

Chapter 17.28 MINIMUM GRADING STANDARDS AND GENERAL REQUIREMENTS

17.28.020 Hillside/arroyo grading.

The following supplementary regulations shall apply to the grading of hillsides and arroyos.

- A. *Grading requirements.* Where grading is proposed on any parcel having an average natural slope of ten percent or greater, or which is zoned Residential Conservation (RC), or which is located within or adjacent to the Mockingbird Canyon, Woodcrest, Prenda, Alessandro, Tequesquite, or Springbrook Arroyos, or a blue line stream identified on USGS Maps, or other significant arroyo, the grading must be confined per this chapter and limited to the minimum grading necessary to provide for ~~a house~~an approved dwelling unit(s) or units, driveway, garage and limited level yard. The ungraded terrain must be left in its natural form for the remainder of the site. All hillside/arroyo grading shall conform to the following general requirements:
1. The overall shape, height or grade of any cut or fill slopes shall be developed utilizing contour grading in concert with existing natural contours and the scale of the natural terrain of the site.
 2. Where two cut or fill slopes intersect, the intersection shall be horizontally rounded and blended.
 3. The tops of cut and fill slopes shall be rounded vertically with a constant tangent (T) of ten feet (See Figure 2).
 4. Where any cut or fill slopes intersect the natural grade, the intersection of each slope shall be vertically and/or horizontally rounded and blended with the natural contours so as to present a natural slope appearance.
 5. Where any cut or fill slope exceeds 100 feet in horizontal length, the horizontal contours of the slope shall be developed in concert with existing natural contours.
 6. The area of a site proposed to be graded shall be that which fits into the natural terrain and which allows for a minimal amount of grading. The ungraded area must be left in its natural form for the remainder of the site. No native vegetation shall be removed and no non-native vegetation shall be introduced or allowed within hillside areas not included as part of the graded pad area. The Community & Economic Development Director shall be responsible to determine the precise boundaries of the non-graded area to be retained as natural open space and an open space easement shall be recorded over this area. Portions of the non-graded area may be excluded from the natural open space easement by the Community & Economic Development Director based on factors specific to each lot, including whether the area is isolated from a meaningful area of contiguous open space and the absence of unique topographical or geological features. The intent of this provision is to create significant areas of contiguous open space and not to create small, isolated areas of open space. No change to the boundaries of the area determined to be placed in natural open space by Community & Economic Development Director shall be made unless the Planning Commission determines that exceptional or special circumstances addressed in Chapter 17.32 Conditional Exceptions apply.
 7. Structures shall be designed to fit with the contours of the hillside and relate to the overall form of the terrain. Structures shall be designed to fit into the hillside rather than altering the hillside to fit the structure.

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8. Streets shall be designed to generally follow the natural contours and land form in order to minimize cut and fill.
 9. ~~Pad sizes for dwelling unit(s) development~~ development in single family residential zones shall be limited as follows:
 - a. Multiple pads may be allowed provided all other standards related to grading, slopes and retaining walls are met and that they do not exceed the maximum pad size limits below.
 - b. Pad sizes shall be limited as follows:
 - i. Under ten percent average natural slope within the area to be graded - No limit
 - ii. Ten percent to 15 percent average natural slope within the area to be graded - 27,000 square feet
 - iii. Fifteen percent to 30 percent average natural slope within the area to be graded - 21,000 square feet
 - iv. Thirty percent to 40 percent average natural slope within the area to be graded - 18,000 square feet
 - v. Over 40 percent average natural slope - no grading per 17.28.020 A. 12.

The Community & Economic Development Director shall have the authority to increase or decrease the pad size category by up to 25 percent without a grading exception depending on the sensitivity of the site. Sensitivity shall be determined by such factors as the pad's visibility from the public right-of-way, its location on a ridgeline, the presence of habitat for sensitive species including rare, threatened, or endangered species, or the presence of unique topographic features such as knolls, valleys, rock outcroppings or other features or views. (Level padded area defined as area that is at a slope ratio of 5:1 or flatter.)

10. Slopes having a ratio of 3.9:1 or steeper shall not exceed 20 feet in vertical height. Slopes having a 4:1 or flatter ratio may be up to 25 feet in vertical height. The Community & Economic Development Director shall have the authority to increase vertical slope height by up to 25 percent without a grading exception depending on the sensitivity of the site. Sensitivity shall be determined by such factors as the slope's visibility from the public right-of-way, its location on a ridge line, the presence of habitat for sensitive species including rare, threatened, or endangered species, or the presence of unique topographic features such as knolls, valleys, rock outcroppings or other features or views. (Level padded area defined as area that is at a slope ratio of 5:1 or flatter.)
11. Slopes requiring benches shall not normally be permitted.
12. No grading shall be permitted on slopes exceeding 40 percent unless findings can be made by the Planning Commission that exceptional or special circumstances as set forth in Chapter 17.32 Conditional Exceptions apply.
13. Driveway grading:
 - a. Shall not exceed 15 feet in width.
 - b. Shall not exceed a 15 percent finished grade unless otherwise approved by the Fire Department and Community & Economic Development Director.
 - c. Driveway cut and fill slopes shall be subject to the same restrictions as identified in Chapter 17.28.

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- d. Driveway grading required to provide access to the level building pad area is not included as part of the total permitted level pad area.
14. Arroyo grading.
- a. No development or grading of any kind shall be permitted within 50 feet of the limits of the Mockingbird Canyon, Woodcrest, Prenda, Alessandro, Tequesquite, or Springbrook Arroyos and associated tributaries as shown on Exhibits A-F. The Community & Economic Development Director shall have the authority to administratively allow grading within designated arroyo tributaries depending on the sensitivity of the area. Sensitivity shall be determined by such factors as the presence of riparian vegetation, habitat for rare or endangered species, significant rock outcroppings or other unique topographic features on the property proposed to be graded or in nearby segments of the same tributary.
 - b. The limits of these arroyos shall include all that land within the watercourse area, the adjacent slopes having an average natural slope of 30 percent or greater, and all other areas within the boundaries shown on Exhibits A-F.
 - c. No grading for private crossings of these arroyos shall be permitted. Grading for public street crossings must be limited to the minimum necessary for access and emergency access.
 - d. No native vegetation shall be removed and no non-native vegetation shall be introduced within the boundaries of these arroyos in areas that cannot be graded.
 - e. All land within the boundaries of these arroyos shall be included as an open space easement on final tract and parcel maps.
 - f. Where drainage structures enter these arroyos the structure must be blended into the natural terrain, and where necessary, lined with natural or quarried rock or other material as approved by the Community & Economic Development Director and Public Works Director.
 - g. Where possible, other arroyos, shall be preserved as natural drainage courses. Significant natural features within these arroyos shall be preserved including riparian vegetation, boulders, rock outcroppings, milling features and deeply incised channels. These features shall be shown on the grading plans submitted for review. To insure that these areas are adequately preserved, an appropriate setback for development and grading may be applied.
 - h. Development or grading within blue line streams shall be limited to the minimum necessary for access or drainage structures. Any disturbance will require permits from the U.S. Corps of Engineers and the State Department of Fish and Wildlife.

(Ord. 7459 § 36, 2019; Ord. 7362 §9, 2017; Ord. 6673 §§ 6, 7, 8, 9, 2003; Ord. 6453 § 1, 1998)