



File #24-020 DCA

# Land Use Approval Extension Ordinance

City Council  
May 20, 2024

# REASON FOR ORDINANCE

- To mitigate the impacts of the current sanitary sewer moratorium and consent decree on developments for which applications for land use approval were submitted prior to the establishment of the initial moratorium (October 3, 2022) and are currently approved.
- Creation of an equitable extension for land use approvals in order to allow those developments to proceed through construction.
- With the additional 270 ERUs (570 ERUs total) that were recently allotted to Sandy from EPA/DEQ, the City can now provide ERU allocations to developers that otherwise could not obtain financing.

# WHAT IS NOT PART OF THIS ORDINANCE?

- Extension for any land use application submitted since October 3, 2022.
- Automatic approval. The Development Services Director will review and approve an extension request pursuant to a Type I process under Sandy Municipal Code 17.12.10.

# NOTICE INFORMATION

- Notification sent to the Department of Land Conservation and Development (DLCD) on March 6, 2024.
- Email notice sent to developers on April 4, 2024. *(this was not required)*
- A legal notice was published in the Sandy Post on April 10, 2024.
- Facebook notification about the Planning Commission meeting on April 19, 2024.

# PUBLIC COMMENTS

- Deek Heykamp (Next Adventure): supports the ordinance
- Margo Clinton (on behalf of Sandy Woods II): supports the ordinance
- Garrett Stephenson (on behalf of Bull Run Terrace): supports the ordinance, but has requested some modifications to the ordinance and requests a two (2) year extension instead of just one (1) year

# RECOMMENDATION

The Planning Commission reviewed the ordinance and findings and provided a recommendation of approval to the City Council but asked staff and the City Attorney to add some additional provisions for additional extensions.

The additional provisions are in Section 2 of the 'alternative' ordinance.