

CITY OF PETALUMA, CALIFORNIA
MEMORANDUM

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DATE: February 19, 2008

TO: Mike Moore, Community Development Director

FROM: Kim Jordan, Associate Planner and Evan Kishineff, Assistant Planner
Hillside Ordinance Subcommittee

SUBJECT: Hillside Ordinance

The purpose of this memo is to present the Draft Hillside Ordinance to the Development Code Advisory Committee as a whole, and to update the DCAC on the process undertaken by the Hillside Protection Subcommittee that resulted in this draft.

Hillside Ordinance

The draft of the Hillside Ordinance is included as Article 13 of the Draft Implementing Ordinance.

Process

The Subcommittee's assignment by City Council was to provide the DCAC with a Hillside Ordinance that addressed the goals, policies, and objectives of the General Plan. The Subcommittee has met 6 times since this task was initially assigned to it in November. Due to the short time frame provided, the Subcommittee agreed to focus as much as possible on providing a set of useful guidelines that would give applicants and decision makers a structure for hillside development that could be applied and tested during the period of the Implementing Ordinance. Items that were deemed to be too significant to change without a greater public process, or that there was not ample time to thoroughly address with the Implementing Ordinance, were deferred to the larger Development Code update.

Guidelines vs. Standards

The Subcommittee agreed to use the period of the Implementing Ordinance to try out a set of Guidelines (recommendations) rather than applying Standards (requirements) to projects. During this period, the success of these Guidelines will be analyzed and this issue may be revisited as part of the Development Code update. Much of the responsibility for applying these Guidelines will fall to Staff's pre-SPARC interaction with applicants, and eventually the SPARC process.

Applicability

The Hillside Ordinance is divided into a series of general guidelines that would be applicable to projects in two specific project categories: Single Lot Development and Hillside Subdivisions. It

was also the sentiment of the Subcommittee that new development on any applicable parcel should be subject to SPARC review. As the Subdivision Ordinance is not changing at this time, it is not possible to require a subdivision to go through SPARC; however, the Subcommittee decided that development of the individual parcels created by the subdivision should be subject to SPARC review.

- Parcels subject to the **Single Lot Development** section are those that reside within the South and West Hills as identified on the General Plan Subareas Map. There was discussion about whether or not to apply hillside regulations to additions to existing structures. This issue was deferred to the Development Code update in order to give proper consideration to the impacts this might have on property owners, and to address appropriate thresholds at which point the regulations would apply.
- Parcels subject to the **Hillside Subdivisions** section are those that reside within the South and West Hills, and also any other parcel with an average slope of 10% or greater. There was discussion amongst the Subcommittee regarding the 10% threshold as a starting point for applying hillside regulations to subdivisions. As the hillside regulations in the existing Zoning Ordinance begin at 5%, it was agreed that setting the threshold at anything higher than 10% would be too substantial a change at this time. The Subcommittee intends to revisit this item as part of the Development Code.

View Platforms

Much of the language in the new General Plan regarding hillsides refers to the protection of community views. Therefore, the Subcommittee spent a significant amount of time discussing the use of “view platforms” as a tool to provide applicants with base locations from which view impacts could be analyzed. Those locations have been specifically named within the Hillside Ordinance.

Development Code

As mentioned above, items that could not receive adequate consideration because of a lack of time, and items that were thought to be too drastic to change without additional public input and process, have been deferred to the update of the overall Development Code. As projects pass through the City entitlement process, attention will be paid to the success of the use of Guidelines, and whether Standards would be more appropriate to achieve the quality of hillside development indicated in the General Plan. The Subcommittee intends to continue to meet to discuss these issues as the Development Code update continues.