Exhibit I

CMC 17.20.150
Hillside And Ridgeline Development

17.20.150 - Hillside and ridgeline development.

The general requirements of this section apply to development proposed on sites with a natural slope greater than ten (10) percent, or that include a ridgeline.

A.

Performance Standards. All development shall comply with the applicable performance standards of this chapter. These include, but are not limited to the performance standards for hillside development addressing grading, project site planning, architectural design, landscape treatment and slope maintenance, and hazards (seismic, geologic and fire).

B.

Performance Standards for Hillside Development. Grading and project design shall conform to the city's grading ordinance (Title 15) and the following standards:

1.

Projects within hillside areas shall be designed to protect important natural features and to minimize the amount of grading. To this end, grading plans shall conform to the following guidelines:

a.

Slopes less than ten (10) percent: For property on slopes less than ten (10) percent, redistribution of earth over large areas may be permitted.

b.

Slopes between ten (10) and twenty (20) percent: Some grading may occur on property on slopes between ten (10) and twenty (20) percent, but landforms must retain their natural character. Padded building sites may be allowed, but split level designs, stacking and clustering are required to mitigate the need for large padded building areas.

c.

Slopes between twenty (20) and thirty (30) percent: Limited grading may occur on property on slopes between twenty (20) and thirty (30) percent; however, major topographic features including ridge lines, bluffs, rock outcroppings, and natural drainage ways shall retain their natural landforms. Special hillside architectural and design techniques shall be required in order to conform to the natural land form, by using techniques such as split level foundations of greater than eighteen (18) inches, stem walls, stacking and clustering.

d.

Slopes between thirty (30) and fifty (50) percent: Development and limited grading can occur on property on slopes between thirty (30) and fifty (50) percent, but only if it can be clearly demonstrated that safety hazards, environmental degradation, and aesthetic impacts will be avoided. Variable setbacks and building structural techniques (e.g., stepped or post and beam foundations) is required for development and limited grading on these properties. Structures shall blend with the natural

environment through their shape, materials and colors. Impact of traffic and roadways is to be minimized by following natural contours or using grade separations.

e.

Slopes greater than fifty (50) percent: Except in areas limited in size and in isolated locations development in areas with slopes greater than fifty (50) percent shall be avoided.

The intent of this section is to limit the amount of grading on the steeper portions of a lot. In order to ensure compliance with the intent of this section, the director may require a slope analysis to determine areas and subareas of different slope conditions.

2.

Grading and project design shall address and avoid impacts to habitat linkages and wildlife corridors.

3.

Overall project design and layout shall adapt to the natural hillside topography and maximize view opportunities to and from a development. A development should preserve the hillside rather than alter it to fit the development.

4.

Grading plans should allow for different lot shapes and sizes based primarily on the natural terrain. Encourage split pads in large developments.

5.

Flag lots will be allowed; provided that, it can be demonstrated that (i) the natural topography is preserved through minimal grading; and (ii) adequate visibility is maintained for emergency vehicles.

6.

Structures shall be sited in a manner that will:

a.

Fit into hillside contours and the form of the terrain;

b.

Retain outward views from the maximum number of units and maintain the natural character of the hillside; and,

c.

Preserve natural hillside areas and ridgelines views from the public right-of-way.

7.

Streets should follow the natural contours of the hillside to minimize cut and fill. Streets may be split into two one-way streets in steeper areas to minimize grading and blend with the terrain. Cul-de-sacs or loop roads are encouraged where necessary to fit the terrain. On-street parking and sidewalks may be eliminated, subject to a determination by the review authority that is will reduce required grading.

8.

In subdivisions, the project design should maximize public access to canyons, overlooks, and open space areas by providing open space easements or such other rights-of-way to allow the development's residents to access these locations.

9.

Development should use retaining structures when it significantly reduces grading; however, such retaining structures shall be located and restricted in height so that they do not become a dominant visual feature of a parcel.

10.

Where retaining walls face public streets, the retaining walls should be covered with or contain materials that help blend the wall with the natural terrain.

11.

Large retaining walls in a uniform plane should be avoided. Retaining walls should be divided into terraces. Developments should use landscaping to screen retaining walls from the public right-of-way and adjacent properties.

12.

The overall scale and massing of structures shall respect the natural surroundings and unique visual resources of the area by incorporating designs which (i) minimize bulk and mass, (ii) follow natural topography, and (iii) minimize visual intrusion on the natural landscape.

13.

The overall height of a building is an important aspect of how well it fits into the existing character of a neighborhood and its hillside environment. Houses shall not be excessively tall so as to dominate their surroundings or create a crowded appearance in areas of small lots. Structures should be stepped down a hillside and contained within a limited envelope parallel to the natural grade rather than jut out over the natural slope.

14.

Building forms shall be scaled to the particular environmental setting so as to complement the hillside character and to avoid excessively massive forms that fail to enhance the hillside character.

15.

Building facades shall change plane or use overhangs as a means to create changing shadow lines to further break up massive forms.

16.

Wall surfaces facing towards viewshed areas shall be minimized through the use of single story elements, setbacks, roof pitches, and landscaping.

17.

Collective mass roof lines and elements shall blend with the hillside or reflect the naturally occurring ridgeline silhouettes and topographical variation.

18.

Medium to dark colors which blend with the surrounding environment should be used for building elevations and roof materials in view-sensitive areas.

19.

Architectural style, including materials and colors, should be compatible with the natural setting and the surrounding neighborhood. No one dwelling should stand out.

20.

Exposed structural and mechanical elements shall be avoided.

21.

Roof materials shall be of fire-retardant material. Roof design shall reflect the underlying contour of the land.

22.

Slope plantings should create a gradual transition from developed slope areas into natural areas. New landscape should blend with the natural vegetation, in part, by extending plantings in finger-like configurations into existing slopes.

23.

Plantings along the slope side of a development shall be designed to allow controlled views from the development. At the same, these planting shall partially screen and soften the architecture of the development. No less than fifty (50) percent of screening should consist of plant materials.

24.

Trees shall be randomly spaced and massed together, and they shall be used to reduce the scale of long, steep slopes.

25.

Shrubs are to be randomly placed and massed together.

26.

To act as a backdrop for structures, landscaping shall be used along any recontoured ridge or hillside located behind and at a higher elevation than structures in order to recreate the linear line of the recontoured ridge or hillside. Trees shall be planted to create a continuous linear silhouette to avoid gaps in the planting.

27.

Trees of sufficient height or height capacity shall be planted between structures to eliminate any open gap and blend the roof lines into one continuous silhouette.

28.

New subdivisions, commercial and multi-family development within hillside areas shall meet the following requirements:

a.

Recordation of a declaration of covenants, conditions and restrictions requiring the maintenance of manufactured slopes;

b.

Developer shall prepare a program for preventive maintenance of major manufactured slope areas. This preventive maintenance program shall include homeowner slope maintenance requirements and guidelines declaration of covenants, conditions, and restrictions which shall be recorded against each parcel within the development. Developer shall submit its preventive maintenance program to the department for its review and approval prior to final map approval.

c.

Developer shall prepare and submit to the department for its review and approval a minimum five year revegetation monitoring and maintenance program. Program inspections shall be performed by a qualified botanist. This requirement shall only apply to developments which require slope bank or habitat vegetation.

C.

Standards for the Location of Structures. The following provisions shall apply to the placement of proposed structures on sloping sites.

1.

General Siting Principles. Buildings should be located in the most accessible, least visually prominent, and most geologically stable portion or portions of a site. Buildings should be located in the least visually prominent locations of a property, on open, grassy hillsides, where the prominence of buildings should be minimized by placing them in locations where they will be screened by existing vegetation, rock outcroppings, or depressions in topography. In wooded areas, building placement may be guided by the fire hazard prevention performance standards of Section 17.20.130.

2.

Ridgelines. For the purposes of maintaining the natural appearance of the ridge, structures should not be placed on or near ridgelines so that they appear silhouetted against the sky when viewed from any point on a roadway designated as a scenic corridor by the General Plan (see Figure 3-5). For significant ridgelines identified in the Open Space Element of the General Plan (Figure III-4), the highest point of any structure that requires a permit shall be located at least fifty (50) vertical feet and fifty (50) horizontal feet from a significant ridgeline, excluding chimneys, rooftop antennas, and amateur radio antennas.

However, this ridgeline setback provision shall not apply to:

a.

Any addition to a legally established residence or accessory structure(s) existing as of the effective date of this ordinance that is located on a significant ridgeline, or within the ridgeline protection area of fifty (50) vertical and fifty (50) horizontal feet from the significant ridgeline, such that said addition does not cumulatively with any other permitted additions enlarge the structure by an amount exceeding twenty-five percent (25%) or one thousand two hundred (1,200) square feet of additional gross floor area, whichever is less, above the structure's original size.

b.

Any new accessory structure which is otherwise allowed within the applicable zoning district and which complies fully with the development standards for the zone.

3.

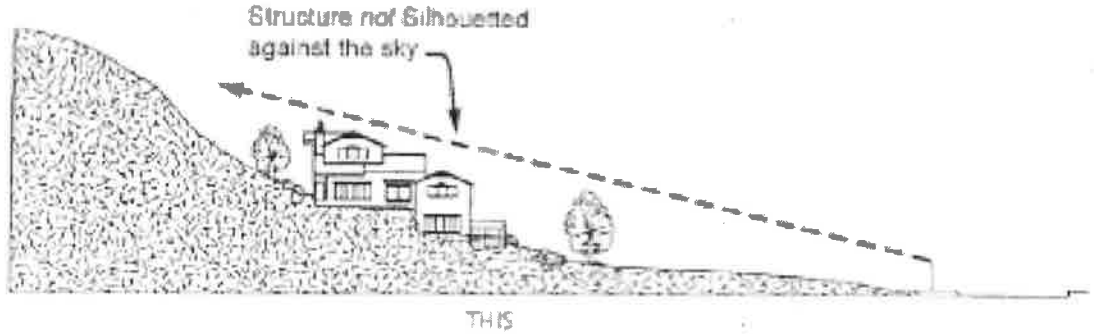
Where structures on a lot or parcel of land cannot meet the standards prescribed in subsection C.2, above, a variance as provided in Section 17.62.080 shall be required. In addition to the required findings set forth in subsection E. of Section 17.62.080, findings shall be made that:

a.

Alternative sites within the property or project have been considered and eliminated from consideration based on physical infeasibility or the potential for substantial habitat damage or destruction if any such alternative site is used and that the siting principles outlined under subsection (C)(4) have been applied; and

b.

The proposed project maintains the maximum view of the applicable significant ridgeline through the use of design features for the project including minimized grading, reduced structural height, clustered structures, shape, materials, and color that allow the structures to blend with the natural setting, and use of native landscaping for concealment of the project.



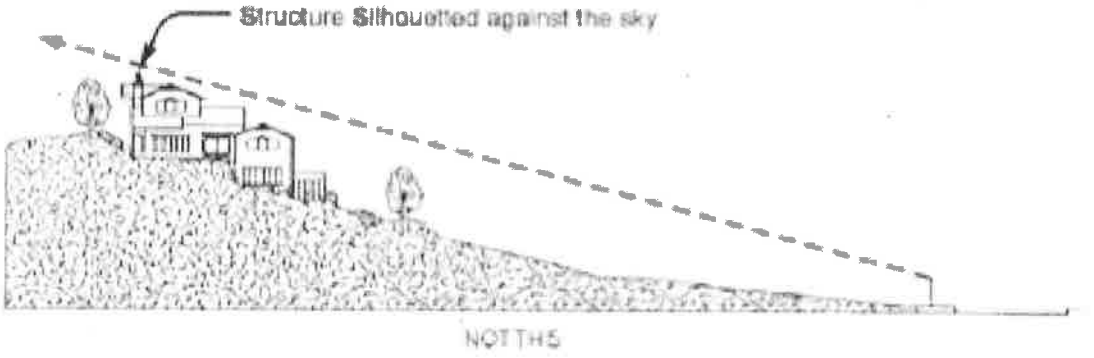


Fig 3-5 Silhouetted Structures

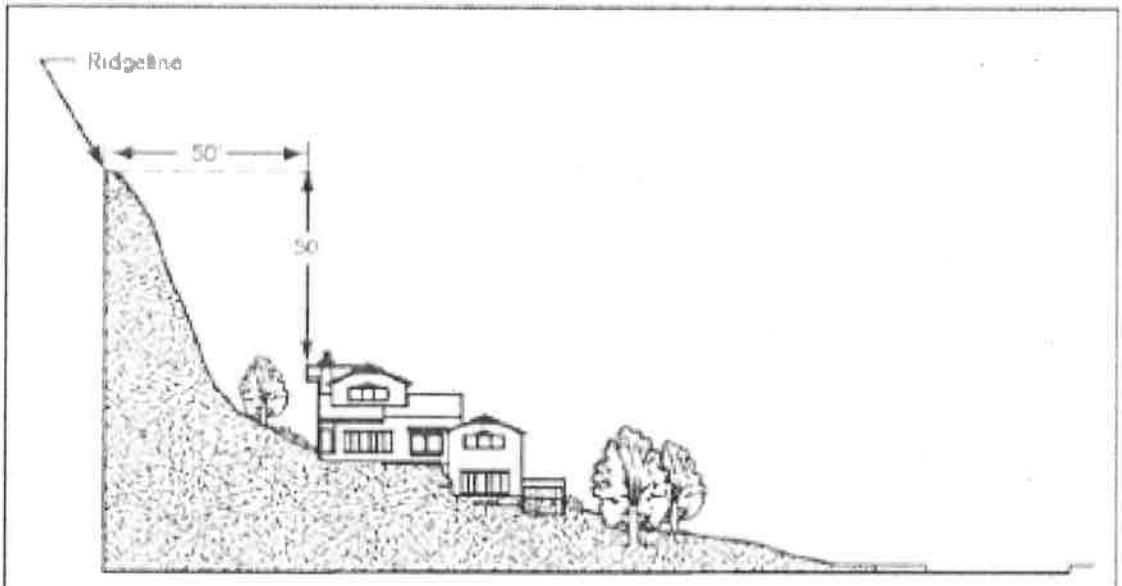


Fig 3-6 Location of Structures Below Significant Ridgelines

4.

Siting Priorities. Based on the principles in subsections (C)(1) and (2) of this section, the building sites selection for subdivision design and the development of existing individual lots should occur according to the following priorities:

a.

The first priority for building site selection should be areas below the tops of ridgelines, on slopes less than twenty (20) percent.

b.

In cases where a lot has no building site of at least four thousand (4,000) square feet that satisfies subsection (C)(4)(a) of this section, the second priority should be areas below the tops of ridgelines, on slopes between twenty (20) and thirty (30) percent, where development can occur with careful attention to minimizing grading through building designs that employ stepped foundations.

c.

Where a lot has no potential building sites that satisfy subsection (C)(4)(b) of this section, the third priority for site selection should be areas on ridge tops with slopes less than twenty (20) percent. Proposed buildings should be set back as far as possible from the edge of the ridge (where downhill slopes begin to exceed twenty (20) percent and landscaped, to minimize visibility.

D.

Watercourse Setbacks. Structures, paving and grading (other than grading determined by the review authority to be necessary for slope stabilization) shall be set back from the from the outer edge of the riparian vegetation canopy of a perennial or intermittent stream by a minimum of one hundred (100) feet, or other distance determined by a qualified biologist approved by the city to be adequate for the preservation of existing riparian vegetation and habitat. Where riparian vegetation is not present, the one-hundred-foot buffer shall be measured from the outer edge of the bank of the subject stream. A one-hundred-foot setback or other distance determined by a qualified biologist approved by the city shall also be maintained from ephemeral streams which contain riparian vegetation as determined by the city qualified biologist. Provided that no development shall be:

1.

Placed in an area identified by a flood insurance rate map (FIRM) as being subject to flooding, except in compliance with applicable federal regulations; or

2.

Located within an intermittent drainage channel known to be subject to dangerous storm water flows during heavy rains.

E.

Access. To ensure adequate all-weather access for emergency vehicles and any necessary excavations, access to the lot shall be from a paved, city-maintained roadway, or a private road/driveway in compliance with the following standards.

1.

Width. The minimum width of a proposed driveway shall be sixteen (16) feet, or twenty (20) feet if the driveway slope exceeds ten (10) percent.

2.

Slope and Surface. The average slope of a driveway shall not exceed seventeen (17) percent, with no portion of the driveway exceeding a slope of twenty (20) percent. Driveways shall be paved with asphalt, concrete, or other surfacing approved by the city engineer, and shall include proper drainage facilities, as approved by the city engineer.

3.

Fuel Modification Area. A fuel modification area shall be provided at the time of driveway construction, and permanently maintained.

4.

In no event shall a driveway exceed three hundred (300) feet unless there is no other feasible location to site the structure.

F.

Parking. The development of lots along city streets or private roads with pavement less than thirty-two (32) feet wide shall be required to provide two off-street parking spaces for guests, in addition to the parking normally required for a residence by Chapter 17.28.

G.

Improvements to Paper Streets. Where residential construction is proposed on a site adjacent to a paper street (a recorded, but unimproved road right-of-way), project review by the department shall include a determination of the adequacy of proposed access, and project approval may include requirements to improve a paper street right-of-way proposed to serve a site, to ensure adequate, all-weather emergency vehicle access, and safe evacuation routes. Standards for improvements (e.g., the location of pavement within the right-of-way, horizontal and vertical alignments, drainage measures, the structural section of pavement and base materials, and other such standards), and requirements for right-of-way dedication shall be determined by the city engineer, and shall at a minimum comply with subsection (E) of this section.

(Ord. No. 2010-265, § 3, 1-27-2010; Ord. No. 2012-297, § 1(Att. A), 5-23-2012; Ord. No. 2016-340 , § 3, 10-26-2016)