

8.9 - HP HILLSIDE PROTECTION OVERLAY ZONING DISTRICT

A. Purpose

Hillsides constitute significant natural topographic features of the City. In addition, when development occurs on hillsides, there are potential serious consequences, such as increased erosion, fire, or flood hazards, and property damage from extensive soils slippage and subsidence. In order to protect hillsides and hillside development, the HP Hillside Protection Overlay District is established.

B. Applicability

The HP Overlay regulations apply to all development on lots in all districts within the HP Overlay District with the following exceptions:

1. Legally existing structures existing as of the effective date of this Code.
2. Lots of record for single-family dwellings existing as of the effective date of this Code. This exception applies only where the lot of record is one acre or less.
3. Lots that have been issued a grading permit prior to the effective date of this Code.
4. Lots that have been previously legally disturbed or developed would also be excepted provided that any new/additional disturbance does not exceed the previously-disturbed area or the maximum land disturbance permitted by Table 8.6 below, whichever is greater. For the purposes of this section, disturbance shall mean any activity that changes the physical conditions of land form, vegetation and hydrology, creates bare soil, or otherwise may cause erosion or sedimentation.

C. Density and Land Disturbance Limitations

In accordance with Article 16.8., a certificate of appropriateness is required for any development, improvement to real estate, or land disturbance in the HP Overlay and for any deviations from Table 8-6. Table 8-6: Density and Land Disturbance Limitations establishes the maximum residential density and maximum land disturbance of the site for residential districts that are within the HP Overlay District. Only the maximum land disturbance is applicable in non-residential districts that are within the HP Overlay. All other dimensional regulations apply unless specifically modified by the HP Overlay District.

Table 8-6: Density and Land Disturbance Limitations		
Percent of Slope	Maximum Density	Maximum Land Disturbance

Less than 15%	Maximum density permitted by district	100%
15% up to 25%	2 du/ac	50%
More than 25% up to 40%	0.5 du/ac	20%
More than 40%	0.2 du/ac	10%

D. Site Plan Review

All development within the HP Overlay District is subject to site plan review.

(Ord. No. O-110-2020, § 1, 6-30-20)