



Legislation Text

File #: CODE-3-17-5244, **Version:** 3

Agenda Item Title:

Community Development Department recommending the City Council adopt amendments to include a hearing officer for reasonable accomodation requests, Title 15A, Chapter 3, Officers, Boards and Commissions, Chapter11, Special Uses, Land Development Code, Revised Ordinances of Sandy City, 2008.

Brian McCuiston

Description/Background:

The Sandy City Community Development Department has filed a request to amend Title 15A, Chapters, 3 Officers, Boards and Commissions, 11, Special Uses, Land Development Code, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to consider modifying the process for requesting a reasonable accommodation. This amendment will consider adding provisions for selecting a hearing officer, instead of the Planning Commission, to review this type of land use approval, and to classify the hearing officer as a land use appeal authority.

Over the last few months, the City has discussed the possibility of appointing a hearing officer, in place of the Planning Commission, to review all requests for reasonable accommodations. This type of request is typically associated with a Residential Facility for the Disabled where the applicant is requesting more residents than allowed within the definition of a family. This definition currently limits no more than four unrelated individuals living together as a single house keeping unit.

The Community Development Director is a Land Use Authority that approves business licenses, building permits and enforces zoning ordinances. In the case of a Residential Facility for the Disabled, the owner or agent may file a business license, building permit application, may inquire about an application or may be notified of a violation. The owner or agent could then file a request for a reasonable accommodation. The reasonable accommodation request will be given to the proposed hearing officer.

Recommended Action and/or Suggested Motion:

The Community Development Department requests that the City Council adopt the proposed ordinance amendment as shown in exhibit AA@, attached, for the reasons listed in the staff report. The Planning Commission reviewed this request on April 20, 2017 and is forwarding a postiiive recommendation to approve the Code Amendment.