

CITY OF GRASS VALLEY MUNICIPAL CODE - TITLE 17 - DEVELOPMENT CODE

ARTICLE 5

Resource Management

**Chapter 17.50 - Creek and Riparian Resource Protection.....5-3**

17.50.010 - Purpose.....5-3

17.50.020 - Applicability.....5-3

17.50.030 - Streambed Analysis Required .....5-3

17.50.040 - Development Standards.....5-3

**Chapter 17.52 - Cultural and Historic Resource Preservation.....5-7**

**Chapter 17.54 - Hillside and Ridgeline Development .....5-9**

17.54.010 - Purpose .....5-9

17.54.020 - Applicability.....5-9

17.54.030 - Hillside Subdivision Standards .....5-10

17.54.040 - Site Planning and Development Standards.....5-10

17.54.050 - Building Design Guidelines .....5-16



## CHAPTER 17.50 - CREEK AND RIPARIAN RESOURCE PROTECTION

### Sections:

- 17.50.010 - Purpose
- 17.50.020 - Applicability
- 17.50.030 - Streambed Analysis Required
- 17.50.040 - Development Standards

### 17.50.010 - Purpose

This Chapter provides standards for the protection of watercourse and riparian resources within the City, including provisions for adequate buffer areas between watercourses and adjacent development, to retain the watercourses as valuable natural amenities as appropriate.

### 17.50.020 - Applicability

The provisions of this Chapter apply to proposed development on any site adjacent to or crossed by any creek shown as a blue line on any current United States Geological Survey (USGS) 7.5 minute topographic quadrangle map, and the following: Magenta Ravine, Peabody Creek, and Slide Ravine. Proposed development shall also comply with Municipal Code Chapter 15.52 (Flood Prevention Damage). This Chapter does not apply to the above watercourses which have been previously channelized. Channelized as used in this section means watercourses lying within underground pipes or culverts or exposed concrete culverts. Projects adjacent to Nevada Irrigation District canals shall provide an analysis to establish appropriate protection measures based on the factors of the canal abutting the project. These measures will include provisions for fencing, elimination of runoff into the canal, establishment of the appropriate setbacks, notification procedures for seepage issues, and other improvements to protect the canal.

### 17.50.030 - Streambed Analysis Required

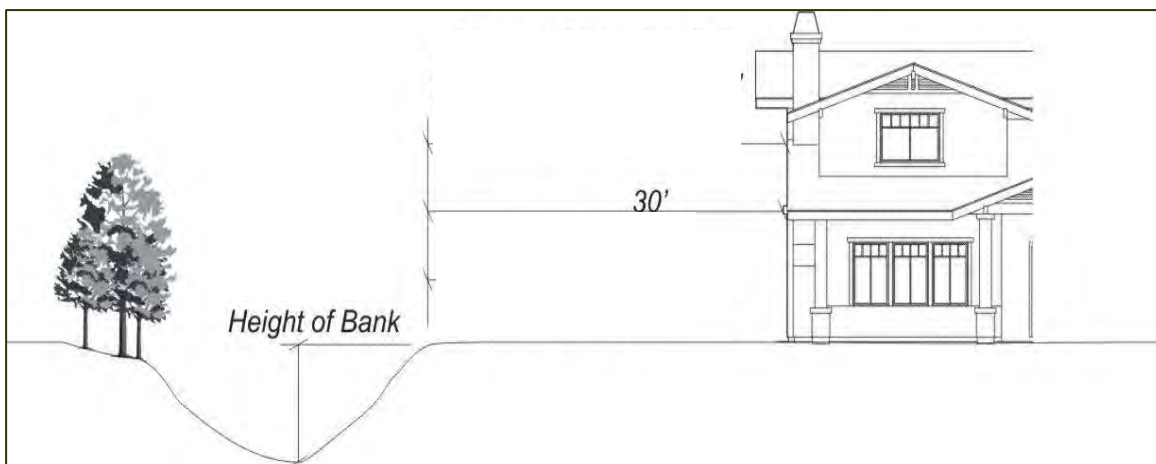
Each planning permit application for a project that is subject to this Chapter shall include a site-specific streambed analysis prepared by a hydrologist, civil engineer, or other qualified professional approved by the City to identify the precise boundary/top of bank of the watercourse. The Director may waive the requirement for a streambed analysis if it is determined that the project, because of its size, location, or design will have no impact on the watercourse, or that sufficient information already exists and further analysis is not necessary. The streambed analysis is not required if the project is outside the 100-year floodplain. A required streambed analysis shall include all information and materials required by the Department.

### 17.50.040 - Development Standards

- A. **Watercourse setback requirement.** Each proposed structure shall be set back 30 feet from the top of the bank (see Figure 1).
1. The following setbacks apply to properties being annexed into the City:

Lots with an average lot depth of less than 155 feet	30 feet
Lots with an average lot depth between 156-175 feet	40 feet
Lots with an average lot depth between 176-225 feet	60 feet
Lots with an average lot depth of more than 226 feet	100 feet

2. The review authority may grant an exception to the setback requirement:
  - a. Where an existing structure is being replaced and is not within a 100-year floodplain, or where the application of the setback would be inconsistent with the urbanized character of the site and adjacent parcels. See Section 17.90.030 (Restrictions on Nonconforming Uses and Structures); or
  - b. When a legal lot of record has not been developed with a structure or developed to the extent permitted by the zoning and the application of the watercourse setback would preclude any structure on the property or subdivision and subsequent development of the property to the extent permitted by zoning.
  - c. Any application for an exception noted in "b" above shall include a Resource Management Plan prepared by a qualified biologist or botanist on the City-approved list. The Resource Management Plan shall include measures which will minimize impacts to the watercourse and enhance runoff filtration. These measure should include: enhancement and/or restoration of the riparian vegetation area; removal of non-native vegetation; decompaction of soils and/or incorporation of organic material to improve runoff filtration; incorporation of bioswales in drainage plans to filter parking areas; and, incorporation of other Best Management Practices (BMP's) which provide long-term protection of the water quality.



**Figure 1- Watercourse Setback Requirement**

- B. Top of bank defined.** The "top of bank" shall mean the upper elevation of land, having a slope not exceeding 10 percent, which confines the channel waters flowing in the watercourse in their normal winter flow.
- C. Use of required setback.** A path or trail may be within a watercourse setback; however, no other structure, road, parking access or space, paved area, or swimming pool shall be constructed within a watercourse or watercourse setback.

- D. Alteration of natural features.** No grading or filling, planting of exotic/non-native or non-riparian plant species or removal of native vegetation shall occur within a watercourse or watercourse setback area, except:
1. The review authority may grant an exception where the work is authorized for flood control purposes by permits issued by the California State Department of Fish and Game, and/or all other applicable local, State, and Federal agencies having authority over the creek; and
  2. As otherwise provided by this Section.
- E. Design of drainage improvements.** Where daylighted drainage improvements are approved, they shall be placed in the least visible locations and naturalized through the use of river rock, earthtone concrete, and landscaping with native plant materials.
- F. Bank stabilization.** Development or land use changes that increase impervious surfaces or sedimentation may result in channel erosion. Therefore, the City Engineer may require measures to stabilize watercourse banks.
1. Rehabilitation is the preferred method of stabilization, with the objective of maintaining the natural character of the watercourse and riparian area. Rehabilitation may include enlarging the channel at points of obstruction, clearing obstructions at points of constriction, limiting uses in areas of excessive erosion, and restoring riparian vegetation.
  2. Concrete channels and other mechanical stabilization measures shall not be allowed unless no other alternative exists.
  3. If bank stabilization requires other than rehabilitation or vegetative methods, hand-placed stone or rock rip-rap are the preferred methods.
- G. Physical and visual access.** Proposed subdivisions and other development shall provide public access to watercourses as follows, and as required by the review authority.
1. **Map Act requirements.** A proposed subdivision shall comply with the public access requirements of Map Act Chapter 4, Article 3.5 (Public Access to Public Resources).
  2. **Streets.** A proposed subdivision shall provide public access and visibility to watercourses through the use of single-loaded frontage roads adjacent to creeks, but outside of the watercourse setback. Where a single-loaded street is not possible, frequent access to trails along the watercourse and public open space should be provided at least every 300 feet, and may occur at the end of dead-end streets.
  3. **Trails.** The review authority may require subdivisions and other proposed development to provide multipurpose creekside trails.
- H. Open space areas.**
1. Open space areas within watercourse setbacks shall include planting for riparian enhancement with native shrubs and trees.
  2. Open space areas outside of watercourse setbacks may include paths and trails, lighting, benches, play and exercise equipment, and trash receptacles, where appropriate.



**CHAPTER 17.52 - CULTURAL AND HISTORIC RESOURCE  
PRESERVATION**

---

**Sections:**

[TO BE ADDED]



## CHAPTER 17.54 - HILLSIDE AND RIDGELINE DEVELOPMENT

---

### Sections:

- 17.54.010 - Purpose
- 17.54.020 - Applicability
- 17.54.030 - Hillside Subdivision Standards
- 17.54.040 - Site Planning and Development Standards
- 17.54.050 - Building Design Guidelines

### 17.54.010 - Purpose

The provisions of this Chapter are intended to:

- A. Preserve the City's environmental and scenic resources by encouraging the retention of natural topographic features and vegetation;
- B. Recognize that as the slope of a development site increases so does the potential for environmental degradation including slope failure, and increased storm water runoff that will also increase the potential for erosion, and waterway sedimentation;
- C. Encourage grading practices that are appropriate in hillside areas; and
- D. Encourage structures on hillside parcels to be designed with scale, massing, architectural design and detailing appropriate to maintain the visual character of hillsides as natural and open.

### 17.54.020 - Applicability

- A. **Applicability of Chapter.** The requirements and guidelines in this Chapter apply to subdivisions, and all other proposed development or a new land use on a building site with a slope of 20 percent or greater in an area identified on the City's Protected Ridgelines Map. Proposed hillside development shall also comply with the City's Storm Water Management Program and the City Improvement Standards as they relate to temporary and permanent erosion control for hillside development.
- B. **Limitation on hillside development.** No new grading or other construction shall occur on a slope of more than 30 percent, except where the review authority determines that there is no alternative building site available on an existing parcel with a slope of 30 percent or less. In granting an exception in compliance with this Section, the review authority shall ensure that the proposed project complies with all other standards of this Chapter to the maximum extent feasible.

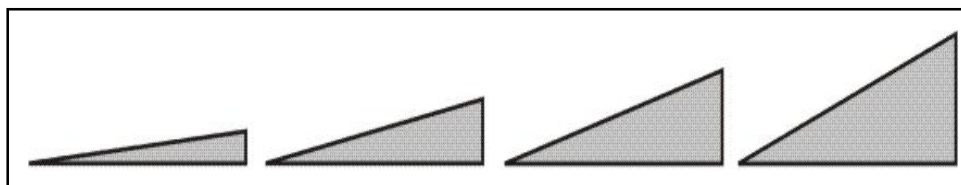


Figure 5-1 - Illustration of Slope

- C. **Permit requirements.** A proposed project that is subject to this Chapter shall require approval through the permit process otherwise required by this Development Code for the project.

- D. Adjustments to standards.** The review authority may grant an adjustment to the standards of this Chapter as part of development review where it first finds that:
1. The adjustment is either necessary to allow a house with reasonable floor area on a site with excessive slope or other environmental constraints; or
  2. The adjustment will result in less visual impact than would development in compliance with the standard being adjusted.

### 17.54.030 - Hillside Subdivision Standards

A proposed subdivision shall comply with the following standards.

- A. Parcel and building site slope.** No parcel other than an open space parcel shall be created:
1. With an overall average slope of 30 percent or more; or
  2. Without at least one building site of at least 5,000 square feet that has no slope of 20 percent or more, and that will allow a house to be constructed in compliance with all other applicable provisions of this Chapter.
- B. Roads.** Each new road shall follow natural terrain contours to the maximum extent feasible to minimize grading. Proposed driveways shall comply with the requirements of Section 17.54.040 (Site Planning and Development Standards).

### 17.54.040 - Site Planning and Development Standards

Each structure shall be located in the most accessible, least visually prominent, most geologically stable, portion or portions of the site, and at the lowest feasible elevation. Structures shall also be aligned with the natural contours of the site. Siting structures in the least prominent locations is especially important on open hillsides where the high visibility of construction should be minimized by placing structures so that they will be screened by existing vegetation, depressions in topography, or other natural features.

- A. Site access.** Each driveway shall follow natural terrain contours to minimize grading, and also shall comply with the following standards.
1. Common driveways that serve more than one parcel are encouraged, and may be required, to reduce the total amount of grading and pavement.
  2. Drainage from a driveway shall be directed in a controlled manner to the drainage facilities of the nearest road, subject to the approval of the City Engineer.
  3. A driveway shall not have a grade steeper than five percent within 10 feet of a garage or carport entry. Driveway finished grade shall not exceed an average of 20 percent slope for residential uses; a five percent deviation for special construction techniques may be approved by the City Engineer.

- B. Setbacks.** A new structure or addition is prohibited within 50 vertical feet of a ridgeline unless this restriction completely precludes development of the property. An exception may be granted if the review authority first finds that:
- There are no feasible building sites on the parcel that avoid ridgeline development;
  - In the case of a subdivision, the density has been reduced to the minimum standards consistent with the General Plan density range;
  - No new subdivision of parcels is created that will result in ridgeline development; and
  - The development will avoid significant adverse visual impacts due to modifications in structural design including height, bulk, size, foundation, siting, and landscaping.
- C. Side and rear setback from slope.** Where a building site abuts a parcel with an elevation that is three feet or more above or below that of the site, the side and/or rear setback required by the applicable zone shall be measured from the nearest toe or top of slope to the structure, whichever is closer. See Figure 5-3.

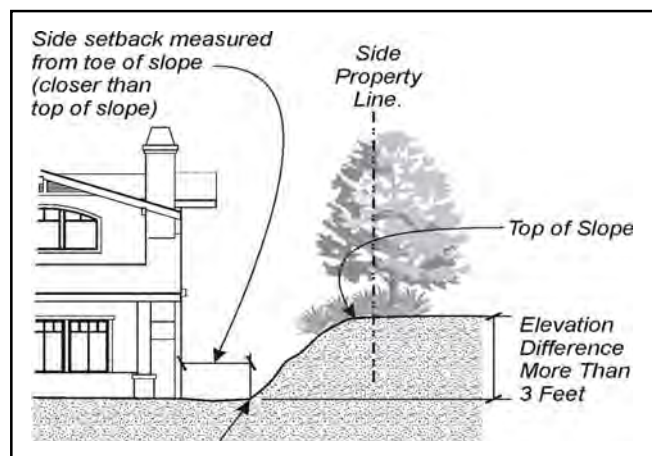


Figure 5-3 - Side Setback Measurement

E. **Height limits.** Each proposed structure shall comply with the following height limits, in addition to the height limit of the applicable zone.

1. **Total height limit.** No structure shall exceed a height of 24 feet, measured in compliance with Section 17.30.050 (Height Limits and Exceptions), and shall not exceed a total height of 35 feet, measured from the lowest elevation on the site where the structure touches the grade, to the highest point of the roof. See Figure 5-4.

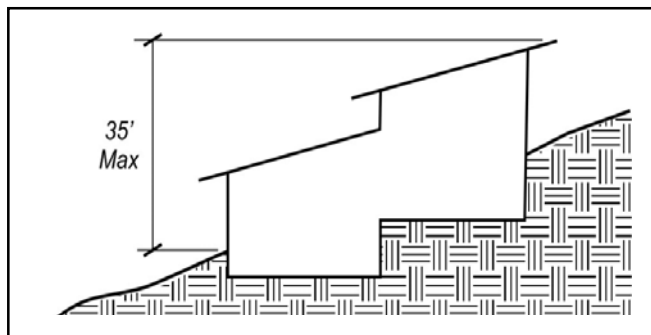


Figure 5-4 - Maximum Height on Sloping Site

2. **Placement of structures.** Proposed structures shall comply with the following standards, to maintain the natural appearance of hillsides and ridgelines.
  - a. Each structure shall be located as follows; provided that the review authority may modify or waive these standards where it determines that a structure on the only feasible building site of an existing parcel cannot comply.
    - (1) No part of a proposed structure shall appear silhouetted against the sky above the nearest ridge or knoll when viewed from a public street. See Figure 5-5.
    - (2) The topmost point of a proposed structure and all site grading shall be at least 30 feet below the top of the nearest ridge or knoll. See Figure 5-6.
  - b. Each structure shall be located to take advantage of existing vegetation for screening, and should include the installation of additional native plant materials to augment existing vegetation, where appropriate.

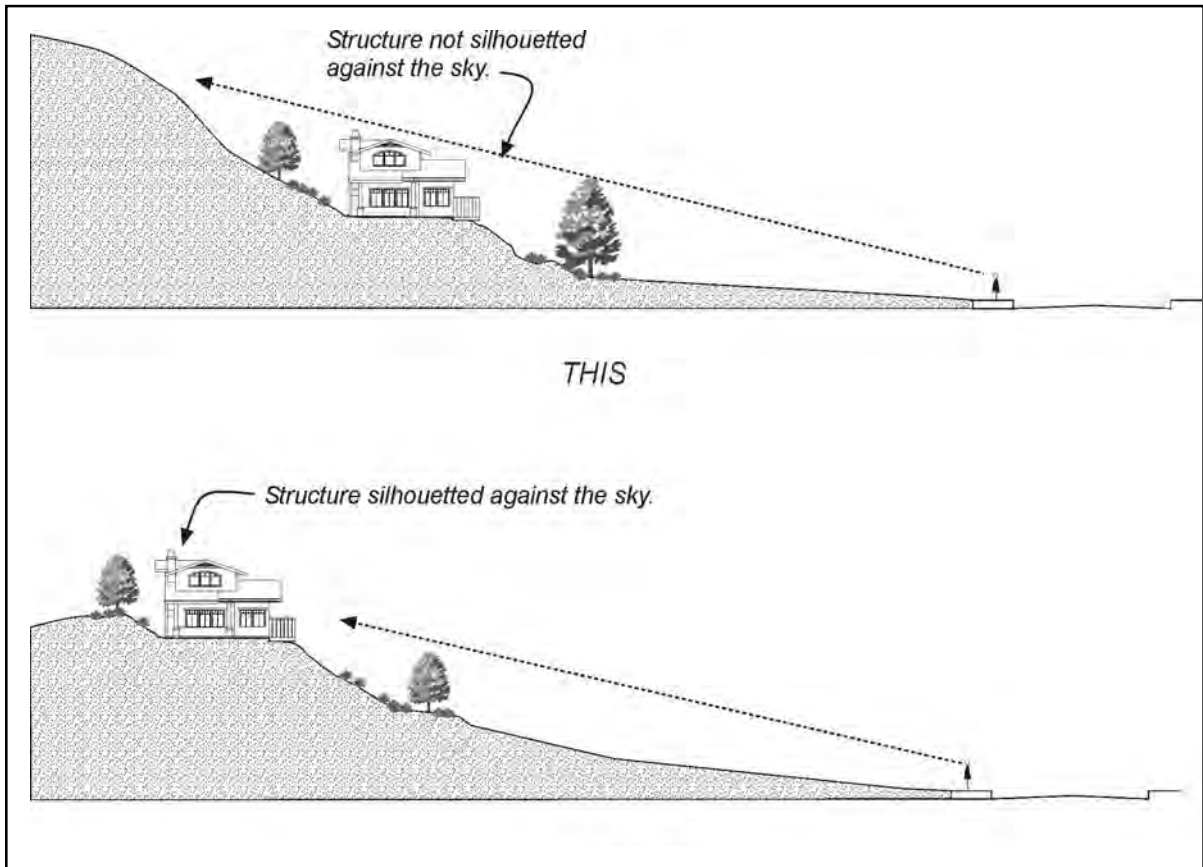


Figure 5-5 - Silhouetted Structure

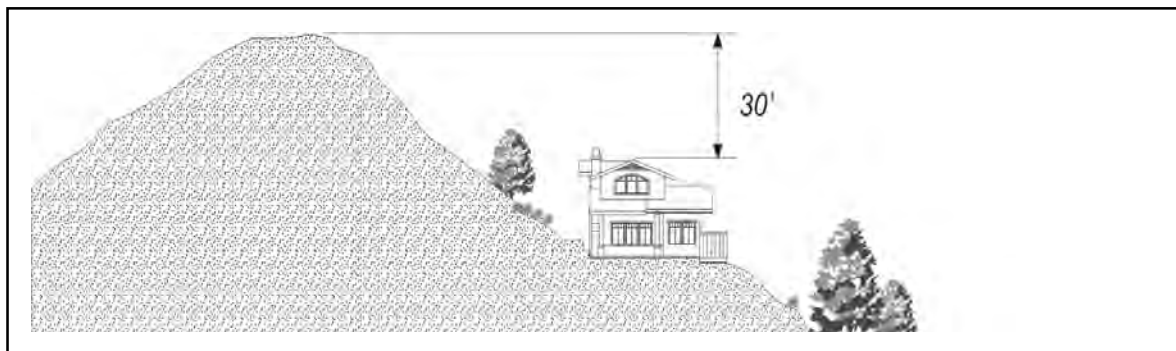


Figure 5-6 - Location of Structure Below Ridgeline

3. **Height limit above ridgeline.** Where the review authority determines that a legal lot existing prior to the effective date of this section contains no feasible building site other than where a structure will extend above the ridgeline, proposed structures shall not exceed a height of 16 feet above the highest point on the ridgeline or hilltop within 100 feet of the proposed structure. See Figure 5-7.

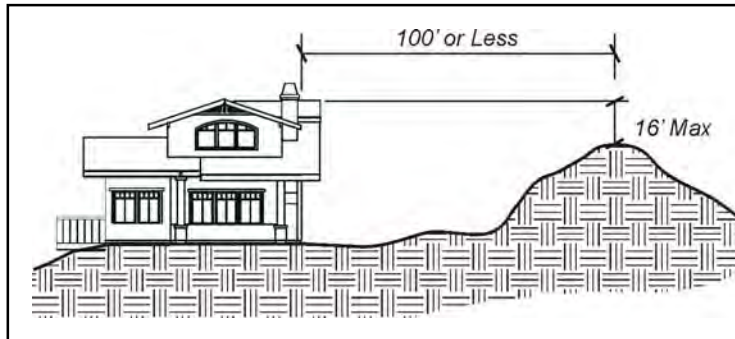


Figure 5-7 - Highest Point Within 100 Feet of Structure

4. **Height of lowest floor level.** The vertical distance between the lowest point where the foundation meets grade and the lowest floor line of the structure shall not exceed six feet (see Figure 5-8).

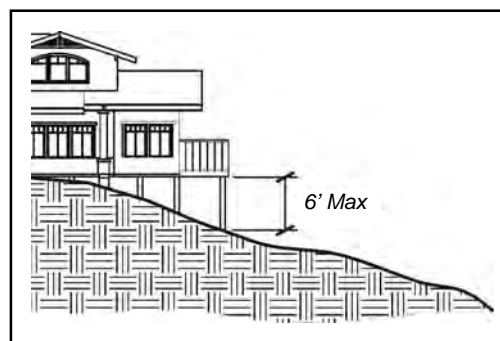


Figure 5-8 - Height Limit for Downhill Building Walls

5. **Downhill building walls.** No single building wall on the downhill side of a house shall exceed 15 feet in height above grade. Additional building height on a downhill side may be allowed in 15-foot increments, where each increment is stepped-back from the lower wall a minimum of 10 feet (see Figure 5-9).

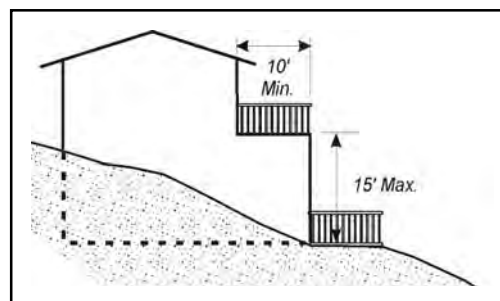


Figure 5-9 - Height Limit for Downhill Building Walls

6. **Decks.** No portion of the walking surface of a deck with visible underpinings shall exceed a height of six feet above grade. Decks shall be integrated into the architecture of the house, not appearing as an “add-on” to the primary building mass (see Figure 5-8).

- F. View protection guidelines.** A proposed structure should be designed and located so that it avoids blocking views from other properties to the maximum extent feasible, as follows. See Figure 5-10.
1. New structures and tall landscaping should not be placed directly in the view of the primary living areas on a neighboring parcel (For the purposes of this Section, "primary living area" means a living room, family room, dining room, master bedroom, or outdoor patio with seating.).
  2. Mechanical equipment may be placed on rooftops or below a deck only if the equipment is not visible from off the site, except for unobtrusive solar collectors that are compatible with the roof line and architecturally integrated with the structure. This equipment shall also comply with the height limits in Subsection E.2.

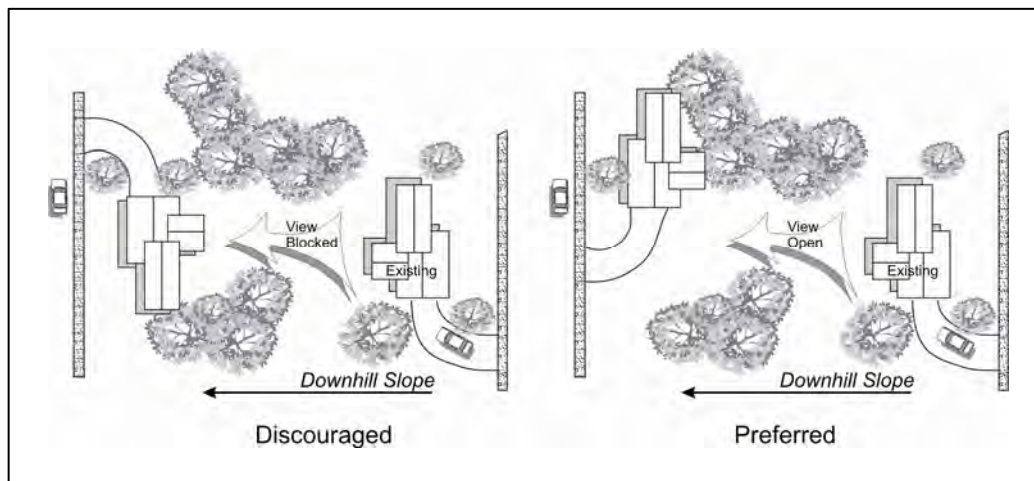


Figure 5-10 - View Protection

- G. Exterior lighting.** See Section 17.30.060 (Outdoor Lighting).

- H. **Retaining walls.** An embankment to be retained that is over six feet in height shall be benched above six feet in height so that no individual retaining wall above six feet in height is taller than 36 inches, and each bench is a minimum width of 36 inches. See Figure 5-11.

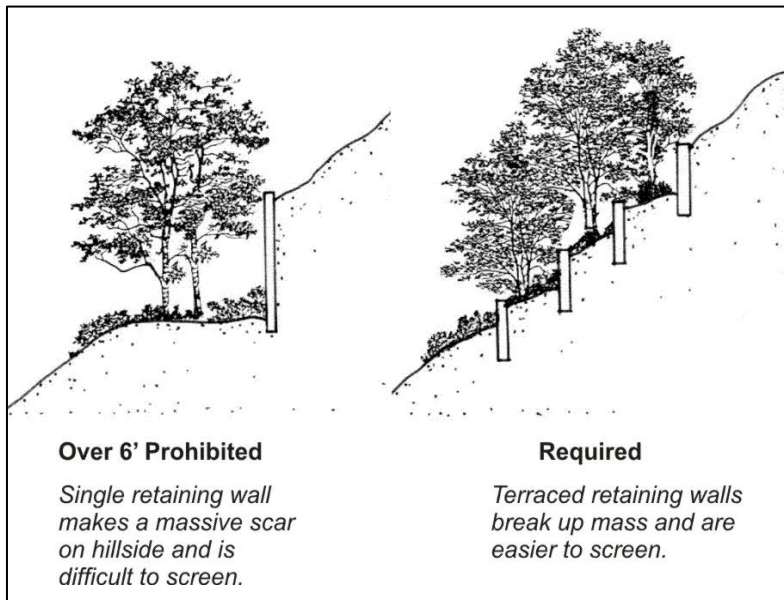


Figure 5-11 - Retaining Wall Design

- I. **Support structures.** Support structures (for example, columns, pilings, etc.) below the lowest floor on the downhill side of a house, shall be enclosed unless visible structural members are an integral feature of the architectural design. Support structure wall surfaces shall not exceed six feet in height.

**17.54.050 - Building Design Guidelines**

Building and site design should generally utilize varying setbacks and structure heights, split-level foundations, and low retaining walls to blend structures into the terrain. See Figure 5-12.

- A. **Maximum floor area.** The gross floor area of all structures on a parcel should not exceed 30 percent of the areas of the parcel with a slope of less than 15 percent, and zero percent of the areas with slopes in excess of 15 percent.
- B. **Windows.** Windows, balconies, and outdoor living areas generally should be located to protect the privacy of adjacent homes and yards. Windows visible from off the site should be glazed with non-glare glass.

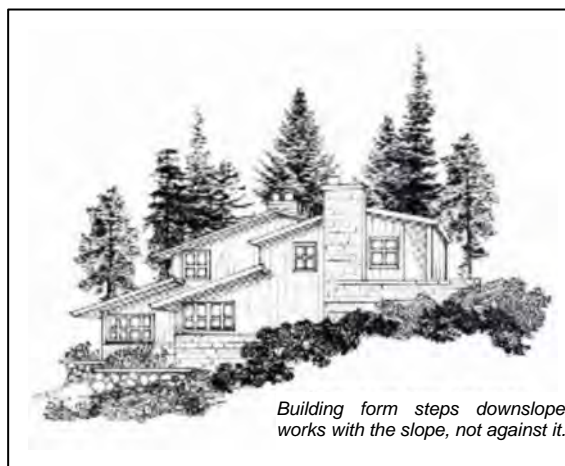


Figure 5-12 - Design Sensitive to Terrain (an example of building form, not intended to show preferred architectural style)

- C. **Exterior wall surfaces.** The apparent size of exterior wall surfaces visible from off the site should be minimized through the use of single story elements, setbacks, overhangs, roof pitches, landscaping, and/or other means of horizontal and vertical articulation to create changing shadow lines and break up massive forms.

- D. Colors and materials.** A mixture of materials and color should be used to blend structures with the natural appearance of the hillside:
1. Based upon the graphic principle that darker colors are less noticeable than light colors, darker tones, including earth tones should generally be used for building walls and roofs on highly visible sites so that buildings appear to blend in with the natural terrain.
  2. Exterior finish materials should be appropriate to the architectural style of the structure and compatible with the hillside environment.
- E. Roofs.** Roof pitches should be placed to follow the angle of the slope; but with variations to avoid a monotonous appearance. See Figure 5-12.
- F. Landscaping.** See Chapter 17.34 (Landscaping Standards).

