

Sec. 22.22.010. - Purpose.

This chapter establishes regulations for development within hillside areas to:

- (1) Preserve and protect the views to and from hillside areas in order to maintain the identity, image and environmental quality of the city;
- (2) Maintain an environmental equilibrium consistent with the native vegetation, animal life, geology, slopes, and drainage patterns;
- (3) Facilitate hillside preservation through appropriate development standards and guidelines of hillside areas. The guidelines are intended to provide direction and encourage development which is sensitive to the unique characteristics common to hillside properties, which include, slopes, land form, vegetation and scenic quality. Innovation in design is encouraged as long as the end result is one which respects the hillside and is consistent with the purposes expressed in this section and in the goals and objectives of the general plan;
- (4) Ensure that development in the hillside areas shall be concentrated in those areas with the least environmental impact and shall be designed to fit the existing land form;
- (5) Preserve, where possible, significant features of the natural topography, including swales, canyons, streams, knolls, ridgelines, and rock outcrops. Development may necessarily affect natural features by, for example, roads crossing ridgelines. Therefore, a major design criterion shall be the minimization of such impacts;
- (6) Provide a safe means of ingress and egress for vehicular and pedestrian traffic to and within hillside areas, with minimum disturbance to the undeveloped terrain;
- (7) Correlate intensity of development with the steepness of terrain in order to minimize the impact of grading, unnecessary removal of vegetation, land instability, and fire hazards;
- (8) Provide in hillsides alternative approaches to conventional flat land development practices by achieving land use patterns and intensities that are consistent with the natural characteristics of hill areas (e.g., slopes, land form, vegetation and scenic quality); and
- (9) Encourage the planning, design and development of sites that provide maximum safety with respect to fire hazards, exposure to geological and geotechnic hazards, drainage, erosion and siltation, and materials of construction; provide the best use of natural terrain; and to prohibit development that will create or increase fire, flood, slide, or other safety hazards to public health, welfare, and safety.

It is the intent of this chapter to establish regulations and guidelines to ensure that development will complement the character and topography of hillside areas. Specifically, the city desires the application of good hillside planning techniques and the use of landform grading and revegetation in the implementation of hillside projects.

(Ord. No. 02(1998), § 2, 11-3-98)

Sec. 22.22.020. - Applicability.

- (a) *Development review.* Hillside developments shall be subject to development review in compliance with chapter 22.48, except that residential developments in the RH-30 district shall be subject to non-discretionary development review if required pursuant to section 22.08.020(7).
- (b) *Basis for slope determinations.* For the purpose of this chapter, slope shall be computed on the natural slope of the land before grading is commenced, as determined from a topographic map having a scale of not less than one inch equals 100 feet and a contour interval of not more than five feet.
- (c) *Conditional use permits.* Hillside developments shall be subject to the approval of a conditional use permit in compliance with chapter 22.58.

- (d) *Exemption.* A lot of record as of the date of adoption of these regulations shall be entitled to one dwelling unit. Development upon such lots shall be subject to the guidelines and standards of this chapter and processed in compliance with article IV, chapter 22.48 (development review).

(Ord. No. 02(1998), § 2, 11-3-98; [Ord. No. 06\(2013\), § 3\(Exh. A\), 9-3-13](#); [Ord. No. 07\(2013\), § 3\(Exh. A\), 9-17-13](#))

Sec. 22.22.030. - Required plans and reports.

A subdivision or land use entitlement application for a site within a hillside area shall include the following documents, reports, and maps as determined appropriate by the director and city engineer. Exceptions to the filing requirements shall require a written justification supported by factual information submitted to the director and city engineer for consideration.

- (1) *Natural features map.* A natural features map shall identify all existing slope banks, ridgelines, canyons, natural drainage courses, federally recognized blue line streams, rock outcroppings, and existing vegetation. Also depicted shall be landslides and other existing geologic hazards.
- (2) *Grading plan.* A conceptual grading plan shall include the following items:
 - a. A legend with appropriate symbols shall include the following items: Top of wall, top of curb, high point, low point, elevation of significant trees, spot elevations, pad and finished floor elevations, and change in direction of drainage;
 - b. A separate map with proposed fill areas colored in green and cut areas colored in red, with areas where cut and fill exceed depths established in the hillside development guidelines and standards clearly shown. Additionally, the area of cut and fill, calculated as a percentage of the total site area, shall be included on the plan; and
 - c. Contours for existing and natural land conditions and proposed work. Existing contours shall be depicted with a dashed line with every fifth contour darker, and proposed contours shall be depicted as above except with a solid line. Contours shall be shown at maximum five-foot intervals above 20 percent slope.
- (3) *Drainage map.* A conceptual drainage and flood control facilities map describing planned drainage improvements.
- (4) *Slope analysis map.* A slope analysis map for the purpose of determining the amount and location of land as it exists in its natural state falling into each slope category as specified below. For the slope map, the applicant shall use a base topographical map of the subject site, prepared and signed by a registered civil engineer or licensed land surveyor, which shall have a scale of not less than one inch to 100 feet and a contour interval of not more than two feet, provided that the contour interval may be five feet when the slope is more than 20 percent. The base topographical map shall include all adjoining properties within 150 feet of the site boundaries. Delineate slope bands in the range of zero—ten percent, 11—15 percent, 16—20 percent, 21—25 percent, 26—30 percent, 31—35 percent, and 36 percent or greater. Also included shall be a tabulation of the land/area in each slope category specified in acres.
- (5) *Slope profiles.* Provide a sufficient number of slope profiles as required by the city engineer to clearly illustrate the extent of the proposed grading. The slope profiles shall:
 - a. Be drawn at the same scale and indexed, or keyed, to the grading plan, and project site map;
 - b. Show existing and proposed topography, structures, and infrastructure. Proposed topography structures, and infrastructure shall be drawn with a solid, heavy line. Existing topography and features shall be drawn with a thin or dashed line.
 - c. The slope profile shall extend far enough from the project site boundary to clearly show impact on adjacent property, within at least 150 feet.

- d. The profiles shall be drawn along those locations of the project site where:
 - 1. The greatest alteration of existing topography is proposed;
 - 2. The most intense or dense development is proposed;
 - 3. The site that is most visible from surrounding land uses; and
 - 4. At all site boundaries illustrating maximum and minimum conditions.
 - e. At least two of the slope profiles shall be roughly parallel to each other and roughly perpendicular to existing contour lines. At least one other slope profile shall be roughly at a 45-degree angle to the other slope profiles and existing contour lines.
- (6) *Certification required.* The slope profiles shall be stamped and signed by either a registered landscape architect, civil engineer, or land surveyor indicating the datum, source, and scale of topographic data used in the slope profiles, and attesting to the fact that the slope profiles have been accurately calculated and identified.
 - (7) *Environmental studies.* A geologic and soils report, prepared by an approved soils engineering firm and in sufficient detail to substantiate and support the design concepts presented in the application. Additional environmental studies and investigations (e.g., hydrologic, seismic, access/circulation, and biota research) may also be required in order to help in the determination of the buildable area of a site.
 - (8) *Ownership/maintenance.* A statement of conditions for ultimate ownership and maintenance of all parts of the development including streets, structures and open spaces.
 - (9) *Custom lot subdivision.* In the event that no grading is proposed (i.e., custom lot subdivision), a statement to that effect shall be filed with a plan which shows possible future house plotting, lot grading, driveway design, and location for each parcel proposed, to be prepared on a topographic map drawn at the same scale as the conceptual grading plan.
 - (10) *Elevations required.* When unit development is proposed, illustrative building elevations, that show all sides of the proposed structure(s) and which accurately depict the building envelope for each lot, shall be provided.
 - (11) *Additional items.* The following items may be required if determined necessary to aid in the analysis of the proposed project to illustrate existing or proposed conditions or both:
 - a. A computerized or topographic model;
 - b. A line of sight or view analysis;
 - c. Photographic renderings; and
 - d. Any other illustrative technique determined necessary to aid in review of a project.

(Ord. No. 02(1998), § 2, 11-3-98)

Sec. 22.22.040. - Density.

The maximum number of dwelling units that may be allowed on a given parcel shall be calculated in compliance with the requirements of this section. Also, an additional number of units may be eliminated due to environmental constraints as determined through the development review process.

- (1) *Maximum density calculation.* In order to retain natural features of the hillsides, densities shall be reduced as slope increases in compliance with Table 3-4. Each property to be developed shall be divided into cells of similar slope, utilizing the slope ranges listed below. The maximum density of the base zoning is multiplied by the relevant reduction factor assigned to each cell. The result of this calculation is the maximum allowable density for each cell.

TABLE 3-4
ALLOWABLE RESIDENTIAL DENSITY

Average Slope Range	Density Reduction Factor	Open Space
0% to 25%	None	None
26% to 30%	0.9	10%
31% to 35%	0.8	20%
36% to 40%	0.6	30%
Greater than 40%	Development may be extremely limited	40%

- (2) *Density transfer.* To encourage the clustering of residential units away from steeper slopes to areas with more gentle slopes, a transfer of density may be allowed when development is transferred from one slope category to a lower slope category. When density is transferred from a higher slope category to a lower category (e.g., from the 31—35 percent category to the 26—30 percent category), the commission may increase the allowable density of the lower category to compensate for not developing in areas with steeper slopes.

The total number of units allowed for a project shall not exceed the number of units that would have been allowed without any transfer of density. Areas from which density is transferred shall be restricted from future development in an appropriate manner.

- (3) *Environmental constraints.* The maximum number of residential dwelling units may also be affected by the impact of the following development constraints:
- a. Land areas subject to inundation during a 100-year storm;
 - b. Land areas that are above the hillside view line;
 - c. Land areas that lie within a federally recognized blue line stream, or that contain significant riparian stream bed habitats or other established plant formations that constitute a significant natural feature or ecosystem or that contain rare or endangered species;
 - d. Significant ecological areas (SEA);
 - e. Land areas that are within 100 feet of a prominent ridgeline or hiking trail; and
 - f. Land areas containing significant archaeological sites.

(Ord. No. 02(1998), § 2, 11-3-98)