

To: Policy Committee

Re: Meeting of 8/11/2020, Visibility and HDS&G.

From: Dave Weissman 8/6/2020

Staff is asking The Committee for input on 4 areas of Town policy.

Area I: Should “elevation” be defined in the HDS&G? I believe the fact that staff needs to ask this question, and that its meaning was the subject of contention at the Town Council meeting in early March, 2020, are legitimate reasons to justify defining this term. Also, elevation is the key word in determining visibility of a proposed hillside house. But if anyone had a question as to the meaning of “elevation” then Wikipedia can be a good source of information:

So, elevation is simply a 2-dimensional representation of the vertical surfaces of a 3-dimensional building. And a building is generally understood to refer to an enclosure within which activities can be carried out.

And in Town codes (29.10.020), when calculating the gross floor area of a proposed structure, measurements are made from the outer face of the exterior walls starting 4 feet above the proposed grade. Non-vertical elements such as decks, retaining walls, barbeque pits, hot tubs, AC units, pool sheds, swimming pools, etc., permanently open to the sky, are not counted as part of a building or of the gross floor area. And they should not be included when calculating the square footage of the elevation. In the particular A&S application considered at the TC appeal in early March, 2020, such open-to-the-sky elements totaled 890 square feet, and all were located below the finished floor grade, according to the architect. While the staff report only mentions that I was concerned about retaining walls being included in the elevation, such walls were only 10% of the 890 square feet the applicant claimed as part of the elevation. Most of the remaining 800 square feet was the cement deck area with its stairs, as the applicant himself noted, and as I had emphasized.

The visibility analysis in the Hillside Guidelines is all about what would be visible from the valley floor viewing areas. In general, the above-mentioned elements are never visible from the valley floor, especially when they are on a below grade sloping area as they frequently are in the hillsides, and in my appealed project. And if such elements are not on a sloping area, then

they would simply be part of the projected 2-dimensional elevation and not add any significant square footage to the elevation.

Area 2: Should existing trees or branches, subject to mandatory clearing in Zone 2, be included in the visibility analysis? Clearly “no”, since safety issues are paramount to environment issues. If Town codes require certain trees and/or branches to be removed for fire protection and prevention, then they should not be counted as providing screening in the visibility analysis.

Area 3: Should existing trees or branches, subject to clearing in Zone 3, be included in the visibility analysis? Again, clearly “no” under the same reasoning as Area 2.

Area 4: Should all existing trees listed in Sec. 29.10.0970, that is those trees that can be removed without a tree removal permit, and not require replacement, be included in a visibility analysis? Again, clearly “no.” All of those trees listed are non-native and several are extremely flammable. When we revised our Tree Protection Ordinance, Sec. 29.10.0970 was included to encourage the removal of non-native hillside trees by streamlining the removal permitting process. Recent revisions to Sec. 29.10.0970 and Sec. 29.10.0992 now require the removal or maintenance of such trees for Defensible Space requirements, and such trees should not be counted as providing screening in any visibility analyses.

Additionally, page 14, paragraph h. of the HDS&G, currently requires a Deed Restriction for trees used in the visibility analysis. This section of the HDS&G should be modified to conform to new Defensible Space requirements.