

DATE: November 20, 2023
TO: Planning Commission
FROM: Patrick Depa, Senior Planner
RE: Work Session - Various Municipal Code Amendments

BACKGROUND / CONTEXT

The Municipal Code requires amending from time to time when either changes are made in state law or when a city has seen certain levels of growth and development that renders some of the current code obsolete. Because of this, City of Sandy staff is proposing some appropriate amendments to various sections of the Development and Municipal Code to address findings in the Housing Needs Analysis (HNA) and Economic Opportunity Analysis (EOA), commercial and residential growth, and legislative changes.

The purpose of this work session is to discuss immediate and future amendments and recognize changing standards within the community predominately related to commercial and residential development. During this work session we will review several key code amendments looking to the Commission for input, direction, and prioritization for their adoption. These code modifications will come before the Commission after the adoption of the Clear and Objective Audit that was summarized at the work session on November 6, 2023.

The proposed Municipal Code amendments come from a variety of origins and circumstances grounded in guiding new development, increasing safety, and applying best planning practices. This may include criteria for identifying significant effects of a plan or land use regulation and how they are applied.

State law requires that land use regulations be consistent with the city's acknowledged comprehensive plan. This will help ensure that new codes reflect the community's vision and are based on policy. The City is following the Statewide Planning Goals and guidelines by finishing up and eventually adopting a Housing Needs Analysis (HNA), an Economic Opportunity Analysis (EOA), a Building Land Inventory (BLI), and the 2050 Comprehensive Plan as we prepare for drafting new implementing regulations.

With the culmination of the above said documents, the Planning Division and the Planning Commission will have a good deal of work ahead of us to translate the various new polices into usable Municipal Code. This will be a large part of what the Commission will be working on for the next eighteen (18) months or so. However, the core reason for this work session is to examine an existing list of possible code amendments and get a consensus on a timeline and priority.

KEY CONSIDERATIONS / ANALYSIS

The Development Services Director and I created the following short list that should get us started with discussion:

- **Temporary uses and structures:** Initiated by City Administration
- **Signs:** Initiated by staff
- **Urban Forestry Standards:** Initiated by the City Council
- **Major Utilities (cell towers):** Initiated by staff
- **Retaining Walls and fences – Materials:** Discussed in the past with the Planning Commission
- **Commercial and Industrial Accessory Buildings with building materials relating to Sandy Style:** Initiated by staff
- **Drive-thru requirements – Stacking:** Initiated by staff
- **Forfeitures and fees:** Initiated by the City Council

POTENTIAL CODE AMENDMENTS

Temporary Uses and Structures: Types of uses, hazardous materials, time frames, and renewal schedules. The Transportation Growth Management (TGM) model code has a section on temporary uses we can analyze and research what other jurisdictions have implemented. Do we want to maintain it as a discretionary review and therefore use the Type II process or go solely to an administrative Type I review?

Signs: The Planning Division already started on a comprehensive overhaul of proposed sign amendments back in 2020. The existing sign code has multiple First Amendment violations regulating free speech and has some poorly written regulations that are difficult to interpret.

Urban Forestry Standards: This was a project started pre-pandemic and involved a subcommittee and several iterations of code. This project was placed on hold during the pandemic and never was reinstated. Staff would like to use the Commission moving forward on this project, not a subcommittee.

Major Utilities: Cell towers and co-location requirements. Installation or upgrading restrictions based on eagle nesting seasons.

Retaining Walls and Fences: Maximum allowed height in proximity to other structures and property lines. Limitations on wall and fence materials. Variance criteria and exceptions may need to be established based on a geographical hardship peculiar to the property.

Commercial and Industrial Accessory Structures: Building material requirement thresholds; size and when to apply design standards. No temporary storage in trailers/cargo containers. Landscaping buffers when facing residential zoning districts or a public right-of-way.

Drive-thru Requirements: Stacking issues, visibility from public right-of-way, and performance standards.

Forfeitures and fees: Standardizing the code enforcement fees, procedures, and deadlines. The Code Enforcement Specialist has already started working on this project.

In addition, staff is interested in making minor housekeeping changes to the code to help clarify various requirements. Staff will provide more background and information at future meetings to facilitate discussion of these topics.

RECOMMENDATION

For this meeting, City staff would like to know if there are any other issues pertaining to sections/chapters in the municipal code that you would like to address or believe need to be reviewed. Are there any sections that are typically part of a design review or site plan review that you believe are too restrictive or maybe didn't go far enough to address their specific application?

If there are some items not on the list that you want to discuss, we are encouraging you to bring them up and introduce your concerns. Any items that may be discussed that are not on the above list can be added with a consensus of the Commission that believe it qualifies for further consideration.

After we finalize our list of code language we want to review, we will need your thoughts on the next steps. We believe the first step is for us is to prioritize the above list. Which code items do you believe we can address quickly, which ones will take more attention and research, and which ones may need priority due to a volatile result if not addressed quicker?

CONCLUSION

Finally, we would like to know if there is a method to approach the task of updating the municipal code that you have used in your workplace that may help staff and the Commission address this task more efficiently.

Moving forward, the purpose of future work sessions and future hearings is to determine if the code amendments are sufficient to address their intended purpose and eventually arrive with a recommendation for the City Council.