



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN COMMUNITY DEVELOPMENT DIRECTOR

MONICA ZOLTANSKI MAYOR

SHANE E. PACE CHIEF ADMINISTRATIVE OFFICER

Staff Report Memorandum November 16, 2023

To: Planning Commission
From: Community Development Department
Subject: Planchita Special Exception for Restoration within 30% or greater slopes 10074 S. Stone Mountain Cove (Bell Canyon, Community #29)

SPX08302023-006599
R-1-15, SAO Zone
1.02 Acres

Meeting Notice: This item has been noticed to property owners within 500 feet of the subject area, on public websites, and at public locations.

Request

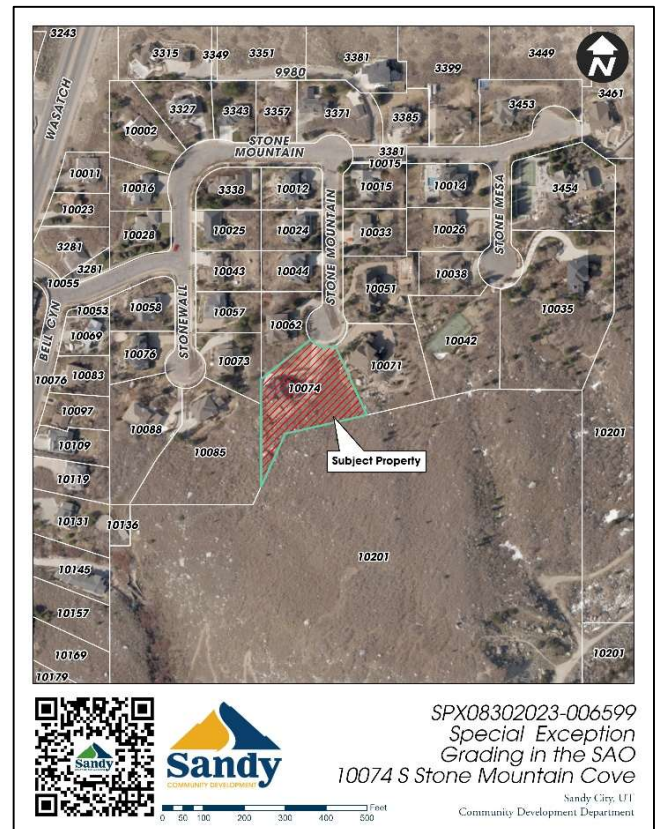
The applicant and property owner, Roman Planchita, is requesting a Special Exception for the property located at 10074 S. Stone Mountain Cove. The request is for grading and restoration of a hillside slope with 30% or greater slope in the Sensitive Area Overlay (SAO). See Exhibit "D" for the applicant's grading and restoration plan.

Background

The subject property is a 1.02-acre legal lot in the Stone Ridge Subdivision (see Lot 13 in Exhibit "C"). The lot is in the R-1-15 zone (min. 15,000 sq. ft. lot), and within the SAO zone with delineated non-buildable areas within 30% or greater slopes. This site is bordered by single-family homes to the north, east and west, and the Lower Bell Canyon Reservoir and Natural Recreation Area to the south.

In 1991, 10074 S Stone Mountain Cove was platted as Lot 13 of the Stone Ridge Subdivision. Notably, within this lot, there's a delineated non-buildable area with a 30% slope. Subsequently, a single-family home for Lot 13 was designed and approved, adhering to the stipulated setbacks from the delineated protected slope. This was all done in the County, prior to annexation to Sandy City in 1992.

In October of 2022, the city was alerted about an unauthorized alteration into the protected slope area of this lot. Investigations confirmed areas of disturbance within the protected hillside area with 30% or greater slopes.



SPX08302023-006599
Special Exception
Grading in the SAO
10074 S Stone Mountain Cove

Sandy City, UT
Community Development Department

Property Case History	
Case Number	Case Summary
Salt Lake County Subdivision	Stone Ridge Subdivision Plat (1991)
Annexation	Stone Ridge Annexation (1992)

Public Notice and Outreach

A public notice was mailed out to all property owners within 500 feet of the subject property for the Planning Commission meeting. No comments have been received from the public regarding this proposal as of the publishing of this report.

Analysis

After confirming the existence of a violation in the SAO, the City issued a stop work order for the property. The area of disturbance was within the protected hillside area with 30% or greater slopes and extends beyond the property boundaries to the south and west. The aerial photos below show a comparison of the disturbed area in the current year of 2023 compared with the same area undisturbed in the year of 2016.

Investigations of the violation revealed that the homeowner engaged a contractor to construct an above-ground swimming pool on their property and some associated landscaping of their yard. The contractor began rough grading a protected slope with the intent to create a rock staircase up to a large boulder and small natural depression. The intent was to create a gathering area uphill of the swimming pool.

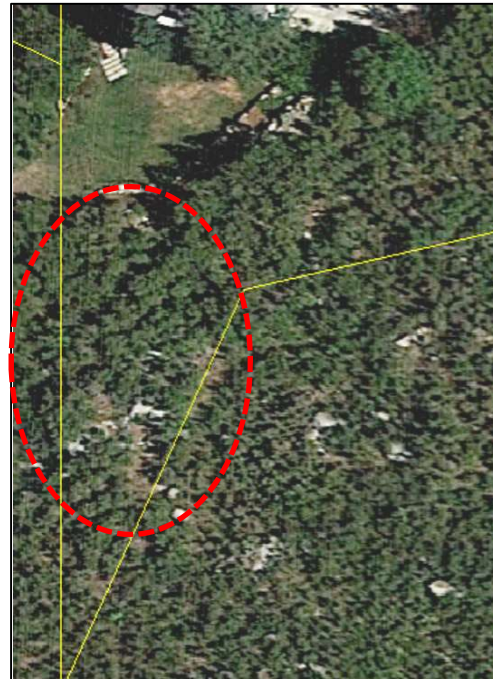
Since issuing the stop work order, City staff has collaborated with the property owner to create a plan to restore the disturbed hillside. The applicant has submitted grading and landscape plans to restore the affected area, which is included as Exhibit “D.”

Comparison Aerial Photos

Year 2023



Year 2016



Sandy Land Development Code requires Planning Commission approval for alteration of 30% or greater slopes. The Planning Commission may determine the specifics of how the slope is altered and if the plan will be approved. The applicable review criteria for the grading plan are under Land Development Code Section 21-15-04(B)(6):

(6) ***Grading, Cuts and Fill***

- a. *Exposed unstable surfaces of a cut or fill shall not be steeper than one vertical to two horizontal.*
- b. *All permanent fill shall be stabilized and finished to reduce risk associated with settling, sliding or erosion.*
- c. *The top and bottom edges of slopes caused by an excavation or fill up to ten vertical feet shall be at a minimum of three horizontal feet from the property line or public right-of-way lines.*
- d. *The maximum vertical height of all cuts or fills shall be ten feet. Under exceptional circumstances, the Planning Commission may approve cuts or fills in excess of ten feet with a recommendation from the City Engineer. Cuts or fills shall be measured from natural grade to finished grade. The burden of demonstrating exceptional circumstances shall be on the developer of the property, but may include:*
 1. *Cutting or filling of areas designated as anomalies.*
 2. *Cutting to allow for required sight triangles.*
 3. *Areas previously modified, altered or disturbed.*
 4. *Cuts or fills as required by the City Engineer to mitigate any unsafe condition, such as slopes exceeding 50 percent.*
 5. *Unusual topographic features, such as bowls or rises that don't exceed slope limitations but may inhibit sound construction.*
 6. *Other conditions as approved by the Planning Commission.*
- e. *All structures, except retaining walls or soil stabilization improvements, shall have a setback from the crest of the fill or base of the cut of a minimum distance equal to the depth of the fill or the height of the cut, unless a structurally sound retaining wall is built for the cut or fill slope.*
- f. *No grading, cuts, fills, or terracing will be allowed on a continuous hillside of 30 percent or greater slope, crest (upslope or downslope) unless otherwise determined by the Planning Commission upon recommendation of the Director and City Engineer.*

City Engineer Ryan Kump, P.E., has reviewed the proposed grading plan and provided an analysis with recommendation (see Exhibit “A”). Mr. Kump states that the ***overarching objective is to restore the originally platted protected slope without making any alterations to the existing plat***. Having assessed the details of the restoration plan, Sandy City Engineering recommends the Planning Commission's approve the proposed restoration plan, which involves the following:

- Safeguarding the residual scrub oak.
- Restoring the terrain to its original contours, aligning it as closely as feasible to its former undisturbed state.
- Implementation of erosion control measures to safeguard the region until the native vegetation fully re-establishes itself.

Planning staff has reviewed the proposed landscape plan and provided comments on Exhibit “D,” which requires a revision to the plan by providing native trees and shrubs, not just a native grass seed to fully restore the hillside. This is included as a condition of approval of this report.

Recommendation

Staff recommends that the Planning Commission grant a Special Exception to allow alteration and restoration of 30% or greater slopes in the Sensitive Area Overlay for the property located at 10074 S Stone Mountain Cove, based on the following findings and conditions of approval:

Findings:

1. The applicant removed native vegetation and altered a protected 30% or greater slope without permits or approvals of the City.
2. The City Engineer finds the protected slope areas could be closely restored to their native condition and be sufficiently stabilized with native vegetation.
3. City departments and divisions have preliminarily reviewed the proposed site, grading and restoration plan.
4. The City Engineer and Community Development Director recommends approval of the grading and restoration plan, as proposed in Exhibit “D” (subject to the conditions listed below).

Conditions:

1. The applicant shall comply with each department’s comments and redlines and resolve all issues on the proposed plans before a grading permit for hillside restoration is issued.
 - a. The landscape plan shown in Exhibit “D” shall be revised to address the redline comments and include native trees and shrubs, not just native grass seed. This plan shall be submitted for review and approval by the Community Development Department prior to issuance of the grading permit.
2. The applicant shall revegetate the disturbed areas with native species of trees, shrubs, and grasses to replace what has been removed. Revegetation shall be completed before May 15, 2024.
3. The appropriate temporary protection of replacement trees shall be provided to ensure they can grow and establish themselves without being consumed by the wildlife in the area.

Planner:



Melissa Anderson
Zoning Administrator

Exhibits:

- A. Recommendation by Sandy City Engineer Ryan Kump, P.E.
- B. Aerial Map Images of Site
- C. Stone Ridge Subdivision Plat
- D. Proposed Grading and Landscape Restoration Plan

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