

ORDINANCE NO. 81-1

1 AN ORDINANCE OF THE CITY OF CLAREMONT AMENDING THE LAND USE AND DEVELOPMENT
2 CODE, CHAPTER 1, PART 3, HILLSIDE DEVELOPMENT STANDARDS.

3 WHEREAS, the Planning Commission of the City of Claremont did hold a public
4 hearing after notice duly given as required by law, and has recommended that the
5 following amendments to the Land Use and Development Code be made; and

6 WHEREAS, the City Council did hold a public hearing, after notice duly
7 given as required by law, and has determined that said amendment is in the best
8 interest of the City.

9 NOW, THEREFORE, the City Council of the City of Claremont, County of Los
10 Angeles, State of California, does ordain as follows:

11 Section 1. Chapter 1, Part 3, shall be amended as follows:

12 CHAPTER 1, PART 3, H HILLSIDE DISTRICT

13 130 INTENT

14 The Hillside District is intended to provide for limited uses of hillside areas
15 which are consistent with the City's General Plan. The mix of permitted uses,
16 their intensity, and their distribution are to be based largely on natural
17 environmental factors and accessibility to necessary facilities and services.
18 The hillside areas must be kept in a natural state to the greatest extent
19 feasible in order to protect the public health, safety and general welfare from
20 the harms identified in the Natural Environment Section of the General Plan.
21 Slope density regulations which correlate intensity of development to the steep-
22 ness of terrain will be used to minimize grading, removal of vegetation, land
23 instability and fire hazards. Clustering of residential units will be encour-
24 aged. Transfer of development credits will also be used as a means of limiting
25 residential development to areas designated on the General Plan.

26 131 PERMITTED USES

27 A. The following uses and development shall be permitted in the H District:

- 28 1. In areas shown as hillside housing clusters on the General Plan Diagram
29 or in areas within 500 feet of Webb Canyon Road as designated on the
30 General Plan Diagram where building sites and accessibility can be
31 provided that meet the requirements of this Part, the following uses
32 are permitted:

- 1 a. Residential structures for use and occupancy by not more than one
2 (1) dwelling unit per lot.
3 b. Buildings accessory to and subordinate to residential structures.
4 c. Home occupations, subject to approval pursuant to Chapter 5, Part 1.
5 d. The growing of crops and fruits when accessory to and subordinate
6 to a residential use.
7 e. The keeping of animals as pets (not for commercial purposes), sub-
8 ject to Title 6 of the Claremont Municipal Code.
- 9 2. Low intensity uses such as watershed, pasture, trails and scientific
10 study requiring no more than minor structures or minor terrain modifi-
11 cation.
12 3. Public parks and open spaces.
- 13 B. The following uses and developments may be permitted in the H District
14 with a Conditional Use Permit:
15 1. Residential Unit Developments per Chapter 1, Part 7.
16 2. Residential Unit Developments per Chapter 1, Part 7 utilizing transfer
17 of development credits per Section 133.
18 3. The keeping of large animals for commercial purposes and the keeping of
19 large animals for non-commercial purposes in excess of that number
20 permitted by Title 6 of the Claremont Municipal Code.
21 4. The growing of crops and fruits.
22 5. Organized equestrian riding, training and boarding.
23 6. Limited commercial recreation uses suitable to open space areas.
24 7. Other uses listed in Chapter 6, Part 2, as permitted in any district
25 with a Conditional Use Permit subject to these uses being consistent
26 with the intent of the Hillside District and the City's General Plan.

27 132 REQUIREMENTS

28 The following requirements shall apply to all land and structures in the
29 Hillside District:

30 A. Residential Density

- 31 1. Maximum residential density for a specific parcel shall not exceed the
32 density limits set out in paragraph 2 below. The Planning Commission

1 may, for reasons related only to the applicant's parcel, require a
2 density less than the maximum otherwise permitted upon a finding that
3 the reduced maximum is necessary to implement specific policies in the
4 General Plan.

5 In the case of Residential Unit Developments or residential developments
6 utilizing transfer of development credits, the overall maximum density in
7 a cluster area shall be 0.5 acres per dwelling unit.

- 8 2. All Hillside District classifications are combined with a Slope-Density
9 standard denoted as SD-1, SD-2, or SD-3. These several Slope-Density
10 standards establish different densities based on accessibility and
11 location within the City. The Slope-Density standards are set forth on
12 Tables 1, 2 and 3 of this section.

13 Column One, Gross Area per Dwelling Unit, shall be used for Residential
14 Unit Developments, and Column Two, Minimum Lot Area per Dwelling Unit,
15 shall be used in all other cases. Gross residential area is the total
16 area devoted exclusively to the use of the residents plus all trail
17 easements, road rights-of-way and any open spaces meeting the require-
18 ments of Section 133.D - Transfer of Development Credits. Net residen-
19 tial area is the total area devoted exclusively to the use of the
20 residents. Where lands are in excess of 50% slope, such lands shall be
21 assigned a slope of 50% for purposes of determining the average slope
22 of the parcel.

- 23 3. Average slope shall be calculated by the following formula:

24
$$S = \frac{IL (0.00229)}{A}$$

25 where

26 S = average natural ground slope of the total project area in
27 percent.

28 I = the contour interval in feet. (For parcels 20 acres or
29 larger, the maximum contour interval shall be 40 ft. For
30 parcels of less than 20 acres, contours shall meet the standards
31 of Section 901 A.3. of this code, unless the Director of Commu-
32 nity Development finds a larger contour interval will provide
reasonable accuracy for purposes of determining the average
slope of the parcel under consideration.)

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L = the total length of all contour lines within the total project, in feet.

A = the gross area of the project, in acres.

0.00229 = a constant used to convert square feet into acres x 100%

or $\frac{1 \text{ acre}}{43,560 \text{ sq.ft.}} \times 100\%$

The calculated average natural slope shall be rounded to the nearest whole number.

B. Property Development Standards

The following standards govern unless modified as part of a Residential Unit Development or Architectural Commission Review:

	<u>SD-1</u>	<u>SD-2</u>	<u>SD-3</u>
Minimum lot size	---See Tables 1, 2, 3 ---		
Minimum lot width	150 ft.	200 ft.	250 ft.
Minimum lot depth	150 ft.	200 ft.	250 ft.
Minimum front yard setback	20 ft.	20 ft.	20 ft.
Minimum rear yard setback	10 ft.	10 ft.	10 ft.
Minimum street side yard setback	20 ft.	20 ft.	20 ft.
Minimum interior side yard setback	10 ft.	10 ft.	10 ft.
Maximum height	30 ft.	30 ft.	30 ft.
Required parking	- 2 spaces per dwelling unit- ^{1/}		

^{1/} Parking need not be covered but must be screened from any public right-of-way.

For exceptions and explanatory descriptions, for standards of fences, walls, and signs, for off-site improvements and dedication requirements, see Chapter 4, General Use and Development Standards.

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TABLE 1 SLOPE DENSITY STANDARDS
SD-1*

(Density Range of 1 acre per dwelling unit to 20 acres per dwelling unit)

Slope Category in Percent	Gross Area Per Dwelling Unit in Acres	Min. Lot Area per Dwelling Unit in Acres	Slope Category in Percent	Gross Area per Dwelling Unit in Acres	Min. Lot Area per Dwelling Unit in Acres
	(1)	(2)		(1)	(2)
0	1.00	.92			
1	1.02	.94	25	1.90	1.75
2	1.04	.95	26	1.98	1.82
3	1.06	.97	27	2.05	1.89
4	1.08	.99	28	2.14	1.97
5	1.10	1.02	29	2.23	2.05
6	1.13	1.04	30	2.33	2.15
7	1.15	1.06	31	2.43	2.24
8	1.18	1.08	32	2.55	2.35
9	1.21	1.11	33	2.68	2.48
10	1.23	1.13	34	2.82	2.61
11	1.26	1.16	35	2.99	2.75
12	1.30	1.19	36	3.16	2.93
13	1.33	1.22	37	3.37	3.12
14	1.36	1.25	38	3.60	3.33
15	1.40	1.29	39	3.86	3.58
16	1.44	1.32	40	4.17	3.87
17	1.48	1.36	41	4.52	4.20
18	1.52	1.40	42	4.95	4.61
19	1.56	1.44	43	5.46	5.09
20	1.61	1.48	44	6.10	5.70
21	1.67	1.53	45	6.90	6.46
22	1.72	1.58	46	7.94	7.46
23	1.78	1.64	47	9.35	8.83
24	1.84	1.69	48	11.36	10.81
			49	14.49	13.94
			50 & over	20.00	19.61

* The values in this Table are derived from the equations:

(1) Gross Area Per Dwelling Unit in Acres $\frac{1}{1.0 - 0.019S}$ (2) Minimum Lot Area per Dwelling Unit in Acres $\frac{1}{1.089 - 0.02076S}$

where S is the average natural ground slope in percent.

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TABLE 2 SLOPE-DENSITY STANDARDS
SD-2*

(Density Range of 2 acres per dwelling unit to 20 acres per dwelling unit)

Slope Category in Percent	Gross Area per Dwelling Unit in Acres	Min. Lot Area per Dwelling Unit in Acres	Slope Category in Percent	Gross Area per Dwelling Unit in Acres	Min. Lot Area per Dwelling Unit in Acres
	(1)	(2)		(1)	(2)
0	2.00	1.85			
1	2.04	1.89	25	3.64	3.38
2	2.07	1.92	26	3.76	3.50
3	2.11	1.96	27	3.89	3.62
4	2.16	2.00	28	4.03	3.76
5	2.20	2.04	29	4.18	3.90
6	2.24	2.08	30	4.35	4.06
7	2.29	2.12	31	4.52	4.22
8	2.34	2.17	32	4.72	4.40
9	2.39	2.21	33	4.92	4.60
10	2.44	2.26	34	5.15	4.82
11	2.49	2.31	35	5.41	5.06
12	2.55	2.37	36	5.68	5.32
13	2.61	2.42	37	5.99	5.61
14	2.67	2.48	38	6.33	5.94
15	2.74	2.54	39	6.71	6.31
16	2.81	2.61	40	7.14	6.72
17	2.88	2.68	41	7.63	7.19
18	2.96	2.75	42	8.20	7.74
19	3.04	2.82	43	8.85	8.37
20	3.13	2.90	44	9.62	9.12
21	3.22	2.99	45	10.53	10.01
	3.31	3.08	46	11.63	11.10
	3.41	3.17	47	12.99	12.45
	3.52	3.28	48	14.71	14.17
			49	16.95	16.45
			50 & over	20.00	19.61

* The values in this Table are derived from the equations:

(1) Gross Area Per Dwelling Unit in Acres = $\frac{1}{0.5 - 0.0093S}$ (2) Minimum Lot Area Per Dwelling Unit in Acres = $\frac{1}{0.54 - 0.009785S}$

where S is the average natural ground slope in percent.

TABLE 3 SLOPE-DENSITY STANDARDS

SD-3*

(Density Range of 5 acres per dwelling unit to 20 acres per dwelling unit)

Slope Category in Percent	Gross Area per Dwelling Unit in Acres	Min. Lot Area per Dwelling Unit in Acres	Slope Category in Percent	Gross Area per Dwelling Unit in Acres	Min. Lot Area per Dwelling Unit in Acres
	(1)	(2)		(1)	(2)
0	5.00	4.59			
1	5.08	4.66	25	8.00	7.43
2	5.15	4.73	26	8.20	7.62
3	5.24	4.81	27	8.40	7.82
4	5.32	4.89	28	8.62	8.03
5	5.41	4.97	29	8.85	8.25
6	5.49	5.05	30	9.09	8.49
7	5.59	5.14	31	9.35	8.74
8	5.68	5.23	32	9.62	9.00
9	5.78	5.32	33	9.90	9.28
10	5.88	5.42	34	10.20	9.57
11	5.99	5.52	35	10.53	9.89
12	6.10	5.62	36	10.87	10.23
13	6.21	5.73	37	11.23	10.59
14	6.33	5.84	38	11.63	10.98
15	6.45	5.96	39	12.05	11.40
16	6.58	6.08	40	12.50	11.84
17	6.71	6.20	41	12.99	12.33
18	6.85	6.33	42	13.51	12.87
19	6.99	6.47	43	14.06	13.44
20	7.14	6.61	44	14.71	14.06
21	7.30	6.76	45	15.34	14.77
22	7.46	6.92	46	16.13	15.54
23	7.63	7.08	47	16.95	16.39
24	7.81	7.25	48	17.46	17.34
			49	18.87	18.40
			50 & over	20.00	19.61

* The values in this Table are derived from the equations:

(1) Gross Area Per Dwelling Unit in Acres = $\frac{1}{0.2 - 0.003S}$ (2) Minimum Lot Area Per Dwelling Unit in Acres = $\frac{0.218 - 0.00394S}{0.2 - 0.00394S}$

where S is the average natural ground slope in percent.

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C. New Developments

Any division of land into five (5) or more lots or any proposal which would allow the construction of five (5) or more dwelling units shall be permitted only in conjunction with a Residential Unit Development application per Chapter 1, Part 7 of the Land Use and Development Code.

D. General Design Criteria

All new developments shall be required to be reviewed and approved by the Architectural Commission per Chapter 6, Part 1 of the Land Use and Development Code. Residential Unit Developments shall be required to be reviewed and approved by the Planning Commission and Architectural Commission per Chapter 1, Part 7. In addition to the review criteria denoted in Chapter 1, Part 7 and Chapter 6, Part 1, the Architectural Commission and Planning Commission shall use the following criteria during their review process:

1. Plans for hillside developments shall conform to the provisions of the General Plan and any Specific Plans adopted for the hillside area.
2. There shall be flexibility in the siting of dwelling units so as to best fit the natural terrain, minimize spoilage of the land and maintain the level of quality of the surrounding area.
3. Outstanding natural features such as the highest crest of the hill range, canyons, natural rock outcroppings, particularly desirable vegetation, and natural water courses, and areas particularly abundant in wildlife shall be preserved.
4. The introduction and conservation of plant material shall be required to protect slopes from slippage or soil erosion and to minimize the visual effects of any grading or construction on hillside areas, including the preservation of prominent trees.
5. Buildings shall be designed to accommodate sloping sites and minimize the amount of grading required. The use of innovative building

- 1 techniques to best blend buildings into the terrain is encouraged.
- 2 6. Streets shall follow the natural contour lines wherever possible to
- 3 minimize the amount of grading required, and street improvements and
- 4 lighting shall harmonize with the natural character of the hillsides.
- 5 7. Any view corridors or scenic vistas from adjacent development shall be
- 6 preserved to the maximum extent possible.
- 7 8. The proposed development shall not be in conflict with the goals and
- 8 policies of the Los Angeles County Fire Department or the Los Angeles
- 9 County Flood Control District unless there is a finding by the Planning
- 10 Commission that said goals and policies are not consistent with other
- 11 adopted goals and policies of the City of Claremont.

12 E. Fire Protection Standards

13 For fire protection standards see the Fire Code and Building Code of the

14 City of Claremont. Placement of buildings shall be such that required brush

15 clearance may be performed within the limits of the development of which such

16 buildings are a part. The entire foothills area shall be considered to be

17 Fire Zone Four (4).

18 F. Grading

19 The following standards shall apply to the grading of land and shall be

20 in addition to the Grading Standards contained in the Building Code.

21 1. No excavation or fill exceeding three (3) feet vertical height and no

22 cut or fill slopes in excess of three (3) feet vertical height shall be

23 created without the prior approval of the Director of Community Develop-

24 ment; or the Planning Commission when such grading is in conjunction

25 with a Residential Unit Development. The Director's decision may be

26 appealed to the Planning Commission. The Director, and the Planning

27 Commission on appeal or in reviewing grading plans for Residential Unit

28 Developments, shall find the following criteria are met by the grading

29 plans:

30 a. The extent of grading indicated is necessary for the use of property

31 to the extent of the uses permitted by the Zoning Ordinance.

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- b. The proposed grading will have no adverse environmental effect on surrounding property or the permitted use thereof.
- c. The proposed grading plan, when compared to possible alternative plans which would serve the same function, will result in the most natural appearance and greatest preservation of natural terrain and water courses possible.
- d. The landscape plans indicate sufficient permanent fire-resistant plantings, preferably native, with adequate root systems to protect slopes from erosion and slippage and to minimize the visual effects of grading and construction.
- e. The irrigation plans indicate a full-coverage system, adequate to permanently sustain the slope plantings.

- 2. No cut or fill slopes shall be created which exceed thirty (30) feet vertical height, or four hundred (400) feet in horizontal length (except that slopes required for public streets may exceed 400 feet in length); except that the Planning Commission may permit slopes exceeding these dimensions where the slopes will be the result of earth contouring which the Commission finds will result in a natural appearance and will not create geological or erosion hazards.
- 3. All cut and fill slopes shall be contoured to present a natural appearance and shall be blended in with the natural grade, per a plan approved by the Director of Community Development or the Planning Commission when such grading is in conjunction with a Residential Unit Development.

G. Other Requirements

- 1. All applications for subdivisions of land or Residential Unit Developments shall be accompanied by sufficient information to demonstrate compliance with the provisions of the General Plan, especially the Natural Environment Section. The Natural Environment Section describes many safety, environmental and economic concerns in general terms, and it shall be incumbent on applicants to perform additional studies as are deemed necessary by the City to measure the applicability of such concerns to the applicant's property and to provide an acceptable

1 response to each such environmental concern.

- 2 2. Open space easements shall be dedicated to the City covering such lands
3 shown as hillside open space as the City may require to implement the
4 General Plan, said easements to be dedicated during final map recorda-
5 tion or during Architectural Commission review.

6 133 TRANSFER OF DEVELOPMENT CREDITS

7 A. Purpose

8 To provide a procedure whereby development credits may be transferred from
9 parcels in the hillside district to other parcels in the hillside district
10 with areas shown for housing clusters on the General Plan, and, further-
11 more, to stipulate conditions for ownership and use of hillside open
space.

12 B. Definitions

- 13 1. Donor Parcel - Parcel from which development credits are transferred.
14 2. Receiver Parcel - Parcel to which development credits are transferred.
15 3. Development Credit - A development credit is a potential entitlement to
16 construct one dwelling in a designated cluster area which can only be
17 exercised when the development credit has been transferred pursuant to
18 the provisions of this Part (Chapter 1, Part 3) from a donor to a
19 receiver parcel and other requirements of law are fulfilled.

20 C. Applicability

21 The transfer of development credits may be authorized when the following
22 conditions are met:

- 23 1. Donor and receiver parcels are:
24 a. designated "Hillside Development Conservation" in the General Plan,
25 b. in the same "sub-area" of the General Plan.
26 2. The Planning Commission finds the receiver parcel has sufficient area
27 designated for housing cluster on the General Plan to accommodate
28 development otherwise permitted under City regulations plus the develop-
29 ment credits to be transferred, and that such total development meets
30 all of the applicable requirements of the City's General Plan and
31 regulations.

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1 D. Procedure

2 The transfer of development credits shall be authorized as part of a Resi-
3 dential Unit Development pursuant to a conditional use permit. A conditional
4 use permit application shall contain as the subject property both the donor
5 and receiver parcels.

6 E. Provisions Governing Donor Parcel

7 1. When development credits are transferred, all such credits are there-
8 after extinguished with regard to the donor parcel. Excess development
9 credits of that donor parcel which are not initially transferred to a
10 receiver parcel may be subsequently transferred to another receiver
11 parcel in accordance with the provisions of this section.

12 2. The number of development credits which may be transferred shall not
13 exceed the number of dwelling units determined for the donor parcel
14 through applying established slope-density standards.

15 3. The fee title to the donor parcel may, upon approval of the City, be
16 retained by the owner of the donor parcel, be transferred to the
17 receiver parcel, be transferred to a quasi-public agency or private
18 institution or body, or be transferred to a public body. Approval
19 by the City must be based on findings that the option is consistent
20 with the General Plan and provides for the long-term maintenance of
21 the property as open space.

22 4. The donor parcel, after development credits have been extinguished,
23 shall be kept essentially in a natural condition. However, the City
24 may, pursuant to a conditional use permit, authorize the following
25 uses if it deems they are compatible with maintaining the natural
26 condition of the property and are consistent with the General Plan:

- 27 a. Watershed, pasture, trails, scientific study.
- 28 b. The growing of crops and fruits.
- 29 c. Low intensity recreation.
- 30 d. Other uses of similar nature.
- 31 e. Such accessory uses as are necessary to support uses a.-d. above.

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- 1 5. Lands from which development credits have been transferred shall have
- 2 such easements dedicated to the City or other agreements entered into
- 3 running with the land which will ensure that such lands remain as open
- 4 space in perpetuity.
- 5 6. A parcel from which development credits have been transferred shall not
- 6 be considered as "common open space" pursuant to Chapter 1, Part 7
- 7 of this ordinance, unless such parcel is transferred in fee to the
- 8 receiver parcel.

9 F. Provisions Governing Receiver Parcel

10 The maximum number of dwelling units permitted on a parcel receiving

11 development credits shall not exceed the sum total determined by applying

12 the established slope-density standard to the receiving parcel and adding

13 the number of development credits transferred.

14 Section 2. Within fifteen (15) days after passage of this ordinance, the

15 city clerk shall cause it to be published at least once in the Claremont Courier,

16 a newspaper of general circulation, published and circulated in the city.

17 Section 3. The mayor shall sign this ordinance and the city clerk shall

18 attest and certify to its passage and adoption and 30 days hereafter it shall

19 take effect and be in force.

20 Passed, approved, and adopted this 13th day of January 1981.

21 E. Glenn M. Cohen
22 Mayor of the City of Claremont

23 ATTEST:

24 Barbara A. Hallam
25 City Clerk of the City of Claremont

26 APPROVED AS TO FORM:

27 Wynne S. Fuch
28 City Attorney of the City of Claremont

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STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF CLAREMONT)

I, BARBARA A. HALLAMORE, City Clerk of the City of Claremont, hereby certify that the foregoing Ordinance No. 81-1 was introduced at a _____ regular meeting of the City Council of the City of Claremont on the 0th day of December, 1980, that it was regularly passed and adopted by said city council, signed by the mayor, and attested by the city clerk of said city, all at a _____ regular meeting of said council held on the 13th day of January, 198 , and that the same was passed and adopted by the following votes:

AYES: Councilmen Douglass, McDonald, Wahrenbrock, Cohen
NOES: Councilmen Wellins
ABSENT: Councilmen none

Barbara A. Hallamore
City Clerk
City of Claremont