

To: Mayor and Ross Town Council
From: Elise Semonian, Senior Planner
Re: Hillside Lot Ordinance 620
Date: June 4, 2010

I. Description

Town Council introduction of Ordinance No. 620 amending the Town's hillside development regulations.

A summary of the changes proposed:

- Hillside lot floor area ratio would become a mandatory development regulation and not a guideline. A variance would be necessary to exceed the maximum permitted floor area for a hillside site.
- No change to the method of calculating average lot slope is proposed.
- A new hillside lot floor area ratio formula is proposed. The formula levels out the current floor area thresholds and would reduce the maximum permitted floor area for some lots and increase the maximum permitted floor area for other lots.
- The hillside lot ordinance would apply to most hillside projects that are currently subject to design review, such as additions that are 200 square feet or greater and certain retaining wall projects.
- New guidelines would permit the Town Council to consider the design and privacy impacts of decks and take into consideration aesthetic impacts of tall building walls.
- The ordinance reinstates larger setbacks requirements for hillside lots as a strongly recommended guideline. The Council may allow reduced setbacks to protect creeks, trees, or to allow development on a more level area of a site.
- Published notice of a hillside lot hearing would no longer be required. Public notices would be mailed to all property owners within 500 feet of a site and posted at the site and two other locations.

II. Discussion and Recommendation

Staff revised the draft ordinance in response to the changes suggested by the Town Council sitting as Planning Commission at the May 13, 2010 meeting.

The Advisory Design Review Group considered the ordinance at the May 25, 2010, ADR meeting and recommended some additional changes, which are highlighted on the red-line version of the document attached.

Staff is attaching examples of floor area calculations for various lot sizes and slopes under the existing and proposed floor area formulas.

Staff considered the impact of making the larger setback requirements development regulations, rather than guidelines. Since the hillside setbacks are based on house size, the larger setbacks will generally only apply to new development on large sites (those one acre or larger). Staff

believes that it will not be difficult to comply with the larger setbacks on larger sites. On smaller sites, the side setbacks will generally be only five feet greater than the existing zoning regulations. The Town Council may approve setback variances if specific site circumstances warrant a reduced setback (for example, for a narrow lot). The Council may wish to modify the ordinance to make the larger setback regulations mandatory.

Staff recommends that the Town Council conduct the public hearing, deliberate, waive reading, and introduce Ordinance 620.