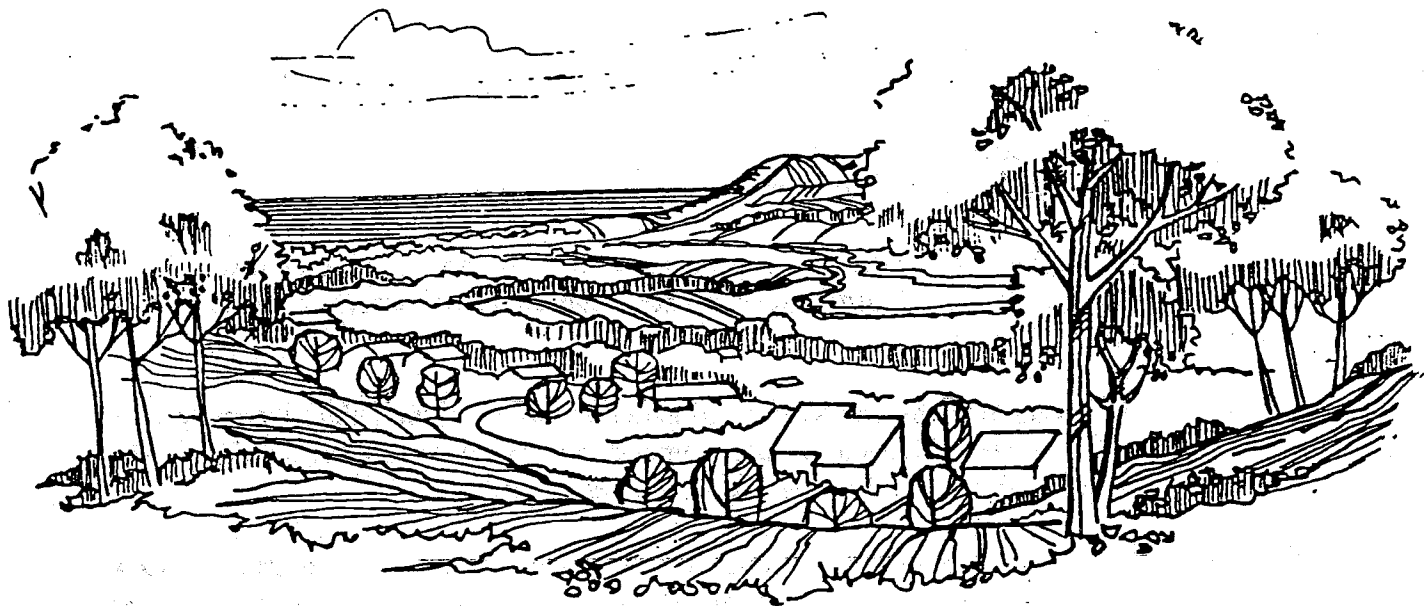


CITY OF SOLANA BEACH

VIEW ASSESSMENT

GUIDELINES AND TOOLKIT



ADOPTED BY RESOLUTION OF THE SOLANA BEACH CITY COUNCIL ON:

1. ORIGINAL ADOPTION - 08/15/94 (RESOLUTION NO. 94-72)
2. FIRST AMENDMENT - 10/19/04 (RESOLUTION NO. 2004-146)

VIEW ASSESSMENT GUIDELINES AND TOOLKIT

Overview:

It is the purpose and intent of these View Assessment Guidelines to implement the specific requirements of Solana Beach Municipal Code Chapter 17.63. The specific wording of said Chapter shall be utilized in conjunction with these Guidelines. The purpose and intent of these guidelines are as follows:

1. To provide a process for the View Assessment Committee to review all feasible solutions for development and choose that alternative which provides the best balance between the owner's desire to develop his/her property in accordance with applicable regulations and the neighbor's desire to protect his/her view. The Ordinance does not create a right to an unobstructed view.
2. To preserve the existing scale and character of established residential neighborhoods, and the desire to protect, where feasible, public and private views, aesthetics, and other property values in a manner which is compatible with reasonable development of property.
3. To implement those sections of the General Plan Land Use Element which call for the adoption of ordinances to encourage the preservation of private views, where feasible.
4. To promote the health, safety and general welfare of the public by preventing the needless destruction and impairment of these limited, unique, and irreplaceable views for this and future generations.
5. To provide a public notification process to encourage the resolution of view impairment issues by those property owners directly affected without further involvement of the City.

Oftentimes, no single item, with regard to a home, is more precious to the resident than his/her view. The view may be panoramic or a slot between two other dwellings. It may look out over the Pacific Ocean, San Elijo Lagoon, San Dieguito River Valley, back country, or across a clearing to an attractive neighborhood. It may be a near view or a far view - from above or below. No attempt has been made to define a "view", but the View Assessment Committee will nevertheless form an opinion as to the extent and quality of the "visual scene" that the resident seeks to preserve.

Applicants for Structure Development Permits and neighborhood residents/owners must often compromise to obtain satisfactory solutions to view blockage problems. Story poles, erected at the correct height and staff determined locations, can accurately show how much view would be blocked. These and other techniques could be routinely required where view blockage is a potential problem.

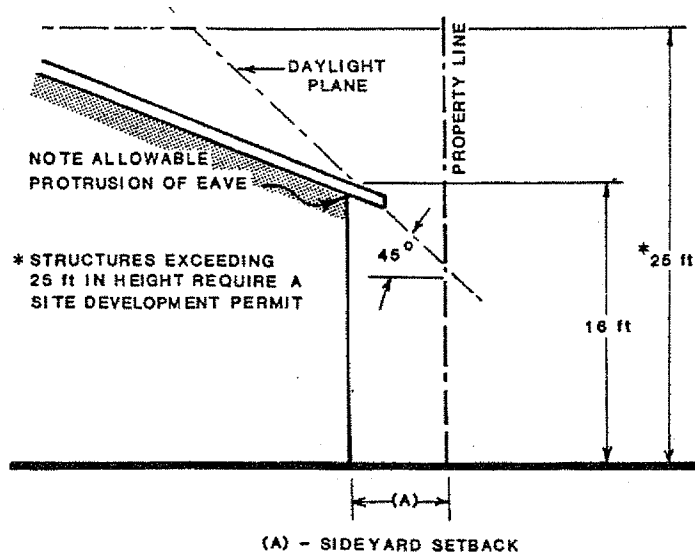
Guidelines/Toolkit
Page No. 2

The following are several guidelines and "tools" that may be used by the View Assessment Committee to help preserve private and/or public views. In addition, the "View Assessment Committee - Policies and Guidelines" has been attached to provide an interpretation of the findings as required by the View Ordinance (Attachment 1).

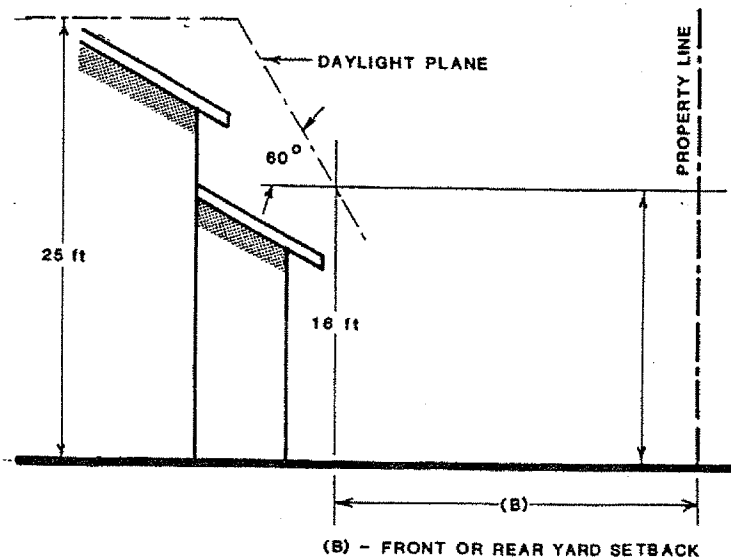
1. Daylight Planes

Daylight Planes are essentially building envelopes that begin at a certain point above the setback lines and extend into the property at a specified angle. They are so named because they help to reduce potential bulk and allow additional light and air to pass through to neighboring properties. By reducing bulk, they have the potential to help maintain views.

Daylight Planes are most useful on small or medium sized lots (having less than 80 feet of frontage), where buildings are more likely to abut the setback line. Where utilized as a mitigation measure to preserve views, the following daylight plane and building envelope is recommended:



(A) - SIDEYARD SETBACK
SIDEYARD DAYLIGHT PLANE

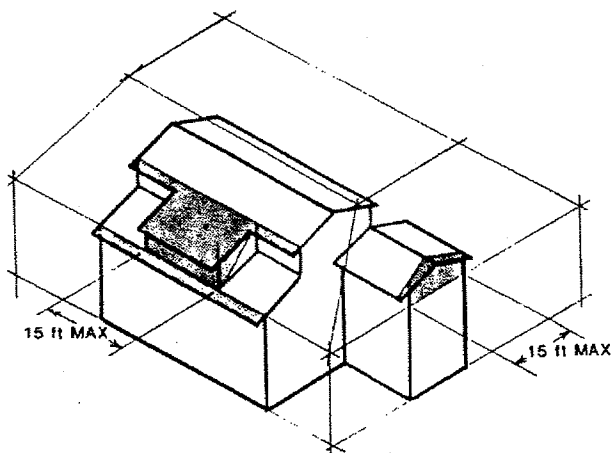
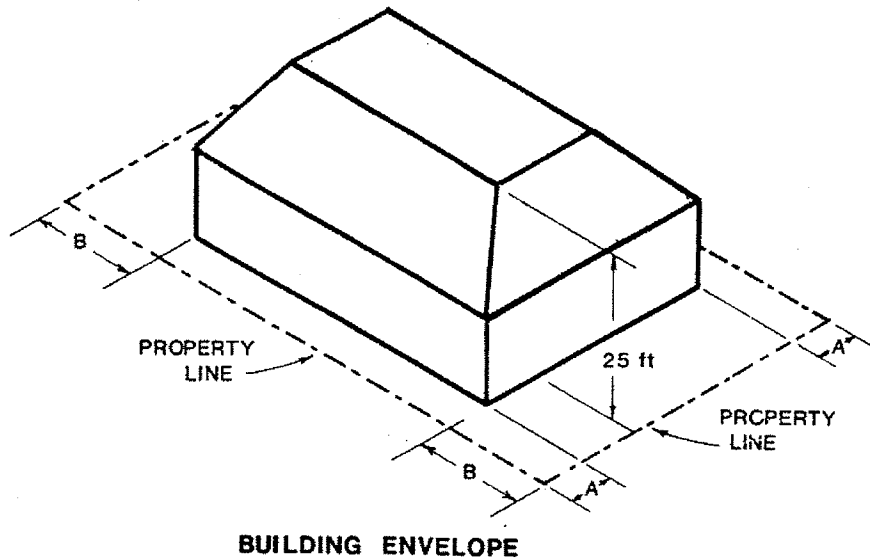


(B) - FRONT OR REAR YARD SETBACK
FRONT AND REAR DAYLIGHT PLANE

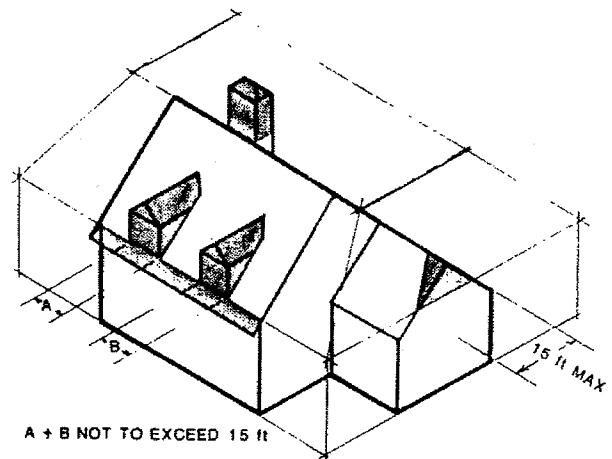
Guidelines/Toolkit
Page No. 4

Although the daylight plane sets limits to structural bulk, it is not intended to set an architectural standard. Wherever possible, buildings should not utilize the full envelope. Limited architectural projections through the daylight plane should be permitted provided they do not unnecessarily impair views. It is suggested that roof overhangs and storm gutters may project into the side daylight plane a maximum of two feet and into the front and rear daylight plane a maximum of four feet.

Additionally, architectural features, such as dormers or gables, may extend into the daylight plane provided that the feature or combination of features measures no more than 15 feet in length at the point of intersection with the daylight plane. The 15-foot intrusion for one or more of these features would be allowed to front, rear and both side yard daylight planes.



ALLOWABLE DAYLIGHT PLANE PROTRUSIONS

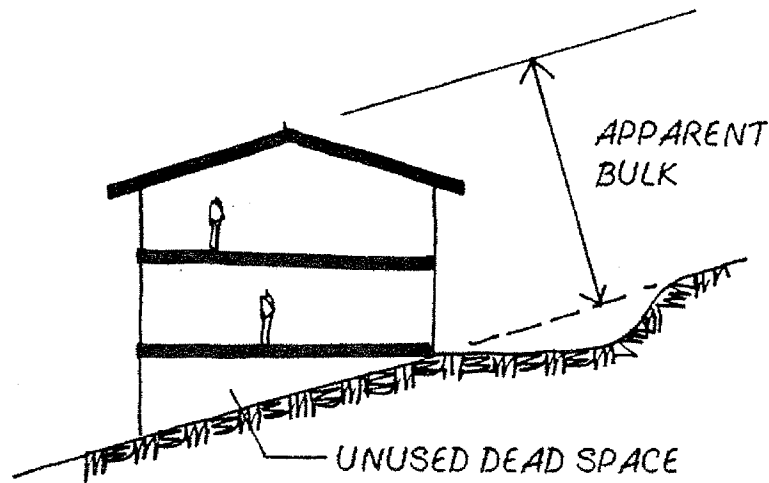


ALLOWABLE DAYLIGHT PLANE PROTRUSIONS

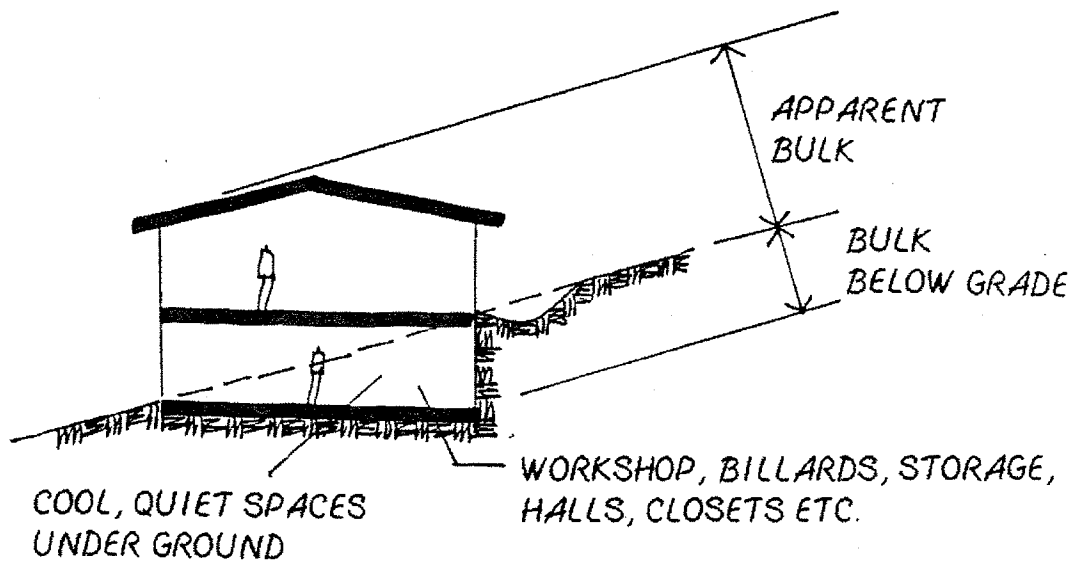
2. Lot Siting and Building Design

On sloping lots, structural bulk can be mitigated by locating portions of the building below grade. Where such opportunity exists, the View Assessment Committee should not allow significant view impairment unless a reasonable amount of the structure would be located below the natural grade (cut into the hillside). Hillside cuts however, should be limited to the area required for the structure and should not be extended to create flat surfaces for yards or recreational areas. Additions to existing structure may not provide the same opportunities.

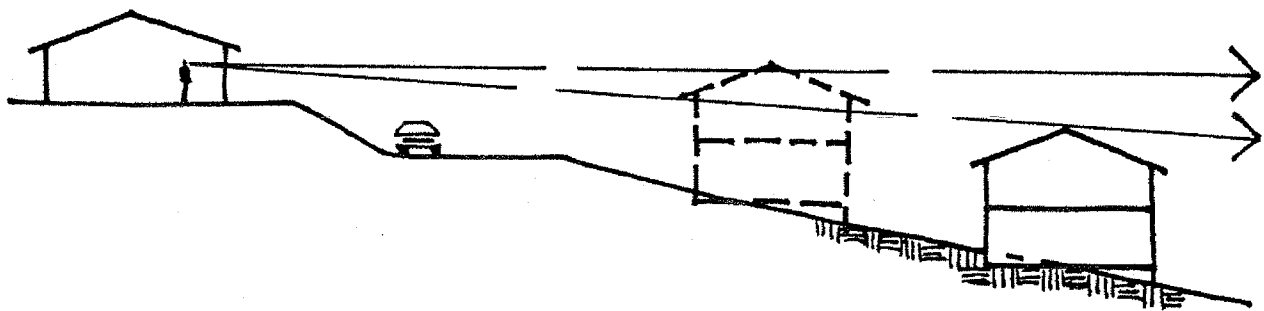
NO



YES

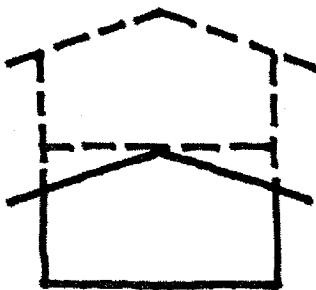


Moving the structure downhill will open views to houses uphill. This must be balanced against the need for reasonable pedestrian and vehicular access to the proposed structure.

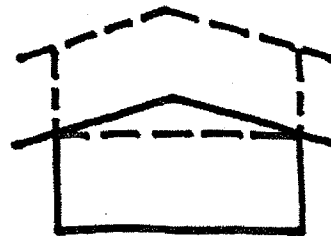


Floor heights, both first and second story, should be kept as low as possible. Raising the height of the second floor line to clear an existing pitched roof is generally discouraged.

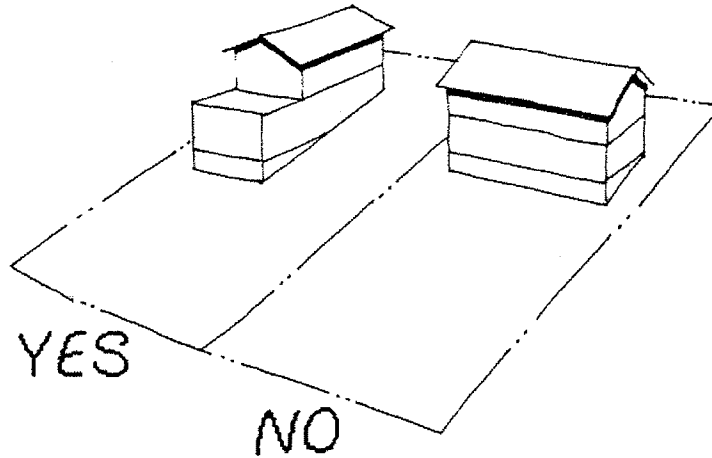
NO



YES

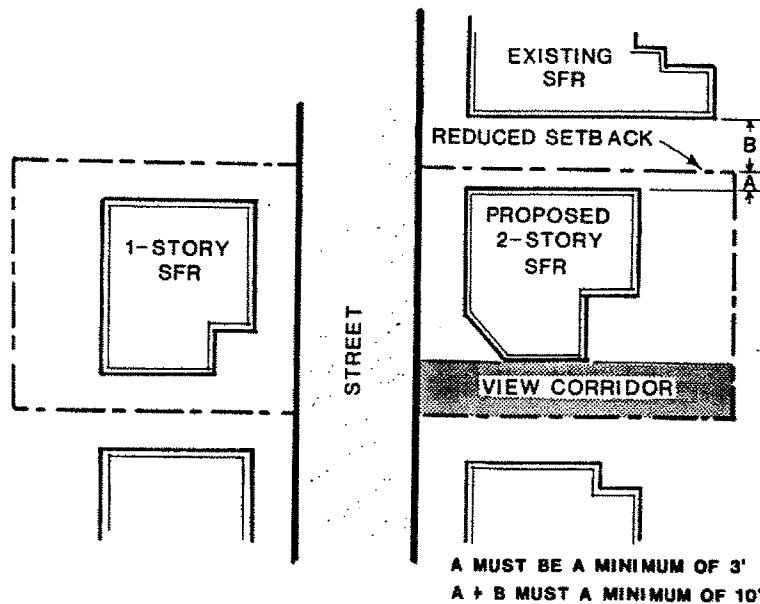


Orienting the long axis of the building parallel to the line of view reduces overall view blockage.



Opportunities to create permanent linear view corridors should not be overlooked. A reduced side yard setback (to a minimum of 3 feet) may allow for a significant view corridor through the opposite side yard. Reduced setbacks should only be considered where a minimum separation of 10 feet can be maintained between structures and both property owners agree to the reduction. A variance will be required.

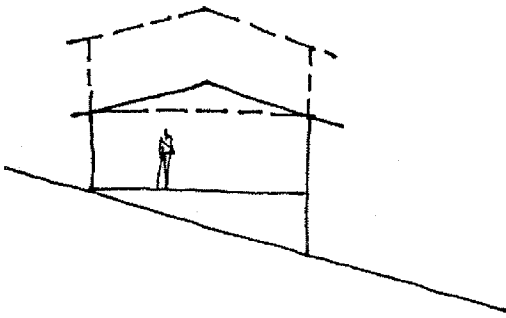
On level lots, a view corridor may be the only way to preserve a view from a neighboring single story house. Once a view corridor is established, it must be kept clear!



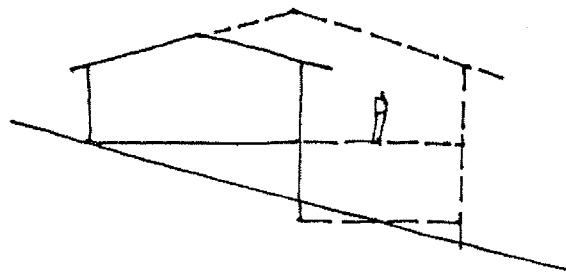
VIEW CORRIDOR

Additions to existing structures should be made on the downhill side of the building rather than on top of the existing structure.

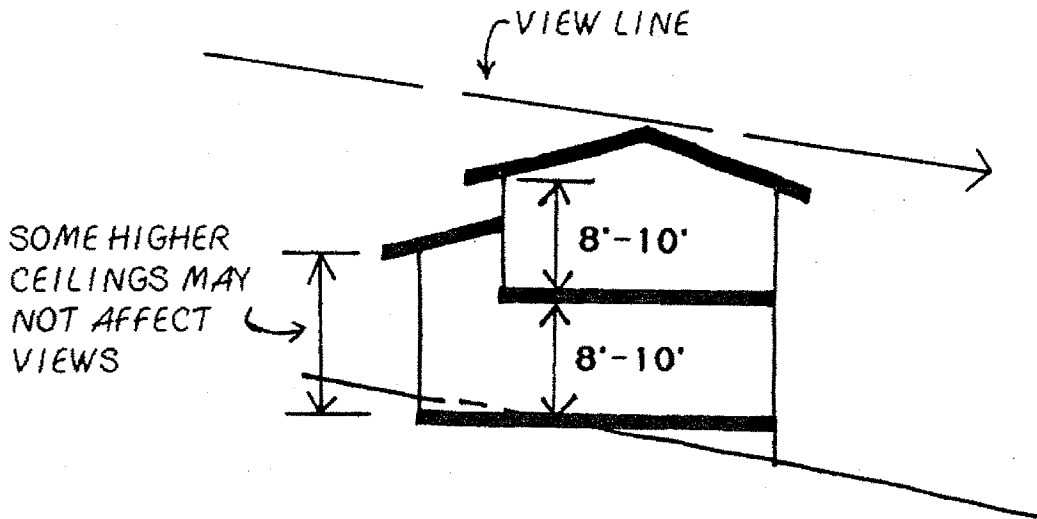
NO



YES

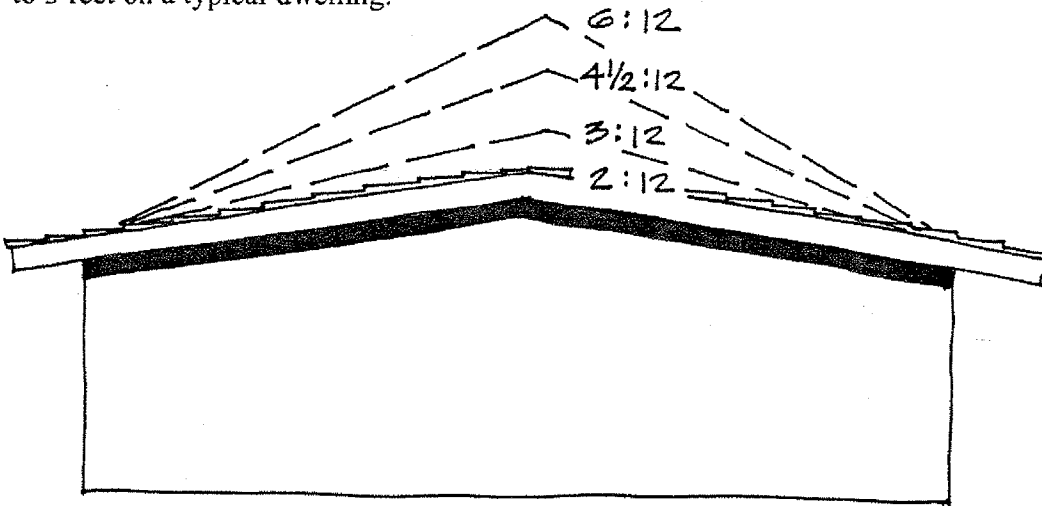


Ceiling heights at the exterior walls should generally not be higher than 8 to 10 feet unless they do not impact views. Higher cathedral ceilings are possible within pitched roof schemes.



Roof slopes should be kept low. Most new construction utilizes roof pitches that vary from $4\frac{1}{2} : 12$ to $6 : 12$.

A $4\frac{1}{2} : 12$ roof pitch means that the roof rises $4\frac{1}{2}$ feet for every 12 feet horizontally. The Uniform Building Code allows composition shingle roofs as low as $2 : 12$, wood shingle roofs as low as $3 : 12$ and tile roofs as low as $2\frac{1}{2} : 12$. Utilizing these lower pitches can reduce the ridge height by 2 to 3 feet on a typical dwelling.

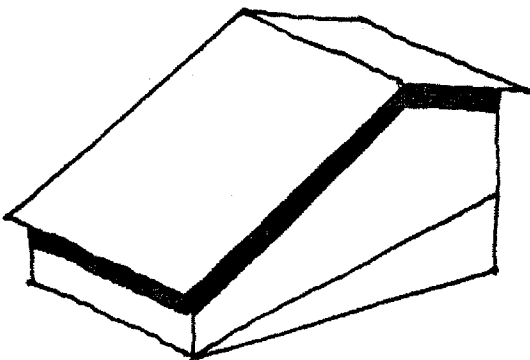


Roof shape and configuration should minimize apparent height and view interference.

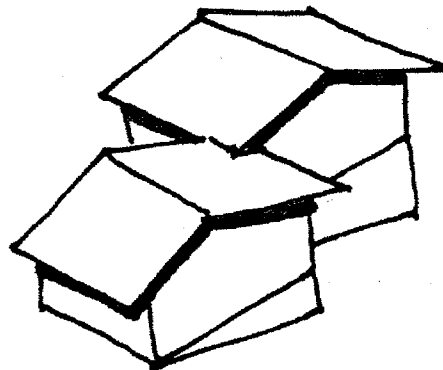
Orienting the roof ridge perpendicular to the narrow dimension of a structure will reduce ridge height.

A series of smaller roofs can be utilized to reduce overall height, as opposed to one large roof.

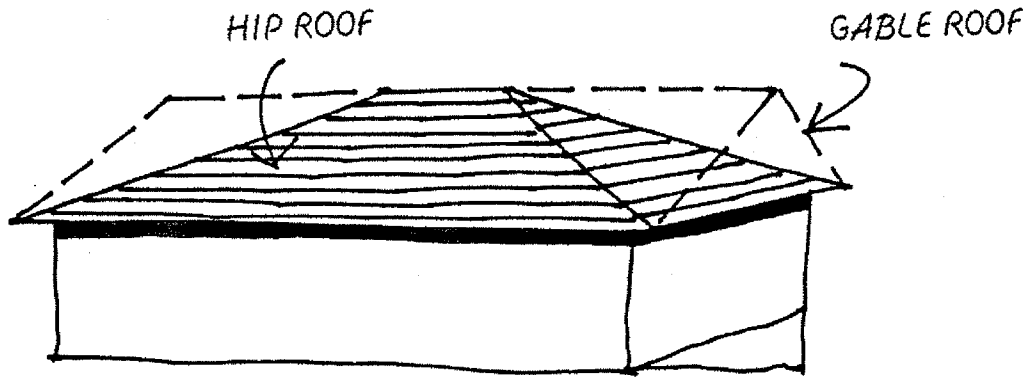
NO



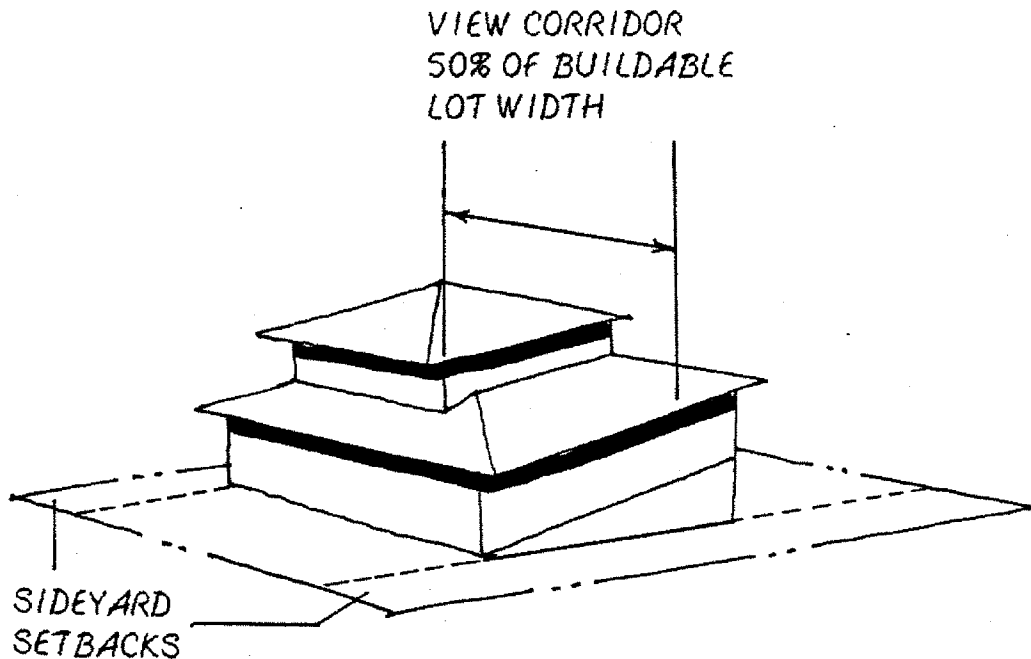
YES



Hip roofs allow views around the edges.



On new construction, the second story bulk should be placed to minimize the impact to existing views. One possible option would be to require a second story view corridor equal to 50 percent of buildable area width (exclusive of side yard setbacks). This guidelines may be difficult to achieve when adding a second story to an existing structure and may not be compatible with the use of a daylight plane.

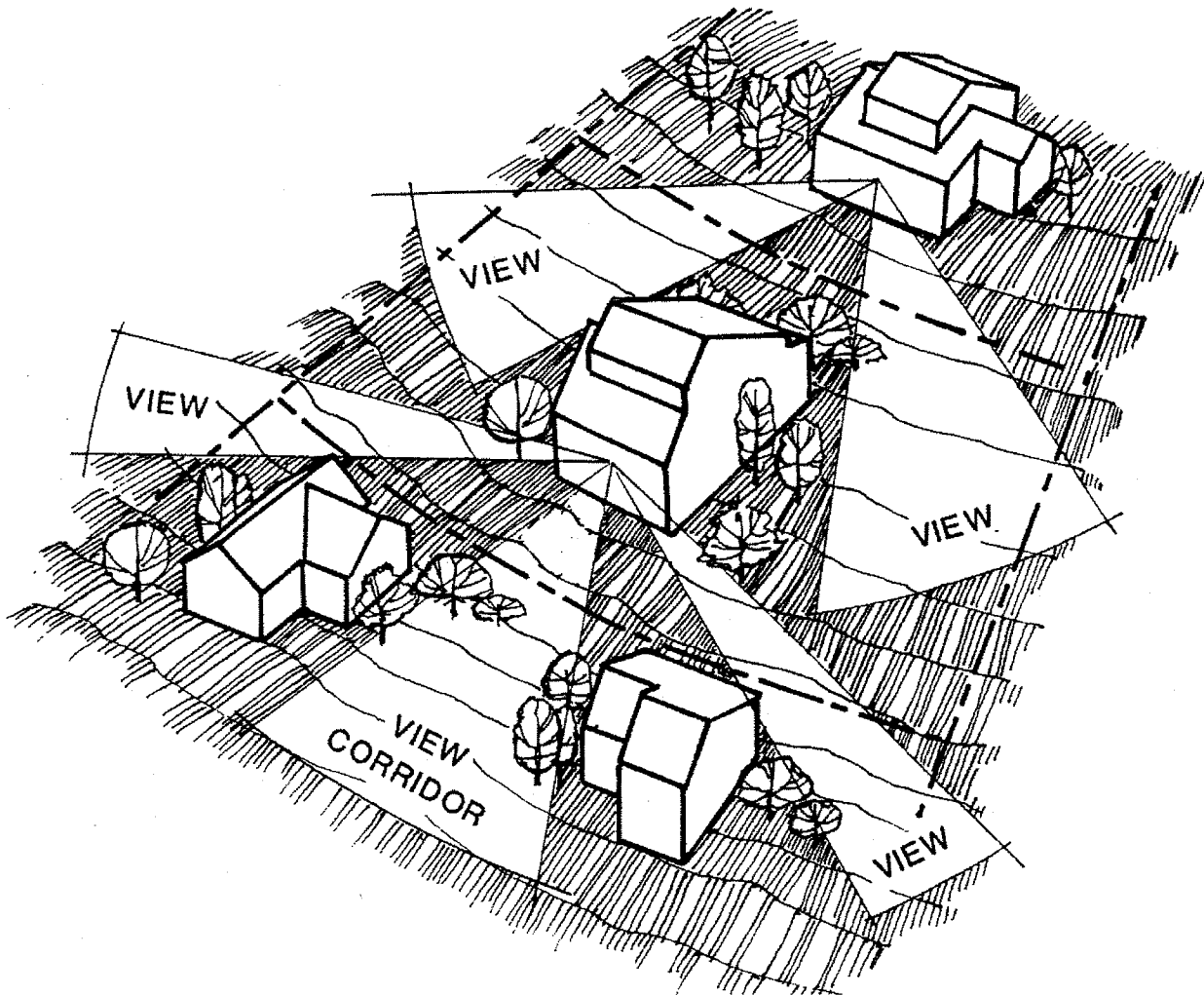


3. View Quality Considerations

Views should be preserved as much as possible within reason. This requires the View Assessment Committee to look at the totality of the view, considering not only its size and quality, but how it is utilized from within the home and its importance to the resident.

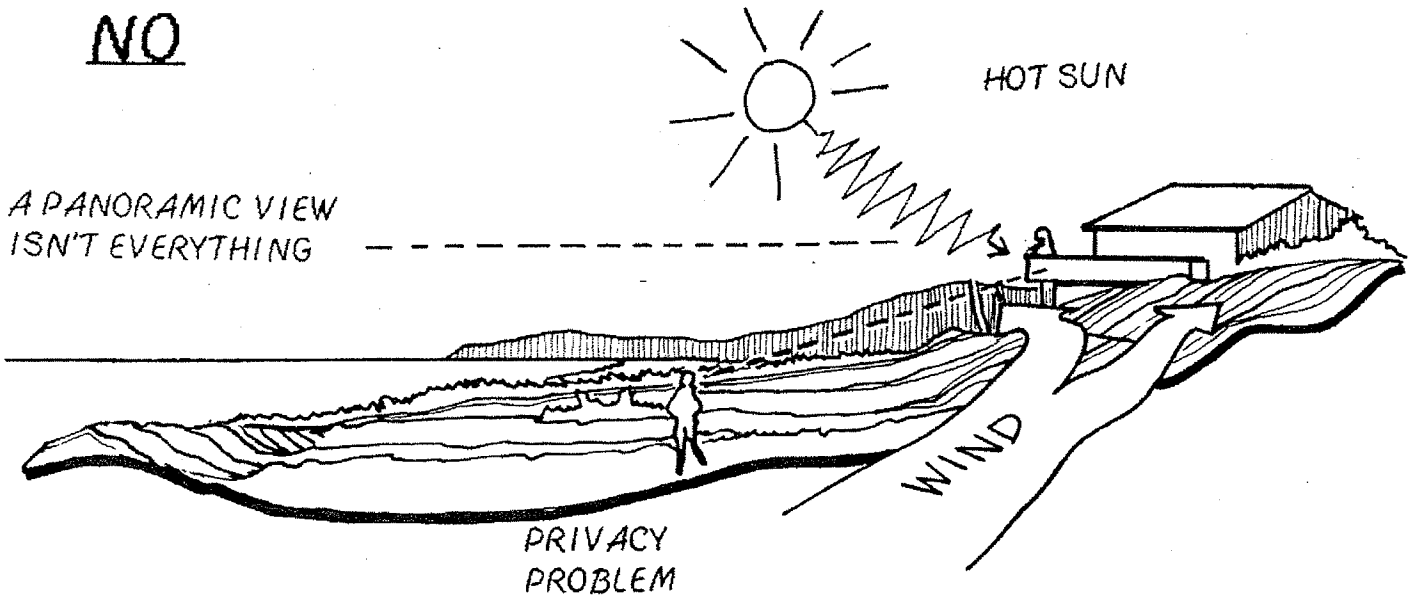
Although a single viewing area representing the "best and most important view" must be established, the entire viewing angle is under consideration. That is, the View Assessment Committee has the flexibility to hear that a proposed structure may block a view from more than one viewing area if it is pertinent in resolving the case. However, not everyone can have a panoramic view. The neighborhood and the builder of a new dwelling must work together to obtain the best solution between slot views, view corridors and panoramic views.

Once a project goes before the View Assessment Committee, all elements of the proposed project are subject to review in the pursuit to minimize view impairment. Those proposed elements which are less than 16 feet in height may be required to be lowered in height in order to approve higher elements elsewhere on the project.

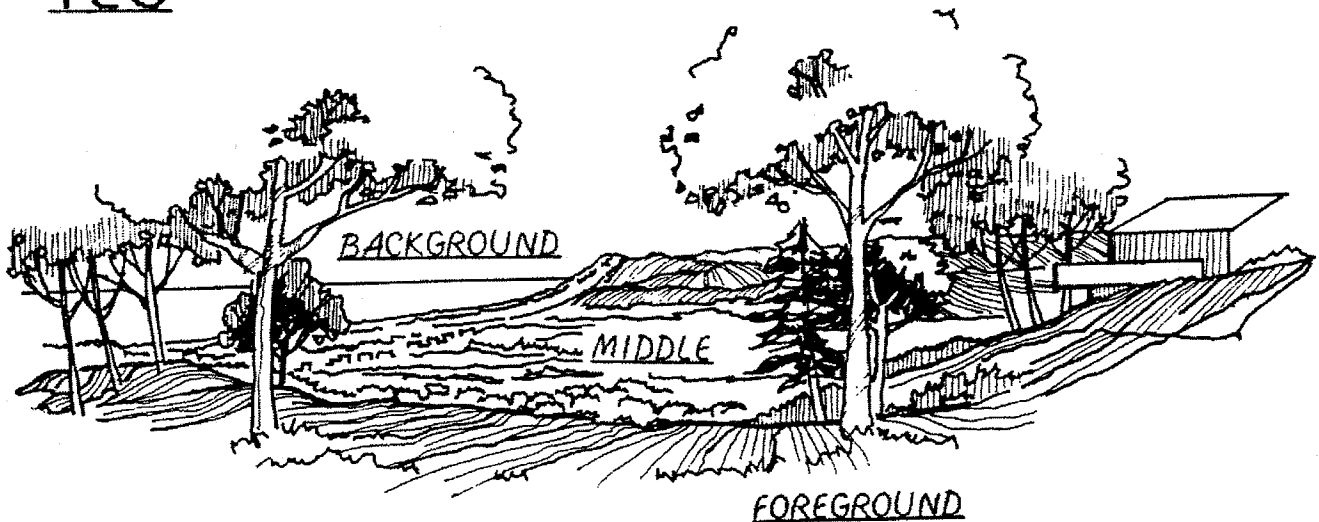


View quality is usually more important than view quantity. The view consists of foreground, middle distance and background or distant elements. Trees which "block views" are often attractive foreground elements which can be pruned into beautiful open screens through which to see the view. Attractive landscaping and buildings in the foreground often "frame" the views of distant objects. Nearby elements are part of the view and should be considered by both builders and neighbors in making their comments and decisions.

NO



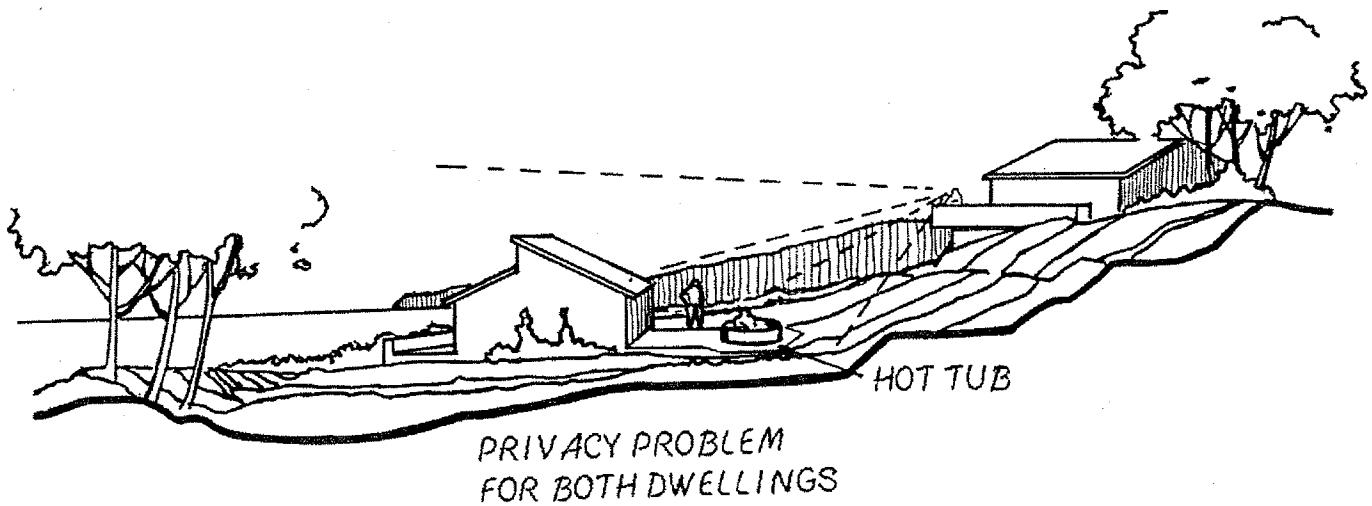
YES



NOW THIS IS A VIEW: WELL FRAMED, PROTECTED
FROM SUN AND WIND, AND SCREENED FOR PRIVACY

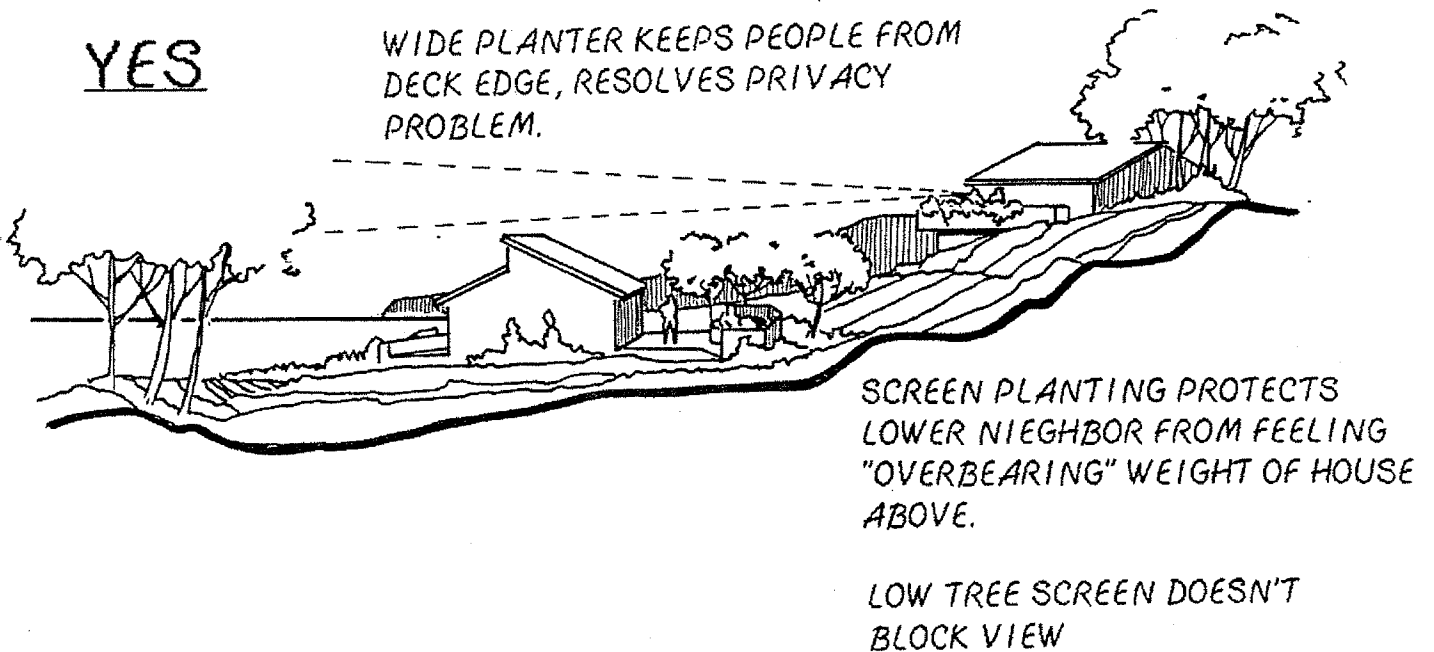
Privacy and views are sometimes in conflict. There must be compromise between conflicting objectives of existing dwellings and new ones. Views are very important but so is privacy.

NO



YES

WIDE PLANTER KEEPS PEOPLE FROM
DECK EDGE, RESOLVES PRIVACY
PROBLEM.

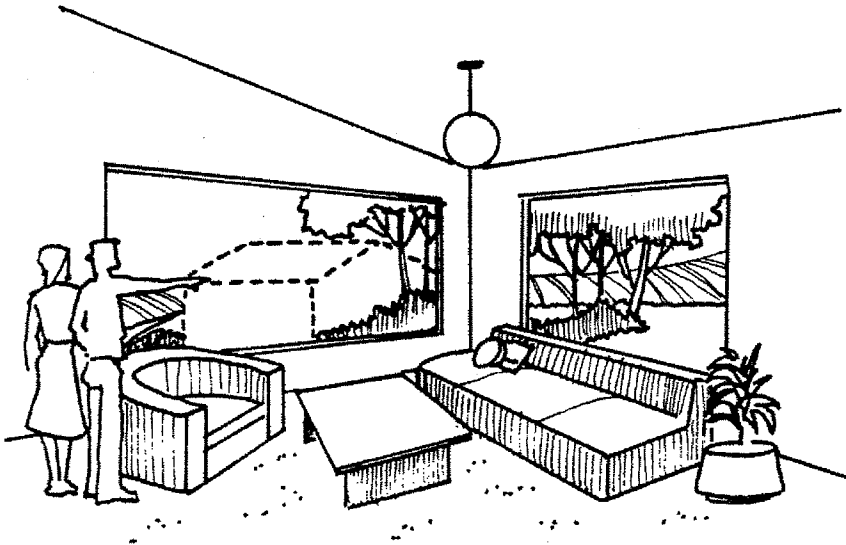


Partial view blockage should be avoided whenever possible. However, as much as we dislike it, views from existing dwellings must often be compromised by new dwellings or additions in front of an existing structure. Although the new structure becomes part of the view, it is the change in view that is so difficult to accept. The following are some important concepts with regard to view blockage.

- A. **View protection is more important for major "ceremonial" rooms (living, dining, kitchen, deck) than for secondary rooms (bathrooms, hallways, garages or utility rooms).** A view from a bedroom or family room may also be important depending on the orientation of the house. For this reason, the View Ordinance requires the designated "viewing area" to be located in an appropriate room.

NO

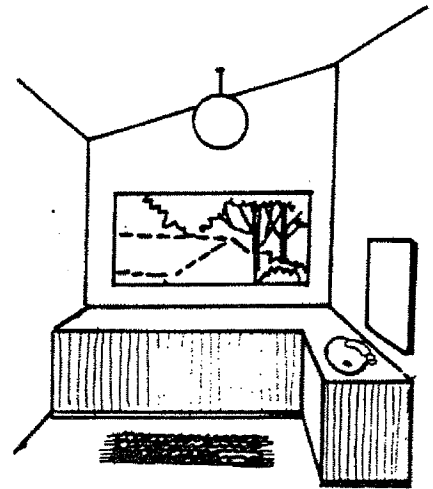
PROPOSED STRUCTURE
BLOCKS LIVING ROOM VIEW



GREAT IMPACT ON
LIVABILITY

YES

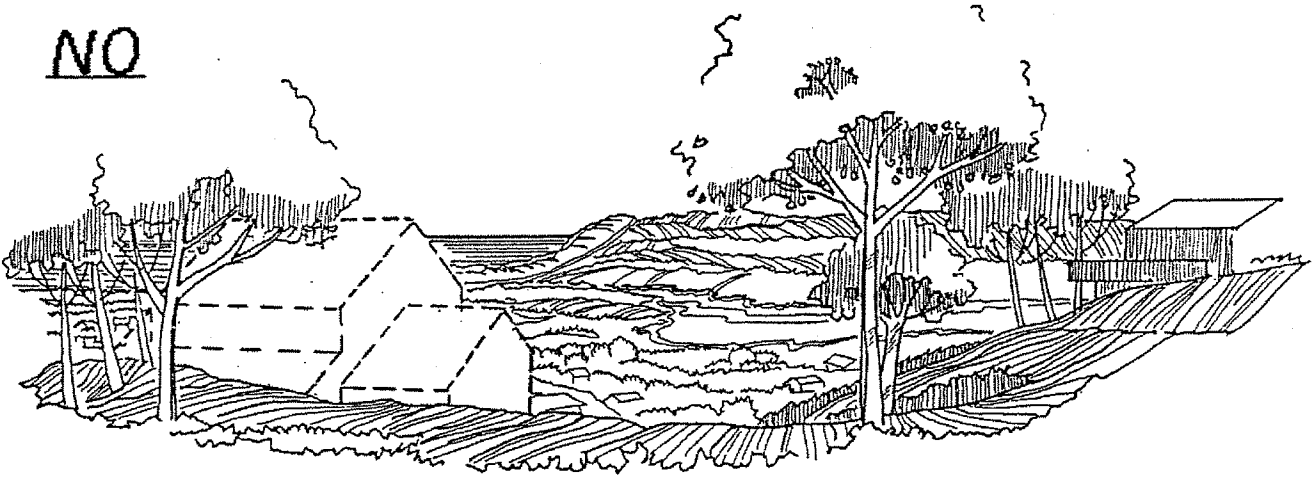
PROPOSED STRUCTURE
BLOCKS BATHROOM VIEW



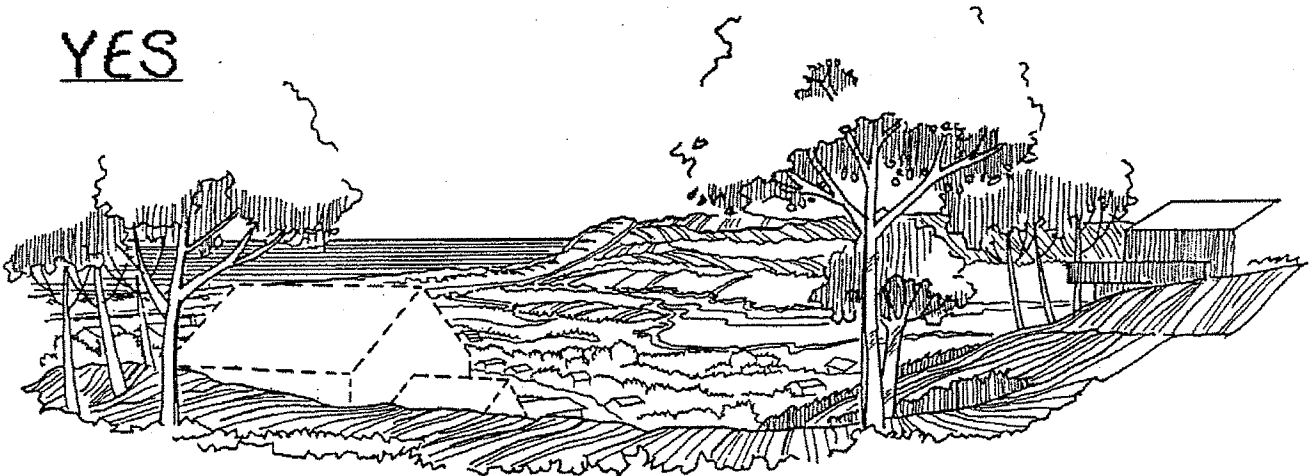
LITTLE IMPACT
ON LIVABILITY

- B. The horizon line is the most sensitive part of the view, then the foreground, then the middle ground. If possible, avoid cutting the horizon line of a neighbor's view.

NO

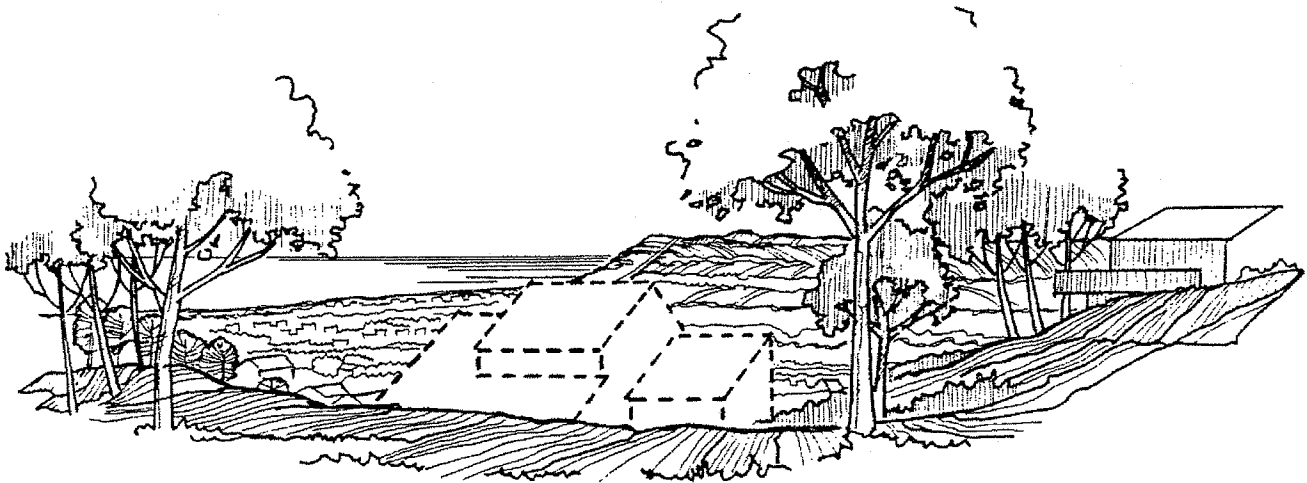


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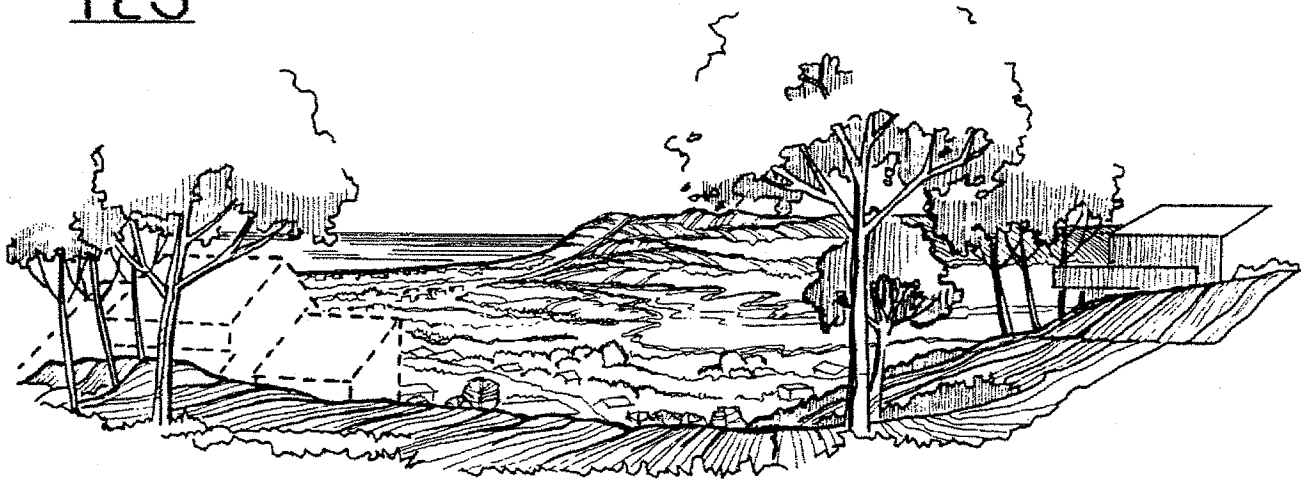


C. Blockage of the center of the view is more damaging than blockage of the side of the view.

NO

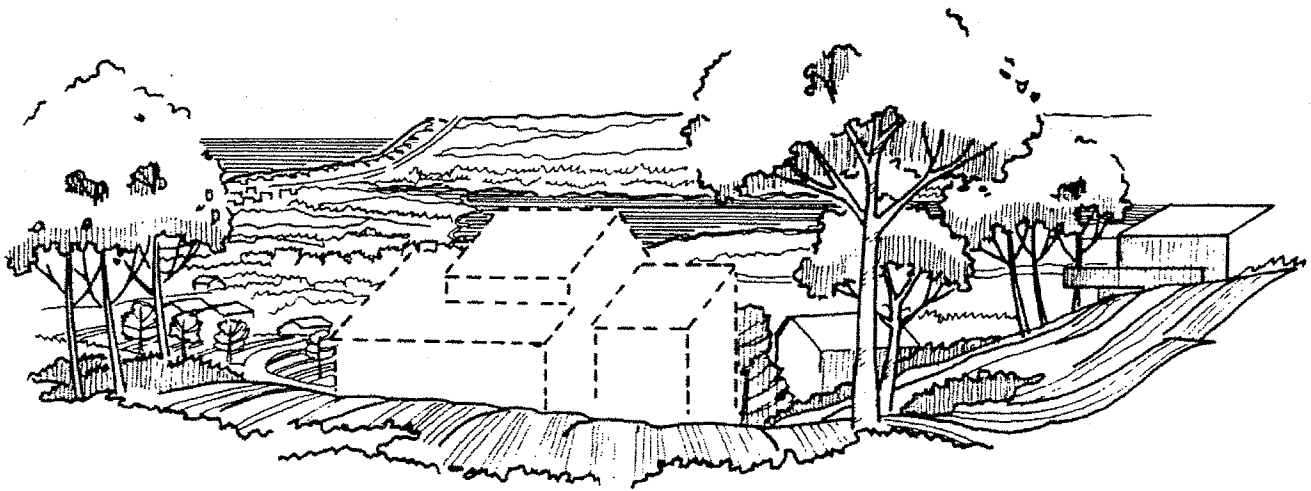


YES

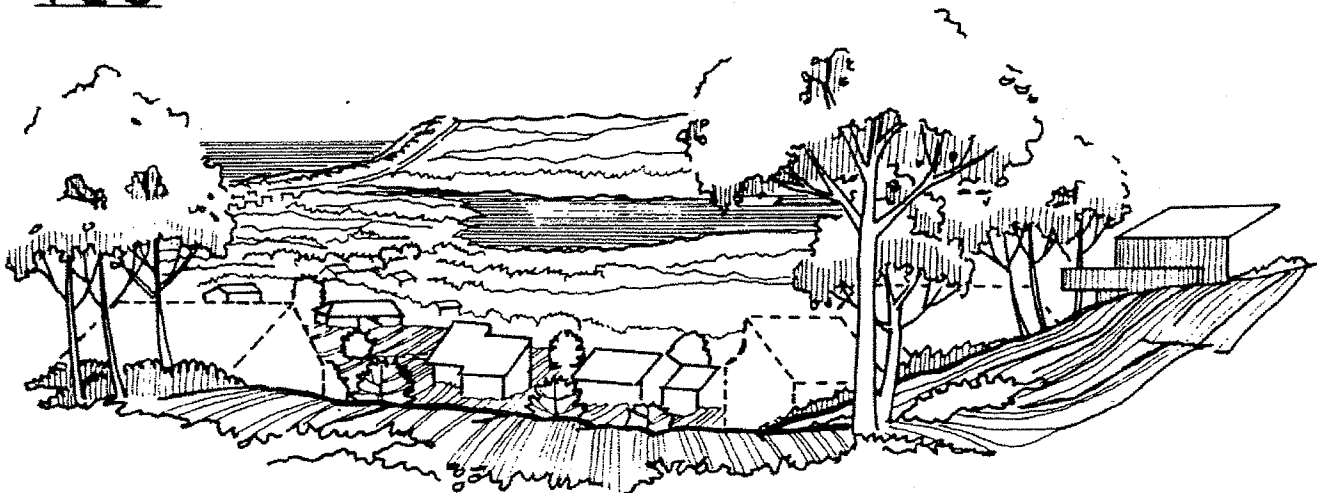


- D. Blockage of important objects in the view such as the Pacific Ocean, San Elijo Lagoon, distant mountains, bluffs, canyons, and even neighboring cities may be more difficult to accept than blockage of other less well know landmarks.

NO



YES

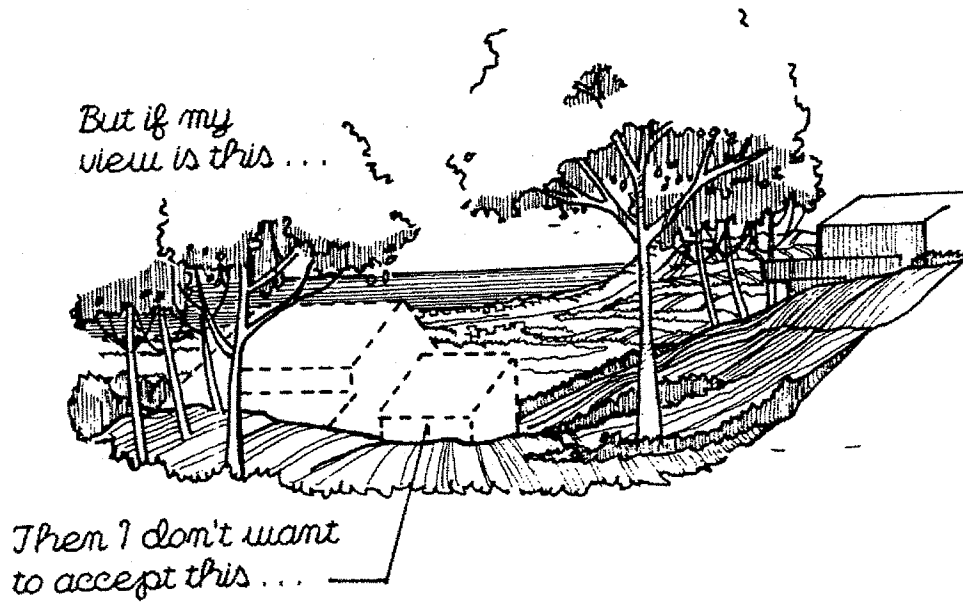


E. A wide panoramic view can accept more view blockage than the smaller slot view.

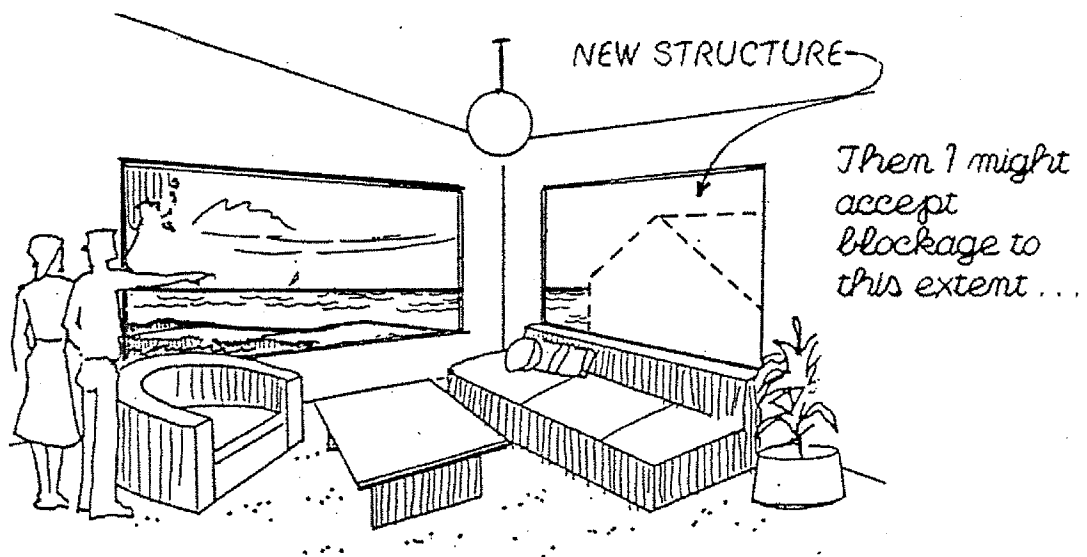
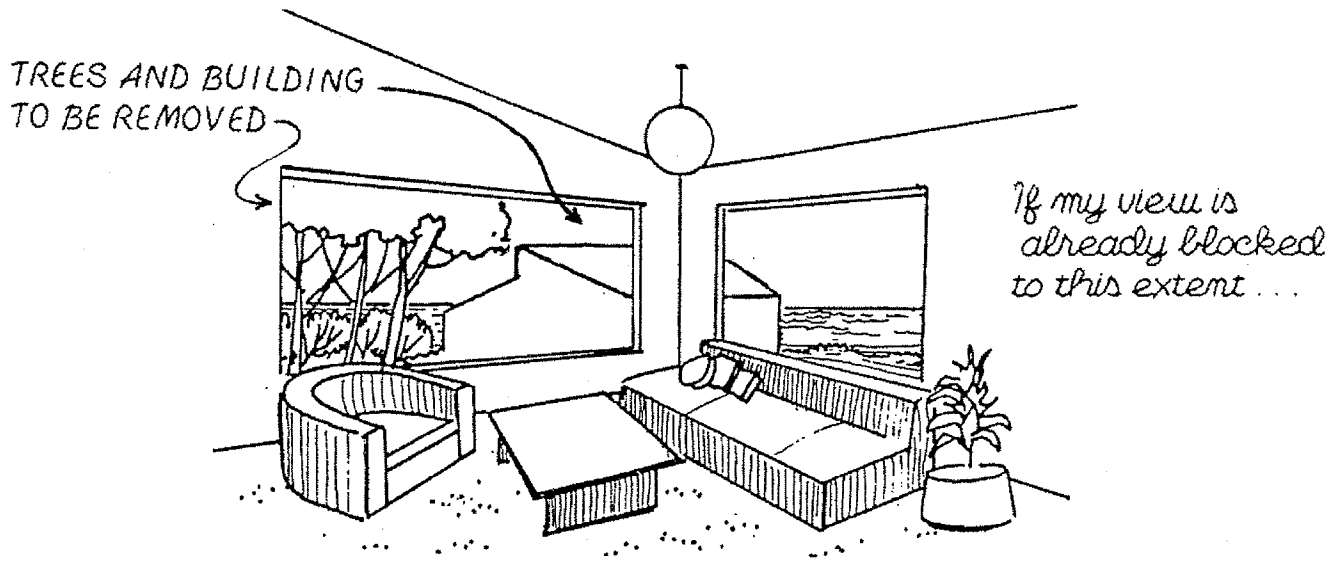
YES



NO



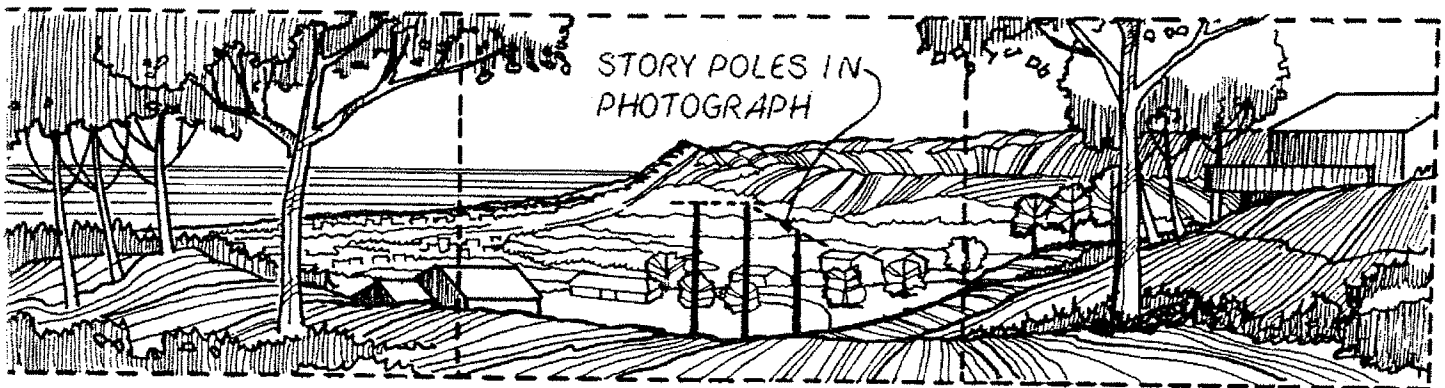
- F. In some situations, the loss of a view can be compensated by the opening up of an equal or better view. The removal or trimming of unnecessary vegetation or unwanted structures may provide a cost effective way to accomplish this objective.



4. View Assessment

In assessing a view, the entire panorama should be considered. To present the problem effectively, the view should be photographed completely from view stop on right to view stop on left. The story poles should be put into place and verified by staff before the photographs are taken.

Photographs should be taken from one location and taped together for proper presentation. A 50mm lens is recommended to minimize distortion. The viewing area where the photograph is taken and any special circumstances should be recorded on the plans.



Using this technique, the story poles provide an accurate representation of the proposed project. The story poles should be strung together and draped with flags to aid in visualizing the structural bulk of the proposed structure.

ATTACHMENT 1

VIEW ASSESSMENT COMMITTEE - POLICIES AND GUIDELINES

The following regulations and policies have been prepared by the Citizens Zoning Committee to support the task of the View Assessment Committee in its efforts to make the findings required by the View Ordinance.

DECISION PRINCIPLES

In making the findings set forth in Section 17.63.040.F. of the View Ordinance, the actions of the View Assessment Committee shall be guided by the following principles:

1. Fairness

The View Assessment Committee shall consistently strive to exercise fairness and good judgement in carrying out its principal mission - i.e. facilitating a reasonable compromise between the rights of the property owner who wants to protect his/her view (as established by the View Ordinance) and the rights of the property owner who wants to develop or improve his/her property.

2. Consistency of Procedure

The View Assessment Committee shall act consistently (not arbitrarily or capriciously) in all procedural matters. However, precedent shall not be the primary determinant in making the findings of this ordinance. All decisions shall be made on the merits of each individual case.

3. Adequate Documentation

The View Assessment Committee shall establish a factual basis for its decisions which can be documented. The Community Development Department staff will assist in the preparation of such documentation.

VIEW ASSESSMENT PROCESS

The view assessment process requires all parties to disclose their full positions and to provide all necessary support for those positions before view assessment begins. The view assessment process does not involve a public hearing, but is a public meeting open to all parties and individuals. New information, from either of the parties, shall be discouraged but may be submitted to the View Assessment Committee. The View Assessment Committee will evaluate all of the available information and will render a decision in accordance with the findings of the View Ordinance during the public meeting.

INTERPRETATION OF FINDINGS

Finding (a) - Verification of Reasonable Attempt to Resolve Issues

The View Assessment Committee must find that the applicant for the Structure Development Permit has made a reasonable attempt to resolve the view impairment issues with the person(s) requesting view assessment. It is anticipated that this finding will become routine since the Community Development Director will verify contact before the case is referred to the View Assessment Committee. Procedurally, the Community Development Director will request a written documentation of all contacts with the property owner. All such documentation shall be forwarded to the View Assessment Committee.

**View Assessment Committee
Policies and Guidelines
Page No. 2**

Finding (b) - Views from Public Property

The View Assessment Committee is required to find that the proposed structure does not impair a view from public property (parks, major thoroughfares, bike ways, walkways, equestrian trails) which has been identified in the City's General Plan, Local Coastal Program, or City designated viewing areas. It is important to recognize the distinction between public and private views. The View Ordinance requires the Community Development Director to act as an advocate for the City in cases where public view blockage is involved. In addition, any member of the public may request action by the City when a public view is threatened. All of the techniques available to mitigate private view blockage may be used by the Community Development Director or View Assessment Committee in cases where public views are affected.

Finding (c) - Minimizing Private View Impairment

The View Assessment Committee is required to find that a structure (which is undergoing review) is designed and situated in such a manner as to minimize impairment of views. This is the central finding required by the ordinance. The right to an unimpaired view, however, is not absolute, as the View Ordinance does not grant a preference to the right to maintain a view over the right to develop property. The view assessment process was created to provide solutions where such rights and interests may be in conflict and where private negotiations have failed. In order to make this finding, the View Assessment Committee must make an assessment of the view and offer specific mitigation proposals as appropriate. (see "View Assessment Guidelines and Toolkit")

Finding (d) - Cumulative View Impairment

The View Assessment Committee is required to find that there is no significant cumulative view impairment caused by the proposed structure. This involves the somewhat difficult task of assessing the impact of all potential construction on similarly situated parcels in the surrounding neighborhood (generally on the same block) assuming the same degree of view impairment. If the cumulative result would result in a significant degradation to the views in the neighborhood, then the finding cannot be made.

Finding (e) - Compatibility with Neighborhood Character

The View Assessment Committee is also required to find that the proposed structure is compatible with the immediate neighborhood character. Since the View Assessment Committee was not set up to act as a design review board, design considerations should be limited to circumstances where the Committee determines that modifications to the proposed structure are necessary to minimize view impairment. Neighborhood character as defined in the View Ordinance means the existing characteristic of a neighborhood in terms of (1) scale of surrounding residences, (2) style of residences, or (3) building setbacks (see "View Assessment Guidelines and Toolkit").

RESOLUTION NO. 2004 - 146

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, AMENDING THE EXISTING VIEW ASSESSMENT TOOLKIT TO CLARIFY INCONSISTENCIES BETWEEN IT AND THE VIEW ORDINANCE

WHEREAS, City staff has identified inconsistencies between the View Assessment Tool Kit and View Ordinance, and

WHEREAS, the View Assessment Committee and staff concur with the appropriateness of the proposed changes, and

WHEREAS, the action is exempt from CEQA, and

NOW, THEREFORE, the City Council of the City of Solana Beach, California, does resolves as follows:

1. That the foregoing recitations are true and correct.
2. That the top paragraph of Page No. 2 to Attachment No. 1 of the View Assessment Tool Kit is amended as follows (underline shows additions, cross out shows deletions.):

The View Assessment Committee is required to find that the proposed structure does not impair a view from public property (parks, major thoroughfares, bike ways, walkways, equestrian trails) which has been identified in the City's General Plan, Local Coastal Program, or City designated viewing areas. It is important to recognize the distinction between public and private views. The View Ordinance allows the Community Development Director to file for view assessment in cases where public view blockage is involved. This provides an important safety valve/back up protection in cases when a public view is threatened and no occupant or owner of a residence has filed. In addition, any owner or occupant of a residence in the City may file for view assessment when a public view is threatened. All of the techniques available to mitigate private view blockage may be used by the Community Development Director or View Assessment Committee in cases where public views are affected.

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3. To insure a timely consistency, this resolution shall become effective 30 days after its adoption in order to correlate with the effective date of the companion Ordinance.

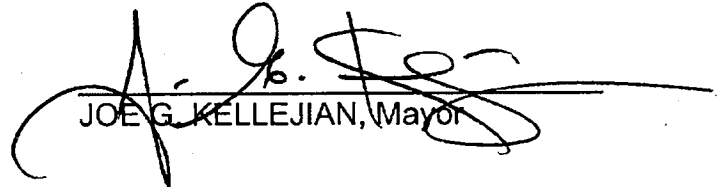
PASSED AND ADOPTED this 19th day of October, 2004, at a regularly scheduled meeting of the City Council of the City of Solana beach, California by the following vote:

AYES: Councilmembers – Kellejian, Campbell, Powell, Sheres, Golich

NOES: Councilmembers – None

ABSENT: Councilmembers – None

ABSTAIN: Councilmembers – None


JOE G. KELLEJIAN, Mayor

APPROVED AS TO FORM:

ATTEST:


CELIA A. BREWER, City Attorney


JANICE BREITENFELD, City Clerk