Brea Hillside Zoning Ordinance

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Prepared for:

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20.206.010 Purpose and Intent

A. This Chapter is established to achieve the City's objective to facilitate and permit the orderly development of property within the hillside areas through a set of hillside development standards aimed at protecting the public health, safety and welfare; protecting and preserving natural and biological resources for the long-term benefit of the Brea community and the broader community; recognizing the inherent value in the properties subject to this Chapter; allowing size, type, location, density, and intensity of development based on available infrastructure, the geographic steepness of terrain, presence of unique geographic conditions and constraints, and presence of environmentally sensitive areas; and optimizing the use of sensitive site design, grading, landscape architecture, and architecture, all to achieve the City's objectives.

B. The Hillside Residential (HR) zoning district and the regulations contained in this Chapter are intended to provide development that is consistent with and serves to implement the goals and policies of the Brea General Plan for properties designated Hillside Residential. Specific regulations and standards address the following City objectives:

1. To establish a Hillside Development Application process that requires property owners to select suitable development sites on their real property for new hillside development projects based off of science-based conclusions, including the use of slope density calculations and maximum land holding capacity to determine the appropriate density and intensity of a structure that can be built on a particular hillside slope.

2. To involve early participation of affected resource agencies at an early stage of the application process with new hillside development projects.

3. To protect the value to the community and the subject property of ridgelines, prominent landforms, rock outcroppings, open space areas, hydrologic features, wildlife communities, unique and sensitive habitat and vegetation communities, and other natural, biological, and scenic resources.

4. To preserve and enhance the visual and aesthetic quality of hillsides from the surrounding community.

5. To encourage all the characteristics and qualities of a cohesive neighborhood that promotes a "sense of place" within a hillside setting.

6. To promote and encourage a variety of high-quality, alternative architectural and development designs and concepts appropriate for hillside areas by utilizing the highest quality of prescribed standards.

7. To preserve the public health, safety, and welfare and specifically protect the public and property from hazards such as seismic, geologic, and fire.

20.206.020 Applicability and Permit Requirements

A. This Chapter applies to all properties within the incorporated boundaries of the City of Brea, as well as those properties within the City's official Sphere of Influence that are designated "Hillside Residential" on the City of Brea General Plan Land Use Map, and which lie within the Hillside Residential (HR) zoning district.

B. No person shall subdivide, grade, erect, or construct into, over or on top of property within the HR zoning district without first obtaining a Hillside Development Permit (HDP) in compliance with this Chapter.

20.206.022 Exemptions from Hillside Development Permit

A. Notwithstanding the provisions of Section 20.28.020, the following actions and activities are exempt from the requirement for a Hillside Development Permit, except that all development in the Hillside Residential zoning district shall comply with hillside development standards set forth in this Chapter:

1. Construction that does not require a grading permit or a building permit.

2. The construction and installation (trenching, utility construction and backfilling) of underground utility systems.

3. The re-grading of existing yard areas for landscaping installation, provided such re-graded yard area does not exceed 1,000 square feet in area.

4. Pool/spa construction that does not involve the construction of any retaining walls, whether or not part of the pool structure, over three feet in height.

5. Additions to existing structures and/or construction of accessory structures which are less than 500 square feet in area, unless a grading permit for establishment of same is required.

6. Any project that has received final approval of a Hillside Development Permit prior to the effective date of this Chapter, provided that such permit or approval has not expired or is not otherwise revoked, and further provided that the development is in accordance with the approved Hillside Development Permit and related approvals.

20.206.024 Hillside Development Permit Approving Authority

A. Two Types of Permits Established

Two types of Hillside Development Permits are established by this Chapter: the Administrative Hillside Development Permit and the Hillside Development Permit. For the purposes of this Chapter, both are referred to herein as a Hillside Development Permit, unless specifically referenced as Administrative Hillside Development Permit.

B. Concurrent Applications

An application for a Hillside Development Permit or Hillside Development Permit amendment may be processed and approved concurrently with any other development permits required by this Title 20 and any other applicable provision of the Municipal Code. The same decision-making body or official which has the authority to approve, conditionally approve, or deny the other development permits required for the project shall have the authority to approve, conditionally approve, or deny a Hillside Development Permit.

20.206.026 Voluntary Pre-Application Review Process

A. Prior to the submittal of an application for any Hillside Development Permit or Hillside Development Permit amendment, the property owner or an agent with written authorization is recommended to voluntarily meet with the Director of Development Services or designee to review the requirements of this Chapter 20.206 and to review matters set forth hereunder.

B. The purpose of pre-application review is to review the requirements of this Chapter 20.206, to identify and review available information regarding physical conditions affecting the property for which the application will be submitted, to respond to questions of the property owner or agent, and to present and review General Plan policies affecting use and development of the property.

C. The pre-application review process is not meant to constitute a comprehensive Hillside Development Permit application review and should not be considered to commence any timelime, whether under the California Environmental Quality Act, Permit Streamlining Act, or any law, statute or ordinance. City comments are to provide direction so that the review of the subsequent Hillside Development Permit or Hillside Development Permit amendment can be facilitated.

20.206.028 Review Procedure and Cost Recovery

A. Administrative Hillside Development Permit

An Administrative Hillside Development Permit shall be processed in compliance with the procedures and noticing requirements established for a Certificate of Compatibility, as set forth in Section 20.408.050 of this Title 20. The Director of Development Services or designee may refer an Administrative Hillside Development Permit to the Planning Commission, in which case, the Planning Commission acts as the Director and follows the procedures and noticing requirements for a conditional use permit, as set forth in Section 20.408.030 of this Title 20.

B. Hillside Development Permit

A Hillside Development Permit shall be processed in compliance with the procedures and noticing requirements established for a conditional use permit, as set forth in Section 20.408.030 of this title, and it shall be acted upon by the Approving Authority having final jurisdiction over accompanying actions.

C. Findings Required

In acting to approve an Administrative Hillside Development Permit or Hillside Development Permit, the Approving Authority shall be required to make the following findings:

1. That the proposed development is consistent with and serves to implement the City of Brea General Plan and specifically, those goals and policies pertaining to hillside development; and

2. That the proposed development is consistent with the purpose and intent of this Chapter set forth in Section 20.206.010; and

3. That care was taken in the design of the development to minimize exposure of persons to natural hazards, to avoid sensitive biological resource habitat areas, and to maximize access to public open space areas.

4. That the design guidelines, where applicable, adopted for the Hillside Development Permit will provide for quality design consistent with the intent of this Chapter.

20.206.040 Land Use Regulations

A. Permitted Land Uses

The following uses of land are permitted in the HR zoning district and no discretionary permit is required, except where a Hillside Development Permit is required by Section 20.206.020.

1. A single single-family dwelling unit, detached or attached.
2. Second dwelling units, subject to the regulations contained in Section 20.208.040 of this title and state law.
3. Accessory structures, including detached garages not to exceed a cumulative total of 600 square feet.
4. Swimming pools, spas, and associated hardscape and landscape improvements, subject to the issuance of a grading permit and required building permits.
5. Tennis courts, basketball courts, and similar sports courts, subject to the issuance of a grading permit and required building permits.
6. Public and private parks.
7. Landscaped parkways and medians, landscaped slopes, and similar other open spaces.
8. Riding and hiking trails for pedestrians, equestrians and non-motorized vehicles.
9. Residential care facilities serving six or fewer mentally or physically disabled, disordered, or dependent persons.

B. Uses Requiring an Administrative Hillside Development Permit

The following applications for the development of property in the Hillside Residential zoning district shall require an Administrative Hillside Development Permit and any other permits that may be required by Section 20.206.040 of this Chapter. All other applications shall require a Hillside Development Permit.

1. The construction of one detached single-family dwelling unit on an existing legal lot.
2. Additions to existing dwelling units, whereby the addition consists of 500 square feet or more of habitable floor area.
3. An accessory structure or any combination of accessory structures, including detached garages, containing more than 600 of gross floor area.
4. Swimming pools, spas, and associated hardscape and landscape improvements.
5. Tennis courts, basketball courts, and similar sports courts.
6. Public and private parks.
7. Riding and hiking trails for pedestrians, equestrians and non-motorized vehicles.
8. Stables, corrals, and similar facilities for the private noncommercial keeping and containment of animals.
9. Lighting of tennis courts, basketball courts, and similar sports courts.

An Administrative Hillside Development Permit shall be processed in the same manner as a Certificate of Compatibility, as set forth in Section 20.408.050 of this title.

C. Uses Requiring a Conditional Use Permit

The following uses of land shall be subject to the granting of a Conditional Use Permit in compliance with the regulations contained in Section 20.408.030 of this title.

1. The drilling for, removal of, and storage of oil and hydrocarbons and associated activities, subject to the provisions of Chapter 8.24 of the Municipal Code.

2. The grazing of and/or ranches for horses, cattle, sheep, and goats, or other members of the equine, bovine, or ovine family, or members of the ratite or cameloid families, on a lot in compliance with the provisions of Title 6 of the Brea Municipal Code.

3. The cultivation of commercial agricultural products.

D. Permitted Accessory Uses

The following are permitted as accessory uses clearly subordinate to the principal use of the property.

1. The keeping of animals other than those specified in Section 20.206.040.C.2 in compliance with the provisions of Title 6 of the Brea Municipal Code.

20.206.050 Application Filing Requirements

The following information, maps, and other specified data shall be submitted concurrently with all required application forms and fees.

A. A topographical map, at a scale specified in development applications, which shall identify all existing slope banks, ridgelines, canyons, natural drainage courses, federally recognized blue-line stream or Waters of the United States, rock outcroppings, and existing vegetation. The vegetation map shall indicate whether the plant communities or habitat are native (e.g. southern mixed chaparral) or exotic (e.g. palm trees). Also depicted shall be known landslides and other existing geologic conditions.

B. A conceptual grading plan, which shall include the following items in addition to those required by the Municipal Code:

1. Top of walls
2. Top of curbs
3. High point and low point elevations
4. Elevation of significant trees, which are defined to be trees with a greater than six- inch trunk diameter measured at four feet above grade
5. Spot elevations, where appropriate
6. Pad and/or finished floor elevations
7. Change in direction of drainage
8. A separate map with proposed fill areas colored green and cut areas colored red, with depths of such areas clearly shown in five-foot topographic lines. Quantities of each cut and fill area shall also be clearly marked.
9. Areas of cut and fill, calculated as a percentage of the total site area
10. Contours for existing and proposed topography. Existing contours shall be depicted with a dashed line with every fifth contour darker, and proposed contours shall be depicted as above except with a solid line. Contours shall be shown at minimum intervals of five feet of change in elevation, with two-foot contours shown in the flatter areas
11. Road grades, indicating both average and maximum
12. Lot and pad dimensions, along with a statistical summary
13. Design of roads and driveways, including average grades indicated, as well as areas of the steepest grade
14. Lot drainage, including the gradient of the drainage and flow velocities
15. Proposed graded pad areas for each development lot proposed, with pad dimensions and slope indicated

C. A cut and fill map identifying proposed fill areas colored blue and cut areas colored red, with depths of such areas clearly shown in 10-foot contour lines. Quantities of each cut and fill area shall also be clearly specified on the map.

D. A series of existing conditions and constraints composite maps that, respectively, describe in detail the information described below. Such maps shall be included as part of any technical report required pursuant to paragraph G of this section.

1. Geotechnical and soils conditions, including known faults and landslides.

2. Archaeological and paleontological resources, and documented or potential historic resources.

3. Recorded easements and title report planning constraints, including but not limited to abandoned wells and pipelines.

4. Active and abandoned oil and gas production and processing facilities including, but not limited to wells, pipelines, staging areas, and processing equipment. The map shall include clear symbols indicating which facilities will be retained and which will be abandoned.

5. Areas of known or suspected oil field contamination and associated oil remediation plans.

6. Prominent ridgelines and required ridgeline setback zones, consistent with information on the City's official Prominent Ridgeline Map.

7. Biological resource map showing all of the existing plant communities, with sensitive or protected species or communities clearly delineated, as well as known habitat area for protected animal species including the location of sensitive biological resources.

8. Map identifying significant trees, which, for the purposes of this map, are defined to be trees with a caliper greater than six inches when measured four feet above grade.

9. 100-year floodplain areas, U.S.G.S. blueline streams, and jurisdictional wetlands.

10. Slope areas 30 percent or greater which are at least one acre in size and have a minimum dimension of 50 feet in any direction.

E. The following property slope information:

1. A detailed slope analysis map for the purposes of determining the amount and location of land as it exists in its natural state and for calculating the average slope. For the slope analysis map, the applicant shall use a base topographical map of the subject site, prepared and signed by a registered civil engineer or licensed land surveyor. The map which shall have a scale of not less than one inch to 100 feet and a contour interval of not more than ten feet with two-foot intermediates. This interval may be adjusted with the approval of the Director of Development Services and City Engineer on the basis of good engineering principles. This base topographical map shall include all adjoining properties within 150 linear feet of the site boundaries to portray the site's context. The slope map shall delineate slope bands, with contrasting colors, for the following slope ranges:

    a. Up to 10%
    b. 10.1% to 20%
    c. 20.1% to 25%
    d. 25.1% to 30%
    e. Greater than 30%

2. Also included shall be a tabulation of the land/area by slope percentage specified in acres consistent with the slope categories identified in E(1) above. Such slope map shall be prepared using CAD-based or GIS-based software specifically designed for such purpose and approved for such use by the City Engineer.

3. A calculation of the average slope of the entire parcel. Such calculation shall be performed by using the average percent slope formula as follows:

   S = (0.00229 I L)/A

   Where S = Average percent slope
   I = Contour interval, in feet
   L = Summation of length of contours, in feet
   A = Area in acres of parcel being considered

4. Calculations of average slope percent shall be based upon accurate topographic surveys using a contour interval no greater than 10 feet and a horizontal map scale of 1 inch:200 feet or larger.

5. The slope analysis shall be stamped and signed by a registered or licensed professional competent to provide such analysis and indicating the datum, source, and scale of topographic data used in the slope analysis, and attesting to the fact that the slope analysis has been accurately calculated.

E. In the event that no grading is proposed, a statement to that effect shall be filed with a plan which shows possible future house plotting and driveway design for each parcel proposed, to be prepared on a topographic map drawn at the same scale as the conceptual grading plan.

F. Sufficient number of slope sections to clearly illustrate the extent of the proposed grading. The slope profiles shall:

1. All be drawn at the same scale and indexed, or keyed, to the existing topography, grading plan, and project site map. Both vertical and horizontal scales shall be indicated and not exaggerated. The slope section shall extend at least 150 feet outside the project site boundary to clearly show impact on adjacent property.

2. At a minimum, sections shall be drawn along those locations of the project site where:

   a. The greatest alteration of existing topography is proposed; and
   b. The most intense or massive development is proposed; and
   c. The site is most visible from surrounding land uses; and
   d. At all site boundaries illustrating maximum and minimum conditions; and
   e. Where grading will impact natural drainage conditions.

3. At least two of the slope profiles shall be roughly parallel to each other and roughly perpendicular to existing contour lines. At least one other slope profile shall be roughly at a 45° angle to the other slope profiles and existing contour lines.

4. The slope profiles shall be stamped and signed by civil engineer or landscape architect registered in the State of California indicating the datum, source, and scale of topographic data used in the slope profiles, and attesting to the fact that the slope profiles have been accurately calculated and identified.

5. Show existing and proposed topography, structures, and infrastructure facilities. Proposed topography, structures, and infrastructures shall be drawn with a dashed line. Existing topography and features shall be drawn with a thin, solid line.

6. The slope profiles shall be stamped and signed by a registered civil engineer indicating the datum, source, and scale of topographic data used in the slope profiles, and attesting to the fact that the slope profiles have been accurately calculated and identified.

G. The following technical reports:

1. A geologic and soils report prepared by a registered geotechnical engineer and in sufficient detail to substantiate and support the design concepts presented in the application as submitted.

2. Phase I (records search) and any and all Phase II (physical investigation of soils) environmental assessments identifying any hazards present on the property.

3. A biological resource survey report identifying all existing plant communities, with sensitive or protected species or communities clearly delineated, as well as known habitat area for protected animal species, including the location of sensitive biological resources. All sensitive species surveys shall be conducted in accordance with any applicable protocols established by the U.S. Fish and Wildlife Agency and the California Department of Fish and Game. The report shall be signed by the person preparing such report, with the signature intended to verify that the mandatory protocols were conformed to in the analysis.

H. A comprehensive architectural and landscaping design guideline manual. Such manual shall be required for all Hillside Development Permit applications except those involving the construction of one single-family dwelling unit on an existing lot, in which case paragraph I below shall apply. Such manual shall be approved as part of the applicable Hillside Development Permit and shall be binding upon all subsequent development authorized by that applicable Hillside Development Permit. The manual shall include the following, but the applicant/land owner may include additional information at his/her discretion.

1. Illustrative, color drawings or similar representations of the various architectural styles to be used with text and visual descriptions on the overall architectural theme of the project.

2. A neighborhood design diagram depicting the locations of proposed vehicular and pedestrian circulation, utility easements, developable pad, property lines, perimeter setbacks, parks, and recreation centers.

3. A description of all housing types to be built which reference the location of defined parcels within the property, diagrams of how the product orients to the flat pad with setbacks, and an illustrative street scene perspective of the product.

4. Identification of building articulation in the following locations (but not limited to): front massing and entry scale, garage placement, architectural projections, rear articulation, and corner lots.

5. Identification of exterior building materials (structure and trim), roofing materials, and colors for primary structures.

6. Illustrations and descriptions of permitted fencing and wall materials.

7. Illustrations and descriptions of permitted signage and entry treatments.

8. Description and illustrative drawings or similar representations of how the architecture and building approaches established in the manual implement the Architectural Standards set forth in Section 20.206.140 of this Chapter.

9. Identification of landscaping approaches and plant palettes for all common open space areas, roadway medians, edge and berm treatments, common slopes**,** and private front yard areas.

10. Description of how the landscaping approaches and plant palettes established in the manual implement the Landscape Standards set forth in Section 20.206.160.

I. For applications involving one single-family dwelling unit residence on an existing lot or a second unit on a single lot, architectural and landscaping treatment materials shall be provided consistent with the requirements for a Certificate of Compatibility, as set forth in Section 20.408.050 of this title.

J. The following items shall also be required as part of an application, unless waived or conditionally waived by the Director of Development Services or the Planning Commission, to aid in the analysis of the proposed project to illustrate existing or proposed conditions or both:

1. A topographic model and/or large scale detailed partial model at a 1:1 scale.

2. Visual simulation of the post-development condition, including use of photographic and/or computer-generated graphic renderings as described in paragraph M below.

K. Preliminary landscape and irrigation plans for all common areas showing project compliance with the provisions of this Chapter and requirements of the City Fire Chief for fire hazard mitigation and brush management zones in Chapter 16.04.

L. Any pre-application comments received from other affected government agencies having authority over any component of the development application, including but not limited to the State Department of Conservation, Division of Oil and Gas; California Department of Fish and Game; U.S. Fish and Wildlife Service; and U.S. Army Corps of Engineers.

M. Visual three-dimensional simulation of the post-development condition, prepared in accordance with the provisions set forth in this subparagraph. The purpose of requiring a visual simulation is to provide decision makers with a pictorial representation of the future condition of a development project as close to reality as possible.

1. Photography

The photograph is the basis of view simulation, and care shall be taken in the selection of a camera. The goal is to select a camera-lens combination that will yield photographs that, as closely as possible, represents site views from a variety of locations distant from the project and from surrounding areas that will have a direct view of the project.

The photographs shall be taken with the camera mounted on a leveled tripod and the height of the camera recorded. If the scene cannot be captured in one photograph and a panoramic shot is required, a proper panorama camera or lens/camera that accurately records a panorama shall be used. If a series of incremental panoramic shots were taken, special stitching software or by photo retouching software shall be used.

2. Control Data

The location of the camera shall be recorded as accurately as possible at the time the photograph is taken. The location can be determined by field survey, existing topographic maps, or GPS locators.

Several items that appear in each photograph shall be field surveyed for accurate location using the methods described above to allow for accurately configuration of the views in the modeling software.

3. Computer Modeling

The proposed project shall be modeled based on subdivision design, architectural, and landscape data. Existing terrain, buildings, survey data, and any field notes shall be included in the modeling effort. The level of detail included in the computer model will be determined by the intended use of the simulation.

4. Staging

The computer model shall be the aligned to the photographs in the rendering software utilizing the alignment data and the lens and focal length of the camera used. The model shall be lighted according to the time of day and year and the views rendered.

5. Rendering

The rendering process shall be completed after aligning the model to the photograph. The subject matter should be colored and textured to simulate the proposed project as closely as possible to that intended.

6. Photocomposition

Any retouching undertaken to make foreground objects visible shall be done in such a way so as to preserve the original photograph and the rendered image intact.

20.206.060 Allowable Density Calculation Procedures

A. For the purposes of this Chapter, allowable density is defined as the maximum number of dwelling units permitted per gross acre of land. The maximum allowable density shall be based upon and established by the average slope of a property, calculated in compliance with Subsection C. The maximum allowable density based on the average slope shall be as set forth in to Table 20.206.060.A.

Table 20.206.060.A
Maximum Allowed Density Based on Average Slope

Average Slope	Maximum Allowable Density
Less than 10%, inclusive	2.2 units/acre
10.1 to 20%	1.6 units/acre
20.1 to 25%	1 unit/acre
25.1 to 30%	1 unit/5 acres
Greater than 30%	1 unit/ 20 acres

B. The maximum dwelling unit yield based on the maximum allowable density mathematical sum shall be considered maximum potentials and not an entitlement, right or vested right to develop. Other factors and individual property characteristics will affect and may reduce the yield, including but not limited to: physical constraints, floor-area ratio (Section 20.206.060.D); compliance with design guidelines, engineering design standards, hillside development standards; and performance criteria such as access, emergency response standards, and sensitive grading techniques and volumes.

C. Calculating the maximum allowable density for any parcel or group of parcels under common development application within the Hillside Residential zoning district shall involve the following steps:

1. Establish allowed density based on average slope:

a. Alternative 1 – Average slope of the parcel or group of parcels.

For Alternative 1, the average slope shall be calculated in compliance with Section 20.206.050.E.2. For example, a 100-acre parcel which has an average slope for the entire parcel of 25 percent would yield a maximum of 100 units.

b. Alternative 2 – Use of Least Slope Categories.

The largest contiguous area of the least steep slope category may be used to calculate average slope in compliance with the method established in Section 20.206.050.E.2. For example, on a 100-acre parcel, of which 60 acres has an average slope of more than 30 percent, 30 acres are between 20.1 to 30 percent slope, and there is a contiguous 10-acre area of between 10.1 to 20 percent, the 10 acres with a average slope of 10.1 to 20 percent can be used to calculate allowable density (1.6 units/acre X 10 acres = 16 units). Any area excluded from the average slope calculation shall be required to be set aside as Natural Open Space and deed-restricted from any future development pursuant to the provisions of Section 20.206.090.E of this Chapter.

D. For the purposes of this Chapter, floor-area ratio (FAR) is defined as the ratio of gross building floor area on a pad to the total land area of the pad. For purposes of this definition, gross floor area shall include the square footage of all structures on a pad, as

measured from the outside of the exterior walls. Gross floor area shall not include the first 600 square feet of attached garages, decks, balconies, covered patios, the total combined square footage of any and all accessory structures and detached garages up to 600 square feet inclusive, and attics that do not exceed a height of five feet as measured from the top of ceiling joist (floor) to the bottom of the ridge beam (ceiling). For detached dwelling units, after constraints and performance criteria have been addressed to develop a maximum yield, the maximum yield for a development is further affected by average FAR and shall be based on Table 20.206.060.B. For attached dwelling units, the maximum yield shall be irrespective of the FAR.

Table 20.206.060.B
Unit Yield Based on Floor-Area Ratio

Dwelling Unit Yield	Maximum FAR
Maximum units	0.4
80% of Maximum	0.5
70% of Maximum	0.6
60% of Maximum	0.7

E. Physical Constraints are the on-site circumstances and resources that will be protected consistent with policies in the General Plan or other regulatory requirements. Factors that require special consideration are as follows:

a. U.S.G.S blueline streams and potential habitat areas for endangered species

b. Areas greater than 30 percent slope greater than one acre as determined by 20.206.050 (E)

c. Liquefiable soils, Alquist-Priolo Zones, and faulting.

d. Large, mature native trees including but not limited to Coastal Live Oak, Sycamores, Willow, or Black Walnut.

20.206.070 Subdivision Design

A. Purpose and Intent

The purpose of creating subdivision design standards within the Hillside Residential Zone is to provide for hillside development that maintains the integrity of the hillsides' natural characteristics and features while addressing development challenges present in hillside settings, consistent with the purpose of this Chapter set forth in Section 20.206.010.

Further, the purpose of these subdivision design standards is to require that infrastructure such as but not limited to roads, utilities, drainage, and sound attenuation barriers serve both a utilitarian and aesthetic purpose. To better preserve the integrity of subdivision design within the Hillside Residential district, design elements such as the cutting of significant ridgelines, unarticulated linear slope faces, and massive retaining walls are prohibited.

The Subdivision Design standards set forth in Sections 20.206.080 through 20.206.150, inclusive, are intended to augment, not replace, the subdivision design and improvements regulations enforced by the Brea Municipal Code.

20.206.080 Ridgeline Preservation

A. Purpose and Intent

The purpose of creating ridgeline preservation standards within the Hillside Residential Zone is to ensure the ridgelines that frame the City of Brea will be preserved to the greatest extent possible. Significant ridgeline standards shall be defined, described, and established, along with a map delineating all significant ridgelines in the city, to ensure that the most significant ridgelines will not be developed, for the purpose of preserving the existing and future view that frames the City. A required three-dimensional visual analysis shall be submitted with the Hillside Development Permit to ensure that the principles of preserving significant ridgelines will be satisfied.

Figure 20.206.080.A
Hill forms and ridgelines create community identity. Preserving ridgelines provides a natural backdrop to the City's developed areas and reinforces the community's connection to the hillsides and open space.

B. Significant Ridgelines

1. Significant ridgelines are those ridgelines characterized by any combination of the criteria specified below.

    a. The ridgelines that surround or visually dominate the surrounding valley landscape either through their size in relation to the hillside or mountain terrain of which they are a part.

    b. Their visual dominance as characterized by a silhouetting appearance against the sky.

    c. A significant natural backdrop feature or separation of communities.

    d. Visual dominance due to proximity and view from existing development or major corridors.

    e. As an area of significant ecological, historical, or cultural importance, such as those which connect park or trail systems.

2. The Official Significant Ridgeline Map, contained as an exhibit herein and maintained on file as part of the City of Brea Geographic Information Systems database, identifies crests of significant ridgelines in the City for the purpose of this Chapter 20.206 and specifically, this Section 20.206.080. The precise delineation of a ridgeline shall be determined at the time a development application is received based on Official Significant Ridgeline Map and the criteria in subparagraph 1 above.

C. Ridgeline Preservation

1. No grading or improvements shall occur within 100 feet of a designated and delineated significant ridgeline area, as measured horizontally on a topographic map prior to any grading or improvements. A Significant Ridgeline area is determined by the Significant Ridgelines Map on file at the Development Services Department except as approved by a Hillside Development Permit as in compliance with Section 20.206.020. No portion of any structure shall be closer to a designated and delineated significant ridgeline area, as measured 50 feet vertically from a cross section of the area.

2. No engineered slopes, housing construction, streets, utilities, excavation, or other permanent human-made features shall be permitted within any significant ridgeline area, as the same is determined by the Significant Ridgelines Map on file at the Development Services Department. Exceptions may be granted as part of the Hillside Development Permit process if findings are made that:

    a. the encroachment into a significant ridgeline area will be in compliance with the intent and purpose of this Chapter and the specific criteria set forth herein; and
    b. that conditions of approval applied via the Hillside Development Permit will implement the provisions of this Chapter.

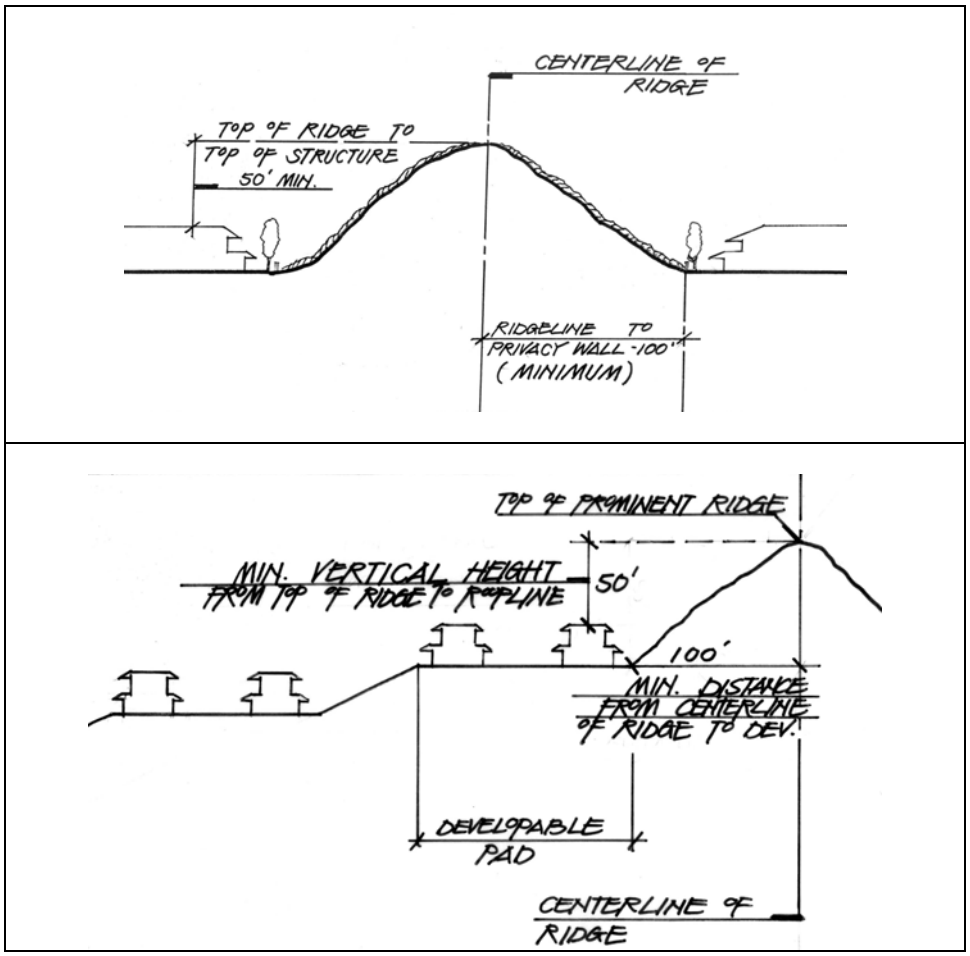


Figure 20.206.080.C

20.206.090 Open Space

A. Purpose and Intent

The purpose of establishing open space requirements and standards for the Hillside Residential Zone is to ensure that open space is an integral part of subdivision design; to preserve prominent landforms, rock outcroppings, hydrologic features, and sensitive and unique habitat as permanent open space features to help frame a community's identity; to provide areas where residents can enjoy active and passive recreation; to integrate landscaped medians, parkways, and slopes into a development project; and to ensure that parks, recreation centers, trails, and greenbelts are located next to natural open space to maximize the amount of contiguous areas of open space within a community and create space transition zones between residential development and open space.

Figure 20.206.090.A
Open space shall be integral component of subdivision design, with developed open space areas transitioning seamlessly to natural open space.

B. Types of Open Space

Open space in the Hillside Residential zoning district shall consist of two general types of open space:

1. Natural Open Space, which shall be defined as undeveloped areas retained in their naturally occurring condition with regard to landform, vegetation, and hydrologic features, and which may contain dirt trails for limited public access and enjoyment; and

2. Improved Open Space, which shall be defined as any area not occupied by structures that has been improved with landscaping, recreation amenities (i.e., golf courses, private lakes), and similar features that provide opportunities for active and passive recreation, and that provide landscape improvements that enhance the overall appearance and character of a development.

C. Use of Natural Open Space

Undeveloped open space shall be left in its natural state. Permitted uses include trails and the necessary improvements to establish trails and any associated viewing areas.

D. Use of Improved Open Space

1. Improved Open Space shall be provided for attached residential development as set forth in Section 20.206.180.H and as otherwise required for this Chapter, and shall be used to meet general landscaping, common open space, slope treatment, and parkway landscaping requirements.

2. Improved Open Space may be reserved for private use and maintained by a homeowners association, secured with documents reserving the land as open space in perpetuity.

E. Use in Perpetuity of Natural Open Space

Any lands dedicated for Natural Open Space purposes shall be contain covenants and recordable deed restrictions burdening the subject property, in a form and content approved by the City Attorney, ensuring that:

1. The Natural Open Space area will not be subdivided in the future;

2. The use of the Natural Open Space will continue in perpetuity for the purpose specified;

3. Appropriate provisions will be made for the maintenance of the Natural Open Space that clearly define future maintenance responsibilities; and

4. Natural Open Space shall not be turned into a commercial enterprise admitting the general public at a fee, unless otherwise authorized by policy or law.

F. Natural Open Space Ownership

1. The fee title owner or easement holder of an interest in the land that is dedicated for Natural Open Space purposes shall be selected by the property owner, developer, or subdivider, subject to the approval by the Director of Development Services. The ownership may vest in, but not be limited to, the following:

    a. The City, subject to acceptance by the City Council of a recordable interest.

    b. Other public jurisdictions or agencies, subject to their acceptance.

    c. Quasi-public and non-profit organizations, subject to their acceptance.

    d. Homeowner associations or other similar organizations.

2. The City may, in its reasonable discretion, require that the applicant establish a mechanism to fund the long-term maintenance of such Natural Open Space, which may include a cash deposit, an assessment district, trust, or other appropriate funding mechanism.

G. Maintenance

The person or entity identified as having the right of ownership or control over the Natural Open Space shall be responsible for its continuing upkeep and proper maintenance as set forth in Chapter 15.216, unless the City authorizes alternate maintenance strategies.

20.206.100 Grading

A. Purpose and Intent

The purpose of establishing these grading standards for the Hillside Residential Zone is to minimize the visual impact of development, provide for sufficient landscape opportunities, integrate manufactured slopes with natural slopes, and limit grading impacts on sensitive natural areas.

B. General Grading Requirements

1. Landform grading techniques such as varying slope height, rounding tops and toes of slopes, and incorporating variable gradients shall be used to ensure that manufactured slopes mimic natural hill forms. Landform grading shall be used for all post-disturbance conditions unless determined by the Director of Development Services and the City Engineer that landform grading is not feasible due to soil conditions, encroachment into sensitive biological resource areas, protection of watersheds or watercourses, or other similar considerations. Findings as part of the Hillside Development Permit record as to why landform grading is not feasible.

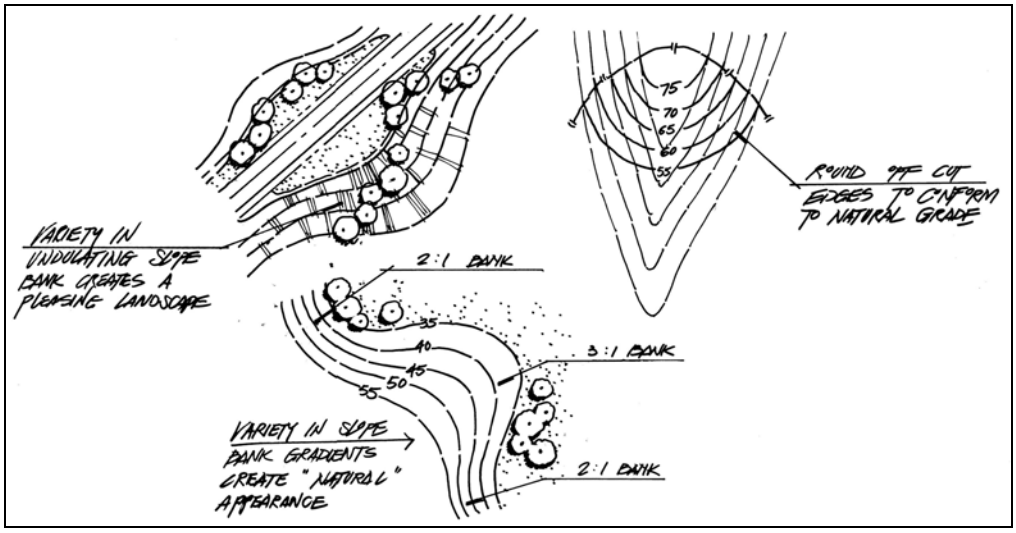


Figure 20.206.100.B
Applying the landform grading techniques illustrated above create the appearance of natural hills.

2. Super slopes, as defined by this Chapter, shall be used in areas of high on-site and off-site project visibility, as determined by the viewshed analysis required for the Hillside Development Permit described in Section 20.206.050 (Application Filing Requirements) of this Chapter, to allow for visual breaks between terraced rows of housing units and to provide areas where landscaping can be used to soften the appearance of hillside development. Super slopes shall integrate manufactured slopes with natural slopes to give the appearance of a continuous natural landform.

3. Re-created ridgelines shall be used to mask the view of dwelling units on a hillside from off-site locations, to preserve the appearance of a natural undeveloped hillside, and to preserve the appearance of open space.

4. Berming shall be used to screen utilitarian features such as, but not limited to, water tanks and detention basins.

5. All slopes which are visible from any public right-of-way shall be landform graded.

6. No grading shall take place on any slope that exceeds 30 percent over an area encompassing one acre or more and has any minimum horizontal dimension of 50 feet. The following slopes shall be exempt from this standard:

   a. Existing manufactured slopes.

   b. City approved soils remediation projects.

   c. Slope requiring grading for safety purposes as designated by the Director of Development Services.

   d. Implementation of General Plan or master-planned circulation routes.

   e. Grading for emergency access.

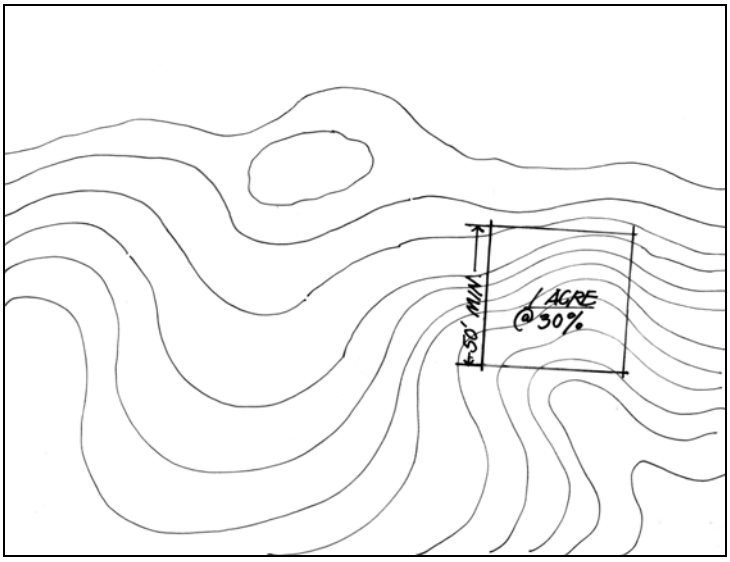


Figure 20.206.100.B.6
No grading shall take place on any slope that exceeds 30 percent over an area encompassing one acre or more and has any minimum horizontal dimension of 50 feet.

7. No excavation or other earth disturbance shall be permitted on any hillside area prior to the issuance of a grading permit, with the exception of drill holes and exploratory trenches for the collection of geologic and soil data. Such trenches shall be properly backfilled and erosion treatment shall be provided where such slopes exceed 20 percent.

8. Graded or cut embankment adjacent to a publicly maintained right-of-way shall not exceed a slope ratio greater than two feet horizontal to one foot vertical.

C. Prohibited Grading Practices

1. The cutting of significant ridgelines is prohibited.

2. Graded slopes that are characterized by linear (in plan), planar slope surfaces with unvarying gradients and angular slope intersections are prohibited.

D. Super Slope Requirements

The use of super slopes shall be required for the conditions set forth in paragraph 20.206.100.B.2 above. The following standards shall be applied in the design of super slopes.

1. On any property for which a Hillside Development Permit application has been submitted whereby the vertical distance between the lowermost elevation on the property and the uppermost elevation is 60 feet or greater, at least 40 feet of vertical height shall be achieved for terraced manufactured slopes.

2. Such manufactured slopes shall be at most 10 feet shorter or at least 10 feet taller in height than the height of the structure built on the toe of the manufactured slope (see Figure 220.206.100.D.2).

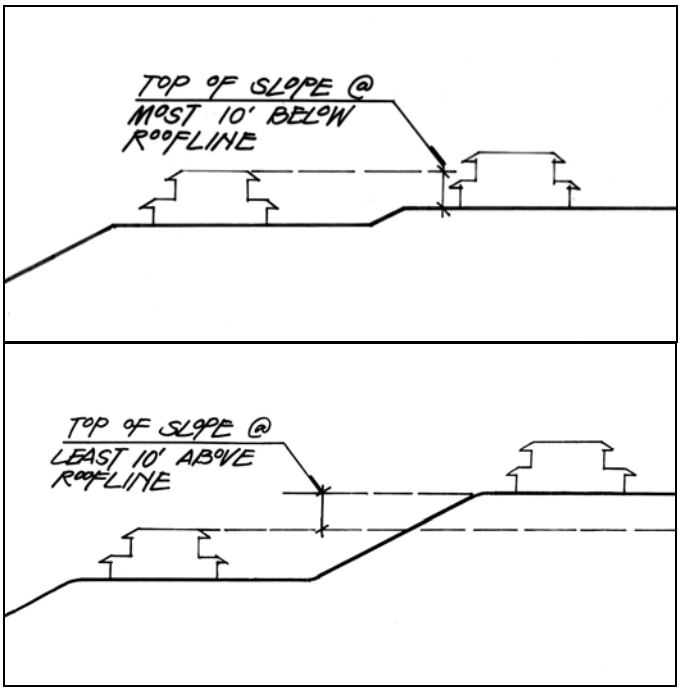


Figure 20.206.100.D.2
To avoid the appearance of stair-step development, top of slopes shall not be within 10 feet above or below a structure's roofline.

3. Manufactured slopes shall complement the adjacent natural slopes in terms of hill form and slope height.

E. Berming

1. Berming shall be used to screen hillside development from distant views, as determined by the viewshed analysis required by the Hillside Development Permit described in Section 20.206.050 (Application Filing Requirements) of this Chapter.

2. Any berm three feet or greater in vertical height shall be landform graded no steeper than 3:1.

3. All berms shall have varying slope gradients and rounded tops with a horizontal dimension half the vertical height of the berm.

4. Berms shall be applied to screen utilitarian features such as water tanks in a hillside project.

5. Landscaping materials used on berms shall conform to the landscaping guidelines for the Hillside Residential zone set forth in the City of Brea's Landscaping Guidelines Manual.

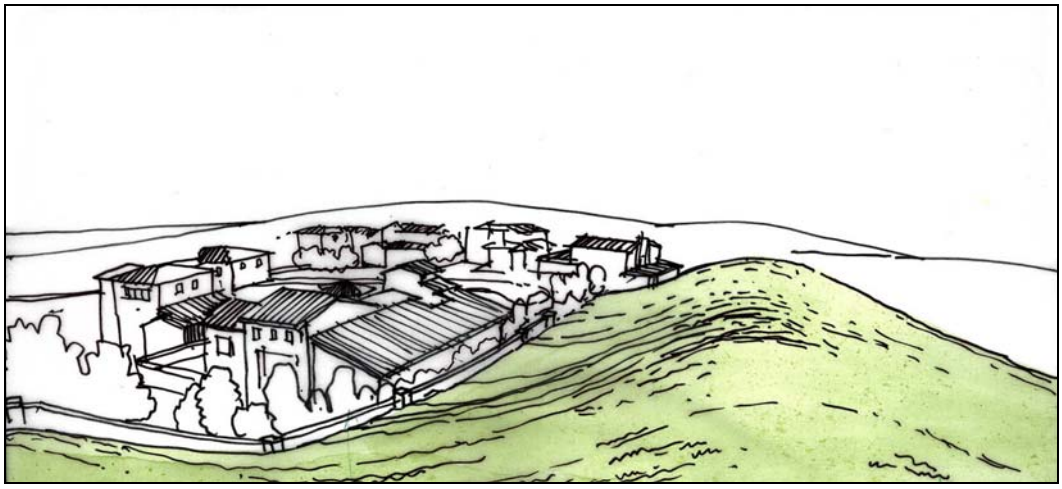


Figure 20.206.100.F
Berms help screen hillside development and utilitarian features. From certain vantage points, the berm will completely hide development and other structures, providing a view of natural slope face.

F. Slopes between Residential Pads

Where there is at least a two-foot elevation difference between residential flat pads, slopes shall be contour graded no steeper than 2:1.

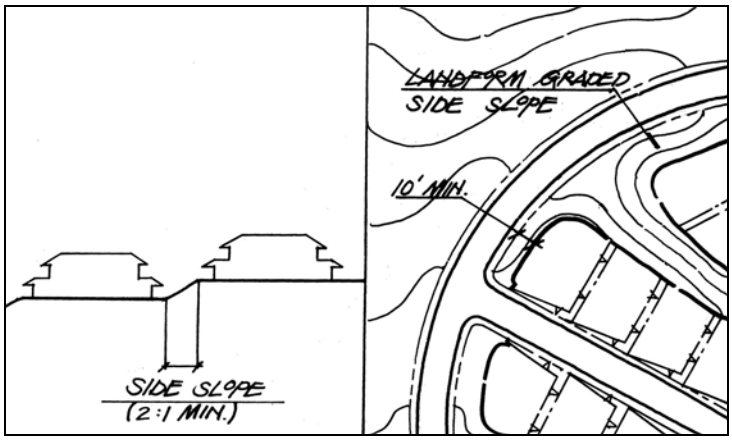


Figure 20.206.100.F
Hillside development shall not be allowed in steep hillsides that exceed 30% slope grade and are at least one acre in area.

20.206.110 Edges

A. Purpose and Intent

The purpose and intent of establishing standards for edges in the Hillside Residential Zone is to ensure that proper landscape setbacks are provided to separate residential uses from non-residential uses and to allow for transitions between natural open space and development. Landscape setbacks along roads create aesthetic and spatial benefits, allowing for thematic landscape screening between public and private spaces in a community. In areas where a project backs against natural open space, proper landscape setbacks in combination with fuel modification zones is essential for providing proper transitions between open space and residential development.

B. Road Systems along Project Edges

Road systems shall be placed along project edges to the greatest extent practicable to maximize the use of aesthetic landscape buffers surrounding a development and to buffer residential neighborhoods from vehicular traffic. Project edges along roadway systems shall consist of varied slope and landscape treatments to provide visual interest.

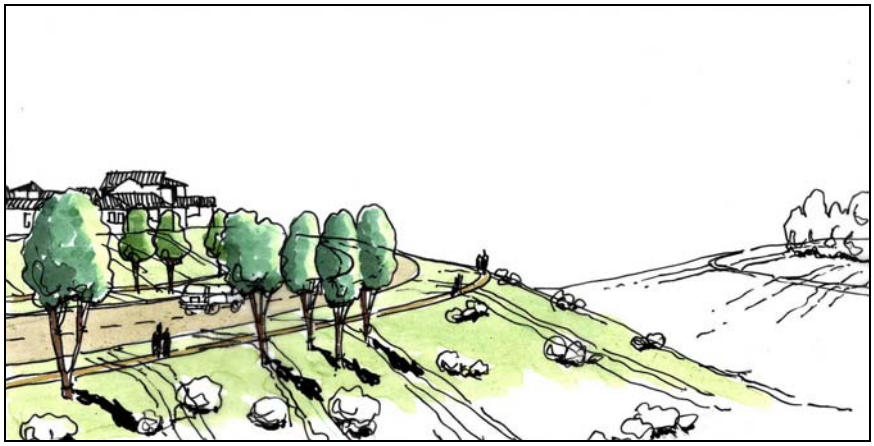


Figure 20.206.110.B
Road systems placed along project edges create a buffer between the project and adjacent land uses. This strategy, as illustrated above, can also provide a way to take advantage of panoramic views.

20.206.120 Retaining Walls

A. Purpose and Intent

The purpose and intent of establishing standards for retaining walls in the Hillside Residential Zone is to ensure that the application of retaining walls is aesthetically pleasing, limited in quantity throughout a development, and not used to artificially create additional building area.

B. Prohibited Retaining Walls

1. Use of utilitarian retaining wall designs such as crib walls and geogrids shall be prohibited.

2. No retaining walls shall be permitted between residential lots as a means of creating additional useable pad area.

C. Use of Loffelstein and Similar Living Walls

The use of Loffelstein walls, and other similar living wall systems, that allow for landscaping opportunities with planting pockets and stepped designs is acceptable. Such wall shall be subject to the following development standards.

1. The minimum height shall be no less than 15 feet, with a maximum height of 30 feet.

2. Such walls shall utilize a curvilinear slope pattern to mimic the appearance of natural hillside terrain.

3. Such walls shall be planted with landscape material suitable for the climate, wall exposure relative to the sun, and taking into consideration the landscape aesthetic effect to be achieved by the overall development. The color palette and materials selected for the retaining wall shall blend in with adjacent hillsides and landscape plant palette.

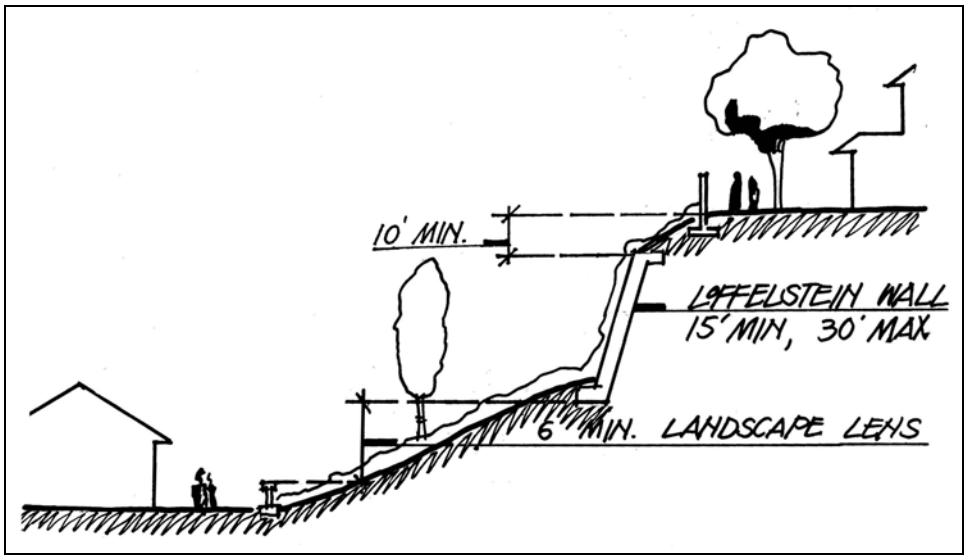


Figure 20.206.120.C.1
Loffelstein walls and similar living wall systems retain large amounts of earth while providing planting pockets for landscaping. Once landscaping matures, the wall will be masked and have a softer appearance than a hardscape wall surface.

D. Contour Construction and Wall Materials

Retaining walls shall follow the natural contours of the slope, and all materials used to construct retaining walls shall consist of native stone, poured-in-place concrete, precast concrete block, and shall be of a color and texture that mimic the color and texture of surrounding native plant materials.

E. Required Planting Areas

Slopes requiring retaining at a height greater than three feet shall be terraced for planting areas. Such planting areas shall have a minimum width of six feet. No more than two terraces of retaining walls shall be permitted on one manufactured slope.

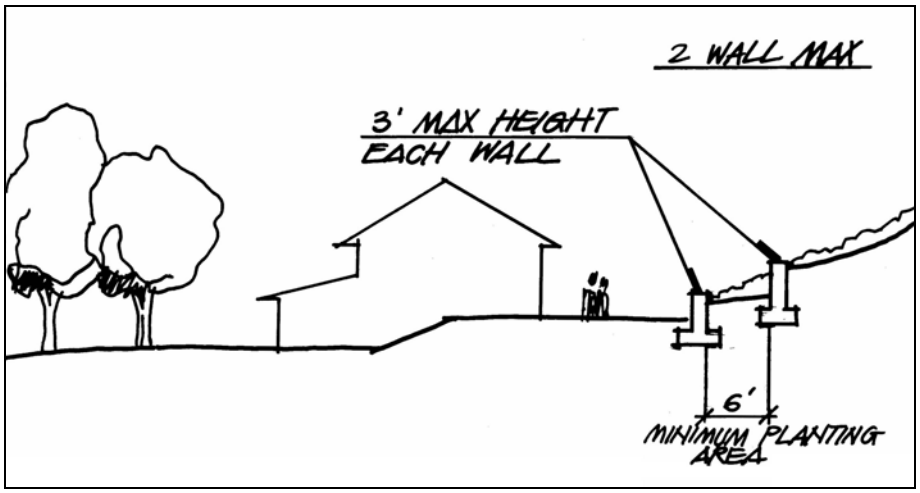


Figure 20.206.120.E and 20.206.120.G

F. Irrigation Systems Required

All planting areas for retaining walls shall be provided with an automatic irrigation system. Such irrigation system shall be approved and inspected prior to the construction of any wall.

G. Height Standards

1. Retaining walls shall be constructed at varying heights throughout a development.

2. The cumulative height of any retaining wall, other than a Loeffelstein wall or similar living wall, built to retain a cut slope or fill slope shall not exceed six feet in height. Cumulative height shall mean the combined height of any wall or series of walls required to retain a single slope.

20.206.130 Water Quality and Stormwater Runoff Control

A. Purpose and Intent

The purpose of establishing water quality and storm runoff control standards is to ensure that developments within the Hillside Residential Zone develop proper drainage and stormwater management systems that are functional, aesthetically pleasing, integrated into the overall project development as a functional landscape feature, facilitate recharge of groundwater, and conform to state and federal law regarding pollution and water quality. Toward these ends, the use of bioswales and landscaped water quality basins represent the preferred approach to runoff and stormwater quality control, recognizing that such features add aesthetic character, have the appearance of naturally occurring drainage channels, and when located at project entries, serve as a functional element that allows for stormwater management.

Figure 20.206.130.A
Bioswales and similar natural landscaped runoff control facilities shall be used to enhance appearance and allow for groundwater recharge.

B. General

Site and subdivision features required and designed to control and retain stormwater and other runoff pursuant to the requirements of City and County ordinances and the Regional Water Quality Control Board shall be fully integrated into the design of the subdivision. Such features shall be designed and located to account for natural drainage patterns, integration of open space into overall subdivision design, location of trails and other mobility corridors, and placement of subdivision entry statements or other aesthetic features.

C. Materials and Color

Water retention and detention features shall consist of natural earth and plant materials consistent with the plant palette for the Hillside Residential zone set forth in the City's Plant Palette Section. Concrete or similar hardscape materials shall not be permitted unless determined by the City Engineer to be the only feasible method of containing runoff. Wherever concrete or similar structures are necessary, per drainage and storm water control plans approved by the City Engineer, such structures shall use integral color concrete to blend with surrounding color palette that blend with the natural environment.

D. Detention Basins

1. A detention basin area with gentle slopes and lined with turf may be used as an entry feature. Detention basins shall not be eligible for open space, park credit, or any fee credit.

2. The maximum slope of a detention basin side slope shall be 3:1.

E. Bioswales

1. Bioswales shall be used to collect surface runoff before it crosses pavement areas and to reduce ponding and damage to walkways. Bioswales shall be graded to direct water away from paved areas into detention basins.

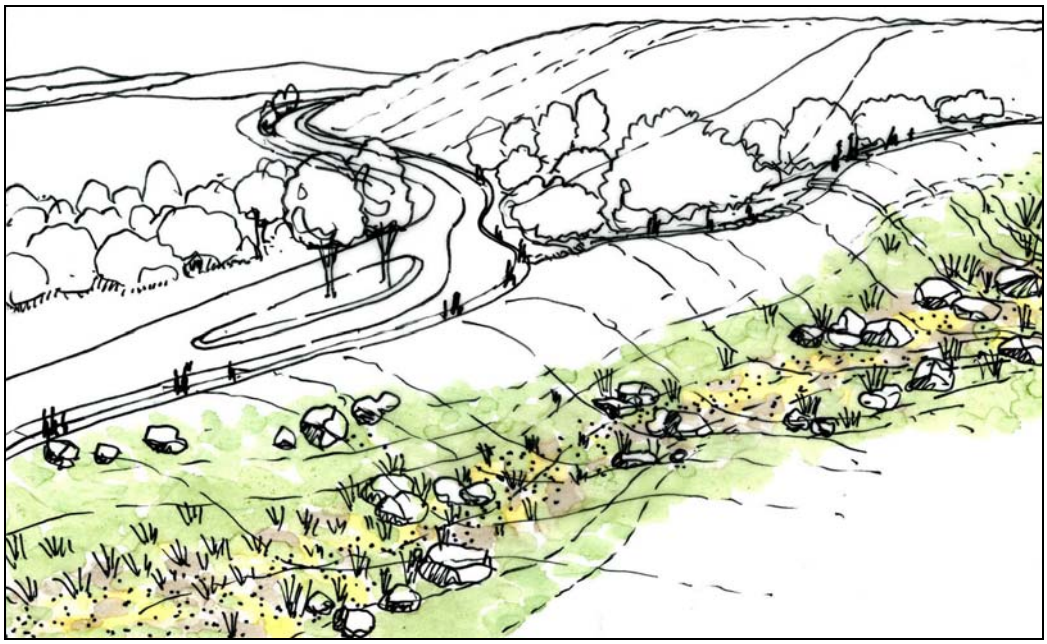


Figure 20.206.130.E
Bioswales planted with native rocks and vegetation shall be used to the maximum extent to serve as a hillside community's drainage system.

2. Bioswales shall consist of primarily herbaceous plants whose stems and leaves retard water flow and help settle pollutants, and which, with the aid of the roots, decompose into the soil.

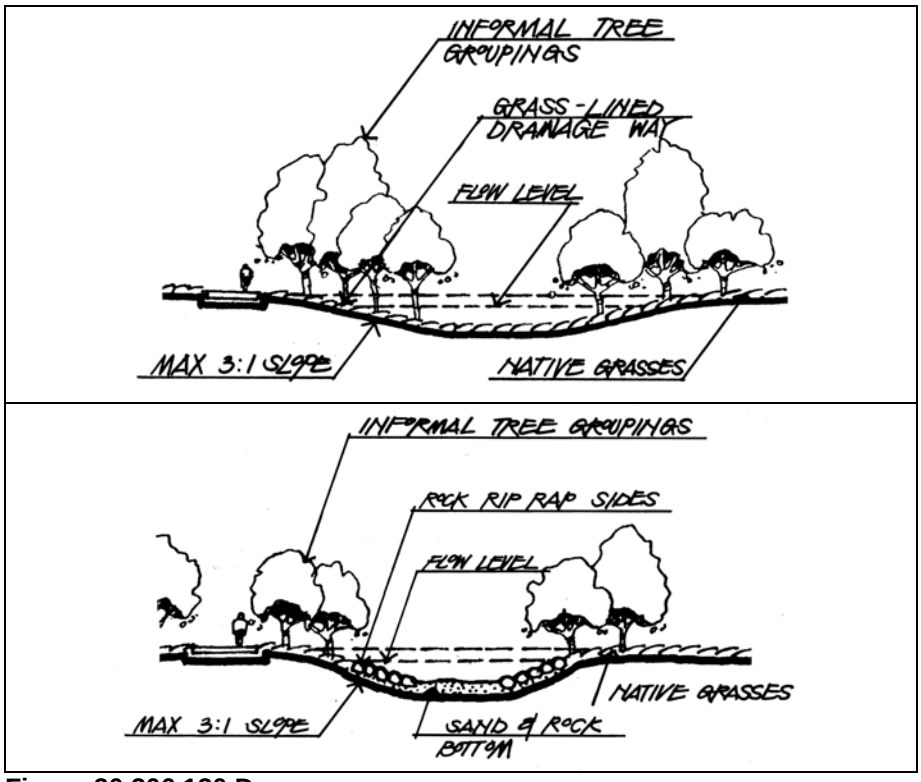


Figure 20.206.130.D
Detention basins can be landscaped with natural materials, presenting an infrastructure element that has a pleasant and natural appearance.

20.206.140 Street Requirements and Design

A. Purpose and Intent

The purpose of establishing street design requirements is to ensure that the circulation system is a beneficial element in the hillside development setting and maintains, to the greatest extent possible, the natural characteristics of a hillside environment. Through these requirements, the City recognizes that the placement and alignment of the road system must be designed to exemplify the features present in the neighborhood and enhance the visual character of the hillside community, and that the alignment of collector and arterial roads along project edges separates the neighborhoods and residents from the effects of a highly used road, resulting in a more pleasant living environment, and allows opportunities for landscaping and panoramic views.

Further, with these requirements, the City recognizes that requiring parkways along every street allows opportunities for landscaping that helps maintain a more natural hillside environment, separates pedestrians from vehicular traffic, and softens a project's visual impact as viewed from off site.

B. Minimum Number of Access Points

New hillside development projects shall have a minimum of two points of vehicular access, one of which may be established for emergency access only, as determined by the Fire Chief or designee through the Hillside Development Permit review process.

C. Street Design Standards

All streets shall be designed and constructed in accordance with the following standards.

1. Street sections shall be designed in accordance with street standards and specifications adopted by the City and as revised from time to time. In addition to such adopted standards, the following street standards shall apply to development in the Hillside Residential zone.

    a. The maximum length of any cul-de-sac street shall be 600 feet.

    b. All streets shall contain two clear 12-foot travel lanes.

2. Split Level Streets

    Where split level streets are used, the following standards shall apply.

    a. The use of split level roads is permitted to reduce the amount and visual effect of grading (Figure 20.206.140.C.2).

    b. The ground slope between the two traffic ways shall be of a ratio not less than 2:1.

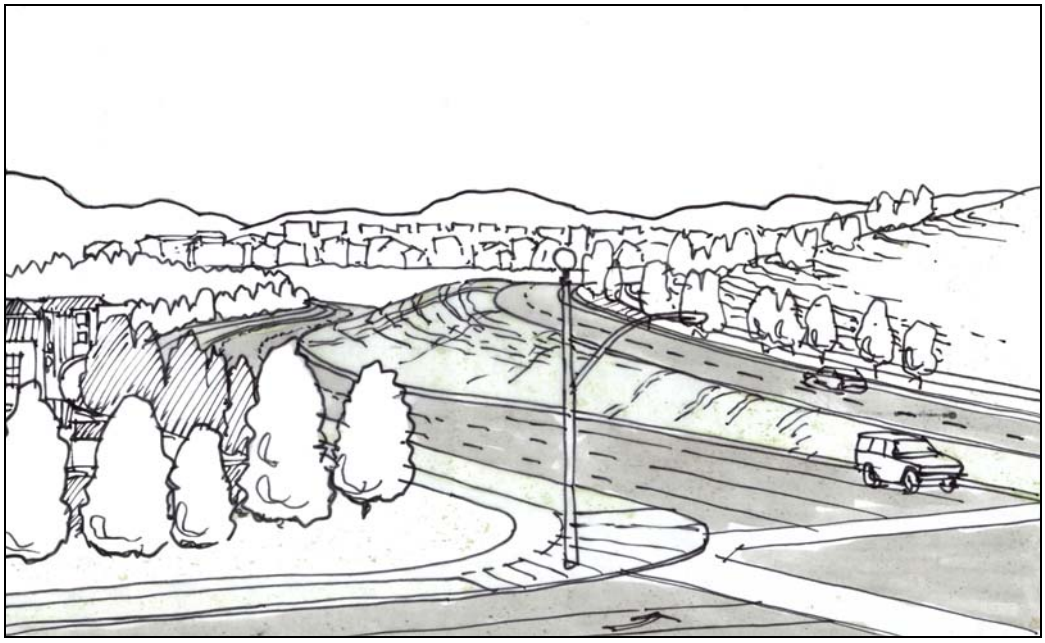


Figure 20.206.140.C.2
Use of split level roadways is permitted and encouraged where such design can be used to facilitate landform grading. This type of road can also maximize the view opportunities afforded by the hillside setting.

3. Street grades shall not exceed the following except as may be modified by the Planning Commission in compliance with Section 19.92.040 of the Brea Municipal Code. The maximum length of street runs at the maximum specified grade shall be subject to the review and approval of the Fire Chief and City Engineer, or their respective designees.

    a. Primary Arterials shall be no steeper than eight percent.
    b. Secondary Arterials shall be no steeper than 10 percent.
    c. Local Streets shall be not steeper than 10 percent.
    d. Loaded Local Streets shall not be stepper than eight percent.
    e. Intersections shall be at 6 percent grade or less.

D. Private Streets

Private streets shall not be permitted.

E. Landscaped Parkways Required

1. All public streets shall include a landscaped parkway between the edge of street paving and adjacent property lines. Such parkways shall be of a width required by the City's street design manual and shall include a sidewalk or other pedestrian way or trail as set forth in the street design manual or as otherwise may be required by the City Engineer and/or Director of Development Services through the Hillside Development Permit review process.

2. Such required parkways shall be landscaped as set forth in Section 20.206.160 of this Chapter, including specifically Section 20.206.160.E.

3. Such landscaped parkways shall be continuously maintained by a homeowners association, through a landscaping assessment district, or via a similar legal mechanism, as approved through the applicable Hillside Development Permit. The City shall have the authority to require bonding or other similar surety to ensure that such landscaped parkways are fully established and maintained prior to the establishment of a homeowners association, landscaping assessment district, or similar legal mechanism.

20.206.150 Architectural Standards

A. Purpose and Intent

The purpose of establishing architectural design standards in the Hillside Residential Zone is to ensure quality development that blends with the hillside environment, and to create neighborhoods that display a cohesive and harmonious form and complementary architectural styles. To achieve hillside compatible development, the City recognizes the importance of having architectural design that incorporates rooflines and other building elements which reflect the naturally occurring ridgeline silhouettes and topographical variation.

B. Conformance with Project Design Manual

The applicant shall demonstrate how the architectural criteria of this section are met in the design guideline manual required by Section 20.206.050 of this Chapter.

C. Architectural Themes

1. For subdivisions consisting of production-style development, whereby dwelling units are constructed by a single developer utilizing a limited number of floor plans and building

architectural styles, the architectural styles throughout the development shall be thematically consistent with one another. Varying floor plans, colors, materials, and building forms shall be utilized such that within a single development project, a minimum of nine different elevations are available. However, where attached units are provided, a more unified architectural scheme is permitted.

2. For custom lot developments consisting of a subdivision of more than one lot, the requirement for a design guideline manual, as set forth in Section 20.206.050 of this Chapter, shall apply.

3. For a development consisting of one custom home on an existing lot, such homes shall comply with the requirements of Section 20.206.190.

D. Required Treatments

1. Architectural treatments on all exterior walls of any building shall be designed to avoid a monotonous or continuous façade of the exterior wall. Under no circumstance shall the front and rear façade of any building be in one continuous vertical or horizontal plane. Architectural features and details shall be located on all exteriors walls of the building, including the rear and sides of the building. Buildings shall utilize wall articulation (i.e., insets, pop-outs, etc.) and roof orientation as a means to prevent massing.

2. The apparent size of exterior wall surfaces visible from off the site shall be minimized through the use of single-story elements, building face set backs, overhangs, landscaping, and/or other means of horizontal and vertical articulation to create changing shadow lines and to break up massive forms.

Figure 20.206.150.D
Building facades shall be articulated and create visual interest.

E. Finish Materials/Color

Building materials and colors shall be compatible with the natural setting. Exterior colors shall be limited to earth tones found in nearby natural vegetation and/or soil, or come from natural sources (e.g., rock, stone, wood), or resemble a natural appearance.

F. Support Structures

1. Support structures (for example, columns, pilings, etc.) below the lowest floor on the downhill side of a house, if and where permitted as part of the Hillside Development Permit review process, shall be enclosed unless visible structural members are an integral feature of the architectural design.

2. A support structure wall surface shall not exceed six feet in height.

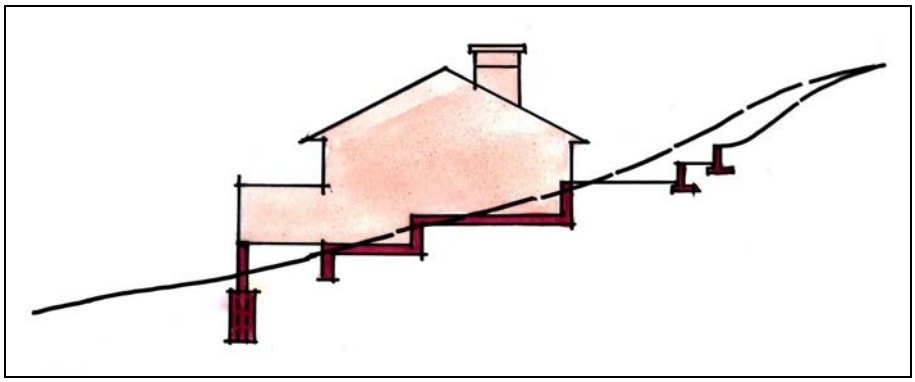


Figure 20.206.150.F
Support structures of minimal height can help ensure that structures closely follow the hillside terrain and therefore reduce its visual impact. Hillside adaptive structures can be designed and constructed to look like they are nestled into the hillside.

G. Fencing and Privacy Walls

1. All fences and privacy walls adjacent to or visible from public roads or major public spaces shall be of decorative masonry or other approved materials which have a natural appearance (e.g. masonry walls, pre-fabricated modular concrete) and shall be a color that blends with the surrounding environment and complements the landscaping. The use of indigenous rock and colors or materials shall be preferred. The applicant shall present illustrations and descriptions of fencing and wall materials in the design guideline manual required by Section 20.206.050 of this Chapter.

2. Any fence or privacy wall adjacent to a public road or major public space shall be placed at the top of a slope.

3. All fences and privacy walls, whether or not visible from a public road or major public open space, shall be limited in height to seven feet, as measured from the grade on which the bottom of the fence or wall is placed to the uppermost extent of such fence or wall.

4. Solid fences and walls in a required front yard area shall not exceed a height of 30 inches.

5. Open work fences, whereby the fence is 90 percent open or more, shall not exceed a height of 54 inches.

6. The provisions of Section 20.08.060 of this title regarding corner cut-off areas shall apply.

7. A minimum setback distance of 20 feet shall be provided between any fence or privacy wall adjacent to a public right-of-way, with the distance measured from the fence or privacy wall to the face of curb.

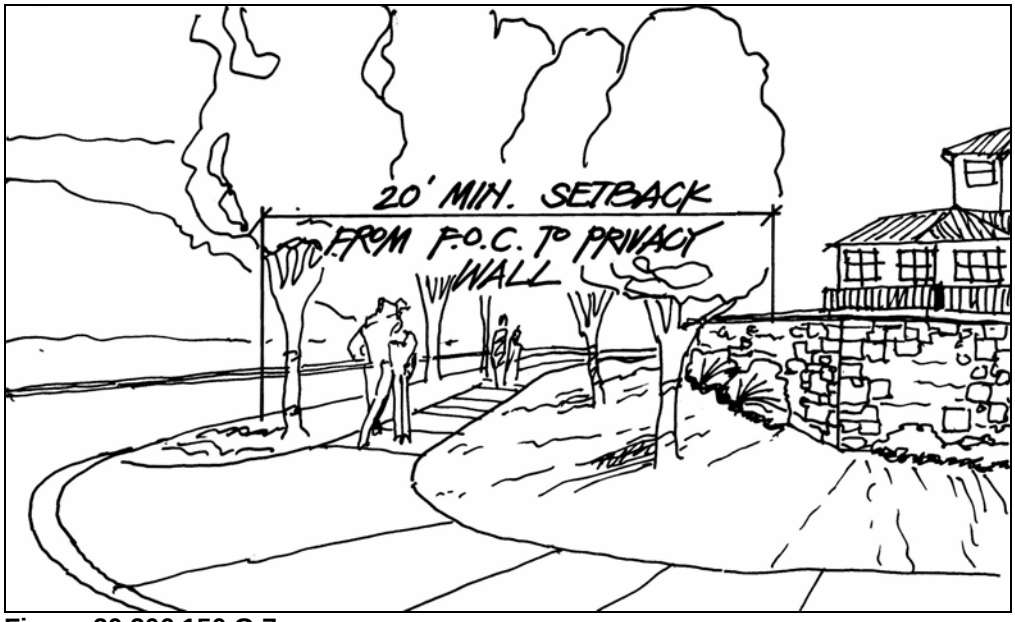


Figure 20.206.150.G.7
A minimum 20 feet setback ensures room for landscaping while being a buffer between street traffic and private yards.

20.206.160 Landscape Standards

A. Purpose and Intent

The purpose of creating landscape design standards for development within the Hillside Residential zone is to minimize resource consumption through the use of a drought-tolerant native plant palette, to establish landscape setbacks along roads and natural open space, taking advantage of the topography and vegetation as a means of enhancing the overall aesthetics of a development project, and to provide transitions between developed areas and surrounding open space.

Figure 20.206.160.A
Landscaping shall be used for aesthetic enhancement, erosion control and transition to natural open space areas.

B. Landscape and Irrigation Plan

1. All proposed new development shall require approval of a landscape and irrigation plan. Complete plans shall be submitted as part of the application process set forth in Section 20.206.050. Such plans shall be subject to the review and approval of the Director of Development Services and the Fire Chief or designee.

2. All landscape and irrigation plans shall include all information required by the Development Services Department and shall be designed to ensure slope stability, fire safety, and design quality, as well as a tree removal and retention plan with the following information.

    a. Identification of the extent of vegetation removal required for site preparation and development; and

    b. The location and species of individual trees of four-inch caliper or more. Maximum effort should be exercised to retain existing trees in place.

3. The Director of Development Services may waive the landscape and irrigation plan requirement for additions and remodeling where no or only minor alterations to the existing landscape or topography are proposed.

4. All landscaping shall be planted and maintained in compliance with approved plans.

5. The developer shall be responsible for ensuring that all landscaping installed consistent with approved landscaping and irrigation plans is properly and effectively established one year from the date of City sign-off on said installation. The developer shall be responsible for taking corrective measures directed by the City to ensure same. The City shall be authorized to require bonding or other surety to achieve this requirement.

C. General Landscaping Standards

1. All portions of a site where existing vegetative cover is damaged or removed, or consists primarily of weeds (typically unwanted plants that grow aggressively and are damaging to native plants), and are not otherwise covered with new improvements, must be successfully re-vegetated with a substantial mix of native and/or drought tolerant grasses and ground covers. The density of the reestablished vegetation must be adequate to prevent soil erosion and invasion of weeds after one growing season. Refer to plant palette in the landscaping standards section of the document for a list of noxious weeds and non-natives that are not allowed in the Brea Hillside Management Zone.

2. Utilitarian structures such as fuel tanks, water tanks or towers, similar storage facilities shall be installed underground. Those not installed underground shall be painted with earth tones found in the adjacent area or shall be entirely screened with appropriate landscaping that blends with the surrounding natural environment.

3. Plants with similar water requirements shall be grouped together in hydrozones. Refer to plant palette in the landscape standards section of the document.

4. Prior to planting consideration of soil compaction shall be used to determine planting pit depths and drainage.

5. The Director of Development Services shall have the authority to require other improvements such as the removal of dead or diseased trees and the thinning of trees or other vegetation to encourage desirable growth.

D. Tree Removal and Replacement

For each existing native tree or shrub removed or damaged with a combined caliper equal to or greater than four inches at four feet above finish grade, a 24-inch box minimum replacement tree or shrub of the same genus and species shall be planted on the site. For trees equal to or in excess of an eight inch combined caliper, the replacement tree shall be a 48-inch box or larger of the same genus and species. Should a tree of the same genus and species not be available, the applicant shall submit reasonable proof of general unavailability in the region, and a list of no less than five substitutes, one of which shall be of the same genus, for approval by the Director of Development Services.

The Director of Development Services may approve a substitute or may require provisions, including but not limited to bonds or similar security, to assure the installation and maintenance of the specific genus desired.

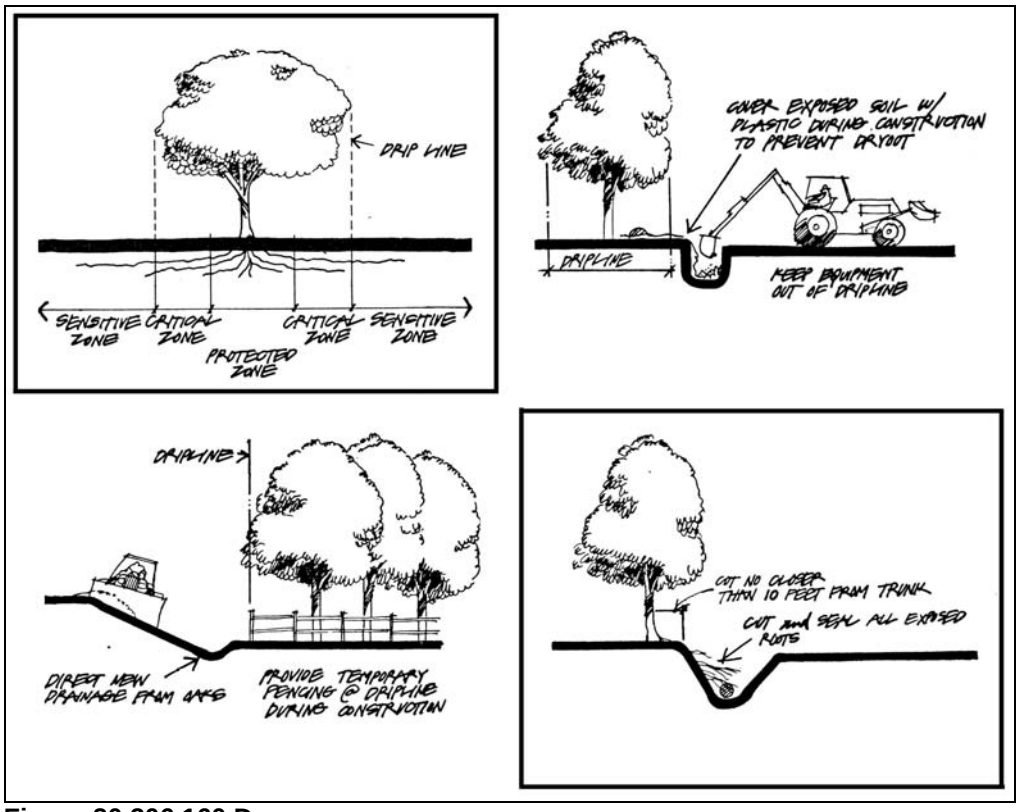


Figure 20.206.160.D

In order to ensure that native vegetation, such as oak trees, are survive the construction phase of hillside development, the any grading activities must be appropriately setback from the vegetation. Tree protection standards are established to ensure that preserved trees survive the construction phase. The preservation of trees will benefit hillside communities by giving an established appearance to the community.

E. Setbacks/Slopes along Roadway Edges

1. The following setbacks from the curb face, or line that would be the location of the curb face, to the property line shall be required from the following roadways:

    a. Major Arterial: 80 feet
    b. Primary Arterial: 60 feet
    c. Modified Secondary and Secondary Arterial: 40 feet
    d. Collector Roadway: 35 feet
    e. Local Roadway: 20 feet

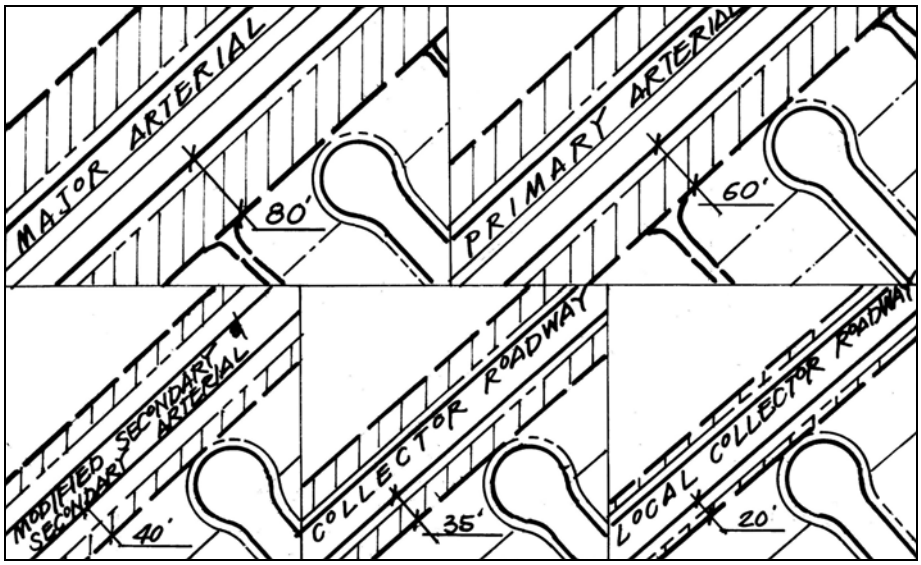


Figure 20.206.160.E.1

2. Setbacks and slopes along edges between roadways and rear property lines shall be fully landscaped with materials consistent with all other common open space areas. The landscape material shall transition in height to provide low vegetation immediately adjacent to the right-of-way edge to taller trees on the slope.

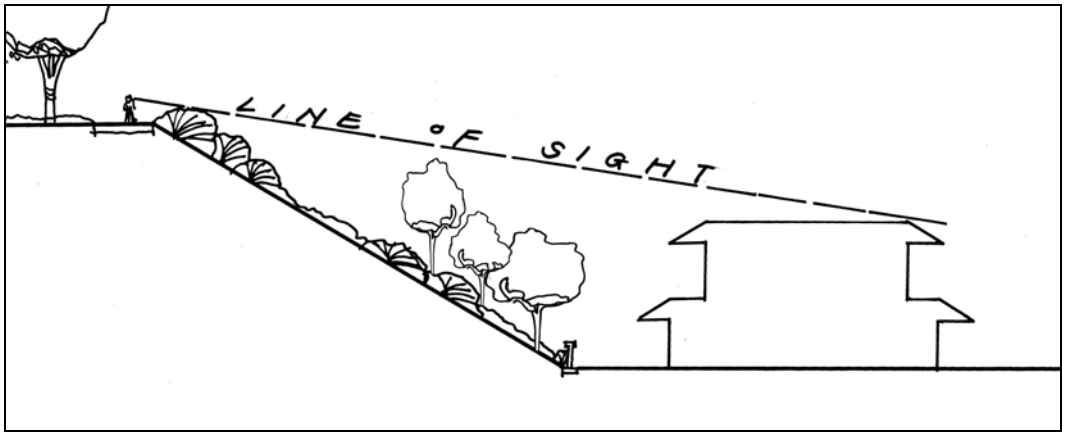


Figure 20.206.160.E.2

3. Any manufactured slope that is part of a private lot and that abuts any public or private street or other right-of-way or open space use intended for public use and/or enjoyment shall be fully landscaped in accordance with the provisions of this Chapter and shall be maintained by a homeowners association or other entity established as part of the tentative map approval process for the maintenance of common open space.

Figure 20.206.160.E.3
Landscaping along right-of-way edges shall exhibit a transition in height up or down the slope.

F. Drought-Tolerant/Native Vegetation

1. All landscape plans must use native and/or drought-tolerant plant materials appropriate for their location and soil type, as identified in standard agricultural suitability soils test. Preferred landscaping materials shall consist of native plants identified in the City's landscape design manual.

2. All native vegetation outside the impact area shall be preserved and protected from damage during construction. Oak trees shall have a preservation zone of the dripline plus 10 feet surrounding the tree. Any project impact within this preservation zone shall be considered as damaging to the tree.

G. Interface between Natural Open Space Areas and Development

1. The area between a structure and wildfire hazard areas, as defined by the Fire Chief or designee, shall be planted and maintained as consistent with the provisions of paragraph J below. The transition between manufactured areas and natural areas shall be established beyond residential structures so as to permit the development to meet applicable Fire Department brush clearance requirements.

2. Climactically suitable shrubs and trees shall be used as wind breaks as appropriate.

H. Landscaping as Focal Points

Significant landscaping, such as signature trees (i.e., large or unique trees), hedges, and flowering plants shall be used to provide focal points within a development. A landscape area with minimum dimensions shall be provided for said landscaping. This area shall require the following minimum dimension measured diagonally from face of curb, or the line that would be the location of the curb face:

1. Major Arterial: 100 feet
2. Primary Arterial: 80 feet
3. Modified Secondary and Secondary Arterial: 50 feet
4. Collector Roadway: 50 feet

A landscape area shall then be provided generally matching the depictions within Figure 20.206.106.H. Provisions for maintenance of said landscape areas shall be an integral component of project approval.

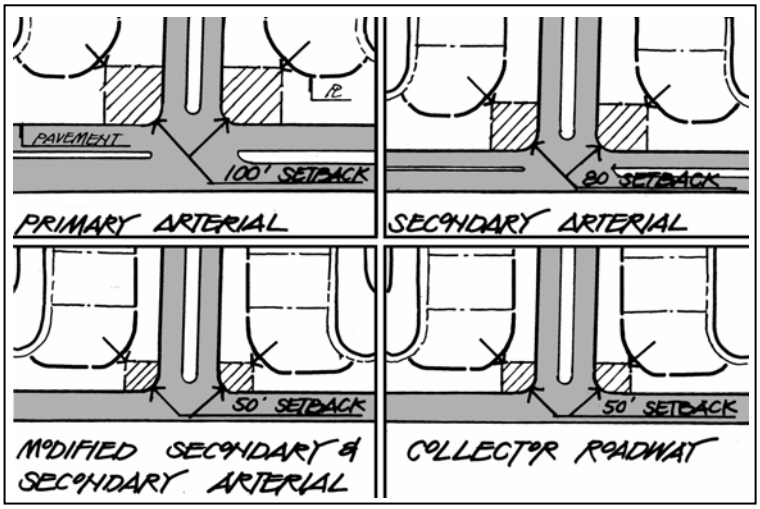


Figure 20.206.106.H

I. Slope Maintenance and Erosion Control

1. All cut and fill slopes shall be planted with native and/or drought-tolerant vegetation and irrigated with an automatic irrigation system to prevent erosion.

2. All cut or fill slopes exceeding five feet in vertical height shall be planted with adequate plant material to protect the slope against erosion. Planting shall be in the ratio of at least one shrub per 16 square feet of natural slope area and one tree per 400 square feet of actual slope area, with ground cover to completely cover the slope within 12 months from planting.

3. All shrubs shall be a minimum one gallon size,

4. All trees shall be minimum 15-gallon size.

5. Slopes less than five feet in vertical height shall be planted with ground cover anticipated to cover the slopes completely within 12 months after planting.

6. Landscape coverage and stabilization of graded slopes shall be selected and designed to be compatible with surrounding natural vegetation. A City-approved irrigation system shall be utilized for plant establishment. A minimum three feet flat area from top or toe of slope of 20 feet or greater shall be maintained to face of wall on common area maintenance slopes.

7. Random patterns or uniform coverage that is contrary to or reasonably detracts from the surrounding natural environment shall be avoided.

8. Shrubs on manufactured slopes shall be heavily concentrated along the drainage flow of swales.

9. Lawns and sod shall not be installed on slopes greater than 4:1. Low-maintenance bunch grasses can be used on slopes steeper than 3:1.

J. Irrigation

1. Irrigation shall be designed to conserve water and to protect existing native vegetation.

2. Drip irrigation or similar water-efficient systems shall be required in appropriate areas to reduce overspray and runoff.

3. Irrigation needs shall be reduced by careful control of drainage pattern on a slope and selection of appropriate plant material.

4. Technological irrigation equipment, such as humidity sensors, that control irrigation settings and run times due to season weather changes shall be used.

K. Fuel Modification Zones

1. A permanent fuel modification area and fire prevention plan shall be required, subject to the determination of the Fire Chief, around development projects, or portions thereof, that are adjacent or exposed to hazardous fire areas for the purpose of fire protection. The recommended width of the fuel modification area shall be based on applicable Building and Fire Codes and the recommendations of the Fire Chief, with consideration given to:

    a. The natural ungraded slope of the land within the project and in the areas adjacent to the project.

    b. Fuel loading.

    c. Access to the project by fire suppression equipment, and access directly to the fuel modified area, and egress out of the project in case of evacuation.

    d. The on-site availability of water that can be used for firefighting purposes with regard to fire flows, water pressure, and duration.

    e. “Built-in” fire protection within structures.

2. Adequate provisions shall be made for the continual maintenance of such areas, and the Fire Chief may require brush, vegetation, or debris to be removed and cleared consistent with the provisions of Chapter 15.216 of the Brea City Code.

L. Private Yard Hardscape Limitations

1. In the front yard area, the paving or other covering with impervious surfaces shall be limited to 30 percent of said yard area, exclusive of any paving required to provide direct vehicular access to a garage.

2. No more than 50 percent of the rear yard area shall be covered with impervious surfaces with the exception of swimming pools and spas as measured 18 inches outside the water’s edge.

M. Screening

1. Landscaping shall be designed to screen the view of downslope building elevations. The landscape plan for individual residential dwellings shall specifically consider the downslope elevation and demonstrate that portions of elevations below the bottommost floor are screened from view. Downslope elevations visible from any adjacent property or public right-of-way shall be landscaped with a selection of shrubs and trees that screen the downslope portion from view to the satisfaction of the Director of Community Services.

2. Visual screening and privacy within side and rear yards shall be provided. Front yards and building entrances shall be designed to remain mostly visible for security purposes.

N. On-lot Tree Program

1. A minimum of two trees shall be installed and maintained in each rear yard.

2. One additional tree shall be installed along the side yard adjacent to the street on corner lots with uphill visibility from roads.

3. Tree sizes shall be a minimum of 24-inch box for rear yards with 15 feet depths or less and 36-inch box for rear yards that are greater than 15 feet deep.

4. Minimum distance between tree trunk and adjacent wall is five feet.

5. Soil compaction and drainage shall be considered when determining planting pit depths.

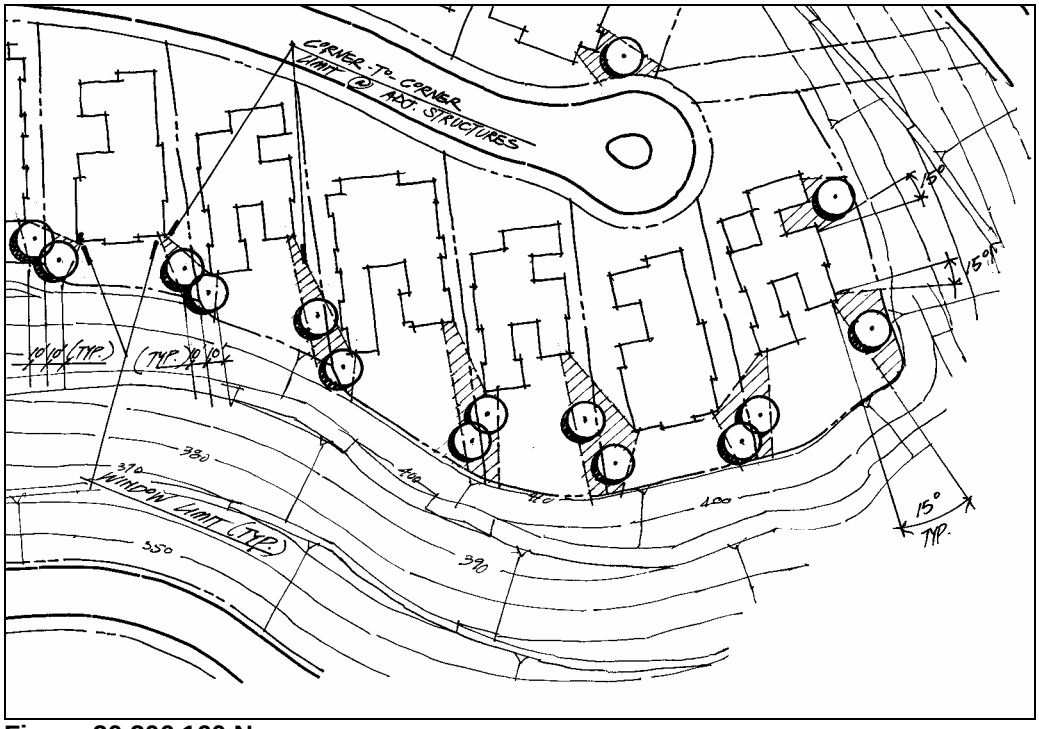


Figure 20.206.160.N
On-lot tree programs are beneficial to homeowners and the community in general by providing landscaping while preserving views.

20.206.170 Development Standards - Detached Dwellings

A. Purpose and Intent

The purpose of creating development standards for detached dwelling units is to ensure the development of communities that are appropriate to the hillside setting as well as preserving the look of a natural hillside to the greatest extent possible. The various standards are designed to work together and result in a hillside community design that allows for the appropriate amount of setback for structure-to-structure conditions and building-to-street conditions. In addition to appropriate setback requirements, the standards will also ensure that structures will be built so as not to offset the visual scale of the hillsides.

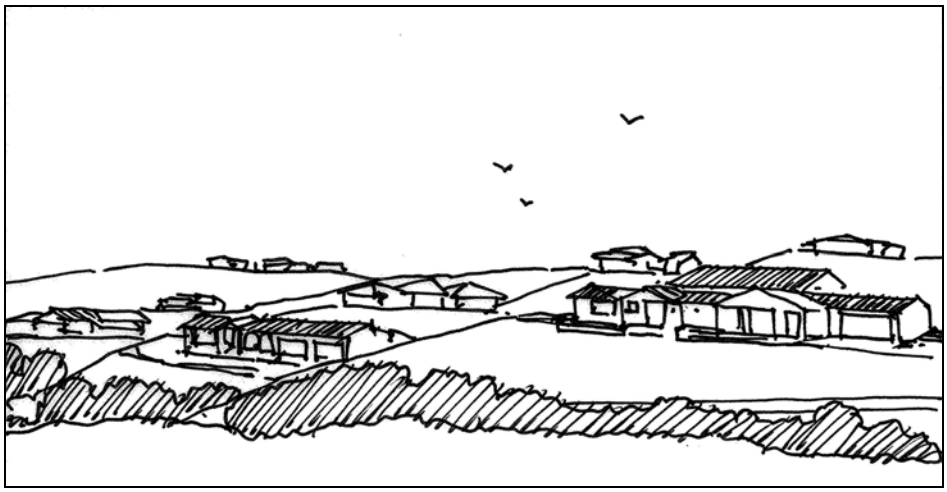


Figure 20.206.170.A
Estate detached product with large front, side and rear yard setbacks, and low building profiles.

B. Density

Density limitations shall be determined as set forth in Section 20.206.050 of this Chapter.

C. Minimum Pad Size

The minimum area of a pad on a lot, including the summation of multiple pad areas where split-level construction is proposed, shall be 6,000 square feet.

D. Building Setbacks

Building setbacks shall be set forth in Table 20.206.170.C. All setbacks shall be measured from the edge of the pad.

Table 20.206.170.D
Building Setbacks – Detached Dwellings

~~Setbacks~~	Pad Size in Square Feet/ Required Setbacks		
	6,000 to 7,999	8,000 to 9,999	10,000 and greater
Front yard	20 ft.	30 ft.	40 ft.
Side yard	7.5 ft.	7.5 ft.	10 ft.
Rear yard	20 ft.	20 ft.	30 ft.
Corner Setbacks			
Face of curb to privacy wall	20 ft.	20 ft.	25 ft.
Privacy wall to structure	10 ft.	10 ft.	15 ft.

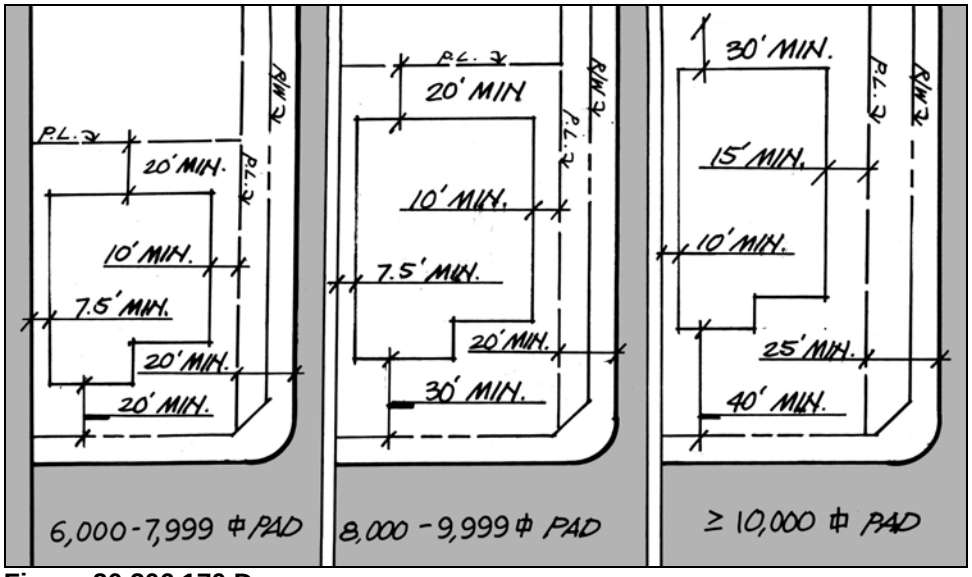


Figure 20.206.170.D

E. Floor-Area Ratios

Maximum allowable floor-area ratios shall be as set forth in Section 20.206.050(D).

F. Building Height – Primary Structure

Each proposed single-family detached structure in the Hillside Residential zone shall comply with the following height limits.

1. Height Measurement

   The maximum allowable building height shall be measured as the vertical distance from the existing or planned grade of the pad at the point of the building foundation to the mid-point of the roof. For split-level construction, each building component shall be measured from the site pad area on which that component is located.

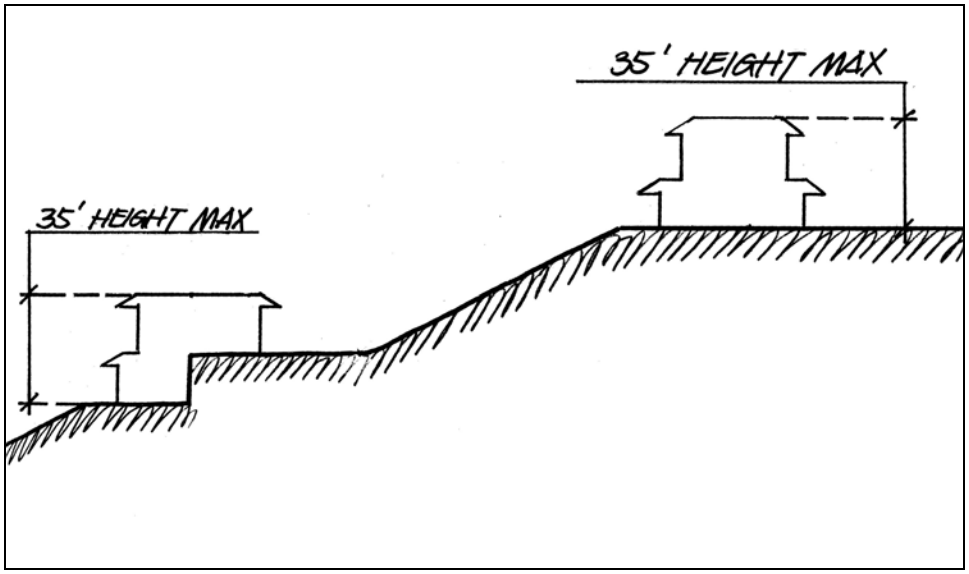


Figure 20.206.170.F

2. General Height Limit

   No structure shall exceed a height of 35 feet.

3. 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.

20.206.180 Development Standards – Attached Dwellings

A. Purpose and Intent

The purpose of creating development standards for attached development dwellings is to ensure the development of communities that are appropriate to the hillside setting as well as preserving the look of a natural hillside to the greatest extent possible. The various standards are designed to work together and result in a hillside community design that provides the ideal amount of private and common open space. In addition to ideal amounts of open space, the standards will also ensure that structures will be built so as not to offset the visual scale and natural appearance of the hillsides.

B. Density

Density limitations shall be determined as set forth in Section 20.206.050 of this Chapter. Where attached housing is proposed, the overall permitted density of a development site shall determine the maximum number of units allowed, and all such attached units may be placed on a pad or pads restricted to a limited area of the development site, with the density calculation applicable to the site as a whole. However, in compliance with the provisions of Section 20.206.090 of this Chapter, any remaining Natural Open Space shall be deed restricted against further residential development and shall be permanently maintained as required by the provisions of this Chapter.

C. Building Setbacks

1. Buildings shall be set back from pad edges as indicated in Table 20.206.180.C.

Table 20.206.180.C
Building Setbacks – Attached Dwellings

Measurement Line	Required Setback
Front yard	20 ft.
Side yard	15 ft.
Rear yard	20 ft.
Face of curb to privacy wall	20 ft.
Privacy wall to structure	10 ft.

2. Building to Building

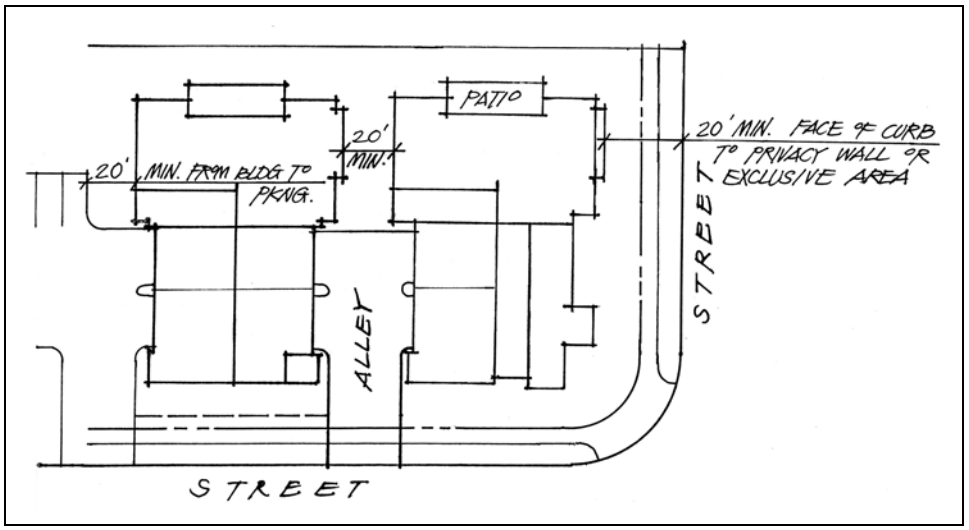
   The minimum setback between structures shall be no less than 20 feet.

3. Building to Street or Parking Area

   The minimum building setback to street or parking area shall be no less than 20 feet, measured from face of curb.

4. Building to Privacy Wall or Exclusive Use Area

   The minimum building setback to privacy wall or exclusive use area shall be no less than 20 feet.



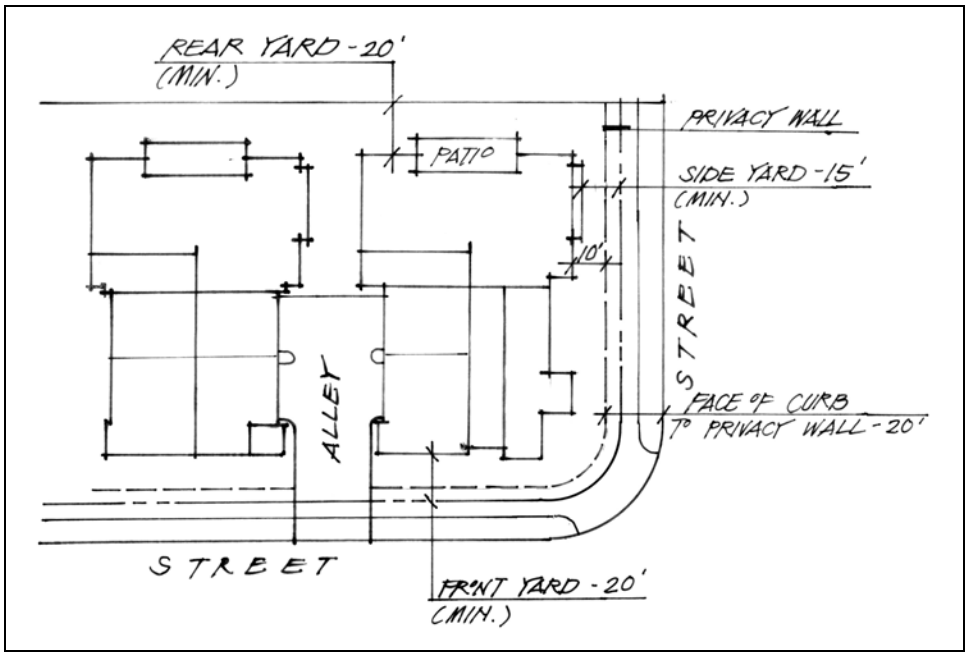


Figure 20.206.180.C

D. Building Height

Each proposed attached dwelling unit structure shall comply with the following height limits.

1. Height Measurement

   The maximum allowable building height shall be measured as in compliance of Section 20.206.170.F.1.

2. General Height Limit

   No structure or group of structures shall exceed a height of 45 feet.

3. 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.

E. Required Common Open Space Area

Every attached development project shall be required to provide common open space areas accessible to all dwelling units within such development project and located on a pad. The required area shall be as set forth in Table 20.206.180.E. Such common open space area may consist of landscaped areas that can accommodate active use, common recreation facilities such as a swimming pool or sports court, or any combination of such improvements. The minimum dimensions of such common open space area shall be 20 feet by 20 feet. Such common open space shall be centrally located and easily accessible to all dwelling units within the development. Landscaped slopes and Natural Open Space areas shall not count toward the common open space requirement.

Table 20.206.180.E
Required Common Open Space for Attached Dwellings

Numbers of Dwelling Units within Development	Required Open Space Area
0-20	100 sq. ft. per dwelling unit
21-40	125 sq. ft. per dwelling unit
40+	150 sq. ft. per dwelling unit

F. Private Open Space

Private open space shall be provided as required by Section 20.220.040 of this Title 20.

G. Location of Garages

Garage structures for attached developments are not required to be attached to the dwelling units they serve. Common garage structures may be developed, provided parking is provided for each dwelling unit in compliance with the requirements of Section 20.206.040 of this Title.

20.260.190 Custom Lot Design and Development Standards

A. Purpose and Intent

The purpose and intent of establishing specific standards for custom lots is to preserve the rural character of the hillsides, minimize grading impacts, and ensure that new houses are visually compatible with the surrounding area. The provisions of this Chapter shall apply to one detached single-family dwelling unit established on an existing legal lot and to custom homes designed and constructed as part of a comprehensive subdivision or other development project.

B. Application Requirements

1. As specified in Section 20.206.024, an individual dwelling unit on an existing legal lot shall be subject to an Administrative Hillside Development Permit.

2. Proposed subdivisions of land planned for custom home sites shall be subject to a Hillside Development Permit.

C. Design Standards – General

1. Roadways, driveways, and individual building pads shall be designed to conform to the natural hillside contours, blending into the environment rather than forcing building sites and infrastructure upon the land. An emphasis shall be placed on limiting grading to individual flat graded pad areas for residential building sites and any roads accessing the residential building sites, ensuring a minimal cut and fill situation.

2. Any areas that require grading shall incorporate landform grading techniques to further encourage the natural appearance of custom pads.

3. For any standard not specifically indicated in this Section as applying to custom lot development, the general standards applicable to all development in the Hillside Residential Zone shall apply.

D. Landscape Standards

Custom lot development shall implement landscape standards that avoid harsh or abrupt transitions between open space and development while providing a combination of landscape materials that blend into the adjoining natural open space. Landscape setbacks along roads and along flat pads of custom lots shall be required to ensure that suitable transitions from residential development to natural open space are accomplished.

E. Architectural Standards

1. Individual houses on custom lots shall be visually compatible with the surrounding area, with architecture that complements the adjacent natural environment and any adjoining residential structures and/or neighborhoods.

2. The following standards shall be required in the construction of subterranean garages:

    a. Access to a subterranean garage is only permitted under one-story portions of a building.
    b. Access shall not be visible from the front or rear yards.
    c. Ramps shall not be located within the front yard.
    d. Subterranean exterior walls shall not extend beyond the perimeter of the exterior walls defining the first floor above.
    e. Structural decks over driveways are not permitted.

3. Carports shall not be allowed.

4. Attached dwelling units shall not be permitted within a custom home subdivision.

F. Grading Standards

1. Unless otherwise specified in this section, the landform grading practices set forth in Section 20.206.100 shall apply.

2. Retaining walls shall not be visible from any public rights-of-way.

G. Development Standards

1. The minimum pad size shall be no less than 10,000 square feet.

2. Maximum building height, as measured from finished grade to top of building, shall be as follows:

    a. 20 feet – Single-story portion of structure
    b. 28 feet - Two -story portion of structure
    c. 35 feet – Three-story portion of structure

3. Setbacks shall be provided as set forth in Table 20.206.170.C.

4. No fence or wall shall exceed a height of seven feet, and all fences and walls shall comply with the regulations set forth in Section 20.206150.G.

5. Walls and opaque fencing shall be permitted only on the flat pad of a custom lot.

6. The minimum landscape setback of 20 feet shall be provided between developed pad and natural vegetation.

7. The maximum step in foundation wall shall be no higher than 10 feet to account for homes built in a hillside setting.

8. Where not standard is specifically indicated in this Section 20.206.190, the development standards set forth in Section 20.206.170 shall apply.

20.206.200 Accessory Structures

A. Accessory structures shall either be constructed as an integral part of the main dwelling unit or be within the setbacks set forth in Tables 20.206.170.A and 20.206.180.D of this Chapter.

B. The height of any accessory structure shall be limited to 12 feet.

C. Accessory structures shall not be permitted within any front yard area.

D. Accessory structures shall maintain a minimum five foot setback from rear and side pad edges. For pads on lots adjacent to a street, a minimum 20 foot setback from any pad edge to the street shall be maintained. A side yard on the street side of a corner lot shall maintain a minimum 20 foot setback from pad edge.

20.206.210 Other Regulations

A. Exterior Lighting

Exterior lighting shall be properly shielded to avoid glare and the spill of light to surrounding areas. Low-level lighting and the use of multiple low profile fixtures is encouraged, as opposed to the use of fewer, but taller fixtures. Emphasis for exterior lighting shall be on safety and landscape lighting as opposed to building lighting. The applicant shall present descriptions of exterior lighting in the design guideline manual required by Section 20.206.050 of this Chapter.

B. Decks

Decks shall be integrated into the architecture of the house and not appear as an add-on to the primary building mass. All decks shall be limited to the pad area(s) of a lot. Decks over 30 inches in height shall maintain a minimum setback from pad edge of one-half the minimum setback for the applicable yard. No decks within front yard setback areas shall be allowed. The applicant shall present illustrations and descriptions of decks in the design guideline manual required by Section 20.206.050 of this Chapter.

C. Utilities

All newly installed utilities shall be placed underground unless, in the determination of the authority responsible for approving the Hillside Development Permit, such requirement would result in unsafe conditions. All existing electric power lines of capacity 66 kilovolts or less shall be relocated underground.

D. Gated Communities Prohibited

Gated communities shall be prohibited.

20.00.070 Definitions

For the purposes of this Chapter, the following words and phrases are defined as set forth herein. Any word, phrase or term that is not defined in this Section but is defined in Division 7 – Definitions of this Title 20 shall have the meaning prescribed in Division 7.

Accessory structure. A structure that is clearly incidental to and detached from a principal building on the same lot and subordinate to the principal building.

Attached unit. A single dwelling unit attached to one or more units by common vertical walls.

Average slope. Average percent slope "S" is computed by the formula:

S = (0.00229 I L)/A

where S = Average percent slope
I = Contour interval, in feet*
L = Summation of length of contours, in feet
A = Area in acres of parcel being considered

*Calculations of average percent slope should be based upon accurate topographic surveys using a contour interval no greater than ten feet and a horizontal map scale of 1 inch : 200 feet or larger.

Berm or Berming. A mound of earth or series of connected mounds that are artificially graded and created to form a small topographic feature for purposes of aesthetic enhancement, sound attenuation, landscape interest, or any combination thereof.

Best Management Plan ("BMP"). Any program, technology, process, siting, criteria, operational methods, measures, or engineered systems, which when implemented prevent, control, remove or reduce pollution to the maximum extent practicable.

Bioswales. Bioswales are open channels possessing a dense cover of grasses and other herbaceous plants through which runoff is directed during storm events. Above ground plant parts (stems, leaves, and stolons) retard flow and thereby encourage particulates and their associated pollutants to settle. The pollutants are then incorporated into the soil where they may be immobilized and/or decomposed.

Crib wall. Soil retention wall system composed of concrete material in a cross-hatch pattern with rectangular openings for plants to grow.

Contour grading. Contour grading are similar to conventional grading except the slopes are curvilinear (in plan) rather than linear, the gradients are unvarying, and the profiles are planer. Transition zones and slope intersections generally have some rounding applied resulting in pad configurations that are mildly curvilinear.

Conventional grading. Conventional grading is characterized by essentially linear (in plan), planar slopes surfaces with unvarying gradients and angular-slope intersections resulting in pad configurations that are rectangular and uncommonly found in natural slopes.

Custom lot. A lot that contains at least 10,000 square feet of pad and on which a custom-designed structure will be built.

Cut. A portion of land surface or areas from which the earth has been removed or will be removed by excavation; the depth below the original ground surface or excavating surface.

Defensible space. The area between a structure and a potential oncoming wildfire where the vegetation has been modified to reduce the wildfire threat and which provides an opportunity to effectively defend the structure. This is also known as Survivable Space.

Detached unit. A dwelling that is not connected or any way attached to any other dwelling unit.

Detention basins. A basin for the temporary storage of stormwater in a Best Management Practice, which is used to control the peak discharge rates, and which provides gravity settling of pollutants.

Drip Line. Area around the tree trunk that generally includes the spread of the tree branches. It also may refer to that area around a structure that is beneath the roof overhang.

Drought tolerant. Non-native species that can survive extended periods of time with little or no water, and that are appropriate for a particular site without posing a threat of invasiveness or possessing characteristics of invasive species or noxious weeds.

Earthwork. Excavation and embankment of earth.

Edge. The perimeter areas of a development plan.

Elevation. Vertical distance in feet above sea level.

Erosion. The process by which the soil and rock components of the earth's crust are worn away and removed from one place to another by natural forces such as weathering, solution, and transportation.

Excavation. The removal of earth material, including soil and rocks.

Face of curb. The location at which the pavement section of a street ends and curb begins.

Fill. The depositing of soil, rock or other materials by other than natural means.

Floor-Area Ratio (F.A.R.). The ratio of gross building floor area on a pad to the total land area of the pad. For the purposes of this definition, gross floor area shall include the square footage of all structures on a pad, as measured from the outside of the exterior walls. Gross floor area shall not include the first 600 square feet of attached garages, decks, balconies, covered patios, the total combined square footage of any and all accessory structures and detached garages up to 600 square feet inclusive, and attics that do not exceed a height of five feet as measured from the top of ceiling joist (floor) to the bottom of the ridge beam (ceiling).

Fuel modification zone (FMZ). A fuel modification zone is a wide strip of land where combustible vegetation has been removed and/or modified and partially or totally replaced with drought-tolerant, fire-resistive plants to provide an acceptable level of risk from wildland fires.

Garage. Any detached accessory building, or an accessory portion of a principal building enclosed on three sides by permanent walls, having a roof and a vehicle entrance door, and designed to be used primarily for the shelter and storage of motor vehicles owned or operated by the occupants of the principal buildings.

Geogrids. Net-shaped, synthetic, polymer-coated fibers that are used to reinforce earth-fill slope, wall, and base layer construction. Incorporated in the base layers of paved or finished surfaces, or in surface layers of walls and slopes, they provide a stabilizing force within the soil structure itself.

Grade. The degree of rise or descent of a sloping surface.

Hillside area. Any property containing slope areas of ten (10) percent or greater.

Horizontal and vertical building envelopes. The maximum width and height of a structure based on minimum setback requirements and maximum building height limitations for the zone within which the project is located. These envelopes may be utilized to evaluate visual impacts when specific architectural plans are not provided for subdivision review.

Hydrozones. Areas in an irrigation system that necessitate specific watering requirements due to plant material type.

Intermediate slopes. 2:1 slopes less than 10 vertical feet in height used chiefly for utilitarian purposes and are not readily visible such as side slopes and buried water tanks. (make sure definition in Development Standards are the same.)

Invasive species. Non-native species whose introduction does or is likely to cause economic or environmental harm or harm to human health and which tend to disrupt natural ecosystems by displacing native species.

Impact area. Area(s) where natural ground surface is impacted or disturbed by grading activities.

Impervious. Land surfaces which do not allow, or minimally allow, the penetration of water.

Jurisdictional wetlands. Wetlands that fall under the authority of the U.S. Army Corps of Engineers under Section 404 of the U.S. Water Act.

Landform grading. Characterized by a variety of shapes including convex and concave forms that mimic stable natural slopes. They are non-linear in plan view, have varying slope gradients, and significant transition zones between human-made and natural slopes resulting in pad configurations that are irregular.

Landscape area. Part of the property exclusively set aside for living plant materials and associated non-living ornamental materials such as mulch, fencing, walls or decorative rock.

Loaded street. A street from which a private driveway or driveways takes direct access.

Loffelstein walls. Retaining wall system based on pre-cast concrete units that stack and interlock by friction to create a gravity style retaining wall.

Lot. A parcel of land, as shown on a subdivision map or Assessor's Parcel Map, occupied or intended for occupancy by one main building, together with any accessory buildings including the open spaces required of the Hillside Regulations and having adequate frontage on a public or private street.

Minimal grading. Grading that is limited to the individual flat pad areas for residential building sites, with minimal cut and fill. Grading shall be limited to only the required building area and adjoining infrastructure.

Manufactured slope. Human-made slope created by grading that consists wholly of cut or filled material.

Native plants. Plant species occurring naturally and native to a given ecosystem or plant community.

Natural slope. A slope that is not man-made. A natural slope may retain the natural vegetation during adjacent grading operations or it may be partially or completely removed and replanted. A natural slope is a slope that has not been graded nor the surface manufactured in any manner other than by natural forces.

Natural vegetation. Plant materials which are indigenous to the area and exist on a site prior to any construction or earth moving activity.

Noxious weeds. Plant species designated as such by the Secretary of Agriculture,
Secretary of the Interior, or by State law or regulation. Generally, noxious weeds will possess one or more of the characteristics of being aggressive and difficult to manage, parasitic, a carrier or host of serious insects or disease. Other characteristics of noxious weeds are plants that are non-native, or new, to or not common to the United States or parts thereof. Noxious weed species have extensive and costly impacts on human health, safety, commerce, recreation, and general well-being. Noxious weeds can adversely affect food production, wilderness values, wildlife habitat, visual quality, forage production, reforestation, recreational opportunities, natural wildfire regimes, and land values.

Open space. The area of a lot which is not occupied by building coverage, parking lot or driveway.

Open space, common. Land within or related to a development, not individually owned nor available for general public use, which is designed and intended for the common use or enjoyment of the residents of the development and may include such complementary structures and improvements are as necessary and appropriate.

Open space, improved. Open space that is developed for active recreational use with improvements such as, but not limited to, sports fields or turf area, sports courts, concrete or other decking area, playgrounds, and enclosed recreation buildings, all either for general public use or as common open space for a development project.

Open space, natural. Open space or area that is permanently set aside for public or private use and is not nor will be developed or improved in any manner beyond the establishment of trails and viewing areas. The space may be used for passive recreation or may be reserved to protect or buffer natural areas.

Owner/developer/builder. An individual, firm, association, syndicate, partnership or corporation having sufficient proprietary interest to seek development of land.

Pad. The flat buildable area of a lot that does not exceed two percent crossfall in any direction and does not include any slopes on which a building will be sited.

Pad edge. That component of a graded pad area defined by either the toe or top of a slope, whether artificially created or existing as a natural slope.

Plant Palette. A list of plants or vegetation that is recommended to be planted in the Residential Hillside Zone.

Privacy wall. Any wall other than a retaining wall that serves to separate private property from public or common areas.

Puddling. The formation of small pools of water or any other liquid due to depressions on the surface that have not outlet.

Re-created ridgeline. In cases when a ridgeline, due to past activities has been eliminated, a re-created ridgeline is the replacement of the eliminated ridgeline through landform grading and berming practices.

Retaining wall. A wall or terraced combination of walls used solely to retain material or water but not to support or to provide a foundation or wall for a building.

Right-of-way. An area of land, either public or private, on which an irrevocable right of passage has been recorded for the use of vehicles and / or pedestrians.

Rock outcropping. Any surface rock or group formation of rocks that are part of and connected to a bedrock formation.

Sensitive species. Plant or animal species which are susceptible to habitat changes or impacts from activities. The official designation is made by the USDA Forest Service at the Regional level and is not part of the designation of Threatened or Endangered Species made by the US Fish and Wildlife Service.

Sensitive habitat. The environment in which sensitive species lives or grows.

Significant Ridgeline. A long, conspicuous, continuous elevated landform that forms a part of the natural backdrop and skyline to the City of Brea. Said landform may consist of one or more ridge features each of varying elevations dependent on the characteristics of the ridgeline being evaluated.

Slope. An inclined ground surface, the angle of which is expressed as a ratio of horizontal distance to vertical distance.

Slope face. The slopes located directly below, and leading up to, the crest of a significant ridgeline or prominent landform.

Slope grade. The relationship (ratio) between the change in elevation (rise) and the horizontal distance (run) over which that change in elevation occurs. The percent of steepness of any given slope is determined by dividing the rise by the run on the natural slope of land, multiplied by 100.

Split level construction. An approach to grading and development of a structure whereby the foundation of the structure is placed on more than one graded pad area.

Split level roads. Roads which are constructed so as to have two (2) traffic ways, each at a different level within the same right-of-way.

Subdivision development plan. Specific development plans for an approved tentative map, including plot plans, building elevations, grading plans and landscape plans applicable to individual lots within said tentative map.

Super slopes. Manufactured slopes that exceed 45 vertical feet in height. Super slopes serve three beneficial purposes: 1) Super slopes allow for landscaping opportunities in hillsides while preserving off-site views within a hillside community. 2) Super slopes create a visual break between terraced rows of housing units. 3) Super slopes help conform to natural topography by blending manufactured slopes with the height of adjacent natural slopes.

Swale. Open channels possessing a dense cover of grasses and other herbaceous plants through which runoff is directed during storm events. Above ground plant parts (stems, leaves, and stolons) retard flow and thereby encourage particulates and their associated pollutants to settle. The pollutants are then incorporated into the soil where they may be immobilized and/or decomposed.

Terracing. The method separating and elevating one development area above another development area by a slope.

Toe of slope. That portion of intersection created by the bisection of a horizontal plane by a transverse plane with a deflection angle less than 90 degrees.

Top of slope. That portion of intersection created by the bisection of a horizontal plane by a transverse plane with an angle of impose greater than 90 degrees.

Topography. The surface relief of slope of any given area of land.

Visual dominance. Any object as viewed from a public area or public right-of-way that supersedes the presence of all other elements in the area shall be considered to be visually dominant.

Viewshed. Areas of development that can be viewed from arterial roads, freeways, major collector roads and public gathering places such as major shopping centers, etc.

Unloaded street. A street on which no front entrance or driveway of a home is located.

Suggested Plant Palette- Brea Hillside Zoning Ordinance

Trees

Latin/Botanical Name	Common Name
Acacia baileyana	Bailey Acacia
Acacia decurrens	Green Wattle
Acacia longifolia	Sydney Golden Wattle
Acacia melanoxylon	Blackwood Acacia
Albizia julibrissin	Silk Tree
Arbutus unedo	Strawberry Tree
Brachychiton populneus	Kurrajong Bottle Tree
Cedrus atlantica & cvs	Atlas Cedar
Cedrus deodara & cvs	Deodar Cedar
Cercis canadensis & cvs	Eastern Redbud
Cercis occidentalis	Western Redbud
Cupressus sempervirens	Italian Cypress
Geijera parviflora	Australian Willow
Jacaranda mimosiflia	Jacaranda
Juglans californica	Southern California Black Walnut
Lagerstroemia indica & cvs	Crape Myrtle
Laurus nobilis	Sweet Bay
Leptospermum laevigatum	Australian Tea Tree
Lyonothamnus floribundus & var.	Catalina Ironwood
Metrosideros excelsus	New Zealand Christmas Tree
Olea europaea & cvs	Olive
Pinus coulteri	Coulter Pine
Pinus eldarica	Afghan Pine
Pinus halepensis	Aleppo Pine
Pinus pinea	Italian Stone Pine
Pinus torreyana	Torrey Pine
Platanus acerifolia	London Plane Tree
Platanus racemosa	Western Sycamore
Prunus caroliniana	Carolina Laurel Cherry
Prunus lyonii	Catalina Cherry
Punica granatum & cvs	Pomegranate
Quercus agrifolia	Coast Live Oak
Quercus engelmannii	Mesa Oak
Quercus ilex	Holly Oak
Quercus suber	Cork Oak
Rhus lancea	African Sumac
Robinia pseudoacacia	Black Locust
Sambucus mexicana	Blue Elderberry
Schinus molle	Pepper Tree
Schinus polygamus	Peruvian Pepper
Schinus terebinthifolius	Brazilian Pepper

Shrubs & Vines

Latin/Botanical Name	Common Name
Acacia longifolia	Sydney Golden Wattle
Aesculus californica	California Buckeye
Alyogyne huegelii	Blue Hibiscus
Arbutus unedo 'Compacta'	Dwarf Strawberry Tree
Artemisia arborescens	Shrubby Wormwood
Artemisia californica & cvs	California Sagebrush

Artemisia 'Powis Castle'	NCN
Azalea southern indica	Sun Azalea
Baccharis p. consanguinea	Chaparral Broom
Bergenia cordifolia	Heartleaf Bergenia
Bougainvillea spectabalis	Bougainvillea
Calliandra eriophylla	Fairy Duster
Calliandra haematocephala	Pink Powder Puff
Calliandra tweedii	Trinidad Flame
Ceanothus 'Concha'	NCN
Ceanothus 'Dark Star'	NCN
Ceanothus 'Frosty Blue'	NCN
Ceanothus gloriosus & cvs	Point Reyes Ceanothus
Ceanothus griseus & cvs	Carmel Ceanothus
Ceanothus 'Joyce Coulter'	NCN
Ceanothus 'Julia Phelps'	NCN
Ceanothus maritimus & cvs	Maritime Ceanothus
Ceanothus 'Ray Hartman'	NCN
Ceanothus rigidus & cvs	Monterey Ceanothus
Ceanothus thyrsiflorus & cvs	Blue Blossom Ceanothus
Ceanothus 'Wheeler Canyon'	NCN
Cercis occidentalis	Western Redbud
Chamelaucium uncinatum	Geraldton Wax Flower
Cistus species & cvs	Rockrose
Comarostaphylis diversifolia	Summer Holly
Cotoneaster apiculatus	Cranberry Cotoneaster
Cotoneaster buxifolius	NCN
Cotoneaster congestus	NCN
Cotoneaster horizontalis	Rock Cotoneaster
Cotoneaster lacteus	Red Clusterberry
Cotoneaster salicifolius	Willowleaf Cotoneaster
Dendromecon species	Bush Poppy
Echium fastuosum	Pride of Madeira
Elaeagnus pungens	Silverberry
Encelia californica	California Encelia
Eriogonum fasciculatum	Common Buckwheat
Feijoa sellowiana	Pineapple Guava
Fremontodendron species & cvs	Flannel Bush
Gelsemion sempervirens	Carolina Jessamine
Grevillea species & cvs	Grevillea
Hakea suaveolens	Sweet-scented Hakea
Hardenbergia violacea	False Sarsaparilla
Hardenbergia violaceae	NCN
Heteromeles arbutifolia	Toyon
Heuchera sanguinea	Coral Bells
Jasminum polyanthum	Jasmine
Juniperus californica	California Juniper
Juniperus chinensis & cvs	NCN
Juniperus sabina & cvs	Savin Juniper
Juniperus scopulorum & cvs	Rocky Mountain Juniper
Lagerstroemia indica & cvs	Compact Crape Myrtle
Lantana camara	Yellow Sage
Lavandula species & cvs	Lavender
Leptospermum laevigatum	Australian Tea Tree
Leptospermum scoparium	New Zealand Tea Tree
Macfadyena unguis-cati	Cat's Claw
Mahonia aquifolium	Oregon Grape

Mahonia 'Golden Abundance'	NCN
Mahonia nevinii	Nevin Mahonia
Mahonia pinnata & cvs	California Grape
Malosma laurina	Laurel Sumac
Metrosideros excelsus	New Zealand Christmas Tree
Myrica californica	Pacific Wax Myrtle
Myrtus communis & cvs	True Myrtle
Limonium perezii	Statice
Oenothera berlanedieri	Mexican Evening Primrose
Pennisetum setaceum 'Cupreum'	Red Fountain Grass
Prunus caroliniana cvs	Carolina Laurel Cherry
Prunus ilicifolia	Hollyleaf Cherry
Prunus lyonii	Catalina Cherry
Punica granatum & cvs	Pomegranate
Pyracantha species & cvs	Firethorn
Rhamnus alaternus	Italian Buckthorn
Rhamnus californica	California Coffeeberry
Rhamnus crocea & var.	Redberry
Rhus integrifolia	Lemonade Berry
Rhus ovata	Sugar Bush
Ribes aureum	Golden Currant
Ribes indecorum	White-flowered Currant
Ribes malevaceum	Chaparral Currant
Ribes speciosum	Fuchsia-flowering Gooseberry
Rosa banksiae	Lady Banks' Rose
Rosa hybrids	Rose
Rosmarinus officinalis & cvs	Rosemary
Rumohra adiantiformis	Leatherleaf Fern
Salvia apiana	White Sage
Salvia greggii	Autumn Sage
Salvia leucantha	Mexican Bush Sage
Salvia leucophylla	Purple Sage
Salvia mellifera & cvs	Black Sage
Sambucus caerulea	Blue Elderberry
Santolina species	Lavender Cotton
Tecoma stans var. angustata	Hardy Yellow Trumpet Flower
Teucrium fruticans	Bush Germander
Vitex agnus-castus	Chaste Tree
Westringia species	NCN

Ground Covers

Latin/Botanical Name:	Common Name:
Acacia redolens & cvs	NCN
Ajuga reptans	Carpet Bugle
Arctostaphylos edmundsii & cvs	Little Sur Manzanita
Arctostaphylos 'Emerald Carpet'	NCN
Arctostaphylos uva-ursi & cvs	Bearberry
Artemisia californica & cvs	Prostrate California Sagebrush
Baccharis 'Centennial'	NCN
Baccharis pilularis & cvs	Prostrate Coyote Brush
Bougainvillea cultivars	Bougainvillea
Campanula poscharskyana	Serbian Bellflower
Ceanothus g. var. horizontalis	Carmel Pepper
Ceanothus g. var. h. 'Yankee Point'	NCN

Ceanothus 'Joyce Coulter'	NCN
Ceanothus maritimus & cvs	Maritime Ceanothus
Cistus salviifolius	Sageleaf Rockrose
Cotoneaster adpressus	Creeping Cotoneaster
Cotoneaster dammeri & cvs	NCN
Cotoneaster horizontalis	Rock Cotoneaster
Cotoneaster horizontalis perpusillus	Rock Spray Cotoneaster
Cotoneaster salicifolius 'Repens'	NCN
Cynodon dactylon hybrids 'Santa Ana'	Hybrid Bermuda Grass
Eriogonum fasciculatum & cvs	Common Buckwheat
Festuca ovina glauca	Blue Fescue
Frageria chiloenis & cvs	Strawberry
Gazania species & cvs	Gazania
Juniperus chinensis & cvs	NCN
Juniperus horizontalis & cvs	Creeping Juniper
Lantana montevidensis & cvs	Trailing Lantana
Lonicera japonica 'Halliana'	Hall's Japanese Honeysuckle
Mahonia aquifolium 'Compacta'	Compact Oregon Grape
Mahonia repens	Creeping Mahonia
Pryracantha species & cvs	Firethorn
Ribes viburnifolium	Evergreen Currant
Rosmarinus officinalis & cvs	Prostrate Rosemary
Scaevola 'Mauve Clusters'	NCN
Sedum species	Stonecrop
Senecio mandraliscae	NCN
Teucrium cossonii	NCN
Verbena species & cvs	Verbena

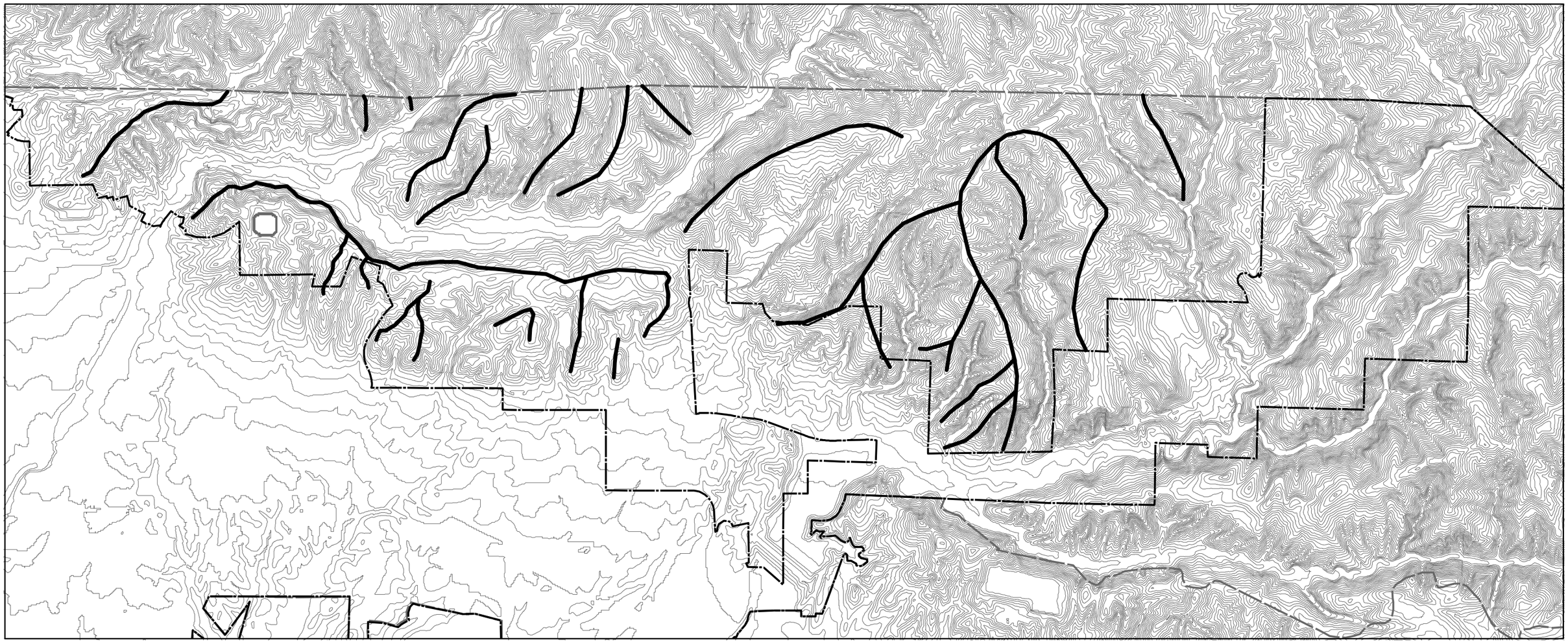
Perennials

Latin/Botanical Name:	Common Name:
Achillea species & cvs	Yarrow
Agapanthus africanus & cvs	Lily of the Nile
Anigozanthos species & cvs	Kangaroo Paw
Armeria maritima	Sea Pink
Brachycome multifida	Cut-leaf Daisy
Centaurea species	Dusty Miller
Centranthus ruber	Red Valerian
Cheiranthus 'Bowles Mauve'	Shrubby Wallflower
Convolvulus cneorum	Bush Morning Glory
Convolvulus mauritanicus	Ground Morning Glory
Coreopsis species & cvs	Coreopsis
Dietes species & cvs	Fortnight Lily
Diplacus species & hybrids	Monkey Flower
Epilobium species & cvs	California Fuchsia
Eschscholzia californica	California Poppy
Helictotrichon sempervirens	Blue Oat Grass
Hemmercallis hybrids & cvs	Evergreen Day Lily
Heuchera species & cvs	Coral Bells
Iris douglasiana & cvs	Pacific Coast Iris
Limonium perezii	Sea Lavender
Muhlenbergia species	NCN
Oenothera species	Mexican Evening Primrose
Pennisetum setaceum & cvs	Fountain Grass
Penstemon species & cvs	Western Natives
Perovskia atriplicifolia	Russian Sage

Phormium tenax & cvs	New Zealand Flax
Romneya coulteri & cvs	Matilija Poppy
Salvia species & cvs	Sage
Senecio cineraria	Dusty Miller
Sisyrinchium bellum	Blue-eyed Grass
Stipa tenuissama	Mexican Feather Grass
Tagetes lemmonii	Mountain Marigold
Thymus species & cvs	Thyme
Tulbaghia violacea & cv	Society Garlic
Verbena species & cvs	Verbena
Zantedeschia aethiopica	Calla Lily

Agave, Cacti, Succulents, and Yucca

Latin/Botanical Name:	Common Name:
Agave americana	Century Plant
Dasylirion species	Desert Spoon
Echeveria species	Echeveria
Nolina species	Bear Grass
Opuntia species	Prickly Pear, Cholla



Significant Ridgelines Map

Brea Hillside Zoning Ordinance

N

0 1,000 2,000 4,000 6,000 8,000 10,000 Feet

Legend

- Significant Ridgelines
- 20-Foot Contour Line
- Brea City Boundary
- Brea Sphere of Influence Boundary

The official Significant Ridgeline Map is on file with the Development Services Department.