

ORDINANCE NO. 2017-_____

AN ORDINANCE OF THE CITY OF SOUTH SALT LAKE CITY COUNCIL REPEALING AND REPLACING CHAPTER 17.21 OF THE SOUTH SALT LAKE MUNICIPAL CODE AND REVISING CHAPTER 17.03 OF THE SOUTH SALT LAKE MUNICIPAL CODE TO CODIFY EXISTING MPMU DISTRICT DESIGN STANDARDS, RESTORE MINIMUM LOT STANDARDS, SETBACKS, MAXIMUM HEIGHT AND SIMILAR LAND USE REGULATIONS, REMOVE UNENFORCEABLE AND NON-REGULATORY LANGUAGE AND CLARIFY ALLOWED BUILDING FORMS AND DESIGN REGULATIONS, CONSISTENT WITH 2017 REVISIONS TO THE LAND USE DEVELOPMENT AND MANAGEMENT ACT.

WHEREAS: the City Council is authorized by law to enact ordinances for the protection of the health, safety and welfare;

WHEREAS: The City is authorized by law to enact ordinances establishing regulations for land use;

WHEREAS: The Planning Commission held a legally notified public hearing as per section 10-9a- 205 of the Utah Code and 17.07.080 of the South Salt Lake Municipal Code on December 7, 2017 and thereafter positively recommended that the Council repeal an replace Chapter 17.21 Design Standards to codify existing MPMU District Design Standards, restore minimum lot standards, setbacks, maximum height and similar land use regulations, remove unenforceable and non-regulatory language in the Chapter and clarify allowed building forms and design regulations, consistent with 2017 revisions to the state Land Use Development and Management Act;

WHEREAS: The City Council finds that the recommended revisions and coordinating definitions are necessary to foster orderly and compatible development and use of land in the City;

WHEREAS: The City Council finds that these amendments and codification implement the City's General Plan goal for regulating land uses based on compatibility with surrounding uses, residential areas, and economic feasibility; and

WHEREAS: The City Council finds that these amendments and codification implement the City's General Plan goal to enhance the quality of life in South Salt Lake by improving the community's appearance, safety, education, positive outlook, gathering places and positive momentum;

BE IT ORDAINED, therefore, by the City Council of the City of South Salt Lake that Chapter 17.03 Definitions of the South Salt Lake Municipal Code is hereby revised and Chapter 17.21 Design Standards of the South Salt Lake Municipal Code is hereby repealed, replaced and enacted as follows:

SECTION I: Revise Chapter 17.03 Definitions to replace definitions of Dwelling, Dwelling unit, and Dwelling, multifamily with the following:

"Dwelling." Any building, or portion thereof, that is designed for long-term residential use.~~7 which is designed for use as residential purposes, except hotels, mobile homes, motels and apartment complexes that has been approved for residential use by the City's Building Official.~~

"Dwelling Unit." A single family home or a separate room or collection of rooms ~~One or more rooms in a dwelling, apartment hotel or apartment motel,~~ that is designed for ~~or occupied~~ occupancy by one family, or four (4) unrelated adults, for living or sleeping purposes.

"Dwelling, multi-family." A building containing three or more independent and individual dwelling units, or equivalent residential units, including units that are located one over another.

SECTION II: Repeal and replace Chapter 17.21 Design Standards with Exhibit 1.

SECTION III. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION IV. Conflict with Existing Ordinances, Resolutions, or Policies. To the extent that any ordinances, resolutions, or policies of the City of South Salt Lake conflict with the provisions of this ordinance, this ordinance shall prevail.

SECTION V. Effective Date. This ordinance shall become effective upon the Mayor's signature and publication, or after fifteen days of transmission to the office of the Mayor if neither approved nor disapproved by the Mayor, and thereafter, publication.

DATED this ____ day of December 2017.

BY THE CITY COUNCIL:

Ben Pender, Council Chair

ATTEST:

Craig D. Burton, City Recorder

City Council Vote as

<u>Recorded:</u>	
Beverly	_____
Kindred	_____
McConnell	_____
Mila	_____
Pender	_____
Rapp	_____
Siwik	_____

Transmitted to the Mayor's office on this ___ day of _____, 2017.

Craig D. Burton, City Recorder

MAYOR'S ACTION: _____

Dated this _____ day of _____, 2017.

Cherie Wood, Mayor

ATTEST:

Craig D. Burton, City Recorder