

TOWN OF PARADISE VALLEY

Hillside Code Update Statement of Direction

Town Council Meeting
June 22, 2017



Hillside Code Update

- Purpose: Draft and adopt a Hillside Code Statement of Direction (SOD) to provide the Planning Commission.
 - Revisions to the Hillside Code are just one part of a larger Hillside Council Initiative
- Key Question: What items should be in the SOD and does Mayor & Council have a particular position on each of those items?



Hillside Code Update

- Create a Statement of Direction:
 1. Identify problems in code
 2. Identify concept with direction
 3. Specify language for code update



Hillside Code Update

- 18 Topics Discussed by Commission:
 - Green Topics – PC consensus
 - Red Topics – No PC consensus and/or more work needed
- June 8, 2017 – Hillside topics discussed by Council:
 - Orange Topics - Council identified topics that need further review
 - Blue Topics – Council Member Moore & Council Member Pace Recommendations





Summary of Topics

1. **Retaining Walls and Screen Walls**
2. Material Palette
3. Reviews & Admin Chair Review
4. Disturbed Area Calculation
5. Demolition on Hillside Properties
6. Hillside Model
7. Accessory Structure and Accessory Structure Height Limit (including raised decks/platforms)
8. 40' Overall Height Measurement
9. **Driveway Disturbance Credit**
10. **Lighting**
11. Process to Remove a Property from Hillside Designation
12. **Hillside Assurance/Bond**
13. **Define which Hillside Code applies to La Place du Sommet Subdivision**
14. **Solar Panels and Hillside Review Process**
15. **Cantilever Limitations**
16. **On-Site Retention**
17. Pool Barriers and Perimeter Fencing Standards
18. Administrative relief on hillside lots (Article XXII)
19. Add Safety Section in Code
20. Eliminate or Reduce Admin Chair Review
21. Do Not Change Admin relief on hillside properties

Hillside Code Update

- Does Mayor or Council wish to review any of the Green topics?
 - Moore & Pace have Identified
 - #3 Admin Chair Review
 - #18 Administrative Relief on Hillside Lots
 - Others



Material Palette

- Issue:
 1. Colors of materials meet LRV but do not always blend in with surrounding hillside
 2. HBC limited in approving contrasting colors
- Decision:
 1. Add language to clarify colors must blend in with surrounding hillside
 2. Give HBC more latitude to approve contrasting colors when deemed appropriate

■ Reference page 19 of Draft Ordinance



Hillside Reviews & Admin Chair Review

- Issue :
 1. Clarify the 4 types of Hillside Reviews
 2. Increase scope of Chair Review
- Decision:
 1. Add language to clarify the 4 types of Hillside Reviews
 2. Allow Chair Review to include limited amount of site walls, disturbance, and solar panels
- Reference pages 8 and 9 of Draft Ordinance



Admin Chair Review

- Issue :

1. Eliminate or Reduce Admin Chair Review (Moore & Pace)

- a) Eliminate or reduce the ability of the chair to approve up to 1,000 sq.ft. of additional footprint.

- Reference pages 8 and 9 of Draft Ordinance



Disturbed Area Calculation

- Issue :
 1. Footprint does not count as disturbed area. Bigger house can result in less disturbance
 2. Should footprint be counted as disturbance?
- Decision:
 1. Do not count footprint as disturbance. May create too many non-conformities and Prop 207 issues
 2. May need additional language clarifying livable footprint & garage footprint do not count as disturbance

■ Reference pages 6 and 21 of Draft Ordinance



Demolition on Hillside Properties

- Issue :
 1. During demo, some contractors go beyond existing disturbance and grade native hillside
 2. Require staking of existing disturbance limit and/or require demo bond?
- Decision:
 1. Require existing disturbance limits to be staked prior to demolition
- Reference pages 10 and 20 of Draft Ordinance



Hillside Model

- Issue :
 1. Code requires physical model and model making is a dying art
- Decision:
 1. Update code to clarify 3D computer models are acceptable with criteria for 3D models (e.g. show contours, scaled, etc.)
- Reference page 14 of Draft Ordinance



Accessory Structures & Heights

- Issue :

1. Clarify 16' height limit for accessory structures. Confusion that 24' height limit for house applies to accessory structures
2. Codify policy on raised outdoor living areas (e.g. raised pool decks)

- Decision:

1. Language added to code to clarify 16' height limit for accessory structures
2. Language added to code to identify setback requirements for raised outdoor living areas

- Reference pages 7 and 17 of Draft Ordinance



40' Overall Height Limit

- Issue :
 1. Confusion on how 40' overall height is measured
- Decision:
 1. Language added to code to clarify how 40' height limit is measured (from natural grade of lowest structure to the highest point of a structure)
- Reference page 17 of Draft Ordinance



Process to Remove Property from Hillside

- Issue :
 1. Code does not identify process
- Decision:
 1. Codify policy/practice. Language added to code to identify the process to remove a property from Hillside designation (e.g. prove slope of less than 10%, HBC Recommendation and Council action)
- Reference page 34 of Draft Ordinance
- Make sure no non-conformities on a lot requesting removal from Hillside.



Pool Barriers & Perimeter Fencing

- Issue :

1. Hillside Code prohibits fences with exception of view pool barrier fences, screen walls, retaining walls, and view guard rails
2. Pool barrier often designed to be a yard or perimeter fence (does not meet intent of code)

- Decision:

1. Add language to code that clarify barrier must be appropriate to the site and minimum amount needed to secure pool

- Reference page 26 of Draft Ordinance



Admin Relief for Hillside Lots

- Issue :
 1. Currently 2-5-3 grants powers to Community Development Director to relieve up to 10% of certain development standards (solar panels and gates) for Hillside lots.
 2. Make admin relief on hillside lots consistent with flat land lots
- Decision:
 1. Modify language in Chapter 2 of Town Code to make admin relief consistent for hillside and flat land lots but excludes disturbance area.



■ Reference page 34 of Draft Ordinance and Attachment Related to 2-5-3 of the Town Code

Admin Relief for Hillside Lots

- Issue :
 1. Does Council want to expand Administrative relief to for hillside properties?
- Options:
 1. Keep as is - No change in Admin Relief (Moore & Pace)
 2. Change as recommended by Commission
- Reference attachment “CHAPTER 2 MAYOR AND COUNCIL – Hillside Admin Relief 010317”



Retaining Walls & Screen Walls

- Issue:

1. Clarify when walls must meet setbacks
2. Retaining walls limited to 6" height above material they retain.
Examine when retaining walls may extend beyond 6" limit

- Options:

1. Add language to code identifying retaining walls must meet setback unless needed to access property or needed to prevent erosion/flooding
2. Add language to code to allow driveway retaining walls to extend 18" above material they retain

Reference pages 24 - 26 of Draft Ordinance



Safety Section

- Issue:
 1. Does the Council want to add a Safety Section to the code?
- Options:
 1. Identify when does safety come into play:
 - a. Town may hire consultant to evaluate aspect of an application (e.g. geo-tech, drainage, etc.). Applicant to cover cost of consultant
 2. Limit length of construction
- Add language to Section 2205.VI.A (page 10) of Draft Ordinance



La Place du Sommet & Applicable Code

- Issue :
 1. Practice of applying 1984 code to La Place du Sommet subdivision
- Decision:
 1. Research to determine if La Place du Sommet is bound by 1984 code or if subject to updated code
 2. If applicable, add language to code to clarify La Place du Sommet is governed by 1984 code
- Town Attorney has update
 - Reference page 34 of Draft Ordinance



Retaining Walls

- Issue:

1. Does the Council want to specify a maximum guard rail height on top of retaining walls?
2. 36" guard rail per IRC but architects favor 42"

- Options:

1. Meet minimum height per IRC (36" inches for residential and 42" inches for commercial), OR
2. Hillside Committee to decide what height is appropriate for site (e.g. guard rail with max height of 42")

Reference page 26 of Draft Ordinance



Driveway Disturbance Credit

- Issue:
 1. Does Council want to apply the same standards to driveways that serve new homes and remodeled homes?
- Options:
 1. Partial disturbance credit for decorative driveways. Establish criteria for credit (e.g. types of driveway surface, proximity to natural grade, etc.)
 2. PC directed staff to research this topic with Commissioner Campbell
- Reference pages 22 - 23 of Draft Ordinance



Lighting

- Issue:
 1. Does Council want to incorporate recent lighting code updates to hillside?
- Options:
 1. Prohibit rope lighting
 2. Add Lux as another measurement of light
 3. Allow holiday lights to start on October 15th
 4. Add Kelvin requirements
- Reference pages 28 - 32 of Draft Ordinance



Hillside Assurance/Bond

- Issue:

1. Does Council want to explore potential updates and requirements for Hillside Assurance/Bond?
2. Currently – Bond places Town in position to cover, restore, and landscape cut/fill to blend in with surrounding terrain

- Options:

1. Update or establish criteria for fees (e.g. increase multiplier, greater slope = greater bond, etc.) and time period when bond can be used to restore site
2. In event of market condition, place a lien on the property
3. Criteria for Landscape Bond
4. Three bids to determine bond amount

■ Reference pages 10 - 11 of Draft Ordinance



Solar Panels & Review Process

- Issue:
 1. Does Council want to allow solar panels on pitched roofs?
 2. PC concern if Town can regulate solar
- Options:
 1. Consider allowing stealth solar technology on all pitched roofs (e.g. Tesla solar tiles, etc.) and establish criteria
 2. Allow solar panels on pitched roofs only when screened by hillside
- Reference page 9 and page 19 of Draft Ordinance



Cantilever Limitations

- Issue:

1. Does Council want to amend regulation on cantilevers for Hillside buildings?
2. Does Council want to amend regulation on cantilevers for Hillside pool decks?
3. Does Council want to create cantilever regulations on driveways?

- Options:

1. Prohibit cantilevered driveways. PC favors.
2. PC – Create cantilever criteria for house and criteria for pool decks. Directed staff to research this topic with Commissioner Campbell
3. 8' max vertical and 4' max horizontal cantilever for buildings and pool decks.(Moore & Pace)
4. Prohibit cantilevered roadways (Moore & Pace)

- Reference pages 18 - 19 of Draft Ordinance



On-Site Retention

- Issue:

1. Retention counted as disturbed area. Also, applicants occasionally use retaining walls to create retention areas. Does Council want to offer partial credit on retention basins (via specified criteria)?
2. Identify that on-site retention must comply with Town's Storm Drain Design Manual

- Options:

1. Keep as is - Retention counts as 100% disturbance
2. Incentivize better retention and detention designs - 50% credit for retention areas that do not use retaining walls and vegetated with native plants
3. Add language to code to reference Storm Drainage Design Manual

- Reference pages 21 of Draft Ordinance



Hillside Code SOD

- Direction
 - Green Topics – Is SOD language acceptable regarding the green topics?
 - Should any green topics be removed?
 - Is SOD language OK for Red, Orange or Blue topics? Should any be edited or removed?



Questions?

