

Summary of Proposed Hillside Grading Ordinance

As part of the citywide Large Single Family Home Design Study, the City has prepared new zoning standards for the Culver Crest hillside neighborhood. The recommendations include reductions in building height, restrictions on building floor area relative to the degree of hillside slope and new hillside grading restrictions. The hillside grading restrictions require amendment to the Building Code, which necessitates adoption of a new hillside grading ordinance by the City Council (“Hillside Grading Ordinance”).

A draft Grading Ordinance is being prepared that establishes a new “H” Hillside designation to address unique hillside building conditions on lots where any existing slope is equal to and steeper than 15% and subject to the requirement for a grading permit. The proposed restrictions apply to all properties shown on the attached map, which shall be included with the Grading Ordinance and certain other hillside properties that are subject to the hillside grading requirements (“Hillside Map”).

1. Hillside “H” Designation

All properties shown on the Hillside Map and other hillside properties that are subject to the requirements of the Culver City Municipal Code (“CCMC”) will be designated “H” Hillside. The “H” designation requires that hillside properties are designed and constructed in accordance with appropriate grading and drainage standards. The “H” designation:

- Applies to hillside lots where any existing slope is equal to and steeper than 15%;
- Is recorded on City building records;
- Requires a topographic survey with plan submittal;
- Requires a geotechnical and geological report with plan submittal; and
- Allows a property owner to appeal the “H” designation to the Planning Commission where it can be shown, with a detailed topographic survey prepared by a licensed civil engineer or land surveyor, that a lot does not contain slopes in excess of 15%.

2. Grading Requirements

Notwithstanding any other provisions of the CCMC, total grading (cut and fill) on a lot will be limited as outlined in Section 3 below and no grading permits will be issued until a building permit is approved. All grading plans shall be subject to review by a qualified geotechnical engineering consultant

3. Thresholds for a Grading Permit

A hillside grading plan and grading permit is required when the grading exceeds 100 cubic yards cut or fill and involves one or more of the following:

- A. A cut or fill of more than 3' in vertical height below or above natural ground;
- B. Cumulative cut and fill which amounts to more than 5 feet; and/or
- C. An area where the natural gradient of the site is more than 4:1 (Horizontal to vertical) or 25% slope.

Grading plans that do not exceed the above thresholds are subject to a building permit only and do not require a grading permit. The building permit application will include earth work \ calculations with cross sections.

4. Maximum Grading Quantities

Grading for "H" designated properties will be limited to a maximum amount of cut and fill. The cumulative quantity of grading, or the total combined value of both cut and fill or incremental cut and fill, for a project will be limited to a base maximum of 500 cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards.

Example:** a 5,000 square-foot lot would have a maximum grading amount of 750 cubic yards (500 cubic yards for the base amount + 250 cubic yards for the 5% lot size). **See attached illustrations, which will be included with the Hillside Grading Ordinance.

For projects where there is a maximum slope of 50% (2:1) or greater and/or where there is an excavation or fill that exceeds a 50% (2:1) or greater slope, no grading permit will be issued without Building Official review and approval.

The maximum grading quantities, grading percentage for cut of fill, or maximum allowable slope for grading may be appealed to the Planning Commission, where specific findings can be made.

5. Slope Stabilization

When there is significant renovation or substantial new construction on a site, (i.e. the project exceeds 50% of the replacement value for the original structure, as determined by the Building Official) a hillside grading permit is required and the owner shall also be required to increase standards of care and safety for grading, excavations, fills, soil placement and foundations by implementing slope stabilization measures for the entire lot. The geotechnical engineer or geologist will establish prescriptive measures for slope stabilization.

Notwithstanding the above, the Building Official, in his or her sole discretion, may require slope stabilization measures for any project, if such measures are determined to be necessary in the interest of public health, safety or welfare.

6. Public Works Department Review

All grading projects of one acre or greater are subject to Public Works Department approvals for National Pollutant Discharge Elimination System (NPDES), Storm Water Pollution Protection Plan (SWPPP) and Low Impact Development (LID) requirements.

7. Geotechnical and Geology Report

All projects involving an H designated property and/or subject to a grading permit will be required to prepare and submit a geology report and a geotechnical report to address site specific geotechnical conditions.

8. Drainage Control Plan Requirements

All projects will be designed to include appropriate drainage control devices such as: interceptor terraces, diverter terraces, berms, vee channels, inlet structures, down drains and outlet structures, drainage dispersal walls, sub-drains, gutters, site drainage, drainage around buildings, and include a plan for maintenance of drainage devices to ensure proper site drainage. An Erosion and Sediment Control Plan shall be prepared to address site drainage conditions during project construction.

9. Post Construction Drainage Reports and Maintenance Covenant

An annual drainage report will be submitted to the Building Official indicating the condition of all drainage structures, accepting water from off-site properties, draining to adjacent properties, or when required by plan check. A maintenance covenant, approved as to form by the City Attorney, will be prepared to address required maintenance for all drainage structures.

The drainage report will include:

- A. Hydrology map showing the drainage basin(s), the site of proposed grading, and any proposed drainage structures;
- B. Summary of the hydrology and any proposed drainage structure conditions checked; and
- C. Hydrology calculations for storm intensity requirements (up to 25 year storm) for all drainage facilities.

10. Landscape Plan

All projects located on an "H" designated property or other property subject to the requirements of this code will provide a Slope Protection and Fire Prevention Landscape Plan prepared by a licensed landscape architect that minimizes erosion and surficial sliding and maximizes fire prevention and which indicates proposed fire resistant ground cover, shrub and tree planting and proposed water conserving irrigation, including automatic shut off valves.

Significant Tree Removal

- A. All Significant Trees as defined in the Hillside Grading Ordinance shall be identified by a Licensed Landscape Architect and shown on the grading and landscape plan with a note of intent to either remove or protect such trees. A Significant Tree is defined as a tree that is well established with a minimum caliper size of 10 inches or greater and/or a tree height and canopy spread of 20 feet or greater.
- B. Before any Significant Tree is removed, an Application to Remove Significant Trees must be filed with the Current Planning Division for approval which will indicate the reason for such removal and alternative planting to substitute for the tree(s) removed. The grading plan will be reviewed by the Current Planning Division to verify that the Significant Trees marked for removal are in conformance with the approved application.
- C. The application to remove Significant Trees must be approved prior to approval of the grading plan.

11. Grading Procedures

- A. *Bonds.* Security will be required for all hillside grading provided in the form of a surety bond, letter of credit or cash deposit. The grading bond will be based on 50% of the cost of moving the largest amount of either cut or fill and include the cost of landscaping the slopes per the approved landscape plan. To obtain release of the bond, the landscape architect or civil engineer must submit a letter of certification that the soils, additives and amendments, weed control, planting of the slopes and the installation of the irrigation system comply with the approved plans and to all provisions of the CCMC. The bond will be released one year after receipt of this certification if an inspection of the site determines that the landscaping has become permanently established.
- B. *Agreements.* Agreements with adjacent property owners will be required for all of the following activities occurring outside the property boundaries of a project: grading, drainage, ingress and egress, community driveways, or other encroachment. All agreements must be in a form acceptable to the City Attorney and a conformed copy of the recorded document shall be submitted prior to approval of the grading plan.

12. Project Submittal Requirements

Project plan submittal requirements will be adopted by City Council resolution.

Attachments:

1. Hillside “H” Designation Map
2. Illustrations of Hillside Grading Permit Requirements and Thresholds

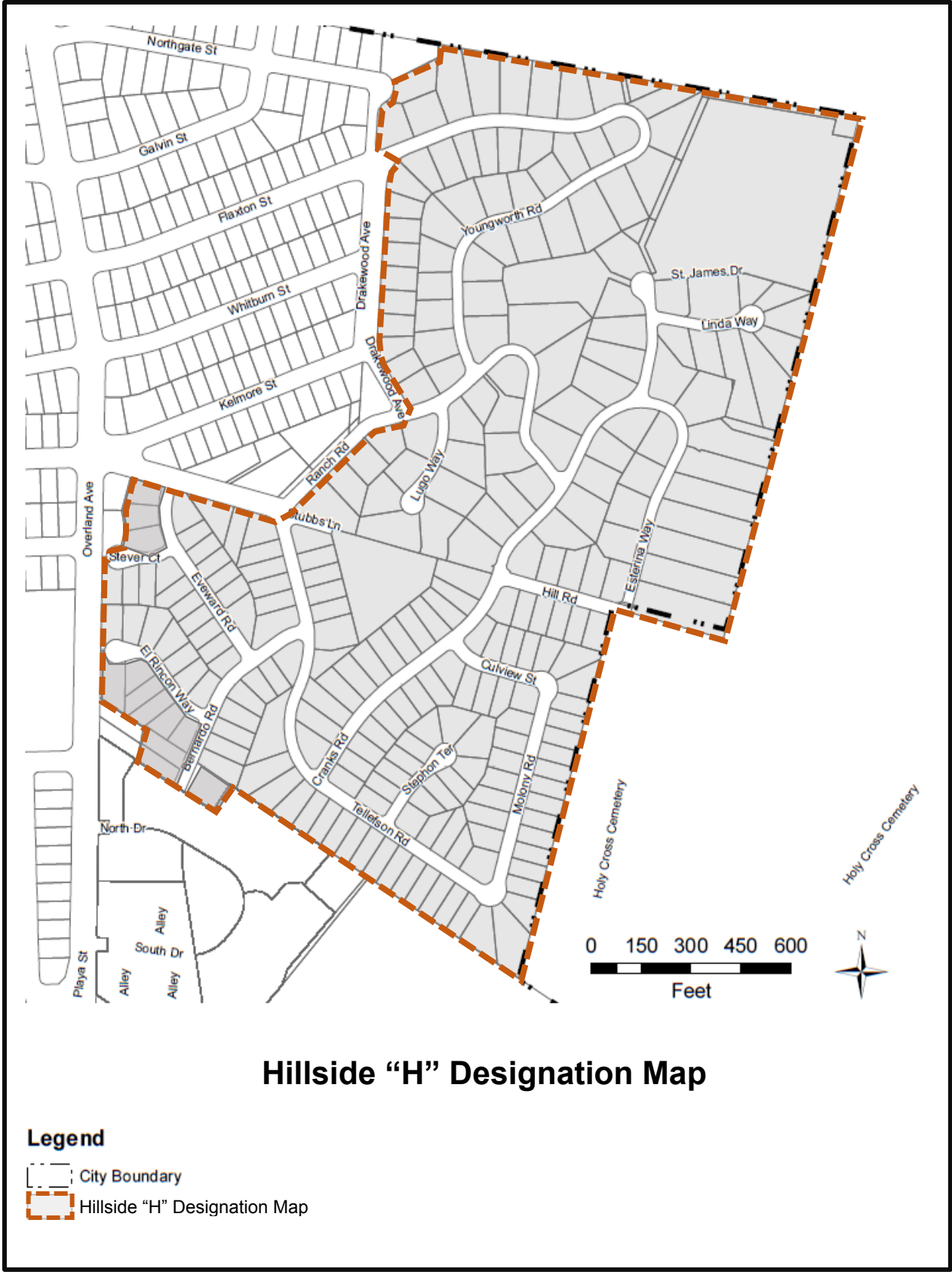
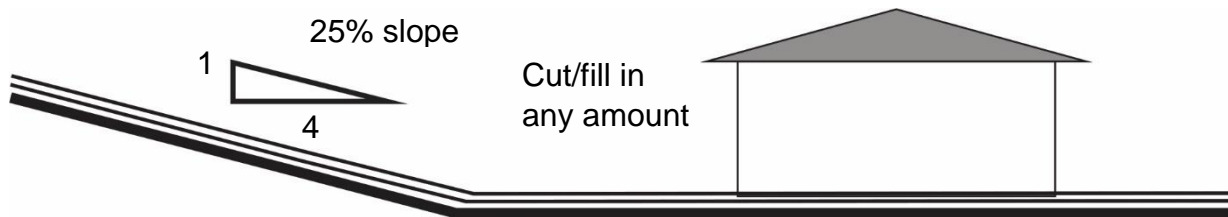


Illustration:

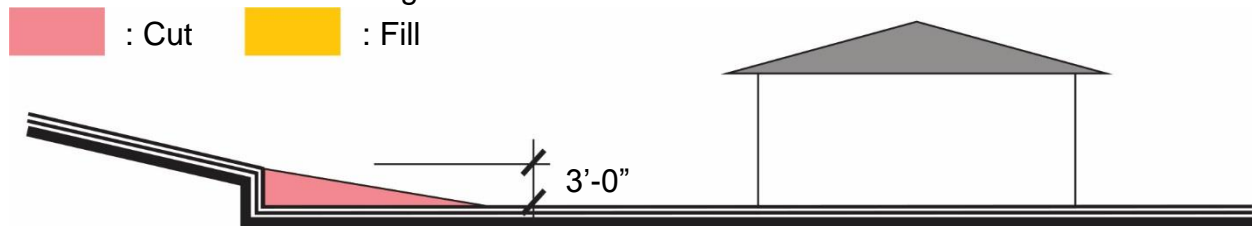
Hillside Grading Permit Threshold

Grading permit is required if the grading involves 100 cubic yards or more and either:

1. Cut and/or fill in any amount on a lot with a slope of 25% or greater



2. Either cut or fill of 3 ft. or greater



3. Cut and fill of total 5 ft. or greater

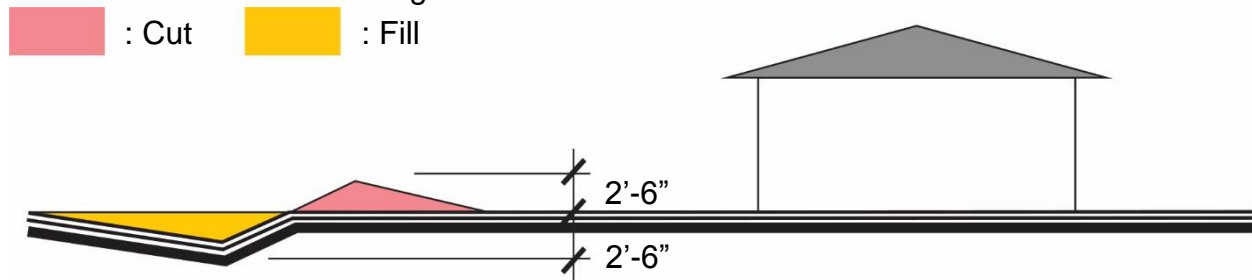


Illustration:

Maximum Allowable Grading

750 cubic yards on a lot of 50 ft. x 150 ft. with a 3 ft. cut at approximately 2' from the property line.

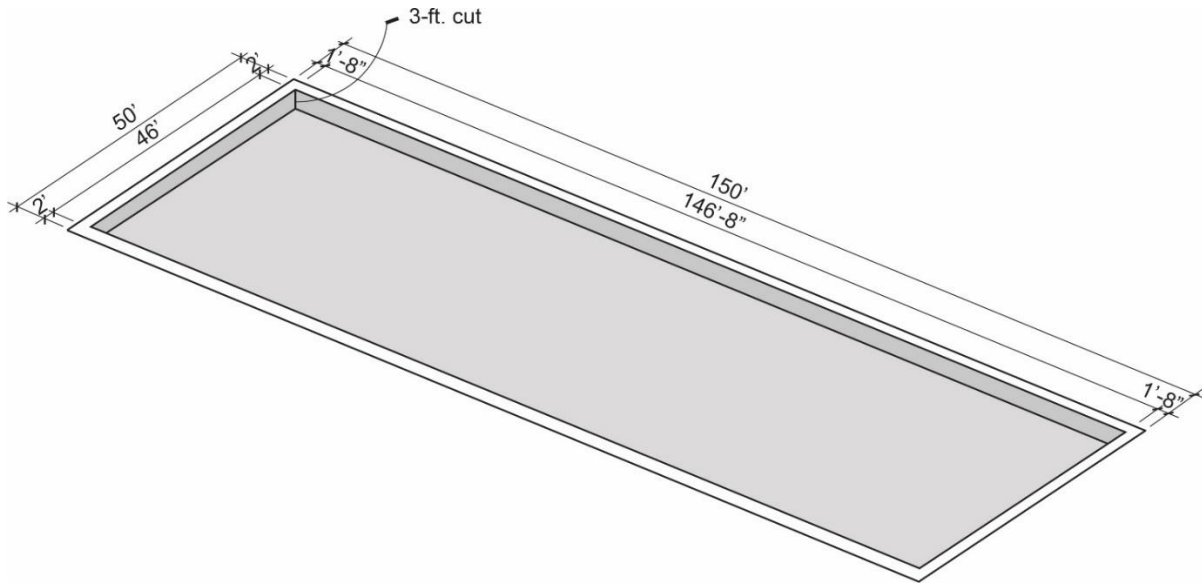


Illustration:

Maximum Allowable Grading

750 cubic yards of fill. (15' high, 30' wide and 45' long)

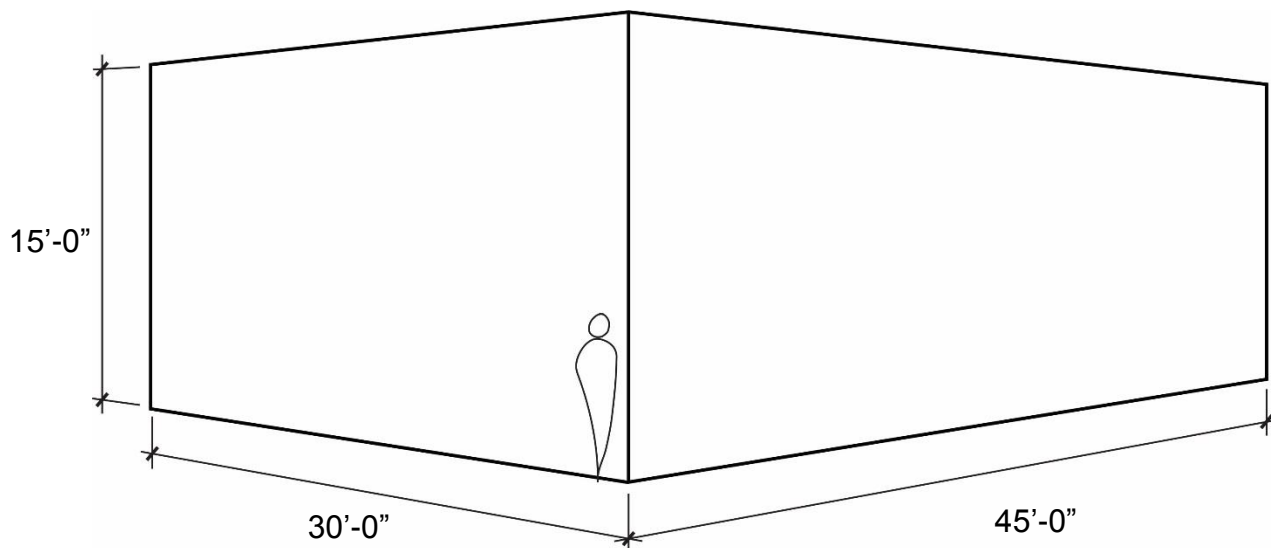


Illustration:

Maximum Allowable Grading

75 - 100 cubic yard dump trucks equal 750 cubic yards

