



STAFF REPORT

Meeting Type: Planning Commission
Meeting Date: April 22, 2024
From: Kelly O'Neill Jr.
Subject: Land Use Approval Extension Ordinance

DECISION TO BE MADE:

Hold a legislative hearing and provide a recommendation to the City Council on the attached land use approval extension ordinance.

BACKGROUND / CONTEXT:

City staff desires 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, and are currently approved, as much as is possible under the circumstances. Although the City is working diligently to address the underlying causes of the sanitary sewer moratoria, the ultimate duration of the moratoria remains unknown. The City recognizes that property owners who submitted applications for land use approval prior to the initial moratorium invested significant resources into those approvals and the land use approvals for several of these projects now run the risk of expiring.

City staff believes it is just and equitable to allow for the extension of the expiration date of those land use approvals in order to allow those developments to proceed through construction to the extent possible under the consent decree and development moratoria. Allowing extension of such approvals will stimulate responsible and needed development activity in the city of Sandy to the extent possible under the consent decree and moratoria, help address the state's current housing crisis, enable property owners to recoup their investments, and reduce the amount of staff time necessary to review these projects again if land use approvals were to expire and new approvals would be required.

KEY CONSIDERATIONS / ANALYSIS:

An owner whose property has received land use approval based on an application which was submitted prior to October 3, 2022, may apply for and be granted a one-year extension of the expiration date of such approval. If approved, one year will be added to the current expiration date of the land use approval. This extension is in addition to any other extension which may be available under the Sandy Municipal Code. The Development Services Director will review and approve an extension request pursuant to a Type I process under Sandy Municipal Code 17.12.10.

An application for extension will need to include a completed Land Use Application Form, payment of fees in the amount of \$530, and a written narrative. Notice of this proposed ordinance was provided to the Department of Land Conservation and Development on March 6, 2024, published in the Sandy Post on April 10, 2024, and staff also sent email notice to affected developers. As of publication of this staff report the City received one letter of support (Attachment A) for this extension ordinance. This extension ordinance is a legislative amendment and has been reviewed for conformance to its

applicable Statewide Planning goals as included in the ordinance findings, including Goals 1, 2, 10, 11, and 12.

RECOMMENDATION:

City staff recommends that the Planning Commission review the ordinance and findings and provide a recommendation to the City Council which has a meeting scheduled to discuss this ordinance on May 20, 2024.

LIST OF ATTACHMENTS / EXHIBITS:

- Ordinance No. 2024-09 for adoption of Land Use Approval Extension
 - Exhibit A. Ordinance No. 2024-09 Findings
- Attachment A. Letter of Support from Next Adventure