

COMMENTS ON NOP DRAFT SUBSEQUENT PROJECT AND PROGRAM EIR FOR 2015 MASTER PLAN UPDATE AND PHYSICAL EDUCATION PROJECTS

By United Walnut Taxpayers

Dennis G. Majors, P.E., UWT Board Member

February 10, 2016

INAPPROPRIATE USE OF MEASURE RR FUNDS FOR STADIUM RECONSTRUCTION

1. Measure RR has been characterized as a “Classroom Repair, Education Improvement, Public Safety/Job Training Measure” supporting educational interests of Mt. San Antonio College by highlighting needs to renovate, construct and update classroom facilities for technology adequacy. The subject NOP seeks to change the objective of Measure RR by characterizing an expensive stadium reconstruction project as a “physical education” facility in an effort to loosely associate Measure RR funding after the fact with stadium reconstruction. Measure RR devotes few words to the notion of renovating or constructing any type of athletic facility with the words, “phase two athletic complex, including hard courts, gym, fields and tracks,” let alone any reference to a massive stadium reconstruction project, an expanded 117, 898 square foot athletic complex more than doubling the existing gymnasium size and an underground 77,569 square foot field house more than seven times its current size to host such events as the 2020 Olympic Trials. While the Measure RR ballot narrative clearly documents the need for classroom and technology related upgrades, the proposed stadium reconstruction and expanded underground field house is excluded. Yet Measure RR has funded mass excavation of a large hill formation for purposes of stadium reconstruction, and proposes the dangerous trucking of a portion of its dirt through public streets, which would be piled up some 70 feet above Grand Avenue at the West Parcel Solar Project site directly in front of homes. Should a voter explore the disposition of facilities which they thought they had approved and are paying for, the voter would find that renovation and construction of classroom projects are being replaced by a massive new stadium complex not disclosed in Measure RR.

2. We request that the Citizens Oversight Group formed explicitly to ensure that “funds are spent as promised and sufficed” conduct a review of the use of Measure RR funding for stadium reconstruction which was not named in ballot materials provided the voters and therefore not intended as a funding source for planning, design and construction of a new stadium. We are further requesting that a formal audit be conducted as to the expenditure of funds to date for related stadium reconstruction costs that was never approved by voters.

INITIAL STUDY

3. We request that a copy of the Initial Study be provided to United Walnut Taxpayers. The Initial Study would help provide basis for the NOP and foster open public disclosure of the CEQA process.

UNDISCLOSED PURPOSE OF STADIUM HILL EXCAVATION AND REMOVAL

4. The 2013 Subsequent EIR has stated the purpose of removing a hill formation north the Hilmer Lodge Stadium was to provide earthfill for the Fire Academy building site and to create a building pad for the Athletic Education Building. These earthwork activities took place in 2014. Both the Mt. SAC Director of Public Affairs and Director of Facilities and Planning have advised that the Fire Academy will no longer be constructed at the sight specified just south of Lot M. An inspection of the mass earthwork operations that have occurred there indicates the site has been built to higher elevation than necessary for the Fire Academy or parking lot apparently to dispose of earthen materials from the stadium hill. Partly as a result, the building pad obstructs views of Snow Creek residents and is an eyesore to motorists traveling up Grand Avenue, in conflict with Grand Avenue's designation as a "Scenic Highway" in the City's General Plan. Further, the subject NOP indicates that the Athletic Education Building will not be placed on the building pad created for it by removing the stadium hill, but will be located to the north of the pad. Given the above, it is questionable why the natural hill formation to the north of the stadium was cut down other than the fact that construction concept plans in the NOP shows it is vital to the construction of the new stadium's underground field house, and bleachers and press box above it, to first excavate away a substantial part of the hill. Nonetheless, the construction of the Fire Academy continues to be displayed on the 2015 Master Plan Update, which should be clarified.

5. As disclosed in the 2012 Master Plan and 2013 Supplemental Subsequent Program EIR, work at the existing Hilmer Lodge Stadium was to be deferred maintenance on eastern bleachers, new bleachers, restroom renovation, a press box and a new field house. A 2014 construction contract for the Athletic Education Building pad described in the 2013 SEIR emerged compatible with reconstruction of the new stadium, an expanded underground field house, and new bleachers and new press box above it. The 2008 Supplemental Subsequent Program EIR, which was the basis for Measure RR, made no mention of the new stadium complex or its support facilities as now conceived.

6. It appears probable based on the above and an examination of the concept construction plans for the new stadium that the excavation and removal of the hill was for purposes of building the new stadium and underground field house and that excess dirt so created would be disposed of for convenience at the Fire Academy and West Parcel Solar sites. While

the above removal of the hill in the manner prescribed was to prepare for new stadium expansion, it has not been disclosed as such in any environmental documents.

CEQA CONSIDERATIONS

7. A Program Environmental Impact Report addresses a project at the level characteristic of a conceptual master plan, including all foreseeable future actions. The intent following completion of the Program EIR is to perform site specific EIRs on its separate project features as the schedule of implementation dictates and to perform adequate impact disclosure for each project feature. However, the proposed environmental documentation of this NOP, as has been the case with the college's previous environmental documentation, does not appear to proceed beyond the conceptual Program EIR level, despite the fact that major facilities are being proposed, including large-scale facility construction and earth removal, transport and placement.

8. Since all previous Supplemental Subsequent Program EIRs were prepared at a conceptual level, they did not provide the specific and more comprehensively scoped resource, land use and related inventories and detailed site plans for impact assessment and comprehensive alternatives analysis that would be warranted for site specific EIRs. Mt. SAC has failed to develop supportable findings within CEQA documents, because of unanalyzed and/or unmitigated significant adverse environmental impacts. Lacking the analysis of alternatives for major facilities such as the Parking Structure and West Parcel Solar Project, a necessary comparative assessment of impacts has been forgone for alternative sites of the proposed facilities.

CONSEQUENCES OF INCREASED ENROLLMENT

9. The college has accepted as *fait accompli* a continuing increase in student enrollment and has not considered the physical limits of the college to accommodate it or the impacts to nearby communities. Classroom buildings continue to be added to the campus interior and placed upon valuable parking spaces, which has the consequence of forcing support facilities like the parking structure and solar project to the campus periphery where they are incompatible with adjacent communities. These facilities are apparently looked upon as "necessary" consequences of increased student enrollment; however, the significant effects are entirely unacceptable to the local community.

10. The college has ignored residents' concerns over expansion plans that would place these highly impacting facilities near residential communities. For example, the parking structure would take away surface parking spaces on the campus periphery that have formed a buffer between the college and nearby communities, allowing them to coexist compatibly. The concrete parking structure proposed at Lot A would be wedged into the smallest space between the main campus and adjacent residences and would be exposed some 40 feet in the air entering

the Timberline community along Mountaineer Road on the north side of campus, massively changing the character of the entrance to the community. The campus area is zoned Residential Planned Development by the City of Walnut which in the words of Judge Luis A. Lavin in his May 13, 2015 Preliminary Injunction is for the purpose of encouraging "appropriate and desirable use of land which is sufficiently unique in its physical characteristics and other circumstances to warrant special methods of development." The proposed parking structure at Lot A violates Judge Lavin's ruling.

WEST PARCEL SOLAR PROJECT

11. The NOP indicates the college continues to propose a West Parcel Solar Project, directly adjacent to a single-family residential neighborhood, in violation of City of Walnut local planning and zoning ordinances.

12. The United Walnut Taxpayers delivered objections on the draft Addendum to the Mt. San Antonio College 2012 Facility Master Plan Subsequent Program EIR that was presented to the Mt. SAC Board of Trustees at their meeting of January 13, 2016 (Attachment A). The comments focused on visual impacts through a line of sight analysis, severe land form reconfiguration, inappropriate use of an Addendum in lieu of a project specific EIR with comprehensive alternatives analyses, significant changes to site plans since 2013, and public safety risks imposed by commingling a dangerous earth moving haul route with public traffic on city streets.

13. Further, the 2013 SEIR states "Utilizing the land for solar generation allows the district to reconsider its use after several years, once the solar power facility has paid for itself, and at that time a new use could be considered", which suggests that the irreversible impact of destroying the natural character of the West Parcel could in fact only be an interim use, which could change at any time. A project specific EIR should disclose specific future uses of the West Parcel, particularly because of the massive land form change required, and because the solar panels have been relocated further south on the building pad, as disclosed at the September 16, 2015 Board of Trustees meeting.

INCOMPATIBILITY OF PARKING STRUCTURE ON LOT A

14. The NOP indicates Mt. SAC continues to propose a 2,300 space parking structure on Lot A, subject to current litigation, at the northern boundary of the Mt. SAC campus directly adjacent to a single-family residential neighborhood, in violation of City of Walnut local planning and zoning ordinances. Mt. SAC has made a decision to at least temporarily develop interim parking on Lot M, on the south side of campus however continues to pursue the parking structure on Lot A. Dr. Scoggins stated in the July 8, 2015 Board of Trustees meeting:

“Lot M will be extended and paved to be used for parking for a number of years, until the Parking Structure comes back into the project list.”

15. Dr. Scoggins added more immediacy to the development of the parking structure on Lot A by advising the Board of Trustees that until current litigation is favorably resolved over the next year, the construction of the parking structure is in a “holding pattern.”

“Dr. Scroggins said that, over the next year, the legal issues should be resolved; and that, right now, we’re just in a holding pattern for good use of the funds.”

16. The United Walnut Taxpayers’ Board of Directors has offered reasonable terms for settlement of the parking structure, by not constructing it on Lot A while suggesting reasonable setbacks from residential dwellings consistent with City of Walnut Residential Planned Development zoning. At Lot A, the parking structure is within 125 feet of residential dwellings. Mt. SAC has rejected these offers.

17. The Preliminary Injunction issued by Judge Luis A. Lavin on May 13, 2015 enjoined further construction of the parking structure, specifically on the basis that “Plaintiff is likely to prevail on its third and fourth causes of action alleging violations of the City's zoning ordinance.”

18. Yet Mt. SAC renders irrelevant the City of Walnut’s planning and zoning ordinances, specifically the application of Residential Planned Development (RPD) zoning. Judge Luis Lavin cited the importance of compliance with City zoning and highlights the importance of this issue by stating in his May 13, 2015 Preliminary Injunction:

“After weighing the relative interim harm to the parties from the issuance or nonissuance of the injunction, the Court finds that an injunction should issue. As stated in the City's zoning codes, the restrictions on land for properties zoned RPD, which includes the Mt. San Antonio's campus, is to encourage the "appropriate and desirable use of land which is sufficiently unique in its physical characteristics and other circumstances to warrant special methods of development." Walnut City Code § 25-88. If the project is permitted to go forward, Plaintiff and the community will lose their interest in the enforcement of the City's zoning codes and in the orderly development of their community. In contrast, the District's harm is primarily financial. As for its students having to look for other parking spots pending this litigation, that harm is less severe than the harm that Plaintiff's members will suffer.”

19. Further, Judge James C. Chalfant on January 21, 2016 ruled the following in his denial of Mt. SAC’s motion to dismiss the case wherein Mt. SAC contended that United Walnut

Taxpayers does not have standing to seek a writ of mandate because District has no clear and present ministerial duty to enforce the ordinances and that only the City does:

“Department 82 previously ruled, “the parking structure is a no classroom facility that cannot be exempted from the City’s zoning laws under Section 53094.” Sherman Decl. Ex. A, p.4. Walnut further alleges that District is not entitled to the exemption in Government Code section 53094(a) because District is a community college district, not a school district. Thus, under Government Code section 53091, Walnut adequately alleges that District has a mandatory duty to comply with City’s zoning laws. This IS sufficient for standing under CCP section 1085.”

20. Finally, with respect to Mt. SAC’s motion to Dissolve or Modify the Preliminary Injunction for Parking Structure, Judge Chalfant on January 21, 2016 ruled:

“District moves to dissolve or modify the preliminary injunction on the grounds that Walnut failed to comply with the reverse validation action procedures, and that the Complaint is untimely. As discussed above, the court has determined that the reverse validation action procedures do not apply to this case, and the Complaint is timely. District’s motion to dissolve the preliminary injunction is denied.”

21. Considering the above rationale and court rulings with respect to the Parking Structure, it would be prudent on the part to Mt. SAC to pursue alternative locations for the Parking Structure other than Lot A in consultation with and meeting mutual needs and zoning requirements beneficial to the City of Walnut, Mt. SAC and the United Walnut Taxpayers.

OTHER FACILITIES

22. The irrigation water tank and water tower could potentially be a significant aesthetic impact to property and homeowner in the Timberline area. A better description of the Thermal Energy System (TES) is needed, including a visual presentation of these facilities. Previous plans reviewed by UWT indicated that these facilities would be underground and not visible except for a concrete surface area. This needs to be clarified.

ATTACHMENT A

OBJECTIONS TO DRAFT ADDENDUM TO THE MT. SAN ANTONIO COLLEGE 2012 FACILITY MASTER PLAN EIR

By United Walnut Taxpayers
Dennis G. Majors, P.E., UWT Board Member
January 13, 2016

COMPREHENSIVE ALTERNATIVES ANALYSIS REQUIRED IN A PROJECT SPECIFIC EIR

1. A Mt. SAC solar alternatives analysis included an evaluation of three alternative sites and methods for solar power generation in a report, “Solar Power Options for Mt. San Antonio College”, November 2013, which included the proposed West Parcel Solar Project. Three alternative sites and methods were evaluated as representative of the various available options, and used for decision-making: (1) 2.0 MW ground-mounted system located on the West Parcel, (2) a 0.33 MW system mounted on the top deck of the planned parking structure, and (3) a 1.5 MW watt carport [canopy] type system located in student Lot F. However, only the first alternative was included in an abbreviated Subsequent Program EIR when a site specific EIR with full disclosure of alternatives was clearly required. Such an alternatives evaluation is needed at this time in a project specific EIR.

AN ADDENDUM IS IN APPROPRIATE AND REQUIRES A PROJECT SPECIFIC EIR

2. The Addendum states that:

- (a) *The conditions stated in Section 15162 that would require preparation of a subsequent EIR are discussed below in Section (e), but are not met here.*
- (b) *An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration have occurred.*
- (c) *An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.*

3. Yet the Addendum states that a total of 11,000 truckloads will be dispatched from the Stadium Hill borrow source to the West Parcel at a rate of 20 truckloads per hour or at a spacing of 3 minute intervals minutes, 9 hours a days for 73 days over 6-mile haul route through three cities, two major college campuses and an unincorporated county area. The Addendum

further states that truck spacing at 5-minute intervals will avoid congestion at intersections yet, by this definition, congestion will occur through the dispatch of trucks at 3-minute intervals as stated elsewhere in the Addendum. Safety logistics of empty trucks accelerating through gaps in traffic south on Grand Avenue have also not been identified.

4. The Addendum states in defense of the not preparing a new environmental document that:

“New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted,”

5. Competent facility planning would demonstrate the need to plainly define to the public how 11,000 truckloads of dirt would be routed through city streets of three cities and two college campuses co-mingled with public traffic. This was not done. These significant impacts justify the preparation of a new environmental document.

6. An Addendum is inappropriate because of these significant undisclosed impacts to the public. A project specific EIR must be prepared to provide adequate public disclosure, including the comprehensive evaluation of alternatives. The analysis of alternatives will allow the public an opportunity to compare impacts and benefits of the alternatives and allow Mt. SAC to receive informed input from the community.

SIGNIFICANT CHANGES TO WEST PARCEL SOLAR PROJECT

7. Mt. SAC attempts to justify that the physical building pad of the Solar Project has not changed significantly by stating:

“The project remains at the same location, the project's characteristics are similar, and the magnitude of the potential environmental impact of the Solar Project are equal or less than that initially identified in Section 3.2 and Section 3.9 of the 2012 draft EIR.”

8. However, a description of the building pad of the West Parcel Solar Project is shown on page 6, Draft Subsequent EIR to Final Program EIR, Response to Public Comments, November 2013. Section 3. Revisions to the Draft EIR, Paragraph 10 states:

“The solar facility on the West Parcel was previously planned as a 1.5 to 2.0 MW facility on 6.6 acres (DEIR, p. 135). The proposed project is now a 2.0 MW facility on 10.6 acres.

9. The above alterations in landforms between the DEIR, p. 135 and FEIR, pg. 6 constitutes a significant 61% increase in solar facility acreage (from 6.6 to 10.6 acres) without any disclosure in revised environmental documents.

10. Further and significantly, the revised building pad configuration recently disclosed in the Draft Addendum to the Mt. SAC 2012 Facility Master Plan EIR (SCH 2002041161) shows an unnumbered figure entitled Overall Planting Plan (EPT Design) which is so blurred to the reader that the physical scale shown at the bottom of the map cannot be read. However, from my personal knowledge of the project site and my measurement of known distances on the ground, I was able to determine that the build pad area has now been expanded to over 15 acres which is a approximately a 40% increase over than shown on page 6, Draft Subsequent EIR to Final Program EIR, Response to Public Comments, November 2013.

11. Since the solar panels have been pushed to the southern half of the building pad, Mt. SAC is creating building space for future uses on the northern portion of the pad undisclosed to the public. These significant changes have not been made available for public review in the Draft Addendum to the Mt. SAC 2012 Facility Master Plan EIR.

NO IDENTIFICATION OF WEST PARCEL SOLAR PROJECT IN 2012 FACILITIES MASTER PLAN

12. An examination of the 2012 FMP indicates while the words “Solar and Retail” appeared at the West Parcel site, there was no specific information provided on the West Parcel Solar Project or what the project would entail. Effectively, the West Parcel Solar Project has not been included in any Mt. SAC Master Plan. This suggests the West Parcel Solar Project was a hastily developed land use scheme, not identified in the master plan, and only addressed in an abbreviated Subsequent Program EIR with no evaluation and disclosure of alternatives.

ADDENDUM EXCLUDES LINE OF SIGHT ANALYSIS

13. Very significant changes to the project have not been disclosed in visual or line of sight analyses and included in the Addendum even though a line of sight analysis was performed by Mt. SAC and disclosed to the Board of Trustees with no previous public disclosure when seeking approval for award of the contract, “Assessment, Design, Installation and Operation and Maintenance of a Photovoltaic Solar System (West Parcel Solar Project)” on September 16, 2015. A line of sight analysis was conducted by United Walnut Taxpayers and presented to the Board of Trustees on September 9 and 16, 2015 to examine the visual effects of the Solar Plant from a number of perspectives in the City of Walnut up to a mile from the Solar Plant site, based on its highly elevated location in the natural hillsides above city streets and near residences. Principle viewsheds were evaluated from highly traveled city streets, and from home sites that would be representative of many homes in a particular community. Residences are impacted by

both blocked views of the solar building pad and by the placement of a significant eyesore in the midst of the community where natural hillsides once existed. As well, significant visual impacts are experienced by motorists entering the city on main thoroughfares like Grand Avenue and from other city streets.

SOLAR PROJECT NEGLECTS CITY GENERAL PLAN SCENIC HIGHWAYS DESIGNATION

14. The City of Walnut General Plan identifies a Scenic Highway on Grand Avenue in the location of the West Parcel Solar Project, which should be considered in a project specific EIR.. The West Parcel Solar Project is decimating this valued Scenic Highway. Under Scenic Highways, the General Plan states:

“Grand Avenue between Valley Boulevard and the northern City limits. Of all the existing roads within the City of walnut, Grand Avenue possesses the most Scenic value”.

TRUCK HAUL ANALYSIS

15. The Addendum states that the earthmoving operation will use fifteen (15) cubic yard dump trucks. These trucks weigh approximately 30 tons and carry approximately 30 tons of dirt, for a total loaded weight of 60 tons. The maximum weight on City of Walnut streets is 8,500 pounds, such that trucks will significantly exceed weight limits.

16. Regarding the Truck Haul Analysis, the Addendum states:

“The number of trucks traveling westbound on Temple Avenue and entering the 260-foot left-turn pocket to proceed southbound on Grand Avenue may cause potential congestion. If there is not enough left-turn pocket length, the haul trucks may cause congestion for other vehicles attempting to also use the outside left-turn lane.”

17. The Addendum further states that truck spacing at 5-minute intervals will avoid congestion at intersections:

“Therefore, trucks near the left-turn pocket at the Grand Avenue and Temple Avenue intersection is the key factor in determining if congestion will occur on the truck haul route to the West Parcel. Based on this analysis, if loaded trucks do not leave the borrow site under five (5) minutes apart, the left-turn pocket will not be congested.”

18. Yet elsewhere the Addendum states that trucks will be dispatched from the Stadium Hill borrow source to the West Parcel at a rate of 20 truckloads per hour or at a spacing of 3-minute intervals to achieve construction schedules. With truck intervals of 3 minutes, it

falls well below the 5-minute interval to avoid traffic congestion at intersections. With more than one truck in the right lane of the left turn pocket at Temple and Grand, more than half the left turn lane will be filled, displacing public traffic onto through-traffic lanes. This congestion would likely occur in left-turn pockets at Temple Avenue turning left on Grand Avenue, from Grand Avenue turning left on Valley Boulevard, and from Valley Boulevard turning left on Temple Avenue. Significantly, Mt. SAC now extends the haul route to a total of 6 miles through the City of Walnut, the City of Pomona, the City of Industry, unincorporated county areas, the Cal Poly campus and the Mt. SAC campus, involving 11,000 truckloads of dirt, at a pace of 20 truckloads per hour for 73 days. This was probably unavoidable to avoid dangerous U-turns along any shorter route, but results in extraordinary impacts on these cities and entities.

19. The Addendum includes a “gap analysis” performed by Itetris, Inc. concluding:

“The gap analysis identified 27 gaps in traffic exceeding 15 seconds during the peak hour analyzed. This indicates there is ample space for truck traffic to travel south on Grand Avenue from Temple Avenue to the site driveway, or space for entering or leaving the West Parcel without disrupting traffic flow on Grand Avenue or causing delays for haul trucks entering or leaving the West Parcel.”

20. However, this means that in these short gaps in traffic occurring every couple minutes, one or possibly two 30-ton trucks at a time leaving the West Parcel after dumping their loads will be required to quickly weave into traffic gaps from a “full stop” to normal traffic speeds onto Grand Avenue. These trucks will travel south while public traffic quickly closes in and encounters them from behind on a right trending Grand Avenue turn with poor views looking ahead. Cars can close in quickly and unexpectedly on slow moving trucks after turning right from Amar Road on to Grand Avenue or passing through the Amar Road / Grand Intersection. These types of “real time” safety issues cannot be analyzed through numerical models. From my extensive experience in earth moving operations, the co-mingling of a haul route with public traffic, as is being done here, should always be avoided.

REVISED MITIGATION MEASURES

21. The Addendum states:

“MM-3a in the 2012 MMP is revised because the District does not issue demolition or grading permits for its construction projects. The District approves contracts for demolition or grading activities for their projects. As indicated in some public comments, the initial language may be misinterpreted that permits are required from outside agencies. The 2012 MMP and the 2012 Final EIR Facts and Findings did not state the involvement of any outside agencies in this regard. The change is not significant and no new effects result from the change.”

22. Mt. SAC uses an Addendum to a Subsequent Supplemental EIR to attempt to provide justification for exemption from City permits, and County permits which have adopted by reference by the City of Walnut. The California Government Code, the City of Walnut Municipal Code and the County of Los Angeles Building Code all require grading permits for a local agency entity such as Mt. San Antonio College.

23. CA Gov. Code Symbol 53097 states:

“Notwithstanding any other provisions of this article, the governing board of a school district shall comply with any city or county ordinance (1) regulating drainage improvements and conditions, (2) regulating road improvements and conditions, or (3) requiring the review and approval of grading plans as these ordinance provisions relate to the design and construction of onsite improvements which affect drainage, road conditions, or grading, and shall give consideration to the specific requirements and conditions of city or county ordinances relating to the design and construction of offsite improvements. If a school district elects not to comply with the requirements of city or county ordinances relating to the design and construction of offsite improvements, the city or county shall not be liable for any injuries or for any damage to property caused by the failure of the school district to comply with those ordinances.(Amended by Stats. 1990, Ch. 275, Sec. 2.)”

24. Further, the Los Angeles County Building Code, which includes its planning and zoning ordinances, imposes additional regulations on a project with more than 100,000 cubic yards of on-site earthwork to avoid mass landform alteration, preserve hillside shapes and maintain viewsheds of surrounding areas. Because of the volume of earth fill involved on the West Parcel Solar Project, the provisions of Title 22, Planning and Zoning Restrictions Hillside Grading specifically apply.

25. This Code Section states, in part:

County Building Code – Title 22 Planning and Zoning, 1. Conditional Use Permits, 22.56.217 – Hillside Management Areas – Additional Regulations

Appendix for Section 22.56.217 – Hillside Design Guidelines, VI Sensitive Hillside Design Measures, 2. Grading and Facilities

Avoid mass landform alteration, preserve the physical shape of the hillside, and maintain pleasant views.

2.1. For projects with more than 100,000 cubic yards of onsite earthwork, avoid any mass cut and fill grading that would result in a change of 25 feet or greater in elevation from the existing natural grade to the finished manufactured grade at any one point on the site.

2.2. Use contoured grading lines that match or closely match the existing topography, generally avoiding lines that trace 45 to 90 degrees against the natural contour.

2.3. Utilize undulating banks for graded slopes to maintain the natural pattern of the topography to the greatest extent feasible.