



## City of Arcata Community Development Department

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[www.cityofarcata.org](http://www.cityofarcata.org)

# HILLSIDE DEVELOPMENT PERMIT

## OVERVIEW

Lands in Arcata are subject to hillside development standards as shown on the General Plan: 2020 Hazards Map (Figure PS-a). The City has adopted hillside development standards to preserve environmental and scenic resources and protect existing and new structures from hazards such as unstable slopes and soils. These standards apply to new construction or remodeling, subdivisions, new land uses, and all other proposed development on hillside lands mapped on the Hazards Map (GP:2020 Figure PS-a). In addition, development and grading on slopes greater than 15% in the Residential - Very Low (RVL) zoning district may be allowed only with Hillside Development Permit approval.

The Hillside Development Permit provides a review process to ensure that a proposed project minimizes its visual and environmental impact. This review minimizes the effects on environmental and scenic resources by encouraging the retention of natural topographic features and vegetation. It also recognizes that as the slope increases so does the potential for environmental degradation including slope failure and increased storm water runoff, encourages appropriate road construction and grading practices in hillside areas, and encourages the design of structures on hillside parcels to maintain the visual character of hillsides as natural and open.

## HOW TO APPLY

Hillside Development Permit applications are available at the Community Development Department, or on the Department's website at [www.cityofarcata.org](http://www.cityofarcata.org). Staff can assist you with the materials needed for a complete application packet. Submit the completed application packet along with the application fee to the Department for processing.

## THE PROCESS

### Step 1: Application Filing and Initial Review

Once your application has been submitted and fees collected, Staff will perform an initial application review. Please follow the attached checklist carefully when preparing your application as this is what staff relies on to determine completeness. Should your application be found incomplete, you or your designated agent will be contacted and advised what items must be submitted before processing can continue.

**Preliminary Review Option:** Applicants can pay a fee to get the permit review process started rather than waiting until all required items are submitted for staff to begin review of your project. This will provide you with an assessment of how the proposed use complies with applicable standards. The application must be complete to proceed beyond that.

### **Step 2: Environmental Review**

The assigned planner will review the project in accordance with the California Environmental Quality Act (CEQA) to determine if the project is exempt from CEQA, or if further environmental review is required. If the project is exempt from CEQA, then Step 2 is complete. If the project is not CEQA exempt, then an initial study will be prepared to make the required environmental determination.

### **Step 3: Department and Agency Referrals**

Once your application has been accepted as complete, the assigned planner will send copies of your application materials to other City departments and public agencies having jurisdiction or authority over your project. If the responding Departments or agencies identify issues to be resolved prior to the continued processing of your application, or if additional information is required by those Departments or agencies, you or your designated agent will be advised as to what is needed. These Department and agency comments may affect the form and content of the environmental document.

### **Step 4: Conditions of Approval and Findings**

In approving a Hillside Development Permit, the review authority may impose any conditions deemed reasonable and necessary for Land Use Code compliance (e.g. site coverage limitations, setbacks, landscaping, etc.) and to ensure that approval will comply with the required findings. The violation of any required condition may constitute grounds for permit revocation.

### **Step 5: Public Notice and Hearing**

The Zoning Administrator may approve or disapprove a Hillside Development Permit provided the project is exempt from CEQA. The Zoning Administrator may choose to defer action and refer any Hillside Development Permit application to the Planning Commission for hearing and decision.

The notice for a Hillside Development Permit will state that the Zoning Administrator will decide whether to approve or disapprove the application on a date specified in the notice, and that a public hearing will be held only if requested in writing by any interested person prior to that date. If a public hearing is requested, the Zoning Administrator will refer the application to the Planning Commission for hearing and decision (§9.72.080 E).

A notice will be sent to all property owners within 300 feet of your property if the project is exempt from CEQA. For projects not exempt from CEQA, notice will be sent to all property owners within 500 feet of your property. The notice, which must be mailed at least 10 calendar days prior to the hearing will state the date, time, and place for the public hearing. You and/or your agent should attend the public hearing in case there are project specific questions. At the public hearing, any person may present verbal and/or written testimony for or against the project. The review authority will take into account the whole record, including all of the public testimony before making their decision. The review authority may make a decision at the hearing, or may continue the matter if more information is needed.

### **Step 6: Appeals**

Zoning Administrator actions are appealable to the Planning Commission and Planning Commission actions are appealable to the City Council by you as the applicant, or any other adversely affected person. Appeals to the Planning Commission must be filed with the Community Development Department; appeals to the City Council must be filed with the City Clerk both within 10 calendar days of the actual date of the final decision. Appeals must be submitted in writing and be accompanied by the required fees.

## **EXPIRATION OF PERMITS**

Any permit not exercised within 12 months of approval shall expire and become void, unless a condition of approval or other provision of the Land Use Code establishes a different time limit, or where an extension of time is approved in compliance with Land Use Code § 9.79.070.

# Hillside Development Permit Application Checklist

Visit the Community Development Department page at [www.cityofarcata.org](http://www.cityofarcata.org). Select the Land Use Code from the menu and then see Chapter 9.52 for Hillside Development permit regulations.

- Preliminary Review Option: Applicants can pay a fee to get the permit review process started rather than waiting until all required items are submitted for staff to begin review of your project.

Talk with Arcata Community Development Department Planning Staff to determine which of the following items must be submitted along with a completed and signed application form. **Incomplete or inaccurate information will cause a delay in permit processing.**

- Application form with signatures of all owners of the affected parcels.
- Application fee deposit as indicated on the application form.
- Project description - one paper copy and one electronic copy compatible with WORD.
- Eight (8) copies of a plot (site) plan containing the information shown on the plot plan checklist. Additional copies may be required for agency distribution.
- Eight (8) copies of a topographic map per LUC Sections 9.52.070(C1) covering the entire site and areas on surrounding parcels within 50 feet of the site boundary. Additional copies may be required for agency distribution. The map shall be prepared with a contour interval of two feet and shall include:
  - The building site;
  - Slopes less than or equal to 10 percent;
  - Slopes greater than 10 percent and less than or equal to 15 percent;
  - Slopes greater than 15 percent and less than or equal to 20 percent;
  - Slopes greater than 20 percent and less than or equal to 25 percent; and
  - Slopes greater than 25 percent.
- Three (3) paper copies and one electronic WORD compatible copy:
  - A preliminary geotechnical report that identifies and proposes mitigation measures for any soils or geologic problems that may affect site stability or structural integrity. A final geotechnical report may also be required.
  - A site constraints analysis prepared by a qualified professional approved by the City for properties determined by the City to potentially have sensitive environmental resources including endangered plants or animals or a wildlife corridor. The report shall include proposed mitigation measures to effectively protect identified important biological features.
- To request an exemption from the California Environmental Quality Act (CEQA), submit justification and evidence to support a CEQA exemption; or
- For projects not exempt from CEQA, submit a CEQA checklist. See staff for a Negative Declaration or Environmental Impact Report determination.
- Include additional information and supporting documentation as needed to assist the processing of the permit. Review the following to ensure the application material supports the findings: LUC Section 9.52.070(E) – Hillside Development.
- Cultural Resource Review from North Coastal Information Center (NCIC) - Refer to the latest fee schedule and make checks payable to: The City of Arcata.

Subject to changes or additions at any time. Applications may require additional information for continued processing.