



San Diego Municipal Code

# Land Development Code

## Steep Hillside Guidelines



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## **STEEP HILLSIDE GUIDELINES AMENDMENTS**

The following amendments have been incorporated into this August 2004 posting of this plan:

<b>Amendment</b>	<b>Date Approved by Planning Commission</b>	<b>Resolution Number</b>	<b>Date Adopted by City Council</b>	<b>Resolution Number</b>
Steep Hillside Guidelines adopted			November 18, 1997	R-289460
Steep Hillside Guidelines amended			June 1, 1999	R-291737

# *Table of Contents*

<b>INTRODUCTION</b> .....	1
 <b>SECTION I: DESCRIPTION OF REGULATIONS</b>	
(A) 143.0110 When Environmentally Sensitive Lands Regulations Apply .....	3
(B) 143.0113 Determination of Location of Environmentally Sensitive Lands, Applicability of Division and Decision Process .....	4
(C) 143.0140(a) Requirement for Covenant of Easement .....	5
(D) 143.0140(b) and (c) General Regulations for Subdivisions.....	5
(E) 143.0142(a)(2), (3), (4)(a) and (4)(c) Development Area.....	7
(F) 143.0142(e) Hold Harmless and/or Indemnification Agreement .....	13
(G) 143.0142(f) Drainage.....	13
(H) 143.0142(g) Erosion Control Measures.....	13
 <b>SECTION II: DESIGN STANDARDS</b>	
(A) Individual Single Dwelling Unit .....	16
(B) Single Dwelling Unit Subdivision .....	19
(C) Multiple Dwelling Unit Development .....	23
(D) Commercial, Industrial, and Other Non-Residential Development.....	27
 <b>SECTION III: COMMUNITY-SPECIFIC REQUIREMENTS</b>	
(A) Mira Mesa .....	41
(B) Rancho Penasquitos .....	41
(C) Miramar Ranch North.....	42
(D) Carmel Mountain Ranch.....	42
(E) Mission Valley.....	43
(F) Sabre Springs.....	44
(G) La Jolla.....	45
(H) San Pasqual Valley .....	45
(I) Sorrento Hills.....	46
(J) Navajo, Tierrasanta, East Elliott (within sub-area 2 of the Mission Trails Design District, in accordance with Chapter 13, Article 2, Division 7).....	47
(K) Clairemont Mesa and Linda Vista (areas adjacent to Tecolote Canyon).....	48
(L) Uptown.....	49
 <b>SECTION IV: FINDINGS, DEVIATIONS AND ALTERNATIVE COMPLIANCE</b>	
(A) Additional Development Permit Findings for Environmentally Sensitive Lands: .....	52
(B) Criteria and Findings for Deviation from Environmentally Sensitive Lands Regulations:.....	53
(C) Criteria and Findings for Alternative Compliance for Steep Hillside Development Area Regulations: ..	54

# List of Diagrams

## DIAGRAMS

DIAGRAM I-1 Steep Hillside Criteria.....	3
DIAGRAM I-2 Off-Site Steep Hillside Criteria .....	4
DIAGRAM I-3 Average Gradient .....	5
DIAGRAM I-4 General Regulations For Subdivisions .....	6
DIAGRAM I-5 Development Area Calculation With 15% Existing Development Area.....	7
DIAGRAM I-6 Development Area Calculation With 25% Existing Development Area.....	8
DIAGRAM I-7 Development Area With No Existing Development Area .....	8
DIAGRAM I-8 Small Isolated Pockets .....	9
DIAGRAM I-9 Additional Encroachment For Non-Contiguous Development Areas .....	10
DIAGRAM I-10 Additional Encroachment For Non-Contiguous Development Areas .....	11
DIAGRAM II-1 Fill Slopes Blended With Natural Steep Hillside .....	32
DIAGRAM II-2 Landform Graded Slopes.....	32
DIAGRAM II-3 Building Locations.....	33
DIAGRAM II-4 Retaining Wall Height .....	33
DIAGRAM II-5 Retaining Wall Within Structure.....	33
DIAGRAM II-6 Long Driveways.....	34
DIAGRAM II-7 Structures That Fit Natural Contours .....	34
DIAGRAM II-8 Steep Hillside Structure/Foundation Types .....	34
DIAGRAM II-9 Structure Located In Front Of Manufactured Slope.....	35
DIAGRAM II-10 Stepped Building.....	35
DIAGRAM II-11 Building Set Into Steep Hillside.....	35
DIAGRAM II-12 Parking On Steep Hillside Sites .....	36
DIAGRAM II-13 Natural Hillside Retained Between Development Areas.....	36
DIAGRAM II-14 Lots That Follow Hillside Contours.....	36
DIAGRAM II-15 Retained Areas Of Undisturbed Hillside Within Development .....	37
DIAGRAM II-16 Split-Level Street .....	37
DIAGRAM II-17 Use Of Retaining Walls In Hillside Developments.....	37
DIAGRAM II-18 Varied Lot Size And Shape .....	38
DIAGRAM II-19 Blended Manufactured Slopes .....	38
DIAGRAM II-20 Development Located On Least Steep Areas .....	38
DIAGRAM II-21 Building Located Near Ridgeline.....	39
DIAGRAM II-22 Single Loaded Streets .....	39
DIAGRAM II-23 Stepped Pads .....	39
DIAGRAM II-24 Parking For Hillside Structures .....	40
DIAGRAM II-25 Parking Lots Near Steep Hillside .....	40

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## **INTRODUCTION**

The Steep Hillside Guidelines are divided into four sections, each providing standards and guidelines intended to assist in the interpretation and implementation of the development regulations for steep hillsides contained in **Chapter 14, Article 3, Division 1, Environmentally Sensitive Lands**. Every proposed development that encroaches into steep hillsides will be subject to the Environmentally Sensitive Lands Regulations and will be evaluated for conformance with the Steep Hillside Guidelines as part of the review process for the required Neighborhood Development Permit, Site Development Permit or Coastal Development Permit.

The Sections of the Steep Hillside Guidelines are as follows:

### **Section I: Description of Regulations**

This section provides detailed explanations for specific regulations contained in the Environmentally Sensitive Lands Regulations. These regulations must be complied with and the Steep Hillside Guidelines provide details of the regulation and guidance on how compliance is achieved.

### **Section II: Design Standards**

This section provides general standards for design of various types of developments that propose to encroach into steep hillsides. These standards are specifically referenced in the Environmentally Sensitive Lands Regulations and general conformance is required. Guidelines for conformance with each standard are provided.

### **Section III: Community-Specific Requirements**

This section identifies hillside development standards for specific Community Plans. Development on steep hillsides within the identified Community Plans must be in conformance with the design standards in **Section II** in addition to the requirements specified in this section for the particular Community Plan.

### **Section IV: Findings, Deviations and Alternative Compliance**

This section discusses the required findings that must be made in order to approve a Neighborhood Development Permit or Site Development Permit for a development that proposes to encroach into steep hillsides. Additionally, this section includes the criteria to be considered in evaluating a deviation from the Environmentally Sensitive Lands Regulations and alternative compliance for steep hillside development area regulations along with guidelines for making the required additional findings for both. Alternative compliance is not applicable to coastal development within the Coastal Overlay Zone.



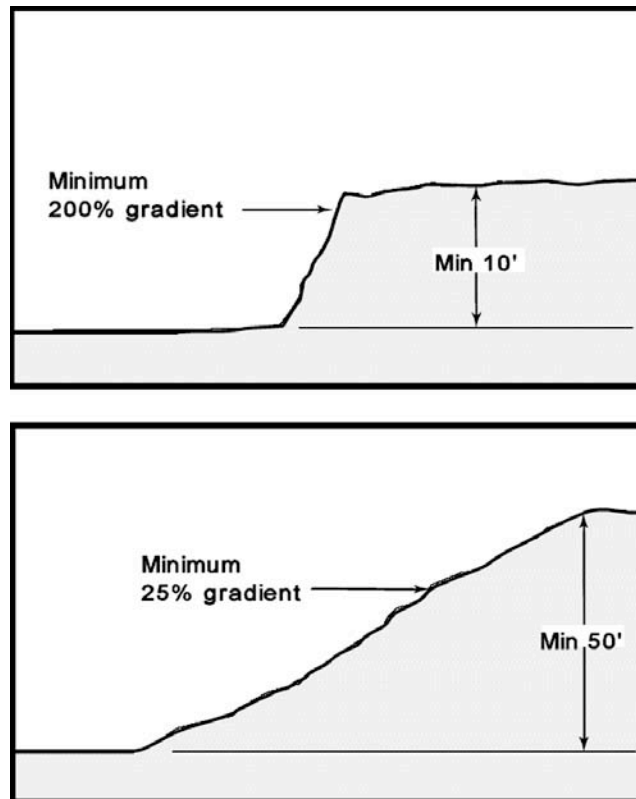
## SECTION I: DESCRIPTION OF REGULATIONS

The following guidelines are intended to aid in the interpretation and implementation of some of the regulations found in **Chapter 14, Article 3, Division 1**, Environmentally Sensitive Lands Regulations. The numbers referenced for each regulation refer to the Code section numbers of the Environmentally Sensitive Lands Regulations. The text provided for each regulation does not repeat the Code language but rather restates the regulations with more details and explanations.

### (A) 143.0110 When Environmentally Sensitive Lands Regulations Apply

Generally, the steep hillside regulations of the Environmentally Sensitive Lands Regulations are applicable when development is proposed on a site containing any portions with a natural gradient of at least 25 percent (25 feet of vertical distance for every 100 feet of horizontal distance) and a vertical elevation of at least 50 feet. The steep hillside regulations are also applicable if a portion of the site contains a natural gradient of at least 200 percent (200 feet of vertical distance for every 100 feet of horizontal distance) and a vertical elevation of at least 10 feet. See **Diagram I-1**. The vertical elevation must occur generally in the area with the steep hillsides and may include some pockets of area with less than 25 percent gradient.

**DIAGRAM I-1  
STEEP HILLSIDE CRITERIA**





Outside the Coastal Overlay Zone, an exemption from the steep hillside regulations and the requirement for a Neighborhood Development Permit or Site Development Permit may be granted if the proposed development does not encroach into the steep hillside and the development maintains a setback of 40 feet from the top of the steep hillside.

**(B) 143.0113 Determination of Location of Environmentally Sensitive Lands, Applicability of Division and Decision Process**

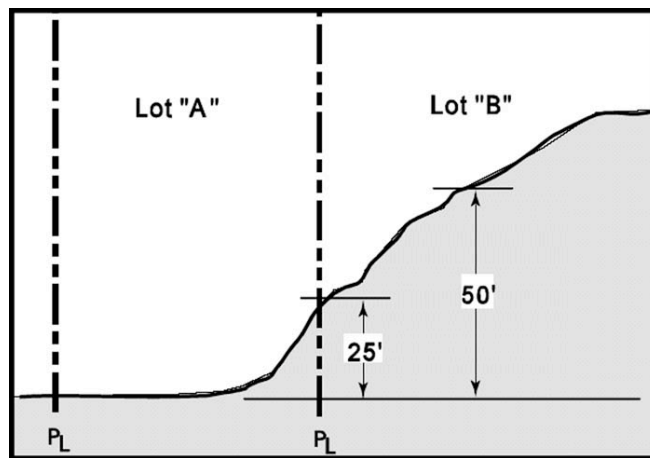
The determination of the precise location of the steep hillside on a site shall be made with the information submitted by the applicant, and any other information available, including City maps and records and site inspections. If the proposed development encroaches into the steep hillside area or does not observe the required setback from the steep hillside to obtain an exemption, a Neighborhood Development Permit or Site Development Permit will be required in accordance with **Table 143-01A**. Within the Coastal Overlay Zone, a Neighborhood Development Permit or Site Development Permit is required whenever steep hillside are located on the premises regardless of encroachment into the steep hillside, and a Coastal Development Permit is required for all coastal development, unless exempt pursuant to **Section 126.0704** of the Coastal Development Permit procedures.

The permit required is based on the type of development proposed and the type of environmentally sensitive lands present (in addition to steep hillside).

If the site contains steep hillside but does not have 50 feet of vertical elevation, an off-site analysis of the adjacent property(s) must be made to determine whether the steep hillside on the subject site are part of a steep hillside system that extends off-site and exceeds the 50-foot elevation. See **Diagram I-2**. If the 50-foot elevation is met when considering the extension of the steep hillside off-site, the site will be subject to the steep hillside regulations.

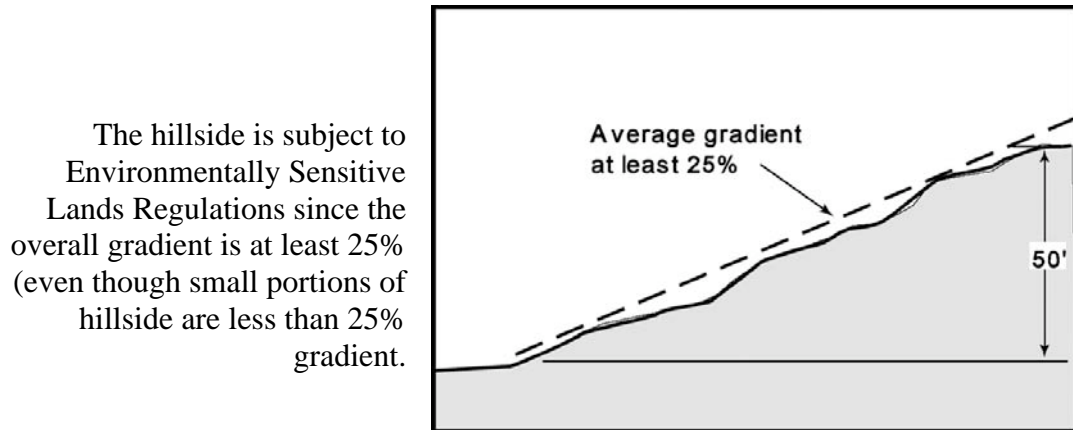
**DIAGRAM I-2  
OFF-SITE STEEP HILLSIDE CRITERIA**

Lot "A" is subject to Environmentally Sensitive Lands Regulations since the 26' high on-site slope is part of a hillside that extends off site and exceeds 50' elevation.



The measurement of the vertical elevation of the steep hillside shall consider the entire slope system and not only the individual portions of the slope with at least 25 percent gradient. That is, the measurement of the vertical elevation may include some areas with less than 25 percent gradient as long as the overall, predominant slope gradient is 25 percent. See Diagram I-3.

**DIAGRAM I-3  
AVERAGE GRADIENT**



**(C) 143.0140(a) Requirement for Covenant of Easement**

Any portions of a site containing steep hillsides (or any other Environmentally Sensitive Lands) that are not part of the allowable development area shall be left undeveloped and in their natural state. Assurance of the continued preservation of the remainder portion will be achieved with the requirement for the property owner to record a covenant of easement against the title to the property that will maintain that portion of the property in its natural state and only permit uses that are identified in the approved Neighborhood Development Permit or Site Development Permit or Coastal Development Permit. The property owner may offer to dedicate in fee the remainder portion of the site, although the City is not obligated to accept the dedication. Such decision by the City will be based on a number of factors including, but not limited to, the property's location, necessary maintenance, and permitted uses.

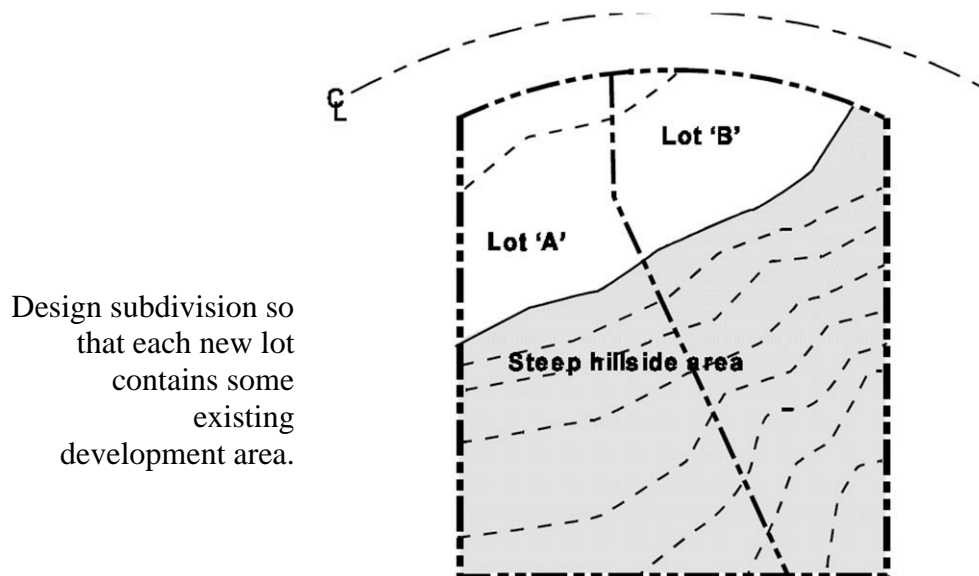
**(D) 143.0140(b) and (c) General Regulations for Subdivisions**

- (b) When a subdivision is proposed, the allowable development area shall be based on the area of the original unsubdivided premises. All development, including pads, graded areas, streets and driveways shall be located within the allowable development area and any encroachment into steep hillsides that is permitted will be based on the entire premises and not calculated separately for each newly created lot. For lots where development is not proposed at the time of subdivision, the grading plan must indicate the limits of future development of such lots and this future potential development area will be included in the development area calculation for the subdivision.

- (c) Each newly created lot within a subdivision shall include some portion that does not contain steep hillsides that will serve as the location (or future location) of development of the lot. See **Diagram I-4**. Since this area without steep hillsides will be considered part of the total development area of the subdivision, it should be sufficient in size to accommodate a reasonable development without requiring additional encroachment into steep hillsides. If additional encroachment is desired for development area on an individual lot, development area calculation will be based on the original subdivision and not the individual lot. That is, even if the individual lot has a development area that is less than 25 percent of the lot area, additional encroachment into steep hillsides on the lot will only be permitted if the development area of the original subdivision was less than 25 percent of the area of the original unsubdivided premises.

Within the Coastal Overlay Zone, no Coastal Development Permit shall be issued for a subdivision that results in a newly created lot that does not contain adequate development area such that no encroachment into steep hillsides is required to accommodate future development. Encroachment is defined as alteration of the natural landform by grading or where the area is rendered incapable of supporting vegetation due to the displacement required for the building, accessory structures, paving, or clearance of vegetation, including Zone 1 brush management (30-foot minimum setback).

**DIAGRAM I-4  
GENERAL REGULATIONS FOR SUBDIVISIONS**



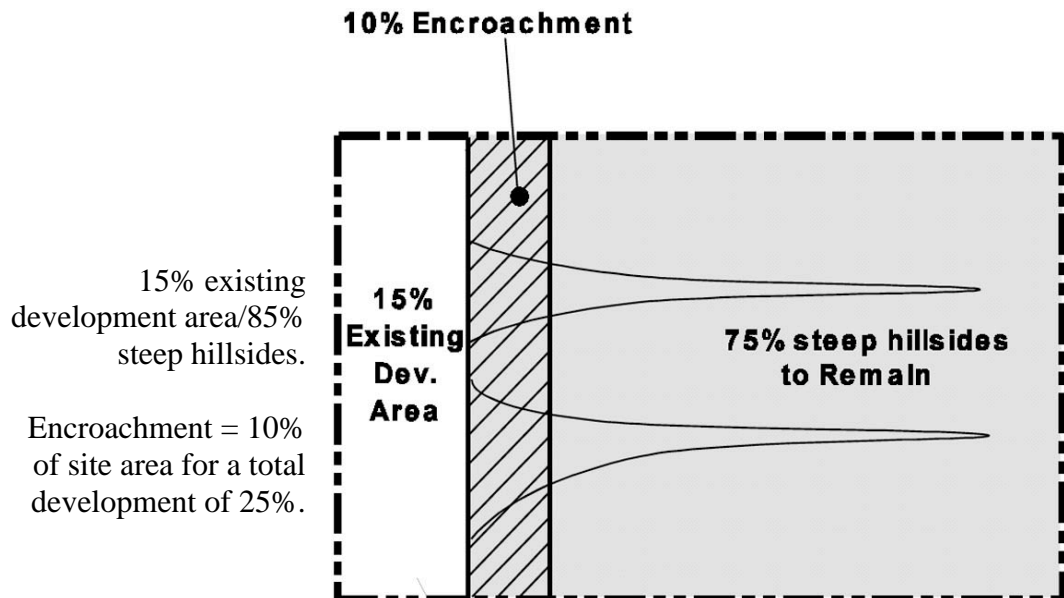
**(E) 143.0142(a)(2), (3), (4)(a) and (4)(c) Development Area**

- (2) The allowable development area of a site containing steep hillsides shall be calculated as follows:

The existing development area includes all developed portions of a site plus any undeveloped portions that do not contain steep hillsides. The total development area includes the existing development area plus any areas proposed for encroachment. The allowable development area includes all areas of grading, including the limits of cut and fill slopes, all structures and all other improvements, other than erosion control measures, as described in **Subsection (H)** of these guidelines. Development into steep hillsides shall only be allowed if it is consistent with the design standards in **Section II** and the community-specific requirements of **Section III**.

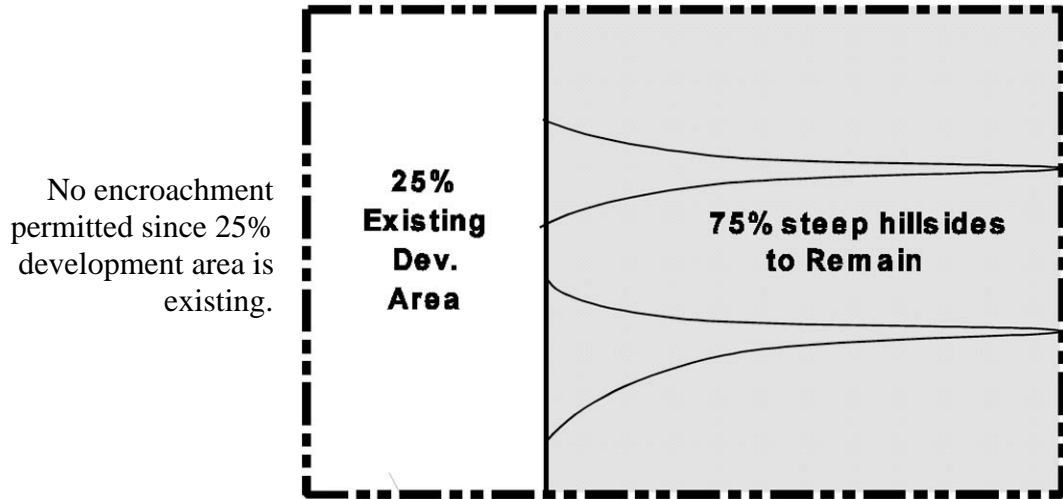
If the existing development area is less than 25 percent of the total site area, then the allowable development area will also include the amount of encroachment into steep hillsides necessary to achieve a total development area that is equal to 25 percent of the site. See **Diagram I-5**. However, within the Coastal Overlay Zone, the allowable development area on sites containing steep hillsides is discretionary and regulated by **Section 143.0142(a)(4)** of the Environmentally Sensitive Lands Regulations and **Section I.E(4)** of these guidelines.

**DIAGRAM I-5  
DEVELOPMENT AREA CALCULATION  
WITH 15% EXISTING DEVELOPMENT AREA**



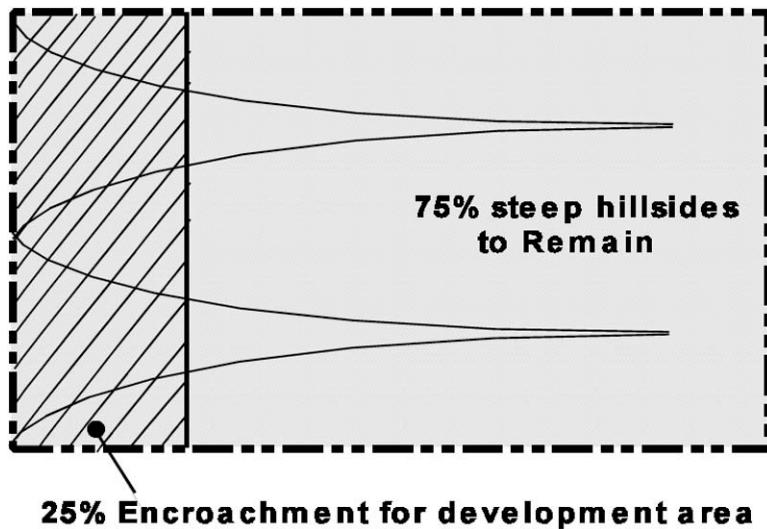
If the existing development area is more than 25 percent of the total site area (less than 75 percent of the site containing steep hillsides), then no encroachment into the steep hillsides shall be permitted except as described in **Section 143.0142(a)(3)** and **143.0142(a)(4)**. See **Diagram I-6**.

**DIAGRAM I-6  
DEVELOPMENT AREA CALCULATION  
WITH 25% EXISTING DEVELOPMENT AREA**



If a site has no existing development area (100% of the site containing steep hillsides), a maximum 25 percent of the site area may be encroached upon to achieve the allowable development area, except as described in **Section 143.0142(a)(3)** and **143.0142(a)(4)**. See **Diagram I-7**.

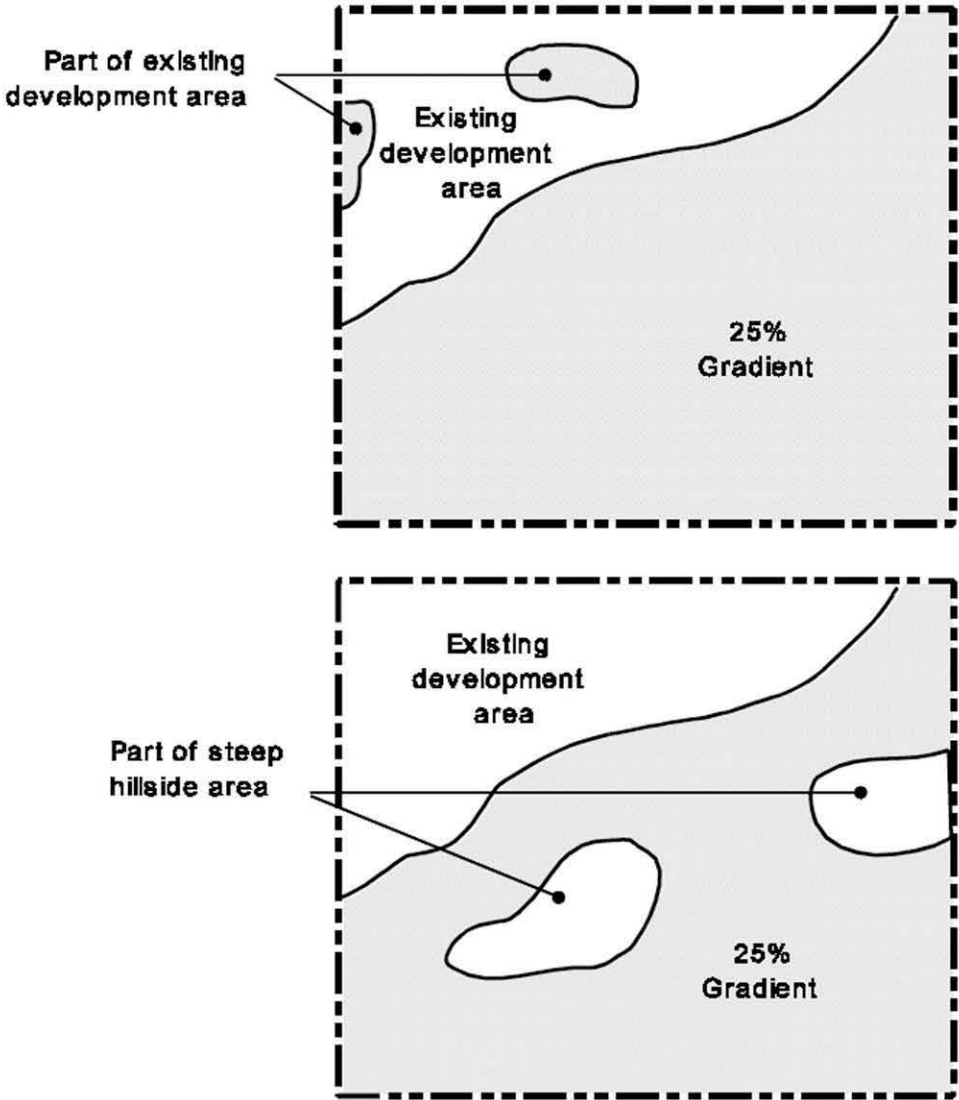
**DIAGRAM I-7  
DEVELOPMENT AREA  
WITH NO EXISTING DEVELOPMENT AREA**



Outside the Coastal Overlay Zone, small isolated pockets of 25 percent or greater gradient completely surrounded by existing development area shall be considered part of the existing development area provided the pockets total less than 10

percent of the existing development area. Development of such pockets will not be counted as encroachment. Likewise, small pockets of less than 25 percent gradient surrounded by steep hillsides shall be considered part of the steep hillsides and development of these pockets will only be permitted consistent with the regulations for all other steep hillsides. See **Diagram I-8**.

**DIAGRAM I-8  
SMALL ISOLATED POCKETS**



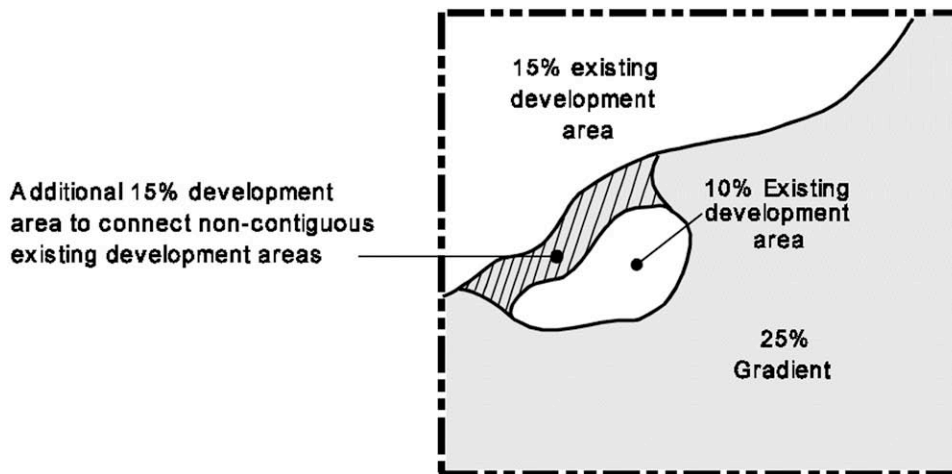
Additional development proposed within the development area of a premises with an approved Site Development Permit will be permitted only if the proposed development is in substantial conformance with the Site Development Permit. Such a development area will not be considered "disturbed" so as to qualify as an exemption from the Environmentally Sensitive Lands Regulations for any additional future development.

- (3) Outside the Coastal Overlay Zone, an additional 15 percent of site area (for a maximum of 40 percent of the site area) may be encroached upon and used as development area for the following conditions:

For projects where the following major public facilities are required, an additional 15 percent development area may be permitted when it is not feasible to locate them within the allowable 25 percent development area: publicly-owned parks and recreation facilities, fire and police stations, publicly-owned libraries, public schools, major public roads and prime arterials, and public utility systems.

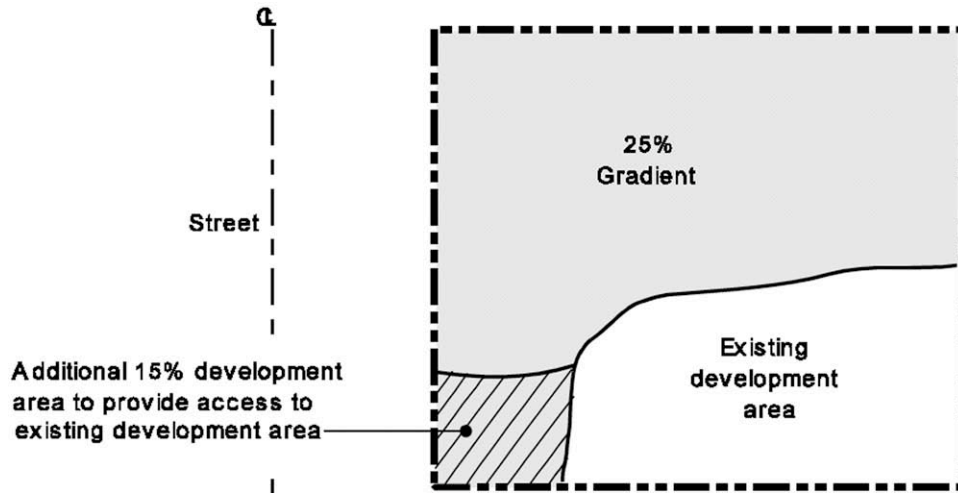
For projects where the existing development area is not contiguous, an additional 15 percent of the site may be encroached upon in order to connect the development areas. See **Diagram I-9**. This additional encroachment shall not apply if there exists a single contiguous development area with direct access that equals at least 25 percent of the site area. If an additional 15 percent development area is not sufficient to connect the development areas, a deviation may be requested in accordance with **Section 143.0150**.

**DIAGRAM I-9  
ADDITIONAL ENCROACHMENT FOR  
NON-CONTIGUOUS DEVELOPMENT AREAS**



For projects where the existing development area does not have direct access to a public right-of-way, an additional 15 percent of the site may be encroached upon in order to gain access to the development area. See **Diagram I-10**. If the existing development area is less than 25 percent of the site area, the encroachment for access shall be included in the allowable 25 percent development area. If additional encroachment is still needed to gain access, an additional 15 percent of the site may be encroached upon (for a maximum development area of 40 percent of the site area). If the existing development area is more than 40 percent and has no access or if the additional 15 percent development area is not sufficient to obtain access, a deviation may be requested in accordance with **Section 143.0150**.

**DIAGRAM I-10**  
**ADDITIONAL ENCROACHMENT FOR**  
**NON-CONTIGUOUS DEVELOPMENT AREAS**



- (4)(a) Within the Coastal Overlay Zone, projects proposing to encroach into steep hillsides shall be subject to the discretionary regulations identified in **Section 143.0142(a)(4)** of the Environmentally Sensitive Lands Regulations. Projects shall be evaluated on a case-by-case basis to determine if encroachment, as defined in **Section 143.0142(a)(4)(D)** of the Environmentally Sensitive Lands Regulations, can be permitted. It is the intent of the regulations and the Steep Hillside Guidelines that development be located on the least sensitive portions of a site and that encroachment into areas containing steep hillsides, sensitive biological resources, geologic hazards, view corridors identified in adopted land use plans or viewsheds designated on Map C-720, be avoided or minimized if unavoidable. Projects proposing to encroach into steep hillsides shall demonstrate conformance with the Environmentally Sensitive Lands Regulations and the Design Standards in **Section II** of the Steep Hillside Guidelines and result in the most sensitive design possible.

Encroachment shall not be permitted for the following:

- Projects where the encroachment is solely for purpose of achieving the maximum allowable development area;
- Accessory uses or accessory structures including, but not limited to patios, decks, swimming pools, spas, tennis courts, other recreational areas or facilities, and detached garages; and
- Primary structures when the encroachment is designed to accommodate accessory uses or structures elsewhere on the site.



Encroachment into steep hillsides is not specifically granted. Encroachment shall be subject to discretionary review and shall be consistent with **Section 143.0142(a)(4)** of the Environmentally Sensitive Lands Regulations and the Design Standards in **Section II** of the Steep Hillside Guidelines. For premises that are less than 91 percent constrained by steep hillsides, the maximum allowable development area that may be considered through discretionary review is 25 percent. For premises that are 91 percent or more constrained by steep hillsides, the maximum allowable development area that may be considered through discretionary review is 20 percent. An additional 5 percent development area for sites constrained with 91 percent or more steep hillsides may be allowed if it is found that a 20 percent development area is not sufficient to provide an economically viable use in accordance with **Section 126.0708(e)**, Supplemental Findings Environmentally Sensitive Lands Within the Coastal Overlay Zone. A development area in excess of 25 percent on any premises shall only be considered pursuant to **Section 126.0708(e)**, Supplemental Findings Environmentally Sensitive Lands Within the Coastal Overlay Zone and the **Submittal Requirements for Deviations from the Environmentally Lands Regulations Within the Coastal Overlay Zone** located in the Land Development Manual.

- (4)(c) Within the Coastal Overlay Zone, an additional 15 percent of the site area, in excess of the maximum allowable development area, as stated in **Section E(4)(a)** above, may be encroached upon and used as development area for the following conditions:

For major public roads and collector streets that are identified in the Circulation Element of an adopted community plan or land use plan and for public utility systems, an additional 15 percent development area may be permitted when it is not feasible to locate them within the allowable development area.

For projects within the North City Local Coastal Program Land Use Plan areas where the existing development areas do not have direct access to a public right-of-way, an additional 15 percent of the site may be encroached upon by local public streets or private roads and driveways which are necessary to access the developable portions of the site (areas that do not contain steep hillsides) provided that no less environmentally damaging alternative exists. See **Diagram I-10**. Determination of whether the additional 15 percent encroachment, or portion thereof, can be permitted will be made based on the constraints analysis identified in **Section II** of the Steep Hillside Guidelines (Design Standards). However, if the existing development area is less than the maximum allowable development area (as determined by the percentage of site constrained by steep hillsides), the encroachment for access shall be included in the allowable development area. If the existing development area is more than 40 percent and has no access or if the additional 15 percent development area is not sufficient to obtain access, a

deviation may be requested in accordance with **Section 126.0708(e)**, Supplemental Findings Environmentally Sensitive Lands Within the Coastal Overlay Zone.

**(F) 143.0142(e) Hold Harmless and/or Indemnification Agreement**

In general, a Hold Harmless Agreement will be required with the Site or Neighborhood Development Permit for all proposed developments on sites containing steep hillsides.

The requirement for an indemnification agreement will depend on how the remainder portion of the site will be maintained in its natural condition and the level of public access anticipated on the remainder portion.

- When the remainder portion of the site is dedicated in fee to the City, an indemnification agreement will not be required for that area.
- When the remainder portion of the site is dedicated as an easement, a hold harmless and/or indemnification agreement may be required if public access is anticipated on that portion.

**(G) 143.0142(f) Drainage**

To the extent feasible, all drainage from development of a site containing steep hillsides should be directed away from any steep hillside areas and directed towards a public storm drain system or onto a street developed with a gutter system designed to carry surface drainage runoff. This does not apply to natural drainage courses existing on the portions of the site that are not proposed to be developed. These natural drainage courses should be retained where feasible, but not be impacted by additional runoff from the developed portions of the site.

**(H) 143.0142(g) Erosion Control Measures**

Outside the Coastal Overlay Zone, erosion control measures include, but are not limited to, retaining walls, air placed concrete and other structures, devices, or methods appropriate for controlling or minimizing erosion. All feasible methods of erosion control shall be considered, including sandbags, revegetation, and drainage diversion and improvements. Within the Coastal Overlay Zone, erosion control measures require a Coastal Development Permit and are subject to the encroachment limitation specified in **Section 143.0142(a)(4)**.

Erosion control measures do not include those preventive measures required for soil stabilization or drainage.

Air-placed concrete, retaining walls, and buttress fills shall only be used to protect existing principal structures or public improvements and if it is determined that no other less impacting method will accomplish the erosion control.

Erosion control measures that impact steep hillsides shall require a Neighborhood

Development Permit or Site Development Permit. Erosion control measures are not subject to the 25 percent development area limit as long as they do not impact sensitive biological resources and are not located within the delineated viewshed areas of Map Drawing No. C-720.

A geotechnical report shall be required documenting the need for the erosion control measure unless it is demonstrated by the City Manager through the submittal of an appropriate investigative report, documentation or other evidence that unstable conditions on the site do not exist.

The geotechnical report shall identify the type and design of the erosion control measure necessary, based upon site-specific conditions.

The City manager shall determine if any repair or maintenance activity of an approved and permitted erosion control measure constitutes a minor modification or requires an amendment to the permit(s) or a new permit(s). The City Manager shall require submittal of necessary reports, documents or any other material necessary to make such determination. Repair or maintenance of an erosion control measure which was constructed or placed without City approvals or permits shall necessitate all required approvals and permits to be obtained.

## SECTION II: DESIGN STANDARDS

In designing a development proposal for a site containing steep hillsides, the following standards must be incorporated into the project design, as described below. The design standards are grouped by project type and the guidelines, which provide specific criteria for regulating encroachment, are provided for meeting each standard. Projects proposing to encroach into steep hillsides shall demonstrate that all design standards have been incorporated and have resulted in the most sensitive design possible. Projects will be evaluated on a case-by-case basis to determine that the standards and guidelines utilized create the most sensitive development. Encroachment will be approved only when it is clearly demonstrated that the project fully conforms with the Environmentally Sensitive Lands Regulations, the standards of the Steep Hillside Guidelines and is located on the least sensitive portions of the site.

All projects shall be designed and sited to avoid potentially significant geologic hazards as identified on the City of San Diego Seismic Safety Study, Geologic Hazards and Faults Maps and/or as identified in a geologic report. Where geologic hazards are identified, the geologic report shall provide an assessment of re-siting alternatives and a variety of options to reduce the risk to the structure to a level acceptable to the Building Official and minimize the risk to public improvements to a level acceptable to the City Engineer.

Within the Coastal Overlay Zone the determination of the least sensitive portions of steep hillsides shall include a constraints analysis of view corridors identified in adopted land use plans, viewsheds as identified on Map C-720, potential geologic hazards and biological resources. The degree to which a particular constraint is more sensitive than another shall be dictated by the specific site conditions. For biological resources, the following list, in order of increasing biological sensitivity, is a guideline for determining the least biologically sensitive portions of the site (see **Table 3** of the **Biology Guidelines** for additional information).

1. Steep hillside areas devoid of vegetation, including previously graded areas and agricultural fields.
2. Steep hillside areas containing non-native vegetation, disturbed habitats and eucalyptus woodlands.
3. Steep hillside areas containing chamise or mixed chaparral, and non-native grasslands.
4. Steep hillside areas containing coastal scrub communities.
5. Steep hillside areas containing rare upland communities.
6. Steep hillside areas within wetland buffer areas.
7. Steep hillside areas occupied by habitat of listed species, narrow endemic species, *Muilla clevelandii* (San Diego goldenstar), and all wetlands.
8. Steep hillside areas necessary to maintain the viability of wildlife corridors (e.g. linear areas of the MHPA <1000' wide).

The approval of a Neighborhood Development Permit, Site Development Permit or Coastal Development Permit requires conformance with all of the applicable design standards. Each set of respective guidelines provide methods by which conformance with the applicable design standard may be achieved. Not all of the guidelines may be necessary in order to comply with a particular standard. However, the proposed development shall incorporate as many guidelines as necessary to comply with the standard and to make the required findings for permit approval.

**(A) Individual Single Dwelling Unit**

***Standard 1: Development on steep hillsides shall respect existing natural landforms.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- Significant natural features such as drainage courses, rock outcroppings, sensitive biological resources and mature trees should be preserved and incorporated into the development design.
- The height of manufactured slopes should be minimized so as not to become a prominent feature in the grading design.
- Development should avoid large areas containing steep hillsides with a natural gradient in excess of 200 percent, except that:
  - Access to the site may encroach into these steep hillsides only if no other feasible means of access to the property exists.
  - Development may encroach into these steep hillsides if there are no other areas that are feasible for development or the area with these steep hillsides constitutes a minor portion of the entire site.
- When the top of a steep hillside is cut and fill is placed on the hillside, the fill slope should be blended with the natural steep hillside.

[SEE **DIAGRAM II-1**, page 32]

- If located adjacent to natural topography or manufactured slopes that are landform graded, newly created manufactured slopes should be landform graded with undulating slopes, irregular/varying gradients, and with the top (crest) and bottom (toe) of new manufactured slopes rounded to resemble natural landforms.

[SEE **DIAGRAM II-2**, page 32]

***Standard 2: Site improvements shall be designed and sited to minimize impacts to the steep hillside areas.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- Development should be concentrated in the least steep areas of the site in order to preserve as much of the natural terrain as possible.
- Development could be located close to the street in order to preserve as much of the natural terrain as possible.

[SEE **DIAGRAM II-3**, page 33]

- When designing a structure on a lot, the siting, orientation and steep hillside disturbance should blend with the surrounding developed properties.
- Retaining walls could be used to reduce the total extent of grading in the steep hillside areas, subject to the following:
  - The maximum height for a single retaining wall, measured from grade to grade, shall be 10 feet. When the overall retained height would exceed 10 feet, the retaining wall shall be broken into multiple stepped walls, with no individual wall height exceeding 6 feet.
  - A minimum horizontal distance of 3 feet shall be maintained between each individual wall in the stepped wall system, and shall be landscaped.

[SEE **DIAGRAM II-4**, page 33]

- Retaining walls could be incorporated into the design of the structure so that they become part of the structure.

[SEE **DIAGRAM II-5**, page 33]

- The color of retaining walls should blend with the natural terrain and the color of the structures on the site.
- Gravity retaining walls could be used, regardless of the height, provided that landscaping and irrigation is installed in the face of the wall.
- Long driveways should follow the contours of the natural terrain.

[SEE **DIAGRAM II-6**, page 34]

- Fence locations should not enclose natural steep hillside areas that are protected by way of easements, conditions of permit, or other mechanisms intended to protect the area in a natural state.
- Pools, tennis courts and other features that require large graded areas should not be permitted in the steep hillside areas of the site.

***Standard 3: The design and placement of structures on the site shall respect the steep hillside character of the site.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- Structures should be designed to fit the natural contour of the site rather than the site being altered to fit a particular structure type. Large flat pads should be avoided in favor of stepped, or split-level structures that follow the general contours of the site.

[SEE **DIAGRAM II-7**, page 34]

- Structure designs and foundation types should be utilized that are compatible with the existing steep hillside conditions and require less grading.

[SEE **DIAGRAM II-8**, page 34]

- Structures could be utilized to screen high retaining walls and extensive manufactured slopes.

[SEE **DIAGRAM II-9**, page 35]

- Raised decks could be utilized for outdoor recreational space as an option to graded yards.
- Structures built on a rim of a canyon should be low in profile and stepped back from the steep hillside area.
- When a structure is built on a steep hillside, it should be stepped to follow the natural line of the existing topography.

[SEE **DIAGRAM II-10**, page 35]

- When located on a steep hillside, structures should be set into the steep hillside to help blend the structure into the site.

[SEE **DIAGRAM II-11**, page 35]

- The required parking could be incorporated within the structure. Where feasible, raised decks could be used for driveways.

[SEE **DIAGRAM II-12**, page 36]

***Standard 4: Designated public view corridors from public streets and other public property, as identified in the adopted Land Use Plan, shall be maintained.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- Structure placement and orientation could be utilized to maximize opportunities for view corridors.
- Landscaping could be utilized that will compliment and not obscure designated view corridors.

***Standard 5: Natural drainage patterns shall be respected to the extent feasible.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- There should be no increase in the peak rate or concentration of run-off that results in increased erosion to the steep hillside areas.
- Any increase in run-off from what occurs naturally should be directed away from the steep hillside areas.
- The amount of impervious surfaces should be minimized.
- If possible, grading during the rainy season should be avoided. There should be close phasing of grading operations, slope erosion control and building construction to reduce the period when bare slopes are susceptible to erosion.

**(B) Single Dwelling Unit Subdivision**

***Standard 1: Development on steep hillsides shall respect existing natural landforms.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- Significant natural features such as drainage courses, rock outcroppings, sensitive biological resources and mature trees should be preserved to the greatest extent possible and incorporated into the development design.
- Development should avoid large areas containing steep hillsides with a natural gradient in excess of 200 percent, except that:
  - Access to the site may encroach into these steep hillsides only if no other feasible means of access to the property exists.
  - Development may encroach into these steep hillsides if there are no other areas



that are feasible for development or the area with these steep hillsides constitutes a minor portion (generally less than 10 percent) of the entire site.

- Steep hillsides between developed canyon bottoms and ridges could be maintained in their natural state.

[SEE **DIAGRAM II-13**, page 36]

- When the top of a steep hillside is cut and fill is placed on the hillside, the fill slope should be blended with the natural steep hillside.

[SEE **DIAGRAM II-1**, page 32]

- The angle of lots and graded pads should follow the contours of the slope and/or the course of the canyon rim and take advantage of views.

[SEE **DIAGRAM II-14**, page 36]

- Alteration of entire steep hillsides could be avoided by maintaining areas of existing natural topography in the design of the development.

[SEE **DIAGRAM II-15**, page 37]

- Priority should be given to the preservation of steep hillsides that are located adjacent to areas designated as open space.

***Standard 2: The development shall be designed to minimize grading.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- The design of streets and long driveways could be used to minimize the amount of grading, as follows:
  - Streets and long driveways should follow the contours of the natural terrain.

[SEE **DIAGRAM II-6**, page 34]

- Streets could be located along ridges and valleys provided this location is not in conflict with other adopted regulations or policies.
- - Streets that are narrow, single loaded, and/or split level could be provided.

[SEE **DIAGRAM II-16**, page 37]

- Retaining walls could be utilized to reduce the total amount of grading provided their heights are minimized and they are only used in non-prominent locations.

[SEE **DIAGRAM II-17**, page 37]

- Alternative forms of retaining systems could be utilized to minimize grading.
- Gravity retaining walls could be used, regardless of the height, provided that landscaping and irrigation is installed in the face of the wall.
- The size and shape of lots could be varied in order to maximize the amount of steep hillsides to be preserved.

[SEE **DIAGRAM II-18**, page 38]

- The use of all areas of the site that do not contain steep hillsides should be maximized prior to encroaching into any steep hillside areas.

***Standard 3 Graded areas shall be designed to blend with existing or planned adjacent topography.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- If located adjacent to natural topography or manufactured slopes that are landform graded, newly created manufactured slopes should be landform graded with undulating slopes, irregular/varying gradients, and with the top (crest) and bottom (toe) of new manufactured slopes rounded to resemble natural landforms.

[SEE **DIAGRAM II-2**, page 32]

- The transition between manufactured slopes and natural topography should be blended to avoid harsh angular lines.

[SEE **DIAGRAM II-19**, page 38]

- Landscaping on manufactured slopes adjacent to natural topography should be similar to the vegetation on the natural slopes.
- Slopes that are adjacent to major and secondary streets and highways and slopes in areas designated as significant public view areas should always be landform graded regardless of the adjacent topography.

***Standard 4: Site improvements shall minimize impacts to the steep hillside areas.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- Development should be concentrated in the least steep areas of the site in order to preserve as much of the natural terrain as possible.

[SEE **DIAGRAM II-20**, page 38]

- Structures could be utilized to screen high retaining walls and extensive manufactured slopes.

[SEE **DIAGRAM II-9**, page 35]

- Breaks between structures could be provided for visual access to steep hillside areas.
- Fence locations should not enclose natural steep hillside areas that are protected by way of easements, conditions of permit, etc.

***Standard 5: The placement of structures within the subdivision shall respect the steep hillside character of the site.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- Structures and foundation types should be utilized that are compatible with the existing steep hillside conditions and require less grading. Split level and embedded structures should be encouraged.

[SEE **DIAGRAM II-8**, page 34]

- Structures built on a steep hillside should not project higher than the closest ridgeline above the structure.

[SEE **DIAGRAM II-21**, page 39]

- Structures built at the top of a steep hillside or on a rim of a canyon should be low in profile and stepped back from the steep hillside area.

***Standard 6: Designated public view corridors from public streets and other public property, as identified in the adopted Land Use Plan, shall be provided and maintained.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- Breaks along the street could be provided where no structures will be located.
- Single-loaded streets could be provided adjacent to steep hillside areas and natural open space.

[SEE **DIAGRAM II-22**, page 39]

The separation between buildings could be designed to maximize opportunities for view corridors.

- Public view corridors down sloping streets should be maintained.
- Views of steep hillsides should be preserved from public rights-of-way and parks and visual access to open space areas from steep hillside developments should be preserved.

***Standard 7: Natural drainage patterns shall be respected to the extent feasible.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- There should be no increase in the peak rate or concentration of run-off which results in increased runoff to the steep hillside areas.
- Any increase in run-off from what occurs naturally should be directed away from the steep hillside areas.
- If possible, grading during the rainy season should be avoided. There should be close phasing of grading operations, slope erosion control and building construction to reduce the period when bare slopes are susceptible to erosion.
- Existing drainage swales and gullies should be retained and incorporated into the design of the development.

**(C) Multiple Dwelling Unit Development**

***Standard 1: Development on steep hillsides shall respect existing natural landforms.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- Significant natural features such as drainage courses, rock outcroppings, sensitive biological resources and mature trees should be preserved to the greatest extent possible and incorporated into the development design.
- Development should avoid large areas containing steep hillsides with a natural gradient in excess of 200 percent, except that:
  - Access to the site may encroach into these steep hillsides only if no other feasible means of access to the property exists.
  - Development may encroach into these steep hillsides if there are no other areas that are feasible for development or the area with these steep hillsides constitutes a minor portion of the entire site.
- Alteration of entire steep hillsides could be avoided by maintaining areas of existing natural topography in the design of the development.

[SEE **DIAGRAM II-15**, page 37]

- Steep hillside areas should not be mass graded to create a large flat pad. Instead, smaller stepped pads could be used that follow the existing topography.

[SEE **DIAGRAM II-23**, page 39]

- When the top of a steep hillside is cut and fill is placed on the hillside, the fill slope should be blended with the natural steep hillside.

***Standard 2: The development shall be designed to minimize impacts to steep hillsides.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- The design of streets and long driveways could be used to minimize the amount of grading, as follows:
  - Streets and long driveways should follow the contours of the natural terrain.

[SEE **DIAGRAM II-6**, page 34]

- Streets and driveways could be located along ridges and valleys provided this location is not in conflict with other adopted regulations or policies.
- Streets and driveways could be provided that are narrow, single loaded, and/or split level.

[SEE **DIAGRAM II-16**, page 37]

- Retaining walls could be used to reduce the total extent of grading in the steep hillside areas, subject to the following:
  - The maximum height for a single retaining wall, measured from grade to grade, shall be 10 feet. When the overall retained height would exceed 10 feet, the retaining wall shall be broken into multiple stepped walls, with no individual wall height exceeding 10 feet. A minimum horizontal distance of 3 feet shall be maintained between each individual wall in the stepped wall system and shall be landscaped.

[SEE **DIAGRAM II-4**, page 33]

- Retaining walls could be incorporated into the design of the structure so that they become part of the structure.

[SEE **DIAGRAM II-5**, page 33]

- The color of retaining walls should blend with the natural terrain and the color of the structures on the site.
- Gravity retaining walls could be used, regardless of the height, provided that landscaping and irrigation is installed in the face of the wall.

***Standard 3: Graded areas shall be designed to blend with existing or planned adjacent topography.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- If located adjacent to natural topography or manufactured slopes that are landform graded, newly created manufactured slopes should be landform graded with undulating slopes, irregular/varying gradients, and with the top (crest) and bottom (toe) of new manufactured slopes rounded to resemble natural landforms.

[SEE **DIAGRAM II-2**, page 32]

- The transition between manufactured slopes and natural topography should be blended to avoid harsh angular lines.

[SEE **DIAGRAM II-19**, page 38]

- Landscaping on manufactured slopes adjacent to natural topography should be similar to the vegetation on the natural slopes.
- Slopes that are adjacent to major and secondary streets and highways and slopes in areas designated as significant public view areas should always be landform graded regardless of the adjacent topography.

***Standard 4: Site improvements shall be designed and sited to minimize impacts to the steep hillside areas.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- Development should be concentrated in the least steep areas of the site in order to preserve as much of the natural terrain as possible.

[SEE **DIAGRAM II-20**, page 38]

- Development could be located close to the street in order to preserve as much of the natural terrain as possible.

[SEE **DIAGRAM II-3**, page 33]

- Multiple small parking lots at different levels could be utilized instead of one large parking lot.
- Pools, tennis courts and other features that require large graded areas should be located on the flatter portions of the site.

***Standard 5: The design and placement of structures on the site shall respect the steep hillside character of the site.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- Structures should be designed to fit the natural contour of the site rather than the site being altered to fit a particular structure type. Large flat pads should be avoided in favor of stepped, or split-level structures that follow the general contours of the site.

[SEE **DIAGRAM II-7**, page 34]

- Structure designs and foundation types should be utilized that are compatible with the existing steep hillside conditions and require less grading.

[SEE **DIAGRAM II-8**, page 34]

- Structures built at the top of a steep hillside or rim of a canyon should be low in profile and stepped back from the steep hillside area.
- Structures could be utilized to screen high retaining walls and extensive manufactured slopes.

[SEE **DIAGRAM II-9**, page 35]

- Structures built on a steep hillside should not project higher than the closest ridgeline above the structure.

[SEE **DIAGRAM II-22**, page 39]

- Raised decks and roof decks could be utilized for outdoor recreational space.
- Parking could be located under the structure on up-sloping lots and on top of structure on down-sloping lots to reduce grading needed for parking lots.

[SEE **DIAGRAM II-24**, page 40]

***Standard 6: Designated public view corridors from public streets and other public property, as designated in the adopted Land Use Plan, shall be provided and maintained.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- Pedestrian access ways could be provided adjacent to natural open space.
- The separation between buildings could be designed to maximize opportunities for view corridors.
- Structure placement should be oriented to respect designated view corridors.
- Landscaping could be utilized that will enhance and not obscure designated view corridors.

***Standard 7: Natural drainage patterns shall be respected to the extent feasible.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- There should be no increase in the peak rate or concentration of run-off which results in increased erosion to the steep hillside areas.
- Any increase in run-off from what occurs naturally should be directed away from the steep hillside areas.
- The amount of impervious surfaces should be minimized.

**(D) Commercial, Industrial, and Other Non-Residential Development**

***Standard 1: Development on steep hillsides shall respect existing natural landforms.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- Significant natural features such as drainage courses, rock outcroppings, sensitive biological resources and mature trees should be preserved to the greatest extent possible and incorporated into the development design.
- Development should avoid large areas containing steep hillsides with a natural gradient in excess of 200 percent, except that:
  - Access to the site may encroach into these steep hillsides only if no other feasible means of access to the property exists.
  - Development may encroach into these steep hillsides if there are no other areas that are feasible for development or the area with these steep hillsides constitutes a minor portion of the entire site.



- Areas of existing natural topography should be integrated into the design of the development.
- Priority should be given to the preservation of steep hillsides that are located adjacent to areas designated as open space.
- When the top of a steep hillside is cut and fill is placed on the hillside, the fill slope should be blended with the natural steep hillside.

[SEE **DIAGRAM II-1**, page 32]

***Standard 2: The development shall be designed to minimize grading.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- Streets and driveways should follow the contours of the natural terrain.

[SEE **DIAGRAM II-6**, page 34]

- The use of all areas of the site that do not contain steep hillsides should be maximized prior to encroaching into any steep hillside areas.
- Retaining walls could be used to reduce the total extent of grading in the steep hillside areas, subject to the following:
  - The maximum height of a single retaining wall located adjacent to natural steep hillsides designated as open space or adjacent to major and secondary streets and highways or sidewalks, measured from grade to grade, shall be 10 feet. When the overall retained height would exceed 10 feet, the retaining wall shall be broken into multiple stepped walls, with no individual wall height exceeding 10 feet. A minimum horizontal distance of 3 feet shall be maintained between each individual wall in the stepped wall system and shall be landscaped.

[SEE **DIAGRAM II-4**, page 33]

- Retaining walls could be incorporated into the design of the structure so that they become part of the structure.

[SEE **DIAGRAM II-5**, page 33]

- Gravity retaining walls could be used, regardless of height, provided that landscaping and irrigation is installed in the face of the wall.
- Narrow, single loaded, and/or split level streets and driveways could be utilized where possible.
- Shared access to adjacent lots could be used to reduce the amount of grading required for driveways.

- Development areas should be located at varying elevations to respect the existing contours of the site.
- The size and shape of lots could be utilized to maximize the amount of steep hillsides to be preserved.

[SEE **DIAGRAM II-18**, page 38]

***Standard 3: Graded areas shall be designed to blend with existing or planned adjacent topography.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- If located adjacent to natural topography or manufactured slopes that are landform graded, newly created manufactured slopes should be landform graded with undulating slopes, irregular/varying gradients, and with the top (crest) and bottom (toe) of new manufactured slopes rounded to resemble natural landforms.

[SEE **DIAGRAM II-2**, page 32]

- The transition between manufactured slopes and natural topography should be blended to avoid harsh angular lines.

[SEE **DIAGRAM II-19**, page 38]

- Landscaping on manufactured slopes adjacent to natural topography should be similar to the vegetation on the natural slopes.
- Slopes that are adjacent to major and secondary streets and highways and slopes in areas designated as significant public view areas should always be landform graded regardless of the adjacent topography.

***Standard 4: Site improvements shall be designed and sited to minimize impacts to the steep hillside areas.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- Development should be concentrated in the least steep areas of the site in order to preserve as much of the natural terrain as possible.

[SEE **DIAGRAM II-20**, page 38]

- The design and placement of site improvements should take into consideration the location surrounding developments.

- Parking located near the top of steep hillside areas should be set back from the edge of steep hillsides or buffered with a combination of berms and landscaping.

[SEE **DIAGRAM II-25**, page 40]

- Parking areas should be terraced to reflect existing topography.
- Parking structures could be used to reduce the amount of graded, surface parking needed.
- Multiple small parking lots at different levels could be utilized instead of one large parking lot.

***Standard 5: The design and placement of structures on the site shall respect the steep hillside character of the site.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- Structures built at the top of a steep hillside or rim of a canyon should be low in profile and stepped back from the steep hillside area.
- The use of reflective building materials should be minimized.
- Structures could be utilized to screen high retaining walls and extensive manufactured slopes.

[SEE **DIAGRAM II-9**, page 35]

- When located near the top of steep hillside areas, buildings should be situated so that landscaped parking areas may serve as a buffer between the steep hillside area and the building.
- When a structure is built on a steep hillside, it should be stepped to follow the natural line of the existing topography.

[SEE **DIAGRAM II-10**, page 35]

- When located on a steep hillside, structures should be set into the steep hillside to help blend the structure into the site.

[SEE **DIAGRAM II-11**, page 35]

- Underground, tuck-under, rooftop, and/or integrated structured parking could be used in the design of the structures.

[SEE **DIAGRAM II-24**, page 40]

- Multiple smaller buildings at different elevations could be used as an option to a single large building.
- Decks and other spaces integrated into the building could be used for public space.

***Standard 6: Designated public view corridors from public streets and other public property, as identified in the adopted Land Use Plan, shall be provided and maintained.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

- Pedestrian access ways could be provided adjacent to natural open space areas.
- Structure placement and orientation could be utilized to maximize opportunities for view corridors.
- Landscaping could be utilized that will complement and not obscure designated view corridors.

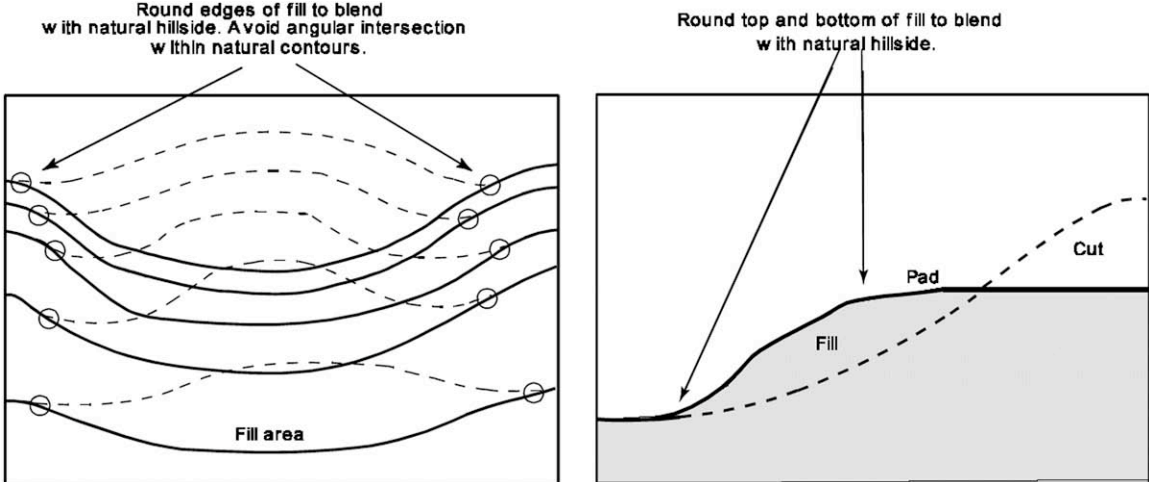
***Standard 7: Natural drainage patterns shall be respected to the extent feasible.***

This standard may be achieved by incorporating into the development design, the following guidelines, as appropriate, for the site conditions and the proposed development:

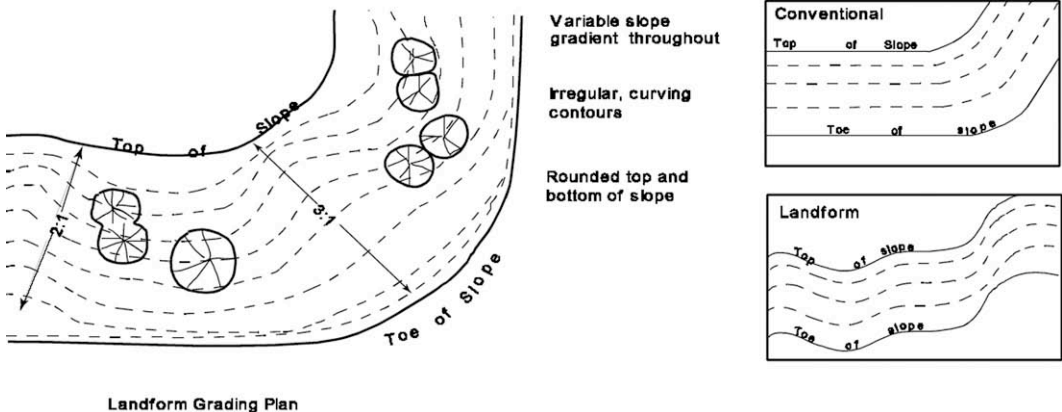
- There should be no increase in the peak rate or concentration of run-off which results in increased erosion to the steep hillside areas.
- Existing drainage swales and gullies should be retained and incorporated into the design of the development.
- The amount of impervious surfaces should be minimized.

**DIAGRAMS FOR DESIGN STANDARDS**

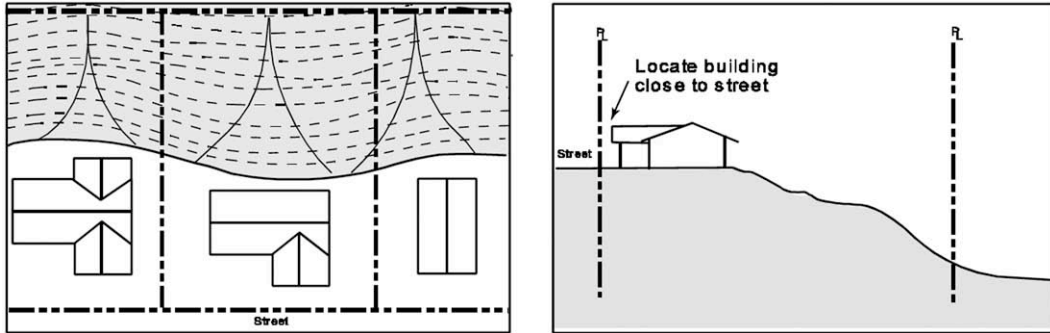
**DIAGRAM II-1  
FILL SLOPES BLENDED WITH NATURAL STEEP HILLSIDE**



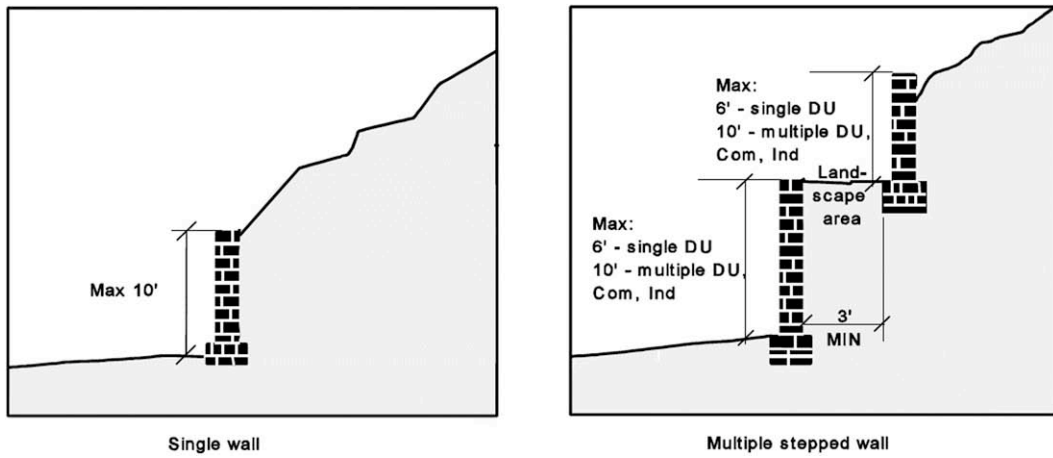
**DIAGRAM II-2: LANDFORM GRADED SLOPES**



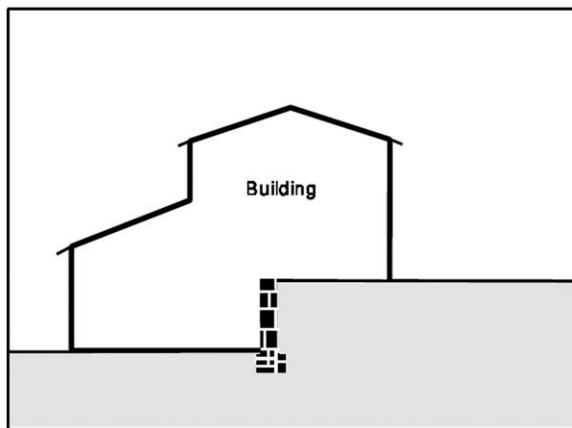
**DIAGRAM II-3  
BUILDING LOCATIONS**



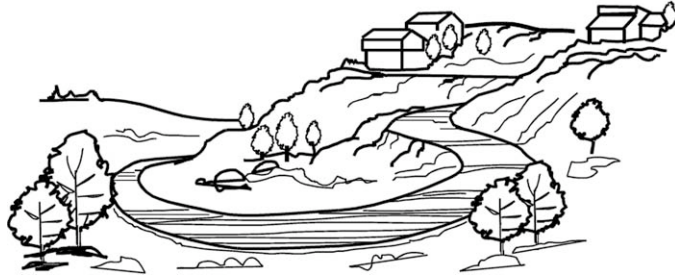
**DIAGRAM II-4  
RETAINING WALL HEIGHT**



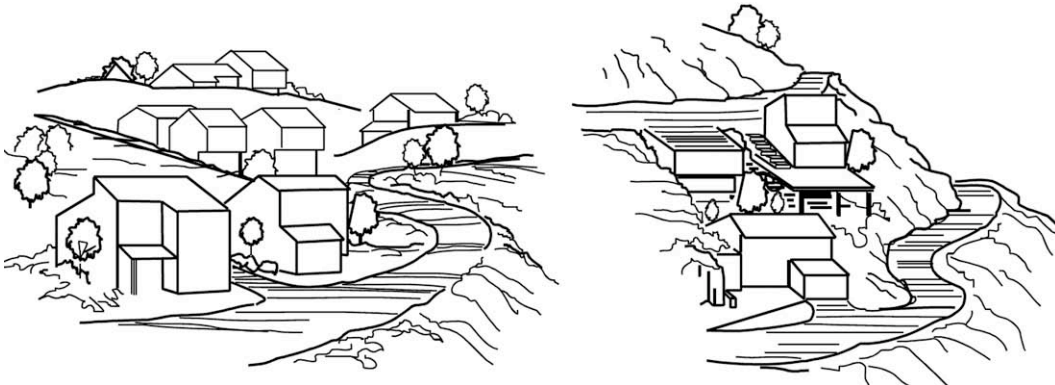
**DIAGRAM II-5  
RETAINING WALL WITHIN STRUCTURE**



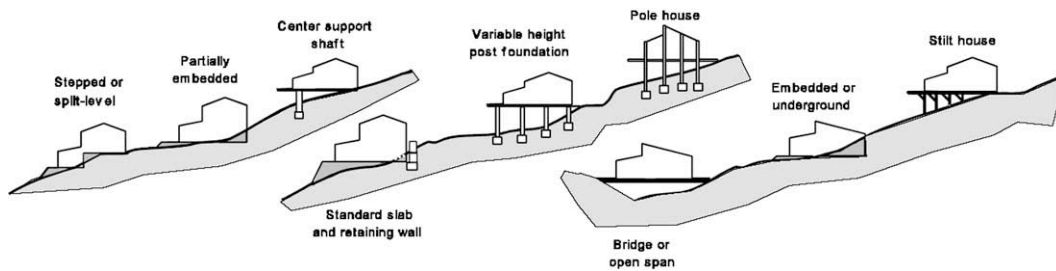
**DIAGRAM II-6  
LONG DRIVEWAYS**



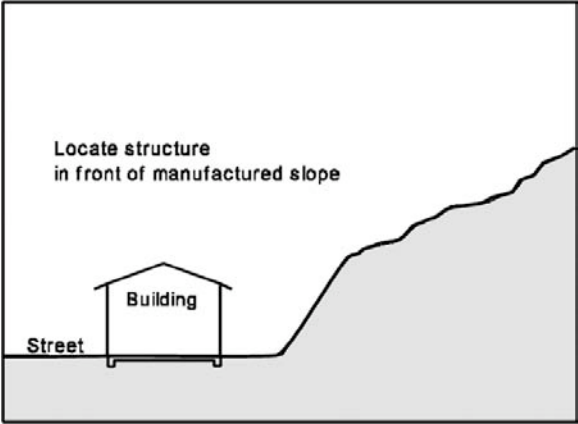
**DIAGRAM II-7  
STRUCTURES THAT FIT NATURAL CONTOURS**



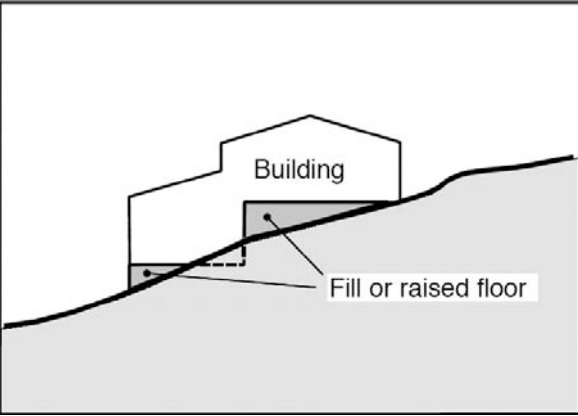
**DIAGRAM II-8  
STEEP HILLSIDE STRUCTURE/FOUNDATION TYPES**



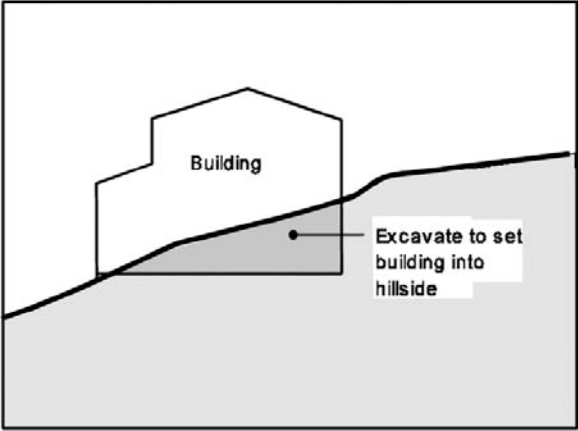
**DIAGRAM II-9  
STRUCTURE LOCATED IN FRONT OF MANUFACTURED SLOPE**



**DIAGRAM II-10: STEPPED BUILDING**

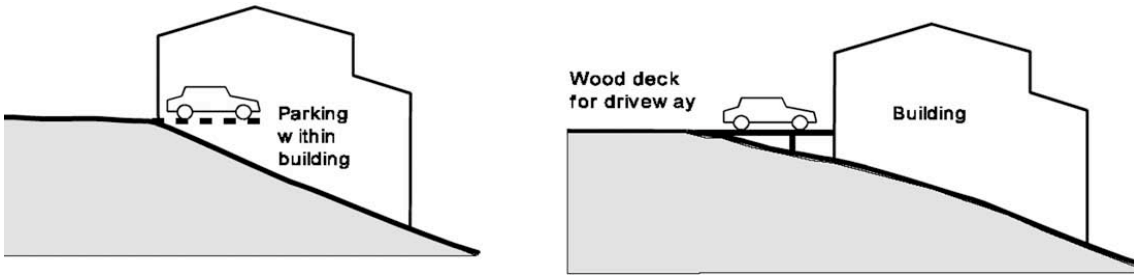


**DIAGRAM II-11: BUILDING SET INTO STEEP HILLSIDE**

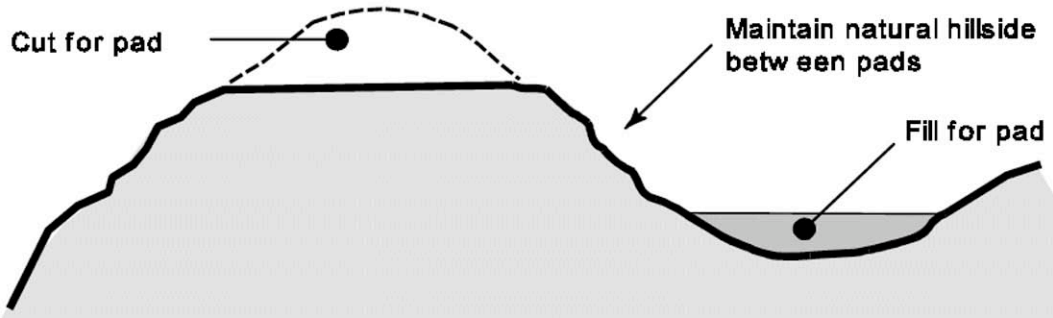




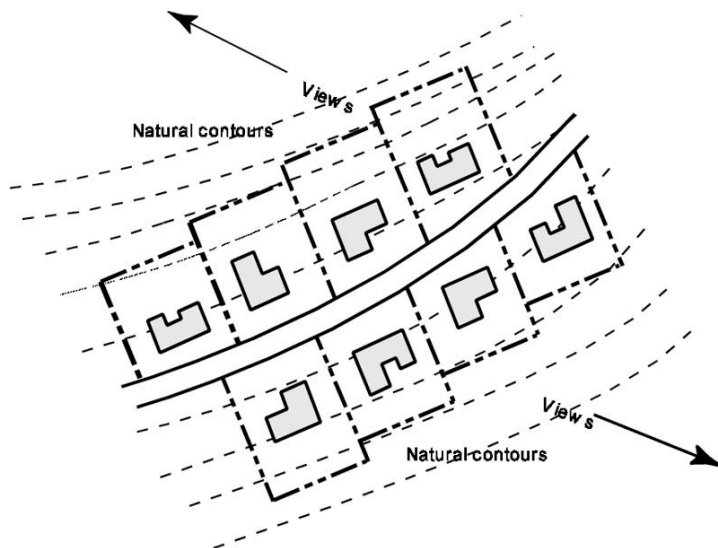
**DIAGRAM II-12  
PARKING ON STEEP HILLSIDE SITES**



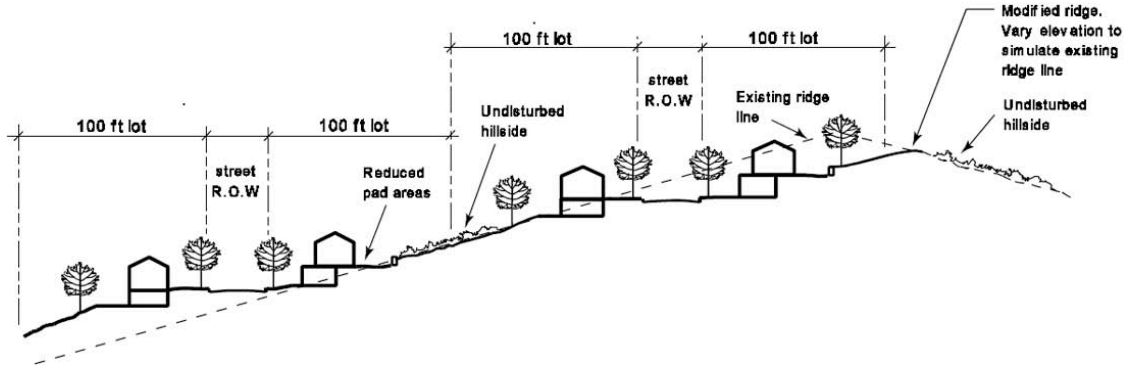
**DIAGRAM II-13  
NATURAL HILLSIDES RETAINED  
BETWEEN DEVELOPMENT AREAS**



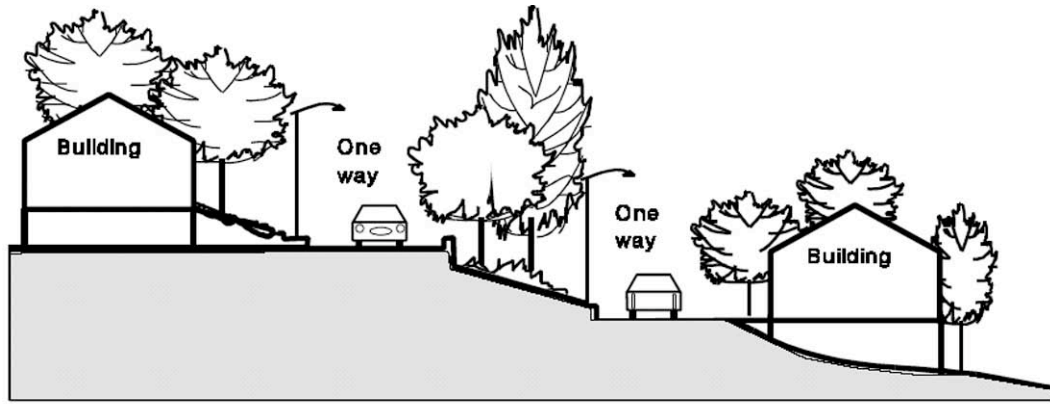
**DIAGRAM II-14  
LOTS THAT FOLLOW HILLSIDE CONTOURS**



**DIAGRAM II-15  
RETAINED AREAS OF UNDISTURBED  
HILLSIDES WITHIN DEVELOPMENT**

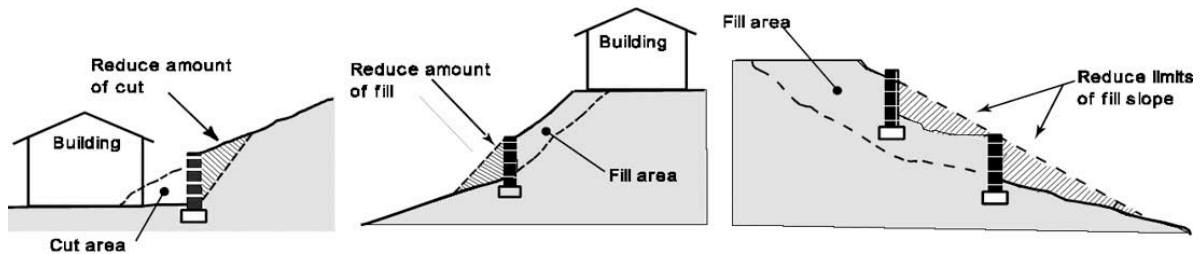


**DIAGRAM II-16  
SPLIT-LEVEL STREET**

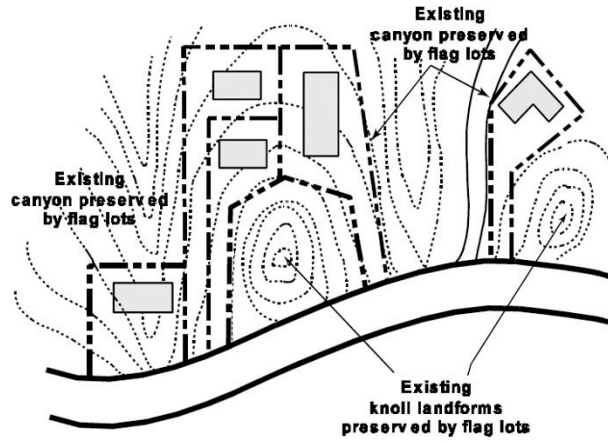


Split level roads can reduce site disturbance

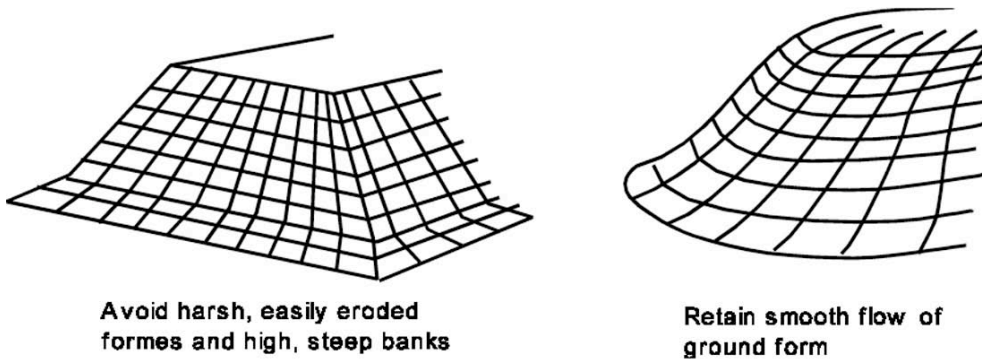
**DIAGRAM II-17  
USE OF RETAINING WALLS IN HILLSIDE DEVELOPMENTS**



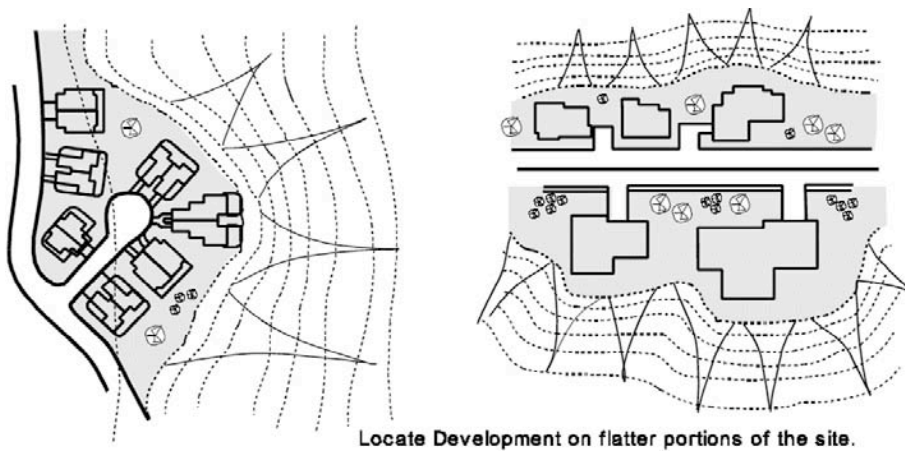
**DIAGRAM II-18  
VARIED LOT SIZE AND SHAPE**



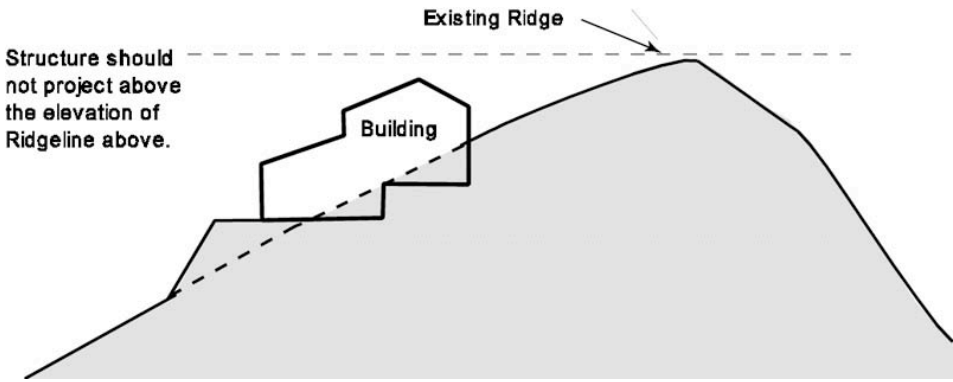
**DIAGRAM II-19  
BLENDED MANUFACTURED SLOPES**



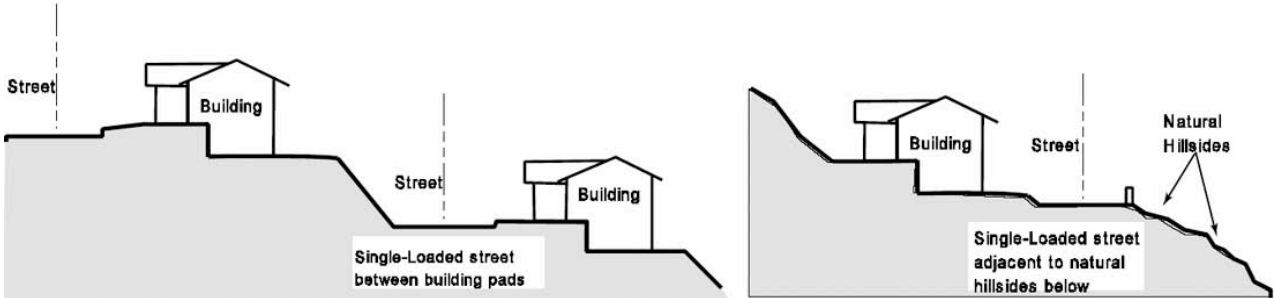
**DIAGRAM II-20  
DEVELOPMENT LOCATED ON LEAST STEEP AREAS**



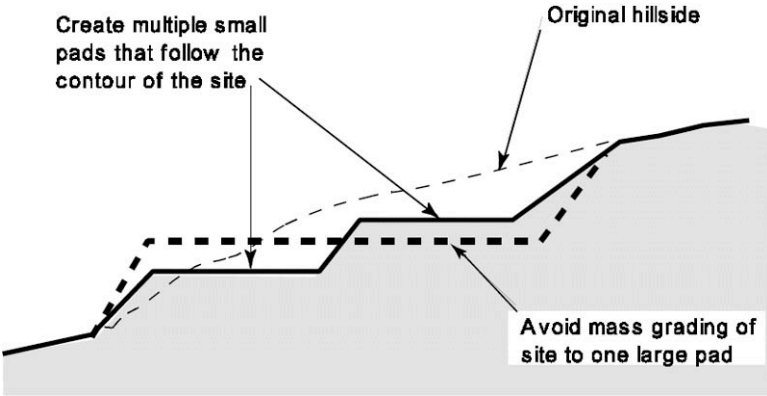
**DIAGRAM II-21  
BUILDING LOCATED NEAR RIDGELINE**



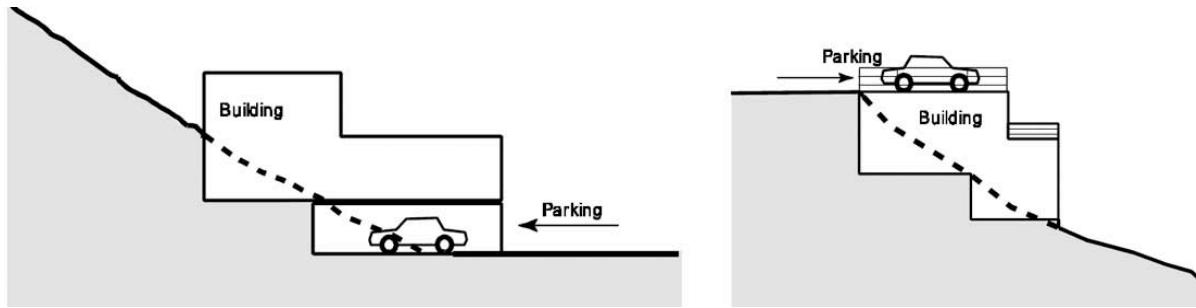
**DIAGRAM II-22  
SINGLE LOADED STREETS**



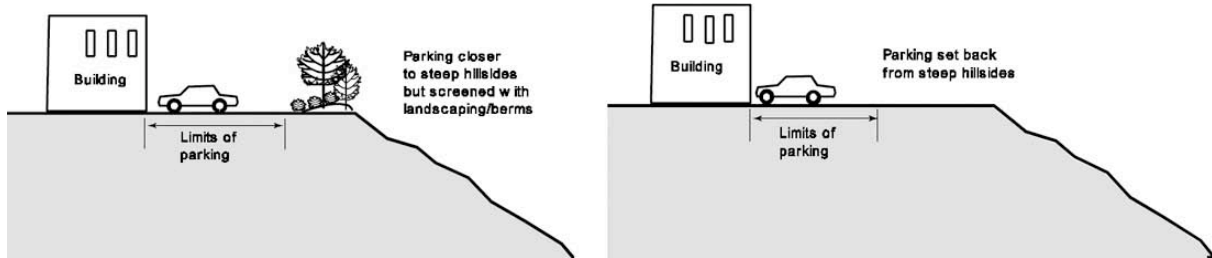
**DIAGRAM II-23  
STEPPED PADS**



**DIAGRAM II-24  
PARKING FOR HILLSIDE STRUCTURES**



**DIAGRAM II-25  
PARKING LOTS NEAR STEEP HILLSIDES**



## **SECTION III: COMMUNITY-SPECIFIC REQUIREMENTS**

The following guidelines are recommendations for development on steep hillsides within specific Community Plans that are not addressed elsewhere in the Steep Hillside Guidelines. The recommendations came directly from the indicated Community Plan and conformance is required in order to make the findings for development approval. [Additional recommendations from various Community Plans are not listed in this Section because they are incorporated elsewhere in the Steep Hillside Guidelines and are applicable citywide.]

### **(A) Mira Mesa**

- Grading over the rim of Los Penasquitos Canyon shall not be permitted.
- Clustered units, single-story structures or single-story elements, roofs sloped toward the canyon, or increased setbacks from the canyon rim shall be used to ensure that visibility of new development from Los Penasquitos Canyon Preserve is minimized. Development shall not be visible from the northern trail in Los Penasquitos Canyon or the location of the planned trail in Lopez Canyon at the point that is located nearest to the proposed development. Lines-of-sight from the trails to the proposed development shall be submitted by the applicant.
- Fences adjacent to Los Penasquitos Canyon Preserve shall be constructed of wrought or cast iron, or vinyl-coated chain link with a wooden frame.
- Landscaping adjacent to Los Penasquitos, Lopez, Carroll or Rattlesnake canyons shall be predominantly native species.
- Wherever possible, public access to the rim and view of Los Penasquitos Canyon Preserve should be provided in the form of paths, scenic overlooks, and streets.

### **(B) Rancho Penasquitos**

- In the Black Mountain transition zone, as shown in the Community Plan, a gradual transition using landscaping and moderate (50 feet) horizontal and vertical separations should be used.
- For the Penasquitos Canyon transition zone, as shown in the Community Plan, in those areas where residential development backs onto proposed open space, a buffer at least 50 feet wide should be created. Layers of the buffer should include the rear yard areas; a consistent fence style along the length of the development; clusters of shrubs and trees offsetting the fence line; and a rounded slope with the landscaping gradually blended into the natural vegetation where manufactured slopes are necessary. The natural vegetation should be replaced whenever possible, except within the Fire Management Zone.
- The ridge-canyon relationship should be maintained and not obliterated. While hilltops and valleys may be graded to permit development, the sense of distinctive landform should remain. Special care should be taken to preserve the landform of the ridgetop in the Black Mountain area and the Camino Ruiz open space corridor in Penasquitos Canyon.

- For artificial slopes over 15 feet in height, slopes should be blended, tops of slope banks should be rounded, and contoured or sculptured, grading should be both horizontally and vertically, all artificial slopes should be blended to meet native terrain. The overall effect desired is a natural undulating terrain rather than a manufactured appearance.
- Siting of buildings along canyon rims should consider city-wide brush management requirements. Minimum setbacks from top of slope ranging from 20 to 50 feet (depending on fire severity rating) should be required in order to reduce the potentially significant environmental impacts associated with the brush management.
- The treatment of rooftops should be varied on sloping sites, rather than consisting of extended horizontal lines. Rooflines should be used to emphasize the variety in shape and flowing character of the hillside instead of masking it.

**(C) Miramar Ranch North**

- Site planning should maintain the topographic relief of the existing terrain and preserve significant views from and of development areas as shown on the 1"-400' scale concept grading plan which may be found in the map pocket of the Community Plan.
- It is recognized that in some portions of the Community Plan, substantial cuts and fills are required. These cut and fill areas arise where important streets must meet City engineering standards, such as for grades and curve radii. Three cases in point are Scripps Ranch Boulevard at the western entrance to the community; Spring Canyon road along the ridge between Scripps Ranch and Miramar Ranch North; and the north-south road passing by the eastern elementary school site, through Cypress Canyon, and northward across the power easement. In the detailed engineering of important roads in the Community Plan area, care should be taken to minimize the cuts and fills to the extent feasible while meeting City road standards.
- The height difference between ridges and canyons should be retained to the greatest extent possible.

**(D) Carmel Mountain Ranch**

- In general, manufactured slopes should be a maximum grade of 2:1, and no more than 50 feet in height. Exceptions to this standard include the manufactured slopes along North City Parkway and within Units 41, 22, 23, 20, 5, 5A, 6, 6A, 9, 15, and 15A. Special design guidelines for some of these slopes are provided below.
- Some of the manufactured slopes in or adjacent to Units 41, 22, 23, 5, 5A, 15 and 15A may be equal to or greater than 50 feet in height.
  - Unit 41: A 50-foot vertical separation is likely at the western perimeter of this parcel along Carmel Mountain Road.
  - Unit 22: Two cut slopes ranging from 50 feet to 60 feet may be necessary at selected locations along the western perimeter of the parcel.

- Unit 23: The variable topography in this area may require two interior slopes of 50 feet and two fill slopes ranging from 70 feet to 100 feet.
- Unit 5 and 5A: A vertical separation ranging from 50 feet to 60 feet is anticipated between Units 5 and 6.
- Units 15 & 15A: A vertical separation of 50 feet is anticipated between Units 15, 15A and 16. In addition to the general design standards, the following measures are recommended to reduce the scale of tall manufactured slopes:
  - Slopes should be heavily planted and utilize a variety of plants species and plant heights to modulate the appearance of the slope.
  - Trees should be planted near the base of slopes to de-emphasize the scale of slopes.
  - If stable rock is uncovered during grading, slopes may be steepened to 1.5:1 and 1:1 to reduce the height of cut as well as provide an interesting visual feature.
  - Boulders should be incorporated into the landscaping of slopes to retain the natural character of the site.

**(E) Mission Valley**

- Design roads serving hillside and canyon developments carefully and sensitively.
  - Roads serving residential development near the upper ridge of the south rim of the Valley should be cul-de-sacs or loops extending from existing upland streets. These extensions should be "single loaded" (with structures on one side only and of minimum width).
  - Roads serving Valley development (office, educational, commercial-recreation, commercial-retail) at the base of the steep hillsides should consist of short side streets branching off Camino Del Rio South or Hotel Circle South. These side streets should provide primary access to projects in preference to collector streets.
- Large scale development (commercial, office, or commercial-recreation) at the base of the steep hillsides should not cut or grade, nor extend above the 150-foot elevation contour on the southern slopes.
- All that portion of the Mission Valley Community Plan area located south of Interstate 8 should be incorporated into a South Mission Valley Height Limitation Zone, which established a height limitation of a new or altered buildings of 40 to 65 feet.
- The steep hillsides should provide a clear area of demarcation between the Mission Valley Community Plan area and the communities on the mesas above Mission Valley.
- Development at the base of slopes should utilize the following design principles:
  - Emphasize a horizontal rather than a vertical orientation for building shape.
  - Step back each successive floor of the structure to follow the natural line of the slope.



- Utilize building materials and colors which are of earth tones, particularly dark hues.
- Design roof areas to minimize disruption of views from the crest of the hillsides. Sloped or landscaped roofs and enclosed mechanical equipment can help to achieve this effect.

(Municipal Code/PDO)

- Orient development towards the valley and take access to Mission Valley projects from roads that do not extend above the 150-foot elevation contour.
- Preserve the natural landform and greenbelt of the southern hillsides and rehabilitate the northern hillsides.

Southern Slopes:

- Preserve existing steep hillsides and use the steep hillsides as a backdrop and guide to building form.
- Cluster, contour and terrace structures into sites to preserve the form of the steep hillsides.
- Cluster development in disturbed or sparsely vegetated portions of the slope.
- Design automobile access to minimize hillside disruption. To avoid excessive grading, locate automobile access adjacent to street access and separated from habitable building sections. Linkages from the street to the building should be made through pedestrian ways or bikeways.

Northern Slopes:

- Develop near the base of the slope. Building height and setbacks should be designed to create a band of visible open slope areas landscaped according to City-wide standards between the ridge line and building roofs that mirror the greenbelt effect of the southern hillsides.
- Development beyond the base of the steep hillsides should be low in profile.
- Adapt building and parking areas to the terrain. Minimize the visual impact of buildings by terracing them up or down a slope, providing view corridors through them and terracing outdoor deck areas.

**(F) Sabre Springs**

- Fill slopes should be minimized along the creek environments in order to maximize view potentials and minimize erosion from such slopes. This is particularly important along Penasquitos Creek.
- Daylight cut and fill methods should be used to the extent feasible in grading of development areas on prominent ridges near Poway Road and Interstate 15, and in

the southeast portion of the planning area. Grading in these areas should result in minimal fill slopes, and in retention of steep ridge slopes between ridge top and canyon housing sites in a natural state to the greatest extent feasible.

- All manufactured slopes, both temporary and permanent, should be a maximum grade of 2 to 1, and no more than 30 to 50 feet in height. Slopes exceeding the height limit at the freeway interchange, along the southeast boundary, and along the southwest boundary should be specially treated as described in the Community Plan.
- Grading should be limited to what is necessary such that spillovers into natural areas such as the creeks are avoided and native vegetation to be preserved is not trampled. The final earth surface of development sites should be watered and rolled to form a hardened, compacted cap of soil which will minimize dust and erosion.

**(G) La Jolla**

- Where the linkage between two areas of designated open space is provided by steep hillsides, such as the steep hillsides that lie between Soledad Open Space Park and La Jolla Heights Park, development will be sited in a manner that preserves that linkage.
- Set back large residential structures from the brow of the hillside. This is especially important for those locations that are visible from natural open space systems, park lands and the seashore. The preservation of the natural character of these areas depends upon minimizing visual intrusions.
- Provide visual access to open space areas in all large developments that are proposed on steep hillsides. Public views of open space areas can be enhanced by providing roadway turnouts at scenic locations. Design walls and fences to accommodate existing public vistas, respecting the legitimate needs of privacy and public safety.
- Limit public access in hillside areas that contain sensitive resources to scientific or educational use. Confine access to designated trails or paths and no access shall be approved which would result in the disruption of habitat areas.
- Lot divisions shall be required to have a portion of each created lot in areas of less than 25 percent gradient. The portion of the lot to be in slopes of less than 25 percent gradient shall be equal to or exceeding the area represented by the Building Size Ratio (floor area ratio) for the zone in which the property is located. This requirement would not apply to parcels restricted to open space uses, either by dedication or transfer of title to The City of San Diego or another responsible public agency.

**(H) San Pasqual Valley**

- Building pads should not be created on the most visible portions of both the ridgelines and the valley floor.
- Although the use of retaining walls within view of the valley is highly discouraged, there may be instances in which no alternative is available. In this case, the retaining wall should not exceed six feet in height and should conform to the natural contour

of the topography and be screened with indigenous landscaping. Earthtone colors and decorative natural materials such as stone construction should be used to blend with the natural landscape.

- Any parcels that have been disturbed by illegal grading should be restored through corrective grading techniques and/or revegetation of the native habitat.
- The use of stem walls should be avoided.
- The facades of structures should be angled at varying degrees to follow the natural topography of the site.
- Rooflines of structures should vary in angle and height to provide a changing profile. Rooflines shall emphasize the natural landforms and help blend the structures into the natural open space environment.
- Accessory uses such as tennis courts, gazeboes, and swimming pools that would require retaining walls and/or extensive structural supports visible from the valley should be avoided. Accessory uses should be set back from the ridgeline and properly screened with landscaping to be unobtrusive. In deck construction, large distances between structures and grade shall be avoided.
- In subdivisions, open space linkages should be required for pedestrian/bike traffic and equestrian trails linking the project with the valley's proposed trail system.
- In subdivisions, projects should be designed to provide appropriately sized open space linkages where deemed necessary to allow for wildlife movement and trail linkages.
- To reduce the need for property line fencing on major steep hillsides, subdivisions should be designed to place steep hillsides adjacent to proposed building pads in separate open space lots. Where property lines do transverse steep hillsides, fencing on the steep hillside area should be discouraged; however, where such fencing is required the fencing should be visually unobtrusive in color and material.
- Fencing should be unobtrusive, typically open and non-opaque when viewed from public areas of the valley, with natural colors to blend with landscape.

#### **(I) Sorrento Hills**

- There shall be no grading or development on the bluffs.
- In areas adjacent to Los Penasquitos Canyon Preserve, building roof lines should slope in a manner which complements the contours of the natural mesa edge landform. Individual building stories may be staggered contiguous to the mesa edge so as to minimize views of structures from the canyon bottom.
- When buildings and landscaping are introduced that can be viewed in the context of the bluffs, form, color and texture should be controlled so that development blends into the foreground and does not visually detract from the bluffs.

**(J) Navajo, Tierrasanta, East Elliott** (within sub-area 2 of the Mission Trails Design District, in accordance with Chapter 13, Article 2, Division 7)

- New developments shall maintain contiguous public access immediately adjacent to Mission Trails Park edge or boundaries.
- In a conventional subdivision rear property lines shall not be permitted contiguous to Mission Trails Park boundary. Access roads or bike paths could be used to buffer park from private yards.
- Common recreational/open space areas shall abut Mission Trails Park boundary. Private property lines shall not be permitted within 20 feet of the park's edge or boundary.
- New developments immediately abutting Mission Trails Park should provide open space linkages, bike/pedestrian (and equestrian if in East Elliott) access to the park.
- Only clustered development and structures that conform to steep terrain shall be permitted.
- Hillside development shall not be permitted on steep hillsides fifty percent or greater. The clustering concept should be applied to avoid those steep hillsides.
- Lots and structures should be oriented towards views and vistas of Mission Trails Park. For example, lots should be oriented at right angles to the contour lines in a staggered fashion instead of at right angles to the streets.
- Utilize for community or public land use those portions of the steep hillsides most exposed to public view, or from which the widest views are possible.
- Site major structures to show only a portion of themselves beyond the hill's brow or profile when viewed from important roads.
- Do not obscure the hillside foot at the end of streets perpendicular to Mission Trails Park, except as follows:
  - Only buildings of significance to the entire community should be allowed at the ends of streets perpendicular to Mission Trails Park.
- The paved surface ground in a given development shall not exceed forty-five percent of the total development areas, in order to support the natural system of drainage. Paved surface ground includes structure foundations, driveways, patios, sidewalks, parking areas, and streets.
- At least three of the following techniques shall be employed to limit the amount of paved surface and further reduce interference with the natural drainage system:
  - Clustered design as previously described.
  - Grading of foundation area only, open type foundations as previously described.
  - Raised wood decks instead of concrete slabs for patios, driveways and parking.
  - Common driveways or cul-de-sacs, and narrow streets for access.

- Elimination of paved sidewalks. Provision of street sidewalks should be a response to need rather than to arbitrary policy.
- Design of garage/parking space either under or over the structure depending on whether the lot is uphill or downhill from the street.
- Streets should follow and/or end in views from the crest of steep hillsides. Wherever possible development facing the park should be set below road grade to preserve public views of the park from the roadway.
- Aim streets directly at Mission Trails Park to create sightlines for maximum visual impact.

**(K) Clairemont Mesa and Linda Vista** (areas adjacent to Tecolote Canyon)

- Structures should be set back or placed at staggered distances from the canyon rim to avoid a "wall effect" along the rim. In cases where the Tecolote Canyon Natural Park boundary is at a lower elevation than the canyon rim, structures should still maintain setbacks from the rim and utilize the area between the rim and park property lines as a landscaped buffer.
- The facades of structures should be angled at varying degrees to follow the course of the canyon rim.
- When viewed from the opposite rim of Tecolote Canyon, the structures should emphasize the line of the canyon rim.
- Rooflines of structures should vary in angle and height to provide a changing profile along the Tecolote Canyon rim when viewed from the opposite rim. A changing roofline will emphasize the verticality of the canyon walls and help blend the structures into the natural hillside environment.
- In larger scale development projects, pedestrian facilities rather than auto facilities should be located adjacent to Tecolote Canyon rim as the scale of pedestrian facilities is more adaptable to the varying land forms of the canyon rim.
- Larger scale developments should provide appropriate pedestrian access to Tecolote Canyon rim. Pedestrian facilities, such as lookout points and pathways, should be located in areas adjacent to the canyon rim, but should not provide access into Tecolote Canyon Natural Park.
- Where it is appropriate to locate roadways and driveways along Tecolote Canyon rim, they should follow the natural course and contours of the rim. Landscaping should be provided to buffer roadways and driveways from the canyon. These buffered roadways and driveways would then provide open edges between the canyon and development.
- Where it is appropriate to locate parking facilities adjacent to the rim, they should be minimal in size and buffered from the canyon by landscaping.
- Traffic flow should be parallel to or directed away from the canyon rim. Adequate access for service and emergency vehicles into Tecolote Canyon Natural Park must

be considered, but illegal off-road vehicles shall be excluded. Street layout and design should not create any pressure to construct new public roads through any part of Tecolote Canyon Natural Park.

- Grading should not occur within Tecolote Canyon. If any areas within the canyon are disturbed by grading occurring adjacent to the canyon, or by minor grading necessary for the provision of services such as sewers or runoff control facilities, the disturbed areas should be repaired to blend in with natural slopes and contours and should be revegetated with native plants. Additionally, grading operations should not occur during the rainy season between October 1 and April 1 of any year.

#### **(L) Uptown**

- The permitted floor area for lots partially within open space areas should be based only upon that portion of the lot outside of the open space designation. As a minimum for lots predominantly or entirely within open space, the permitted floor area should assume a lot depth of 100 feet rather than the true lot depth in computing the lot area. In designing the project, the garage should not be eliminated in an effort to reduce the floor area.
- Developments which are on any portion of a property within designated open space should maintain existing views and public access to canyon areas, and adapt to the natural terrain.
- Developments on corner lots of existing streets which serve as public view corridors for vistas and open space need special design considerations such as being required to setback from the corner or terrace away from the street.
- Limit the development intensity in hillside locations where emergency access may be hampered by narrow, curving streets.
- Only very low residential development density (1-2 D.U./Acre) should be allowed on a site in the biological/geological zone, as shown in the Uptown Community Plan Hillside Evaluation Model, which includes any slope of 25 percent gradient or greater, and the canyon bottoms. No grading or vegetation removal should be permitted within the undeveloped portion of this zone, unless required due to the necessity to stabilize other areas of the site.
- The Urban Design Zone, as shown in the Uptown Community Plan Hillside Evaluation Model, is a transition zone designed to preserve the open space character of the neighborhood and afford public views to the open space system. This zone includes steep hillsides at the canyon rim plus other slopes that are not as highly sensitive geologically or biologically as the Biological/ Geological Zone. Development density allowable on-site in this zone should be very low density (3-5 D.U./Acre). Development encroachment into this zone should be moderate, with minimal grading. Location of development should be such that public views from public streets into the open space, or surrounding panorama, are not impeded, but rather are enhanced.

- The hillside development criteria in Table 6 of the Uptown Community Plan should be utilized to determine the appropriate residential dwelling unit densities for any given hillside site.
- Whenever encroachment into open space areas occurs, the density of the project site should be limited to between 1 and 4 D.U./Acre. The appropriate density within the 1-4 D.U./Acre range would be determined based upon the hillside/canyon evaluation criteria in Figure 15, and the Open Space Priority Matrix in Appendix D, as shown in the Community Plan.

## **SECTION IV: FINDINGS, DEVIATIONS AND ALTERNATIVE COMPLIANCE**

Development on a site containing steep hillsides requires the approval of a Neighborhood Development Permit or Site Development Permit, unless exempted from the requirement to obtain the permit pursuant to the Environmentally Sensitive Lands Regulations. The required findings for a Neighborhood Development Permit and Site Development Permit are listed in **Sections 126.0404(a)** and **126.0504(a)**, respectively. In addition to the general findings for a Neighborhood Development Permit or Site Development Permit, approval of a development on a site containing steep hillsides requires that six additional findings be made that are specific to the environmentally sensitive lands present. **Section (A)**, below, identifies the additional six required findings [found in **Sections 126.0404(b)** and **126.0504(b)**] and what will be considered in making the findings.

A Coastal Development Permit will be required in addition to a Site Development Permit or Neighborhood Development Permit for all coastal development which does not qualify for an exemption pursuant to **Section 126.0407**. The findings required in **Section 126.0708** must be made to assure conformance with the land use plans and implementation program of the certified Local Coastal Program.

Outside of the Coastal Overlay Zone, if a deviation from any of the Environmentally Sensitive Lands Regulations is requested pursuant to **Section 143.0150**, two additional findings (found in **Sections 126.0404(c)** and **126.0504(c)**) must be made in addition to the general Neighborhood Development Permit or Site Development Permit findings and the additional six findings for Environmentally Sensitive Lands. **Section (B)**, below, outlines some of the situations in which a deviation could be considered and identifies the two additional deviation findings and what will be considered in making the findings.

Within the Coastal Overlay Zone, if a deviation from any of the Environmentally Sensitive Lands Regulations is requested pursuant to **Section 143.0150**, additional findings [located in **Section 126.0708(e)**] must be made in addition to the findings for a Coastal Development Permit, the findings for a general Neighborhood Development Permit or Site Development Permit and the additional six findings for Environmentally Sensitive Lands.

If alternative compliance is requested for the steep hillside development area regulations pursuant to **Section 143.0151**, three additional findings [located in **Section 126.0504(e)**] must be made in addition to the general Site Development Permit findings and the additional six findings for Environmentally Sensitive Lands. **Section (C)**, below, outlines some of the situations in which alternative compliance could be considered and identifies the three additional alternative compliance findings and what will be considered in making the findings. Alternative compliance from the Environmentally Sensitive Lands Regulations is not applicable within the Coastal Overlay Zone.



**(A) Additional Development Permit Findings for Environmentally Sensitive Lands:**

- (1) *The site is physically suitable for the design and siting of the proposed development, and the development will result in minimum disturbance to environmentally sensitive lands.*

  - The proposed development complies with the development area regulations, where applicable pursuant to the Environmentally Sensitive Lands Regulations.
  - The proposed development conforms with the design standards for structure design and site improvement. Design concepts are incorporated into the development where feasible.
  
- (2) *The proposed development will minimize the alteration of natural landforms and will not result in undue risk from geologic and erosional forces and/or flood and fire hazards.*

  - The proposed development conforms with the design standards for grading, landform alteration, and site improvement. Design standards are met and design concepts are incorporated into the development where feasible.
  - The proposed development complies with the regulations for drainage and erosion control measures and incorporates drainage guidelines.
  - The use of retaining walls in the proposed development is minimized and conforms with the design guidelines for retaining walls.
  
- (3) *The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.*

  - The proposed development conforms with the design standards for the type of development proposed.
  - The proposed development conforms with the specific requirements for steep hillside developments for the Community in which the development is located.
  
- (4) *The proposed development will be consistent with the City of San Diego MSCP Subarea Plan.*

  - If within or adjacent to the MHPA, the proposed development will be in conformance with any recommendations regarding development location and siting.
  - Steep hillsides which contain sensitive biological resources will be regulated through the sensitive biological resource and the **Biology Guidelines** and conformance with other goals of the Subarea Plan will be required.
  
- (5) *The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.*

[This finding is only applicable if the site contains sensitive coastal bluffs or coastal

beaches unless drainage from the site will significantly impact such environmentally sensitive lands.]

- (6) *The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.*

[This finding is primarily applicable to sites that contain sensitive biological resources; however, compliance with the steep hillside regulations and Steep Hillside Guidelines may involve impacts to sensitive biological resources.]

**(B) Criteria and Findings for Deviation from Environmentally Sensitive Lands Regulations:**

Outside the Coastal Overlay Zone, deviations from the steep hillside regulations may be considered for, but are not limited to, the following:

- Development that proposes to exceed the maximum allowable development area. Exceeding the allowable development area must be tied to existing site conditions or a unique development design that necessitates additional encroachment into steep hillsides.
- An alternative drainage design that may not comply with every aspect of the regulations but is consistent with the intent.
- An alternative revegetation plan that meets the intent of landscape regulations.

Deviations should not be used solely to accommodate a development that clearly does not conform to the regulations when it appears feasible that measures could be incorporated to achieve compliance.

Deviations should not be considered for economic hardship in complying with the regulations.

**Additional Development Permit Findings for Deviations from Environmentally Sensitive Lands Regulations:**

- (1) *There are no feasible measures that can further minimize the potential adverse effects on environmentally sensitive lands.*

- Potential alternative development design options have been considered.
- Other regulations and guidelines for steep hillsides will be complied with so that the overall development design will conform to the intent of the steep hillside regulations and Steep Hillside Guidelines.

- (2) *The proposed deviation is the minimum necessary to afford relief from special circumstances or conditions applicable to the land, not of the applicant's making.*

- Natural topographical features or conditions exist that make the regulations infeasible for a particular site. These do not include past grading or development activities that present constraints to desired ultimate site development.
- The deviation is only from those regulations necessary to make the project feasible in light of the special circumstances that exist on the site. Alternative methods for achieving the goals of those regulations are presented in the development design.

Within the Coastal Overlay Zone, deviations from the steep hillside regulations may be considered when application of the regulations would result in denial of all economically viable use of the premises. A deviation application shall be accompanied by all of the information required in the **Submittal Requirements for Deviations from the Environmentally Sensitive Lands Regulations Within the Coastal Overlay Zone** located in the Land Development Manual. The decision maker shall utilize the information to determine if a deviation from the provisions of **Section 143.0142(a)(4)** is required to allow an economically viable use of the premises.

The deviation process within the Coastal Overlay Zone is not intended to be utilized to achieve the maximum allowable development area as permitted by the Environmentally Sensitive Lands Regulations. Rather it is intended to provide relief when development in accordance with the Environmentally Sensitive Lands Regulations would result in no economically viable use of the premises.

Additional Development Permit findings for Deviations from Environmentally Sensitive Lands Regulations Within the Coastal Overlay Zone:

- (1) Based on the economic information provided by the applicant, as well as any other relevant evidence, each use provided for in the Environmentally Sensitive Lands Regulations would not provide any economically viable use of the applicant's property; and*
- (2) Application of the Environmentally Sensitive Lands Regulations would interfere with the applicant's reasonable investment-backed expectations; and*
- (3) The use proposed by the applicant is consistent with the applicable zoning; and*
- (4) The use and project design, siting, and size are the minimum necessary to provide the applicant with an economically viable use of the premises; and*
- (5) The project is the least environmentally damaging alternative and is consistent with all provisions of the Local Coastal Program with the exception of the provision for which the deviation is requested.*

**(C) Criteria and Findings for Alternative Compliance for Steep Hillside Development Area Regulations:**

Alternative compliance from the steep hillside development area regulations may be considered only for the following:

- Development, other than a single dwelling unit on an individual lot, that proposes to exceed the maximum allowable steep hillside development area. Such developments are proposing to encroach into the steep hillside area more than the amount permitted by the steep hillside development area regulations.

Alternative compliance is not available for a single dwelling unit on an individual lot.

Alternative compliance is not available for a premises that is designated as open space in the applicable Land Use Plan or that is zoned OR-1-1 or OR-1-2.

Alternative compliance shall not be used for consideration of deviations from any other environmentally sensitive lands regulations (other than steep hillside development area found in **Section 143.0142(a)**).

Additional Site Development Permit Findings for Alternative Compliance for Steep Hillside Development Area Regulations:

*(1) The proposed development is in conformance with the Steep Hillside Guidelines.*

- The development complies with all aspects of the Steep Hillside Guidelines

*(2) The proposed development conforms to the applicable Land Use Plan.*

- The development complies with the type of development recommended by the Land Use Plan for this location.
- The Land Use Plan recommends development of the subject premises at the intensity levels proposed.

*(3) Strict application of the steep hillside development area regulations would result in conflicts with other City regulations, policies, or plans.*

- Limiting the amount of development area would be inconsistent with recommendations in the applicable Land Use Plan.
- Other City policies or programs will be jeopardized by limiting the development area on the subject premises.