicular access and a corridor for utilities and services to abutting property not intended for general traffic circulation.

Sec. 21-37-17. - "P" Definitions.

- (12) *Pedestrian mew* means a public or privately owned pedestrian oriented corridor that serves a similar purpose of a street that provides frontage and public access to properties, but restricts vehicular use. These corridors are designed at a pedestrian scale consisting of an inviting walkway, landscape, and other pedestrian amenities and furnishings lined with building on either side (also known as a block break).

Exhibit "B"

The following are the proposed **redlined** changes to the Land Development Code. The proposed changes are shown as though the City Code has been readopted and the Municode system is in place, rather than updating and amending the current code. With the update to Municode, the Land Development Code is now under Section 21 of the City Code. There are also difference in style and formatting so numbering and labeling of subsections are different. Below is a cross reference guide between the current and the proposed section references:

Chapter Name	Current Section Reference	Municode Section Reference
Land Development Code	Title 15A	Title 21
Sensitive Area Overlay Zone	Chapter 15A-15	Chapter 21-15
Residential Development Standards	Chapter 15A-20	Chapter 21-20
Subdivision Design Standards	Chapter 15A-21	Chapter 21-21
Parking, Access and Circulation Requirements	Chapter 15A-24	Chapter 21-24
Definitions	Chapter 15A-37	Chapter 21-37

CHAPTER 21-15. - SENSITIVE AREA OVERLAY ZONE

Sec. 21-15-4. - Development Standards for Sensitive Areas.

- (7) *Streets and Ways.* Streets, roadways, and private streets, lanes and driveways shall follow as nearly as possible the natural terrain minimizing cuts and fills. In addition to the standards identified in Chapter 21-21, the following additional standards shall apply:
- a. Access easements shall be provided to all adjoining developed and non-developed areas for emergency and firefighting equipment when determined necessary by the Fire Marshal. Driveways located upon each lot extending beyond 150 feet from a public or private street may be deemed a Fire Department access road, as determined by the Fire Marshal, and must follow the design requirements of a private lane, shall have sufficient width and design to admit and accommodate firefighting equipment in compliance with all City engineering standards and the International Fire Code.
 - b. A cul-de-sac is permitted up 750 feet in length. It may not exceed 600-750 feet in length. However, through the Planning Commission may grant a special exception reviewed by the Planning Commission. This request to extend the length of the cul-de-sac requires after considering a recommendation from the Director and City Engineer and Fire Marshal. The following shall be evaluated in reviewing the special exception:
 1. Based upon the subject property's geographical constraints, it can be demonstrated that extending the road would better accomplish the stated purposes of this chapter.
 2. It can be demonstrated that or if public safety will be improved above existing conditions.
 - c. Variations of the street design standards developed to solve special visual aesthetics and functional problems may be presented to the Planning Commission upon recommendation from the City Engineer for consideration and approval. Examples of such variations may be the use of split roadways to avoid deep cuts, one-way streets, modifications of surface drainage treatments, sidewalk design, or the extension of a cul-de-sac.
 - d. Development sites which are located near canyon trails shall provide access to those trails. Parking areas at trailheads may be required by the Planning Commission.
 - e. The maximum amount of impervious surface for streets and roadways shall not exceed 20 percent of the entire development site.
 - f. The maximum grade of all streets or rights-of-way for vehicle traffic shall be 42-10 percent, unless permitted by the City Engineer and Fire Marshal.

Sec. 21-20-7. - Planned Unit Development District (PUD).

- (3) *Development Requirements.* To be approved, a planned unit development project must show a high commitment to excellence, ensuring better quality of life for future tenants and be compatible with adjacent residential areas. The following are required for all planned unit development projects:

- a. *Ownership.* The development shall be in single or corporate ownership at the time of application or the subject of an application filed jointly by all owners of the property.
- b. *Open Space.* Unless otherwise approved by the Planning Commission, common and private open space shall be provided and shall not cover less than 40 percent of the gross site area. The required open space shall be land areas that are not occupied by buildings, structures, parking areas, streets, or alleys and shall be accessible by the residents. Said open space shall be devoted to landscaping, preservation of natural features, patios, and recreational areas. Private open space (that provided for each dwelling unit for personal use) shall be located immediately adjacent to, attached to, or within the dwelling unit it is designed to serve and shall be for the exclusive use of the residents of the dwelling unit. Common open space may be distributed throughout the planned unit development and need not be in a single large area. Landscaped roof areas or decks attached to individual units may not be calculated as part of required common open space. Open space within a Sensitive Area Overlay Zone shall require conditional use approval. These areas may include, but are not limited to, 30 percent or greater slope areas, fault zones, floodplains, high water table, and wetlands. These areas may only be included as open space when they have been designed as an integral part of the project.
- c. *Interior Streets.* The design of public and private streets within a planned unit development shall follow City standards for width of right-of-way and construction. Existing City standards of design and construction may be modified ~~if recommended by the Transportation Engineer and approved by the Planning Commission if it is determined that the plan submitted is appropriate (e.g., a sidewalk on one side, waiver of parkstrip area, etc.). The pavement width shall be a minimum of 27 feet with at least a 37-foot right-of-way. Private streets shall be subject to the same inspections and construction standards as required for public streets as allowed in this code.~~ The interior street system in an entire planned unit development project shall be dedicated to the City as a utility easement. All private streets shall be conveyed to a private association. The original developer/builder will also be required to establish a City-approved road maintenance fund for all private streets. This provision will be required in the CC&Rs for all projects with a private street system.
- d. *Parking.* ~~The minimum parking requirements outlined in this code shall be adhered to except as allowed herein. The following minimum parking shall be provided for all multifamily planned unit developments:~~

~~1. Table of Parking Ratios:~~

One-bedroom unit	1.5 parking spaces per unit
Two-bedroom unit	2.0 parking spaces per unit
Three or more bedroom unit	2.5 parking spaces per unit
Guest parking spaces	0.25 parking spaces per unit

~~Storage parking spaces for recreational vehicle storage~~

~~As determined necessary by the Planning Commission~~

21. All parking areas, covered or open, shall have a landscaped buffer adjacent to any public right-of-way.
 32. There shall be no less than 1.5 covered parking spaces (1.0 carports, 0.5 garages) per unit. The Planning Commission may consider the following criteria in determining whether or not the number of garages/carports should be increased or reduced:
 - (i) The topography of the proposed site.
 - (ii) To enhance and protect local property values of adjacent developments and neighborhoods.
 - (iii) To improve the overall appearance of the development for the density of units (e.g., attached garages and underground garages).
 - (iv) Review the location of all garages and may require that they be attached or underground for the multifamily units. All covered parking shall be placed in locations adjacent and convenient to the buildings that they are intended to serve.
 - (v) To assist the project in reaching affordable rent levels for low and moderate income individuals as determined by the U.S. Department of Housing and Urban Development.
 - (vi) Garages shall be used for vehicle parking only.
 - (vii) Tandem spaces shall be counted only as one space.
 - e. *Building Materials.* Building materials, roofing materials, and building design shall be reviewed and approved by the Planning Commission. High-quality exterior materials shall be used, including brick, stone, synthetic stucco, prefinished panel, composite materials, or other materials of similar quality, durability, and low maintenance.
 - f. *Landscaping on Public Right-of-Way.* Where a planned unit development is adjacent to a public right-of-way, a permanent open space at least ten feet in width shall be required along the property lines. This area shall be kept free of buildings and structures (except fences as approved by the Planning Commission) and permanently maintained in street trees and other landscaping, screened or protected by natural features, or as approved by the Planning Commission.
 - g. *Exterior Fencing.* Exterior fencing shall be provided as approved by the Planning Commission. Acceptable fencing materials include architecturally-designed brick or block fences, wrought iron fences, post and rail fences, vinyl fences, pre-cast concrete, or structural wood fences with square metal posts with tongue-in-groove redwood siding and redwood for all other wood members. Additional landscape buffers may also be required with the width and landscaping specifications as determined by the Planning Commission.
 - h. *Street Lights.* Appropriate street lighting is required. If the streets are to be dedicated to the public, the lights shall comply with the City's Street Light Plan. If the streets are private, the lights may be altered, but must be approved by the Planning Commission. The applicant shall submit a plan which indicates the type and location of street lights in relation to the proposed site landscaping.
- (4) *Development Standards.*
- a. *Required Elements.* Residential developments shall be guided by a total design plan in which the following development standards may be varied to allow flexibility and creativity in site design, building design, and location. The Planning Commission may require such

arrangements of structures, open spaces, landscaping, buffering, and access within the site development plan as they determine appropriate. The Commission may require specific setbacks, a lower residential density, and a height limitation. This criteria shall be used by the Planning Commission principally to ensure the design objectives in this section of this chapter are met.

1. *Feasible Development.* A planned unit development shall be of sufficient size, composition, and arrangement to enable its feasibility as a complete development.
2. *Density.* The density allowed for a planned unit development shall be no greater than the zone in which it is located.
3. *Site Calculations.* Specific calculations addressing the percentage of open space (common and private), impervious versus pervious coverage, and site improvements must be submitted with all project applications.
4. *Lot Requirements.* No specific yard, setback, or lot size requirement shall be imposed in the planned unit development. However, the purpose and objectives of this section must be complied with in the final development plan. The Planning Commission may require certain setbacks within all or a portion of the planned unit development.
5. *Traffic Circulation.* Points of primary vehicular access to the planned unit development shall be designed to provide smooth traffic flow with controlled turning movements and minimum hazards to vehicular, pedestrian, and bicycle traffic. Minor streets within the planned unit development shall not be connected to streets outside the development in such a manner as to encourage their use by through traffic. Adequate emergency vehicle access shall be provided.
6. *Driveways and Alleys.* ~~When consistent with this title, a private driveway or alley may be provided for access to a maximum of four lots as long as sufficient guest parking is provided.~~ A private driveway or alley must comply with all established standards in this titlecode.
7. *Privacy.* Each planned unit development shall provide reasonable visual and acoustical privacy for dwelling units. Fences, insulation, walls, barriers, landscaping, and sound-reducing construction techniques shall be used as appropriate for the aesthetic enhancement of the property, the privacy of its occupants, the screening of objectionable views or uses, and the reduction of noise.
8. *Noise Attenuation.* When, in the opinion of the Director, a proposed planned unit development may be situated in a noisy environment which will adversely affect the peace, tranquility, and privacy of its inhabitants or surrounding inhabitants, an acoustical analysis may be required. Said analysis shall be conducted by a qualified acoustical engineer and include a description of the noise environment and the construction or other methods necessary to attenuate the noise to the required level according to the noise standards of Chapter 13-2.
9. *Security.* The development shall be designed to support security services, taking into account public safety recommendations from the Police Department.
10. *Pedestrian and Bicycle Paths.* Where appropriate, the internal circulation system shall provide pedestrian and bicycle paths which may be physically separated from vehicular traffic to serve residential, nonresidential, and recreational facilities in or adjacent to the development. The Planning Commission may require connections to regional trail systems, activity centers, pedestrian and/or bicycle overpasses, underpasses, or traffic signalization in the vicinity of schools, playgrounds, parks, shopping areas, or other uses that will receive considerable pedestrian and/or recreational trails use from the development.

CHAPTER 21-15. - SENSITIVE AREA OVERLAY ZONE

Sec. 21-15-4. - Development Standards for Sensitive Areas.

- (7) *Streets and Ways.* Streets, roadways, and private streets, lanes and driveways shall follow as nearly as possible the natural terrain minimizing cuts and fills. In addition to the standards identified in Chapter 21-21, the following additional standards shall apply:
- a. Access easements shall be provided to all adjoining developed and non-developed areas for emergency and firefighting equipment when determined necessary by the Fire Marshal. Driveways located upon each lot extending beyond 150 feet from a public or private street may be deemed a Fire Department access road, as determined by the Fire Marshal, and must follow the design requirements of a private lane.
 - b. A cul-de-sac is permitted up 750 feet in length. It may exceed 750 feet in length through a special exception reviewed by the Planning Commission. This request to extend the length of the cul-de-sac requires a recommendation from the Director and City Engineer. The following shall be evaluated in reviewing the special exception:
 1. Based upon the subject property's geographical constraints, it can be demonstrated that extending the road would better accomplish the stated purposes of this chapter.
 2. It can be demonstrated that public safety will be improved above existing conditions.
 - c. Variations of the street design standards developed to solve special visual aesthetics and functional problems may be presented to the Planning Commission upon recommendation from the City Engineer for consideration and approval. Examples of such variations may be the use of split roadways to avoid deep cuts, one-way streets, modifications of surface drainage treatments, sidewalk design, or the extension of a cul-de-sac.
 - d. Development sites which are located near canyon trails shall provide access to those trails. Parking areas at trailheads may be required by the Planning Commission.
 - e. The maximum amount of impervious surface for streets and roadways shall not exceed 20 percent of the entire development site.
 - f. The maximum grade of all streets or rights-of-way for vehicle traffic shall be 10 percent, unless permitted by the City Engineer and Fire Marshal.

CHAPTER 21-21. - SUBDIVISION DESIGN STANDARDS³

Footnotes:

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State Law reference— Subdivision regulations, U.C.A. 1953, § 10-9a-601 et seq.

Sec. 21-21-1. - Purpose.

The purposes of this chapter are:

- (1) To promote the health, safety and general welfare of the residents of Sandy City.
- (2) To provide for the orderly development of the City, with adequate provisions for traffic, light, air, recreation, transportation, water, drainage, sewage, and other public requirements.

(LDC 2008, § 15A-21-01)

Sec. 21-21-2. – General Development Standards.

The standards and improvements required of this chapter shall apply to all development within Sandy City (unless modified or eliminated as allowed herein), whether a subdivision is required or not (e.g. lot of record). All standards found herein shall also be in conformance to the Sandy City Standard Specifications and Details for Municipal Construction (herein known as "Standard Specifications", as adopted by Sandy City. City inspections are required for the installation of all required improvements. If the developer/builder/owner fails to have the City inspection prior to installation, the City Engineer may require remedial action, including, but not limited to, the removal and replacement of the improvements in question.

(LDC 2008, § 15A-21-02)

Sec. 21-21-2. – Curbs, Gutters, Sidewalks and Drive Approaches.

The City Engineer may recommend that curbs, gutters, and sidewalks be installed on all existing and proposed streets and along the frontage of any lot within a subdivision in conformance with the Sandy City Standard Specifications and Details for Municipal Construction. Inspections by the Engineering Division are required for the installation of all curbs, gutters, sidewalks, and drive approaches. If the developer/builder fails to notify the Engineering Division for inspection prior to installation, the City Engineer may require remedial action, including, but not limited to, the removal and replacement of the improvements in question. Unless waived by the Planning Commission upon recommendation from the City Engineer, these improvements will be required.

(LDC 2008, § 15A-21-02)

Sec. 21-21-3. - Residential Driveways.

- (a) Driveways shall be provided for all residential building lots to access the primary garage. A driveway is not required to access a detached structure. If the access to the structure is used to store vehicles, then the surface must be paved. The drive approach for the driveway shall be a minimum width of 12 feet and shall not exceed the maximum width of 30-36 feet. A secondary drive approach may be permitted upon review and approval by the City Engineer as permitted in this code.

- (b) No downsloping driveways shall be permitted unless otherwise approved by the City Engineer due to unusual topographic constraints. The driveway must maintain a positive slope away from the home as required by the International Building Code.
- (c) The minimum grade at which a driveway shall be allowed to be built is two percent slope, and the maximum grade at which a driveway shall be allowed to be built is 12 percent slope, except as hereafter provided. The City Engineer, under exceptional circumstances, may approve driveway slopes having a grade exceeding 12 percent and may impose conditions of approval to mitigate any hazards created by the steepness of the driveway.
- (d) Residential driveways shall be constructed in compliance with the Standard Specifications with a minimum concrete thickness of four inches installed on a minimum of six inches of compacted untreated base course or six inches clean, two inch minus sewer rock.
- (e) A driveway that exceeds 150 feet in length may be deemed a Fire Department access road, as determined by the Fire Marshal, and must follow the design requirements of a private lane.

(LDC 2008, § 15A-21-03)

Sec. 21-21-4. - Culinary Water Systems.

- (a) The developer shall extend culinary water systems to each lot within a subdivision and shall be in conformance with the ~~Sandy City Standard Specifications and Details for Municipal Construction~~. The developer shall install water lines and laterals throughout the subdivision, extending to the farthest boundaries thereof, or beyond as may be determined by the City as necessary to provide service.
- (b) All water utility trenches within Sandy City rights-of-way shall be compacted in conformance with the ~~Sandy City Standard Specifications and Details for Municipal Construction~~. All trenches located outside of Sandy City rights-of-way and located beneath the driveway or within five feet of any public improvement shall be backfilled in 12-inch maximum lifts and mechanically compacted. Backfill and compaction operations shall be certified in writing to the City Engineer by the developer/builder through his licensed professional prior to the City issuing a Certificate of Occupancy. The location of the ends of all water laterals shall be located and marked at the property line by the developer.

(LDC 2008, § 15A-21-04)

Sec. 21-21-5. - Fire Hydrants.

Fire hydrants shall be installed by the developer in accordance with the ~~City's Standard Specifications and Details for Municipal Construction~~, the International Fire Code, and other local ordinances at locations designated by the Fire Department as approved on the ~~final plat and~~ City-approved construction drawings. The roadway where a hydrant is located is a fire access road; the minimum roadway width shall be 26 feet within 20 feet of the hydrant.

(LDC 2008, § 15A-21-05)

Sec. 21-21-6. - Sanitary Sewer and Other Utility Systems.

- (a) *Construction.*
 - (1) The developer shall extend sanitary sewer systems to each lot in a subdivision in conformance with the requirements of the responsible sewer district and the ~~Sandy City Standard Specifications and Details for Municipal Construction (SCSSDMC)~~. The developer shall install main sewer lines and laterals throughout the entire subdivision, extending to the farthest boundaries thereof or beyond as determined by the City, or appropriate sewer district to be necessary to provide service.

- (2) All sanitary sewer trenches within Sandy City rights-of-way shall be compacted in conformance with the ~~Sandy City Standard Specifications and Details for Municipal Construction~~. All trenches located outside of Sandy City rights-of-way located beneath the driveway or within five feet of any public improvement shall be backfilled in 12-inch maximum lifts and mechanically compacted. Backfill and compaction operations shall be certified in writing to the City Engineer by the developer/builder through his licensed professional prior to the City issuing a Certificate of Occupancy. The developer shall locate and mark at the property line the location of the ends of sanitary sewer laterals. All new dwellings shall connect to proper sanitary facilities. This shall be reviewed as part of the building permit process.
- (3) All trenches for utility installation within Sandy City rights-of-way shall be compacted in conformance with the ~~Sandy City Standard Specifications and Details for Municipal Construction (SCSSDMC)~~. All trenches located outside of Sandy City rights-of-way located beneath the driveway or within five feet of any public improvement shall be backfilled in 12-inch maximum lifts and mechanically compacted. Backfill and compaction operations shall be certified in writing to the City Engineer by the developer/builder through his licensed professional prior to the City issuing a Certificate of Occupancy.

(b) *Connection.*

- (1) *Mandatory.* The owner or occupant of real property on which a building has been or is being constructed shall connect such building to the sewer system within 60 days after receiving written notice from the District or City that facilities of the sewer system are available for connection to the building, if any part of such facilities of the sewer system are available for connection to the building, or if any part of such facilities is situated within 300 feet of any point of any property line of such property.
- (2) *Subsequent Use of Private Systems.* If connection to the sewer system is required pursuant to the previous subsection, the owner or occupant thereby required to connect shall immediately plug any septic tank or privy vault, remove any outhouse, fill with earth any cesspool located on his property, and make no further use of those or any other privately owned facilities for final sewage disposal. Any cesspool, outhouse, or unplugged septic tank or privy vault on property required to be connected to the sewer system is hereby declared to be a public nuisance.
- (3) *Construction of Private System.* No person shall construct or cause to be constructed a septic tank or other privately owned means of final sewage disposal on property required to be connected to the sewer system by Subsection (b)(1) of this section.
- (4) *Building Approval.* No newly constructed building required to be connected by Subsection (b)(1) of this section shall be issued a building permit approved for human occupancy if such building is not connected to the sewer system.
- (5) *Conditions.* Nothing in this part as adopted shall be construed as creating any obligation on the part of the District or the City to connect any property to the Sewer System or retain any connection to the sewer system. The District may impose reasonable conditions and requirements for sewer connection without affecting the obligation of a private person to either connect to the sewer system, discontinue use of a private system, or otherwise comply with this section.

(Revised Ords. 1978, § 18-1-6; LDC 2008, § 15A-21-06)

Sec. 21-21-7. - Drainage Systems.

Surface water runoff drainage systems shall be designed to handle all runoff generated within the subdivision by a ten-year three-hour storm and routing of water generated by a 100-year, 72-hour storm. Such systems shall be designed and installed by the developer according to the ~~Sandy City Standard Specifications and Details for Municipal Construction~~.

(LDC 2008, § 15A-21-07)

Sec. 21-21-9. - Alteration or Relocation of Natural Waterways.

- (a) A request for alteration or relocation of a natural waterway shall first be submitted to the City Engineer and Public Utilities ~~Chief Engineer~~Director to ensure the following:
 - (1) The flow capacity and velocity of the waterway will not change with the proposed alteration or relocation.
 - (2) The soils conditions in the proposed location will not increase flooding potential.
 - (3) The proposed waterway can be maintained.
 - (4) Comply with applicable provisions of the Sensitive Area Overlay Zone.
- (b) After approval by the City Engineer and Public Utilities ~~Engineer~~Director, alteration or relocation of any natural waterway shall be submitted and approved by the State Engineer's Office, Army Corps of Engineers (if jurisdictional wetlands are affected), and the Salt Lake County Flood Control Department, or its successor.

(LDC 2008, § 15A-21-09)

Sec. 21-21-10. - Streets Standards for All Types.

- (a) All roads and roadway features are required to meet minimum geometric design standards established by the American Association of State Highway and Transportation Officials (AASHTO). All street and right-of-way improvements shall be designed and constructed in accordance with the ~~Sandy City Standard Specifications and Details for Municipal Construction~~. All signs, pavement markings, and traffic control signals must meet standards established by the Manual on Uniform Control Devices (MUTCD), and related roadway standards established by state, federal, or local law. Exceptions to applicable State and Federal standards may be granted by the City Engineer on a case-by-case basis and shall demonstrate innovative superiority or other advantages over existing standards.
- (b) The arrangement, character, extent, width, grade, and location of all streets shall conform to the Transportation Master Plan and shall be considered in their relation to existing and planned streets, topographical conditions, public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.
- (c) Where the Transportation Master Plan does not show proposed streets, the arrangement of streets in a subdivision shall either:
 - (1) Provide for the continuation or appropriate projection of existing principal streets in surrounding areas (providing for neighborhood connectivity with the purpose of spreading traffic); or
 - (2) Conform to a plan for the neighborhood approved or adopted by the Planning Commission, after considering a recommendation by the City Engineer, to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.
- (d) At least two points of ingress/egress shall be provided for each subdivision, PUD, or multifamily project. They shall be located at a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property area to be served, measured in a straight line between accesses.
 - (1) *Special Exception.* The Planning Commission may grant a special exception to allow a subdivision to have only one point of ingress/egress, after considering a recommendation from the Director and City Engineer ~~and Fire Marshal~~, under the following circumstances:
 - a. 30 or fewer lots/units are accessed from the single ingress/egress;

- b. The Director and City Engineer ~~and Fire Marshal~~ have reviewed the potential for impairment of such single access resulting from vehicle congestion, condition of the terrain, climatic conditions or other factors that could limit access and have made either a positive or negative recommendation to the Planning Commission with regards to a single point of ingress/egress; and
- c. The proposed development project has one or more of the following, as determined and recommended for approval or denial by the Director and City Engineer ~~and Fire Marshal~~ to the Planning Commission:
1. One or more cul-de-sacs, hammerheads, or other approved turn-arounds ~~approved by the Fire Marshal and City Engineer~~, that comply with all development standards herein.
 2. An emergency access (a point of ingress/egress that provides access for emergency vehicles to respond to a building, or facility, in the event the main access is compromised. The design of this access must meet the International Fire Code).
 3. The future extension of a stub street that will provide additional access, including a temporary turn-around.
 4. All buildings are equipped throughout with automatic sprinkler systems approved by the Fire Marshal and Chief Building Official.
- (e) Stub streets that are longer than 150 feet shall have a temporary turn-around as approved by the City Engineer and Fire Marshal. A temporary turn-around on a public street may include all approved types adopted in the Standard Specifications. The turn-around may be eliminated or repurposed once the stub street is connected as a through street.
- (f) Street right-of-way widths shall be as shown on the Transportation Master Plan and, where not shown therein, shall not be less than the following (unless modified by a waiver or special exception as allowed herein):

<i>Street Type</i>	<i>Right-of-Way Width</i>
Major arterial	108+ feet
Minor arterial	86 feet
Major collector	82 feet
Minor collector	68 feet
Local	52 feet
Private street/lane type	Right-of-way width
Private street	32 feet (27 feet pavement width minimum)
Private lane	20 feet pavement width minimum

<u>Alley</u>	<u>26 feet (20 feet pavement minimum (one-way))</u> <u>30 feet (24 feet pavement minimum (two-way))</u>
<u>Pedestrian Mew</u>	<u>26 feet (8 feet pavement width)</u>

(g) Half streets are prohibited.

(1) *Special Exception.* The Planning Commission may grant a special exception to allow less than a full-width dedication and improvements only in the following circumstances:

- a. Where it can be shown by the developer that it is essential to the development of the subdivision;
 - b. All other aspects of the subdivision are in conformance with the other requirements of these regulations;
 - c. The City Engineer recommends to the Planning Commission that it will be practicable to require the dedication and improvements to the other half when the adjoining property is developed upon reviewing a neighborhood master plan; and
 - d. A minimum pavement width of 20 feet will be required as recommended by the City Engineer; and-
 - e. Conformance with Fire Access Roads requirements.
- (h) A cul-de-sac is discouraged, but may be permitted on local streets and shall be terminated by a turn-around of not less than 92-97 feet in diameter, as measured from top back of curb to top back of curb. This is the only type of permitted termini for a public street. A cul-de-sac shall not exceed 400-500 feet in length in a residential zone. A cul-de-sac length is measured from its intersection with another street to the end of top back of curb of the cul-de-sac turn-around.
- (i) Streets shall be laid out so as to intersect as nearly as possible at right angles. The City Engineer may approve minor deviations of up to 10 degrees.
- (j) No street names shall be used which will duplicate the names of existing streets. Street names are subject to the approval of the Salt Lake County Recorder's Office.
- (k) Local streets shall be laid out to provide neighborhood connectivity so that traffic is distributed out evenly.
- (l) Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the Planning Commission may require a local access street approximately parallel to and on each side of such right-of-way.
- (m) Where a subdivision abuts or contains existing back-facing lots or a proposed arterial or collector street, the Planning Commission may require local access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with rear service alleys, or other such treatment as may be necessary for adequate protection of residential properties and to provide separation of thru and local traffic.
- (n) Curbs, gutters, parkstrips, and sidewalks shall be required on all existing and proposed public and private street frontage of any lot within a subdivision or legal buildable parcel in conformance with the Standard Parkstrips and sidewalks shall be required on all streets. They shall be designed and installed according to the City's Standard Specifications and Details for Municipal Construction. The Specifications. The Planning Commission may grant a special exception to waive either one or both of any of these improvements, after considering a recommendation from the Director and City

Engineer and Fire Marshal. They shall consider and evaluate the following criteria ~~must be evaluated prior to waiving these improvements~~:

- (1) The number of homes within the subdivision;
- (2) The length of a cul-de-sac;
- (3) The precedence of adjoining improvements;
- (4) The configuration of lots;
- (5) Where the only other alternative is a private road design;
- (6) Flood control and storm drainage;
- (7) Pedestrian safety and walkable element demands;
- (8) The proposal equitably balances the needs of the public and presents the most efficient use of land;
- (9) The potential negative impacts created by the waiver(s); and
- (10) The cumulative effect of all the waivers and any other exceptions requested for the development.

(o) The Fire Marshal, Police Chief, and City Engineer are authorized to recommend an approval or denial to the Planning Commission for the installation of security gates across Fire Department access roads if all of the following criteria can be met:

- (1) Compliance with the ~~2012~~ International Fire Code, ~~or as amended~~.
- (2) Gates are placed on private or common area property and must be located at least 20 feet from the public right-of-way.
- (3) Gates are not within an area designated as a sight triangle by the City Engineer.
- (4) A turn-around shall be provided at the entrance of the gate for passenger cars. This will require a minimum of a 30-foot road width and a 12-foot opening in any potential median prior to the gate.
- (5) The minimum gate width shall be 20 feet. When a divided roadway is proposed, the gate width shall not be less than 12 feet.
- (6) Gates shall be of the swinging or sliding type.
- (7) Construction of gates shall be of materials that allow manual operation by one person.
- (8) Gate components shall be maintained and operational at all times and replaced or repaired when defective. Should the gate not be operational, the gate shall be left in an open position or removed until it can be certified by the Fire Marshal through an independent vendor that it functions properly.
- (9) Electric gates shall be equipped with a means of opening the gate by Fire Department personnel for emergency access. Emergency opening devices shall be approved by the Fire Marshal.
- (10) Manual opening gates shall not be locked with a padlock or a chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box is installed containing the keys to the lock.
- (11) Locking device specifications shall be submitted to the Fire Marshal for approval.
- (12) For all electronic gates, the HOA or private lane/gate owners shall apply for an annual gate permit and supply verification of yearly maintenance records with two phone numbers for responsible parties to the Fire Marshal.

(p) Bollards are prohibited within any public or private right-of-way, unless permission is granted by the Director and City Engineer and Fire Marshal based upon the need for restricted vehicle access and protection of fire hydrants.

- (g) All streets are to be designed to serve as a Fire Department access road. Said roads shall not exceed 10% slope except as approved by the Fire Marshal and City Engineer. They cannot be varied less than 20 feet to 26 feet. To ensure access is maintained, roadways with less than 26 feet of width shall have "No Parking, Fire Lane" signs at locations deemed appropriate by the Fire Marshal. Roadways with widths between 26 feet and 32 feet shall be required to have the same signs on one side of street.

(LDC 2008, § 15A-21-10; Ord. No. 14-29, 9-28-2014)

Sec. 21-21-11. - Additional Standards for Private Streets/Lanes/Alleys/Pedestrian Mew.

- (a) Public street systems shall be required for access to all residential dwellings~~sites~~, unless it is demonstrated by the developer that a public street cannot be constructed due to the following issues: property width, connectivity (or the inability to connect to the existing street patterns), topographical concerns, overall subdivision design, utility connections, and the ability to provide service, which includes, but is not limited to, snow plowing, street sweeping, trash collection and overall street maintenance.
- (b) If a private street/lane/alley/pedestrian mew is allowed by the Planning Commission through a Special Exception, and, ~~in the event that the developer desires to include the private street/lane may not be counted toward as part of the lots square footage to meet the minimum lot size of the zone. A Capital Reserve Study (as per the Condominium Ownership Act (U.C.A. 1953, § 57-8-1 et seq.) and the Community Association Act (U.C.A. 1953, § 57-8a-101 et seq.) will be required and a Reserve Fund shall be established for the Homeowners' Association, based on the study, so that the street is continually maintained as designed. Street maintenance, sweeping and snow/trash removal is the responsibility of the Homeowners' Association, then the developer will be required to simultaneously with the recordation of the subdivision or PUD plat to include language that discloses, including a written provision in any perpetual restrictive covenants to state:~~
- ~~"In the event the developer, declarant, or future owners of any lot within the subdivision desire to dedicate their private street/lane to the City, the individual lots will be required to meet the per lot square footage requirements for the existing zone, exclusive of any square footage now being used for the private street/lane access (including the required sidewalks) that are being requested to become a City-owned dedicated right-of-way."~~
- ~~(c) If the requested street/lane property dedication would result in any lot not meeting the City standards (e.g., minimum lot square footage required in the zone), then the requested dedication will be denied by the City.~~
- (dc) A private street shall be designed and function similar to a public road. They shall provide frontage and access (guaranteed through a shared access easement) to each lot it serves. Either it must be designed to be owned commonly on its own parcel or the lots that front onto the street must own to the center of the road. is a right-of-way or easement in private ownership, not dedicated or maintained as a public street, that serves more than two lots and is greater than 150 feet in length. The following regulations apply to all proposed new developments. Existing roads that provide access to legally subdivided lots, or lots of record, may be allowed to remain at current widths unless it does not meet current Fire Code standards. If it does not meet current fire standards, upon any new development application, the subject property will be required to comply with current development standards. The following regulations apply to all proposed new developments:
- (1) Approved private streets for access to residential dwelling structures shall have a 27-foot minimum width paved surface (32-foot right-of-way). The Planning Commission may grant a special exception to allow less than a 27-foot pavement width, after considering a recommendation from the Director and City Engineer and Fire Marshal. The City Engineer and Fire Marshal will consider the following conditions when making a recommendation to the Planning Commission for approval of a narrower pavement width: They shall consider and evaluate the following criteria for a narrower pavement width:
- a. Existing site conditions, topography, improvements, etc.;

- b. Compliance with International Fire Code requirements~~Fire access~~ and water availability;
 - c. Number of lots based on zoning;
 - d. Lot dimensions including frontage;
 - e. Flood control and storm drain; ~~and~~
 - f. Public utilities;~~;~~
 - g. The proposal equitably balances the needs of the public and presents the most efficient use of land;
 - (h) The potential negative impacts created by the exception(s); and
 - (i) The cumulative effect of all the waivers and other exceptions requested for the development.
- (2) Private streets shall have appropriate turn-arounds at the termini of the road as required by the ~~Sandy City Standard Specifications and Details for Municipal Construction.~~
 - (3) A full-size fire apparatus must be able to negotiate the roadway without any backing maneuvers to the termini of the roadway. The applicant must demonstrate compliance through turn movement modeling software (using a vehicle type similar to that of a fire apparatus) that is approved by the City Engineer. ~~Vehicle size model is to be 2011 AASHTO Figure 2-6, City Bus.~~
 - (4) Private streets that have less than 27 feet of pavement width shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances for fire access roads shall be maintained at all times. To ensure access is maintained, roadways with less than 26 feet of width shall have "No Parking, Fire Lane" signs at locations deemed appropriate by the Director and Fire Marshal.
 - ~~(5) The Director and City Engineer shall have the authority to require a sidewalk (five feet minimum) on one or both sides of the private street based upon pedestrian safety.~~
 - (6) All private streets, including termini, shall be constructed in accordance with the latest edition of the ~~Sandy City Standard Specifications and Details for Municipal Construction,~~ the International Fire Code, this title, and all other applicable City ordinances.
 - ~~(7) If a private street is approved, a Capital Reserve Study (as per the Condominium Ownership Act (U.C.A. 1953, § 57-8-1 et seq.) and the Community Association Act (U.C.A. 1953, § 57-8a-101 et seq.) will be required and a Reserve Fund shall be established for the Homeowners' Association, based on the study, so that the street is continually maintained as designed. Street maintenance, sweeping and snow/trash removal is the responsibility of the Homeowners' Association.~~
- (e) A private lane shall be utilized to provide access for up to two residential lots that do not have frontage to a public or private roadway. is a right-of-way or easement in private ownership, not dedicated or maintained as a public street, that serves one or two lots, and is ~~They shall be unnamed nor given a street coordinate. They shall be~~ less than 150 feet in length, as measured from the top back of curb of the intersecting street to the edge of the pavement or required terminus of the lane.
- (1) ~~Approved private lanes for access to residential dwelling structures. They~~ shall have a 20-foot minimum width paved surface. A full size fire apparatus must be able to negotiate the roadway without any backing maneuvers to the termini of the roadway. The applicant must demonstrate compliance through turn movement modeling software that is approved by the City Engineer. (using a vehicle type similar to that of a fire apparatus)~~Vehicle size model is to be 2011 AASHTO Figure 2-6, City Bus.~~
 - (2) The Director, City Engineer, and Fire Marshal shall have the authority to require an increase in the minimum widths if:
 - a. They determine that a 20-foot width is inadequate for fire or fire rescue operations.
 - b. After consideration of the potential for vehicle congestion, condition of terrain, climactic conditions or other factors would limit access.

- (3) Private lanes shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances shall be maintained at all times. Street maintenance, sweeping, and snow/trash removal is the responsibility of the lot owners which access the private lane.
 - (4) All private lanes shall be constructed to meet Public Utility Department requirements related to water and storm drainage.
 - (5) ~~The maximum length of a private lane shall be 150 feet, with an approved turn-around, unless otherwise approved by the Planning Commission after considering a recommendation from the Director, City Engineer, and Fire Marshal.~~ The Planning Commission may grant a special exception to exceed the length of a private lane beyond 150 feet, after recommendation from the Director and, City Engineer, and Fire Marshal. These individuals will consider the following conditions when making a recommendation to the Planning Commission for approval of a longer private lane:
 - a. Proximity of buildable space;
 - b. Appropriately designed turn-around;
 - c. Slopes;
 - d. Fire hydrants; and
 - e. Service delivery
 - (6) All private lanes, including termini, shall be constructed in accordance with the latest edition of the Sandy City Standard Specifications and Details for Municipal Construction, this title, the International Fire Code, and all other applicable City ordinances.
- (f) An alley may be utilized to provide rear access to a mixed-use or PUD development only, so long as the development has primary access to a public or private street or a pedestrian mew. The alley is meant to serve primarily as a utility and vehicle service corridor.
- (1) An alley shall have a 20-foot minimum width paved surface for a one-way road, and shall have a 24-foot minimum paved surface for a two-way road. A full size fire apparatus must be able to negotiate the roadway without any backing maneuvers to the termini of the roadway. The applicant must demonstrate compliance through turn movement modeling software that is approved by the City Engineer. (using a vehicle type similar to that of a fire apparatus).
 - (2) The City Engineer and Fire Marshal shall have the authority to require an increase in the minimum widths if:
 - a. They determine that the width is inadequate for fire or fire rescue operations.
 - b. After consideration of the potential for vehicle congestion, condition of terrain, climactic conditions or other factors would that limit access.
 - (3) An alley shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances shall be maintained at all times. Maintenance, sweeping, and snow/trash removal is the responsibility of the lot owners which access the alley.
 - (4) All alleys shall be constructed to meet Public Utility Department requirements related to water and storm drainage.
 - (5) A structure shall be placed no closer than three feet to the alley.
 - (6) Access driveways to the alley shall be no more than three feet in depth to a garage. Alternatively, the driveway shall be a minimum 20-foot depth to allow for off street vehicle parking.
- (g) A pedestrian mew may be utilized to provide primary building access and serve as building frontage to a mixed-use or PUD development only if the mew connects to a public or private street network. These shall be named and given coordinates like a street as they serve as the primary frontage to a

building. These are to be used in conjunction with an alley or parking lot drive aisle to provide vehicular access to the development.

(LDC 2008, § 15A-21-11; Ord. No. 14-29, 9-28-2014)

Sec. 21-21-12. - Buffering Along Streets.

Residential developments shall not permit motor vehicle access directly onto an arterial street or roadway from individual residential lots. No new residential developments shall be permitted within the City, which abut an arterial without requiring improvements along the entire length of the development as it abuts the arterial street. The following standards shall apply:

- (1) The Planning Commission may require a barrier wall six feet in height (measured from the highest elevation on either side of the wall). Where soil retention is required, walls may be up to eight feet in height (retaining wall and barrier wall combined). Wall design and coloration shall be determined by the Planning Commission. The use of alternative wall materials, appearance, and color is encouraged. Concrete strips placed at the base of the fence shall be required to eliminate gaps between walls and sidewalks.
- (2) Curb, gutter, and sidewalk shall be designed to specifications approved by the City Engineer.
- (3) A landscaped buffer between the sidewalk and street curb shall be installed according to SCSSDMC Standard Specifications. In order to facilitate the planting of street trees, an eight-foot parkstrip and five-foot sidewalk is the standard requirement. Reduced parkstrip and sidewalk width may be approved based upon the size, scale, and nature of the project, and the type of existing improvements on adjacent properties. However, a ten-foot cross-section (five-foot parkstrip, five-foot sidewalk) is a minimum and may necessitate tree planting behind the sidewalk.
- (4) Sprinkling system and water connections sufficient to maintain landscaping in all buffer areas shall be approved by the Public Utilities Department and Parks and Recreation Department.
- (5) An additional landscaped buffer, including sprinkling and water connections, may be required by the Planning Commission between the sidewalk and barrier wall, where it is impractical for the barrier wall to abut the sidewalk. The specific width of the buffer and landscaping specifications shall be determined by the Planning Commission upon recommendation by the Parks and Recreation Director at the time of subdivision review.

(LDC 2008, § 15A-21-12)

Sec. 21-21-14. - Block Length.

- (a) The lengths, width, and shapes of blocks shall be determined by the following:
 - (1) Provision of adequate building sites suitable to the special needs of the type of use contemplated.
 - (2) Zoning requirements as to lot size and dimensions.
 - (3) Needs for convenient access, circulation, control, and safety of street traffic.
 - (4) Limitations and opportunities of topography.
- (b) Block lengths shall not exceed 1,200 feet.
- (c) Pedestrian crosswalks shall be required where deemed essential to provide circulation or access to churches, schools, playgrounds, shopping centers, transportation, and other community facilities in accordance with the Standard Specifications SCSSDMC.

(LDC 2008, § 15A-21-14)

Sec. 21-21-16. - Walkways and Trails.

- (a) Walkways and trails with a width of six to ten feet may be required within a subdivision. This will be determined on a case-by-case basis after review by City staffthe Director based on the City's approved Trails Master Plan.
- (b) The developer may be required to dedicate a sufficient amount of property to be used exclusively as a pedestrian access walkway. Such parcels to be dedicated shall be located in a position within the development as may be determined by the Planning Commission. The parcel shall also be of a size large enough to allow for such a walkway, such size to be determined by the Planning Commission.
- (c) The developer may be required to install upon the walkway such improvements as determined by the Planning Commission and the City Engineer. All such improvements shall be erected and constructed in accordance with standards as may be established by the Planning Commission and City Engineer.

(LDC 2008, § 15A-21-16)

Sec. 21-21-20. - Street Lighting.

- (a) The developer shall follow the requirements as outlined in this Code.
- (b) The street lights shall be placed as approved by the Public Utilities Director. Such items to be approved include appropriate distance, alternating sides of street, location upon the property, street light type, height, and illumination intensity as determined by the City's Standard Specifications-and Details for Municipal Construction.

(LDC 2008, § 15A-21-20)

Sec. 21-21-21. - Lots.

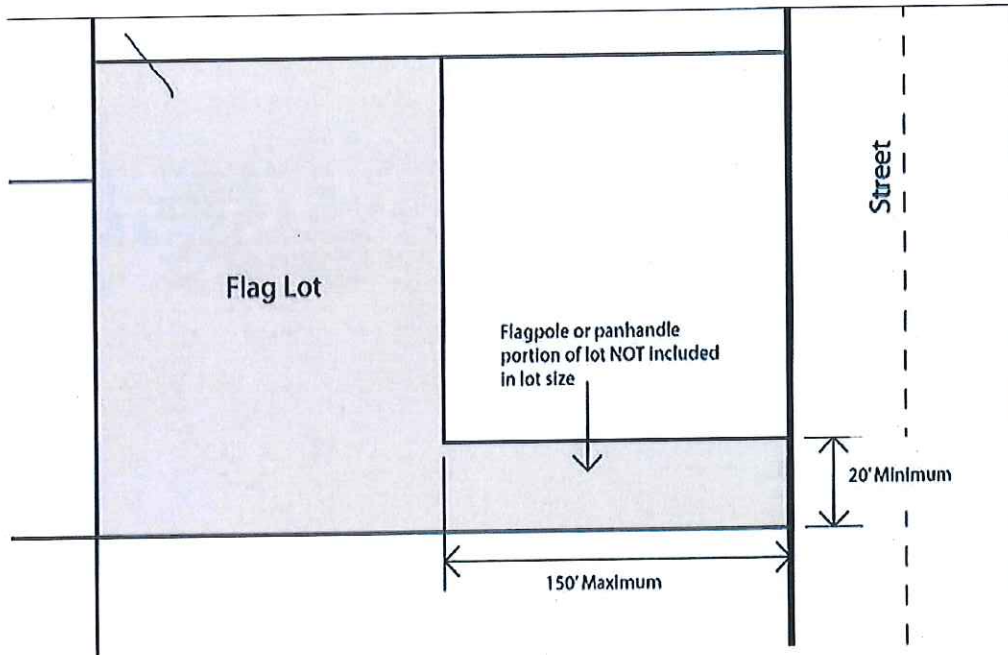
- (a) Every parcel of land created by a subdivision shall comply with the minimum lot size requirements of this title and shall be platted as part of a subdivision. No parcel of land shall be created or left unplatted which is either undevelopable or serves merely as a nuisance or lot remnant.
- (b) Except as may be otherwise provided in this title, all lots shall have the required frontage upon a dedicated and improved street. Exceptions may include the following:
 - (1) Residential building lots that do not have frontage upon a public street shall obtain a special exception from the Planning Commission as part of the preliminary review process.
 - (2) Commercial building lots within a recorded subdivision are exempt from this requirement. They may be developed without direct frontage upon a public street.
- (c) Where a canal abuts a subdivision, the area or portion of the canal which is located in the lots shall not be included in the computation of total lot size nor side or rear yard setbacks for purposes of determining compliance with this title.
- (d) All lot corners, points of curvature, tangency, and bearing changes shall be marked with permanent metal stakes approved by the City. The front corners of the lot shall be marked as per the Sandy City Standard Specifications-and Details for Municipal Construction.
- (e) Double frontage and reverse frontage lots shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation.
- (f) Where possible, side lot lines shall be substantially at right angles to street lines.

(LDC 2008, § 15A-21-21)

Sec. 21-21-22. - Flag Lots.

In order to encourage the more efficient use of land, flag or L-shaped lots may be approved by the Planning Commission as a special exception (a permitted use within the Sensitive Area Overlay District) subject to the following criteria:

- (1) A flag or L-shaped lot shall be comprised of a staff portion contiguous with the flag portion thereof.
- (2) The staff portion of said lot shall be regulated as a private lane and shall front on and be contiguous to a dedicated public street or private street. ~~The minimum width of the staff portion of a flag lot shall be 20 feet and the maximum length shall be 150 feet, unless otherwise approved by the Planning Commission after considering a recommendation of the Fire Marshal.~~
- (3) No building or construction, except for driveways, shall be allowed on the staff portion of said lot, unless the minimum width thereof is the same or greater than the minimum width for a lot as allowed in the underlying zone (excluding entrance features and street lights).
- (4) The front side of the flag portion of said lots shall be deemed to be that side nearest to the dedicated public street or private street upon which the staff portion fronts, unless otherwise determined by staff on a case-by-case basis.
- (5) The staff portion of said lots shall be deemed to end, and the flag portion of said lots shall be deemed to commence at the extension of the front lot line.
- (6) The square footage located in the flag portion of said lot, which shall be exclusive of the square footage located in the staff portion of said lot, shall be the same or greater than the minimum square footage as required in the underlying zone.
- (7) The front, side and rear yard requirements of the flag portion of said lots shall be the same as is required in the underlying zone.
- (8) No more than two flag lots can be served by the staff portion.
- (9) The maximum number of flag lots in the subdivision shall be not more than 20 percent of the total number of lots within the subdivision, unless otherwise approved by the Planning Commission. The Planning Commission may allow more than 20 percent if the subdivision is an infill development and the lot configuration is the most efficient use of land.
- (10) The approved building envelope shall be illustrated upon the final plat.
- (11) No flag lots shall be permitted at the end of an approved cul-de-sac or other private road terminus.
- (11) Below is an example of a flag lot and is included herein to illustrate the concept of flag or L-shaped lots.



(LDC 2008, § 15A-21-22; Ord. No. 14-29, 9-28-2014)

Sec. 21-21-25. ~~---~~ Waivers and Special Exceptions.

Any waiver or special exception authorized by the Planning Commission as allowed in this title shall be shown on the final plat and the reasons for ~~such waiver~~them shall be entered in writing in the minutes of the Planning Commission meeting.

(LDC 2008, § 15A-21-25)

CHAPTER 21-24. - PARKING, ACCESS AND CIRCULATION REQUIREMENTS

Sec. 21-24-1. - Purpose.

- (a) These regulations are established to reduce street congestion and traffic hazards in Sandy City by incorporating adequate, attractively designed facilities for off-street parking as an integral part of every use of land in the City. These regulations are intended to complement any performance standards relating to development of parking lots as may be contained in other chapters of this title.
- (b) This chapter also provides for vehicle ingress and egress, internal circulation, reciprocal access, and transportation demand management options within developments. Vehicular access and circulation must be properly designed so that the City street system will be able to accommodate traffic at an acceptable level of service. Thus, this chapter is intended to balance the right of reasonable access to private property with safe and efficient travel.
- (c) Streets have been categorized in the Transportation Plan by function and classified for access purposes based upon their level of importance and function. Regulations have been applied to these roadways for the purpose of mitigating traffic demand and reducing traffic accidents, personal injury, and property damage attributable to access systems, and to thereby improve the safety and operation of the street network. These regulations further the orderly use of land, protect community character, provide universal pedestrian and bicycle access, and conserve natural resources by promoting well-designed road and access systems.

(LDC 2008, § 15A-24-01)

Sec. 21-24-2. - General Provisions.

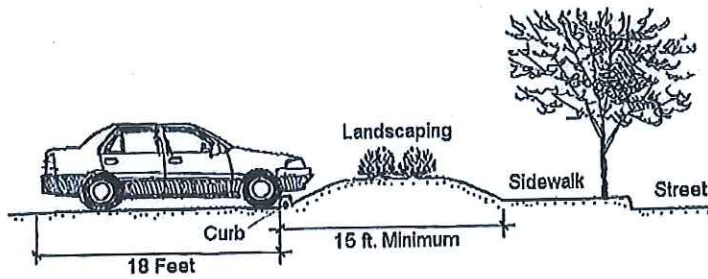
(a) *General.*

- (1) Minimum off-street parking space with adequate provision for ingress and egress by standard-sized vehicles shall be provided at the time of erection of any main building or at the time any main building is enlarged or increased in capacity. Exception: Those homes existing or constructed prior to February 1, 2008, shall be exempt from the requirement to enlarge their attached garage to meet the present standard.
- (2) Parking areas shall be considered as structures since they represent a three-dimensional appearance when occupied. Parking shall be designed as outdoor rooms promoting maintenance and ownership.

(b) *Parking Space Size.*

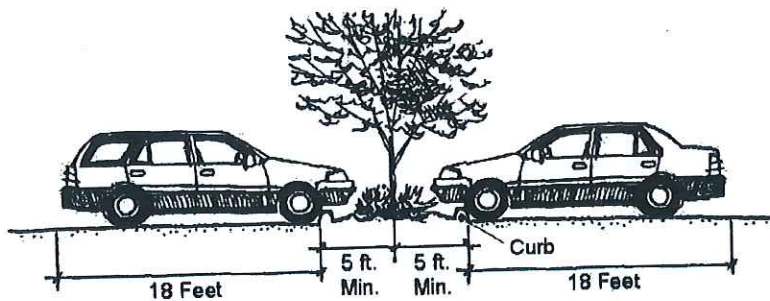
- (1) All parallel parking spaces shall be a minimum of nine feet wide by 22 feet long, as designated on the diagram in this chapter.
- (2) All parking spaces (not including parallel spaces) shall be a minimum of nine feet wide by 20 feet long, as designated on the diagram in this chapter.
- (3) Parking spaces (not including parallel spaces) may be reduced to 18 feet in depth based upon the following exceptions:
 - a. Where cars overhang landscape areas that are at least 15 feet wide along street frontages;

Reduction for Landscape Buffer



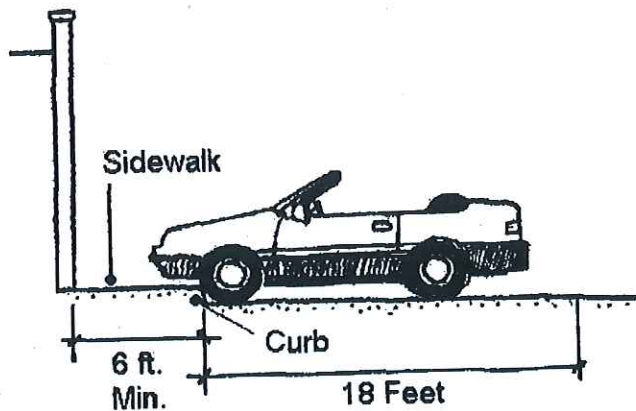
- b. Where cars overhang landscape areas that are at least five feet wide along a side or rear property line or adjacent to an interior parking lot landscape area that is at least ten feet wide (for double loaded parking). In order to encourage low impact development standards, double loaded parking may be built with 18 foot stalls and a four foot landscaped area in between.

Reduction for Planter Overhangs



- c. Where cars overhang a sidewalk on private property where the sidewalk is at least six feet in width; or

Reduction for Sidewalk Overhang



d. 90-degree parking within a parking structure.

(4) The minimum garage size for residential development shall be as follows:

Type of Garage	Minimum Width	Minimum Depth	Minimum Square Footage
Single	12 ft.	20 ft.	240 sq. ft.
Double	20 ft.	20 ft.	400 sq. ft.
Triple	30 ft.	20 ft.	600 sq. ft.
<u>Note: These dimensions are to be administered from the interior of the garage. No encroachments (i.e. stairs, doors, etc.) are allowed within these minimum areas.</u>			

(c) *Floor Area Defined.* For the purposes of parking requirements, floor area shall be defined as the gross square footage of the building.

(LDC 2008, § 15A-24-02; Ord. No. 14-06, 4-23-2014)

Sec. 21-24-3. - Special Access and Parking Provisions.

(a) *Alternative to On-Site Parking.*

(1) *Off-Site Parking.* Off-site parking may be allowed for the required parking of any new use, structure, or building in any commercial or RM District that cannot be provided on the premises due to the property's size or location according to the following criteria:

- The off-site parking must be located on other appropriately zoned property.
- The off-site parking cannot be more than 300 feet of walking distance from the nearest point of the parcel.
- The adjacent site has excess parking that is not required for their use, or the hours parking is needed will not conflict with the hours of use on the adjacent property.
- The applicant shall provide a document to the Community Development Department, signed by the owners of the alternate site and recorded at the Salt Lake County Recorder's Office, that stipulates the permanent reservation of use of the site for said parking.

(2) *Temporary Off-Site Event Parking.*

- Temporary off-site parking for events may be allowed after review and approval of a Parking and Access Management Plan by the Planning Commission at a public meeting. Temporary parking is parking established for a fixed period of time with the intent to discontinue such parking upon the expiration of the time period. An occasional event with an expected attendance of less than 500 persons or if the event does not occur more than once a year shall not be subject to the requirements of this section.
- The applicant will be responsible to make provisions for on- and off-site parking, safe pedestrian routes to and from the off-site parking, transportation to and from off-site parking

locations beyond a 5,000-foot (approximately 15 minutes) walking route, entry and exiting methods, temporary or permanent traffic control methods, and restricting parking in identified areas.

- c. The Parking and Access Management Plan must be approved prior to the issuance of a temporary use permit, business license or Certificate of Occupancy required for the event, project, or use. Upon approval, the Parking and Access Management Plan shall be available for public inspection. All approved updates of a Parking and Access Management Plan shall be available for public inspection.
- d. The applicant may be responsible to post a guarantee for improvements and implementation of various components of the Parking and Access Management Plan.
- e. The Parking and Access Management Plan shall be submitted with the application for the project or use and shall:
 1. Determine the total number of parking spaces required based upon the land use category less any anticipated mass transit use projection, which may be limited to 15 percent of the total number of required parking spaces unless greater mass transit use is demonstrated.
 2. Establish the minimum number of on-site spaces that are required. Specify the number of those on-site spaces that will be reserved for or utilized by employees, VIPs, buses, media, etc.
 3. Establish the minimum number of off-site spaces, if any, that are required within a 1,650-foot (approximately five minutes) walking route of the site.
 4. Establish the minimum number of off-site parking spaces, if any, that are required within a 5,000-foot (approximately 15 minutes) walking route of the site.
 5. Establish the minimum number of off-site parking spaces, if any, that are required beyond the 5,000-foot (approximately 15 minutes) walking route of the site.
 6. Identify all off-site parking sites potentially available to be used for Subsections (a)(2)e.3 through 5 of this section. Identify methods that the applicant will provide for safe pedestrian routes to and from the parking sites satisfying Subsections (a)(2)e.3 and 4 of this section (e.g., wider sidewalks, trails, bridges, permanent or temporary traffic control devices, individuals directing traffic, etc.), and methods to provide transportation to and from those sites satisfying Subsection (a)(2)e.5 of this section (e.g., Trax, UTA buses, shuttle buses, etc.), and provide a timeline for the implementation of the identified methods. Each potential off-site parking location shall conform to the parking area development and maintenance requirements in this section.
 7. Identify neighborhoods and other areas that will specifically not be allowed to be part of the calculation of available parking spaces or will be subject to parking restrictions during the event. Identify measures that the applicant will implement to prevent parking within restricted areas (e.g., signage, security personnel, proposed new parking regulations, etc.), and provide a timeline for the implementation of the identified methods.
 8. Identify pedestrian exit times and volumes to on-site and off-site parking areas. Identify methods that the applicant will implement to manage the projected volume expeditiously and safely (e.g., wider sidewalks, temporary or permanent traffic control methods, etc.), and provide a timeline for the implementation of the identified methods.
 9. Include a Traffic Study presenting traffic counts, times and circulation patterns for a geographic area encompassing all potential off-site parking sites if required by the City ~~Transportation~~ Engineer. If required, the Traffic Study shall also present the projected impact of the event on existing traffic counts, times and circulation patterns.

10. Identify the methods the applicant will implement, on vacant or unimproved lots, to control the dust and debris.
 11. Identify any permits or approvals necessary from other transportation agencies with jurisdiction over roads or streets affected by the temporary or permanent traffic control measures identified in Subsections (a)(2)e.7 through 9 of this section.
 12. Specify a date by which the applicant must provide the Planning Commission with evidence of availability of off-site parking spaces, safe pedestrian routes, transportation services, measures to prevent parking in restricted areas, and measures to manage entry and exit times and volumes of pedestrians and vehicles.
 13. Indicate the time period for which the Parking and Access Management Plan will be in effect.
 14. Be updated on a yearly basis or as otherwise required by the Planning Commission after the project or event has commenced operation. The Planning Commission shall hold at least one public meeting prior to the approval of any updated Parking and Access Management Plan.
- (b) *Parking Increase.* Developments are required to provide a certain number of parking stalls, as determined by this title, based on the land uses associated with the site. In some cases, it may be appropriate to allow for more than the required parking. At the time of site plan review, a Parking Plan shall be submitted showing all parking spaces, the overall circulation system, and justification for requesting increases in parking space requirements as specified below:
- (1) *Increase up to Ten Percent.* The Director may approve an increase of up to ten percent of the amount of required parking upon review of one or more of the following that justifies the request:
 - a. *Parking Demand Analysis.* A study provided by a licensed transportation engineer that demonstrates actual usage of employees and customers of the proposed land use or similarly situated land uses in other locations.
 - b. *Market Demand Analysis.* A study provided by a licensed real estate professional or real estate financial professional that provides estimates of current market demand for a particular land use.
 - (2) *Increase above Ten Percent.* The Planning Commission may approve an increase of up to 25 percent of the amount of required parking upon review of the criteria listed in Subsection (b)(1) of this section. The Planning Commission may approve a request to increase the amount of parking provided beyond the 25 percent increase of required parking if the additional parking is sited within a parking structure that meets the following criteria:
 - a. The parking structure contains at least 90 percent or more of the total proposed parking stalls of the development; and
 - b. The footprint of the parking structure consumes no more than 50 percent of the above grade total site area, is contained within the proposed building footprint, or is completely underground; and
 - c. The parking structure contains at least three levels; and
 - d. The parking structure does not exceed the height of the surrounding buildings within the site.
- (c) *Parking Reduction.* Developments are required to provide a certain number of parking stalls, as determined by this title, based on the land uses associated with the site. In some cases, it may be appropriate to allow for less than the required amount of parking. At the time of site plan review, a Parking Plan shall be submitted showing all proposed parking spaces, the overall circulation system, and justification for requesting reductions in parking space requirements as specified below:
- (1) *Reduction up to Ten Percent.* The Director may approve a reduction of up to ten percent of the amount of required parking upon satisfactory review of one or more of the following that applies to the request:

- a. *Parking Demand Analysis.* A study provided by a licensed transportation engineer that demonstrates projected usage of residents, employees, and customers of the proposed land uses or similarly situated land uses in other locations.
 - b. *Market Demand Analysis.* A study provided by a qualified real estate market analyst that estimate current market demand for a particular land use. For the purpose of this section, a real estate analyst shall be defined as a real estate professional with expertise in financial analysis in support to the financing, acquisition, marketing and leasing of real property based on the study of economic conditions and market trends.
 - c. *Walkability and Multi-Modal Design.* Provide a site plan design that demonstrates walkable elements and promotes multiple modes of transportation. A study by a licensed transportation engineer shall provide a quantitative analysis of the anticipated parking demand and automobile trips based on the proposed design.
 - d. *Proximity to Transit.* A site that is within a half-mile ADA route distance of existing or immediately planned local fixed mass transit station that would help reduce the number of needed parking stalls and automobile trips.
 - e. Low to Moderate Income Housing. A housing development that is proposing to set aside at least 20% of their units for residents that qualify for at least 80% low to moderate income.
- (2) *Reduction above Ten Percent.* The Planning Commission may approve a reduction above ten percent of the amount of required parking. Upon satisfactory review of two or more of the criteria listed in subsection (b)(1) of this section, they may approve up to a 15 percent reduction. Upon satisfactory review of three or more of those criteria, they may approve up to a 20 percent reduction. Upon satisfactory review of ~~all four~~ or more of those criteria, they may approve up to a 25 percent reduction.
- a. No parking reduction shall be applied to any detached single-family housing development within the city limits.
- (3) *Residential Parking Reduction.* If a reduction to any parking requirement is granted for a residential development, it shall be required of the developer/owner to provide a minimum of one stall to each residential unit and include it in the base sale or lease price of the unit.
- (4) *Amendments.* Any amendments to the approved site plan or change in land use will cause any previously approved parking reductions for the site to be reviewed again by the appropriate authority and ensure that the required justification requirements have been met.
- (c) *Shared Parking.*
- (1) *Shared Parking Proposal.* Notwithstanding any other parking requirements provided in this chapter, when land uses occupy the same lot or adjacent lots, the total number of off-street parking spaces required for each use may be combined and shared. A proposal for sharing off-street parking shall be presented to the Director. If the proposal involves the accommodation of more than ten parking spaces (total accumulated spaces required for all involved uses), the Director may present the proposal to the Planning Commission for site plan review.
 - (2) *Requirements.* In order to qualify for approval for shared parking, applicants shall present the following:
 - a. The location and identity of each use that will share the facility.
 - b. The total parking requirement for each use.
 - c. The projected hours of operation of each use and the hours during which the peak parking demand will be experienced.
 - d. The number of existing and/or proposed parking spaces.
 - e. A site plan that provides for a distance of no greater than 500 feet from the nearest entrance of each use to the nearest edge of the parking facility.

- f. A site plan that demonstrates that the proposed shared parking facility will comply with all standards required by this title for parking lot development.
- (d) *Drive-Thru Business Stacking Space.* (See Chapter 21-23, Commercial, Office, Industrial, and Transit Corridor Development Standards.)
- (e) *Excessive Parking.* Developments shall not have parking in excess of that required by this title without prior approval of the Director or Planning Commission, upon written justification of the specific need for more parking spaces than the provisions of this title allows. In addition, developers are encouraged to work out shared parking agreements with adjacent users wherever possible according to the provisions for shared parking contained within this title.
- (f) *Prohibited Parking.* No parking shall occur in any alley, driveway, service driveway, traffic aisle (either public or ways open to the public), delivery area (other than for a minimal period of time needed for the delivery of goods and materials to a specific tenant) or other location designed for through traffic unless:
- (1) Said area has been specifically designated for parking on the original approved site plan; or
 - (2) The original site plan has been specifically modified by written approval of the City ~~Transportation~~ Engineer, for parking space use; and
 - (3) Be designed in accordance with the parking designs specified in this chapter.

(LDC 2008, § 15A-24-03; Ord. No. [18-18](#), § 1, 6-28-2018; Ord. No. [18-26](#), § 1(15A-24-03), 9-20-2018)

Sec. 21-24-8. - Parking Space Requirements.

- (a) *Specific Requirement for Each Land Use.* Off-street parking shall be provided for land uses as described below. Parking for uses not specifically listed below shall be provided in the same ratio as the use most nearly approximating the characteristics of the unlisted use, as determined by the Planning Commission. Land uses are grouped into categories that have comparable parking requirements.
- (b) *Table of Parking Requirements by Land Use Category.* The following minimum parking is required:

Parking Requirements by Land Use Category

Land Use Categories	Space Requirements
<u>Residential, single-family detached and attached</u>	
Dwelling, single-family	2 spaces per dwelling unit (within an enclosed garage)
Dwelling, duplex	2 spaces per dwelling unit
Dwelling, multiple-unit (tri-plex, four-plex, and five-plex)	2 spaces per dwelling unit
<u>-guest parking</u>	<u>2-car off-street parking in the dwelling's driveway is required.</u> <u>Alternatively 0.25 spaces per unit after a base of 1 per unit for the first 5 units if provided in an off-street parking lot.</u>

<u>Dwelling, multiple-unit (apartments or stacked condominiums)</u>	
-one-bedroom unit	1.5 spaces per unit
-two-bedroom unit	2.0 spaces per unit
-three or more bedroom unit	2.5 spaces per unit
-guest parking	0.25 spaces per unit <u>after a base of 1 per unit for the first 5 units in an off-street parking lot</u>
NOTE: There shall be no less than 1.5 covered parking spaces (1.0 carports. 0.5 garages) per unit <u>for single-family attached and multiple unit dwellings. Garages shall only be used for the parking of vehicles and cannot be used as storage facilities.</u>	
Assisted living center, nursing home, convalescent home and other similar uses as determined by the planning Commission upon review.	0.5 spaces per bed, plus 10% for support staff/physicians, plus a bus only parking stall to meet the dimensions of a handicap parking stall
Senior or elderly housing	1 space per unit (The completed parking ratio may be reduced to one space per unit for any congregate care facility, provided that adequate space is created and landscaped that can be converted to additional parking stalls to comply with the minimum standards as set forth for Planned Unit Developments. The area that is held in reserve for additional parking shall not be located within a required landscape setback area, and shall not be used in the calculations for any required landscaping or open space coverage percentage.)
<u>Retail Commercial</u>	
Automotive repair (service bays are not included in the required number of required parking spaces)	5 spaces per 1,000 sq. ft.
Commercial retail sales and services**	

Heavy commercial	
Commercial center, community	
Commercial center, convenience	
Commercial center, neighborhood	
Commercial center, regional	
Liquor sales	
<p>Exceptions:</p> <p>**Reduction may be allowed by the Planning Commission for retail businesses with exceptionally large show room floor space per volume of sales (e.g., furniture store at a ratio of 3 spaces per 1,000 sq. ft.)</p>	
<u>Commercial Services, Offices</u>	
Bar, tavern, club	3.5 spaces per 1,000 sq. ft.
Business or financial services	4.0 spaces per 1,000 sq. ft.
Dance hall, discotheque	3.5 spaces per 1,000 sq. ft.
Day care, group	One space for each instructor (plus drop-off space)
Veterinary office	4 spaces for each practitioner
Medical and health care	<p>5 spaces per 1,000 square feet OR 4 spaces for each practitioner plus 1 space per employee (including practitioner) at highest shift, whichever is greater. For the purpose of the parking ratio.</p> <p>Employees include nursing staff, receptionist, rehabilitation specialists, and dental assistants. Site plan shall be reviewed to verify compliance with this standard upon application of business license. Business License shall be denied if adequate parking is unavailable.</p>

Motel, hotel	1 space per rental unit, 1 space for each 200 sq. ft. of assembly, conference space, banquet, sit-down restaurant facility and office space
<u>Recreation, Indoor</u>	
Bowling center	5 spaces per lane
Movie theater	1 space per 4 seats
Skating rink	3 spaces per 1,000 sq. ft. of skating area
<u>Restaurants</u>	
Restaurant—sit down	1 space per 3 seats (including outdoor seating) plus 0.5 space per number of employees on the largest shift (minimum of 5 employee spaces)
Restaurant—drive-in/drive thru (all fast food outlets with large proportion of take-out and/or drive-in service.)	1 space per 100 sq. ft. of floor area. Required parking spaces do not include spaces required in drive thru lanes).
<u>Public Uses</u>	
Hospital	2 spaces per bed
Rehabilitation center	0.5 space per bed
School, private or quasi-public	As determined by Planning Commission review
School, public	As determined by Planning Commission review
Elementary and middle school	1 space per teacher and staff plus 1 space per 2 classrooms.
Senior high school	1 space per teacher and staff plus 1 space per 5 non-bussed students.
Religious or cultural activity	1 space per 4 seats

Theater or concert hall	1 space per 4 seats
<u>Industry</u>	
Industry, light and medium	1 space per 1,000 sq. ft. of gross floor area
Warehouse, wholesale, storage	1 space per 1,000 sq. ft. of storage space
<u>Special Review</u>	
Athletic, tennis or health centers	Specific off-street parking shall be determined by the Planning Commission.
Auto, truck, R.V. and equipment sales and storage	
Cemetery, columbarium, mausoleum	
Golf course	
Park (active and passive)	
Recreation center	
Recreation, outdoor	

(LDC 2008, § 15A-24-08; Ord. No. 10-26, 7-30-2010)

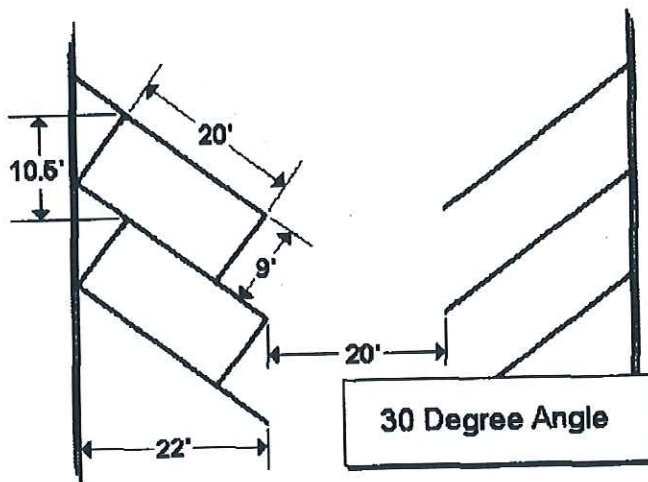
Sec. 21-24-9. - Parking Structure Design Standards.

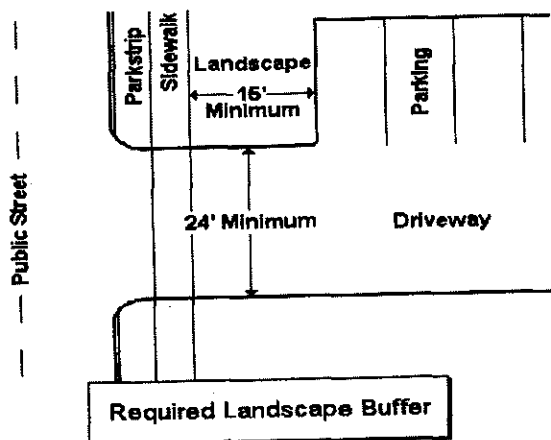
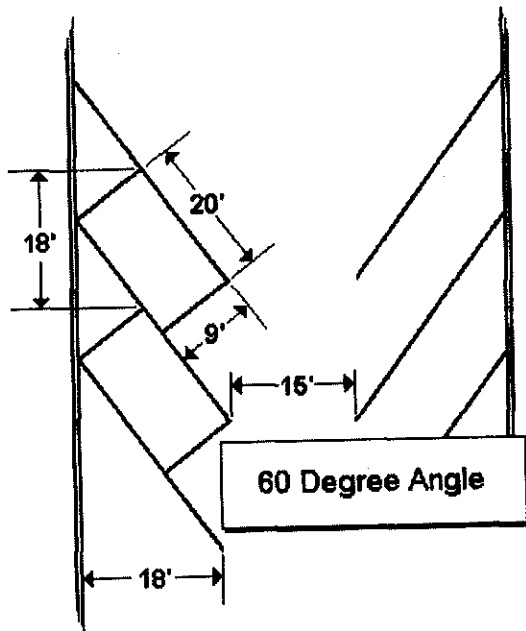
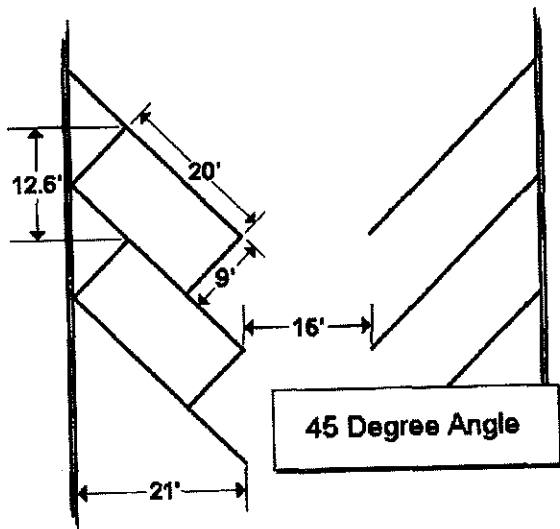
- (a) *Setbacks.* The parking structure shall comply with the minimum requirements, including all height adjustments for stepped buildings.
- (b) *Maximum Height.* The parking structure shall comply with all height requirements, including the stepping back of the additional stories above grade.
- (c) *Parking Stall Size Requirements.*
 - (1) Ninety-degree stalls within parking structures shall be a minimum of nine feet wide by 18 feet long. Drive aisle dimensions and all other angled parking shall be designed according to the specifications listed within the chapter.
 - (2) Signage shall be installed on parking structures to discourage the parking of oversized vehicles.

- (d) *Parking Structure Appearance Requirements.* Parking structures shall be designed to complement adjacent non-parking structures and blend in with the local manmade or natural environment. If adjacent to an existing or future office building and the facility is adjacent to a right-of-way, the parking structure shall be designed to appear as an office building with simulated window openings and doors, unless otherwise approved by the Planning Commission. Exterior elements shall use at least one of the following materials: embossed concrete, polished masonry, colored glass, and/or brick. Stucco shall not cover more than 20 percent of the hard vertical surface area. Stucco may only be used if approved by the Planning Commission after determination that the material blends with the adjacent manmade or natural environment and is used in an architecturally pleasing manner (such as quoins, pediments, etc.).
- (e) *Landscaping.* The parking structure shall be landscaped at the base of the facility with trees and shrubs, along with other materials that will de-emphasize the use of the facility as a parking structure. It is strongly encouraged, but not required, to landscape the top level with trees, grass, and other pedestrian-friendly elements.

(LDC 2008, § 15A-24-09; Ord. No. 14-06, 4-23-2014)

Sec. 21-24-10. - Parking Stall Dimensions. Drive aisle widths shown below are minimums. If the drive aisle is determined to be a fire access road, this code and the International Fire Code may require additional width.





(LDC 2008, § 15A-24-10)

Sec. 21-24-11. - City Approval of Access Required.

Access to a public street requires approval by the Public Works Director based on the standards contained in this title and the Sandy City Standard Specifications and Details for Municipal Construction.

(LDC 2008, § 15A-24-11)

Sec. 21-24-12. - Traffic Impact Analysis.

The City may require a traffic impact analysis prepared by a registered engineer to determine access, circulation, transportation demand management, and other reasonable transportation system mitigation requirements.

(LDC 2008, § 15A-24-12)

Sec. 21-24-13. - Access; Ingress and Egress.

- (a) *Ingress and Egress.* All parking areas shall be designed to provide ingress and egress from a public street by forward motion of the vehicle. Single-family developments are exempt from this requirement.
- (b) *Paved Access.* All off-street parking areas shall have access to a public street by means of a paved driveway that extends no less than 15 feet from the public right-of-way to the nearest parking area and/or driveway access to parking spaces. No parking space shall be located within the first 15 feet of a driveway. Single-family developments are exempt from this requirement.
- (c) *Entry/Guardhouse Gateways.* Where an entry gate or guardhouse controls vehicle access or egress, a stacking lane shall be provided as required by the City ~~Transportation~~ Engineer. The stacking lane shall not interfere with maneuvering, traffic flow of aisles, streets, bike paths, parking spaces, and sidewalks.
- (d) *Unobstructed Access.* Unobstructed and direct driveways shall be provided from commercial off-street parking or loading facilities to a street or alley. Loading driveways may coincide with driveways to parking facilities.

(LDC 2008, § 15A-24-13)

Sec. 21-24-14. - Access and Maneuvering for Fire and Refuse Trucks.

Parking lots shall include the necessary dimensions for the on-site maneuvering of refuse vehicles and fire trucks, as determined by the City ~~Transportation~~ Engineer and City Fire Marshal. A ~~minimum 20~~ to 26-foot-wide, unobstructed driveway, lane, or other access way and turn-around may be required for this purpose, as required in the International Fire Code. No off-site maneuvering is permitted.

(LDC 2008, § 15A-24-14)

Sec. 21-24-15. - Driveway Access; General Standards.

- (a) *Determination of Necessity.* In establishing permissible curb openings and sidewalk or driveway crossings for access to private property, such curb openings or driveways shall not be authorized where they are unnecessary or where they would interfere with the movement of vehicular traffic, with

public improvements, or with the rights of the public in the adjacent street or alley. In no case shall any curb opening be of greater width than necessary for reasonable access to the property to be served.

- (b) *Width of Curb Openings.* In determining the width of curb openings and spacing of driveways, the end transitions in each case will not be considered a part of the width of the curb opening. The curb opening or width of each driveway shall be defined as the throat width of the driveway at the inside point of the curb transition radius at the top face of the curb.
- (c) *Number of Curb Openings.* Only one driveway opening per street frontage/per parcel shall be allowed unless a capacity or safety need for more than one driveway opening can be demonstrated to the City ~~Transportation~~ Engineer. This may be determined on a case-by-case basis.
- (d) *Reciprocal/Shared Access.* Where nonresidential uses share a property line, off-street parking lots serving the properties shall be made accessible to each other unless grade differences or building locations make reciprocal access between developments impractical.
- (e) *Single-Family Residential.*
 - (1) Minimum separation from driveways, measured from edge of driveway to edge of driveway at back of sidewalk, is 30 feet for multiple drive approaches along the same parcel.
 - (2) No circular driveway that cuts across corner lots to access two separate streets is allowed.
 - (3) No driveway will be permitted within 30 feet of an ADA ramp as measured from the edge of driveway to the edge of the ADA ramp at the back of sidewalk.

(LDC 2008, § 15A-24-15)

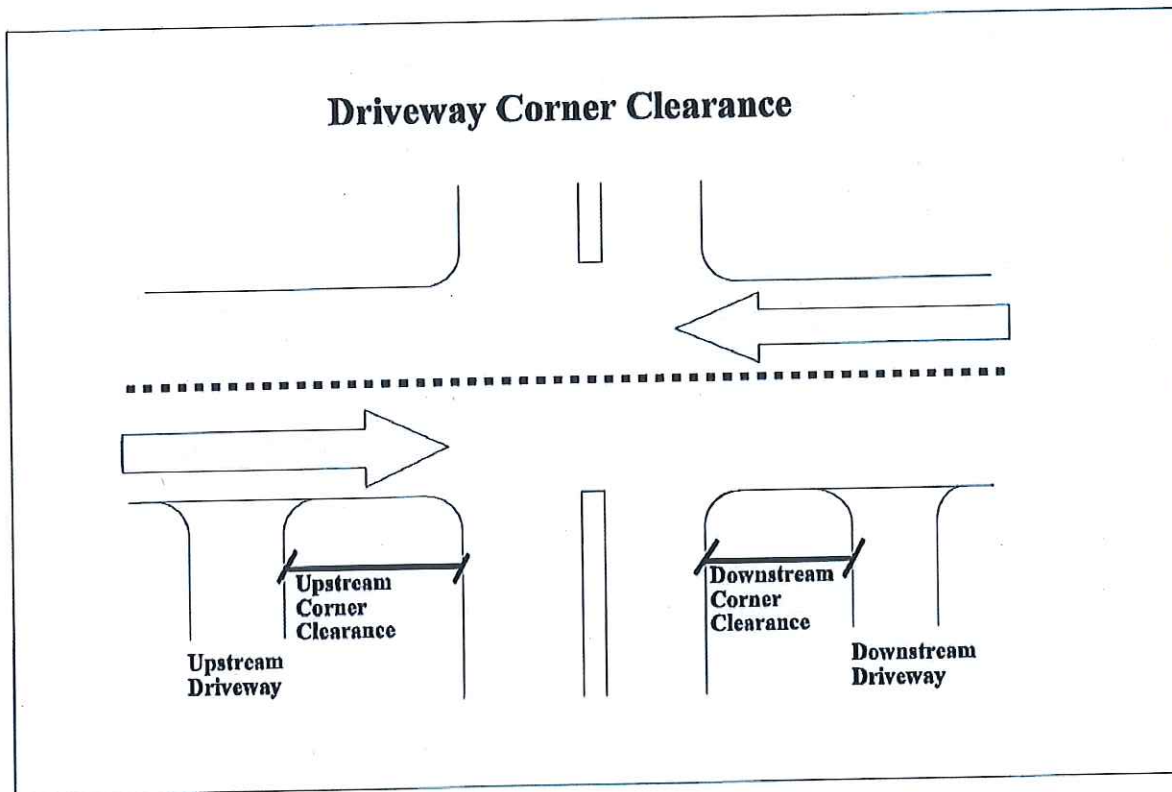
Sec. 21-24-16. - Driveway Separations.

- (a) *Frontage on Arterial (106 feet plus) or Major Collector Streets (80 Feet Plus).* Uses, other than single-family dwellings, on parcels with less than 150 feet of frontage shall be required to share a common driveway in order to assure that a minimum of 170 feet of continuous curb and gutter exists from the throat of one driveway to the throat of the next adjacent driveway. Driveways offset less than 170 feet from existing driveways, approved driveways, or existing public streets on the opposite side of the street shall not be allowed unless the City ~~Transportation~~ Engineer determines that an unacceptable capacity or safety impact will not result.
- (b) *Frontage on Minor Collector (60 feet or 66 feet) or Local Streets (50 Feet Plus).* Uses with less than 70 feet of frontage shall be required to share a common driveway in order to assure that a minimum of 90 feet of continuous curb and gutter exists from the throat of one driveway to the throat of the next adjacent driveway. Driveways offset less than 170 feet from existing or approved driveways on the opposite side of the street shall not be allowed unless the City ~~Transportation~~ Engineer determines that an unacceptable capacity or safety impact will not result. Single-family developments are exempt from this requirement.
- (c) *Driveways Adjacent to Intersections.* The minimum distance from the intersection to the nearest driveway shall be according to the following intersection illustration and distance table. (Distances are measured from the back of curb to the throat of the nearest edge of the driveway.)

Driveway Clearance Distances

	Median Barrier Present	Arterial	Major Collector	Minor Collector
Driveway clearance	No	200 feet	175 feet	50 feet

Driveway clearance	Yes	185 feet	115 feet	50 feet
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(d) *Deviations to Driveway Separation.* The City ~~Transportation~~ Engineer shall review and may approve or deny deviations to the above standards based upon a site visit and review of items, including, but not limited to:

- (1) Safety.
- (2) Alternative access points and potential for reciprocal/shared access.
- (3) Sight lines.
- (4) Impact on traffic flow.

(LDC 2008, § 15A-24-16)

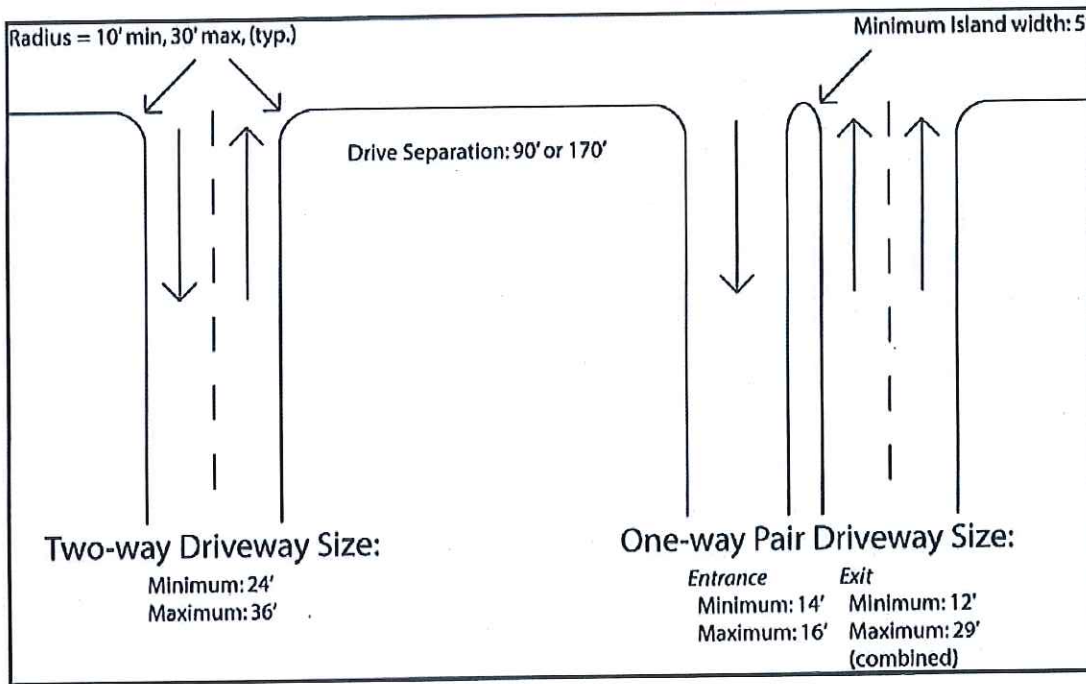
Sec. 21-24-17. - Driveways; Widths and Curb Designs; Non-Single-Family Residential Developments.

(a) *One-Way.*

- (1) One-way driveways shall be not less than 12 feet, nor more than 24 feet in width. A wider one-way driveway may be required by the Sandy City Fire Marshal.
- (2) Exception: No two complementary one-way driveways may total more than 45 feet in width.

(b) *Two-Way.*

- (1) Two-way driveway approaches shall be not less than 24 feet, nor more than 36 feet in width. In determining the width of curb openings and spacing of driveways, the end transitions in each case will not be considered a part of the width of the curb opening. A wider driveway may be required by the Sandy City Fire Marshal.
- (2) Wherever a common driveway is constructed serving two or more properties, the common curb opening shall have a maximum width of 36 feet.



- (3) The City ~~Transportation~~ Engineer shall review and may approve or deny deviations to the above driveway width standards based upon review of the site and land use, along with impact on streets and neighbors.

(c) *Drive Approaches.* All driveway approaches shall be constructed with curb radii and provide for handicap access.

- (1) *Minimum Curb Radius.* All drive approaches shall have a minimum end transition (curb radius) of ten feet and a maximum of 30 feet. If the driveway is to be used for delivery truck traffic, the minimum curb radius shall be 25 feet.
- (2) *Driveways.* Driveways shall be located a minimum of five feet from the property line, measured from the throat of the driveway. This does not apply to property lines where a shared driveway is proposed.
- (3) *One-Way Paired Driveways.* Where a driveway is of the split, one-way paired directional type, there shall be a raised landscaped island of at least five feet in width between the two driveways. The size of the entrance shall have a minimum of 14 feet and a maximum of 16 feet. The exit lanes shall be a minimum of 12 feet and a maximum of 29 feet (combined).
- (4) *Maximum Curb Opening Coverage.* The total width of all curb openings shall not exceed 40 percent of a project's frontage. For corner lots, the total width of all curb openings shall not exceed 30 percent of the combined frontages.
- (5) *Vehicle Encroachment.* No curb opening will be approved that allows vehicle encroachment on any portion of a street right-of-way for loading, unloading, or standing.

- (6) *Drainage.* Curb openings and driveways shall be paved and shall provide for adequate drainage.
- (7) *Drive Angle to Right-of-Way.* All driveways shall intersect the street at a 90-degree angle to a distance at least 15 feet from the property line.

(LDC 2008, § 15A-24-17)

CHAPTER 21-37. - DEFINITIONS

Sec. 21-37-2. - "A" Definitions.

- (13) *Alley* means a public or private roadway permanently reserved that provides a rear or side access as a secondary means of vehicular access and a corridor for utilities and services to abutting property not intended for general traffic circulation.

Sec. 21-37-17. - "P" Definitions.

- (12) *Pedestrian mew* means a public or privately owned pedestrian oriented corridor that serves a similar purpose of a street that provides frontage and public access to properties, but restricts vehicular use. These corridors are designed at a pedestrian scale consisting of an inviting walkway, landscape, and other pedestrian amenities and furnishings lined with building on either side (also known as a block break).

6. [CODE-08-19](#) Publication and Codification of the Sandy City Municipal Code
[-5710](#)

Attachments: [staff report](#)

[Title 21](#)

Brian McCuiston presented item to Planning Commission.

Michael Christopherson opened item to public comment.

Steven Van Maren asked if there was a redline version that would be made public to the citizens. Steve is concerned that this hasn't had enough time for the public to review the code.

Michael Christopherson closed the item to public comment.

Dave Bromley asked for clarification on Steve Van Maren's comment and concerns.

Steve Van Maren elaborated on his concerns that he thinks more people need to read through it and see the changes.

Michael Christopherson said he trust staff that if there were changes staff would make that known opposed to cleaning up redundancies and stylistic changes.

James Sorensen explained that this is going to City Council and it's the entire city code. This portion is just the part that needed to come through Planning Commission.

Corey Shupe asked if the changes will be highlighted so that it will be easier to see the changes in the code.

Brian McCuiston said he can get a copy of their red lines and post them.

Darien Alcorn explained that the changes were sent to a codifier to be revised and probably were not tracked because the intent was to keep the same meaning, but to have language that would be acceptable to a proofreader.

Michael Christopherson asked what they legally mean by codify and if that means we are adopting a new code.

Darien Alcorn explained that we are adopting the code. It has always just been an assemblage of ordinances. We have always called them the Revised Ordinances of Sandy City and they have never been formally or officially codified.

A motion was made by Cory Shupe, seconded by Monica Collard that the Planning Commission forward a positive recommendation to the City Council to publish and codify the Sandy City Land Development Code.

Yes: 5 - Dave Bromley
Monica Collard
Michael Christopherson
Cory Shupe
Cameron Duncan

Absent: 4 - Cyndi Sharkey
Jamie Tsandes
Jeff Lovell
Ron Mortimer

7. [CODE-08-19](#) Adoption of the 2018 International Fire Code to include Appendices B, C,
[-5712](#) D, & N.

Attachments: [staff report](#)

[Fire Marshal Memo for the Adoption of the 2018 IFC Appendix B C D](#)
[N](#)
[2018 IFC Appendix B](#)
[2018 IFC Appendix C](#)
[2018 IFC Appendix D](#)
[2018 IFC Appendix N](#)

Brian McCuiston presented item to Planning Commission.

Michael Christopherson asked for clarification if they are adopting the code.

Robert DeKorver Sandy City Fire Marshal clarified the appendices and what each appendix includes.

Dave Bromley asked if there are any instances that these revisions do not bring them into compliance.

Robert DeKorver explained that all those questions will be answered in the next item about implementing Appendix D.

Cameron Duncan asked in Appendix C related to hydrant spacing, will line up the development code.

Robert DeKorver said they do line up although they are a little bit more restrictive.

Michael Christopherson opened the item to public comment.

Michael Christopherson closed the item to public comment.

A motion was made by Monica Collard, seconded by Cory Shupe that the Planning Commission forward a positive recommendation to the City Council to adopt the 2018 International Fire Code to include Appendices B, C, D, and N.

Yes: 5 - Dave Bromley
Monica Collard
Michael Christopherson
Cory Shupe
Cameron Duncan

Absent: 4 - Cyndi Sharkey
Jamie Tsandes
Jeff Lovell
Ron Mortimer



Sandy City, Utah

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

Staff Report

File #: 19-344, **Version:** 1

Date: 10/3/2019

Planning Commission meeting minutes for September 19, 2019



Sandy City, Utah

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

Meeting Minutes

Planning Commission

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

Thursday, September 19, 2019

6:15 PM

Council Chambers

Meeting procedures are found at the end of this agenda.

Voting Roll Call

Present 7 - Commissioner Dave Bromley
Commissioner Monica Collard
Commissioner Jamie Tsandes
Commissioner Michael Christopherson
Commissioner Jeff Lovell
Commissioner Ron Mortimer
Commissioner Cameron Duncan

Absent 1 - Commissioner Cyndi Sharkey

5:00 PM FIELD TRIP

1. [19-330](#) Field Trip Map for September 19, 2019

Attachments: [9-19-19](#)

6:15 PM REGULAR SESSION

Roll Call

Welcome

Pledge of Allegiance

Introductions

Public Hearings

2. [CUP-08-19-5](#) Fischer Accessory Apartment
[716](#) 9199 Quail Hollow Dr.
[Community #19 - Mountain Views]

Attachments: [Staff Report.pdf](#)
[master_vicinity_map_2019.pdf](#)

Wade Saner presented item to Planning Commission.

Matt Fischer, applicant further explained item to Planning Commission.

Michael Christopherson asked Matt Fischer if he read the staff report and if he was comfortable with it.

Matt Fischer explained that he had read it and is comfortable with the staff report.

Michael Christopherson opened this item to the public.

Michael Christopherson closed this item to the public.

A motion was made by Monica Collard seconded by Dave Bromley that the Planning Commission approve a Conditional Use Permit for Matt Fischer to allow for a 600 square foot accessory apartment on the property located at 9199 Quail Hollow Drive. This is based on the three findings and four conditions outlined in the staff report.

Yes: 7 - Dave Bromley
Monica Collard
Jamie Tsandes
Michael Christopherson
Jeff Lovell
Ron Mortimer
Cameron Duncan

Absent: 1 - Cyndi Sharkey

3. [MISC-09-19-5721](#) Stadium Way Renaming
[Civic Center - Community #2]

Attachments: [Staff Report.pdf](#)
[master_vicinity_map_2019.pdf](#)

Wade Saner presented item to Planning Commission.

Craig Martin further explained the item and upcoming name for extension of the road.

Michael Christopherson opened this item to the public.

Michael Christopherson closed this item to the public.

A motion was made by Jeff Lovell, seconded by Monica Collard that the Planning Commission forward a positive recommendation to the City Council for the renaming of Stadium Way to Rimando Way as shown in the attached exhibits in the staff report, and based upon the two findings and three conditions also noted in the staff report.

Yes: 7 - Dave Bromley
Monica Collard
Jamie Tsandes
Michael Christopherson
Jeff Lovell
Ron Mortimer
Cameron Duncan

Absent: 1 - Cyndi Sharkey

4. [SUB-06-19-5](#) Cottages on 80th (Preliminary Subdivision Review)
[681\(2nd\)](#) 620 E. 8000 S.
[Community #3 - Sandy Woods]

Attachments: [Staff Report - 2nd.pdf](#)
[Vicinity Map.pdf](#)
[2nd PC Submittal.pdf](#)

Mike Wilcox presented item to Planning Commission.

This item was tabled about a month ago and it is coming back for preliminary review.

Bob Whitney represented the applicant. he explained how they added extra parking spaces as discussed in the previous Planning Commission meeting.

Jamie Tsandes clarified how many new parking spots.

Bob Whitney explained two have been added to the plan.

Mike Wilcox further explained a few concerns listed in the staff report.

Michael Christopherson opened this item to the public.

Debra Buchanan worried about irrigation and waste water.

Michael Christopherson asked staff if there was a plan in place for the irrigation and waste water.

Mike Wilcox explained that public utilities may not have addressed this specific ditch, but typically piping is put in place because open ditches are not allowed on new development.

Michael Christopherson closed this item to the public.

Michael Christopherson thanked applicant for listening and addressing what was asked in the previous meeting.

This item had two motions:

A motion was made by Dave Bromley, seconded by Monica Collard that the Planning Commission grant a special exception for a subdivision with only one point of access, three lots without frontage on a public road, and a private street with a pavement width of less than 27' based on the four findings addressed in the staff report.

A motion was made by Dave Bromley, seconded by Monica Collard that the Planning Commission determine that the preliminary subdivision review is complete for the Cottages on 80th Subdivision, located at 620 E. 8000 S., subject to the eight conditions detailed in the staff report.

Yes: 7 - Dave Bromley
Monica Collard
Jamie Tsandes
Michael Christopherson
Jeff Lovell
Ron Mortimer
Cameron Duncan

Absent: 1 - Cyndi Sharkey

DRAFT

5. [SUB-05-18-5](#) Windflower Townhomes Subdivision (Final Review)
[410\(2nd\)](#) 719 W. 9400 S.
[Community #2 - Civic Center]

Attachments: [Windflower Staff Report - Final.pdf](#)
[Vicinity Map.pdf](#)
[Final PC Submittal Plans.pdf](#)
[Autoturn.pdf](#)
[122018 PC Minutes.pdf](#)

Mike Wilcox presented item to Planning Commission.

Jamie Tsandes asked about the change from 40% to 30% open space.

Mike Wilcox clarified that there is 65% open space.

Taylor Moore, applicant explained the item further. Explained how they have tried to resolve that the public and Commission members had expressed in previous meeting.

Taylor Moore explained they have read the ten conditions and are comfortable with the conditions listed in staff report.

Mike Wilcox explained recommendation for Planning Commission.

Michael Christopherson opened this item to the public.

Sylvia Perez who lives next door, expressed concerns that the building will be parallel to the single-family homes instead of the commercial buildings like they were in the original proposal. She also expressed concern about potential car crashes because of the low visibility due to curve in the road, the school bus that will be right outside the development and the privacy of the apartments looking into her home.

Michael Christopherson closed this item to the public.

Monica Collard asked for clarification of what wall is being removed and replaced.

Mike Wilcox explained the wall is a jersey barrier that sits behind the sidewalk.

Britney Ward explained the jersey barriers and visibility for potential residents.

Dave Bromley asked if there is any code for the developer to mitigate for potential car crashes.

Brittney Ward explained that there is no specific code for that but if the development is large enough then a traffic study is required. If there is a history of crashes or a risk for potential accidents, then they look at ways to mitigate the accident with a raised median for example. This development is not large enough to require a traffic study, but they can look for potential risk factors.

Dave asked about the trash and weeding between the gap in the proposed retaining wall and neighbors' fence.

Mike explained that it would be the HOA that would be required to take care of that.

Cameron Duncan asked about the size of the fence between development and neighboring homes.

Taylor Moore explained height of the fence is about 10-11 feet.

A motion was made by Cameron Duncan, seconded by Monica Collard that the Planning Commission determine that final review is complete for the Windflower Subdivision, located at 719 W. 9400 S., based on the following findings and subject to the following conditions detailed in the staff report.

Administrative Business

1. [19-320](#) Planning Commission meeting minutes from September 5, 2019

Attachments: [9.5.19 PC Meeting Minutes \(Draft\)](#)

Planning Commission approved the Minutes for September 05, 2019.

Yes: 7 - Dave Bromley
Monica Collard
Jamie Tsandes
Michael Christopherson
Jeff Lovell
Ron Mortimer
Cameron Duncan

Absent: 1 - Cyndi Sharkey

2. Sandy City Development Report

3. Director's Report

Adjournment

Planning Commission unanimously voted to adjourn the meeting.

Meeting Procedure

1. Staff Introduction
2. Developer/Project Applicant presentation
3. Staff Presentation
4. Open Public Comment (if item has been noticed to the public)
5. Close Public Comment
6. Planning Commission Deliberation
7. Planning Commission Motion

In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be limited to 2 minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed 5 minutes to speak. Comments which cannot be made within these time limits should be submitted in writing to the Community Development Department prior to noon the day before the scheduled meeting.

Planning Commission applications may be tabled if: 1) Additional information is needed in order to take action on the item; OR 2) The Planning Commission feels there are unresolved issues that may need further attention before the Commission is ready to make a motion. No agenda item will begin after 11 pm without a unanimous vote of the Commission. The Commission may carry over agenda items, scheduled late in the evening and not heard, to the next regular scheduled meeting.

In compliance with the Americans With Disabilities Act, reasonable accommodations for individuals with disabilities will be provided upon request. For assistance, or if you have any questions regarding the Planning Commission Agenda or any of the items, please call the Sandy City Planning Department at (801) 568-7256