Roll Call: Council

Pledge of Allegiance led by Council Member Pedro Martinez

Invocation

ORAL COMMUNICATIONS

SCHEDULED MATTER

1. Hillside Development Ordinance Study Session (Zoning Ordinance Amendment 2006-8)
   Re: Review of the draft Hillside Development Ordinance in order to prepare the final draft
   ordinance for Council adoption.

ORAL COMMUNICATIONS

ADJOURNMENT to the Council Meeting of February 6, 2007.

In compliance with the Americans with Disabilities Act and the California Ralph M. Brown Act, if you need special assistance to participate in this meeting, or to be able to access this agenda and documents in the agenda packet, please contact the Deputy City Clerk at (559) 782-7464. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting and/or provision of an appropriate alternative format of the agenda and documents in the agenda packet.
CITY COUNCIL AGENDA: FEBRUARY 2, 2007

SUBJECT: HILLSIDE DEVELOPMENT ORDINANCE STUDY SESSION (ZONING ORDINANCE AMENDMENT 2006-8)

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT- PLANNING DIVISION

On September 6, 2005 the City Council adopted an interim urgency ordinance regulating development for the protection of the hillside areas of the community. In October 2005, the Council approved the first extension of the interim ordinance and removed certain provisions requiring the submittal of additional information intended to provide clarity on what the ultimate project would look like. On February 13, 2006, the City Council approved the second and last extension of that ordinance to February 13, 2007.

On December 1, 2006, Staff provided the City Council with an update of the progress along with the Purpose and Intent portion of the draft ordinance. At that time, the Council requested that a study session be set to provide an overview of the draft ordinance so as to understand the character of the ordinance and the vision it casts for the development of the hillsides. Staff and the consultant have made some revisions to the draft ordinance a copy of which is attached for Council review and reference during the study session. Also attached to this report is a copy of the agenda item from Council meeting of December 1, 2006.

RECOMMENDATION: That the City Council provide direction to Staff and the Consultant on the preparation of the final draft.

ATTACHMENT: City Council Agenda Item from December 1, 2006 (No Attachment) Draft Hillside Development Ordinance
SUBJECT: HILLSIDE DEVELOPMENT ORDINANCE UPDATE – PURPOSE AND INTENT – OVERVIEW (ZONING ORDINANCE AMENDMENT 2006-8)

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT- PLANNING DIVISION

Introduction

On September 6, 2005 the City Council adopted an interim urgency ordinance regulating development for the protection of the hillside areas of the community. In October 2005, the Council approved the first extension of the interim ordinance and removed certain provisions requiring the submittal of additional information intended to provide clarity on what the ultimate project would look like. On February 13, 2006, the City Council approved the second and last extension of that ordinance to February 13, 2007. Staff and the consultant have been working on the preparation of the ordinance and have an administrative draft currently under review.

At the November 21, 2006 Council meeting the Council set a study session to discuss certain aspects of the draft ordinance including the stated Purpose and Intent of the draft ordinance as well as hear an overview of the draft ordinance. The Consultant working on the Hillside Development Ordinance will be present at the December 1, 2006, study session to present an overview of the effort to date.

Background

Council’s interest in the hillside/eastside area of the city has consistently been expressed as wanting to encourage/facilitate hillside/eastside development to balance out growth, conserve prime farmland, provide an additional housing opportunity, and spur on revitalization of the eastside of the community. This is evidenced by actions previously taken by the Council to create a hillside advisory committee, to prioritize the creation of the hillside ordinance, adjust fees for low density development in the hills, undertake capital improvement efforts to improve water service in the hillside areas to facilitate development, and establish an Interim Urgency Ordinance regulating new proposals for hillside development.

When the Council initially adopted the Interim Urgency Ordinance in September 2005, it included a requirement to submit grading and drainage information and eliminated the conditional use permit requirement, which extends beyond the requirements for typical flatland developments in the City. Submittal of the additional information was intended to provide clarity on what the finished product of a proposed development would look like. When the Council extended the Interim Urgency Ordinance in October 2005, the provisions for grading information and conditional use permit requirements were removed from the ordinance.

DDT Appropriated/Funded

Item No.
There are two fundamental approaches to take in promoting the development of the hillside area with variation in between. The first approach would be to open the door wide and have limited provision for hillside developments. This would allow just about anything without specific policies to ensure consistency or continuity of development and preserve the public interest in protecting the views of the hillside, defining and addressing grading and drainage issues and other issues that may affect surrounding property owners or the broader community. This approach leads to greater uncertainty about what the outcome will be for the ultimate development of the hills.

The City’s current standards more closely represent this condition resulting in limited certainty as to the outcome of hillside development. Over the years the City has seen a number of subdivision maps proposed for the hillside areas while few have been developed. It appears that maps have typically been intended for speculative development that has rarely materialized. Currently, there is one subdivision under construction in the lower reaches of the hillside and three others either approved and awaiting development or reinitiating the environmental review process.

The second fundamental approach would be to require the necessary information and define development requirements to the extent that the City decision makers could clearly understand the outcome of a development proposal in the hillside area. To illuminate the issue, it is obvious that a light that shines on a hill is more noticeable to a community than the same light on flat land or in a basin. This concept plays out into what views should be preserved, how and whether subdivision designs should be tailored to natural topography, etc. The fact is, that the approach taken may have an affect on when and how the city would realize development of the hillside. The market has to support the development or it will not happen.

**Analysis**

Under the draft ordinance, there is an added level of submittal information and design considerations that will require additional Staff analysis. While the City has experienced concentrated development activity on the west side of town over the past few decades, development on the east side has lagged, particularly in the hillside area. The City has been working on the preparation of a hillside development ordinance for at least 7 to 8 years. Staff believes that policies defining an expected outcome, and most likely a higher quality of hillside development are important. It is important to note that there are some realities to this approach that should be discussed prior to moving forward. Some of these are as follows:

1. The additional submittal requirements could deter the development community from pursuing development of the hillside area, at least for a period of time. As stated earlier, much of the activity seen in the hillside area to date has been speculative mapping. If the development were economically feasible, the subdivisions would have been developed. These additional requirements could deter or delay development but the ultimate development of this area should be a higher quality.
2. Development will likely occur at a faster pace in other areas of the city until the market dictates otherwise. The City is experiencing the construction of larger homes than in the past, which could be considered an indicator that the market is evolving – progressing.

3. While not necessarily facilitating development of the hillside in the short term, the code would facilitate a higher quality and more comprehensively integrated development.

Based on an initial review of the draft document, staff believes it important to review the Purpose and Intent of the ordinance with the Council at this time, especially due to the fact that there are three new Councilmembers that will have an opportunity to provide input into the process. An excerpt of the Draft Hillside Development Ordinance - Section 240 specifically states the Purpose and Intent of the ordinance and is attached for reference. It outlines permit types, permit requirements, content of and technical studies required for submittal, and identifies the fact that the ordinance will include design guidelines intended to assist in preparing submittals. The Draft Ordinance includes Section 240.01 Purpose and Intent, which has been excerpted for this report. Certain portions have been emphasized for discussion. This section reads as follows:

A. This Code, Article 2, R-H: Hillside Residential Zone is established to achieve the City’s objective to facilitate and permit the orderly development of property within the hillside areas through a set of hillside development standards aimed at protecting the public health, safety and welfare; protecting and preserving natural and biological resources for the long-term benefit of the Porterville community and the broader community; recognizing the inherent value in the properties subject to this Code; allowing size, type, location, density, and intensity of development based on available infrastructure, the geographic steepness of terrain, presence of unique geographic conditions and constraints, and presence of environmentally sensitive areas; and optimizing the use of sensitive site design, grading, landscape architecture, and architecture, all to achieve the City’s objectives.

B. The Hillside Residential (R-H) zoning district and the regulations contained in this Code are intended to provide development that is consistent with and serves to implement the goals and policies of the Porterville General Plan for properties designated R-H Zone. Specific regulations and standards address the following City objectives:

1. To establish a Hillside Residential Development Application process that requires property owners to select suitable development sites on their real property for new hillside development projects founded on science-based conclusions, including the use of slope density calculations and maximum land holding capacity, to determine the appropriate density and intensity of a structure that can be built on a particular hillside slope.
2. To involve participation of affected resource agencies early in the application process of new hillside development projects.

3. To uphold the value of the community and the subject property by protecting ridgelines, prominent landforms, rock outcroppings, open space areas, hydrologic features, wildlife communities, unique and sensitive habitat and vegetation communities, and other natural, biological, and scenic resources.

4. To preserve and enhance the visual and aesthetic qualities of hillsides in the surrounding community.

5. To facilitate the protection of existing views from vantage points within public open spaces, rights-of-way, public parks, and private development from encroachment upon by new development.

6. To minimize grading and cut and fill operations where possible to retain the natural character of the hillside areas.

7. Minimize water runoff and soil erosion incurred in adjusting the terrain to meet onsite and offsite development needs.

8. To encourage all the characteristics and qualities of a cohesive neighborhood that promotes a “sense of place” within a hillside setting.

9. To promote and encourage a variety of high-quality, alternative architectural and development designs and concepts appropriate for hillside areas by utilizing the highest quality of prescribed standards.

10. To preserve the public health, safety, and welfare and specifically protect the public and property from hazards such as seismic, geologic, hydrologic and fire, including damage to property from landslides, erosion, earth creep, and storm water runoff, and other hazards in and near hillsides.

11. To reflect the City’s design goals and policies expressed in the General Plan.

As should be the case, the Purpose and Intent portion identifies the salient points that define the character of the Ordinance. Staff agrees with the Statement contained in this section but wants Council input. It is important for Council to indicate any disagreement with, or seek clarification on any of these principals so this effort can progress. If the Council is looking for a better-defined outcome and quality of development, this approach is warranted. If the Council is looking toward facilitating development of the hillside in the short term, Staff and Consultant will need to proceed in a different direction. Regardless of the direction the development the Code takes, the market will dictate when the hillside is developed.
RECOMMENDATION: That the City Council provide direction to Staff and the Consultant.

ATTACHMENT: Draft Ordinance Section 240
Residential Hillside Ordinance
City of Porterville - Residential Hillside Ordinance
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Section 240

Hillside Residential Zone

Purpose and Intent
ARTICLE TWO: ONE-FAMILY ZONES

Section 240.00 Hillside Residential Zone

The following regulations set forth in Section 240.01 through Section 245.05 shall apply in the R-H Hillside Residential Zone unless otherwise provided in this ordinance.

Section 240.01 Purpose and Intent

A. This Appendix A, Article 2, R-H: Hillside Residential Zone is established to achieve the City’s objective to facilitate and permit the orderly development of property within the hillside areas through a set of hillside development standards aimed at protecting the public health, safety and welfare; protecting and preserving natural and biological resources for the long-term benefit of the Porterville community and the broader community; recognizing the inherent value in the properties subject to this Appendix A; allowing size, type, location, density, and intensity of development based on available infrastructure, the geographic steepness of terrain, presence of unique geographic conditions and constraints, and presence of environmentally sensitive areas; and optimizing the use of sensitive site design, grading, landscape architecture, and architecture, all to achieve the City’s objectives.

B. The Hillside Residential (R-H) zoning district and the regulations contained in this Appendix A are intended to provide development that is consistent with and serves to implement the goals and policies of the Porterville General Plan for properties designated R-H Zone. Specific regulations and standards address the following City objectives:

1. To establish a Hillside Residential Development Application process that requires property owners to select suitable development sites on their real property for new hillside development projects founded on science-based conclusions, including the use of slope density calculations and maximum land holding capacity, to determine the appropriate density and intensity of a structure that can be built on a particular hillside slope.

2. To involve participation of affected resource agencies early in the application process of new hillside development projects.

3. To uphold the value of the community and the subject property by protecting ridgelines, prominent landforms, rock outcroppings, open space areas, hydrologic features, wildlife communities, unique and sensitive habitat and vegetation communities, and other natural, biological, and scenic resources.

4. To preserve and enhance the visual and aesthetic qualities of hillsides in the surrounding community.

5. To facilitate the protection of existing views from vantage points within public open spaces, rights-of-way, public parks, and private development from encroachment upon by new development.

6. To minimize grading and cut and fill operations where possible to retain the natural character of the hillside areas.

7. Minimize water runoff and soil erosion incurred in adjusting the terrain to meet onsite and offsite development needs.
8. To encourage all the characteristics and qualities of a cohesive neighborhood that promotes a “sense of place” within a hillside setting.

9. To promote and encourage a variety of high-quality, alternative architectural and development designs and concepts appropriate for hillside areas by utilizing the highest quality of prescribed standards.

10. To preserve the public health, safety, and welfare and specifically protect the public and property from hazards such as seismic, geologic, hydrologic and fire, including damage to property from landslides, erosion, earth creep, and storm water runoff, and other hazards in and near hillsides.

11. To reflect the City's design goals and policies expressed in the General Plan.

Section 240.02 Applicability and Permit Requirements

A. This Appendix A applies to all properties within the incorporated boundaries of the City of Porterville, as well as those properties within the City’s official Sphere of Influence that are designated R-H Zone on the City of Porterville General Plan Land Use Map.

B. No person shall grade, erect, or construct into, over or on top of property within the R-H zoning district without first obtaining a Hillside Development Permit (HDP) in compliance with this Appendix A.

Section 240.03 Exemptions from Hillside Development Permit

A. Notwithstanding the provisions of Section 240.02, the following actions and activities are exempt from the requirement for a Hillside Development Permit, except that all development in the Hillside Residential zoning district shall comply with hillside development standards set forth in this Appendix A:

1. Construction that does not require a grading permit or a building permit.

2. The construction and installation (trenching, utility construction, and backfilling) of underground utility systems.

3. The re-grading of existing yard areas for landscaping installation provided such re-graded yard area does not exceed 2,500 square feet in area.

4. Swimming pools, spas, ponds, and associated hardscape and landscape improvements that do not involve the construction of any retaining walls over 3 feet in height, subject to the issuance of a grading permit and required building permits.

5. Additions to existing structures and/or construction of accessory structures which are less than 500 square feet in area, unless a grading permit for establishment of same is required.

6. Any project that has received final approval of a Hillside Development Permit prior to the effective date of this Appendix A, provided that such permit or approval has not expired or is not otherwise revoked and further provided that the development is in accordance with the approved Hillside Development Permit and related approvals.
B. Grading of flat areas in excess of 1,000 square feet including, but not limited to, such items as tennis courts or riding arenas, are NOT exempt.

Section 240.04 Hillside Development Permit Approving Authority

A. An application for a Hillside Development Permit or Hillside Development Permit Amendment shall be processed and approved concurrently with any other development permits required by this applicable provision of the Municipal Code. The City Council has the authority to approve, conditionally approve, or deny the other development permits required for the project and shall have the authority to approve, conditionally approve, or deny a Hillside Development Permit.

B. If no other development permits are required by this Appendix A or other provisions of the Municipal Code, then the property owner or duly authorized agent may submit an application for an Administrative Hillside Development Permit. The Zoning Administrator shall have the authority to approve, conditionally approve, or deny an application for an Administrative Hillside Development Permit in the same manner as authorized for a Certificate of Compatibility, as set forth in Article 30 of the Zoning Ordinance.

Section 240.05 Voluntary Pre-Application Review Process

A. Prior to the submittal of an application for any Hillside Development Permit or Hillside Development Permit amendment, the property owner or an agent with written authorization is recommended to voluntarily meet with the Community Development Director or designee to review the requirements of this Appendix A and to review matters set forth in this Appendix A.

B. The purpose of pre-application review is to review the requirements of this Appendix A, to identify and review available information regarding physical conditions affecting the property for which the application will be submitted, to respond to questions of the property owner or agent, and to present and review General Plan policies affecting use and development of the property.

C. The pre-application review process is not meant to constitute a comprehensive Hillside Development Permit application review and should not be considered to commence any timeline, whether under the California Environmental Quality Act, Permit Streamlining Act, or any law, statute or ordinance. City comments are to provide direction so that the review of the subsequent Hillside Development Permit or Hillside Development Permit amendment can be facilitated.

Section 240.06 Review Procedure and Cost Recovery

A. Administrative Hillside Development Permit

An Administrative Hillside Development Permit shall be processed in compliance with the procedures and noticing requirements established for a Certificate of Compatibility [Porterville equivalent], as set forth in this Appendix A. The Community Development Director or designee may refer an Administrative Hillside Development Permit to the City Council, in which case, the City Council acts as the Director and follows the procedures and notifying requirements for a conditional use permit, as set forth in Appendix A: Article 29 of the City Code. The Zoning Administrator has the authority to require all or a portion of the requirements for a Hillside Development Permit.
B. **Hillside Development Permit**

A Hillside Development Permit shall be processed in compliance with the procedures and noticing requirements established for a conditional use permit, as set forth in Appendix A Article 29 of the City Code, and it shall be acted upon by the City Council having final jurisdiction over accompanying actions.

**Section 240.07 Application Filing Requirements**

The following information, maps, and other specified data shall be submitted concurrently with all required application forms and fees.

A. **Topographical Map**

A topographical map at a scale specified in development applications. This map shall identify all existing slope banks, ridgelines, canyons, natural drainage courses, federally recognized blue-line streams or Waters of the United States, rock outcroppings, existing manmade features, mines, and existing vegetation. The vegetation map shall indicate whether the plant communities or habitat are native (e.g. southern mixed chaparral) or exotic (e.g. palm trees). Also depicted shall be known landslides and other existing geologic conditions.

B. **Conceptual Grading Plan**

A Tentative Map and conceptual grading plan, which shall include the following items in addition to those required by the City Code:

1. Top of walls
2. Top of curbs
3. High point and low point elevations
4. Elevation of significant trees, which are defined as trees with a greater than 6-inch trunk diameter measured at 4 feet above grade
5. Spot elevations, where appropriate
6. Pad and/or finished floor elevations
7. Change in direction of drainage
8. Areas of cut and fill, calculated as a percentage of the total site area
9. Contours for existing and proposed topography. Existing contours shall be depicted with a dashed line with every fifth contour darker, and proposed contours shall be depicted as above except with a solid line. Contours shall be shown at minimum intervals of 5 feet of change in elevation, with 2-foot contours shown in the flatter areas below 10%
10. Lot and pad dimensions, along with a statistical summary
11. Design of roads and driveways, including average grades indicated, as well as areas of the steepest grade
12. Lot drainage, including the gradient of the drainage and flow velocities
C. **Cut and Fill Map**

A cut and fill map identifying proposed fill areas colored blue and cut areas colored red, with depths of such areas clearly shown in 10 foot major contour lines. Quantities of each cut and fill area shall also be clearly specified on the map.

D. **Constraints Map**

A series of existing conditions and constraints composite maps that, respectively, describe in detail the information described below. Such maps shall be included as part of any technical report required pursuant to paragraph I (Section 240.07.H) of this section.

1. Geotechnical and soils conditions, including known faults and landslides.
2. Archaeological and paleontological resources and documented or potential historic resources.
3. Recorded easements and title report planning constraints.
4. Prominent ridgelines and required ridgeline setback zones, consistent with information on the City’s adopted Prominent Ridgeline Map.
5. Biological resource map showing all of the existing plant communities, with sensitive or protected species or communities clearly delineated, as well as known habitat area for protected animal species including the location of sensitive biological resources.
6. Map identifying significant trees, which, for the purposes of this map, are defined to be trees with a caliper greater than 6 inches when measured 4 feet above grade.
7. 100-year floodplain areas, USGS blue-line streams, and jurisdictional wetlands

E. **Slope Analysis Map**

1. A detailed slope analysis map to use in determining the average slope and the amount and location of land as it exists in its natural state. For the slope analysis map, the applicant shall use a base topographical map of the subject site, prepared and signed by a registered civil engineer or licensed land surveyor. The map shall have a scale of not less than 1 inch to 100 feet and a contour interval of not more than 10 feet with 2-foot intermediates. This interval may be adjusted with the approval of the Community Development Director and City Engineer on the basis of good engineering principles. This base topographical map shall include all adjoining properties within 150 linear feet of the site boundaries to portray the site's context. The slope map shall delineate slope bands, with monochromatic but distinct colors for the following slope ranges:
   a. Up to 5.9%
   b. 6% to 10.9%
   c. 11% to 20.9%
   d. 21% to 25.9%
   e. 26% to 30.9%
   f. 31% to 50%
   g. Greater than 50%
2. Also included shall be a tabulation of the land/area by slope percentage specified in acres. Such slope map shall be prepared using CAD-based or GIS-based software specifically designed for such purpose and approved for such use by the City Engineer.

3. A calculation of the average slope of the entire parcel. Such calculation shall be performed by using the average percent slope formula as follows:

\[ S = \frac{(0.00229 I L)}{A} \]

Where \( S \) = Average percent slope
\( I \) = Contour interval, in feet
\( L \) = Summation of length of contours, in feet
\( A \) = Area in acres of parcel being considered

4. Calculations of average slope percent shall be based upon accurate topographic surveys using a contour interval no greater than 10 feet and a horizontal map scale of 1 inch : 100 feet or larger.

5. The slope analysis shall be stamped and signed by a registered or licensed professional competent to provide such analysis and indicating the datum, source, and scale of topographic data used in the slope analysis, and attesting to the fact that the slope analysis has been accurately calculated.

F. Future House Plotting Map

In the event that no grading is proposed, a statement to that effect shall be filed with a plan that shows possible future house plotting and driveway design for each parcel proposed. This future house plotting map shall be prepared on a topographic map at the scale required in the development application. Access drive and or street elevations must be provided.

G. Site Sections

Sufficient number of site sections to clearly illustrate the extent of the proposed grading. The sections shall:

1. All be drawn at the same scale and indexed, or keyed, to the existing topography, grading plan, and project site map. Both vertical and horizontal scales shall be indicated and not exaggerated. The site section shall extend at least 150 feet outside the project site boundary to clearly show impact on adjacent property.

2. At a minimum, sections shall be drawn along those locations of the project site where:
   a. The greatest alteration of existing topography is proposed; and
   b. The most intense or massive development is proposed; and
   c. The site is most visible from surrounding land uses; and
   d. At all site boundaries illustrating maximum and minimum conditions; and
   e. Where grading will impact natural drainage conditions.

3. At least two of the site profiles shall be roughly parallel to each other and roughly perpendicular to existing contour lines. At least one other slope profile shall be roughly at a 45-degree angle to the other slope profiles and existing contour lines.
4. The slope profiles shall be stamped and signed by a registered civil engineer or landscape architect registered in the State of California indicating the datum, source, and scale of topographic data used in the slope profiles, and attesting to the fact that the slope profiles have been accurately calculated and identified.

5. Show existing and proposed topography, structures, and infrastructure facilities. Proposed topography, structures, and infrastructures shall be drawn with a dashed line. Existing topography and features shall be drawn with a thin, solid line.

6. The site profiles shall be stamped and signed by a registered civil engineer indicating the datum, source, and scale of topographic data used in the slope profiles, and attesting to the fact that the slope profiles have been accurately calculated and identified.

H. Technical Reports

The following technical reports:

1. A geologic and soils report prepared by a registered geotechnical engineer approved by the City, in sufficient detail to substantiate and support the design concepts presented in the application as submitted.

2. Phase I (records search) and any and all Phase II (physical investigation of soils) environmental assessments identifying any hazards present on the property.

3. A biological resource survey report identifying all existing plant communities, with sensitive or protected species or communities clearly delineated, as well as known habitat area for protected animal species, including the location of sensitive biological resources. All sensitive species surveys shall be conducted in accordance with any applicable protocols established by the U.S. Fish and Wildlife Service and the California Department of Fish and Game. The applicant shall engage in a third party agreement with the City and the selected biological consultant and provide the funding for purposes of payment to the consultant. The report shall be signed by the person preparing such report, with the signature intended to verify that the mandatory protocols were conformed to in the analysis.


A comprehensive architectural and landscaping design guideline manual shall be part of the development application. Such manual shall be required for all Hillside Development Permit applications except those involving the construction of one single-family dwelling unit on an existing lot, in which case paragraph J below shall apply. Such manual shall be approved as part of the applicable Hillside Development Permit and shall be binding upon all subsequent development authorized by that applicable Hillside Development Permit. The manual shall include the following, but the applicant/land owner may include additional information at his/her discretion.

1. Illustrative, color drawings, photos or similar representations of the various architectural styles to be used with text and visual descriptions on the overall architectural theme of the project.

2. A neighborhood design diagram depicting the locations of proposed vehicular and pedestrian circulation, utility easements, developable pad, property lines, perimeter setbacks, parks, and recreation centers.
3. A description of all housing types to be built which references the location of defined parcels within the property, diagrams of how the product orients to the flat pad with setbacks, and an illustrative street scene perspective of the product.

4. Identification of building articulation in the following locations (but not limited to): front massing and entry scale, garage placement, architectural projections, rear articulation, and corner lots.

5. Identification of exterior building materials (structure and trim), roofing materials, and colors for primary structures.

6. Illustrations and descriptions of permitted fencing and wall materials.

7. Illustrations and descriptions of permitted signage and entry treatments.

8. Description and illustrative drawings or similar representations of how the architecture and building approaches established in the manual implement the Architectural Standards set forth in Section 243 of this Appendix A.

9. Identification of landscaping approaches and plant palettes for all common open space areas, roadway medians, edge and berm treatments, common slopes, and private front yard areas.

10. Description of how the landscaping approaches and plant palettes established in the manual implement the Landscape Standards set forth in Section 244.

J. **Single Lot Applications**

For applications involving one single-family dwelling unit residence on an existing lot or a second unit on a single lot, architectural and landscaping treatment materials shall be provided consistent with the requirements for a Certificate of Compatibility, as set forth in Section xxxxxx of this title.

K. **Additional Analysis**

The following items shall also be required as part of an application, unless waived or conditionally waived by the Community Development Director or the City Council to aid in the analysis of the proposed project to illustrate existing or proposed conditions or both:

1. A topographic model and/or large scale detailed partial model at a 1:1 vertical to horizontal relationship.

2. A line of site or view analysis as described in paragraph N below.

3. Visual simulation of the post-development condition, including use of photographic and/or computer generated graphic renderings as described in paragraph N below.

L. **Landscape and Irrigation**

Preliminary landscape and irrigation plans for all common areas showing project compliance with the provisions of this Appendix A and requirements of the City Fire Chief for fire hazard mitigation and brush management zones in Chapter 12, Article III of the City Code.

M. **Government Agency**

Any pre-application comments received from other affected government agencies having authority over any component of the development application, including but not limited to the
California Department of Fish and Game; U.S. Fish and Wildlife Service; and U.S. Army Corps of Engineers shall be included in the application.

N. Visual Simulation

1. Purpose and Intent

   The purpose of requiring a visual simulation is to provide decision makers with a pictorial representation of the future condition of a development project as close to reality as possible.

2. Photography

   The photograph is the basis of view simulation, and care shall be taken in the camera selection. The goal is to select a camera-lens combination that will yield photographs that, as closely as possible, represents site views from a variety of locations distant from the project and from surrounding areas that will have a direct view of the project.

   The photographs shall be taken with the camera mounted on a leveled tripod and the height of the camera recorded. If the scene cannot be captured in one photograph and a panoramic shot is required, a proper panorama camera or lens/camera that accurately records a panorama shall be used. If a series of incremental panoramic shots were taken, special stitching software or photo retouching software shall be used.

3. Control Data

   The location of the camera shall be recorded as accurately as possible at the time the photograph is taken. The location can be determined by field survey, existing topographic maps, or GPS locators.

   Items or features that appear in each photograph shall be field surveyed for accurate location using the methods described above to allow for accurate configuration of the views in the modeling software.

4. Computer Modeling

   The proposed project shall be modeled based on subdivision design, architectural, and landscape data. Existing terrain, buildings, survey data, and any field notes shall be included in the modeling effort. The level of detail included in the computer model will be determined by the intended use of the simulation.

5. Staging

   The computer model shall be aligned to the photographs in the rendering software utilizing the alignment data and the lens and focal length of the camera used. The model shall be lighted according to the time of day and year and the views rendered.

6. Rendering

   The rendering process shall be completed after aligning the model to the photograph. The subject matter should be colored and textured to simulate the proposed project as closely as possible.

7. Photocomposition

   Any retouching undertaken to make foreground objects visible shall be done in such a way so as to preserve the original photograph and the rendered image intact.
Section 241

Hillside Residential Zone

Land Use Regulations
Section 241.00  Land Use Regulations

A. Permitted Land Uses

The following uses of land are permitted as a matter of right in the R-H zoning district and no discretionary permit, other than the Hillside Development Permit required by Section 240.02, shall be required.

1. Single-family dwelling unit, detached or attached.
2. Second dwelling units, subject to the regulations contained in Appendix A, Article 30, Section 3009 of this City Code and state law.
3. Accessory structures containing 500 square feet or less in gross floor area.
4. Detached garages, up to a maximum of 1,500 square feet in gross floor area.
5. Swimming pools, spas, ponds, and associated hardscape and landscape improvements that do not involve the construction of any retaining walls over 3 feet in height, subject to the issuance of a grading permit and required building permits.
6. Tennis courts, basketball courts, and similar sports courts, subject to the issuance of a grading permit and required building permits.
7. Public and private parks.
8. Landscaped parkways and medians, landscaped slopes, and similar other open spaces.
10. Residential care facilities serving six or fewer mentally or physically disabled, disordered, or dependent persons.

B. Uses Requiring a Certificate of Compatibility

The following uses of land shall be subject to the granting of a Certificate of Compatibility in compliance with the regulations contained in Article 30 of the Zoning Ordinance of this title.

1. Lighting of tennis courts, basketball courts, and similar sports courts.
2. Accessory structures containing between 501 to 750 square feet of gross floor area.
3. Detached garages containing more than 1,501 square feet in gross floor area.
4. Stables, corrals, and similar facilities for the private noncommercial keeping and containment of animals.

C. Permitted Accessory Uses

The following are permitted as accessory uses clearly subordinate to the principal use of the property.

1. Animals and poultry as follows:
   (a) Small domestic pets, such as cats, dogs and birds.
   (b) Educationally oriented agricultural projects similar but not limited to 4-H and FFA projects, recognized youth organizations and school projects, when conducted in compliance with the public health and animal laws of the city, subject to the stipulations of paragraph (c) of this section.
(c) Bovine animals, horses and other equine animals, sheep and goats where the lot area is twenty thousand (20,000) square feet or more and provided that the shelter for such animals shall not be closer than fifty (50) feet to any residence, including that of the owner. The minimum lot area of twenty thousand (20,000) square feet shall be required for each additional adult animal. Any building or shelter housing such animals shall not be closer than ten (10) feet to any property line. The keeping of all animals or poultry mentioned herein shall conform to other provisions of law governing same. The restrictions of this subparagraph relating to animals and poultry shall not apply when the area of any one (1) farm or ranch exceeds ten (10) gross acres.

2. Flower and vegetable gardens, agricultural crops, orchards, vineyards and horticultural collections.

Section 241.01 Allowable Density Calculation Procedures

A. For the purposes of this Appendix A, allowable density is defined as the maximum number of dwelling units permitted per gross acre of land. The maximum allowable density shall be based upon and established by the average slope of a property, calculated in compliance with Section 241.01.C. The maximum allowable density based on the average slope shall be as set forth in to Table 241.01.A.

Table 241.01.A
Maximum Allowed Density Based on Average Slope

<table>
<thead>
<tr>
<th>Average Slope</th>
<th>Maximum Allowable Density</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 5.9% inclusive</td>
<td>2.4 units/acre</td>
</tr>
<tr>
<td>6 to 10.9%</td>
<td>2.2 units/acre</td>
</tr>
<tr>
<td>11 to 20.9%</td>
<td>1.8 units/acre</td>
</tr>
<tr>
<td>21 to 25.9%</td>
<td>1.0 units/acre</td>
</tr>
<tr>
<td>26 to 30.9%</td>
<td>1 unit/20 acres</td>
</tr>
<tr>
<td>31 to 50%</td>
<td>1 unit/80 acres</td>
</tr>
</tbody>
</table>

B. The maximum dwelling unit yield based on the maximum allowable density mathematical sum shall be considered maximum potentials and not an entitlement, right or vested right to develop. Other factors and individual property characteristics will affect and may reduce the yield, including but not limited to: physical constraints, floor-area ratio (Section 241.01.D); compliance with design guidelines, engineering design standards, hillside development standards; and performance criteria such as access, emergency response standards, and sensitive grading techniques and volumes.

C. Calculating the maximum allowable density for any parcel or group of parcels under common development application within the Hillside Residential zoning district shall involve the following steps:

1. Establish allowed density based on average slope:
   a. Alternative 1 – Average slope of the parcel or group of parcels.

      For Alternative 1, the average slope shall be calculated in compliance with Section 240.07.E3. For example, a 100-acre parcel which has an average slope for the entire parcel of 25 percent would yield a maximum of 100 units.
b. Alternative 2 – Recalculation alternative.

The largest contiguous area of the least steep slope category may be used to calculate average slope in compliance with the method established in Section 240.07.E2. For example, on a 100-acre parcel, of which 60 acres has an average slope of more than 25.9 percent, 30 acres are between 21 to 25.9 percent slope, and there is a contiguous 10-acre area of between 11 to 20.9 percent, the 10 acres with a average slope of 11 to 20.9 percent can be used to recalculate allowable density (1.8 units/acre X 10 acres = 18 units).

D. For the purposes of this Appendix A, floor-area ratio (FAR) is defined as the ratio of the total gross square footage of the dwelling unit excluding both attached and detached garage square footage and any accessory structure on a lot to the square footage of the pad or that portion of the lot containing the dwelling and having a gradient of five percent or less. After constraints and performance criteria have been addressed to develop a maximum yield, the maximum yields for a parcel is further affected by average FAR and are based on Table 241.01.B.

<table>
<thead>
<tr>
<th>Dwelling Unit Yield</th>
<th>Maximum FAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum units</td>
<td>0.4</td>
</tr>
<tr>
<td>80% of Maximum</td>
<td>0.5</td>
</tr>
<tr>
<td>70% of Maximum</td>
<td>0.6</td>
</tr>
<tr>
<td>60% of Maximum</td>
<td>0.7</td>
</tr>
</tbody>
</table>

E. Physical Constraints are the on-site circumstances and resources that will be protected consistent with policies in the General Plan or other regulatory requirements. Factors that require special consideration are as follows:

a. USGS blue-line streams and potential habitat areas for endangered species.

b. Areas greater than 25.9 percent slope greater than 1 acre as determined by Section 240.07.E.

c. Liquefiable soils, Alquist-Priolo Zones, shallow hard rock and faulting.

d. Large, mature native trees including: Coastal Live Oak, Sycamores, or Willow.
Section 242

Hillside Residential Zone

General Standards
Section 242.00 Subdivision Design

A. Purpose and Intent

The purpose of creating subdivision design standards within the Hillside Residential Zone is to provide for hillside development that maintains the integrity of the hillsides’ natural characteristics and features while addressing development challenges present in hillside settings, consistent with the purpose of this Appendix A set forth in Section 240.01.

Further, the purpose of these subdivision design standards is to require that infrastructure such as but not limited to roads, utilities, drainage, and sound attenuation barriers serve both a utilitarian and aesthetic purpose. To better preserve the integrity of subdivision design within the Hillside Residential district, design elements such as the cutting of significant ridgelines, unarticulated linear slope faces, and massive retaining walls shall be prohibited.

Section 242.00 through Section 242.07, inclusive, are intended to augment, not replace, the subdivision design and improvements regulations enforced by the City of Porterville.

Section 242.01 Ridgeline Preservation

A. Purpose and Intent

The purpose of creating ridgeline preservation standards within the Hillside Residential Zone is to ensure the ridgelines that frame the City of Porterville will be preserved to the greatest extent possible. Significant ridgeline standards shall be defined, described, and established, along with a map delineating all significant ridgelines in the city, to ensure that the most significant ridgelines will not be developed, for the purpose of preserving the existing and future view that frames the City. A required three-dimensional visual analysis shall be submitted with the Hillside Development Permit to ensure that the principles of preserving significant ridgelines will be satisfied.

Figure 242.01.A
Significant Ridgelines shall be preserved.
B. Significant Ridgelines

1. Significant ridgelines are those ridgelines characterized by any combination of the criteria specified below.
   a. The ridgelines that surround or visually dominate the surrounding valley landscape either through their size in relation to the hillside or mountain terrain of which they are a part.
   b. Their visual dominance as characterized by a silhouetting appearance against the sky.
   c. A significant natural backdrop feature or separation of communities.
   d. Visual dominance due to proximity and view from existing development or major corridors.
   e. As an area of significant ecological, historical, or cultural importance, such as those that connect park or trail systems.

2. The Official Significant Ridgeline Map, incorporated herein by reference and maintained on file as part of the City of Porterville Geographic Information Systems database, identifies crests of significant ridgelines in the City for the purpose of this Appendix A and specifically, this Section 242.01. The precise delineation of a ridgeline shall be determined at the time a development application is received based on Official Significant Ridgeline Map and the criteria in subparagraph 1 above.

C. Ridgeline Preservation

1. No grading or improvements shall occur within 100 feet of a designated and delineated significant ridgeline area, as measured horizontally on a topographic map prior to any grading or improvements. A Significant Ridgeline area is determined by the Significant Ridgelines Map on file at the Community Development Department except as approved by a Hillside Development Permit as in compliance with Section 240.02. No portion of any structure shall be closer to a designated and delineated significant ridgeline area, as measured 50 feet vertically from a cross section of the area.

2. No engineered slopes, housing construction, streets, utilities, excavation, or other permanent human-made features shall be permitted within any significant ridgeline area, as the same is determined by the Significant Ridgelines Map on file at the Community Development Department. Exceptions may be granted as part of the Hillside Development Permit process if findings are made that:
   a. the encroachment into a significant ridgeline area will be in compliance with the intent and purpose of this Appendix A and the specific criteria set forth herein;
   b. that conditions of approval applied via the Hillside Development Permit will implement the provisions of this Appendix A.
Section 242.02 Open Space

A. Purpose and Intent

The purpose of establishing open space requirements and standards for the Hillside Residential Zone is to ensure that open space is an integral part of subdivision design; to preserve prominent landforms, rock outcroppings, hydrologic features, and sensitive and unique habitat as permanent open space features and wildlife movement corridors that help frame a community’s identity; to provide areas where residents can enjoy active and passive recreation; to integrate landscaped medians, parkways, and slopes into a development project; and to ensure that parks, recreation...
centers, trails, and greenbelts are located next to natural open space to maximize the amount of contiguous areas of open space within a community and create space transition zones between residential development and open space.

Figure 242.02.A
Open space shall be integral component of subdivision design, with developed open space areas

B. Types of Open Space

Open space in the Hillside Residential Zone shall consist of two general types of open space:

1. Natural Open Space, which shall be defined as undeveloped areas retained in their naturally occurring condition with regard to landform, vegetation, and water features; with the exception of walking trails and viewing platforms.

2. Developed or Improved Open Space, which shall be defined as any area not occupied by structures that has been improved with landscaping, trails, recreation amenities, and similar features that provide opportunities for active and passive recreation, and that provide landscape improvements that enhance the overall appearance and character of a development.

C. Use of Natural Open Space

Undeveloped open space shall be left in its natural state, with permitted improvements limited to the establishment of trails and associated viewing areas established as community open space.

D. Requirement to Provide Developed Open Space

Developed Open Space shall be provided for attached residential development as set forth in Section 242.02.B.2 and Zoning Ordinance Article 3, Section 305 and as otherwise required for this Appendix A to meet general landscaping, slope treatment, and parkway landscaping requirements.
E. Deed Restrictions

Any lands dedicated for open space purposes shall contain covenants and recordable deed restrictions burdening the subject property, in a form and content approved by the City Attorney, ensuring that:

1. The open space area will not be subdivided in the future;
2. The use of the open space will continue in perpetuity for the purpose specified;
3. Appropriate provisions will be made for the maintenance of the open space that clearly define future maintenance responsibilities; and
4. Common undeveloped open space shall not be turned into a commercial enterprise admitting the general public at a fee, unless otherwise authorized by policy or law.

F. Open Space Ownership

1. The fee title owner or easement holder of an interest in the land that is dedicated for open space purposes shall be selected by the property owner, developer, or sub-divider, subject to the approval by the Community Development Director. The ownership may vest in, but not be limited to, the following:
   a. The City, subject to acceptance by the City Council of a recordable interest.
   b. Other public jurisdictions or agencies, subject to their acceptance.
   c. Quasi-public and non-profit organizations, subject to their acceptance.
   d. Homeowner associations, landscape maintenance districts or other similar organizations.
2. The City may, in its reasonable discretion, require that the applicant establish a mechanism to fund the long-term maintenance of such open space, which may include a cash deposit, an assessment district, trust, or other appropriate funding mechanism.

G. Maintenance

The person or entity identified as having the right of ownership or control over the open space shall be responsible for its continuing upkeep and proper maintenance as set forth in Section 242.02.1, unless the City authorizes alternate maintenance strategies.

Section 242.03 Grading

A. Purpose and Intent

The purpose of establishing these grading standards for the Hillside Residential Zone is to minimize the visual impact of development, provide for sufficient landscape opportunities, integrate manufactured slopes with natural slopes, and limit grading impacts on sensitive natural areas.

B. General Grading Requirements

1. Landform grading techniques such as varying slope height, rounding tops and toes of slopes, and incorporating variable gradients shall be used to ensure that manufactured slopes mimic natural hill forms. Landform grading shall be used for all post-disturbance conditions unless determined by the Community Development Director and the City Engineer that landform grading is not feasible due to soils conditions, encroachment into sensitive biological resource areas, protection of watersheds or watercourses, or other similar considerations. Findings shall be recorded as part of the Hillside...
Development Permit record as to why landform grading is not feasible. Grading should be kept to a minimum and should be performed in a way that preserves significant natural features and visually blends with adjacent properties. Factors to be considered include the natural features of the site, slope and soil characteristics, vegetative cover, access to the site and orientation and visibility of both the site and the proposed development.

Figure 242.03.A
Landform grading techniques will resemble natural slopes.

2. Super slopes, as defined by this Appendix A, shall be used in areas of high on-site and off-site project visibility, as determined by the viewshed analysis required for the Hillside Development Permit described in Section 240.07 (Application Filing Requirements) of this Appendix A, to allow for visual breaks between terraced rows of housing units and to provide areas where landscaping can be used to soften the appearance of hillside development. Super slopes shall integrate manufactured slopes with natural slopes to give the appearance of a continuous natural landform.

3. Re-created ridgelines shall be used to mask the view of dwelling units on a hillside from off-site locations, to preserve the appearance of a natural undeveloped hillside, and to preserve the appearance of open space.

4. Berming shall be used to screen utilitarian features such as, but not limited to, water tanks and detention basins.

5. All slopes which are visible from any existing or proposed public right-of-way shall be landform graded.

6. Grading of any site shall conform to the following grading standards, based upon the percent of average slope.
   a. 6 - 15% - Redistribution of earth over large areas may be permitted.
b. 15 - 20% - Some grading may occur, but landforms should retain their natural character. Padded building sites may be allowed, but custom foundations, split level designs, stacking and clustering are expected to mitigate the need for large padded building areas.

c. 20 – 25.9% - Grading will be minimal, custom homes sites and access should follow the natural slope of the ground, custom foundations and split level design required to reduce disturbance.

d. 26.0% and steeper - No grading shall be allowed other than house pad and access to pad.

e. Minimize pad size to accommodate the structure and a reasonable amount of open space. A maximum of the remaining lot area should be kept in the natural state of the original slope.

f. Sloping lot designs, such as split level building terraces are encouraged to reduce pad size.

g. Minimize grading within 20 feet of all perimeter property lines of the project site, unless the grading is similar to the existing adjacent slopes or to the planned grading of the adjacent slopes.

Figure 242.03.B
Double loaded street - 10% Slope Condition
Figure 242.03.C
Single loaded street - 17% Slope Condition
C. **Prohibited Grading Practices**

1. The cutting of significant ridgelines is prohibited.

2. Graded slopes that are characterized by linear (in plan), planar slope surfaces with unvarying gradients and angular slope intersections are prohibited.

D. **Super Slope Requirements**

The use of super slopes shall be required for the conditions set forth in paragraph Section 242.03.B.2 above. The following standards shall be applied in the design of super slopes.
1. On any property for which a Hillside Development Permit application has been submitted and the vertical distance between the lowermost elevation on the property and the uppermost elevation is 60 feet or greater, at least 40 feet of vertical height shall be achieved for terraced manufactured slopes. Such manufactured slopes shall be at most 10 feet shorter or at least 10 feet taller in height than the height of the structure built on the toe of the manufactured slope.

2. Such manufactured slopes shall be at most 10 feet shorter or at least 10 feet taller in height than the height of the structure built on the toe of the manufactured slope (See Figure 242.03.F).

3. Manufactured slopes shall complement the adjacent natural slopes in terms of hill form and slope height.

E. Berming

1. Berming shall be used to screen hillside development from distant views, as determined by the viewshed analysis required by the Hillside Development Permit described in Section 240.07 (Application Filing Requirements) of this Appendix A.

2. Any berm 3 feet or greater in vertical height shall be landform graded no steeper than 3:1.

3. All berms shall have varying slope gradients and rounded tops with a horizontal dimension half the vertical height of the berm.

4. Berms shall be applied to screen utilitarian features such as water tanks in a hillside project.
5. Landscaping materials used on berms shall be drought tolerant and fire resistant and must be approved by the Parks and Leisure Services Director.

**Figure 242.03.G**
Berms shall be used to help screen hillside development and utilitarian features. From certain vantage points, the berm will completely hide development and other structures, providing a view of natural slope face.

**F. Slopes between Residential Pads**
Where there is at least a 4-foot elevation difference between residential flat pads, slopes shall be contour graded no steeper than 2:1.

**Figure 242.03.H**
Corner lot setbacks are 10 feet from right-of-way to privacy wall. Side slopes against public roads shall be landform graded.
Section 242.04 Edges

A. Purpose and Intent

The purpose and intent of establishing standards for edges in the Hillside Residential Zone is to ensure that proper landscape setbacks are provided to separate residential uses from non-residential uses and to allow for transitions between natural open space and development. Landscape setbacks along roads create aesthetic and spatial benefits, allowing for thematic landscape screening between public and private spaces in a community. In areas where a project backs against natural open space, proper landscape setbacks in combination with fuel modification zones is essential for providing proper transitions between open space and residential development.

B. Road Systems along Project Edges

Road systems shall be placed along project edges to the greatest extent practicable to maximize the use of aesthetic landscape buffers surrounding a development and to buffer residential neighborhoods from vehicular traffic. Project edges along roadway systems shall consist of varied slope and landscape treatments to provide visual interest.

Figure 242.04.A

Road systems shall be placed along project edges to create a buffer between the project and adjacent land uses. This strategy, as illustrated above, can also provide a way to take advantage of panoramic views.

Section 242.05 Retaining Walls

A. Purpose and Intent

The purpose and intent of establishing standards for retaining walls in the Hillside Residential Zone is to ensure that the application of retaining walls is aesthetically pleasing, limited in quantity throughout a development, and not used to artificially create additional building area.

B. Prohibited Retaining Walls

1. Use of utilitarian retaining wall designs such as crib walls and geogrids shall be prohibited.

2. No retaining walls shall be permitted between residential lots.
C. **Use of Loffelstein and Similar Living Walls**

The use of Loffelstein walls and other similar living wall systems that allow for landscaping opportunities with planting pockets and stepped designs is acceptable. Such wall shall be subject to the following development standards.

1. The minimum height shall be no less than 15 feet, with a maximum height of 30 feet.
2. Such walls shall utilize a curvilinear slope pattern to mimic the appearance of natural hillside terrain.
3. Such walls shall be planted with landscape material suitable for the climate, wall exposure relative to the sun, and taking into consideration the landscape aesthetic effect to be achieved by the overall development. The color palette and materials selected for the retaining wall shall blend in with adjacent hillsides and landscape plant palette.

![Figure 242.05.A](image)

**Figure 242.05.A**
Loffelstein walls and similar living wall systems retain large amounts of earth while providing planting pockets for landscaping. Once landscaping matures, the wall will be masked and have a softer appearance than a hardscape wall surface.

D. **Contour Construction and Materials**

Retaining walls shall follow the natural contours of the slope, and all materials used to construct retaining walls shall consist of native stone, poured-in-place concrete, pre-cast concrete block, and shall be of a color and texture that mimic the color and texture of surrounding native plant materials.

E. **Required Planting Areas**

Slopes requiring retaining at a height greater than 3 feet shall be terraced for planting areas. Such planting areas shall have a minimum width of 6 feet. No more than two terraces of retaining walls shall be permitted on one manufactured slope.
F. Irrigation Systems Required

All planting areas for retaining walls shall be provided with an automatic irrigation system. Such irrigation system shall be approved and inspected prior to the construction of any wall.

G. Height Standards

1. Retaining walls shall be constructed at varying heights throughout a development.

2. The cumulative height of any retaining wall built to retain a cut slope or fill slope shall not exceed 6 feet in height. Cumulative height shall mean the combined height of any wall or series of walls required to retain a single slope.

Section 242.06 Water Quality and Stormwater Runoff Control

A. Purpose and Intent

The purpose of establishing water quality and storm runoff control standards is to ensure that developments within the Hillside Residential Zone develop proper drainage and stormwater management systems that are functional, aesthetically pleasing, integrated into the overall project development as a functional landscape feature, facilitate recharge of groundwater, and conform to state and federal law regarding pollution and water quality. Toward these ends, the use of bioswales and landscaped water quality basins represent the preferred approach to runoff and stormwater quality control, recognizing that such features add aesthetic character, have the appearance of naturally occurring drainage channels, and when located at project entries, serve as a functional element that allows for stormwater management.
Figure 242.06.A
Bioswales and similar natural landscaped runoff control facilities shall be used to enhance appearance and allow for groundwater recharge.

B. General

Site and subdivision features required and designed to control and retain stormwater and other runoff pursuant to the requirements of City and County ordinances and the Regional Water Quality Control Board shall be fully integrated into the design of the subdivision. Such features shall be designed and located to account for natural drainage patterns, integration of open space into overall subdivision design, location of trails and other mobility corridors, and placement of subdivision entry enhancements or other aesthetic features.

C. Materials and Color

Water retention and detention features shall consist of natural earth and plant materials that must be approved by the Parks and Leisure Director. Concrete or similar hardscape materials shall not be permitted unless determined by the City Engineer to be the only feasible method of containing runoff. Wherever concrete or similar structures are necessary, per drainage and storm water control plans approved by the City Engineer, such structures shall use integral color concrete to blend with surrounding color palette that blend with the natural environment.

D. Detention Basins

1. A detention basin area with gentle slopes (defined as 3:1 or less) and lined with turf or natural material such as rock may be used as an entry feature. Detention basins shall not be eligible for open space, park credit, or any fee credit.

2. Detention basin side slope ratios greater than 3:1 are prohibited.
E. Bioswales

1. Bioswales shall be used to collect surface runoff before it crosses pavement areas and to reduce ponding and damage to walkways. Bioswales shall be graded to direct water away from paved areas into detention basins.

![Bioswales Diagram](image)

**Figure 242.06.B**
Bioswales planted with native rocks and vegetation shall be used to the maximum extent to serve as a hillside community’s drainage system.

2. Bioswales shall consist of primarily herbaceous plants whose stems and leaves retard water flow and help settle pollutants, and which, with the aid of the roots, decompose into the soil.

![Bioswales Diagram](image)
Section 242.07 Street Requirements and Design

A. Purpose and Intent

The purpose of establishing street design requirements is to ensure that the circulation system is a beneficial element in the hillside development setting and maintains, to the greatest extent possible, the natural characteristics of a hillside environment. Through these requirements, the City recognizes that the placement and alignment of the road system must be designed to embody the features present in the neighborhood and enhance the visual character of the hillside community.

The roads should also be designed so that the alignment of collector and arterial roads along project edges separates the neighborhoods and residents from the effects of a highly used road, resulting in a more pleasant living environment, and allows opportunities for landscaping and panoramic views.

Further, with these requirements, the City recognizes that requiring parkways along every street allows opportunities for landscaping that helps maintain a more natural hillside environment, separates pedestrians from vehicular traffic, and softens a project’s visual impact as viewed from off site.

B. Minimum Number of Access Points

New hillside development projects shall have a minimum of two points of vehicular access, one of which may be established for emergency access only, as determined by the Fire Chief through the Hillside Development Permit review process.

C. Street Design Standards

All streets shall be designed and constructed in accordance with the following standards.

1. Street sections shall be designed in accordance with street standards and specifications adopted by the City and as revised from time to time. In addition to such adopted standards, the following street standards shall apply to development in the Hillside Residential zone.

   a. The maximum length of any cul-de-sac street shall be 600 feet.

   b. All streets shall contain two clear 12-foot travel lanes.
2. Split Level Streets

Where split level streets are used, the following standards shall apply.

a. The use of split level roads is permitted to reduce the amount and visual effect of grading (Figure 240.17.A).

b. The ground slope between the two traffic ways shall be of a ratio not less than 2:1.

![Figure 240.07.A](image_url)

*Figure 240.07.A*
Use of split level roadways is permitted and encouraged where such design can be used to facilitate landform grading. This type of road can also maximize the view opportunities in the hillside setting.

3. Street grades shall not exceed the following except as may be modified by the City Council in compliance with Chapter 21, Article III, Section 21-3 of the Porterville City Code. The maximum length of street runs at the maximum specified grade shall be subject to the review and approval of the Fire Chief and City Engineer, or their respective designees.

a. Primary Arterials shall be no steeper than 8 percent.

b. Secondary Arterials shall be no steeper than 10 percent.

c. Local Streets shall be no steeper than 10 percent.

d. Loaded Local Streets shall be no steeper than 8 percent.

e. Intersections shall be at 6 percent grade or less.

f. Local Streets can have a minimum centerline radius of 150 feet provided minimum sightline distances are met.

g. Street grades at fire hydrant locations shall be no steeper than 7 percent.
D. Private Streets

1. Private streets and alleys shall not be permitted unless approved by the City Council and, if approved, all private roads or alleys shall be constructed to City standards. (Chapter 21, Article III, Section 21-3(j))

2. Driveway grades shall not exceed (10%), The finished grade of the driveway shall conform to the finished grade of the lot. Proper design consideration shall be given to vertical curves and parking landings.

3. Common drives in single family hillside residential development should be considered if grading is reduced by their use. Common easement maintenance agreements are required for common driveways.

E. Landscaped Parkways Required

1. All public streets shall include a landscaped parkway between the edge of street paving and adjacent property lines. Such parkways shall be of a width required by the City's standard street cross sections and shall include a sidewalk or other pedestrian way or trail as set forth in the City's standard street cross sections or as otherwise may be required by the City Engineer and/or Community Development Director through the Hillside Development Permit review process.

2. Such required parkways shall be landscaped as set forth in Section 244 of this Appendix A, including specifically Section 244.00.F (Drought-Tolerant/Native Vegetation).
Section 243

Hillside Residential Zone

Architectural Standards
Section 243.00   Architectural Standards

A. Purpose and Intent
The purpose of establishing architectural design standards in the Hillside Residential Zone is to ensure quality development that blends with the hillside environment, and to create neighborhoods that display a cohesive and harmonious form and complementary architectural styles. To achieve hillside compatible development, the City recognizes the importance of having architectural design that incorporates rooflines and other building elements that reflect the naturally occurring ridgeline silhouettes and topographical variation.

B. Conformance with Project Design Manual
The applicant shall demonstrate how the architectural criteria of this section are met in the design guideline manual required by Section 240.07.I of this Appendix A.

C. Architectural Themes
1. For subdivisions consisting of production-style development, whereby dwelling units are constructed by a single developer utilizing a limited number of floor plans and building architectural styles, the architectural styles throughout the development shall be thematically consistent with one another. Varying floor plans, colors, materials, and building forms shall be utilized such that within a single development project, a minimum of nine different elevations are available. However, where attached units are provided, a more unified architectural scheme is permitted.

2. For custom lot developments consisting of a subdivision of more than one lot, the requirement for a design guideline manual, as set forth in Section 240.07.I of this Appendix A, shall apply.

3. For a development consisting of one home on an existing lot, such homes shall comply with the requirements of Section 245.03.

D. Required Treatments
1. Architectural treatments on all exterior walls of any building shall be designed to avoid a monotonous or continuous façade of the exterior wall. Under no circumstance shall the front and rear façade of any building be in one continuous vertical or horizontal plane. Architectural features and details shall be located on all exterior walls of the building, including the rear and sides of the building. Buildings shall utilize wall articulation (i.e., insets, pop-outs, etc.) and roof orientation as a means to prevent massing.

2. The apparent size of exterior wall surfaces visible from off the site shall be minimized through the use of single-story elements, building face setbacks, overhangs, landscaping, and/or other means of horizontal and vertical articulation to create changing shadow lines and break up of massive forms.
Figure 243.00.D
Building facades shall be articulated and create visual interest.

E. Finish Materials/Color

Building materials and colors shall be compatible with the natural setting. Exterior colors shall be limited to earth tones found in nearby natural vegetation and/or soil, or come from natural sources (e.g., rock, stone, wood), or resemble a natural appearance.

F. Support Structures

1. Support structures (e.g. columns, pilings, etc.) below the lowest floor on the downhill side of a house, if and where permitted as part of the Hillside Development Permit review process, shall be enclosed unless visible structural members are an integral feature of the architectural design.

2. A support structure wall surface shall not exceed 6 feet in height.

Figure 243.00.E
Support structures shall be minimized in height.
G. Fencing and Privacy Walls

1. All fences and privacy walls adjacent to or visible from public roads or major public spaces shall be of decorative masonry or other approved materials that have a natural appearance (e.g. masonry walls, pre-fabricated modular concrete) and shall be a color that blends with the natural surrounding environment and complements the landscaping. The use of indigenous rock and colors or materials which blend with the surrounding natural landscape shall be preferred. The applicant shall present illustrations and descriptions of fencing and wall materials in the design guideline manual required by Section 240.07.1 of this Appendix A.

2. Any fence or privacy wall adjacent to a public road or major public space shall be placed at the top of a slope.

3. All fences and privacy walls, whether or not visible from a public road or major public open space, shall be limited in height to 6 feet, as measured from the grade on which the bottom of the fence or wall is placed to the uppermost extent of such fence or wall.

4. Solid fences and walls in a required front yard area shall not exceed a height of 42 inches.

5. Open work fences, whereby the fence is 90 percent open or more, shall not exceed a height of 48 inches within the front setback, otherwise the height limitations specified in G.3 and G.4 above shall apply.

6. The provisions of Chapter 21, Article III, Section 21-3(f) of this Appendix A regarding corner rounding areas shall apply.

7. A minimum setback distance of 20 feet shall be provided between any fence or privacy wall adjacent to a public right-of-way, with the distance measured from the fence or privacy wall to the face of curb.
Section 244

Hillside Residential Zone

Landscape Standards
Section 244.00 Landscape Standards

A. Purpose and Intent

The purpose of creating landscape design standards for development within the Hillside Residential zone is to minimize resource consumption through the use of a drought-tolerant native plant palette, to establish landscape setbacks along roads and natural open space, taking advantage of the topography and vegetation as a means of enhancing the overall aesthetics of a development project, and to provide transitions between developed areas and surrounding open space.

![Figure 244.00.A](image)

**Figure 244.00.A**
Landscaping shall be used for aesthetic enhancement, erosion control and transition to natural open space areas.

B. Landscape and Irrigation Plan

1. All proposed new development shall require approval of a landscape and irrigation plan. Complete plans shall be submitted as part of the application process set forth in Section 240.07. Such plans shall be subject to the review and approval of the Parks and Leisure Services Director and the Fire Chief.

2. All landscape and irrigation plans shall include all information required by the Community Development Department and shall be designed to ensure slope stability, fire safety, and design quality, as well as a tree removal and retention plan with the following information.
   a. Identification of the extent of vegetation removal required for site preparation and development; and
   b. The location and species of individual trees of 6-inch caliper or more. Maximum effort should be exercised to retain existing trees in place.
3. The Community Development Director may waive the landscape and irrigation plan requirement for additions and remodeling where no or only minor alterations to the existing landscape or topography are proposed.

4. All landscaping shall be planted and maintained in compliance with approved plans.

C. General Landscaping Standards

1. All portions of a site where existing vegetative cover is damaged or removed, or consists primarily of weeds (typically unwanted plants that grow aggressively and are damaging to native plants), and are not otherwise covered with new improvements, must be successfully re-vegetated with a substantial mix of native and/or drought tolerant grasses and ground covers. The density of the reestablished vegetation must be adequate to prevent soil erosion and invasion of weeds after one growing season.

2. Utilitarian structures such as water tanks or towers, similar storage facilities shall be installed underground. Those not installed underground shall be painted with earth tones found in the adjacent area using a random, camouflage pattern, or shall be entirely screened with appropriate landscaping that blends with the surrounding natural environment.

3. Plants with similar water requirements shall be grouped together in hydrozones.

4. Prior to planting, consideration of soil compaction shall be used to determine planting pit depths and drainage.

5. The Community Development Director and the Parks and Leisure Services Director shall have the authority to require other improvements such as the removal of dead or diseased trees and the thinning of trees or other vegetation to encourage desirable growth.

D. Tree Removal and Replacement

For each existing native tree or shrub removed or damaged with a combined caliper equal to or greater than 6 inches at 4 feet above finish grade, a 24-inch box minimum replacement tree or shrub of the same genus and species or as otherwise approved by the Parks and Leisure Director shall be planted on the site. For trees equal to or in excess of an 8-inch combined caliper, the replacement tree shall be a 48-inch box or larger of the same genus and species. Should a tree of the same genus and species not be available, the applicant shall submit reasonable proof of general unavailability in the region, and a list of no less than five substitutes, one of which shall be of the same genus, for approval by the Parks and Leisure Services Director.

The Parks and Leisure Services Director may approve a substitute or may require provisions, including but not limited to bonds or similar security, to assure the installation and maintenance of the specific genus desired.
E. **Setbacks/ Slopes along Roadway Edges**

1. The following setbacks from the curb face, or line that would be the location of the curb face, to the property line shall be required from the following roadways:
   a. Divided Major Arterial: 80 feet  
   b. Undivided Major Arterial: 80 feet  
   c. Primary Arterial: 60 feet  
   d. Modified Secondary and Secondary Arterial: 40 feet  
   e. Collector Roadway: 35 feet  
   f. Local Collector Roadway: 20 feet
3. Setbacks and slopes along edges between roadways and rear property lines shall be fully landscaped with materials consistent with all other common open space areas. The landscape material shall transition in height to provide low vegetation immediately adjacent to the right-of-way edge to taller trees on the slope.

3. Any manufactured slope in excess of 4 feet vertical that is part of a private lot and that abuts any public or private street or other right-of-way or open space use intended for public use and/or enjoyment shall be fully landscaped in accordance with the provisions of this Appendix A and shall be maintained by a homeowners association or other entity established as part of the tentative map approval process for the maintenance of common open space.
F. **Drought-Tolerant/ Native Vegetation**

1. All landscape plans must use native and/or drought-tolerant plant materials appropriate for their location and soil type, as identified in standard agricultural suitability soils test. Preferred landscaping materials shall consist of native plants.

2. All native vegetation outside the impact area shall be preserved and protected from damage during construction. Oak trees shall have a preservation zone of the dripline plus 10 feet surrounding the tree. Any project impact within this preservation zone shall be considered as damaging to the tree.

G. **Interface between Natural Open Space Areas and Development**

1. The area between a structure and wildfire hazard areas, as defined by the Fire Chief, shall be planted and maintained as consistent with the provisions of paragraph K below (Section 244.00.K). The transition between manufactured areas and natural areas shall be established beyond residential structures so as to permit the development to meet applicable Fire Department brush clearance requirements.

2. Climactically suitable shrubs and trees shall be used as wind breaks as appropriate.

H. **Landscaping as Focal Points**

Significant landscaping, such as signature trees (i.e., large or unique trees), hedges, and flowering plants shall be used to provide focal points within a development, including and specifically as entry statements that shall require the following setbacks measured diagonally from face of curb, or the line that would be the location of the curb face:

1. Primary Arterial: 100 feet

**Figure 244.00.E**
Landscaping along right-of-way edges shall exhibit a transition in height up or down the slope.
2. Secondary Arterial: 80 feet
3. Modified Secondary: 50 feet
4. Collector Roadway: 50 feet

A landscape area shall then be provided generally matching the depictions within Figure 244.00.F. Provisions for maintenance of said landscape areas shall be an integral component of project approval.

---

**Figure 244.00.F**

Landscaped Entries and Focal Points

### I. Slope Maintenance and Erosion Control

1. All cut and fill slopes shall be planted with native and/or drought-tolerant vegetation and irrigated with an automatic irrigation system to prevent erosion.

2. All cut or fill slopes exceeding 5 feet in vertical height shall be planted with adequate plant material to protect the slope against erosion. Planting shall be in the ratio of at least one shrub per 16 square feet of natural slope area and one tree per 400 square feet of actual slope area, with ground cover to completely cover the slope within 12 months from planting.

3. All shrubs shall be a minimum 1 gallon size,
4. All trees shall be minimum 15-gallon size.

5. Slopes less than 5 feet in vertical height shall be planted with ground cover to cover the slopes completely within 12 months of planting.

6. Landscape coverage and stabilization of graded slopes shall be selected and designed to be compatible with surrounding natural vegetation. A City-approved irrigation system shall be utilized for plant establishment. A minimum 3 feet flat area from top or toe of slope of 20 feet or greater shall be maintained to face of wall on common area maintenance slopes.

7. Random patterns or uniform coverage that is contrary to the surrounding natural environment shall be avoided.

8. Shrubs on manufactured slopes shall be heavily concentrated along the drainage flow of swales.

9. Lawns and sod shall not be installed on slopes steeper than 4:1. Low-maintenance bunch grasses can be used on slopes steeper than 4:1.

J. Irrigation

1. Irrigation shall be designed to conserve water and to protect existing native vegetation.

2. Drip irrigation shall be required in appropriate areas to reduce overspray and runoff.

3. Irrigation needs shall be reduced by careful control of drainage pattern on a slope and selection of appropriate plant material.

4. Technological irrigation equipment, such as humidity sensors, that control irrigation settings and run times due to season weather changes shall be used.

K. Fuel Modification Zones

1. A permanent fuel modification area and fire prevention plan shall be required, subject to the determination of the Fire Chief, around development projects, or portions thereof, that are adjacent or exposed to hazardous fire areas for the purpose of fire protection. The recommended width of the fuel modification area shall be based on applicable Building and Fire Codes and the recommendations of the Fire Chief, with consideration given to:
   a. The natural non-graded slope of the land within the project and in the areas adjacent to the project.
   b. Fuel loading.
   c. Access to the project by fire suppression equipment, and access directly to the fuel modified area, and egress out of the project in case of evacuation.
   d. The on-site availability of water that can be used for firefighting purposes with regard to fire flows, water pressure, and duration.
   e. “Built-in” fire protection within structures.
Fuel modification zones shall be designed to have graduated zones of reduced fuel.

2. Adequate provisions shall be made for the continual maintenance of such areas, and the Fire Chief may require brush, vegetation, or debris to be removed and cleared consistent with the provisions of Chapter 12, Section 12.1.1 of the Porterville City Code, which adopts the Uniform Fire Code as the City’s fire code.

L. Private Yard Landscaping

1. The paving of over 40 percent of either the front yard or rear yard shall not be permitted.

M. Screening

1. Landscaping shall be designed to screen the view of downslope building elevations. The landscape plan for individual residential dwellings shall specifically consider the downslope elevation and demonstrate that portions of elevations below the bottommost floor are screened from view. Downslope elevations visible from any adjacent property or public right-of-way shall be landscaped with a selection of shrubs and trees that screen the downslope portion from view to the satisfaction of the Community Development Director.

2. Visual screening and privacy within side and rear yards shall be provided; front yards and building entrances shall be mostly visible for security purposes.

N. On-lot Tree Program

1. A minimum of two trees shall be installed and maintained in each rear yard.

2. One additional tree shall be installed along the side yard adjacent to the street on corner lots with uphill visibility from roads.
3. Tree sizes shall be a minimum of 24-inch box for rear yards with 15 feet depths or less and 36-inch box for rear yards that are greater than 15 feet deep.

4. Minimum distance between tree trunk and neighbor wall is 5 feet.

5. Soil compaction and drainage shall be considered when determining planting pit depths.

**Figure 244.00.H**
On-lot tree program requires trees planted in each lot in locations that maintains views.
Section 245

Hillside Residential Zone

Development Standards
Section 245.00 Development Standards

The following Sections 245.01 through 245.05 development standards apply to the R-H Zone.

Section 245.01 Development Standards - Detached Dwellings

A. Purpose and Intent

The purpose of creating development standards for detached dwelling units is to ensure the development of communities that are appropriate to the hillside setting as well as preserving the look of a natural hillside to the greatest extent possible. The various standards are designed to work together and result in a hillside community design that allows for the appropriate amount of setback for structure-to-structure conditions and building-to-street conditions. In addition to appropriate setback requirements, the standards will also ensure that structures will be built so as not to offset the visual scale of the hillsides.

![Figure 245.01.A](image)

Figure 245.01.A  
Hillside developments should be designed with respect to natural hill characteristics and development intensity appropriate for the area.

B. Density

Density limitations shall be determined as set forth in Section 241.00 of this Appendix.

C. Minimum Pad Size

The minimum area of a pad on a lot, including the summation of multiple pad areas where split-level construction is proposed, shall be 6,000 square feet.

D. Building Setbacks

Building setbacks shall be set forth in Table 245.01.B.
Table 245.01.A
Building Setbacks Detached Dwellings

<table>
<thead>
<tr>
<th>Setbacks</th>
<th>Pad Size in Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>6,000 to 8,000</td>
</tr>
<tr>
<td>Front yard</td>
<td>20'</td>
</tr>
<tr>
<td>Side yard</td>
<td>7.5'</td>
</tr>
<tr>
<td>Rear yard</td>
<td>20'</td>
</tr>
</tbody>
</table>

Corner Setbacks
- *Face of curb to privacy wall: 20' 20' 25'
- Privacy wall to structure: 10' 10' 15'

*Setbacks are measured from face of curb or for rolled curbs, from the flowline.

Figure 245.01.B
Building Setbacks for 6,000 to 10,000 sq. ft. pads and greater.

E. Floor-Area Ratios
Maximum allowable floor-area ratios shall be as set forth in Section 241.01D.

F. Building Height - Primary Structure
Each proposed single-family detached structure in the Hillside Residential zone shall comply with the following height limits.

1. Height Measurement
The maximum allowable building height shall be measured as the vertical distance from the existing or planned grade of the site at the point of the building foundation to an imaginary plane located at the allowed number of feet above and parallel to the grade. For split-level construction, each building component shall be measured from the site pad area on which that component is located.
2. General Height Limit
   No structure shall exceed a height of 35 feet.

3. Height of Lowest Floor Level
   The vertical distance between the lowest point where the foundation meets grade and the lowest floor line of the structure shall not exceed 6 feet.

Section 245.02 Development Standards - Attached Dwellings

A. Purpose and Intent
   The purpose of creating development standards for attached development dwellings is to ensure the development of communities that are appropriate to the hillside setting as well as preserving the look of a natural hillside to the greatest extent possible. The various standards are designed to work together and result in a hillside community design that provides the ideal amount of private and common open space. In addition to ideal amounts of open space, the standards will also ensure that structures will be built so as not to offset the visual scale of the hillsides.

B. Density
   Density limitations shall be determined as set forth in Table 241.01 of this Appendix A. Where attached housing is proposed, the overall permitted density of a development site shall determine the maximum number of units allowed, and all such units may be clustered or attached on a lot or lots restricted to a limited area of the development site, with the density calculation applicable to the site as a whole. However, in compliance with the provisions of Section 241.02 of this Appendix A, any remainder open space lot or lots shall be deed restricted against further residential development and shall be permanently maintained as required by the provisions of this Appendix A.
C. Building Height

Each proposed attached or clustered dwelling unit structure shall comply with the following height limits.

1. Height Measurement
   The maximum allowable building height shall be measured as in compliance of Section 245.01F.

2. General Height Limit
   No structure or group of structures shall exceed a height of 35 feet.

3. Height of Lowest Floor Level
   The vertical distance between the lowest point where the foundation meets grade and the lowest floor line of the structure shall not exceed 6 feet.

D. Building Setbacks

1. Buildings shall be set back from lot lines as indicated in Table 245.02.A.

<table>
<thead>
<tr>
<th>Yard Lot Line</th>
<th>Minimum Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front yard</td>
<td>20’</td>
</tr>
<tr>
<td>Side yard</td>
<td>15’</td>
</tr>
<tr>
<td>Rear yard</td>
<td>20’</td>
</tr>
<tr>
<td>*Face of curb to privacy wall</td>
<td>20’</td>
</tr>
<tr>
<td>Privacy wall to structure</td>
<td>10’</td>
</tr>
</tbody>
</table>

*Setbacks are measured from face of curb or for rolled curbs, from the flowline.

2. Building to Building
   The minimum setback between structures shall be no less than 20 feet.

3. Building to Street or Parking Area
   The minimum building setback to street or parking area shall be no less than 20 feet, measured from face of curb.

4. Building to Privacy Wall or Exclusive Use Area
   The minimum building setback to privacy wall or exclusive use area shall be no less than 20 feet.
E. Required Common Open Space Area

Every attached or cluster development project shall be required to provide common open space areas accessible to all dwelling units within such development project. The required area shall be as set forth in Table 245.02.C. Such common open space area may consist of passive landscaped area, common recreation facilities such as a swimming pool or sports court, or any combination of such improvements. The minimum dimensions of such common open space area shall be 20 feet by 20 feet. Such common open space shall be centrally located and equally accessible to all dwelling units within the development.
Table 245.02.C

Required Common Open Space for Attached Dwellings

<table>
<thead>
<tr>
<th>Numbers of Dwelling Units within Development</th>
<th>Required Open Space Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-20</td>
<td>100 sq. ft. per dwelling unit</td>
</tr>
<tr>
<td>21-40</td>
<td>150 sq. ft. per dwelling unit</td>
</tr>
<tr>
<td>40+</td>
<td>200 sq. ft. per dwelling unit</td>
</tr>
</tbody>
</table>

F. Private Open Space

Private open space shall be provided as required by Section 241.00 of this Appendix A.

G. Location of Garages

Garage structures for attached and cluster developments are not required to be attached to the dwelling units they serve. Common garage structures may be developed, provided parking is provided for each dwelling unit in compliance of the requirements of Section 241 of this Appendix A.

Section 245.03 Custom Lot Design and Development Standards

A. Purpose and Intent

The purpose and intent of establishing specific standards for custom lots is to preserve the rural character of the hillsides, minimize grading impacts, and ensure that new houses are visually compatible with the surrounding area.

B. Application Requirements

1. As specified in Section 241.00, an individual dwelling unit on an existing legal lot shall be subject to an administrative Hillside Development Permit.

2. Proposed subdivisions of land planned for custom home sites shall be subject to a Hillside Development Permit.

C. Design Standards – General

1. Roadways, driveways, and individual building pads shall be designed to conform to the natural hillside contours, blending into the environment rather than forcing building sites and infrastructure upon the land. An emphasis shall be placed on limiting grading to individual flat graded pad areas for residential building sites and any roads accessing the residential building sites, ensuring a minimal cut and fill situation.

2. Any areas that require grading shall incorporate landform grading techniques to further encourage the natural appearance of custom pads.

3. For any standard not specifically indicated in this Section as applying to custom lot development, the general standards applicable to all development in the Hillside Residential Zone shall apply.
D. Landscape Standards

Custom lot development shall implement landscape standards that avoid harsh or abrupt transitions between open space and development while providing a combination of landscape materials that blend into the adjoining natural open space. Landscape setbacks along roads and along flat pads of custom lots shall be required to ensure that suitable transitions from residential development to natural open space are accomplished.

E. Architectural Standards

Individual houses on custom lots shall be visually compatible with the surrounding area, with architecture that complements the adjacent natural environment and any adjoining residential structures and/or neighborhoods.

F. Grading Standards

1. Unless otherwise specified in this section, the landform grading practices set forth in Section 242.03 shall apply.
2. Retaining walls shall not be visible from any public rights-of-way.

G. Development Standards

1. The minimum pad size shall be no less than 10,000 square feet.
2. Maximum building height, as measured from finished grade to top of building, shall be as follows:
   a. 18 feet – Single-story portion of structure
   b. 28 feet – Two-story portion of structure
   c. 35 feet – Three-story portion of structure
3. Setbacks shall be provided as set forth in 245.01.A.
4. No fence or walls shall exceed a height of 6 feet, and all fences and walls shall comply with the regulations set forth in Section 243.00.G.
5. Walls and opaque fencing shall be permitted only on the flat pad of a custom lot.
6. The minimum landscape setback of 20 feet shall be provided between developed pad and natural vegetation.
7. The maximum step in foundation wall shall be no higher than 10 feet to account for homes built in a hillside setting.
8. Where no standard is specifically indicated in this Section 245.03, the development standards set forth in Section 245.01 shall apply.
Section 245.04 Accessory Structures

A. Accessory structures shall either be constructed as an integral part of the main dwelling unit or be within the setbacks set forth in Tables 245.012.A of this Appendix A.

B. The height of any accessory structure shall be limited to 16 feet.

C. Accessory structures shall not be permitted within any front yard area.

D. Accessory structures shall maintain a minimum 5-foot setback from rear and side pad edges. For pads on lots adjacent to a street, a minimum 20-foot setback from any pad edge to the street shall be maintained. A side yard on the street side of a corner lot shall maintain a minimum 20-foot setback from pad edge.

Section 245.05 Other Regulations

A. Exterior Lighting

Exterior lighting shall be properly shielded to avoid glare and the spill of light to surrounding areas. Low-level lighting and the use of multiple low profile fixtures is encouraged, as opposed to the use of fewer, but taller fixtures. Emphasis for exterior lighting shall be on safety and landscape lighting as opposed to building lighting. The applicant shall present descriptions of exterior lighting in the design guideline manual required by Section 240.07.I of this Appendix A.

B. Decks

No portion of the walking surface of a deck with visible underpinnings shall exceed a height of 6 feet above grade. Decks shall be integrated into the architecture of the house and not appear as an add-on to the primary building mass. The applicant shall present illustrations and descriptions of decks in the design guideline manual required by Section 240.07.I of this Appendix A.

C. Utilities

All newly installed utilities shall be placed underground unless, in the determination of the authority responsible for approving the Hillside Development Permit, such requirement would result in unsafe conditions. All existing electric power lines of capacity 66 kilovolts or less shall be relocated underground. All utilities shall be placed underground unless, in the determination of the authority responsible for approving the Hillside Development Permit, such requirement would result in unsafe conditions.

D. Gated Communities Prohibited

Gated communities shall be prohibited.
Section 246

Hillside Residential Zone

Definitions
246.00 Definitions
For the purposes of this Chapter, the following words and phrases are defined as set forth herein. Any word, phrase or term that is not defined in this Section but is defined in Division 7 - Definitions of this Title 20 shall have the meaning prescribed in Division 7.

Accessory structure: A structure that is clearly incidental to and detached from a principal building on the same lot and subordinate to the principal building.

Acres, Net: The portion of a site that can actually be built upon. The following generally are not included in the net acreage of a site: public or private road right-of-way, public open space, and floodways.

Alquist-Priolo Earthquake Fault Zoning Act: California state law that mitigates the hazard of surface faulting to structures for human occupancy.

Ambient Noise Level: The combination of noise from all sources near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.

Attached unit: A single dwelling unit attached to one or more units by common vertical walls.

Average slope: Average percent slope "S" is computed by the formula:
\[ S = \frac{(0.00229 I L)}{A} \]
where \( S \) = Average percent slope
\( I \) = Contour interval, in feet*
\( L \) = Summation of length of contours, in feet
\( A \) = Area in acres of parcel being considered
*Calculations of average percent slope shall be based upon accurate topographic surveys using a contour interval no greater than ten feet and a horizontal map scale of 1 inch : 200 feet or larger.

Berm or Berming: A mound of earth or series of connected mounds that are artificially graded and created to form a small topographic feature for purposes of aesthetic enhancement, sound attenuation, landscape interest, or any combination thereof.

Best Management Plan ("BMP") : Any program, technology, process, siting, criteria, operational methods, measures, or engineered systems, which when implemented prevent, control, remove or reduce pollution to the maximum extent practicable.

Biological opinion A document stating the opinion of FWS or NOAA Fisheries on whether or not a Federal action is likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat.

Bioswales: Bioswales are open channels possessing a dense cover of grasses and other herbaceous plants through which runoff is directed during storm events. Above ground plant parts (stems, leaves, and stolons) retard flow and thereby encourage particulates and their associated pollutants to settle. The pollutants are then incorporated into the soil where they may be immobilized and/or decomposed.

California CEQA: A State law (California Public Resources Code Section 21000 et. seq.) requiring State and local regulate activities with consideration fro environmental protection. If a proposed activity has
the potential for a significant adverse environmental impact, an Environmental Impact Report (EIR) must be prepared and certified as to its adequacy before taking action on the proposed project. General Plans usually require the preparation of a “Program EIR”.

**Compatibility:** The characteristics of different uses or activities that permit them to be located near each other in harmony and without conflict. The designation of permitted and conditionally permitted uses in zoning districts are intended to achieve compatibility within the district. Some elements affecting compatibility include: intensity of occupancy as measured by dwelling units per acre; pedestrian or vehicular traffic generated; volume of goods handled; and such environmental effects as noise, vibration, glare, air pollution, or the presence of hazardous materials. On the other hand, many aspects of compatibility are based on personal preference and are much harder to measure quantitatively, at least for regulatory purposes.

**Coverage:** The proportion of the area of the footprint of a building to the area of the lot on which it stands.

**Crib wall:** Soil retention wall system composed of concrete material in a cross-hatch pattern with rectangular openings for plants to grow.

**Contour grading:** Contour grading is similar to conventional grading except the slopes are curvilinear (in plan) rather than linear, the gradients are varying, and the profiles are planer. Transition zones and slope intersections generally have some rounding applied resulting in pad configurations that are mildly curvilinear.

**Conventional grading:** Conventional grading is characterized by essentially linear (in plan), planar slopes surfaces with unvarying gradients and angular-slope intersections resulting in pad configurations that are rectangular and uncommonly found in natural slopes.

**Critical habitat:** Specific geographic areas, whether occupied by a listed species or not, that are essential for its conservation and that have been formally designated by rule published in the Federal Register.

**Custom lot:** A lot that contains at least 10,000 square feet of pad and on which a custom designed structure will be built.

**Cut:** A portion of land surface or areas from which the earth has been removed or will be removed by excavation; the depth below the original ground surface or excavating surface.

**Defensible space:** The area between a structure and a potential oncoming wildfire where the vegetation has been modified to reduce the wildfire threat and which provides an opportunity to effectively defend the structure. This is also known as Survivable Space.

**Detached unit:** A dwelling that is not connected or any way attached to any other dwelling unit.

**Detention basins:** A basin for the temporary storage of stormwater in a Best Management Practice, which is used to control the peak discharge rates, and which provides gravity settling of pollutants.
**Drip Line:** Area around the tree trunk that generally includes the spread of the tree branches. It also may refer to that area around a structure that is beneath the roof overhang.

**Drought tolerant:** Non-native species that can survive extended periods of time with little or no water, and that are appropriate for a particular site without posing a threat of invasiveness or possessing characteristics of invasive species or noxious weeds.

**Earthwork:** Excavation and embankment of earth.

**Edge:** The perimeter areas of a development plan.

**Elevation:** Vertical distance in feet above sea level.

**Endangered species:** An animal or plant species in danger of extinction throughout all or a significant portion of its range.

**Endangered Species Act:** as amended is Federal legislation that is intended to provide a means to conserve the ecosystems upon which endangered and threatened species depend and provide programs for the conservation of those species, thus preventing extinction of plants and animals. The law is administered by United States Fish and Wildlife Service and NOAA Fisheries at the federal level and the California Department of Fish and Game at the state level, depending on the species.

**Erosion:** The process by which the soil and rock components of the earth’s crust are worn away and removed from one place to another by natural forces such as weathering, solution, and transportation.

**Excavation:** The removal of earth material, including soil and rocks.

**Face of curb:** The location at which the pavement section of a street ends and curb begins.

**Fill:** The depositing of soil, rock or other materials by other than natural means.

**Floor-Area Ratio (F.A.R.):** The ratio of gross building floor area on a pad to the total land area of the pad. For the purposes of this definition, gross floor area shall include the square footage of all structures on a pad, as measured from the outside of the exterior walls. Gross floor area shall not include the first 600 square feet of attached garages, decks, balconies, covered patios, the total combined square footage of any and all accessory structures and detached garages up to 600 square feet inclusive, and attics that do not exceed a height of five feet as measured from the top of ceiling joist (floor) to the bottom of the ridge beam (ceiling).

**Fuel modification zone (FMZ):** A fuel modification zone is a wide strip of land where combustible vegetation has been removed and/or modified and partially or totally replaced with drought-tolerant, fire-resistant plants to provide an acceptable level of risk from wildland fires.

**Garage:** Any detached accessory building, or an accessory portion of a principal building enclosed on three sides by permanent walls, having a roof and a vehicle entrance door, and designed to be used primarily for the shelter and storage of motor vehicles owned or operated by the occupants of the principal buildings.
Geogrids: Net-shaped, synthetic, polymer-coated fibers that are used to reinforce earth-fill slope, wall, and base layer construction. Incorporated in the base layers of paved or finished surfaces, or in surface layers of walls and slopes, they provide a stabilizing force within the soil structure itself.

Grade: The degree of rise or descent of a sloping surface.

Hillside area: Any property containing slope areas of ten (10) percent or greater.

Horizontal and vertical building envelopes: The maximum width and height of a structure based on minimum setback requirements and maximum building height limitations for the zone within which the project is located. These envelopes may be utilized to evaluate visual impacts when specific architectural plans are not provided for subdivision review.

Hydrozones: Areas in an irrigation system that necessitate specific watering requirements due to plant material type.

Intermediate slopes: 2:1 slopes less than 10 vertical feet in height used chiefly for utilitarian purposes and are not readily visible such as side slopes and buried water tanks.

Invasive species: Non-native species whose introduction does or is likely to cause economic or environmental harm to human health and which tend to disrupt natural ecosystems by displacing native species.

Impact area: Area(s) where natural ground surface is impacted or disturbed by grading activities.

Impervious: Land surfaces which do not allow, or minimally allow, the penetration of water.

 Jurisdictional wetlands: Wetlands that fall under the authority of the U.S. Army Corps of Engineers under Section 404 of the U.S. Water Act.

Landform grading: Characterized by a variety of shapes including convex and concave forms that mimic stable natural slopes. They are non-linear in plan view, have varying slope gradients, and significant transition zones between human-made and natural slopes resulting in pad configurations that are irregular.

Landscape area: Part of the property exclusively set aside for living plant materials and associated non-living ornamental materials such as mulch, fencing, walls or decorative rock.

Loaded street: A street from which a private driveway or driveways takes direct access.

Loffelstein walls: Retaining wall system based on pre-cast concrete units that stack and interlock by friction to create a gravity style retaining wall.

Lot: A parcel of land, as shown on a subdivision map or Assessor’s Parcel Map, occupied or intended for occupancy by one main building, together with any accessory buildings including the open spaces required of the Hillside Regulations and having adequate frontage on a public or private street.
**Minimal grading:** Grading that is limited to the individual flat pad areas for residential building sites, with minimal cut and fill. Grading shall be limited to only the required building area and adjoining infrastructure.

**Manufactured slope:** Human-made slope created by grading that consists wholly of cut or filled material.

**Native plants:** Plant species occurring naturally and native to a given ecosystem or plant community.

**Natural slope:** A slope that is not man-made. A natural slope may retain the natural vegetation during adjacent grading operations or it may be partially or completely removed and replanted. A natural slope is a slope that has not been graded nor the surface manufactured in any manner other than by natural forces.

**Natural vegetation:** Plant materials which are indigenous to the area and exist on a site prior to any construction or earth moving activity.

**Noxious weeds:** Plant species designated as such by the Secretary of Agriculture, Secretary of the Interior, or by State law or regulation. Generally, noxious weeds will possess one or more of the characteristics of being aggressive and difficult to manage, parasitic, a carrier or host of serious insects or disease. Other characteristics of noxious weeds are plants that are nonnative, or new, to or not common to the United States or parts thereof. Noxious weed species have extensive and costly impacts on human health, safety, commerce, recreation, and general well-being. Noxious weeds can adversely affect food production, wilderness values, wildlife habitat, visual quality, forage production, reforestation, recreational opportunities, natural wildfire regimes, and land values.

**Open space:** The area of a lot which is not occupied by building coverage, parking lot or driveway.

**Open space, common:** Land within or related to a development, not individually owned nor available for general public use, which is designed and intended for the common use or enjoyment of the residents of the development and may include such complementary structures and improvements as are necessary and appropriate.

**Open space, improved:** Open space that is developed for active recreational use with improvements such as, but not limited to, sports fields or turf area, sports courts, concrete or other decking area, playgrounds, and enclosed recreation buildings, all either for general public use or as common open space for a development project.

**Open space, natural:** Open space or area that is permanently set aside for public or private use and is not nor will be developed or improved in any manner beyond the establishment of trails and viewing areas. The space may be used for passive recreation or may be reserved to protect or buffer natural areas.

**Owner/developer/builder:** An individual, firm, association, syndicate, partnership or corporation having sufficient proprietary interest to seek development of land.

**Pad:** The flat buildable area of a lot that does not exceed two percent crossfall in any direction and does not include any slopes on which a building will be sited.
**Pad edge:** That component of a graded pad area defined by either the toe or top of a slope, whether artificially created or existing as a natural slope.

**Plant Palette:** A list of plants or vegetation that is recommended to be planted in the Residential Hillside Zone.

**Privacy wall:** Any wall other than a retaining wall that serves to separate private property from public or common areas.

**Puddling:** The formation of small pools of water or any other liquid due to depressions on the surface that have no outlet.

**Re-created ridgeline:** In cases when a ridgeline, due to past activities has been eliminated, a recreated ridgeline is the replacement of the eliminated ridgeline through landform grading and berming practices.

**Retaining wall:** A wall or terraced combination of walls used solely to retain material or water but not to support or to provide a foundation or wall for a building.

**Right-of-way.** An area of land, either public or private, on which an irrevocable right of passage has been recorded for the use of vehicles, non-motorized vehicles, horses and or pedestrians.

**Rock outcropping:** Any surface rock or group formation of rocks that are part of and connected to a bedrock formation.

**Sensitive species:** Includes those plant and animal species considered threatened or endangered by the U.S. Fish and Wildlife Service and/or the California Department of Fish and Game according to Section 3 of the Federal Endangered Species Act. Endangered - any species in danger of extinction throughout all, or a significant portion of, its range. Threatened - a species likely to become an endangered species within the foreseeable future throughout all, or a portion of, its range. These species are periodically listed in the Federal Register and are, therefore, referred to as federally listed species.

**Sensitive habitat:** The environment in which sensitive species live or grow.

**Significant Ridgeline.** A long, conspicuous, continuous elevated landform that forms a part of the natural backdrop and skyline to the City of Porterville. Said landform may consist of one or more ridge features each of varying elevations dependent on the characteristics of the ridgeline being evaluated.

**Slope:** An inclined ground surface, the angle of which is expressed as a ratio of horizontal distance to vertical distance.

**Slope face:** The slopes located directly below, and leading up to, the crest of a significant ridgeline or prominent landform.

**Slope grade:** The relationship (ratio) between the change in elevation (rise) and the horizontal distance (run) over which that change in elevation occurs. The percent of steepness of any given slope is determined by dividing the rise by the run on the natural slope of land, multiplied by 100.
**Split level construction:** An approach to grading and development of a structure whereby the foundation of the structure is placed on more than one graded pad area.

**Split level roads:** Roads which are constructed so as to have two (2) traffic ways, each at a different level within the same right-of-way.

**Subdivision development plan:** Specific development plans for an approved tentative map, including plot plans, building elevations, grading plans and landscape plans applicable to individual lots within said tentative map.

**Super slopes:** Manufactured slopes that exceed 45 vertical feet in height. Super slopes serve three beneficial purposes: 1) Super slopes allow for landscaping opportunities in hillsides while preserving off-site views within a hillside community. 2) Super slopes create a visual break between terraced rows of housing units. 3) Super slopes help conform to natural topography by blending manufactured slopes with the height of adjacent natural slopes.

**Swale:** Open channels possessing a dense cover of grasses and other herbaceous plants through which runoff is directed during storm events. Above ground plant parts (stems, leaves, and stolons) retard flow and thereby encourage particulates and their associated pollutants to settle. The pollutants are then incorporated into the soil where they may be immobilized and/or decomposed.

**Terracing:** The method separating and elevating one development area above another development area by a slope.

**Threatened or Endangered Species:**

**Toe of slope:** That portion of intersection created by the bisection of a horizontal plane by a transverse plane with a deflection angle less than 90 degrees.

**Top of slope:** That portion of intersection created by the bisection of a horizontal plane by a transverse plane with an angle of impose greater than 90 degrees.

**Topography:** The surface relief of slope of any given area of land.

**Visual dominance:** Any object as viewed from a public area or public right-of-way that supersedes the presence of all other elements in the area shall be considered to be visually dominant.

**Viewshed:** Areas of development that can be viewed from arterial roads, freeways, major collector roads and public gathering places such as major shopping centers, etc.

**Unloaded street:** A street on which no front entrance or driveway of a home is located.