



***DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION***

MEMORANDUM

DATE: May 3, 2010
TO: Chairperson Troisi and the Planning Commission
FROM: Jerry Hittleman, City Planner
BY: Russ Cunningham, Senior Planner
SUBJECT: Public Workshop Series on Coastal Zone Residential Building Height Standards
(First Workshop Scheduled for May 10, 2010)

Purpose

In advance of the Planning Commission's public workshop series on the subject of building height standards for residentially zoned properties in those portions of the Coastal Zone located outside of the Downtown Redevelopment Area, scheduled to begin on May 10, 2010, this memorandum is intended to provide a basis for focused public discussion and decision-making by: a) outlining the existing regulatory framework for the properties under study; b) highlighting issues pertinent to residential building height; c) illustrating existing conditions in the built environment; d) comparing Oceanside's building height standards with those enforced in neighboring coastal jurisdictions; and e) enumerating additional design strategies that can be employed to mitigate potential building height impacts.

As the issue of building height and its potential impacts has the potential to become extremely complex and time-consuming, it is staff's intention to keep public discussion as focused as possible on the fundamental question of whether or not the residential building height standards of the recently reinstated 1986 Zoning Ordinance should be amended to better accord with Coastal Zone policies and community expectations. However, it will be the Planning Commission's prerogative to determine the scope of research, analysis and formal action to be undertaken at this time.

Background

Adopted in 1983, the City of Oceanside's Local Coastal Program establishes land use and development policy for the City's Coastal Zone, which extends from Oceanside Harbor to Buena Vista Lagoon between the Pacific Ocean and Coast Highway, as well as inland along the coastal canyons of the San Luis Rey River Valley, the northern banks of Buena Vista Lagoon and a segment of Loma Alta Creek. The Local Coastal Plan gives the City of Oceanside permit authority over land use and development within those areas subject to state policies and regulations under the Coastal Act. These policies and regulations seek to maintain and enhance public access to the beach while protecting environmentally sensitive and aesthetically valuable coastal resources. Because the City's Zoning Ordinance is intended to serve as the principal means of implementing Coastal Zone policies and regulations, it must be reviewed and certified by the California Coastal Commission CCC.

In May of 2009, the City of Oceanside reinstated the 1986 Zoning Ordinance as the regulating document for those portions of the Coastal Zone located outside of the Downtown Redevelopment Area. This action occurred following the determination that the previously applicable 1992 Zoning Ordinance has not been certified by the CCC and thus has not been formally reconciled with, and incorporated into, the City's Local Coastal Plan. The decision to reinstate the 1986 Zoning Ordinance as the regulating document for certain Coastal Zone properties is memorialized in correspondence between the City of Oceanside and the CCC, which is attached to this memorandum as Exhibit G.

As a result of the reinstatement of the 1986 Zoning Ordinance, building height standards have changed for residential properties in certain portions of the Coastal Zone. Residential properties now subject to the building height standards of the 1986 Zoning Ordinance are depicted in a series of maps which are attached to this memorandum as Exhibit A. These properties are located west of Coast Highway between Wisconsin Avenue and Buena Vista Lagoon, between Coast Highway and the east side of Cleveland Street from Seagaze Avenue to Wisconsin Avenue, east of Coast Highway between Vista Way and Buena Vista Lagoon, and in much of the Eastside Capistrano neighborhood. There are also a limited number of affected properties located east of Coast Highway between Oceanside Boulevard and Godfrey Street.

The Coast Highway Vision and Strategic Plan (CHVSP), adopted by the City Council in April 2009, takes into account the height standards of the CCC-certified 1986 Zoning Ordinance. Coastal Zone properties within the CHVSP study area include both commercially zoned lots with frontage on Coast Highway and high-density residential (R-3) properties situated between Coast Highway and the railroad right-of-way (including the Arts, Technology and Environment District that extends from Wisconsin Avenue to the Oceanside Blvd. Sprinter Station). While the residential properties within the CHVSP boundaries have been included in this study of residential building height standards, the current 35-foot height allowance for these properties conforms to the land use plan, design guidelines and other components of the CHVSP. Thus, the study of alternative building height standards will focus on those Coastal Zone residential properties that lie outside of the CHVSP boundaries – i.e. those situated on the coastal side of the railroad right-of-way.

The last time the community was comprehensively engaged on the question of residential building height limits throughout the Coastal Zone was prior to the adoption of the 1992 Zoning Ordinance, when public outreach resulted in a provision in the 1992 Code which restricts residential building height to 27 feet and two stories “on lots within the Townsite area southerly of the Downtown District boundaries and the South Oceanside Neighborhood Planning Areas.” In other residential areas of the Coastal Zone not within the Downtown District – i.e. portions of the Eastside Capistrano neighborhood – the 1992 Zoning Ordinance establishes a maximum allowable residential building height of 35 feet. The table below illustrates how building height limits and building measurement standards have changed for certain Coastal Zone property as a result of the reinstatement of the 1986 Zoning Ordinance.

TABLE 1
Differences in Residential Building Height
Between the 1986 and 1992 Zoning Ordinances

	1986 Zoning Ordinance (Applicable as of May 11, 2009)	1992 Zoning Ordinance (Superseded as of May 11, 2009)
Max. Residential Bldg. Height (Townsite and South Oceanside)	35 feet	27 feet
Max. Residential Bldg. Height (Eastside Capistrano)	35 feet	36 feet
Basis for Height Measurement	Average Finished Grade	Existing Grade
Method of Height Measurement	Not Specified	Code Section 3017

As illustrated in Table 1, building height limits for much of the Townsite and all of the South Oceanside Neighborhood Planning Areas have increased by eight (8) feet, while the building height limit for much of the Eastside Capistrano Neighborhood Planning Area has decreased by one (1) foot. Additionally, with the reinstatement of the 1986 Zoning Ordinance, the manner in which building height is measured has changed, with building height now measured from average finished grade, rather than existing grade. The implications of these changes are discussed in a subsequent section of this memorandum.

Since the reinstatement of the 1986 Zoning Ordinance, the Planning Commission has reviewed and approved four residential projects under the provisions of this ordinance, three of which exceed the previous building height limit of 27 feet. Following the approval of the third such project, on January 25, 2010, the Planning Commission directed staff to clarify the policies, standards and findings upon which the Commission is to base its assessment of building height, and, in turn, the extent of the Commission’s authority to approve, deny and/or condition projects on the basis of building height. Accordingly, one of the principal goals of the public workshop is to establish a common understanding among City staff, the Planning Commission, prospective applicants and the general public as to the nature and scale of residential development allowed under the building height standards of the 1986 Zoning Ordinance.

Key Issues

The reinstatement of the 1986 Zoning Ordinance has created a number of issues for staff and the Planning Commission in their efforts to evaluate proposed development in an accurate, thorough and consistent manner. Changes in development standards have also created challenges for applicants and other stakeholders who at times struggle to interpret code provisions that lack clarity and detail. Listed below are the issues that staff seeks to address in the course of the workshop series.

- Building height limits and building height measurement standards recently changed for many Coastal Zone residential properties;
- Some residential properties are subject to different building height standards than those applied to similarly zoned properties in the same neighborhood;
- With most existing residential development in the Townsite and South Oceanside Neighborhood Planning Areas conforming to the previously applicable building height limit of 27 feet, there is a question as to whether 35-foot development is consistent with neighborhood character;
- Building height limits and building height measurement standards in the reinstated 1986 Zoning Ordinance lack clarity and detail and are thus open to considerable interpretation;
 - The proper method of measuring building height is not clearly defined;
 - There are few limitations placed on roof projections above the height limit;
 - It is unclear how expansions of nonconforming structures (i.e. those exceeding applicable height limits) should be dealt with;
- Both staff and the Planning Commission would benefit from a common understanding of the role the Design Guidelines of the Local Coastal Plan should play in evaluating project design and making judgments regarding building height.

While resolution of some of these issues would likely require formal policy changes (e.g. zoning text amendments), other issues could be resolved through stricter adherence to existing policies, standards and guidelines. For instance, while changes to building height limits would necessitate zoning text amendments, requiring certain design elements to mitigate the adverse impacts of building height is already within the purview of the Planning Commission, which is called upon to judge projects on the basis of the LCP Design Guidelines, General Plan policies related to architecture and topographic resources, and other standards pertinent to building height. Where it is difficult to make such judgments because applicable standards lack clarity and/or detail, staff can provide further guidance through administrative policy directives (e.g. a directive requiring applicants to submit certified topographical surveys to verify compliance with building height limits).

In the absence of any evidence that the 1992 Zoning Ordinance has been certified by the California Coastal Commission and formally incorporated into the City's Local Coastal Plan, it was incumbent upon both CCC staff and City staff to immediately begin reviewing projects in the study area under the provisions of the 1986 Zoning Ordinance.

Regulatory Framework

This section of the memorandum outlines the development standards now in effect within the study area and compares these standards against those previously in place under the 1992 Zoning Ordinance. It is important to note that the broader policies and guidelines that direct decision-making on Coastal Zone development – i.e., those articulated in the City’s General Plan and Local Coastal Program – have not changed as a result of the reinstatement of the 1986 Zoning Ordinance. Development within the study area continues to be subject to the same review and public notification processes, and both Planning Division staff and the Planning Commission maintain the same level of discretion on the question of whether or not proposed development conforms to the policies and guidelines of the General Plan and Local Coastal Program. Furthermore, despite the significant difference in maximum allowable building height in some portions of the study area, the two ordinances share nearly identical setback requirements for residential development.

1986 Zoning Ordinance vs. 1992 Zoning Ordinance

Along with the differences established above in Table 1, the 1986 and 1992 Zoning Ordinances diverge from one another in other ways on the subject of building height. The 1986 Zoning Ordinance defines “building height” as “the vertical distance measured from the average level of the highest and lowest point of that portion of the building site covered by the building to the ceiling of the uppermost story.” This definition has been interpreted to allow for pitched roof elements above the roof plateline, though there is nothing in the ordinance that specifies how high above the ceiling of the uppermost story such roof elements may project. On the subject of other roof projections, Section 1709(c) of the 1986 Zoning Ordinance offers the following:

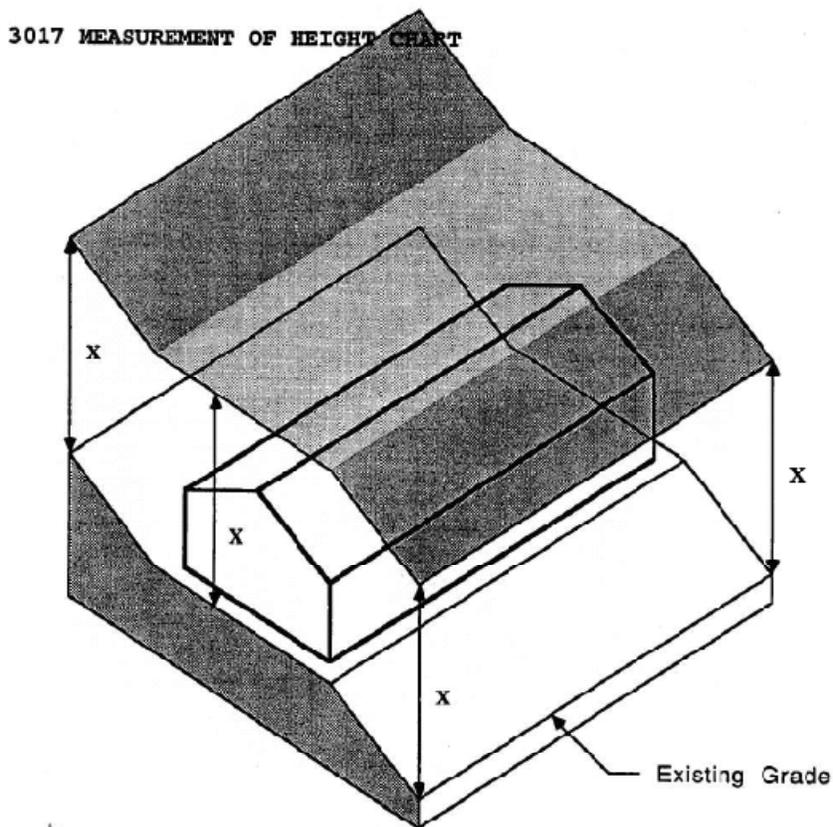
Penthouses or roof structures for the housing of elevators, stairways, ventilator fans, air conditioning or similar equipment required to operate and maintain the building, fire and parapet walls, skylights, towers, church steeples, flag poles, chimneys, antennas and similar structures may be erected above the height limits...provided the same may be safely erected and maintained at such height, in view of the surrounding conditions and circumstances, but no penthouse or roof structures or any space above the height limit shall be allowed for the purpose of providing additional floor space.

The 1992 Zoning Ordinance defines “height” as “the vertical distance measured from existing grade to the uppermost point of the structure.” Thus, unlike the 1986 Code, the 1992 Codes requires that pitched roof elements fall under the building height limit. However, akin to the 1986 Code, the 1992 Code allows for projections above the building height limit, as indicated in Section 3018:

Towers, spires, cupolas, chimneys, elevator penthouses, water tanks, flagpoles, monuments, theater scenery lofts, radio and television antennas, transmission towers, fire towers, and similar structures and necessary mechanical appurtenances covering not more than 10 percent of the ground area covered by the structure to which they are accessory may exceed the maximum permitted height in the district in which the site is located... Living area shall not be permitted in that portion of a structure which exceeds the height limit of the base district.

A key difference between the 1986 and 1992 Zoning Ordinances is the basis of height measurement. The 1986 Code calls for building height to be measured from the “average finished grade.” The aforementioned definition of “building height” indicates that “average” grade is the mean of the lowest and highest grade points beneath the building footprint. Measuring building height from an average grade results in a building envelope that features a flat horizontal plane above the building site. (An illustration of how building height is measured from “average” grade is included on the following page.) By failing to indicate under what circumstances, and to what the extent, the existing grade of a building site can be manipulated to create a building pad, the 1986 Code does not clarify what is meant by “finished” grade. The 1992 Code is less ambiguous on the subject of building height measurement. The 1992 Code requires that building height be measured “from existing grade at all points on the site to a warped plane an equal height above all points on the site.” This requirement is accompanied by the following exhibit:

FIGURE 1
Measurement of Building Height under the 1992 Zoning Ordinance



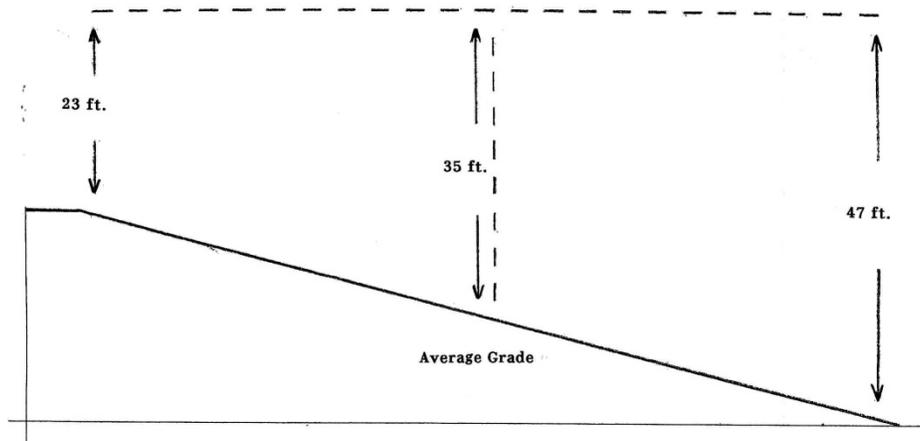
The exhibit above demonstrates that building height is to be measured from all grade points beneath the building footprint. Applicants must verify compliance with this standard to the satisfaction of the City Planner, who has the discretion to require more detailed exhibits and precise calculations as deemed necessary. On sloping lots, this method of building height measurement tends to result in

terraced development with separate roof elements that “step” down the slope. Examples of this and other existing development types within the study area are provided as Exhibit C.

The 1992 Code provides for an exception to the measurement of building height from existing grade in circumstances where a proposed finished grade is deemed to be more compatible with the existing grades of adjacent and surrounding properties. Such an exception can only be approved through a discretionary review process.

If “average finished grade” under the 1986 Code is interpreted as the mean of the lowest and highest grade points beneath the building footprint, the building height limit is a flat plane directly above that point on the building site where the mean of the lowest and highest grade points is located. The following illustration shows the allowable building envelope under this definition of “average finished grade.” The exhibit provides a profile view of a building site with a 25 percent downward slope. On the typical beachfront lot on South Pacific Street, the street would abut the high point of the lot and the beach would abut the low point. In this exhibit, the vertical difference between the highest and lowest grade points within the building envelope is 24 feet, which places the average grade point 12 feet below the street elevation. The 35-foot building height maximum would be measured as a straight line directly above this average grade point. As the exhibit demonstrates, this basis for building height measurement results in lower allowable building height at the street and higher allowable building height on the beach side of the lot.

FIGURE 2
Allowable Building Envelope for Development Subject to the
Building Height Measurement Standards of the 1986 Zoning Ordinance



Many projects on sloping lots within the Coastal Zone – particularly along the west side of South Pacific Street – display a building form that accords with this method of building height measurement. (See Exhibit C.)

Residential projects in the Coastal Zone comprising more than one dwelling unit require approval of a Development Plan. Both the 1986 and 1992 Codes establish required findings that review authorities (e.g. City Planner, Planning Commission) must make in order to approve Development Plans. In the case

of the 1992 Code, these required findings speak to conformance to the Zoning Ordinance and General Plan, availability of adequate infrastructure, compatibility with existing and potential development and minimal grading of hillsides. The 1986 Code establishes that approval or rejection of Development Plan applications should be based on the maintenance of property values, the use and enjoyment of other property in the vicinity and the protection of the public peace, health, safety and general welfare. The 1986 Code further indicates that development standards “are intended as minimum restrictions necessary in normal circumstances” to ensure that such conditions are preserved. Thus, in circumstances where the review authority finds that proposed building height – even within the “minimum restriction” of 35 feet – will have an adverse impact on property values, the use and enjoyment of nearby property and/or the public peace, health, safety and general welfare, that authority has sufficient basis under the provisions of the 1986 Code to either reject the project or condition its approval on a more restrictive building height allowance (i.e. something less than 35 feet). Conversely, the review authority may find that 35 feet of building height is appropriate if, for instance, more restrictive setbacks and/or more extensive landscaping are proposed. In any case, under the 1986 Code, the potential adverse impacts of building height can provide sufficient cause for the rejection or conditioning of proposed residential development subject to Development Plan review, as long as these impacts are assessed in terms of the required findings enumerated above.

General Plan

Policies in the Land Use Element of the General Plan dealing with architecture (1.23) and topographic resources (1.24) have direct bearing on the issue of building height. General Plan policies related to architecture speak to building form that “significantly improve[s] on the visual image of the surrounding neighborhood” and structures that “work in harmony with landscaping and adjacent urban and/or topographic form to create an attractive line, dimension, scale and/or pattern.” Policies related to topographic resources call for structures to “be designed to adapt to hillside conditions.” Clearly, these policies are applicable to building height and its relationship to both the built environment and natural land forms.

However, while it provides broad citywide policy direction on the issue of building height, the General Plan defers to the more specific objectives and policies of the Local Coastal Program regarding development within the City’s Coastal Zone areas. As articulated in Policy 1.32(A), the General Plan establishes that “the City shall utilize the Local Coastal Plan and supporting documentation for review of all proposed projects within the Coastal Zone. Specifically, the goals and policies of the Local Coastal Plan shall be the guiding policy review document.”

Local Coastal Program

The City’s Local Coastal Program seeks to ensure that the policies of the California Coastal Act are consistently implemented within the City’s Coastal Zone. Incorporated into the Local Coastal Program by reference, Section 30251 of the California Coastal Act provides general policy direction on the subject of building design:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

This state-level policy is further specified in the Local Coastal Program through objectives and policies that call for the City to “protect, enhance and restore the visual quality of the urban environment” by ensuring that “all new development is compatible in height, scale, color and form with the surrounding neighborhood” and encouraging “variety, creativity and site responsive design.” In turn, these objectives and policies are embodied in a series of design guidelines that are intended to “improve the attractiveness of the Coastal Zone for both tourists and local residents.” These design guidelines speak not only to site-specific private development but also to streetscapes and other public spaces and vantage points – particularly those that afford ocean views. Design guidelines that relate to building height include the following:

- Ensure that all new development is compatible in height, scale, color and form with the surrounding neighborhood.
- Promote harmony in the visual relationship and transitions between new and older buildings.
- Promote efforts to achieve high quality design for buildings to be constructed at prominent locations.
- Use care in remodeling of older buildings in order to enhance rather than weaken the original character of such buildings.
- Buildings are seen together as a total effect that defines the City and the neighborhood. Emphasize this special character further through distinctive landscaping and other features.
- Design of buildings, streetscape, planting and the attractive use of lighting at night should enhance already existing views or create new views where no view previously existed.
- Pedestrian scale can be achieved at the base of large vertical building surfaces by the use of arcades...horizontal divisions, surface textures and other architectural details.
- Relate the height of buildings to important attributes of the City pattern and to the height and character of surrounding development.
- Coastal views should be framed and accented, not obscured.
- Varying building setbacks create spatial variety. Designing a large building with varying setbacks adds interest and creates small intimate spaces.

These design guidelines can be cited by Planning Division staff and the Planning Commission in their assessment of whether or not proposed projects meet the required findings of the Zoning Ordinance and the Local Coastal Program. More specifically, these design guidelines can be cited to support the position that proposed building height is either consistent or inconsistent with applicable policies of the

General Plan and/or the Local Coastal Program. Even if a proposed project meets the “minimum requirement” of falling below the maximum allowable building height, Planning Division staff and/or the Planning Commission can determine that proposed building height is inconsistent with the above-mentioned design guidelines, thereby rendering the proposed project inconsistent with applicable General Plan and Local Coastal Program policies. Under these circumstances, Planning Division staff and/or the Planning Commission may be unable to make the required findings for approval. Alternatively, Planning Commission staff and/or the Planning Commission may condition project approval on a more restrictive height limit or other design features intended to mitigate the potentially adverse impacts of building height.

Existing Conditions

The built environment within the study area varies from the dispersed and low-profile single-family character of the Eastside Capistrano neighborhood to the denser and higher-profile development that lies between the railroad and the beach from Wisconsin Avenue to the gated community of St. Malo Estates. The study area also includes the mix of commercial and residential development along Tremont and Cleveland Streets from the Oceanside Transit Center to Oceanside Boulevard, the largely multi-family neighborhood immediately north of the Oceanside Cemetery and those portions of South Oceanside situated west of Coast Highway and south of Vista Way. While the entire study area is largely built out, opportunities for redevelopment and infill are plentiful – especially in neighborhoods developed at lower than allowable densities.

Field analysis of existing conditions reveals that most development in the study area conforms to the 27-foot building height limit that previously applied to Townsite and South Oceanside properties. Even in the Capistrano Eastside neighborhood, where the building height limit was previously 36 feet, few properties evidence development over 27 feet in height. Attached to this memorandum as Exhibit C, a series of photographs illustrates the different residential development types currently found throughout the study area.

A large percentage of the study area is occupied by small-lot single-family housing. The Eastside Capistrano neighborhood and much of South Oceanside are dominated by single-family homes, mostly single-story, interspersed with two-story attached multi-family development. Some of these single-family homes have been expanded with second-story additions. Both single-family and multi-family development in these areas generally maintains 15 to 20-foot front yard setbacks. The topography in these portions of the study area is generally flat, though some portions of Eastside Capistrano are adjacent to coastal canyons that extend down to the San Luis Rey River.

As established in Table 1, the reinstatement of the 1986 Code has resulted in a one-foot decrease in the building height limit for properties in the Eastside Capistrano neighborhood. While the change in allowable building height for Eastside Capistrano properties is relatively insignificant, the change in how building height is measured (from average finished grade, as opposed to existing grade from all grade points) could impact the form of new development on the neighborhood’s few sloping properties (e.g. on the western portions of Shoshone and Marquette Streets).

That portion of the study area located between Coast Highway and the railroad from the Oceanside Transit Center to Oceanside Boulevard features a wide range of development types, including single-family homes, two and three-story apartment complexes, rental bungalows, trailer parks, one and two-story commercial and light industrial buildings. Much of this eclectic area falls within the Arts, Technology and Environment District, as designated by the Coast Highway Vision and Strategic Plan.

Those portions of the study area west of the railroad display a mix of single and multi-family housing, including some of the oldest and newest development in the City. These portions of the study area continue to accommodate single-family homes constructed between 60 and 80 years ago, though much of the original housing stock has been replaced over the past three decades by larger single and multi-family development. The density and building envelope of development in these portions of the study area has resulted in considerably less landscaping relative to that found in those neighborhoods east of the railroad. Much of the development in the vicinity of South Pacific Street features minimal front yard setbacks, and special provisions in both the 1986 and 1992 Codes have allowed new development to continue this pattern. Many structures in these portions of the study area display little or no articulation on their street and/or alley-facing elevations, with second and third stories placed directly above ground floor and building lines running uninterrupted from one side yard setback to the other. Due to the narrowness of many lots, front elevations are commonly dominated by garage doors, with primary entrances tucked inconspicuously along side yard elevations.

Public view corridors in coastal portions of the study area are predominately found where the public right-of-way extends to the beach, where sidewalks are elevated above beachfront development (e.g. along Pacific Terrace from the 1600 to the 2000 Block of South Pacific Street) and at Buccaneer Park and Beach.

The west side of South Pacific Street lies along a coastal bluff, with many properties sloping steeply downward to the beach. Vertical separation of 20 to 30 feet between the street and the beach is common, particularly along the southernmost segment of South Pacific Street. Development along the coastal bluff typically takes advantage of the opportunity to extend over or step down the bluff face, with many properties featuring three and four levels of enclosed floor area and between 4,000 and 6,000 square feet of habitable space. Lower levels are commonly defined as basements, as they are nestled into the bluff face deeply enough to meet the City's definition thereof. While some of the older housing on the west side of South Pacific Street presents only a single-story as viewed from the street, most of the existing development places two stories at the street, with a few properties developed with three-stories above street level.

Public Input

Public comment thus far suggests that concerns about changes in building height standards are greatest in those portions of the study area closest to the beach – particularly along South Pacific Street and the neighborhoods immediately to the east. Redevelopment and infill opportunities in these portions of the study area exist primarily on those properties that currently accommodate older single-family homes and small rental units. Staff has received input from community members concerned about the potential impact of 35-foot development on existing neighborhood character and visual access to the

Pacific Ocean from public streets and walkways. Some stakeholders have voiced concern that the 35-foot building height limit will facilitate the intensification of tourist-serving uses along South Pacific Street, which can impact on-street parking resources and create traffic congestion at certain times of the year. Other stakeholders have expressed support for policies that encourage variable building height from property to property, as well as graduated building height limits moving inland from the beach, akin to what now exists in the Downtown Redevelopment Area. (See Exhibit F for building height limits within the RDA.) Staff has also heard from stakeholders who are satisfied with the current building height standards and feel that further restrictions would infringe upon property rights.

As noted earlier, future development in those portions of the study area nearest to Coast Highway has recently been addressed through the community outreach process that coincided with the preparation of the Coast Highway Vision and Strategic Plan. As part of the implementation of the Vision Plan, the Planning Division is currently pursuing a zoning overlay for the Plan-designated Arts, Entertainment and Environment District, which comprises a significant portion of the study area between Coast Highway and the railroad from Wisconsin Avenue to Oceanside Boulevard.

The principal purpose of the workshop series is to solicit additional public input on building height standards within the study area. While staff has some indication that building height standards are of greater public concern in some portions of the study area than in others, public comment and formal direction from the Planning Commission will determine how, and where, the issue of building height will be addressed.

Alternatives

In order to encourage an open exchange of ideas at the first public workshop, staff is not at this time making any recommendations regarding building heights standards for the study area. As a framework for discussion, staff has developed a comparative analysis of building height standards in effect in several neighboring coastal jurisdictions, along with a listing of other design practices that could be employed to mitigate the potentially adverse impacts of building height. Should the Planning Commission determine that changes to current building height standards are called for, this memorandum outlines options for amended building height limits, building height measurement methods, allowable height projections, basement definitions, application submittal requirements, and limitations on the expansion of nonconforming structures. Should the Planning Commission choose instead to focus on how the impacts of building height can be addressed within the bounds of existing regulations and review processes, this memorandum enumerates several building height mitigation strategies that could be recommended and/or required on a case-by-case basis. These options by no means reflect the full range of alternatives available on the issue of building height, and it is staff's expectation that other options will present themselves in the course of public discussion.

How Building Height Is Regulated and Measured in Nearby Jurisdictions

Attached to this memo as Exhibit B is a matrix which compares building height standards enforced in coastal cities located in close proximity to Oceanside. This matrix illustrates several key points:

- Most of these nearby coastal cities have more restrictive building height limits than Oceanside (ranging from 22 to 35 feet);
- Several of these cities allow additional building height for structures with pitched roofs;
- Nearly all of these cities require applicants to measure building height from existing or finished grade, whichever is lower;
- Only Oceanside allows building height to be measured exclusively from the finished grade;
- Nearly all of these cities measure building height from all grade points beneath the building footprint, establishing the building height maximum as a *contoured* plane above the lot, whereas the basis point for measuring building height in the study area (under the 1986 Ordinance) is the *average* grade, which establishes the building height maximum as a *flat* horizontal plane above the lot (see illustration on Page 6);
- Nearly all of these cities require that building height be measured to the uppermost point of the building (i.e. top of roof);
- Most of these cities allow projections above the building height limit, with some cities more restrictive than others in terms of what constitutes an allowable projection and how much it can exceed the building height limit;
- While most of these cities have definitions of “basement” that allow full daylighting of at least one side of the basement, the definition provided in the 1986 Code does not appear to allow this practice (though many projects developed under the 1986 Code include basements with at least one fully daylighted elevation);
- All of these cities afford staff considerable discretion to determine what application submittal materials are needed to verify conformance with building height standards;
- Encinitas and Dana Point restrict building height to a single story on the high side of lots that evidence slopes of 10 and 20 percent, respectively (see Exhibit D);
- Del Mar and Solana Beach provide some protection of private views, requiring the installation of story poles and subjecting proposed projects to a view assessment process;
- Most of these cities allow expansion of structures that do not conform to current building height limits, as long as the proposed expansion meets current development standards.

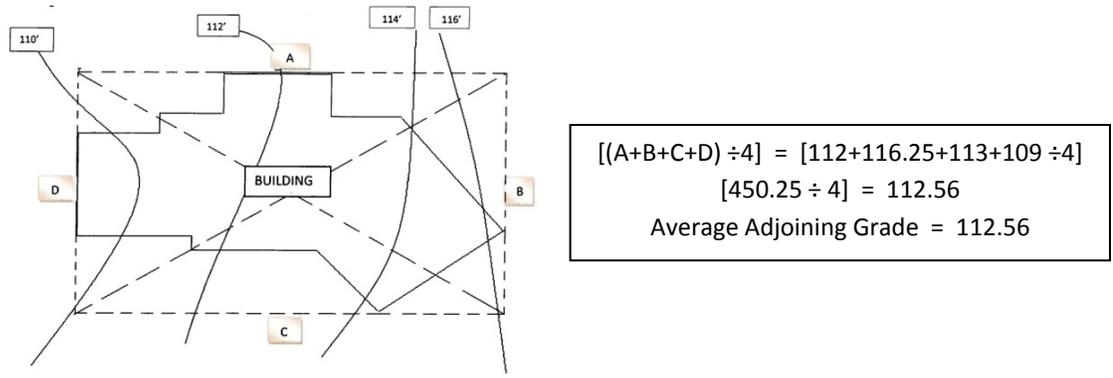
While the matrix incorporates a wide range of factors pertinent to the issue of building height, in order to avoid an unduly complicated process, staff recommends that the workshop series be focused on building height limits and methods of calculating building height, with the more technical considerations of application submittal requirements, the definition of “basement” and the nature of building height projections being left to staff at the present time.

Basis Point(s) from Which Building Height Can Be Measured

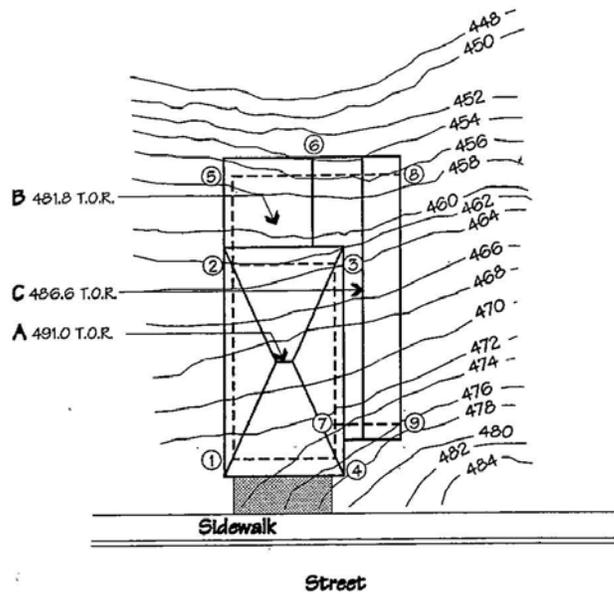
While most of the coastal jurisdictions in close proximity to Oceanside measure building height from existing or finished grade, whichever is lower, at all points beneath the building footprint, there are

other cities (including some of those listed in the matrix) that measure building height from different basis points, including:

- Lowest existing grade beneath the building footprint, which tends to encourage significant excavation on sloping lots (a practice that is generally discouraged by the City’s General Plan and Local Coastal Program);
- Average existing grade of adjoining sidewalk, which can result in an extremely large building envelope on downward sloping lots;
- Existing grade at the midpoint of the lot, which typically produces a similar building envelope to that produced by the basis point called for in the 1986 Code;
- Average adjoining grade, measured as the mean of the existing or finished grades at all corners of the building footprint, which also typically produces a similar building envelope to that produced by the basis point called for in the 1986 Code;
- Average adjoining grade, measured by first delineating the smallest square or rectangle enclosing the building footprint and then averaging the existing or finished grades at the midpoint of each side of this square or rectangle, which is yet another method that typically produces a similar building envelope to that produced by the basis point called for in the 1986 Code (see illustration below):



- Average existing grade as measured from the corners of each separate roof element, which tends to encourage terraced development on sloping lots (see illustration on the following page):



Height Analysis

	①	②	③	④		
A Ridge Elevation	491.0	491.0	491.0	491.0		
Existing Grade	<u>472.5</u>	<u>461.5</u>	<u>462.7</u>	<u>477.0</u>	$= \frac{90.3}{4}$	$= 22.6$
	18.5	29.5	28.3	14.0		
B Roof Elevation	481.8	481.8	481.8	481.8		
Existing Grade	<u>461.5</u>	<u>462.7</u>	<u>450.8</u>	<u>452.0</u>	$= \frac{100.2}{4}$	$= 25$
	20.3	19.1	31.0	29.8		
C Ridge Elevation	486.6	486.6	486.6	486.6		
Existing Grade	<u>452.0</u>	<u>469.0</u>	<u>454.5</u>	<u>472.0</u>	$= \frac{98.9}{4}$	$= 24.7$
	34.6	17.6	32.1	14.6		

Regardless of the basis point(s) from which building height is measured, submittal materials that juxtapose the existing topography across the entirety of the building site with the footprint of proposed development (as seen in the two illustrations immediately above) tend to provide the most accurate and intelligible illustrations of how proposed development conforms to maximum allowable building height. When supplemented with elevations and/or section drawings that depict how proposed development would be situated between the building surface and the building height limit, such exhibits reduce ambiguity and the controversy that often stems from it. Whether building height is measured from all grade points beneath the building footprint (as prescribed by most of the coastal jurisdictions in proximity to Oceanside), from grade points beneath specified building elements, from an average grade point (as variously defined above), or from another basis, exhibits that provide a comprehensive view of how proposed development would interface with the building site can be quite useful to staff not only in verifying conformance to building height standards but also in communicating with concerned neighbors and other stakeholders about a project's potential impacts.

Development Standards Intended to Mitigate Building Height Impacts

Building height limits are, of course, only one regulatory means of ensuring that the scale and character of proposed development comports with both the surrounding built environment and the natural land forms beneath and around it. Setback minimums, lot coverage maximums, floor area ratios and other development standards can also serve to mitigate the potentially adverse impacts of building height by reducing overall building mass, encouraging visual variety and providing for sun exposure, air circulation and view corridors. Additionally, building height limits themselves can be nuanced with restrictions on overall building height, limits on building height on the high side of sloping lots, limits on height and/or overall square footage of unbroken wall planes, additional height for pitched roof elements, additional height for development on substandard lots, daylight plane requirements, etc. In the absence of a formal design review process, such standards can help to clarify the community's definition of site-sensitive and neighborhood-compatible development. Attached to this memorandum as Exhibit _ are illustrations that highlight some development standards intended to mitigate the potentially adverse impacts of building height.

Optional Design Elements Intended to Mitigate Building Height Impacts

For residential projects within the study area that are subject to discretionary review, Planning Division staff can recommend design elements that enhance these projects' conformance with City objectives, policies and guidelines pertinent to building height and its potential impacts. Furthermore, the review authority (City Planner, Planning Commission, City Council) can condition approval of these projects on the incorporation of such design elements. Below are listed several features that can be incorporated into project design to mitigate the potentially adverse impacts of building height:

- Site design that deemphasizes building mass as viewed from the adjacent street and other public view corridors;
- Building mass that conforms to lot contours;
- Pitched roof elements;
- High-quality roofing materials (e.g. single-barrel tile, concrete shingles, standing seam metal);
- Architecturally integrated roof deck stairways that do not exceed the building height limit (see Exhibit H);
- Modulated facades;
- Extensive and balanced fenestration;
- Recessed entryways, garage doors and windows;
- Vertical articulation with towers, cupolas, etc.;
- Corbels, cornices, extended eaves and other roof edge treatments;
- Bay windows, awnings, pediments and other architectural projections;
- Balconies with decorative railings;
- Varied wall finishes;
- Extensive, well-placed and vertically-oriented landscaping;
- Open side yards with low and/or substantially transparent fencing;

These and other design considerations are not meant to be applied in formulaic ways but rather on a case-by-case basis as circumstances warrant, and in close collaboration with the applicant and project designer. When the incorporation of such elements occurs through negotiation and compromise, rather than as a mandate from staff or the review authority, the discretionary review process tends to gain greater acceptance from all stakeholders. Attached to this memorandum as Exhibit E are examples of projects that incorporate many of the design elements listed above.

Conclusion

With these and other alternatives in mind, the Planning Commission and local stakeholders are asked to consider whether changes in current building height standards for Coastal Zone residential properties are warranted to better achieve the objectives of the General Plan and Local Coastal Program, better protect and enhance the visual character of the study area and better accord with the expectations of Coastal Zone residents and property owners. Options include maintaining the status quo (i.e. making no changes to the 1986 Zoning Ordinance), fully reconciling the building height standards of the 1986 Code with those of the 1992 Code, and implementing new standards that draw from the alternatives enumerated in this memorandum and/or other ideas that emerge in the course of the public dialogue. Taking direction from the Planning Commission and other stakeholders participating in this first workshop, staff will narrow the focus of subsequent workshops to those issues and potential solutions that assert themselves as being of greatest interest to stakeholders involved in the discussion.

Attachments:

1. Exhibit "A" – Maps of the Study Area (4)
2. Exhibit "B" – Building Height Standards Comparison Matrix
3. Exhibit "C" – Photographs of Existing Development in the Study Area
4. Exhibit "D" – Illustrations of Development Standards Intended to Mitigate Building Height Impacts
5. Exhibit "E" – Illustrations of Projects with Design Elements that Mitigate Building Height Impacts
6. Exhibit "F" – Map of Downtown Redevelopment Area Height Limits
7. Exhibit "G" – Correspondence between the City of Oceanside and the California Coastal Commission
8. Exhibit "H" – City of Dana Point Roof Deck Development Standards