

Hillside Code Update

-Statement of Direction-

June 22, 2017

The Town of Paradise Valley is preparing an update to the Hillside Code, pertaining to Article XXII of the Town Zoning Ordinance.

A Statement of Direction (SOD) as outlined in the Town Code is not required for code updates. However, based upon multiple discussions regarding how and what to update in the Hillside Code, the Town Council suggested a Statement of Direction. As such, direction to the Planning Commission by the Town Council is beneficial.

As in any Statement of Direction, this direction to the Planning Commission is not a final decision of the Town Council and such matters addressed may differ through the course of the code update process. Therefore, the Town Council issues the following Statement of Direction for the Hillside Code Update:

- The purpose of the Hillside Code is to establish provisions to regulate the intensity of development; preserve and protect the hillside environment; provide for the safety and welfare of the Town and its residents; and to establish rules and procedures for review by the Hillside Building Committee of hillside development, building and construction plans.
- The code amendments outlined in draft Ordinance 2016-09 include, but are not limited to, twenty topics (as defined in the June 22, 2017 staff report). The Town Council finds the following topics as edited in the draft ordinance dated June 22, 2017, subject to final non-substantive review and red-line revision by a Town Manager working group comprised of Councilmembers Moore and Pace to be appropriate and acceptable: Material Palette & Light Reflective Value, Reviews & Administrative Hillside Chair Review, Disturbed Area Calculation, Demolition on Hillside Properties, Hillside Models, Accessory Structures & Accessory Structure Height Limits, the 40' Overall Height Measurement, the Process to Remove a Property from the Hillside Designation, and Pool Barriers & Perimeter Fencing Standards. Planning Commission is directed not to change the content of those items during subsequent reviews unless it submits a request to the Council for further direction.
- The Planning Commission shall focus their review on the following topics with the following direction related to each topic:
 1. *Retaining Walls.* Allow HBC to determine appropriate guard rail height between 36" and 42".
 2. *Driveway Disturbance Credit.* The disturbance credit for decorative driveways that service new homes and remodeled homes should be further researched to develop standards and credits for driveways that serve new homes and remodeled homes.

3. *Lighting.* Evaluate only the hillside lighting standards to address Kelvin requirements, adding Lux as another light measurement, and extending holiday lighting to October 15th.
4. *Hillside Assurance/Bond.* Update the code to ensure that the hillside bond will be of a sufficient amount to restore the hillside on an abandoned or unfinished project back to undisturbed condition. The Commission shall explore different ways to establish a realistic and enforceable amount of assurance. Planning Commission should also establish thresholds for when the assurance should be called to mitigate impacts including storm water, safety, visual, boulders, etc. to existing properties. Identify a landscape assurance solution.
5. *Incorporate amendments from Town Attorney related to which Hillside Code applies to La Place du Sommet Subdivision.* .
6. *Solar Panels and Hillside Review Process.* The Commission shall explore the use of stealth solar technology on hillside properties and evaluate the placement of solar on pitched roofs.
7. *Cantilever Limitations.* Add language to the code to prohibit cantilevered driving surfaces. May require definition of driveway. Establish or revise criteria that minimizes the visual impact and discourages the use of cantilevers in construction of structures. In no circumstance should the cantilever standard exceed 8' vertical and 4' horizontal.
8. *On-Site Retention.* Identify that on-site retention and detention shall be in accordance with the Town's Storm Drainage Design Manual and develop standards that will allow retention basins without retaining walls to receive partial disturbance credit.
9. *Add a Safety Section in the Code.* Identify standards and processes that trigger additional safety measures and reviews (such as enabling the Town to hire consultants to help review geotechnical reports or examine potential grading and drainage issues). The additional safety measures and reviews may be required at the Town's discretion during the plan review process and or construction. Examine the typical cost of the additional review in those standards and modify the application fee. Language regarding this can be added to Section 2205.VI. A (page 10) of the draft ordinance.

As per Section 1102.3.C.3.c of the Zoning Ordinance, at any time during the review process, the Planning Commission may request clarification and/or expansion of this Statement of Direction based on additional information that has evolved.

