



JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

July 15, 2021

To: City Council via Planning Commission
From: Community Development Department
Subject: Amendments Related to Development Moratorium CA06232021-0006081
on Properties East of Wasatch Blvd
Amend Title 21, Chapter 15, Sensitive Area
Overlay Zone and Title 21, Chapter 20, Residential
Development Standards, of the Sandy Municipal
Code

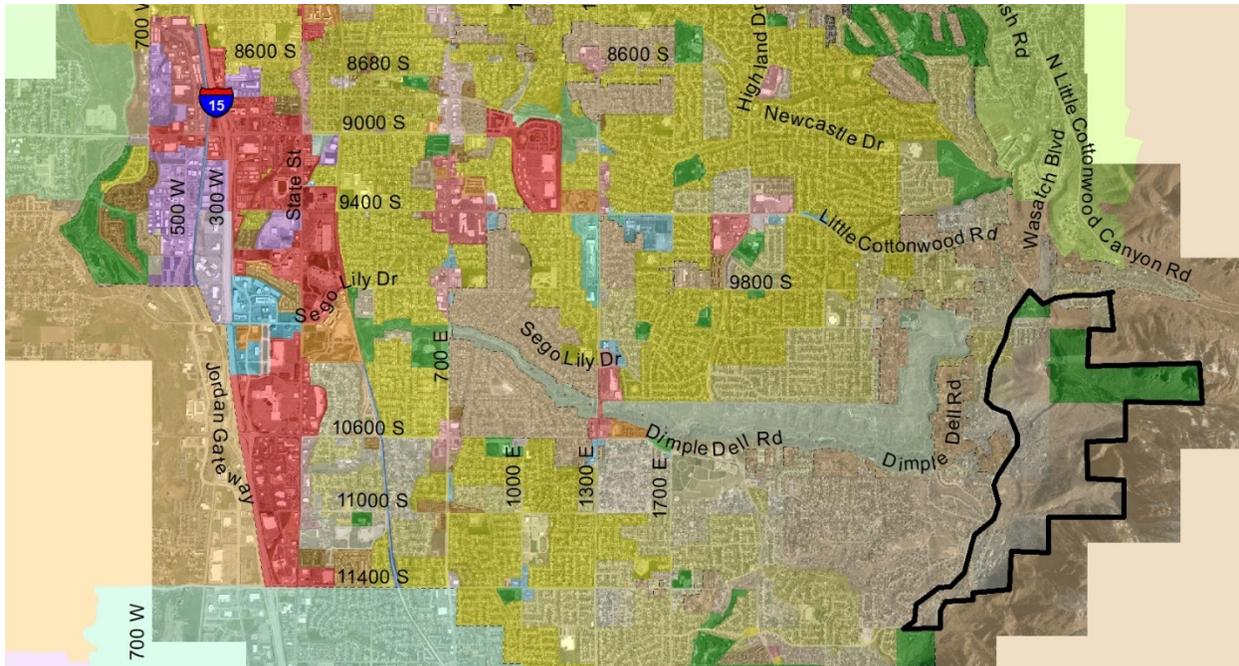
HEARING NOTICE: *This item has been noticed on public websites, and in the newspaper at least 10 days prior to the Public Hearing.*

REQUEST

On behalf of Sandy City, the Community Development Department is proposing to amend Title 21, Chapter 15, Sensitive Area Overlay Zone and Title 21, Chapter 20, Residential Development Standards, of the Sandy Municipal Code. The purpose of the Code Amendment is to address concerns with development in sensitive lands areas of the city and to address any deficiencies in the City's regulatory controls and protections over those areas. These proposed amendments are in response to the temporary land use regulations enacted by the City Council on April 6, 2021 (see Ordinance 21-14). The full text of the proposed changes is shown in Exhibit "A" (redlined) and a clean version shown in Exhibit "B".

BACKGROUND

On April 6, 2021, the City Council found that a compelling, countervailing public interest exists in enacting a temporary land use ordinance (see Ordinance 21-14) to allow the City administration time to identify, investigate, evaluate, and define how the natural hazards associated with steep slope foothill property areas should be addressed and regulated to protect the health, safety and welfare of all the citizens of Sandy City, and to allow the City Council adequate time to evaluate and enact appropriate regulations. The affected area (as shown in the map below) is restricted from any new development or applications for up to six months. Departments that are involved with the review process have contributed and gave input on the suggested changes.



ANALYSIS

From the collective analysis of several departments, Community Development staff has proposed several changes to two chapters of the Land Development Code to address the concerns stated in Ordinance 21-14, the Sensitive Area Overlay (SAO) Zone (Chapter 15) and Residential Development Standards (Chapter 20), in particular the Planned Unit Development (PUD) Section of that chapter. These alterations do not represent sweeping changes but rather refinements to our existing code requirements that provide further clarity to existing code and introduces some new requirements.

The main objectives of the proposed amendments to the SAO Zone include:

- Drainage and Debris Flow Corridors
- Earthquake Fault Lines and Affected Areas
- Rockfall Hazards
- Requirements to Alter Hillsides for Road/Driveway Access
- Technical Dispute Resolutions
- Better Describe Protected Hillsides
- Cut/Fill and Retaining Walls
- Comprehensive Sensitive Lands Map
- Clarify Exceptions on Previously Disturbed Slopes

The main objectives of the proposed amendments to the PUD Zone include:

- Open Space Requirements
- Clustering of Development
- Compatibility to Adjacent Uses
- Clarification on Density Calculation
- PUD Building Height Clarification
- Unique Standards Related to SAO Affected Lands

These amendments affect areas within the SAO mapped areas and the lands zoned PUD.

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 amendments would promote the orderly growth and development of Sandy City. It would also further fair, comprehensive, consistent and equitable regulations, standards and procedures for review and approval of all proposed land development within the City.

GENERAL PLAN COMPLIANCE

The General Plan has several goals and policies that would be furthered by these proposed amendments such as:

- Provide for orderly and efficient development which will be compatible with the natural and built environment.
- Provide standards, guidelines and criteria having the effect of minimizing flooding, erosion, and other environmental hazards and to protect natural scenic character of the hillsides.
- Preserve, enhance, and integrate natural open spaces into the urban fabric of Sandy City.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a positive recommendation to amend Title 21, Chapter 15, Sensitive Area Overlay Zone and Title 21, Chapter 20, Residential Development Standards, 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 promoting the orderly development and creating consistency and equitable standards in Sandy City.
2. Compliance with the Goals and Policies of the General Plan by: providing for orderly and efficient development which will be compatible with the natural and built environment; providing standards, guidelines and criteria having the effect of minimizing flooding, erosion, and other environmental hazards; and to protect natural scenic character of the hillsides, and preserving, enhancing, and integrating natural open spaces into the urban fabric of Sandy City.

Planner:



Mike Wilcox
Zoning Administrator