

# History and Implementation of Claremont's Hillside Ordinance



# Outline of Presentation:

1. What are the origins of the Hillside Ordinance?
2. An overview of the hillside regulations.
3. How do the regulations apply to the Clara Oaks project?



- Since the early 1900s, residents of the area have enjoyed the open space and hillsides of Claremont.



- Recognizing the importance of these natural areas, Claremont has a long history of adopting policies aimed at preserving these open spaces, especially the hillside area.



## Origins of Hillside Ordinance

- In the 1970s, an increase in development in the foothills caused concern among the residents.
- In 1977, the Claremont League of Women Voters completed a study - resulted in recommendations for how to manage local hillside development.



## Origins of Hillside Ordinance



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- The City responded to public concern – began developing new policies to govern hillside development.
  - In 1977, the City adopted the “Natural Environment Element” of the General Plan.

*It stated that development in the hillsides was acceptable, as long as it was done with extreme care and in a manner compatible with the environment. Development needed to keep the area relatively safe from hazards such as fire, flood and erosion.*

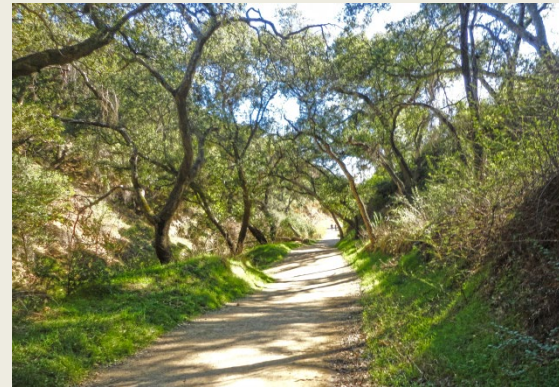
## Origins of Hillside Ordinance





## Objectives of Ordinance

- Ensure 2,600 of the 3,000 acres of hillsides between Webb Canyon and the San Bernardino County line will be preserved as permanent open space
- Discourage having homes dotted all over the hillsides and encourage the preservation of large tracts of open space



Overview of Hillside Ordinance

## Objectives of Ordinance

- Focus development in those areas that are best suited for development
- Protect the rights of property owners to receive some economic benefit from their land because the development credits can be transferred (i.e. sold)



Overview of Hillside Ordinance



# *Can the City prohibit development in the hillside areas altogether?*

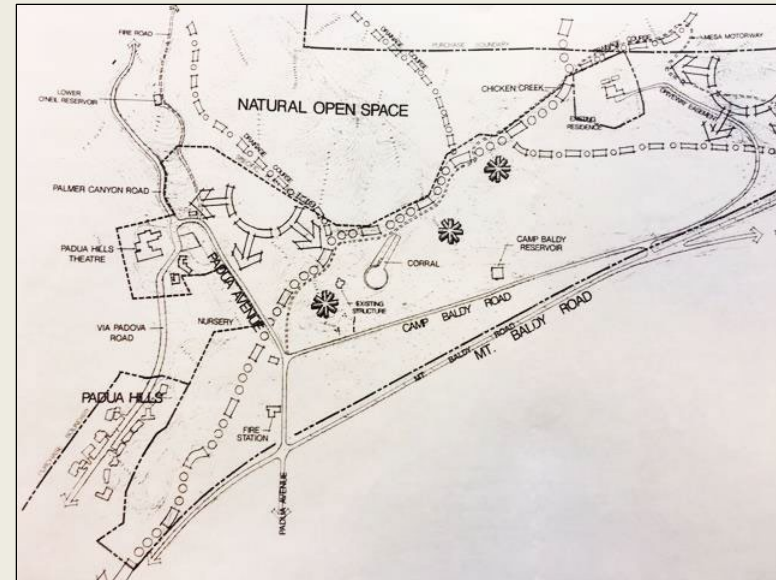
- Courts determined that private owners have a legally protected right to receive some economic benefit.
- Banning development would create an “inverse condemnation” situation.
- City would have to purchase all of the private property at significant cost to City.
- In addition, property rights are important to residents and City officials.



## Overview of Hillside Ordinance

## Transfer of Development Credits (TDC) – A Short Explanation

- City reviewed every hillside parcels, assigned an estimated number of credits based on the size and slope of the parcel.
- City created the Hillside Overlay district - actual development can only take place in cluster areas, or Hillside Overlay districts.



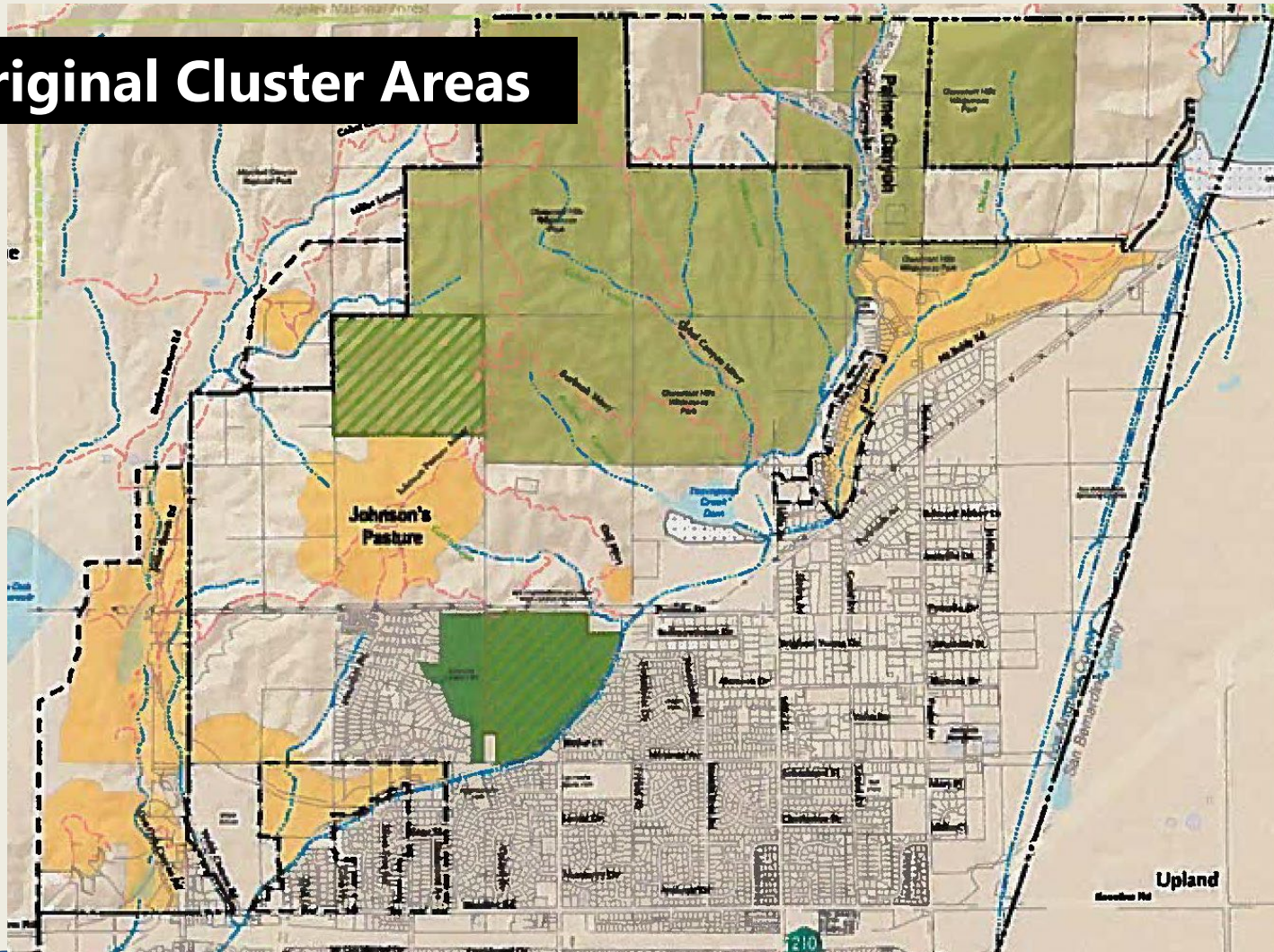
Overview of Hillside Ordinance


## Transfer of Development Credits (TDC) – A Short Explanation

- The Hillside Overlay is hillside land that has the gentlest slope.
- TDC code was adopted to allow the credits to be sold outside the Hillside Overlay to parcels inside the Hillside Overlay district.



# Original Cluster Areas



  
Cluster Areas

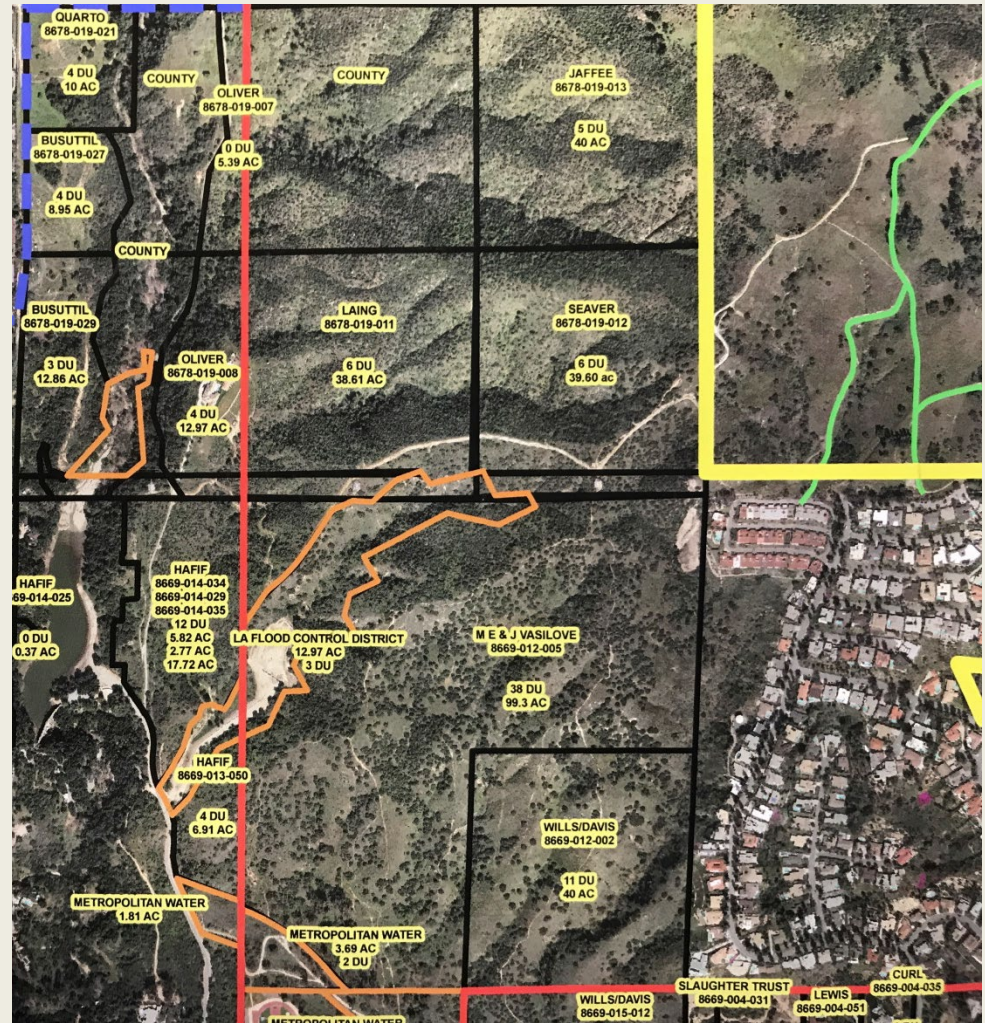


## Overview of Hillside Ordinance

# Development Credits



Property with number of credits.



## Overview of Hillside Ordinance



# Transfer of Development Credits (TDC)



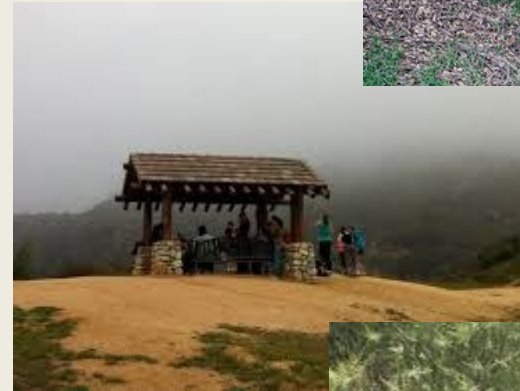
Credits can only be sold to owners of properties ("receiver parcels") in the Hillside Residential Overlay zones. These zones have been designated as areas suitable for clustering development, thereby reducing impacts elsewhere in the hillside area.



Overview of Hillside Ordinance

# Transfer of Development Credits (TDC)

- Both donor and receiver sites must be in the Hillside district, but the receiver sites must be in the Hillside Overlay districts.
- The receiver site must have enough land to accommodate the credits, as determined by approval of a specific plan for the receiving parcel.
- A “development credit” is equal to one dwelling unit on Hillside Overlay land.



Overview of Hillside Ordinance



## New Developments in the Hillside Overlay must:

1. **Conform to the General Plan** and any specific plans for the hillside area
2. Be **flexibility in the siting** of dwelling units to best fit the natural terrain
3. Preserve **outstanding natural features**, (highest crest of the hill range, canyons, natural rock outcroppings, desirable vegetation, and natural water courses, and areas abundant in wildlife).
4. **Introduce and conserve plant material that protect slopes** from slippage or soil erosion
5. **Design buildings to accommodate sloping sites and minimize the amount of grading** required; innovative building techniques to best blend buildings into the terrain encouraged.
6. **Build streets that follow the natural contour lines wherever possible.**
7. Preserve, to the maximum extent possible, any **view corridors or scenic vistas** from adjacent developments.

*Source: Chapter 16.010 of Municipal Code Hillside District*



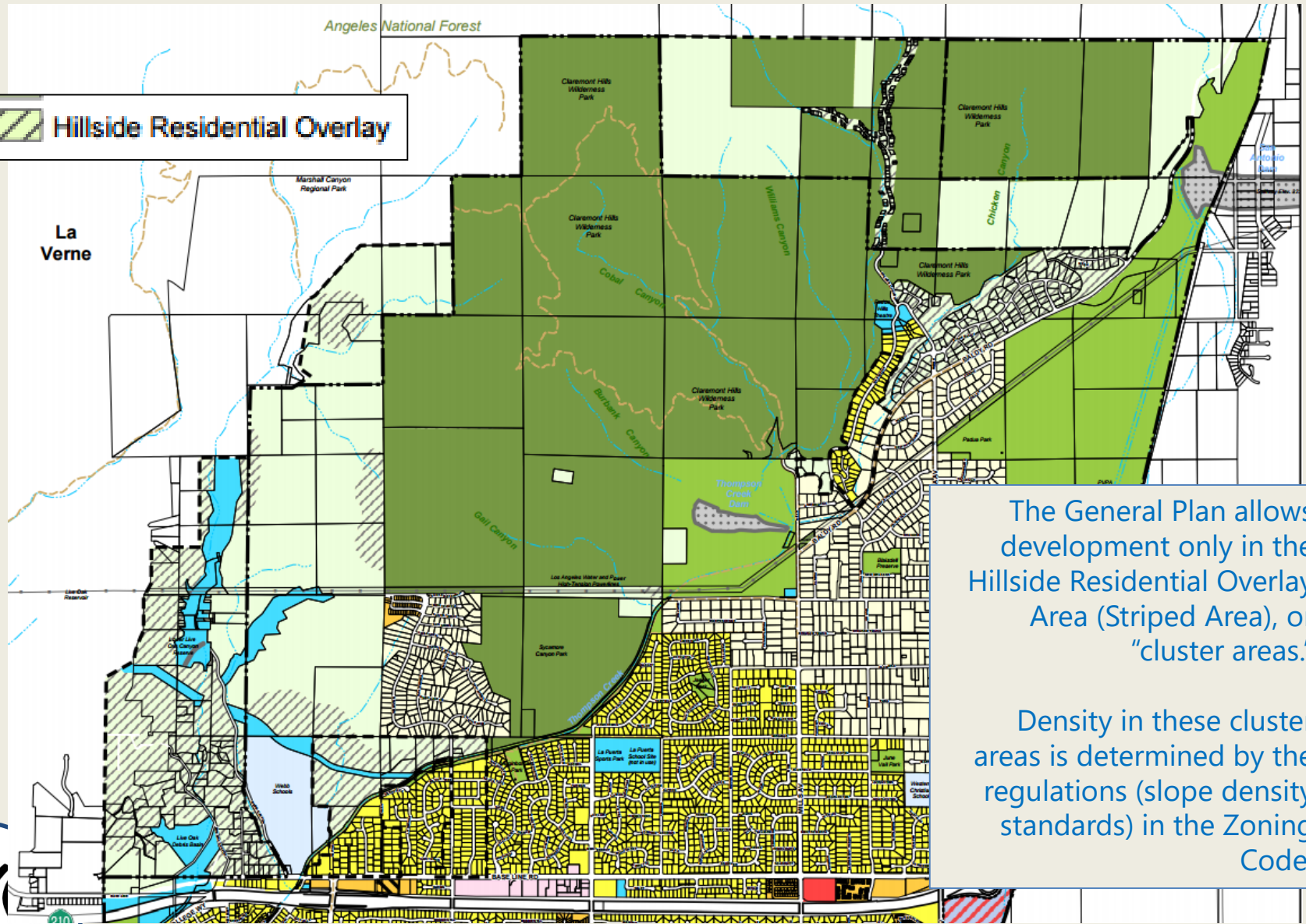
Overview of Hillside Ordinance



Angeles National Forest

 Hillside Residential Overlay

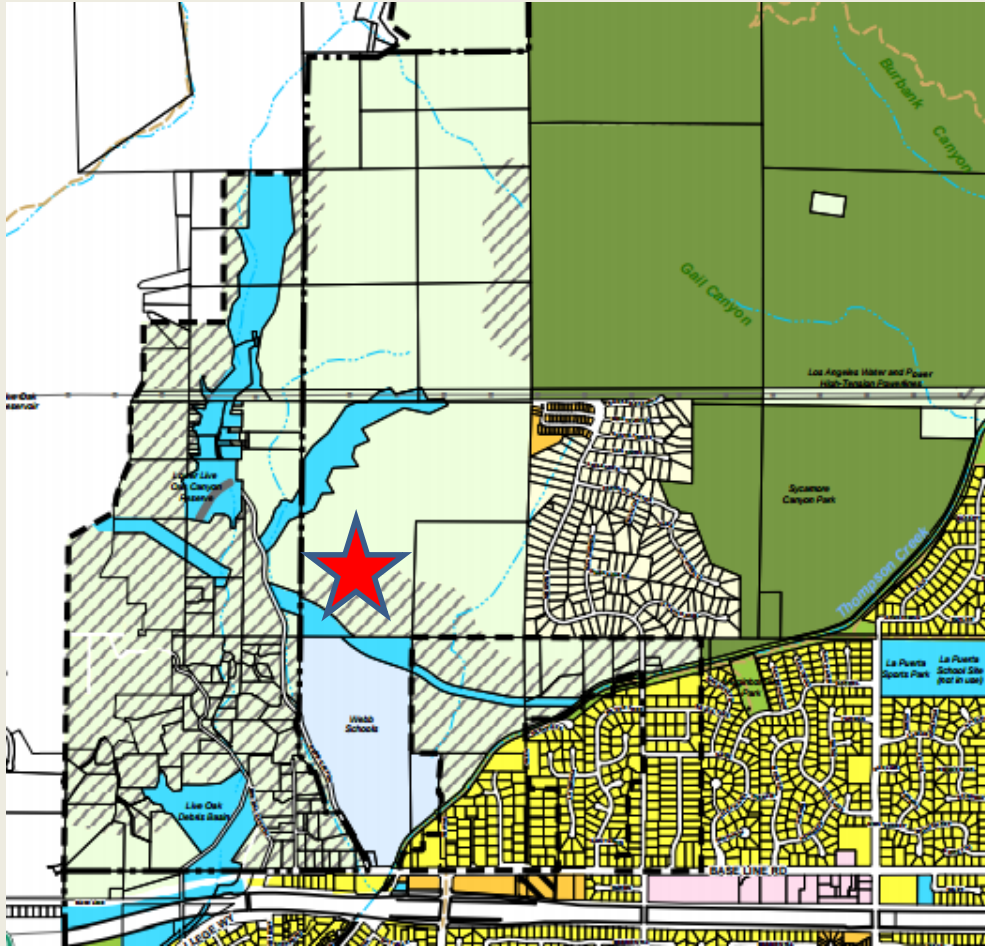
La Verne



The General Plan allows development only in the Hillside Residential Overlay Area (Striped Area), or "cluster areas."

Density in these cluster areas is determined by the regulations (slope density standards) in the Zoning Code.





★ Clara Oaks development is within the Hillside Residential Overlay zone



# Development Review Process

- Specific Plan
- Environmental Impact Report
- Hearings before City Commissions
- Hearings at City Council

