

## **ORCHARDS AT FARNSWORTH FARMS REZONE**

### **ORDINANCE 21-30**

AN ORDINANCE AMENDING AND FIXING THE BOUNDARIES OF A ZONE DISTRICT OF THE SANDY CITY ZONING ORDINANCE; TO WIT: REZONING APPROXIMATELY 10.07 ACRES FROM R-1-40A "SINGLE FAMILY RESIDENTIAL DISTRICT" TO PUD(10) "PLANNED UNIT DEVELOPMENT (10 UNITS PER ACRE)", LOCATED AT APPROXIMATELY 11228 SOUTH AND 700 EAST; ALSO PROVIDING A SAVING CLAUSE AND AN EFFECTIVE DATE FOR THE ORDINANCE.

BE IT KNOWN AND REMEMBERED that the City Council of Sandy City, Utah, finds and determines as follows:

1. Pursuant to Sections 10-9a-501 through 10-9a-505 Utah Code Annotated 1953 as amended the City has authority to make and amend a zoning plan which divides the City into zoning districts and within those districts to regulate the erection, construction, reconstruction, alteration, and uses of buildings and structures and the uses of land.
2. A request has been made for a change of zoning on the below described property.
3. The Planning Commission held a public hearing on November 5, 2020, which meeting was preceded by notice published in the Salt Lake Tribune on October 22, 2020, and by posting in Sandy City Hall, Sandy Parks & Recreation, the Salt Lake County Library-Sandy, the Sandy City Website - <http://www.sandy.utah.gov>, and the Utah Public Notice Website - <http://pmn.utah.gov> on October 21, 2020; and to review the request for rezoning and has made recommendations thereon to the City Council.
4. The City Council of Sandy City, Utah met on November 17, 2020, and adopted Ordinance 20-04 taking into consideration citizen testimony, planning and demographic data, the desires of the owners of the property and the Planning Commission recommendation as part of the Council's deliberations. The City Council of Sandy City, Utah met on October 5, 2021, and has taken into consideration additional information, citizen testimony and engaged in additional deliberations related to Ordinance 20-04.
5. The rezone of said parcel will be appropriate, it is in accordance with the General Plan, it will promote the health and general welfare of the City, it will be compatible with the best interests of the particular neighborhood involved and it will be sensitive to the needs of the City as a whole.

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

follows:

Section 1. Replacing Ordinance 20-04. This Ordinance amends and replaces Ordinance 20-04.

Section 2. Amendment. The zoning ordinance which sets forth the zone districts within Sandy City which portion of the said zoning ordinance is established by a zoning map, is hereby amended as follows:

The property described in **EXHIBIT "A"**, which is attached hereto and by this reference made a part hereof, affects approximately 10.07 acres, located at approximately 11228 South 700 East, Sandy, Utah, and currently zoned as the R-1-40A "Single Family Residential District", shall be zoned to the PUD (10) "Planned Unit Development (10 units per acre)" to allow the potential subdivision of the property, and the land use map is amended accordingly. The subject property is located in City Council District #1.

ZONING PRIOR TO EFFECTIVE DATE OF THIS ORDINANCE:

R-1-40A          "Single Family Residential District"

ZONING AFTER EFFECTIVE DATE OF THIS ORDINANCE:

PUD (10)          "Planned Unit Development (10 units per acre)"

Section 2. Severable. If any part of this ordinance or the applications thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section 3. Effective.

This ordinance shall not become effective until it is published. The City Recorder is instructed to NOT publish this Ordinance until a building permit or permits have been applied for and approved to develop the property subject to this Ordinance in compliance with: (a) Planning Commission preliminary review and conditions associated with the plans reviewed by the City Council as a part of the adoption of and attached as Exhibit A to this Ordinance on October 5, 2021; and (b) final review and final approvals granted pursuant to Sandy City Code. If the final approvals as specified above have not been obtained on or before November 1, 2022, then the City Recorder is instructed to NOT publish this Ordinance which shall then become null, void and of no legal or binding effect.

PASSED AND APPROVED this 5th day of October, 2021.

DocuSigned by:

Alison Stroud

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Alison Stroud, Chair  
Sandy City Council

ATTEST:

DocuSigned by:

Wendy D...

688E7E8272014B1...  
City Recorder

PRESENTED to the Mayor of Sandy City for his approval this 8th day of  
October, 2021.

10/10/2021

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2021.

DocuSigned by:

Kurt Bradburn

1921B3EB6D3D4D3...  
Kurt Bradburn, Mayor

ATTEST:

DocuSigned by:

Wendy D...

688E7E8272014B1...  
City Recorder



RECORDED this <sup>13</sup> day of October, 2021.

SUMMARY PUBLISHED this <sup>13</sup> day of October, 2021.

# **EXHIBIT A**

## **(Plans presented to City Council)**



August 23, 2021

Project Summary	
Overall Site Summary	
Gross Site Area	9.988 Ac
Total Open Space	5.089 Ac (50.95%)

Building Summary	
Town Homes	30
Front Loaded Town Homes	14
Rear Loaded Town Homes	52
Total Units	96

Parking Required			
	Per Unit	Per Unit	Total
2-Bedroom Units	12	2	24
3-Bedroom Units	64	2.5	160
4-Bedroom Units	20	2.5	50
Guest parking	0.25	91	23
Total Requirement			257

Parking Provided	
Garage Spaces	192
Guest Parking (Driveway)	60
Guest Parking (Surface)	46
Total Parking Provided	298

Concept Plan  
Farnsworth Property  
700 East, Sandy, Utah



New Concept Plan Layout

### **Planning Commission Conditions of Approval**

1. That the applicant complies with each department's comments and redlines throughout the preliminary and final review process and that all issues be resolved before final site plan approval.
2. That all City provisions, codes and ordinances are adhered to during the review, construction and operations process of this building.
3. All utility boxes (i.e. transformers, switch gear, telephone, cable tv, etc.) shall be shown on the site plan and shall be placed underground or moved behind the front setback of the buildings and screened from view. Each box shall be shown in its exact location and shall be noted with its exact height, width and length. Building utility meters shall be mounted to the side or rear elevation or screened with a wing wall if fronting a public street.
4. That gates be located such that they adhere to Sandy City ordinance [21-21-10(o)] and also comply with UDOT's queueing requirements.
5. That an eight-foot parkstrip and five-foot sidewalk be incorporated along 700 East to facilitate the planting of street trees.
6. That any property deemed necessary for dedication to Sandy City by the Public Works department be shown on the plat.
7. That the building heights and setbacks be approved as identified in this staff report, as proposed by the developer.
8. This approval is conditioned upon the City Recorder publishing Ordinance 20-04.
9. That the architectural elevations, including articulation, materials, and colors be approved as presented to the Planning Commission with this staff report.
10. That an engineering analysis be provided to, and approved by, the Sandy City Transportation Engineer to ensure cars can turn around at the gates without disturbing the traffic behind them.