

MINUTES OF THE TOWN OF ROSS COMMUNITY WORKSHOP  
on the HILLSIDE LOT ORDINANCE and  
HILLSIDE DEVELOPMENT REGULATIONS

TUESDAY, MARCH 2, 2010  
Ross Town Hall  
31 Sir Francis Drake Boulevard, Ross

**1. Welcome and Introduction**

Council member Michael Skall opened the public workshop on the hillside lot ordinance at 7:00 p.m. Staff present were Senior Planner Elise Semonian and Project Planner Christine O'Rourke.

**2. Meeting objectives and agenda**

Council member Michael Skall explained the meeting objective was to review a red-line draft of proposed revisions to the Hillside Lot Ordinance.

**3. Review and Discussion of Draft Ordinance**

Senior Planner Elise Semonian reviewed the proposed revisions and participants provided comments as follows:

Chapter 18.12 Definitions

Section 18.12.080 Building height: The revision is intended to clarify the method staff uses to measure building height. Participants did not suggest any change to the proposed revision.

Section 18.12.315 Slope: The existing slope calculation method is difficult to apply when there is more than one slope. Staff proposed a revision to replace the current slope calculation method with a contour method to measure the average percent of slope. The contour method is regularly used by engineers and many other communities. Slope is currently measured from a low point on the site to a high point, running a line that is perpendicular to the contour lines. Although more time-consuming and expensive to calculate, the contour method more accurately represents the average slope of sites with multiple slopes and irregular contours. Participants noted that there is no one method that is foolproof, but that the contour method takes out a lot of the arbitrariness out of the process.

Chapter 18.39 Hillside Lot Regulations

Section 18.39.010 Purpose: Staff proposed adding "Reduce the visual impacts of construction on hillsides" as a purpose of the Hillside Lot Ordinance. Participants did not comment on the proposed revision.

Section 18.39.020 Chapter application: Staff proposed changing “garage” to “covered parking” to include carports in the floor area exclusion. Participants did not comment on the proposed revision.

Section 18.39.025 Exceptions: Staff proposed a revision to require all projects that involve a demolition permit to receive hillside lot application approval. Participants agreed with the proposed revision.

Section 18.39.70 Denial of incomplete or inactive applications: Staff proposed deleting this section as incomplete and inactive applications are already regulated elsewhere in the municipal code. Participants did not comment on the proposed revision.

Section 18.39.080 Administrative exemption: Staff proposed deleting this section as staff never elects to administratively review a hillside lot application and does not recommend the practice. Participants did not comment on the proposed revision.

Section 18.39.090 Hillside lot design: Under paragraph (a)(1), staff proposed deleting the existing floor area calculation method and replacing it with a formula method that would eliminate the stepped thresholds. Staff and participants did not think the proposed formula was ideal, and some suggested finding a person who was good at math to devise a better formula. Some participants objected to the fact that the calculation method does not give any floor area credit for lot square footage over 3 acres. They noted that the maximum square footage on a 3+ acre lot with a 30% slope was 9,148 square feet, while the guideline for a maximum house size in Ross is 10,000 square feet. They suggested giving credit for lot square footage over 3 acres, in keeping with the existing practice to reduce FAR by 1% for each additional acre, while capping total floor area at 10,000 square feet.

Staff also proposed a new paragraph that would extend special consideration to hillside lots with flat areas where the house will be sited on the flatter portion of the lot. It would allow the applicant to apply the standard floor area ratio to the flatter area of the lot and the hillside floor area ratio to the steeper portion, adding the floor area results together. Meeting participants generally approved of the new provision.

Staff also proposed replacing the “excellence of design” provision with specific criteria that could be used to support floor area above the guidelines for developed sites. These included: existing development that exceeds the guideline; an improvement of existing unfinished area, such as a basement or attic, that does not increase bulk and mass; when a proposed lot merger will result in preservation of undeveloped land; and, unusual site topography, such as a site with a level building area that is not visually prominent. Participants agreed with the criteria but recommended removing a proposal to consider floor area above the guideline when a project included a second unit. Most participants did not think the Town should encourage second units on hillside lots.

The draft ordinance included a new paragraph (2) that reinstates larger setback guidelines that were removed by the Council two years ago, although new language would provide criteria for exceptions to the setbacks. Staff noted that exceptions would

likely be requested on nearly every hillside lot. Senior Planner Elise Semonian did not recommend a return to the larger setback requirements, but meeting participants encouraged staff to include the provision so it could be discussed further, and staff agreed to provide additional information on the application of the larger setbacks at the next workshop.

Under paragraph (3)(b), staff proposed new subparagraphs to provide design guidelines to address deck and high ceiling areas. The new language would allow the Council to consider limiting deck and high ceiling areas where they “exaggerate the height, bulk and mass of a building” or impact “aesthetics, potential for noise, bulk and mass, privacy of adjacent sites, and visibility.” One participant suggested changing the term “plate height” to “wall height” so a layperson could understand the intent.

Under subparagraph (3)(g)(2), staff proposed a new guideline to encourage drainage plans that produce no net increase in peak runoff from the site compared to pre-project conditions. Staff said a potential new Stormwater Ordinance would also regulate stormwater runoff. One participant noted that this type of drainage plan is best prepared by a civil engineer.

#### **4. Closing Remarks and Next Steps**

Council member Skall said that the group had made a lot of progress and that the draft ordinance clears up a lot of ambiguity while allowing flexibility. He will report on the workshop at the March 11 Town Council Meeting. A second meeting will be held on Tuesday, March 23, from 7:30-9 p.m. at Town Hall to further refine the draft ordinance.

#### **5. Adjournment**

The meeting adjourned at 8:35 p.m.