

ORDINANCE 20-3

AN ORDINANCE AMENDING TITLE 21 OF THE SANDY CITY MUNICIPAL CODE CHAPTER 11, "SPECIAL USE STANDARDS", SECTION 3, "ANIMALS (FARM AND HOUSEHOLD PETS)" TO ALIGN THE DEVELOPMENT CODE REGULATIONS REGARDING HOUSEHOLD PETS WITH THOSE OF THE RECENTLY ADOPTED AMENMENTS TO TITLE 12; ALSO PROVIDING A SAVING CLAUSE AND EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, a request has been made to amend Title 21 of the Sandy City Municipal Code (formerly Title 15A of the Revised Ordinances of Sandy City), Chapter 11, "Special Use Standards", Section 3, "Animals (Farm and Household Pets)" to align the development code regulations regarding household pets with those of the recently adopted amendments to Title 12, including some minor text amendments to these sections of code; and

WHEREAS, the Planning Commission held a public hearing on May 21, 2020 which meeting was preceded by notice by publication in the Salt Lake Tribune on May 7, 2020, and by posting in Sandy City Hall, the Sandy City Parks & Recreation Building, Salt Lake County Library – Sandy, on the Sandy City Website – <http://www.sandy.utah.gov>, and the Utah Public Notice Website – <http://pmn.utah.gov> on May 5, 2020; and

WHEREAS, following the public hearing before the Planning Commission, the Commission recommended the amendment to the City Council; and

WHEREAS, a public meeting was held by the Sandy City Council on June 2, 2020 to consider adoption of the proposed amendment; and

WHEREAS, the City Council has been given specific authority in Title 10, Chapter 9a, Utah Code Ann. to adopt land use regulations to regulate the erection, construction, reconstruction, alteration, repair and uses of buildings and structures, and the uses of land; and

WHEREAS, the State legislature has granted welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the City to pass ordinances which are reasonable and appropriate to the objectives of that power, i.e., providing for the public safety, health, morals, and welfare; and

WHEREAS, the forgoing legitimate governmental objectives are achieved by reasonable means, in that any adverse impact on private property value or use has been carefully balanced against the corresponding gain to the public; and the regulations have been calculated, on recommendation of City planning staff to permit property owners to beneficially use their properties for the practical purposes to which the property is reasonably adaptable; and procedures have been established by the Land Development Code and Utah Code Ann. Whereby appeals can be heard and decided if it is alleged that there is legislative or administrative error, or where a special exception or variance to the ordinance is required.

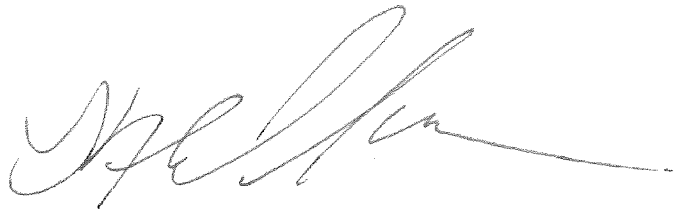
NOW, THEREFORE, BE IT ORDAINED by the City Council of Sandy City, State of Utah, as follows:

Section 1. Amendment. Title 21 is amended as shown on **Exhibit "A"**, which is attached hereto and by this reference made a part hereof.

Section 2. Severable. If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgement shall not affect, impair or invalidate the remainder of this ordinances or the application thereof to other persons and circumstances, but shall be confined in 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 of such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.


Section 3. Effective. This ordinance shall become effective up on publication of a summary thereof.

PASSED AND APPROVED this 6 day of June, 2020.



Kristin Coleman-Nicholl, Sandy City Council

ATTEST:


City Recorder

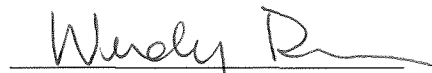
PRESENTED to the Mayor of Sandy City for his approval this 22nd day of JUNE, 2020.

APPROVED this 22nd day of JUNE, 2020.

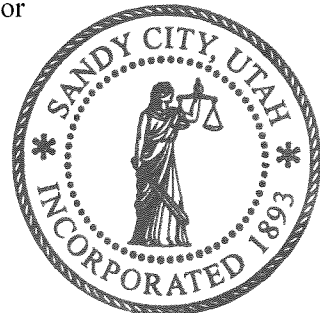


Kurt Bradburn, Mayor

ATTEST:


City Recorder

PUBLISHED this 24 day of June, 2020.





SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

May 14, 2020

To: City Council via Planning Commission
From: Community Development Department
Subject: Limits on Dogs as Household Pets
Amend Title 21, Chapter 11, Special Use Standards, Section
3 - Animals (Farm and Household Pets), of the Sandy
Municipal Code

CODE-04-20-5846

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 21, Chapter 11, Special Use Standards, Section 3 - Animals (Farm and Household Pets), of the Sandy Municipal Code. The purpose of the Code Amendment is to align the Land Development Code regarding household pets with those of the recently adopted amendments to Title 12. The full text of the proposed change is shown in Exhibit "A".

BACKGROUND

The City Council passed ordinance 20-01 on April 21, 2020, which made amendments to Title 12 – Animal Services. This ordinance primarily increased the maximum number of dogs allowed in a residence from two (2) to three (3). This change also requires the Land Development Code to be updated to align it with this change.

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 21-1-3 lists the criteria explaining the intent and purpose of the Ordinance. The purpose is:

21-1-3 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 household pets may be kept in a residence. 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 21, Chapter 11, Special Use Standards, Section 3 - Animals (Farm and Household Pets), of the Sandy Municipal Code, 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:

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

Mike Wilcox
Zoning Administrator

File Name: S:\USERS\PLN\STAFFRPT\2020\CODE-04-20-5846_LIMITS ON DOGS\STAFF REPORT.DOCX

Sec. 21-11-3. - Animals (Farm and Household Pets).

(a) *Farm Animals.*

- (1) *Designation of Appropriate Zone Districts.* Property owners in any R-1-40, R-1-30, R-1-20, or R-1-15 residential district may submit an application for rezoning for designation of the district for the keeping and raising of farm animals. An "A" following a zone designation indicates farm animals are permitted.
- (2) *Procedure for Designation.* A request for rezoning must include at least five contiguous properties or have at least 1½ acres.
- (3) *Ratio of Animals to Lot Size for Farm Animals.* In order to have farm animals on a residential lot with an "A" designated zone, the following minimum square footage requirements will be required for each animal:
 - a. Each large animal requires at least 10,000 square feet. Each medium animal requires at least 4,000 square feet. Each small animal requires at least 400 square feet. For example, a 20,000 square foot lot could have no more than two large animals, or no more than five medium animals, or no more than 50 small animals, or a combination of one large animal, two medium animals, and five small animals.
 - b. Vietnamese potbellied pigs may be kept at a ratio of two animals for each one-half acre of lot size (no less than 20,000 square feet). The maximum number of Vietnamese potbellied pigs shall be two per residential lot.

(b) *Household Pets.*

- (1) *Maximum Number Allowed.* All zones are allowed no more than a total of six common household pets (dogs, cats, rabbits, and ducks). These household pets may be kept on-site for family use only. Roosters are not allowed as a household pet. Exceptions:
 - a. In addition to the six common household pets, there shall be no more than ten chickens, kept on a non-nuisance basis.
 - b. No more than two three dogs per residence are allowed unless the resident has procured a dog hobby license to allow up to a total of five dogs.

(c) *Outdoor Animal Domiciles Structure.* Partially enclosed and/or roofed structures (e.g., barns, corrals, cages, pens, coops, kennels and runs, etc.) are encouraged to be provided and maintained for all animals kept outdoors. Such structures shall be sited at the rear of the main dwelling and at least 30 feet from neighboring dwellings and comply with all other setback and yard regulations for accessory structures (unless the parcel is over 40,000 square feet and the accessory structure is placed beyond the front or side yard setbacks. See Subsection (a)(1)b of this section). The facilities shall be placed in compliance with all animal regulations, noise and nuisance regulations, and Salt Lake Valley Health Department regulations and procedures, with the following exceptions:

- (1) All dog kennels and dog runs must be set back at least ten feet from the property line and at least 40 feet from all neighboring dwellings.
- (2) For properties which have an "A" designation, the Director may allow an outdoor animal domicile structure for farm animals to be constructed prior to construction of a main dwelling under the following conditions:
 - a. The structure complies with all accessory structure setback, height, and size standards.
 - b. The structure is in scale and character with other accessory buildings located within one-half mile of the property and located in the same or larger lot zone district or is an improvement to the immediate area (e.g., R-1-15A, R-1-20A, R-1-30A, R-1-40A).
 - c. That an agreement be recorded against the property that the structure will be relocated or removed as necessary to comply with setback standards upon additional development of the property (e.g., construction of the main dwelling, subdivision, etc.). In addition, a plot plan

shall be submitted which indicates the location of the structure in relation to a future residence on the property, and this information shall also be provided within the agreement.

Note: This section applies only to those animal facilities placed outside the main dwelling unit. This regulation does not apply to any location within the interior of the home, including the garage or other attached interior space.

(LDC 2008, § 15A-11-03; Ord. No. 12-05, 1-31-2012; Ord. No. 12-22, 6-18-2012; Ord. No. 15-25, 7-21-2015)



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
Jamie Tsandes
Cameron Duncan
Jeff Lovell
NH Rather (Alternate)
Daniel Schoenfeld (Alternate)

Thursday, May 21, 2020

6:15 PM

On-Line Meeting

Meeting procedures are found at the end of this agenda.

Web address to view complete packet:
<http://sandyutah.legistar.com>

The May 21, 2020 Sandy City Planning Commission meeting will be conducted via Zoom Webinar. Public comment may be allowed after the presentation of the particular item by the Staff and Applicant, as directed by the Planning Commission Chairman. Each speaker is allowed two minutes. Citizens wishing to comment must access the meeting via the Zoom Webinar link below and must use the "raise hand" feature. The call-in number is for listening only. If a citizen is unable to attend a meeting via Zoom, he or she may e-mail the Planning Director at bmccuiston@sandy.utah.gov by 3:00 PM the day of the Planning Commission meeting to have those comments distributed to the Commission members and/or have them read into the record at the appropriate time.

Register in advance for this webinar:
<https://us02web.zoom.us/j/81655513307>

After registering, you will receive a confirmation email containing information about joining the webinar.

Or join by phone:

Dial (for higher quality, dial a number based on your current location):

US: +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782 or +1 312 626 6799 or +1 929 436 2866 or
+1 301 715 8592
Webinar ID: 816 5551 3307
Webinar Password: 065371

FIELD TRIP

1. 20-154 Field trip map for Planning Commission members

Attachments: [Map.pdf](#)

6:15 PM REGULAR SESSION

Welcome

Pledge of Allegiance

Introductions

Present 9 - Commissioner Dave Bromley
Commissioner Monica Collard
Commissioner Ron Mortimer
Commissioner Jamie Tsandes
Commissioner Michael Christopherson
Commissioner Jeff Lovell
Commissioner Cameron Duncan
Commissioner NH Rather
Commissioner Daniel Schoenfeld

Public Hearing Items

2. CODE-04-20 Solar Carports - Proposed Amendment to the SD(Harada) Zone
-5845 PC Amend Title 21, Chapter 19 - Special Development (SD) Districts, Section 14 - SD(Harada), of the Sandy Municipal Code

Attachments: [Staff Report.pdf](#)
[Exhibit A.pdf](#)
[Exhibit B.pdf](#)
[Applicant Request Letter.pdf](#)

Mike Wilcox presented this item to the Planning Commission.

Brian Barnhill, attorney representing applicant, further presented item to the Planning Commission.

Michael Christopherson opened this item to public comment.

Michael Christopherson closed this item to public comment.

Mike Wilcox further presented and clarified exhibit A and exhibit B to the Planning Commission.

Brian Barnhill explained they had no objections to language and recommendation of exhibit B.

A motion was made by Monica Collard, seconded by Cameron Duncan that the Planning Commission forward a positive recommendation to the City Council to adopt the proposed ordinance amendment as shown in Exhibit "B".

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

3. CODE-04-20 Limits on Dogs as Household Pets
-5846 PC Amend Title 21, Chapter 11, Special Use Standards, Section 3 - Animals (Farm and Household Pets), of the Sandy Municipal Code

Attachments: [Staff Report.pdf](#)
[Exhibit A.pdf](#)

Mike Wilcox presented this item to the Planning Commission.

Michael Christopherson opened this item to public comment.

Steve Van Maren is in favor of this item.

Michael Christopherson closed this item to the Planning Commission.

A motion was made by Jamie Tsandes, seconded by Monica Collard that the Planning Commission forward a positive recommendation to amend Title 21, Chapter 11, Special Use Standards, Section 3 - Animals (Farm and Household Pets), of the Sandy Municipal Code, as shown in (Exhibit "A").

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

Public Meeting Items

4. CUP-03-20-5 Schriever Accessory Structure (Request for increased square footage, height, and to allow a single structure to be over 1500 square feet)
831 1829 E. 10980 S.
[Community #26]

Attachments: Staff report, materials and map.pdf

Claire Hague presented this item to the Planning Commission.

Tom Schriever further presented to the Planning Commission.

Michael Christopherson asked if the applicant was comfortable with staff report.

Tom Schriever explained that he had read through the staff report and was comfortable with it and is okay with changing the color to white if needed but thinks the darker color will look fine and fit in well with the neighborhood.

Michael Christopherson opened this item to public comment.

Steve Van Maren asked if there was another accessory structure close to property line and has concerns about the two structures being subdivided in the future.

Rob Green expressed that there are multiple metal structures in the neighborhood and is in favor of this item.

Michael Christopherson closed this item to public comment.

Monica Collard does not have a problem with size and is okay with the darker color and does not think the Planning Commission needs condition a deed against subdivision in the future.

Michael Christopherson and agrees that the metal structure will fit well in the neighborhood.

A motion was made by Monica Collard, seconded by Jamie Tsandes approve a Conditional Use Permit for Thomas Schriever for the property located at 1829 E. 10980 S. to allow for an accessory structure as described in the application materials based on the findings and five conditions detailed in the staff report with a modification to Condition one that the Planning Commission finds the materials and design compatible within the immediate surroundings and nature if the zone.

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

5. CUP-04-20-5 Nelson Accessory Structure (Request for increased height)
841 2 Eaglewood Ln.
[Community 28- Pepperdell]

Attachments: Staff report, materials and map.pdf

This Planning Item was withdrawn.

6. CUP-04-20-5 Morrill Accessory Structure (Request for increased height and setback
847 waiver)
10308 S. Ashley Meadows Circle.
[Community #21]

Attachments: Staff report, materials and map.pdf

Claire Hague presented item to the Planning Commission.

Dave Bromley asked for clarification on 17 vs 18 feet

James Sorensen said it would be better to sat 18

Brett Morrill further presented this item to the Planning Commission.

Clarified concrete opposed to brick

opened to public comment

Steve Van Maren asked what is on the other side of the property line

closed to pc

Claire clarified what is on the otherside of the structure

Brett moril asked for clarification on public comment

Michael Christopherson clarified

Jeff Lovell asked about clarification on wavier

Brian McCuiston said yes to 2 foot wavier

A motion was made by Jeff Lovell, seconded by Monica Collard that the Planning Commission approve a Conditional Use Permit for Brett Morrill 10308 S. Ashley Meadows Circle for a 18" and accessory structure and a two foot setback wavier as described in the application materials and subject to the two findings and four conditions listed in the staff report.

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

Absent: 1 - Ron Mortimer

DRAFT

7. CUP-05-20-5 Platt Guesthouse and Home Occupation
848 11140 S. 115 E.
[Community #11 -Crescent]

Attachments: Staff report, materials and map.pdf

Claire Hague presented this item to the Planning Commission

Dave Bromley asked for clarification on whether two motions were needed.

James Sorensen explained that it would be best to have two separate motions for the structure and the home occupation.

Monica Collard asked if the Planning Commission has ever approved a guest house before.

James Sorensen said yes, they have approved a couple in the past.

Brian McCuiston explained in further detail the previous guest houses that have been approved.

Jeff Platt further presented this item to the Planning Commission.

Michael Christopherson opened this item to public comment.

Michael Christopherson closed this item to public comment.

Planning Commission discussed the best way to make the two separate motions.

Cameron Duncan expressed that a yearly inspection might not be necessary but that the Chief Building Official could conduct an inspection when he feels it is needed.

A motion was made by Cameron Duncan, seconded by Dave Bromley that the Planning Commission approve a Conditional Use Permit for Brydie Platt for the property located at 11140 S. 115 E. to allow for a guesthouse as described in the application materials based on finding number two and all six conditions listed in the staff report.

Cameron Duncan – Yes

Dave Bromley – Yes

Jamie Tsandes – Yes

NH Rather – Yes

Monica Collard – Yes

Jeff Lovell – Yes

Michael Christopherson – Yes

A second motion was made by Cameron Duncan, seconded by Dave Bromley that the Planning Commission approve a Conditional Use Permit for Brydie Platt for the property located at 11140 S. 115 E. to allow for a home occupation as described in the application materials based on finding number one and the six conditions in the detailed in the staff report with a modification of removing

condition number four.

Cameron Duncan – Yes
Dave Bromley – Yes
Jamie Tsandes – Yes
Ron Mortimer – Yes
Monica Collard – Yes
Jeff Lovell – Yes
Michael Christopherson – Yes

Administrative Business

1. 20-134 PC Meeting Minutes for 03.05.2020

Attachments: PC Minutes 03.05.2020 (DRAFT)

A motion was made by Monica Collard, seconded by Ron Mortimer to approve the Planning Commission Meeting Minutes for 03.05.2020

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

2. 20-137 PC Test Meeting Minutes 04.02.2020

Attachments: TEST PC Minutes 04.02.2020 (DRAFT)

A motion was made by Monica Collard, seconded by Ron Mortimer to approve the Test Planning Commission Meeting Minutes for 04.02.2020

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

3. 20-138 PC Test Meeting Minutes for 04.16.2020

Attachments: TEST PC Minutes 04.16.2020 (DRAFT)

A motion was made by Monica Collard, seconded by Dave Bromley to approve the Test Planning Commission Meeting Minutes for 04.16.2020

4. 20-155 PC Meeting Minutes for 5.07.2020

Attachments: PC Minutes 05.07.2020 (DRAFT)

A motion was made by Dave Bromley, seconded by Jamie Tsandes to approve the Planning Commission Meeting Minutes for 05.07.2020 with the modification to front and side yards on lot 103 for Bell Canyon Cove and the misspelling of swale on page 6.

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

Sandy City Development Report

Director's Report

Adjournment

A unanimous motion was made to adjourn.

DRAFT

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

CUP-05-20-5 Platt Guesthouse and Home Occupation
848 11140 S. 115 E.
[Community #11 -Crescent]

Attachments: [Staff report, materials and map.pdf](#)