



Kristin Vahl  
Assistant Planner  
City of Pittsburg Planning Department  
65 Civic Ave.  
Pittsburg, CA 94565

May 22, 2007

Re: Draft Hillside Development Standards and Design Guidelines

Dear Ms. Vahl,

Greenbelt Alliance, the Bay Area's land conservation and urban planning non-profit, writes with grave concern about the proposed Hillside Development Standards and Design Guidelines (HDS). Greenbelt Alliance shares the concern with Pittsburg's elected leaders that our hillsides be protected and enhanced. However, this ordinance leaves far too many areas where development could occur, threatening the ridgelines and hilltops, and potentially adding thousands of cars to the freeways each day. We hope that the Pittsburg City Council will consider significant changes to the guidelines that will clarify the intent and truly strengthen hillside protection. Listed below are a number of areas where the ordinance could be strengthened and following are more detailed descriptions of the ideas presented below.

### *Summary*

- 1. The purpose of the ordinance should include language that ensures protection of natural features of the hills, watershed, water quality, wildlife habitat, and open space.**
- 2. The HDS should apply to entire development projects (at application) which include any area above 200 feet elevation. The Thomas and Montreux properties are only included in the HDS because they are zoned as Hillside Planned Development District. However, being zoned Hillside Planned Development District does not ensure that the HDS will forever include those lands. If the Thomas and Montreux properties get re-zoned, then the HDS will not apply to these properties. As a safeguard to ensure that the properties are included in the HDS, the elevation applicability needs to be changed to 200 feet elevation.**
- 3. The HDS allows far too much development in the hills. Less development density should be allowed. Designated greenbelts, open space, ridgeline buffers, and undevelopable areas should not be calculated into determining the area's average density.**

4. **Density should be based on a slope density calculation where density decreases as the slope increases.**
5. **No development should be allowed in visually sensitive areas.**
6. **Areas in the Los Medanos hills should be considered visually sensitive since the city of Concord is planning on protecting the ridges of the Concord Naval Weapons Station.**
7. **Density bonuses should not be given for general plan designated greenbelts and open space. Greenbelts and open space need to be defined, and pocket parks and urban parks should not be included.**
8. **More protection for open space is needed through strengthening clustering and open space protection requirements and incorporating conservation easements.**
9. **The HDS does not protect hilltops from grading. No grading should be allowed above 30% slope and on soil types described to be “very erodable” or “highly erodable” in the United States Department of Agriculture Soil Classification system.**
10. **The alteration of the natural form of ridgelines and hilltops/peaks should be prohibited without any exceptions to protect *all* hilltops/peaks and ridgelines. Additionally, the word “substantial” in the grading section of the HDS should be deleted.**
11. **The HDS does not protect ridges. The HDS needs to expand the definition of ridges by incorporating major and minor ridgelines proposed in the 2001 hearing draft of the City of Pittsburg’s general plan and requiring any development to be located on the flattest and lowest elevations of the parcel.**
12. **No streets and roads should be allowed on ridges. An exception clause can be written for the Buchannan Road bypass.**

*Greenbelt Alliance Concerns regarding the HDS*

**The purpose of the ordinance should include language that ensures protection of natural features of the hills, watershed, water quality, wildlife habitat, and open space**

In Chapter 18.88.10 “Specific Purpose” there needs to be stronger language that protects the natural features of the hills, watershed, water quality, wildlife habitat, and open space. Greenbelt Alliance suggests that the HDS incorporates similar language proposed below from the Lafayette Municipal Ordinance and the City of Fremont’s Measure T to show the City’s commitment to these protections.

The Lafayette Municipal Ordinance sets forth the following specific purposes for its Hillside Development Ordinance (Chapter 6-20):

- (1) Maintain the semi-rural character and beauty of the city by preserving its open and uncluttered topographic features in their natural state;
- (2) Encourage an alternate approach to conventional flat land development practices;
- (3) Minimize grading and cut and fill operations consistent with the retention of the natural character of the hillsides;
- (4) Achieve land use densities in keeping with the general plan while retaining the significant natural features of hillside areas through densities that diminish as the slope of terrain increases;
- (5) Minimize water runoff and soil erosion when terrain is graded to meet onsite and offsite development needs;
- (6) Maintain steep slopes, riparian areas and woodlands in as nearly natural a condition as is feasible;
- (7) Prohibit development on significant ridgelines and prohibit development which when viewed from lower elevations protrudes above these ridgelines;
- (8) Preserve the predominant views both from and of the hillsides;
- (9) Regulate the development of hillside and ridgelines areas by imposing standards for ridgeline setbacks, streets, trails and other improvements consistent with the purpose of this chapter; and
- (10) Regulate the development of hillside and ridgeline areas in a manner so as not to take private property without just compensation.

In 2002 the City of Fremont passed Measure T “the Hill Area Initiative” and the city is currently implementing its regulations. Measure T states as the purpose of the regulations is the following:

**The purpose of this ordinance is to protect the hills of Fremont from harmful and unnecessary development. The ordinance maintains existing use of the hills for agriculture, outdoor recreation, very low-density residential, and open space. Its goal is to protect natural resources, watersheds and water quality, wildlife habitat, beauty and tranquility, and scenic hill views, while permitting access to nature and outdoor recreation for the residents of Fremont. It is designed to prevent urban-type sprawl to steep and frequently unstable terrain, thereby avoiding high costs to taxpayers for public facilities and services, as well as loss to the environment. The ordinance will limit traffic congestion and air and water pollution. By providing a needed balance between urban development and rural, natural qualities, the measure helps preserve the special character and identity of Fremont and the high quality of life in the City.**

Many of the issues addressed in the Lafayette and Fremont ordinances are applicable to the HDS. Issues of soil suitability, viewsheds, landslides, animal and plant habitats and others are important issues to consider in the enactment of the HDS. Greenbelt Alliance suggests that the City of Pittsburg adopts similar language.

**The HDS should apply to any area above 200 feet elevation and incorporate steepness.**

In Chapter 18.88.020 “Applicability” the HDS should widen its applicability to areas above 200’ elevation. The Thomas and Montreux properties are only included in the HDS because they are zoned as Hillside Planned Development District. However, being zoned Hillside Planned Development District does not ensure that the HDS will forever include those lands. If the Thomas and Montreux properties get re-zoned, then the HDS will not apply to these properties. As a safeguard to ensure that the properties are included in the HDS, the elevation applicability needs to be changed to 200 feet elevation.

Also, the HDS should incorporate steepness, pitch, contours and ridgelines in defining areas that should also be included in the HDS. For example, any area above 30% slope should be included in the HDS.

The impact of development, particularly piecemeal development, on neighboring jurisdictions is significant. Thus, the compatibility with the plans for development of the Concord Naval Station along the Los Medanos Hills should be considered.

**The HDS allows far too much development in the hills - less development density should be allowed, and no development in visually sensitive areas**

*Slope-density calculation*

In Chapter 18.88.030 “Density” Greenbelt Alliance has serious concerns about having a maximum of three units per acre. The flat density ceiling of a maximum of three units per acre is inadequate. **Instead, the HDS should have a base allowable density according to slope.** The amount of density allowed in flatter areas should be different than steeper areas for reasons of public safety and visual impacts.

*Too much density allowed and questionable density bonuses*

There is uncertainty about how much density will be allowed in the hills and where the houses will be located. Greenbelt Alliance asks that the city develops a map showing the following:

1. Undevelopable areas because of steepness
2. Areas above 900 feet elevation
3. Designated permanent greenbelts and greenbelt buffer areas according to the general plan and HDS
4. Visually sensitive areas
5. Ridgeline buffers

These areas listed above should not count towards the total acreage in calculating the average density. These areas also should not count as part of the percentage to get density bonuses. It is uncertain whether or not projects will unnecessarily and unfairly get density bonuses from the recent January 16, 2007 general plan amendments that designated permanent greenbelts and contributing to the Habitat Conservation Plan. These issues need to be clarified. The permanent greenbelts that the general plan amendments authorized should not count towards the sixty percent requirement.

*No development in visually sensitive areas*

In Chapter 18.88.030 Subsection (A) “Visually Sensitive Areas” There should be no development should happen on visually sensitive areas.

The Los Medanos hills should be considered visually sensitive.

**More protection for open space is needed through strengthening clustering and open space protection requirements and incorporating conservation easements**

The HDS needs to have stronger protections for open space through strengthening the requirements for clustering and density bonuses and incorporating conservation easements to ensure permanent protection for open space.

The HDS also needs language that ensures that the permanent greenbelts are large parcels of land and are not pocket parks.

**The HDS does not protect hilltops from grading. No grading should be allowed above 30% slope and on soil types described to be “very erodable” or “highly erodable” in the United States Department of Agriculture Soil Classification system**

In Chapter 18.88.050 Subsection (C) “Grading” section is not strong enough to ensure that hilltops, the natural landscape and ridgelines are preserved.

In Chapter 18.88.050 Subsection (C)(2) “Steep Slopes” allows for grading on natural slopes just as long as the area is above 30% slope and above 900 feet elevation. There is only one area in all of Pittsburg’s city limits that meets this criterion. Essentially, all the hills in Pittsburg can be graded on. Instead there should be no grading allowed on natural slopes exceeding thirty percent. The City of San Ramon does not allow any grading above 30% slope.

The HDS fails to address the risk of landslides, erosion and other soil instability issues associated with grading along steep slopes (in excess of 30%) and fails to provide a system for addressing this risk. Greenbelt Alliance suggests the following language be included in the HDS “No development is allowable on soils of a slope greater than 25 degrees on soil types that are described to be “very erodable” or “highly erodable” in the United States Department of Agriculture Soil Classification system.

As drafted, the HDS permits the destruction of all of the natural hilltops in the Pittsburg community that are not visible from SR 4, Bailey Road in Lawlor Ravine and/or Kirker Pass Road. Instead, the alteration of the natural form of ridgelines and hilltops/peaks should be prohibited without any exceptions to protect *all* hilltops/peaks and ridgelines.

**The HDS does not protect ridges. The HDS needs to expand the definition of ridges by incorporating major and minor ridgelines proposed in the 2001 hearing draft of the City of Pittsburg’s general plan and requiring any development to be located on the flattest and lowest elevations of the parcel**

In the 2001 hearing draft of the City of Pittsburg’s general plan Figure 4-2 included major and minor ridgelines in the Southwest Hills. However, the current general plan Figure 4-2 does not include these major and minor ridgeline designations. Thus, the HDS should use the 2001 hearing draft of the City of Pittsburg’s general plan Figure 4-2 instead of the current general plan Figure 4-2.

The HDS also fails to provide a definition of “all other ridges” in Chapter 18.88.060 Subsection (B) “All other ridges.” It is very clear that Figure 4-2 of the general plan does not define all the ridges in the City of Pittsburg. Thus, Greenbelt Alliance believes the HDS should define ridges that are not designated major or minor ridges in Figure 4-2.

Lastly, no streets or roads should be allowed on major and minor ridges and the HDS should include requirements that any development that occurs should be located on the flattest and lowest elevations of the parcel (s).

Thank you for consideration of our comments. Please inform us of upcoming workshops, hearing dates and other consideration of the Hillside Ordinance.

Sincerely,

A handwritten signature in black ink that reads "Christina Wong". The signature is written in a cursive style with a large initial 'C' and a long, sweeping underline.

Christina Wong  
East Bay Field Representative