

**WASHINGTON TERRACE CITY
ORDINANCE 07-02**

SENSITIVE LANDS DEVELOPMENT REGULATIONS

AN ORDINANCE AMENDING THE ZONING ORDINANCE TO ADOPT CHAPTER 17.74 ENTITLED “SENSITIVE LANDS DEVELOPMENT REGULATIONS” TO CONTROL DEVELOPMENT ON SUCH LANDS; ADOPTING A SENSITIVE LANDS OVERLAY MAP; ESTABLISHING REGULATIONS AND PROCEDURES FOR DEVELOPMENT; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Washington Terrace City (hereafter referred to as “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 authorizes the City to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the City to regulate land use and development;

WHEREAS, the City Council finds it necessary to adopt regulations for sensitive lands to protect hazardous areas from uncontrolled development, protect environmental interest, and preserve land that has special not otherwise suitable for certain development;

WHEREAS, the City Council finds it necessary to update its land use ordinances in order to respond to the challenges presented by development occurring in and around the City;

WHEREAS, the City Council finds it necessary to update its land use ordinances to protect issues relating to the improvement or preservation of public health, safety, and general welfare;

WHEREAS, after publication of the required notice the planning commission held its public hearing on October 26, 2006, to take public comment on the proposed Ordinance, and subsequently gave its recommendation to approve this Ordinance;

WHEREAS, the council received the recommendation from the planning commission and held a public hearing on November 14, 2006, and a public meeting on January 16, 2007, and now desires to act on this Ordinance;

NOW, THEREFORE, be it ordained by the City Council of Washington Terrace City as follows:

Section 1: Repealer. Any word other, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 3: Adoption. Chapter 17.74 is hereby adopted to read as follows:

**Chapter 17.74.
Sensitive Lands Development Regulations**

17.74.010. Purpose.

The City Council of Washington Terrace, Utah deems that, in order to keep the peace, health, safety, and welfare and promote the best interest of the inhabitants of the City of Washington Terrace, these “Sensitive Land Development Regulations” be created, which shall provide standards, guidelines and criteria, having the effect of minimizing flooding, fire, erosion, and other natural and man made hazards and protect people and property while protecting the natural scenic character of the sensitive land areas not suitable for development, or suitable for development only after mitigation of hazards and ensuring the efficient expenditure of public funds.

17.74.020. Standards and guidelines.

The standards, guidelines, and criteria to be achieved by the overlay zone approved in this chapter shall include, but not be limited to the following:

1. The protection of the public from natural and man made hazards.
2. The minimizing of the threat and consequential damages of fire in foothill areas by establishing fire protection measures.
3. The preservation of natural features, wildlife habitat and open space.
4. The preservation of public access to hillside areas.
5. The preservation of natural drainage channels.
6. The preservation and enhancement of visual and environmental quality by use of natural vegetation and the prohibition of excessive excavation and terracing.
7. The encouragement of a variety of development designs and concepts that:
 - a. Are compatible with the natural terrain of the foothill areas, that will preserve open space and natural landscape; and,
 - b. Creation of traffic circulation facilities that ensure ingress and egress for vehicles, including emergency vehicles, into all developed areas at any time of the year with minimal cuts, fills, or visible scars.
8. The establishment of land-use management criteria that will encourage protection of natural elements while allowing a harmonious and satisfying residential environment.
9. Encouragement with regard to the view of the foothills, as well as the view from the foothills.

10. Designation of areas in the city that, due to natural, man-made, or geologic hazards or other sensitivity, may not be suitable for development, or may require engineering measures to reduce the hazards to an acceptable level.

17.74.030. Scope and application.

1. The provisions of this chapter shall apply to all zoning districts in the City of Washington Terrace that are so designated on the Sensitive Lands Overlay Map.
2. This chapter makes additional provisions to those established in the *Washington Terrace City Municipal Code*.
 - a. Additional requirements not covered in this chapter may be required by the Construction Staff if they determine that it reasonably appears that there are additional hazards associated with the site.
 - b. In the event of conflict between such foregoing designated chapters of this title, the more restrictive provisions shall apply.
3. The provisions of this chapter do not create any obligations or rights as to any development or otherwise, nor do such have application to subdivisions or other construction projects which may have been granted preliminary or other approval prior to adoption of this chapter.
4. This chapter does not create any liability for or upon the city whatsoever, and shall not be construed to limit any governmental immunity in any way.

17.74.040. Sensitive lands overlay map.

1. Map adoption. The map designated as the “Sensitive Lands Overlay Map” is hereby adopted and incorporated as part of this chapter.
2. Applicability. The map specifies areas of the City, which, when proposed for development, must go through the process outlined in this Chapter.
 - a. Properties within this overlay may not be suitable for development or may only be suitable after mitigation of the hazards associated with the specific site.
 - b. Development within sensitive lands may have one or more of (but is not limited to) the following natural and man made hazards: Slope 10% or above, faults/fault zones, high liquefaction potential, debris flow and other sediment laden-flows, flooding, landslides, rock falls, shallow ground water, contaminated groundwater and wetlands, and other hazards identified.
3. Hazards not depicted. In the event that there are hazards in an area that are not depicted on the Sensitive Lands Overlay Map, that may be either known, suspected, or unknown, studies may be required and the process outlined in this chapter will be followed.

17.74.050. Construction staff.

The construction staff shall consist of the city engineer, designated building official, fire marshall and representative of the city administration. Proposals in the overlay area and geologic reports on sites in the overlay area shall be reviewed by the construction staff, which is authorized to determine the process that proposals will be required to go through for approval and make recommendations to the planning commission and city council. The construction staff

is authorized to determine, after review of submitted reports, if properties are appropriate for development.

17.74.060. Appeals; Boundaries of mapped hazards.

1. The boundary lines of the sensitive lands overlay and the hazards therein are a general depiction and should be field verified.
2. Where there is a conflict between the boundary lines illustrated on the map and actual field conditions, or where mapped hazards are not present within a particular area, the dispute shall be settled as follows:
 - a. The applicant shall submit to staff, technical and geologic evidence by a qualified engineering geologist to support the claim.
 - b. Staff and their geotechnical advisors, which may include the Utah Geologic Survey, an independent geologist, an independent geotechnical engineer, or other engineer as acceptable to the parties, may require additional reviews.
 - c. Appeals to staff decisions shall be made to the planning commission
 - d. If, after additional reviews are made, a consensus is not reached by staff and the applicant the item may be appealed to the city council after review and recommendation by the planning commission.
 - e. The applicant shall pay any costs incurred for review..
 - f. The construction staff agrees with the applicants engineer and the site is determined to be out of the sensitive lands overlay area.

17.74.070. Submittal and approval process for annexations, rezones, and conceptual approvals.

1. Each step should be followed in the order outlined.
 - a. Meet with staff to determine the feasibility of the development and review the sensitive lands overlay map to determine if the site is in the overlay area and if it is, what hazards are associated with the site.
 - i. If the site is not affected by the overlay map, the normal approval process outlined in the municipal code will be followed.
 - ii. If it is determined, or subsequently determined, that the site is within the sensitive lands overlay or the site has geologic hazards that are not shown on the map the review process will continue from that point pursuant to this chapter.
 - b. Building permits on single lots, whether or not in platted subdivisions, which are in the sensitive lands overlay area will follow the applicable sections of this chapter, after which the building permit may be issued administratively after it is determined that the lot can be developed in accordance with the intent of this chapter.
 - c. If the development is considered a minor lot subdivision then the process outlined in that section will be followed after a complete geotechnical review is performed as outlined in this section.

- d. If the only hazard associated with the site is high liquefaction and/or groundwater then the applicant must submit a soils report with recommendations for control of subsurface water as well as footing and foundation design along with any application or proposal.
2. A scope of work must be submitted by a qualified consultant that will address all hazards associated with the site and how each hazard will be evaluated.
3. The City and its geologic consultants will review the scope of work to determine if the methods outlined are designed to produce the necessary information.
4. Applications for annexation, rezone, and conceptual approval shall first be submitted for review and recommendation to the construction staff before planning commission recommendation or approval. All of the required information necessary for each approval process shall be submitted at least four weeks in advance to the meeting at which it is to be considered.
 - a. The following items are required to be submitted with the application for annexations, rezones and conceptual approvals:
 - i. Location of the proposed subdivision, with identification of abutting streets;
 - ii. An estimate of the average slope of the proposed subdivision generally, and the slope of any individual steeper lots than that average;
 - iii. The number of lots;
 - iv. The location and size of proposed lots;
 - v. Location, width, and grade of all proposed streets, and radii of any cul-de-sac;
 - vi. Location of existing or proposed schools, churches, or parks; and
 - vii. Soil/geologic report that addresses all items in the approved scope of work and if applicable recommendations by a qualified geotechnical engineer. Reports shall be site specific and identify all geologic hazards, whether on or off-site, if it affects the particular property including the following hazard(s):
 - (1) Flood history and potential; proximity to known canals, lakes, streams and alluvial fan flooding;
 - (2) Definition of any zones of deformation with respect to active faults and recommended setbacks therefrom;
 - (3) Evidence for other mass movement of soil and rock (landslides, debris flows, rock falls);
 - (4) Identification of anomalies of the terrain or characteristics of the geological materials which would have any potential impact upon the use of site;
 - (5) Determination of ground water characteristics;
 - (6) The report shall contain written recommendations for construction of structures and avoidance or mitigation of the hazards. Land drains alone through private property are not allowed and are

- discouraged through public property because long-term maintenance of drains cannot be guaranteed;
- (7) Report of soil characteristics that includes data regarding the nature, distribution, and strength of soils within the project area. The soil report shall include a Unified classification of all soils with an estimate of susceptibility to erosion, plasticity index, liquid limit, shrink-swell potential, and general suitability for development;
 - (8) Estimate of the likely highest level of the water table considering the long-term effects of development and irrigation.
5. After the application is received by the construction staff, the geologic and soil report will be reviewed by staff and, if the report finds that geologic hazards exist, the report will be reviewed by other geotechnical advisors which may include the Utah Geologic Survey (UGS).
- a. If after review, the geotechnical advisors concur with the geologic and soil report and the proposed remedial measures submitted by the applicant, the item will be forwarded to the planning commission for review for conceptual, annexation, or rezone approval, and the process will follow as set forth in section 17.74.080.
 - b. The required reports and the plans to address the concerns set forth in those reports shall be stamped and approved by a licensed professional engineer. If the staff and/or their advisors do not agree with the applicant's geologic and soils report, the following action may be taken:
 - i. Additional studies may be required to be performed.
 - ii. The construction staff and the city's geotechnical advisors review the submitted reports and determine that a third party, selected by the city, should review the submitted studies at the cost of the applicant. The third party should review the information that has been submitted.
 - iii. Additional fieldwork will only be performed after consultation with the geotechnical advisors and applicant and if it is determined to be necessary to make a final determination.
 - c. On recommendation of the city's geotechnical advisors, the construction staff may determine that the site cannot be developed and no further action is taken. An appeal from this decision can be made to the city council. The matter must first be heard for recommendation by the planning commission before action by the city council.
 - i. Such an appeal must be in writing and submitted to the city within 30 days of the decision of the construction staff.
 - ii. The request will not be forwarded for annexation, rezone or conceptual approval until the plans provided, which were designed to address the geologic and soils issues, are stamped and approved by a licensed professional engineer, which establish that the site can be developed in accordance with the intent of this title.

17.74.080. Preliminary review and approval procedure.

1. Preliminary approval must first be received by the applicant prior to application for final approval. All reports as submitted herein shall be prepared by persons or firms, either licensed to practice their specialty or expertise in the State of Utah, if such license for practice is required, or by one having demonstrable expertise in such field of practice.
2. The following items shall be submitted for preliminary approval:
 - a. Grading and drainage report. The application for preliminary approval shall include a plan for grading and a report on the method by which surface water and natural drainage will be accommodated. The plan shall be prepared by a professional engineer licensed to practice in Utah, and shall include the following information:
 - i. Indication of existing and proposed contours;
 - ii. Indication of the present and proposed slope for each graded area;
 - iii. Location and identification (by species) of existing vegetation, an indication of vegetation proposed for removal, and a revegetation proposal;
 - iv. Existing and proposed drainage patterns;
 - v. Location and depth of all proposed fills and cuts;
 - vi. Description of the methods to be employed to achieve stabilization and compaction. This requirement may be satisfied if it was required at conceptual, rezone, or annexation approval as part of the slope stabilization proposal;
 - vii. Location and capacities of proposed drainage, structures, and erosion control measures;
 - viii. Computation of maximum runoff for a ten-year and 100-year storm before and after development; and
 - ix. Location of existing buildings or structures on the site and location of existing buildings and structures on adjacent properties which are within one hundred feet of the site, or which may be affected by any proposed grading or construction.
 - b. Other information deemed relevant by the city.
3. The planning commission shall consider said application and shall recommend to the city council approval or disapproval of the application.
 - a. If the planning commission recommends approval of the preliminary phases, the planning commission may attach such conditions as may be deemed necessary to secure the purposes as set forth in this chapter.
 - b. If the planning commission recommends the application not be approved it shall be forwarded to the city council with findings outlining the reasons for denial.
 - c. After receiving recommendations for approval or disapproval by the planning commission, the city council may, upon review, either approve or disapprove the application.

- i. If the city council approves the preliminary phase, they may attach such conditions as may be deemed necessary to secure the purposes as set forth in this chapter.
- ii. If the city council does not approve the application, the reasons for such are to be provided to the applicant.

17.74.090. Final approval.

1. The application for final approval shall be filed with the city.
 - a. Such application shall include the applicable information required by the provisions of the zoning or subdivision regulations in the municipal code.
 - b. An application for final approval may only be made after preliminary approval has been granted by the planning commission and city council.
2. The planning commission shall consider said application and shall recommend to the city council approval or disapproval of the application.
 - a. If the planning commission recommends approval of the final plan, the planning commission may attach such conditions as may be deemed necessary to secure the purposes as set forth in this chapter.
 - b. If the planning commission recommends the application not be approved it shall forward with said reasons to the city council.
3. If a project has proceeded forward with geologic/hydrologic or engineering recommendations the city may require that a qualified geotechnical engineer be on site, at the cost of the developer, for all phases of construction. Letters stating that all required improvements have been installed as required would need to be provided within five (5) working days of completing the improvements.
4. Restrictive covenants may be required to be submitted that contain the following:
 - a. A complete description of the geologic condition of the subject property, including references to all relevant reports.
 - b. Any restrictions regarding structures, grading, retaining, vegetation, etc.

17.74.100. Density, lot size, width, and characteristics.

1. Single family dwelling units.
 - a. Minimum lot size. The minimum lot size with respect to lots upon which single family dwelling units are located in subdivisions or otherwise shall be determined by reference to the following table:

Average Slope of Development Site	Minimum Lot Size	Minimum Lot Width
0 - 15%	As indicated in zoning	At least 70 feet at front yard setback line
15.1 - 20%	10,000 square feet	At least 80 feet at front yard setback line

20.1 - 30%	15,000 square feet	100 feet at front yard setback line
30.1% +	Not permitted	

- b. Yard regulations. See regulations in the respective residential zone.
- c. Maximum impervious material coverage. The maximum impervious material coverage that shall be allowed on lots upon which single family dwelling units are located shall be 50%.
- d. Usable area. Single family dwelling structures shall be located only upon areas constituting usable land and which area shall be fully contiguous and shall be at least five thousand square feet in space, and shall have a minimum dimensions either length or width, of fifty feet.
- e. Lot and access design. Single family dwelling structures shall not be located further than two hundred feet from the nearest public street; however, the construction staff may grant an exception to such requirement provided that the following conditions are complied with as a condition precedent to the granting of such exception:
 - i. Recommendation. Prior receipt of a recommendation from the planning commission based on its review of utility services, surrounding land conditions, coordination of development and similar circumstances; and
 - ii. Road and access requirements as defined in 17.74.110.

17.74.110. Road access and fire requirements.

Every structure shall be accessible to fire department apparatus by way of an access road having all-weather drivable and maintainable surface with not less than twenty-six feet of unobstructed width and thirteen feet, six inches of vertical clearance with adequate turning radius capable of supporting the imposed loads of fire apparatus. Dead end access roads in excess of one hundred fifty feet (150) in length shall be provided with approved provisions for the turning around of fire department apparatus in accordance with the applicable code.

- 1. Road width. The required width of an access road shall not be obstructed in any manner, including the parking of vehicles. Where no space is provided for parking along access roads, said road shall be kept unobstructed.
 - a. Property owners shall be required to identify and mark fire lanes.
 - b. Where access roads are adjacent to required fire hydrants, such access roads, within twenty feet either direction of the fire hydrant, shall be a minimum of twenty-six feet in width.
 - c. The access road shall be extended to within one hundred fifty feet of all portions of the exterior walls of the first story of any building.
 - d. The maximum grade for access roads of greater than one hundred feet shall be eight percent; however, grades up to twelve percent are allowable with approval of the fire chief and the city engineer.

- e. The owner shall be responsible for establishing the base grade of the access road before the water system is installed. The owner or possessor of the lot, shall clear the right-of-way for the water system and establish the fire hydrant location and grade, by use of an offset stake, for review by the public works department. The owner shall then install the water system and set the fire hydrant to the grade established by the City of Washington Terrace. If there are any changes to the access road or right-of-way areas which do not allow for a minimum of forty-two (42) inches cover over the water line or not more than a four inch vertical difference between the flange of the fire hydrant and the finished surface of the access road, the owner shall be responsible for all expenses associated with the relocation or adjustment to the water system.
 - f. The access road shall be maintained by the property owner or possessor of the premises in good condition and repair, and with adequate snow removal so as to provide free and uninhibited access at all times by emergency and service vehicles.
 - g. A turnaround shall be provided at the end of the access road in accordance with the standards and specifications of the most recently adopted fire code and in accordance with the minimum requirements of the any public works standards or other applicable code.
 - h. The minimum turning radii for all turns and/or curves shall conform to the forty-five foot radius, single unit truck or bus illustrated in the public works standards.
 - i. If access roads are not looped, then the provided dead end access road shall meet the requirements in the public works standards and other applicable codes.
 - j. The property owner shall grant an easement along the length and full width of the access road, permitting access to emergency and service vehicles and inspection personnel.
2. The property owner may be required to grant to the city, a utility easement extending from the public street to the fire hydrant, and having a minimum width of sixteen feet for the purpose of use, operation, maintenance and repair of such hydrant and water line. and uninhibited access at all times by emergency and service vehicles.
 3. A fire hydrant shall be installed by and at the expense of the property owner and shall be connected by a six inch (minimum) water line from the 8 inch (minimum) water main and shall be located in accordance with the most recently applicable fire code. Fire hydrants shall be located on all required access roads as required by Washington Terrace City and shall be located within five feet of the required access road.
 - a. If, in the opinion of the Fire Chief, fire hydrants are vulnerable to vehicular damage, appropriate crash posts shall be required. No obstruction including crash posts shall exist within a three foot working area of each fire hydrant. Crash posts shall be a four-inch cement-filled pipe, having a minimum of three feet in height above grade, with two feet of pipe below grade set in concrete. Hydrant shut-off valves shall be located as per Washington Terrace City standards.

- b. Spark arresters shall be installed in every fireplace constructed, whether indoor or outdoor. Screen openings in such arresters shall not be in excess of one-quarter inch in diameter.
- 4. Lots shall not be allowed or approved where the operating water pressure from the City water system serving the proposed lot or lots is less than forty pounds per square inch with a minimum fire flow of 1,500 gallons per minute. All water line installations shall be installed to City specifications, at the expense of the property owner.
 - a. All of the improvements, as required, shall be installed at the lot owner's expense as a condition for the granting of such exception.
 - b. Such other conditions and standards as the governing body or City Staff may deem necessary in the furtherance of the objectives of this code and in protecting the health, safety, and welfare of the citizenry.

17.74.120. Development standards.

- 1. Scope. It is intended by this Section, that the development standards and provisions, as set forth herein, shall be required in connection with all building and construction in the sensitive lands overlay area.
- 2. Lots on hillsides, with slopes of 10% or more, are eligible for a 20' front yard setback. The applicant shall submit a plot plan showing the elevations of the lot at all corners.
- 3. Drainage and erosion:
 - a. Lots shall be arranged so as to ensure adequate setbacks from drainage channels;
 - b. Lots shall be arranged so as to ensure adequate buildable area is located outside of the one hundred-year flood plain. No structures shall be allowed in the one hundred-year flood plain;
 - c. Facilities for the collection of storm water runoff shall be required to be constructed on the development site;
 - d. Such facilities shall be the first improvement of facilities constructed on the development site;
 - e. Such facilities shall be designed in accordance with accepted engineering standards so as to detain safely and adequately the maximum expected storm water runoff for a one-hundred (100) year storm (minimum), as per the Washington Terrace City engineering standards, for a sufficient length of time so as to prevent flooding and erosion during storm water runoff flow periods;
 - f. Such facilities shall be designed so as to divert surface water away from cut surfaces or sloping surfaces of a fill; and,
 - g. Streets shall be designed to control and carry excess storm water out of the development on street surfaces within the curbed area. Low points on streets shall not be allowed unless adequate drainage is provided.
- 4. Vegetation and revegetation:
 - a. All areas on development sites cleared of natural vegetation in the course of construction of off-site improvements shall be replanted with vegetation, which, when established, shall have characteristics of erosion control equal to or exceeding the original vegetation;

- b. New plantings shall be protected with organic cover;
 - c. The use of persons or firms having expertise in the practice of revegetation (i.e., landscape architects or certified nurserymen) shall be employed to supervise the planning and installation of revegetation cover;
 - d. Vegetation shall be removed only when absolutely necessary (e.g. for the construction of buildings, roads, and filled areas); and,
 - e. Vegetation shall be planted in all disturbed areas within three weeks of the completion of off-site improvements. Such vegetation shall be of a perennial and low combustibility nature and shall be sufficient when established, to stabilize the soil.
5. Grading, cuts, and fills:
- a. Exposed unstable surfaces of an excavation or fill shall not have a ratio steeper than one vertical to two horizontal;
 - b. All permanent fill shall be located so that settlements, sliding, or erosions shall not damage or cover streets, curb, gutter, sidewalk, or as provided in subsection (5)(c);
 - c. All fill and degrees of compaction shall comply with the standards of the applicable building or other code then enforced;
 - d. The top or bottom edges of slope caused by an excavation or fill up to ten vertical feet shall be at three horizontal feet from the property line and street right-of-way lines;
 - e. The maximum vertical height of all cuts or fills shall be ten feet, except in circumstances where the planning commission gives specific approval; and,
 - f. All structures, except retaining walls or soil stabilization improvements, shall have a setback from the crest of the cut or base of the fill of a minimum distance equal to the depth of the fill or the height of the cut, unless a structurally sound retaining wall is built for the cut or fill slope. Retaining walls may be a part of the dwelling unit. Retaining wall design and construction must be approved by the building official.
6. Streets and ways. Streets, roadways, and private access ways shall follow as nearly as possible the natural terrain. The following additional standards shall apply:
- a. At least two ingress and egress routes shall be provided for each subdivision or condominium project, in the long range development plans of the development unless it is determined by the city engineer that it is not feasible due to topography or other constraints. If so determined, additional development requirements may be imposed in order to mitigate circumstances of a single access;
 - b. Points of access shall be provided, giving access to all developed, partially developed, or undeveloped areas for emergency and fire fighting equipment. Driveways located upon each lot extending from a public street shall have a maximum grade of eight percent and a minimum width of ten feet. Driveways may have a maximum grade of up to twelve (12) percent for a length not to exceed one hundred fifty feet, unless approved by the city engineer and fire chief,

- and shall be of sufficient width and design to admit and accommodate fire fighting equipment;
- c. Cul-de-sacs shall not exceed six hundred feet in length and shall have a turn-around with a radius of fifty feet. Stub streets that are longer than the width or length of any adjacent single lot or one hundred fifty (150) feet, whichever is less, shall have an approved temporary turn-around at the end thereof;
 - d. Centerline curvatures shall not have less than a one hundred (100) foot radius on any curve street pattern, Vertical curvature with K value (rate of vertical curvature) for crest vertical curves no less than 12 and for sag vertical curves no less than 26. With a minimum of 100 feet of distance less than 3% coming into an intersection as measured from intersection of centerlines.;
 - e. Variations of the street design standard developed to solve special hillside visual and functional problems may be presented to the planning commission for consideration. Examples of such variations may be the use of split roadways to avoid deep cuts, modifications of surface drainage treatments, or sidewalk design;
7. Architectural design:
 - a. Buildings proposed for construction on or along any hillside or sloped area shall be designed to be visually compatible with the natural beauty of the foothill and hillside areas. The use of building materials and natural earth-toned colors that will blend harmoniously with the natural setting is encouraged. Such materials as natural woods, brick (earth tones) and stone are considered to be most appropriate.
 - b. The planning commission shall review the design and specified exterior materials and colors for all structures, other than single-family dwellings. Building permits for such structures shall not be granted until building materials and colors have been approved by the planning commission.
 8. Bond. In addition to the provisions requiring posting of a bond as set forth in the municipal code or other regulations of the city, a bond, in a form acceptable to the city council and city attorney, may be required by the planning commission or city council, to guarantee the completion of revegetation projects, the stabilization of grading, cut and fills, and other elements involved in the construction of such projects.
 9. Exceptions. Exceptions to the requirements and provisions as outlined in this section may be approved by the city council, provided that the developer or owner of such development site can demonstrate to the satisfaction of the city council that the requested exceptions shall not be detrimental or injurious to the property or improvements adjacent thereto, or detrimental to the general well being of the neighborhood, or in violation of the stated purposes of this chapter.

17.74.130. Overlay map amendment and update.

The “Sensitive Lands Overlay Map” adopted in this chapter is based upon information available at the time this chapter was adopted, and as such may be amended or updated from time to time to address additional concerns or mitigate the sensitive lands and hazards identified. Said map may be amended and updated based upon new technology, future geotechnical studies and

