

MEMORANDUM

Date: February 13, 2013

To: Pleasanton Planning Commission

From: Marion Pavan, Associate Planner

Subject: **Item 6.a., P12-1796, Draft Chapter 18.70, Ridgeline and Hillside Protection and Preservation.**

Background

On January 23, 2013, the Planning Commission opened the public hearing on Chapter 18.70, Ridgeline and Hillside Protection and Preservation, and made the following comments:

1. Consider defining the ridgeline setback as a horizontal plane instead of a ground line.
2. Eliminate the proposed exemption process for manufactured slopes, streets and roads on slopes greater than a 25-percent grade, and for streets or roads to landlocked properties.
3. The design and environmental review processes referenced on the proposed code chapter for roads and streets is normally done and does not need to be repeated in the draft code chapter.
4. Staff should explore providing an inventory of City ridgelines on vacant properties affected by the proposed code chapter.
5. Delete the exemption to streets and roads that are part of a Specific Plan approved prior to November 2008.

Minutes of the public hearing are provided in the Planning Commission's packet.

The Planning Commission continued the proposed code chapter to the February 13, 2013 Planning Commission agenda and directed staff to reply to its questions and comments made at the public hearing.

Discussion

The following discussion responds to the Planning Commissions comments.

1. Ridgeline Setback as a Horizontal Plane

Planning Commission Comment

Consider defining the ridgeline setback as a horizontal plane instead of a ground line.

Staff Response

Defining the ridgeline setback as a horizontal plane instead of a ground line makes the ordinance more restrictive than the language of Measure PP.

Compliance with this chapter does not prohibit the City Council and the Planning Commission from exercising its design review authority through the development review and public review processes with visual analyses to locate proposed structures, limit their maximum building height, lower their building pads, etc., to mitigate a potential impact to the view of a hillside or ridgeline.

Staff recommends no change to the Section 18.70.070 B. of the proposed code chapter. If the Planning Commission disagrees, staff suggests that the following language be included:

No structure (except cupolas, chimneys, or similar appurtenances) on the subject property shall extend above the horizontal plane of the closest ridgeline setback.

2. Exemption Process

Planning Commission Comment

The Commission is not comfortable with the proposed exemption process for manufactured slopes, streets and roads on slopes greater than a 25-percent grade, and for streets or roads to landlocked properties.

Staff Response

Staff supports the Planning Commission's direction and has revised the proposed code chapter to remove the exemption process and has also changed the proposed code chapter sections on manufactured slopes and landlocked properties as described below:

2.a. Manufactured Slopes

Staff Response

Staff revised Section 18.70.070 E. of the proposed code chapter to reflect the Planning Commission's comments as follows:

Modified Slopes.

If a slope has been modified from its natural or original condition by an act of man, the City shall determine the slope of the land based on the natural or original condition of the land, not the current slope of the land. The City shall rely on historical topographic maps, aerial and other photos, and other information available to determine the natural or original slope of the land during the public review process for a proposed development.

2.b. Landlocked Properties

Staff Response

Staff reviewed the reference to landlocked properties and removed it from the revised code chapter as it is unnecessary. Access to the Foley property, the property that this section was intended to address, would very likely be exempt from this ordinance as the Foley property could not reasonably accommodate more than ten lots.

3. Roads Included in Specific Plans

Planning Commission Comment

Delete the exemption to streets and roads that are included in a Specific Plan approved prior to November 2008.

Staff Response

Staff strongly recommends that this reference be maintained in the proposed code chapter, proposed as Sections 18.70.030 C. and 18.70.070 F., as this language would eliminate the possibility of the by-pass road referenced in the Happy Valley Specific Plan and the road connection from the Lund Ranch property and Sunset Creek Lane in the Sycamore Heights development referenced in the North Sycamore Specific Plan. Both these street connections would be located on hillside land with portions of slopes greater than a 25-percent grade.

4. Environmental Review

Planning Commission Comment

The design and environmental review processes referenced in the proposed code chapter for roads and streets is normally done, and does not need to be repeated in the draft code chapter.

Staff Response

Staff prefers that the language be kept in to help in making sure such improvements are completed in the most sensitive way feasible. The suggested wording for this section follows and would be added to Section 18.70.070 F. of the proposed code chapter:

However, streets that were included in Specific Plans or PUD Development Plans approved prior to November 2008, shall be subject to the City's environmental and discretionary review processes. This review will direct the road's location and design to preserve or mitigate impacts to environmentally and visually sensitive features through roadway location, design, and landscaping, and to make the streets or roads as unobtrusive as practical and to blend with natural terrain.

5. Predetermined Ridgelines.

Planning Commission Comment

Staff should explore providing an inventory of City ridgelines on vacant properties affected by the proposed code chapter.

Staff Response

Staff prefers to identify and evaluate ridgelines on a case-by-case basis with individual development applications. Staff has proposed some minor word changes to the definitions of ridge and ridgeline as follows:

Ridge and Ridgeline.

A ridge is a landform created by a series of hills. A ridgeline is a continuous ground line connecting the highest elevations of a ridge. The end of the ridgeline shall be the last peak on each end of the landform at which the elevation of the ridgeline no longer rises in elevation, and only decreases in elevation.

Revisions to the Proposed Code Chapter

Revisions to the proposed code are attached in both final and edited formats. In the edited version, added text is indicated with blue underline and deleted text is indicated in red strike-through

Public Comment

Attached is an email with attachment from Allen Roberts (16 Grey Eagle Court). Staff has not received any other written or verbal communications since the January 23rd Planning Commission hearing.

Staff Recommendation

Staff recommends that the Planning Commission approve Case P12-1796 by taking the following actions:

1. Find that the proposed amendment to Title 18 is categorically exempt from environmental review pursuant to California Environmental Quality Act Guidelines, Section 15308, Actions by Regulatory Agencies for Protection of the Environment; and
2. Adopt a resolution recommending approval of the Draft Chapter 18.70 Ridgeline and Hillside Protection and Preservation, Exhibit A, dated February 13, 2013.

Staff Planner: Marion Pavan, Associate Planner, (925) 931-5610, mpavan@cityofpleasantonca.gov

Marion Pavan

From: Allen Roberts [allen@rbrts.net]
Sent: Monday, February 04, 2013 6:43 PM
To: Marion Pavan
Cc: "Planning Commissioners" mhoey@ci.pleasanton.ca.us
Subject: P12-1796 Ridgeline Definition
Attachments: ridgeline map.jpg

Marion: (Maria, please forward to the Commission Members)

I thought I would take a look to see how difficult it would be to take a ridgeline "inventory" of the southeast hills. I used a terrain map with an overlay of property lines. I'm sure that the City has a similar but more detailed database.

I don't think the inventory needs to be much more detailed than this, which completely eliminates the need for a ridgeline verbal definition other than the existing definition in Municipal Code:

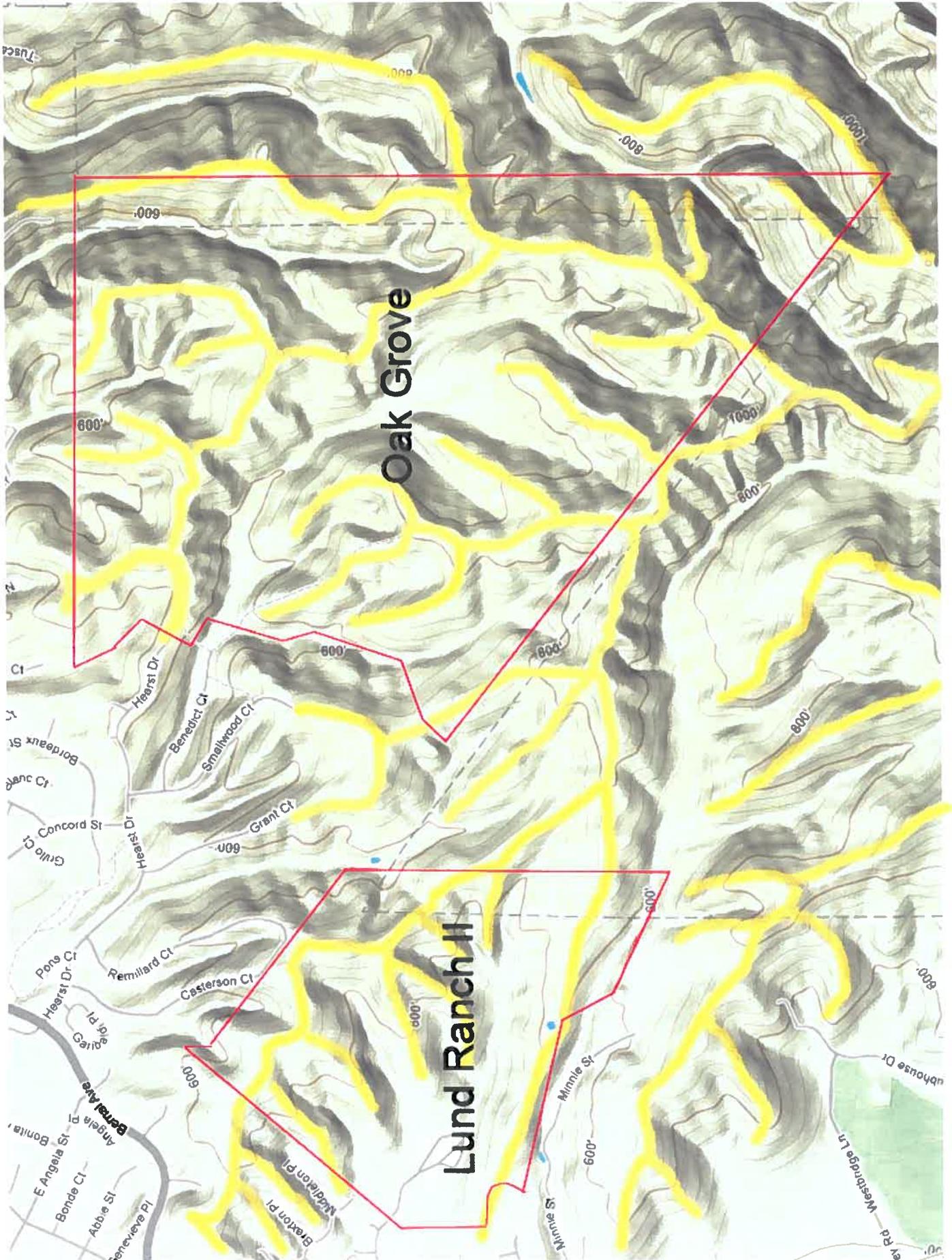
F. "Ridge" means a connected series of major and minor hills.

G. "Ridgeline" means a ground line located at the highest elevation of the ridge running parallel to the long axis of the ridge.

Thank you.

Allen Roberts

Click [here](#) to report this email as spam.



Oak Grove

Lund Ranch II

P12-1796
Exhibit A (Edited Format), Draft Municipal Code Amendment

February 13, January 23, 2013

Chapter 18.70

RIDGELINE AND HILLSIDE PROTECTION AND PRESERVATION

Sections:

- 18.70.010 Purpose and Objectives.
- 18.70.020 Applicability.
- 18.70.030 Non-Applicability
- 18.70.040 Implementation.
- ~~18.70.050~~40 Definitions.
- ~~18.70.060~~50 Required Information.
- ~~18.70.070~~60 Regulations and Review Procedures ~~and Exemptions~~.

18.70.010 Purpose and Objectives.

The purpose of this chapter is to implement the provisions of Measure PP adopted by the Pleasanton voters in November, 2008, and the goals, policies, and programs of the Pleasanton General Plan 2005 – 2025 related to maintaining the character of the hillside areas of the Ccity. These regulations working together with the development types and densities allowed in the General Plan are designed to form a complementary pattern of development and conservation to promote and protect the appearance of the Ccity by:

- A. Preserving the predominant views of hillside and ridgeline areas to retain the sense of identity that these areas impart to the eCity;
- B. Protecting scenic hillside and ridgeline areas from development that destroys eCity character;
- C. Directing development and development speculation away from lands with environmentally sensitive features, lands with primary open space values, and lands difficult to service by the City; and,
- D. Maintaining the eCity's ability to meet community goals for services including, but not limited to, public and regional parks and open space areas, community and regional trails and staging areas, and utilities.

18.70.020 Applicability.

The regulations of this chapter apply to the hillside and ridgeline areas of the eCity, designated for development by the Land Use Element of the Pleasanton General Plan, as follows including:

A. Housing units and structures in residential developments that are 11 units or greater shall not be placed on slopes of 25 percent or greater or within 100 vertical feet of a ridgeline. Housing units include, but are not limited to, apartments, co-operatives (co-ops), air-space condominiums, townhomes, multi-family homes, and single-family detached homes with a second-unit (California Government Code §65852).

~~Residential developments greater than ten units including apartments, co-operatives (co-ops), air-space condominiums, townhomes, and single-family detached homes with a second-unit (California Government Code §65852), and commercial buildings and developments.~~

B. Commercial structures are prohibited on hillside slopes of 25 percent or greater, or within 100 vertical feet of a ridgeline.

A.C. Grading to construct the above-referenced residential or commercial structures is prohibited and grading to construct Ppublic and private streets for these intended to accommodate residential and commercial developments is also prohibited on hillside slopes of 25 percent or greater, or within 100 vertical feet of a ridgeline.

18.70.030 Non Applicability.

This chapter does not apply to the following:

~~B. City facilities such as water tanks, parks and recreation areas, public and private pedestrian, bicycle, and equestrian trails and staging areas, except as allowed by Section 18.70.060 of this chapter.~~

~~C.A. Exempt from the requirements of this chapter are hHousing developments of ten or fewer units on a single property that was, as of January 1, 2007, a legal parcel pursuant to the California Subdivision Map Act (California Government Code §§ 66410 – 66413). However, Ssplitting, dividing, or sub-dividing a legal parcel created prior to January 1, 2007 to approve more than ten housing units is not allowed.~~

~~1. For any application for new residential developments of ten or fewer units, the city shall make its best effort during its review of the application to meet the spirit of the regulations of this Chapter.~~

~~2. For an approved, but not constructed, commercial development or residential development plan of ten or fewer units, the eCity may allow the development to proceed in accordance with the approval and shall make its best~~

~~effort to comply with the intent of this chapter's regulations in proceeding with the development prescribed by the previous approval.~~

- ~~B. City facilities or the roads accessing those facilities. Examples of City facilities include water tanks and parks and recreation areas for pedestrian, bicycle, or equestrian trails or staging areas. City facilities and roads accessing these facilities that cross a slope having a 25-percent grade or greater or that are within 100 vertical feet of a ridgeline are subject to the City's environmental, design, and public review processes.~~
- ~~C. Any public or private street referenced in a Specific Plan or PUD Development Plan approved prior to November 2008 .~~

18.70.04030 Regulations and Implementation.

~~The regulations of this chapter Grading to construct residential or commercial structures on hillside slopes 25-percent or greater, or within 100 vertical feet of a ridgeline, is prohibited, as specified in this Chapter. This prohibition shall be implemented through the eCity's Design Review and Planned Unit Development Rezoning/Development Plan entitlements, processes, and modifications of these entitlements, as follows:~~

- A. The regulations of this chapter are applied in conjunction with State and Federal regulations and eCity regulations, policies, and programs on, but not limited to, ridgeline and hillside protection, protection of jurisdictional waters, species, and habitat areas, trees, wildland fire mitigation, urban storm water runoff treatment and necessary environmental mitigation, etc.
- B. Where the regulations of this chapter may conflict with other provisions of this title including, but not limited to, Chapter 18.76 H-P-D Hillside Planned Development District, Chapter 18.68 PUD Planned Unit Development District, and Chapter 18.78 West Foothill Road Corridor Overlay District, the regulations of this chapter shall control.
- ~~C. In the event that the entitlement of an underlying property is changed to a development type or an increase in the number of units to be covered by §18.70.020.A., the regulations of this chapter shall be applied to the property during the city's review and action on the new entitlement.~~

18.70.05040 Definitions.

The terms used in this chapter shall have the following meaning:

- A. Contour Interval.
Contour interval means the difference in elevation between adjacent contour lines on a contour map or topographical map.

B. Contour Line.

Contour lines are the horizontal lines, curved or straight, that join points of the same elevation (height) above a given level, such as mean sea level. Contour lines can graphically show land features such as valleys, hills, creeks, and ridgelines. The spacing between contour lines – wide or narrow – can graphically show the relative steepness (grade) of the slope.

Figure 1, [on the following page](#), shows contour intervals reflected as contour lines, and how the spacing between contour lines can indicate the relative grade of the slope.

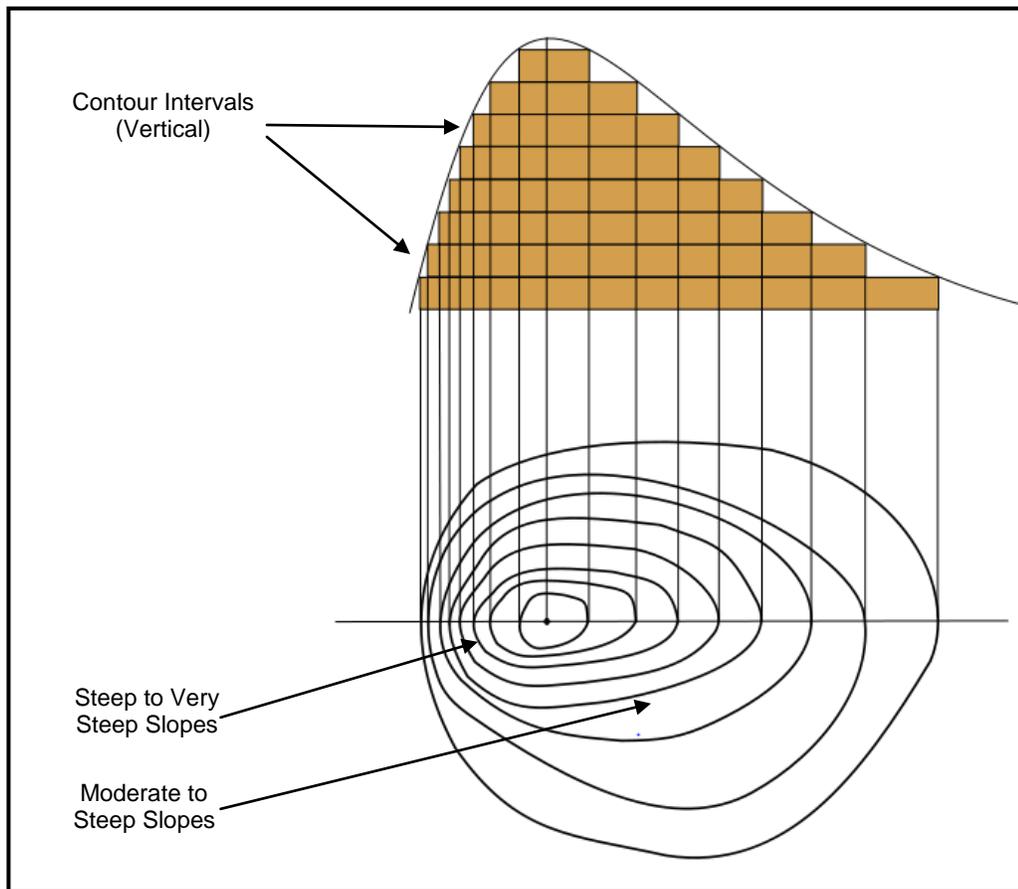


Figure 1: Contour Intervals, Contour Lines, and Slope Grades.

C. Entitlement.

The right to develop a particular property for a stated purpose and/or use under the current rules and regulations of this title, ~~the general plan and/or specific plan, and any other regulatory restrictions; unless a vested right otherwise exists.~~

D. Excavation.

The removal of rock or earth material on property by artificial means also referred to as a “cut.”

E. Fill.
Deposition of rock or earth material on property by artificial means.

F. Grading.
Grading shall refer to any excavation (Section 18.70.040D.) or fill (Section 18.70.040E.) or combination thereof on property by artificial means to alter natural features including slopes and contours. For the purpose of this chapter, grading shall not include exploratory excavations, such as geotechnical or archaeological work, conducted under the direction of a qualified registered professional, repair or replacement of underground utilities.

G. Ridge and /Ridgeline.
A ridge is a landform created by a series of hills. Ridge/A ridgeline is a continuous ground line connecting the highest elevations of ridge ~~a series of hills located at their highest elevations.~~ The end of the ridgeline shall be ~~ing at~~ the last peak on each end of the landform at which the elevation of the ridgeline no longer rises in elevation, and only decreases in elevation.

Figure 2, below, illustrates the ridge/ridgeline definition.

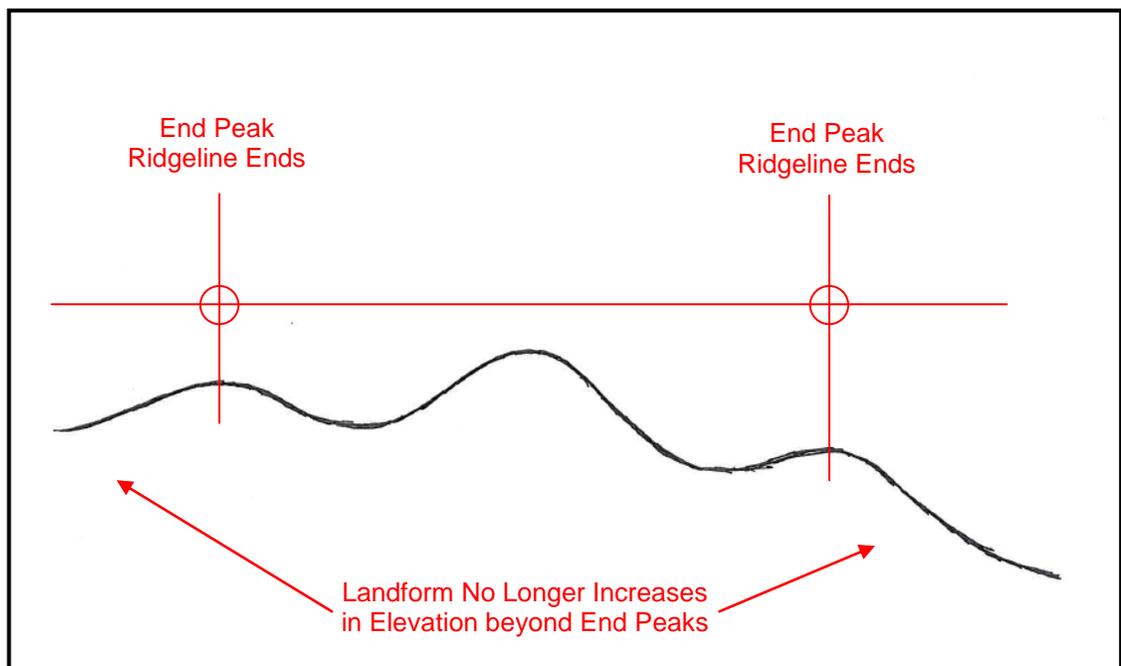


Figure 2: Ridge/Ridgeline ~~Setback~~

H. Slope (Grade).
Slope, also referred to as grade, is the ratio of height (rise) over distance (run) for a segment of land, where a vertical line would have an infinite slope. For example, a vertical rise of one foot over a horizontal run of one foot has a slope of 100-percent. The 25-percent slope standard used in this chapter is, therefore, the ratio of a one-foot rise over a four-foot run, i.e., 25 percent. Slopes are typically measured between adjacent contour lines and perpendicular to the contour lines.

Figure 3, on the following page, shows the 25-percent slope as a one unit rise over a four unit run.

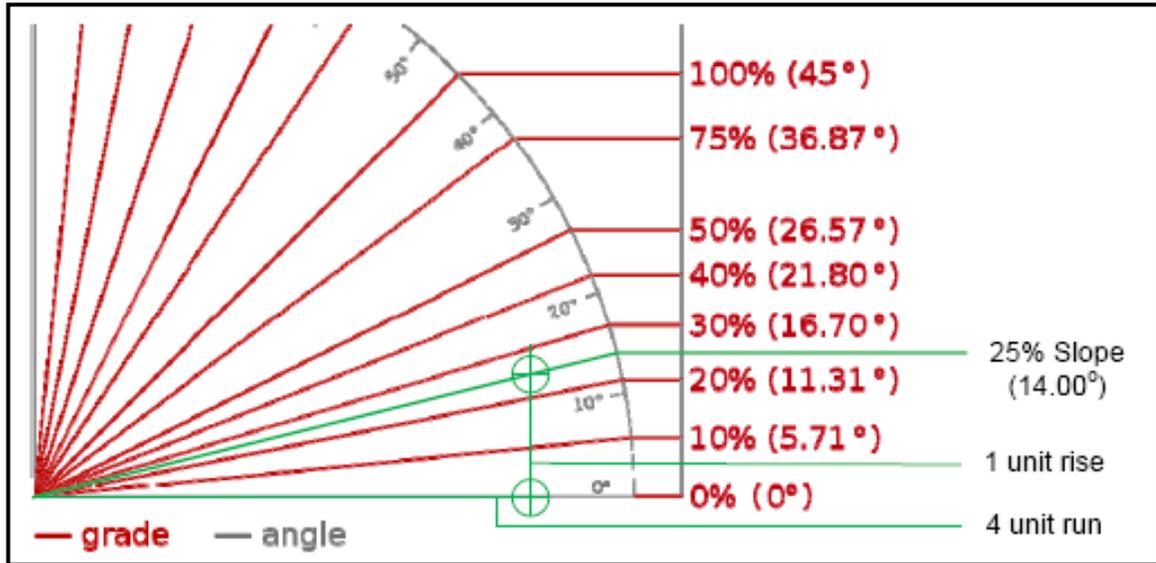


Figure 3: 25-percent slope.

18.70.06050 Required Information.

Any commercial development or residential development of 11 units or greater for properties which have land areas containing 25-percent or steeper slopes shall be accompanied by data prepared by a registered Civil Engineer, or by a registered Land Surveyor at the discretion of the Community Development Director, or his or her designated representative.

The following data shall be in addition to the information required by this title for applications for Design Review, Planned Unit Development, and Major Modifications of Planned Unit Developments:

- A. Contour map/topographic map drawn to the following scale based on property size with the following information clearly shown on the map:

Property Size:	Scale:
Less than 2.0 acres	1-inch = 20 feet.
2.01 acres to 20 acres	1-inch = 50 feet.
Over 20 acres	1-inch = 100 feet.

1. Existing contour lines prior to grading at an interval of not more than two feet;
2. Slope classifications in contrasting colors of all land that has a slope less than 10 percent, land that has a slope between 10 percent and 20 percent,

land that has a slope between 20 percent and 25 percent, and land that a slope greater than 25 percent;

3. Location of all ridgelines as defined under Section 18.70.040G. on the property and the 100-foot ridgeline setback as described in Section 18.70.060A.;
4. Existing on-site streets, bicycle paths, riding trails, pathways, and hiking trails and their off-site connections;
5. Existing buildings and other structures including drainage structures, fences, sheds, etc.;
6. Existing arroyos, streams, and drainage courses including jurisdictional waters;
7. Existing tree and groundcovers;
8. Off-site development and topography at a distance no less than 100 feet from the property lines.

18.70.07060 Regulations and Review Procedures and Exemptions.

A. Development Prohibited.

Commercial structures or developments and residential developments of 11 units or greater and the grading to accommodate these developments are prohibited on hillside slopes 25 percent or greater, or within 100 vertical feet of a ridgeline.

A.B. Determining the Ridge/Ridgeline Setback Line.

The ridgeline setback is the continuous horizontal ground line measured 100 vertical feet below the ridgeline, and then plotted on the contour line of the topographic map/contour map of the property. The vertical elevation of the ridgeline setback will vary based on the elevation of the ridgeline. The horizontal distance of the ridgeline setback from the ridgeline will vary based on the slope of the hillside.

Figure 4 and Figure 5, on the following page, shows how the 100-foot ridgeline setback line is determined and ~~Figure 5, on the following page, shows~~ how the ridgeline definition and ridgeline setbacks would be applied to a hillside.

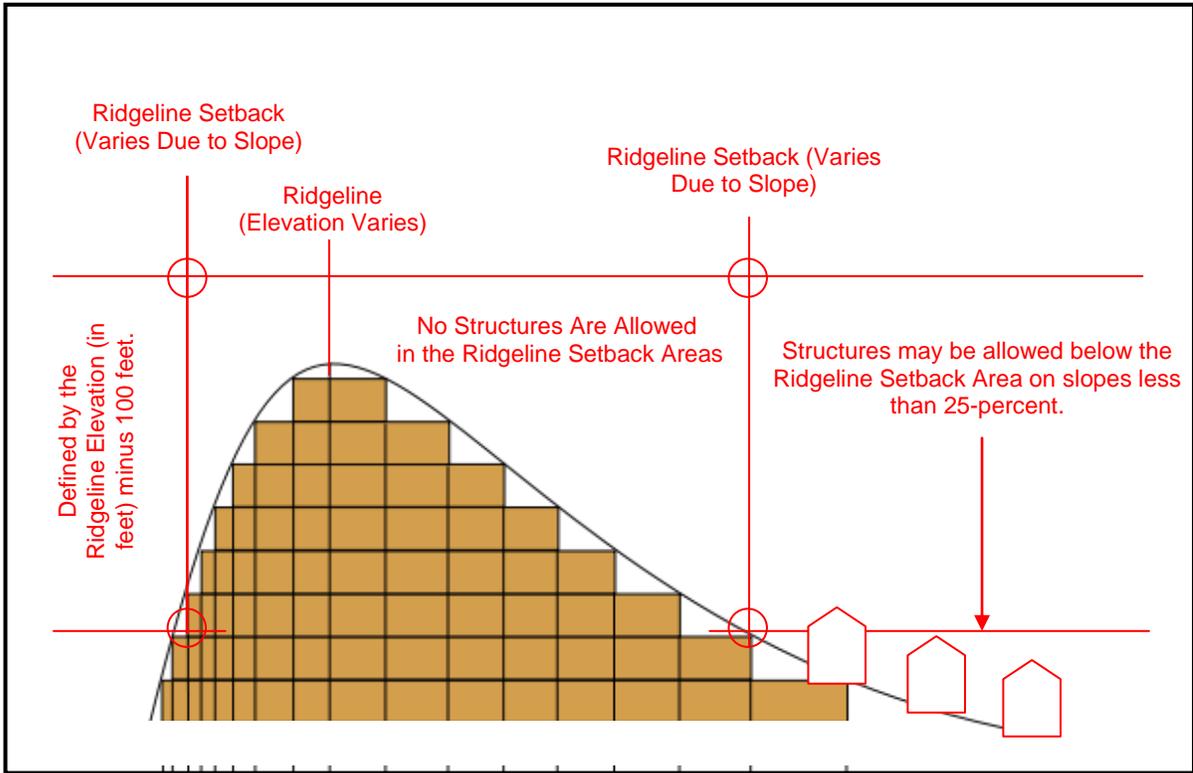


Figure 4: Slope Cross Section with the Ridgeline Setback.

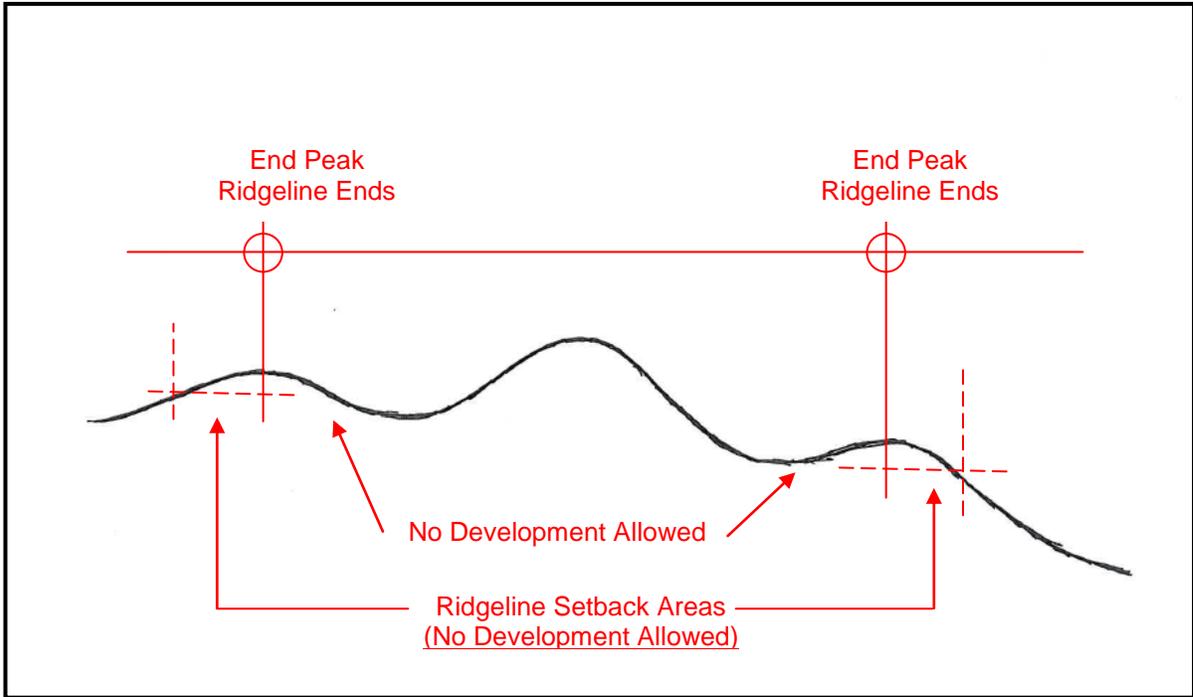


Figure 5: Slope Cross Section Designating Ridgelines and Ridgeline Setbacks

~~B.C.~~ B.C. Determining the 25-Percent Slope Line.

The 25-percent slope line is the continuous ground line located at the elevation at which the slope grade equals or exceeds a 25-percent grade. Subject to City approval, Where supported by the Community Development Director, isolated property features such as mounds, sink-holes, ditches, ravines, furrows, etc., that are surrounded by significant property area having a slope less than a 25-percent grade may be excluded in cases where such exclusion shall not conflict with the purpose of these regulations.

~~G.D.~~ G.D. Determining the Hillside Development Limit Line.

The Hillside Development Limit Line is the most restrictive of the 25-percent Slope Line standard and the Ridge/Ridgeline Setback Line standard – the development standard that locates the limit of development on the lowest portion of the hillside.

~~D.E.~~ D.E. ~~Existing Manufactured~~ Modified Slopes ~~having a 25-Percent Grade or Greater.~~

If a slope has been modified from its natural or original condition by an act of man, the City shall determine the slope of the land based on the natural or original condition of the land, not the current slope of the land. The City shall rely on historical topographic maps, aerial and other photos, and other information available to determine the natural or original slope of the land during the public review process for a proposed development.

- ~~1. Manufactured slopes of having a 25-percent grade or greater are excluded from the developable area of the property.~~
- ~~2. With a public hearing, the city may grant an exemption to allow development on manufactured slopes having a 25-percent grade or greater if the grade of the original slope was less than 25 percent based on a review of contour/topographic maps, and the development to be allowed by the exemption is consistent with the purpose of these regulations.~~

~~E.F.~~ E.F. Public and Private Streets and Roads.

- ~~1. Public and private streets and/or roads serving residential or commercial structures (collectively “streets”) and their attendant infrastructure are structures and are subject to the regulations of this Chapter unless covered by a Specific Plan or PUD Development Plan approved prior to November 2008.~~
- ~~2. With a public hearing, the city may grant an exemption to allow new streets intended to provide access to city facilities such as water tanks, parks and recreation areas, public and private pedestrian, bicycle, and equestrian trails and staging areas, and to landlocked areas within the Urban Growth Boundary Line that were designated for development by the Pleasanton General Plan.~~

- ~~3. Such streets shall be subject to the city's environmental and discretionary review processes to direct the road's location and design to preserve or mitigate impacts to environmentally and visually sensitive features through best design, engineering, and landscaping, and to make the streets or roads as unobtrusive as practical and to blend with natural terrain.~~

~~F. Public Facilities~~

- ~~1. Following a public hearing, the city may grant an exemption for such public facilities as water tanks, parks and recreation areas, utilities, pedestrian, bicycle, and equestrian trails and staging areas, and similar public facilities improvements, as well as streets serving such public facilities. The city shall use best design, engineering, and landscaping practices to make said facilities and streets serving such public facilities as unobtrusive as practical and to blend the improvements with the natural terrain.~~

< End >

P12-1796
Exhibit A (Edited Format), Draft Municipal Code Amendment

February 13, 2013

Chapter 18.70

RIDGELINE AND HILLSIDE PROTECTION AND PRESERVATION

Sections:

- 18.70.010 Purpose and Objectives.**
- 18.70.020 Applicability.**
- 18.70.030 Non-Applicability**
- 18.70.040 Implementation.**
- 18.70.050 Definitions.**
- 18.70.060 Required Information.**
- 18.70.070 Regulations and Review Procedures.**

18.70.010 Purpose and Objectives.

The purpose of this chapter is to implement the provisions of Measure PP adopted by the Pleasanton voters in November, 2008, and the goals, policies, and programs of the Pleasanton General Plan 2005 – 2025 related to maintaining the character of the hillside areas of the City. These regulations working together with the development types and densities allowed in the General Plan are designed to form a complementary pattern of development and conservation to promote and protect the appearance of the City by:

- A. Preserving the predominant views of hillside and ridgeline areas to retain the sense of identity that these areas impart to the City;
- B. Protecting scenic hillside and ridgeline areas from development that destroys City character;
- C. Directing development and development speculation away from lands with environmentally sensitive features, lands with primary open space values, and lands difficult to service by the City; and,
- D. Maintaining the City's ability to meet community goals for services including, but not limited to, public and regional parks and open space areas, community and regional trails and staging areas, and utilities.

18.70.020 Applicability.

The regulations of this chapter apply to the hillside and ridgeline areas of the City, designated for development by the Land Use Element of the Pleasanton General Plan as follows:

- A. Housing units and structures in residential developments that are 11 units or greater shall not be placed on slopes of 25 percent or greater or within 100 vertical feet of a ridgeline. Housing units include, but are not limited to, apartments, co-operatives (co-ops), air-space condominiums, townhomes, multi-family homes, and single-family detached homes with a second-unit (California Government Code §65852).
- B. Commercial structures are prohibited on hillside slopes of 25 percent or greater, or within 100 vertical feet of a ridgeline.
- C. Grading to construct the above-referenced residential or commercial structures is prohibited and grading to construct public and private streets for these developments is also prohibited on hillside slopes of 25 percent or greater, or within 100 vertical feet of a ridgeline.

18.70.030 Non Applicability.

This chapter does not apply to the following:

- A. Housing developments of ten or fewer units on a single property that was, as of January 1, 2007, a legal parcel pursuant to the California Subdivision Map Act (California Government Code §§ 66410 – 66413). However, splitting, dividing, or sub-dividing a legal parcel created prior to January 1, 2007 to approve more than ten housing units is not allowed.

For an approved, but not constructed, commercial development or residential development plan of ten or fewer units, the City may allow the development to proceed in accordance with the approval.

- B. City facilities or the roads accessing those facilities. Examples of City facilities include water tanks and parks and recreation areas for pedestrian, bicycle, or equestrian trails or staging areas. City facilities and roads accessing these facilities that cross a slope having a 25-percent grade or greater or that are within 100 vertical feet of a ridgeline are subject to the City's environmental, design, and public review processes.
- C. Any public or private street referenced in a Specific Plan or PUD Development Plan approved prior to November 2008 .

18.70.040 Implementation.

The regulations of this chapter shall be implemented through the City's Design Review and Planned Unit Development Rezoning/Development Plan entitlements, processes, and modifications of these entitlements, as follows:

- A. The regulations of this chapter are applied in conjunction with State and Federal regulations and City regulations, policies, and programs on, but not limited to, ridgeline and hillside protection, protection of jurisdictional waters, species, and habitat areas, trees, wildland fire mitigation, urban storm water runoff treatment and necessary environmental mitigation, etc.
- B. Where the regulations of this chapter may conflict with other provisions of this title including, but not limited to, Chapter 18.76 H-P-D Hillside Planned Development District, Chapter 18.68 PUD Planned Unit Development District, and Chapter 18.78 West Foothill Road Corridor Overlay District, the regulations of this chapter shall control.

18.70.050 Definitions.

The terms used in this chapter shall have the following meaning:

- A. Contour Interval.
Contour interval means the difference in elevation between adjacent contour lines on a contour map or topographical map.
- B. Contour Line.
Contour lines are the horizontal lines, curved or straight, that join points of the same elevation (height) above a given level, such as mean sea level. Contour lines can graphically show land features such as valleys, hills, creeks, and ridgelines. The spacing between contour lines – wide or narrow – can graphically show the relative steepness (grade) of the slope.

Figure 1, on the following page, shows contour intervals reflected as contour lines, and how the spacing between contour lines can indicate the relative grade of the slope.

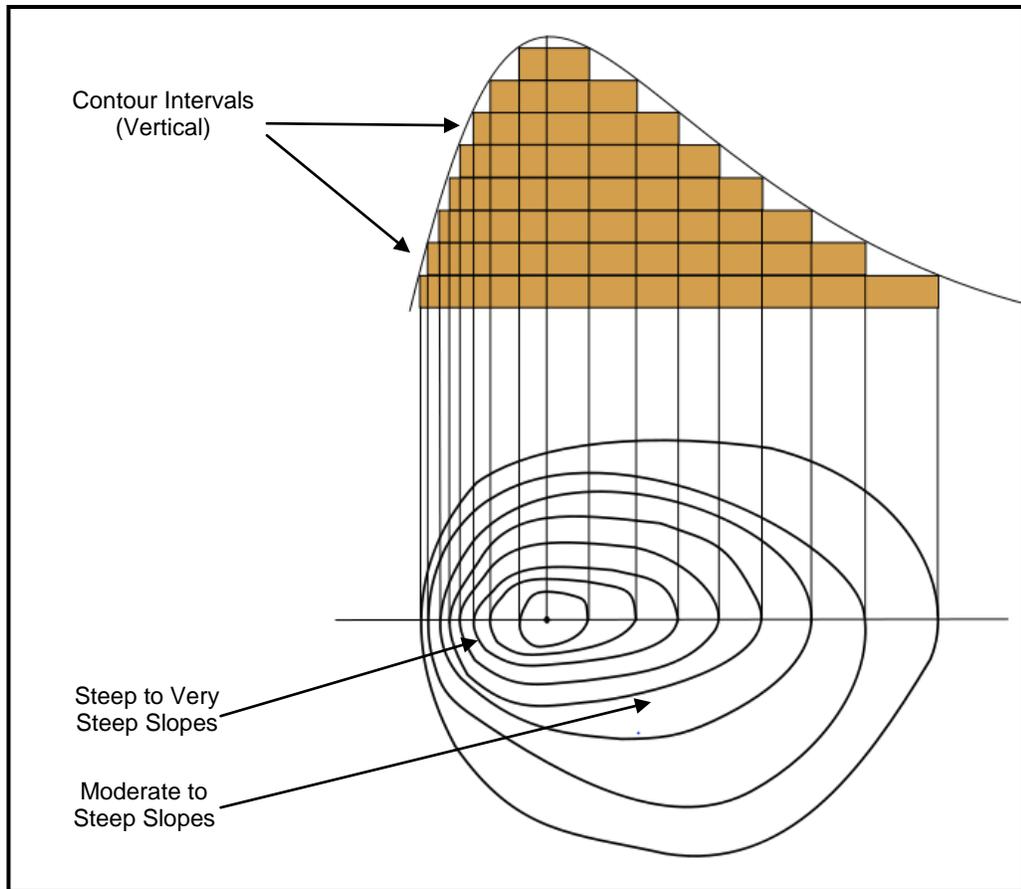


Figure 1: Contour Intervals, Contour Lines, and Slope Grades.

- C. Entitlement.
The right to develop a particular property for a stated purpose and/or use under the current rules and regulations of this title.
- D. Excavation.
The removal of rock or earth material on property by artificial means also referred to as a “cut.”
- E. Fill.
Deposition of rock or earth material on property by artificial means.
- F. Grading.
Grading shall refer to any excavation (Section 18.70.040D.) or fill (Section 18.70.040E.) or combination thereof on property by artificial means to alter natural features including slopes and contours. For the purpose of this chapter, grading shall not include exploratory excavations, such as geotechnical or archaeological work, conducted under the direction of a qualified professional, repair or replacement of underground utilities.

G. Ridge and Ridgeline.

A ridge is a landform created by a series of hills. A ridgeline is a continuous ground line connecting the highest elevations of a ridge. The end of the ridgeline shall be the last peak on each end of the landform at which the elevation of the ridgeline no longer rises in elevation, and only decreases in elevation.

Figure 2, below, illustrates the ridgeline definition.

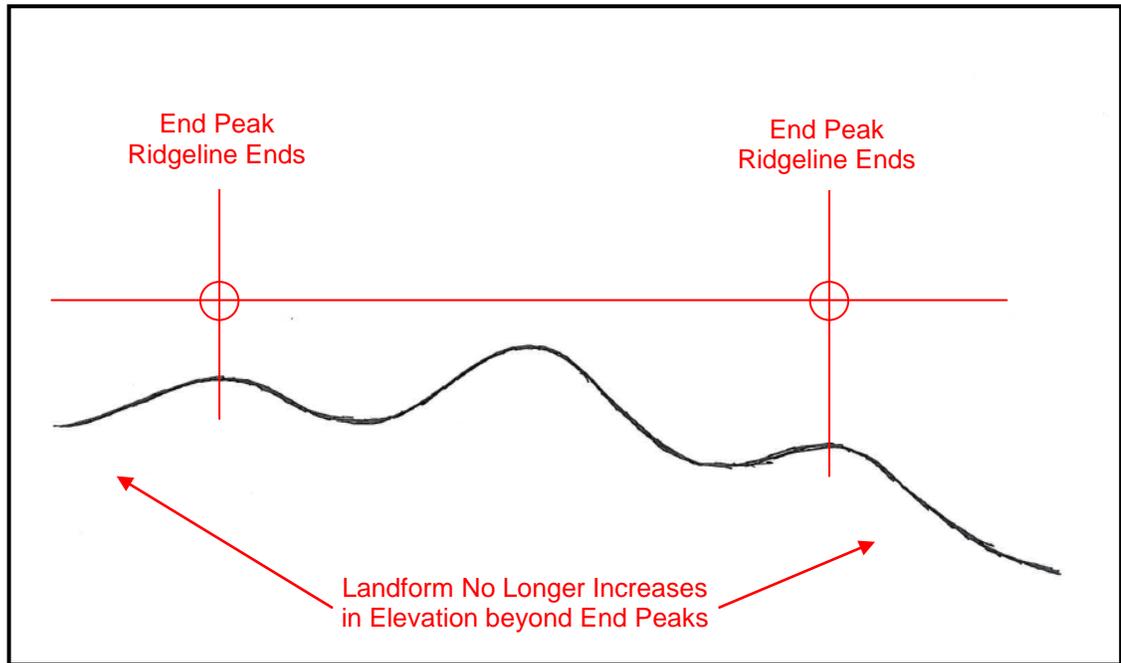


Figure 2: Ridgeline

H. Slope (Grade).

Slope, also referred to as grade, is the ratio of height (rise) over distance (run) for a segment of land, where a vertical line would have an infinite slope. For example, a vertical rise of one foot over a horizontal run of one foot has a slope of 100-percent. The 25-percent slope standard used in this chapter is, therefore, the ratio of a one-foot rise over a four-foot run, i.e., 25 percent. Slopes are typically measured between adjacent contour lines and perpendicular to the contour lines.

Figure 3, on the following page, shows the 25-percent slope as a one unit rise over a four unit run.

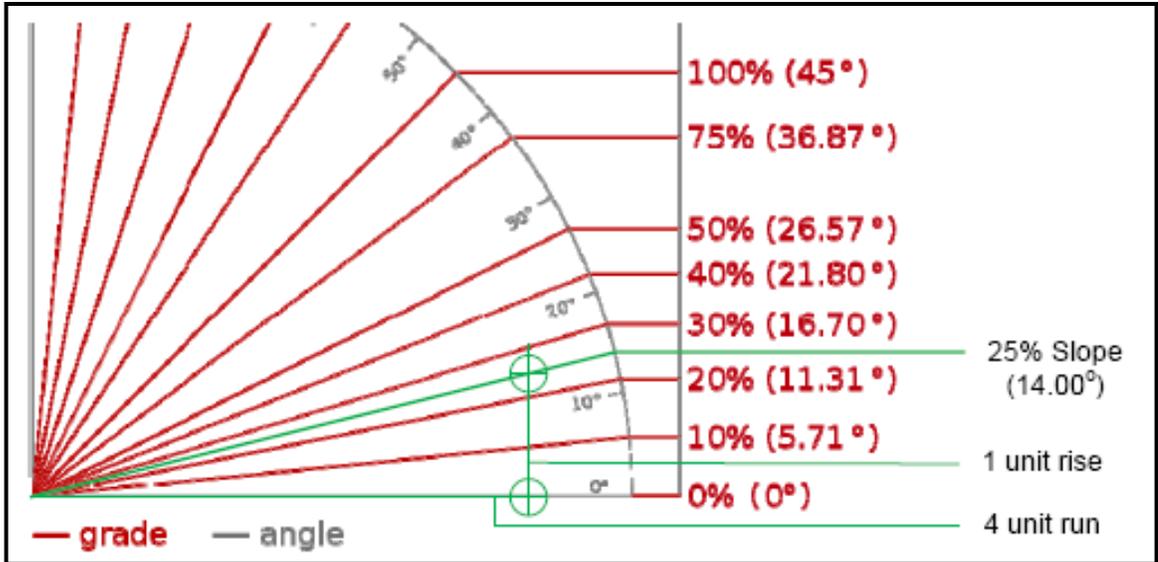


Figure 3: 25-percent slope.

18.70.060 Required Information.

Any commercial development or residential development of 11 units or greater for properties which have land areas containing 25-percent or steeper slopes shall be accompanied by data prepared by a registered Civil Engineer, or by a registered Land Surveyor at the discretion of the Community Development Director, or his or her designated representative.

The following data shall be in addition to the information required by this title for applications for Design Review, Planned Unit Development, and Major Modifications of Planned Unit Developments:

- A. Contour map/topographic map drawn to the following scale based on property size with the following information clearly shown on the map:

Property Size:	Scale:
Less than 2.0 acres	1-inch = 20 feet.
2.01 acres to 20 acres	1-inch = 50 feet.
Over 20 acres	1-inch = 100 feet.

1. Existing contour lines prior to grading at an interval of not more than two feet;
2. Slope classifications in contrasting colors of all land that has a slope less than 10 percent, land that has a slope between 10 percent and 20 percent, land that has a slope between 20 percent and 25 percent, and land that a slope greater than 25 percent;

3. Location of all ridgelines as defined under Section 18.70.040G. on the property and the 100-foot ridgeline setback as described in Section 18.70.060A.;
4. Existing on-site streets, bicycle paths, riding trails, pathways, and hiking trails and their off-site connections;
5. Existing buildings and other structures including drainage structures, fences, sheds, etc.;
6. Existing arroyos, streams, and drainage courses including jurisdictional waters;
7. Existing tree and groundcovers;
8. Off-site development and topography at a distance no less than 100 feet from the property lines.

18.70.070 Regulations and Review Procedures.

A. Development Prohibited.

Commercial structures or developments and residential developments of 11 units or greater and the grading to accommodate these developments are prohibited on hillside slopes 25 percent or greater, or within 100 vertical feet of a ridgeline.

B. Determining the Ridgeline Setback Line.

The ridgeline setback is the continuous horizontal ground line measured 100 vertical feet below the ridgeline, and then plotted on the contour line of the topographic map/contour map of the property. The vertical elevation of the ridgeline setback will vary based on the elevation of the ridgeline. The horizontal distance of the ridgeline setback from the ridgeline will vary based on the slope of the hillside.

Figure 4 and Figure 5, on the following page, shows how the 100-foot ridgeline setback line is determined and how the ridgeline definition and ridgeline setbacks would be applied to a hillside.

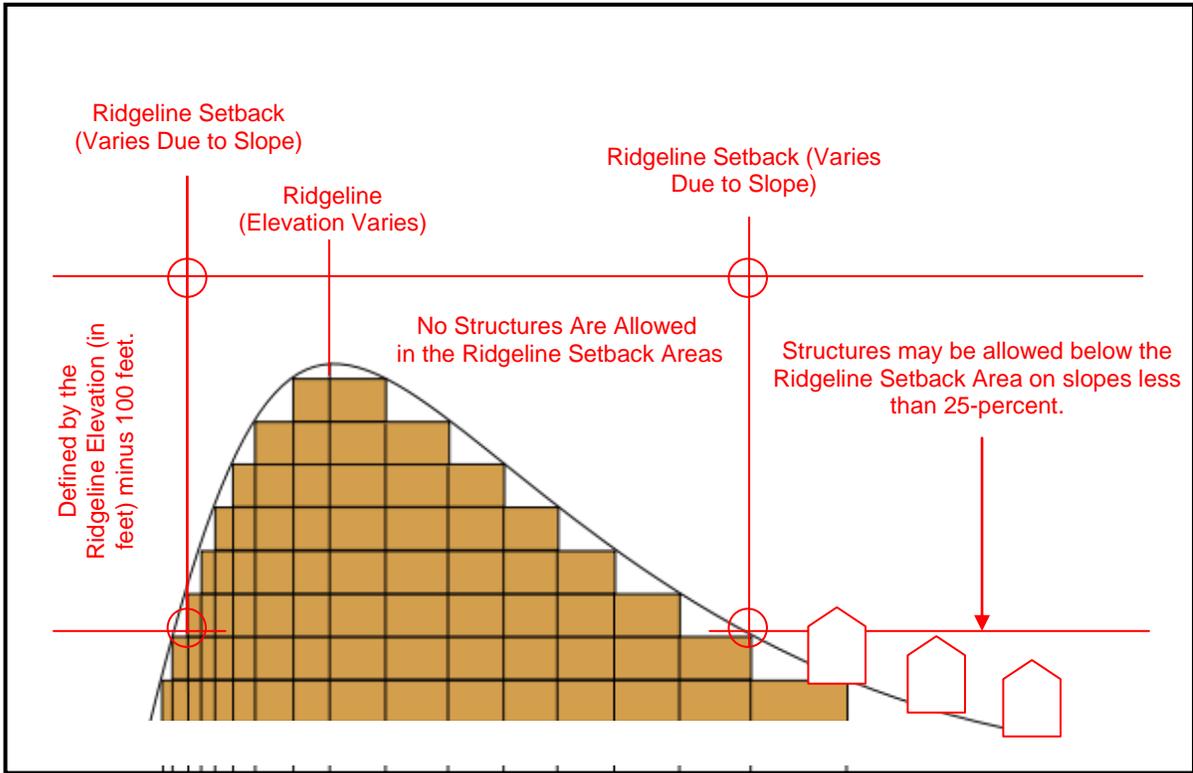


Figure 4: Slope Cross Section with the Ridgeline Setback.

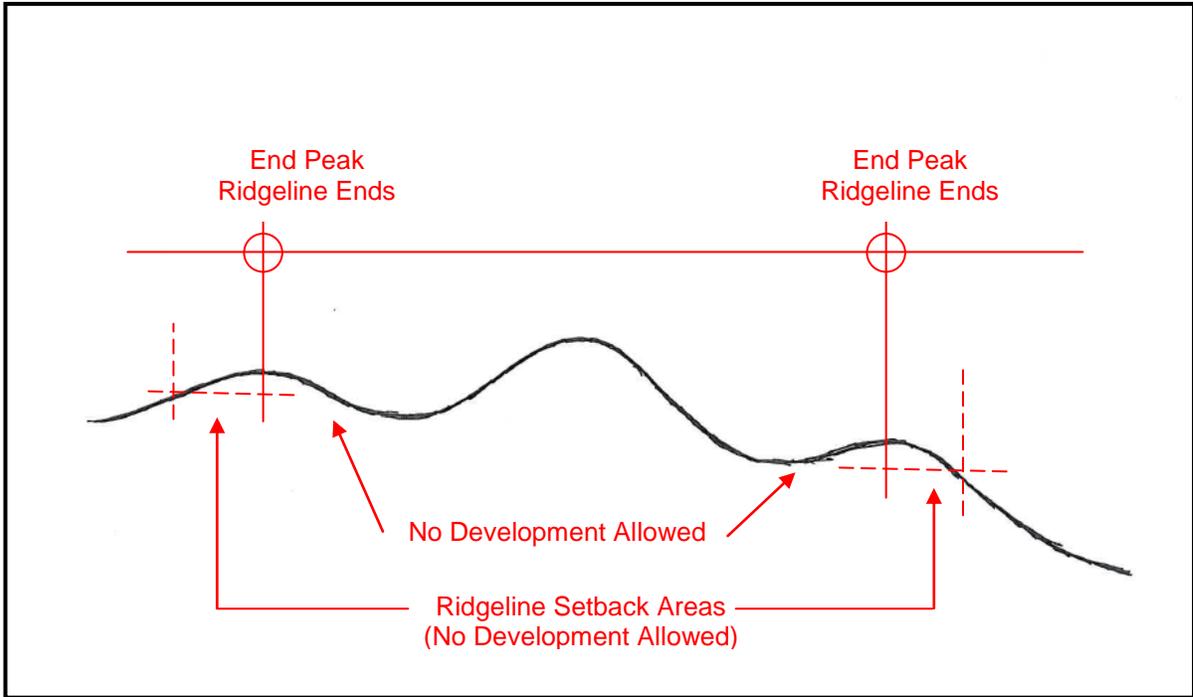


Figure 5: Slope Cross Section Designating Ridgelines and Ridgeline Setbacks

C. Determining the 25-Percent Slope Line.

The 25-percent slope line is the continuous ground line located at the elevation at which the slope grade equals or exceeds a 25-percent grade. Subject to City approval, isolated property features such as mounds, sink-holes, ditches, ravines, furrows, etc., that are surrounded by significant property area having a slope less than a 25-percent grade may be excluded in cases where such exclusion shall not conflict with the purpose of these regulations.

D. Determining the Hillside Development Limit Line.

The Hillside Development Limit Line is the most restrictive of the 25-percent Slope Line standard and the Ridgeline Setback Line standard – the development standard that locates the limit of development on the lowest portion of the hillside.

E. Modified Slopes.

If a slope has been modified from its natural or original condition by an act of man, the City shall determine the slope of the land based on the natural or original condition of the land, not the current slope of the land. The City shall rely on historical topographic maps, aerial and other photos, and other information available to determine the natural or original slope of the land during the public review process for a proposed development.

F. Public and Private Streets and Roads.

Public and private streets and/or roads serving residential or commercial structures (collectively “streets”) and their attendant infrastructure are structures and are subject to the regulations of this Chapter unless covered by a Specific Plan or PUD Development Plan approved prior to November 2008.

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