

# EXHIBIT 4

## Proposed Amendments to the County General Plan THOUSAND OAKS AREA PLAN

### Appendix 5.3: Grading and Hillside Development Guidelines

*[Staff Explanation: Proposed changes to the current Thousand Oaks Area Plan are shown below in legislative format with deleted text indicated in ~~strikeout~~ format and added text indicated in underline format. Changes made in response to public comment after December 24, 2009, are indicated in ~~double strikeout~~ or double underline format.]*

**Amend Appendix 5.3 (Grading and Hillside Development Standards) as follows:**

#### **5.3.4 Permit Required**

A discretionary permit for grading must be obtained for all grading except as provided in Section 8109-4.1.2 of the Non-Coastal Zoning Ordinance.

- ~~1. An excavation which (a) is less than two feet in depth, or (b) which does not create a cut slope greater than five feet in height and steeper than one and one half feet horizontal to one foot vertical, and which does not exceed 50 cubic yards on any lot; or~~
- ~~2. A fill less than one foot in depth and placed on natural terrain with a slope flatter than five feet horizontal to one foot vertical, or less than three feet in depth, not intended to support structures, which does not exceed 50 cubic yards on any one lot and does not obstruct a drainage course.~~

#### **5.3.5 Application and Processing**

Except as provided in these *standards*, applications for discretionary grading permits shall be processed in accordance with the County's Permit Processing Procedures.

#### **5.3.6 City Notification**

The City of Thousand Oaks Department of Planning and Community Development shall be notified of requests for discretionary grading when one or more of the following circumstances occur:

1. Cut or fill slopes exceed fifteen feet (15') in height.
2. The natural slope within the area to be graded equals or exceeds twenty-five percent (25%).
3. ~~The total amount of earth movement exceeds 10,000 cubic yards~~ grading involves an area 5,000 square feet or larger.
4. When *protected trees* are affected.

5. When ridgelines are involved.

### 5.3.7 Standards

The following standards shall apply to that portion of the Thousand Oaks *Area of Interest* which is within the Scenic Resource Protection Overlay Zone:

1. **Ridgetop Development** - Construction on top of prominent ridgelines is not permitted if there are other suitable building locations elsewhere on the property. If structures must be placed on top of ridgelines because of site size or similar constraints, they shall be located and designed to minimize visibility and silhouetting against the skyline as viewed from ~~nearby public roads and developed areas~~ any Local Scenic Road (Figure 2) or any road depicted on the Circulation Element of the City of Thousand Oaks General Plan, and shall ~~incorporate one or more of the following site planning techniques~~ be consistent with the following standards:
  - (1) Limit construction to low profile, single-story structures ~~on or near~~ within 20 vertical feet of the nearest crest of a prominent ridgeline. No residential structure shall be higher than 17 feet measured from the finished grade at the center of the building to the highest roof elevation. For existing structures, no alteration or addition shall raise the height or elevation of the existing roof
  - (2) Utilize large setbacks (50 feet or more) from the edge of a ridgeline building pad;
  - (3) Utilize berms, rounded contour grading and landscaping to soften the visual impact of homes and graded areas.
  - (4) Utilize raised foundations, split-level designs, terracing, and natural blending of architectural features (such as the angle of the roof line appearing as an extension of the adjacent downslope) ~~use of roof materials consisting of clay or concrete plate tile with a natural color,~~ and other techniques to fit the home to the hillside terrain and to minimize grading required.
  - (5) Utilize native plant types for replanting graded slopes, where appropriate considering the surrounding vegetative conditions.
  - (6) Use natural materials and colors that will blend, rather than contrast with the natural surroundings.
  - (7) No grading or berming shall occur which alters the natural contours or changes the elevation of the crest of the ridgeline in order to create a building pad;
  - (8) Only low profile shaded street lighting, if needed, shall be used to reduce down slope light spillover and night glare.
2. **Manufactured Slopes; Maximum Height** - No cut or fill slope shall exceed a vertical height of twenty-five (25) feet unless this requirement is waived by the decision-making body (see Figure 11 "Grading Standards" at the end of this Section).
3. **Manufactured Slopes; Minimum Separation:**
  - (1) The separation between adjacent manufactured slopes shall be at least 100 feet apart as measured from top and ends of cut and fill slopes (see "Grading Standards" at the end of this Section).
  - (2) Any separation between said slopes less than 100 feet shall be considered a continuous manufactured slope, thus requiring a waiver of the 25 ft. height limitation of these Grading and Hillside Development *Standards* by the County Planning Commission or Board of Supervisors.

- (3) Where this grading technique is proposed, the applicant shall attempt to place manufactured slopes in less exposed portions of the property where the view from the surrounding areas is obscured by manmade or natural physical features.
  - (4) This grading condition shall occur at minimal horizontal distances (length of slope) and said distances should not exceed a length of 100 feet.
  - (5) Where there are abutting manufactured slopes with opposite pad elevations on a similar horizontal plane, the dwelling units shall be staggered to capitalize on any available views between said dwellings and to avoid a monotonous visual effect.
  - (6) Adjacent manufactured slopes may have a reduced separation or even converge if it is determined that this will accomplish an improved blending effect, including slope rounding. These efforts shall result in an improved relationship of grading activity with the natural terrain and eliminate the appearance of sharp slope angles as viewed from the surrounding area.
4. **Manufactured Slopes; Erosion Control** - All cut and fill slopes greater than three (3) feet in height, except those constructed in rock, shall be planted or otherwise protected from the effects of storm runoff erosion within thirty (30) days after the completion of the grading. Planting shall be designed to blend the slope with the surrounding terrain and *development*. Irrigation facilities shall be required to provide for the proper maintenance of the planted areas.

Landscaping and irrigation plans shall be submitted and approved in accordance with the County's Guide to Landscape Plans.

5. **Grading Near Protected Trees** - On all parcels of land containing *protected trees* (see Section 5.2), grading shall be designed to ensure the survival and health of all such trees, except those which have been expressly authorized for removal or encroachment into the *protected zone*. These trees shall be protected from grading activities by the use of chain link fencing around the trees. If a permit has been issued for encroachment into the *protected zone*, the grading plan shall be accompanied by details for retaining walls and drainage devices prepared by a landscape architect.
6. **Waiver of Standards** - These grading and hillside *development* limitations are not intended to interfere with an applicant's efforts to grade and develop hillside terrain in an innovative and imaginative fashion so as to harmonize a project with the surrounding natural setting. The County encourages creative techniques that serve to uphold or augment the quality environment and aesthetic character of the Thousand Oaks community. Any proposal that relates grading to the natural contours of the land, demonstrates slope blending techniques, and eliminates a staircase or terrace effect is encouraged by the County. Pursuant to this, the provisions of these Grading and Hillside Development *Standards* may be waived by the decision-making body only when it can be shown that the proposed development is in the spirit of, and compatible with, the purpose and objectives of these *standards* or is necessary to enable the reasonable and conforming use of the subject property which would otherwise be precluded by the strict application of these *standards*.