



## Legislation Text

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**File #:** 18-318, **Version:** 1

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**To:** Hillside Building Committee

**From:** Hugo Vasquez; Hillside Development Administrator

**Date:** September 12<sup>th</sup>, 2018

**Subject:** Request for Hillside designation removal for the property located at 8020 N Mummy Mountain Road (APN 168-77-008).

**Narrative:** The Applicant has requested that the Hillside designation be removed for the 5.09 acre property. This project has an application date of July 23<sup>rd</sup>, 2018 and will be reviewed under the current Hillside Development Regulations.

### **Background**

The property located at 8020 N Mummy Mountain Road currently contains a 5,100 ft<sup>2</sup> residential home and guest house constructed in 1972 and sits on a 5.09 acre lot. The lot is within the Hillside Development Area, per Figure 1 of the Hillside Development Regulations.

### **Hillside Development Regulations**

The Town first adopted Hillside regulations in 1984, which designated the subject property as a Hillside lot. The current Hillside Development Regulations define the Hillside Development Area as:

*Those areas marked in Figure 1 and to all lands where the natural terrain under the building pad has a slope of ten percent (10%) or greater, whether shown on Figure 1 or not. However, a 10% or greater slope, in an area not denoted in Figure 1, created by a natural wash on land that otherwise would not be classified as hillside land shall be exempt from the hillside regulations.*

### **Request for Hillside Designation Removal**

The subject property has a slope of 8.63% and a building pad slope of 9.43%. For more information, please refer to the Civil Engineering plans for the slope analysis diagrams and calculations. By removing the Hillside designation, the property would be required to conform with non-Hillside building regulations which allow for freestanding site walls, but reduces the overall maximum allowable height of the residence.

Section 2210 of the current Hillside Development Regulations provides the removal process:

*The Hillside Building Committee and Town Council shall review plans for any request to remove a property from the Hillside Development Area. This process applies to properties that are designated within a Hillside Development Area and have a slope of less than ten percent (10%). If a property owner elects to remove the property from the Hillside Development Area, the following applies:*

- 1. The applicant must provide documentation that the property has a Building Pad Slope and a site slope of less than ten percent (10%) in accordance with Section 2202 and Section 2209B.*
- 2. The request will be reviewed by the Hillside Building Committee, which will make a recommendation of approval, approval with stipulations, or denial to remove the property from the Hillside Development Area.*
- 3. The applicant shall have no other code violations.*

4. *The Town Council will either approve, deny, or approve the request with stipulations, which may include eliminating any non-conformities.*

Staff notes that other factors, in addition to the less than ten percent (10%) slope prerequisite, may be considered when a request to remove a property from a Hillside Designated Area is made.