



## Legislation Text

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**File #:** 18-076, **Version:** 1

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**To:** HILLSIDE BUILDING COMMITTEE

**From:** Paul Mood, P.E.  
Town Engineer

**Date:** February 14, 2018

**Subject:** Hillside designation removal of property located at 6001 North 45<sup>th</sup> Street (APN: 169-50-002).  
Application for Hillside designation removal.

### Background

The property is 1.03 acres and located at the northeast corner of McDonald Drive and 45<sup>th</sup> Street. The property contains a 2,569 ft.<sup>2</sup> single family residence constructed in 1963 and is designated as a hillside lot on the Town's zoning map.

### Request For Hillside Designation Removal

This property owner intends to demolish the existing home to redevelop the property and is requesting that the hillside designation be removed. The Town has removed hillside designations in the past if the average lot slope and building pad slope are less than 10%. The subject property has an average lot slope of approximately 4.3% and a building pad slope of approximately 3.4% percent. For more information please refer to the Civil Engineering plans for the slope analysis diagrams and calculations.

### Hillside Development Regulations:

The Town first adopted hillside regulations in 1984 which designated the subject property as a hillside lot. In October 2003, the Town repealed and adopted a new set of hillside regulations via Ordinance 533. The 2003 hillside regulations, along with three minor amendments to these regulations, are the most current Hillside Development Regulations. The subject property retained its designation as a hillside lot.

The Hillside Development Regulations define the Hillside Development Area as the following:

*Those areas marked in FIGURE 2 and to all lands where the natural terrain under the building pad has a slope of ten percent (10%) or greater, whether shown in FIGURE 2 or not. However, a 10% or greater slope, in an area not denoted on Figure 2, created by a natural wash on land that otherwise would not be classified as hillside land shall be exempt from the hillside regulations.*

It should be noted that the Hillside Development Regulations do not describe the process of which to remove a property from the Hillside Development Area. Past practice typically included review by the Hillside Building Committee and approval by Town Council. Average building pad slope and lot slope were commonly reviewed to determine the merit to remove a property from the Hillside Development Area.

**RECOMMENDATION:**

It is recommended that the Hillside Building Committee forward to Town Council a recommendation for approval of the request to remove the hillside designation on 6001 North 45<sup>th</sup> Street (APN: 169-50-002), including its reference on Figure 2, Hillside Development Area, of Article XXII, Hillside Development the Town Zoning Ordinance.