

December 5, 2019

Ms. Christy Whalen, Manager

Ms. Maryam Babaki, Building Commissioner

Rancho Santa Fe Association

Dear Ms. Whalen and Ms. Babaki:

The Board of Directors has been following with interest the review of the Association's internal processes with respect to member applications to the Art Jury for approval of various projects. The Board Liaisons to the Art Jury, Directors Sharon Ruhnau and Bill Strong have reviewed and studied ways to improve the process from the standpoint of providing (i) for adherence to the provisions of the Rancho Santa Fe Protective Covenant ("PC"), the Regulatory Code ("RC"), and the Residential Design Guidelines ("G"), (ii) for consistency and equitable treatment, (iii) for the clarity of and consistent recording of decisions made by the Art Jury and (iv) for the efficiency of coordination of the Art Jury and staff of the Building Commissioner.

Based on the Board Liaisons' work-to-date, the Board recommends to the Manager and Building Commissioner that the project approval process include certain findings to be made by the Art Jury for each project. These findings would be made by a vote of the Art Jury on each separate finding, with such vote and any relevant commentary being recorded in the minutes of the Art Jury. Final approval of a project can only be established if the Art Jury makes affirmative votes on each on the separate findings. The proposed findings are set forth below. Italicized phrases and sentences are direct quotations from the referenced document and paragraph accompanying the language.

The Board's Proposed Findings by the Art Jury

1) Regulations Satisfied: Final Approval means that the project conforms to all requirements, plain language wording, and expressed preferences of the Protective Covenant, the Regulatory Code and the RSF Residential Design Guidelines. Any deviations from the PC and RC require a variance from the RSFA Board of Directors to be obtained prior to a Final Approval being established. Deviations from the Residential Design Guidelines (G), require a documented and well-articulated finding from the Art Jury.

2) Architecture and Appearance Acceptable: *Shall be that distinctive type of architecture which for several decades has been successfully developing in California, deriving its chief inspiration directly or indirectly from Latin types, which developed under similar climatic conditions along the Mediterranean or at points in California, such as Monterey (PC 157). A design must be reasonably good in order to be approved by the Art Jury. A poorly designed example of architecture, regardless of its proposed cost, shall be disapproved (PC 154). The appearance achieves a uniform and reasonably high standard of artistic result and attractiveness in exterior and physical appearance of said property and improvements (PC46); will accentuate simplicity in line and form with restrained and understated elegance as opposed to the overly ornate or monumental, and avoid features which accentuate visual prominence, with accessory structures and additions which are integrated with existing buildings by utilizing similar forms, colors, and materials. Structures should be informal rather than formal, simple of line and form rather than ornate or monumental, horizontal rather than vertical, natural rather than synthetic and restrained rather than aggressive (G35). Design types which represent non-indigenous regional or foreign architectural genres are unacceptable (G36). Entries to homes should be restrained and understated (G36). Roofs [are] preferably not steeper than thirty degrees and never to exceed thirty-five degrees maximum (PC 160). Materials: Plaster, adobe, or stucco exterior wall surfaces of a durable construction or concrete, stone or an approved artificial stone are to be preferred (PC 159). Materials, color and forms must be used honestly, actually expressing what they are, and not imitating other materials (PC 155).*

Color: *Generally light in tone... (PC 158). Brilliant or bright colors are inappropriate, stark and brilliant whites are discouraged (G48).*

3) Lot Grading Acceptable: *The purpose is to preserve natural landforms, including slopes, ridgelines, and valleys, in order to maintain the rural character, is appropriate to the site, preserve[s] natural topography and landscape features of the site in an aesthetically pleasing manner by minimizing Grading, retaining walls, and prominence, as much as possible. Grading should be limited and have varying gradients with a contoured transition with a natural appearance, and does not occur in slopes over 25% unless either very minor, or needed and minimized to provide a single access (RC41). The Art Jury shall assess the proposed development and/or grading in relation to the existing level of development already occupying a site (RC41.0302).*

4) Location of Buildings and Structures Acceptable: *The location, configuration, and design of the buildings must be reasonably appropriate to its site and harmonize with its surroundings (PC155); with structures which are low profile and site sensitive, and are stepped into the site and protect contours by being unobtrusive, and achieve compatibility with site, neighborhood, and community character (G35).*

5) Mass and Size of Buildings and Structures Acceptable: *The size and design achieve compatibility with site, neighborhood, and community character, do not dominate, overpower or destroy the individual topographical features, and blend the structure into the site and landscape. (G35) Displays restrained elegance through designs whose mass and scaling are subordinated to the natural features of the site and surrounding areas (G34), and are low profile and site sensitive. The size and massing of structures should be appropriate to their sites and surrounding landforms. Lot size, building pad size, visibility, topography and neighborhood character all play vital roles in determining appropriate size and massing, including taking into consideration the unique features and characteristics of each individual site (G35).*

6) Lot Coverage Acceptable: *The amount development and coverage with buildings or structures is appropriate to the site, size of the parcel, will “maintain and enhance the rural character and ambiance of the site and community”, (G35) and conforms to PC paragraph 126 (Percentage of Lot Occupied) using accepted definitions.*

7) Landscaping Acceptable: *While landscaping for the purpose of buffering and screening structures is highly desirable, no amount of landscaping or screening will make an inappropriate, inharmonious, or incompatible design acceptable (G36). Restrained illumination preserves “Dark Sky” Policy (G26).*

The Board is aware that the Art Jury considers all of these matters currently in assessing a project. No criticism is implied by the recommendation of this more structured finding process. The intention of the findings is to demonstrate that all findings on a project were duly considered and affirmatively made in the records of the Art Jury in the event of disputes or challenges arising. Furthermore, in PC Article IV paragraph 151 regarding building permits, “No building permit shall be issued by the Association for the erection or alteration of any building or structure contrary to the provisions of this covenant...” The more detailed findings above will assist the Building Commissioner and the Association to meet the requirement of PC 151.

The Board requests that the Manager and Building Commissioner consult with the Art Jury and the Board Liaisons about the appropriate ways to incorporate these findings into the process. The President of the Board will be available to the parties to assist with any clarifications on this letter.

Very truly yours,

Richard A. Sapp
President, on behalf of the Board of Directors of the Rancho Santa Fe Association

cc: Members of the Rancho Santa Fe Art Jury

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