

MINUTES
SANDY CITY COUNCIL MEETING

Sandy City Hall - Council Chambers #211
10000 Centennial Parkway
Sandy, Utah 84070

February 4, 2014

Meeting was commenced at 7:05 p.m.

PRESENT:

Council Members: Chairwoman Linda Martinez Saville, Scott Cowdell, Kris Coleman Nicholl, Steve Fairbanks, Chris McCandless, Stephen P. Smith, and Dennis Tenney.

Mayor: Tom Dolan

Others in Attendance: Assistant CAO Scott Bond; City Attorney Walter Miller; Community Development Director Mike Coulam; Zoning Administrator Brian McCuistion; Public Utilities Director Shane Pace, Public Works Director Rick Smith, Economic Development Director Nick Duerksen; Assistant Police Chief Kevin Thacker ; Assistant Fire Chief Bruce Kline; Parks & Recreation Director Scott Earl; Administrative Services Director Art Hunter; Assistant Administrative Services Director Brian Kelley; Council Office Director Phil Glenn; Council Office Manager Pam Lehman

ABSENT/EXCUSED:

CAO Byron Jorgenson [ill]

1. **OPENING REMARKS/PRAYER/PLEDGE:**

The prayer was offered by **Boy Scout Jenson Rudd of Troop #919**, and the Pledge was led by **Boy Scout Easton Egan** , also of **Troop #919**.

2. **CITIZEN(S) COMMENTS:**

- a. **Steve VanMaren**, 11039 Lexington Circle, complemented the Council Staff for accurately capturing his comments in the minutes of the January 21, 2014 City Council meeting.

PUBLIC HEARING(S):

3. **Code Amendment: SD(X) Land Uses**

Public Hearing to consider the following: Amend Title 15A, Chapter 19, Special Development Districts, Land Development Code, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to review the land uses allowed within the SD(X) Zoning District. It is proposed that some of the land uses change to a Conditional Use or a Permitted Use.

Discussion: **Zoning Administrator Brian McCuistion** presented a brief overview of the following Staff report.

Nature of Request:

The Sandy City Community Development Department has filed a request to amend Title 15A, Chapter 19, Special Development Districts, Land Development Code, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to review the land uses allowed within the SD(X) Zoning District. It is proposed that some of the land uses change to a Conditional Use or a Permitted Use.

The majority of the Retail Village at Quarry Bend was all built at the same time. There are a number of vacancies left within the existing retail buildings. Over the last year, the Community Development Department has brought four different indoor recreational businesses to the Planning Commission for review and approval. According to the land use matrix within the SD(X) Zoning District, these types of businesses require a Conditional Use Permit. All four have been approved with very little concern regarding use impacts.

The SD(X) Zoning District was created over 20 years ago by the previous property owner (Gibbons and Reed). The Planning Staff took the opportunity to review the land uses allowed within this zone to determine if there are any land uses that could possibly be amended. We did meet with a representative from the Boyer Company (Wade Williams) and he was supportive of the changes.

The attached Exhibit outlines the proposed changes from staff. This includes allowing some uses that have been prohibited in the past, and prohibiting some uses that have been considered appropriate at one time. In addition, we are adding a number of new land uses that have not been included before. The new land uses that will be added are a result of the Code Amendment we did earlier this year where all of the matrices were amended to include identical land uses.

The Planning Commission recommends that a community center be added as a conditional use. Also, taking a Home Health Agency from a permitted use to a conditional use.

NON-CONFORMING USES

This Code Amendment will not create any new nonconforming uses.

LAND DEVELOPMENT CODE PURPOSE COMPLIANCE

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 requirement, 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 and procedures for review and approval of all new land uses operated within the SD(X) Zoning District.

GENERAL PLAN COMPLIANCE

The General Plan encourages appropriate development standards for all uses and zoning categories within Sandy City.

OTHER

Besides the purposes set out in the ordinances cited above, one of the stated purposes of the City's land use ordinances is to facilitate the orderly growth and development of Sandy City (Rev. Ord. of Sandy City 2008, Section 15A-01-03(A)(1)). Some of the general purposes of the City's Development Code are to implement Sandy City's General Plan, and to promote the following public policies: 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 (R.O.S.C. Sec. 15A-01-03(A)).

STAFF RECOMMENDATION

The Planning Commission reviewed this request on December 5, 2013. They are forwarding a positive recommendation to the City Council with two modifications: that a Community Center and Home Health Agency both be conditional uses in the SD(X) Zone.

Chairwoman Saville opened the public hearing.

Steve VanMaren, 11039 Lexington Circle, noted that apparently the minutes from the Planning Commission meeting on December 5, 2013 did not get distributed in the packet, and that his comments from the Planning Commission meeting "did not go very far". He requested that Second Hand Merchandise Dealers be changed from a Permitted Use to a Conditional Use so that there is more control over who actually is allowed to put one in.

Brian McCuiston noted that Staff did talk about Mr. VanMaren's request. A secondhand merchandise dealer is not what most people think it is. Second Hand Dealers are gold and jewelry buyers. They are allowed as a permitted use with restrictions on location. They have to be associated with a non-depository institution, a fine jewelry store, or a pawn shop.

As there were no further comments, Chairwoman Saville closed the Public Hearing.

Motion: **Chris McCandless** made a motion to have documents brought back amending Title 15A of the revised ordinances of Sandy City (The Land Development Code), 2008, by amending Chapter 19 "Special Development Districts" to allow the land uses change to a conditional use or permitted use within the SD(X) Zoning District.

Second: **Kris Nicholl**

Vote: **McCandless-yes, Nicholl-yes, Fairbanks-yes, Tenney-yes, Smith-yes, Cowdell-yes, Saville-yes.**

COUNCIL ITEM(S):

4. **Appointing an Alternate member to the Sandy City Planning Commission**

Resolution #14-01M- appointing Ron Mortimer as an Alternate Member to the Sandy City Planning Commission, also providing the advice and consent of the City Council of Sandy City, Utah

Motion: **Steve Fairbanks** made the motion to adopt **Resolution #14-01 M**, appointing **Ron Mortimer** as an Alternate member to the Sandy City Planning Commission, also providing the advice and consent of the City Council of Sandy City, Utah.

Second: **Dennis Tenney**

Vote: **Fairbanks-yes, Tenney-yes, Smith-yes, Cowdell-yes, McCandless-yes, Nicholl-yes, Saville-yes.**

5. **Canceling the February 11, 2014 and the February 18, 2014 City Council Meetings**

Resolution #14- 05 C- amending the regular meeting schedule by canceling the February 11, 2014 and the February 18, 2014 City Council Meetings

Discussion: **Chris McCandless** noted that the City Council members would be attending the Summit Awards Banquet at Real Stadium on February 11th, and the Annual Appreciation Awards Banquet on February 18th at the Expo Center. The Summit Awards banquet honors local businesses, vendors, and contractors who provided service to the community in 2013. The Annual Appreciation Awards Banquet honors individuals and citizens who have given of their time in outstanding community service in 2013.

Motion: **Chris McCandless** made the motion to adopt **Resolution #14-05C**, amending the regular meeting schedule by canceling the February 11, 2014 and the February 18, 2014 City Council Meetings.

Second: **Kris Nicholl**

Vote: **McCandless-yes, Nicholl-yes, Fairbanks-yes, Tenney-yes, Smith-yes, Cowdell-yes, Saville-yes.**

MINUTES:

6. Approving the **January 21, 2014** Council Meeting Minutes. Approving the December 17, 2013 and the January 7, 2014 Planning Meeting Minutes.

Motion: **Dennis Tenney** made the motion approving the **January 21, 2014** City Council Meeting Minutes, and approving the **December 17, 2013** and the **January 7, 2014 Planning Meeting** Minutes as written.

Second: **Chris McCandless**

Vote: **The Council responded verbally in the affirmative to the motion.**

Motion: At approximately 7:17 p.m., **Stephen Smith** made the motion to adjourn City Council; motion seconded by **Chris McCandless**, and convene into:

Redevelopment Agency Meeting

[See Separate Agenda]

Motion: At approximately 7:29 p.m., **Stephen Smith** made a motion, seconded by **Chris McCandless**, to adjourn Redevelopment Agency Meeting and reconvene into :

City Council Meeting

7. Completion of reports not held in Planning Meeting

Mayors Report

a. **Mayor Dolan** noted that John Hiskey will oversee lobbying efforts on behalf of the City during the 2014 Legislative Session. Some of the items of interest this year: funding in Storm Water, transportation funding and strategies, air quality. Better roads, newer vehicles, cleaner gasoline are some solutions. Cleaning the o-zone and nitrous gasses is a start. There is a plan underway, however, it will not be a quick fix.

b. Mayor Dolan briefed the Council on his meeting with the Mountain Accord. Several groups have come together to work on solutions to manage the Wasatch Front canyons with the demands of population growth and to preserve the vitality of the mountains and canyons for future generations. The four main areas of focus are transportation, environment, the economy, and recreation.

c. The Mayor along with Nick Duerksen will be meeting with potential buyers of the Mall.

CAO Report

a. **Scott Bond**- excused Byron Jorgenson who was not feeling well. A Retirement Party for Chief Rosenkrantz will be held on February 26th, at 11:30 a.m. at Fire Station #31. He asked Phil to put this on the Council's calendar.

b. Scott thanked the Council for holding their meeting in the Multi Purpose Room in order for the Arts Guild to host their play "Lend Me a Tenor" in the Council Chambers. The play opens on Valentine's Day.

Council Office Director's Report

Phil- presented a copy of the monthly calendar reminding the Council of the Summit Awards dinner on February 11, 2014, and the Annual Appreciation Awards Banquet at the Expo Center on February 18, 2014.

b. Copies of nominations will be sent electronically to the Council for the Employee Recognition Award. He asked the Council to respond with their vote so that a plaque can be ordered for the recipient.

c. A tour of the Auto Mall has been scheduled for February 25th. The Council may need to plan on meeting earlier that day in order to have time to travel to Murray and back in time for the 7:00 p.m. Council meeting.

Other Council Business

Scott Cowdell- received a complaint from a resident who received a ticket for parking his vehicle on the dirt in his side yard. The resident pointed out that an auto dealership on State Street has cars and trucks that are parked on dirt. He asked Chief Chapman if he would look into this.

At approximately 7:32 p.m., **Steve Fairbanks** made a motion to adjourn Council Meeting, motion

seconded by **Stephen Smith**.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

Linda Martinez Saville
Council Chairwoman

Pam Lehman
Council Office Manager

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