

ATTACHMENT A MINOR AMENDMENTS AND CLARIFICATIONS

1. Discretionary applications in the HD-1 district.

The Hillside District section of the Zoning Code has a one-page section on development standards in HD-1, the Upper Hastings Ranch Area. These development standards focus solely on second floor additions by addressing the size of a second floor, encroachment plane, height, and roof slope. The development standards applicable to projects in the HD and HD-SR (San Rafael Area) (Sections 17.29.040 through 17.29.060) do not apply.

One of the 2004 revisions changed the discretionary application for second floor additions in the HD-1 from a Minor Conditional Use Permit to a Hillside Development Permit. Eight findings must be made in order to approve a Hillside Development Permit application. Finding #7 (Attachment B) states:

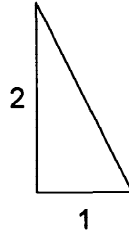
The design, location, and size of proposed structures and/or additions or alterations to existing structures will be compatible with existing and anticipated future development on adjacent lots, as described in Section 17.29.060.D, and in terms of aesthetics, character, scale, and view protection. [Section 17.29.060.D is the Neighborhood Compatibility requirement.]

The dilemma this finding presents when processing a Hillside Development Permit for HD-1 properties is that the specific section that is cited in the finding above is not applicable to HD-1 properties. Staff is therefore proposing that this finding not be used for Hillside Development Permit applications in the HD-1 district. This does not mean that the intent of the finding (compatibility of design, character, scale, etc.) would be disregarded as Finding #6, as stated a below, requires a similar analysis.

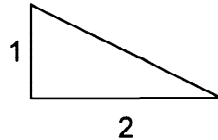
The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.

2. Clarification of 2:1 slope versus 50 percent slope.

The May 2004 revisions to the Hillside District Ordinance require that for all lots in the HD overlay, any portion that exceeds a 2:1 slope shall be removed from the lot size before calculating the maximum allowable floor area. In engineering terms a 2:1 slope is a 50 percent slope, but several applicants have interpreted 2:1 as "rise over run" or:



The correct 'engineering' way to read '2:1' is with the horizontal number first and the vertical number second, or:



Therefore, staff is recommending that all "50 percent" slope references in the Hillside District Ordinance be changed to "2:1" and define hillside slope in the Glossary as "horizontal : vertical". The graphic shown immediately above would also be included in the Glossary.

3. Clarification of slope reduction formula

The slope reduction formula is applied when the average slope of a property exceeds 15 percent and results in the maximum allowable gross floor area being reduced accordingly. The formula as it is currently written is:

$$F = (B) (1 - (C - 0.15) / 2)$$

Where:

F is the maximum allowed gross floor area, reduced based on lot slope;
 B is the base gross floor area as calculated in compliance with the applicable percentage of lot size based on zoning district; and
 C is average slope of the site.

The formula works by subtracting 0.15 from the average slope, dividing that result by 2, subtracting that result from 1, and finally multiplying that result by the base allowable gross floor area. However, staff has dealt with several applicants who have misinterpreted the formula where after subtracting 0.15 from C, subtract that result from 1, and then divide by 2.

To clarify the slope reduction formula staff proposes changing the formula to read:

$$F = (B) (1 - ((C - 0.15) / 2))$$