

TO: JAMES L. APP, CITY MANAGER
FROM: BOB LATA, COMMUNITY DEVELOPMENT DIRECTOR *BL*
SUBJECT: HILLSIDE GRADING / DEVELOPMENT OPTIONS
DATE: JULY 6, 1999

Needs: For the City Council to consider policy options regarding Hillside Grading / Development.

- Facts:
1. The City's Hillside Development Standards have been subject to modification over the past 10 or more years.
 2. Interest in reviewing the status of the current Hillside Development Standards has been expressed by at least one Council member.
 3. The purpose of this staff report is to describe options / alternative approaches to regulating hillside development.
 4. If there is a majority of the City Council who wishes to consider one or more changes to the City's Hillside Development Standards, a Zoning Code Amendment will be initiated and public hearings before both the Planning Commission and City Council will be scheduled on the subject.

Analysis
and
Conclusion:

In recent years the City has experienced more hillside area grading than had been characteristic of the early 1990s. The increased amount of grading has been made possible by two things:

1. Changes to the Zoning Code standards for hillside development; and
2. Changes to the Conditions of Approval established for projects in the hillside areas.

Comparing the current hillside development regulations with those that were previously in effect indicates that the changes to the Zoning Code were actually relatively minor.

What seems to be more significant than the Code provisions is the amount of grading that has been permitted as a condition of approval of a subdivision / Planned Development. Conditions of approval that call for "no pad grading", or for certain lots or areas to be left in a "natural" state appear to have been the primary reason why projects approved in the early 1990s have experienced less grading.

Because of the number of variables involved (considering both the natural and man-made topography, and how Hillside Development is perceived by different people), the regulation of Hillside Development is relatively complex. Further, what is and is not acceptable is a subjective determination.

In the coming months / years, the City can anticipate seeing proposals for development of some relatively large and visible properties. Examples include the 661 acre Chandler Ranch property within the City, and the northern half of the Union / 46 Specific Plan area. Applications have been filed for significant changes to the current development entitlements in each of these areas. The nature of the proposed projects indicates substantial grading will be proposed by the applicants.

In light of these and other pending projects, if there is a Council consensus to change the code / philosophy regarding grading, early notice would be of assistance to both applicants and staff.

The basic options:

1. To continue to permit "pad grading", utilizing the current standards for the maximum height of slope areas that are created through the grading process.
2. To revise the maximum heights of slopes that are created through the grading process.
3. To minimize the amount of grading that is permitted, through an amendment to the Zoning Code and / or adopting new standard conditions of approval that are designed to restrict the amount of grading that is permitted in the hillside areas.

If it is the desire of the City Council to consider alternatives to the current code provisions and/or conditions of approval, it would facilitate the process for Council to identify specific short-comings of the current Hillside Development Standards, and direct staff to initiate a Zoning Code Amendment and/or formulate new standard conditions of approval to address these concerns.

If the City Council wishes changes to the Zoning Code and/or standard conditions of approval for grading / hillside development, the Planning Commission would initiate the process. A part of the process would be at least one public hearing / workshop with opportunities for input from the development community.

Policy
Reference:

Zoning Code

Fiscal
Impact:

Depending upon the nature / content of Council direction, preparation of revisions to the City's Hillside Development Standards will involve a commitment of staff resources. The specific provisions of the Hillside Development Standards may impact the cost of private sector development.

Options:

- a. Provide staff with direction on whether or not to initiate a Zoning Code Amendment to consider modifications to the City's Hillside Development Standards and/or standard conditions of approval on new residential development in hillside areas. If there is a Council consensus to initiate changes, the City Council is requested to identify specific subject areas that should be addressed as part of the Zoning Code Amendment.
- b. Amend, modify or reject option "a".

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